



Meander Valley Council

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

# **ORDINARY MINUTES**

**COUNCIL MEETING**

**Tuesday 8 August 2017**

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Minutes of the ordinary meeting of the Meander Valley Council held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 8 August 2017 at 1.35pm.

**PRESENT:** Mayor Craig Perkins, Deputy-Mayor Michael Kelly, Councillors Andrew Connor, Tanya King, Ian Mackenzie, Bob Richardson, Rodney Synfield and John Temple.

**APOLOGIES:** Councillor Deborah White

**IN ATTENDANCE:** Martin Gill, General Manager  
Merrilyn Young, Executive Assistant  
Dino De Paoli, Director Infrastructure Services  
Jonathan Harmey, Director Corporate Services  
Matthew Millwood, Director Works  
Lynette While, Director Community & Development Services  
Leanne Rabjohns, Town Planner  
Justin Simons, Town Planner  
Krista Palfreyman, Development Services Coordinator  
Daniel Smedley, Recreation Coordinator  
Katie Proctor, Environmental Health Officer

### **165/2017 CONFIRMATION OF MINUTES:**

Councillor Mackenzie moved and Councillor King seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 11 July, 2017, be received and confirmed.”***

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

## **166/2017 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:**

Date :	Items discussed:
22 July 2017	<ul style="list-style-type: none"><li>• Greater Launceston Transformation Project</li><li>• Policy No 79 – Pursuit of Illegal Buildings</li><li>• Community Waste Management Strategies</li><li>• Westbury Recreation Ground Function Centre</li><li>• Folk Museum Rising Damp</li><li>• Electoral Division Redistriburion Proposal</li></ul>

## **167/2017 ANNOUNCEMENTS BY THE MAYOR:**

### **19 July 2017**

Launch of Mole Creek Telstra Mobile Tower

### **21 July 2017**

Primary Health Tasmania telephone interview

### **25 July 201**

Council Workshop  
Citizenship Ceremony

### **26 July 2017**

LGAT AGM and General Meeting

### **27 July 2017**

LGAT Annual Conference

### **28 July 2017**

LGAT Annual Conference

## **168/2017 DECLARATIONS OF INTEREST:**

175/2017     126 & 160 Oaks Road Carrick – Cr Ian Mackenzie

## **169/2017 TABLING OF PETITIONS:**

A petition was tabled by Cr Andrew Connor on behalf of Mr Cody Handley regarding the proposed electorate changes in Bass and Lyons.

Cr Connor moved and Cr Richardson seconded "that the petition be received."

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

## **170/2017 PUBLIC QUESTION TIME**

### **1. PUBLIC QUESTIONS TAKEN ON NOTICE – JULY 2017**

Nil

### **2. PUBLIC QUESTIONS WITH NOTICE – AUGUST 2017**

Nil

### **3. QUESTIONS WITHOUT NOTICE – AUGUST 2017**

#### **3.1 Mrs C Johnson, Caveside**

I am almost 69 and I find it unconscionable that this Council expects me and others who are not big, strong farmers to dispose of our own rubbish.

I have previously made enquiries on this matter this Council and the answer I got was astounding in its denial of responsibility. I was told the Council does not have to provide rubbish collection. This is despite, that in Australia, Councils have the responsibility of health and management of waste in their areas.

Putting smelly rubbish in your car is disgusting and a health hazard. The effort it takes for me to dispose of my rubbish with my osteoarthritis is painful. The cost of it is also painful on my budget. I want to know when, not if, this Council is going to provide rubbish removal to Caveside and Mole Creek area?

Meanwhile, the little town of Exton gets rubbish removal while, in Mole Creek, rubbish is being dumped at Dog's Head to avoid dump fees.

Clearly, the Council is failing in its duty to the local residents.

***Questions taken on Notice***

# **171/2017 COUNCILLOR QUESTION TIME**

## **1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – JULY 2017**

### **1.1 Cr Tanya King**

Its plastic free July, and I have been scrutinising my own family's plastic use, and have identified some improvements we can make. One easy thing to do is to separate and collect soft plastic for recycling. Unfortunately, I would need to drive to Launceston, to access my nearest collection point!

REDcycle is a recycling program that diverts flexible plastics – the ones you can't put in your kerbside recycling bin – from landfill and turns them into a material that can be used to manufacture new products.

Could Meander Valley Council please investigate the feasibility of introducing collection points within our municipality?

***Response by Dino De Paoli, Director Infrastructure Services***

***Yes, Council Officers will investigate the feasibility of introducing collection points within the municipality and report back to Councillors on the potential option/s at an upcoming Council workshop.***

### **1.2 Cr Andrew Connor**

Could Council's Environmental Health Officers conduct proactive patrols during winter months to ensure compliance with smoking chimney regulations?

The regulations are breached if smoke is visible 10 metres or more from a chimney for at least 30 seconds at a time, as well as being generally visible for at least 10 minutes.

