



Meander Valley Council
Working Together

MINUTES

ORDINARY COUNCIL MEETING

Tuesday, 12 November 2024

Time 3.00pm

Location Council Chambers
26 Lyall Street
Westbury, Tasmania

Telephone (03) 6393 5300

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Attendance

Chairperson Mayor Wayne Johnston

Councillors Present Deputy Mayor Stephanie Cameron
Councillor Ben Dudman
Councillor Kevin House
Councillor Anne-Marie Loader
Councillor Rodney Synfield
Councillor John Temple
Councillor Daniel Smedley
Councillor Deborah White

Officers Present

Jonathan Harmey General Manager
Krista Palfreyman Director Development and Regulatory Services
Craig Davies Director Corporate Services
David Murray Director Infrastructure Services
Matthew Millwood Director Works
Wezley Frankcombe Manager Governance and Legal
Thomas Wagenknecht Senior Strategic Planner (Agenda Item 13.1)
Karl Boss-Walker Team Leader Community Facilities and Recreation
(Agenda Item 14.1)
Melissa Straughan Acting Team Leader Communications (Agenda Item 15.6)
Claire Theakson Communications Officer (Agenda Item 15.6)
Nate Austen Manager Community Wellbeing (Agenda Item 16.1)
Natasha Whiteley Team Leader Town Planning (Agenda Item 11.1)
Anthea Rooney Governance Officer

1. Opening of Meeting and Apologies

Mayor Wayne Johnston opened the Meeting at 3.00pm.

2. Acknowledgment of Country

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

3. Confirmation of Minutes

Motion

That Council receives and confirms the Minutes of the last Ordinary Council Meeting held on 8 October 2024.

Moved Councillor Ben Dudman

Seconded Councillor Anne-Marie Loader

Votes For Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White

Votes Against Nil

Motion carried by simple majority

Minute Reference: 147/2024

4. Declarations of Interest

Local Government Act 1993 – section 48

(A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences).

Deputy Mayor Stephanie Cameron declared an interest in Agenda Item 15.3 – Attendance at Women in Leadership Conference and elected to leave the Chambers during discussion and voting on the Agenda Item.

5. Council Workshop Report

Local Government (Meeting Procedure) Regulations 2015 – Regulation 8(2)

Topics Discussed – 22 October 2024

Planning Applications for November Council Meetings

Councillors received a review of Planning Applications to be presented to the November Council Meeting.

External Presentation – Visit Northern Tasmania

Councillors received an update on current activities from Visit Northern Tasmania's Chief Executive Officer, Tracey Mallet.

Deloraine Recreation Precinct – Heritage Area and Steeple Design

Councillors were presented with proposed concept designs and options for the steeple restoration and heritage area redevelopment at the Deloraine Recreation Precinct.

Community Strategic Plan 2024-2034 – Community Comments

Councillors provided input into proposed amendments to the Draft Community Strategic Plan 2024-2034 following receipt of public comment.

Meander Valley Place Brand Proposed Implementation

Councillors considered opportunities for the implementation of the Meander Valley Place Brand.

Sale of Public Land

Councillors discussed issues related to proposed public land sales prior to consideration at the November Council Meeting.

Acting General Manger Proposed Arrangements

Councillors contributed feedback to proposed Acting General Manager arrangements.

Operational Approach to Homelessness

Councillors provided feedback on proposed internal procedures designed to provide a balanced approach to managing reports related to the homeless in public spaces whilst balancing community safety and support.

Review of Public Interest Disclosure Process

Councillors received a briefing on the outcomes of a scheduled review of the Meander Valley Council's Public Interest Disclosure document.

Review of Policy No. 84: Gifts and Benefits

Councillors discussed proposed amendments to the scheduled review of Policy No. 84: Gifts and Benefits.

Development Assessment Panel Draft Bill Submission

Councillors provided direction on the Meander Valley Council's proposed submission to the Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2024.

Prospect Vale and Blackstone Heights Structure Plan Review

Councillors were provided with an overview of the Prospect Vale and Blackstone Heights Structure Plan review and provided relevant feedback prior to public release for comment.

6. Mayor and Councillors' Reports

Councillors' Official Activities and Engagements Since Last Meeting

Mayor Wayne Johnston

Attended the following events:

- 16 October 2024 – met with the Board of the Tasmanian Community Fund
- 17 October 2024 – attended the official opening of Veolia's Northern Tasmanian Materials Recycling Facility
- 17 October 2024 – attended the Deloraine Aged Care's Annual General Meeting
- 19 October 2024 – attended the Deloraine Squash Club's Annual Dinner
- 24 October 2024 – attended and presented awards at the Meander Valley Council's all staff barbeque
- 28 October 2024 – attended TasWater's General Meeting
- 7 November 2024 – met with Tabatha Badger MP
- 11 November 2024 – attended the Deloraine Remembrance Day Ceremony

Deputy Mayor Stephanie Cameron

Attended the following events:

- 2 November 2024 – attended the Tasmanian Craft Fair Awards
- 11 November 2024 – attended the Westbury Remembrance Day Ceremony

