



Meander Valley Council

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

ORDINARY MINUTES

COUNCIL MEETING

Tuesday 12 December 2017

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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 12 December 2017 at 1.30pm.

The Mayor acknowledged the Meander Valley Women in Agriculture book launch that he attended last week titled "Meandering in our Valley" and also a Highly Commended Landcare Award received for the Westbury Town Common

PRESENT:

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

APOLOGIES:

Nil

IN ATTENDANCE:

Martin Gill, General Manager
Merrilyn Young, Executive Assistant
Dino De Paoli, Director Infrastructure Services
Jonathan Harmey, Director Corporate Services
Matthew Millwood, Director Works
Lynette While, Director Community & Development Services
Jo Oliver, Senior Strategic Planner
Leanne Rabjohns, Town Planner
Justin Simons, Town Planner
Natasha Whiteley, Town Planner
Krista Palfreyman, Co-ordinator Community & Development Services
Justin Marshall, Senior Accountant
Kris Eade, Property Management Officer
Marianne Macdonald, Communications Officer
Rob Little, Asset Management Co-Ordinator
Natasha Szczyglowska, Technical Officer

253/2017 CONFIRMATION OF MINUTES:

Councillor Richardson moved and Councillor White seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 14 November, 2017, be received and confirmed.”***

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

254/2017 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Date :	Items discussed:
21 November 2017	<ul style="list-style-type: none">• Deloraine & Districts Recreation Precinct Feasibility Study Report• Mobile Food Vehicles• Preliminary Consultation for the Local Provisions Schedule – Tasmanian Planning Scheme
28 November 2017	<ul style="list-style-type: none">• Visit by Inspector Scott Flude• Bioenergy Project• LTFP and Infrastructure Management• Mobile Food Vehicles – New Policy• Tasmanian Youth Local Government Forum
5 December 2017	<ul style="list-style-type: none">• Public Mapping• Tourism Roundtable• Westbury Recreation Ground – Public Petition• Hydro Tas – Battery for the Nation• Deloraine & Districts Recreation Precinct Feasibility Study• Blackstone Heights Footpath Precinct – Panorama Road to Kelsey Road

255/2017 ANNOUNCEMENTS BY THE MAYOR:

Wednesday 15 November 2017

Attended NAPLAN Awards (Brooks High School)

Friday 17 November 2017

Attended Hadspen Cricket Club Champions of Sports Event

Tuesday 21 November 2017

Council Workshop

Saturday 25 November 2017

Deloraine Show

Tuesday 28 November 2017

Council Workshop

Kimberley Community Forum

Friday 1 December 2017

NTDC Cluster week Council leaders lunch

Tuesday 05 December 2017

Council Workshop

Wednesday 6 December 2017

Meander Valley Women in Agriculture book Launch

Thursday 7 December 2017

Tamar Estuary Management Taskforce meeting

256/2017 DECLARATIONS OF INTEREST:

Nil

257/2017 TABLING OF PETITIONS:

Nil

258/2017 PUBLIC QUESTION TIME

1. PUBLIC QUESTIONS TAKEN ON NOTICE – NOVEMBER 2017

Nil

2. PUBLIC QUESTIONS WITH NOTICE – DECEMBER 2017

Nil

3. PUBLIC QUESTIONS WITHOUT NOTICE – DECEMBER 2017

Nil

259/2017 COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – NOVEMBER 2017

1.1 Cr Ian Mackenzie

Regional Jobs and Investment Packages

A resident of Meander Valley has gained information and talked to Leah dent, Regional Manager-Northern Tasmania AusIndustry – Business Services, on a number of occasions, in regards to the Regional Jobs and Investment Packages (RJIP) – Regional Tasmania region, Tas., he was very keen, motivated and enthusiastic in taking on and furthering the Meander Falls Road Project that had already instigated by Council. He approached a council staff member to gain support but felt fobbed off and was very disappointed by this response.

My questions are as follows;

- a) I believe these grants to be Feasibility – taking a project to the next step would this be correct?
- b) Over the past number of years while I have been on Council, Council has had consultants or has completed a number of studies/explorations within a range of project areas, the Meander Falls Road project being one, would this be correct?
- c) Did Council apply for a grant within Regional Jobs and Investment Packages (RJIP) – Regional Tasmania region TAS, which closed recently?
- d) If yes what/if not why not?
- e) What is the process for a member of our community to gain or not gain, council support in taking a council initiated project further?

- f) What is the process to inform Councillors of a community member's proposal, approach and/or application?
- g) Has this person been loomed to approach Council for support in the future rounds of the Regional Jobs and Investment Packages (RJIP0 – Regional Tasmania region Tas, as I believe community member this one, motivate, enthusiastic, keen and engaged should be supported?

Responses by Martin Gill, General Manager

(a) One of the Eligible Activities from the grant program was – Feasibility Studies to support new business activity

(b) Yes

(c) No

(d) We had no project during the period which a grant application could be made, that was ready and would be considered to have created and sustained local jobs.

(e) The first step would be to write to Council seeking a meeting to discuss the initiative. The process from there will depend on the project and what role Council is being asked to play.

(f) If the community member writes to Council the letter will be included in the weekly correspondence provided to Councillors.

(g) If Cr Mackenzie can provide contact details, Council officers will contact the person referred to in the question above and set up a meeting to discuss the initiative.

Planning and Building Reform

As Council is aware, I have been helping a local business- Westbury Rural Supplies to add the addition of a café within their business, I have here 16 separate documents required to achieve this activity, which I believe to be completely and absolutely ridiculous. With help, I am in the process of adding the legislation that requires each document.

My questions are as follows.

