



Meander Valley Council

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

ORDINARY MINUTES

COUNCIL MEETING

Tuesday 13 September 2016

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Minutes of the ordinary meeting of the Meander Valley Council held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 13 September 2016 at 1.34pm.

PRESENT: Mayor Craig Perkins, Deputy Mayor Michael Kelly, Councillors Tanya King, Ian Mackenzie, Bob Richardson, Rodney Synfield, John Temple and Deborah White

APOLOGIES: Cr Andrew Connor

IN ATTENDANCE: Martin Gill, General Manager
Merrilyn Young, Personal Assistant
David Pyke, Director Governance & Community Services
Rick Dunn, Director Economic Development & Sustainability
Matthew Millwood, Director Works
Dino De Paoli, Director Infrastructure Services
Jonathan Harmey, Senior Accountant
Daniel Smedley, Recreation Co-ordinator
Justin Simons, Town Planner
Rob Little, Asset Management Co-Ordinator

185/2016 CONFIRMATION OF MINUTES:

Councillor White moved and Councillor Mackenzie seconded, ***“that the minutes of the Ordinary meeting of Council held on Tuesday 9 August, 2016, be received and confirmed.”***

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

186/2016 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Date :	Items discussed:
9 August 2016	<ul style="list-style-type: none"> • Council Audit Panel • Potential Property Purchase • 2016 Floods Response Actions
23 August 2016	<ul style="list-style-type: none"> • Presentation by Maree Tetlow, NTD • Capital Works Funding for Flood Impacted Assets • Capital Works Funding Budget Review • Extension of Percy Street, Carrick – Carrick Rural Living Zone Specific Area Plan • Building Compliance

187/2016 ANNOUNCEMENTS BY THE MAYOR:

Wednesday 10 August 2016

Meeting with Westbury Cricket Club and Meander Valley Suns Football Club

Thursday 11 August 2016

Attended a meeting of the Mole Creek Progress Association

Friday 12 August 2016

Northern Regional Flood Committee meeting

Thursday 18 August 2016

Northern Regional Waste Committee WasteNoT awards
Attended Westbury Primary School Science Week Exhibition

Friday 19 August 2016

Attended the launch of the Valley Central Investment prospectus

Saturday 20 August 2016

Attended the Deloraine Junior Basketball Association Finals (Latrobe)

Tuesday 23 August 2016

Attended Property Council lunch
Council Workshop

Friday 26 August 2016

Northern Regional Flood Committee meeting (Westbury)

Friday 2 September 2016

NTD Local Government Committee

Tuesday 6 September 2016

Development services review Workshop

TasWater Councils Meeting

Friday 9 September 2016

Northern Regional Flood Committee meeting

Tony Smibert Order of Australia investiture, Government House

Sunday 11 September 2016

Westbury Bowls Club season opening

Deloraine Bowls Club season opening

188/2016 DECLARATIONS OF INTEREST:

Nil

189/2016 TABLING OF PETITIONS:

Nil

190/2016 PUBLIC QUESTION TIME

1. QUESTIONS TAKEN ON NOTICE – AUGUST 2016

Nil

2. QUESTIONS WITHOUT NOTICE – SEPTEMBER 2016

Nil

191/2016 COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – AUGUST 2016

1.1 Cr Tanya King

Cloud Seeding

I have read a copy of Hydro Tasmania's "Cloud seeding flight of 5 June 2016 Background and event final report".

The report is underwhelming and fails to address the broader issues. Perhaps these are addressed elsewhere in another of Hydro Tasmania's potentially more detailed reports.

The June flood events have significantly impacted on many Meander Valley residents and ratepayers, in particular, the losses for farmers in terms of infrastructure – fencing, roadways and the like as well as significant livestock losses must be acknowledged.

Could Council please contact Hydro Tasmania seeking more detail on the following issues;

- Given the weather forecast, why did Hydro Tasmania proceed with cloud seeding over the Western Tiers?
- How do Hydro Tasmania plan to better manage Tasmania's water storages to reduce the reliance on cloud seeding?
- What are Hydro Tasmania's current policies on the "export" of power in relation to low limit levels in water storages?
- Although no further cloud seeding is proposed for the remainder of the current "season", what communication can Tasmanian's expect for future cloud seeding operations?

Response by Martin Gill, General Manager

I met with representatives from Hydro Tasmania on Monday 5 September. I provided them with a copy of the above questions.

There are a number of matters that Hydro Tasmania could not respond to due to the announcement of the Flood Enquiry and the likelihood of a coronial enquiry.

They referred me to the following press release regarding the impact of cloud seeding:

<http://www.hydro.com.au/about-us/news/2016-07/analysis-shows-no-impact-cloud-seeding-flight>

Hydro Tasmania did want to highlight that there were no cloud seeding flights over the Great Western Tiers on 5 June 2016.

Hydro Tasmania have offered to come and speak to Council at a future workshop to address the questions.

I will plan the workshop for a time when Hydro will be less constrained in their responses.

In response to the question about future cloud seeding Hydro Tasmania advised that the plan was to undertake community consultation before resuming the practice.

The ongoing review of cloud seeding will also be supported by work with Bureau of Meteorology to improve storm event predictive modelling.

2. COUNCILLOR QUESTIONS WITH NOTICE – SEPTEMBER 2016

2.1 Cr Deb White

Heritage Protection – Meander Valley Interim Planning Scheme 2013

Does Meander Valley have any local cultural heritage protection in the Meander Valley Interim Planning Scheme 2013?

What is the heritage protection status of the Meander Primary School?

Response by Martin Gill, General Manager

The Meander Valley Interim Planning Scheme 2013 does not include local heritage schedule.

This follows a decision of Council not to populate this schedule following community consultation in 2010.

**The Meander Primary School is not included on the State Heritage Register
The St Saviours Church and Sunday School and Cemetery at 143 Main Road Meander, next door to the school, is listed.**

The Meander Primary School is not listed by the National Trust.

Teen Challenge

In the August edition of the Meander Valley Gazette, in an article about community unrest over the awarding of the Meander Primary School site lease to Teen Challenge for a rehabilitation centre, Mayor Perkins is quoted as saying that "results of the (community) survey had been ***well considered*** by Council before the Teen Challenge proposal was accepted."

Given that at no time did Council sit down together to discuss the survey results before the Notice of Motion recommending that the tender for the Meander Primary School site be awarded to Teen Challenge was put, what process of consideration of the survey results was the Mayor referring to?

Response by Mayor Craig Perkins

I recall my communication to the Gazette and other forms of media were that all Councillors considered all the information available to them, and have treated this matter very seriously and thoroughly. This includes individual Councillors consideration of the survey results.

Willows – Westbury

In the correspondence regarding the effects of the floods in June on vulnerable Westbury residents, the Hon Rene Hidding MP advised Council of the availability of funds to assist with flood prevention programs, such as the removal of the willows on the northern side of the Meander Valley Road bridge in Westbury.

Are Council officers able to work with concerned Westbury residents and/or relevant local groups to develop a proposal whereby they might secure this funding?

Response by Dino De Paoli, Director Infrastructure Services

The funding program referenced in Minister Hidding's correspondence is the National Partnership Agreement on Natural Disaster Resilience (NAP). Council officers have contacted the SES Projects Coordinator for information on the eligibility criteria and closing time of the current funding round. Council officers have also been in contact with Department of Primary Industries Parks Water and Environment officers to commence discussion around clearing out the willows in Quamby Brook north of Meander Valley Road, as the tenure for this part of the Brook is Crown Public Reserve. Further information will be provided to Council on the above as information comes to hand.

2.2 Cr Bob Richardson

Helicopter Crash

Media reports indicate that a helicopter crashed near Longridge Road on 20 July, 2016. Press photographs indicate that the crash occurred near watercourses and not far from several residences. The crash occurred at a time following heavy rains, including flooding, and a very high water table.