An infringement notice is an on-the-spot fine of \$240

***Response by Lynette While, Director Community & Development Services***

***Council's Environmental Health Officers will be keeping an eye on chimneys in surrounding areas when they are on inspections.***

***If a smoky chimney is noted, an EPA Tasmania postcard 'burn brighter and breathe better' is popped into the relevant letterbox. Attached to the postcard is the business card of the Officer and a brief note is written on the card to advise that excess smoke was noted and to please be aware of the advice on the postcard.***

***The postcard has 2 pictures on one side, illustrating appropriate and inappropriate smoke and on the reverse side provides hints on being a good***

***neighbour to burn brighter, breathe better. The Officer keeps a record of this action. This is a proactive educational approach.***

## **2. COUNCILLOR QUESTIONS WITH NOTICE – AUGUST 2017**

### **2.1 Cr Tanya King**

The Meander Valley Council Ordinary Minutes – 7 June 2016 contains the following:  
129/2016 LEGISLATIVE COUNCIL INQUIRY INTO THE WILD FALLOW DEER  
POPULATION IN TASMANIA

Cr King moved and Cr Kelly seconded “that Council

1. makes a submission to the Legislative Council Government Administration Committee `A` inquiry into the wild fallow deer population in Tasmania and
2. includes the following points in its submission:

- The partly protected status of fallow deer does not provide effective control of an introduced species;
- There is increasing evidence of property damage caused by fallow deer in Meander Valley;
- There is increasing evidence of motor accidents caused by or involving wild fallow deer on roads within Meander Valley;
- Council attributes the increase in property damage and vehicle accidents to the increase in fallow deer populations”

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

Could a copy of the submission please be provided?

***Response by Martin Gill, General Manager***

***A copy of the submission has been provided in the Councillor folders.***

## **3. COUNCILLOR QUESTIONS WITHOUT NOTICE – AUGUST 2017**

### **3.1 Cr Bob Richardson**

- a) It is believed that the State Liberal government will, today, introduce legislation in Parliament to take over management of the functions of TasWater. It is assumed that the government can manage water and sewerage resources better than the current Councils-owned TasWater.

Is this the same State Government which professes to manage:-

- i) the State's hospital? And how is that going?
- ii) The State's emergency services? And are people happy with the resources allocated to this service?
- iii) Children's services, particularly wards of the State?
- iv) King Island shipping? That seems to be going well.
- v) Electricity and energy? Did not the lakes virtually run dry under their watch, and are they still at only a third capacity – in mid-winter?
- vi) Can afford annual handouts to Victorian businesses, which employ staff at up to a million dollar annual salaries, of about \$8 million, but can't afford the build a primary school at the sizeable town of Hadspen?

I could list more!

But it (the Government) seems to think it can manage water and sewerage better?

***Response by Martin Gill, General Manager***

***Yes it is the same State Government***

- b) It is understood that the State Government's superannuation is unfunded. If that is the case, then it is estimated that the unfunded amount not in that superannuation fund, is about \$6,000,000,000 (based on 30,000 (current and future) superannuants at \$200,000each).

Would the sale of a major asset (such as water and sewerage resources) seem an attractive proposition?

What is the estimated current value of TasWater assets?

***Questions taken on notice***

- c) In an article in "The Examiner" on Saturday August 8, 2017, the issue of a potential early State election was canvassed. The article included a statement - "Property Council of Australia Executive Director Brian Wightman said the group was not so focussed on election timing, rather pushing reforms, - particularly to stimulate population growth. He said it (the Property Council) would push for government ownership of TasWater, Council rates to be set by an independent body and the establishment of development assessment panels to seize planning approval powers from councils".

- Stealing water and sewerage assets from Councils'



- Rates set by someone else? (taking authority from Councils but Councils retaining responsibility?);
- Taking planning from Councils, denying local people from having a say in development of their communities?

Sounds fair to me!

Questions?

1. What is the function of the Property Council? Is it to look after developers, in part by limiting controls upon those self-same developers?
2. Is Mr Wightman the same Mr Wightman who was a one-term State parliamentarian, but who was seemingly judged by his electorate to be not particularly representative of them, because he was not re-elected (or thrown out) after one term?

### ***Questions taken on Notice***

#### 3.2 Cr Tanya King

Further to my Question on Notice in today's Agenda, it is disappointing to read the 57 submissions to the Legislative Council's Wild Fallow Deer Inquiry, and not find a submission from Meander Valley Council.

Could Council please investigate what happened to the Submission prepared as a result of the June 2016 meeting, and why it was not included in the Inquiry?

#### ***Response from Martin Gill, General Manager Yes I can***

#### 3.3 Cr Andrew Connor

- a) Can the Mayor or General Manager provide a brief summary of the AEC hearing yesterday concerning proposed boundary changes to the Bass & Lyons electorates which may involve the parts of Meander Valley Council moving from one to the other.

#### ***Response by Martin Gill, General Manager***

***The augmented Electoral commission held a hearing on Monday 7 August to hear oral submissions regarding proposed boundary changes and redistribution of electoral divisions in Tasmania. Mayor Craig Perkins and the General Manager attended and presented. In his oral submission the Mayor***

***spoke to the reasons that the urban areas of Blackstone Heights, Hadspen and Prospect Vale should continue to be in the electorate of Bass. The Mayor reiterated the importance of communities of interest and highlighted the clear community of interest that could be defined as the greater Launceston urban area within Bass. The General Manager spoke to a number of plans from the Greater Launceston Plan that demonstrated the spatial and strategic affinities between the urban areas of Blackstone Heights, Hadspen and Prospect Vale and Launceston. The General Manager also alerted the hearing to a petition submitted to Council signed by 143 residents of Blackstone Heights and Hadspen seeking ongoing retention of these areas in the electorate of Bass.***

b) Would the Mayor or General Manager please extend an invitation to the members of the Legislative Council who represent areas of Meander Valley to attend a workshop to meet with Councillors and discuss issues relevant to Meander Valley? Very few MP's have ever attended council workshops and it would be timely to discuss issues such as a probable TasWater takeover attempt by the State Government.

***Response by Craig Perkins, Mayor  
Yes we can***

#### 3.4 Cr Rodney Synfield

a) Is Council aware of last night's (07/08/17) Four Corners program on the Waste Management industry?

