

Minutes of the Ordinary Meeting of the Meander Valley Council held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 13 July 2021 at 3.08pm.

Mayor Wayne Johnston acknowledged Councillor Susie Bower for her time and efforts representing Meander Valley Council.

PRESENT

Chairperson Mayor Wayne Johnston (via Zoom),
Deputy-Mayor Michael Kelly (via Zoom),
Councillors Stephanie Cameron, Tanya King,
Frank Nott, Andrew Sherriff, Rodney Synfield,
John Temple and Deborah White.

APOLOGIES

Nil

IN ATTENDANCE

John Jordan, General Manager
Merrilyn Young, Executive Assistant
Dino De Paoli, Director Infrastructure Services
Jonathan Harmey, Director Corporate Services
Matthew Millwood, Director Works
Krista Palfreyman, Director Development & Regulatory Services
Melissa Lewarn, Manager, Community Wellbeing & Lifestyle
Jacqui Parker, Governance Co-ordinator
Natasha Whiteley, Team Leader Planning
Justin Marshall, Team Leader Finance
Laura Small, Town Planner
Matthew Abell, Graduate Town Planner
Rob Little, Asset Management Coordinator

ACKNOWLEDGEMENT OF THE PASSING OF MR TERRY ROLES

Cr Tanya King acknowledged the recent passing of Mr Terry Roles. A prominent local and self-made horse trainer, Terry was an inductee of the Tasmanian Racing Hall of Fame and a major supporter of the Deloraine Kangaroos Football Club. Terry's contributions to the community were significant and he will be greatly missed by many.

Our thoughts are with his wife Rosanne and daughters Erin and Sophie and in his memory Council has made a formal donation to Fight MND.

116/2021 CONFIRMATION OF MINUTES

Councillor Nott moved and Councillor Sherriff seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 8 June 2021, be received and confirmed.”***

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

Cr White abstained from the vote.

117/2021 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

Date	Items discussed:
22 June 2021	<ul style="list-style-type: none">• NTDC Presentation – Greater Launceston Plan• Draft Budget Estimates Review• Proposed replacement of ‘Be Bowled Over’ Highway Signs at Westbury• Aged Care Deloraine – Loan Facility• Transfer of Horse Day Stalls to Deloraine District Pony Club• Annual Plan 2021-22• Memorandum of Understanding – Short Walks Capital of Tasmania• Northern Tasmanian Prospectus • Items for Noting:<ul style="list-style-type: none">a) Bracknell Hall – Project Updateb) Deloraine Squash Courts – Project Updatec) Sports Forums

118/2021 ANNOUNCEMENTS BY THE MAYOR

9 June 2021

NTDC members meeting

Official opening of Hadspen Bull Run – public toilet, BBQ shelter and playground

10 June 2021

TEMT meeting

11 June 2021

Ashgrove Cheese official opening

18 June 2021

Meeting with Department of Justice

22 June 2021

Council Workshop

24 June 2021

TasWater Owners meeting

30 June 2021

LGAT AGM

5 July 2021

NTDC meeting

6 July 2021

Meeting with Concerned Residents Opposed to the Westbury Prison Site

Carrick Community Committee meeting

13 July 2021

Citizenship Ceremony

119/2021 ANNOUNCEMENTS BY COUNCILLORS

Reference No. 119/2021

Cr Frank Nott

Sunday 27 June 2021

Attended Tasmanian Youth Orchestra performance – Albert Hall (obo Mayor)

120/2021 DECLARATIONS OF INTEREST

GOV 2 (131/21) Cr Tanya King – 2021-22 Community Grants – Round 1
GOV 4 (133/21) Cr Tanya King - Removal and repurposing of race day stalls at Deloraine Turf Club

121/2021 TABLING AND ACTION ON PETITIONS

On 7 July 2021, the General Manager received a petition from Ms Sally McKaige who asserts 86 signatories.

The petition is titled "*Petition to Stop Inappropriate Development in Carrick.*"). The General Manager reviewed the requirements of the Act and recommends that the petition be tabled as compliant with s57 of the *Local Government Act 1993*, with 31 compliant signatories.

122/2021 PUBLIC QUESTION TIME

1. PUBLIC QUESTIONS TAKEN ON NOTICE – JUNE 2021

Nil

2. PUBLIC QUESTIONS WITH NOTICE – JULY 2021

2.1 P Nicholson - Prospect Vale

I refer to Council's role as a planning authority.

A review of Council minutes demonstrates that Councillors Synfield, Nott and Temple seem to routinely vote against planning officer recommendations and scheme compliant development.

Of the total planning applications which have been voted on by councillors in the current term; can Council provide details of how many times individual councillors have voted against planning staff recommendations?

Can Councillors Synfield, Temple and Nott explain to the community why they vote against so many applications which meet requirements and with apparent disregard for their planning role obligations?

Response by John Jordan, General Manager:

For relevant guidance on the role of elected representatives in planning matters, I refer to the Department of Premier and Cabinet's Good Governance Guide. In a statutory capacity, councillors are required to make decisions on individual developments in accordance with the planning scheme. When sitting as a member of a planning authority, there is limited discretion and councillor decisions must be based on the provisions of the planning scheme and the qualified advice of planning officers.

In the current term, a total of 50 planning applications have been determined by Council. Of these, 8 decisions did not adopt the recommendations of planning officers.

The following is a tally of occasions on which each Councillor has voted against the recommendation of Council's planning team:

Councillor	Instances
Cr Temple	24
Cr Synfield	20
Cr Nott	14
Cr King	11
Cr Cameron	8
Cr Sherriff	7
Mayor Johnston	7
Dep Mayor Kelly	6

Response by Cr Frank Nott:

I take the matter in voting on developments very seriously. In most cases I try and visit the site, if possible, I talk to the Planners and I also talk to representors. I then listen to debate, discussion in order to make up my mind as to which way I will vote. There are times when it is up to interpretation in relation to the issues/comments made by the Planners and listening to

representations and then making a decision around the table. The key point in my view is when there is community interest it may be discretion or an interpretation and the representors always have that opportunity to take it to the tribunal. In some cases, as we found for instance with Wadley's Road and Mr Heathcote, it was like a test case. I looked at it very carefully and treasure the democratic right to make an opinion and vote that way. I'm not against all development but I want sensible development and I try and make myself aware and I'm always available.

Response by Cr Rodney Synfield:

I concur with most of what Cr Nott has already said. My view is the right to vote as a member of a Planning Authority comes implicit within the power to say yes or no. It would be an absurdity if my vote were non-effective in the sense that I was required to agree with the recommendation of the Planner. In many instances the discretion we're exercising revolves around qualitative assessments and another word for qualitative is subjective. It is in the eye of the beholder, in taking all into account, we're required to receive all the advice of our expert planners. What we then do with it is up to us, and that is what that full exercise of that vote entails. An example of that today is we've received, since the recommendation came out, an additional appendix in relation to the one planning matter before us and that may well have changed the recommendation, in this case it didn't, but it may well have done and that was brought to the attention of the Planner doing the assessment by one of the Councillors and a subsequent document was produced. The upshot is the recommendation has remained the same and I'm sure more will be said on that. But as I say, at the end of the day, we are charged with dealing with planning matters. There are lots of extraneous things that the community might hold a view on in relation to a particular planning matter, some of which we can't take into account. We are assessing it against the Scheme, but at the end of the day in terms of discretion we have the full power to exercise either a yes or no vote and that's what I attempt to do to the best of my ability.