- c) How are we councillors/council able to encourage investment and job creation with this much red tape or so called requirements?
- d) Does council believe this is meets the government's philosophy in regards to planning/ building reform "cheaper, smarter, faster"?
- e) Will council write to the red tape coordinator outlining this project and the requirements required with the view of this being over the top?
- f) How does council raise concerns in regards to the requirements mandated by Taswater? In particular their proposal fee, assessment fee, application fee and installation fee?

- g) Another major concern of the planning/ building reform is that by the time an applicant finds out the total cost of the documents required to plan, build, develop, adapt or modify they have already spent a considerable amount of time and money, due to this, they are at the point of no return, who does or how do we inform applicants of the total cost of the documentation required before they start?
- h) These documents are prepared by number of professionals, included in these, but the owner may also require; an accredited draftsman/designer, building surveyor, engineer, waste water designer, fire management professional, geologist, agronomist, would this be correct?
- i) In regards to having all these professionals as required by legislation, if something goes wrong with that project I understand that the owner is responsible, is this correct?
- j) Is this considered fair?
- k) How do we engage change?
- l) Can we instigate the change?

Responses by Lynette While, Director Community & Development Services, Council officers are available to explain the process. Council's website also has relevant information about building, planning, plumbing and environment health requirements;

(a) The processes are consistent and required within the relevant legislation.

(b) No – the period for submissions to the new legislation has passed.

(c) Council could choose to write to TasWater to raise concerns on requirements and fees.

(d) Council officers are available to explain the process to applicants. The applicant is informed of any fees charged by Council. A list of Council's fees & charges is publically available on the Meander Valley Council website.

Applicants are also strongly advised to seek their own professional guidance to inform themselves of the process and costs and to minimise delays and costs.

Private consultants and other relevant professionals do charge fees. Applicants are able to request quotes from such professionals prior to engaging them for services.

(e) Yes

(f) The owner has responsibilities under the Building Act 2016, as do building practitioners and relevant professionals.

(g) Yes

(h) Council can elect to advocate to relevant levels of government

(i) Council can elect to advocate to relevant levels of government.

1.2 Cr Tanya King

I have received the following question from Kevin Lattin, President of the Westbury Agricultural Society Inc and ask that Council provides a response:-

Why would the Meander Valley Council consider a motion to call for the deletion of the Launceston and Devonport Show Day Holiday, and change it to the Friday of Agfest, when both Show Associations are only considering their future options?

It reeks of kicking these groups while they are down and I am disgusted that this has been publicly announced at this stage in proceedings.

Response by Martin Gill, General Manager

There are provisions within the Local Government Act 1993 which provide Councillors the opportunity to bring a Notice of Motion to the table for consideration by the Council. The motion referred to in this question was formally considered by Council at the Ordinary Council Meeting November 2017. Council resolved not to support the motion.

1.3 Cr Andrew Connor

- (a) Could Council please advise on the approximate total length of footpaths connecting to and within Blackstone Heights that have been constructed since 2011 and those with budget allocations for future works?

Response by Dino De Paoli, Director Infrastructure Services

The approximate total length of footpath constructed to and within Blackstone Heights since the 2011-2012 financial year is 1,975Lm. The next stage of work is proposed along Blackstone Road between Panorama Road and Kelsey Road and has a length of approximately 1,600Lm. The available budget is approximately \$390,000.

- (b) Regarding Federal assistance to repair infrastructure such as roads and bridges damaged in the June 2016 floods, can Council advise approximately:

- what amount of funds have been received to date?

Response by Jonathan Harmey, Director Corporate Services

Council received its first Natural Disaster Relief reimbursement of \$1,766,353 in early October 2017 for the remediation works required as a result of the June 2016 floods

- what amount of funds remains outstanding that council expects to receive?

Response by Jonathan Harmey, Director Corporate Services

The remaining reimbursement under the Natural Disaster Relief and Recovery Arrangements will be dependent on the final cost of a number of projects currently in progress however is expected to be approximately \$1,700,000.

1.4 Cr John Temple

- a) Can the communication between Council and the then owners, i.e date and general thrust, be provided with an answer to the question?

Response by Jonathan Harmey, Question taken on notice

The following lists correspondence with the former property owner of 36 South Mole Creek Rd following Council's decision on 14 March 2017:

- **20 March 2017 - Correspondence to property owner requesting payment and providing notice of intention to sell land**
- **22 March 2017 - Notice of intention to sell land placed on property**
22 March 2017 - Public advertisement in the Examiner newspaper for the notice of intention to sell land
- **29 March 2017 - Public advertisement in the Examiner newspaper for the notice of intention to sell land**
- **26 May 2017 - Correspondence to property owner advising member of the public paid rates on two other properties owned by the family and requesting payment of rates**
- **21 July 2017 - Correspondence to property owner advising engagement of real estate agent to conduct public auction**
- **3 August 2017- Correspondence to property owner advising the public auction date**
- **17 August 2017 - Correspondence from the property owner advising that auctioning the home is not an act against the family but an act against the Elohim of Abraham, Isaac and Jacob**
- **1 September 2017 - Correspondence from property owner family member requesting confirmation of the sale, advice for the next process and timeframes 1 September 2017**
- **1 September 2017 - Correspondence to property owner family member that the sale had been completed in accordance with the Council decision and process details**
- **4 September 2017 - Correspondence from property owner family member extending thanks for the correspondence and requesting to be kept updated**
- **18 September 2017 - Correspondence to the property owner advising sale details, details of the Local Government Act 1993, settlement details and encouraging payment of rates for other properties owned by the family**

1.5 Cr Bob Richardson

- a) Given that it is likely that there will be issues of confidence in relation to significant development(s)/development applications, could council receive a detailed briefing (in a closed session of either a workshop or meeting of DA's or likely DA's in the municipality, particularly at Valley Central)?

