



Meander Valley Council

W O R K I N G T O G E T H E R

**MINUTES OF THE
ORDINARY
COUNCIL MEETING**

Tuesday 11 August 2015

Table of Contents

359/2015 CONFIRMATION OF MINUTES:.....	3
360/2015 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:.....	3
361/2015 ANNOUNCEMENTS BY THE MAYOR:	4
362/2015 DECLARATIONS OF INTEREST:.....	5
363/2015 TABLING OF PETITIONS:	5
364/2015 PUBLIC QUESTION TIME.....	5
365/2015 COUNCILLOR QUESTION TIME.....	5
366/2015 DEPUTATIONS BY MEMBERS OF THE PUBLIC	13
367/2015 NOTICE OF MOTIONS BY COUNCILLORS.....	13
368/2015 DEMOLITION OF SCHOOL BUILDING AND AMENITY BLOCK – 52 PIONEER DRIVE, MOLE CREEK.....	14
369/2015 SUBDIVISION (2 LOTS) – 41 PULTNEY STREET, DELORAINE.....	19
370/2015 MOLE CREEK COMMUNITY FACILITIES.....	26
371/2015 2015 COMMUNITY SATISFACTION SURVEY	27
372/2015 TRAP SPECIAL COMMITTEE MEMBERSHIP	28
373/2015 2015-2016 COMMUNITY GRANTS APPLICATION ASSESSMENTS – ROUND 1 JULY 2015	29
374/2015 STANDARDS PANEL REPORT.....	31
375/2015 WILLIAM STREET BUS SHELTER	32
ITEMS FOR CLOSED SESSION OF THE ORDINARY MEETING:	33
376/2015 Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 14 July, 2015.....	33
377/2015 Leave of Absence.....	33

Minutes of the ordinary meeting of the Meander Valley Council held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 11 August 2015 at 1.30pm.

PRESENT: Mayor Craig Perkins, Deputy-Mayor Michael Kelly, Councillors Tanya King, Ian Mackenzie, Bob Richardson, Rodney Synfield and Rodney Youd.

APOLOGIES: Councillors Andrew Connor and Deborah White

IN ATTENDANCE: Greg Preece, General Manager
Merrilyn Young, Personal Assistant
Malcolm Salter, Director Corporate Services
David Pyke, Director Governance & Community Services
Rick Dunn, Director Economic Development & Sustainability
Martin Gill, Director Development Services
Matthew Millwood, Director Works
Dino De Paoli, Director Infrastructure Services
Patrick Gambles, Community Development Manager
Erin Mollison, HR/Payroll Officer

359/2015 CONFIRMATION OF MINUTES:

Councillor Youd moved and Councillor King seconded, ***“that the minutes of the Ordinary meeting of Council held on Tuesday 14 July, 2015, be received and confirmed.”***

The motion was declared CARRIED with Councillors, Kelly, King, Mackenzie, Perkins, Richardson, Synfield and Youd voting for the motion.

360/2015 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Nil

361/2015 ANNOUNCEMENTS BY THE MAYOR:

Monday 20 July 2015

Dinner with the Board of Tourism Northern Tasmania

Tuesday 21 July 2015

Australian Centre for Local Government Symposium (Launceston)
Meeting with Northern Councils to discuss Local Government Reform Agenda

Wednesday 22 July 2015

LGAT AGM and General Meeting

Thursday 23 July 2015

Day 1 LGAT Annual Conference

Thursday 24 July 2015

Day 2 LGAT Annual Conference
Attended Launch of TEER Report Card

Tuesday 28 July 2015

Chaired Beacon Foundations "Launceston Business Partnership Group"

Wednesday 29 July 2015

Attended Westbury Play Gym launch of their new equipment
Conducted Citizenship Ceremonies, Westbury

Wednesday 5 August 2015

Meeting with Rob Soward to discuss My Pathway project
Launch of the ' Hopes of the New Generation' bonnet exhibition, Deloraine

Friday 7 August 2015

NTD Local Government Committee meeting

Monday 10 August 2015

Attended the launch of 2015 Garage Sale Trail

362/2015 DECLARATIONS OF INTEREST:

369/2015 41 Pultney Street, Deloraine - Deputy Mayor Michael Kelly
373/2015 Community Grants Round 1 2015/16 - Mayor Craig Perkins

363/2015 TABLING OF PETITIONS:

Nil

364/2015 PUBLIC QUESTION TIME

1. QUESTIONS TAKEN ON NOTICE – JULY 2015

Nil

2. QUESTIONS WITHOUT NOTICE – AUGUST 2015

Nil

365/2015 COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – JULY 2015

1.2 Cr A Connor

In recent years I believe there was a capital works project to create a turning lane on Country Club Avenue for traffic coming from Westbury Road to turn into Las Vegas Drive.

