



Meander Valley Council  
Working Together

# **ORDINARY MINUTES**

**COUNCIL MEETING**

**Tuesday 10 December 2019**

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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 10 December 2019 at 4.00pm.

## PRESENT

Mayor Wayne Johnston, Deputy-Mayor Michael Kelly, Councillors Susie Bower, Stephanie Cameron, Tanya King, Andrew Sherriff, Rodney Synfield and John Temple.

## APOLOGIES

Councillor Frank Nott

## IN ATTENDANCE

Jonathan Harmey, Acting General Manager  
Merrilyn Young, Executive Assistant  
Dino De Paoli, Director Infrastructure Services  
Matthew Millwood, Director Works  
Lynette While, Director Community & Development Services  
Justin Marshall, Acting Director Corporate Services  
Jo Oliver, Senior Strategic Planner  
Leanne Rabjohns, Town Planner  
Justin Simons, Town Planner  
Natasha Whiteley, Town Planner  
Krista Palfreyman, Development Services Co-ordinator  
Heidi Goess, Consultant Town Planner  
Marianne MacDonald, Communications Officer

## 209/2019 CONFIRMATION OF MINUTES

Councillor Sherriff moved and Councillor Cameron seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 12 November 2019, be received and confirmed.”***

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Sherriff, Synfield and Temple voting for the motion.***

## 210/2019 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

Date	Items discussed:
26 November 2019	<ul style="list-style-type: none"> <li>• Northern Prison Update</li> <li>• Citizenship Ceremony</li> <li>• Community Forum – Dairy Plains</li> <li>• Westbury Function Centre Fee Proposal</li> <li>• Dog Off Lead Exercise Areas</li> <li>• Proposed Sport &amp; Recreation Plan</li> <li>• RV Camping at Bracknell, Deloraine and Westbury</li> <li>• Northern Midlands Council – Amendment to RLUS</li> <li>• Local Heritage Position LPS</li> <li>• Deloraine Football Club Demountable Change-rooms</li> <li>• Rural Waste and Recycling Collection Service</li> <li>• Expanded FOGO Collection Service</li> <li>• Regional Economic Development Strategy</li> <li>• Climate Change Direction</li> <li>• Council Meeting Dates and Time 2020</li> <li>• Special Committee Elected Member Representation</li> </ul>

## 211/2019 ANNOUNCEMENTS BY THE MAYOR

### **13 November**

TasWater AGM - Launceston

### **20 November**

ANZ Cocktail Party – Launceston

### **26 November 2019**

Citizenship Ceremony

Council Workshop

Community Forum – Dairy Plains

### **5 December 2019**

Mayors Professional Development Day – Hobart

LGAT General Meeting – Hobart

### **7 December 2019**

Council Christmas Dinner

World Championship Fly Fishing Awards

**8 December 2019**

Dairy Plains Hall Christmas Party

## **212/2019 ANNOUNCEMENTS BY COUNCILLORS**

**Councillor Susie Bower**

**19 November 2019**

Mole Creek Progress Association Meeting

**26 November 2019**

Community Forum – Dairy Plains

**28 November 2019**

Deloraine Collective Ed 100 Day Challenge Celebration

**28 November 2019**

Great Western Tiers Visitor Centre Volunteer Function

**30 November 2019**

Blackstone Heights Market

**Councillor Frank Nott**

On Saturday 16 November I attended a Bushfire Forum at Travellers Retreat.

It provided information to residents on Awareness, Readiness and Preparation in relation to a bushfire in that locality.

It was run by Dave Cleaver from TFS in association with the Hadspen group headed by President, Wayne Preston.

Dave had conducted a very successful session with the Carrick Community Committee earlier in the month.

As a result of dropping leaflets at Travellers Rest, Pateena Road and Travellers Retreat some 40 residents participated.

Information was provided for the crucial decision making of either to leave asap or to stay and defend.

## 213/2019 DECLARATIONS OF INTEREST

Planning Authority 4 – Cr Tanya King – 321 Marriott Street, Westbury  
Governance 7 – Cr Susie Bower – Appointment of General Manager

## 214/2019 TABLING AND ACTION ON PETITIONS

Nil

## 215/2019 PUBLIC QUESTION TIME

### 1. PUBLIC QUESTIONS TAKEN ON NOTICE – NOVEMBER 2019

Nil

### 2. PUBLIC QUESTIONS WITH NOTICE – DECEMBER 2019

#### 2.1 Helen Hutchinson, Western Creek

- (a) Meander Valley is not isolated from the rest of the world, or the rest of Australia. What happens in other places is an indication of what is sure to happen here unless we take action to reverse global heating.

In view of the extreme and life threatening bushfires already taking old on the Australian mainland, will the Meander Valley Council request the State and Federal Governments to assist with the provision of extra bushfire and flood prevention infrastructure?

#### ***Response by Acting General Manager Jonathan Harmey***

***In April 2019 Council provided a submission into the Cronstedt Review of the Management of Bushfires during the 2018-19 Fire Season, this submission included the following conclusion "Council is calling for a proactive fire management regime within the TWWHA that includes fuel reduction burns and equivalent support for landowners who own property adjacent to the TWWHA... The one thing, however, that has not been resolved through this period is the need for strong preventative measures especially in the areas of Tasmania that are subject to environmental and conservation protection." Council officers dealt extensively with the State Government in the two years following the June 2016 floods and secured grant funding to undertake flood modelling.***

- (b) Council workshops are apparently a regular part of council activities.

Where can I find the minutes or reports from these Council workshops?

Are there sub-committee meetings conducted by Meander Valley Council and if so, where can the minutes or reports from these sub-committees be found?

**Response by Acting General Manager Jonathan Harmey**

**Council Workshops occur at least monthly and provide the opportunity for elected members and employees to discuss operational and strategic matters of importance. Council Meetings are guided by legislation that outlines the manner in which meetings are conducted, this includes minutes of ordinary Council Meetings. Council Workshops are not bound by the same legislation, detailed minutes are not kept by Council nor made publically available. Often items discussed at Council Workshops are presented to the next Council Meeting for a decision, receipt, adoption or endorsement and therefore the associated reports are made publically available at that time. An example of this is the Regional Economic Development Strategy (REDS) presented to Council for endorsement in this meeting agenda. With regard to Council sub-committees please refer to the table below:**

<b>Council Sub-Committee</b>	<b>Minutes or reports</b>
<b>Audit Panel</b>	<b>Minutes received at Council meetings on a quarterly basis</b>
<b>Australia Day Awards</b>	<b>Awards announced at Council's Australia Day function, next event scheduled for 24 January 2020</b>
<b>Community Grants</b>	<b>Minutes received at Council meetings on a quarterly basis</b>
<b>Development Assessment Group</b>	<b>Minutes not kept by Council nor made publically available</b>

2.2 Kevin Knowles, Western Creek

I would like to know if the Councillors believe in man-made climate change, I would like responses from each Councillor?

**Response by Acting General Manager, Jonathan Harmey**

**Council will be considering whether to declare a climate emergency at the 10 December 2019 Council Meeting. While each Councillor's response is not listed in this answer they may indicate their position at the meeting or they may choose to add comment to the decision when considering Councillor Temple's Notice Of Motion, in the minutes of the December 2019 meeting.**

What action is the council taking to minimize the effects of climate change?

**Response by Acting General Manager, Jonathan Harmey**

**Some of the actions that Council have undertaken to address climate change are:**

- **Participated in Climate Change legislation review (Tas.)**
- **Representation at Climate Change Conferences and workshops**
- **Made home energy efficiency test kits available for residents to borrow**
- **Produced an MVC Environmental Action Plan**
- **Contributed to LGAT's submission on draft climate change legislation**
- **Encouraged recycling and waste reduction initiatives through the Northern Tasmanian Waste Management Group**
- **Installed solar panels on the Ray Johnstone Centre at Prospect Vale Park**
- **Retrofitted Council street lights with energy efficient LED bulbs**
- **Reviewed progress on actions under the MVC Cities Power Partnership program**

2.3 Sally Gibb, Westbury

Mayor Johnston – Why did you quote 70% of the local community was in favour of the prison on the 30 September?

**Response by Mayor Wayne Johnston**

**This percentage was my own estimation, based on the number of community members who contacted me directly on the 30 September, 2019 (the day of the State Government's announcement) to express their views.**

Where did these numbers come from?

**Response by Mayor Wayne Johnston**

**I refer to my previous response, above.**

Why have you not retracted it publicly?

**Response by Mayor Wayne Johnston**

**Since the State Government's announcement on the 30 September, Council has received a substantial amount of feedback opposing the Northern Prison. Based on this recent feedback, I commented in a media interview on 14 November, 2019, that it appeared that 70% of the Westbury community were against the project.**



## 2.4 Emma Hamilton, Westbury

- (a) November 2019 Meeting – Minute 190/2019 Council Workshops – Community Plan 2020-2030.

Will this supersede the “Strategic Plan 2014-2024 for Meander Valley” document? If so, why and when?

### **Response by Acting General Manager, Jonathan Harmey**

**The current Community Strategic Plan 2014 to 2024 was adopted in December 2014. In preparing the Annual Plan for 2019-20 Council determined to commence a process of updating this document for a period of ten years. We will seek to confirm the Meander Valley community’s current values and future directions. The project will commence by seeking community input in early 2020 and is aimed to be completed by the end of 2020. The process has been discussed at Council Workshops on 24 September and 22 October.**

- (b) November 2019 Meeting – Public Question Time answer to 3.18 from the Mayor “Strategic Town Planner Jo Oliver has already advised the Government what we expect if they put forward a proposal”.

Will Council make public a full and complete list of what Jo Oliver has advised the Government to put forward with a proposal?

### **Response by Senior Strategic Planner, Jo Oliver**

**Council’s Senior Strategic Planner has provided preliminary, verbal advice only to the State Government’s planning consultant for the project, regarding the initial appreciation of supporting information that will be required to be included with any application for a planning scheme amendment. This included:**

- **Social and economic impact studies;**
- **Environmental impact study;**
- **Agricultural land report to demonstrate compliance with the State Policy for the Protection of Agricultural Land;**
- **Detailed planning report providing a full description of the proposal, expected development outcomes and analysis of the proposal against all of the relevant provisions of the Land Use Planning & Approvals Act 1993, including the Northern Tasmania Regional Land Use Strategy.**

**Council advised that when the detail was submitted in the application, Council maintains the right under the Act to request further information at that stage, dependent upon the information provided.**

## 2.5 Martin Hamilton, Westbury

- (a) November 2019 Meeting – Minute 194/2019 - Tabling Petitions – We oppose the construction of a new prison to close to Westbury”.

