



Meander Valley Council

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

# **ORDINARY MINUTES**

**COUNCIL MEETING**

**Tuesday 11 October 2016**

## Table of Contents

208/2016 CONFIRMATION OF MINUTES:.....	3
209/2016 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:.....	4
210/2016 ANNOUNCEMENTS BY THE MAYOR: .....	4
211/2016 DECLARATIONS OF INTEREST:.....	5
212/2016 TABLING OF PETITIONS:.....	5
213/2016 PUBLIC QUESTION TIME:.....	5
214/2016 COUNCILLOR QUESTION TIME:.....	5
215/2016 DEPUTATIONS BY MEMBERS OF THE PUBLIC:.....	9
216/2016 NOTICE OF MOTIONS BY COUNCILLORS:.....	9
217/2016 11 WEST BARRACK STREET, DELORAINE - EXTENSION AND CHANGE OF USE.....	11
218/2016 8 MEANDER VALLEY ROAD, HAGLEY - BULKY GOODS SALES (LANDSCAPE SUPPLIES) & GENERAL RETAIL AND HIRE .....	19
219/2016 ANNUAL PLAN – QUARTERLY REVIEW – SEPTEMBER 2016 .....	24
220/2016 COUNCIL AUDIT PANEL CHAIRPERSON RE-APPOINTMENT; REVIEW OF THE AUDIT PANEL CHARTER AND RECEIPT OF MINUTES.....	25
221/2016 CODE OF CONDUCT PANEL DETERMINATION .....	26
222/2016 NATURAL RESOURCE MANAGEMENT COMMITTEE MEMBERSHIP .....	27
223/2016 GREATER LAUNCESTON AREA URBAN SALINITY STRATEGY 2016.....	28
224/2016 FINANCIAL REPORTS TO 30 SEPTEMBER 2016.....	29
225/2016 AUDIT REPORT - 2016 FINANCIAL YEAR.....	30
226/2016 APPLICATION FOR GENERAL RATE REMISSION, SOUTHERN CROSS CARE (TAS) INC., 87 MEANDER VALLEY ROAD WESTBURY .....	31
227/2016 POLICY REVIEW NO. 4 – SUBSIDISED WASTE DISPOSAL FOR COMMUNITY GROUPS.....	32
<b>ITEMS FOR CLOSED SECTION OF THE MEETING:.....</b>	<b>36</b>
228//2016CONFIRMATION OF MINUTES.....	36
229/2016 LEAVE OF ABSENCE .....	36
230/2016 DELORAINE COMMUNITY COMPLEX – STADIUM FLOOR REPLACEMENT ..	36

Minutes of the ordinary meeting of the Meander Valley Council held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 11 October 2016 at 1.31pm.

**PRESENT:** Mayor Craig Perkins, Deputy-Mayor Michael Kelly, Councillors Andrew Connor, Tanya King, Ian Mackenzie, Bob Richardson, Rodney Synfield and John Temple.

**APOLOGIES:** Councillor Deborah White

**IN ATTENDANCE:** Martin Gill, General Manager  
Merrilyn Young, Personal Assistant  
Malcolm Salter, Director Corporate Services  
Rick Dunn, Director Economic Development & Sustainability  
Matthew Millwood, Director Works  
Dino De Paoli, Director Infrastructure  
Patrick Gambles, A/Director Governance & Community Services  
Jo Oliver, Senior Town Planner  
Justin Simons, Town Planner  
Krista Palfreyman, Development Administration Co-Ordinator  
Katie Proctor, Senior Environmental Health Officer  
Jonathon Harmey, Senior Accountant  
Stuart Brownlea, NRM Officer

## **208/2016 CONFIRMATION OF MINUTES:**

Councillor Mackenzie moved and Councillor Richardson seconded, ***“that the minutes of the Ordinary meeting of Council held on Tuesday 13 September, 2016, be received and confirmed.”***

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

## **209/2016 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:**

Date :	Items discussed:
27 September 2016	<ul style="list-style-type: none"><li>• NTD – New Governance Model</li><li>• Giant Steps Proposed Development of Next Steps Program</li><li>• Deloraine ODP</li><li>• Greater Launceston Area Urban Salinity</li><li>• General Rate Remission Application – Southern Cross Care</li><li>• Policy No 4 – Subsidised Waste Disposal</li><li>• Infrastructure Projects Discussion</li></ul>

## **210/2016 ANNOUNCEMENTS BY THE MAYOR:**

### **Friday 16 September 2016**

Friendship Festival, Deloraine

### **Friday 23 September 2016**

Northern Region Flood Recovery Committee

Launch Meandering 2016

Carrick Speedway Season launch, Carrick

### **Monday 26 September 2016**

Her Excellency, Governor Prof. Kate Warner and Mr Warner – Visiting flood-impacted residents