Response by Martin Gill, General Manager

A workshop will be organised in the first quarter of 2018.

2. COUNCILLOR QUESTIONS WITH NOTICE – DECEMBER 2017

2.1 Cr Bob Richardson

- (a) Could Council please provide the capital and maintenance costs associated with rural roads and bridges for each of the past 4 financial years (for the Municipality)?

Response by Dino De Paoli, Director Infrastructure Services

(a) Capital and Operating Costs - Rural Roads and Bridges

Rural Roads

	2013-14	2014-15	2015-16	2016-17
Operating costs	1,253,398	1,320,104	1,739,973	1,657,604
Capital costs	1,603,253	1,175,680	1,997,767	2,927,098
Total	2,856,651	2,495,784	3,737,740	4,584,702

Bridges

Note: Bridges are not distinguished between rural and urban; the amounts below are for ALL bridges

	2013-14	2014-15	2015-16	2016-17
Operating costs	153,143	135,249	71,789	113,853
Capital costs	427,657	1,359,311	757,630	4,211,617
Total	580,800	1,494,560	829,419	4,325,470

(b) In August a petition was presented to Federal Parliament regarding the loss of Federally-funded health workers in the Meander Valley at the end of last year. Advice was received that the Federal Assistant Minister was to reply to the chief petition (Cr Richardson) within 90 days. 90 days expired after 13 November.

Has Council received a response? (Cr Richardson had not received a response as at 22 November).

Response by Patrick Gambles, Community Development Manager

On 24 November 2017, Council was informed by a representative of Parliament's Standing Committee on Petitions that a Ministerial response was dispatched to the Chair of the Petitions Committee on 24 October 2017. It is expected that this response will be received by the Petitions Committee Office during the next parliamentary sitting week. Cr Richardson (principal petitioner) will be advised when the petition is presented to the House.

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – DECEMBER 2017

3.1 Cr Ian Mackenzie

In response to the answers given to my questions in the agenda asked at previous meeting in regards to planning.

a) Will Council write to TasWater to raise concerns on requirements and fees?

Response by Martin Gill, General Manager

Yes we will.

In regards to professional guidance and costs of projects - question c) and answer d) - In discussions with these they have stated that plans needed to be drawn up so they could specify other requirements. So question c) again (from agenda)

b) Will Council write to the red tape coordinator outlining this project and the requirements required with the view of this being over the top?

Response by Martin Gill, General Manager

Yes we will.

- c) Will Council write to relevant levels of government to advocate our concerns with planning?

Response by Mayor Craig Perkins

I would recommend that a Councillor prepares a Notice of Motion setting out the issues that Council would like to formally raise with the State Government.

3.2 Cr Andrew Connor

- (a) Blackstone Event

Can council note the successful community event organised by the Blackstone Community News group at Blackstone Heights on Sunday the 10th of December, this inaugural event held by the group, a Community Christmas Market, included a car boot sale, family entertainment and displays by community groups such as a volunteer fire brigade.

Around 30 cars and stalls were present with hundreds of visitors during the day.

The group is thankful for Council's support of this event and hope to hold similar events next year to help build the community in Blackstone Heights.

Response by Mayor Craig Perkins

Yes we can and well done to the community.

- (b) Advertising costs

Can council officers advise on the yearly cost to Council of printed advertising that is required by law for activities such as Development Applications, Road Closures, animal seizures, land sales and similar advertising? A detailed cost breakdown for each category would be appreciated.

Question taken on Notice

3.3 Cr Bob Richardson

- (a) Petition re loss of Meander Valley Health (refer response from Council pp 13/14 of December Agenda). A supplementary question.

Has any response arrived following the Petitions' Committee's consideration? A response is now well overdue. (I have still not received a response). Parliament has now risen until next year!

Response by Martin Gill, General Manager
As of today's mail, no response has been received.

Is the Federal Government on Metric time? It seems to take significant more time than the time the rest of Australia uses.

(b) Biomar

It is noted that an entity named Biomar is to establish at Wesley Vale with a reported \$2.3m "donation" from the State Government.

Is this the same firm which was looking to establish at Valley Central? If it is, is it likely that a \$2.3m donation from the State Government could have influenced the decision towards Wesley Vale?

Response by Martin Gill, General Manager
It is the same Company. It is my understanding, that through discussions with Biomar, that they did not wish to co-locate with a competitor. The competitor had already committed to Valley Central Industrial Estate. Both organisations had access to government grants to help them establish a new business in Tasmania.

(c) Annual Report

It is commonplace for company and public entity annual reports to publish remuneration details. For example the senior management remuneration is listed with separate annual remuneration, and that of other employees by remuneration band.

For example, TasWater does this.

Meander Valley's Annual Report does not appear to do this? If not, why not? And if not, will Council publish a supplementary report for the 2016-2017 financial year?

Response by Jonathan Harmey, Director Corporate Services
The total annual remuneration paid to key management personnel of Council is published in Note 41 on page 28 of the 2016-17 financial report. The note lists the number of employees in groups according to the total annual remuneration. This is compliant with the regulatory requirements of the Australian Accounting Standards and the Local Government Act 1993. The note is consistent with other Tasmanian Councils. The independent audit report for Council's 2016-17 financial report was signed on 28 September 2017 by the Tasmanian Audit Office, a supplementary report will not be published.

(c) Local Government Petitions

Petitions presented to the Commonwealth Parliament require individual petitioners to include:

- their name
- their full address
- their signature

This enables officers to check the legitimacy of individual signatories against the electoral roll.

The check against the electoral roll is also inferred in the Local Government Act in the section of the Act relating to petitions.

Did the General Manager use the electoral roll to check the petition to Council presented at the November Council meeting?

