

Minutes of the Ordinary Meeting of the Meander Valley Council held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 12 October 2021 at 3.00pm.

PRESENT

Chairperson Mayor Wayne Johnston, Deputy-Mayor Michael Kelly, Councillors Stephanie Cameron, Michal Frydrych, Andrew Sherriff, Rodney Synfield, John Temple and Deborah White

APOLOGIES

Councillor Tanya King

IN ATTENDANCE

John Jordan, General Manager
Chloe Durack, Executive Assistant
Dino De Paoli, Director Infrastructure Services
Jonathan Harmey, Director Corporate Services
Matthew Millwood, Director Works
Krista Palfreyman, Director Development & Regulatory Services
Jacqui Parker, Governance Coordinator
Natasha Whiteley, Team Leader Planning
Justin Marshall, Team Leader Finance
Nate Austen, Community Programs Officer
Melissa Lewarn, Manager, Community Wellbeing & Lifestyle
Heidi Goess, Consultant Town Planner
George Walker, Consultant Town Planner
Jarred Allen, Team Leader Engineering

175/2021 CONFIRMATION OF MINUTES

Councillor White moved and Councillor Sherriff seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 14 September 2021, be received and confirmed.”***

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

176/2021 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

Date	Items discussed:
28 September 2021	<ul style="list-style-type: none"> • Meander Valley Council Economic "Health Check" • Presentation: Parks and Wildlife - Draft Tasmanian Wilderness World Heritage Area Fire Management Plan • Indigenous Recognition • Presentation: Westbury Agriculture Society – History of the Westbury Show Book Project • Operational Update • Annual Plan • Councillor Code of Conduct • Survey – Development in Carrick • Westbury Road Pedestrian Crossing , Prospect Vale – Councillor Pop-Up • Deloraine Squash Courts Project Review of Budget • Meander Valley Council Voluntary Waste Levy Contribution • Kerbside Waste and Recycling Contract and Levels of Service • Review of Policy No. 56 – Recreation Grounds – Facility Pricing • Items for Noting: <ul style="list-style-type: none"> a) Selbourne Road Meander River Bridge "Strathbridge" Tender Review b) Pump Track, Alveston Drive Deloraine – Project Update c) Review of Policy No. 83 – Fraud & Corruption Control d) Review of Policy No. 88 – Related Party Disclosures e) Waste Strategy Principles – Status Update

177/2021 ANNOUNCEMENTS BY THE MAYOR

16 September 2021

Northern Tasmania Development Corporation (NTDC) meeting

17 September 2021

Meeting with the Honourable Roger Jaensch MP, Minister for Local Government

21 September 2021

Meeting with Mr John Tucker MP

22 September 2021

The Tamar Estuary Management Taskforce (TEMT) meeting
Northern COVID Regional Recovery Committee meeting

23 September 2021

Opening of Neighbourhood House Tasmania Conference

28 September 2021

Council Workshop

2 October 2021

Bracknell Football Club Dinner

3 October 2021

Deloraine Bowls Club opening

178/2021 ANNOUNCEMENTS BY COUNCILLORS

Nil

179/2021 DECLARATIONS OF INTEREST

Councillor Tanya King declared an interest in relation to item:

- Planning Authority 2: 277 Jones Street, Westbury

Councillor Andrew Sherriff declared an interest in relation to two items:

- Planning Authority 1: 751 Black Hills Road, Westbury
- Planning Authority 3: 6 Franklin Street, Westbury

Councillor Stephanie Cameron declared an interest in relation to item:

- Governance 2: Community Grants and Sponsorship Fund Application Assessments Round 2

180/2021 TABLING AND ACTION ON PETITIONS

Nil

181/2021 PUBLIC QUESTION TIME

1. PUBLIC QUESTIONS TAKEN ON NOTICE – SEPTEMBER 2021

1.1 Chris Donaldson, Westbury

In view of the government's decision to close the Ashley Youth Detention Centre within the next three years, and today's statement in parliament by Attorney-General that the government is "looking at its options" in relation to the site of the proposed Northern Regional Prison, I ask: will the Meander Valley Council now commit that it will undertake a thorough and widespread consultation with ratepayers, especially Deloraine and Exton residents, before it makes any decision on the Ashley site?

Further response from Mayor Wayne Johnston:

This matter was subsequently dealt with by Council in the September Meeting (refer 164/2021) and the outcomes minuted. In determining its response to the public meeting over the Northern Regional Prison proposal, Council has resolved that previous positions on the Ashley site (notably expressed in resolution 265/17 by the previous Council) no longer have relevance or are a factor in decision making or representations to the Tasmanian Government over any northern prison proposal. Like the rest of the community, Council will await further information from the Tasmanian Government on the northern prison; including any consideration of the Ashley site.

1.2 Emma Hamilton, Westbury

Since the full submissions around the public meeting are not part of the agenda for the September Council meeting, will each Councillor please acknowledge if they have read each submission in its entirety?

Response from Mayor Wayne Johnston:

This question is a matter for individual Councillors to determine if they wish to answer. I note that some Councillors have responded and I confirm in respect of myself that I had not, at the time the question was asked, read all submissions in full.

2. PUBLIC QUESTIONS WITH NOTICE – OCTOBER 2021

Nil

3. PUBLIC QUESTIONS WITHOUT NOTICE – OCTOBER 2021

3.1 Heather Donaldson, Westbury

Many in the community are sad that Frank Nott left the Council so suddenly, giving us no chance to thank him for his work at Council.

If Frank agrees, would it be possible for Council to organise a thank you event?

Question taken on notice

3.2 Heather Donaldson, Westbury

I am quite upset about what I see as a growing rift between Council and some members in our community. I don't know who to ask this question to but wouldn't it be better to invite the people concerned to sit down with Council and discuss and try to resolve the problems on both sides rather than banning them from the building?

Response from Mayor Wayne Johnston:

Obviously it would be, and as time has gone past that offer has been on both sides. So I guess there has to be give and take on both sides for that to occur.

182/2021 COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – SEPTEMBER 2021

Nil

2. COUNCILLOR QUESTIONS WITH NOTICE – OCTOBER 2021

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – OCTOBER 2021

3.1 Councillor Deborah White

Concerning the change of street name of Classic Drive to Night Train Drive, in my discussions with Jarred Allen, he agreed that the process of notifying residents of the date of the change be amended from informing residents after the event to giving notice of the date of change 7 days prior to the change being effected. Can the Council confirm that this amendment will effected?

Response from John Jordan, General Manager:

Yes.

3.2 Councillor John Temple

Has there been any developments concerning the proposed Northern Regional Prison Proposal since the last meeting?

Response from Mayor Wayne Johnston:

I did receive a letter from Minister Elise Archer which informed Council that they had received the submissions that were put forward from the public meeting and that they were also continuing their studies with the current location of the proposed prison.

183/2021 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

Cr Sherriff left the meeting at 3:09pm.

184/2021 751 BLACK HILLS ROAD, WESTBURY

The Mayor invited Mr Simon Coull to address Council regarding this agenda item.

Planning Application: PA\22\0045
Proposal: Single dwelling, outbuilding and associated works
Author: George Walker
Consultant Town Planner

1) Recommendation

It is recommended that the application for Use and Development for Single Dwelling, Outbuilding & Associated Works on land located at 751 Black Hills Road WESTBURY (CT:51226/1) by S and L Coull, be REFUSED, for the following reason/s:

- 1. The proposed use and development does not satisfy clause 21.3.1 P4 of the Tasmanian Planning Scheme - Meander Valley in that:***
 - a. it does not satisfy P4(a) because the scale, complexity and operational requirements of the cattle grazing operation are not of a quantum that necessitates a Residential use; and***
 - b. it does not satisfy P4(b) because the site is capable of supporting an agricultural use and is capable of being included with other agricultural land (regardless of ownership) for agricultural use.***

As an alternate motion Cr Frydrych moved and Cr White seconded ***“that Council approves application PA\22\0045 in accordance with the following recommendation and conditions on the basis that it is determined that the Residential use is required as part of the agricultural use:***

That the application for Use and Development for Single Dwelling, Outbuilding & Associated Works on land located at 751 Black Hills Road, WESTBURY (CT:51226/1) by S and L Coull, be APPROVED, generally in accordance with the endorsed plans:

- a) **Project No. 21092 Drawing No. A00 - A06 prepared by Plans To Build dated 13 August 2021.**

and subject to the following conditions:

- 1. Prior to the construction of any works, a works plan must be prepared in accordance with the applicable principles of the *Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands* and submitted to Council to the satisfaction of Council's Town Planner. The works plan must be prepared or endorsed by a suitably qualified and experienced civil engineer and must outline and describe the works to be undertaken within the waterway protection area and the measures that will be implemented to minimise the risk of disturbance to the watercourse.**
- 2. Prior to the commencement of the use, the proposed new driveway access must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of the Director Infrastructure Services. Refer Note 1.**

Notes:

- 1. Works must be completed by a suitably qualified contractor. 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 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 Development & Regulatory Services on 6393 5320 or via email: mail@mvc.tas.gov.au**
- 3. 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.

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.
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 Frydrych moved and Cr White seconded ***“that Council approves application PA\22\0045 in accordance with the following recommendation and conditions on the basis that it is determined that the Residential use is required as part of the agricultural use:***

That the application for Use and Development for Single Dwelling, Outbuilding & Associated Works on land located at 751 Black Hills Road, WESTBURY

(CT:51226/1) by S and L Coull, be APPROVED, generally in accordance with the endorsed plans:

- a) **Project No. 21092 Drawing No. A00 - A06 prepared by Plans To Build dated 13 August 2021.**

and subject to the following conditions:

1. **Prior to the construction of any works, a works plan must be prepared in accordance with the applicable principles of the *Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands* and submitted to Council to the satisfaction of Council's Town Planner. The works plan must be prepared or endorsed by a suitably qualified and experienced civil engineer and must outline and describe the works to be undertaken within the waterway protection area and the measures that will be implemented to minimise the risk of disturbance to the watercourse.**
2. **Prior to the commencement of the use, the proposed new driveway access must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of the Director Infrastructure Services. Refer Note 1.**

Notes:

1. **Works must be completed by a suitably qualified contractor. 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 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 Development & Regulatory Services on 6393 5320 or via email: mail@mvc.tas.gov.au**
3. **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**
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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.
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 alternate motion was declared CARRIED with Councillors Cameron, Frydrych, Johnston, Kelly, Synfield, Temple and White voting for the motion.

Cr Sherriff returned to the meeting at 3:21pm.

185/2021 277 JONES STREET, WESTBURY

The Mayor invited Mrs Tanya King and Mr George Walker to address Council regarding this agenda item.

Planning Application: PA\22\0041
Proposal: Subdivision (3 lots)
Author: Heidi Goess
Consultant Town Planner

1) Recommendation

It is recommended that the application for Use and Development for Subdivision (3 lots) on land located at 277 Jones Street South, WESTBURY (CT: 22796/4) by 6ty Pty Ltd, be APPROVED, generally in accordance with the endorsed plans:

- a) **6ty Pty Ltd; Dated: 6 July 2021; Project No: 21.093; Plan Number: P01; Subdivision & Services Plan;**
- b) **6ty Pty Ltd; Dated: 15 August 2021; Document Set ID: Planning Submission, Development Application 3-4 Lot Subdivision – 277 Jones Street South;**
- c) **Scott Livingston; Dated: 27 July 2021; Bushfire Hazard Management Report: Subdivision; All Pages contained within;**

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 servicing Lot 2 and Lot 3 must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1.**

- 3. 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.**
- 4. The lots approved by this permit must be maintained at all times in accordance with the endorsed Bushfire Hazard Management Plan.**
- 5. The developer must pay to council a public open space contribution of \$5,340.00 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 to Lots 2 and 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 3; and**
 - c) Payment of public open space contribution in accordance with condition 5.**

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 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 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 Cameron moved and Cr Kelly seconded ***“that the application for Use and Development for Subdivision (3 lots) on land located at 277 Jones Street South, WESTBURY (CT: 22796/4) by 6ty Pty Ltd, be APPROVED, generally in accordance with the endorsed plans:***

- a) **6ty Pty Ltd; Dated: 6 July 2021; Project No: 21.093; Plan Number: P01; Subdivision & Services Plan;**
- b) **6ty Pty Ltd; Dated: 15 August 2021; Document Set ID: Planning Submission, Development Application 3-4 Lot Subdivision – 277 Jones Street South;**
- c) **Scott Livingston; Dated: 27 July 2021; Bushfire Hazard Management Report: Subdivision; All Pages contained within;**

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:**
- 2.**
 - 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.**
- 3. The driveway access servicing Lot 2 and Lot 3 must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1.**
- 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 lots approved by this permit must be maintained at all times in accordance with the endorsed Bushfire Hazard Management Plan.**
- 6. The developer must pay to council a public open space contribution of \$5,340.00 equivalent to 5% of the unimproved value of the approved lots.**
- 7. 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 to Lots 2 and 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 3; and**
 - c) Payment of public open space contribution in accordance with condition 5.**

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 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 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 Frydych, Temple and Synfield voting against the motion.

(Councillor Frydych abstained from the vote.)

Cr Sherriff left the meeting at 3:39pm

186/2021 6 FRANKLIN STREET, WESTBURY

The Mayor invited Mr Barry Lee to address Council regarding this agenda item.

Planning Application: PA\22\0044
Proposal: Multiple Dwellings (8 units)
Author: Heidi Goess
Consultant Town Planner

1) Recommendation

It is recommended that the application for Use and Development for multiple dwellings (8 units) on land located at 6 Franklin Street, WESTBURY (CT: 179958/12) by Engineering Plus, be APPROVED, generally in accordance with the endorsed plans:

- a) Engineering Plus; Dated: 3 September 2021; Drawing No: 13121; Plan Number: A01 Revision B - A54 Revision B, Site Plan, Turning Path, Servicing Plan, and Building Floor Plans and Elevations DA.**

and subject to the following conditions:

- 1. Prior to the commencement of the use, a right-of-carriageway must be added to the Certificate of Title (CT: 179958/12) in gross in favour of the Meander Valley Council over the internal driveway at the access from Franklin Street to a depth of 5m, measured from the eastern title boundary. The right-of-carriageway must include the entire width of the internal driveway and must be clearly delineated as part of the public road network. Refer to Note 2.**
- 2. The development is to include two 'Shared Zone' signs or the like to identify that the driveway is used for both pedestrians and vehicles to the satisfaction of Council's Town Planner. The signs are to be erected on the site:**
 - a) One located adjacent to the access from Franklin Street where it is clearly visible at the entry of the site;**
 - b) One located adjacent internal access way to the north-western corner of the strata lot associated with Unit 1.**
- 3. The external car parking spaces allocated to each dwelling are to be**

clearly delineated, such as line marking or signage, so that they can be identified in association with the dwelling to the satisfaction of Council's Town Planner.

4. All visitor parking spaces and turning spaces are to be line marked or otherwise physically delineated to the satisfaction of Council's Town Planner. Spaces must be clearly dedicated, through line marking or incidental signage.
5. Private open space for each unit appropriately screened by fencing or the like to ensure privacy for each unit is maintained from the access way.
6. Prior to the commencement of any works, amended plans must be submitted for approval to the satisfaction of Council's Town Planner and the Director Infrastructure Services. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must show:
 - a) The right-of-carriageway in accordance with condition 1;
 - b) The location of signage in accordance with condition 2;
 - c) The screening of private open space in accordance with condition 5; and
 - d) The location of the waste storage area for each unit.
7. Prior to the commencement of use, the following must be completed to the satisfaction of Council:
 - a) The 'Shared Zone' sign or the like installed in accordance with condition 2;
 - b) External car parking spaces clearly delineated for each dwelling in accordance with condition 3;
 - c) Visitor car parking spaces and turning spaces clearly delineated in accordance with condition 4;
 - d) Screening of private open space in accordance with condition 5; and
 - e) Letter boxes installed at the entrance of the property in accordance with the endorsed plans and to the satisfaction of Council's Town Planner.
8. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2021/01406 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 5312.

