



Meander Valley Council

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

ORDINARY MINUTES

COUNCIL MEETING

Tuesday 14 February 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 14 February 2017 at 1.34pm.

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

APOLOGIES: Nil

IN ATTENDANCE: Martin Gill, General Manager
Merrilyn Young, Executive Assistant
Dino De Paoli, Director Infrastructure Services
Jon Harmey, Director Corporate Services
Matthew Millwood, Director Works
Lynette While, Director Community & Development Services
Jo Oliver, Senior Town Planner
Leanne Rabjohns, Town Planner
Natasha Whiteley, Town Planner
Krista Palfreyman, Development Services Co-Ordinator
Stuart Brownlea, NRM Officer
Justin Marshall, Senior Accountant
Beth Williams, Infrastructure Administration Officer
Rob Little, Asset Management Co-Ordinator

28/2017 CONFIRMATION OF MINUTES:

Councillor White moved and Councillor Richardson seconded, ***“that the minutes of the Ordinary meeting of Council held on Tuesday 17 January, 2017, be received and confirmed.”***

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

29/2017 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Date :	Items discussed:
24 January 2017	<ul style="list-style-type: none">• Long Table Lunch 2018• Proposed Renaming of Prospect Vale Park• Blackstone Park Pontoon• Council Community Forums• Initial Learnings from Introduction of the new Building Act 2016• Carrick Rural Living Zone – Specific Area Plan and New Road• Policy Review No 56 – Recreation Facilities Pricing Policy• Update from General Manager

30/2017 ANNOUNCEMENTS BY THE MAYOR:

Friday 20 January 2017
Announcement of Ridley Development, Westbury

Tuesday 24 January 2017
Launch of Northern Lights LED project
Council Workshop

Wednesday 25 January 2017
Formal Council Australia Day event

Wednesday 1 February 2017
Newstead College Presentation of 2016 Awards

Saturday 4 February 2017
Veteran Car Rally, Westbury

Tuesday 14 February 2017
Citizenship Ceremony, Westbury

31/2017 DECLARATIONS OF INTEREST:

37/2017 50 Eynens Road, Weetah – Subdivision (2 lots) - Cr Michael Kelly
48/2017 Variation To Contract For Sale 105a Meander Valley Road, Westbury -
Cr Bob Richardson

32/2017 TABLING OF PETITIONS:

Nil

33/2017 PUBLIC QUESTION TIME

1. PUBLIC QUESTIONS TAKEN ON NOTICE – JANUARY 2017

Nil

1. PUBLIC QUESTIONS WITH NOTICE – FEBRUARY 2017

1.1 Mole Creek Progress Association

I would like to bring to Council's attention the ongoing delays in the completion of the Black Spot program and in particular, completion of the Telstra tower that will service the Mole Creek area. The importance of mobile communications was highlighted last year during the fires. The difficult thing for the community to understand is the ease in which communication was enabled during the fires. A truck/mobile tel. communication, arrived as part of the effort and suddenly the Mole Creek region had mobile communication. This just proved that it is not all that difficult.

Can Council please advocate on behalf of the Mole Creek community and pursue a timely outcome?

***Response by Martin Gill, General Manager
Council will investigate and provide a response.***

2. PUBLIC QUESTIONS WITHOUT NOTICE – FEBRUARY 2017

Nil

34/2017 COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – JANUARY 2017

1.1 Cr Bob Richardson

Meeting with Environmental Protection Agency

It is noted that a meeting was held in Hobart on Wednesday 9 January with the (Tasmanian) Environmental Protection Agency.

Responses by Martin Gill, General Manager

1. To whom (ie, which Minister) is the EPA responsible?

The EPA reports to Matthew Groom MP Minister for Environment, Parks and Heritage.

Minister Groom's Statement of Expectation for the EPA includes the following statement about the relationship with Government:

The EPA is established as an independent statutory body, responsible for performing its functions and exercising its statutory powers at arm's length from Government. However, the EPA remains an instrumentality of the Crown and must work within the established administrative framework of the State of Tasmania.

2. For what purpose was the meeting called and specifically, was it in relation to apparent delay tactics by the EPA in relation to development applications in the Meander Valley?

The meeting with the EPA was called to discuss development at Valley Central Industrial Estate, in particular:

- ***Progressing the development of an MOU between Council and the EPA board which would recognise the strategic planning work already undertaken as part of the planning scheme amendment process to rezone the land. The purpose of the MOU is to avoid duplication and minimise technical reporting costs for developers***
- ***Determining if Council could support potential development by developing a precinct wide air emissions dispersion model that EPA would accept as a baseline***

3. At whose request was the meeting arranged?

The EPA suggested the meeting in response to correspondence from Meander Valley Council which raised concerns about advice from the EPA regarding the application process, reporting requirements and air emission dispersion modelling.

The meeting followed two previous meetings with the EPA during 2016 regarding development at Valley Central Industrial Estate.