Response by Martin Gill, General Manager
No I didn't.

260/2017 DEPUTATIONS BY MEMBERS OF THE PUBLIC

Nil

261/2017 NOTICE OF MOTIONS BY COUNCILLORS

264/2017	LOW IMPACT CAMPING IN REGIONAL TOWNS – CR TANYA KING
265/2017	EXPRESSION OF INTEREST FOR A NORTHERN CORRECTIONAL CENTRE TO BE CONSTRUCTED ADJACENT TO ASHLEY DETENTION CENTRE – CR IAN MACKENZIE

COUNCIL MEETING AS A PLANNING AUTHORITY

The Mayor advised that for items 262/2017 to 263/2017 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

**262/2017 1060 OSMASTON ROAD, DELORAINE & 280
EXTON ROAD, EXTON - SUBDIVISION (2 LOTS
TO 2 LOTS)**

The Mayor invited Mr Robert van Dijk to address the meeting regarding this item.

1) Introduction

This report considers application PA\18\0076 for Subdivision (2 lots to 2 lots) on land located at 1060 Osmaston Road, Deloraine (CT 154598/1) and 280 Exton Road, Exton (CT 164077/2).

2) Recommendation

That the application for Use and Development for Subdivision (2 lots to 2 lots) on land located at 1060 Osmaston Road, Deloraine (CT 154598/1) & 280 Exton Road, Exton (CT 164077/2) by Cohen & Associates P/L, requiring the following discretions:

13.4.2.1 General Suitability

be APPROVED, generally in accordance with the endorsed plans:

- a) AK Consultants – Bushfire Exemption Report – dated 3 October 2017;***
- b) AK Consultants - Agricultural Report – dated 3 October 2017;***
- c) Cohen & Associates P/L – Plan of Subdivision – Ref: 53-58 (7541);***

and subject to the following conditions:

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
 - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
 - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
 - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**

- 2. The southern vehicular crossover servicing proposed Lot 1 must be constructed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-R04-V1 (attached) and to the satisfaction of Council's Director Infrastructure Services.**
- 3. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
 - a) The vehicular crossover to Lot 1 must be constructed as per Condition 2.**

Note:

- 1. Prior to the construction of the crossover to the appropriate standard, a Driveway Crossover Application Form (enclosed) must be completed and approved by Council's Road Authority. All enquiries should be directed to Council's Technical Officer on 6393 5312.**
- 2. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**
3. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
4. 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.
5. 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.

6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. 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 Richardson moved and Cr Connor seconded ***"that the application for Use and Development for Subdivision (2 lots to 2 lots) on land located at 1060 Osmaston Road, Deloraine (CT 154598/1) & 280 Exton Road, Exton (CT 164077/2) by Cohen & Associates P/L, requiring the following discretions:***

13.4.2.1 General Suitability

be APPROVED, generally in accordance with the endorsed plans:

- a) AK Consultants – Bushfire Exemption Report – dated 3 October 2017;***
- b) AK Consultants - Agricultural Report – dated 3 October 2017;***
- c) Cohen & Associates P/L – Plan of Subdivision – Ref: 53-58 (7541);***

and subject to the following conditions:

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
 - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
 - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
 - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**
- 2. The southern vehicular crossover servicing proposed Lot 1 must be constructed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-R04-V1 (attached) and to the satisfaction of Council's Director Infrastructure Services.**
- 3. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
 - a) The vehicular crossover to Lot 1 must be constructed as per Condition 2.**

Note:

- 1. Prior to the construction of the crossover to the appropriate standard, a Driveway Crossover Application Form (enclosed) must be completed and approved by Council's Road Authority. All enquiries should be directed to Council's Technical Officer on 6393 5312.**
- 2. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**
- 3. This permit takes effect after:**
 - a) The 14 day appeal period expires; or**
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.**
 - c) Any other required approvals under this or any other Act are granted.**

4. 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.
5. 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.
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. 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, Temple and White voting for the motion.

Comment by Cr Deborah White

Concerning the traffic management to ensure safety of road users: - I note that the most recent traffic count was done in 2010, before the berry a farm was in operation.

I believe that traffic has increased considerably since then and stands to further increase should the owner install more polytunnels.

To ensure the safety of all users of Exton Road it would be beneficial if Council could obtain up-to-date traffic data.

263/2017 8 REID STREET EAST, WESTBURY - SINGLE DWELLING AND RESIDENTIAL OUTBUILDING

1) Introduction

This report considers application PA\18\0085 for a Single Dwelling and Residential Outbuilding on land located at 8 Reid Street East, Westbury (CT: 170557/2).

2) Recommendation

That the application for Use and Development for Single Dwelling and Residential Outbuilding on land located at 8 Reid Street East, Westbury (CT: 170557/2) by N Fitsialos, requiring the following discretions:

- 12.4.1.3 - front setback
- 12.4.1.5 - height of outbuilding

be APPROVED, generally in accordance with the endorsed plans:

- a) N Fitsialos; Project No.: RPB180917C, Drawing No.: 03, 04, 05, 06, 07 & 10**
- b) TNC Engineering Pty Ltd, Drawing No.: WSS172283-3**

and subject to the following conditions:

- 1. The use of the approved outbuilding is not permitted for human habitation and is limited to residential storage and related residential activities only.**

Note:

- 1. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au**
- 2. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The**

following additional approvals may be required before construction commences:

- a) Building approval**
- b) Plumbing approval**

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

3. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
4. 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
5. 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.
6. 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 prior within 6 months of the expiration.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.