- 2. It is recommended the developer contact Council to discuss the wording of the right-of-carriageway in the schedule of easements.**
- 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 Development and Regulatory Services on 6393 5320 or via email: 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.
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 Cameron moved and Cr White seconded ***“that the application for Use and Development for multiple dwellings (8 units) on land located at 6 Franklin Street, WESTBURY (CT: 179958/12) by Engineering Plus, be APPROVED, generally in accordance with the endorsed plans:***

- a) Engineering Plus; Dated: 3 September 2021; Drawing No: 13121; Plan Number: A01 Revision B - A54 Revision B, Site Plan, Turning Path, Servicing Plan, and Building Floor Plans and Elevations DA.

and subject to the following conditions:

1. Prior to the commencement of the use, a right-of-carriageway must be added to the Certificate of Title (CT: 179958/12) in gross in favour of the Meander Valley Council over the internal driveway at the access from Franklin Street to a depth of 5m, measured from the eastern title boundary. The right-of-carriageway must include the entire width of the internal driveway and must be clearly delineated as part of the public road network. Refer to Note 2.
2. The development is to include two ‘Shared Zone’ signs or the like to identify that the driveway is used for both pedestrians and vehicles to the satisfaction of Council’s Town Planner. The signs are to be erected on the site:
 - a) One located adjacent to the access from Franklin Street where it is clearly visible at the entry of the site;
 - b) One located adjacent internal access way to the north-western corner of the strata lot associated with Unit 1.
3. The external car parking spaces allocated to each dwelling are to be clearly delineated, such as line marking or signage, so that they can be identified in association with the dwelling to the satisfaction of Council’s Town Planner.
4. All visitor parking spaces and turning spaces are to be line marked or otherwise physically delineated to the satisfaction of Council’s Town Planner. Spaces must be clearly dedicated, through line marking or incidental signage.
5. Private open space for each unit appropriately screened by fencing or the like to ensure privacy for each unit is maintained from the access way.

6. Prior to the commencement of any works, amended plans must be submitted for approval to the satisfaction of Council's Town Planner and the Director Infrastructure Services. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must show:
 - a) The right-of-carriageway in accordance with condition 1;
 - b) The location of signage in accordance with condition 2;
 - c) The screening of private open space in accordance with condition 5; and
 - d) The location of the waste storage area for each unit.

7. Prior to the commencement of use, the following must be completed to the satisfaction of Council:
 - a) The 'Shared Zone' sign or the like installed in accordance with condition 2;
 - b) External car parking spaces clearly delineated for each dwelling in accordance with condition 3;
 - c) Visitor car parking spaces and turning spaces clearly delineated in accordance with condition 4;
 - d) Screening of private open space in accordance with condition 5; and
 - e) Letter boxes installed at the entrance of the property in accordance with the endorsed plans and to the satisfaction of Council's Town Planner.

8. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2021/01406 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 5312.

2. It is recommended the developer contact Council to discuss the wording of the right-of-carriageway in the schedule of easements.

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 Development and Regulatory Services on 6393 5320 or via email: 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.
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 Cameron, Johnston, Kelly and White voting for the motion and Councillors Frydrych, Synfield and Temple voting against the motion.

Cr Sherriff returned to the meeting at 3:57pm.

The meeting adjourned at 3:57pm.

The meeting recommenced at 4:01pm.

**187/2021 DRAFT AMENDMENT 4/2020 – SECOND
NOTIFICATION - REPORT ON REPRESENTATIONS
RECEIVED – COUNTRY CLUB ESTATE – 100
COUNTRY CLUB AVENUE, PROSPECT VALE**

AUTHOR: Jo Oliver
Consultant Planner

1) Recommendation

It is recommended that Council:

- 1. Endorse Table 1 - Consideration of Representations to Draft Amendment 4/2020 in the officer's report as its report in response to the representations in accordance with Section 40k of the provisions of the Land Use Planning and Approvals Act 1993; and***
- 2. Recommend to the Tasmanian Planning Commission that the draft amendment is modified to adjust the southern boundary of the General Residential Zone and the corresponding Specific Area Plan outline in accordance with the representation by Niche Planning Studio.***

DECISION:

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

- 1. Endorse Table 1 - Consideration of Representations to Draft Amendment 4/2020 in the officer's report as its report in response to the representations in accordance with Section 40k of the provisions of the Land Use Planning and Approvals Act 1993; and***
- 2. Recommend to the Tasmanian Planning Commission that the draft amendment is modified to adjust the southern boundary of the General Residential Zone and the corresponding Specific Area Plan outline in accordance with the representation by Niche Planning Studio.***

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

(Councillor Synfield abstained from the vote.)

188/2021 RECEIPT OF 2021 FINANCIAL STATEMENTS AND AUDITOR GENERAL'S REPORT

AUTHOR: Justin Marshall
Team Leader Finance

1) Recommendation

It is recommended that Council receive the certified 2021 Financial Statements and associated Delegate of the Auditor-General's independent audit report.

DECISION:

Cr Kelly moved and Cr White seconded *"that Council receive the certified 2021 Financial Statements and associated Delegate of the Auditor-General's independent audit report."*

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

189/2021 COUNCIL FINANCIAL REPORT TO 30 SEPTEMBER 2021

AUTHOR: Justin Marshall
Team Leader Finance

1) Recommendation

It is recommended that Council receive the attached financial report for the period ended 30 September 2021.

DECISION:

Cr Kelly moved and Cr White seconded ***“that Council receive the attached financial report for the period ended 30 September 2021.”***

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

190/2021 COUNCIL AUDIT PANEL RECEIPT OF MEETING MINUTES

AUTHOR: Jonathan Harmey
Director Corporate Services

1) Recommendation

It is recommended that Council receive the minutes of the Audit Panel meeting held on 21 September 2021.

DECISION:

Cr White moved and Cr Kelly seconded *“that Council receive the minutes of the Audit Panel meeting held on 21 September 2021.”*

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

191/2021 REVIEW AND CONTINUATION OF POLICY NO.83 – FRAUD & CORRUPTION CONTROL

AUTHOR: Jonathan Harmey
Director Corporate Services

1) Recommendation

It is recommended that Council confirms the continuation of Policy No. 83 - Fraud & Corruption Control, with amendments, as follows:

POLICY MANUAL

Policy Number: 83

Fraud & Corruption Control

Purpose:

To establish guidelines, procedures and responsibilities regarding appropriate actions that must be followed to prevent, deter and detect incidents of fraud and corruption.

Department:

Governance

Author:

~~Martin Gill~~, John Jordan, General Manager

Council Meeting Date:

~~14 November 2017~~ 12 October 2021

Minute Number:

~~246/2017~~ 191/2021

Next Review Date:

~~November 2021~~ **October 2025 (as set, or every four years or as required)**

POLICY

1. Definitions

Fraud: Inducing a course of action by deceit or other dishonest conduct, involving acts or omissions or the making of false statements, orally or in writing, with the object of obtaining money or other benefits from, or evading a liability to, the Council.

Corruption: Dishonest action in which a person acts contrary to the interests of Council and abuses their position of trust in order to achieve some personal benefit for themselves, or provide an advantage/disadvantage for another person or entity.

Whistle-blower: A person who has or professes to have knowledge of fraudulent or corrupt conduct and who chooses to report it to the appropriate authority.

2. Objective

- Promote a sound ethical culture within Council
- Ensure that Councillors and staff are aware of the responsibilities in relation to ethical conduct
- Protect Council's funds and other public assets and reputation
- Ensure senior management's commitment to identifying risk exposures to fraud

3. Scope

This Policy applies to:

- All Councillors, Committee members, employees, contractors and consultants of Meander Valley Council as they are responsible for the identification and management of all risks associated with the performance of Council functions and the delivery of Council services;
- Situations where fraudulent or suspicious behaviour is suspected and/or has been identified.

4. Policy

- Ensure internal controls are developed to deter, detect and prevent fraud or corruption;
- Providing a sound ethical environment in which fraud is difficult and honest behaviour is encouraged;
- Complying with legislation and relevant policies, procedures and controls;
- Proactively managing any allegation or incidences of fraud in accordance with approved procedure including reporting of allegations to law enforcement agencies;
- Providing sufficient resources to facilitate the implementation of this policy within Council;
- Protecting disclosures, including anonymous reporting, in accordance with the *Public Interest Disclosure Act 2002*, the Fraud Control Plan and the procedures contained within it;
- Protecting whistleblowers in accordance with section 19 of the Fraud Control Plan;
- Ensuring awareness of the Fraud Control Policy and associated procedures through the provision of appropriate training and awareness raising strategies to employees.

5. Legislation and Associated Council Policies

Local Government Act 1993

Criminal Code Act 1924

Integrity Commission Act 2009

Police Offences Act 1935

Privacy Act 1988 (Commonwealth)

Public Interest Disclosures Act 2002

Right to Information Act 2009

6. Responsibility

Responsibility for the operation of this Policy rests with the General Manager.

DECISION:

Cr Kelly moved and Cr Sherriff seconded ***“that Council confirms the continuation of Policy No. 83 - Fraud & Corruption Control, with amendments, as follows:***

POLICY MANUAL

Policy Number: 83

Fraud & Corruption Control

Purpose:

To establish guidelines, procedures and responsibilities regarding appropriate actions that must be followed to prevent, deter and detect incidents of fraud and corruption.

Department:

Governance

Author:

John Jordan, General Manager

Council Meeting Date:

12 October 2021

Minute Number:

191/2021

Next Review Date:

October 2025 (as set, or every four years or as required)

POLICY

1. Definitions

Fraud: Inducing a course of action by deceit or other dishonest conduct, involving acts or omissions or the making of false statements, orally or in writing, with the object of obtaining money or other benefits from, or evading a liability to, the Council.

Corruption: Dishonest action in which a person acts contrary to the interests of Council and abuses their position of trust in order to achieve some personal benefit for themselves, or provide an advantage/disadvantage for another person or entity.

Whistle-blower: A person who has or professes to have knowledge of fraudulent or corrupt conduct and who chooses to report it to the appropriate authority.

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- Situations where fraudulent or suspicious behaviour is suspected and/or has been identified.

4. Policy

- Ensure internal controls are developed to deter, detect and prevent fraud or corruption;
- Providing a sound ethical environment in which fraud is difficult and honest behaviour is encouraged;
- Complying with legislation and relevant policies, procedures and controls;
- Proactively managing any allegation or incidences of fraud in accordance with approved procedure including reporting of allegations to law enforcement agencies;
- Providing sufficient resources to facilitate the implementation of this policy within Council;
- Protecting disclosures, including anonymous reporting, in accordance with the *Public Interest Disclosure Act 2002*, the Fraud Control Plan and the procedures contained within it;
- Protecting whistleblowers in accordance with section 19 of the Fraud Control Plan;
- Ensuring awareness of the Fraud Control Policy and associated procedures through the provision of appropriate training and awareness raising strategies to employees.

5. Legislation and Associated Council Policies

Local Government Act 1993

Criminal Code Act 1924

Integrity Commission Act 2009

Police Offences Act 1935

Privacy Act 1988 (Commonwealth)

Public Interest Disclosures Act 2002

Right to Information Act 2009

Meander Valley Council Code of Conduct
Meander Valley Council Code of Tenders & Contract
Meander Valley Council Fraud Control Plan

6. Responsibility

Responsibility for the operation of this Policy rests with the General Manager.”

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

192/2021 REVIEW AND CONTINUATION OF POLICY NO. 88 – RELATED PARTY DISCLOSURES

AUTHOR: Jonathan Harmey
Director Corporate Services

1) Recommendation

It is recommended that Council confirms the continuation of Policy No. 88 – Related Party Disclosures, with amendments, as follows:

POLICY MANUAL

Policy Number: 88

Related Party Disclosures

Purpose:

To outline the expectations of elected members and employees of Council in relation to Australian Accounting Standard AASB 124 *Related Party Disclosures*.

Department:

Corporate Services

Author:

Jonathan Harmey, Director

Council Meeting Date:

~~11 July 2017~~ 12 October 2021

Minute Number:

~~160/2017~~ 192/2021

Next Review Date:

~~July 2021~~ **October 2025 (as set, or every four years or as required)**

POLICY

1. Definitions

Arm's length terms

Terms between parties that are reasonable in the circumstances of the transaction that would result from:

- Neither party bearing the other any special duty or obligation, and
- The parties being unrelated and uninfluenced by the other, and
- Each party having acted in its own interests

Close Family Member

Family members of Key Management Personnel (KMP) who may be expected to influence, or be influenced by, that person in their dealings with the entity. This includes, but is not limited to,

that person's spouse or domestic partner; and the children and dependents of that person or that person's spouse or domestic partner.

Control of an entity	You control an entity if you have: a) power over the entity; b) exposure, or rights, to variable returns from involvement with the entity; and c) the ability to use your power over the entity to affect the amount of your returns.
Declaration by KMP	An annual declaration of close family members and entities that the KMP or their close family members control or jointly control, as per Appendix 1, updated during the year as necessary.
Entities controlled by KMPs	Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.
Entities related to Council	Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council.
Joint control of an entity	To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.
Key Management Personnel (KMP)	Persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. In the council context this includes the Mayor, Councillors, the General Manager and Directors.
KMP Compensation	All employee benefits. Employee benefits are all forms of consideration paid, payable or provided by the entity, or on behalf of the entity, in exchange for services rendered to the entity. It also includes such consideration paid on behalf of a parent of the entity in respect of the entity. Compensation includes: a) short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave, paid sick leave and non-monetary benefits (such as medical care, housing, cars and free or subsidised goods or services) for current employees; b) other long-term employee benefits, including long-service leave or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period and deferred compensation; and c) termination benefits.

Materiality	Information is material when, if omitted or misstated, it could influence decisions that users make on the basis of financial information about a specific reporting entity.
	Omissions or misstatements of information are material if they could, individually or collectively, influence the economic decisions that users make on the basis of the financial statements. Materiality depends on the size and nature of the omission or misstatement judged in the surrounding circumstances. The size or nature of the information, or a combination of both, could be the determining factor.
Ordinary Citizen Transactions (OCTs)	Transactions that an ordinary citizen would undertake with Council are usually not material to related party disclosure requirements. OCTs do not apply if the terms and conditions are different to those offered to the general public.
Related Party of Council	People and entities, such as companies, trusts and associations, can be related parties of Council. Most commonly these will be entities related to Council, KMP of Council (including elected members), close family members of KMP and entities that are controlled or jointly controlled by KMP or their close family members.
Related Party Transaction	A transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

2. Objective

The objective of the Standard is to ensure that Council's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

3. Scope

This policy outlines what is expected of elected members and staff of Council in relation to Australian Accounting Standard AASB 124 Related Party Disclosures (AASB 124). Specifically, the policy outlines the disclosure requirements under AASB 124 of Key Management Personnel (KMP), which includes elected members. It also outlines the procedures Council will follow to collect, store, manage and report on related party relationships, transactions and commitments. Under the *Local Government Act 1993* and the *Audit Act 2008* all local governments in Tasmania must produce annual financial statements that comply with Australian Accounting Standards.

4. Policy

- 4.1 Those persons identified as KMP will complete an annual declaration which outlines the entities, if any, that are controlled or jointly controlled by that KMP or their close family members and which are likely to have transactions with Council (Appendix 1).
- 4.2 For the purpose of this Policy, Close Family Members includes, but is not limited to:
- that person's children and spouse or domestic partner;
 - children of that person's spouse or domestic partner; and
 - dependents of that person or of that person's spouse or domestic partner.

Council may determine other family members, such as a parent, grandparent, sibling, cousin, etc, who may be expected to influence, or be influenced by, that person in their dealings with Council or a Council entity.