4. Is it the perception of the Meander Valley Council representatives that the EPA has seemed unreasonable in its demands of would-be developers, particularly in relation to D/A's at Valley Central?

Council Officers believe there are some areas in the EPA assessment process that could be reviewed which would create efficiencies, reduce duplication and refine the reporting requirements for potential developers.

5. Is it the belief that EPA involvement has led to the "loss" of developments at Valley Central? Specifically, involving a tyre recycling development seemed too hard to the Tasmanian EPA, but is now up-and-running satisfying another State's environmental provisions.

The developer behind the proposed Tyre Pyrolysis plant has put the project in Tasmania on hold and has moved their focus to South Australia where the same processing method and facility has been approved by the South Australian EPA.

6. Is it a fact that the Tasmanian Planning Commission approved the Valley Central Industrial Park after lengthy consideration of such things as environmental impact provisions of potential industrial developers, traffic management and social impacts – all based upon best practice?

Yes

2. COUNCILLOR QUESTIONS WITH NOTICE – FEBRUARY 2017

2.1 Cr Bob Richardson

Commercial vs Residential Rates

1. A separate rate is struck each year for residential property as opposed to commercial industrial properties.
Could Council confirm that residential rates are less than for other properties? What was the differential in 2016-17?

Response by Jon Harmey, Director Corporate Services

The 2016-17 General Rate was approved at the June 2016 Council meeting. One general rate was made for all rateable land being 6.0078 cents in the dollar of assessed annual value of the property, with a minimum amount payable of \$135. The rate in the dollar was the same for all land use classes which include Residential, Commercial, Industrial and Primary Production.

2. There is a trend towards establishment of businesses which operate from residential properties. In particular I refer to "air bnb's" and uber "taxies".

Given that these are commercial activities, generally operating from residential properties,

- (a) How are these properties identified by Council?;

Response by Martin Gill, General Manager

There is no reason for Council to identify these properties under current legislation. Council generally only becomes aware of these properties if we are notified by a third party.

Properties that fall into the category of Home Occupation under the Meander Valley Planning Scheme, (where no other person is employed, no more than 40m² is used for non-residential activities, and the person conducting the home occupation uses the dwelling as their principle place of residence) are categorised as residential properties. Uber drivers would generally fit into this description.

There are currently no planning or building permit requirements for AirBnB establishments.

- (b) Are the rates levied on these properties based upon commercial property rates? If not, why not?

(This latter point is an ethical consideration; currently many Meander Valley businesses, classified as "commercial" have owner-occupied residences attached).

Response by Jon Harmey, Director Corporate Services

The General Rate charged by Council is based on the valuation details provided from the State Government's Office of the Valuer General. The property value and land use class for each property is determined and advised by the State Government. Under Council's Rating resolution for 2016-17 if the property was classed as Residential, Commercial or Industrial they would have been levied the same General Rate, assuming the assessed annual value of the property was the same.

3. There is an increasing trend towards home-based businesses, many using the internet as an important tool. The variety of types of businesses is large. They operate as businesses/commercial activity based in residences. Should these businesses also be seen as commercial/industrial for rating purposes, rather than "residential"?

Response by Jon Harmey, Director Corporate Services

The land use class of each property is established by the State Government's Office of the Valuer General. The land use class is determined by the predominant existing use of the property. A predominant use of home occupation is expected to result in the property receiving a Residential land use class. Where there is an intensification of use and the predominant use changes from a Residential property to a Commercial or Industrial property, the Office of the Valuer General has the ability to change the land use class and/or the value of the property.

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – FEBRUARY 2017

3.1 Cr Ian Mackenzie

Special Committees of Council - Town Halls

1. Does council have MOU's with all town Hall committee's

Response by Jon Harmey, Director Corporate Services

Yes, MOU's exist for all Councils Community Halls with the exception of the Westbury Town Hall where a Hire Agreement is entered into for each user.

2. Are town Hall's covered under council insurance?

Response by Jon Harmey, Director Corporate Services

Councils Community Halls are currently covered under Councils Building & Contents and Public Liability insurance policies. The Contents is limited to Council owned assets, this includes special committee assets. The Public Liability is limited to Council events. Other users of the facilities are required to have their own Public Liability and Contents insurance while using Councils Community Halls.

3. Previously included in some of MOU's with town Hall committees they had to cover or were up for 'councils' insurance excess, is this still the case?

Response by Jon Harmey, Director Corporate Services

Council requests special committees to contribute 50% of the insurance excess for any Contents owned by the Council at the facility. The requirement is established in the MOU's. Special committees are not requested to contribute to insurance excess for Building or Public Liability claims.

4. If the answer to question 3 is yes, what is councils' current insurance 'excess'?

Response by Jon Harmey, Director Corporate Services

Council's current insurance excess for Building & Contents insurance is \$5,000 and Public Liability is \$10,000.

