



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 15<sup>th</sup> JANUARY 2013

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Tuesday 15<sup>th</sup> January 2013, commencing at 9.00am and be closed to the public until 10.00am.

I certify under S65(2) of the Local Government Act 1993 that the matters to be discussed under this agenda have been, where necessary, the subject of advice from a suitably qualified person and that such advice has been taken into account in providing any general advice to the Council.

Lyn Eyles  
General Manager

### 1.0 OPENING

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### 2.0 PRESENT

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### 3.0 APOLOGIES

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### 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.

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### 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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**9.0 COMMUNITY &  
ECONOMIC  
DEVELOPMENT  
REPORT**

Moved **Clr**

Seconded **Clr**

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

**Carried**

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**9.1 CENTRAL  
HIGHLANDS FIRES  
– COMMUNITY  
REPORT**

To be provided at meeting.

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**9.2 JUNCTION  
PATRICK STREET,  
HOLLOW TREE  
ROAD AND  
MARKET PLACE,  
BOTHWELL**

For Discussion

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**9.3 HIGHLANDS  
TASMANIA BRAND  
– NON-COMPLIANT  
OPERATORS**

For Approval

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**9.4 HIGHLANDS  
TASMANIA BRAND  
– WEB SITE**

Update to be provided at meeting.

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**9.5 HIGHLANDS  
TASMANIA BRAND  
– FACEBOOK**

Update to be provided at meeting.

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**9.6 OUSE FAMILY  
CARE CENTRE  
FUNDING  
APPLICATION**

For Discussion & Approval

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### 9.7 TARGA TASMANIA 2013 – ROAD CLOSURES

For Approval

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### 9.8 ROYAL FLYING DOCTOR SERVICE FUNDRAISER

For Approval

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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**

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### 10.1 STATE SPECIAL EMERGENCY MANAGEMENT PLAN – DAM SAFETY EMERGENCIES – COMMENTS

For Discussion

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### 10.2 REQUEST FOR REMISSION OF FEES : PLACE OF ASSEMBLY LICENCE : ST MARYS HALL

**Recommendation**

Moved **Clr**

Seconded **Clr**

Given that the \$20 fee is a very small amount then it is recommended that Council not exempt St Marys and retain its 2006 policy and seek to have all charities and not for profit organisations pay the \$20 annual fee for any Food Business or Place of Assembly licence.

**Carried**

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**10.3 DA 2012/17 :  
PLANNING  
APPEAL  
MEDIATION  
PROPOSAL :  
BLACK SNAKE  
ROAD, BOTHWELL  
– SUBDIVISION OF  
9 LOTS AND  
BALANCE**

**Recommendation**

Moved **Clr**

Seconded **Clr**

That Central Highlands Council (Planning Authority) in accordance with the provisions of Section 16A of the Resource Management and Planning Appeals Tribunal Act 1993 agrees to accept a mediation agreement as follows:

1. Remove the second and fourth dot points from Condition 21 (road upgrade and bridge contribution); and
2. Add the following to the permit:
  - a) The applicant will make a one-off all inclusive payment of \$25,000 toward the bridge and road, to be paid upon the sealing of the final plan of survey;
  - b) The applicant will pay for upgrade works to the existing Black Snake Road including grading, re-surfacing and any necessary culvert work. This work would be undertaken when the road extension is constructed and to the satisfaction of the Works Manager; and
  - c) The applicant will supply a used steel bridge for use at Black Snake Road if it is determined that the bridge is suitable for the purpose and can be supplied at no cost to Council.

**Carried**

**10.4 DES STATUS  
REPORT**

**For Information**

**11.0 WORKS &  
SERVICES**

Moved **Clr**

Seconded **Clr**

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

**Carried**

**11.1 DISCUSSION**

**11.2 PELHAM TIER**

**For Discussion**



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### 11.3 RECEIVAL OF STATUS REPORT

Moved **Clr**

Seconded **Clr**

**THAT** the **Status Report** be received.

**Carried**

### 11.3.1 STATUS REPORT DISCUSSIONS

### 12.0 MAYORAL COMMITMENTS

10<sup>th</sup> Dec 2012      AGM Council Bothwell  
Ordinary Meeting Council Bothwell  
General Management Committee – LGAT  
Premier's Local Government Council Meeting