Will you confirm who from the State Government the petition was handed over to and when it will be tabled in Parliament?

### ***Response by Acting General Manager, Jonathan Harmey***

***The petition was sent to the State Government’s contact point for their Northern Prison project: [northern.prison@justice.tas.gov.au](mailto:northern.prison@justice.tas.gov.au) on 14 November. A State Government representative replied that day to advise the petition would be supplied to the social economic study consultants for their information to help inform the report. Council has not been informed if the State Government intend to table the petition in parliament.***

- (b) Nov 2019 Public Questions 3.9 Jo Oliver response “By no means is it a fait accompli it is going to go through a very extensive process of enquiry” however that is preceded by the words (a particular purpose zone) “is effectively like a zone you write your own rules to fit the purpose” I understand the Government intend to submit social and economic reports with any application the put forward however if they can write their own rules and we can’t use the current planning scheme how is this not a fait accompli/what documents do we need to oppose this, what evidence do we need to oppose this prison?

### ***Response by Senior Strategic Planner, Jo Oliver***

***In submitting for a Particular Purpose Zone for any future use of land, an applicant is required to demonstrate not only that a change in zoning is appropriate, but also that the eventual use and development enabled by the provisions (rules) of the zone is appropriate, when assessed against the criteria of the Land Use Planning & Approvals Act 1993. Planning Scheme amendments are assessed under the Act and not the provisions of the planning scheme. Impacts on adjoining zones and the potential effects on use and development allowable in adjoining zones as a result of the proposed rezoning, are included in matters that are assessed under the Act prior to any decision being made about the proposed rezoning to a Particular Purpose Zone. All of the changes being proposed are assessed as a package.***

***It is not appropriate for Council to advise on material to oppose the future amendment application as Council will be acting as a Planning Authority under the Act.***

## 2.6 Phil Giles, Westbury

Last meeting I posed some questions without notice to the council asking why they would get involved in assisting landowner submit an Expression of Interest to the State Government for a prison to be located in the Meander Valley LGA. The answers did not really answer the thrust of my question – so I pose them a little differently and give the council time to answer –

- (a) Why did the Council get involved with the landowners in the first place when the only result of that EOI if taken up by the State Government was the placement of the prison in the Meander Valley LGA?

### ***Response by Acting General Manager, Jonathan Harmey***

***The State Government wrote to Council in September 2018 to request assistance in facilitating contact between private land owners and the State Government, or by providing information about the EOI and a copy of the EOI form directly to private land owners. Council often passes information on to community members from the State and Federal Governments to make them aware of opportunities. The Council's General Manager provided information to private land owners on the basis that a project of this size had the potential to bring new job opportunities to Meander Valley residents, economic development opportunities for businesses and potential improved level of social services for the community. This was undertaken on the basis that community consultation would be undertaken by the State Government and information on their Northern Prison project would be provided to the community.***

- (b) Regardless of whether the Council was putting up public land the end result of the EOI that the Council supported is the preferred prison site at Westbury so why would the Council not gauge the level of support from the residents of the Meander Valley LGA before assisting or 'providing an opportunity for individual landowners' to put forward their land for a prison to be built upon?

### ***Response by Acting General Manager, Jonathan Harmey***

***It is common for Council employees to support private residents where they may need assistance in working toward, and through, regulatory processes. Council representatives often assist developers with information about the regulatory processes and what may be required to be undertaken for their proposed development. For example Council officers met with many of the businesses that have been established at the Valley Central industrial precinct, prior to their application being submitted, to make sure they were aware of what was required for their site with this information provided to the***

**community during the planning application advertising. The State Government commenced its consultation process in September 2019 and they have made the public statement that they are progressing and expanding the consultation with a public meeting planned for Monday 16 December.**

## 2.7 Meander Area Residents and Ratepayers Association Inc. (MARRA)

The Westbury Community is clearly reeling after being blindsided by the recent prison proposal. There was no community consultation whatsoever – just attempts to inform and placate the community after the decision had already been made.

Other major examples of recent consultation failure including the leasing of the Meander Primary school for a faith-based drug rehabilitation centre, the Westbury Recreation Centre debacle and the Deloraine Sports Complex.

These decisions have left many in the community with no faith in the Council's community consultation processes. This is ironic given the Council's motto of "Working Together". Could Council please advise:

- (a) What are Council protocols and procedures for community consultation?

**Response by Acting General Manager, Jonathan Harmey**  
**Council Policy 49 (Media communications) and Policy 81 (Online Communication) provide guidance on how Council communicates externally. The document on Council's website "Not a Spectator Sport – A Community Development Framework 2012" provides guidance about how Council interacts with the community.**

**Council consults with the community in a number of ways including mail surveys, online surveys, face to face meetings and forums, monthly community news email, quarterly community forums, purchased advertising in the Meander Valley Gazette, Council's website and Council's Facebook page. These are utilised in different combinations for different projects, depending on the nature of the project and the community members directly involved.**

- (b) Are they under review considering the recent issues at hand, as they are (a) seemingly ineffective and (b) obviously causing undue stress on the people of the municipality?

**Response by Acting General Manager, Jonathan Harmey**  
**Council's 2019-20 Annual Plan has a target to investigate the development of a Community Consultation Policy.**

### 3. PUBLIC QUESTIONS WITHOUT NOTICE – DECEMBER 2019

#### 3.1 Mr Ian Mackenzie, Bracknell

- a) Does Meander Valley Council believe it has the ability to manage land and land use within the Meander Valley Municipality?

***Response by Jonathan Harmey, Acting General Manager***

***Council's ability to manage land would depend on who owns the land, the use of land and the resources that Council has available to manage land, so a range of landholdings, but we're talking about Council. Council has some ability under the Land Use Planning & Approvals Act to regulate use, development of land and Planning Permits are used to regulate activities conducted on land.***

- b) Prior to July 2018 did Council have a management plan for this Bracknell camp site?

***Response by Jonathan Harmey, Acting General Manager***

***Referring to Planning Authority 2 no, Council did not have a management plan for that site.***

- c) When assessing the amenity of area would Town Planners take into account the dwellings in that area, would such assessment include setbacks, location on blocks and orientation of existing dwellings, for example dwellings that their front doors open in off the footpath?

***Response by Justin Simons, Town Planner***

***Those are relevant planning considerations in certain instances providing that the Planning Scheme provides an opportunity to assess them.***

- d) On the 19 July 2018 the Director of D and CS wrote to the DPIWE (Parks) and stated "I am seeking your advice regarding relevant process for permission to utilise the reserve - or a portion of it - for low cost camping. This enquiry is a result of Meander Valley Council decision last week on 10 July at which Council decided that the Reserve should be made available for low cost camping and to charge a fee per night for the camping". Why was there no mention of this site having previously been used as a camp site, having existing use rights with evidence of such, back to the 1950's, as per lawyer advice obtained by Mr Martin Gill, former GM, approximately 2 weeks prior to this email being sent?

**Response by Jonathan Harmey, Acting General Manager**

**Council is aware that camping has occurred at that site for many years. The exact nature and extent of that camping is unclear. The application is for Council to accept the existing use rights for the site and bring the existing use rights into greater conformity with the Planning Scheme. Use rights under Planning legislation have no bearing on what is and isn't permitted by the landowner, being the Crown, which is provided for in the lease.**

- e) There are 3 planning applications within this agenda today in regards to low cost camping in 3 different communities, could council please provide details on the community consultation process undertaken for each application?

**Question taken on Notice**

3.2 Mr Neil McKinnon, Evandale

My name is Neil Mackinnon, a resident of Evandale.

I wish to comment on Agenda item Infrastructure 1 namely Northern Midlands Council – request for amendment to the Northern Tasmania Regional Land Use Strategy.

And the recommendation to Councillors

“that support is provided to the Northern Midlands Council to pursue the opportunity to provide for the growth of the Evandale settlement...And it goes on to say...it's generally agreed that the Councils are not in a position, nor is it appropriate, for each Council to effectively assess the proposal.

But assessment of the proposal is not what Northern Midlands is asking for. Northern Midlands request is for a change to the Regional Land Use Strategy, and specifically, for a change to Urban Growth Boundaries, not an assessment of the proposal. The Strategy is your collective responsibility as Northern councils, your overarching planning document to guide development, give a level of certainty to Northern Tasmanian ratepayers, homeowner, house buyers, developers, businesses. We rely on you to develop it, maintain it and follow it. You and we own it. It should not be hand-passed to the Minister to decide on changes.

And the Minister for Planning's guidelines for changes to Land Use Strategies are very clear. There are about 10 specific requirements for supporting information including:

- evidence that it doesn't undermine the current strategy;
- an analysis of current residential land supply;
- population growth projections
- suitability of existing physical infrastructure
- impact on heritage values
- potential for land use conflicts, eg within irrigation districts or loss of agriculture land.

But the fundamental requirement for a change is to identify and justify the need.

That has not been done. I have previously provided Council with a professional report on available residential land in the Greater Launceston area showing that, based on the latest population growth projections, there is no identified or justified need. I table the available residential land study and the Ministerial guidelines in support of my comments.

This is not an anti-development stance. It's simply saying development should follow well-researched and well-thought-out planning guidelines unless there is a clear justification not to.

I urge you to reconsider Northern Midlands Council's request and reject it because it neither identifies nor justifies the need for change.

Thank you for the opportunity to speak.

***Response by Jo Oliver, Senior Strategic Planner***

***As you correctly pointed out it is a very complex proposal. The matter is made even more complex when you start involving another seven councils in trying to figure out whether it's appropriate or not plus the Minister plus the Tasmanian Planning Commission which is what the legislation actually requires in terms of providing advice to the Minister on changes to the Regional Land Use Strategy.***

***The Minister has put out guidelines in terms of what he expects, in fact under legislation the Minister is the owner of the Regional Land Use Strategy, despite the fact that all our Councils are signatories to it. We have a role certainly in terms of its development in trying to collectively determine what the appropriate future looks like for all of our settlements. All of those matters you listed are very complex components of an assessment of a proposal, so if you were making an application to the Tasmanian Planning Commission for changes to your Planning Scheme for a very large development you would need to demonstrate all of those things and they are an appropriate independent body to be making that assessment.***

***This recommendation today in this agenda item is not actually a statement of support for the proposal itself, only that they should be given the opportunity to demonstrate all of those things that you raised concerns about and if they fail to do so the proposal will fail. There are quite steep hurdles that they have to jump through.***

***Concern from my perspective, certainly as the Council's Strategic Planner, is that if you jump to conclusions and say that they shouldn't even have the opportunity to argue their case, and bear in mind that every other Council, organisation and stakeholders will all have the ability to input through a public consultation process that the Minister's office may run for the strategy and then alternatively the Tasmanian Planning Commission may run, is that if we make judgements in the first instance without if having a full and proper thorough consultation and debate by an independent authority there is the risk that the collaborative relationship amongst all the Councils will break down and will start getting in the way of each other's proposal***

***Today's agenda report is about supporting a process for figuring all that out and not about support for the proposal per se.***

### 3.3 Carol Firth, Westbury

On 13 October 2015 the Council added an Industrial Development Incentive Policy to the Meander Valley Policy Manual, I refer to Policy No 86. This policy relates to the Valley Central and East Deloraine industrial precincts.