5. If so, how are hall committee's made aware of this and when do they get a copy of council's insurance policy?

Response by Jon Harmey, Director Corporate Services

Special committees were advised of the insurance requirements at Council's special committee forum in November 2016. All committee members present were advised that Council does not consider it necessary to provide a copy of all insurance policies to each committee and that each committee will be advised of their particular property's insured value after the annual policy renewals are completed. As Council's insurance policies are effective for the financial year, each special committee will receive further advice upon completion of their audit documentation for the year ended 30 June 2017.

6. Dairy Plains Hall

Under the MOU Council has with the Dairy Plains Hall Committee I am led to believe that the Committee had to pay Council's Insurance excess?

Question taken on Notice

Deloraine Community Complex

1. I can remember reading in a briefing report a program (I can't remember policy name) that was to protect the floor of the DCC during 2 events (stated in policy)- Deloraine craft fair and 'all schools' Anzac day assembly, I believe that MVC currently borrow/hire this covering from Central coast council is this correct?

Response by Daniel Smedley, Recreation Co-Ordinator

The Recreation Co-Ordinator negotiated use of the FPS from the Central Coast Council as a one-off and based on personal contact. The Central Coast Council are not interested in making this available on an on-going basis. The logistics of transport and moving 4 tonnes of carpet from Ulverstone are also costly and difficult.

2. What is the cost of borrowing / hiring off Central Coast Council?

Response by Daniel Smedley, Recreation Co-Ordinator

It is not for hire but if it were the cost would be approximately \$3,000.

3. Within this policy (statement) in the briefing report it was stated that MVC was to purchase said floor covering (felt) at a cost of \$25,000+ is this correct? If no what is the total cost?

Response by Daniel Smedley, Recreation Co-Ordinator

As per the information provided the correct estimate is circa \$25,000.

4. For a covering at a cost of \$25,000 for 2 events, is this a good use of ratepayer funds?

Response by Daniel Smedley, Recreation Co-Ordinator

The FPS would be available for other venues – MVPAC and Westbury Sports Centre. It would also encourage use of the Deloraine Community Complex for more events/functions. The capacity to provide FPS in the Complex Stadium may also be relevant discussion for the upcoming feasibility study into the Deloraine Recreation Precinct.

5. I believe that I read that the total cost of this floor protection policy (not sure of name) was around \$34,000 – \$35,000 is this correct?

Response by Daniel Smedley, Recreation Co-Ordinator

As per the attachment distributed to Councillors, that is the approximate cost of all elements of the FPS. It should be noted that the lifespan of the Capital items is more than 30 years (based on the Ulverstone example).

6. Could this policy, be brought to a workshop for discussion before being implemented?

Response by Daniel Smedley, Recreation Co-Ordinator

I would be pleased to talk to this proposal at a Council Workshop.

3.2 Cr Bob Richardson

Highly-paid Bureaucrats

Media reports recently indicated that of the 187 most highly remunerated Tasmanian Government bureaucrats, only 4 reside outside Hobart.

The concentration (not centralisation) of “head” offices in Hobart has two impacts upon regional Tasmania:-

- (a) the large salaries of these bureaucrats are complemented by their (large, well-remunerated staffs) adding significantly to Hobart's economy and against regional economies; and
- (b) by being available" to Hobart constituents (and not regional taxpayers) it seems highly likely that these bureaucrats will be subject to the considerable (and skilled) Hobart-based parochial lobbyists.

Should Council be approached by a regionally-based strategic group which aims to address the Hobart-centric model, will Council support that group, at least in principle?

Questions taken on Notice

TasWater

- a) Is Council aware that in the 2015/16 financial year, the eight TasWater senior executives (bureaucrats) received a collective of \$2,332,865, including superannuation. That is an average of \$291,608 each. The Chief Executive Officer received an amount of \$464,675, - about the same as the President of the USA! (not in Australia Posts CEO, Ahmed Fahour who received \$5.6 million

Response by Martin Gill, General Manager

Yes Council are aware

Given the collective remuneration of these 8 TasWater executives (over \$2.3m p.a), how many years would it take to build a new water treatment plant for a town of, say a little over 2000 people, if those salaries were eliminated from TasWater's budget?

Response by Craig Perkins, Mayor

Approximately 2½ years

- b) Before the establishment of TasWater, 'board' decisions regarding water and sewage were undertaken by Councillors as part of their responsibilities. If that was 10% of a Councillor's allowance, it would be about \$1400 per Councillor.

Is Council aware that TasWater Board members squirrelled \$506,857 of ratepayers money last year, with the chairman, Miles Hampton pocketing \$124,615? For this they attend a maximum of 13 Board meetings and 5 Committee meetings.

Response by Martin Gill, General Manager

Yes Council are aware

- c) Is Council aware that just one of the eight TasWater Board members resides north of Bridgewater

Response by Martin Gill, General Manager
Council was not aware

- d) Is Council aware that TasWater now employs 933 employees who received an average remuneration of \$92,865 (including superannuation) in 2015/16?