Councillor Kevin House

Attended the following events:

- 8 October 2024 – attended the Carrick Hall Committee's Annual General Meeting
- 16 October 2024 – attended the Great Western Tiers Tourism Association's Annual General Meeting
- 17 October 2024 – attended a public meeting regarding the ABX mine proposal
- 11 November 2024 – attended the Latrobe Remembrance Day Ceremony
- 11 November 2024 – attended the unveiling of the Teddy Sheehan memorial plaque and statue

Councillor Deborah White

Attended the following events:

- 4 October 2024 – attended the Feral Cats in the Meander Valley Community Information Session
- 16 October 2024 – attended the Great Western Tiers Tourism Association's Annual General Meeting
- 25 October 2024 – presented at the Meander Valley Art Awards' Opening Night and Award Presentation event

Councillor Anne-Marie Loader

Attended the following events:

- 8 October 2024 – attended the Carrick Hall Committee’s Annual General Meeting
- 11 October 2024 – attended the Westbury St Patrick’s Day Trivia Night
- 14 October 2024 – attended the Bendigo Bank Community Grants Presentation evening
- 16 October 2024 – attended the Great Western Tiers Tourism Association’s Annual General Meeting
- 17 October 2024 – attended a public meeting regarding the ABX mine proposal
- 25 October 2024 – presented at the Meander Valley Art Awards Opening Night and Award Presentation
- 29 October 2024 – attended the Meander Valley Council’s Australia Day Awards Committee Meeting
- 1 November 2024 – attended the Tasmanian Craft Fair
- 7 November 2024 – attended the Westbury St Patrick’s Day Committee Meeting
- 8 November 2024 – attended the Australian Local Government Women’s Association Tasmania Annual General Meeting
- 9 November 2024 – attended the Westbury Show
- 11 November 2024 – attended the Remembrance Day Ceremony at Westbury

Councillor Rodney Synfield

Attended the following events:

- 4 October 2024 – attended the Feral Cats in the Meander Valley Community Information Session
- 8 October 2024 – attended the Carrick Hall Committee’s Annual General Meeting
- 17 October 2024 – attended a public meeting regarding the ABX mine proposal
- 29 - 31 October 2024 – attended the National Regional Economic Summit in Busselton, Western Australia
- 11 November 2024 – attended the unveiling of the Teddy Sheehan memorial plaque and statue

Councillor Daniel Smedley

Attended the following events:

- 26 October 2024 – attended the Prospect Hawks Junior Football Club’s Annual General Meeting
- 29 October 2024 – attended the Northern Tasmanian Junior Football Association’s Annual General Meeting

7. Petitions

No new Petitions or Actions on Previous Petitions were received as part of this Meeting

8. Community Representations

Community representations are an opportunity for community members or groups to request up to three minutes to address Council on a topic of particular interest.

Requests received at least 14 days prior to a Council Meeting will be considered by the Chairperson. For further information, contact the Office of the General Manager on (03) 6393 5317 or email ogm@mvc.tas.gov.au.

No Community Representations were received as part of this Meeting

9. Public Question Time

9.1. Public Questions With Notice

Local Government (Meeting Procedures) Regulations 2015 – Regulation 31(1)

(Questions With Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting).

Question

Rebecca Hanby – PA\23\0048 – 75 William Street, Westbury – asked at the Council Meeting of 8 October 2024

1. Can the Council please show me anywhere in Tasmanian law that states I have to absorb excess stormwater from the development occurring at 75 William Street, Westbury as a percentage or other figure?

Krista Palfreyman (Director Development and Regulatory Services) advised there is no specific provision that identifies a percentage or other figure of excess stormwater required to be absorbed. The *Urban Drainage Act 2013* provides for the management of urban drainage and stormwater systems and infrastructure.

9.2. Public Questions Without Notice

Question

Linda Wasserfall, Reedy Marsh - ABX Bauxite Mine

1. Is Council aware that companies like *Meryllion* and *Cobra* and perhaps others are advertising that they will be mining here in the Meander Valley, specifically on the back of ABX's mining operations?

Mayor Wayne Johnston advised that personally, he is not aware of any advertising.

General Manager, Jonathan Harmey, noted that the Council has not received any applications from those companies stated. If applications are received in the future they will be handled through normal processes.

10. Councillor Question Time

10.1. Councillors' Questions With Notice

Question

Councillor Anne-Marie Loader (on behalf of Helen Hutchinson) – Prospect Vale and Blackstone Heights Facilities

1. Prospect Vale and Blackstone Heights have a third of the population of the Meander Valley according to the Australian Bureau of Statistics. Do they also have a third of the facilities provided by the Meander Valley Council - sports grounds, sports facilities, public halls, playgrounds, parks and reserves?

Jonathan Harmey (General Manager) advised that, with regard to the portion of the question relating to the provision of facilities in Prospect Vale and Blackstone Heights, the Council's property database indicates that Blackstone Heights and Prospect Vale have 41 properties listed as sports grounds, sports facilities, public halls, playgrounds, parks and reserves. This is 48% of the total number of properties (85) considered to meet the description in the question.