Is this still planned?

Response by Dino De Paoli, Director Infrastructure Services

Council moved the following motion (No.208/2012) at the December 2012 Ordinary Meeting of Council;

“that Council approve the final design for the alteration of traffic facilities along Country Club Avenue at the junction of Las Vegas Drive, Prospect Vale, as shown in Drawing No LN12038-P40.” This includes a reduction in the speed limit to 50km/hr.”

Council’s proposed projects listings for capital works have not included this project. There were a number of issues considered by Council staff in further

assessment of the project following preparation of the initial concept plan and approval by Council. These included additional design assessment, preparation of a detailed cost estimate, consideration of current traffic demand, the loss of available pavement space for a future cycling lane also uncertainties around how outcomes from the Blackstone Heights Prospect Vale Structure Plan may impact this project. It is understood some of these matters were discussed at a Council workshop.

1.2 Cr B Richardson

a) Recently a 2-day workshop was held, mid-week, at the Launceston Country Club Casino. It is understood that several Councillors and Council staff were in attendance.

How was the timing of that workshop decided?

Was that timing achieved by consensus of all Councillors at a meeting of Council at which all Councillors were in attendance?

If not, then does not this process compromise a main thrust of that workshop, namely for Councillors to work together?

What was the cost of that workshop to ratepayers, specifically:-

- i. The cost of the facilitator(s) (fees+on-costs)?
- ii. The cost of room hire and meals?; and
- iii. The "indirect" costs associated with attendance of Council directors (ie, proportion of remunerative costs and travel)?

Response by Mayor Craig Perkins

I asked the General Manager to arrange a workshop for the Councillors and the Directors as I believed there was an opportunity to develop an improved working relationship between Councillors and with the Council staff. The contents and dates for the workshop were discussed at the end of the April Council meeting, held on 21 April, and all Councillors were present.

I believe there was consensus as the dates were changed to accommodate a Councillor going on long service leave.

It would have been preferable if everyone could have been present, however, it does occur on occasions that not everybody can be present for a day and more so for two days. Initially most Councillors were available for the days, however, the dates were changed due to the funeral of Mayor Barry Jarvis.

I chose this facilitator, Helen Rees, as she facilitated a LGAT organised Mayors workshop in November 2014, and I believed she was ideal for our Council workshop. The costing for Helen Rees also includes a further facilitation session to suit Council needs at no further charge to Council.

Mrs Lyn Mason delivered a component of the workshop on Council meeting procedures and Lyn was engaged due to her thorough knowledge of the subject.

The outputs from the workshop will come back to Council for ratification and implementation.

Cost of the workshop was:

1) Preparation for and delivery of the workshop by both presenters	\$10,814
2) Venue hire, meals & equipment hire	\$ 1,745
3) Full cost of attendance by the General Manager and directors.	\$ 9,906

b) It is noted in Gov 2: 2015-16 Annual Plan (this Council Agenda) that the closing Cash Balance (in the Balance Sheet) is \$19,360,115.

For what purpose has this cash accumulation been accrued?

For example, what proportion of that accumulation is allocated to depreciation of assets (and therefore later renewal, replacement or renovation?)

Response by Malcolm Salter, Director Corporate Services

Cash balances are accrued and expended in line with Council's budgets and long term financial plan. The current commitments made by Council include the 2015-16 operating budget and 2015-16 capital works program. Council has liabilities from prior financial years which are required to be financed from the cash balance. At 30 June 2014 the audited liabilities totalled \$8,693,913 as follows:

\$1,631,674 Employee leave accruals; \$2,329,337 Tip rehabilitation at Cluan and Deloraine sites; \$1,132,902 Accounts payable; \$3,600,000 Loan outstanding.

The remaining balance of funds has largely accumulated from depreciation of Council infrastructure however the renewal works are not yet due e.g. the infrastructure has not yet deteriorated to a point that warrants its replacement. At 30 June 2014, the audited balances of accumulated depreciation for all asset classes, not including land (as it is a non-depreciated asset class) was \$73,959,245. This indicates the value of renewal works that have accrued and a renewal funding gap of approximately \$63million, at this point in time.

c) It is noted that in a reply to a question of the June 2015 Council meeting, that:

- i. The toilets were not replaced after the 2008 demolition because, in part, due to the "availability of other public toilets nearby".

Is Council aware that a list of public toilets nearby, prepared by Council officers, included several toilets at private premises, including the hotel, service station and Andys Bakery?

Response by Dino De Paoli, Director Infrastructure Services

One document titled "Proposals to provide access to toilet facilities at the Westbury Recreation Ground" created in 2010 lists Andy's Bakery, the Westbury Hotel, the Westbury Health Centre and the Caltex service station as non-council facilities

- ii. The reply also stated that "the decisions made at that time (2008) in not replacing the toilet can be taken as being consistent with the Policy".