8. 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 Richardson moved and Cr Connor seconded ***“that the application for Use and Development for Single Dwelling and Residential Outbuilding on land located at 8 Reid Street East, Westbury (CT: 170557/2) by N Fitsialos, requiring the following discretions:***

- 12.4.1.3 - front setback
- 12.4.1.5 - height of outbuilding

be APPROVED, generally in accordance with the endorsed plans:

- a) **N Fitsialos; Project No.: RPB180917C, Drawing No.: 03, 04, 05, 06, 07 & 10**
- b) **TNC Engineering Pty Ltd, Drawing No.: WSS172283-3**

and subject to the following conditions:

- 1. The use of the approved outbuilding is not permitted for human habitation and is limited to residential storage and related residential activities only.**

Note:

- 1. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council’s Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au**

2. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:

- a) Building approval**
- b) Plumbing approval**

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

3. This permit takes effect after:

- a) The 14 day appeal period expires; or
- b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
- c) Any other required approvals under this or any other Act are granted.

4. 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

5. 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.

6. 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 prior within 6 months of the expiration.

7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.

8. 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, Temple and White voting for the motion.

Comment by Cr Rodney Synfield

Whilst I support approval of this application, it includes a requirement to allow the following discretions: 12.4.1.3 - front setback and 12.4.1.5 - height of outbuilding. In my view, there was no discretion to be exercised by the Planning Authority, in relation to front setback, as it complied with the minimum setback distance of 6 metres and it doesn't constitute an 'infill' lot, as it's a 'corner block' in relation to primary frontage. A Planning Authority must conform to the planning scheme and the LUPA Act when making a decision. The front setback did comply with the acceptable solution.

264/2017 NOTICE OF MOTION – FREE CAMPING IN REGIONAL TOWNS – CR TANYA KING

1) Introduction

The purpose of this report is for Council to consider a Notice of Motion from Cr Tanya King that Council lobby the State Government to review the existing application of National Competition Principles to free camping on Council land in regional towns.

2) Recommendation (Cr Tanya King)

It is recommended that Council -

- a. Write to the State Government, in particular the Minister and Shadow Minister for Local Government and the Minister and Shadow Minister for Tourism, seeking a review of the existing application of National Competition Principles to free camping on Council land in regional towns.***
- b. Submit a motion to Local Government Association Tasmania (LGAT) for inclusion at the General Meeting 2 March 2018 seeking sectorial support for the review.***

DECISION:

Cr King moved and Cr Mackenzie seconded ***“that Council -***

- a. Write to the State Government, in particular the Minister and Shadow Minister for Local Government and the Minister and Shadow Minister for Tourism, seeking a review of the existing application of National Competition Principles to free camping on Council land in regional towns.***
- b. Submit a motion to Local Government Association Tasmania (LGAT) for inclusion at the General Meeting 2 March 2018 seeking sectorial support for the review.***

As an amendment Cr Kelly moved and Cr White seconded ***“that Council does not take any action on “free camping” in our municipality until such time as the Economic Regulator determines that Meander Valley Council offering free camping in our regional towns is detrimental to our local businesses.”***

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

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

Comment by Cr Bob Richardson

There are some community members who are reportedly strongly in favour of free camping on Council Reserves. That view is not universal. The issue is very much an issue of law; the Economic Regulator has issued a strongly worded statement which is based upon competition principles which, in effect, deters free camping.

Discussions with the Economic Regulator should be the first "port of call" for reform.

Comment by Cr Tanya King

This issue is about ALL Tasmanian regional towns and their respective business communities. Westbury and the current situation here can be regarded as a test case, and a very good one at that.

It is also about economic development, local business communities, camping communities and Tasmanian tourism.

In my opinion we've got it wrong. The community have spoken and it is now up to us, as community representatives, to lobby for change in order to reflect the views of the community.

265/2017 NOTICE OF MOTION - EXPRESSION OF INTEREST FOR A NORTHERN CORRECTIONAL CENTRE TO BE CONSTRUCTED ADJACENT TO ASHLEY DETENTION CENTRE – CR IAN MACKENZIE

1) Introduction

The purpose of this report is for Council to consider a Notice of Motion from Cr Ian Mackenzie that Council write to the government to express their interest in working with all levels of government to establish a Northern Correctional Centre next to Ashley Youth Detention Centre (AYDC).

2) Recommendation (Cr Ian Mackenzie)

It is recommended that Meander Valley Council write to the state Government to express interest for a Northern Correctional Centre to be built next to Ashley Detention Centre.

DECISION:

Cr Mackenzie moved and Cr Kelly seconded ***“that Meander Valley Council write to the State Government to express interest for a Northern Correctional Centre to be built next to Ashley Detention Centre.***

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

266/2017 PETITION – WESTBURY RECREATION GROUND

1) Introduction

The purpose of this report is for Council to determine if it will hold a public meeting in response to the request set out in the petition tabled at Ordinary Council Meeting November 2017.

2) Recommendation

It is recommended that Council:

- 1. Note that the subject matter of the petition was community concern about the Council decision to use \$5 million from Council's cash reserve to construct a multi-purpose function centre at the Westbury Recreation Ground.***
- 2. Note that the petition contained 487 signatories***
- 3. Resolves, under the Provisions of 60(f) of the Local Government Act 1993, to hold a public meeting to discuss the proposed development at the Westbury Recreation Ground on 8 February 2018.***

DECISION:

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

- 1. Note that the subject matter of the petition was community concern about the Council decision to use \$5 million from Council's cash reserve to construct a new building at the Westbury Recreation Ground.***
- 2. Note that the petition contained 487 signatures***
- 3. Resolve to not hold a public meeting under the provisions of Section 60(3) of the Local Government Act 1993.***
- 4. Resolves, under the provisions of Section 60F of the Local Government Act 1993, to hold a public meeting to discuss the proposed development at the Westbury Recreation Ground on 15 February 2018.***

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

267/2017 SPECIAL COMMITTEES OF COUNCIL

1) Introduction

The purpose of this report is to formalise the annual appointment of members of Special Committees of Council.