***Response by Martin Gill, General Manager  
Yes Council are. Council officers will make further enquiries with a view to discussing some of the issues raised in the program at the Council workshop on 15 August 2017.***

b) Is Council aware that yesterday was the 75<sup>th</sup> Anniversary of the battle of Guadalcanal (in the Solomon Islands). 37,000 people lost their lives there. My great uncle and that of Erin, who works here, was injured and spent a year in hospital (to the day) and suffered seriously health wise as a consequence of those injuries for approx.. almost ½ a century. A life lived as a T.P.I. and having lived most of his life at Western Creek.

***Response by Martin Gill, General Manager  
We are aware now.***

## **172/2017 DEPUTATIONS BY MEMBERS OF THE PUBLIC**

Nil

## **173/2017 NOTICE OF MOTIONS BY COUNCILLORS**

Nil

### **COUNCIL MEETING AS A PLANNING AUTHORITY**

The Mayor advises that for items 174/2017 to 178/2017 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

## **174/2017 6 CARLWOOD PLACE, PROSPECT VALE - MULTIPLE DWELLINGS (2 UNITS)**

### **1) Introduction**

This report considers application PA\17\0225 for Multiple dwellings (2 units) on land located at 6 Carlwood Place, Prospect Vale CT:172170/11.

### **2) Recommendation**

***That the application for Use and Development for Multiple Dwellings (2 units) on land located at 6 Carlwood Place, Prospect Vale CT:172170/11 by Douglas Design & Drafting, requiring the following discretions:***

- 10.4.2 Setbacks and building envelope for all dwellings
- E4.7.2 Management of Road and Accesses and Junctions
- E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings
- E6.7.1 Construction of Car Parking Spaces and Access Strips
- E6.7.2 Design and Layout of Car Parking

***be APPROVED, generally in accordance with the endorsed plans:***

***a) Douglas Design & Drafting – Drawing No: 170504 – Layout A0.2, A0.3, A0.4, A0.5, A0.6, A1.1, A1.2, A1.3, A2.1, A2.2 & A2.3;***

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

- 1. The vehicular crossover servicing Unit 2 must be constructed and sealed in accordance with LGAT standard drawing TSD-RO9-V1 (attached) and to the satisfaction of Council's Director Infrastructure Services (see Note 1).**
- 2. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2017/00934-MVC attached).**

### **Note:**

- 1. Prior to the construction of any vehicle access (e.g. a driveway crossover) separate consent is required by the Road Authority. A**

**Driveway Crossover Application Form is enclosed. All enquiries should be directed to Council's Technical Officer on 6393 5312.**

- 2. The stormwater system designed for the development must incorporate stormwater detention. Approval of the proposed on-site detention by Council's Infrastructure Department will be required prior to the issue of building and plumbing permit approvals. Refer to the separate letter from Council attached to this permit.**
- 3. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**
- 4. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:**
  - a) Building approval**
  - b) Plumbing approval****All enquiries should be directed to Council's Permit Authority on 6393 5322 or Council's Plumbing Surveyor on 0419 510 770.**
5. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) Any other required approvals under this or any other Act are granted.
6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au)
7. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been

granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

8. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
9. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
10. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## **DECISION:**

Cr Connor moved and Cr Richardson seconded ***“that the application for Use and Development for Multiple Dwellings (2 units) on land located at 6 Carlwood Place, Prospect Vale CT:172170/11 by Douglas Design & Drafting, requiring the following discretions:***

- |        |   |
|--------|---|
| 10.4.2 | Setbacks and building envelope for all dwellings          |
| E4.7.2 | Management of Road and Accesses and Junctions             |
| E4.7.4 | Sight Distance at Accesses, Junctions and Level Crossings |
| E6.7.1 | Construction of Car Parking Spaces and Access Strips      |
| E6.7.2 | Design and Layout of Car Parking                          |

***be APPROVED, generally in accordance with the endorsed plans:***

***a) Douglas Design & Drafting – Drawing No: 170504 – Layout A0.2, A0.3, A0.4, A0.5, A0.6, A1.1, A1.2, A1.3, A2.1, A2.2 & A2.3; and subject to the following conditions:***

- 1. The vehicular crossover servicing Unit 2 must be constructed and sealed in accordance with LGAT standard drawing TSD-RO9-V1 (attached) and to the satisfaction of Council's Director Infrastructure Services (see Note 1).**
- 2. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2017/00934-MVC attached).**

**Note:**

- 1. Prior to the construction of any vehicle access (e.g. a driveway crossover) separate consent is required by the Road Authority. A Driveway Crossover Application Form is enclosed. All enquiries should be directed to Council's Technical Officer on 6393 5312.**
- 2. The stormwater system designed for the development must incorporate stormwater detention. Approval of the proposed on-site detention by Council's Infrastructure Department will be required prior to the issue of building and plumbing permit approvals. Refer to the separate letter from Council attached to this permit.**
- 3. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**
- 4. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:  
a) Building approval  
b) Plumbing approval  
All enquiries should be directed to Council's Permit Authority on 6393 5322 or Council's Plumbing Surveyor on 0419 510 770.**
- 5. This permit takes effect after:  
a) The 14 day appeal period expires; or  
b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.**

- c) Any other required approvals under this or any other Act are granted.
6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au)
7. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
8. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
9. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
10. If any Aboriginal relics are uncovered during works;
- a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

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

Cr Ian Mackenzie left the meeting at 2.00pm



## **175/2017 126 & 160 OAKS ROAD CARRICK - SUBDIVISION (2 LOTS TO 4 LOTS)**

### **1) Introduction**

This report considers application PA\17\0206 for Subdivision (2 Lots to 4 Lots) on land located at 126 & 160 Oaks Road, Carrick (CTs: 40003/1 & 42/8955).