Who made that decision? Was it a full meeting of Council"?

Response by Dino De Paoli, Director Infrastructure Services

The Westbury Recreation Ground Development Plan 2007-2012 listed an item of works for the establishment of a new toilet block as a Stage 3 action. The Plan was approved at a full meeting of Council in January 2008 with only Stage 1 to be funded in the current budget. Subsequent proposed projects listings prepared by staff for capital works consideration at Council workshops referenced the public toilet, however, the capital works programmes approved by Council as part of the budget setting process did not include a new toilet block.

- iii. It is believed that a motion of Council in 2012 (?) indicated that the re-building of public toilets at the Recreation Ground be included in the next financial year's capital expenditure budget

Can that be confirmed?

Response by Dino De Paoli, Director Infrastructure Services

Refer to the above response in relation to the Council approval in 2008. It was noted in the proposed project listing for the 2011-2012 capital works program that an option for a stand-alone toilet could be considered as part of the redevelopment of the cricket clubrooms.

At about that time money was allocated (against my wishes, and those of many residents) to modify a toilet at the next door Sports Centre.

Can Council confirm that this has largely been a waste of resources, in that a single cubicle is never going to be sufficient for attendances such as those at football matches, larger cricket attendances and so forth?

Response by Dino De Paoli, Director Infrastructure Services

A capital works budget allocation was approved by Council for the 2011-2012 financial year for the upgrade of the sports centre toilet to be DDA compliant and available for general public use and not specifically sporting events. From

information reviewed it is understood that the upgrade of the existing toilet was undertaken, in part, to manage any additional operating costs associated with construction of a new toilet facility.

d) On Page 125 of the Agenda it is stated: "It is recommended that Council officers assess the work required to provide gravel shoulders to Liverpool Street as a separate matter to the assessment of the subdivision application.

If the assessment considers work needs to be done, will that work's costs be borne entirely by ratepayers, or by the developers, or jointly?

What is Council's policy in relation to upgrading Council infrastructure (in particular roads/streets) when developments (particularly residential developments) occur?

Response by Dino De Paoli, Director Infrastructure Services

The cost to undertake work to provide gravel shoulders will be managed within Council's operations budget or as an additional capital works project approved under delegation or by Council depending on the cost involved. Council staff have been made aware of concerns with the existing pavement width under current traffic conditions where vehicles need to leave the pavement and travel on the grassed verge to pass. Any minor widening of the road is deemed to provide the minimum level of service. Council's Policy No.20 provides guidelines for contributions by Council toward third party development of infrastructure.

2. COUNCILLOR QUESTIONS ON NOTICE – AUGUST 2015

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – AUGUST 2015

3.1 Cr Bob Richardson

1. The Mayor states in his reply to my question relating to the timing of a possible workshop that "the contents and dates for the workshop were discussed at the end of the April Council meeting". My recollection that this discussions was after the Council meeting had concluded and many Councillors were packing up. There was, in my recollection, NO CONSENSUS. Indeed I can recall indicating that weekdays, are for me, unsuitable. I cannot recall that at any stage were dates mentioned.

Would I be correct to state that the dates appear to have been a captain's pick?

Response by Mayor Craig Perkins

No they weren't and my recollection was these were the agreed dates and I apologise if I misunderstood.

2. I note with great interest that this 2-day workshop cost ratepayers \$22,465. I table an attached document (for publication with the minutes) which indicates this amount could have constructed 195 metres of 1.5m wide, reinforced 1000mm thick concrete footpath for, say, use by Westbury Primary School students to better access their school.

Which does Council think ratepayers would prefer:- \$22,465 on a two-day talkfest, or something a little more practical, like 195 metres of footpath?

Question taken on Notice

3. It is noted that there were two facilitators who, collectively, were in attendance for some 2 ½ days. Their costs were \$10,814, or the equivalent of a daily rate of \$4325.60, or an hourly rate of over \$540 per hour.

Did they use helicopters to travel to/from the venue, and/or is the report to be issued gold plated and leather-bound?

How does Council think ratepayers may respond to forking out \$540 an hour to such consultants?

Questions taken on Notice

4. Some months ago I tabled a question related to installation of heating on Westbury's Town Hall. I have been asked by a potential hirer of the hall whether this is progressing.

Could Council please advise when the heating will be available for use by hirers of the hall?

Response by Dino De Paoli, Director Infrastructure Services

Electrical upgrade works have recently been completed to the Town Hall building including the installation of a new distribution board. An application has been made to TasNetworks to connect the new board to overhead reticulation and Council officers are waiting for confirmation from TasNetworks on the likely date of this connection being undertaken. Equipment and installation options for heating within the hall have been considered and Council staff will now proceed with engaging key users of the Hall to assist in identifying the preferred option.