### **Tuesday 27 September 2016**

Citizenship ceremony, Westbury

Council workshop

### **Friday 30 September 2016**

Meeting with Lynn Heyward, Deloraine and Districts Community Bank

Northern Tasmanian Development AGM

### **Monday 3 October 2016**

Meeting with Senator Jonathan Duniam

### **Wednesday 5 October 2016**

Launceston Art Society 125<sup>th</sup> Anniversary

**Thursday 6 October 2016**  
TasWater meeting, Riverside

**Saturday 8 October 2016**  
Deloraine Football Club presentation dinner

## **211/2016 DECLARATIONS OF INTEREST:**

226/2016 APPLICATION FOR GENERAL RATE REMISSION, SOUTHERN CROSS CARE (TAS) INVC., 87 MEANDER VALLEY ROAD, WESTBURY - CR BOB RICHARDSON

## **212/2016 TABLING OF PETITIONS:**

Nil

## **213/2016 PUBLIC QUESTION TIME:**

### **1. QUESTIONS TAKEN ON NOTICE – SEPTEMBER 2016**

Nil

### **2. QUESTIONS WITHOUT NOTICE – OCTOBER 2016**

Nil

## **214/2016 COUNCILLOR QUESTION TIME:**

### **1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – SEPTEMBER 2016**

Nil

### **2. COUNCILLOR QUESTIONS WITH NOTICE – OCTOBER 2016**

Nil

### **3. COUNCILLOR QUESTIONS WITHOUT NOTICE – OCTOBER 2016**

#### **3.1 Cr Bob Richardson**

(a)

A number of landholders to the north/northeast of Hagley, particularly along Selbourne Road, have expressed concern about spray effects along hedgerows.

Could council officers please comment upon how this apparent detrimental effect occurred, and whether long term effects are likely?

**Response by Matthew Millwood, Director Works**

**Council undertook a targeted woody weed (blackberry, gorse, heath) spraying program in April 2016. This program included road network in Selbourne/Hagley, Bracknell and Westbury districts. Prior to commencing the program the Director Works engaged a suitably experienced and qualified contractor (with prior experience undertaking same work) to assess the road frontages where the work was proposed. The Director also specifically discussed the matter of treating blackberry and gorse in the hawthorns hedgerows and was advised of the following –**

- 1. the mid-April period is the most suitable period to undertake such work as the hawthorn plant is losing foliage and was already being effected by a cherry slug**
- 2. the herbicides (Brush-off and Grazon) would be applied at a reduced rate; approx. 60% of the rate recommended on the Label of Use**
- 3. the effects on the hedgerows would be minimal with potentially the slowing of foliage regeneration for one season in areas of herbicide contact**
- 4. the application should not kill the hawthorns**

**The Director Works has recently spoken to two landowners in the Selbourne/Hagley district and has advised them of the above details. The Director has undertaken site assessments at approx. 12 locations and acknowledges the present condition of reduced hawthorn foliage regrowth but noted that in all instances the hawthorn stems were living and green when snapped. The Director will continue to monitor this situation and accordingly discuss with property owners.**

Is it is an opportune time to promote, Council's no-spray register/policy?

**Response by Matthew Millwood, Director Works**

**Council advertised the recent roadside shoulder spraying program and the availability of a no spray register in the Examiner Newspaper on 17 and 24 September 2016**

(b)

Some time ago, the Tasmanian Government forced the removal of responsibility for sewage and water from Councils. This has resulted in the formation of the Hobart-based TasWater.

Under Council's administration of water/sewage, would it be fair to say that "board" decisions were made by Councillors (as part of their responsibilities) and administration was undertaken by Council officers as part of their duties?

Could Council estimate the number of FTE Council employees involved with sewage and water (prior to the forced change)?

**Questions taken on Notice**

(c)

I would like to make mention of the passing of the late Bevan Badcock, a community activist, TFGA representative, businessman, representative on Westbury-Hagley Development Association, Westbury Working together, and ERAG. He is also represented on the Sportsman's Hall of Fame and many other community groups.

Will Council express thanks for Bevans' contributions and condolences to Mrs Val Badcock and family members.

**Response by Mayor Craig Perkins**  
**Yes Council will**

3.2 Cr Andrew Connor

(a)

Can Council advise on the number of reported sewage spills in the last 10 years in the Meander Valley Council area?

Can council advise on the approximate amount of funds spent on water and sewage infrastructure in the Meander Valley Council area in the last 10 years? (TasWater may be able to provide figures for years since council managed these services)

**Questions taken on Notice**

(b)

Could council officers please advise on the potential costs and savings to council if it participated in an interest-free loan offer from the Tasmanian Government.