Part of the policy wording is "the objective of the Policy is to provide the parameters for Council to apply financial incentive for the establishment of Eligible Development in Industrial Precincts. The industrial precincts have been deemed as strategically important in accommodating industrial development as new development at these sites."

The incentive of rates reductions sends a clear message to the industry that the Meander Valley Council is open for business.

Then in 2017 the Meander Valley Council won a National Award for Excellence which was contributing to regional growth.

The then Mayor Craig Perkins states on video footage which can be looked at by anyone, he says "the industrial estate is going to potentially house about \$500 million industrial development. Council has worked with landowners to use



legislation in a different way to be able to help reduce and manage the cost of opening up an industrial development.

People are ready for it with links to transport and infrastructure. It worked well for them. That was what he said.

Do you consider that the Council working with a landowner to put in an EOI in to the State Government fits in with the Incentive Policy and the 2017 Regional Growth Award?

And furthermore, were any businesses that had already invested in the precinct consulted by Council about a potential prison becoming part of the Industrial Estate which they had been encouraged by Council to move into?

***Response by Jonathan Harmey Acting General Manager***

***The Policy that you are referring to and the assistance that the former General Manager provided to private landowners in assisting them providing information about the State Government's process and the EOI process are unrelated.***

***The fact that Council had a policy had no bearing on the assistance that the former General Manager provided.***

If any elected member would like to respond?

***Response by Mayor Wayne Johnston***

***Some of us came into this process half-way through, so therefore what you have brought forward now with Craig Perkins comments I haven't seen them and I haven't gone looking for them either.***

***Response by Cr Rodney Synfield***

***My view is you are asking very relevant questions. Councils policies, all these other raft of things, are relevant considerations and at the end of the day this is a huge thing, the prison, and the siting of it, wherever it goes, if there is going to be one in the north of the State, let's get it right.***

***I apologise from my part I am seriously concerned by the effect this has had on the local community. Even though I said at the Public Meeting I think there was an important step missing in this process I would hope that by the time we get to the end of it and I hope that piece of rope is not incredibly long, I hope it is quite short, that we can get an outcome that will satisfy and be a way forward that we can live with, those close to the area and those further away and as I say wherever it's going to be let's get it right, because you're not in***

***five years' time going to say well that didn't work lets change it. But the questions you are asking about an industrial precinct are very valid, what are the impacts that's part of the process that needs to be negotiated but I am sorry that the step that I mentioned at the Public Meeting was that if we need a northern prison what are the parameters for where you might put it not to identify an individual property, but to, in a broader sense, determine where you would or wouldn't have and then flesh if out from there. Sadly that was missing and so now how you overcome that going forward is the nut of the issue for me and hopefully we will work that through in a proper manner that gets us the right outcome.***

#### 3.4 Di Robinson, Westbury

We note that the Mayor is to act as Chairperson of a Council Meeting and further to Regulation 10 this is clearly stated. At the last two meetings it has instead felt like the Acting General Manager has chaired the meeting as he has answered virtually all of the questions.

We propose to direct our questions to our specific Councillors that were elected or the staff that is relevant to the question after the Council has answered.

Can we assume that Council consents to this? Is this not how Council is mean to be?

***Response by Mayor Wayne Johnston  
We will take that as a statement***

### 3.5 Peter Wileman

The draft LPS was exhibited for public comment on the 15 October 2018. At that stage, the former General Manger, Martin Gill, had already covertly identified 135 Birralea Road as a potential site for the prison. He had written to Glen Avon Farms to ascertain interest in an EOI on 5 October 2018. The prison, obviously, was on the horizon but the people of Westbury didn't know it! If they had, they most likely would have made more submissions on the draft LPS.

What do Councillors think of the way this as done?

Councillor Sherriff what do you think about that process? Do you think that's a reasonable process?

#### ***Response by Councillor Andrew Sherriff***

***I'm not impressed with the process at all. The Council was not aware of the proposal until you guys were. You can laugh and make noises and snigger but as pure as I sit here I found out the location where they wanted to put this prison when you found out.***

Cr Sherriff, we're battling we should be raising money for bushfires not to fight you guys? Can we expect your support?

#### ***Response by Councillor Andrew Sherriff***

***I'm here for you guys, on this table to listen to your concerns. Now we have no information on this proposal, we've got no application, we've got nothing, we know as much about it as you guys do.***

***Now let me finish.***

***We have a difficult role at this table and I'll let you know now that I've lost a lot of respect for your community for the way you've have acted. Seriously, because this is not our fault, we did not start this. I joined Council after all this was in the pipeline.***

***Now you put yourself in our position, as elected members, and see how you would feel being on this table, being chastised, emailed four times a day, wanting to know information that we've got no idea about.***

***We are the community as well, we've got people sitting around this table that live in Westbury just like you do. Have they have concerns? Yes they have. Do we know the information? No we don't. Give us a break.***

And the process?

***The process is shit.***

### 3.6 Ann-Marie Loader, Westbury

If any of the Councillors or staff members here today were aware of Martin Gill's actions in respect of Glen Avon Farms before 15 October 2018, could you please indicate that to the public gallery?

#### ***Response by Jonathan Harmey, Acting General Manager***

***We've answered this at a previous Council meeting. I think it was the September meeting. In the very first question that was provided on the State Government's proposed Northern Prison project I gave our time-line of when things had occurred. The former General Manager emailed the elected members through that period to let them know that he was contacting landowners to try and assist them with giving them information and allowing them to submit an EOI if they chose to, that was in or around October. Two of the EOIs were submitted towards the end of November and the former General Manager provided the elected members, at that time, with the details of those two submissions.***

Do you condone the action of Martin Gill in providing so much assistance to the State Government in respect of the EOI process? Michael Kelly do you condone it? Stephanie do you?

#### ***Response by Mayor Wayne Johnston***

***To be fair, some of us came into this process at the very end.***

***I would expect Council officers to go out and facilitate on behalf of landowners. To my knowledge, Council had no land that they put forward and they were asked to put forward land that was available or set the criteria. So he has gone out and approached a couple of landowners, there were two landowners, from what I've seen looking back at the Expressions of Interest you would actually hope that all proposals coming forward to Council that it wouldn't have to come passed. I know it's a big issue, this is a once in a lifetime, not even once in a lifetime, for all of us in this room and as Cr Sherriff said we didn't sit at this table prepared to vote for or against a prison and have a community divided, we certainly haven't and you know that.***

***From an operational point of view and I say this going forward that you would hope that the staff would help anyone, going forward looking at jobs or a proposal whether a prison or whatever, so I can't condone what happened in the past because I wasn't here?***

## 216/2019 COUNCILLOR QUESTION TIME

### 1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – NOVEMBER 2019

Nil

### 2. COUNCILLOR QUESTIONS WITH NOTICE – DECEMBER 2019

Nil

### 3. COUNCILLOR QUESTIONS WITHOUT NOTICE – DECEMBER 2019

#### 3.1 Cr John Temple

- a. Mr Mayor, are you aware that I have now had 14 people speak to me who are in favour of the proposed prison?

***Response by Mayor Wayne Johnston***

***No, but I am now.***

- b. Since the November Council meeting has Council received any further information on the State Government's Social Impact Study and Economic Impact Study relating to Westbury and the proposed prison?

***Response by Jonathan Harmey, Acting General Manager***

***No, we have not received anything formal in the past month.***

- c. Has Council given any consideration as to how it will verify and access information that will be provided in the studies mentioned previously?

***Response by Jonathan Harmey, Acting General Manager***

***The Council as an elected member group, with the assistance of some officers, have discussed at Council Workshops in August, September, October, November and informally as well. While there has been no decision on how Council will handle the receipt of any application, should it be forthcoming, at this point we are not aware of the timeframe, you have been involved in every one of those discussions Councillor, my feedback to you is that we have some more time still to consider how we will make that assessment if the State chooses to make it.***

- d. Has Council given any further consideration as to whether or not it will hire an independent consultant/s to access the social and economic benefits

and dis-benefits to Westbury that may result from the proposed prison before it considers any application from the State Government?

***Response by Jonathan Harmey, Acting General Manager  
Councillor you would be aware that no decision has been made.***

## **217/2019 DEPUTATIONS BY MEMBERS OF THE PUBLIC**

Nil

218/2019 NOTICE OF MOTION – COUNCILLOR JOHN TEMPLE – DECLARATION OF CLIMATE EMERGENCY

1) Motion

*It is recommended that Council declares a Climate Emergency.*

DECISION:

Cr Temple moved and Cr Synfield seconded ***“that Council declares a Climate Emergency.”***

***The motion was declared LOST with Councillors Temple and Synfield voting for the motion and Councillor Bower, Cameron, Johnston, Kelly, King and Sherriff voting against the motion.***

Comment by Cr Tanya King

The science may well be in, but the jury is out. Some even say that climate change is a hoax! Rather than make a statement followed by no action, lets focus on some strategic, sensible and sustainable projects; we are on the cusp of having pumped hydro and a Bioenergy plant in our municipality, we have replaced conventional street lights with LED and have installed electric vehicle charging stations. There are many more projects we can undertake, and will continue to do so. Declaring a climate emergency with no proposed actions is little more than a publicity stunt.

Comment by Cr Susie Bower

I tend to agree with Councillor King and Councillor Cameron that a statement without any actions is simply that a statement. I would be more interested in some key actions being identified and I think this will be achieved with our community through the strategic planning process that will take place in April 2020.

## **PLANNING AUTHORITY ITEMS**

For the purposes of considering the following Planning Authority items, Council is acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993.

The following are applicable to all Planning Authority reports:

### **Strategic/Annual Plan Conformance**

Council has a target under the Annual Plan to assess applications within statutory timeframes.

### **Policy Implications**

Not applicable.

### **Legislation**

Council must process and determine the application in accordance with the *Land Use Planning and Approvals Act 1993* (LUPAA) and its Planning Scheme. The application is made in accordance with Section 57 of LUPAA.

### **Risk Management**

Risk is managed by the inclusion of appropriate conditions on the planning permit.