5. Could Council advise its policy relating to the length of time an employee of Council will remain as a temporary staff member (including via an employment agency) before being placed on the permanent payroll?

Question taken on Notice

How many such employees currently exist?

Question taken on Notice

And is Council aware that being a temporary employee faces difficulties which are not immediately apparent. For example banks are hesitant to give temporary employees housing loans.

6. Some weeks ago I corresponded with Council in relation to perceived parking difficulties on Meander Valley Road at Westbury near the Pharmacy, Doctors surgeries and other commercial facilities. I take leave to table a letter from Mrs Phyllis Ingamells, whose late husband Mr, Hon Bob Ingamells, was a former "mayor" of this Municipality.

Mrs Ingamells expresses concern for the safety of (particularly) elderly residents using facilities in this area.

Could Council provide an update as to investigations into this matter?

Response by Dino De Paoli, Director Infrastructure Services

One of my Infrastructure department staff inspected the area of Meander Valley Road in question a few weeks ago and provided information to me for review. I will review this information and provide a response to you within the next week.

7. Reports to Council have indicated that the Dept of State Growth (Main Roads section) "forbids" use of websites along highway (and near highway) verges.

Is Council aware that there are two (large) signs erected by a commercial operator which display a website and which are on the Meander Valley Municipality?

Question taken on Notice

Furthermore, these have been in place for some time (years?).

Could Council explain why they were allowed to be erected, and why they remain?

Question taken on Notice

8. I have been a Councillor for 1 ½ decades. I am also a keen student of local, State and Federal (and indeed international) politics.

I have noted that in the past 20 or so years that State and Federal politicians have increasingly surrounded themselves with what the general public refer to as "minders" and "spin doctors".

In my 15 years as a municipal representative I have been pleased that Council has largely not gone down the same path.

However, it has come to my notice that Meander Valley Council has apparently recently appointed a Communications Officer (or "spin doctor").

Traditionally public relations has been a component of the position descriptions of the general manager in consultation with directors and elected representatives (specifically the Mayor).

What need(s) or changes have arisen to precipitate this change?

Given that such a departure from tradition has apparently occurred, there are several questions which arise:-

- i. Why was Council not consulted?
- ii. Who made the decision to make such an appointment?
- iii. From what financial source is the position funded?
- iv. Was the position advertised?
- v. Is the position part-time, casual or full-time?
- vi. Is the position permanent or temporary?
- vii. Can Councillors be provided with a Position Description?
- viii. What is the remuneration package?
- ix. What are the expected benefits to the Meander Valley ratepayers?

Questions taken on Notice

9. Some months ago a decision was made (by whom?) to remove signs erected by Westbury businesses in the traffic laybys on the Bass Highway (to the west and east of Westbury). At that time I cited (to Council) several other roadside signs along the Bass Highway.
I note that several still exist, including the "trailer on the hill" between Elizabeth Town and Deloraine.

It seems double standards have been exercised.

Could I, and relevant Westbury commercial enterprises be provided with an explanation? Or is it simply an anti-Westbury thrust by those involved?

Questions taken on Notice

(Proper) Footpaths for Westbury?

- or what might have been.

Assumptions of construction costs

- concrete footpaths 1.5 m wide, 100 mm thick
- F2 concrete reinforcing; \$ 8.33/m².
- treated pine boxing/edging 100 x 50 mm 7/Sawn.
- Labour - at \$209-68 per day (incl. SGC and workers comp.)
- concrete supplied in 7.1 m³ loads. Price \$200 m³⁻¹.

Per metre length of footpath: Materials

Concrete (at \$200 m ⁻³)	=	\$ 30-00	
F2 mesh reinforcement	=	\$ 12-50	
Timber (2m)	=	<u>\$ 8-90</u>	<u>\$ 51-40</u>

Per metre of footpath - labour/machinery costs

Preparation - excavate / box

Pour, screed, float

Two staff, 20 m. length per day in "easy going" terrain

Hand tools + limited use of backhoe / truck - say \$200/day

Calculation, per metre of footpath

labour	\$ 41-94	
tools	<u>\$ 20-00</u>	<u>\$ 63-94</u>

TOTAL COST PER LINEAR METRE OF FOOTPATH: \$ 115-34

Given the cost of the Council workshops held recently at the Launceston Country Club Casino (of \$22465), this could have constructed 194.8 metres of (proper) footpaths!

3.2 Cr Rodney Synfield

1. This question is supplementary to those (just) asked by Councillor Richardson, regarding the Communications Officer of Council. When was that position made fulltime and when was it made permanent?