For example, what would be the saving in interest if it took a \$1 million loan over a 3 year period?

What costs could be incurred in terms of additional project management during construction and potential staff layoffs post construction when council has then spent well ahead of its long term work plan?

Do council officers think it would be practical or wise for council to participate in this interest-free loan offer?

**Response by Martin Gill, General Manager**

***I will provide a more comprehensive response about the potential impacts on Council associated with the Accelerated Local Government Capital Program in the November agenda.***

***My initial assessment, however, having reviewed the criteria released by the Department this week, is that we don't have the resource capacity or need to bring capital work projects forward because:***

- ***in the last two years Meander Valley Council has increased its own capital works budget and already brought projects forward***
- ***additional temporary resources have been required to keep these projects progressing so our operating budget has increased***

(c)

In light of significant progress recently with council amalgamation discussions in Tasmania's southern region would Council provide an update on shared service discussions with other councils in this region? The last update at a Council meeting was in February.

**Response by Martin Gill, General Manager**

***I will provide an update for Councillors in the October briefing report. I will also provide an overview of the project in response to this question in the November agenda.***

### 3.3 Cr Tanya King

Later in today's meeting (GOV 3 - Code of Conduct Panel Determination), Council will be asked to receive the Code of Conduct Panel Determination report in accordance with the requirements of Section 28ZK (4) of the Local Government Act 1993.

The Code of Conduct complaint against Cr Tanya King was made and submitted by Mr Bronte Booth on 7 July 2016 alleging that Cr King had breached standards of the Meander Valley Council Code of Conduct.

The complaint was dismissed, as no breach of the Code of Conduct was found. The anticipated cost to Meander Valley Council for the determination is \$2,452.19.



Letters were also received by the General Manager from Bleyer Lawyers making similar false allegations, and based on those false allegations, demanding a number of actions. The first letter was received on Tuesday 12 July at 11:09am, the morning of the July meeting of Council, acting for 'Concerned Meander Residents & Ratepayers'. The second letter was received on Monday 8 August acting for Meander Area Residents and Ratepayers Association (formerly Concerned Meander Residents & Ratepayers).

What costs were incurred by Mr Bronte Booth to submit his Code of Conduct complaint?

What costs, both internal and external, were incurred by Meander Valley Council to seek advice and respond to the letters from Bleyer Lawyers?

I wonder what costs were incurred by Meander Area Residents and Ratepayers Association to submit their letters, given the members' association with Vanessa Bleyer?

***Questions taken on Notice***

3.4 Cr Ian Mackenzie

In regards to roadside spraying, in particular gorse hedges on Oaks Road –

- a) When were the hedges sprayed?
- b) Why were the hedges sprayed when they are well maintained, trimmed and formed?
- c) When were the property owners consulted?

***Questions taken on Notice***

**215/2016 DEPUTATIONS BY MEMBERS OF THE PUBLIC:**

Nil

**216/2016 NOTICE OF MOTIONS BY COUNCILLORS:**

Nil

**COUNCIL MEETING AS A PLANNING AUTHORITY**

The Mayor advises that for items 217/2016 to 218/2016 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

## **217/2016 11 WEST BARRACK STREET, DELORAINE - EXTENSION AND CHANGE OF USE**

The Mayor invited Mr Heath Graham to address the Council meeting regarding this agenda item.

### **1) Introduction**

This report considers application PA\16\0191 for an extension and change of use to Service Industry and Manufacturing and Processing on land located at 11 West Barrack Street, Deloraine (CT's: 47332/1 & 92367/1).

### **2) Recommendation**

***It is recommended that the application for Use and Development for an extension and change of use to Service Industry and Manufacturing and Processing on land located at 11 West Barrack Street, Deloraine (CT's: 47332/1 & 92367/1) by H & M Graham , requiring the following discretions:***

- 21.4.1 - Siting, Design and Built Form
- E4.6.1 - Use and road or rail infrastructure
- E11.6.1 - Attenuation Distances

***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) Honed Architecture and Design, Drawing No. 1613 – Sheets A-DA-07, 08, 10, 11, 12, 13, 14 & 15**
  - b) R K Consulting Engineers, Traffic Impact Assessment, dated May 2016**
  - c) Graham Automotive and Fabrication, letter dated 27 May 2016.**

**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. Prior to the commencement of use the following works are to be completed to the satisfaction of Council's Town Planner:**
  - a) The interior of the metal fabrication workshop is to be lined with a sound proofing material.**