### **2) Recommendation**

***That the application for Use and Development for Subdivision (2 Lots to 4 Lots) on land located at 126 & 160 Oaks Road, Carrick (CTs: 40003/1 & 42/8955) by D J McCulloch Surveying, requiring the following discretions:***

- 26.4.2 - Subdivision

***be REFUSED, for the following reason/s:***

- 1. The proposed subdivision does not improve the productive capacity of the land for resource development and/or extractive industries.***
- 2. The application does not provide satisfactory evidence that the proposed subdivision will improve the productive capacity of the land.***
- 3. Reducing the land area of holdings reduces the sustainability of the holdings, and in this instance, there is no evidence of a secure benefit to productive capacity.***

### **DECISION:**

Cr Connor moved and Cr Synfield seconded ***“that the application for Use and Development for Subdivision (2 Lots to 4 Lots) on land located at 126 & 160 Oaks Road, Carrick (CTs: 40003/1 & 42/8955) by D J McCulloch Surveying, requiring the following discretions:***

- 26.4.2 - Subdivision

**be REFUSED, for the following reason/s:**

- 1. The proposed subdivision does not improve the productive capacity of the land for resource development and/or extractive industries.**
- 2. The application does not provide satisfactory evidence that the proposed subdivision will improve the productive capacity of the land.**
- 3. Reducing the land area of holdings reduces the sustainability of the holdings, and in this instance, there is no evidence of a secure benefit to productive capacity.**

**The motion was declared LOST with Councillors Perkins, Temple and Synfield voting for the motion and Councillors Connor, Kelly, King and Richardson voting against the motion.**

The Council meeting was suspended at 2.19pm

The Council meeting resumed at 2.28pm

**Cr Connor moved and Cr King seconded "that the application for Use and Development for Subdivision (2 Lots to 4 Lots) on land located at 126 & 160 Oaks Road, Carrick (CTs: 40003/1 & 42/8955) by D J McCulloch Surveying, requiring the following discretions:**

- 26.4.2 - Subdivision

**be APPROVED, generally in accordance with the endorsed plans:**

- a) DJ McCulloch Surveying – Plan of Subdivision - Job Number: 3916-01DA-R1;**
- b) Rebecca Green and Associates – Bushfire Hazard Assessment Report and Hazard Management Plan, dated May 2017**

and subject to the following conditions:

- 1. Additional covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:
  - a) Such covenants or controls are expressly authorised by the terms of this permit; or****

- b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
- c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**

**Note:**

- 1. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**
2. 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.
3. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
4. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
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. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
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](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

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

Cr Ian Mackenzie returned to the meeting at 2.35pm

## **176/2017 69 KING STREET, WESTBURY – SUBDIVISION (4 LOTS)**

### **1) Introduction**

This report considers application PA\17\0217 for Subdivision (4 lots) on land located at 69 King Street, Westbury (CT: 240103/1).

### **2) Recommendation**

***That the application for Use and Development for Subdivision (4 lots) on land located at 69 King Street, Westbury (CT: 240103/1) by PDA Surveyors, requiring the following discretions:***

- 12.4.3.1 - General Suitability
- 12.4.3.2 - Lot Area, Building Envelopes and Frontage

***be APPROVED, generally in accordance with the endorsed plans:***

- a) PDA Surveyors – Plan of Subdivision - Job Number: L17072-1;***
- b) Rebecca Green and Associates – Bushfire Hazard Assessment Report and Hazard Management Plan, dated May 2017***

and subject to the following conditions:

- 2. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
  - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
  - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
  - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**
- 3. The vehicular crossover servicing proposed Lots 1, 2 & 4 must be constructed and sealed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-RO4-V1 (attached) and to the satisfaction of Council’s Director Infrastructure Services (see Note 1).**

- 4. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
  - a) The developer must pay Council \$4390.00, a sum equivalent to 5% of the unimproved value of the approved lots.**
  - b) Crossovers for Lots 1, 2 & 4 completed (as per Condition 2).**
- 5. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2017/00855-MVC, attached).**

**Note:**

- 1. Prior to the construction of any vehicle accesses (e.g. a driveway crossover) separate consent is required by the Road Authority. A Driveway Crossover Application Form is enclosed. All enquiries should be directed to Council's Technical Officer on 6393 5312.**
- 2. Future development on Lots 1, 2 & 4 may be required to manage stormwater via an on-site stormwater management system or may require detention prior to controlled discharge to the public stormwater system.**
- 3. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**
4. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) Any other required approvals under this or any other Act are granted.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).

6. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
7. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
8. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
9. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## **DECISION:**

Cr Connor moved and Cr Richardson seconded ***“that the application for Use and Development for Subdivision (4 lots) on land located at 69 King Street, Westbury (CT: 240103/1) by PDA Surveyors, requiring the following discretions:***

- 12.4.3.1 - General Suitability
- 12.4.3.2 - Lot Area, Building Envelopes and Frontage

***be APPROVED, generally in accordance with the endorsed plans:***

- a) PDA Surveyors – Plan of Subdivision - Job Number: L17072-1;***
- b) Rebecca Green and Associates – Bushfire Hazard Assessment Report and Hazard Management Plan, dated May 2017***

and subject to the following conditions:

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:
  - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
  - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
  - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.****
  
- 2. The vehicular crossover servicing proposed Lots 1, 2 & 4 must be constructed and sealed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-RO4-V1 (attached) and to the satisfaction of Council's Director Infrastructure Services (see Note 1).**
  
- 3. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:
  - a) The developer must pay Council \$4390.00, a sum equivalent to 5% of the unimproved value of the approved lots.**
  - b) Crossovers for Lots 1, 2 & 4 completed (as per Condition 2).****
  
- 4. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2017/00855-MVC, attached).**

**Note:**

- 1. Prior to the construction of any vehicle accesses (e.g. a driveway crossover) separate consent is required by the Road Authority. A Driveway Crossover Application Form is enclosed. All enquiries should be directed to Council's Technical Officer on 6393 5312.**
  
- 2. Future development on Lots 1, 2 & 4 may be required to manage stormwater via an on-site stormwater management system or may require detention prior to controlled discharge to the public stormwater system.**
  
- 3. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be**



**directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**

4. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) Any other required approvals under this or any other Act are granted.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
6. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
7. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
8. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
9. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

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

## **177/2017 493 WEETAH ROAD, WEETAH - SUBDIVISION (2 LOTS)**

### **1) Introduction**

This report considers application PA\17\0224 for Subdivision (2 lots) on land located at 493 Weetah Road, Weetah (CT: 26794/1).