Question taken on Notice

2. If a development application has been submitted to Council and approved and subsequent information comes to light that indicates outdated or incorrect information germane to the matter was used in the assessment, what role or responsibility does Council have to rectify or revisit the approval process, irrespective of whether an appeal into said matter has been lodged by some party?

Question taken on Notice

3. Is the Deputy Mayor aware of any situation that may have arisen following the removal of part of the fence around the train in the Train Park at Deloraine that would cause the Deputy Mayor to seek restitution of said missing section of fence, and would he like to expound upon any reasons for doing so, or otherwise?

Response by Deputy Mayor Michael Kelly

There has been a reported increase in usage and this has muddied the soft fall around the train.

366/2015 DEPUTATIONS BY MEMBERS OF THE PUBLIC

Nil

367/2015 NOTICE OF MOTIONS BY COUNCILLORS

Nil

COUNCIL MEETING AS A PLANNING AUTHORITY

The Mayor advised that for items 368/2015 to 369/2015 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

368/2015 DEMOLITION OF SCHOOL BUILDING AND AMENITY BLOCK – 52 PIONEER DRIVE, MOLE CREEK

1) Introduction

This report considers application PA\15\0188 for the demolition of an existing School Building and Ancillary Structures at 52 Pioneer Drive, Mole Creek (CT:161038/1).

2) Recommendation

That the application for Use and Development for Demolition (school buildings and ancillary structures), for land located at 52 Pioneer Drive, Mole Creek (CT 161038/1), by the Department of Education, in accordance with:

- ***9.4 – Demolition***

be APPROVED, generally in accordance with the endorsed plans and subject to the following conditions:

- 1. The use and development must be carried out as shown and described in the endorsed Plans:**
 - a) Mole Creek Primary School; Site Plan**
 - b) Photos numbered; 1, 2 & 3.**

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application and assessment by Council.

- 2. Prior to the commencement of works a site rehabilitation plan is to be submitted to the satisfaction of Council's Town Planner. The rehabilitation plan is to demonstrate how areas of bare soil will be stabilized to minimise the transport of sediment during rain events and establish a suitable timeframe to undertake rehabilitation works.**
- 3. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2015/00011-MVC attached).**

Notes

1. Dangerous Materials – If applicable, any dangerous or hazardous materials located within the site, including asbestos materials, must be identified and removed by the applicant. The Workplace Standards Authority must be notified of the presence of such material and disposal is to be undertaken in accordance with legislative requirements.
2. Disconnection of Electrical Services – If applicable, all electrical services to the site must be disconnected and capped in accordance with the requirements of the relevant authority.
3. This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:
 - a) Building permit
 - b) Plumbing permit
 - c) Special plumbing permit

All enquiries should be directed to Council's Permit Authority on 6393 5322.

4. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
5. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
7. If any Aboriginal relics are uncovered during works;

- a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
- b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
- c) The relevant approval processes will apply with state and federal government agencies.

DECISION:

Cr Mackenzie moved and Cr Synfield seconded ***“that the application for Use and Development for Demolition (school buildings and ancillary structures), for land located at 52 Pioneer Drive, Mole Creek (CT 161038/1), by the Department of Education, in accordance with:***

- ***9.4 – Demolition***

be APPROVED, generally in accordance with the endorsed plans and subject to the following conditions:

- 1. The use and development must be carried out as shown and described in the endorsed Plans:**

- c) **Mole Creek Primary School; Site Plan**
- d) **Photos numbered; 1, 2 & 3.**

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application and assessment by Council.

- 2. Prior to the commencement of works a site rehabilitation plan is to be submitted to the satisfaction of Council’s Town Planner. The rehabilitation plan is to demonstrate how areas of bare soil will be stabilized to minimise the transport of sediment during rain events and establish a suitable timeframe to undertake rehabilitation works.**
- 3. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2015/00011-MVC attached).**

4. That the existing front fence be demolished as part of the works.

Notes

1. Dangerous Materials – If applicable, any dangerous or hazardous materials located within the site, including asbestos materials, must be identified and removed by the applicant. The Workplace Standards Authority must be notified of the presence of such material and disposal is to be undertaken in accordance with legislative requirements.
2. Disconnection of Electrical Services – If applicable, all electrical services to the site must be disconnected and capped in accordance with the requirements of the relevant authority.
3. This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:
 - d) Building permit
 - e) Plumbing permit
 - f) Special plumbing permit

All enquiries should be directed to Council's Permit Authority on 6393 5322.

4. This permit takes effect after:
 - d) The 14 day appeal period expires; or
 - e) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - f) Any other required approvals under this or any other Act are granted.
5. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.

7. If any Aboriginal relics are uncovered during works;

- d) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
- e) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
- f) The relevant approval processes will apply with state and federal government agencies.