### **Financial Impact**

If the application is subject to an appeal to the Resource Management Planning and Appeal Tribunal, Council may be subject to the cost associated with defending its decision.

### **Alternative Options**

Council can either approve the application with amended conditions or refuse the application.

### **Voting Requirements**

Simple Majority



## 219/2019 21 FRANKLIN STREET, WESTBURY

The Mayor invited the following people to address the meeting regarding this matter:

Annette Camino  
Stephen Camino  
Damien Cooper  
David Pitman  
Julie Summers  
Denise Swain

**Planning Application:** PA\20\0018

**Proposal:** Visitor Accommodation (RV Rest Stop)

**Author:** Heidi Goess  
Consultant Planner

### 1) Recommendation

***It is recommended that the application for Use and Development for Visitor Accommodation (RV Rest Stop) on land located at 21 Franklin Street, Westbury (PID: 7013189), by Meander Valley Council, be APPROVED, generally in accordance with the endorsed plans:***

- a) Meander Valley Council – Locality Plan, 24 June 2019, Document Set 1212797 Version 1, Version Date 12/07/2019;**
- b) Meander Valley Council – Site Plan, Document Set ID:1212797 Version 1, Version Date 12/07/2019;**
- c) Meander Valley Council – Sign 1, Sign 2 and Sign 3, , Document Set 1212797 Version 1, Version Date 12/07/2019;**
- d) Pitt and Sherry – LN19242 Westbury Recreation Ground RV Parking, Traffic Impact Assessment – 19 August 2019;**

*and subject to the following conditions:*

1. Camping is not permitted other than in self-contained recreational vehicles on the site. A self-contained recreational vehicle is a vehicle specifically built for that purpose that, along with a built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black waste water, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.

2. All waste, including liquid waste, is to be removed from the property and disposed of in a legal discharge point.
3. The location of the nearest "waste water dump point" is to be clearly identified and displayed in a prominent location at the entry.
4. No generator, plant or power tool is to be operated:
  - Monday to Friday, 7:00am and 6:00pm;
  - Saturday, 8:00am and 6:00pm; and
  - Sunday, before 10:00am and after 6:00pm.
5. Patrons are to stay a maximum of four (4) nights.
6. No flood lighting is permitted to be used within the property.
7. Prior to the commencement of use the incidental signage consistent with the endorsed plans is to be erected.

Note:

1. The nearest "waste water dump point" is currently located at the Racecourse Deloraine.
2. The Meander Valley Council is responsible for ensuring that patrons abide by the conditions of the planning permit.
3. 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](mailto:mail@mvc.tas.gov.au).
4. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
  - c) Any other required approvals under this or any other Act are granted.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website

[www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).

6. 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.
7. 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.
8. 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.
9. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## DECISION:

Cr King moved and Cr Cameron seconded ***"that the application for Use and Development for Visitor Accommodation (RV Rest Stop) on land located at 21 Franklin Street, Westbury (PID: 7013189), by Meander Valley Council, be APPROVED, generally in accordance with the endorsed plans:***

- a) **Meander Valley Council – Locality Plan, 24 June 2019, Document Set 1212797 Version 1, Version Date 12/07/2019;**
- b) **Meander Valley Council – Site Plan, Document Set ID:1212797 Version 1, Version Date 12/07/2019;**
- c) **Meander Valley Council – Sign 1, Sign 2 and Sign 3, Document Set 1212797 Version 1, Version Date 12/07/2019;**
- d) **Pitt and Sherry – LN19242 Westbury Recreation Ground RV Parking, Traffic Impact Assessment – 19 August 2019;**

*and subject to the following conditions:*

1. Camping is not permitted other than in self-contained recreational vehicles on the site. A self-contained recreational vehicle is a vehicle specifically built for that purpose that, along with a built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black waste water, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.
2. All waste, including liquid waste, is to be removed from the property and disposed of in a legal discharge point.
3. The location of the nearest "waste water dump point" is to be clearly identified and displayed in a prominent location at the entry.
4. No generator, plant or power tool is to be operated:
  - Monday to Friday, 7:00am and 6:00pm;
  - Saturday, 8:00am and 6:00pm; and
  - Sunday, before 10:00am and after 6:00pm.
5. Patrons are to stay a maximum of four (4) nights.
6. No flood lighting is permitted to be used within the property.
7. Prior to the commencement of use the incidental signage consistent with the endorsed plans is to be erected.

Note:

1. The nearest "waste water dump point" is currently located at the Racecourse Deloraine.
2. The Meander Valley Council is responsible for ensuring that patrons abide by the conditions of the planning permit.
3. 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](mailto:mail@mvc.tas.gov.au).

4. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) Any other required approvals under this or any other Act are granted.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
6. 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.
7. 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.
8. 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.
9. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

***The motion was declared LOST with Councillors Bower, Cameron, Johnston, Kelly, King, Sherriff, Synfield and Temple voting against for the motion.***

Comment by Cr Tanya King

A couple of years ago we were experiencing upwards of 40 vans on the Recreation Ground – a situation that required some controls around it. Many other Northern Councils offer free or low-cost camping and many Tasmanian ratepayers take advantage of free and low cost camping across our beautiful State, and indeed all over Australia. Talking to the grey nomads, they are always happy to spend money in the towns where they stay, resulting in economic benefit to the town. Since making the application, we now have other free and free low-cost camping options in and around Westbury.

Cr Andrew Sherriff left the meeting at 5.32pm

The meeting adjourned at 5.33pm

The meeting resumed at 5.56pm

***It is Council's decision that the application for Use and Development for Visitor Accommodation (RV Rest Stop) on land located at 21 Franklin Street, Westbury (PID: 7013189), by Meander Valley Council, is REFUSED, on the following grounds:***

- ***The proposal does not satisfy the objective and performance criteria P1 & P3 of Clause 18.3.1 in that it unduly impacts on the amenity of the adjoining and nearby residences.***

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion***

## 220/2019 BRACKNELL RIVER RESERVE, EMMA STREET, BRACKNELL

The Mayor invited the following people to address the meeting regarding this matter:

Ian Mackenzie

Brad Hapner

**Planning Application:** PA\19\0199

**Proposal:** Visitor Accommodation (RV Rest Stop)

**Author:** Heidi Goess  
Consultant Planner

### 1) Recommendation

***It is recommended that the application for Use and Development for Visitor Accommodation (RV Rest Stop) on land located at Emma Street, Bracknell (PID: 7028540), by Meander Valley Council, be APPROVED, generally in accordance with the endorsed plans:***

- a) Meander Valley Council – Locality Plan, Document Set ID:1212520, Version 1, Version Date 30/10/2019;**
- b) Meander Valley Council – Site Plan, Document Set ID:1212520, Version 1, Version Date 30/10/2019;;**
- c) Meander Valley Council – Sign 1, Sign 2 and Sign 3, Document Set ID:1212520, Version 1, Version Date 30/10/2019.**

*and subject to the following conditions:*

1. Camping is not permitted other than in self-contained recreational vehicles on the site. A self-contained recreational vehicle is a vehicle specifically built for that purpose that, along with a built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black waste water, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.
2. All waste, including liquid waste, is to be removed from the property and disposed of in a legal discharge point.
3. The location of the nearest “waste water dump point” is to be clearly



identified and displayed in a prominent location at the entry.

4. No generator, plant or power tool is to be operated:
  - Monday to Friday, before 7:00am and after 6:00pm;
  - Saturday, before 8:00am and after 6:00pm; and
  - Sunday, before 10:00am and after 6:00pm.
5. Patrons are to stay a maximum of four (4) nights.
6. No flood lighting is permitted to be used within the property.
7. Prior to the commencement of use:
  - (a) the incidental signage consistent with the endorsed plans is to be erected; and
  - (b) The existing entrance to the reserve of Louisa Street is to be bitumen sealed to the satisfaction of Council's Director Infrastructure Services.

Note:

1. The Meander Valley Council is responsible for ensuring that patrons abide by the conditions of the planning permit.
2. The on-site wastewater management system at the Bracknell River Reserve is not suitably sized for the anticipated additional wastewater loading from the proposed use and may require upgrading in the future.
3. Prior to the construction of the any works within Louisa Street, including the driveway crossovers, separate consent is required by the Road Authority (Council). The Application for Works in the Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on 6393 5312.
4. 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](mailto:mail@mvc.tas.gov.au).
5. 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.

6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
7. 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.
8. 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.
9. 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.
10. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## DECISION:

Cr Johnston moved and Cr Bower seconded ***"that the application for Use and Development for Visitor Accommodation (RV Rest Stop) on land located at Emma Street, Bracknell (PID: 7028540), by Meander Valley Council, be APPROVED, generally in accordance with the endorsed plans:***

- a) **Meander Valley Council – Locality Plan, Document Set ID:1212520, Version 1, Version Date 30/10/2019;**
- b) **Meander Valley Council – Site Plan, Document Set ID:1212520, Version 1, Version Date 30/10/2019;;**

**c) Meander Valley Council – Sign 1, Sign 2 and Sign 3, Document Set ID:1212520, Version 1, Version Date 30/10/2019.**

*and subject to the following conditions:*

1. Camping is not permitted other than in self-contained recreational vehicles on the site. A self-contained recreational vehicle is a vehicle specifically built for that purpose that, along with a built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black waste water, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.
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  - Monday to Friday, before 7:00am and after 6:00pm;
  - Saturday, before 8:00am and after 6:00pm; and
  - Sunday, before 10:00am and after 6:00pm.
5. Patrons are to stay a maximum of four (4) nights.
6. No flood lighting is permitted to be used within the property.
7. Prior to the commencement of use:
  - (a) the incidental signage consistent with the endorsed plans is to be erected; and
  - (b) The existing entrance to the reserve of Louisa Street is to be bitumen sealed to the satisfaction of Council’s Director Infrastructure Services.

Note:

1. The Meander Valley Council is responsible for ensuring that patrons abide by the conditions of the planning permit.
2. The on-site wastewater management system at the Bracknell River Reserve is not suitably sized for the anticipated additional wastewater loading from the proposed use and may require upgrading in the future.