10.2. Councillors' Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 – Regulation 29

(Councillors who ask Questions Without Notice at a Meeting will have the question answered at the Meeting. Questions and responses will not be recorded in the Minutes of the Meeting. If the Council's Officers are unable to answer the question asked at the Meeting, the question and a response will be provided in the next Council Meeting Agenda).

All Councillors' Questions Without Notice asked at the Meeting were answered at the Meeting

11. Councillor Notices of Motion

No Notices of Motion were received as part of this Meeting.

12. Planning Authority Reports

Mayor Wayne Johnston announced that under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority with regard to items included in Agenda Item 12.

12.1. PA\25\0023 - 6 Racecourse Drive, Deloraine

Proposal	Sport and Recreation - Demolition of stables
Report Author	George Walker Planning Consultant
Authorised By	Krista Palfreyman Director Development and Regulatory Services

Nigel Bedford spoke against the Recommendation

Motion

That Council receives the Agenda Item tabled for PA\25\0023 and resolves to approve the application.

Refer to *Details* below for further specification of Council's decision and any conditions or notes.

Moved	Councillor Daniel Smedley
Seconded	Deputy Mayor Stephanie Cameron
Votes For	Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White
Votes Against	Nil
	Motion carried by simple majority
	Minute Reference: 148/2024

Details

Council must take qualified advice before making a decision, and ensure that its reasons for any planning decisions are (a) minuted and (b) based on the Planning Scheme.

See *Local Government Act 1993*: section 65, *Local Government (Meeting Procedures) Regulations 2015*: section 25(2) and *Land Use and Approvals Act 1993*: sections 57-59.

After receiving qualified advice about this planning application and its compliance with the Planning Scheme, Council resolved as follows:

Recommendation

This application by Meander Valley Council, for a Sport and Recreation – Demolition of stables, on land located at 6 Racecourse Drive, Deloraine (CTs 165648/1 and 12/8383) is recommended for approval generally in accordance with the Endorsed Plans, recommended Permit Conditions and Permit Notes.

Endorsed Plan

- a. Meander Valley Council; Dated: July 2024; Phase 2e Demolition Plan (v1).
- b. Gayle Plunkett Architect; Dated: March 2023/ Rev 25 May 2023; Heritage Impact Review/Assessment.

Permit Conditions

1. Prior to the commencement of works the following must be completed:
 - a. a Soil and Water Management Plan must be submitted to the satisfaction of Council's Town Planner, detailing sediment control measures to be undertaken during the demolition and associated remediation works. When approved, this document will be endorsed and will then form part of the permit.
 - b. the sediment control measures of the endorsed Soil and Water Management Plan must be implemented and must remain in place until the demolition and associated remediation works are completed and the ground cover is re-established to the satisfaction of the Council's Town Planner.
2. The development must be in accordance with the Notice of Heritage Decision (No. 8486) issued by Tasmanian Heritage Council under the *Historic Cultural Heritage Act 1995* and dated 11 October 2024 (attached).
3. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2024/00956-MVC) (attached).

Permit Notes

1. Any other proposed development or use (including amendments to this proposal) may require separate planning approval. For further information, contact the Council.
2. This permit takes effect after:
 - a. the 14-day appeal period expires; or
 - b. any appeal to the Tasmanian Civil and Administrative Tribunal (TASCAT) is determined or abandoned; or
 - c. any other required approvals under this or any other Act are granted.
3. Planning appeals can be lodged with TASCAT Registrar within 14 days of the Council serving notice of its decision on the applicant. For further information, visit the TASCAT website.
4. This permit is valid for two years only from the date of approval. It will lapse if the development is not substantially commenced. The Council has discretion to grant an extension by request.
5. All permits issued by the permit authority are public documents. Members of the public may view this permit (including the endorsed documents) at the Council Offices on request.
6. If any Aboriginal relics are uncovered during works:
 - a. all works to cease within delineated area, sufficient to protect unearthed or possible relics from destruction;
 - b. presence of a relic must be reported to Aboriginal Heritage Tasmania; and
 - c. relevant approval processes for State and Federal Government agencies will apply
7. Attention is drawn to TasRail's Standard Notes relating to development in proximity to the Western Line rail corridor which are attached to this permit.

13. Development and Regulatory Services

13.1. Submission on Draft Development Assessment Panel Draft Bill 2024

File Reference	S13-09-011
Report Author	Thomas Wagenknecht Senior Strategic Planner
Authorised By	Krista Palfreyman Director Development and Regulatory Services

Motion

That Council:

1. endorses the Meander Valley Council's Submission – Draft *Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2024* (Attachment 1) as its submission to the public exhibition of the Draft *Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2024*; and
2. approves the lodgment of the Council's submission to the State Planning Office (as provided in Attachment 1).