The motion was declared CARRIED with Councillors Kelly, King, Mackenzie, Perkins, Richardson, Synfield and Youd voting for the motion.

Deputy Mayor Kelly left the meeting at 1.57pm

369/2015 SUBDIVISION (2 LOTS) – 41 PULTNEY STREET, DELORAINE

The Mayor invited Mr Malcolm Eastley to address the meeting regarding this item.

1) Introduction

This report considers application PA\15\0143 for Subdivision (2 lots) on land located at 41 Pultney Street, Deloraine (CT 20453/1).

2) Recommendation

That the application for a Subdivision (2 lots) for land located at 41 Pultney Street, Deloraine (CT 20453/1) by 6ty⁰ P/L, requiring the following discretions:

- ***12.4.3.1 General Suitability***
- ***12.4.3.2 Lot Area, Building Envelopes and Frontage***

be APPROVED, generally in accordance with the endorsed plans and subject to the following conditions:

- 1. The use and development must be carried out as shown and described in the endorsed Plans:**
 - a) 6ty⁰ P/L - Subdivision Proposal Plan – Project Number 14.230;**
 - b) AK Consultants - Bushfire Hazard Management Report – dated 29 January 2015 (v2);**

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.
- 2. Except for with prior written consent of Council, covenants or similar restrictive controls must not be included on the titles created by this permit if they seek to prohibit any use provided for in the Meander Valley Interim Planning Scheme.**
- 3. Prior to the commencement of works, the following must be completed to the satisfaction of Council:**

a) **Amended Subdivision Proposal Plan must be submitted for approval to the satisfaction of Council's Town Planner. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and must show:**

I. Vehicle access crossover for the Balance Lot (with distance shown from the crossover to a boundary;

II. The proposed boundary between Lot 1 and the Balance Lot being either:

i. relocated a minimum 10m further to the south-west, or

ii. located in a lesser distance where indicated in a Waste Water report prepared by a suitably qualified person taking into account the exact location of the existing waste water system for Lot 1. The Waste Water report must be submitted to Council.

b) **Detailed design drawings are to be submitted showing the means of connection to Council's stormwater mains, to the satisfaction of Council's Director of Infrastructure Services.**

4. Prior to the sealing of the Final Plan of Survey, the following must be completed to the satisfaction of Council:

a) **A Section 71 agreement must be executed, that provides the following:**

Development of a habitable building for a sensitive use on the Balance Lot is not to occur within the identified Restricted Building Area and being the area shown hatched on the plan annexed hereto and marked as Restricted Building Area.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the Land Use Planning and Approvals Act 1993.

All costs associated with preparing and registering the Agreement must be borne by the applicant.

b) **The developer must pay Council \$3661, a sum equivalent to 5% of the unimproved value of the approved lots.**

- c) **The vehicular crossover servicing the Balance Lot must be constructed and sealed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-R04-V1 (attached) and to the satisfaction of Council's Director of Infrastructure Services.**
 - d) **All construction is to be completed in accordance with the endorsed stormwater design drawings (as per Condition 3.b) above), to the satisfaction of Council's Director of Infrastructure Services.**
- 5. The development must be in accordance with TasWater's Submission to Planning Authority Notice (TWDA 2015/00224-MVC) (attached document).**

Note:

1. Please find enclosed a driveway crossover application form. This form must be completed and returned to Council's Infrastructure Services prior to the construction of the crossover.
2. This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:
 - a) Building permit
 - b) Plumbing permit
3. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
4. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the

date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.

6. If any Aboriginal relics are uncovered during works;
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
 - c) The relevant approval processes will apply with state and federal government agencies.

DECISION:

Cr Mackenzie moved and Cr Youd seconded ***“that the application for a Subdivision (2 lots) for land located at 41 Pultney Street, Deloraine (CT 20453/1) by 6ty⁰ P/L, requiring the following discretions:***

- ***12.4.3.1 General Suitability***
- ***12.4.3.2 Lot Area, Building Envelopes and Frontage***

be APPROVED, generally in accordance with the endorsed plans and subject to the following conditions:

1. **The use and development must be carried out as shown and described in the endorsed Plans:**
 - a) **6ty⁰ P/L - Subdivision Proposal Plan – Project Number 14.230;**
 - b) **AK Consultants - Bushfire Hazard Management Report – dated 29 January 2015 (v2);**

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.
2. **Except for with prior written consent of Council, covenants or similar restrictive controls must not be included on the titles**

created by this permit if they seek to prohibit any use provided for in the Meander Valley Interim Planning Scheme.