3. Prior to the construction of the any works within Louisa Street, including the driveway crossovers, separate consent is required by the Road Authority (Council). The Application for Works in the Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on 6393 5312.
4. 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](mailto:mail@mvc.tas.gov.au).
5. 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.
6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
7. 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.
8. 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.
9. 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.
10. 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 LOST with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting against the motion***

Deputy Mayor Kelly took the Chair at 6.18pm

Mayor Johnston took the chair at 6.24pm

The meeting adjourned at 6.24pm

The meeting resumed at 6.35pm

***It is Council's decision that the application for Use and Development for Visitor Accommodation (RV Rest Stop) on land located at Emma Street, Bracknell (PID: 7028540), by Meander Valley Council, is REFUSED, on the following grounds:***

- ***The proposal does not satisfy Clause 9.1 in that there is detrimental impact on the amenity of the locality; and***
- ***The proposal does not satisfy the objective and performance criteria P1 & P3 of Clause 19.3.1 in that it unduly impacts on the amenity of the adjoining and nearby residences.***

***The motion was declared CARRIED with Councillors Bower, Cameron, Kelly, King, Synfield and Temple voting for the motion and Mayor Johnston voting against the motion.***

***Mayor Johnston abstained from the vote.***

## 222/2019 6 RACECOURSE DRIVE, DELORAINE

**Planning Application:** PA\20\0113

**Proposal:** Visitor Accommodation (RV Rest Stop)

**Author:** Heidi Goess  
Consultant Planner

### 1) Recommendation

***It is recommended that the application for Use and Development for Visitor Accommodation (RV Rest Stop) on land located at 6 Racecourse Drive, Deloraine (CT: 165648/1), by Meander Valley Council, be APPROVED, generally in accordance with the endorsed plans:***

- a) Meander Valley Council – Location Plan, Document Set ID:1251484, Version 1, Version Date 30/10/2019;**
- b) Meander Valley Council – Site Plan, Document Set ID:1251484, Version 1, Version Date 30/10/2019;**
- c) Meander Valley Council – Proximity to Sensitive Uses, Document Set ID:1251484, Version 1, Version Date 30/10/2019**
- d) Meander Valley Council – Site Plan including location of proposed signs, Document Set ID:1251484, Version 1, Version Date 30/10/2019;**
- e) Meander Valley Council – Sign 1, Sign 2 and Sign 3, Document Set ID:1251484, Version 1, Version Date 30/10/2019;**
- f) Traffic & Civil Services – Traffic Impact Assessment Deloraine RV Rest Stop – dated June 2019;**

*and subject to the following conditions:*

- 1. Camping is not permitted other than in self-contained recreational vehicles on the site. A self-contained recreational vehicle is a vehicle specifically built for that purpose that, along with a built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black waste water, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.
- 2. All waste, including liquid waste, is to be removed from the property and disposed of in a legal discharge point.

3. The location of the nearest "waste water dump point" is to be clearly identified and displayed in a prominent location at the entry.
4. No generator, plant or power tool is to be operated:
  - Monday to Friday, before 7:00am and after 6:00pm;
  - Saturday, before 8:00am and after 6:00pm; and
  - Sunday, before 10:00am and after 6:00pm.
5. Patrons are to stay a maximum of four (4) nights.
6. No flood lighting is permitted to be used within the property.
7. Prior to the commencement of use the incidental signage consistent with the endorsed plans is to be erected.

Note:

1. The Meander Valley Council is responsible for ensuring that patrons abide by the conditions of the planning permit.
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](mailto: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](http://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.
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 Kelly moved and Cr Cameron seconded ***“that the application for Use and Development for Visitor Accommodation (RV Rest Stop) on land located at 6 Racecourse Drive, Deloraine (CT: 165648/1), by Meander Valley Council, be APPROVED, generally in accordance with the endorsed plans:***

- a) **Meander Valley Council – Location Plan, Document Set ID:1251484, Version 1, Version Date 30/10/2019;**
- b) **Meander Valley Council – Site Plan, Document Set ID:1251484, Version 1, Version Date 30/10/2019;**
- c) **Meander Valley Council – Proximity to Sensitive Uses, Document Set ID:1251484, Version 1, Version Date 30/10/2019**
- d) **Meander Valley Council – Site Plan including location of proposed signs, Document Set ID:1251484, Version 1, Version Date 30/10/2019;**
- e) **Meander Valley Council – Sign 1, Sign 2 and Sign 3, Document Set ID:1251484, Version 1, Version Date 30/10/2019;**
- f) **Traffic & Civil Services – Traffic Impact Assessment Deloraine RV Rest Stop – dated June 2019;**

*and subject to the following conditions:*

1. Camping is not permitted other than in self-contained recreational vehicles on the site. A self-contained recreational vehicle is a vehicle specifically



built for that purpose that, along with a built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black waste water, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.

2. All waste, including liquid waste, is to be removed from the property and disposed of in a legal discharge point.
3. The location of the nearest "waste water dump point" is to be clearly identified and displayed in a prominent location at the entry.
4. No generator, plant or power tool is to be operated:
  - Monday to Friday, before 7:00am and after 6:00pm;
  - Saturday, before 8:00am and after 6:00pm; and
  - Sunday, before 10:00am and after 6:00pm.
5. Patrons are to stay a maximum of four (4) nights.
6. No flood lighting is permitted to be used within the property.
7. Prior to the commencement of use the incidental signage consistent with the endorsed plans is to be erected.

Note:

1. The Meander Valley Council is responsible for ensuring that patrons abide by the conditions of the planning permit.
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](mailto: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](http://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.
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](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion.***

Councillor King left the meeting at 6.38pm

## 223/2019 321 MARRIOTT STREET, WESTBURY

**Planning Application:** PA\19\0224

**Proposal:** Subdivision (4 lots)

**Author:** Leanne Rabjohns  
Town Planner

### 1) Recommendation

***It is recommended that the application for Use and Development for Subdivision (4 lots), on land located at 321 Marriott Street, WESTBURY (CT: 169983/1), by EnviroPlan, be APPROVED, generally in accordance with the endorsed plans:***

- a) EnviroPlan – Project Number: 219025 – Drawing Numbers: 1-4;
- b) EnviroPlan – Bushfire Risk Assessment Report & Certificates – Dated: 3 May 2019;
- c) Environmental Service & Design – Flood Risk Assessment – Project Number: 6869 – Date: 17 September 2019;
- d) Environmental Service & Design – On-site waste water disposal and stormwater: assessment against Planning Scheme Requirements – Dated: 16 October 2019;

***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 vehicular crossover servicing each lot must be constructed in accordance with LGAT standard drawing TSD-R03-V1 and TSD-R04-V1, to the satisfaction of the Director Infrastructure Services (see Note 1).
- 3. The developer must pay Council \$5,600.00, a sum equivalent to 5% of the unimproved value of the approved lots, as a Public Open Space

## **Contribution.**

- 4. Prior to this permit becoming effective, a Section 71 agreement must be executed, that provides the following:**
  - a) Any earthworks or building works within 30m of the eastern boundary of Lots 3 and 4 and within 15m of the northern boundary of Lot 3 will require a planning permit. Additional Flood Modelling may be required. For reference, the Flood Risk Assessment prepared by Environmental Service & Design (dated 17/09/2019) and the Flood Model from Council's consultant are attached.**

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

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

- 5. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
  - a) Each lot must have a crossover, as per Condition 2.**
  - b) The Public Open Space contribution paid, as per Condition 3.**
  - c) The Part 5 Agreement has been completed, as per Condition 4.**

### Note:

1. Prior to the construction of the driveways, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on telephone 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](mailto: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](http://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.
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](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## DECISION:

Cr Kelly moved and Cr Cameron seconded ***“that the application for Use and Development for Subdivision (4 lots), on land located at 321 Marriott Street, WESTBURY (CT: 169983/1), by EnviroPlan, be APPROVED, generally in accordance with the endorsed plans:***

- a) **EnviroPlan – Project Number: 219025 – Drawing Numbers: 1-4;**
- b) **EnviroPlan – Bushfire Risk Assessment Report & Certificates – Dated: 3 May 2019;**

- c) Environmental Service & Design – Flood Risk Assessment – Project Number: 6869 – Date: 17 September 2019;
- d) Environmental Service & Design – On-site waste water disposal and stormwater: assessment against Planning Scheme Requirements – Dated: 16 October 2019;

*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 vehicular crossover servicing each lot must be constructed in accordance with LGAT standard drawing TSD-R03-V1 and TSD-R04-V1, to the satisfaction of the Director Infrastructure Services (see Note 1).
3. The developer must pay Council \$5,600.00, a sum equivalent to 5% of the unimproved value of the approved lots, as a Public Open Space Contribution.
4. Prior to this permit becoming effective, a Section 71 agreement must be executed, that provides the following:
  - a) Any earthworks or building works within 30m of the eastern boundary of Lots 3 and 4 and within 15m of the northern boundary of Lot 3 will require a planning permit. Additional Flood Modelling may be required. For reference, the Flood Risk Assessment prepared by Environmental Service & Design (dated 17/09/2019) and the Flood Model from Council's consultant are attached.

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

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

**5. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**

- a) Each lot must have a crossover, as per Condition 2.**
- b) The Public Open Space contribution paid, as per Condition 3.**
- c) The Part 5 Agreement has been completed, as per Condition 4.**

Note:

1. Prior to the construction of the driveways, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on telephone 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](mailto: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](http://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.

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](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, voting for the motion and Councillors Synfield and Temple voting against the motion.***

Councillor King returned to the meeting at 6.43pm



## 224/2019 25 WADLEYS ROAD, REEDY MARSH

**Planning Application:** PA\19\0242

**Proposal:** Subdivision (4 lots)

**Author:** Justin Simons  
Town Planner

### 1) Recommendation

***It is recommended that the application for Use and Development for subdivision (4 lots) on land located at 25 Wadleys Road, Reedy Marsh (CT 33436/3) by PDA Surveyors obo R Deane, be APPROVED, generally in accordance with the endorsed plans:***

- a) PDA Surveyors; Plan of Subdivision; Drawing No.: 43302J-P04**
- b) Livingston Natural Resource Services; Bushfire Hazard Management Plan; dated 14 October 2019**
- c) Traffic and Civil Services, Traffic Impact Assessment, dated July 2019**

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. A natural values management plan prepared by a suitably qualified person is to be submitted to the satisfaction of Council's Town Planner. The management plan is to outline ongoing management prescriptions required to ensure the preservation of the natural values identified to the south of the existing harvest line (see Annexure A).**

**3. A Section 71 (*Land Use Planning and Approvals Act 1993*) agreement must be executed that provides for the following:**

- a) For Lot 1 on the plan of survey, Management of all native vegetation, including standing vegetation and undergrowth species, is to be undertaken in accordance with the endorsed Natural Values Management Plan (see Condition 2), excluding:
  - i. vegetation removal reasonably required for the management of boundary fences; and**
  - ii. removal of introduced and feral species.****
  
- b) For all lots on the plan of survey, the retention and maintenance of a vegetation buffer, 15m in width, for the full length of the Wadleys Road frontage in accordance with Annexure A. Within the vegetation buffer:
  - i. existing regenerated vegetation is to be allowed to grow and natural replenish, including undergrowth species, with minimal interference;**
  - ii. removal of introduced and feral species is permitted; removal of vegetation within 1m of the boundary line is permitted for the management of boundary fences****Additional planting within the buffer is not mandated.****
  