- 4.3 It is the responsibility of the Director Corporate Services to seek a declaration upon a change of KMP.
- 4.4 All KMPs will be asked to provide their declarations by 1 July each year covering the forthcoming financial year. In addition, an updated declaration for the previous financial year will also be provided.
- 4.5 It is the responsibility of all identified KMP to update their declaration should they become aware of a change, error or omission.
- 4.6 Council will not capture Ordinary Citizen Transactions (OCTs) with related parties; examples of OCT's are using a public swimming pool after paying the normal fee, paying property rates and dog registrations. If OCTs were to occur on terms and conditions that are different to those offered to the general public, the volume of transactions or other qualitative factors of the transactions may cause the OCTs to be assessed as being material in nature.
- 4.7 Council will not disclose non-material transactions. The Director Corporate Services and General Manager will jointly assess the materiality of the related party transactions that have been captured prior to disclosure. In determining materiality, the size and nature of the transaction individually and collectively will be considered.

4.8 Register of Related Party Transactions

4.8.1 Maintain a Register

The Director Corporate Services is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information for each existing or potential related party transaction (including ordinary citizen transactions assessed as being material in nature) during a financial year.

4.8.2 Contents of Register

The contents of the register of related party transactions must detail for each related party transaction:

- the description of the related party transaction;
- the name of the related party;
- the nature of the related party's relationship with Council;
- whether the notified related party transaction is existing or potential;
- a description of the transactional documents.

The Director Corporate Services is responsible for ensuring that the information is disclosed in Council's Financial Statements to the extent, and in the manner stipulated by AASB 124.

- 4.9 Council will use the declarations of KMP to establish a list of related parties for the purposes of identifying transactions and reporting under AASB 124.
- 4.10 Updates will be provided to KMP and Council staff periodically on changes arising from amendments to Australian Accounting Standards, applicable legislation or policy and procedural requirements.
- 4.11 In making disclosures in the annual financial statements Council will include:
- Total KMP compensation
 - Employee expenses for close family members of KMP
 - Transactions with close family members of KMP including the purchase of materials and services, assets and liabilities such as leases and loans.
 - Any other separate disclosure for each category of related party transactions
 - Relationships between a parent and its subsidiaries, irrespective of whether there have been transactions between them
 - Where related party transactions have occurred, the nature of the related party relationship ~~and~~, information about the transactions, outstanding balances and commitments, including terms and conditions, and whether the transaction were carried out on non-arm's length terms.

4.12 For the purpose of this Policy:

Examples of OCTs:

Using a council's public swimming pool after paying the normal fee
Attending council functions that are open to the public
Paying rates and charges in accordance with normal terms and conditions
Paying dog registrations in accordance with normal terms and conditions

Examples of transactions that are not OCTs:

Purchases or sales of land
Leases
Loans and settlement of liabilities
Employee expenses of Close Family Members

5. Legislation

Australian Accounting Standard AASB 124 Related Party Disclosures

Local Government Act 1993, Section 28(e) (functions of Councillors)

Audit Act 2008

Privacy Act 1988

Personal Information Protection Act 2004

6. Responsibility

Responsibility for the operation of this policy rests with the Director Corporate Services.

Appendix 1 – Declaration of Related Party Transactions and Consent Form

Private and Confidential

Related Party Declaration by Key Management Personnel

For the period _____ to _____

Name of Key Management Person: _____

Position of Key Management Person: _____

Signature of KMP: _____

There have been no related party transactions during the period.

I am reporting the following related party transactions that occurred during the period, as follows:

Close Family Member Name	Relationship with KMP	Entities over which the close family member has sole or joint control	Nature of likely transactions with Council or Council entities

Name of Entity over which the KMP has control	Relationship with KMP	Nature of likely transactions with Council or Council entities

I, _____, declare that the above list includes all my close family members and the entities controlled, or jointly controlled, by myself or my close family members having had, or likely to have, transactions with Council. I make this declaration after reading Council's policy which details the meaning of the words "close family members" and "entities controlled, or jointly controlled, by myself or my close family members".

I permit the General Manager to access the register of interests of me and persons related to me and to use the information for the purposes specified in Council's Related Party Disclosures Policy.

Declared at _____ on the _____
_____.

Signature of KMP: _____

Name of KMP: _____

In accordance with Council's *Privacy Policy*, your information, and the information of others, is protected by law, including the *Privacy Act 1988* and the *Personal Information Protection Act 2004*.

Appendix 2 - Related Party Information Collection Notice

Collection Notice

Related party transactions disclosure by Key Management Personnel

From 1 July 2016, Council must disclose related party relationships, transactions and outstanding balances, including commitments, in its annual financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures*.

Purpose of collection, use and disclosure of related party information

The reason for disclosure of related party transactions is to ensure that Council's financial statements contain the information necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

Council's related parties include the Mayor, Councillors, General Manager, Directors, their close family members and any entities that they control or jointly control. Any transactions between Council and these parties, whether monetary or not, may need to be identified and disclosed.

A related party transaction is a transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.

A related party transaction must be disclosed in Council's financial statements if the transaction is material. Information is material when, if omitted or misstated, it could influence decisions that users make on the basis of financial information about a specific reporting entity.

Prior to disclosure, the Director Corporate Services and General Manager will jointly assess the materiality of related party transactions that have been captured, and, if deemed material, will disclose in its financial statements the nature of the related party relationship and information about the transaction. Disclosure in the financial statements may be in aggregate form and/or may be made separately, depending on the nature and materiality of the transaction.

Related Party Transactions Declaration by Key Management Personnel

Key management personnel (KMP) are the persons who have authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly and include the Mayor, Councillors, General Manager and Directors. In order to comply with AASB 124, Council has adopted a policy that requires all KMP to declare any existing or potential related party transactions between Council and any of their related parties during a financial year.

Each KMP must provide an annual *Related Party Declaration* in the approved form, by 1 July each year, and update the Declaration should they become aware of any change, error or omission. KMPs must exercise their best judgement in identifying related parties when declaring, or not declaring, entities over which they, or a close member of their family, have control or joint control.

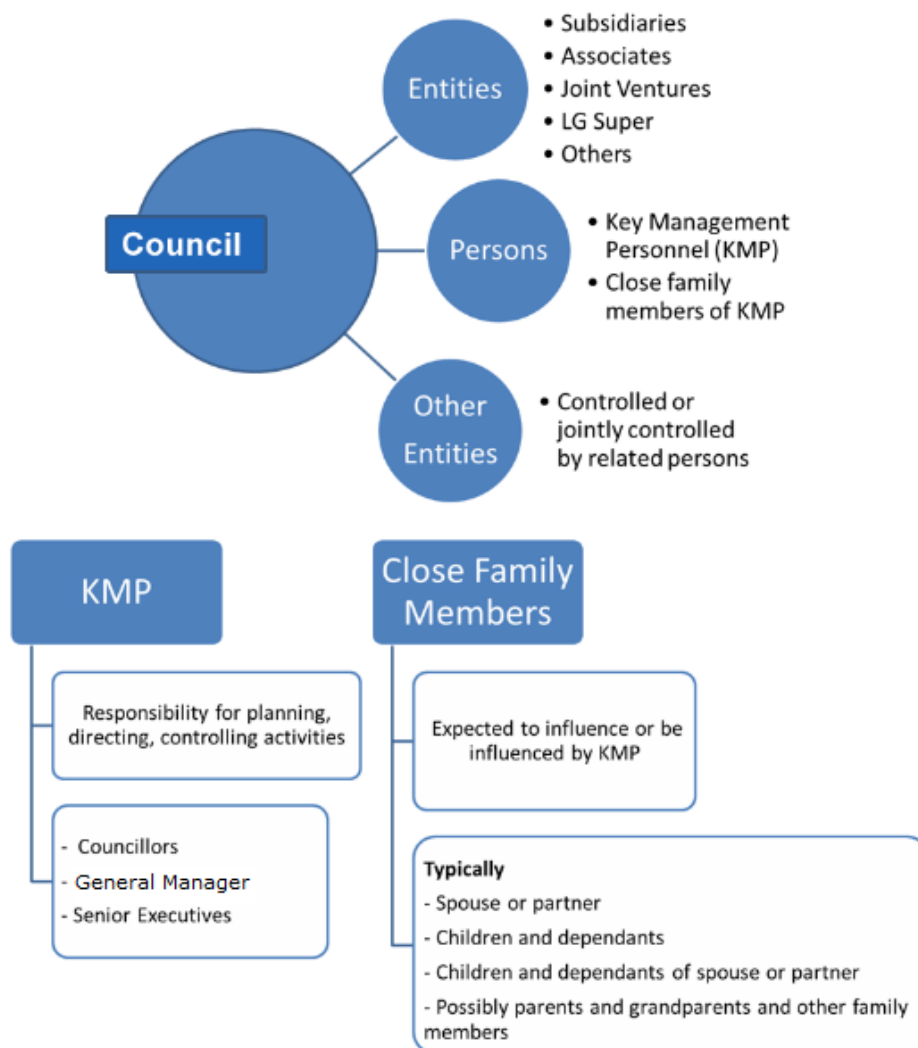
How will the information captured in the Declaration be used?

Council will use the declarations of KMPs to establish a list of related parties of Council for the purposes of identifying transactions and reporting under AASB 124. If a KMP or close family member is named individually in disclosure reports, the KMP will be given a copy of the intended disclosure for review and information purposes.

Who are related parties?

People and entities, such as companies, trusts and associations, can be related parties of Council.

The following diagram gives an overview of common related parties that a council will have.



For related party transaction disclosures under AASB 124, the related party relationship must be disclosed for both the KMP and their close family members, even if the same related party entity is held jointly or in common by them. This is separate and in addition to Council's register of interests which is required under the *Local Government Act 1993*.

Under AASB 124, those persons who are prescribed as definitely being close family members of a KMP include:

- that person’s children and spouse or domestic partner;
- children of that person’s spouse or domestic partner; and
- dependents of that person or that person’s spouse or domestic partner.

Council may determine other family members, such as a parent, grandparent, sibling, cousin, etc, who may be expected to influence, or be influenced by, that person in their dealings with Council or a Council entity.

What is an entity that I, or my close family members, control or jointly control?

Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

You control an entity if you have:

- a) power over the entity;
- b) exposure, or rights, to variable returns from involvement with the entity; and
- c) the ability to use your power over the entity to affect the amount of your returns.

You jointly control an entity if there is a contractually agreed sharing of control of the entity. Joint control exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some instances, it may not be easy to determine whether or not you, or your close family members, control or jointly control an entity. If you are unsure and require further clarification, you should contact the Director Corporate Services for a confidential discussion.

DECISION:

Cr White moved and Cr Cameron seconded ***“that Council confirms the continuation of Policy No. 88 – Related Party Disclosures, with amendments, as follows:***

POLICY MANUAL

Policy Number: 88	Related Party Disclosures
Purpose:	To outline the expectations of elected members and employees of Council in relation to Australian Accounting Standard AASB 124 <i>Related Party Disclosures</i> .
Department:	Corporate Services
Author:	Jonathan Harmey, Director
Council Meeting Date:	12 October 2021
Minute Number:	192/2021
Next Review Date:	October 2025 (as set, or every four years or as required)

POLICY

1. Definitions

Arm's length terms	Terms between parties that are reasonable in the circumstances of the transaction that would result from: <ul style="list-style-type: none">▪ Neither party bearing the other any special duty or obligation, and▪ The parties being unrelated and uninfluenced by the other, and▪ Each party having acted in its own interests
Close Family Member	Family members of Key Management Personnel (KMP) who may be expected to influence, or be influenced by, that person in their dealings with the entity. This includes, but is not limited to, that person's spouse or domestic partner; and the children and dependents of that person or that person's spouse or domestic partner.
Control of an entity	You control an entity if you have: <ul style="list-style-type: none">d) power over the entity;e) exposure, or rights, to variable returns from involvement with the entity; andf) the ability to use your power over the entity to affect the amount of your returns.
Declaration by KMP	An annual declaration of close family members and entities that the KMP or their close family members control or jointly control, as per Appendix 1, updated during the year as necessary.
Entities controlled by KMPs	Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.
Entities related to Council	Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council.
Joint control of an entity	To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.
Key Management Personnel (KMP)	Persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. In the council context this includes the Mayor, Councillors, the General Manager and Directors.
KMP Compensation	All employee benefits. Employee benefits are all forms of consideration paid, payable or provided by the entity, or on

behalf of the entity, in exchange for services rendered to the entity. It also includes such consideration paid on behalf of a parent of the entity in respect of the entity. Compensation includes:

- d) short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave, paid sick leave and non-monetary benefits (such as medical care, housing, cars and free or subsidised goods or services) for current employees;
- e) other long-term employee benefits, including long-service leave or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period and deferred compensation; and
- f) termination benefits.

Materiality

Information is material when, if omitted or misstated, it could influence decisions that users make on the basis of financial information about a specific reporting entity.

Omissions or misstatements of information are material if they could, individually or collectively, influence the economic decisions that users make on the basis of the financial statements. Materiality depends on the size and nature of the omission or misstatement judged in the surrounding circumstances. The size or nature of the information, or a combination of both, could be the determining factor.

Ordinary Citizen Transactions (OCTs)

Transactions that an ordinary citizen would undertake with Council are usually not material to related party disclosure requirements. OCTs do not apply if the terms and conditions are different to those offered to the general public.

Related Party of Council

People and entities, such as companies, trusts and associations, can be related parties of Council. Most commonly these will be entities related to Council, KMP of Council (including elected members), close family members of KMP and entities that are controlled or jointly controlled by KMP or their close family members.

Related Party Transaction

A transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

2. Objective

The objective of the Standard is to ensure that Council's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

3. Scope

This policy outlines what is expected of elected members and staff of Council in relation to Australian Accounting Standard AASB 124 Related Party Disclosures (AASB 124). Specifically, the policy outlines the disclosure requirements under AASB 124 of Key Management Personnel (KMP), which includes elected members. It also outlines the procedures Council will follow to collect, store, manage and report on related party relationships, transactions and commitments. Under the *Local Government Act 1993* and the *Audit Act 2008* all local governments in Tasmania must produce annual financial statements that comply with Australian Accounting Standards.

4. Policy

4.1 Those persons identified as KMP will complete an annual declaration which outlines the entities, if any, that are controlled or jointly controlled by that KMP or their close family members and which are likely to have transactions with Council (Appendix 1).

4.2 For the purpose of this Policy, Close Family Members includes, but is not limited to:

- that person's children and spouse or domestic partner;
- children of that person's spouse or domestic partner; and
- dependents of that person or of that person's spouse or domestic partner.

Council may determine other family members, such as a parent, grandparent, sibling, cousin, etc, who may be expected to influence, or be influenced by, that person in their dealings with Council or a Council entity.

4.3 It is the responsibility of the Director Corporate Services to seek a declaration upon a change of KMP.

4.4 All KMPs will be asked to provide their declarations by 1 July each year covering the forthcoming financial year. In addition, an updated declaration for the previous financial year will also be provided.

4.5 It is the responsibility of all identified KMP to update their declaration should they become aware of a change, error or omission.

4.6 Council will not capture Ordinary Citizen Transactions (OCTs) with related parties; examples of OCT's are using a public swimming pool after paying the normal fee, paying property rates and dog registrations. If OCTs were to occur on terms and conditions that are different to those offered to the general public, the volume of transactions or other qualitative factors of the transactions may cause the OCTs to be assessed as being material in nature.

4.7 Council will not disclose non-material transactions. The Director Corporate Services and General Manager will jointly assess the materiality of the related party transactions that have been captured prior to disclosure. In determining materiality, the size and nature of the transaction individually and collectively will be considered.

4.8 Register of Related Party Transactions

4.8.1 Maintain a Register

The Director Corporate Services is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information for each existing or potential related party transaction (including ordinary citizen transactions assessed as being material in nature) during a financial year.

4.8.2 Contents of Register

The contents of the register of related party transactions must detail for each related party transaction:

- the description of the related party transaction;
- the name of the related party;
- the nature of the related party's relationship with Council;
- whether the notified related party transaction is existing or potential;
- a description of the transactional documents.