Moved Councillor Ben Dudman

Seconded Councillor Anne-Marie Loader

Votes For Mayor Wayne Johnston, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White

Votes Against Deputy Mayor Stephanie Cameron

Motion carried by simple majority

Minute Reference: 149/2024

14. Infrastructure Services

14.1. Lease - Deloraine Community Complex Kiosk

File Reference S20-01-004

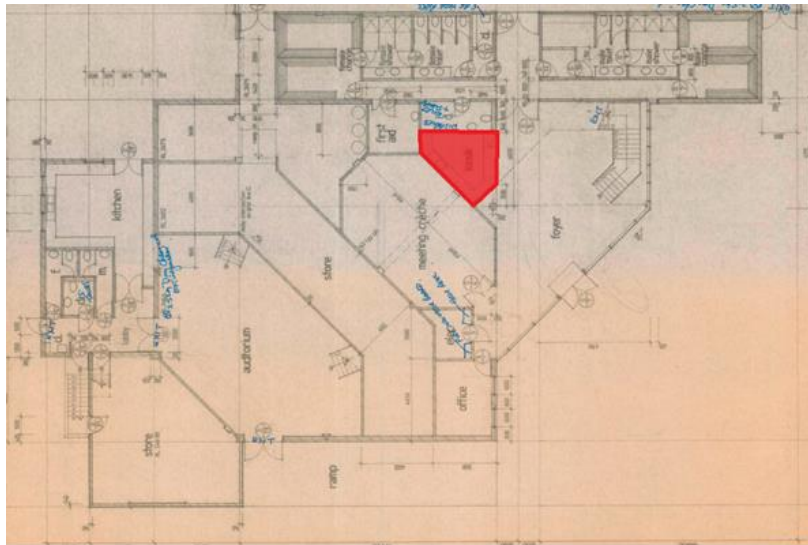
Report Author Karl Boss-Walker
Team Leader Community Facilities and Recreation

Authorised By David Murray
Director Infrastructure Services

Motion

That Council, by absolute majority, pursuant to section 177 of the *Local Government Act 1993*:

1. leases the kiosk area (shown in red) located at Deloraine Community Complex, 8 Alveston Drive, Deloraine to the:
 - a. Deloraine Junior Basketball Club, to support recreation activities during the junior basketball season.
 - b. Deloraine Amateur Basketball Association, to support recreation activities during the senior basketball season.



2. authorises the General Manager to enter into a formal leases under the following terms:
 - a. the term shall be for two years;
 - b. with a further option of one year;
 - c. the lease amount shall be \$1,025 per six months;
 - d. tenants to be responsible for:
 - i. contents insurance;
 - ii. public liability insurance; and

- e. tenant shall continuously maintain:
 - i. any infrastructure or any infrastructure installed by the tenant or the Council in relation to the tenant's occupation;
 - ii. building in good and reasonable order; and
 - iii. public liability insurance of at least \$20 million.
- f. all remaining terms to be determined by the General Manager.
- g. any right, option or discretion exercised by the Council under the lease may be exercised by the General Manager.

Moved Councillor Daniel Smedley

Seconded Councillor Kevin House

Votes For Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White

Votes Against Nil

Motion carried by absolute majority

Minute Reference: 150/2024

15. Governance

15.1. Acting General Manager Arrangements

File Reference S13-07-022

Report Author Jonathan Harmey
General Manager

Motion

That Council:

1. approves a standing appointment under section 61B(4) of the *Local Government Act 1993*, of an Acting General Manager during all absences of the General Manager, Jonathan Harmey, of 14 days' duration or fewer, as follows:
 - a. Craig Davies, Director Corporate Services;
 - b. Krista Palfreyman, Director Development and Regulatory Services;
 - c. David Murray, Director Infrastructure Services; and
 - d. Matthew Millwood, Director Works.
2. notes that during absences over 14 days' duration the Mayor may appoint a person to act in the office of General Manager under section 61B(2)(a) of the *Local Government Act 1993* and where sufficient notice of absence is provided by the General Manager, a separate appointment will be made by Council under section 61B(4) of the *Local Government Act 1993*.
3. notes that the approvals in Recommendation 1, under section 61B(4) of the *Local Government Act 1993*, will remain in place until September 2027.

Moved Councillor Ben Dudman

Seconded Deputy Mayor Stephanie Cameron

Votes For Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White

Votes Against Nil

Motion carried by simple majority

Minute Reference: 151/2024

15.2. Councillor Committee Appointment - Australia Day Awards Committee

File Reference S04-09-024

Report Author Anthea Rooney
Governance Officer

Motion

That Council appoints Councillor Deborah White as a member of the Australia Day Awards Committee.

Moved Councillor Ben Dudman

Seconded Councillor Anne-Marie Loader

Votes For Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White

Votes Against Nil

Motion carried by simple majority

Minute Reference: 152/2024

Deputy Mayor Stephanie Cameron withdrew from the Meeting at 3:40pm

15.3. Attendance at Women in Leadership Summit

File Reference S21-01-033

Report Author Jonathan Harmey
General Manager

Motion

That Council approves the application from Deputy Mayor Stephanie Cameron, under Policy No. 24 *Councillor Expense Entitlements, Attendances at Conferences and Training*, to attend the Women in Leadership Summit in Hobart in February 2025, with a budget to cover the total cost of travel, conference registration and conference accommodation.