### **2) Recommendation**

***That the application for Use and Development for Subdivision (2 lots) on land located at 493 Weetah Road, Weetah (CT: 26794/1) by Woolcott Surveys, requiring the following discretions:***

- 13.4.2.1 - General Suitability
- 13.4.2.2 - Lot Area, Building Envelopes and Frontage
- 

***be APPROVED, generally in accordance with the endorsed plans:***

- a) Woolcott Surveys, Plan of Survey: L170310, Sheet: 1
- b) Woolcott Surveys, Bushfire Assessment, dated 31 May 2017

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

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles of the lots created by the subdivision, permitted by this permit unless:**
  - a) Such covenants or controls are expressly authorised by the terms of this permit; or
  - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.
  - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.
- 2. The vehicular crossover servicing proposed Lot 2 must be constructed and sealed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-RO4-V1 (attached) and to the satisfaction of Council's Director Infrastructure Services (see Note 1).**
- 3. A Section 71 agreement must be executed, that provides for the following:**

***The vegetation located along the Weetah Road frontage of Lot 2 is not to be removed without prior consent from the Council. The land owner is responsible for the maintenance of the screen and ensuring that any dead trees are replaced with new trees, of native species, which will attain a similar height and appearance.***

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

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

- 4. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
  - a) Crossover for Lot 2 completed (as per Condition 2).**
  - b) Section 71 Agreement executed (as per Condition 3).**

**Note:**

- 1. Prior to the construction of any vehicle accesses (e.g. a driveway crossover) separate consent is required by the Road Authority. A Driveway Crossover Application Form is enclosed. All enquiries should be directed to Council's Technical Officer on 6393 5312.**
- 2. The adjoining landowner, Sustainable Timber Tasmania, has requested that they be notified of the shared boundary on completing the survey of the proposed lots. Sustainable Timber Tasmania can be contacted on 64 332 668.**
- 3. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**
4. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
  - c) Any other required approvals under this or any other Act are granted.

5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
6. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
7. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
8. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
9. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## **DECISION:**

Cr Synfield moved and Cr King seconded ***“that the application for Use and Development for Subdivision (2 lots) on land located at 493 Weetah Road, Weetah (CT: 26794/1) by Woolcott Surveys, requiring the following discretions:***

- 13.4.2.1 - General Suitability
- 13.4.2.2 - Lot Area, Building Envelopes and Frontage

***be APPROVED, generally in accordance with the endorsed plans:***

- a) Woolcott Surveys, Plan of Survey: L170310, Sheet: 1**
- b) Woolcott Surveys, Bushfire Assessment, dated 31 May 2017**

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

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles of the lots created by the subdivision, permitted by this permit unless:
  - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
  - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
  - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.****
- 2. The vehicular crossover servicing proposed Lot 2 must be constructed and sealed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-RO4-V1 (attached) and to the satisfaction of Council's Director Infrastructure Services (see Note 1).**
- 3. A Section 71 agreement must be executed, that provides for the following:**

***The vegetation located along the Weetah Road frontage of Lot 2 is not to be removed without prior consent from the Council. The land owner is responsible for the maintenance of the screen and ensuring that any dead trees are replaced with new trees, of native species, which will attain a similar height and appearance.***

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

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

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

- a) **Crossover for Lot 2 completed (as per Condition 2).**
- b) **Section 71 Agreement executed (as per Condition 3).**

**Note:**

1. **Prior to the construction of any vehicle accesses (e.g. a driveway crossover) separate consent is required by the Road Authority. A Driveway Crossover Application Form is enclosed. All enquiries should be directed to Council's Technical Officer on 6393 5312.**
2. **The adjoining landowner, Sustainable Timber Tasmania, has requested that they be notified of the shared boundary on completing the survey of the proposed lots. Sustainable Timber Tasmania can be contacted on 64 332 668.**
3. **Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**
4. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
  - c) Any other required approvals under this or any other Act are granted.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
6. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
7. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once

only extension may be granted if a request is received at least 6 weeks prior to the expiration date.

8. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
9. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
  - c) The relevant approval processes will apply with state and federal government agencies.

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

## **178/2017 126 MARY STREET, WESTBURY - SUBDIVISION (2 LOTS)**

The Mayor invited Mr Michael Burns to address the meeting regarding this item.

### **1) Introduction**

This report considers application PA\17\0235 for Subdivision (2 lots) on land located at 126 Mary Street, Westbury (CT: 41319/1).