The Director Corporate Services is responsible for ensuring that the information is disclosed in Council's Financial Statements to the extent, and in the manner stipulated by AASB 124.

4.9 Council will use the declarations of KMP to establish a list of related parties for the purposes of identifying transactions and reporting under AASB 124.

4.10 Updates will be provided to KMP and Council staff periodically on changes arising from amendments to Australian Accounting Standards, applicable legislation or policy and procedural requirements.

4.11 In making disclosures in the annual financial statements Council will include:

- Total KMP compensation
- Employee expenses for close family members of KMP
- Transactions with close family members of KMP including the purchase of materials and services, assets and liabilities such as leases and loans.
- Any other separate disclosure for each category of related party transactions
- Relationships between a parent and its subsidiaries, irrespective of whether there have been transactions between them
- Where related party transactions have occurred, the nature of the related party relationship, information about the transactions, outstanding balances and commitments, including terms and conditions, and whether the transaction were carried out on non-arm's length terms.

4.12 For the purpose of this Policy:

Examples of OCTs:

Using a council's public swimming pool after paying the normal fee
Attending council functions that are open to the public
Paying rates and charges in accordance with normal terms and conditions
Paying dog registrations in accordance with normal terms and conditions

Examples of transactions that are not OCTs:

Purchases or sales of land
Leases
Loans and settlement of liabilities
Employee expenses of Close Family Members

5. Legislation

Australian Accounting Standard AASB 124 Related Party Disclosures
Local Government Act 1993, Section 28(e) (functions of Councillors)
Audit Act 2008
Privacy Act 1988
Personal Information Protection Act 2004

6. Responsibility

Responsibility for the operation of this policy rests with the Director Corporate Services.

Appendix 1 – Declaration of Related Party Transactions and Consent Form

Private and Confidential

Related Party Declaration by Key Management Personnel

For the period _____ to _____

Name of Key Management Person: _____

Position of Key Management Person: _____

Signature of KMP: _____

There have been no related party transactions during the period.

I am reporting the following related party transactions that occurred during the period, as follows:

Close Family Member Name	Relationship with KMP	Entities over which the close family member has sole or joint control	Nature of likely transactions with Council or Council entities

Name of Entity over which the KMP has control	Relationship with KMP	Nature of likely transactions with Council or Council entities

I permit the General Manager to access the register of interests of me and persons related to me and to use the information for the purposes specified in Council’s Related Party Disclosures Policy.

Declared at _____ on the _____.

In accordance with Council’s *Privacy Policy*, your information, and the information of others, is protected by law, including the *Privacy Act 1988* and the *Personal Information Protection Act 2004*.

Appendix 2 - Related Party Information Collection Notice

Collection Notice

Related party transactions disclosure by Key Management Personnel

Council must disclose related party relationships, transactions and outstanding balances, including commitments, in its annual financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures*.

Purpose of collection, use and disclosure of related party information

The reason for disclosure of related party transactions is to ensure that Council's financial statements contain the information necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

Council's related parties include the Mayor, Councillors, General Manager, Directors, their close family members and any entities that they control or jointly control. Any transactions between Council and these parties, whether monetary or not, may need to be identified and disclosed.

A related party transaction is a transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.

A related party transaction must be disclosed in Council's financial statements if the transaction is material. Information is material when, if omitted or misstated, it could influence decisions that users make on the basis of financial information about a specific reporting entity.

Prior to disclosure, the Director Corporate Services and General Manager will jointly assess the materiality of related party transactions that have been captured, and, if deemed material, will disclose in its financial statements the nature of the related party relationship and information about the transaction. Disclosure in the financial statements may be in aggregate form and/or may be made separately, depending on the nature and materiality of the transaction.

Related Party Transactions Declaration by Key Management Personnel

Key management personnel (KMP) are the persons who have authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly and include the Mayor, Councillors, General Manager and Directors. In order to comply with AASB 124, Council has adopted a policy that requires all KMP to declare any existing or potential related party transactions between Council and any of their related parties during a financial year.

Each KMP must provide an annual *Related Party Declaration* in the approved form, by 1 July each year, and update the Declaration should they become aware of any change, error or omission. KMPs must exercise their best judgement in identifying related parties when declaring, or not declaring, entities over which they, or a close member of their family, have control or joint control.

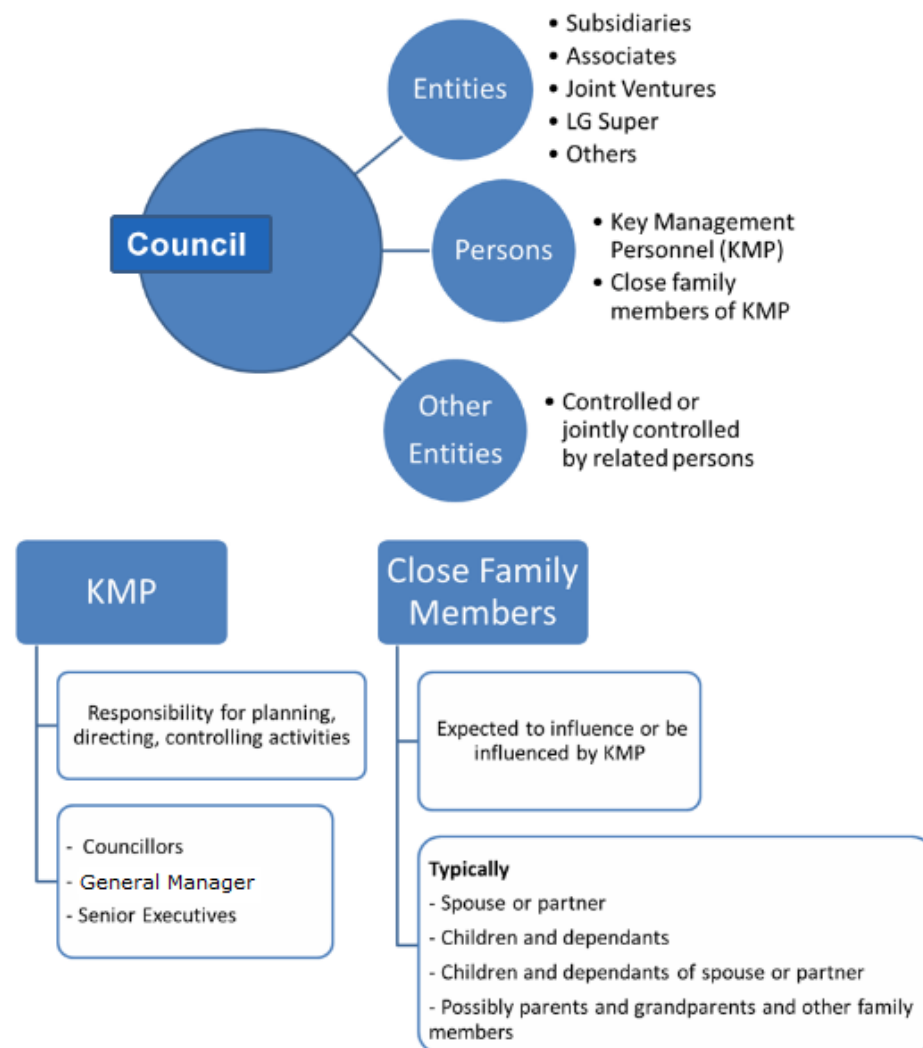
How will the information captured in the Declaration be used?

Council will use the declarations of KMPs to establish a list of related parties of Council for the purposes of identifying transactions and reporting under AASB 124. If a KMP or close family member is named individually in disclosure reports, the KMP will be given a copy of the intended disclosure for review and information purposes.

Who are related parties?

People and entities, such as companies, trusts and associations, can be related parties of Council.

The following diagram gives an overview of common related parties that a council will have.



For related party transaction disclosures under AASB 124, the related party relationship must be disclosed for both the KMP and their close family members, even if the same related party entity is held jointly or in common by them. This is separate and in addition to Council's register of interests which is required under the *Local Government Act 1993*.

Under AASB 124, those persons who are prescribed as definitely being close family members of a KMP include:

- that person's children and spouse or domestic partner;
- children of that person's spouse or domestic partner; and
- dependents of that person or that person's spouse or domestic partner.

Council may determine other family members, such as a parent, grandparent, sibling, cousin, etc, who may be expected to influence, or be influenced by, that person in their dealings with Council or a Council entity.

What is an entity that I, or my close family members, control or jointly control?

Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

You control an entity if you have:

- d) power over the entity;
- e) exposure, or rights, to variable returns from involvement with the entity; and
- f) the ability to use your power over the entity to affect the amount of your returns.

You jointly control an entity if there is a contractually agreed sharing of control of the entity. Joint control exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some instances, it may not be easy to determine whether or not you, or your close family members, control or jointly control an entity. If you are unsure and require further clarification, you should contact the Director Corporate Services for a confidential discussion.

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

193/2021 REVIEW OF POLICY NO. 56 SPORT AND RECREATION VENUES PRICING

AUTHOR: Dino De Paoli
Director Infrastructure Services

1) Recommendation

It is recommended that Council confirms the continuation of Policy No. 56 – Sport and Recreation Venues Pricing with amendments as follows:

POLICY MANUAL

Policy Number: 56

Sport & Recreation Venues Pricing

Purpose: To provide a consistent philosophy to pricing the use of sport and recreation grounds and facilities

Department:

Author:

~~Community & Development~~ Infrastructure Services
~~Lynette While, Director~~ Patrick Bessell, Community
Facilities Officer

Council Meeting Date:

Minute Number:

~~9 October 2018~~ 12 October 2021

~~190/2018~~ 193/2021

Next Review Date:

~~July 2021~~ **October 2025 (as set, or every four years or as required)**

POLICY

1. Definitions

- 1.1. **Sport & Recreation Venues:** includes sport and recreation facilities and grounds which are used for activities such as: Australian football, badminton, basketball, cricket, dance, darts, drama, films, martial sport, netball, soccer, squash, table tennis, tennis, touch football.
- 1.2. **Recreation Grounds:** includes parklands, sports fields, reserves, council land provided by Council for the purpose of recreation.
- 1.3. **Lease:** a contract under which an agreed fee is paid by a tenant (or lessee) granted exclusive use of ground and/or facility for an agreed period.
- 1.4. **Licence:** an agreement for permission to enter and use grounds and/or facilities for an agreed purpose for a stated period in exchange for an agreed fee. The licensee does not have exclusive use of the reserve or facility. Council is able to allocate

other user groups or allow the general public to use the reserves and/or facilities at other times.

- 1.5. **Regular Hire:** a group, individual or organisation that hires a recreation ground or facility on an ongoing basis for a specified minimum number of bookings.
- 1.6. **Casual Hire:** a group, individual or organisation that hires a recreation ground or facility for casual one-off or specific occasions.
- 1.7. **Community Organisation:** a not for profit group (e.g. Club / Association) established for the benefit of the community.
- 1.8. **Commercial Entity:** an organisation or individual conducting activities for the purposes of deriving a financial return to the proprietors or shareholders.
- 1.9. **Special Committee of Council:** comprises a Chairperson, Secretary and Treasurer and community / council members who are responsible, in conjunction with Council, for the upkeep and maintenance of the facility / ground for which it has been appointed.
- 1.10. **Junior Participants:** sport and recreation participants aged up to 18 years.
- 1.11. **Female Participants:** sport and recreation by female participants aged 18 years and older.
- 1.12. **Inclusion Participants:** sport and recreation by participants with a disability aged 18 years and older and senior aged participants (65 years +).

2. Purpose & Objectives

This policy intends that users of recreation grounds and facilities have transparent information regarding how much they are required to pay and what they are paying for. Council is committed to the following objectives:

- 2.1 To establish principles for the determination of fees and charges based on support levels for leased, licensed, regular and casual hire of council owned or managed recreation grounds and recreation facilities.
- 2.2 To ensure the accountability to the community through an equitable and transparent pricing structure.
- 2.3 To provide an efficient and joint management tool in the allocation, maintenance and operation of Council's recreation grounds and recreation facilities.
- 2.4 To promote the level of responsibility of user groups so that recreation grounds and recreation facilities receive optimum use and ratepayers do not bear the whole cost.
- 2.5 To provide the incentive for more diverse and joint use of fewer grounds and facilities so that Council's resources are effectively used.
- 2.6 To categorise recreation grounds and recreation facilities for casual/non-regular users and define them in terms of the benefits received by users and the rest of the community (refer to "Sports Grounds/Facilities for Casual Users Classifications" within the Recreation Pricing Policy Implementation Guidelines).

This policy also provides the basis and principles from which the more detailed Meander Valley Council "**Sport & Recreation Venues Pricing Policy Implementation Guidelines**" have been developed. The specific detail about how fees for users will be determined and implemented is contained within the Guidelines.

3. Scope

This Policy applies to all users, hirers and occupiers of Council's sport and recreation grounds and facilities.

The policy does not include Council's aquatic facilities.

4. Policy

Principles

Council will be guided by the following principles when determining hire charges and rents:

- 4.1 Charges are for a specific use on a specific date.
- 4.2 User groups should contribute towards the cost of grounds / facilities provided by Council so that ratepayers do not bear the full cost.
- 4.3 Hire charges for grounds use by regular seasonal users will be based on a per team charge that is initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- 4.4 Hire charges for grounds use for casual users will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- 4.5 Hire charges / rents for facilities will be based on a fixed percentage rate of return (22%) for all facilities and taking account of the average of the previous 5 years operating, maintenance and depreciation costs. The charges will thus reflect the quality of the facilities, services provided, the nature and pattern of use and the ability of user groups to pay and the terms of any lease agreements with Council. The charge/rent is initially set for a period of four years to coincide with policy review and is then annually adjusted for CPI or as determined by Council and approved annually by Council.
- 4.6 User groups are encouraged and rewarded for sharing facilities, encouraging new more diverse user groups and new uses, introducing new recreation and sports and involvement in the management, operation, maintenance and clean up responsibilities.
- 4.7 Responsibilities must be clearly developed in conjunction with user groups and communicated at appropriate times (*e.g. at AGM to new office bearers*).

- 4.8 If sport and recreation facilities are already provided to the public by the private sector at a reasonable and competitive price with professional, semi-professional or commercial interests in place, then Council's hire charges at relevant locations shall compete on a commercial market basis and recover the highest level of operation and maintenance costs in a similar manner to that calculated by the competing service.
- 4.9 Leased facilities will be administered according to the terms and conditions set out in the leases while supporting the community based not for profit organisations as per the pricing policy.

Facility Categories

All outdoor sport and recreation grounds will be categorised according to their level of amenity for the purposes of managing usage by hirers. The charge will reflect the category of the facility/ground. The associated facilities at the outdoor recreation grounds are subject to any lease arrangements in place.

Concessions

Based on the value Council places on support to junior participation, non-traditional users and innovative scheduling the following concessions will be provided on the hire charges for ground usage only:

- 4.10 Junior only sports and recreations supported by parental/volunteer administration – 50%.
- 4.11 Female and Inclusion the provision of non-traditional or new recreational opportunities – 50%.
- 4.12 Off peak use (to be defined by facility manager or management committee, but normally between 9am and 3pm weekdays) which encourages increased use of facilities by enabling better programming of activities – 25%.
- 4.13 The participation concessions can be cumulative up to a maximum of 75%.

Based on the value Council places on self-reliance the following concession will be provided by Council officers on the hire/rent charges for facility usage only:

- 4.14 The value of any maintenance by the user group expressed as a percentage within the total Operations & Maintenance costs – up to 25%.

5. Legislation

Local Government Act 1993 – responsibility to provide for the health and welfare of the community.

6. Responsibility

Responsibility for the operation of this policy rests with the ~~Director, Community and Development~~ Director Infrastructure Services.