- c) Council consent is to be obtained prior to the removal of any vegetation.**

**Note: This agreement does not imply that any other approval required under any other by-law or legislation has been granted. The following approvals may be required before any vegetation removal is undertaken:**

- a) Planning Approval in accordance with the *Land Use Planning and Approvals Act 1993*;**
- b) Permits required in accordance with the *Threatened Species Protection Act 1995*;**
- c) Permits required in accordance with the *Nature Conservation Act 2002*;**
- d) Permits required in accordance with the (Federal) *Environment Protection and Biodiversity Conservation Act 1999*;**
- e) Any other legislation applicable at the date of removal.**

**All costs associated with the preparation and registering of the agreement are to be borne by the applicant.**

**4. Prior to the sealing of the final plan of survey:**

- a) The Section 71 agreement (see Condition 3) must be executed, lodged and registered on all titles in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*.**
- b) The driveway crossover to all lots is to be upgraded/constructed in accordance with TSD R03 and R04 (gravel formation) to the satisfaction of Council's Director Infrastructure Services (see Note 1); and**
- c) Vegetation management is to be undertaken in the road reservation to ensure a safe sight distance of 85m is achieved for Lot 1 to the satisfaction of Council's Director Infrastructure Services. Vegetation removal is not to extend beyond the minimum required to achieve the safe sight distances.**

Note:

- 1. Prior to undertaking works within the road reserve, including the removal of road side vegetation and upgrading of the access, separate consent is required by the Road Authority. An application to undertake works within the road reserve is enclosed. All enquiries regarding the access should be directed to Council's Infrastructure Department on 6393 5312.
- 2. This permit does not provide approval for a dwelling, nor guarantee that a dwelling will be approved on the subject property. Reasonable steps have been taken to ensure that the permit and subsequent development does not prohibit a dwelling in the event that an application is received.
- 3. 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](mailto:mail@mvc.tas.gov.au).
- 4. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) Any other required approvals under this or any other Act are granted.
- 5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the

Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).

6. 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.
7. 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.
8. 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.
9. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## DECISION:

Cr Synfield moved and Cr Kelly seconded ***"that the application for Use and Development for subdivision (4 lots) on land located at 25 Wadleys Road, Reedy Marsh (CT 33436/3) by PDA Surveyors obo R Deane, be APPROVED, generally in accordance with the endorsed plans:***

- a) **PDA Surveyors; Plan of Subdivision; Drawing No.: 43302J-P04**
- b) **Livingston Natural Resource Services; Bushfire Hazard Management Plan; dated 14 October 2019**
- c) **Traffic and Civil Services, Traffic Impact Assessment, dated July 2019**

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. A natural values management plan prepared by a suitably qualified person is to be submitted to the satisfaction of Council's Town Planner. The management plan is to outline ongoing management prescriptions required to ensure the preservation of the natural values identified to the south of the existing harvest line (see Annexure A).**
  
- 3. A Section 71 (*Land Use Planning and Approvals Act 1993*) agreement must be executed that provides for the following:**
  - a) For Lot 1 on the plan of survey, Management of all native vegetation, including standing vegetation and undergrowth species, is to be undertaken in accordance with the endorsed Natural Values Management Plan (see Condition 2), excluding:**
    - i. vegetation removal reasonably required for the management of boundary fences; and**
    - ii. removal of introduced and feral species.**
  
  - b) For all lots on the plan of survey, the retention and maintenance of a vegetation buffer, 15m in width, for the full length of the Wadleys Road frontage in accordance with Annexure A. Within the vegetation buffer:**
    - i. existing regenerated vegetation is to be allowed to grow and natural replenish, including undergrowth species, with minimal interference;**
    - ii. removal of introduced and feral species is permitted; removal of vegetation within 1m of the boundary line is permitted for the management of boundary fences****Additional planting within the buffer is not mandated.**

- c) **Council consent is to be obtained prior to the removal of any vegetation.**

**Note: This agreement does not imply that any other approval required under any other by-law or legislation has been granted. The following approvals may be required before any vegetation removal is undertaken:**

- a) **Planning Approval in accordance with the *Land Use Planning and Approvals Act 1993*;**
- b) **Permits required in accordance with the *Threatened Species Protection Act 1995*;**
- c) **Permits required in accordance with the *Nature Conservation Act 2002*;**
- d) **Permits required in accordance with the (Federal) *Environment Protection and Biodiversity Conservation Act 1999*;**
- e) **Any other legislation applicable at the date of removal.**

**All costs associated with the preparation and registering of the agreement are to be borne by the applicant.**

- 4. **Prior to the sealing of the final plan of survey:**
  - a) **The Section 71 agreement (see Condition 3) must be executed, lodged and registered on all titles in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*.**
  - b) **The driveway crossover to all lots is to be upgraded/constructed in accordance with TSD R03 and R04 (gravel formation) to the satisfaction of Council's Director Infrastructure Services (see Note 1); and**
  - c) **Vegetation management is to be undertaken in the road reservation to ensure a safe sight distance of 85m is achieved for Lot 1 to the satisfaction of Council's Director Infrastructure Services. Vegetation removal is not to extend beyond the minimum required to achieve the safe sight distances.**

Note:

- 1. **Prior to undertaking works within the road reserve, including the removal of road side vegetation and upgrading of the access, separate consent is required by the Road Authority. An application to undertake works within the road reserve is enclosed. All enquiries regarding the access should be directed to Council's Infrastructure Department on 6393 5312.**

2. This permit does not provide approval for a dwelling, nor guarantee that a dwelling will be approved on the subject property. Reasonable steps have been taken to ensure that the permit and subsequent development does not prohibit a dwelling in the event that an application is received.
3. 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](mailto:mail@mvc.tas.gov.au).
4. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
  - c) Any other required approvals under this or any other Act are granted.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
6. 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.
7. 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.
8. 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.

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

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King and Synfield voting for the motion and Councillor Temple voting against the motion.***



## **226/2019 11 BURROWS STREET PROSPECT VALE**

**Planning Application:** PA\20\0081

**Proposal:** Multiple Dwellings (2 additional units & alterations to existing) & demolition of outbuilding

**Author:** Justin Simons  
Town Planner

### **1) Recommendation**

***It is recommended that the application for Use and Development for Multiple Dwellings (2 additional units & alterations to existing) & demolition of outbuilding, on land located at 11 Burrows Street PROSPECT VALE (CT:61360/21), by Jennifer Binns, be APPROVED, generally in accordance with the endorsed plans:***

- 1. Jennifer Binns; Drawing No.: 0416TU; Sheets: a02 – a07.**

***and subject to the following conditions:***

- 2. The driveway crossover servicing the existing dwelling is to be constructed in accordance with Council's Standard Drawings TSD-R09-v1 (with an exception for increased width) and to the satisfaction of Council's Director Infrastructure Services (see Note 1).**
- 3. A privacy screen, with 30% maximum transparency and a height of 1.7m above the finished floor surface, is to be erected to the immediate north of the patios of Units 1 and 2 on the endorsed plans.**
- 4. The bin storage area associated with the existing dwelling is to be relocated 2m to the north, behind the building line of the existing dwelling.**
- 5. The internal fencing located between the existing dwelling and the shared access is to extend to the frontage. That part of the fence within 4.5m of the frontage is to have a maximum height of 1.2m if solid, or 1.8m if 30% transparency is retained above 1.2m.**
- 6. The existing vegetation to the west of the pedestrian access of the existing dwelling is to be retained. Any fatalities or removed plants are**

**to be replaced with vegetation of a similar size (minimum mature height of 1.2m) and scale (see Annexure A).**

- 7. The parking spaces associated with Units 1 and 2 are to be line marked or otherwise delineated.**
- 8. The visitor car parking spaces must be clearly line marked or otherwise delineated and clearly identified as a visitor parking space by line marking and/or signage.**

Note:

1. Stormwater detention is required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.
2. Prior to any construction being undertaken in the road reserve (including the proposed driveway crossover), separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on (03) 6393 5312.
3. 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 (03) 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)
4. 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 (03) 6393 5320 or Council's Plumbing Surveyor on 0419 510 770.
5. 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.
6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au)
7. 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.
8. 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.
9. If any Aboriginal relics are uncovered during works:
- a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
- b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au); and
- c) The relevant approval processes will apply with state and federal government agencies.

## DECISION:

Cr Cameron moved and Cr Bower seconded ***“that the application for Use and Development for Multiple Dwellings (2 additional units & alterations to existing) & demolition of outbuilding, on land located at 11 Burrows Street PROSPECT VALE (CT:61360/21), by Jennifer Binns, be APPROVED, generally in accordance with the endorsed plans:***

- 1. Jennifer Binns; Drawing No.: 0416TU; Sheets: a02 – a07.**

***and subject to the following conditions:***

- 1. The driveway crossover servicing the existing dwelling is to be constructed in accordance with Council's Standard Drawings TSD-R09-v1 (with an exception for increased width) and to the satisfaction of Council's Director Infrastructure Services (see Note 1).**
- 2. A privacy screen, with 30% maximum transparency and a height of 1.7m above the finished floor surface, is to be erected to the immediate north of the patios of Units 1 and 2 on the endorsed plans.**
- 3. The bin storage area associated with the existing dwelling is to be relocated 2m to the north, behind the building line of the existing dwelling.**
- 4. The internal fencing located between the existing dwelling and the shared access is to extend to the frontage. That part of the fence within 4.5m of the frontage is to have a maximum height of 1.2m if solid, or 1.8m if 30% transparency is retained above 1.2m.**
- 5. The existing vegetation to the west of the pedestrian access of the existing dwelling is to be retained. Any fatalities or removed plants are to be replaced with vegetation of a similar size (minimum mature height of 1.2m) and scale (see Annexure A).**
- 6. The parking spaces associated with Units 1 and 2 are to be line marked or otherwise delineated.**
- 7. The visitor car parking spaces must be clearly line marked or otherwise delineated and clearly identified as a visitor parking space by line marking and/or signage.**

Note:

1. Stormwater detention is required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.
2. Prior to any construction being undertaken in the road reserve (including the proposed driveway crossover), separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on (03) 6393 5312.

3. 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 (03) 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)
4. 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 (03) 6393 5320 or Council's Plumbing Surveyor on 0419 510 770.

5. 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.
6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au)
7. 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.
8. 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.
9. If any Aboriginal relics are uncovered during works:
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au); and

- c) The relevant approval processes will apply with state and federal government agencies.