2) Recommendation

It is recommended that Council formalise the appointment of the following Special Committee members as required by Section 24(2) of the Local Government Act 1993:

Special Committee	Members
<i>Birralee Memorial Hall Committee:</i>	Esther Blackberry, M Dewsbery, L Brient, D Hall, G Blackberry, D Arnold, Ernest Blackberry, Esther Blackberry, L Blackberry, N Hall, F Camino, Jon Herbert
<i>Bracknell Public Hall and Recreation Ground Committee:</i>	Stephen Jones, S Cousens, C Spencer, R Leonard, Sharmaine Jones, N Jones, C Jones, A Cousens, E Preece, E Leonard, Merrilyn Shelton, M Shelton, I Mackenzie, B Shelton, O Shelton, L Richardson
<i>Carrick Community Committee:</i>	E Strickland, D Keygan, R Shean, D Williams, J Cunningham, R Williams, S Stevenson, B Stevenson, N Trower, C Blackwell, R Renault
<i>Caveside Recreation Committee:</i>	K Howe, Kelvin Haberle, Katy Haberle, M Manners, C Robertson, T Robertson, R Linger, C Linger, S Manners, N Doyle, R Stafford, Z Crowden, J Robertson, C Doyle, M Crowden, G Robertson, A Crowden, C Capper, G Capper, M Howe, D Rollins, M Rollins, Bradley Harris, Bob Hedger
<i>Chudleigh Memorial Hall Committee:</i>	J Lamont, D Crowden, N Ritchie, W Richardson, Leon Philpott, T Pickett, S Crowden, M Cameron, M Wilson, D Philpott, A Cameron, M-L Haberle, P Philpott, B Motton, Michael Smith,

	Louise Middleton, P Hickman, L Erther, N Clarke
<i>Dairy Plains Memorial Hall Committee:</i>	N Atkins, K Atkins, A Atkins, R Atkins, G Atkins, B Atkins, M Atkins, A Rathjen, V Terry
<i>Deloraine Community Car Committee:</i>	R Axelsen, M Young, S Keegan, K Earley, R Roles, C Fowler, L Wadley, M Christie
<i>Meander Hall and Recreation Ground Committee:</i>	J John, S Johnston, S Saltmarsh, N Chilcott, A Costello, C Chilcott, T Buttery, A Berne, N Johnston, D Chilcott, K Bird, A Geard, S Jones, H Smith
<i>Mole Creek Memorial Hall Committee:</i>	B Walters, M Martin, D Walters, K Philpott, K Lane, K Green, P Lane, E Gale, M Philpott, S Wilks, D Stewart, D Youd, R Larcher, L Stephens, R Quick
<i>Rosevale Memorial Hall and Recreation Ground Committee:</i>	G Cuthbertson, C Davson-Galle, K Best, M Eddington, R Millwood, W Cuthbertson, R Hardwicke, T Reed, J Rowlands, G Smith, B Tatnell
<i>Selbourne Memorial Hall Committee:</i>	D Eyles, M Heazlewood, G Eyles, J French, D French, M Brown, M Hills, T Hills, N Reed, A Reed, P Brown, J Brown, J Eyles, P Eyles, A Batterham
<i>Weegena Hall Committee:</i>	G Swinsburg, T Dawkins, J Hawley, S Harvey, S Roberts, A Lindsay, J Buck, M Lindsay, F Robinson, R Buck, C Roberts, L Norton, K Sheldon, P Mackay, C Gard, R Thomas, C Norton, A Robinson, M Webster, M Sheldon, M Graves, L Pittard, A LeFevre, J Lindsay, B Lindsay, G Lindsay, J Spicer
<i>Westbury Community Car Committee:</i>	C Blazely, E Blackley, E Carter, R Travis, Shirley Bott, K Hewlett, W Jarman, D Pyke
<i>Westbury Recreation Ground Management Committee:</i>	S West, G Claxton, L Brient, K Pitt, K Garwood, D Jarvis, R Reinmuth, Colin King, K Lattin, R Poulton
<i>Westbury & Districts Historical Society</i>	J Starr-Thomas, V Greenhill, A Witherden, M Cameron, S West, K Treloggen, S Badcock, D Murray, A Barber, A Taylor, P Swain, S Manners, P Mantanle, B Greenhill, A Manners,

Whitemore Recreation Ground Committee:	K Pitt, B Pearn, K Johns, E Shaw, S Pearn, S French, M Cresswell, M Dent, Kym Hingston, N Hingston, R Johns
Natural Resource Management Committee	S Brownlea, D Bower, J Bell, G Neill, M Bennett, T Schmidt, A Baldwin, R Buck, Lynette While, Cr Rodney Synfield, A Whiteley
Townscape, Reserves and Parks Committee	Cr A Connor, Cr R Synfield, Cr J Temple, D Fitzgerald, C Chilcott, L Catchlove, G Bartley, N Szczyglowska, Scott Wilson, D De Paoli, M Millwood
Sustainable Environment Committee	S Brownlea, L While, K Eade, I Howard, Cr T King, Sean Manners, C Plaisted, Cr B Richardson, Cr D White

DECISION:

Cr Mackenzie moved and Cr White seconded ***“that Council formalise the appointment of the following Special Committee members as required by Section 24(2) of the Local Government Act 1993:***