It may be useful in one of our near future newsletters that Council issues, we might be able to enclose an article addressing our role as a Planning Authority and the powers etc. without getting bogged in detail. It might be a useful exercise to provide some information to the community in general as to what we do as a Planning Authority.

Response by Cr John Temple:

There is not a lot I can answer following the previous two speakers. They have enunciated the issues very well. The only thing I could add: I noted with interest the table on Page 7 of the agenda. We've all been able to vote for the recommendation more than 50% of the time.

Response by Cr Andrew Sherriff:

I think as Councillors we need to be mindful that our Planners do a good job within the Council. We have to also be mindful that if we go against the planners that this could potentially go to the Tribunal and get overturned which costs the ratepayers money, which I don't want to spend the ratepayers' money when we don't have to. We just need to be mindful of that at the same time. It is good that we do have a choice to pick through things and make sure the t's are crossed and i's are dotted, but at the same time we need to be mindful of ratepayers' money.

Response by Cr Stephanie Cameron:

I do really respect the role that our Planners on Council play. I do take the role as a Planning Authority very seriously. It is sometimes really hard to make a decision but it is a very serious role and we only make those decisions based on the information we have in front of us at the time. The ramifications of a "No" is something we really have to consider.

3. PUBLIC QUESTIONS WITHOUT NOTICE – JULY 2021

3.1 Martin Hamilton, Westbury

1. Given the GM has indicated that, in his eyes, the petition due to be tabled today is a public document and thus should be made available for public viewing, will Council outline what security measures will be in place (such as a viewing log, supervised viewing etc) to protect the details of any of the signatories being photographed, copied or otherwise distributed?"

Response by John Jordan, General Manager:

Petitions are public documents as a matter of definition and general understanding, not by virtue of any opinion I may hold. There is no basis for the security measures suggested. This is a paper petition that has clearly been

on display in numerous public places prior for an unknown period prior to lodgment.

2. If Council allows the petition to be viewed by the public, and any signatory suffer by being singled out and targeted as a result of their details being made public, will Council assume liability for any legal cases that may ensue, due to them being complicit in allowing the private information of these individuals to be exploited?"

Response by John Jordan, General Manager:

Council will handle this public document in precisely the manner required by ordinary principles of good governance and by virtue of the Right to Information Act 2004. There is no assumption of liability that follows from proper handling of public documents. By its nature, a petition is not a volume of personal information that Council has collected or solicits. To the contrary, Council's role is to merely accept and table completed petitions pursuant to the Local Government Act 1993, then determine any action in response to it. For that reason, Council cannot be considered the personal information custodian responsible for ensuring that signatories understand, at the time of signing, that a petition is a public document and will be published or otherwise made available for public viewing.

It is unclear whether the Protection of Personal Information Act 2004 may instead deem Ms Loader, as the party gathering signatures and personal information, a custodian instead. Regardless, the time for warning any person who was unclear about the nature of a petition (or about precisely how their personal information would be used by Ms Loader) has now passed. The lodgment of this document as a complying petition cannot now be undone. Council received this document as a completed petition which triggers a legislatively compelled public meeting and the associated public expenditure involved with that process, and it is obliged to be transparent with all sections of the community.

3.2 Emma Hamilton, Westbury

1. I note that the General Manager has included in his report for Council regarding the petition due to be tabled the following: "Notes that the petition as tabled is a public document and that a copy of the full petition will be made available for viewing at the Council Offices at 26 Lyall Street, Westbury". The General Manager has provided legislation references in his other points, but gives no reference to legislation or policy that highlights the petition as a "public document". Can Council please provide references to all legislative and/or policy documents

(including version numbers, dates etc of said documents) that refer to petitions to a municipal council as "public documents", and relevant details like legislative timeframes that the document is available to be viewed for?

Response by John Jordan, General Manager:

If Ms. Hamilton wishes to provide qualified and specific legal advice to support her views then Council will consider this.

A petition is a public document which normally compels action, including that which would necessitate the expenditure of public funds or a public action. The act of tabling the document makes the document public. The public interest being served by providing a means for the public to scrutinise the intent of the petition and also to enable testing of compliance with legislative requirements relating to petitions under Part 6, Division 1 of the Local Government Act (1993). Importantly, public viewing serves to enable the public reconciliation of signatures against the Electoral Roll.

Council notes the paper petition that has been circulated in numerous locations across the municipality for an unspecified period of time while signatures have been gathered. The onus is on the petitioner (in this case Ms Anne-Maree Loader), not Council, to ensure that people signing the document understand that the information within the petition is not private and may be viewed by members of the public having reason to do so.

By its nature, petitions are well understood within the community as public documents. As an example for comparison, in other municipalities, petitions are routinely published in full within Council Minutes. For practical reasons, Meander Valley Council has not elected to take that approach in this instance. The document will instead be viewable until after the public meeting it calls for, after which it will be available for viewing by request. Phone numbers will be redacted. This is consistent with the Tasmanian Electoral Commission's policy of making the electoral roll available for public viewing.

3.3 Anne Marie Loader, Westbury

- a) Does the General Manager acknowledge that I, Mrs Anne-Marie Loader, agreed to meet with him in advance of the agenda being prepared, but only if the Council agreed to that meeting being recorded and then it was refused?

Response by John Jordan, General Manager:

The meeting wasn't refused, the requirement to consent to the recording of the meeting was. We have given an undertaken that we continue to be interested in meeting and in fact have met with other petitioners.

- b) Hundreds of people have signed the petition based on the very broad heading at the top of the petition capturing the broader issue of the prison being located in the Meander Valley itself. This does not need further explanation or any interpretation.

Since lodging the petition, I, Mrs Loader, has confirmed that the scope of the meeting should be based on the wording of the petition itself

In these circumstances, why would the General Manager consider it appropriate to recommend a narrowing of the scope of the meeting so as to limit the subject matter of meeting to the Westbury reserve?

Response by John Jordan, General Manager:

The recommendation that I made was based on the ambiguity of the petition requirement – which is: “We the undersigned call upon Meander Valley Council to hold a public meeting about the Northern Regional Prison proposal”; not “proposals”. That is then correlated to the letter of 4 June covering letter to the petition, and I will read it from that letter” “I enclose a petition calling on the Council to hold a Public Meeting in relation to the proposed location of the Northern Regional Prison at the new site also on Birralea Road, Westbury.” So the recommendation that I have made is informed by the ambiguity within the petition itself calling for a meeting on proposal, not proposals, and your own words in your covering letter which I have just read.

3.4 Linda Poulton, Westbury

Just based what you have said just then about narrowing the meeting to the Reserve. You have now been told by Anne-Marie and it's what everybody here who wants this meeting to be much broader than the way you have chosen to interpret it. You have failed to read out the rest of the letter which said “we want a meeting to discuss the proposal wherever it might be in the Municipality”, that's what the remainder of the letter said. So you're hearing this from us now.