It is likely that aviation authorities will conduct an investigation into the incident. However, that is unlikely to be sufficient and investigation by environmental authorities should be essential.

Responses by Martin Gill, General Manager

1. Could Council refresh our memories of motions passed by this Council concerning use of pesticides, namely those related to
 - (a) aerial spraying in the Meander Valley; and
 - (b) banning use of specific pesticides in the Meander Valley Municipality.

(a) At the 10 November 2015 Ordinary Meeting Council it was resolved that Council expresses its concern at the proposal by Forestry Tasmania, Forico and SFM Forestry Products to continue to use pesticides listed as highly hazardous by the Forest Stewardship Council (viz. Alpha-cypermethrin and Fipronil) in the Meander Valley Municipality and it strongly opposes any application by aerial methods. Council Officers accordingly wrote to Forestry Tasmania expressing Council's position. Council received no formal response but did receive a phone call from Forestry Tasmania and was referred to Forestry Tasmania's website. We are now included on the Forestry Tasmania's stakeholder email list.

(b) Apart from the concern expressed with the use of the specific pesticides in (a) above, Council has not passed a motion to ban use of a particular pesticide in the Meander Valley Municipality. Council cannot regulate or quarantine the use of particular pesticides associated with business activities not directly undertaken by Council i.e. Forestry and Agriculture. The registration and use of pesticides in all sectors is regulated by the Australian Pesticides and Veterinary Medicines Authority (APVMA) and other State Government Agencies such as Department of Primary Industries, Parks, Water and Environment (DPIPWE).

At the 12 April 2016 Ordinary Meeting of Council it was resolved that Council monitors current research into the effects of glyphosate and explores the use of available non-toxic alternatives.

Council Officers have continued to monitor the assessment of glyphosate and in May 2016 experts met at World Health Organisation (WHO) headquarters and concluded glyphosate is unlikely to pose a carcinogenic or genotoxic risk to humans. Council Officers will evaluate viable alternative methods to glyphosate but to date no further work or assessments have been undertaken.

2. What has Council done towards implementation of these motions/policies?

Actions detailed in 1(a) and (b) above

3. Specific questions relating to the 20 July incident include:-

(a) It has been generally accepted that, on a still day, that sprays from a helicopter are spread at least 1km side to side/back to front. Has Council evidence to support this?

No

(b) From the crash site and from its spray flight path, were there any (even ephemeral) watercourses within 1km diameter?

Yes

(c) How many residences (from which drinking water is sourced from their roofs) are in this potentially contaminated area?

Unknown

(d) What chemical(s) was the helicopter spraying?

Unknown

(e) What proportion of the helicopter's chemicals were still aboard the aircraft at the time of its crash?

Unknown

i. What fuel load was still aboard the aircraft when it crashed?

Unknown

ii. Did these liquid loads spill? If so, what was done to contain any spillage?

The Tasmania Fire Service (TFS) is initially the lead agency to these types of incidents. The Environment Protection Authority (EPA) Incident Response Unit were in contact with the TFS and based on the information provided it was determined that there was unlikely to be any adverse environmental impact as a result of the crash given the small quantity of chemical spilt. No further action was required by the EPA.

- (f) Were residents in the potentially affected area forewarned of the spray program? If not, why not?

Unknown

The Code of Practice for Aerial Spraying prescribes responsibilities and minimum standards applying to users (including property owner) of agricultural chemical products when these products are applied by aerial spraying operations in Tasmania. This Code includes a required exclusion zone of 100 metres from a dwelling or occupied building without permission from the occupants (s. 5(b)).

4. Will Council write to the Premier asking what the Government's environment agencies have done to address these environmental issues arising from:
- (a) aerial application of these poisons; and
 - (b) the crash of 20 July, 2016?

If Councillors through a Notice of Motion support this action, then Council Officers will write to the Premier requesting a response to these points

5. Is Council aware that watercourses surrounding the 20 July aerial spraying program run into the Meander River, which is the source of drinking water for Deloraine, Westbury, Carrick, Hadspen and Prospect Vale”?

Yes

Water & Sewerage Charges

1. Which year did the charging of sewerage service and fixed water charges last lie with Meander Valley Council?

***Response by Malcolm Salter, Director Corporate Services
2008-2009***

2. In that last year, what were the following rates and charges for the property situated at 40 William Street, Westbury:-

- fixed water charge
- fixed sewerage charge
- total rates
- any variable charges, especially variable water charges.

(40 William Street, Westbury, is my property, and I am willing to share this information with the community).

***Response by Malcolm Salter, Director Corporate Services
fixed water charge***

\$120

fixed sewerage charge	\$255
total rates	\$1788.56
any variable charges, especially variable water charges.	45c/kl (water)

2 (a) For 2016/17 financial year, charges levied on 40 William Street are:-

- ex TasWater: Fixed water/sewerage charges \$1175.44
- ex Meander Valley Council rates \$1688.99.

What are the percentage increases in over the period from last (before TasWater) for each (relevant) charge to 2016/17, ie what % has the sewerage/water service charge increased over those years?

Response by Malcolm Salter, Director Corporate Services

**Water Fixed 173%; Variable 105% (from untreated chlorinated to fully treated)
Sewerage Fixed 233%**

And the non-water/sewerage component of rates?

19.5%

3. Media comments indicate that TasWater intends to increase water/sewerage charges by 5% pa for each of the next 5 years. This translates to a compounded increase to ratepayers of 27.63%, or a real annual increase of 5.53%.

Can Council confirm that TasWater is going to charge Meander Valley community members this extra amount, and that:-

- i. it is likely to be well above CPI; and
- ii. that the TasWater moves are a consequence of the Tasmanian government forcing the removal control of water and sewerage services, firstly from Council and then from regional authorities?

Response by Malcolm Salter, Director Corporate Services

No. TasWater pricing plans are approved by the State Government Economic Regulator on a triennial basis. 2016-17 is the second year of the current TasWater Price and Service plan.

- i. **Given the current forecasts for low inflation in the next few years, TasWater increases are likely to be above CPI.**

- ii. **Only TasWater could answer this question**

4. In the past Councils, including Meander Valley Council, developed water and sewerage infrastructure. That infrastructure was designed for relatively long time spans – up to 40 and 50 years.

Councils expected to receive returns on that investment over the life-span of those investment. (similar to individuals paying off their family home over, say, 40 years).

It is therefore not unreasonable for Council (who represent their ratepayers) to expect a return on their investment in sewerage/water infrastructure?

Response by Malcolm Salter, Director Corporate Services

This is not an unreasonable expectation from the owners of a Company, however when Council owned and operated its water and sewerage schemes it did not pay itself a dividend to subsidise General Rates but any surplus funds/profits were reinvested in water and sewerage infrastructure. Dividends from Esk Water, the bulk water supplier set up as a joint authority for the Launceston, West Tamar and Meander Valley (eastern end) were also reinvested by Council in water infrastructure up until 2008-09 when the regional corporations were being set up.

5. TasWater has announced that it will not pay Meander Valley Council a dividend in coming years(s).

a) Can Council confirm that this is the case?

Responses by Malcolm Salter, Director Corporate Services

This appears to be incorrect. According to written advice from TasWater's Chairman, total distributions (ie dividends, guarantee fees, tax equivalents) paid to all Councils will be reduced from the forecast \$30m p.a. to \$20m p.a. for the seven years following 1 July 2018.

b) What is the expected decrease in income to Meander Valley Council?

Based on a one third overall decrease to all Councils, a decrease of \$278,000 on the current \$834,000 per year is expected from 1 July 2018.

c) What is the likely impact upon Meander Valley Council's services to ratepayers/communities?