Special Committee	Members
<i>Birralee Memorial Hall Committee:</i>	Esther Blackberry, M Dewsbery, L Brient, D Hall, G Blackberry, D Arnold, Ernest Blackberry, Esther Blackberry, L Blackberry, N Hall, F Camino, Jon Herbert
<i>Bracknell Public Hall and Recreation Ground Committee:</i>	Stephen Jones, S Cousens, C Spencer, R Leonard, Sharmaine Jones, N Jones, C Jones, A Cousens, E Preece, E Leonard, Merrilyn Shelton, M Shelton, I Mackenzie, B Shelton, O Shelton, L Richardson
<i>Carrick Community Committee:</i>	E Strickland, D Keygan, R Shean, D Williams, J Cunningham, R Williams, S Stevenson, B Stevenson, N Trower, C Blackwell, R Renault
<i>Caveside Recreation Committee:</i>	K Howe, Kelvin Haberle, Katy Haberle, M Manners, C Robertson, T Robertson, R Linger, C Linger, S Manners, N Doyle, R Stafford, Z Crowden, J Robertson, C

	Doyle, M Crowden, G Robertson, A Crowden, C Capper, G Capper, M Howe, D Rollins, M Rollins, Bradley Harris, Bob Hedger
Chudleigh Memorial Hall Committee:	J Lamont, D Crowden, N Ritchie, W Richardson, Leon Philpott, T Pickett, S Crowden, M Cameron, M Wilson, D Philpott, A Cameron, M-L Haberle, P Philpott, B Motton, Michael Smith, Louise Middleton, P Hickman, L Erther, N Clarke
Dairy Plains Memorial Hall Committee:	N Atkins, K Atkins, A Atkins, R Atkins, G Atkins, B Atkins, M Atkins, A Rathjen, V Terry
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Mole Creek Memorial Hall Committee:	B Walters, M Martin, D Walters, K Philpott, K Lane, K Green, P Lane, E Gale, M Philpott, S Wilks, D Stewart, D Youd, R Larcher, L Stephens, R Quick
Rosevale Memorial Hall and Recreation Ground Committee:	G Cuthbertson, C Davson-Galle, K Best, M Eddington, R Millwood, W Cuthbertson, R Hardwicke, T Reed, J Rowlands, G Smith, B Tatnell
Selbourne Memorial Hall Committee:	D Eyles, M Heazlewood, G Eyles, J French, D French, M Brown, M Hills, T Hills, N Reed, A Reed, P Brown, J Brown, J Eyles, P Eyles, A Batterham
Weegena Hall Committee:	G Swinsburg, T Dawkins, J Hawley, S Harvey, S Roberts, A Lindsay, J Buck, M Lindsay, F Robinson, R Buck, C Roberts, L Norton, K Sheldon, P Mackay, C Gard, R Thomas, C Norton, A Robinson, M Webster, M Sheldon, M Graves, L Pittard, A LeFevre, J Lindsay, B Lindsay, G Lindsay, J Spicer
Westbury Community Car Committee:	C Blazely, E Blackley, E Carter, R Travis, Shirley Bott, K Hewlett, W Jarman, D Pyke

<i>Westbury Recreation Ground Management Committee:</i>	S West, G Claxton, L Brient, K Pitt, K Garwood, D Jarvis, R Reinmuth, Colin King, K Lattin, R Poulton
<i>Westbury & Districts Historical Society</i>	J Starr-Thomas, V Greenhill, A Witherden, M Cameron, S West, K Treloggen, S Badcock, D Murray, A Barber, A Taylor, P Swain, S Manners, P Mantanle, B Greenhill, A Manners,
<i>Whitemore Recreation Ground Committee:</i>	K Pitt, B Pearn, K Johns, E Shaw, S Pearn, S French, M Cresswell, M Dent, Kym Hingston, N Hingston, R Johns
<i>Natural Resource Management Committee</i>	S Brownlea, D Bower, J Bell, G Neill, M Bennett, T Schmidt. A Baldwin, R Buck, Lynette While, Cr Rodney Synfield, A Whiteley
<i>Townscape, Reserves and Parks Committee</i>	Cr A Connor, Cr R Synfield, Cr J Temple, D Fitzgerald, C Chilcott, L Catchlove, G Bartley, N Szczyglowska, Scott Wilson, D De Paoli, M Millwood
<i>Sustainable Environment Committee</i>	S Brownlea, L While, K Eade, I Howard, Cr T King, Sean Manners, C Plaisted, Cr B Richardson, Cr D White

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

The Council meeting adjourned for afternoon tea at 2.57pm

The Council meeting resumed at 3.15pm

COUNCIL MEETING AS A PLANNING AUTHORITY

The Mayor advised that for items 268/2017 to 269/2017 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

268/2017 AMENDMENT 2/2017 - MEANDER VALLEY INTERIM PLANNING SCHEME 2013 – REZONING AND SUBDIVISION – MACE STREET AND BORDIN STREET, PROSPECT VALE

1) Introduction

The purpose of this report is to amend the Meander Valley Interim Planning Scheme 2013 to reflect the relocation of the former Mace Street Reserve to a new location off Bordin Street, Prospect Vale. The amendment includes:

- rezoning of land located at 7 Mace Street, Prospect Vale (CT: 8204/17) from Open Space Zone to General Residential Zone; and
- rezoning of land off Bordin Street, Prospect Vale (CT:172720/31) from General Residential Zone to Open Space Zone.

The application also includes a subdivision proposal to divide the land at 7 Mace Street, incorporating land off Nanke Court (CT: 172720/102), into two lots suitable for residential use and development. The titles subject to the application are all currently owned by Council.