Who have you heard from otherwise?
Have you consulted CROWPS?

What has CROWPS said about how they would like want the meeting to be held?
What type of meeting do they want?

Response by John Jordan, General Manager:

Just to quote the letter (for clarity of the record), the letter reads: "As stated repeatedly in previous correspondence we believe it to be a statutory responsibility of the council to consult with its community about the proposed location of the Northern Regional Prison in the Meander Valley municipal area wherever the location might be."

That is a statement of belief as opposed to a request.

The second element to your question -

CROWPS in the meeting indicated that they were grateful for the consultation around what the meeting ought to achieve and what it should focus on, and it was a meeting offered in the same spirit as we did for Anne-Marie.

Aaron as representative of CROWPS sent me an email last night indicating that they believe that a broader scope for the meeting was appropriate.

Just as a point of clarification. It is not my decision as the General Manager in any of this. They are a series of recommendations. It remains the role of the Councillors to determine the scope of the meeting.

3.5 Harvey Gee, Exton

- a) Council's own recordings of its meetings are often inaudible and are not released on a timely basis. Because many people are not able to access the meeting room would you consent to the meeting being recorded for those who cannot get in?
If not, why not?

Response by Mayor Wayne Johnston:

They are being recorded as we speak and will continue to do what we've done for the last few meetings.

Comment by Cr Rodney Synfield:

As a point of clarification are they actually asking that they may record it separate to the official recording that we are making? Is that in fact what the question is hoping to achieve?

Response by Mayor Wayne Johnston:

Is that the question you are asking?

- b) Yes provided that it is clear to all concerned and the gallery and anybody else who wants to take interest in these matters.

Now I want to ask another question....

The Chairperson refused the second question as it was operational in nature.

3.6 Peter Wileman, Westbury

I have recently written to the general manager about my concerns that the council has an overwhelming Liberal bias. The General Manager has assured me that he is confident that councillors are able to rise above their political views in this matter. But it appears that the councillors are gagged.

- a) Does the Council have written legal advice on the bias issue which it continually relies on to gag its councillors? I notice today that councillors are not allowed to answer questions. Is that on legal advice?

Response by John Jordan, General Manager:

First of all, I would ask that you produce the statement where I've said about specific Liberal Party matters. I do not recall any statement to that effect. I have not made any statement in my recollection that relates to Liberal Party bias and in answer to your question I see no reason to seek legal advice on that bias because I've not seen any bias applied in the meetings. Meeting conventions and procedures require any bias on a particular matter to be declared and you've seen that demonstrated today with Cr King.

- b) So, the councillors are free to answer questions in here are they?

Response by Mayor Wayne Johnston:

The Councillors are free to answer questions as long as the question is directed through me and the Councillors are prepared to answer it. It is there choice?

- c) So we are confident there is no legal reason why we can't talk to the Councillors and get answers from them?

Response by Mayor Wayne Johnston:

Not that I'm aware of.

Response by Cr Andrew Sherriff:

You can contact us whenever you like and talk to us.

3.7 Julie Gee, Westbury

Why do the Council play games with its community by refusing to make any genuine attempt to hold a meeting to consult and involve us on the prison proposal in general. So why do they refuse to have this meeting?

Response by Mayor Wayne Johnston:

We haven't refused to have this meeting. The previous petition that came forward was non-compliant. So this petition is compliant and as you can see in our Agenda today we will be debating the Public Meeting going forward and I think there is a date set for it.

3.8 Emma Hamilton

I submitted two Questions with Notice to Council and Councillors, Question 2 is relevant in particular to Mr Wileman's question about Councillors being allowed to speak freely. I also note "Section 9 Alternative Recommendations. Council can approve the recommendation but noting that legislative requirements do apply in respect to recommendation 7." In this section there is no mention of Council having a legislative responsibility to disclose the petition as a public document. Will any Councillor based on the evidence attached to this question move an amended motion to prohibit the petition from becoming a public document especially given the behaviours towards anti-prison proponents that have both been reported in the Meander Valley Gazette and also available for public viewing on the Northern Regional Prison Site Information Page on Facebook.

Response by Councillor Rodney Synfield:

My comment is from seeing those emails, or the first one. My bit of my research is the petition becomes an official document. I didn't see anything that stated it as a public document, so I guess in the sense where I'd be coming from, is it a case that someone through an RTI can apply to see it? I wouldn't necessarily equate that just in itself as in the fact that somebody would table, be required to table the Petition under the Act. I wouldn't read that, I'm not a lawyer, but I wouldn't equate that as simply mandating that it's suddenly a public document that all can see. In the limited time I had available that's the view that I formed, yes it certainly becomes an official document and only the petition itself. Anything else appendant, NSW, Victoria and Western Australia said in terms of an earlier issue that was raised, said that any attached documents do not form part of a petition but for me as I see that the petition is now part of the record but not necessarily something that you can just rock up and ask to have a look at. Obviously people can, when the petition is put out in many institutions and businesses across the Municipality. However a petition is getting signed, other people can see other people's names on that same petition and there are rules about not being able to tamper with or remove other names etc. But for me I see it as part of the official record, but at this point not necessarily part of a public record that you can just view because you want to view it, but that doesn't mean that people can't apply for a request through formal channels to see it.

Response by Councillor John Temple:

It is not something I am expert in and I would need to take the Question on Notice.

Response by Councillor Frank Nott:

If there are differing rules in different States I think it is important that my general broadbrush comment would be to be as open and transparent as possible.

Emma Hamilton, Westbury

Keeping in mind that legislation for State or Federal Government could be different to the municipal level of government, if my question is going to be taken on notice can I get an agreement that it will not be available for public viewing until after next month when an answer has been given. Can a part of the motion be held over and suspended?

Response by John Jordan, General Manager:

Response can be deferred until the petition item on the Agenda is considered in full.

Response by Cr Andrew Sherriff:

I'm sorry but I don't fully understand your question.

Can you explain why you want it withheld, I don't understand what you're trying to actually withhold it from.

Response by Emma Hamilton:

I already provided evidence in the email that I sent about things that have happened to people in the community because they have had a vocal anti-prison stance, including Mr Wileman who has had Ratsak poison packets put in his yard where his small dogs play, on-line bullying and harassment, threatening driving by people with "Just Build It" stickers, going down the highway when there are people with No Prison stickers. I am quite concerned if there is someone who wants the prison and they can have a list of over 1,000 people's names who don't want the prison you're giving them a list of people to target and, as Council you should be protecting those people from people who may wish to harm them or even just frighten them and intimidate them with anti-social behaviour. Those names have been handed to you; these people are trusting you to protect them from others in the community that might harm them. That is why I am asking you to withhold the names. You are on the Grace Rock page. You see the vitriol that her page creates. How can you say you don't want to protect those people?

Response by Councillor Andrew Sherriff:

I am sorry I didn't understand your question. I can fully relate to what you're saying and yes I don't think it should be published, you've got a perfectly fair point. To explain why I am on that page I actually asked to join both pages and I was denied the privilege of joining your page.

Response by Emma Hamilton:

Because we wanted to protect you from an accusation of bias. Because that page that you wanted to join is the citizens opposed to the prison.