Moved Councillor Anne-Marie Loader
Seconded Councillor Kevin House

Votes For Mayor Wayne Johnston, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White

Votes Against Nil

Did Not Vote Deputy Mayor Stephanie Cameron

**Due to
Declaration of
Interest**

Motion carried by simple majority

Minute Reference: 153/2024

Deputy Mayor Stephanie Cameron re-attended the Meeting at 3:41pm

Cash Money, gift or debit cards or vouchers which are readily convertible.

Cumulative Gift A series of gifts of nominal value from the same person or organisation over a specified period which may have an aggregate value that is significant.

Conflict of Interest A conflict of interest is a conflict between a person's public duty to act in the best interests of the Council and municipality and their private interests, whether it is financial or non-financial.

A conflict exists whether it is a:

- Real conflict of interest – it currently exists;
- Potential conflict of interest – it may arise, given the circumstances; or
- Perceived conflict of interest – members of the public could reasonably form the view that a conflict exists, or could arise, that may improperly influence the person's performance of their duty to the Council and municipality, now or in the future.

A gift offer that involves a conflict of interest, whether real, potential or perceived can:

- Introduce a personal interest that did not previously exist.
- Encourage a person to prioritise a personal gain over their requirement to act in the public interest.
- Create an intimidation threat from the possibility of a gift offer being made public.

The existence and significance of a conflict will depend on the nature, value and intent of the gift offer.

Council Officials Mayor, Councillors, Council staff (including labour hire or otherwise engaged persons) staff engaged through an employment agency), Council Committee members, volunteers and contractors.

Gift Usually, a tangible item provided at no charge. Gifts may include, but are not limited to items such as cash, property (real or otherwise), goods and services made available at heavily discounted prices, alcohol, products, invitations to

social functions and tickets to sporting, theatrical or music events.

Gift of Influence

A gift that is intended to generally ingratiate the giver with the recipient for favourable treatment or benefit in the future.

Gift of Gratitude

A gift offered to an individual or department in appreciation of performing specific tasks or for exemplary performance of duties. Gifts to an elected representative or staff member who speaks at an official function may be considered an example of this type of gift of gratitude.

Hospitality

Provision of accommodation, meals, refreshments, event tickets, or some other forms of entertainment.

Nominal Value

The monetary limit of the value of gifts or benefits that may be accepted (ie. total value of gift or benefit received). A gift or benefit is of nominal value when it has no significant or lasting value.

Non-Token

Items that are of a more individual nature, with a value above the nominal value limit. Items may include, free or discounted travel; use of holiday homes; corporate hospitality at major sporting events; free training excursions; tickets to major events and access to confidential information.

Public Interest Disclosure

A disclosure under the *Public Interest Disclosures Act 2002*, including the provisions in the Meander Valley Council Public Interest Disclosure Procedure.

Significant Value

A gift or benefit that has a value above the nominal value limit.

Token

Often mass produced (ie. pens, calendars, ties or items with a company logo on them), offered in business situations to individuals. Usually have a value under the nominal value limit.

2. Objective

The objective of this Policy is to minimise gift, hospitality or benefit offers made or accepted by officials of the Council. This helps to protect and promote public confidence in the integrity of the Council.

3. Scope

This Policy applies to all gifts, hospitality, or benefits offered to, or received by, all officials of the Council.

Internal gifts received by Councillors or staff from the Council are not covered by this Policy and do not need to be declared; for example, service recognition gifts.

4. Policy

The Council is committed to being open and transparent in its endeavours to achieve the best outcomes for its local community. The acceptance of gifts, hospitality and benefits can create perceptions that the Council's integrity has been compromised.

The Council's Officials must:

4.1 Acceptance and Declaration

- Not accept gifts or benefits unless in accordance with this Policy.
- Declare all offers to the General Manager using the approved form, regardless of acceptance.
- Reject anonymous gifts where the giver's identity and address are unknown.
- Refuse any gifts, benefits, or hospitality where a real, potential, or perceived conflict of interest exists.

4.2 Ethical Conduct

- Act ethically, fairly and honestly in all official duties.
- Consult the Council as required.
- Be accountable for actions and ensure decision-making processes are transparent and withstand public scrutiny.
- Do not solicit or use the Council position for personal gain.
- Avoid placing individuals or organisations in a position where they feel compelled to offer gifts to secure or retain business.
- Ensure no higher level of service is provided in exchange for gifts or benefits.

4.3 Bribery

Report any instances of bribery or cash offers to the General Manager and comply with relevant legislation.

4.4 *Disclosure Threshold*

When deciding whether to accept or decline a gift or benefit, consideration is to be given to both the value of the gift or benefit and also the intent of the gift or benefit being offered.

Part 3A of the *Local Government (General) Regulations 2015* (the Regulations), sets out the requirements for declaration of gifts and donations for Councillors.

Follow the *Local Government (General) Regulations 2015* guidelines for gift and donation declarations, applying these thresholds to all the Council's Officials:

- single gifts or benefits valued at \$50 or more.
- multiple gifts from one source with an aggregate value of \$50 or more.
- disclose any nominal gifts if more than three are received from the same source within six months.