Response by Martin Gill, General Manager
After reading the TasWater Annual Report I was aware of the employment numbers.

- e) How much more does Council think ratepayers may wish to know about the excesses of TasWater?

Response by Martin Gill, General Manager
At this point we have had no contact from ratepayers about the 'excesses of TasWater' so I cannot provide an informed response to this question.

Macquarie Point

Much has been reported regarding potential development of Macquarie Point in Hobart. Indeed, it seems an Act of Parliament has been enacted to oversee the development, a board established and staff appointed (with CEO Ms Mary Massina, whose remuneration is likely to be (well) in excess of \$200,000).

- a) In which municipal area is Macquarie Point located? Is it not entirely located in Hobart Municipality?

Response by Martin Gill, General Manager
Yes it is

- b) When development finally occurs, and hotels, retail space, and so on are established it seems highly likely that any rates and charges will be collected by Hobart City Council. Could Meander Valley Council speculate on this outcome?

Question taken on Notice

- c) Why, then, are taxpayers/ratepayers outside of the Hobart City Council area contributing (significant) dollars towards the planning/development

Including Ms Massina's significant remuneration) of Macquarie Point? Apart from a small contribution from the State Government (say \$250,000) towards an Outline Development Plan for Macquarie Point, should not the beneficiary of the development Hobart City Council) be solely responsible for all costs of development?

Question taken on Notice

- d) One of the Macquarie Point Authority's "demands" is for TasWater to move sewage treatment works away from the Point. Should not that cost be borne by the developers, via Hobart City Council?

Response by Martin Gill, General Manager

Yes it should

- e) Will Council refer these comments to the Premier of Tasmania, the Tasmanian Parliament and the Tasmanian media?

Response by Martin Gill, General Manager

Yes Council can forward these comments.

3.3 Cr Deborah White

- a) What was the outcome of the meeting with the EPA re Meander Valley?

Response by Martin Gill, General Manager

Council and the EPA agreed to:

- **Progress the development of an MOU between Council and the EPA board which would recognise the strategic planning work already undertaken as part of the planning scheme amendment process to rezone the land.**
- **Work together to develop a scope for a precinct wide air emissions dispersion model that EPA would accept as a baseline**

- b) Re outcomes of meeting with Yvonne Marrett re Deloraine Racecourse.

Response by Martin Gill, General Manager

At the meeting I encouraged Yvonne and the other parties attending to:

- **Request to present their proposal at a Council workshop**
- **Speak to TasWater about attenuation requirements**
- **Contact other parties who has shown interest in the Deloraine Racecourse**

- c) Re; Memorial Avenue, Westbury – Is there a group who would wish to have input eg the Rotary/MVC partnership that planted trees in Deloraine?

Question taken on Notice

- d) Re TRAP's "Adopt a Road"; - Is there any progress?

Question taken on Notice

- e) Re spraying in Chudleigh – will Council consider using WSUD treatments on drains to avoid spraying?

Response by Martin Gill, General Manager

Council will consider it now it has been raised.

- f) Re the purchase of land in Scott Street, Hadspen – why is this being purchased?

Response by Martin Gill, General Manager

The land was purchased to help facilitate the development of the Hadspen Urban Growth Area in particular stormwater management. The purchase price was \$1.

3.4 Cr Andrew Connor

Thank you Mayor for your response to my question at the December meeting about inclusion of Meander Valley Council in the development of the Launceston City Deal with the Australian Government. You stated that Meander Valley and other councils neighbouring the City of Launceston were included in discussions during December 2016 with representatives from the Department of Prime Minister and Cabinet where some broader issues were discussed.

The Launceston City Deal MOU references regional priorities and opportunities however the Prime Minister's cities website indicates discussions are underway between the Australian Government, Tasmanian Government and Launceston City Council only.

- a) What ongoing discussions or actions are taking place to involve other councils making up the Greater Launceston area to satisfy regional aspects of the MOU? and;
- b) What other projects might be included to assist Greater Launceston and its region apart from the few CBD-centric projects currently under consideration, such as City Heart and the UTAS move to Inveresk?

Questions taken on Notice

35/2017 DEPUTATIONS BY MEMBERS OF THE PUBLIC

Nil

36/2017 NOTICE OF MOTIONS BY COUNCILLORS

Nil

COUNCIL MEETING AS A PLANNING AUTHORITY

The Mayor advised that for items 37/2017 and 38/2017 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

Cr Michael Kelly left the meeting at 1.56pm

37/2017 50 EYNENS ROAD, WEETAH - LAND OFF FARRELLS ROAD, REEDY MARSH AND A ROAD RESERVE OFF FARRELLS ROAD, REEDY MARSH – SUBDIVISION (2 LOTS)

1) Introduction

This report considers application PA\16\0141 for Subdivision (2 lots) on land located at 50 Eynens Road, Weetah (CT 160576/1); land off Farrells Road, Reedy Marsh (CT 171873/1) and a Road Reserve off Farrells Road, Reedy Marsh.