Response by Councillor Andrew Sherriff:

But I wanted to join that page that related to the people that are against the prison.

Response by Emma Hamilton:

Are you not worried about bias?

Response by Councillor Andrew Sherriff:

It's about having information so that us, as Councillors, can make the right decision when the time comes and that's getting a view from both sides, not one side. We've got to act as fairly as we can.

Mayor Wayne Johnston:

This is not a place for debate.

Response by Deputy Mayor Michael Kelly:

Some of these things that Emma has been discussing I imagine would be a Tasmania Police matter not a Council matter.

Response by John Jordan, General Manager:

Just in clarification to Mr Wileman's earlier question -

Mr Wileman I par quote his email of 12 July 2021 received at 10.33am

"The Council represents all residents of the Meander Valley not just members of the Liberal Party who are overwhelmingly represented on the current cohort of councillors."

My response to his email as a matter of record -

I appreciate your position.

I have faith that the elected representatives will act in accordance with their responsibility to represent all of the community (and the views of people who may be for, against or neutral on the prison proposal). In doing so, they are very mindful of the roles they play as both Councillors representing the

community and also, quite distinctly as Councillors acting as a planning authority.

Now that last bit speaks to the question around whether or not Councillors are free. Councillors are free, however when it comes to a planning matter they need to be mindful of not apprehending a bias that would be arguably remove them from a planning determination.

As a matter of record my email was sent on 12 July 2021 at 11.46 am

123/2021 COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – JUNE 2021

1.1 Former Cr Susie Bower

Access to quality and reliable childcare is a factor for families when choosing a region to work, live and raise a family.

Recently I have been advised that it is difficult to find that in Westbury and surrounding areas all are fully booked and unable to take on any further children.

Can Council please investigate the demand for childcare services in the Westbury area so we can advocate on behalf of the community as we want to encourage families to our region?

Response by John Jordan, General Manager:

Increased demand for quality child care goes hand in glove with population growth. Council does not retain data or information on the nature of demand in Westbury or across the municipality. The provision of child care is largely market driven and any investigation would require a specific allocation of resources. The appropriate first step would be for a councillor to present a motion to Council seeking support, clarifying the scope and focus of advocacy, and approving resources to undertake an investigation of supply and demand.

2. COUNCILLOR QUESTIONS WITH NOTICE – JULY 2021

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – JULY 2021

3.1 Cr John Temple

Have there been any developments regarding the proposed northern prison since the last Council meeting?

Response by John Jordan, General Manager:

1. ***Small matter of a petition being tabled.***
2. ***We did meet with the Project Manager for the prison and they provided an update. I mentioned at the Workshop that they're expecting their due diligence to extend for the rest of the year, and they're not expecting to lodge a set of applications to Council until the new calendar year.***

3.2 Cr Frank Nott

- a) General Manager in relation to your suggestion at the June meeting concerning the pedestrian operated crossing in Westbury Road, to advertise and conduct a Council 'pop-up' at the Market Place for community input.

Any details as to how these are progressing?

Response by John Jordan, General Manager:

No detail yet, we haven't organised that.

- b) Mayor, will you continue to support councillors in their role on the Audit Panel providing scrutiny and oversight?

Response by Mayor Wayne Johnston:

Absolutely, Cr Nott.

3.3 Cr Tanya King

I refer to the Landline episode aired on 27 June 2021, and in particular the segment on cool fire burning in the World Heritage Gondwana rainforest.

Lamington Park Ranger Wil Buch said he felt helpless watching the 2,500 hectares of park burn last year. Now the area is infested with weeds that have not previously inhabited the area, and now require controlling as they are blocking the succession and rehabilitation of the forest.

Wil says, "before European settlement, indigenous people used this place as a hunting and camping ground". He is now adopting their traditional burning practices, to maintain and protect it.

Vineyard owners in the vicinity, Toni-Maree and Cameron Bishop shared their experience. Cameron wants to see more education for landholders so they can safely conduct hazard reduction burns. He said "given the opportunity, if farmers were allowed to work through their own fire pattern there wouldn't have been the fuel in the field that created such a big problem".

Macadamia farmers Paul and Robyn Lee said the experience was a distressing time. The heat from the fire decimated their crop. In the Binna Burra area, 11 homes were lost.

Low intensity fires to reduce fuel load and regenerate land have been used by aboriginal people for millennia. Geographer and Associate Professor Michael Shawn Fletcher says you can walk on cultural burning straight after the fire. The loss of traditional burning has been profound. There is evidence that the Australian landscape has been changed radically since European settlement.

Tasmania, and more specifically Meander Valley is far from immune to this problem. Given that 38% of the Meander Valley is currently located within the TWWHA, equating to 1,258 sq. km, this issue must not be ignored.

Can Council please request representatives from the Tasmanian Fire Service and DPIPW (as a major land holder in the municipality) to present to Council on current land management practices and work to update Tasmanian fire management practices and planning to avoid further catastrophic fire events and learn from the recent fire events.

Response by John Jordan, General Manager:

Yes we will undertake to contact the parties concerned to present to Council.

3.4 Cr Rodney Synfield

Can we communicate to the State Government the need for upgrading the Bass Highway to a better standard than it currently is, vis-à-vis the tragic accident that occurred last Saturday on a single lane (each way) section of the Highway at Exton.

Response by John Jordan, General Manager:

Happy to take forward and will forward to the relevant Minister to see what response we get back.

124/2021 DEPUTATIONS BY MEMBERS OF THE PUBLIC

Nil

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 Consideration

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 Recommendations

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

Voting Requirements

Simple Majority

125/2021 23 FIVE ACRE ROW WESTBURY

The Mayor invited Joanne Mitchelson to address the Council meeting regarding this agenda item.

Planning Application: PA\21\0294
Proposal: Subdivision (3 lots)
Author: Laura Small
Town Planner

1) Recommendation

It is recommended that the application for Use and Development for Subdivision (3 lots) on land located at 23 Five Acre Row WESTBURY (CT:225189/7) by PDA Surveyors, be APPROVED, generally in accordance with the endorsed plans:

- a) PDA Surveyors – Plan of Subdivision – Sheet 1 of 1 – Reference No. 47373 – Dated 19 April 2021;**
- b) Scott Livingston – Bushfire Hazard Management Report: Subdivision – Dated 10 May 2021.**

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 by the consent in writing of Council; and**
 - b) 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 driveway access for Lot 2 and Lot 3 must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of the Director Infrastructure Services. Refer Note 1.**
- 3. The lots approved by this permit must be maintained at all times in accordance with the endorsed Bushfire Hazard Management Plan.**

4. The works required by the endorsed Bushfire Hazard Management Plan are to be completed to the satisfaction of the Tasmanian Fire Service or a practitioner accredited by the Tasmanian Fire Service. Documentation of compliance is to be submitted to the satisfaction of Council's Town Planner.
5. The developer must pay to council a public open space contribution of \$3,640.78, equivalent to 5% of the unimproved value of the approved lots.
6. Prior to the sealing of the final plan of subdivision the following must be completed to the satisfaction of Council:
 - a) Installation of driveway accesses for Lot 2 and Lot 3 in accordance with condition 2;
 - b) The document of compliance submitted to Council demonstrating that the works as required by the endorsed Bushfire Hazard Management Plan have been completed, in accordance with Condition 4 to the satisfaction of Council's Town Planner; and
 - c) Payment of public open space contribution in accordance with Condition 5.
7. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2021/00835-MVC attached).