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion.***

## 227/2019      4 CHARLIES LANE, CARRICK

The Mayor invited Angela Williams to address Council regarding this item.

**Planning Application:**                      PA\20\0110

**Proposal:**                                      Subdivision (2 lots)

**Author:**                                        Leanne Rabjohns  
Town Planner

### 1) Recommendation

***It is recommended that the application for Use and Development for Subdivision (2 lots) on land located at 4 Charlies Lane CARRICK (CT: 174278/11), by PDA Surveyors, be APPROVED, generally in accordance with the endorsed plans:***

- a) PDA Surveyors – Plan of Subdivision – Reference: 44562J-1;
- b) Livingston Natural Resource Services – Bushfire Hazard Management Plan: Subdivision – dated 25 October 2019;

***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 vehicular crossover servicing the proposed Balance Lot must be constructed and sealed in accordance with LGAT standard drawing TSD-R03-V1 and TSD-R04-V1 and to the satisfaction of Council's Director Infrastructure Services (see Note 1).
3. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:

**a) The Balance Lot must have a crossover, as per Condition2.**

Note:

1. Prior to the construction of the driveways, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on telephone 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 (03) 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto: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](http://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.
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 Kelly moved and Cr Synfield seconded ***“that the application for Use and Development for Subdivision (2 lots) on land located at 4 Charlies Lane CARRICK (CT: 174278/11), by PDA Surveyors, be APPROVED, generally in accordance with the endorsed plans:***

- a) PDA Surveyors – Plan of Subdivision – Reference: 44562J-1;
- b) Livingston Natural Resource Services – Bushfire Hazard Management Plan: Subdivision – dated 25 October 2019;

***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 vehicular crossover servicing the proposed Balance Lot must be constructed and sealed in accordance with LGAT standard drawing TSD-R03-V1 and TSD-R04-V1 and to the satisfaction of Council’s Director Infrastructure Services (see Note 1).**

- 3. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
- a) The Balance Lot must have a crossover, as per Condition2.**

Note:

1. Prior to the construction of the driveways, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on telephone 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 (03) 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto: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](http://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.
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 Bower, Cameron, Johnston and Kelly, voting for the motion and Councillors King, Synfield and Temple voting against the motion.***

## **PLANNING AUTHORITY ITEM 228/2019**

The following are applicable to this report.

### **1) Strategic/Annual Plan Conformance**

Council's consideration of the Meander Valley Community and Strategic Plan 2014-2024 as it relates to the Draft Meander Valley Local Provisions Schedule is discussed in the officer's comments.

### **2) Policy Implications**

Not applicable.

### **3) Legislation**

Council is required to comply with the directions of the Tasmanian Planning Commission to provide the requested information to enable the assessment of Council's Local Provisions Schedule under section 35J of the *Land Use Planning and Approvals Act* (LUPAA) 1993.

### **4) Risk Management**

Not applicable.

### **5) Financial Impact**

Not applicable.

### **6) Alternative Options**

Council can opt not to endorse the recommendation or may amend the recommendation.

### **7) Voting Requirements**

Simple Majority

**228/2019 TASMANIAN PLANNING COMMISSION  
DIRECTION – DRAFT MEANDER VALLEY LOCAL  
PROVISIONS SCHEDULE – LOCAL HISTORIC  
HERITAGE CODE**

**1) Introduction**

Following the Tasmanian Planning Commission (TPC) hearing held 29 May 2019 into the Draft Meander Valley Local Provisions Schedule (LPS), the TPC have requested further information regarding Council's position on the exclusion of listings under the Local Historic Heritage Code, in the preparation of Council's Draft Local Provisions Schedule.

This report formalises Council's further submissions to the TPC.

**2) Recommendation**

***It is recommended that Council endorse the officer's comments as its submission to the Tasmanian Planning Commission, in regard to the exclusion of listings under the Local Historic Heritage Code as part of the preparation of the Draft Meander Valley Local Provisions Schedule.***

**DECISION:**

Cr Cameron moved and Cr Kelly seconded ***"that Council endorse the officer's comments as its submission to the Tasmanian Planning Commission, in regard to the exclusion of listings under the Local Historic Heritage Code as part of the preparation of the Draft Meander Valley Local Provisions Schedule."***

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion.***

## 229/2019 ESTABLISHMENT OF FEES FOR CASUAL USE OF THE WESTBURY FUNCTION CENTRE

### 1) Recommendation

*It is recommended that Council approve the fees for the casual hire and use of the new "Westbury Function Centre" as follows:*

- *\$25 per hour for meetings*
- *\$200 per function (including kitchen)*
- *\$100 for kitchen hire*
- *\$15 per use of 2 hours per change room*

### DECISION:

Cr Cameron moved and Cr Kelly seconded *"that Council approve the fees for the casual hire and use of the new "Westbury Function Centre" as follows:*

- *\$25 per hour for meetings*
- *\$200 per function (including kitchen)*
- *\$100 for kitchen hire*
- *\$15 per use of 2 hours per change room."*

*The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion.*

**230/2019 NORTHERN MIDLANDS COUNCIL – REQUEST FOR AMENDMENT TO THE NORTHERN TASMANIA REGIONAL LAND USE STRATEGY**

**1) Recommendation**

***It is recommended that Council endorse the following statement as its response to the request from Northern Midlands Council for support for an amendment to the Northern Tasmania Regional Land Use Strategy for the Ridgeside Lane proposal at Evandale:***

***“That support is provided to the Northern Midlands Council to pursue the opportunity to provide for the growth of the Evandale settlement and that it is noted that it will be incumbent upon the Northern Midlands Council to demonstrate to the TPC and the Minister the appropriateness of the specific proposal”.***

**DECISION:**

Cr Cameron moved and Cr Bower seconded ***“that Council endorse the following statement as its response to the request from Northern Midlands Council for support for an amendment to the Northern Tasmania Regional Land Use Strategy for the Ridgeside Lane proposal at Evandale:***

***That support is provided to the Northern Midlands Council to pursue the opportunity to provide for the growth of the Evandale settlement and that it is noted that it will be incumbent upon the Northern Midlands Council to demonstrate to the TPC and the Minister the appropriateness of the specific proposal”.***

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly and King voting for the motion and Councillors Synfield and Temple voting against the motion.***

***Councillor Synfield abstained from the vote.***

## 231/2019 2020 COUNCIL MEETING DATES AND TIME

### 1) Recommendation

***It is recommended that Council approve the following schedule of ordinary meetings for 2020, with meetings commencing at the Westbury Council Chambers at 4:00pm:***

- 1. Tuesday, 21 January***
- 2. Tuesday, 11 February***
- 3. Tuesday, 10 March***
- 4. Tuesday, 21 April***
- 5. Tuesday, 12 May***
- 6. Tuesday, 9 June***
- 7. Tuesday, 14 July***
- 8. Tuesday, 11 August***
- 9. Tuesday, 8 September***
- 10. Tuesday, 13 October***
- 11. Tuesday, 10 November***
- 12. Tuesday, 8 December***

### DECISION:

Cr Bower moved and Cr Kelly seconded ***“that Council approve the following schedule of ordinary meetings for 2020, with meetings commencing at the Westbury Council Chambers at 4:00pm:***

- 1. Tuesday, 21 January***
- 2. Tuesday, 11 February***
- 3. Tuesday, 10 March***
- 4. Tuesday, 21 April***
- 5. Tuesday, 12 May***
- 6. Tuesday, 9 June***
- 7. Tuesday, 14 July***
- 8. Tuesday, 11 August***
- 9. Tuesday, 8 September***
- 10. Tuesday, 13 October***
- 11. Tuesday, 10 November***
- 12. Tuesday, 8 December***



***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion.***

232/2019 REGIONAL ECONOMIC DEVELOPMENT  
STRATEGY

1) Recommendation

*It is recommended that Council endorse the Regional Economic Development Strategy (REDS) as provided by the Northern Tasmania Development Corporation (NTDC) Ltd.*

**DECISION:**

Cr Bower moved and Cr Cameron seconded ***“that Council endorse the Regional Economic Development Strategy (REDS) as provided by the Northern Tasmania Development Corporation (NTDC) Ltd.”***

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion.***

## 233/2019 APPOINTMENT OF COUNCIL REPRESENTATIVES ON VARIOUS COMMITTEES AND ORGANISATIONS

### 1) Recommendation

***It is recommended that Council appoint representatives to the following Council Committees and external organisations:***

#### **LEGISLATIVE COMMITTEE/ORGANISATION**

<b>Group</b>	<b>Representative/s</b>
Audit Panel <i>(1 or 2 elected members)</i>	<i>Cr Nott Cr Bower</i>
MVC Emergency Management and Community Recovery Committee <i>(2 elected members)</i>	<i>Currently Vacant Cr Sherriff</i>
TasWater <i>(1 elected member as Shareholder and 1 elected member as proxy)</i>	<i>Mayor Johnston (Proxy) Deputy Mayor Kelly</i>

#### **EXTERNAL COMMITTEES/ORGANISATION**

<b>Group</b>	<b>Representative/s</b>
Great Western Tiers Tourism Association <i>(1 elected member as a liaison representative)</i>	<i>Cr Temple</i>
Northern Tasmanian Regional Development Board <i>(1 elected member as Shareholder; 1 elected member and 1 Council representative for Local Government Committee)</i>	<i>Elected member: Mayor Johnston Local Government Committee: Mayor Johnston General Manager</i>
Local Government Association of Tasmania	<i>Mayor Johnston (Proxy) Deputy Mayor Kelly (Proxy) General Manager</i>

Tamar Fire Management Area Committee (1 representative)	General Manager or their proxy
Central North Fire Management Area Committee (1 representative)	General Manager or their proxy
<b>INTERNAL COMMITTEES</b>	
<b>Group</b>	<b>Representative/s</b>
Australia Day Awards Committee (2 elected members)	Cr Kelly Cr Bower
Community Grants Committee (2 elected members)	Cr King Cr Cameron
Development Assessment Group (2 elected members)	Councillors

## DECISION:

Cr Kelly moved and Cr Cameron seconded ***“that Council appoint representatives to the following Council Committees and external organisations:***

### LEGISLATIVE COMMITTEE/ORGANISATION

<b>Group</b>	<b>Representative/s</b>
Audit Panel (1 or 2 elected members)	Cr Nott Cr Bower
MVC Emergency Management and Community Recovery Committee (2 elected members)	Mayor Johnston Cr Sherriff

TasWater (1 elected member as Shareholder and 1 elected member as proxy)	Mayor Johnston (Proxy) Deputy Mayor Kelly
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## EXTERNAL COMMITTEES/ORGANISATION