- b) A permanent screen is to be placed parallel to the brick wall at the south east-boundary, directly adjacent to the door of the proposed extension, to reduce reflected noise. The screen is to be constructed 100mm from the wall with wooden slats angled at 45 degrees up or down. The screen is to extend from ground level to the top of the wall and is to extend 1m wider than the width of the roller door.
  - c) A dense screen of trees or shrubs must be planted along the boundary shared with 4 Bonney Street to ensure reasonable privacy and minimise light intrusion for the adjoining property. The plant screen must obtain a minimum growth height of at least 2m, be an evergreen species and planted at such intervals as recommended by a qualified horticulturalist for the creation of a hedge.
  - d) The car park to the south-east of the existing building is to be sealed for a minimum of 6m from the carriage way on West Barrack Street to the satisfaction of Council's Director Infrastructure Services.
3. The vegetation screen required in Condition 2. (b) is to be maintained in a healthy condition with any diseased plants or fatalities being replaced with a healthy specimen.
  4. *The equivalent continuous A-weighted sound pressure level measured over 15 minutes ( $L_{Aeq15min}$ ) emitted from the premises must not exceed 5dB above the background ( $L_{A90}$ ) noise level at any time when assessed at the boundary of an adjoining residential property. The background noise level must be measured in the absence of noise emitted from the proposed use in accordance with AS 1055.1-1997 Acoustics – Description and Measurement of Environmental Noise General Procedures and Noise Measurement Procedures Manual (Tasmania).*
  5. Within 3 months of the commencement of the metal fabrication use a follow up noise assessment is to be undertaken to the satisfaction of Council. The assessment must demonstrate that the noise generated by the use is in accordance with Condition 4 and is to be conducted for the duration of the operating hours over a day. Council is to be given 3 full days notice, prior to the commencement of noise monitoring.
  6. Excluding office and administration tasks, the proposed use is restricted to the following hours of operation:

- Monday to Friday - 8:30am to 6pm
  - Saturday - 9am – 12 midday
  - Sunday and Public Holidays - not permitted
7. **No servicing or repair of vehicles (excluding diagnostic activities and minor parts replacement), no storage of parts or wrecks and no breaking down of wrecks is to occur outside of the existing and approved buildings.**
  8. **Any resurfacing or repair works on the carpark in the east portion of the lot are not to result in an increase in the relative height of the finished surface above natural ground level or extend the usable area closer than 3m from the boundary shared with 4 Bonney Street. Further sealing of the carpark is not permitted without adequate provision of drainage to the satisfaction of Council's Plumbing Surveyor.**
  9. **Vehicles are to be stored outside of the building for a maximum of fourteen (14) days. No vehicles associated with the use are to be stored on the public street.**
  10. **The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA-2016/01027-MVC, attached).**

Note:

1. **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**

**All enquiries should be directed to Council's Permit Authority on 6393 5322 or Council's Plumbing Surveyor on 0419 510 770.**

2. 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.

3. 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](http://www.rmpat.tas.gov.au)
4. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14-day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
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 six (6) weeks prior to the expiration date.
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](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with State and Federal Government agencies.

## **DECISION:**

Cr Kelly moved and Cr Mackenzie seconded ***“that that the application for Use and Development for an extension and change of use to Service Industry and Manufacturing and Processing on land located at 11 West Barrack Street, Deloraine (CT's: 47332/1 & 92367/1) by H & M Graham, requiring the following discretions:***

- 21.4.1 - Siting, Design and Built Form
- E4.6.1 - Use and road or rail infrastructure
- E11.6.1 - Attenuation Distances

***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) Honed Architecture and Design, Drawing No. 1613 – Sheets A-DA-07, 08, 10, 11, 12, 13, 14 & 15**
- b) R K Consulting Engineers, Traffic Impact Assessment, dated May 2016**
- c) Graham Automotive and Fabrication, letter dated 27 May 2016.**

**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. Prior to the commencement of use the following works are to be completed to the satisfaction of Council's Town Planner:**

- a) The interior of the metal fabrication workshop is to be lined with a sound proofing material.**
- b) A permanent screen is to be placed parallel to the brick wall at the south east-boundary, directly adjacent to the door of the proposed extension, to reduce reflected noise. The screen is to be constructed 100mm from the wall with wooden slats angled at 45 degrees up or down. The screen is to extend from ground level to the top of the wall and is to extend 1m wider than the width of the roller door.**
- c) A dense screen of trees or shrubs must be planted along the boundary shared with 4 Bonney Street to ensure reasonable privacy and minimise light intrusion for the adjoining property. The plant screen must obtain a minimum growth height of at least 2m, be an evergreen species and planted at such intervals as recommended by a qualified horticulturalist for the creation of a hedge.**
- d) The car park to the south-east of the existing building is to be sealed for a minimum of 6m from the carriage way on West Barrack Street to the satisfaction of Council's Director Infrastructure Services.**