13<sup>th</sup> Dec 2012      Bothwell District School Presentation  
Tasmanian Irrigation Meeting – Bothwell  
Ouse District School Presentation

14<sup>th</sup> Dec 2012      Lions Club of Bothwell Carols

15<sup>th</sup> Dec 2012      Speed Shear Competition Bothwell

17<sup>th</sup> Dec 2012      University of Tasmania – Graduation Ceremony

20<sup>th</sup> Dec 2012      Staff Christmas Luncheon

9<sup>th</sup> Jan 2013      Premier / Community Meeting

10<sup>th</sup> Jan 2012      Tour with Federal National Leader & Senators

Interviews directly linked to the fires

Radio – Tasmanian & Interstate

Newspapers – Mercury & The Examiner (8 in total)

Inspections & works directly linked to fires.

Direct contact from Premier re: chairing meeting connected with fires. I have accepted on behalf of Council. Recovery Plan to be implemented.

Updating Premier of Fire situation.





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15.2  
CONFIRMATION  
OF DRAFT  
MINUTES  
ORDINARY  
MEETING

Moved Cllr

Seconded Cllr

**THAT** the Draft Minutes of the **Ordinary Meeting of Council** held on **Monday 10<sup>th</sup> December 2012** be **confirmed**.

**Carried**

15.3 RECEIVAL  
DRAFT MINUTES  
ANNUAL GENERAL  
MEETING

Moved Cllr

Seconded Cllr

**THAT** the Draft Minutes of the **Annual General Meeting of Council** held on **Monday 10<sup>th</sup> December 2012** be **received**.

**Carried**

15.4 RECEIVAL OF  
DRAFT MINUTES  
ILU COMMITTEE  
MEETING

Moved Cllr

Seconded Cllr

**THAT** the Draft Minutes of the **Independent Living Unit Committee Meeting of Council** held on **Thursday 10<sup>th</sup> January 2013** be **received**.

**Carried**

15.5 RECEIVAL OF  
DRAFT MINUTES  
AUDIT COMMITTEE  
MEETING

Moved Cllr

Seconded Cllr

**THAT** the Draft Minutes of the **Audit Committee Meeting of Council** held on **Thursday 10<sup>th</sup> January 2013** be **received**.

**Carried**

16.0 BUSINESS  
ARISING

17.0  
ADMINISTRATION





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### **17.1 PROTOCOL FOR INTER- COUNCIL EMERGENCY MANAGEMENT RESOURCE SHARING (PAGES 1 - 16)**

LGAT has developed a protocol for inter council emergency management resource sharing which would provide an agreed position between councils regarding the provision of resources to assist other councils with response and recovery tasks during emergencies. The protocol covers the procedures for requesting assistance; command, control and co-ordination of the operation, authority of assisting staff to perform duties; induction and occupational health and safety; payment of expenses to the assisting council; liability for loss or injury. The protocol was endorsed by Councils at the General Meeting held on 21 November, 2012.

Adoption of the protocol is voluntary, and those Councils wishing to participate are asked to sign and return the attached letter confirming Councils commitment to the protocol.

Councils are always willing to commit resources to assist other Councils in need and this process formalises the procedures required.

#### **For Decision**

### **17.2 FINAL REPORT ON PHASE 1 OF THE ROLE OF LOCAL GOVERNMENT PROJECT (PAGES 17 – 39)**

Attached is the final report for Phase 1 of the Role of Local Government project. The project's aim is to facilitate an ongoing 'conversation' which will lead all stakeholders to a shared understanding of what local government is and what it needs to become in order to meet the needs of communities now and into the future. The project will:

- Define the role of Local Government;
- Identify the capabilities required to fulfil the role of Local Government;
- Identify strengths and capability gaps within Local Government
- Produce a set of Local Government reform options

The project is being delivered in two phases:

- (a) Defining the role of Local Government
- (b) Defining and assessing the capabilities required of Local Government to fulfil its role.

Council's General Manager, Mayor and Deputy Mayor attended workshops held by the Local Government Division in October, 2012.

The report provides findings from the consultation and amended role statements.

Phase 2 of the project will identify the capabilities required for each role.