3. Prior to the commencement of works, the following must be completed to the satisfaction of Council:

a) Amended Subdivision Proposal Plan must be submitted for approval to the satisfaction of Council's Town Planner. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and must show:

- I. Vehicle access crossover for the Balance Lot (with distance shown from the crossover to a boundary;**
- II. The proposed boundary between Lot 1 and the Balance Lot being either:**

- i. relocated a minimum 10m further to the south-west, or**
- ii. located in a lesser distance where indicated in a Waste Water report prepared by a suitably qualified person taking into account the exact location of the existing waste water system for Lot 1. The Waste Water report must be submitted to Council.**

b) Detailed design drawings are to be submitted showing the means of connection to Council's stormwater mains, to the satisfaction of Council's Director of Infrastructure Services.

4. Prior to the sealing of the Final Plan of Survey, the following must be completed to the satisfaction of Council:

a) A Section 71 agreement must be executed, that provides the following:

Development of a habitable building for a sensitive use on the Balance Lot is not to occur within the identified Restricted Building Area and being the area shown hatched on the plan annexed hereto and marked as Restricted Building Area.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the Land Use Planning and Approvals Act 1993.

Costs associated with preparing and registering the Agreement will be borne by the Council.

- b) The developer must pay Council \$3661, a sum equivalent to 5% of the unimproved value of the approved lots.**
 - c) The vehicular crossover servicing the Balance Lot must be constructed and sealed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-R04-V1 (attached) and to the satisfaction of Council's Director of Infrastructure Services.**
 - d) All construction is to be completed in accordance with the endorsed stormwater design drawings (as per Condition 3.b) above), to the satisfaction of Council's Director of Infrastructure Services.**
- 5. The development must be in accordance with TasWater's Submission to Planning Authority Notice (TWDA 2015/00224-MVC) (attached document).**

Note:

- 1. Please find enclosed a driveway crossover application form. This form must be completed and returned to Council's Infrastructure Services prior to the construction of the crossover.
- 2. This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:
 - a) Building permit
 - b) Plumbing permit
- 3. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
- 4. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially

commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.

5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
6. If any Aboriginal relics are uncovered during works;
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
 - c) The relevant approval processes will apply with state and federal government agencies.

The motion was declared CARRIED with Councillors King, Mackenzie, Perkins, Richardson, Synfield and Youd voting for the motion.

Deputy Mayor Kelly returned to the meeting at 2.03pm

370/2015 MOLE CREEK COMMUNITY FACILITIES

1) Introduction

The purpose of this report is for Council to confirm that it is committed to assisting the Mole Creek community in initiatives that improve access and use of community facilities.

2) Recommendation

It is recommended ***“that Council***

- 1. continues work with the Mole Creek community initiatives that identify community needs.***
- 2. supports community initiatives that identify opportunities for funding to develop existing community facilities.***

DECISION:

Cr Richardson moved and Cr Synfield seconded ***“that Council***

- 1. continues work with the Mole Creek community initiatives that identify community needs.***
- 2. supports community initiatives that identify opportunities for funding to develop existing community facilities.***

The motion was declared CARRIED with Councillors Kelly, King, Mackenzie, Perkins, Richardson, Synfield and Youd voting for the motion.

371/2015 2015 COMMUNITY SATISFACTION SURVEY

1) Introduction

The purpose of this report is for Council to receive and note the results of the 2015 Community Satisfaction Survey carried out by Enterprise Marketing and Research Services (EMRS).

2) Recommendation

It is recommended that Council receive and note the results of the 2015 Community Satisfaction Survey and that the survey results be communicated to the public.

DECISION:

Cr Mackenzie moved and Cr Synfield seconded ***“that Council receive and note the results of the 2015 Community Satisfaction Survey and that the survey results be communicated to the public.”***

The motion was declared CARRIED with Councillors Kelly, King, Mackenzie, Perkins, Richardson, Synfield and Youd voting for the motion.

372/2015 TRAP SPECIAL COMMITTEE MEMBERSHIP

1) Introduction

The purpose of this report is for Council to appoint two new community representatives to Council's Townscape, Reserves and Parks Special Committee (TRAP).

2) Recommendation

It is recommended that Mrs Christine Chilcott and Ms Lois Catchlove be appointed by Council under Section 24 (2) of the Local Government Act 1993 to the TRAP Special Committee.

DECISION:

Cr Mackenzie moved ***"that Mrs Christine Chilcott and Ms Lois Catchlove be appointed by Council under Section 24 (2) of the Local Government Act 1993 to the TRAP Special Committee."***

The motion lapsed for want of a seconder.

Mayor Perkins left the meeting at 2.15pm

Deputy Mayor Kelly took the Chair at 2.15pm

373/2015 2015-2016 COMMUNITY GRANTS APPLICATION ASSESSMENTS – ROUND 1 JULY 2015

1) Introduction

The purpose of this report is to present the recommendations of the Community Grants Committee to Council for approval.