Notes:

1. Prior to any construction being undertaken in the road reserve, 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 5309.
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 Development and Regulatory Services on 6393 5320 or via email: mail@mvc.tas.gov.au.

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

DECISION:

Cr Sherriff moved and Cr Cameron seconded ***“that the application for Use and Development for Subdivision (3 lots) on land located at 23 Five Acre Row WESTBURY (CT:225189/7) by PDA Surveyors, be APPROVED, generally in accordance with the endorsed plans:***

1. PDA Surveyors – Plan of Subdivision – Sheet 1 of 1 – Reference No. 47373 – Dated 19 April 2021;
2. Scott Livingston – Bushfire Hazard Management Report: Subdivision – Dated 10 May 2021.

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 by the consent in writing of Council; and
 - b) 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 driveway access for Lot 2 and Lot 3 must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of the Director Infrastructure Services. Refer Note 1.
3. The lots approved by this permit must be maintained at all times in accordance with the endorsed Bushfire Hazard Management Plan.
4. The works required by the endorsed Bushfire Hazard Management Plan are to be completed to the satisfaction of the Tasmanian Fire Service or a practitioner accredited by the Tasmanian Fire Service. Documentation of compliance is to be submitted to the satisfaction of Council's Town Planner.
5. The developer must pay to council a public open space contribution of \$3,640.78, equivalent to 5% of the unimproved value of the approved lots.
6. Prior to the sealing of the final plan of subdivision the following must be completed to the satisfaction of Council:
 - a) Installation of driveway accesses for Lot 2 and Lot 3 in accordance with condition 2;
 - b) The document of compliance submitted to Council demonstrating that the works as required by the endorsed Bushfire Hazard Management Plan have been completed, in accordance with Condition 4 to the satisfaction of Council's Town Planner; and

c) Payment of public open space contribution in accordance with Condition 5.

- 7. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2021/00835-MVC attached).**

Notes:

- 1. Prior to any construction being undertaken in the road reserve, 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 5309.**
- 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 Development and Regulatory Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**
- 3. This permit takes effect after:**
 - a) The 14 day appeal period expires; or**
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.**
 - c) Any other required approvals under this or any other Act are granted.**
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
5. 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.
6. 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.

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

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

Comment by Councillor Deborah White

On a personal level, I understand fully Ms Mitchelson's arguments against the proposed development.

However, I take my brief as being a representative of the whole community and for this reason sought information as to the extent of community input into the Westbury SAP. I found that the survey conducted in 2020 received 87 responses, 57 of which agreed that subdivision should be allowed. Given that many respondents expressed a preference for larger lots, MVC proposed that the minimum lot size be set at 8,000m². This being refused by the TPC we have the current framework in place.

I therefore will support the application as being reflective of the broader view of the Westbury community.

Comment by Councillor Tanya King

I am unable to support the officer's recommendation on this planning application, despite understanding why the planner's recommendation is to approve. My opposition is to the effect of the scheme.

At the inception of the Westbury Specific Area Plan (MEA S11.0) allowing block sizes being reduced to 5000m², I voiced my concerns that this plan would allow for a significant intensification of the number of dwellings in an area that is intended for lifestyle properties.

The number of subdivisions, and the subsequent objections to them since the SAP was introduced in my opinion, has proven me correct.

The current grab for short term financial gain at the expense of lifestyle amenity, it far too great, and once these blocks are carved up and reduced in size, will be nigh impossible to undo.

**126/2021 2021-22 BUDGET ESTIMATES, LONG TERM
FINANCIAL PLAN UPDATE AND RATES
RESOLUTION**

AUTHOR: Jonathan Harmey
Director Corporate Services

1) Recommendation

It is recommended that:

- A. Pursuant to section 82(3)(a) of the Local Government Act 1993 (Act) Council adopts the Budget Estimates for the financial year ending 30 June 2022. The proposed Budget Estimates are set out in full in Attachment 1.**
- B. Pursuant to Section 82(6) of the Act, Council authorises the General Manager to make minor adjustments up to \$20,000 to individual items within the estimated operating expenditure under section 82(2)(b) and the estimated capital works under section 82(2)(d), so long as the total amount of the estimate is not altered.**
- C. Pursuant to Part 9 of the Act Council adopts the following rates and charges for the period 1 July 2021 to 30 June 2022:**
 - 1. General Rate**
 - a) That pursuant to Section 90 of the Local Government Act 1993 (the Act), Council makes the following General Rate in relation to all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the municipal area for the period commencing 1 July 2021 and ending on 30 June 2022, namely a rate of 5.895 cents in the dollar of assessed annual value of the land;**
 - b) That pursuant to Section 90(4) of the Act, Council sets a minimum amount payable in respect of the General Rate of \$200.**

2. Service Rates and Service Charges

That pursuant to Sections 93, 93A and 94 of the Act, Council makes the following Service Rates and Service Charges in respect of all rateable land within the municipal area (including land which is otherwise exempt from rates pursuant to Section 87) for the period commencing 1 July 2021 and ending on 30 June 2022 namely:

a) A service charge for waste management in respect of all lands of \$107 for the making available of waste management facilities.

b) That pursuant to Section 94(3A) of the Act, Council declares, that the service charge for waste management is varied as follows:

i. by reason of the provision of a standard kerbside waste collection service, ie one 80 litre mobile garbage bin and one mobile recycling bin, and including alternate weekly garbage and green waste collection where provided, the service charge for waste management is varied for all lands receiving such a service, by increasing it by \$195 to \$302;

ii. by reason of the provision of an extra capacity kerbside waste collection service ie one 140 litre mobile garbage bin and one mobile recycling bin, and including alternate weekly garbage and green waste collection where provided, the service charge for waste management is varied for all lands receiving such a service by increasing it by \$215 to \$322;

iii. by reason of the provision of an additional extra capacity kerbside waste collection service ie one 240 litre (or two 140 litre) mobile garbage bin(s) and one mobile recycling bin, and including alternate weekly garbage and green waste collection where provided, the service charge for waste management is varied for all lands receiving such a service by increasing it by \$430 to \$537;

iv. by reason of the locality and provision of an extra capacity kerbside waste collection service ie one 140 litre mobile garbage bin and one mobile recycling bin, upsized from the standard kerbside waste collection (as per 2b)i above),

during the trial and implementation of alternate weekly green waste collection at Blackstone Heights the service charge for waste management is varied for all lands receiving such a service by reducing it by \$20 to \$302;

v. by reason of the locality and provision of an additional extra capacity kerbside waste collection service ie one 240 litre mobile garbage bin (or two 140 litre) mobile garbage bin(s) and one mobile recycling bin, upsized from the extra capacity kerbside waste collection (as per 2b)ii above), during the trial and implementation of alternate weekly green waste collection at Blackstone Heights, the service charge for waste management is varied for all lands receiving such a service by reducing it by \$215 to \$322;

c) That pursuant to Sections 93A of the Act, Council makes the following Service Rates in respect of the Fire Service Contributions it must collect under the Fire Service Act 1979:

i. in respect of the Launceston Permanent Brigade Rating District of 1.459 cents in the dollar of assessed annual value of rateable land within that District; and

ii. in respect of the Volunteer Brigade Rating Districts of 0.387 cents in the dollar of assessed annual value of rateable land within those Districts; and

iii. in respect of General Land of 0.353 cents in the dollar of assessed annual value of rateable General land.

d) That pursuant to Section 93(3) of the Act, Council sets a minimum amount payable in respect of the fire protection service rates of \$42.