**3. The vegetation screen required in Condition 2. (b) is to be maintained in a healthy condition with any diseased plants or fatalities being replaced with a healthy specimen.**

- 4. *The equivalent continuous A-weighted sound pressure level measured over 15 minutes ( $L_{Aeq15min}$ ) emitted from the premises must not exceed 5dB above the background ( $L_{A90}$ ) noise level at any time when assessed at the boundary of an adjoining residential property. The background noise level must be measured in the absence of noise emitted from the proposed use in accordance with AS 1055.1-1997 Acoustics – Description and Measurement of Environmental Noise General Procedures and Noise Measurement Procedures Manual (Tasmania).***
- 5. Within 3 months of the commencement of the metal fabrication use a follow up noise assessment is to be undertaken to the satisfaction of Council. The assessment must demonstrate that the noise generated by the use is in accordance with Condition 4 and is to be conducted for the duration of the operating hours over a day. Council is to be given 3 full day's notice, prior to the commencement of noise monitoring.**
- 6. Excluding office and administration tasks, the proposed use is restricted to the following hours of operation:**
  - Monday to Friday - 8:30am to 6pm**
  - Saturday - 9am – 12 midday**
  - Sunday and Public Holidays - not permitted**
- 7. No servicing or repair of vehicles (excluding diagnostic activities and minor parts replacement), no storage of parts or wrecks and no breaking down of wrecks is to occur outside of the existing and approved buildings.**
- 8. Any resurfacing or repair works on the carpark in the east portion of the lot are not to result in an increase in the relative height of the finished surface above natural ground level or extend the usable area closer than 3m from the boundary shared with 4 Bonney Street. Further sealing of the carpark is not permitted without adequate provision of drainage to the satisfaction of Council's Plumbing Surveyor.**
- 9. Vehicles are to be stored outside of the building for a maximum of fourteen (14) days. No vehicles associated with the use are to be stored on the public street.**



10. **The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA-2016/01027-MVC, attached).**

Note:

1. **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**

**All enquiries should be directed to Council's Permit Authority on 6393 5322 or Council's Plumbing Surveyor on 0419 510 770.**

2. 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.
3. 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](http://www.rmpat.tas.gov.au)
4. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14-day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
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 six (6) weeks prior to the expiration date.
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](mailto: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 Connor, Kelly, King, Mackenzie, Perkins, Richardson, Synfield and Temple voting for the motion.***

## **218/2016 8 MEANDER VALLEY ROAD, HAGLEY - BULKY GOODS SALES (LANDSCAPE SUPPLIES) & GENERAL RETAIL AND HIRE**

### **1) Introduction**

This report considers application PA\17\0026 for Bulky Goods Sales (landscape supplies) & General Retail and Hire on land located at 8 Meander Valley Road, Hagley (CT 101910/1).

### **2) Recommendation**

***That the application for Use and Development for Bulky Goods Sales (landscape supplies) & General Retail and Hire on land located at 8 Meander Valley Road, Hagley CT 101910/1 by S Lunson, requiring the following discretions:***

- 16.3.1      Amenity**
- 16.3.2      Village Character**
- E4.6.1      Use and road or rail infrastructure**
- E6.7.1      Construction of car parking spaces and access strip**
- E6.7.6      Loading and unloading of vehicles, drop-off and pickup**

***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) Site Plan**
  - b) Garry Hills – emailed dated 11 August 2016**
  - c) Tasmanian Trash Transformers – letter dated 19 August 2016**
  - d) Tasmanian Trash Transformers – letter dated 16 September 2016 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. Measures must be taken to control dust emissions on the site to prevent environmental nuisance beyond the property boundary in accordance with the Environmental Management and Pollution Control Act 1994. All enquiries should be directed to Council's Environmental Health team on telephone 6393 5300.**

Note:

1. **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 any new use of the building commences:**

- a) **Building permit**

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

2. 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.
3. 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](http://www.rmpat.tas.gov.au) .
4. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
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. An extension may be granted if a request is received at least 6 weeks prior to the expiration date.
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 Kelly seconded ***“that the application for Use and Development for Bulky Goods Sales (landscape supplies) & General Retail and Hire on land located at 8 Meander Valley Road, Hagley CT 101910/1 by S Lunson, requiring the following discretions:***

- 16.3.1 Amenity***
- 16.3.2 Village Character***
- E4.6.1 Use and road or rail infrastructure***
- E6.7.1 Construction of car parking spaces and access strip***
- E6.7.6 Loading and unloading of vehicles, drop-off and pickup***