RECREATION PRICING POLICY IMPLEMENTATION GUIDELINES

Policy Number: 56 ————— **Recreation Grounds/Facilities Pricing**

Purpose: To provide a consistent philosophy and guide to setting the fees for hire and use of recreation grounds and facilities by the community.

Next Review Date: *December 2021*

RECREATION PRICING POLICY IMPLEMENTATION GUIDELINES (Including FEES & CHARGES)

1. Introduction

Meander Valley Council owns or manages an extensive network of sports grounds and buildings, open spaces, stadiums, halls, meeting rooms and other facilities. Council views the sustainable use of these grounds and facilities as integral to the Meander Valley community having equitable access to a wide range of leisure, cultural and educational opportunities and to enhance the health and wellbeing within the community. Council encourages the use of these grounds and facilities by supporting the many groups that use them.

Policy No. 56 Recreation Grounds/Facilities Pricing was first developed in 2003-04 and is reviewed every four years. The 2017 – 2021 Pricing Policy and associated Implementation Guidelines, including fees and charges, will be transparently available to all users and will be known in advance of the season or casual booking.

Hire charges for facility and grounds use will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.

2. Pricing Implementation Guidelines

Determination of Prices for Facilities

Seasonal / Regular Users

Hire charges and rentals for facilities will be established in the following manner:

- The percentage level of return required on operating and maintenance (O&M) expenses, incl. depreciation, for all Council owned sport and recreation facilities is 22%.
- Determine the average annual O&M expenses based on the calculation of a maximum five year rolling average to smooth out any peaks and troughs in O&M requirements from year to year. Where facilities are hired exclusively to clubs or user

groups on a seasonal basis, such clubs or user groups will be responsible for all utility charges during that occupancy.

- The facility use charge will be determined based on an understanding of the total O&M expenses, the dollar return required and the length of a season.
- The facility charge will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- Determine the gross annual charge, or relevant unit or hourly charge for each user or user group and apply the self-reliance concession available for facility usage up to a maximum 25% concession to determine the actual charge for a particular user or group.
- Facility fees for the regular users of the sport and recreation facilities have been calculated for the following:
 - Bracknell Recreation Ground facilities: Bracknell Football Club.
 - Hagley Recreation Ground facilities: Diggers Cricket Club.
 - Whitemore Recreation Ground facilities: Whitemore Cricket Club; Whitemore Tennis Club.
 - Deloraine Recreation Ground facilities: Deloraine Football Club.
 - Hadspen Memorial Centre: Hadspen Chieftains Cricket Club*.
 - Prospect Vale Park facilities: Prospect Park Sports Club.
 - Westbury Recreation Ground facilities: Meander Valley Suns Football & Netball Club; Westbury Shamrocks Cricket Club.

NOTE * Hadspen Chieftains Cricket Club are currently charged as a seasonal user of the facility and do not take on any facility management responsibility. They have accepted a higher level of service / utility provision by Council, e.g. cleaning / power.

Casual/Non-regular Users & Private Users

Hire charges and rentals for facilities will be established in the following manner:

- For Public Halls owned by Council a "Going Rate" or charge will be determined by the responsible Facility Manager after considering hire rates for any similar facilities within the community and the prospective user's capacity to pay.
- A 100% rate of return is applicable for all private sport and recreation facilities located on Council land.

Determination of Prices for Grounds

Seasonal / Regular Users

Fees for ground usage by seasonal and regular users will be established in the following manner:

- The level of return required on ground usage for all Council owned sport and recreation grounds is based on the number of teams and type of sport being conducted as per the following formula:

SPORT	NOTIONAL PLAYER NUMBERS PER TEAM	SENIOR/JUNIOR	RATE PER TEAM PER SEASON (inc GST)
Football (AFL)	25	Senior Men	\$1,000.00
	20	Senior Women	\$500.00
	20	Junior	\$250.00
Soccer	12	Senior Men	\$500.00
	12	Senior Women	\$250.00
	10	Junior	\$125.00
Cricket	12	Senior Men	\$500.00
	12	Senior Women	\$250.00
	12	Junior	\$125.00
Touch	8	Senior Men	\$250.00
	8	Senior Women	\$125.00
	8	Junior	\$62.50

- When calculating a ground use rate for users the following should be noted:
 - Where sports have a MIXED senior program (eg Launceston Touch) they are calculated on a 1:1 ratio of men and women.
 - Junior teams are defined as teams / programs for players Under 18 years of age as defined by their governing body.
 - The fees are for seasonal use only and cover a period up to 6 months as defined by Council.
 - Where teams use Council grounds outside their normal season, that use, if agreed by Council, will attract additional fees.
- The ground charge will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- The sport and recreation grounds/regular users included are those located at:
 - Bracknell Recreation Ground – Football Club and Cricket Club
 - Carrick Recreation Ground – Social Soccer Association

- Deloraine Recreation Ground — Football Club and Junior Football Club. Masters and Auskick programs are additional.
- Hadspen Recreation Ground — Cricket Club
- Hagley Recreation Ground — Cricket Club
- Meander Recreation Ground — nil currently
- Prospect Vale Park — Soccer Clubs x3, Football Clubs x2 and Touch Association. Academy programs, Auskick or other developmental programs are additional.
- Westbury Recreation Ground — Cricket Club and Football Club. Netball and Auskick programs are additional.
- Whitemore Recreation Ground — Cricket Club and Tennis Club

➤ Other venue users will be deemed casual users for ground use purposes, e.g. Northern Tasmanian High Schools Sports Association, Tasmanian Touch Football Association, and charged accordingly.

Casual/non-regular Users

Hire charges and fees for ground usage by casual/non-regular users have been established and are set annually by Council and take account of the quality of the facility and capacity to pay. High use facilities have fees and charges which enable Council to better manage usage patterns across the range of potential users.

As well, for all Public recreation grounds/reserves/parks located on Council land no rate of return is applicable. However, there may be some regulatory application fees applicable for the use of these spaces for organised public events.

The charge will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.

The fees and charges and rationale for these are contained in Council's document: "Meander Valley Council Sports Grounds/Facilities For Casual Users."

MEANDER VALLEY COUNCIL SPORTS GROUNDS / FACILITIES FOR CASUAL USERS

SPORTS GROUNDS / FACILITIES CLASSIFICATIONS

Sports grounds/facilities have been classified into three categories (A, B and C) with 'A' being grounds fully managed by council and 'B' class grounds having some levels of maintenance generally being carried out by user groups. The category C facilities have limited maintenance and limited users.

Each category will correspond to a set charge for use. It is council's objective to recover a minimum of 22% of the total cost of these grounds/facilities, including clubrooms.

The criteria under which sports grounds are rated are detailed below and include:

- a) The cost involved in maintaining a sporting surface to the standard required for the sport.
- b) The presence of irrigation and/or underground drainage system.
- c) The standard of support structures (e.g. fencing, training lights, changing facilities/toilets, parking)
- d) Council involvement in any maintenance.

Sports Grounds / Facilities Categories

Category A1 – A2 Council Maintained (on-going)

Grounds may include all (A1) or some (A2) of the following:-

- Training lights
- Extensive underground drainage system
- Automatic irrigation system
- Synthetic or turf surface
- Highly maintained playing surface by council
- Good quality changing rooms / parking
- Good/high quality support structures (e.g. coaches boxes, scoreboard, interchange boxes)
- High Council management

Category B1 – B2 Council Maintained (periodic)

Grounds may include all (B1) or some (B2) of the following:-

- Training lights
- Limited drainage system
- Limited irrigation system
- Synthetic or turf surface
- Good quality playing surface
- Good support structures
- Moderate quality changing rooms / parking
- Moderate Council management

Category C1 – C2 Council Maintained (seasonal)

Grounds may include all or some of the following:-

- No training lights
- No drainage system
- No irrigation system
- Synthetic surface
- Lower quality playing surface
- Limited support structures, changing facilities, parking
- Minimal Council management

NOTE: Hadspen rental for casual users includes the Clubroom so deemed category A. All other facilities have lease/license holders who determine fees for clubrooms.

**MEANDER VALLEY COUNCIL SPORTS GROUNDS/FACILITIES FOR CASUAL USERS
2017-18 FEES/CHARGES -GST Inclusive**

SPORTS GROUNDS/FACILITIES	Per-Hour	Per-Day	Category
Bracknell-rec-ground/change-rooms	\$20.00	\$120.00	B2
Bracknell-rec-ground-only	\$15.00	\$90.00	B2
Bracknell-clubrooms	Fee determined by leaseholder		
Carrick recreation ground	\$10.00	\$60.00	C1
Deloraine-rec-ground/change-rooms	\$20.00	\$120.00	B2
Deloraine-rec-ground-only	\$15.00	\$90.00	B2
Deloraine-clubrooms	Fee determined by leaseholder		
Hadspen-rec-ground/centre	\$30.00	\$180.00	A2
Hadspen-rec-ground-only	\$20.00	\$120.00	A2
Hagley-rec-ground/change-rooms	\$15.00	\$90.00	C1
Hagley-rec-ground-only	\$10.00	\$60.00	C1
Hagley-clubrooms	Fee determined by leaseholder		
Meander recreation ground	\$10.00	\$60.00	C2
Prospect Vale Park – per change room	\$10.00	\$40.00	A1
Prospect Vale Park – per touch field	\$12.50	\$75.00	A1
Prospect Vale Park – per soccer field	\$20.00	\$120.00	A1
Prospect Vale Park – per football field	\$25.00	\$150.00	A1
Prospect Vale Park – clubrooms	Fee determined by leaseholder		
Westbury-rec-ground/change-rooms	\$20.00	\$120.00	B1
Westbury-rec-ground-only	\$15.00	\$90.00	B1
Westbury-clubrooms	Fee determined by leaseholder		
Whitemore-rec-ground-only	\$10.00	\$60.00	C2
Whitemore-clubrooms	Fee determined by leaseholder		
Sports Ground Lighting	\$14.00 per hour	NA	
Key Bond (refundable)	\$50.00	NA	
Discounts – Ground Only			
Junior Discount (under 18 years)	50%	NA	
Female & Inclusion Discount	50%	NA	
Off-peak Use Discount (use between 9am and 3pm)	25%	NA	

DECISION:

Cr Cameron moved and Cr Frydrych seconded ***“that Council confirms the continuation of Policy No. 56 – Sport and Recreation Venues Pricing with amendments as follows:***

POLICY MANUAL

Policy Number: 56

Sport & Recreation Venues Pricing

Purpose:

To provide a consistent philosophy to pricing the use of sport and recreation grounds and facilities

Department:

Infrastructure Services

Author:

Patrick Bessell, Community Facilities Officer

Council Meeting Date:

12 October 2021

Minute Number:

193/2021

Next Review Date:

October 2025 (as set, or every four years or as required)

POLICY

1. Definitions

- 1.1. **Sport & Recreation Venues:** includes sport and recreation facilities and grounds which are used for activities such as: Australian football, badminton, basketball, cricket, dance, darts, drama, films, martial sport, netball, soccer, squash, table tennis, tennis, touch football.
- 1.2. **Recreation Grounds:** includes parklands, sports fields, reserves, council land provided by Council for the purpose of recreation.
- 1.3. **Lease:** a contract under which an agreed fee is paid by a tenant (or lessee) granted exclusive use of ground and/or facility for an agreed period.
- 1.4. **Licence:** an agreement for permission to enter and use grounds and/or facilities for an agreed purpose for a stated period in exchange for an agreed fee. The licensee does not have exclusive use of the reserve or facility. Council is able to allocate other user groups or allow the general public to use the reserves and/or facilities at other times.
- 1.5. **Regular Hire:** a group, individual or organisation that hires a recreation ground or facility on an ongoing basis for a specified minimum number of bookings.
- 1.6. **Casual Hire:** a group, individual or organisation that hires a recreation ground or facility for casual one-off or specific occasions.
- 1.7. **Community Organisation:** a not for profit group (e.g. Club / Association) established for the benefit of the community.
- 1.8. **Commercial Entity:** an organisation or individual conducting activities for the purposes of deriving a financial return to the proprietors or shareholders.

- 1.9. **Special Committee of Council:** comprises a Chairperson, Secretary and Treasurer and community / council members who are responsible, in conjunction with Council, for the upkeep and maintenance of the facility / ground for which it has been appointed.
- 1.10. **Junior Participants:** sport and recreation participants aged up to 18 years.
- 1.11. **Female Participants:** sport and recreation female participants aged 18 years and older.
- 1.12. **Inclusion Participants:** sport and recreation by participants with a disability aged 18 years and older and senior aged participants (65 years +).

2. Purpose & Objectives

This policy intends that users of recreation grounds and facilities have transparent information regarding how much they are required to pay and what they are paying for. Council is committed to the following objectives:

- 2.1 To establish principles for the determination of fees and charges based on support levels for leased, licensed, regular and casual hire of council owned or managed recreation grounds and recreation facilities.
- 2.2 To ensure the accountability to the community through an equitable and transparent pricing structure.
- 2.3 To provide an efficient and joint management tool in the allocation, maintenance and operation of Council's recreation grounds and recreation facilities.
- 2.4 To promote the level of responsibility of user groups so that recreation grounds and recreation facilities receive optimum use and ratepayers do not bear the whole cost.
- 2.5 To provide the incentive for more diverse and joint use of fewer grounds and facilities so that Council's resources are effectively used.
- 2.6 To categorise recreation grounds and recreation facilities for casual/non-regular users and define them in terms of the benefits received by users and the rest of the community (refer to "Sports Grounds/Facilities for Casual Users Classifications" within the Recreation Pricing Policy Guidelines).

This policy also provides the basis and principles from which the more detailed Meander Valley Council "**Sport & Recreation Venues Pricing Policy Guidelines**" have been developed. The specific detail about how fees for users will be determined and implemented is contained within the Guidelines.

3. Scope

This Policy applies to all users, hirers and occupiers of Council's sport and recreation grounds and facilities.

The policy does not include Council's aquatic facilities.

4. Policy

Principles

Council will be guided by the following principles when determining hire charges and rents:

- 4.1 Charges are for a specific use on a specific date.
- 4.2 User groups should contribute towards the cost of grounds / facilities provided by Council so that ratepayers do not bear the full cost.
- 4.3 Hire charges for grounds use by regular seasonal users will be based on a per team charge that is initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- 4.4 Hire charges for grounds use for casual users will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- 4.5 Hire charges / rents for facilities will be based on a fixed percentage rate of return (22%) for all facilities and taking account of the average of the previous 5 years operating, maintenance and depreciation costs. The charges will thus reflect the quality of the facilities, services provided, the nature and pattern of use and the ability of user groups to pay and the terms of any lease agreements with Council. The charge/rent is initially set for a period of four years to coincide with policy review and is then annually adjusted for CPI or as determined by Council and approved annually by Council.
- 4.6 User groups are encouraged and rewarded for sharing facilities, encouraging new more diverse user groups and new uses, introducing new recreation and sports and involvement in the management, operation, maintenance and clean up responsibilities.
- 4.7 Responsibilities must be clearly developed in conjunction with user groups and communicated at appropriate times (*e.g. at AGM to new office bearers*).
- 4.8 If sport and recreation facilities are already provided to the public by the private sector at a reasonable and competitive price with professional, semi-professional or commercial interests in place, then Council's hire charges at relevant locations shall compete on a commercial market basis and recover the highest level of operation and maintenance costs in a similar manner to that calculated by the competing service.
- 4.9 Leased facilities will be administered according to the terms and conditions set out in the leases while supporting the community based not for profit organisations as per the pricing policy.

Facility Categories

All outdoor sport and recreation grounds will be categorised according to their level of amenity for the purposes of managing usage by hirers. The charge will reflect the category of the facility/ground. The associated facilities at the outdoor recreation grounds are subject to any lease arrangements in place.