4.5 *Prohibited Gift Offers*

Record all prohibited gift offers to monitor frequency and nature, using the Gifts and Benefits Declaration Form.

4.6 *Conflict of Interest*

The Council's Officials are prohibited from accepting a gift that creates a conflict of interest (real, potential or perceived).

4.7 *Actual or Perceived Effect of the Gift or Benefit*

Accepting gifts where a reasonable person could consider that there may be influence applied as a result of accepting the gift or benefit is prohibited (ie. a gift of influence).

Where it is suspected that a gift or benefit has been offered for the purpose of influencing the behaviour of someone acting in their official capacity, the gift or benefit must be declined and the matter should be reported immediately to the relevant supervisor, General Manager or Mayor.

4.8 *Token and Inconsequential Gifts*

Token and inconsequential gifts may be accepted within limits.

As a single item, gifts or benefits of a token nature that would not create the perception or circumstance of a conflict of interest and include:

- items with a company logo on them, ties, scarves, coasters, diaries, chocolates or flowers;
- books given to individuals at functions, public occasions or in recognition of exceptional work done;

- gifts of single bottles of reasonably priced alcohol given to individuals at functions, public occasions or in recognition of exceptional work done;
- free or subsidised meals of a modest nature and/or beverages provided infrequently (and or reciprocally) that have been arranged for or in connection with the discussion of official business;
- free meals of a modest nature and or beverages provided to officials of the Council who formally represent the Council at work-related events such as training, education sessions and workshops;
- invitations to approved social functions organised by groups such as Council Committees and community organisations where attendance is reasonably associated or in the course of the Council's business; and
- door prizes and raffle prizes at functions or conferences are not considered a gift.

If a Council Official has any doubt if a gift or benefit is token or of nominal value, they should discuss it with a supervisor or in the case of a Councillor, with the General Manager or Mayor.

4.9 *Acceptance for Reasons of Culture or Protocol*

If a gift or benefit of a non-token nature or above nominal value is offered and cannot reasonably be refused (as this action, for example, may cause cultural offence or breach an established protocol), the gift may be accepted.

The offer and receipt of the gift or benefit must be declared on a Gifts and Benefits Declaration and recorded on the Council's Gift Register. The General Manager may use discretion to determine the treatment of the gift.

4.10 *Non-Acceptable Gifts (Non-Token) and Benefits*

Gifts or benefits of a non-token nature include, but are not limited to:

- free or discounted travel;
- use of holiday homes;
- tickets to major sporting events;
- corporate hospitality at a corporate facility or sporting venue;
- free training excursions;
- access to confidential information;
- discounted products for personal use; and
- goods and services provided via a determination in a will or other legal deed.

At times a gift of a non-token nature may be given from an authority (organisation) to another. Such gifts are often provided to a host authority. These gifts may be given as an expression of gratitude without obligation on the receiver to respond. The gratitude usually extends to the work of several people in the authority and therefore the gift is considered to be for the authority, not a particular individual.

In such instances the gift is the property of the Council and it to be surrendered to the General Manager who is to determine how it should be treated.

If a Council Official refuses a gift or benefit because they believe that the gift was a deliberate attempt to receive special treatment, then such an instance is to be reported to the supervisor and the General Manager in the case of staff. Councillors should report any instance to the General Manager and Mayor.

4.11 Money or Equivalent

Officials of the Council are prohibited from accepting money, this includes gift cards (eg. gift vouchers) or those easily converted into money (eg. shares).

4.12 Regulatory Processes

Where a Council regulatory process is underway (eg. a Planning Application or an Infringement Notice appeal), a Council Official is prohibited from accepting any gifts from any individual or group that may be involved with the regulatory activity.

4.13 Bequests/Wills

A Council Official is prohibited from accepting any bequests resulting from their position with the Council.

4.14 Procurement and Tender Process

A Council Official is prohibited from accepting any gifts, benefits and hospitality from a current or prospective supplier or any offer that is made during a procurement or tender process by a person or organisation involved in the process.

Where gifts are received from suppliers or potential suppliers, the Council Official must notify the General Manager and lodge Gifts and Benefits Declaration Form or Register, so their refusal/action can be properly recorded.

4.15 Hospitality

A Council Official, in the normal course of their duties, will from time to time receive invitations of hospitality to attend various functions and events.

Hospitality is considered a gift unless the hospitality was reasonable (see reasonable test below) and you were attending the function or event in an official capacity of the Council (see test below).

Hospitality does not constitute a gift if it is paid for by the Council, or by the person receiving the hospitality.

Where such hospitality is reasonable or modest in nature and provides an opportunity to undertake business of a common purpose, it may be appropriate to accept such invitations. Where practical, approval should be obtained prior to the attendance.

Examples:

- a business meeting to discuss matters of the Council at which a meal or refreshments are served; or
- attendance as a Councillor or delegated Committee member on official Council business.