2) Recommendation

That the application for Use and Development for Subdivision - 2 lots on land located at 50 Eynens Road, Weetah (CT 160576/1); land off Farrell's Road, Reedy Marsh (CT 171873/1) and Road reserve off Farrell's Road, Reedy Marsh by Fisher Survey & Design, requiring the following discretions:

13.3.1 Amenity

13.4.1 Building Design and Siting

26.4.2 Subdivision

E4.7.2 Management of Road Accesses and Junctions

E8.6.1 Habitat and Vegetation Management

be REFUSED, for the following reasons:

- a) The subdivision is not consistent with the zone purpose statement 26.1.1.1; and***
- b) In accordance with Section 26.4.2 Subdivision P1a), the proposed subdivision does not improve the productive capacity of the land for resource development and/or extractive industries.***

DECISION:

Cr Richardson moved and Cr Mackenzie seconded ***“that the application for Use and Development for Subdivision - 2 lots on land located at 50 Eynens Road, Weetah (CT 160576/1); land off Farrell's Road, Reedy Marsh (CT 171873/1)***

and Road reserve off Farrell's Road, Reedy Marsh by Fisher Survey & Design, requiring the following discretions:

13.3.1 Amenity

13.4.1 Building Design and Siting

26.4.2 Subdivision

E4.7.2 Management of Road Accesses and Junctions

E8.6.1 Habitat and Vegetation Management

be REFUSED, for the following reasons:

- a) The subdivision is not consistent with the zone purpose statement 26.1.1.1; and**
- b) In accordance with Section 26.4.2 Subdivision P1a), the proposed subdivision does not improve the productive capacity of the land for resource development and/or extractive industries.**

As an amendment Cr Synfield moved and Cr Connor seconded "that point (a) be removed from the recommendation."

The amendment was declared LOST with Councillors Connor, Synfield and Temple voting for the amendment and Councillors King, Mackenzie, Perkins, Richardson and White voting against the amendment.

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

Cr Michael Kelly returned to the meeting at 2.27pm

38/2017 ROAD RESERVE ADJACENT 260 DYNANS BRIDGE ROAD, WEEGENA - CONSTRUCTION OF DRIVEWAY

1) Introduction

This report considers application PA\17\0091 for construction of a driveway and associated vegetation removal on land located within the Road Reserve adjacent to 260 Dynans Bridge Road, Weegen a (CT: 238211/1) .

2) Recommendation

That the application for Use and Development for construction of a driveway and associated vegetation removal on land located at Road Reserve adjacent 260 Dynans Bridge Road, Weegen a (CT: 238211/1) by Rebecca Green and Associates , requiring the following discretions:

- E8.6.1 - native vegetation removal
- E9 - development within 50m of a watercourse

be APPROVED, generally in accordance with the endorsed plans and subject to the following conditions:

1. The use and development must be carried out as shown and described in the endorsed Plans:

a) F R Daniel Huston & Associates Pty Ltd; Drawing No. C/1A and C/1B

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

2. Prior to the commencement of works a soil and water management plan, prepared by a suitably qualified person is to be submitted to the satisfaction of Council's Town Planner. The plan must address revegetation and weed management on areas of bare soil, the management of runoff, and minimisation of hydrological impacts, as well as incorporating the requirements of the Wetlands and Waterways Works Manual and Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens.

Note:

1. **This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:**
 - a) **Building permit**
 - b) **Plumbing permit**

All enquiries should be directed to Council's Permit Authority on 6393 5322 or Council's Plumbing Surveyor on 0419 510 770.

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

DECISION:

Cr King moved and Cr Synfield seconded ***“that the application for Use and Development for construction of a driveway and associated vegetation removal on land located at Road Reserve adjacent 260 Dynans Bridge Road, Weegen (CT: 238211/1) by Rebecca Green and Associates, requiring the following discretions:***

- E8.6.1 - native vegetation removal
- E9 - development within 50m of a watercourse

be APPROVED, generally in accordance with the endorsed plans and subject to the following conditions:

- 1. The use and development must be carried out as shown and described in the endorsed Plans:**

- a) F R Daniel Huston & Associates Pty Ltd; Drawing No. C/1A and C/1B**

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

- 2. Prior to the commencement of works a soil and water management plan, prepared by a suitably qualified person is to be submitted to the satisfaction of Council’s Town Planner. The plan must address**

revegetation and weed management on areas of bare soil, the management of runoff, and minimisation of hydrological impacts, as well as incorporating the requirements of the Wetlands and Waterways Works Manual and Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens.

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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); 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, Temple and White voting for the motion.

39/2017 POLICY REVIEW NO. 6 – BUILDING APPROVALS IN INCOMPLETE SUBDIVISIONS

1) Introduction

The purpose of this report is for Council to review Policy No 6 – Building Approval in incomplete subdivisions.