Concessions

Based on the value Council places on support to junior participation, non-traditional users and innovative scheduling the following concessions will be provided on the hire charges for ground usage only:

- 4.10 Junior only sports and recreations supported by parental/volunteer administration – 50%.
- 4.11 Female and Inclusion the provision of non-traditional or new recreational opportunities – 50%.
- 4.12 Off peak use (to be defined by facility manager or management committee, but normally between 9am and 3pm weekdays) which encourages increased use of facilities by enabling better programming of activities – 25%.
- 4.13 The participation concessions can be cumulative up to a maximum of 75%.

Based on the value Council places on self-reliance the following concession will be provided by Council officers on the hire/rent charges for facility usage only:

- 4.14 The value of any maintenance by the user group expressed as a percentage within the total Operations & Maintenance costs – up to 25%.

5. Legislation

Local Government Act 1993

6. Responsibility

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

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

(Cr Synfield abstained from the vote.)

194/2021 APPOINTMENT TO COUNCIL AUDIT PANEL

AUTHOR: Jacqui Parker
Governance Coordinator

1) Recommendation

It is recommended that Council appoint Councillor Michal Frydrych as a member of Council's Audit Panel.

DECISION:

Cr White moved and Cr Cameron seconded *"that Council appoint Councillor Michal Frydrych as a member of Council's Audit Panel."*

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

Cr Cameron left the meeting at 4:24pm.

195/2021 2021-2022 COMMUNITY GRANTS AND SPONSORSHIP FUND APPLICATION ASSESSMENTS ROUND 2

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 2021-22 Round 2, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:***

Community Grants		
Organisation	Project	Grant Recommended
Birralee Hall	Equipment	\$1,860
Blackstone Heights Community News Association Inc	Establish Community Garden	\$2,237
Deloraine Agricultural and Pastoral Society	2021 Deloraine Show - Entertainment	\$3,000
Deloraine Community Band	Keyboard	\$3,000
Folk Federation of Tasmania	Celtic Folk Workshops	\$500
Northern Tasmanian Axeman's Association	61 st Tasmanian Government Thousands - Deloraine	\$2,800
Prospect Park Sports Club	Dishwasher	\$2,275
Rotary Passport Club of Tasmania Inc	Carols by Candlelight - Prospect	\$3,000
Westbury Cricket Club	Wicket Covers	\$3,000
Westbury Parents and Friends	School Fair	\$2,125
Westbury Preservation Society Inc	Video Display Screens	\$1,794
Sub-total		\$25,591

- 3. Approves sponsorship donations for individuals and organisations for 2021-22 Round 2, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:***

Sponsorship Donation for Organisations			
Organisation	Project	Grant Requested	Grant Recommended
New Horizons	Great Western Tiers Cycle Challenge	\$360	\$360
Sponsorship Donation for Individuals			
Name	Event	Grant Requested	Grant Recommended
H. Bennett.	Pony Club Australia Nationals (Virtual event)	\$150	\$150
Sponsorship Donation for Schools and Sporting Clubs			
School	Award	Grant Requested	Grant Recommended
Prospect High	Eagle Award	\$150	\$150
Westbury Primary	End of Year Presentations	\$150	\$150
Hagley Primary	Year 6 Awards	\$150	\$150
Total		\$980	\$980

4. Notes that the following sponsorship donation for individuals and organisation approved by the General Manager on 2 September 2021, following recommendations by the Committee.

Sponsorship Donation for Organisations		
Organisation	Project	Grant Recommended
Westbury Health Inc.	Valley Carer's Week	\$500
Sub-total		\$500

5. Approves council fee reimbursement grants for 2021-22 Round, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:

Council Fee Reimbursement Grants		
Organisation	Project	Grant Recommended
Carrick Park Pacing Club	Day Stalls	\$425
Deloraine House	Community Garden Plumbing	\$560
Sub-total		\$985

6. Approves an establishment grant for 2021-22 Round 2, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:

Establishment Grants			
Organisation	Project	Grant Requested	Grant Recommended
Westbury Men's Shed	Incorporation	\$250	\$250
Total		\$250	\$250

7. Notes that the Recovery Event Sponsorship Program is now closed.

DECISION:

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

- 1. Notes the recommendations of the Community Grants Committee; and**
- 2. Approves community grants for 2021-22 Round 2, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

Community Grants		
Organisation	Project	Grant Recommended
Birralee Hall	Equipment	\$1,860
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Establishment Grants			
Organisation	Project	Grant Requested	Grant Recommended
Westbury Men's Shed	Incorporation	\$250	\$250
Total		\$250	\$250

5. Notes that the Recovery Event Sponsorship Program is now closed.

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

Cr Cameron returned to the meeting at 4.29pm.

196/2021 NEW POLICY NO. 95 - INDIGENOUS RECOGNITION

AUTHOR: John Jordan,
General Manager

Melissa Lewarn
Manager, Community Wellbeing & Lifestyle

1) Recommendation

It is recommended that Council:

- 1. Approves the Indigenous Recognition Policy as a consultation draft;***
- 2. Notes that general community consultation will be open for a period of one month from the date of the October Ordinary Meeting; and***
- 3. Notes that a copy of the consultation draft will be provided to local Indigenous Elders for final review and comment before seeking formal adoption of the policy.***

POLICY MANUAL

Policy Number: 95

Indigenous Recognition

Purpose:

To ensure Traditional Owners or Custodians of the land are acknowledged.

Department:

Governance

Author:

John Jordan, General Manager

Council Meeting Date:

12 October 2021

Minute Number:

196/2021

Next Review Date:

October 2025 (as set, or every four years or as required)

POLICY

1. Objective

The objective of this policy is to:

- Acknowledge the Indigenous culture and history relating to the lands within the Meander Valley Local Government Area;
- Express Council's commitment towards promoting the Aboriginal community, culture and reconciliation in the Meander Valley; and
- Promote awareness of, and respect for, the Aboriginal community, as the Custodians of the land through appropriate acknowledgement at Meander Valley Council public functions and events.

2. Scope

This policy applies to Council Meetings, Council Committee Meetings and official Council ceremonies, functions and events attended by the public.

3. Policy

1. Council recognises the long standing cultural history of the now past Pallitore and Panninher peoples (the past peoples) and is committed to supporting a continuing recognition of their connection and history on the lands which now comprise the local government area of Meander Valley.
2. Council acknowledges the significant role all Indigenous peoples of Tasmania (collectively known as the Palawa) play in acknowledging and respecting the past peoples of the land.
3. Council respects and supports the role of local Indigenous people in acknowledging and preserving the connection of past peoples as well as their own culture and connection to the land and country that is now the Meander Valley.
4. Council will be guided by the protocols of the National Indigenous Australians Agency which are a complement to the guidance of local Indigenous people within our community.

4. Recognition and Acknowledgement Actions

1. Council will recognise the past peoples and local Aboriginal people and their culture and connection to this country, through the display of the Australian Aboriginal Flag in the Council Chamber at Westbury and at official ceremonies where the Australian and Tasmanian flags are also displayed.
2. The Australian Aboriginal Flag will also be flown externally at the Council Chambers during days of significance in line with national protocols and conventions.
3. When appropriate, Council will invite a representative from the local Aboriginal community to perform a *Welcome to Country* at official ceremonies and significant community events and meetings delivered by Council.
4. Council will undertake an *Acknowledgement of Country* at Council organised public events, such as Council Meetings and Citizenship Ceremonies.

Welcome to Country

A *Welcome to Country* is to be delivered by Traditional Owners or Custodians of the land on which the event takes place.

Council will invite a recognised representative of the local Aboriginal community to conduct a *Welcome to Country* at Council-organised events of significance, including Citizenship Ceremonies.

In the spirit of community service, it is anticipated a *Welcome to Country* will be provided at no cost. Council will however reimburse any demonstrated and reasonable costs incurred in attending or conducting the ceremony.

Acknowledgement of Country

The Meander Valley municipality was home to Aboriginal people from the Pallitore clan (to the West) and the Panninher clan (to the East).

Acknowledgement of Country gives recognition to both past peoples and also the present local Indigenous peoples who inhabit the lands now known as Meander Valley.

Acknowledgment will be given through the following words:

1. *'I begin today by acknowledging the Pallitore and Panninher past peoples and the Traditional Custodians of the land on which we gather today, and pay my respects to Elders past and present. I extend that respect to all Aboriginal and Torres Strait Islander peoples here today.'*

Or

2. *'I begin today by acknowledging the Traditional Custodians of the land on which we gather today, and pay my respects to Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.'*

Flying the Aboriginal Flag

The Australian Aboriginal Flag will be permanently displayed in the Council Chamber at 26 Lyall Street, Westbury, in line with Australian Flag Protocols.

The Australian Aboriginal Flag will be flown externally at the Council Chamber in line with Australian Flag Protocols during significant events such as NAIDOC week.

5. Legislation

Constitutional Recognition of Aboriginal People Act 2016
Flags Act 1953

6. Responsibility

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

DECISION:

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

- 1. Approves the Indigenous Recognition Policy as a consultation draft;***
- 2. Notes that general community consultation will be open for a period of one month from the date of the October Ordinary Meeting; and***
- 3. Notes that a copy of the consultation draft will be provided to local Indigenous Elders for final review and comment before seeking formal adoption of the policy.”***

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

197/2021 ANNUAL PLAN 2021-22

AUTHOR: John Jordan
General Manager

1) Recommendation

It is recommended that Council adopts the attached Meander Valley Council Annual Plan for the 2021-22 financial year, prepared in accordance with section 71 of the Local Government Act 1993.

DECISION:

Cr Frydrych moved and Cr White seconded ***“that Council adopts the attached Meander Valley Council Annual Plan for the 2021-22 financial year, prepared in accordance with section 71 of the Local Government Act 1993.”***

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



Meander Valley Council
Working Together

Annual Plan 2021-22



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Mayor's Message

Wayne Johnston

On behalf of Council I am proud to present this year's annual plan.

As we continue to adapt to adequately manage the changing circumstances of COVID-19, we do so with a growing sense of optimism.

For, despite the challenges, Meander Valley has an exceptionally positive outlook.

More people are choosing to live in here than ever before and, in turn there has been an increase in local jobs. This has supported our tourism and retail businesses at a time when local trade is crucial.

As we emerge from the constraints of COVID-19, Council has set an ambitious agenda that seeks to engage and collaborate with the community on a new Strategic Plan that will inform our future directions.

Our annual plan is service focused and seeks to set the course for a transformation of how we deliver value to our residents.

Our online service capability will be improved to create greater efficiencies, streamline processes for improved customer experiences and provide for greater accessibility to services outside traditional business open hours.

This years' annual plan does not seek to capture all of the operational activity we will do this year.

Rather, it focuses on work that is significant in terms of importance to the community and the effectiveness of our service provision and the organisational transformation required to achieve a well governed and efficient Council that is able to progress the ambitions and priorities of the community.

As we commence what will be a multi-year journey to implement change, we do so with a measured approach.

We are mindful that the rate of change needs to match our financial resources and the capacity of our staff and ensure that everyone, including the community join us on the journey.

Whilst there will always be challenges, Meander Valley is rich with opportunities across incredibly diverse and growing sectors including industry, agriculture, the arts, health and tourism.

The actions within our annual plan allow us to respond effectively to the changing face of our community and contribute to the lifestyle, health and wellbeing of all our residents and I look forward to working with you throughout the exciting times ahead.

Foreword

John Jordan, General Manager

I am proud to present the 2021-2022 Annual Plan.

Amid the unprecedented circumstances of a lingering global pandemic, the people of Meander Valley and staff of Council have continued to get on with the job of supporting the community in uncertain times. Fortunately, Tasmania has fared better than other areas, but risks and challenges still remain.

Financially, our 2021-22 budget puts Council on track to recover from the impacts of the pandemic. Council remains in a strong and viable position after a deliberate decision to spend money in response to COVID-19 and the need to support the community. A return to a balanced budget will be achieved in 2022-23.

This year's program of work will see \$11.4m spent on community infrastructure across Meander Valley. This includes upgrades to Las Vegas Drive Reserve at Prospect Vale, new lighting and drainage for the Deloraine Football Club and the construction of a pump track at Alveston Drive, Deloraine. These projects are in addition to the many business as usual activities such as road resurfacing and reconstruction, bridge upgrades, and much more.

We anticipate our capital works and infrastructure programs will be particularly challenging to deliver this year as, like so many other organisations, we confront the headwinds of increased material and labour costs and a shortage of contractors able to undertake work in a timely manner.

A key agenda for Council is to continue to support the community through a vibrant and renewed community program. This year we will engage with the community to update the Community Strategic Plan which guides overall decision making and priorities for Council.

We will continue to support local organisations and volunteers with \$100k allocated to the community grants program and maintaining support for the community cars.

Council has been very successful in extracting value out of its business systems and processes. However, we have reached the point where we have to upgrade our information systems and processes to ensure we are able to provide a contemporary service that spans beyond traditional office hours.

We will commence renewing our corporate systems and re-designing our products and services to boost operational efficiency and better meet customer expectations.

Our waste infrastructure is also nearing end of life and needs renewal. Our budget has been adjusted to accommodate the costs of this. Council will finalise a new waste management strategy, renew kerbside collection contracts, introduce tip vouchers, and invest to achieve long term landfill capacity to replace our end of life facilities at Deloraine and Cluan.

In an increasingly competitive landscape there is great demand for highly skilled workers and our capacity to deliver relies on our ability to treat employees well, develop our brand, and offer a contemporary and safe work environment. Council will focus on this as we negotiate a new enterprise agreement and take stock of our culture and offering as an employer.

As we approach the challenge of delivering an ambitious program I take great pride in knowing our staff and Councillors are part of an energetic, supportive and highly qualified team that is committed to working together to achieve the best possible outcomes for the residents.

Introduction

What's in the purpose of the operational plan?

The operational plan contains the programs, projects and services Council plans to deliver over the 2021-22 financial year. The operational plan outlines the practical actions we intend to undertake that are in addition to the many business as usual activities undertaken to ensure services are delivered and Council is well run.

The operational plan complements the annual budget and both are developed in parallel to provide consistency between Council's work program and the resourcing allocations determined in the budget.

How does Council decide what to include in the operational plan?

Actions contained in the operational plan are drawn from Council endorsed strategic plans, Council decisions, legislative requirements from the Local Government Act and the state and federal governments, essential reforms and emerging issues.

Each operational activity aligns with Council's six future directions, contained in the Community Strategic Plan 2014-2024 (see diagram below).

Together, the structure that determines what is contained in the operational plan provides us with an informed, relevant and integrated approach to deliver value in the services we provide to the Meander Valley community.

Community Strategic Plan 2014 -2024

Our Six Future Directions



Council decisions, legislation, essential reforms, strategies and plans

Annual Plan

Snapshot: Meander Valley



6,500

kerbside collection services every year



9

elected members



36

community playgrounds and fitness stations

3,620

dogs were registered in 2021



52

lost dogs were reunited with their owners



4.1

Council operates with an average of 4.1 staff per 1,000 residents.

This is below the 5.4 staff average for comparable Councils.



\$829

Our average residential general rates are almost the lowest in Tasmania



20,037

People live here

in 2020, our population increased by 193, which was the largest annual increase in the last decade.



1,000

public bins are serviced every week and Council operates

3

municipal waste facilities



100+

street and amenity trees planted annually



821 kilometres of road networks renewed and maintained



1,200+
customer service
requests actioned
every year



13
community halls



**Who is working and doing
business in Meander Valley?**

Meander Valley is home to **1,672**
registered businesses.

The unemployment rate in Meander
Valley is **3.5%**, below the Tasmanian state
average of **6%**



40+
sporting facilities



we are classified
as a large, rural
Council with

3,331
square kilometres
of land area



8
municipal
sports grounds



223
bridges
maintained

10,000+
rateable properties



63
parks and reserves
managed and maintained



2
municipal
swimming pools

Highlights of the Year Ahead

Investing in our people and culture

The strength of Meander Valley Council is its people, who often wear many different hats to get the job done. This year our work will include renewal of the Enterprise Agreement, investment to understand and enhance a happy, collaborative and inclusive culture within the organisation and improvements towards a zero harm workplace and safety culture.