This will be a matter for Council to consider and determine before July 2018.

d) Was Council consulted on TasWater's decision to cease payment of dividends?

Council was not consulted on the reduction in distributions.

e) Has the Tasmanian Government, which initiated the change to TasWater, accepted any financial or moral responsibility for community members being slugged in the hip pockets?

Council officers are not in the position to answer this question.

If not, why not? (After all the "new" improved water/sewerage system is the Tasmanian Government's "baby").

This is a matter for the State Government.

6. It is understood that the Chairman of TasWater whose commitment to TasWater activities was initially seen to be a day a week (when there were 3 regional entities) and that the remuneration is some \$120,000.

- a) Can Council elaborate on TasWater Board and senior executive remuneration for the last reporting period?

***Response by Malcolm Salter, Director Corporate Services
These are published in the TasWater 2014-15 Annual Report (pages 52-53)
which is available to the public. The 2015-16 Annual Report is yet to be
published.***

- b) Were the jobs of these board members and senior executives formally undertaken by councillors/managers of councils as part of their duties?

No. Independent expert boards have been appointed as far back as the inception of the Esk Water joint authority for the supply of bulk water.

7. TasWater appears to be committed to provision of (at least, water) infrastructure to even the tiniest of communities, such as Pioneers.

Where in TasWater's priorities, does, say, Birralee and Whitemore lie?

***Response by Malcolm Salter, Director Corporate Services
TasWater is only responsible for water and sewerage schemes transferred to it
from Councils (via the three former regional corporations) therefore does not
have any responsibility for these areas where no scheme existed.***

8. Returning to my original question regarding 40 William Street, Westbury: the servicing of 40 William led to the establishment of rates charge.

- a) Is it true that the rates charge is set by Council after calculations of expected overall expenses and income from various sources, including TasWater dividends?

Response by Malcolm Salter, Director Corporate Services

If setting annual rates and charges were that simple then the answer would be Yes, however there are other influencing factors on Council's rating decisions eg Council's financial strategy and long term financial plan where the policy direction is to maintain the General Rate in real terms ie increase at least by inflation.

- b) What is the expected loss of income ex TasWater as a percentage of total expected income?

1.3% of 2016-17 budgeted income

- c) What then, is the likely % decrease in income on 40 William Street, Westbury (given that the decrease is spread over all rateable properties as an "even percentage" per property?

2.46% However it is not a given that this will be the end result in 2018-19 as there will be other variances to both income and expenses before (and after) 1 July 2018

9. Householders may disconnect from electricity, telephone, NBN and guide grids without penalty.

Advancements in technology and in sustainable housing are likely to witness increasing numbers of people install sustainable technology and thus disconnecting from electricity, gas and communications grids AND water (and possible sewerage treatment.

As a shareholder of TasWater, will council initiate discussion at local government level to consider the extension of more sustainable lifestyles, including promotion of on-site collection and use of water?

Response by Malcolm Salter, Director Corporate Services

This would be a matter for Council to decide

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – SEPTEMBER 2016

3.1 Cr Bob Richardson

Meander Valley Suns Netball Club

Although still in its early stages of development is Council aware of the on-court successes of Meander Valley Suns Netball Club? (The Cub entered teams into Meander Valley Council Ordinary Minutes – 13 September 2016

Divisions 4 and 9 of the Northern Tasmanian Netball Association, and won both premierships).

Response by Daniel Smedley, Recreation Co-Ordinator

Yes Council Officers have been in regular dialogue with Meander Valley Suns representatives and have been following the Netball teams achievements in local and social media.

Council may recall my request to establish netball courts, and other facilities, at the Westbury Recreation precinct at Jones Street, Westbury. Part of that request was to develop the current tennis courts into tennis/netball multi-use facilities. Could Council please provide a progress report? (Currently the Club has no Westbury facilities).

Response by Daniel Smedley, Recreation Co-Ordinator

The Council officers first step is to meet and clarify the list of items that the Meander Valley Suns Netball and Football Club is seeking to address in respect of facility development and use. Council Officers met with the President of the Club mid – season and then due to a change of President on the part of the Club in June and the disruption caused by the rain / flood events in June and July the initial meetings have been delayed. It was agreed that it would be most appropriate to wait until the end of the winter season before progressing planning meetings.

Could Council officers related to community and sporting activities contact the Netball Club with a view to Council assistance in its development?

Response by Daniel Smedley, Recreation Co-Ordinator

Yes Council Officers, Daniel Smedley and Patrick Gambles, are scheduled to meet with Meander Valley Suns representatives on Monday 19 September to further some club development planning to assist the Club in respect of its aspirations for football and netball.

Will Council communicate its congratulations to the Club concerning its encouraging development and on-court success?

Response by Martin Gill, General Manager

Yes Council will contact the Club regarding its recent court success.

TasWater Annual Report

Given the answers to questions regarding TasWater, there are still matters to be resolved.

When is the 2015/16 TasWater annual report to be tabled? Will copies be circulated to Councillors in sufficient time for Council consideration prior to the TasWater AGM?

Helicopter Crash

Responses to answers to helicopter crash - this matter requires further investigation.

Response by Martin Gill, General Manager

As soon as the 2015/16 Annual Report is available it will be circulated to all Councillors.

3.2 Cr Deb White

I thank the Mayor for his answer to my question re the IPM survey results. However, the point of my questions remains unanswered, so I will put it more succinctly; when did we as Council sit down together to discuss the IPM survey results as recommended by the officer concerned who stated several times that the survey was not a vote but a guide for subsequent Council discussion.

Response by Mayor Craig Perkins

Council did not formally sit down together to discuss the IPM survey response. Supplementary response (General Manager)

In the pre Council meeting briefing before the June Ordinary Meeting Cr Mackenzie had asked:

How many of the survey respondents in favour Teen Challenge lived in Meander?

The response from the Director Economic Development and Sustainability was that he was not sure because the survey `did not break down to that level`.

Council considered the ED&S 3 Former Meander School Decision Process at the June Ordinary Meeting because of the following Council decision at the Ordinary Council meeting in April:

Cr Richardson moved and Cr White seconded "that Council:

- 1. Make the record of questions and answers of the public meeting held on 21 March 2016 available to the public**
- 2. Make the summary of the record of meeting attendance available to the public indicating the township or city of origin of attendees**
- 3. Nominate Councillors Synfield, Kelly and White to work with Council Officers and an independent research specialist to develop and commission a verifiable survey of Meander residents to provide additional information to assist Council to determine a decision on a future use of the former school site**
- 4. Offer the three project proponents the opportunity to submit a detailed business plan for their specific proposals, before close of business on 10 May 2016.**
- 5. That a report based upon this process be prepared by Council Officers for a Council decision at the June 2016 meeting of Council."**

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

The timing of the receipt of the survey results at the end of May did not provide a forum for a formal discussion before the June Meeting.

3.3 Cr Ian Mackenzie

Did Council receive a letter dated 26 May 2016 from the Bracknell Hall and Recreation Committee addressed to Mr Malcom Salter Director of Cooperate Services?

Response by Martin Gill, General Manager

Yes a letter was received and will be followed up regarding a response.

192/2016 DEPUTATIONS BY MEMBERS OF THE PUBLIC

Nil

193/2016 NOTICE OF MOTIONS BY COUNCILLORS

194/2016 STARTING AGE FOR SCHOOL CHILDREN – CR DEB WHITE
195/2016 SUPPORT OF ASHLEY YOUTH DETENTION CENTRE & STAFF – CR IAN
 MACKENZIE

194/2016 NOTICE OF MOTION – STARTING AGE FOR SCHOOL CHILDREN - CR DEBORAH WHITE

1) Introduction

The purpose of this report is for Council to consider a Notice of Motion from Cr White that Council write to the Minister for Education, Jeremy Rockliff advising him of Council's view about the starting age for school students.