2) Recommendation

It is recommended that Council discontinue Policy No 6 – Building Approvals in Incomplete Subdivisions:

POLICY MANUAL

Policy Number: 6

Building Approval in Incomplete Subdivisions

Purpose:

The purpose of this Policy is to avoid problems associated with the issuing of building permits in new subdivisions where services are incomplete and non-operational

Department:

Development Services

Author:

Martin Gill, Director

Council Meeting Date:

21 January 2014

Minute Number:

10/2014

Next Review Date:

March 2017

POLICY

1. Definitions

N/A

2. Objective

The objective of this Policy is to outline the basis upon which building permits will be issued for dwellings in new subdivisions.

3. Scope

The policy shall apply to all building applications received by Council.

4. Policy

A Building Permit will not be granted where Council has sealed the final plan of a subdivision and has accepted a bond and bank guarantee in lieu of incomplete infrastructure, until all services are provided and are operational at the subject lot.

5. Legislation

Land Use Planning and Approval Act 1993

Local Government (Building and Miscellaneous Provisions) Act 1993

Building Act 2000

6. Responsibility

The Director Development Services is responsible for ensuring compliance with the policy.

DECISION:

Cr White moved and Cr Synfield seconded ***“that Council discontinue Policy No 6 – Building Approvals in Incomplete Subdivisions.”***

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

40/2017 POLICY REVIEW NO. 74 – CONSERVATION COVENANT INCENTIVE SCHEME

1) Introduction

The purpose of this report is for Council to review Policy No. 74 – Conservation Covenant Incentive Scheme.

2) Recommendation

It is recommended that Council continues Policy No. 74 – Conservation Covenant Incentive Scheme, with the following changes:

POLICY MANUAL

Policy Number: 74

Conservation Covenant Incentive Scheme

Purpose:

To establish guidelines for administering a Rates Rebate Incentive Scheme for land under Conservation Covenants.

Department:

Economic Development & Sustainability

Author:

Community and Development Services

Stuart Brownlea, NRM Officer

Council Meeting Date:

~~13th August 2013~~ 14 February, 2017

Minute Number:

~~146/2013~~

Next Review Date:

~~August 2016~~ February 2020

POLICY

1. Definitions

Conservation Covenant: means a land title covenant registered under Part 5 of the *Nature Conservation Act 2002*, once signed by both the relevant Tasmanian Minister and the landowner.

2. Objective

To formally encourage, recognise and reward voluntary conservation of high priority natural values, in the form of Conservation Covenants and to support objectives in the *Meander Valley Council Natural Resource Management Strategy, 3rd Edition (2010)*.

3. Scope

This policy only applies to that proportion of private land titles within the Meander Valley that is the subject of Conservation Covenants and to the General Rate (net of any other rebate or remission). The rebate level is calculated on the number of hectares that are covered by the Conservation Covenant, rather than the whole area of a title that has a Conservation Covenant within it.

4. Policy

Council recognises that conservation covenants:

- play a role in protecting habitats for a wide range of native species, including threatened plants and animals, from wedge-tailed eagles to native grasses. They also help to maintain the scenic values of Tasmanian landscapes that benefit tourism, can be a direct tourism venture asset, and contribute to the maintenance of water quality by preventing soil erosion and salinity problems.
- are a way that private landowners can ensure the long-term conservation of natural values on their land. Landowners are ~~now~~ helped to establish these covenants by a single program in Tasmania: the *Private Land Conservation Program*. Landowners who place perpetual conservation covenants on their land title are helping to achieve conservation benefits for the whole community.
- are legally binding agreements between the landowners and the State Government that are registered on land titles and travel with those titles to future owners. A ~~management agreement~~ **Nature Conservation Plan** has or will ~~usually~~ be implemented with ~~almost~~ conservation covenants. Together, the two documents detail a management regime that will protect conservation values on a property whilst allowing for continued use of the land.
- are decided upon by a landowner only after considerable planning and management negotiation. Professionally determined ~~Management~~ **Nature Conservation** Plans are developed with the landowner's input and consent. The desire to utilise the reserve, for example to collect domestic loads of firewood or graze stock periodically, are accommodated wherever this will not have a long term negative impact on the reserved values.
- may have flow on benefits for a tourism venture, be an area that is not commercially viable, provide an offset for other development, leverage funding for conservation aims, protect other land from degradation such as salinity, or provide access to management advice from the Tasmanian Government.

Individual Rates Rebate Calculation

The rebate amount is to be calculated on the following basis:

As at 1st July, 2013~~6~~, base rate of \$5,916.35 per ha of land area covered by the Conservation Covenant only with a minimum amount of \$59,1063.35 and maximum of \$591,00635.00 for any one property AND with no rebate in any case to exceed 50% of the General Rate (net of other rebates or remissions).