### **2) Recommendation**

***That the application for Use and Development for Subdivision (2 lots) on land located at 126 Mary Street, Westbury (CT:41319/1) by Cohen & Associates Pty Ltd, requiring the following discretions:***

- 12.4.3.1 General Suitability
- 12.4.3.2 Lot Area, Building Envelopes and Frontage
- E4.6.1 Use and road or rail infrastructure
- E4.7.2 Management of Road and Accesses and Junctions

***be APPROVED, generally in accordance with the endorsed plans:***

- a) Cohen & Associates P/L – Plan of Subdivision – Ref: 34-86 (7424);***
- b) Hydrodynamica – Onsite Wastewater & Stormwater Disposal Assessment – dated 28 June 2017;***
- c) Rebecca Green & Associates – Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan – dated 11 May 2017;***

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

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



2. **The vehicular crossover servicing Lot 2 must be constructed and sealed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-R04-V1 (attached) and to the satisfaction of Council's Director of Infrastructure Services.**
3. **The existing absorption area of the on-site wastewater system servicing the single dwelling on Lot 1 must be decommissioned and relocated within the boundaries of Lot 1 (see Note 1).**
4. **Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
  - a) **The developer must pay Council \$3,004.00, a sum equivalent to 5% of the unimproved value of the approved lots.**
  - b) **The vehicular crossover servicing Lot 2 must be constructed and sealed (as per Condition 2).**
  - c) **All works associated with decommissioned and relocated Lot 1's waste water system must be completed (as per Condition 3).**
5. **The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2017/01051-MVC attached).**

**Note:**

1. **Prior to the decommissioning and relocating of the existing waste water system, the applicant must apply for a Plumbing Permit.**
2. **Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**
3. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
  - c) Any other required approvals under this or any other Act are granted.
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation

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

5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## **DECISION:**

Cr Connor moved and Cr Synfield seconded ***"that the application for Use and Development for Subdivision (2 lots) on land located at 126 Mary Street, Westbury (CT:41319/1) by Cohen & Associates Pty Ltd, requiring the following discretions:***

- |          |   |
|----------|---|
| 12.4.3.1 | General Suitability                           |
| 12.4.3.2 | Lot Area, Building Envelopes and Frontage     |
| E4.6.1   | Use and road or rail infrastructure           |
| E4.7.2   | Management of Road and Accesses and Junctions |

***be APPROVED, generally in accordance with the endorsed plans:***

- a) Cohen & Associates P/L – Plan of Subdivision – Ref: 34-86 (7424);**
- b) Hydrodynamica – Onsite Wastewater & Stormwater Disposal Assessment – dated 28 June 2017;**
- c) Rebecca Green & Associates – Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan – dated 11 May 2017;**

**and subject to the following conditions:**

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:
  - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
  - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
  - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.****
- 2. The vehicular crossover servicing Lot 2 must be constructed and sealed in accordance with LGAT standard drawing TSD-RO3-V1 and TSD-R04-V1 (attached) and to the satisfaction of Council’s Director of Infrastructure Services.**
- 3. The absorption area servicing the single dwelling on Lot 1 must be fully contained within the boundaries of Lot 1 (see Note 1).**
- 4. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:
  - a) The developer must pay Council \$3,004.00, a sum equivalent to 5% of the unimproved value of the approved lots.**
  - b) The vehicular crossover servicing Lot 2 must be constructed and sealed (as per Condition 2).**
  - c) All works associated with decommissioning and relocating Lot 1’s waste water system must be completed (as per Condition 3).****
- 5. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2017/01051-MVC attached).**

**Note:**

- 1. Prior to the decommissioning and relocating of the existing waste water system, the applicant must apply for a Plumbing Permit.**
- 2. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**
3. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
  - c) Any other required approvals under this or any other Act are granted.
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,

- b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
- c) The relevant approval processes will apply with state and federal government agencies.

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

As an amendment Cr Mackenzie moved and Cr Kelly seconded ***“that the driveway for subdivision (Lot 2) be located on Mary Street constructed to the satisfaction of Director Infrastructure Services.”***

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

# **179/2017 REVIEW OF POLICY NO. 79 – PURSUIT OF ILLEGAL BUILDINGS WORKS**

## **1) Introduction**

The purpose of this report is for Council to review existing Policy No. 79 – Pursuit of Illegal Buildings Works.

## **12) Recommendation**

***It is recommended that Council confirm the continuation of Policy No. 79 amended as follows:***

## **POLICY MANUAL**

<b>Policy Number: 79</b>	<b>Pursuit of Illegal Undocumented Building Works</b>
<b>Purpose:</b>	To establish guidelines for a procedure for managing illegal undocumented building works.
<b>Department:</b>	Community & Development Services
<b>Author:</b>	Martin Gill, Lynette While, Director
<b>Council Meeting Date:</b>	12 March 2013 8 August 2017
<b>Minute Number:</b>	44/2013
<b>Next Review Date:</b>	March 2016-2020

## **POLICY**

### **1. Definitions**

**Illegal Undocumented Building works**- Building works carried out without either sufficient documentation or a building permit, in accordance with the requirements of the Building Act 2000 2016.

**Class 1a & 10 Domestic Buildings and Structures**— A habitable building as follows

Class 1a

A single dwelling being a detached house, or one or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit.

#### Class 1b

A boarding house, guest house, hostel or the like with a total area of all floors not exceeding 300m<sup>2</sup>, and where not more than 12 reside, and is not located above or below another dwelling or another Class of building other than a private garage.

#### Class 10

A non-habitable building or structure -

Class 10a A private garage, carport, shed or the like.

Class 10b A structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like.

*Building Certificate* - Certificate issued by the General Manager under Section 119 Regulation 83 of the *Building Regulations 2016* certifying that Council does not intend to take any action in relation to the specified building. of the *Building Act 2000*, by which issuing a Building Certificate, Council confirms that it does not propose to order, or commence proceedings for an order or injunction for, the certified building to be demolished, altered, added to or rebuilt.

## 2. Objective

The objectives of this policy is are to provide:

- An appropriate cut-off date whereby building works constructed before this date are generally deemed to comply with section 12 of the *Building Act 2016* and the relevant Building Regulations, where insufficient records exist; and
- A clear process for property owners (and Council Staff) to establish the legal status of domestic the buildings and structures. on their property.