***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) Site Plan***
  - b) Garry Hills – emailed dated 11 August 2016***
  - c) Tasmanian Trash Transformers – letter dated 19 August 2016***
  - d) Tasmanian Trash Transformers – letter dated 16 September 2016***

***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. Measures must be taken to control dust emissions on the site to prevent environmental nuisance beyond the property boundary in accordance with the Environmental Management and Pollution Control Act 1994. All enquiries should be directed to Council’s Environmental Health team on telephone 6393 5300.***

Note:

- 1. 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 any new use of the building commences:**

- a) Building permit**

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

2. 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.
3. 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](http://www.rmpat.tas.gov.au) .
4. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
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. An extension may be granted if a request is received at least 6 weeks prior to the expiration date.
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 Connor, Kelly, King, Mackenzie, Perkins, Richardson, Synfield and Temple voting for the motion.***

## **219/2016 ANNUAL PLAN – QUARTERLY REVIEW – SEPTEMBER 2016**

### **1) Introduction**

The purpose of this report is for Council to receive the September quarterly review of the Annual Plan.

### **12) Recommendation**

***It is recommended that Council receive and note the Annual Plan review for the September 2016 quarter.***

## **DECISION:**

Cr Connor moved and Cr Richardson seconded ***“that Council receive and note the Annual Plan review for the September 2016 quarter.”***

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



## **220/2016 COUNCIL AUDIT PANEL CHAIRPERSON RE-APPOINTMENT; REVIEW OF THE AUDIT PANEL CHARTER AND RECEIPT OF MINUTES**

### **1) Introduction**

The purpose of this report is to seek reappointment of the Council Audit Panel Chairperson, to present amendments to Council's Audit Panel Charter to Council for approval and for Council to receive the minutes of the Council Audit Panel meeting held on 27 September 2016.

### **2) Recommendation**

*It is recommended that Council:*

- 1) approve the reappointment of Steven Heryk to the position of Meander Valley Council Audit Panel Chairperson;**
- 2) adopt the attached amended Audit Panel Charter; and**
- 3) receive the minutes of the Council Audit Panel meeting held on 27 September 2016**

## **DECISION:**

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

- 1) approve the reappointment of Steven Heryk to the position of Meander Valley Council Audit Panel Chairperson;**
- 2) adopt the attached amended Audit Panel Charter; and**
- 3) receive the minutes of the Council Audit Panel meeting held on 27 September 2016**

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

## **221/2016 CODE OF CONDUCT PANEL DETERMINATION**

### **1) Introduction**

The purpose of this report is to table a copy of a Code of Conduct Panel Determination in response to a complaint against Cr Tanya King made and submitted by Mr Bronte Booth.

### **2) Recommendation**

***It is recommended that Council receive the Code of Conduct Panel Determination report in accordance with the requirements of Section 28ZK (4) of the Local Government Act 1993.***

## **DECISION:**

Cr Kelly moved and Cr Mackenzie seconded ***“that Council receive the Code of Conduct Panel Determination report in accordance with the requirements of Section 28ZK (4) of the Local Government Act 1993.”***

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

## **222/2016 NATURAL RESOURCE MANAGEMENT** **COMMITTEE MEMBERSHIP**

### **1) Introduction**

The purpose of this report is for Council to appoint two new representatives to Council's Natural Resource Management Committee (NRM Committee).

### **2) Recommendation**

*It is recommended that Mr Robert Buck and Mrs Ann Whiteley be appointed by Council under Section 24 (2) of the Local Government Act 1993 to the Meander Valley Council Natural Resource Management Committee.*

## **DECISION:**

Cr Kelly moved and Cr Mackenzie seconded *"that Mr Robert Buck and Mrs Ann Whiteley be appointed by Council under Section 24 (2) of the Local Government Act 1993 to the Meander Valley Council Natural Resource Management Committee."*

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

## **223/2016 GREATER LAUNCESTON AREA URBAN SALINITY STRATEGY 2016**

### **1) Introduction**

The purpose of this report is for Council to receive the Greater Launceston Area Urban Salinity Strategy 2016 (the 'Urban Salinity Strategy').

### **2) Recommendation**

***It is recommended that Council receive the Greater Launceston Area Urban Salinity Strategy 2016.***

## **DECISION:**

Cr Richardson moved and Cr Temple seconded ***"that Council receive the Greater Launceston Area Urban Salinity Strategy 2016."***

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

## **224/2016 FINANCIAL REPORTS TO 30 SEPTEMBER 2016**

### **1) Introduction**

The purpose of this report is to present Council's financial reports to 30 September 2016.