3. Separate Apportionments

That for the purpose of these resolutions, the rates and charges shall apply to each parcel of land that is shown as being separately assessed in the valuation list prepared under the Valuation of Land Act 2001.

4. Instalment Payments

That pursuant to Section 124 of the Act Council:

- a) Decides all rates are payable by all ratepayers by four approximately equal instalments;*
- b) Determines that the dates by which instalments are to be paid shall be as follows:*
 - i. The first instalment on or before 31 August 2021*
 - ii. The second instalment on or before 29 October 2021*
 - iii. The third instalment on or before 31 January 2022*
 - iv. The fourth instalment on or before 31 March 2022*

5. Interest on Late Payments

That pursuant to Section 128 of the Act, if any rate or instalment is not paid on or before the date it falls due then there is payable a daily interest charge of 0.021562% (7.87% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

6. Adjusted Values

That for the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to sections 89 and 89A of the Act.

DECISION:

The meeting adjourned at 4.32 pm

The meeting resumed at 4.41 pm

Cr Kelly moved and Cr King seconded ***“that:***

- A. Pursuant to section 82(3)(a) of the Local Government Act 1993 (Act) Council adopts the Budget Estimates for the financial year ending 30 June 2022. The proposed Budget Estimates are set out in full in Attachment 1.***

- B. Pursuant to Section 82(6) of the Act, Council authorises the General Manager to make minor adjustments up to \$20,000 to individual items within the estimated operating expenditure under section 82(2)(b) and the estimated capital works under section 82(2)(d), so long as the total amount of the estimate is not altered.**
- C. Pursuant to Part 9 of the Act Council adopts the following rates and charges for the period 1 July 2021 to 30 June 2022:**

1. General Rate

- a) That pursuant to Section 90 of the Local Government Act 1993 (the Act), Council makes the following General Rate in relation to all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the municipal area for the period commencing 1 July 2021 and ending on 30 June 2022, namely a rate of 5.895 cents in the dollar of assessed annual value of the land;**
- b) That pursuant to Section 90(4) of the Act, Council sets a minimum amount payable in respect of the General Rate of \$200.**

2. Service Rates and Service Charges

That pursuant to Sections 93, 93A and 94 of the Act, Council makes the following Service Rates and Service Charges in respect of all rateable land within the municipal area (including land which is otherwise exempt from rates pursuant to Section 87) for the period commencing 1 July 2021 and ending on 30 June 2022 namely:

- a) A service charge for waste management in respect of all lands of \$107 for the making available of waste management facilities.**
- b) That pursuant to Section 94(3A) of the Act, Council declares, that the service charge for waste management is varied as follows:**
- i. by reason of the provision of a standard kerbside waste collection service, ie one 80 litre mobile garbage bin and one mobile recycling bin, and including alternate weekly garbage and green waste collection where provided, the service charge for waste management is varied for all lands receiving such a service, by increasing it by \$195 to \$302;**

iii. in respect of General Land of 0.353 cents in the dollar of assessed annual value of rateable General land.

d) That pursuant to Section 93(3) of the Act, Council sets a minimum amount payable in respect of the fire protection service rates of \$42.

3. Separate Apportionments

That for the purpose of these resolutions, the rates and charges shall apply to each parcel of land that is shown as being separately assessed in the valuation list prepared under the Valuation of Land Act 2001.

4. Instalment Payments

That pursuant to Section 124 of the Act Council:

a) Decides all rates are payable by all ratepayers by four approximately equal instalments;

b) Determines that the dates by which instalments are to be paid shall be as follows:

- i. The first instalment on or before 31 August 2021**
- ii. The second instalment on or before 29 October 2021**
- iii. The third instalment on or before 31 January 2022**
- iv. The fourth instalment on or before 31 March 2022**

5. Interest on Late Payments

That pursuant to Section 128 of the Act, if any rate or instalment is not paid on or before the date it falls due then there is payable a daily interest charge of 0.021562% (7.87% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

6. Adjusted Values

That for the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to sections 89 and 89A of the Act.

As an amendment to the motion Cr Cameron moved and Cr Nott seconded ***“that point A be removed and replaced with a new point A worded as follows:***

“A. Pursuant to section 82(3)(a) of the Local Government Act 1993 (Act) Council adopts the Budget Estimates for the financial year ending 30 June 2022 as set out in Attachment 1 but with one change being the removal of the unfilled new permanent position titled “organisational performance, reporting and culture officer” noted on page 16 of Attachment 1 (and removal of the associated employee expenses for that new position).”

The amendment was declared LOST with Councillors Cameron, Nott and Synfield voting for the amendment and Councillors Johnston, Kelly, King, Sherriff, Temple and White voting against the amendment.

The motion was declared CARRIED BY AN ABSOLUTE MAJORITY with Councillors Cameron, Johnston, Kelly, King, Nott, Sherriff, Temple and White voting for the motion and Councillor Synfield voting against the motion.

127/2021 2021-22 ANNUAL REVIEW OF FEES & CHARGES

AUTHOR: Justin Marshall
Team Leader Finance

1) Recommendation

It is recommended that Council adopt the proposed fees and charges for the 2021-22 financial year as follows:

DECISION:

Cr King moved and Cr Sherriff seconded ***“that Council adopt the proposed fees and charges for the 2021-22 financial year as follows:***

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

128/2021 COUNCIL AUDIT PANEL: RECEIPT OF MEETING MINUTES, 2020-21 ANNUAL REPORT AND 2021-22 WORK PLAN

AUTHOR: Jonathan Harmey
Director Corporate Services

1) Recommendation

It is recommended that Council:

- 1. Receive the minutes of the Audit Panel meeting held on 22 June 2021;*
- 2. Receive the Audit Panel annual report for 2020-21; and*
- 3. Approve the Audit Panel annual work plan for 2021-22.*

DECISION:

Cr Nott moved and Cr Cameron seconded ***“that Council:***

- 1. Receive the minutes of the Audit Panel meeting held on 22 June 2021;*
- 2. Receive the Audit Panel annual report for 2020-21; and*
- 3. Approve the Audit Panel annual work plan for 2021-22.”*

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

129/2021 2021-22 CAPITAL WORKS PROGRAM

AUTHOR: Rob Little
Asset Management Coordinator

1) Recommendation

It is recommended that Council approves the attached Capital Works Program and funding allocations for the 2021-22 financial year.

DECISION:

Cr King moved and Cr Cameron seconded *“that Council approves the attached Capital Works Program and funding allocations for the 2021-22 financial year.”*

*The motion was declared **CARRIED BY AN ABSOLUTE MAJORITY** with Councillors Cameron, Johnston, Kelly, King, Nott, Sherriff, Temple and White voting for the motion.*

Cr Synfield abstained from the vote.