Community and lifestyle

Our community is changing and facing new challenges including population growth, a change in the mix of people, higher expectations of services, and varying attitudes to many of the things that will ultimately define the Meander Valley way of life. Against this backdrop, we will ask the community to help renew the Community Strategic Plan to ensure we clearly understand what our focus should be.

The impact of COVID-19 has been drawn out but a transition to a more certain circumstance is emerging. We will revitalise our community and lifestyle programs. Our services and activities will be focused on ensuring our community remains vibrant, engaged and resilient by supporting groups and individuals to achieve their goals, whether this is through events and community grants or providing other opportunities.

New ways to support economic development and business

Meander Valley is a region of increasing prosperity and economic growth. Council plays a leadership and promoting role to ensure businesses and investors wishing to contribute to the region's ongoing prosperity are well informed and supported in their efforts to establish and grow their enterprise or, to partner within the region. As we emerge from the COVID-19 Disease Emergency we will deliver initiatives aimed at recovering and growing the Meander Valley regional economy.

Council wants to make it easy for business to understand the potential of the region and make the task of establishing and operating a business in our local government area easier. A new economic development and business support strategy will be developed to guide work to achieve this outcome.

Modernisation of Council

Council is rethinking how it works and uses technology, people, and processes in pursuit of new business models and better ways to meet customer expectations around products and services.

A key component of this work will be starting a multi-year journey to integrate digital technology into all areas of our business, fundamentally changing how we operate and deliver value to our residents and customers. This work also has a cultural element that requires our people to continually challenge the status quo, experiment, and get comfortable with letting go of some outdated approaches. We will invest time and energy to learn new ways of thinking and working so we can recognise where and how opportunities to improve can be progressed.

This year we will tender to renew many of our corporate (Enterprise Resource Planning) systems. We will also automate and simplify our governance and support for Council and other meetings.

A re-design of our products and services to boost operational efficiency and respond to evolving customer expectations will also commence. This year, we will grow our range of online services, enhance the information available to people and plan the introduction of digital forms.

Long term solutions for waste management

Our waste infrastructure is nearing end-of-life and needs renewal. Council will finalise and implement a waste management strategy to ensure the municipality has contemporary solutions for the sustainable management of waste across the diversity of our urban, towns and rural communities. This year we will renew the kerbside collection contracts, introduce tip vouchers and invest to achieve long term landfill capacity to replace our end of life facilities at Deloraine and Cluan.

Delivering community infrastructure

Council will deliver an \$11.4 million community infrastructure program. Highlights include upgrades to Las Vegas Drive Reserve Prospect Vale, the Deloraine Football Club and the construction of a pump track in Alveston Drive, Deloraine. These projects are in addition to the replacement of the Selbourne Road Bridge, Hagley and delivery of an extensive road resurfacing and reconstruction program to improve safety and serviceability. We will also progress construction of the community hall at Bracknell, new squash courts and football ground lighting at Deloraine.

Implementing the new Tasmanian Planning Scheme

Planning applications are now subject to the Tasmanian Planning Scheme and applications will be assessed under the State Planning Provisions and the Meander Valley Local Provisions Schedule which commenced on 19 April 2021. Council will continue work to ensure planning staff are fully conversant with the new planning arrangements and that information and processes are updated to efficiently support planning applications.

Customer service performance review

We are committed to enhancing the service we provide to residents and customers. Council will undertake a full review of customer service standards, performance indicators and the processes through which our services are experienced.

1

A sustainable natural and built environment

Strategic Pathways

- 1.1 Contemporary planning supports and guides growth and development across Meander Valley.
- 1.2 Liveable townships, urban and rural areas across the local government area with individual character.
- 1.3 The natural, cultural and built heritage of Meander Valley is protected and maintained.
- 1.4 Meander Valley is environmentally sustainable.
- 1.5 Public health and the environment is protected by the responsible management of liquid and solid waste at a local and regional level.
- 1.6 Participate and support programs that improve water quality in our waterways.

Operational Activity		Department Lead
1.1, 1.2	Implement the new Tasmanian Planning Scheme - State Planning Provisions and the Meander Valley Local Provisions Schedule.	Development & Regulatory Services
1.1, 1.2, 1.3	Progress regional land use planning in conjunction with neighbouring councils.	Development & Regulatory Services
1.1, 1.2, 1.3	Support the review of the Prospect Vale - Blackstone Heights Structure Plan.	
1.1, 1.2, 1.3	Process planning applications in accordance with delegated authority and statutory timeframes.	
1.5	Ensure environmental health monitoring is compliant and incidents effectively managed.	
1.4,1.5	Progress the Meander Valley Council Waste Management Strategy.	Infrastructure
1.4, 1.5	Manage the Westbury Town Common in line with the Management Plan.	Works
1.3,1.4, 1.6	Participate in the Tamar Estuary and Esk Rivers Program (NRM North)	Community, Wellbeing & Lifestyle and Development & Regulatory Services
1.1, 1.2, 1.3	Collaborate through regional and state initiatives to understand and respond to the local impacts of climate change.	Development & Regulatory Services

2

A thriving local economy

Strategic Pathways

- 2.1 The strengths of Meander Valley attract investment and provide opportunities for employment.
- 2.2 Economic development in Meander Valley is planned, maximising existing assets and investment in infrastructure.
- 2.3 People are attracted to live in the townships, rural and urban areas of Meander Valley.
- 2.4 A high level of recognition and demand for Great Western Tiers products and experiences.
- 2.5 Current and emerging technology is available to benefit both business and the community.

Operational Activity		Department Lead
2.1, 2.2	Work with State Development to renew and release regional prospectus.	Community, Wellbeing & Lifestyle
2.1, 2.3, 2.4, 2.5	Deliver a new economic development and business support strategy.	
2.1, 2.4, 2.5	Deliver business information forums covering key economic indicators and major issues.	
2.1, 2.2, 2.3, 2.4, 2.5	Develop an incentives program to support business relocation and growth in Meander Valley.	
2.1, 2.3, 2.4, 2.5	Lobby for increased and accelerated regional infrastructure investment to sustain growth.	Community, Wellbeing & Lifestyle and Governance
2.4	Deliver year one milestones for the short walks project.	Community, Wellbeing & Lifestyle
2.1, 2.2	Develop and cost a branding and marketing strategy to support promotion of Meander Valley as a lifestyle, tourism and investment destination.	
2.1, 2.2, 2.3, 2.4, 2.5	Progress feasibility assessment and financial model to achieve bioenergy / bio waste facility in Meander Valley.	Infrastructure

3

Vibrant and engaged communities

Strategic Pathways

- 3.1 Creativity and learning are part of daily life across the communities of Meander Valley.
- 3.2 Successful local events enhance community life.
- 3.3 Education and training opportunities are available to everyone across the local government area.
- 3.4 Meander Valley communities have the resilience and capacity to address and overcome life's challenges and emergencies.
- 3.5 Young people have the opportunity to be engaged in community life.

Operational Activity	Department Lead	
3.1, 3.2, 3.3, 3.4,3.5, 4.1	Complete consultation and drafting of the Community Strategic Plan.	Community, Wellbeing & Lifestyle
3.1, 3.2, 3.3, 3.4,3.5, 4.1	Review and update Council's Community Program.	
3.1, 3.2, 3.4 4.1	Deliver the grants and sponsorship program to enable community initiatives.	
3.4, 4.1	Deliver online and print versions of the Valley News.	Governance
3.1, 3.2, 3.4 4.1	Deliver Council events program including the Australia Day awards and quarterly citizenship ceremonies.	Community, Wellbeing & Lifestyle
3.4, 4.1	Develop a volunteer framework to promote and support volunteering in the community.	
3.1,3.2,3.4	Implement measures to acknowledge Indigenous Australians.	Governance
3.1, 3.5	Collaborate to support young people in the community.	Community, Wellbeing & Lifestyle
3.3, 3.4	Collaborate with not for profit and volunteer groups to support wellbeing and life-long learning across the community.	

4

A healthy and safe community

Strategic Pathways

- 4.1 The health and wellbeing needs of all sectors in the community are planned, met and managed.
- 4.2 Infrastructure, facilities and programs encourage increased participation in all forms of active and passive recreation.
- 4.3 Public health and safety standards are regulated, managed and maintained.
- 4.4 Prepare and maintain emergency management plans and documents and work with our communities to educate and plan for emergencies.

Operational Activity		Department Lead
4.1	Progress delivery of new community facilities including Bracknell Memorial Hall, Deloraine Squash Courts and Deloraine AFL lighting Upgrade.	Infrastructure
4.1,4.2	Deliver planned and reactive maintenance of community facilities to ensure safe, well used facilities.	
4.4	Review and test the municipal emergency management and social recovery functions of Council in line with legislation.	
4.4	Support the operation of the Meander Valley SES unit through ongoing management of the Memorandum of Understanding (MoU).	
4.1, 1.5	Manage public health risk through monitoring and sampling of recreational water.	Development & Regulatory Services
4.1, 4.3	Promote safe food practices; ensure inspection and registration of food premises in accordance with the Food Act 2003.	
4.1, 4.3	Coordinate the school based immunisation as part of the National Immunisation Program.	
4.3	Complete a review of dog management policy and practice.	
4.3	Complete annual fire abatement inspections and investigate complaints.	
4.3	Investigate incidents and complaints regarding animal control.	
4.1, 6.4	Renew operating contract for the Deloraine Swimming Pool and enable continuing community management of the Caveside Pool.	Infrastructure
6.4	Review and update booking processes and user Guides for indoor facilities.	

5

Innovative leadership and community governance

Strategic Pathways

- 5.1 Meander Valley Council programs are regularly reviewed to support the achievement of the Community Strategic Plan.
- 5.2 Long term financial planning and asset management underpins the ongoing viability of Meander Valley.
- 5.3 Evidence based decision-making engages the community and is honest, open and transparent.
- 5.4 Meander Valley councillors and employees have the knowledge, skills and attitude to responsibly undertake community governance and operational responsibilities.
- 5.5 Councils in the region collaborate and share resources for the collective good of their communities.
- 5.6 Meander Valley Council is recognised as a responsibly managed organisation.

Operational Activity		Department Lead
5.1, 5.6	Negotiate and renew Council's Enterprise Agreement.	Governance
5.1, 5.6	Deliver Annual Plan, Annual Report and Annual General Meeting.	
5.1, 5.2, 5.6	Develop 2022-23 budget including a review of long term financial review and forward estimates to align with renewal of the Community Strategic Plan.	Corporate Services
5.4, 5.6	Complete a workplace culture "health check" and review measures to promote and maintain a healthy and positive workplace.	
5.1, 5.3, 5.6	Renew the Customer Service Charter and a roadmap to refine systems, reporting and processes to enhance customer outcomes.	Governance
5.1, 5.2	Develop a digital transformation and modernisation of services roadmap.	
5.3, 5.5	Develop a communication strategy and implement measures to enhance community information and engagement.	Governance and Community, Wellbeing & Lifestyle
5.4	Refresh and promote "Good Governance" program for staff and councillors.	Governance
5.1, 5.2, 5.6	Renew workplace health and safety systems and implement measures to monitor compliance and achieve a 'zero harm' culture.	Corporate Services
5.1, 5.2, 5.6	Renew the risk management framework and review risks and mitigations.	Governance
5.1, 5.2, 5.6	Progress planning and procurement to upgrade Council's Enterprise Resource Planning (ERP) Systems.	Corporate Services
5.1, 5.2, 5.6	Plan and progressively upgrade operating systems to support contemporary software and service delivery solutions.	Corporate Services
5.4, 5.5, 5.6	Introduce contemporary software solutions to better support Council Meetings, record keeping and public information.	Governance

6

Planned infrastructure services

Strategic Pathways

- 6.1 The future of Meander Valley's infrastructure assets is assured through affordable, planned maintenance and renewal strategies.
- 6.2 Regional infrastructure and transport is collaboratively planned and managed by all levels of government.
- 6.3 The Meander Valley transport network meets the present and future needs of the community and business.
- 6.4 Open space, parklands, recreation facilities, cemeteries and public buildings are well utilised and maintained.
- 6.5 Stormwater and flooding cause no adverse impacts.
- 6.6 Infrastructure services are affordable and meet the community's needs into the future.

Operational Activity	Department Lead	
6.1, 6.4	Complete proactive inspections of footpaths, parks and recreation assets and rail interfaces.	Infrastructure
5.2, 6.1, 6.3, 6.6	Update asset information and road asset re-valuation data.	
5.2, 6.1, 6.3, 6.4, 6.6	Review Strategic Asset Management and Asset Management Plans.	
6.1, 6.3, 6.4, 6.5, 6.6	Deliver capital work projects in line with the 2021-22 programs.	Infrastructure and Works
6.1, 6.3, 6.4, 6.5, 6.6	Plan the 2022-23 Capital Works and Forward Works programs.	
6.2, 6.3	Deliver the Hadspen Meander Valley Road intersection upgrades design and procurement documentation.	Infrastructure
6.1, 6.3	Deliver the bridge inspection and maintenance program.	
6.6	Renew the kerbside collection contract for waste, recyclables and organics.	
1.4, 1.5, 6.1, 6.6	Commission additional landfill cell capacity at Cluan.	
1.3, 1.4, 1.5	Obtain environmental approvals and decommission the existing landfill cell at Deloraine.	
6.6	Progress land acquisition, EPA approvals and design for a new landfill cell at Deloraine.	
6.6	Design and construct new waste transfer station at Deloraine.	

Statutory Estimates

Operating Revenue	2021-22	2020-21	2019-20
Rates and Charges	\$14,641,800	\$13,046,800	\$12,966,400
Fees and User Charges	\$1,282,300	\$1,150,100	\$1,255,000
Contributions	\$95,900	\$95,500	\$51,500
Interest	\$420,700	\$645,800	\$835,600
Operating Grants	\$4,387,300	\$4,350,400	\$4,441,200
TasWater Distributions	\$667,200	\$0	\$556,000
Other Revenue	\$181,700	\$184,800	\$192,700
Total Operating Revenue	\$21,676,900	\$19,473,400	\$20,298,400

Operating Expenditure	2021-22	2020-21	2019-20
Operating Wages	\$7,847,600	\$7,737,900	\$6,798,100
Operating Materials and Contracts	\$7,287,800	\$7,305,100	\$6,427,500
Finance Costs	\$248,800	\$271,600	\$266,000
Depreciation	\$5,400,400	\$5,132,200	\$5,088,000
State Fire Contribution	\$1,294,700	\$1,264,900	\$1,264,900
Other Expenditure	\$250,800	\$276,500	\$286,800
Total Operating Expenditure	(\$22,330,100)	(\$21,988,200)	(\$20,131,300)
Underlying Surplus/Deficit	(\$653,200)	(\$2,514,800)	\$167,100

Capital, Cash and Investments	2021-22	2020-21	2019-20
Capital Revenue	\$5,454,100	\$5,781,600	\$1,900,300
Capital Expenditure	(\$11,382,400)	(\$15,225,800)	(\$11,978,100)
Opening Cash and Investment Balance	\$18,701,800	\$18,721,900	\$20,729,700
Closing Cash and Investment Balance	\$17,983,700	\$11,718,800	\$15,767,800

Public Health Goals and Objectives

Council's Environmental Health Officers are responsible for ensuring the statutory obligations in relation to public and environmental health are met. This includes the Public Health Act 1997, Food Act 2003, Local Government Act 1993 and Environmental Management and Pollution Control Act 1994.

As part of Meander Valley Council's 2021-22 public health goals and objectives, the Environmental Health Officers will seek to:

- Ensure safe food practices at food businesses and events, and provide food handler training for community groups;
- Promptly investigate public and environmental health complaints;
- Continue to actively participate and contribute to policy and legislative development at a regional and state level to further the public and environmental health of our community;
- Coordinate a school based immunisation program in accordance with the National Immunisation Program and directives from the Department of Health;
- Undertake routine inspections of public health risk activities, water carriers and public events;
- Continue to actively participate in the Tamar Estuary and Esk Rivers program (TEER) including the Lake Trevallyn algal bloom working group; and
- Coordinate a monitoring program of public recreational water and pools to ensure water quality is suitable for swimming.