### **2) Recommendation**

***It is recommended that Council receive the following financial reports for the period ended 30 September 2016:***

- 1. Consolidated operating statement with accompanying operating statements for the key operational areas of Council***
- 2. A detailed list of capital works project expenditure to date***
- 3. A detailed list of capital resealing project expenditure to date***
- 4. A detailed list of capital gravelling project expenditure to date***
- 5. A summary of rates outstanding***
- 6. Cash reconciliation & investments summary***

### **DECISION:**

Cr King moved and Cr Kelly seconded ***“that Council receive the following financial reports for the period ended 30 September 2016:***

- 1. Consolidated operating statement with accompanying operating statements for the key operational areas of Council***
- 2. A detailed list of capital works project expenditure to date***
- 3. A detailed list of capital resealing project expenditure to date***
- 4. A detailed list of capital gravelling project expenditure to date***
- 5. A summary of rates outstanding***
- 6. Cash reconciliation & investments summary.”***

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

## **225/2016 AUDIT REPORT - 2016 FINANCIAL YEAR**

### **1) Introduction**

The purpose of this report is for Council to receive the Delegate of the Auditor-General's independent audit report on the 2016 financial report.

### **2) Recommendation**

***It is recommended that Council receive the Delegate of the Auditor-General's independent audit report on the 2016 Financial Report.***

## **DECISION:**

Cr Richardson moved and Cr Kelly seconded ***"that Council receive the Delegate of the Auditor-General's independent audit report on the 2016 Financial Report."***

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

Cr Bob Richardson left the meeting at 2.35pm

**226/2016 APPLICATION FOR GENERAL RATE REMISSION,  
SOUTHERN CROSS CARE (TAS) INC., 87  
MEANDER VALLEY ROAD WESTBURY**

**1) Introduction**

The purpose of this report is for Council to consider an application from Southern Cross Care (Tas.) Inc. for a remission of the General Rate under section 129 of the Local Government Act 1993 (Act) for its property at 87 Meander Valley Road, Westbury.

**2) Recommendation**

***It is recommended that Council does not grant a remission of the General Rate as requested by Southern Cross Care (Tas.) Inc. under section 129 of the Local Government Act 1993 for the property situated at 87 Meander Valley Road, Westbury.***

**DECISION:**

Cr Mackenzie moved and Cr King seconded ***“that Council does not grant a remission of the General Rate as requested by Southern Cross Care (Tas.) Inc. under section 129 of the Local Government Act 1993 for the property situated at 87 Meander Valley Road, Westbury.”***

***The motion was declared CARRIED with Councillors Connor, Kelly, King, Mackenzie, Perkins, Synfield and Temple voting for the motion.***

Cr Bob Richardson returned to the meeting at 2.42pm

# **227/2016 POLICY REVIEW NO. 4 – SUBSIDISED WASTE DISPOSAL FOR COMMUNITY GROUPS**

## **1) Introduction**

The purpose of this report is for Council to review Policy No. 4 – Subsidised Waste Disposal for Community Groups.

## **2) Recommendation**

***It is recommended that Council confirm the continuation of Policy No. 4 – Subsidised Waste Disposal for Community Groups with amendments, as follows:***

## **POLICY MANUAL**

<b>Policy Number:</b> 4	<b>Subsidised Waste Disposal for Community Groups</b>
<b>Purpose:</b>	The purpose of this Policy is to allow for the reimbursement of to community groups for tip waste disposal fees where the work performed is to benefit the community
<b>Department:</b>	Infrastructure Services
<b>Author:</b>	Ted Ross, Dino De Paoli, Director
<b>Council Meeting Date:</b>	<del>10 September 2013</del> 11 October 2016
<b>Minute Number:</b>	<del>161/2013</del>
<b>Next Review Date:</b>	<del>September 2016</del> September 2020

## **POLICY**

### **1. Definitions**

Nil

### **2. Objective**

The purpose of this Policy is to allow for the reimbursement of to community groups for tip waste disposal fees where the work performed is to benefit the community.



### **3. Scope**

This policy is to apply to the Council and its employees, and all external parties, service clubs and community groups who may wish to dispose of material at tip Council's waste disposal sites and obtain reimbursement of fees paid.

### **4. Policy**

In recognition of the valuable work carried out by service clubs and other community groups in the Council area a mechanism will be made available to enable reimbursement of tipping fees at the Deloraine and Westbury land fill Council's waste disposal sites. This mechanism is available on the following basis:

The group must be a recognised service club or similar not for profit community group who are carrying out necessary community clean-up work which has the prior approval of Council or other appropriate authorities.