2) Recommendation (Cr Deb White)

It is recommended that Council write to the Minister for Education, Jeremy Rockliff, advising him of Council's view that there would be better educational outcomes for students if the starting age for Kindergarten remained at 4 years, and that for Prep, at 5 years.

DECISION:

Cr White moved and Cr Synfield seconded ***“that Council write to the Minister for Education, Jeremy Rockliff, advising him of Council's view that there would be better educational outcomes for students if the starting age for Kindergarten remained at 4 years, and that for Prep, at 5 years.”***

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

**195/2016 NOTICE OF MOTION - SUPPORT OF ASHLEY
YOUTH DETENTION CENTRE & STAFF – CR
IAN MACKENZIE**

1) Introduction (Cr Ian Mackenzie)

The purpose of the report is for Council to consider a Notice of Motion from Cr Mackenzie that Council:

- a) communicate and promotes support of the staff at Ashley Youth Detention Centre
- b) writes to the State Government urging them to defend the role of Ashley Youth Detention Centre (AYDC) and its importance as a place for community safety.

2) Recommendation (Cr Ian Mackenzie)

It is recommended that Council:

- 1. communicate and promotes support of the staff at Ashley Youth Detention Centre***
- 2. writes to the State Government urging them to defend the role of Ashley Youth Detention Centre and its importance as a place for community safety.***

Cr King left the meeting at 2.09pm

Cr King returned to the meeting at 2.11pm

DECISION:

Cr Mackenzie moved and Cr Synfield seconded "***that Council***

- 1. communicate and promotes support of the staff at Ashley Youth Detention Centre***

2. writes to the State Government urging them to defend the role of Ashley Youth Detention Centre and its importance as a place for community safety."

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

196/2016 NORTHERN TASMANIA DEVELOPMENT – NEW GOVERNANCE MODEL

1) Introduction

The purpose of this report is for Council to consider the future governance model for Northern Tasmania Development.

2) Recommendation

It is recommended that Council:

- 1. supports the winding up of Northern Tasmania Development Inc. and the transfer of assets and liabilities to a successor organisation.**
- 2. endorses the creation of a successor organisation which shall be titled the Northern Tasmania Development Corporation Limited (NTDC) a company limited by guarantee**
- 3. resolves to become of member of NTDC on and from 1 January 2017 and in doing so endorse the:**
 - Constitution of Northern Tasmanian Development Corporation**
 - Northern Tasmania Development Corporation Limited – Shareholder Agreement**
- 4. commits to funding the contribution amount over a period of three (3) consecutive years from the date that the membership commences.**
- 5. agrees that at the end of each three (3) year cycle a review will be undertaken.**

Cr Richardson left the meeting at 2.36pm

Cr Richardson returned to the meeting at 2.40pm

DECISION:

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

- 1. supports the winding up of Northern Tasmania Development Inc. and the transfer of assets and liabilities to a successor organisation.**
- 2. endorses in principle the creation of a successor organisation which shall be titled the Northern Tasmania Development Corporation Limited (NTDC) a company limited by guarantee**
commits to determining an agreed position in relation to points 3, 4 and 5 as follows by the November Council meeting
- 3. resolves to become of member of NTDC on and from 1 January 2017 and in doing so endorse the:**
 - Constitution of Northern Tasmanian Development Corporation**
 - Northern Tasmania Development Corporation Limited – Shareholder Agreement**
- 4. commits to funding the contribution amount over a period of three (3) consecutive years from the date that the membership commences.**
- 5. agrees that at the end of each three (3) year cycle a review will be undertaken.**

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

197/2016 TOWNSCAPES, RESERVES AND PARKS SPECIAL COMMITTEE (TRAP) – TERMS OF REFERENCE

1) Introduction

The purpose of this report is for Council to adopt the revised Terms of Reference document for the Townscapes, Reserves & Parks Special Committee (TRAP).

2) Recommendation

It is recommended that Council adopt the revised Terms of Reference document for the Townscapes, Reserves & Parks Special Committee, as follows:

TOWNSCAPES, RESERVES AND PARKS SPECIAL COMMITTEE (TRAP)

TERMS OF REFERENCE

1. Role and function

The role of the Townscapes, Reserves & Parks Special Committee is to:

- Advise Council on the strategic development of townscapes, reserves & parks
- Monitor the maintenance of townscapes, reserves & parks
- Facilitate the improvement of townscapes, reserves & parks
- Consult with the community regarding the development of townscapes, reserves & parks

The functions of the Council are to:

- Provide appropriate & relevant professional advice to the Committee
- Provide secretarial services to the Committee
- Undertake appropriate design and supervision of all Council projects

- Consider the Annual Plan and approve an annual budget and Capital Works Program by 30 June each year, following receipt of TRAP Committee recommendations
- Determine if/when remuneration and allowances are to be paid to Committee members
- Undertake a review of the role and function of the Committee every four years

2. Structure

The Committee shall comprise:

- 3 Councillors
- 3 Council officers (Infrastructure, Works, Governance)
- Up to 7 community members with a range of relevant interests and skills

3. Membership

- As a guideline, the Townscapes, Reserves & Parks Special Committee shall have between nine and thirteen members
- One of these members will be appointed as Chair and another as Deputy Chair
- All community members shall be resident in the municipality
- Input from other Council staff and/or consultants may be invited

4. Appointment

Committee members are appointed by invitation from the Mayor Council following advice from the existing Chairman of TRAP. The Terms of Appointment will be administered by the Governance and Community Services Department.

Members are appointed for a two-year four-year term, and may be reappointed by the Mayor for additional terms by Council.

Termination of Appointment

Members may resign from the Committee by notice in writing to ~~the Mayor~~ Council. ~~The Mayor~~ Council may terminate the appointment of a Committee member by providing notice in writing. Reasons for termination shall be final and no correspondence will be entered into.

5. Roles and Responsibilities

The roles and responsibilities of the Committee member are to:

- Attend meetings
- Contribute to decisions of the Committee
- Undertake consultation and research

In addition, the roles and responsibilities of the Chair are to:

- Chair meetings equitably
- Address all Agenda items
- Keep to time

6. Meeting Protocols

Committee meetings will be held at least bi-monthly. The purpose of these meetings will be to:

- Monitor progress
- Review achievements
- Identify needs and actions
- Inform Council on current needs and actions
- Make recommendations to Council regarding TRAP matters for Council's consideration

At Committee meetings, more than 50% attendance by members constitutes a quorum. provided that it contains a minimum of four community members.

The Chair will preside over meetings and in the absence of the Chair, the Deputy Chair will preside.

- Committee members are expected to attend (or apologise for) 100% of meetings per year
- Apologies should be received no later than noon of the meeting date
- Three non-attendances without apologies in any year will constitute a cessation of the position and the member will be informed in writing
- Meetings will commence within 10 minutes of the advised start time

7. Remuneration and Allowances

The Chair and Committee members act in a voluntary capacity

Committee members may claim allowances for legitimate expenses incurred in the execution of Committee duties.

Council will determine if remuneration and allowances are to be paid.

8. Resources

Budget and expenditure

The Committee has no budget allocation and no financial decision-making authority.

Secretariat

Council will provide staff for the role of the secretariat and administrative support.

9. Code of Conduct

A member, attendee or observer:

- Will act honestly, in good faith and in the best interest of the Committee, Council and the organisation they represent
- Will not make improper use of information acquired from the deliberations of the Committee
- Must declare as soon as practicable to the Chair any direct or indirect pecuniary interest or conflict of interest in a matter about to be considered by the Committee. (Interest provisions are outlined in Part 5 of the Local Government Act 1993).

Should a conflict of interest disclosure be noted, the members or observers concerned shall not, unless the Committee determines otherwise:

- Be present during any deliberation of the Committee with respect to that matter
- Take part in any decision of the Committee with respect to that matter.