Meander Valley Council
Working Together

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Email mail@mvc.tas.gov.au
Council Office 26 Lyall Street, Westbury
Postal Address PO Box 102, Westbury Tasmania 7303
www.meander.tas.gov.au

198/2021 REVIEW OF COUNCILLOR CODE OF CONDUCT

AUTHOR: John Jordan
General Manager

Jacqui Parker
Governance Coordinator

1) Recommendation

It is recommended that Council:

- 1. Receives and endorses the attached proposed Councillor Code of Conduct for Meander Valley Council, being a variation on the Minister for Local Government's Model Code of Conduct that is currently made available to Council under s28R of the Local Government Act 1993 (the Act);***
- 2. Resolves to submit the proposed Councillor Code of Conduct to the Minister for Local Government for approval of the varied Code of Conduct in accordance with s28T(3) of the Act;***
- 3. Resolves to write to the Local Government Association of Tasmania with a request that they undertake consultation across the sector on the suitability of the amended Model Code for broader adoption; and***
- 4. Resolves to write to the Minister for Local Government advocating for change to the Act (1993) and the Government's Code of Conduct Framework to better address the issue of vexatious or frivolous complaints.***

The meeting was adjourned at 4:55pm.

The meeting recommenced at 5:01pm.

DECISION:

Cr White moved and Cr Sherriff seconded ***"that Council:***

- 1. Receives and endorses the attached proposed Councillor Code of Conduct for Meander Valley Council, being a variation on the Minister for Local Government's Model Code of Conduct that is currently made available to Council under s28R of the Local Government Act 1993 (the Act);***

- 2. Resolves to submit the proposed Councillor Code of Conduct to the Minister for Local Government for approval of the varied Code of Conduct in accordance with s28T(3) of the Act;**
- 3. Resolves to write to the Local Government Association of Tasmania with a request that they undertake consultation across the sector on the suitability of the amended Model Code for broader adoption; and**
- 4. Resolves to write to the Minister for Local Government advocating for change to the Act (1993) and the Government's Code of Conduct Framework to better address the issue of vexatious or frivolous complaints."**

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

(Councillor Synfield abstained from the vote.)



Meander Valley Council
Working Together

MEANDER VALLEY COUNCIL

COUNCILLOR CODE OF CONDUCT

XX 2021

Version 3
Adopted: XX 2021
Minute No. XX/2021

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Model Code of Conduct

PART 1 - Decision making

1. A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
2. A councillor must make decisions free from personal bias or prejudice.
3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

PART 2 - Conflict of interests that are not pecuniary

1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
2. A councillor must act openly and honestly in the public interest.
3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.
4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –
 - (a) declare the conflict of interest before discussion on the matter begins; and
 - (b) act in good faith and exercise reasonable judgement to determine a reasonable person would consider that the conflict of interest requires the councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.
7. This Part does not apply in relation to a pecuniary interest.

PART 3 - Use of Office

- 1.** The actions of a councillor must not bring the Council or the office of councillor into disrepute.
- 2.** A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.
- 3.** In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

PART 4 - Use of resources

- 1.** A councillor must use Council resources appropriately in the course of his or her public duties.
- 2.** A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.
- 3.** A councillor must not allow the misuse of Council resources by any other person or body.

PART 5 - Use of information

- 1.** A councillor must only access Council information needed to perform his or her role and not for personal reasons or non-official purposes.
- 2.** A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

PART 6 - Gifts and benefits

- 1.** A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances.
- 2.** A councillor must avoid situations in which the appearance may be created that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council.

PART 7 - Relationships with community, councillors and Council employees

1. A councillor –

- (a) must treat all persons fairly;
- (b) must not cause any reasonable person offence or embarrassment;
- (c) must not threaten, bully or harass any person;
- (d) must not discriminate against any person, or engage in any prohibited conduct (such as sexual harassment) towards any person, as defined under the *Tasmanian Anti-Discrimination Act 1998*; and
- (e) must act consistently with the duties of a worker as defined under the *Tasmanian Work Health and Safety Act 2012*.

2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.

3. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.

4. A councillor must not:

- (a) contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council; or
- (b) direct, pressure or denigrate an employee in relation to the making of decisions or recommendations.

PART 8 - Representation

1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council.

2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.

3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor.

4. A councillor must clearly indicate when he or she is putting forward his or her personal views.

5. A councillor's personal views must not be expressed publicly in such a way as to undermine the decisions of the Council or bring the Council into disrepute.

6. A councillor must show respect when expressing personal views publicly.

7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.

8. When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

PART 9 - Variation of Code of Conduct

1. Any variation of this model code of conduct is to be in accordance with section 28T of the Act.

Supplementary Information to Accompany to the Model Code of Conduct

1. Introduction

Purpose of code of conduct

This Code of Conduct sets out the standards of behaviour expected of the councillors of the Meander Valley Council, with respect to all aspects of their role.

As leaders in the community, councillors acknowledge the importance of high standards of behaviour in maintaining good governance. Good governance supports each councillor's primary goal of acting in the best interests of the community.

Councillors therefore agree to conduct themselves in accordance with the standards of behaviour set out in the Code of Conduct.

This Code of Conduct incorporates the Model Code of Conduct made by Order of the Minister responsible for local government.

Application of code of conduct

This Code of Conduct applies to a councillor whenever he or she:

- conducts council business, whether at or outside a meeting;
- conducts the business of his or her office (which may be that of mayor, deputy mayor or councillor); or
- acts as a representative of the Council.

A complaint of failure to comply with the provisions of the Code of Conduct may be made where the councillor fails to meet the standard of conduct specified in the Code of Conduct.

Standards of conduct prescribed under the Code of Conduct

The code of conduct provides for the following eight standards of conduct:

1. Decision making

A councillor is to bring an open and unprejudiced mind to all matters being considered in the course of his or her duties, so that decisions are made in the best interests of the community.

2. Conflict of interest

A councillor effectively manages conflict of interest by ensuring that personal or private interests do not influence, and are not seen to influence, the performance of his or her role and acting in the public interest.

3. Use of office

A councillor uses his or her office solely to represent and serve the community, conducting himself or herself in a way that maintains the community's trust in the councillor and the Council as a whole.

4. Use of resources

A councillor uses Council resources and assets strictly for the purpose of performing his or her role.

5. Use of information

A councillor uses information appropriately to assist in performing his or her role in the best interests of the community.

6. Gifts and benefits

A councillor adheres to the highest standards of transparency and accountability in relation to the receiving of gifts or benefits, and carries out his or her duties without being influenced by personal gifts or benefits.

7. Relationships with community, councillors and council employees

A councillor is to be respectful in his or her conduct, communication and relationships with members of the community, fellow councillors and Council employees in a way that builds trust and confidence in the Council.

8. Representation

A councillor is to represent himself or herself and the Council appropriately and within the ambit of his or her role, and clearly distinguish between his or her views as an individual and those of the Council.

Principles of good governance

By adopting this Code of Conduct, councillors commit to the overarching principles of good governance by being:

Accountable – Explain, and be answerable for, the consequences of decisions made on behalf of the community.

Transparent – Ensure decision making processes can be clearly followed and understood by the community.

Law-abiding – Ensure decisions are consistent with relevant legislation or common law, and within the powers of local government.

Responsive – Represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.

Equitable – Provide all groups with the opportunity to participate in the decision making process and treat all groups equally.

Participatory and inclusive – Ensure that anyone affected by or interested in a decision has the opportunity to participate in the process for making that decision.

Effective and efficient – Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community.

Consensus oriented – Take into account the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.

2. Legislation

The code of conduct framework is legislated under the *Local Government Act 1993* (the Act). The Act is available to view via the Tasmanian Legislation Website at www.thelaw.tas.gov.au.

Code of conduct

Tasmanian councillors are required to comply with the provisions of the Council's Code of Conduct while performing the functions and exercising the powers of his or her office with the council.

The Code of Conduct incorporates the Model Code of Conduct (made by order of the Minister responsible for local government) and may include permitted variations included as attached schedules to the Model Code of Conduct.

Making a code of conduct complaint

A person may make a code of conduct complaint against one councillor in relation to the contravention by the councillor of the relevant council's code of conduct.

A person may make a complaint against more than one councillor if the complaint relates to the same behaviour and the same code of conduct contravention.

Code of conduct complaints are lodged with the general manager of the relevant council and must comply with legislative requirements, as outlined below.

A complaint may not be made by more than two complainants jointly.

A code of conduct complaint is to –

- be in writing;
- state the name and address of the complainant;
- state the name of each councillor against whom the complaint is made;
- state the provisions of the relevant code of conduct that the councillor has allegedly contravened;
- contain details of the behaviour of each councillor that constitutes the alleged contravention;
- be lodged with the general manager within six months after the councillor or councillors against whom the complaint is made allegedly committed the contravention of the code of conduct; and
- be accompanied by the code of conduct complaint lodgement fee.

Once satisfied that the code of conduct complaint meets prescribed requirements, the General Manager forwards the complaint to the Code of Conduct Panel.

Code of conduct complaint lodgement fee

The code of conduct complaint lodgement fee is prescribed under Schedule 3 (Fees) of the *Local Government (General) Regulations 2015*. The lodgement fee is 50 fee units (\$81 in 2019/20).

3. Further assistance

Councillor dispute resolution

Councillors commit to developing strong and positive working relationships and working effectively together at all times.

Prior to commencing a formal code of conduct complaint, the councillors who are parties to any disagreement should endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to act in the best interests of the community.

A council's internal dispute resolution process should be the first step that is taken when there is a dispute between councillors.

A councillor who is party to any disagreement should request the Mayor (or Lord Mayor) or the General Manager to assist that councillor in resolving the disagreement informally.

If the informal assistance does not resolve the disagreement, the General Manager may, with the consent of the parties involved, choose to appoint an external mediator to assist in the resolution of the disagreement. If an external mediator is appointed, councillors who are party to the disagreement must strive to cooperate with the mediator and use their best endeavours to assist the mediator and participate in the mediation arranged.

Where a matter cannot be resolved through internal processes, the next step may be to lodge a formal code of conduct complaint.

Councillors should only invoke the provisions of the Code of Conduct in good faith, where it is perceived that another councillor has not complied with the provisions or intent of the Code of Conduct.

Complaints under the Local Government Act 1993

The Director of Local Government is responsible for the investigation of complaints regarding alleged breaches of the Act.

Any person can make a complaint to the Director, via the Local Government Division (contact details below), in accordance with section 339E of the Act, where it is genuinely believed that a council, councillor or general manager may have committed an offence under the Act or failed to comply with the requirements of the Act.

To make a complaint, it is recommended that you first contact the Local Government Division to discuss whether the matter is something that the Division can assist with.

Public Interest Disclosure

Any instances of suspected corrupt conduct, maladministration and serious and substantial waste of public resources or substantial risk to public health or safety or to the environment should be reported in accordance with the *Public Interest Disclosures Act 2002*. Disclosures may be made to the Tasmanian Ombudsman or the Tasmanian Integrity Commission.

Key contacts

Department of Premier and Cabinet's Local Government Division

Executive Building, 15 Murray Street, HOBART TAS 7000

GPO Box 123, HOBART TAS 7001

Phone: (03) 6232 7022 Fax: (03) 6232 5685

Email: lgd@dpac.tas.gov.au

Web: www.dpac.tas.gov.au/divisions/local_government

Local Government Association of Tasmania

326 Macquarie Street, HOBART TAS 7000

GPO Box 1521, HOBART TAS 7001

Phone: (03) 6233 5966

Email: admin@lgat.tas.gov.au

Web: www.lgat.tas.gov.au

The Tasmanian Integrity Commission

Surrey House, Level 2, 199 Macquarie Street, HOBART TAS 7000

GPO Box 822, HOBART TAS 7001

Phone: 1300 720 289

Email: mper@integrity.tas.gov.au

Web: www.integrity.tas.gov.au

Ombudsman Tasmania

NAB House, Level 6, 86 Collins Street, HOBART TAS 7000

GPO Box 123, HOBART TAS 7001

Phone: 1800 001 170

Email: ombudsman@ombudsman.tas.gov.au

Web: www.ombudsman.tas.gov.au

LOCAL GOVERNMENT CODE OF CONDUCT COMPLAINT FORM

INTRODUCTION

This form is designed to help you comply with section 28V (Making a code of conduct complaint against councillor) under the *Local Government Act 1993*.

All complaints must be in writing and be lodged within 6 months after the councillor or councillors allegedly committed the contravention of the Council's Code of Conduct.

INSTRUCTIONS

If completing this form by hand, please use black or blue pen and print clearly.

Send your completed form to the General Manager of the Council.

A code of conduct complaint must be accompanied by the prescribed lodgement fee of 50 fee units (\$79.00 in 2018/19).

CONTACT DETAILS (of person making the complaint)

Name:	Telephone (mobile):
Address (Residential):	Telephone (work):
Address (Postal):	Telephone (home):
Email address:	

SUMMMARY OF COMPLAINT

Name of each councillor who you believe has contravened the Council's Code of Conduct <i>(may include more than one councillor if complaint relates to the same behaviour and same code of conduct contravention):</i>	
Provisions of the Council's Code of Conduct that you believe each councillor has contravened:	
Date(s) of incident(s):	
Location(s) of incident(s):	

**DETAILS OF THE BEHAVIOUR OF EACH COUNCILLOR THAT CONSTITUTES THE ALLEGED CONTRAVENTION
(FURTHER INFORMATION MAY BE ATTACHED)**

WITNESSES (INCLUDE ANYONE WITH KNOWLEDGE OF WHAT HAPPENED)

HAVE YOU PREVIOUSLY MADE A CODE OF CONDUCT COMPLAINT ABOUT THIS MATTER?

YES NO

If yes, when did you make the complaint?

DESIRED OUTCOME OF COMPLAINT

Please explain what you would like to happen as a result of lodging this complaint:

PLEASE SIGN AND DATE

SIGNATURE:

Date:

ITEMS FOR CLOSED SECTION OF THE MEETING:

Motion to close the meeting

Councillor Kelly moved and Councillor Sherriff seconded ***“that pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2015, the meeting is closed to the public to discuss matters that fall within the circumstances prescribed in regulation 15(2) .”***

The motion was declared CARRIED WITH AN ABSOLUTE MAJORITY with Councillors Cameron, Frydrych, Johnston, Kelly, Sherriff, Synfield, Temple and White voting for the motion.

Council moved to Closed Session at 5:05pm.

199/2021 CONFIRMATION OF MINUTES

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

200/2021 APPLICATIONS FOR LEAVE OF ABSENCE

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

201/2021 RECEIPT OF LEGAL ADVICE

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

202/2021 CONTRACT NO. 222-2020-21 – DESIGN AND CONSTRUCTION OF BRIDGE NO. 1736 SELBOURNE ROAD “STRATH BRIDGE”, MEANDER RIVER

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

203/2021 REVIEW OF BUDGET FOR THE DELORAINE SQUASH COURTS PROJECT

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

Council returned to Open Session at 6.14pm.

Release of Information

1. In accordance with Regulation 15(8) of the *Local Government (Meeting Procedures) Regulations 2015*, Council is to consider whether any discussions, decisions, reports or documents relating to that Closed Session are to be kept confidential or released to the public, taking into account privacy and confidentiality issues in the context of the regulations.
2. A Councillor will move the following motion if release of information is considered appropriate. In the absence of any motion, all information is confidential and not for release.

204/2021 DECISIONS FOR PUBLIC INFORMATION

Cr Frydrych moved and Cr Kelly seconded "***that the following information from Council in Closed Session is to be released for the public's information:***

Council proceed to procurement for the Deloraine Squash Courts project".

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

The meeting closed at 6.15pm.

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Wayne Johnston
Mayor