130/2021 PETITION – CALL FOR A PUBLIC MEETING ABOUT THE WESTBURY PRISON PROPOSAL

AUTHOR: John Jordan
General Manager

1) Recommendation

It is recommended that Council:

- 1. Notes the petition relates to the Tasmanian Government's proposal to build a prison;***
- 2. Notes the General Manager's advice that the signatures on the petition tabled at the 8 June 2021 Ordinary Meeting of Council have been checked. Of the 1026 signatures, 809 were valid for the purposes of section 59 of the Local Government Act, with the balance being duplicates (54), from out of the area (17) or not on the roll (146);***
- 3. Notes that the Meander Valley Council electoral role (June 2021) lists 15,601 people enrolled and that the requirement of 5 percent of electors in the municipal area (780) has been satisfied in accordance with section 59(2)(a) of the Local Government Act (1993);***
- 4. Notes that, given the requirements of sections 57 and 59 of the Act are satisfied, Council will now proceed to hold a public meeting;***
- 5. Notes the person lodging the petition is Ms Anne-Maree Loader of King Street, Westbury;***
- 6. Notes that Ms Loader (as Secretary of the Westbury Region Against the Prison Inc) has advised in the petition covering letter of 4 June 2021 that the call for a public meeting relates to the 'new site' selected for the prison. This is on Crown land at Brushy Rivulet on Birralee Road, 5.2 kilometres from the Westbury town centre;***
- 7. Resolves, in satisfaction of section 60(3) of the Act, to have a***

public meeting within thirty days to discuss the proposal to build a prison at Brushy Rivulet on Birralelee Road;

8. Notes the requirements of section 60A of the Act in respect of advertising and calling for written submissions;

9. Resolves to invite the Honourable Elise Archer MP (Attorney-General) and representatives from the Department of Justice to attend and present to the meeting;

10. Notes that the petition as tabled is a public document and that a copy of the full petition will be made available for viewing at the Council Offices at 26 Lyall Street, Westbury; and

11. Affirms Council's 25 February 2020 commitment to again meet with anti and pro-prison representatives to discuss options for community consultation when information from the Tasmanian Government is forthcoming; noting that any such information is yet to be provided.

DECISION:

Cr Cameron moved and Cr Sherriff seconded ***“that Council:***

- 1. Notes the petition relates to the Tasmanian Government's proposal to build a prison;***
- 2. Notes the General Manager's advice that the signatures on the petition tabled at the 8 June 2021 Ordinary Meeting of Council have been checked. Of the 1026 signatures, 809 were valid for the purposes of section 59 of the Local Government Act, with the balance being duplicates (54), from out of the area (17) or not on the roll (146);***
- 3. Notes that the Meander Valley Council electoral role (June 2021) lists 15,601 people enrolled and that the requirement of 5 percent of electors in the municipal area (780) has been satisfied in accordance with section 59(2)(a) of the Local Government Act (1993);***

- 4. Notes that, given the requirements of sections 57 and 59 of the Act are satisfied, Council will now proceed to hold a public meeting;**
- 5. Notes the person lodging the petition is Ms Anne-Maree Loader of King Street, Westbury;**
- 6. Notes that Ms Loader (as Secretary of the Westbury Region Against the Prison Inc) has advised in the petition covering letter of 4 June 2021 that the call for a public meeting relates to the 'new site' selected for the prison. This is on Crown land at Brushy Rivulet on Birralea Road, 5.2 kilometres from the Westbury town centre;**
- 7. Resolves, in satisfaction of section 60(3) of the Act, to have a public meeting within thirty days to discuss the proposal to build a prison at Brushy Rivulet on Birralea Road;**
- 8. Notes the requirements of section 60A of the Act in respect of advertising and calling for written submissions;**
- 9. Resolves to invite the Honourable Elise Archer MP (Attorney-General) and representatives from the Department of Justice to attend and present to the meeting;**
- 10. Notes that the petition as tabled is a public document and that a copy of the full petition will be made available for viewing at the Council Offices at 26 Lyall Street, Westbury; and**
- 11. Affirms Council's 25 February 2020 commitment to again meet with anti and pro-prison representatives to discuss options for community consultation when information from the Tasmanian Government is forthcoming; noting that any such information is yet to be provided.**

As an amendment Cr King moved and Cr White seconded that **"section 7 be amended to read - Resolves, in satisfaction of section 60(3) of the Act, to have a public meeting within thirty days to discuss the proposal to build a prison in the Meander Valley Municipality."**

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

- 1. Notes the petition relates to the Tasmanian Government's proposal to build a prison;**
- 2. Notes the General Manager's advice that the signatures on the petition tabled at the 8 June 2021 Ordinary Meeting of Council have been checked. Of the 1026 signatures, 809 were valid for the purposes of section 59 of the Local Government Act, with the balance being duplicates (54), from out of the area (17) or not on the roll (146);**
- 3. Notes that the Meander Valley Council electoral role (June 2021) lists 15,601 people enrolled and that the requirement of 5 percent of electors in the municipal area (780) has been satisfied in accordance with section 59(2)(a) of the Local Government Act (1993);**
- 4. Notes that, given the requirements of sections 57 and 59 of the Act are satisfied, Council will now proceed to hold a public meeting;**
- 5. Notes the person lodging the petition is Ms Anne-Maree Loader of King Street, Westbury;**
- 6. Notes that Ms Loader (as Secretary of the Westbury Region Against the Prison Inc) has advised in the petition covering letter of 4 June 2021 that the call for a public meeting relates to the 'new site' selected for the prison. This is on Crown land at Brushy Rivulet on Birralea Road, 5.2 kilometres from the Westbury town centre;**
- 7. Resolves, in satisfaction of section 60(3) of the Act, to have a public meeting within thirty days to discuss the proposal to build a prison in the Meander Valley Municipality;**
- 8. Notes the requirements of section 60A of the Act in respect of advertising and calling for written submissions;**
- 9. Resolves to invite the Honourable Elise Archer MP (Attorney-General) and representatives from the Department of Justice to attend and present to the meeting;**
- 10. Notes that the petition as tabled is a public document and that a copy of the full petition will be made available for viewing at the Council Offices at 26 Lyall Street, Westbury; and**

11. Affirms Council's 25 February 2020 commitment to again meet with anti and pro-prison representatives to discuss options for community consultation when information from the Tasmanian Government is forthcoming; noting that any such information is yet to be provided.

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

Comment by Cr Deborah White

I seconded the amendment as I believe it is our stated aim (eg in "Working Together") to listen to our community, and the people here today clearly wish for the discussion to be broader than as expressed in Item 7.

People who are not listened to become angry and resentful; therefore, to truly represent community concerns, we need to broaden the discussion.

The meeting adjourned at 5.50 pm.

The meeting recommenced at 5.54 pm.

Cr King left the meeting at 5.54 pm.