Committee members must ensure that any confidential information received in the course of their activities or deliberations is not disclosed or allowed to be disclosed, unless authorised by the person from who the information was provided, or if required by law.

DECISION:

Cr Temple moved and Cr Synfield seconded ***“that Council adopt the revised Terms of Reference document for the Townscapes, Reserves & Parks Special Committee, as follows:***

TOWNSCAPES, RESERVES AND PARKS SPECIAL COMMITTEE (TRAP)

TERMS OF REFERENCE

1. Role and function

The role of the Townscapes, Reserves & Parks Special Committee is to:

- Advise Council on the strategic development of townscapes, reserves & parks
- Monitor the maintenance of townscapes, reserves & parks
- Facilitate the improvement of townscapes, reserves & parks
- Consult with the community regarding the development of townscapes, reserves & parks

The functions of the Council are to:

- Provide appropriate & relevant professional advice to the Committee
- Provide secretarial services to the Committee
- Undertake appropriate design and supervision of all Council projects

- Consider the Annual Plan and approve an annual budget and Capital Works Program by 30 June each year, following receipt of TRAP Committee recommendations
- Determine if/when remuneration and allowances are to be paid to Committee members
- Undertake a review of the role and function of the Committee every four years

2. Structure

The Committee shall comprise:

- 3 Councillors
- 3 Council officers
- Up to 7 community members with a range of relevant interests and skills

3. Membership

- As a guideline, the Townscapes, Reserves & Parks Special Committee shall have between nine and thirteen members
- One of these members will be appointed as Chair and another as Deputy Chair
- All community members shall be resident in the municipality
- Input from other Council staff and/or consultants may be invited

4. Appointment

Committee members are appointed by invitation from Council following advice from the Chairman of TRAP. The Terms of Appointment will be administered by the Governance and Community Services Department.

Members are appointed for a four-year term, and may be reappointed for additional terms by Council.

Termination of Appointment

Members may resign from the Committee by notice in writing to Council. Council may terminate the appointment of a Committee member by providing notice in

writing. Reasons for termination shall be final and no correspondence will be entered into.

5. Roles and Responsibilities

The roles and responsibilities of the Committee member are to:

- Attend meetings
- Contribute to decisions of the Committee
- Undertake consultation and research

In addition, the roles and responsibilities of the Chair are to:

- Chair meetings equitably
- Address all Agenda items
- Keep to time

6. Meeting Protocols

Committee meetings will be held at least bi-monthly. The purpose of these meetings will be to:

- Monitor progress
- Review achievements
- Identify needs and actions
- Inform Council on current needs and actions
- Make recommendations to Council regarding TRAP matters for Council's consideration

At Committee meetings, more than 50% attendance by members constitutes a quorum.

The Chair will preside over meetings and in the absence of the Chair, the Deputy Chair will preside.

- Committee members are expected to attend (or apologise for) 100% of meetings per year
- Apologies should be received no later than noon of the meeting date

- Three non-attendances without apologies in any year will constitute a cessation of the position and the member will be informed in writing
- Meetings will commence within 10 minutes of the advised start time

7. Remuneration and Allowances

The Chair and Committee members act in a voluntary capacity

Committee members may claim allowances for legitimate expenses incurred in the execution of Committee duties.

Council will determine if remuneration and allowances are to be paid.

8. Resources

Budget and expenditure

The Committee has no budget allocation and no financial decision-making authority.

Secretariat

Council will provide staff for the role of the secretariat and administrative support.

9. Code of Conduct

A member, attendee or observer:

- Will act honestly, in good faith and in the best interest of the Committee, Council and the organisation they represent
- Will not make improper use of information acquired from the deliberations of the Committee
- Must declare as soon as practicable to the Chair any direct or indirect pecuniary interest or conflict of interest in a matter about to be considered by the Committee. (Interest provisions are outlined in Part 5 of the Local Government Act 1993).

Should a pecuniary interest or conflict of interest disclosure be noted, the members or observers concerned shall not, unless the Committee determines otherwise:

- Be present during any deliberation of the Committee with respect to that matter
- Take part in any decision of the Committee with respect to that matter.

Committee members must ensure that any confidential information received in the course of their activities or deliberations is not disclosed or allowed to be disclosed, unless authorised by the person from whom the information was provided, or if required by law.

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

Cr Kelly left the meeting at 2.50pm

198/2016 POLICY REVIEW NO 76 - INDUSTRIAL LAND DEVELOPMENT

1) Introduction

The purpose of this report is for Council to review Policy No 76 – Industrial Land Development.

2) Recommendation

It is recommended that Council adopt the amended Policy No 76 - Industrial Land Development Policy, as follows:-

POLICY MANUAL

Policy Number: 76

Industrial Land Development

Purpose:

To establish guidelines for the provision of infrastructure by Council, to facilitate industrial development and the method for obtaining contributions from developers and landowners, to offset the cost to Council.

Department:

Economic Development & Sustainability

Author:

Rick Dunn, Director

Council Meeting Date:

~~13 August, 2013~~ 13 September 2016

Minute Number:

~~145/2013~~

Next Review Date:

~~August 2016~~ August 2020

POLICY

1. Definitions

a) Developer Contributions

Developer contributions as distinct from head works charges, are contributions made by developers to directly compensate Council for the cost of providing infrastructure to a particular development.

b) Head Works Charges

These are charges Council may elect to impose on developers or landowners where there is a nexus between the development and the need for Council to upgrade infrastructure into the future.

c) Cost of Capital

15 year borrowing rate as provided by Tascorp, applied to the total cost of the Council's investment over a 15 year period.

The borrowing rate as provided by Tascorp, applied to the total cost of the construction of infrastructure over a period not exceeding 15 years which may include periodic interest rate reviews as determined appropriate to the financing arrangements.

2. Objective

The objective of this policy is to provide:

- The parameters for Council to apply when considering investing in new infrastructure required to augment an industrial development.
- Council with the flexibility to consider the merits of each proposal and is therefore not intended to be definitively prescriptive.
- Appropriate risk management mechanisms and controls required to manage Council's financial exposure and risk to such developments.

3. Scope

The Policy is applicable only to industrial development and only applies to developer contributions as defined above.

4. Policy

a) Background

Due to varying circumstances Council may be required to provide shared infrastructure to an industrial development to facilitate its augmentation. This is particularly pertinent where more than one land owner is involved in the potential development and Council is required to provide shared infrastructure for the purposes of equity.

In committing to the provision of such infrastructure Council is taking on substantial financial risk and needs to apply appropriate due diligence to ensure this financial risk is acceptable to Council. This risk is predominantly the length of time it will take for Council to recoup its investment in the development.

b) Basis for Investment

As a guide, Council should only consider providing head works infrastructure where there is more than one land owner. Where there is only one land owner and the developer is reluctant to put in the required head works infrastructure, then Council should carefully consider the motives and financial capacity of the developer and the associated financial risk to Council.

c) Total Investment Costs

Council's total cost of investment includes all direct expenses and is also to include a cost item representing the cost of capital required to finance Council's investment.

d) Cap on investment

Council's investment in any required infrastructure is capped at the lesser of the annual borrowing limit approved by State Treasury for the current financial year or 50% of the annual general rate in the current year.

e) Recoupment of investment

Council will recoup 100% of its investment in the development by way of developer contributions back to Council. The timing of the contributions back to Council will be determined at the discretion of Council based upon projected revenues from the development and the extent to which Council needs to provide a stimulus to the development.

- The developer contributions can either be recouped 100% from the initial developer or spread between the original developer and subsequent developers.
- Notwithstanding the above, a minimum of 50% of Council's investment will be recouped from the initial developer(s).
- The estimated time frame to recoup Council's investment will not exceed 15 years.