12) Recommendation

Pursuant to Sections 33(3) and 34(1)(b) of the former provisions of the Land Use Planning and Approvals Act 1993, the following amendments to the Meander Valley Interim Planning Scheme 2013 are initiated and in accordance with Section 35, are initiated and certified as being in accordance with Sections 30(O) and 32 of the Act:

- a) Rezone Certificate of Title 8204/17 from Open Space Zone to the General Residential Zone;***
- b) Rezone Certificate of Title 172720/31 from General Residential Zone to the Open Space Zone;***

and

Pursuant to Section 43C. of the former provisions of the Land Use Planning and Approvals Act 1993 and the Meander Valley Interim Planning Scheme 2013, approve the application for Use and Development for Subdivision on land located at 7 Mace Street, Prospect Vale (CT: 8204/17) and land off Nanke Court (CT: 172720/102), generally in accordance with the endorsed plan and subject to the following conditions:

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
 - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
 - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
 - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**

- 2. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
 - a) A Stormwater connection is to be installed to the existing reticulated stormwater system, to the satisfaction of Council's Plumbing Surveyor.**

- 3. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No INSERT NUMBER attached)**

Notes:

- 1. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**

2. *This permit does not imply that any other approval required under any other by-law or legislation has been granted.*
3. *This permit takes effect after:*
 - a) *The 14 day appeal period expires; or*
 - b) *Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.*
 - c) *Any other required approvals under this or any other Act are granted.*
4. *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.*
5. *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.*
6. *This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.*
7. *In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.*
8. *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 Connor moved and Cr Kelly seconded ***“that pursuant to Sections 33(3) and 34(1)(b) of the former provisions of the Land Use Planning and Approvals Act 1993, the following amendments to the Meander Valley Interim Planning Scheme 2013 are initiated and in accordance with Section 35, are initiated and certified as being in accordance with Sections 30(O) and 32 of the Act:***

- a) Rezone Certificate of Title 8204/17 from Open Space Zone to the General Residential Zone;***
- c) Rezone Certificate of Title 172720/31 from General Residential Zone to the Open Space Zone;***

and

Pursuant to Section 43C. of the former provisions of the Land Use Planning and Approvals Act 1993 and the Meander Valley Interim Planning Scheme 2013, approve the application for Use and Development for Subdivision on land located at 7 Mace Street, Prospect Vale (CT: 8204/17) and land off Nanke Court (CT: 172720/102), generally in accordance with the endorsed plan and subject to the following conditions:

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:***
 - a) Such covenants or controls are expressly authorised by the terms of this permit; or***
 - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.***
 - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.***
- 2. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:***
 - b) A Stormwater connection is to be installed to the existing reticulated stormwater system, to the satisfaction of Council’s Plumbing Surveyor.***

3. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No INSERT NUMBER attached)

Notes:

1. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au.
2. This permit does not imply that any other approval required under any other by-law or legislation has been granted.
3. This permit takes effect after:
 - d) The 14 day appeal period expires; or
 - e) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
 - f) Any other required approvals under this or any other Act are granted.
4. 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.
5. 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.
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.

7. *In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.*
8. *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, Temple and White voting for the motion.

269/2017 MEANDER VALLEY DRAFT LOCAL PROVISIONS **SCHEDULE – TASMANIAN PLANNING SCHEME**

1) Introduction

The purpose of this report is to endorse the draft Local Provisions Schedule (LPS) applying to the Meander Valley municipal area, for submission to the Tasmanian Planning Commission (Commission). The LPS makes up the local component of the Tasmanian Planning Scheme (TPS). Submitting the LPS commences the process of changing to the Tasmanian planning Scheme.

2) Recommendation

It is recommended that:

- 1. Council endorse that it is satisfied that the attached Local Provisions Schedule for Meander Valley meets the LPS Criteria of Section 34 of LUPAA.**
- 2. That Council endorses the Local Provisions Schedule for Meander Valley and the supporting report at Attachments A, B and C for submission to the Tasmanian Planning Commission under Section 35(1).**
- 3. Council delegates to the General Manager its powers and functions to:**
 - a) submit the endorsed LPS to the Commission pursuant to Section 35(1);**
 - b) submit the provisions for transition under Schedule 6 of LUPAA to the Minister for Planning;**
 - c) modify the LPS if a notice is received from the Commission pursuant to Section 35(5)(b);**
 - d) exhibit the LPS pursuant to Sections 35B, 35C and 35D;**
 - e) Represent the Council at hearings pursuant to Section 35H.**

DECISION:

Cr White moved and Cr Mackenzie seconded ***“that***

- 1. Council endorse that it is satisfied that the attached Local Provisions Schedule for Meander Valley meets the LPS Criteria of Section 34 of LUPAA.***
- 2. That Council endorses the Local Provisions Schedule for Meander Valley and the supporting report at Attachments A, B and C for submission to the Tasmanian Planning Commission under Section 35(1).***
- 3. Council delegates to the General Manager its powers and functions to:***
 - a) submit the endorsed LPS to the Commission pursuant to Section 35(1);***
 - b) submit the provisions for transition under Schedule 6 of LUPAA to the Minister for Planning;***
 - c) modify the LPS if a notice is received from the Commission pursuant to Section 35(5)(b);***
 - d) exhibit the LPS pursuant to Sections 35B, 35C and 35D;***
 - e) Represent the Council at hearings pursuant to Section 35H.”***

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

ITEMS FOR CLOSED SECTION OF THE MEETING:

Councillor White moved and Councillor Mackenzie seconded ***“that pursuant to Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015, Council close the meeting to the public to discuss the following items.”***

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

270/2017 CONFIRMATION OF MINUTES

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 14 November, 2017.

271/2017 LEAVE OF ABSENCE

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

272/2017 GENERAL MANAGER’S PERFORMANCE REVIEW

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

273/2017 2018 AUSTRALIA DAY NOMINATIONS

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

The meeting moved into Closed Session at 3.21pm

The meeting re-opened to the public at 3.47pm

The meeting closed at 3.47pm

.....CRAIG PERKINS (MAYOR)