**131/2021 2021-22 COMMUNITY GRANTS AND
 SPONSORSHIP FUND APPLICATION
 ASSESSMENTS ROUND 1 – JUNE 2021**

AUTHOR: Nate Austen
 Community Programs Officer

1) Recommendation

It is recommended that Council:

- 1. Notes the recommendations of the Community Grants Committee; and***
- 2. Approves community grants for Round 1 – June 2021, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:***

Community Grants		
Organisation	Project	Grant Recommended
Australian Italian Club Tennis Club	BBQ and Hot Water Installation	\$2,482
Central North Field Naturalists	Beneath the Surface. Presentation Event.	\$1,175
Deloraine House Inc	Community Garden – Plumbing and Electrical.	\$3,000
Deloraine RSL Sub-Branch	Flagpole Replacement	*\$3,000
Diggers Cricket Club	Cricket Pitch Replacement	**\$3,000
Lions Club of Deloraine Inc	Promotion Pamphlet	\$750
Westbury Ladies Probus Club	Modernising Probus	\$2,325
Westbury Volunteer Fire Brigade	24-7 AED	\$2,546
Sub-total		\$18,278

*Recommend an allocation up to \$3,000 provisional on the whole cost of the project.

**Conditional on the confirmation of a Cricket Australia Infrastructure Fund Grant with anticipated value of \$8,902.

- 3. Approves sponsorship donation for individuals and organisations for Round 1 - June 2021, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

Sponsorship Donation for Individuals and Organisations		
Name	Event	Sponsorship
J. Cowan	Pony Club Australia Nationals	\$150
Z. Milich	Karl Prosser Cup – U/13 NTJSA	\$150
L. Shelton	Karl Prosser Cup – U/13 NTJSA	\$150
Sub-total		\$450

- 4. Approves council fee reimbursement grant for Round 1 – June 2021, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

Council Fee Reimbursement Grants		
Organisation	Project	Grant Recommended
Prospect Hawks Junior Football Club	Electronic Scoreboard	\$60
Rotary Club of Westbury	BBQ Shelter (Village Green)	\$670
Westbury Agricultural Society	Storage Shed (Animal Nursery)	\$395
Sub-total		\$1,125

- 5. Notes the following Recovery Event Sponsorships approved by the General Manager since 17 March 2021, following recommendations by the Committee:**

Recovery Event Sponsorship		
Organisation	Event	Sponsorship Recommended
Sculpture Tasmania	National Shoebox Sculpture Exhibition	\$5,000
Arts Deloraine	Winterfire	\$3,000
Sub-total		\$8,000

DECISION:

Cr Temple moved and Cr Cameron seconded ***“that Council:***

- 1. Notes the recommendations of the Community Grants Committee; and Approves community grants for Round 1 – June 2021, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:***

Community Grants		
Organisation	Project	Grant Recommended
Australian Italian Club Tennis Club	BBQ and Hot Water Installation	\$2,482
Central North Field Naturalists	Beneath the Surface. Presentation Event.	\$1,175
Deloraine House Inc	Community Garden – Plumbing and Electrical.	\$3,000
Deloraine RSL Sub-Branch	Flagpole Replacement	*\$3,000
Diggers Cricket Club	Cricket Pitch Replacement	**\$3,000
Lions Club of Deloraine Inc	Promotion Pamphlet	\$750
Westbury Ladies Probus Club	Modernising Probus	\$2,325
Westbury Volunteer Fire Brigade	24-7 AED	\$2,546
Sub-total		\$18,278
*Recommend an allocation up to \$3,000 provisional on the whole cost of the project. **Conditional on the confirmation of a Cricket Australia Infrastructure Fund Grant with anticipated value of \$8,902.		

- 2. Approves sponsorship donation for individuals and organisations for Round 1 - June 2021, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:***

Sponsorship Donation for Individuals and Organisations		
Name	Event	Sponsorship
J. Cowan	Pony Club Australia Nationals	\$150
Z. Milich	Karl Prosser Cup – U/13 NTJSA	\$150
L. Shelton	Karl Prosser Cup – U/13 NTJSA	\$150
Sub-total		\$450

3. **Approves council fee reimbursement grant for Round 1 – June 2021, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

Council Fee Reimbursement Grants		
Organisation	Project	Grant Recommended
Prospect Hawks Junior Football Club	Electronic Scoreboard	\$60
Rotary Club of Westbury	BBQ Shelter (Village Green)	\$670
Westbury Agricultural Society	Storage Shed (Animal Nursery)	\$395
Sub-total		\$1,125

4. **Notes the following Recovery Event Sponsorships approved by the General Manager since 17 March 2021, following recommendations by the Committee:**

Recovery Event Sponsorship		
Organisation	Event	Sponsorship Recommended
Sculpture Tasmania	National Shoebox Sculpture Exhibition	\$5,000
Arts Deloraine	Winterfire	\$3,000
Sub-total		\$8,000

The motion was declared CARRIED with Councillors Cameron, Johnston, Kelly, Nott, Sherriff, Synfield, Temple and White voting for the motion.

Cr King returned to the meeting at 5.56 pm.

132/2021 2020-21 ANNUAL PLAN – JUNE QUARTERLY REVIEW

AUTHOR: Jacqui Parker
Governance Coordinator

1) Recommendation

It is recommended that Council receives and notes the Annual Plan report for the June 2021 quarter, as attached.

DECISION:

Cr Kelly moved and Cr Cameron seconded *“that Council receives and notes the Annual Plan report for the June 2021 quarter, as attached.”*

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

Cr King left the meeting at 5.58 pm.

133/2021 REMOVAL AND RE-PURPOSING OF RACE DAY STALLS AT THE DELORAINE TURF TRACK

AUTHOR: John Jordan
GENERAL MANAGER

1) Recommendation

It is recommended that Council:

- 1. Approves the removal of the three former race day stalls located at the former Deloraine Turf Track.*
- 2. Approves gifting of one or more race day stalls to the Deloraine District Pony Club, noting the Club will be responsible for transport and re-erection costs.*
- 3. Approves the balance of the race day stalls being offered to community groups for re-purposing. Noting that if no interest is found then disposal to a third party may be considered.*

DECISION:

Cr Kelly moved and Cr Cameron seconded ***“that Council:***

- 1. Approves the removal of the three former race day stalls located at the former Deloraine Turf Track.*
- 2. Approves gifting of one or more race day stalls to the Deloraine District Pony Club, noting the Club will be responsible for transport and re-erection costs.*
- 3. Approves the balance of the race day stalls being offered to community groups for re-purposing. Noting that if no interest is found then disposal to a third party may be considered.”*

The motion was declared CARRIED with Councillors Cameron, Johnston, Kelly, Nott, Sherriff, Synfield, Temple and White voting for the motion.

Councillor King returned to the meeting at 6.00pm

ITEMS FOR CLOSED SECTION OF THE MEETING:

Councillor Cameron moved and Councillor Sherriff 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 AN ABSOLUTE MAJORITY with Councillors Cameron, Johnston, Kelly, King, Nott, Sherriff, Synfield, Temple and White voting for the motion.

Council moved to Closed Session at 6.00pm

134/2021 CONFIRMATION OF MINUTES

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

135/2021 LEAVE OF ABSENCE

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

Council returned to Open Session at 6.10 pm.

The meeting closed at 6.10 pm.

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Wayne Johnston
Mayor