Having determined the timing of the contributions Council will recoup its investment by the following mechanisms.

- Via a part 5 agreement under LUPAA with payment of the specified developer contributions being payable on the sealing of the final plan, and/or
- Via a condition on a planning permit with payment of the per lot developer contribution being payable on the issuing of the certificate of occupancy signifying commencement of the use.

f) Calculation of Developer Contribution

The contribution will be apportioned on a per square metre basis and applied to each lot in the proposed subdivision accordingly.

g) General Rates Incentive

To ensure Council does not unwittingly place a financial impost on industrial development, the initial developer will be provided with the following rate subsidy:

- A subsidy will be paid by Council representing the differential between the rates (on a per hectare basis) on the land prior to the development and the subsequent rates per the revaluation as a result of subdivision. This subsidy will be available to the initial developer for a period of three years from the date of the sealing of the plan for the creation of the new lot(s).
- Council may extend the subsidy beyond the 3 three year period at its discretion in circumstances where the economic climate indicates the need for an incentive or rate relief and where a representation is made in writing by a developer and a case for extension is presented.
- This subsidy will only apply where land has been rezoned to industrial use and is subsequently subdivided into multiple lots.

5. Legislation

~~Meander Valley Planning Scheme 1995~~

Land Use Planning and Approvals Act 1993

Local Government Act 1993

6. Responsibility

Responsibility for the operation of the policy rests with the General Manager.

DECISION:

Cr Mackenzie moved and Cr Synfield seconded ***“that Council adopt the amended Policy No 76 -Industrial Land Development Policy, as follows:-***

POLICY MANUAL

Policy Number: 76

Industrial Land Development

Purpose:

To establish guidelines for the provision of infrastructure by Council, to facilitate industrial development and the method for obtaining contributions from developers and landowners, to offset the cost to Council.

Department: Economic Development & Sustainability
Author: Rick Dunn, Director
Council Meeting Date: 13 September 2016
Minute Number: 198/2016
Next Review Date: *August 2020*

POLICY

1. Definitions

a) Developer Contributions

Developer contributions as distinct from head works charges, are contributions made by developers to directly compensate Council for the cost of providing infrastructure to a particular development.

b) Head Works Charges

These are charges Council may elect to impose on developers or landowners where there is a nexus between the development and the need for Council to upgrade infrastructure into the future.

c) Cost of Capital

The borrowing rate as provided by Tascorp, applied to the total cost of the construction of infrastructure over a period not exceeding 15 years which may include periodic interest rate reviews as determined appropriate to the financing arrangements.

2. Objective

The objective of this policy is to provide:

- The parameters for Council to apply when considering investing in new infrastructure required to augment an industrial development.
- Council with the flexibility to consider the merits of each proposal and is therefore not intended to be definitively prescriptive.
- Appropriate risk management mechanisms and controls required to manage Council's financial exposure and risk to such developments.

3. Scope

The Policy is applicable only to industrial development and only applies to developer contributions as defined above.

4. Policy

a) Background

Due to varying circumstances Council may be required to provide shared infrastructure to an industrial development to facilitate its augmentation. This is particularly pertinent where more than one land owner is involved in the potential development and Council is required to provide shared infrastructure for the purposes of equity.

In committing to the provision of such infrastructure Council is taking on substantial financial risk and needs to apply appropriate due diligence to ensure this financial risk is acceptable to Council. This risk is predominantly the length of time it will take for Council to recoup its investment in the development.

b) Basis for Investment

As a guide, Council should only consider providing head works infrastructure where there is more than one land owner. Where there is only one land owner and the developer is reluctant to put in the required head works infrastructure, then Council should carefully consider the motives and financial capacity of the developer and the associated financial risk to Council.

c) Total Investment Costs

Council's total cost of investment includes all direct expenses and is also to include a cost item representing the cost of capital required to finance Council's investment.

d) Cap on investment

Council's investment in any required infrastructure is capped at the lesser of the annual borrowing limit approved by State Treasury for the current financial year or 50% of the annual general rate in the current year.

e) Recoupment of investment

Council will recoup 100% of its investment in the development by way of developer contributions back to Council. The timing of the contributions back to Council will be determined at the discretion of Council based upon projected revenues from the development and the extent to which Council needs to provide a stimulus to the development.

- The developer contributions can either be recouped 100% from the initial developer or spread between the original developer and subsequent developers.
- Notwithstanding the above, a minimum of 50% of Council's investment will be recouped from the initial developer(s).
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- Via a condition on a planning permit with payment of the per lot developer contribution being payable on the issuing of the certificate of occupancy signifying commencement of the use.

f) Calculation of Developer Contribution

The contribution will be apportioned on a per square metre basis and applied to each lot in the proposed subdivision accordingly.

g) General Rates Incentive

To ensure Council does not unwittingly place a financial impost on industrial development, the initial developer will be provided with the following rate subsidy:

- A subsidy will be paid by Council representing the differential between the rates (on a per hectare basis) on the land prior to the development and the subsequent rates per the revaluation as a result of subdivision. This subsidy will be available to the initial developer for a period of three years from the date of the sealing of the plan for the creation of the new lot(s).
- Council may extend the subsidy beyond the three year period at its discretion in circumstances where the economic climate indicates the need for an incentive or rate relief and where a representation is made in writing by a developer and a case for extension is presented.
- This subsidy will only apply where land has been rezoned to industrial use and is subsequently subdivided into multiple lots.

5. Legislation

Land Use Planning and Approvals Act 1993
Local Government Act 1993

6. Responsibility

Responsibility for the operation of the policy rests with the General Manager.

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

Cr Kelly returned to the meeting at 2.52pm

199/2016 POLICY REVIEW NO. 2 – STOCK UNDERPASSES ON COUNCIL ROADS

1) Introduction

The purpose of this report is for Council to review Policy No. 2 – Stock Underpasses on Council Roads.

2) Recommendation

It is recommended that Council confirm the continuation of Policy No 2 – Stock Underpasses on Council Roads with amendments, as follows:

POLICY MANUAL

Policy Number: 2

Stock Underpasses on Council Roads

Purpose:

To outline the basis upon which Council will allow for the construction of underpasses on council maintained roads

Department:

Infrastructure Services

Author:

Ted Ross Dino De Paoli, Director

Council Meeting Date:

~~10 September 2013~~ September 2016

Minute Number:

~~162/2013~~

Next Review Date:

September ~~2016~~ 2020

POLICY

1. Definitions

Nil.

2. Objective

To ensure a uniformity of acceptable standard of construction and an appropriate approval process for construction of underpasses that allow for the movement of stock across a road carriageway safely without affecting other users of the carriageway.

3. Scope

This policy applies to the Council and its employees and any land owner wishing to install a stock underpass through a Council road.

4. Policy

Council will permit underpasses to be constructed through a Council maintained road subject to the adjoining property owner obtaining all relevant permits.

The property owner requesting the underpass shall be responsible for all costs. Council may consider a contribution of up to 50% of the capital cost with an upper limit of \$50,000 where there is a significant benefit to road users.

Upon approval, the property owner shall enter into a Part 5 agreement under the Land Use Planning and Approvals Act 1993, which formalises the requirements for ongoing maintenance or replacement of the underpass, both of which will be the responsibility rest with of the property owner. Maintenance of the road pavement surface still remains with will be the responsibility of Council.

5. Legislation

~~This policy is supported by the Local Government Highways Act 1982 Section 46 relating to Council issuing permission to others to do works within a Highway.~~

Local Government Act 1993

Local Government Highways Act 1982

Land Use Planning and Approvals Act 1993

6. Responsibility

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

DECISION:

Cr Synfield moved and Cr King seconded ***“that Council adopt the amended Policy No 2 -Stock Underpasses on Council Roads, as follows:-***

POLICY MANUAL

Policy Number: 2

Stock Underpasses on Council Roads

Purpose:

To outline the basis upon which Council will allow

for the construction of underpasses on council maintained roads

Department: Infrastructure Services
Author: ~~Ted Ross~~ Dino De Paoli, Director
Council Meeting Date: ~~10 September 2013~~ September 2016
Minute Number: 162/2013
Next Review Date: ~~September 2016~~ 2020

POLICY

1. Definitions

Nil.