If, however, acceptance of the hospitality is likely to create the impression of compromised impartiality of the Council Official, or could be perceived as a conflict of interest, the offer of hospitality should be politely declined.

Where appropriate, the Council may elect to treat the cost of a meal or other hospitality for a Council Official or their partner as a business cost. This may constitute a fringe benefit. With prior approval from the General Manager, the Council Official may use a Council credit card, or seek reimbursement from the Council for the cost.

4.16 Reasonableness Test

The hospitality must be of a standard and type that an independent observer would consider appropriate and not excessive or perceived to be persuasive.

4.17 Official Capacity Test

Any hospitality accepted must be clearly aligned with the duty of a Council Official to attend the relevant function or event.

The following offers are likely to be considered excessive, ie. in excess of common courtesy:

- a fine dining and wines working lunch at another organisation's premises.
- an offer to pay for a working lunch at a café.
- an offer of a free spot at an industry golf day.

The following offers are not considered excessive beyond common courtesy:

- a cup of coffee at another organisation's premises.
- a modest working lunch, such as sandwiches and pastries, at another organisation's premises.

4.18 *Family Members*

Officials of the Council must take all reasonable steps to ensure that immediate family members and other closely related parties do not receive gifts or benefits as a result of the Council Official's position. This includes gifts or benefits of a non-token nature or gifts or those above the nominal value.

Immediate family members include parents, spouses, de facto relationship, children and siblings.

Closely related parties includes, for example, business partners and close business connections, extended family with a close relationship to the Council Official, and parties with trust-related or other types of fiduciary relationships with the Council Official.

4.19 *Bribes*

Officials of the Council must not offer or seek a bribe. Receiving a bribe is an offence under both the common law and State and Federal legislation.

A Council Official who receives a gift offer that they believe is an attempted bribe must refuse the offer. They must also:

- immediately notify the General Manager;
- ensure that a Gifts and Benefits Declaration Form is lodged, with their refusal properly recorded;
- report the matter as a public interest disclosure in accordance with the Council's Public Interest Disclosure Procedure.

A Council Official who believes another person within the Council may have solicited or been offered a bribe which they have not reported, must notify the General Manager or the Tasmanian Integrity Commission and/or report the matter in accordance with the Council's Public Interest Disclosure Procedure.

4.20 *Records – Gifts and Benefits Registers*

A Gifts and Benefits Register will be maintained by the Governance Department and reported to the Audit and Risk Committee every six months.

This Register will be made publicly available on request and contains the following information:

For the purposes of section 56A (2)(b) of the *Local Government Act 1993*, the following details are prescribed:

- (a) the name of the donor of the gift or donation, if known;
- (b) the relationship to the donor, if known;
- (c) the suburb or locality where the donor resides, if known;
- (d) the date on which the gift or donation was received; and
- (e) the estimated monetary value of the gift or donation.

The content of the Register will be monitored by the General Manager on a regular basis.

4.21 Disposal of Gifts

The General Manager or Mayor will determine whether a gift or benefit of a non-token nature should be subject to disposal.

Where a gift should not be retained by the individual, there are options for the disposal of gifts that have been accepted because they could not reasonably be refused. Examples of such circumstances where gifts or benefits may be received include:

- gifts accepted for protocol or other reasons, where returning it would be inappropriate;
- anonymous gifts (received through the mail or left without a return address);
- a gift received in a public forum where attempts to refuse or return it would cause significant embarrassment or cultural offence.

4.22 Breaches of Policy

All Council Officials are obliged to comply with this Policy and sanctions may be applied if the Policy is breached.

Any person may report an alleged breach of this Policy by a Council Official to the General Manager or Mayor as appropriate. The General Manager may investigate any report and take such action as is considered necessary in line with legislation, Code of Conduct and other relevant policy and procedure.

5. Legislation and Related Standards

Local Government Act 1993

Local Government (General) Regulations 2015

Code of Conduct for Meander Valley Councillors

Fraud Control Policy and Plan

Public Interest Disclosure Procedure

6. Responsibility

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

Moved Councillor Ben Dudman

Seconded Councillor Deborah White

Votes For Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White

Votes Against Nil

Motion carried by simple majority

Minute Reference: 154/2024

15.5. Review of Public Interest Disclosure Procedure

File Reference	S13-11-002
Report Author	Wezley Frankcombe Manager Governance and Legal
Authorised By	Jonathan Harmey General Manager

Motion

That Council endorses continuation of the updated Public Interest Disclosure Procedure (Attachment 1).

Moved	Councillor Ben Dudman
Seconded	Deputy Mayor Stephanie Cameron
Votes For	Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White
Votes Against	Nil
	Motion carried by simple majority
	Minute Reference: 155/2024

15.6. Meander Valley Place Brand Implementation

File Reference	S04-06-001
Report Author	Melissa Straughan Acting Team Leader Communications
Authorised By	Jonathan Harmey General Manager

Motion

That Council, in adopting the Meander Valley Place Brand:

1. endorses the Place Brand Implementation Roadmap provided as Attachment 1;
2. adopts the Place Brand tools in the Council's operational activities, including logo, colour, typography, patterns, illustrations and voice;
3. makes the Place Brand tools available for community use; and
4. authorises the General Manager to implement the Meander Valley Place Brand.

