

Meander Valley Council

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

ORDINARY MINUTES

COUNCIL MEETING

Tuesday 12 September 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 12 September 2017 at 1.30pm.

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

APOLOGIES: Nil

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
Natasha Whiteley, Town Planner
Krista Palfreyman, Development Services Coordinator
Patrick Gambles, Community Development Manager
Natasha Szczyglowska, Technical Officer

185/2017 CONFIRMATION OF MINUTES:

Councillor Mackenzie moved and Councillor Richardson seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 8 August, 2017, be received and confirmed.”***

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

186/2017 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Date :	Items discussed:
15 August	<ul style="list-style-type: none"> • Waste Management • Meander Valley Local Provision Schedule – Tasmania Planning Scheme
22 August	<ul style="list-style-type: none"> • Mobile Food Vendors – New Policy • Camping in Council Reserves – New Policy • Review of Policy No. 34 – Real Estate Advertising Signs • Battle of Beersheba Memorial • Deloraine Riverbank Walkway • KPMG Resource Sharing Project • Priority Projects – State Election • Westbury Recreation Ground Multipurpose Function Centre Business Case
29 August	<ul style="list-style-type: none"> • Westbury Recreation Ground Pavilion Upgrade

187/2017 ANNOUNCEMENTS BY THE MAYOR:

Thursday 10 August 2017

TasWater Quarterly Meeting

Wednesday 15 August 2017

Council Workshop

Thursday 17 August 2017

Meeting with Launceston City Football Club (Prospect Vale Park)

Friday 18 August 2017

NTJFA Best and Fairest Count

Tuesday 29 August 2017

RACT Luncheon

Council Workshop

Thursday 31 August 2017

Meeting with Peter Gutwein MHA (Prospect Vale Park)

Friday 1 September 2017

Attended auction of 36 South Mole Creek Road (Westbury)

Thursday 7 September 2017

Bracknell Primary School – National Literacy & Numeracy Week

Tamar Estuary Management Taskforce Meeting

188/2017 DECLARATIONS OF INTEREST:

194/2017 Cr Michael Kelly – 50 Eynens Road, Weetah

205/2017 Cr John Temple – Australian Light Horseman Memorial Silhouette

Cr Synfield arrived at 1.33pm

189/2017 TABLING OF PETITIONS:

Nil

190/2017 PUBLIC QUESTION TIME

1. PUBLIC QUESTIONS TAKEN ON 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 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 you r car is disgusting and a health hazard. The effort it takes for me to disposed 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.

Response by Martin Gill, General Manager

Council is considering extending kerbside waste collection to all areas in Meander Valley and developing plans to do so

If Council proceeds to extend kerbside waste collection the new arrangements are likely to commence in July 2018.

2. PUBLIC QUESTIONS WITH NOTICE – SEPTEMBER 2017

Nil

3. PUBLIC QUESTIONS WITHOUT NOTICE – SEPTEMBER 2017

Nil

191/2017 COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – AUGUST 2017

2.1 Cr Bob Richardson

- a) 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 \$200,000 each).

Response by Jon Harmey, Director Corporate Services

The following information is derived from the RBF's annual report for 2016. RBF's main undertakings included the provision of superannuation products and services to Tasmanian public sector employees and administration and management of approximately 75 000 members, through its five defined benefit schemes and an accumulation scheme. RBF's financial report as at 30 June 2016 outlines a net unfunded liability of \$4,614,181,000. This would equate to an overall percentage 45.78% of total members accounts being unfunded at that time.

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

Response by Jon Harmey, Director Corporate Services

This would be determined by the owners of TasWater. The current owners have stated that they do not intend to sell TasWater.

What is the estimated current value of TasWater assets?

Response by Jon Harmey, Director Corporate Services

As at 30 June 2017 net assets are estimated to be \$1,585,000,000.

b)

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?

Response by Martin Gill, General Manager

The following statements can be found on the Australian Property Council website, and best describe their function:

'The Property Council of Australia is the leading advocate for Australia's biggest industry – property'.

'The Property Council champions the interests of more than 2200 member companies that represent the full spectrum of the industry, including those who invest, own, manage and develop in all sectors of property, creating landmark projects and environments where people live, work, shop and play. Led by a powerful board and strong executive leadership team, the Property Council's vision is a thriving industry creating prosperity, jobs and strong communities'.

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?

Response by Martin Gill, General Manager

Mr Wightman is the executive director of the Tasmanian branch of the Australian Property Council. He was a Labour MP for the state electorate of Bass between 2010 – 2014.

2. COUNCILLOR QUESTIONS WITH NOTICE – SEPTEMBER 2017

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – SEPTEMBER 2017

Cr John Temple

When the MVC recently sold a family home in order to recover unpaid rates under Part 9 Division 11 of the Local Government Act 1993 was this the first time that Division 11 has been used to sell a family home?

Response by Jon Harmey, Director Corporate Services

Yes this was the first time a residential property had been sold in recent years.

Is there any intention within Part 9 Division 11 of the Local Government Act 1993 for it to be punitive?