1. Reimbursement of fees will normally only apply to volumes of refuse not exceeding the capacity of a single utility and/or single axle trailer and the number of entries to the tip Council's waste disposal sites for each service club or not-for-profit group shall be restricted annually to no more than 26.
2. Where a service club or community group may wish to conduct a large scale clean up where the volumes would exceed those listed above, contact must be made with the Director Infrastructure Services for approval of the type of material, volume of material and appropriate disposal location.
3. Material deposited at the tip Council's waste disposal sites is restricted to normal domestic waste, vegetation waste, construction and demolition waste only. and shall not include any hazardous or noxious material or tyres.
4. Normal tip fees shall be paid at time of disposal by Club or other body the service club or community group who shall then be reimbursed on production of the tip provide the receipt to the relevant Council officer for approval prior to reimbursement.
5. Where possible material to be disposed of at the tip Council's waste disposal sites shall be sorted for recycling purposes and deposited accordingly.

### **5. Legislation**

Councils refuse disposal sites operate under the *Environmental Management And Pollution Control Act 1994* and appropriate licences. Disposal of material is governed by these pieces of legislation and material to be disposed at tip sites falls within the legislative requirements.

Local Government Act 1993

## **6. Responsibility**

The responsibility for the operation of this policy rests with the Director, Infrastructure Services.

## **DECISION:**

Cr Kelly moved and Cr Mackenzie seconded ***“that Council confirm the continuation of Policy No. 4 – Subsidised Waste Disposal for Community Groups with amendments, as follows:***

## **POLICY MANUAL**

**Policy Number: 4**                      **Subsidised Waste Disposal for Community Groups**

**Purpose:**                                      The purpose of this Policy is to allow for the reimbursement to community groups for waste disposal fees where the work performed is to benefit the community

**Department:**                              Infrastructure Services  
**Author:**                                      Dino De Paoli, Director

**Council Meeting Date:**                11 October 2016  
**Minute Number:**                        227/2016

**Next Review Date:**                      ***September 2020***

## **POLICY**

### **1. Definitions**

Nil

### **2. Objective**

The purpose of this Policy is to allow for the reimbursement to community groups for waste disposal fees where the work performed is to benefit the community.

### **3. Scope**

This policy is to apply to the Council and its employees, external service clubs and community groups who may wish to dispose of material at Council's waste disposal sites and obtain reimbursement of fees paid.

#### **4. Policy**

In recognition of the valuable work carried out by service clubs and other community groups in the Council area a mechanism will be made available to enable reimbursement of tipping fees at Council's waste disposal sites. This mechanism is available on the following basis:

The group must be a recognised service club or similar not for profit community group who are carrying out necessary community clean-up work which has the prior approval of Council or other appropriate authorities.

1. Reimbursement of fees will normally only apply to volumes of refuse not exceeding the capacity of a single utility and/or single axle trailer and the number of entries to Council's waste disposal sites for each service club or not-for-profit group shall be restricted annually to no more than 26.
2. Where a service club or community group may wish to conduct a large scale clean up where the volumes would exceed those listed above, contact must be made with the Director Infrastructure Services for approval of the type of material, volume of material and appropriate disposal location.
3. Material deposited at Council's waste disposal sites is restricted to normal domestic waste, vegetation waste, construction and demolition waste only.
4. Normal tip fees shall be paid at time of disposal by the service club or community group who shall then provide the receipt to the relevant Council officer for approval prior to reimbursement.
5. Where possible material to be disposed of at Council's waste disposal sites shall be sorted for recycling purposes and deposited accordingly.

#### **5. Legislation**

Local Government Act 1993

#### **6. Responsibility**

The responsibility for the operation of this policy rests with the Director, Infrastructure Services."

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

## **ITEMS FOR CLOSED SECTION OF THE MEETING:**

Councillor Mackenzie moved and Councillor Connor seconded ***“that Council move into Closed Session to discuss the following items.”***

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

The meeting moved into Closed Session at 2.48pm

### **228//2016 CONFIRMATION OF MINUTES**

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 13 September 2016.

### **229/2016 LEAVE OF ABSENCE**

(Reference Part 2 Regulation 15(2)(h) Local Government (Meeting Procedures) Regulations 2015)

### **230/2016 DELORAINE COMMUNITY COMPLEX – STADIUM FLOOR REPLACEMENT**

(Reference Part 2 Regulation 15(2)(d) Local Government (Meeting Procedures) Regulations 2015)

The meeting re-opened to the public at 3.12pm

Cr Mackenzie moved and Cr Temple seconded ***“that the following decision taken by Council in Closed Session be released for the public’s information -***

- ***that Council awards the contract for the removal and replacement of the existing stadium floor at the Deloraine Community Complex to Aquilina Timber Floors.”***

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

The meeting closed at 3.13pm

.....  
CRAIG PERKINS (MAYOR)