2. Objective

To ensure a uniformity of acceptable standard of construction and an appropriate approval process for construction of underpasses that allow for the movement of stock across a road carriageway safely without affecting other users of the carriageway.

3. Scope

This policy applies to the Council and its employees and any land owner wishing to install a stock underpass through a Council road.

4. Policy

Council will permit underpasses to be constructed through a Council maintained road subject to the adjoining property owner obtaining all relevant permits.

The property owner requesting the underpass shall be responsible for all costs. Council may consider a contribution of up to 50% of the capital cost with an upper limit of \$50,000 where there is a significant benefit to road users.

Upon approval, the property owner shall enter into a Part 5 agreement under the Land Use Planning and Approvals Act 1993, which formalises the requirements for ongoing maintenance or replacement of the underpass, both of which will be the responsibility rest with of the property owner. Maintenance of the road pavement surface still remains with will be the responsibility of Council.

5. Legislation

~~This policy is supported by the Local Government Highways Act 1982 Section 46 relating to Council issuing permission to others to do works within a Highway.~~

Local Government Act 1993

Local Government Highways Act 1982

Land Use Planning and Approvals 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 Kelly, King, Mackenzie, Perkins, Richardson, Synfield, Temple and White voting for the motion.

200/2016 POLICY REVIEW NO. 4 – SUBSIDISED WASTE DISPOSAL FOR COMMUNITY GROUPS

2) Introduction

The purpose of this report is for Council to review Policy No. 4 – Reimbursement for Disposal of Materials at Tip Sites.

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

Policy Number: 4

Subsidised Waste Disposal for Community Groups

Purpose:

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

Department:

Infrastructure Services

Author:

Ted Ross Dino De Paoli, Director

Council Meeting Date:

13 September 2016 ~~10 September 2013~~

Minute Number:

161/2013

Next Review Date:

~~September 2016~~ **September 2020**

POLICY

1. Definitions

Nil.

2. Objective

The purpose of this Policy is to allow for the reimbursement to of 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 external parties service clubs and community groups who may wish to dispose of material at tip landfill and transfer station sites and obtain remission for fees 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 waste disposal fees at the Deloraine and Westbury landfill disposal sites, and the Mole Creek Transfer Station This mechanism is available on the following basis:

1. 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.
2. 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 for each service club or not-for-profit group shall be restricted annually to no more than 26.
3. 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.
4. 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.
5. Normal tip fees shall be paid at time of disposal by the service club or community group Club or other body who shall then be reimbursed on production of the tip provide the receipt to the relevant Council Officer for approval prior to reimbursement.
6. Where possible material to be disposed of at the tip any Council disposal site 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 King moved and Cr Synfield seconded ***“that Council confirm the continuation of Policy No. 4 – Subsidised Waste Disposal for Community Groups with amendments, as follows:***

As a procedural motion Cr Mackenzie moved and Cr Kelly seconded ***“that this Policy be deferred until the October Council meeting.”***

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:

13 September 2016

Minute Number:

200/2016

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, and external service clubs and community groups who may wish to dispose of material at landfill and transfer station 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 waste disposal fees at landfill sites and waste transfer stations managed by Meander Valley Council. This mechanism is available on the following basis:

1. 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.
2. 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 for each service club or not-for-profit group shall be restricted annually to no more than 26.
3. 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.
4. Material deposited at Council's waste disposal sites is restricted to normal domestic waste, vegetation waste, construction and demolition waste only.
5. 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.
6. Where possible material to be disposed of at any Council disposal site 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 procedural motion was declared CARRIED with Councillors Kelly, King, Mackenzie, Perkins, Richardson, Synfield, Temple and White voting for the motion.

The Council meeting adjourned for afternoon tea at 3.06pm

The Council meeting recommenced at 3.26pm

201/2016 CAPITAL WORKS FUNDING FOR FLOOD IMPACTED ASSETS

1) Introduction

The purpose of this report is to provide information to Council on flood impacted assets resulting from the June 2016 floods and seek Council approval for the reallocation of funding within the Capital Works Program for work required to be undertaken on these new projects.

2) Recommendation

It is recommended that Council approves the following changes to the 2016-2017 Capital Works Program.

<i>Project Name</i>	<i>Original Budget</i>	<i>Council Funding Variation</i>	<i>New Budget</i>
<i>Gulf Rd - Liffey – Reinstate roadside embankment</i>	<i>\$0</i>	<i>\$125,000</i>	<i>\$500,000</i>
<i>Union Bridge Rd - Mole Creek – Pavement Reconstruction and seal</i>	<i>\$0</i>	<i>\$17,500</i>	<i>\$70,000</i>
<i>Porters Bridge Rd - Reedy Marsh - Reconstruction of seal</i>	<i>\$0</i>	<i>\$5,000</i>	<i>\$20,000</i>
<i>Westbury Roads Connectivity Program</i>	<i>\$500,000</i>	<i>-\$241,500</i>	<i>\$258,500</i>
<i>Old Gads Hill Rd - Liena – Reconstruction of pavement</i>	<i>\$0</i>	<i>\$50,000</i>	<i>\$200,000</i>
<i>Big Den Road Bridge Reconstruction (Mole Creek)</i>	<i>\$0</i>	<i>\$50,400</i>	<i>\$201,600</i>
<i>Liena Road Bridge Reconstruction (Mersey River)</i>	<i>\$0</i>	<i>\$300,000</i>	<i>\$1,200,000</i>
<i>Parsons Road Bridge, Caveside (Lobster Creek)</i>	<i>\$0</i>	<i>\$50,400</i>	<i>\$201,600</i>
<i>Un-Named Creek Bridge - Roseburn Road (Selbourne)</i>	<i>\$170,000</i>	<i>-\$170,000</i>	<i>\$0</i>
<i>Western Creek Bridge - Montana Road (Montana)</i>	<i>\$180,000</i>	<i>-\$180,000</i>	<i>\$0</i>
<i>Union Bridge Road Bridge (Ugbrook) - (Overflow Creek)</i>	<i>\$0</i>	<i>\$95,400</i>	<i>\$381,600</i>

Project Name	Original Budget	Council Funding Variation	New Budget
Western Creek Road Bridge (Cubits Creek)	\$70,000	-\$70,000	\$0
Myrtle Creek Road Bridge (Myrtle Creek)	\$125,000	-\$125,000	\$0
Bridge Program Scoping Budget	\$20,000	-\$20,000	\$0
Old Gads Hill Rd, Liena (Lynds Creek)	\$0	\$47,800	\$191,200
Echo Valley Rd, Liena (Ration Creek)	\$0	\$65,000	\$260,000
Totals	\$1,065,000	\$0	\$3,484,500
Total CWP budget increase			\$2,419,500

DECISION:

Cr King moved and Cr White seconded ***“that Council approves the following changes to the 2016-2017 Capital Works Program:***

Project Name	Original Budget	Council Funding Variation	New Budget
Gulf Rd - Liffey – Reinstate roadside embankment	\$0	\$125,000	\$500,000
Union Bridge Rd - Mole Creek – Pavement Reconstruction and seal	\$0	\$17,500	\$70,000
Porters Bridge Rd - Reedy Marsh - Reconstruction of seal	\$0	\$5,000	\$20,000
Westbury Roads Connectivity Program	\$500,000	-\$241,500	\$258,500
Old Gads Hill Rd - Liena – Reconstruction of pavement	\$0	\$50,000	\$200,000
Big Den Road Bridge Reconstruction (Mole Creek)	\$0	\$50,400	\$201,600
Liena Road Bridge Reconstruction (Mersey River)	\$0	\$300,000	\$1,200,000
Parsons Road Bridge, Caveside (Lobster	\$0	\$50,400	\$201,600