Response by Martin Gill, General Manager

No there is not

When from time to time the MVC sells by auction a residence that it owns would it usually have a reserve price to protect the value of the asset?

Response by Martin Gill, General Manager

Yes Council would use a valuation provided by the Valuer-Generals Office or obtain an independent valuation.

If the answer to my previous question is "yes", when the MVC acted under 137. (1) (a) within Part 9 Division 11 of the Local Government Act 1993 where it is to act "as if it were the owner of the land" why was no reserve price set?

Question taken on Notice

Will the MVC consider writing to the Minister for Local Government advising him of the sale and that there was buyer resistance for a number of reasons due to the circumstances of the sale which meant that the property did not realise anywhere near its normal market value, which in turn has highlighted a flaw in at 137. within Part 9 Division 11 of the Local Government Act 1993 and suggest that he consider having a Bill drafted as an Amendment to the Act to the effect that "if the property being sold at auction is the private home of the ratepayer or immediate relative thereof that a reserve price be set at the prevailing Government Valuation of the said property".

Response by Martin Gill, General Manager

I would recommend that the question is incorporated into a Notice of Motion and presented to Council for formal consideration

Will the MVC consider writing to the Premier advising him of the circumstances of the sale, the perceived flaw in the Act and that as it is hoped that no further Tasmanian families will be impacted in the same way, that his government consider providing the family that owned the property a one off ex-gratia payment of a sum equal to the difference between the government valuation and the sale amount less the amount of agent's commission which would have been applied to that difference.

Response by Martin Gill, General Manager

I would recommend that the question is incorporated into a Notice of Motion and presented to Council for formal consideration

Will the MVC write to all other councils in Tasmania advising them of the circumstances of the sale so that they are forewarned before taking similar action?

Response by Martin Gill, General Manager

I would recommend that the question is incorporated into a Notice of Motion and presented to Council for formal consideration

Cr Bob Richardson

Today, Council is being requested to consider receipt of a report by JMG Engineers and Planners.

1. How much did that report cost Council?

Response by Martin Gill, General Manager
The cost of the business case was \$14,989 + GST.

2. How much has Council committed to a not-dissimilar proposition in Deloraine?

Response by Martin Gill, General Manager
Council has committed \$40,000 to the preparation the Feasibility Study for the Deloraine & Districts Recreation Precinct.

3. My understanding is that Report was based upon desk-top reviews of literature available and by phone interviews as the main input –

a) Could that be confirmed?

Response by Martin Gill, General Manager
Yes, in summary the brief provided to the consultant was to Meander Valley Council seek to undertake a business case to determine the viability of establishing a 200 plus seat, multi purposes function centre at the Westbury Recreation Ground in Westbury. This business case report was to estimate the market for the new function centre based on a demographic review, existing and alternative venue analysis and forecast population growth.

Did the consultant(s) visit Westbury and District to consult/interview current and possible future users of a Westbury and District Community and Sports Function Centre?

Response by Martin Gill, General Manager
No, phone interviews were undertaken. The consultants prepared the Deloraine ODP for Council and were familiar with Westbury and the surrounding areas.

b) Why was Woolmer's opinion canvassed?

Response by Martin Gill, General Manager
While facilities in Longford are just outside of the 20km radius if the centre of the catchment is Westbury, population centres within the nominated catchment like Bracknell and Hadspen are as close to Longford as they are to Westbury. It would

be reasonable to assume that people making decisions about which function centre to hire would use their home as the centre of their particular 20 km radius, for these reasons facilities in Longford were considered to be options that people could choose.

- c) It is noted that "that old chestnut" was consulted. What is "that old chestnut", where does it/they operate? And in what field do they operate?

Question taken on Notice

- d) I was consulted, seemingly as an afterthought. Why were other Councillors not consulted?

Response by Martin Gill, General Manager

Consultation with Councillors was not included in the scope because a specific design was provided to the consultants. The consultants brief required a business case for the design that Council had already provided input on.

- e) It appears consultations were undertaken individually and that no group consultations were undertaken. Can this be confirmed? And if so why? Was it a matter of divide and conquer?

Response by Martin Gill, General Manager

The consultation methodology was limited because Council was asking for feedback on a predetermined design. No group consultations were undertaken because the purpose of the business case was to determine if the individual (or group they represented) had a need for the facility that Council was proposing.

- f) Recently Council's Community Service officer tabled a list of some 62 community organisations in Westbury township. (I suspect there are more). Eight only were consulted. It is also noted that Council's Community Development Manger was not consulted, nor was the Primary School – two of the most likely knowledgeable sources. Does this not seem a likely unrepresentative consultative group – eight only.

Response by Martin Gill, General Manager

No not really, an analysis of the 62 community organisations undertaken by the Councillors at the Council workshop on 29 August confirmed that a very small number of clubs in Westbury had a need for the type of facility that Council was proposing. The eight organisations that were directly contacted were contacted because they potentially had a need for a space to run meetings or functions. As the business case indicates those organisations that were contacted and were potential users of the a facility indicated that they;

preferred the option of a low budget facility with basic fit-out including good heating and a kitchen facility over a new, larger function centre with a higher hire cost.