Moved Councillor Anne-Marie Loader

Seconded Councillor Daniel Smedley

Votes For Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor Daniel Smedley and Councillor Deborah White

Votes Against Councillor John Temple

Motion carried by simple majority

Minute Reference: 156/2024

16. Community Wellbeing

16.1. Meander Valley Community Strategic Plan 2024-2034

File Reference	S13-12-016
Report Author	Nate Austen Manager Community Wellbeing
Authorised By	Jonathan Harmey General Manager

Motion

That Council adopts the *Meander Valley Community Strategic Plan 2024-2034* provided as Attachment 1.

Moved Councillor Ben Dudman
Seconded Councillor Deborah White

Votes For Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White

Votes Against Nil

Motion carried by simple majority

Minute Reference: 157/2024

17. Works

17.1. Sale of Public Land

File Reference	S23-03-016
Report Author	Matthew Millwood Director Works
Authorised By	Jonathan Harmey General Manager

Motion

That Council, by absolute majority, pursuant to section 178 of the *Local Government Act 1993*, authorises the General Manager to enter into contracts of sale and approves the sale of public land, located at:

1. 6 Youd Court, Deloraine (CT 25818/6);
2. 35 Chris Street, Prospect Vale (CT 40610/69);
3. Lot 151, Poets Place, Hadspen (CT 43403/151);
4. 34 Winifred Jane Crescent, Hadspen (CT 55487/27);
5. 36 Winifred Jane Crescent, Hadspen (CT 55487/28); and
6. 5 Kipling Crescent, Hadspen (CT 26480/14).

Moved Councillor Ben Dudman

Seconded Councillor Kevin House

Votes For Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Rodney Synfield and Councillor Daniel Smedley

Votes Against Councillor Anne-Marie Loader, Councillor John Temple and Councillor Deborah White

Motion carried by absolute majority

Minute Reference: 159/2024

Amended Motion

That Council, by absolute majority, pursuant to section 178 of the *Local Government Act 1993*, authorises the General Manager to enter into contracts of sale and approves the sale of public land, located at:

1. 6 Youd Court, Deloraine (CT 25818/6);
2. 35 Chris Street, Prospect Vale (CT 40610/69); and
3. Lot 151, Poets Place, Hadspen (CR 43403/151).

Moved Councillor Anne-Marie Loader

Seconded Councillor Deborah White

Votes For Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple and Councillor Deborah White

Votes Against Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House and Councillor Daniel Smedley

Motion lost by absolute majority

Minute Reference: 158/2024

18. Motion to Close Meeting

Refer to Local Government (Meeting Procedures) Regulations 2015: Regulation 15(1)

Recommendation

That Council, by absolute majority, pursuant to the *Local Government (Meeting Procedures) Regulations 2015*, closes the Meeting to the public for discussion of the Agenda Items listed below:

18.1 Confirmation of Closed Minutes

Refer to Local Government (Meeting Procedures) Regulations 2015: Regulation 34(2)

18.2 Councillor Leave of Absence Applications

Refer to Local Government (Meeting Procedures) Regulations 2015: Regulation 15(2)(h) applications by Councillors for a leave of absence

18.3 General Manager's Performance Plan 2024-25

Refer to Local Government (Meeting Procedures) Regulations 2015: Regulation 15(2)(a) regarding personnel matters, including complaints against an employee of the council and industrial relations matters.

18.4 End of Closed Session and Release of Public Information

Refer to Local Government (Meeting Procedures) Regulations 2015: Regulation 15(8)

To be determined in Closed Council.

Moved	Councillor Ben Dudman
Seconded	Councillor Anne-Marie Loader
Votes For	Mayor Wayne Johnston, Deputy Mayor Stephanie Cameron, Councillor Ben Dudman, Councillor Kevin House, Councillor Anne-Marie Loader, Councillor Rodney Synfield, Councillor John Temple, Councillor Daniel Smedley and Councillor Deborah White
Votes Against	Nil
Motion carried by absolute majority	
Minute Reference: 160/2024	

Council moved into Closed Session at 3.24pm

Council returned to Ordinary Session at 4.30pm

19. End of Closed Session and Release of Public Information

18.4 End of Closed Session and Release of Public Information

Refer to Local Government (Meeting Procedures) Regulations 2015: section 15(8).

That Council, pursuant to Regulation 34(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, resolves to report in Open Session that it has considered the following matters in Closed Session:

Minutes Item	Matter	Brief Description and Release of Public Information
18.1	<i>Closed Council Minutes – 8 October 2024</i>	<i>Minutes not to be released to the public.</i>
18.2	<i>Councillor Leave of Absence Applications</i>	<i>Details not to be released to the public.</i>
18.2	<i>General Manager's Performance Plan – 2024-25</i>	<i>Details not to be released to the public.</i>

20. Close of Meeting

Mayor Wayne Johnston closed the Meeting at 4.30pm.

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Mayor Wayne Johnston
Chairperson