Group	Representative/s
Great Western Tiers Tourism Association (1 elected member as a liaison representative)	Cr Temple
Northern Tasmanian Regional Development Board (1 elected member as Shareholder; 1 elected member and 1 Council representative for Local Government Committee)	Elected member: Mayor Johnston Local Government Committee: Mayor Johnston General Manager
Local Government Association of Tasmania	Mayor Johnston (Proxy) Deputy Mayor Kelly (Proxy) General Manager
Tamar Fire Management Area Committee (1 representative)	General Manager or their proxy
Central North Fire Management Area Committee (1 representative)	General Manager or their proxy

## INTERNAL COMMITTEES

Group	Representative/s
Australia Day Awards Committee (2 elected members)	Cr Kelly Cr Bower
Community Grants Committee (2 elected members)	Cr King Cr Cameron
Development Assessment Group (2 elected members)	Councillors

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion.***

## 234/2019 SPECIAL COMMITTEES OF COUNCIL

### 1) 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:***

<b><i>Special Committee</i></b>	<b><i>Members</i></b>
<b><i>Birralee Memorial Hall Committee</i></b>	D Arnold, Er Blackberry, Es Blackberry, G Blackberry, L Blackberry, J Booth, L Brient, F Camino, M Dewsberry, D Hall, N Hall, R Rumble
<b><i>Bracknell Public Hall and Recreation Ground Committee</i></b>	A Cousens, S Cousens, C Jones, N Jones, Sh Jones, St Jones, E Leonard, R Leonard, I Mackenzie, T Preece, L Richardson, B Shelton, Ma Shelton, Me Shelton, O Shelton, C Spencer
<b><i>Carrick Community Committee</i></b>	S Bollard, J Cunningham, S Jones, D Keygan, R Shean, B Stevenson, S Stevenson, D Williams, R Williams
<b><i>Caveside Recreation Committee</i></b>	C Capper, G Capper, Ann Crowden, And Crowden, M Crowden, Z Crowden, C Doyle, N Doyle, L Ertler, Ka Haberle, Ke Haberle, B Harris, B Hedger, P Hickman, K Howe, M Howe, C Linger, R Linger, M Manners, S Manners, J Philpott, S Philpott, Cl Robertson, G Robertson, J Robertson, T Roberstson, D Rollins, M Rollins, A Scott, D Scott, J Scott, R Stafford
<b><i>Chudleigh Memorial Hall Committee</i></b>	A Cameron, M Cameron, N Clarke, D Crowden, S Crowden, L Ertler, L Flannagan, L Haberle, P Hickman, L Middleton, L Motton, D Philpott, L Philpott, P Philpott, T Picket, N Ritchie, B Sturzaker, W Richardson, M Wyer
<b><i>Dairy Plains Memorial Hall Committee</i></b>	Al Atkins, Am Atkins, B Atkins, G Atkins, K Atkins, M Atkins, N Atkins, P Atkins, R Atkins, L Dowling, B Phelan, T Phelan
<b><i>Deloraine Community Car Committee</i></b>	A Axelsen, R Axelsen, K Earley, C Fowler, S Keegan, R Roles, L Wadley, M Young
<b><i>Meander Hall and Recreation Ground Committee</i></b>	A Berne, K Bird, T Buttery, A Costello, C Chilcott, D Chilcott, N Chilcott, S Jones, N Johnston (Hon), S Johnston, B McGowan, S Saltmarsh, H Smith
<b><i>Mole Creek Memorial Hall Committee</i></b>	D Bishop, D Charlton, K Faulkner, M Martin, T Meure, J Nicol, K Philpott, M Philpott, R Quick, D Stewart, B Walters, S Wilks
<b><i>Rosevale Memorial Hall</i></b>	K Best, L Blackwell, G Cuthbertson, W Cuthbertson,

<b>and Recreation Ground Committee</b>	C Davson-Galle, M Eddington, R Hardwicke, C Hendley, T Hendley, R Millwood, T Reed, J Rowlands, G Smith, B Tatnell, H Scheibler, R Scheibler
<b>Selbourne Memorial Hall Committee</b>	A Batterham, M Brown, J Brown, P Brown, D Eyles, G Eyles, J Eyles, P Eyles, D French, J French, M Heazelwood, M Hills, T Hills, A Reed, N Reed,
<b>Weegena Hall Committee</b>	J Buck, R Buck, C Gard, M Graves, S Harvey, J Hawley, A Lindsay, B Lindsay, G Lindsay, J Lindsay, M Lindsay, C Norton, L Norton, L Pittard, C Roberts, S Roberts, A Robinson, F Robinson, K Sheldon, M Sheldon, G Swinsburg, R Thomas, M Webster
<b>Westbury Community Car Committee</b>	E Blackley, C Blazeley, T Carter, K Hewlett, W Jarman, P Kilroy, D Pyke, R Travis
<b>Westbury Recreation Ground Management Committee</b>	L Brient, G Claxton, M Claxton, J Humphreys, D Jarvis, C King, G McDonough, J McDonough, K Pitt, R Poulton, R Reinmuth, B Richardson, S West
<b>Westbury &amp; Districts Historical Society</b>	S Badcock, M Cameron, B Green, V Greenhill, A Manners, S Manners, P Matanle, J Starr-Thomas, P Swain, A Taylor, K Treloggan, S West, A Witherden
<b>Whitemore Recreation Ground Committee</b>	P Coull, M Cresswell, M Dent S French, K Hingston, N Hingston, K Johns, R Johns, B Pearn, S Pearn, K Pitt, E Shaw, C Suitor

## DECISION:

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

<b>Special Committee</b>	<b>Members</b>
<b>Birralee Memorial Hall Committee</b>	D Arnold, Er Blackberry, Es Blackberry, G Blackberry, L Blackberry, J Booth, L Brient, F Camino, M Dewsberry, D Hall, N Hall, R Rumble
<b>Bracknell Public Hall and Recreation Ground Committee</b>	A Cousens, S Cousens, C Jones, N Jones, Sh Jones, St Jones, E Leonard, R Leonard, I Mackenzie, T Preece, L Richardson, B Shelton, Ma Shelton, Me Shelton, O Shelton, C Spencer
<b>Carrick Community Committee</b>	S Bollard, J Cunningham, S Jones, D Keygan, R Shean, B Stevenson, S Stevenson, D Williams, R Williams
<b>Caveside Recreation</b>	C Capper, G Capper, Ann Crowden, And Crowden,



<b>Committee</b>	M Crowden, Z Crowden, C Doyle, N Doyle, L Ertler, Ka Haberle, Ke Haberle, B Harris, B Hedger, P Hickman, K Howe, M Howe, C Linger, R Linger, M Manners, S Manners, J Philpott, S Philpott, Cl Robertson, G Robertson, J Robertson, T Roberstson, D Rollins, M Rollins, A Scott, D Scott, J Scott, R Stafford
<b>Chudleigh Memorial Hall Committee</b>	A Cameron, M Cameron, N Clarke, D Crowden, S Crowden, L Ertler, L Flannagan, L Haberle, P Hickman, L Middleton, L Motton, D Philpott, L Philpott, P Philpott, T Picket, N Ritchie, B Sturzaker, W Richardson, M Wyer
<b>Dairy Plains Memorial Hall Committee</b>	Al Atkins, Am Atkins, B Atkins, G Atkins, K Atkins, M Atkins, N Atkins, P Atkins, R Atkins, L Dowling, B Phelan, T Phelan
<b>Deloraine Community Car Committee</b>	A Axelsen, R Axelsen, K Earley, C Fowler, S Keegan, R Roles, L Wadley, M Young
<b>Meander Hall and Recreation Ground Committee</b>	A Berne, K Bird, T Buttery, A Costello, C Chilcott, D Chilcott, N Chilcott, S Jones, N Johnston (Hon), S Johnston, B McGowan, S Saltmarsh, H Smith
<b>Mole Creek Memorial Hall Committee</b>	D Bishop, D Charlton, K Faulkner, M Martin, T Meure, J Nicol, K Philpott, M Philpott, R Quick, D Stewart, B Walters, S Wilks
<b>Rosevale Memorial Hall and Recreation Ground Committee</b>	K Best, L Blackwell, G Cuthbertson, W Cuthbertson, C Davson-Galle, M Eddington, R Hardwicke, C Hendley, T Hendley, R Millwood, T Reed, J Rowlands, G Smith, B Tatnell, H Scheibler, R Scheibler
<b>Selbourne Memorial Hall Committee</b>	A Batterham, M Brown, J Brown, P Brown, D Eyles, G Eyles, J Eyles, P Eyles, D French, J French, M Heazelwood, M Hills, T Hills, A Reed, N Reed,
<b>Weegena Hall Committee</b>	J Buck, R Buck, C Gard, M Graves, S Harvey, J Hawley, A Lindsay, B Lindsay, G Lindsay, J Lindsay, M Lindsay, C Norton, L Norton, L Pittard, C Roberts, S Roberts, A Robinson, F Robinson, K Sheldon, M Sheldon, G Swinsburg, R Thomas, M Webster
<b>Westbury Community Car Committee</b>	E Blackley, C Blazeley, T Carter, K Hewlett, W Jarman, P Kilroy, D Pyke, R Travis
<b>Westbury Recreation Ground Management Committee</b>	L Brient, G Claxton, M Claxton, J Humphreys, D Jarvis, C King, G McDonough, J McDonough, K Pitt, R Poulton, R Reinmuth, B Richardson, S West
<b>Westbury &amp; Districts Historical Society</b>	S Badcock, M Cameron, B Green, V Greenhill, A Manners, S Manners, P Matanle, J Starr-Thomas, P Swain, A Taylor, K Treloggan, S West, A Witherden
<b>Whitemore Recreation</b>	P Coull, M Cresswell, M Dent S French, K Hingston,

<b>Ground Committee</b>	N Hingston, K Johns, R Johns, B Pearn, S Pearn, K Pitt, E Shaw, C Suitor
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***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion.***

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

Councillor Kelly moved and Councillor Bower seconded ***“that pursuant to Regulation 15(2) 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 Bower, Cameron, Johnston, Kelly, King, Synfield and Temple voting for the motion.***

Council moved to Closed Session at 7.17pm

### **235/2019 CONFIRMATION OF MINUTES**

(Reference Part 2 Regulation 34(2) Local Government (Meeting Procedures) Regulations 2015)

### **236/2019 LEAVE OF ABSENCE**

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

### **237/2019 APPOINTMENT OF GENERAL MANAGER**

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

### **238/2019 AUSTRALIA DAY AWARDS 2020**

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

Council returned to Open Session at 7.35pm

The meeting closed at 7.36pm

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Wayne Johnston  
**Mayor**