- g) Given that the facility was proposed to be for Westbury and District (indeed service areas of 15km and 20km radius were mentioned) the potential users could well be 80 to 100!
Is that a reasonable supposition?

Response by Martin Gill, General Manager

I don't think this is reasonable supposition; the majority of potential users in the 'service area' already have other facilities, other arrangements and other aspirations.

Cr Rodney Synfield

1. Did Council staff take any action to recover the last lot of outstanding rates owed prior to Council taking action at its March 2017 Council meeting to sell up the Beerepoots (other than corresponding with the owners).
If so what?

Question taken on Notice

2. The Act talks about what action Council can take if it were unable to sell property on a reasonable basis. What duty of care was there to ensure a price reflective of its true valuation, which was likely known to Council prior to the Auction, was achieved?

Question taken on Notice

3. Why did Council not sell the property with a reserve price in place?

Response by Craig Perkins, Mayor, General Manager

Council made a decision in March 2017 to sell the property.

4. Would knowledge/statements given by Council ahead of or at the action have ensured an appropriate sale price was achieved?

Response by Martin Gill, General Manager

No

Cr Andrew Connor

There's been increasing reports of dogs roaming urban neighbourhoods of MVC, as well as people walking dogs off-leash in public parks that are not off-leash areas. I have witnessed this myself on multiple occasions. This leads to situations where people feel uncomfortable to walk themselves or their own dogs responsibly in council parks. Can Council undertake to increase patrols and education of dog owners of their responsibilities to keep their dogs on-leash or under effective control as well as improving signage to this effect in our parks?

Question taken on Notice

At the August meeting I asked if Council could write to the Members of the Legislative Council representing Meander Valley's council area to invite them to a council workshop to talk about topical and strategic issues with Councillors.

The Mayor's response to that was "Yes we can". Since then I have seen no outgoing correspondence from council in our weekly correspondence package.

Does the Mayor or General Manager intend to write to our MLC's?

Response by Martin Gill, General Manager

An invitation has been extended to Rosemary Armitage MP and she will be attending a Council Workshop on 3 October 2017.

192/2017 DEPUTATIONS BY MEMBERS OF THE PUBLIC

Nil

193/2017 NOTICE OF MOTIONS BY COUNCILLORS

197/2017	Cr Andrew Connor – Flying of Rainbow Flag at Council Chambers
198/2017	Cr Andrew Connor – Reinstatement of Westbury Tidy Town Signs
199/2017	Cr Deborah White – Community Engagement in Waste Management

COUNCIL MEETING AS A PLANNING AUTHORITY

The Mayor advised that for items 194/2017 and 195/2017 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

194/2017 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 a proposal for a Consent Agreement (in the Resource Management and Planning Appeal Tribunal) in regards to application PA\16\0141 for a Subdivision (2 lots) on land located at 50 Eynens Road, Weetah (CT 160576/1) and land off Farrells Road, Reedy Marsh (CT 171873/1).

2) Recommendation

It is recommended that Council advise the Resource Management and Planning Appeal Tribunal that the parties have reached an agreement to resolve the appeal.

The terms of the agreement are outlined in the Consent Agreement, which includes the draft Permit conditions (as attached).

DECISION:

Cr Mackenzie moved and Cr Connor seconded ***“that Council advise the Resource Management and Planning Appeal Tribunal that the parties have reached an agreement to resolve the appeal.***

The terms of the agreement are outlined in the Consent Agreement, which includes the draft Permit conditions (as attached).

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

IN THE RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL

Tribunal reference number: 29/17S

Appellant: Fisher Survey & Design

Respondent: Meander Valley Council

CONSENT AGREEMENT

1. The Parties to this appeal agree that the appeal be resolved in the following terms:

(a) THAT the application numbered PA\16\0141 be amended by substituting the drawing prepared by Gary Fisher & Associates described as "Proposed Subdivision", with notation "PLAN AMENDED 22/06/2016" with the amended drawing annexed to this agreement and marked "**Attachment 1**" which is a plan prepared by Gary Fisher & Associates described as "Proposed Subdivision", Drawing No. 2445/6 dated 1 September 2017.

(b) THAT the Meander Valley Council be directed to issue a permit containing the conditions and advice annexed and marked "**Attachment 2**".

(c) THAT each party bear their own costs of and incidental to this appeal.

Signed (Simmons Wolfhagen):

Signed (Douglas & Collins):