Annual Adjustment

The base rate, minimum and maximum amounts are to be adjusted by the same percentage as the General Rate adjustment each financial year commencing 1st July 2007.

Commencement of Entitlement

Entitlement to a Rates Rebate amount under the Scheme is to commence from the 1st July of the next rating period immediately following the date of signing of the Conservation Covenant.

Cessation of Entitlement

Entitlement to a Rates Rebate amount payable under the Scheme ceases when a covenant no longer exists on the affected title.

5. Legislation

Nature Conservation Act 2002.

6. Responsibility

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

DECISION:

Cr Synfield moved and Cr Mackenzie seconded ***“that Council continues Policy No. 74 – Conservation Covenant Incentive Scheme, with the following inclusion:***

Limit on Contribution by Council

As of 1st July 2017, the actual rebate amount allowed per property, per annum, is limited to the equivalent amount being reimbursed by the State Government to Council, in respect of that property and only up to the amount of the individual rate rebate as calculated.

As an amendment Cr Temple moved and Cr Richardson seconded ***“that Council delay the timing in respect of implementation of limiting Council contribution to July 2018 and the next review of the Policy be undertaken in February 2018.”***

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

POLICY MANUAL

Policy Number: 74

Conservation Covenant Incentive Scheme

Purpose: To establish guidelines for administering a Rates Rebate Incentive Scheme for land under Conservation Covenants.

Department: Community and Development Services
Author: Stuart Brownlea, NRM Officer

Council Meeting Date: 14 February, 2017
Minute Number: 40/2017

Next Review Date: ***February 2018***

POLICY

1. Definitions

Conservation Covenant: means a land title covenant registered under Part 5 of the *Nature Conservation Act 2002*, once signed by both the relevant Tasmanian Minister and the landowner.

2. Objective

To formally encourage, recognise and reward voluntary conservation of high priority natural values, in the form of Conservation Covenants and to support objectives in the *Meander Valley Council Natural Resource Management Strategy*.

3. Scope

This policy only applies to that proportion of private land titles within the Meander Valley that is the subject of Conservation Covenants and to the General Rate (net of any other

rebate or remission). The rebate level is calculated on the number of hectares that are covered by the Conservation Covenant, rather than the whole area of a title that has a Conservation Covenant within it.

4. Policy

Council recognises that conservation covenants:

- play a role in protecting habitats for a wide range of native species, including threatened plants and animals, from wedge-tailed eagles to native grasses. They also help to maintain the scenic values of Tasmanian landscapes that benefit tourism, can be a direct tourism venture asset, and contribute to the maintenance of water quality by preventing soil erosion and salinity problems.
- are a way that private landowners can ensure the long-term conservation of natural values on their land. Landowners are helped to establish these covenants by a single program in Tasmania: the *Private Land Conservation Program*. Landowners who place perpetual conservation covenants on their land title are helping to achieve conservation benefits for the whole community.
- are legally binding agreements between the landowners and the State Government that are registered on land titles and travel with those titles to future owners. A Nature Conservation Plan has or will be implemented with most conservation covenants. Together, the two documents detail a management regime that will protect conservation values on a property whilst allowing for continued use of the land.
- are decided upon by a landowner only after considerable planning and management negotiation. Professionally determined Nature Conservation Plans are developed with the landowner's input and consent. The desire to utilise the reserve, for example to collect domestic loads of firewood or graze stock periodically, are accommodated wherever this will not have a long term negative impact on the reserved values.
- may have flow on benefits for a tourism venture, be an area that is not commercially viable, provide an offset for other development, leverage funding for conservation aims, protect other land from degradation such as salinity, or provide access to management advice from the Tasmanian Government.

Individual Rates Rebate Calculation

The rebate amount is to be calculated on the following basis:

As at 1st July, 2016, base rate of \$6.35 per ha of land area covered by the Conservation Covenant only with a minimum amount of \$63.35 and maximum of \$635.00 for any one property AND with no rebate in any case to exceed 50% of the General Rate (net of other rebates or remissions).

Annual Adjustment

The base rate, minimum and maximum amounts are to be adjusted by the same percentage as the General Rate adjustment each financial year.

Limit on Contribution by Council

As of 1st July 2018, the actual rebate amount allowed per property, per annum, is limited to the equivalent amount being reimbursed by the State Government to Council, in respect of that property and only up to the amount of the individual rate rebate as calculated.

Commencement of Entitlement

Entitlement to a Rates Rebate amount under the Scheme is to commence from the 1st July of the next rating period immediately following the date of signing of the Conservation Covenant.

Cessation of Entitlement

Entitlement to a Rates Rebate amount payable under the Scheme ceases when a covenant no longer exists on the affected title.

5. Legislation

Nature Conservation Act 2002.

6. Responsibility

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

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

41/2017 COUNCIL AUDIT PANEL RECEIPT OF MINUTES

1) Introduction

The purpose of this report is for Council to receive the minutes of the Council Audit Panel meeting held on 20 December 2016.