## 3. Scope

The Policy is applicable to existing Class 1a & 10 Domestic buildings and structures without appropriate where insufficient records exist of building permits or other valid authorisations as prescribed in the *Building Act 2000 2016*. This policy is not applicable to any work on any Class 2 – 9 Commercial buildings.

## 4. Policy

It is policy that;

- Any Class 10 domestic building works which were constructed prior to 1993 will be considered to substantially comply with the building control requirements applicable at the date of construction and will NOT be pursued as illegal building works.
- Any domestic Class 1a constructed prior to 1993 will NOT be pursued as illegal building works if the Permit Authority is satisfied that the building was constructed in a manner that was likely to comply with the relevant building

standards at the estimated time of construction. building works which were constructed prior to 1993 will NOT be pursued as 'illegal building works'.

- Any Subject to inspection and assessment the above listed domestic building works constructed prior to 1993 will be considered to be fit for purpose, due to their performance over the last twenty (or more) years. comply with the building control requirements applicable at the date of construction.
- Any domestic building works constructed prior to 1993 will be considered to be structurally sound, due to their performance in service over the last twenty (or more) years.
- Council's Permit Authority will determine if a building was built prior to 1993
- Subject to ensuring the basic health and safety of any occupants of the building, the General Manager will, at the request of the property owner, issue a Building Certificate for a building constructed prior to 1993.
- 'Illegal building works' determined to have been constructed during or after 1993 will be dealt with in accordance with the requirements of the Building Act 2000.
- In determining whether a building provides for the health and safety of any occupants, of a building Council may will undertake the following:
  - Request or prepare a report identifying the illegal building works are suitable for occupation, if applicable
  - Determine the year of construction (where possible)
  - Request or prepare a condition report for the illegal building works; and
  - Advise Require the property owner of to carry out any works required to make the building safe
  - Undocumented building works determined to have been constructed during or after 1993 will be dealt with in accordance with the requirements of the *Building Act 2016*.

## **5. Legislation & Related Council Policies**

Building Act 2000 2016

Building Regulations 2004 2016

Meander Valley Council Customer Service Charter

## **6. Responsibility**

The General Manager Director Community and Development Services is responsible for the application of the policy.

## **DECISION:**

Cr Mackenzie moved and Cr Connor seconded ***"that Council confirm the continuation of Policy No. 79 amended as follows:***



# POLICY MANUAL

**Policy Number: 79**

## **Undocumented-Building Works**

**Purpose:** To establish guidelines for a procedure for managing undocumented building works.

**Department:** Community & Development Services  
**Author:** Lynette While, Director

**Council Meeting Date:** 8 August 2017  
**Minute Number:** 179/2017

**Next Review Date:** **March 2020**

## POLICY

### **1. Definitions**

*Undocumented Building works*- Building works carried out without either sufficient documentation or a building permit, in accordance with the requirements of the Building Act 2016.

#### *Class 1a & 10 Domestic Buildings and Structures*

##### Class 1a

A single dwelling being a detached house, or one or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit.

##### Class 10

A non-habitable building or structure -

Class 10a A private garage, carport, shed or the like.

Class 10b A structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like.

*Building Certificate* - Certificate issued by the General Manager under Regulation 83 of the *Building Regulations 2016* certifying that Council does not intend to take any action in relation to the specified building.

### **2. Objective**

The objectives of this policy are to provide:

- An appropriate cut-off date whereby building works constructed before this date are generally deemed to comply with section 12 of the *Building Act 2016* and the relevant Building Regulations, where insufficient records exist; and
- A clear process to establish the legal status of domestic buildings and structures.

### **3. Scope**

The Policy is applicable to existing Class 1a & 10 Domestic buildings and structures where insufficient records exist of building permits or other valid authorisations as prescribed in the Building Act 2016. This policy is not applicable to any work on any Class 2 – 9 Commercial buildings.

### **4. Policy**

It is policy that;

- Any Class 10 domestic building works which were constructed prior to 1993 will be considered to substantially comply with the building control requirements applicable at the date of construction and will NOT be pursued as illegal building works.
- Any Class 1a constructed prior to 1993 will NOT be pursued as illegal building works if the Permit Authority is satisfied that the building was constructed in a manner that was likely to comply with the relevant building standards at the estimated time of construction.
- Subject to inspection and assessment the above listed domestic building works will be considered to be fit for purpose, due to their performance over the last twenty (or more) years.
- Council's Permit Authority will determine if a building was built prior to 1993
- Subject to ensuring the basic health and safety of any occupants of the building, the General Manager will, at the request of the property owner, issue a Building Certificate for a building constructed prior to 1993.
- In determining whether a building provides for the health and safety of any occupants, Council may-undertake the following:
  - Request or prepare a report identifying the building works are suitable for occupation, if applicable
  - Determine the year of construction (where possible)
  - Request or prepare a condition report for the building works;
  - Require the property owner to carry out any works required to make the building safe
  - Undocumented building works determined to have been constructed during or after 1993 will be dealt with in accordance with the requirements of the *Building Act 2016*.

### **5. Legislation & Related Council Policies**

Building Act 2016

Building Regulations 2016

**6. Responsibility**

The Director Community and Development Services is responsible for the application of the policy.

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

# **180/2017 REVIEW OF POLICY 56 – RECREATION FACILITIES PRICING POLICY**

## **1) Introduction**

The purpose of this report is for Council to approve the continuation of Policy No 56 – Recreation Facilities Pricing, the supporting guidelines and the relevant fees and charges.