Solicitors for the Appellants

Solicitors for Meander Valley Council

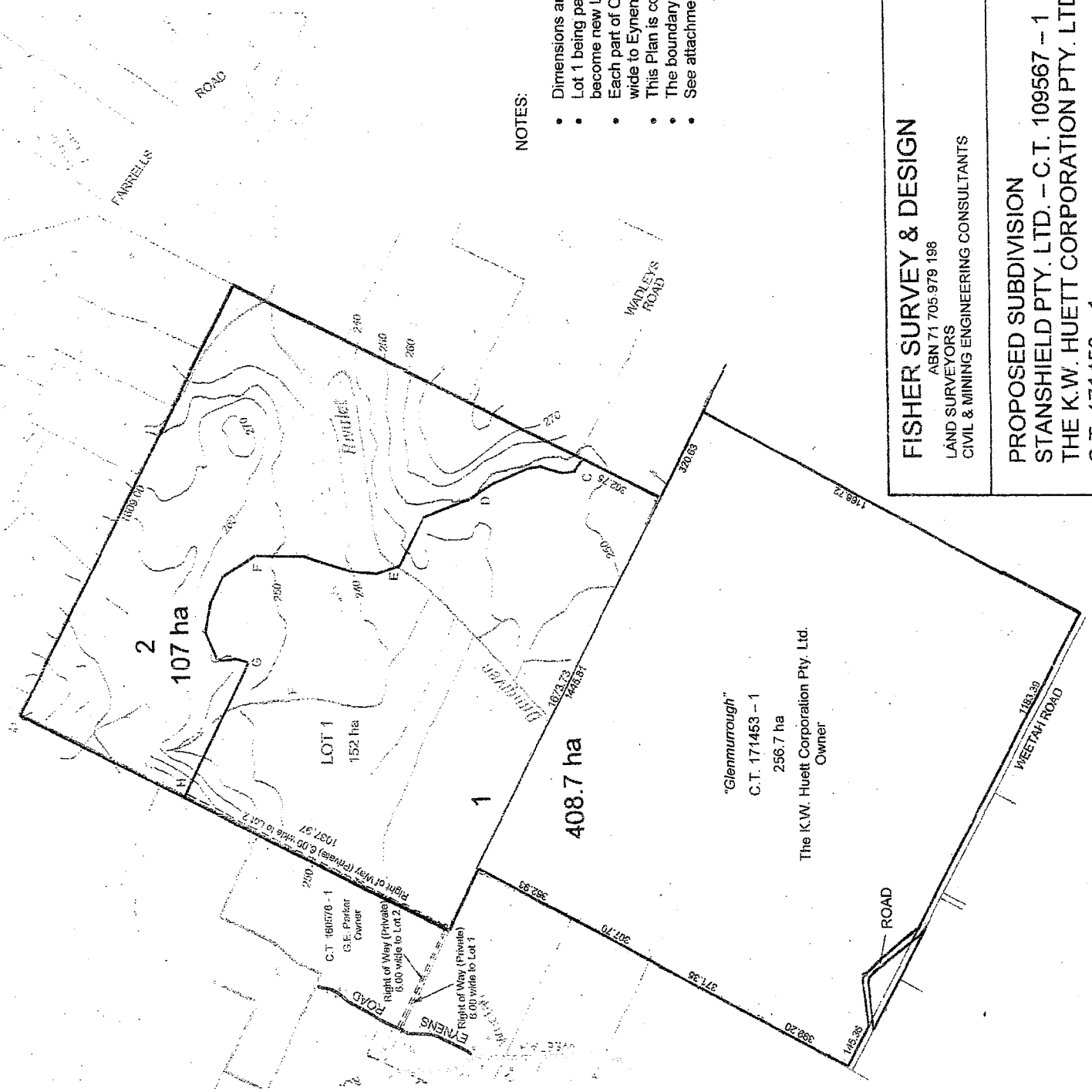
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Date:

Date:

**LAND DISTRICT OF DEVON
PARISH OF WYCOMBE**
The whole of Lot 993, 640 acres
Henry Edgecombe, Pur.
Part of 1604 acres Gtd. to
Sarah Mounce and Others



NOTES:

- Dimensions and areas are subject to survey.
- Lot 1 being part of C.T. 109567 - 1 is to be added to C.T. 171453 - 1 to become new Lot 1 of 408.7 ha.
- Each part of C.T. 109567 - 1 are provided with a Right of Way 6.00 metres wide to Eynens Road as shown on the Plan passing through C.T. 160576 - 1.
- This Plan is compiled from the Topographic Chart and heights are to AHD.
- The boundary between Lots 1 & 2 is as surveyed by PDA Surveyors.
- See attachments re Private Forest Reserve and Endangered Flora.

FISHER SURVEY & DESIGN ABN 71 705 979 198 LAND SURVEYORS CIVIL & MINING ENGINEERING CONSULTANTS		87 WAROONA STREET, YOUNGTOWN 7249 Phone: (03) 6344 1277 Email: gary@fishersurvey.com.au	
PROPOSED SUBDIVISION STANSHIELD PTY. LTD. - C.T. 109567 - 1 THE K.W. HUETT CORPORATION PTY. LTD. C.T. 171453 - 1		DRAWN BY: MHF DATE: 1-9-2017 SCALE: 1:14,000 @ A3	2445/6
		<i>G.D. Fisher</i> REGISTERED LAND SURVEYOR	

Planning Permit

- 1. The use and/or development must be substantially in accordance with the endorsed plans:
 - a. Fisher Survey & Design – Proposed Subdivision – drawing Number 2445/6 dated 1 September 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. Lot 1 must be adhered to CT 109559/1.**
- 4. The vehicular access to the right of way servicing Lot 2 to Eynens Road, Weetah must be constructed in accordance with LGAT standard drawing TSD-R03-V1 and TSD-R04-V1 (attached) and to the satisfaction of Council’s Director of Infrastructure Services.**
- 5. Vegetation to the north and south of the new access to Eynens Road are to be removed and trimmed to provide adequate sight distances to the satisfaction of Council’s Director of Infrastructure Services.**
- 6. The Road Reserve to Farrells Road is not to be used to gain access to Lot 2 without the prior approval of Council.**

Note:

1. Prior to the construction of the vehicular 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 telephone 6393 5312.
2. This permit takes effect after:
 - a) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined.
3. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received at least 6 weeks prior to the expiration date.
4. In accordance with the legislation, all permits issued by the planning 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.
5. 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.