Phase 2 of the Project will commence in February.

#### **For Information**



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### 17.3 DRAFT LOCAL GOVERNMENT MISCELLANEOUS AMENDMENTS BILL (SEPARATE ATTACHMENT)

LGAT has been asked by the Department of Premier and Cabinet to seek comments on the Draft Local Government Miscellaneous Amendments Bill which has been prepared for consultation purposes.

The Bill requires amendments to the Local Government Act 1993 and minor consequential amendments to the Building Act 2000 to provide:

Councils with the power to take action to rectify issues with dilapidated buildings;  
Additional powers under the nuisance provisions to allow councils to issue infringement notices;  
Clarity to the electoral provisions of the Act; and  
Clarity to a small number of other provisions of the Act.

The Bill proposes to expand the definition of nuisance to include dilapidated buildings and provide councils with appropriate powers to enforce works to remedy the adverse effects of dilapidated buildings and nuisance provisions

LGAT is seeking any comments which are to be received by Friday 8 February, 2013.

#### For Noting

### 17.4 DIER - SAFER ROADS: NON- URBAN ROAD NETWORK STRATEGY (PAGES 40 – 52)

As part of the strategy implementation non-urban roads are being assessed against independent criteria to determine if they can safely retain a 100km speed limit. It is DIER's role to finalise road assessments, communicate the Strategy and to implement any revised speed limits. Local Government has a role to participate in road assessments and to inform its community as it see fits. As part of the strategy's implementation there will be no costs to council associated with the installation of signage. DIER will be responsible for and will fund the procurement and installation of new signs to replace existing 'end speed limit' signs.

DIER has advised that the next steps in the road assessment process are:

- DIER is assessing all 100km/h sections of the State Road Network and local roads nominated by Councils against the criteria. It is expected that this process will be completed January/February 2013.
- The Safer Roads website ([www.saferoads.tas.gov.au](http://www.saferoads.tas.gov.au)) will be updated as DIER undertakes assessment of roads against criteria.
- The results of the initial assessment process will be provided to local councils, and briefings will be offered to discuss the assessment results and the impact on local roads.
- Briefings on the road assessment results and the remaining stages of implementation will also be provided to Members of Parliament.



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- Further on-site inspections will be conducted on roads which marginally meet the criteria to identify if they are suitable for a 100 km/h speed limit.
- Further information will be provided in future editions of LGAT news as implementation of the strategy progresses.

DIER has confirmed that representatives will be attending the Council meeting to give a presentation on the process.

### For Noting

#### 17.5 OUSE RECREATION GROUND (PAGES 53 - 54)

Chris Boden, Secretary, Tasmanian Trail Association Inc has advised that a recent inspection of the Ouse Recreation Ground revealed damage to the water supply to the toilet at the recreation ground. The Association is arranging for this to be repaired. The Ouse Recreation Ground is part of the Tasmanian Trail.

As it is the most popular time for the Trail to be used, the Association would like the entrance gate again secured by lock. The Association has a security lock system installed along the entire length of the Trail whereby Trail users may access areas via the keyed alike locks. The Association is prepared to provide their lock for Council to install with Council also providing a lock for Council access.

The Association has also advised that an adjoining landowner has removed part of the boundary fence to access his property and is requesting that Council repair the fence to ensure containment of horses in case of escape from the internal enclosure. If Council is unwilling to repair the fence, the Association is seeking approval to carry out the work.

Another concern of the Association is that the recreation ground is being used as an industrial storage site by a neighbour.

### Recommendation:

#### THAT

1. Council's Works & Services Manager liaise with the Tasmanian Trail Association for the installation of locks on the Ouse Recreation Ground:
2. That Council's Works & Services Manager repair the boundary fence being used as an access point for a neighbouring property: and
3. The Works & Services Manager investigate the issue of storage of material on the Recreation Ground and be authorised to make arrangements for its removal with the neighbouring owner.



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**18.0  
SUPPLEMENTARY  
AGENDA ITEMS**

Moved **Clr**

Seconded **Clr**

**THAT** Council consider the matters on the Supplementary Agenda.

**Carried**

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**19.0 COMMITTEE  
REPORTS**

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**20.0 CLOSURE**

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