Project Name	Original Budget	Council Funding Variation	New Budget
Creek)			
Un-Named Creek Bridge - Roseburn Road (Selbourne)	\$170,000	-\$170,000	\$0
Western Creek Bridge - Montana Road (Montana)	\$180,000	-\$180,000	\$0
Union Bridge Road Bridge (Ugbrook) - (Overflow Creek)	\$0	\$95,400	\$381,600
Western Creek Road Bridge (Cubits Creek)	\$70,000	-\$70,000	\$0
Myrtle Creek Road Bridge (Myrtle Creek)	\$125,000	-\$125,000	\$0
Bridge Program Scoping Budget	\$20,000	-\$20,000	\$0
Old Gads Hill Rd, Liena (Lynds Creek)	\$0	\$47,800	\$191,200
Echo Valley Rd, Liena (Ration Creek)	\$0	\$65,000	\$260,000
Totals	\$1,065,000	\$0	\$3,484,500
Total CWP budget increase			\$2,419,500

As an amendment Cr Synfield moved and Cr Richardson seconded ***“that the Westbury Roads connectivity item be deleted from the proposed changes to the Capital Works Program.”***

The amendment was declared LOST with Councillors Mackenzie, Richardson, Synfield and Temple voting for the amendment and Councillors Kelly, King, Perkins and White voting against the motion.

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

202/2016 REVIEW OF BUDGETS FOR THE 2016-2017 **CAPITAL WORKS PROGRAM**

1) Introduction

The purpose of this report is to provide information to Council on capital works projects budget variations and to seek Council approval for the reallocation of funding within the Capital Works Program where budget variations fall beyond the limit of the General Manager's financial delegation.

2) Recommendation

It is recommended that Council approve the following changes to the 2016-2017 Capital Works Program.

<i>Project Name</i>	<i>Original Budget</i>	<i>Variation</i>	<i>New Budget</i>
<i>Monds Lane, Carrick - New Footpath</i>	<i>\$50,000</i>	<i>-\$50,000</i>	<i>\$0</i>
<i>Westbury Roads Connectivity Program</i>	<i>\$258,500</i>	<i>-\$258,500</i>	<i>\$0</i>
<i>Purchase of property at Westbury Road, Prospect Vale</i>	<i>\$0</i>	<i>\$475,000</i>	<i>\$475,000</i>
<i>Deloraine Community Complex – Electronic score boards and scorers bench</i>	<i>\$0</i>	<i>\$45,000</i>	<i>\$45,000</i>
<i>Westbury Recreation Ground - Building Upgrade</i>	<i>\$1,148,781</i>	<i>-\$248,067</i>	<i>\$900,714</i>
<i>Queen Street Footpath Project</i>	<i>\$0</i>	<i>\$99,332</i>	<i>\$99,332</i>
<i>New Footpath Developments - Westbury 15/16</i>	<i>\$240,000</i>	<i>-\$39,332</i>	<i>\$200,668</i>
<i>Open Drain Program, Westbury 15/16</i>	<i>\$100,000</i>	<i>-\$30,000</i>	<i>\$70,000</i>
<i>Urban Stormwater Drainage – Program Budget</i>	<i>\$239,500</i>	<i>-\$30,000</i>	<i>\$209,500</i>
<i>Rosevale Hall - Kitchen, Fittings, Floor Coverings & Rewiring</i>	<i>\$37,000</i>	<i>\$18,000</i>	<i>\$55,000</i>
<i>Goal Posts Upgrade Project (Prospect, Westbury, Bracknell & Deloraine)</i>	<i>\$0</i>	<i>\$18,567</i>	<i>\$18,567</i>

Project Name	Original Budget	Variation	New Budget
PVP Development Plan – Sportsground Upgrades	\$339,000	-\$339,000	\$0
PVP Upgrade Grounds 7/8	\$260,000	\$160,000	\$420,000
PVP Upgrade Grounds 5/6	\$0	\$179,000	\$179,000
Totals	\$2,672,781	\$0	\$2,672,781

DECISION:

Cr Mackenzie Cr Synfield seconded **“that Council**

- a) **approve the following changes to the 2016-2017 Capital Works Program as per the following table**

Project Name	Original Budget	Variation	New Budget
Queen Street Footpath Project	\$0	\$99,332	\$99,332
New Footpath Developments - Westbury 15/16	\$240,000	<u>-\$39,332</u>	<u>\$200,668</u>
Open Drain Program, Westbury 15/16	\$100,000	<u>-\$30,000</u>	<u>\$70,000</u>
Urban Stormwater Drainage – Program Budget	\$239,500	<u>-\$30,000</u>	<u>\$209,500</u>
Rosevale Hall - Kitchen, Fittings, Floor Coverings & Rewiring	\$37,000	<u>\$18,000</u>	<u>\$55,000</u>
Goal Posts Upgrade Project (Prospect, Westbury, Bracknell & Deloraine)	\$0	\$18,567	\$18,567
Lansdowne Place - Traffic calming and footpath upgrade	\$112,400	-\$36,567	\$75,833
PVP Development Plan – Sportsground Upgrades	\$339,000	-\$339,000	\$0
PVP Upgrade Grounds 7/8	\$260,000	\$160,000	\$420,000
PVP Upgrade Grounds 5/6	\$0	\$179,000	\$179,000
Totals	\$1,327,900	\$0	\$1,327,900

- b) approve the allocation of \$475,000 from cash reserves for the purchase of property at Westbury Road, Prospect Vale.***

- c) request Council officers provide more detail about the proposed Deloraine Community Complex – Electronic Scoreboards and the Goal Posts Upgrade Project at an upcoming workshop.”***

DECISION:

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

ITEMS FOR CLOSED SECTION OF THE MEETING:

Councillor King moved and Councillor White seconded *“that Council move into Closed Sessions to discuss the following items.”*

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

The meeting moved into Closed Session at 4.12pm

203/2016 CONFIRMATION OF MINUTES OF THE CLOSED SESSION OF THE ORDINARY COUNCIL MEETING HELD ON 9 AUGUST, 2016.

204/2016 LEAVE OF ABSENCE

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

205/2016 PROPERTY PURCHASE – PROSPECT VALE

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

206/2016 CONTRACT NO 174-2016/17 - DESIGN AND CONSTRUCTION OF BRIDGE NO 3137, UNION BRIDGE ROAD, MERSEY RIVER

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

207/2016 2016-17 ANNUAL TENDER – ROAD SEALING

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

Cr Mackenzie moved and Cr Richardson seconded ***“that Council move 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, Temple and White voting for the motion.

The meeting re-opened to the public at 4.40pm

Cr Mackenzie moved and Cr Richardson seconded ***“that the following decisions taken by Council in Closed Session be released for the public’s information.”***

Approve the purchase of property on Westbury Road, Prospect Vale and authorise the General Manager to complete a contract of sale.

Approves Option 1 for the design and construction of the new Union Bridge downstream of the existing bridge structure and that the General Manager engage in negotiations with affected landowners to acquire land required for construction; and awards Contract No 174-2016/17 – Design and Construction of Bridge No 3137, Union Bridge Road, Mersey River to BridgePro Engineering.

Awards Contract No 176 - 2016/17 Asphalt and Bituminous Sealing of Roads, incorporating Schedule 1 and Schedule 2, to Venarchie Contracting Pty. Ltd.

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

The meeting closed at 4.42pm

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CRAIG PERKINS (MAYOR)