195/2017 209 MEANDER VALLEY ROAD, TRAVELLERS REST – EXISTING NON-CONFORMING USE (RECYCLING AND WASTE DISPOSAL)

1) Introduction

This report considers application PA\17\0228 for Existing non-conforming use (Recycling and Waste Disposal) – nine storage buildings – and a Residential outbuilding on land located at 209 Meander Valley Road, Travellers Rest (CT: 52284/3).

2) Recommendation

It is recommended that the application for Use and Development for existing non-conforming use (Recycling and Waste Disposal) – nine storage buildings – and a Residential outbuilding on land located at 209 Meander Valley Road, Travellers Rest (CT: 52284/3) by T Murfet, requiring the following discretions:

- 13.3.1 Amenity
- 13.3.2 Rural Living Character
- 13.4.1 Building Design and Siting
- E9.6.2 Water Quality Management

be APPROVED, generally in accordance with the endorsed plans:

- a) **Engineering Plus, Drawing No.: 34116, Sheets: A01 & A02**
- b) **Skyline Sheds and Garages, Drawing No.: SKSG24537, Sheets: 1 & 2**
- c) **Skyline Sheds and Garages, Drawing No.: SKSG24536, Sheets: 1 & 6**
- d) **Elevations of shipping containers**
- e) **Building Surveying Services Pty Ltd, cover letter dated 15 May, 2017**

and subject to the following conditions:

- 1. All buildings on the site are to be finished in “Pale Eucalypt” or a similar green colour to the satisfaction of council’s town planner. All finishes are to be non-reflective and in muted tones to blend in with the existing buildings and surrounding environment.**

- 2. The existing tall vegetation identified in Attachment A is to be maintained in a healthy condition. Should any tree be removed or die it is to be replaced by a tree or shrub of similar appearance which will grow to a similar mature height.**
- 3. All wash down and cleaning of parts and vehicles is to occur in the existing approved wash bay to the north of the existing workshop and retail office.**
- 4. No vehicles, parts or any other goods or materials for storage or sale are to be located within 25 metres of Meander Valley Road or within 7.5 metres of any other boundary (excluding goods and materials within approved buildings).**
- 5. A Car crusher is not to be kept on the property for more than 4 weeks of the year.**
- 6. Within 6 months of the date of this permit, the shipping containers already on site are to be relocated to the approved position to the south of the existing workshop and retail building.**
- 7. Any additional external lighting on the site is to be baffled and directed toward the ground and away from adjoining properties to minimise light spill. No additional flood lighting is permitted.**
- 8. No public address system or amplified music shall be used so as to be audible from outside the site.**
- 9. Effluent and polluted drainage must not be allowed to discharge beyond the boundaries of the subject land onto any other land or directly or indirectly into any watercourse.**

Note:

- 1. No approval has been granted for any additional signage or any building not shown on the site plan (Drawing No.34116, Sheet A01). Two signs have previously been approved, one at the access and one on the main workshop. Any additional buildings or signage are to be removed from the site or an application made to Council. Non-compliance may result in the issuing of an Infringement Notice and/or an Enforcement Notice.**

2. **No changes are approved in relation to operating hours, external vehicle or parts storage, screening fences or the maintenance of vegetation screens as stipulated in previous planning approvals.**
3. **Consent is required from TasNetworks for the construction of any buildings or infrastructure within the wayleave easement identified on the plans.**
4. **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**
5. **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.

6. 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.
7. 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
8. 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.

9. 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.
10. 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.
11. 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 White moved and Cr King seconded ***"that the application for Use and Development for existing non-conforming use (Recycling and Waste Disposal) – nine storage buildings – and a Residential outbuilding on land located at 209 Meander Valley Road, Travellers Rest (CT: 52284/3) by T Murfet, requiring the following discretions:***

- 13.3.1 Amenity
- 13.3.2 Rural Living Character
- 13.4.1 Building Design and Siting
- E9.6.2 Water Quality Management

be APPROVED, generally in accordance with the endorsed plans:

- a) Engineering Plus, Drawing No.: 34116, Sheets: A01 & A02
- b) Skyline Sheds and Garages, Drawing No.: SKSG24537, Sheets: 1 & 2
- c) Skyline Sheds and Garages, Drawing No.: SKSG24536, Sheets: 1 & 6
- d) Elevations of shipping containers
- e) Building Surveying Services Pty Ltd, cover letter dated 15 May, 2017

and subject to the following conditions:

1. **All buildings on the site are to be finished in "Pale Eucalypt" or a similar green colour to the satisfaction of council's town planner. All finishes are to be non-reflective and in muted tones to blend in with the existing buildings and surrounding environment.**
2. **The existing tall vegetation identified in Attachment A is to be maintained in a healthy condition. Should any tree be removed or die it is to be replaced by a tree or shrub of similar appearance which will grow to a similar mature height.**
3. **All wash down and cleaning of parts and vehicles is to occur in the existing approved wash bay to the north of the existing workshop and retail office.**
4. **No vehicles, parts or any other goods or materials for storage or sale are to be located within 25 metres of Meander Valley Road or within 7.5 metres of any other boundary (excluding goods and materials within approved buildings).**
5. **A Car crusher is not to be kept on the property for more than 4weeks of the year.**
6. **Within 6 months of the date of this permit, the shipping containers already on site are to be relocated to the approved position to the south of the existing workshop and retail building.**
7. **Any additional external lighting on the site is to be baffled and directed toward the ground and away from adjoining properties to minimise light spill. No additional flood lighting is permitted.**
8. **No public address system or amplified music shall be used so as to be audible from outside the site.**

9. **Effluent and polluted drainage must not be allowed to discharge beyond the boundaries of the subject land onto any other land or directly or indirectly into any watercourse.**

Note:

1. **No approval has been granted for any additional signage or any building not shown on the site plan (Drawing No.34116, Sheet A01). Two signs have previously been approved, one at the access and one on the main workshop. Any additional buildings or signage are to be removed from the site or an application made to Council. Non-compliance may result in the issuing of an Infringement Notice and/or an Enforcement Notice.**
2. **No changes are approved in relation to operating hours, external vehicle or parts storage, screening fences or the maintenance of vegetation screens as stipulated in previous planning approvals.**
3. **Consent is required from TasNetworks for the construction of any buildings or infrastructure within the wayleave easement identified on the plans.**
4. **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**
5. **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.

6. 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.
7. 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
8. 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.
9. 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.
10. 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.
11. 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 and White voting for the motion and Councillors Synfield and Temple voting against the motion.

As an amendment Cr Connor moved and Cr Richardson seconded ***“that fencing and vegetative screening is installed to the satisfaction of the Town Planner between the subject property and neighbouring properties and the Meander Valley Road.”***

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

As a procedural motion Cr Mackenzie moved and Cr Kelly seconded ***“that the motion be put.”***

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

196/2017 REVIEW OF POLICY NO. 34 – REAL ESTATE ADVERTISING SIGNS

1) Introduction

The purpose of this report is for Council to review Policy No. 34 – Real Estate Advertising Signs.

2) Recommendation

It is recommended that Council continues Policy No. 34 with the suggested amendments, as follows:

POLICY MANUAL

Policy Number: 34

Real Estate Advertising Signs

Purpose:

The purpose of this Policy is to outline Council's position on the erection of real estate advertising signs on council property.

Department:

Community and Development Services

Author:

Martin Gill, Lynette While - Director

Council Meeting Date:

~~12 August 2014~~ 12 September 2017

Minute Number:

~~140/2014~~

Next Review Date:

~~August 2017~~ July 2018

POLICY

1. Definitions

2. Objective

The objective of this policy is to prohibit the erection of real estate advertising signs on Council property and Council managed land, ensuring visual amenity is maintained and to remove any risk of injury to persons as a result of the erection of such signage on said land.

3. Scope

The policy shall apply to all Council property and Council managed land other than property or land that Council is intentionally selling, leasing or letting.

4. Policy

It is policy that:

- Council not permit real estate advertising signs to be erected on Council property or Council managed land such as nature strips, reserves, etc,
- Council employees are authorised to remove any such signs illegally erected or placed on Council property or Council managed land.

5. Legislation

Land Use Planning and Approval Act 1993

6. Responsibility

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

DECISION:

Cr King moved and Cr Richardson seconded ***“that Council continues Policy No. 34 with the suggested amendments, as follows:***

POLICY MANUAL

Policy Number: 34

Real Estate Advertising Signs

Purpose:

The purpose of this Policy is to outline Council's position on the erection of real estate advertising signs on council property.

Department:

Community and Development Services

Author:

Lynette While - Director

Council Meeting Date:

12 September 2017

Minute Number:

196/2017

Next Review Date:

July 2018

POLICY

1. Definitions

2. Objective

The objective of this policy is to prohibit the erection of real estate advertising signs on Council property and Council managed land, ensuring visual amenity is maintained and to remove any risk of injury to persons as a result of the erection of such signage on said land.

3. Scope

The policy shall apply to all Council property and Council managed land other than property or land that Council is intentionally selling, leasing or letting.

4. Policy

It is policy that:

- Council not permit real estate advertising signs to be erected on Council property or Council managed land such as nature strips, reserves, etc,
- Council employees are authorised to remove any such signs illegally erected or placed on Council property or Council managed land.

5. Legislation

Land Use Planning and Approval Act 1993

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, Synfield, Temple and White voting for the motion.