2) Recommendation

It is recommended that Council receive the minutes of the Council Audit Panel meeting held on 20 December 2016.

DECISION:

Cr Connor moved and Cr King seconded ***“that Council receive the minutes of the Council Audit Panel meeting held on 20 December 2016.”***

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

The meeting adjourned for afternoon tea at 3.31pm
The meeting resumed at 3.46pm

42/2017 PROPOSED SALE OF PUBLIC LAND AT BLACKSTONE PARK

1) Introduction

The purpose of this report is to seek a Council resolution notifying the intention to sell a portion of public land at Blackstone Park, Blackstone Heights.

2) Recommendation

It is recommended that Council resolve by an absolute majority to notify its intention to sell a portion of public land located within Blackstone Park, as indicated in Attachment A, pursuant to section 178 of the Local Government Act 1993.

DECISION:

Cr Kelly moved and Cr Connor seconded ***“that Council resolve by an absolute majority to notify its intention to sell a portion of public land located within Blackstone Park, as indicated in Attachment A, pursuant to section 178 of the Local Government Act 1993.”***

The motion was declared CARRIED WITH AN ABSOLUTE MAJORITY with Councillors Connor, Kelly, King, Mackenzie, Perkins, Richardson, Synfield and White voting for the motion and Councillor Temple voting against the motion.

43/2017 PROPOSED NEW MEDIA BOOTH, PROSPECT VALE PARK SOCCER GROUND

1) Introduction

The purpose of this report is to seek Council approval for the installation of a media booth adjacent to the soccer ground (grounds 5/6) at Prospect Vale Park Recreation Ground and accepting ownership of this asset donated as an initiative from the Launceston City Soccer Club.

2) Recommendation

It is recommended that Council;

- a) Approve the installation of the media booth, and***
- b) Take ownership of the booth and associated power once completed which will be donated by the Launceston City Soccer Club in line with Council's Policy 78 – New and Gifted Assets***

DECISION:

Cr Kelly moved and Cr Connor seconded ***“that Council;***

- a) Approve the installation of the media booth, and***
- b) Take ownership of the booth and associated power once completed which will be donated by the Launceston City Soccer Club in line with Council's Policy 78 – New and Gifted Assets***

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

44/2017 PROPOSED ROAD NAMING – NANKE COURT, PROSPECT VALE

1) Introduction

The purpose of this report is to seek Council endorsement of a proposed street name for an unnamed road off Bradford Avenue, Prospect Vale, as part of the SBGP Pty Ltd Stage 2 subdivision development.

2) Recommendation

It is recommended that Council endorse the proposed street name of 'Nanke Court' for the unnamed road off Bradford Avenue, Prospect Vale, and forward it to the Nomenclature Board for formalisation.

DECISION:

Cr Kelly moved and Cr Mackenzie seconded ***"that Council endorse the proposed street name of 'Nanke Court' for the unnamed road off Bradford Avenue, Prospect Vale, and forward it to the Nomenclature Board for formalisation."***

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

45/2017 PROPOSED STOCK UNDERPASS ON RAILTON ROAD, MOLTEMA

1) Introduction

The purpose of this report is to seek Council approval for the construction of a stock underpass on Railton Road, Moltema, and in-principal support to contribute to the cost of construction in line with Council policy.

2) Recommendation

It is recommended that Council;

- a) Approve the construction of a stock underpass under Railton Road subject to planning approval for the proposed new dairy.*
- b) Provide in principal support for a financial contribution to the underpass in line with Policy No.2, Stock Underpasses on Council Roads, subject to budget approval for the 2017-2018 financial year.*

DECISION:

Cr Kelly moved and Cr Mackenzie seconded *“that Council*

- a) Approve the construction of a stock underpass under Railton Road subject to planning approval for the proposed new dairy.*
- b) Provide in principal support for a financial contribution to the underpass in line with Policy No.2, Stock Underpasses on Council Roads, subject to budget approval for the 2017-2018 financial year.*

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

ITEMS FOR CLOSED SECTION OF THE MEETING:

Councillor White moved and Councillor Connor 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.*

46/2017 CONFIRMATION OF MINUTES

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 17 January, 2017.

47/2017 LEAVE OF ABSENCE

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

48/2017 VARIATION TO CONTRACT FOR SALE 105A MEANDER VALLEY ROAD, WESTBURY

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

49/2017 GENERAL MANAGER - PROBATION

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

The meeting moved into Closed Session at 4.17pm

The meeting re-opened to the public at 4.45pm

Cr White moved and Cr Connor seconded ***"that the following decision taken by Council in Closed Session be released for the public's information."***

"that Council agree to the request from St Marks Homes Incorporated and grant an additional period concluding on 30 June 2018 to substantially commence or construct any infrastructure or improvements on the Balance land at 105A Meander Valley Road, Westbury."

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

The meeting closed at 4.49pm

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CRAIG PERKINS (MAYOR)