## **2) Recommendation**

***It is recommended that Council:***

- 1. Approves the fees/charges listed for 2017/18.***
- 2. Notes and approves the Recreation Pricing Policy Implementation Guidelines.***
- 3. Continues the existing Policy No, 56 amended as follows:***

## **POLICY MANUAL**

<b>Policy Number:</b> 56	Recreation Grounds / Facilities Pricing
<b>Purpose:</b>	To provide a consistent philosophy to pricing the use of recreation grounds and facilities
<b>Department:</b>	Community & Development Services
<b>Author:</b>	Lynette While, Director
<b>Council Meeting Date:</b>	8 August 2017
<b>Minute Number:</b>	XXXXXX
<b><i>Next Review Date:</i></b>	<i>July 2021</i>

## **POLICY**

### **1. Definitions**

- 1.1. ***Recreation Facilities:*** includes buildings, pavilions, halls, meeting rooms, change-rooms, clubrooms provided by Council for the purpose of recreation.
- 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 "*Recreation 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 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 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 / Ground Categories***

All outdoor 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, safety and welfare of the community.

## 6. Responsibility

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

## **DECISION:**

Cr Connor moved and Cr Richardson seconded ***“that Council:***

- 1. Approve the fees/charges listed for 2017/18***
- 2. Notes and approves the Recreation Pricing Policy Implementation Guidelines***
- 3. Continues the existing Policy No, 56 amended as follows:***

## POLICY MANUAL

Policy Number: 56	Recreation Grounds/Facilities Pricing
Purpose:	To provide a consistent philosophy to pricing the use of recreation grounds and facilities
Department:	Community & Development Services
Author:	Lynette While, Director
Council Meeting Date:	8 August 2017
Minute Number:	180/2017
<i>Next Review Date:</i>	<i>July 2018</i>

## POLICY

### 1. Definitions

- 1.1. ***Recreation Facilities:*** includes buildings, pavilions, halls, meeting rooms, change-rooms, clubrooms provided by Council for the purpose of recreation.



- 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 "***Recreation 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 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 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 / Ground Categories***

All outdoor 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, Inclusion 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, safety and welfare of the community.

## 6. Responsibility

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

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

As a procedural motion Cr Mackenzie moved and Cr Kelly seconded ***“that this item be deferred to a Council Workshop.”***

***The procedural motion was declared LOST with Councillors Kelly, King, Mackenzie and Temple voting for the motion and Councillors Connor, Perkins, Richardson and Synfield voting against the motion.***

## 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.

<b>Determination of Prices for Grounds</b>
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### **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."



## 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.

<b>MEANDER VALLEY COUNCIL SPORTS GROUNDS / FACILITIES FOR CASUAL USERS 2017-18 FEES/CHARGES <i>GST Inclusive</i></b>			
<b>SPORTS GROUNDS / FACILITIES</b>	<b>Per Hour</b>	<b>Per Day</b>	<b>Category</b>
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	
<b>Discounts – Ground Only</b>			
Junior Discount (under 18 years)	50%	NA	
Female & Inclusion Discount	50%	NA	
Off-peak Use Discount (use between 9am and 3pm)	25%	NA	

# **181/2017 DELORAINÉ & DISTRICTS FOLK MUSEUM**

## **RISING DAMP**

### **1) Introduction**

The purpose of this report is for Council to approve additional funds to complete corrective building works to address a rising damp issue at the Deloraine & Districts Folk Museum.

### **2) Recommendation**

*It is recommended that Council:*

- 1. approve additional funding of \$80,000 for project 7831 'Folk Museum - Rising Damp Corrective Works'***
- 2. approve the General Manager to accept price variations for project 7831 'Folk Museum - Rising Damp Corrective Works' plus or minus 20% in accordance with Section 82 of the Local Government Act 1993.***

## **DECISION:**

Cr Mackenzie moved and Cr Connor seconded ***"that Council:***

- 1. approve additional funding of \$80,000 for project 7831 'Folk Museum - Rising Damp Corrective Works'***
- 2. approve the General Manager to accept price variations for project 7831 'Folk Museum - Rising Damp Corrective Works' plus or minus 20% in accordance with Section 82 of the Local Government Act 1993.***

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

## **182/2017 REVIEW OF BUDGETS FOR THE 2017-2018 CAPITAL WORKS PROGRAM**

### **1) Introduction**

The purpose of this report is to provide information to Council on capital works projects budget variations and to seek Council approval for the reallocation of funding within the Capital Works Program.

### **2) Recommendation**

***It is recommended that Council approve the following changes to the 2017-2018 Capital Works Program:***

<b><i>Project Name</i></b>	<b><i>Original Budget</i></b>	<b><i>Variation</i></b>	<b><i>New Budget</i></b>
<b><i>Clayton Pl to Tower Hill St, Deloraine - New stormwater</i></b>	<b><i>\$0</i></b>	<b><i>\$72,000</i></b>	<b><i>\$72,000</i></b>

## **DECISION:**

Cr Mackenzie moved and Cr Kelly seconded ***“that Council approve the following changes to the 2017-2018 Capital Works Program:***

<b><i>Project Name</i></b>	<b><i>Original Budget</i></b>	<b><i>Variation</i></b>	<b><i>New Budget</i></b>
<b><i>Clayton Pl to Tower Hill St, Deloraine - New stormwater</i></b>	<b><i>\$0</i></b>	<b><i>\$72,000</i></b>	<b><i>\$72,000</i></b>

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

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

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

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

### **183/2017      CONFIRMATION OF MINUTES**

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 11 July, 2017.

### **184/2017      LEAVE OF ABSENCE**

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

The meeting moved into Closed Session at 4.16pm

The meeting re-opened to the public at 4.17pm

The meeting closed at 4.17pm

.....  
CRAIG PERKINS (MAYOR)