2) Recommendation

It is recommended that Council:

- 1. notes the Individual Sponsorships approved by the General Manager during the period April-July 2015 and***
- 2. endorses the recommendations of the Community Grants Committee and approves the allocation of funds to the applicants as listed in the following table:***

Organisation	Project	Grant Recommended \$
Rotary - Central Launceston	Special kids show	220
AIC Tennis Club	Upgrade hitting wall	500
Bracknell District Boys & Girls Club	Soft floor	2250
Deloraine Community Band	Bass cabinet	900
Deloraine Community Shed	Car park	2500
Deloraine Football Club	Additional seating	2000
Deloraine Indoor Bowls Club	Equipment upgrade	1550
MV Suns Football Club	Training devices	1500
MV Suns Netball Club	Uniforms & equip	1200
Prospect Park Sports Club	Café furniture	1344
Western Tiers Community Club	Bowls carnival	835
TOTAL		14,799

DECISION:

Cr Synfield moved and Cr Mackenzie seconded ***“that Council:***

- 1. notes the Individual Sponsorships approved by the General Manager during the period April-July 2015 and***

2. endorses the recommendations of the Community Grants Committee and approves the allocation of funds to the applicants as listed in the following table:

Organisation	Project	Grant Recommended
		\$
Rotary - Central Launceston	Special kids show	220
AIC Tennis Club	Upgrade hitting wall	500
Bracknell District Boys & Girls Club	Soft floor	2250
Deloraine Community Band	Bass cabinet	900
Deloraine Community Shed	Car park	2500
Deloraine Football Club	Additional seating	2000
Deloraine Indoor Bowls Club	Equipment upgrade	1550
MV Suns Football Club	Training devices	1500
MV Suns Netball Club	Uniforms & equip	1200
Prospect Park Sports Club	Café furniture	1344
Western Tiers Community Club	Bowls carnival	835
TOTAL		14,799

The motion was declared CARRIED with Councillors Kelly, King, Mackenzie, Richardson, Synfield and Youd voting for the motion.

Mayor Perkins returned to the meeting at 2.20pm

Mayor Perkins resumed the Chair at 2.20pm

374/2015 STANDARDS PANEL REPORT

1) Introduction

The purpose of this report is to receive and note the Standards Panel Report into a Code of Conduct for Councillors complaint.

2) Recommendation

It is recommended that Council receive and note the Standard Panels Report into a Code of Conduct for Councillors complaint, Hearing Number 096.

DECISION:

Cr Synfield moved and Cr Richardson seconded ***“that Council receive and note the Standard Panels Report for open Council into a Code of Conduct for Councillors complaint, Hearing Number 096.”***

The motion was declared CARRIED with Councillors Kelly, King, Mackenzie, Perkins, Richardson and Synfield voting for the motion and Councillor Youd voting against the motion.

375/2015 WILLIAM STREET BUS SHELTER

1) Introduction

The purpose of this report is for Council to approve the installation of a bus shelter in William Street, Westbury, and consider taking ownership of this asset donated as an initiative from the Lions Club of Westbury.

2) Recommendation

It is recommended that Council:

- 1) Approve the installation of the bus shelter on the existing concrete slab outside No.66 William Street, and***
- 2) Take ownership of the shelter donated by the Lions Club of Westbury***

DECISION:

Cr Mackenzie moved and Cr Synfield seconded ***“that Council:***

- 1. Approve the installation of the bus shelter on the existing concrete slab outside No.66 William Street, and***
- 2. Take ownership of the shelter donated by the Lions Club of Westbury.”***

As a procedural motion Cr Richardson moved “that the item be deferred.”

The procedural motion was declared CARRIED with Councillors King, Perkins, Richardson, Synfield and Youd voting for the motion and Councillors Kelly and Mackenzie voting against the motion.

ITEMS FOR CLOSED SESSION OF THE ORDINARY MEETING:

Cr Richardson moved and Cr Mackenzie seconded "***that Council move into Closed Session to discuss the following items.***"

The motion was declared CARRIED with Councillors Kelly, King, Mackenzie, Perkins, Richardson, Synfield and Youd voting for the motion.

376/2015 Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 14 July, 2015.

377/2015 Leave of Absence
(Reference Part 2 Regulation 15(2)(h) Local Government (Meeting Procedures) Regulations 2015)

The meeting moved into Closed Session at 2.41pm

Cr Richardson moved and Cr Kelly seconded "***that Council moves out of Closed Session and endorse those decisions taken while in Closed Session.***"

The motion was declared CARRIED with Councillors Kelly, King, Mackenzie, Perkins, Richardson, Synfield and Youd voting for the motion.

The meeting re-opened to the public at 2.46 pm

The meeting closed at 2.47pm

.....
CRAIG PERKINS (MAYOR)