197/2017 NOTICE OF MOTION - FLYING OF RAINBOW FLAG AT COUNCIL CHAMBERS – CR ANDREW CONNOR

1) Introduction

The purpose of this report is to consider a Notice of Motion from Cr Andrew Connor that Council fly a Rainbow flag instead of its own corporate flag next to the Australian flag outside the council chambers.

2) Recommendation (Cr Andrew Connor)

It is recommended that Council;

- a) fly a Rainbow flag in place of its corporate flag outside chambers until marriage equality in Australia is realised by the Federal parliament.*
- b) make a statement in support of marriage equality.*

DECISION:

Cr Connor moved and Cr Richardson seconded *"that Council*

- a) fly a Rainbow flag in place of its corporate flag outside chambers until marriage equality in Australia is realised by the Federal parliament.*
- b) make a statement in support of marriage equality.*

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

198/2017 NOTICE OF MOTION - REINSTATEMENT OF WESTBURY TIDY TOWN SIGNS – CR ANDREW CONNOR

1) Introduction

The purpose of this report is to consider a Notice of Motion from Cr Andrew Connor that Council reinstate signs at several entrances Westbury which indicated that Westbury had been awarded as Tasmania's Tidiest Town for 2015.

2) Recommendation (Cr Andrew Connor)

It is recommended that Council reinstate Tidy Town award signage onto Council's "Welcome to Westbury" signs as previously displayed, for a period of 10 years commencing at the passage of this motion.

DECISION:

Cr Connor moved and Cr Synfield seconded ***"that Council reinstate Tidy Town award signage onto Council's "Welcome to Westbury" signs as previously displayed, for a period of 10 years commencing at the passage of this motion.***

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

199/2017 NOTICE OF MOTION - COMMUNITY ENGAGEMENT IN WASTE MANAGEMENT – CR DEBORAH WHITE

1) Introduction

The purpose of this report is for Council to consider a Notice of Motion from Cr Deborah White that Council supports and encourages community groups to participate in Clean Up Australia Day CUAD 2018.

2) Recommendation (Cr Deborah White)

It is recommended that Council:

- ***Invites Expressions of Interest from community groups in joining in Clean Up Australia Day 2018, publishing a notice to this effect in the Meander Valley Gazette during the remainder of 2017 and into 2018.***
- ***Supports Clean Up Australia Day 2018 with plant, personnel and equipment as for CUAD 2017***
- ***Approaches Meander Valley primary schools to canvas interest in presentations by qualified personnel on the psychology of littering.***
- ***Prepares an information pack including recyclable in-car litter bags for distribution to the students during these sessions.***
- ***Explores the feasibility of installing a surveillance camera at the litter hot spot at Dunorlan.***

DECISION:

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

- ***Invites Expressions of Interest from community groups in joining in Clean Up Australia Day 2018, publishing a notice to this effect in the Meander Valley Gazette during the remainder of 2017 and into 2018.***
- ***Supports Clean Up Australia Day 2018 with plant, personnel and equipment as for CUAD 2017***

- ***Approaches Meander Valley primary schools to canvas interest in presentations by qualified personnel on the psychology of littering.***
- ***Prepares an information pack including recyclable in-car litter bags for distribution to the students during these sessions.***
- ***Explores the feasibility of installing a surveillance camera at the litter hot spot at Dunorlan.***

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

200/2017 POLICY REVIEW NO. 23 – RESPONSIBILITIES OF COUNCIL REPRESENTATIVES

1) Introduction

The purpose of this report is for Council to review Policy No. 23 – Responsibilities of Council Representatives.

2) Recommendation

It is recommended that Council confirm the continuation of Policy No. 23– Responsibilities of Council Representatives as follows:

POLICY MANUAL

Policy Number: 23 **Appointment and Responsibilities of Council Representatives**

Purpose: To ensure that there are adequate procedures for Council representatives to effectively represent Council on organisations

Department: Governance & Community Services

Author: David Pyke Martin Gill – General Manager

Council Meeting Date: 8 July 2014 12 September 2017

Minute Number: 124/2014

Next Review Date: July 2017 2021

POLICY

1. Definitions

“Organisation” includes joint authorities, incorporated associations, special committees of Council and working groups.

2. Objective

To ensure that there are adequate procedures for Council appointed representatives. Provide guidance and direction for Council on organisations. To effectively represent Council on organisations.

3. Scope

This policy applies to all persons appointed by Council to represent it on organisations.

4. Policy

The general responsibilities of a council appointed representative in performing their duties are as follows:

- To regularly attend the meetings of the organisation to which they have been appointed;
- To represent the views of the Council at any meetings of that organisation;
- To provide regular reports to Council on the relevant activities and issues being considered by the organisation;
- To seek direction or advice on issues requiring Council consideration and to report back to the organisation on the outcomes of that consideration.

The procedures and expectations for each of these points are outlined below:

~~Regularly attending the meetings of the organisation~~ Meeting Attendance:

As an appointed representative it is expected that the representative will reasonably make arrangements to enable them to regularly attend the meetings of the organization. Where the representative is unable to attend and there is a proxy representative then reasonable efforts should be made to provide notice and a briefing on any relevant issues prior to the meeting.

Representing the views of the Council at any meeting:

The purpose of the appointment of a representative on an external organisation is to act as a conduit between the council and the external organisation and to promote the council's objectives. The expectation is that the representative **will understand and** communicate the council's view on an issue notwithstanding that they may hold contrary personal views.

Where a representative is a Director this expectation is lessened to require them to act impartially rather than be held to Council's view. This is to avoid the risk of Council becoming a shadow Director.

~~Providing regular reports to Council on the relevant activities and issues being considered by the organisation~~ Reporting to Council:

The provision of regular written reports on the relevant activities and issues of the organisation, via the existing monthly briefing reporting process, will assist Council improve its understanding of the activities of the organisation and enable it to be more responsive to the organisation. It will also provide comfort to the organisation in knowing that council is being regularly informed.

Reports **do not necessarily need to be extensive but** should contain enough information to enable the reader to gain an appreciation of the activity or issue. Where a council officer provides executive support on a working group they will be responsible for the provision of such reports.

Seeking direction or advice on issues requiring council consideration:

There will often be matters raised by an organisation that will require either a decision or direction by the Council or the General Manager. Where such a matter is raised it is expected that the representative will discuss this with the General Manager to determine if the matter needs to be submitted to Council or whether management should respond to the matter.

Where a council officer provides executive support on a working group they will be responsible for expediting the issue.

A prompt response is to be provided to the organisation by the representative, after the matter has been determined.

Directorships:

To limit the risk of exposure of both individual elected members and the Council to potential claims against them, a representative is not to accept appointment as a Director or Officer Bearer of an external organisation, other than where specifically approved by Council or where such appointment is a requirement of being a representative, eg Northern Tasmania Development.

This does not preclude a Councillor or employee being appointed in their own right as an individual.

5. Legislation

Not Applicable Local Government Act 1993

6. Responsibility

The responsibility for the operation of the policy to ensure that this policy is adhered to rests with the Mayor and General Manager.

DECISION:

Cr Mackenzie moved and Cr King seconded ***“that Council confirm the continuation of Policy No. 23– Responsibilities of Council Representatives as follows:***

POLICY MANUAL

Policy Number: 23

Responsibilities of Council Representatives

Purpose: To ensure that there are adequate procedures for Council representatives to effectively represent Council on organisations

Department: Governance

Author: Martin Gill – General Manager

Council Meeting Date: 12 September 2017

Minute Number: 200/2017

Next Review Date: *July 2021*

POLICY

1. Definitions

“Organisation” includes joint authorities, incorporated associations, special committees of Council and working groups.

“Director” acting as a member of people that manages or oversees the affairs of a business or enterprise.

2. Objective

Provide guidance and direction for Council appointed representatives.

3. Scope

This policy applies to all persons appointed by Council to represent it on organisations.

4. Policy

The general responsibilities of a council appointed representative in performing their duties are as follows:

- To regularly attend the meetings of the organisation to which they have been appointed;
- To represent the views of the Council at any meetings of that organisation;
- To provide regular reports to Council on the relevant activities and issues being considered by the organisation;
- To seek direction or advice on issues requiring Council consideration and to report back to the organisation on the outcomes of that consideration.

The procedures and expectations for each of these points are outlined below:

Meeting Attendance:

As an appointed representative it is expected that the representative will reasonably make arrangements to enable them to regularly attend the meetings of the organization. Where the representative is unable to attend and there is a proxy representative then reasonable efforts should be made to provide notice and a briefing on any relevant issues prior to the meeting.

Representing the views of the Council at any meeting:

The purpose of the appointment of a representative on an external organisation is to act as a conduit between the council and the external organisation and to promote the council's objectives. The expectation is that the representative will understand and communicate the council's view on an issue notwithstanding that they may hold contrary personal views.

Where a representative is a Director this expectation is lessened to require them to act impartially rather than be held to Council's view. This is to avoid the risk of Council becoming a shadow Director.

Reporting to Council:

The provision of regular written reports on the relevant activities and issues of the organisation, via the existing monthly briefing reporting process, will assist Council improve its understanding of the activities of the organisation and enable it to be more responsive to the organisation. It will also provide comfort to the organisation in knowing that council is being regularly informed.

Reports should contain enough information to enable the reader to gain an appreciation of the activity or issue. Where a council officer provides executive support on a working group they will be responsible for the provision of such reports.

Seeking direction or advice on issues requiring council consideration:

There will often be matters raised by an organisation that will require either a decision or direction by the Council or the General Manager. Where such a matter is raised it is expected that the representative will discuss this with the General Manager to determine if the matter needs to be submitted to Council or whether management should respond to the matter.

Where a council officer provides executive support on a working group they will be responsible for expediting the issue.

A prompt response is to be provided to the organisation by the representative, after the matter has been determined.

Directorships:

To limit the risk of exposure of both individual elected members and the Council to potential claims against them, a representative is not to accept appointment as a Director or Officer Bearer of an external organisation, other than where specifically approved by Council or where such appointment is a requirement of being a representative.

This does not preclude a Councillor or employee being appointed in their own right as an individual.

5. Legislation

Local Government Act 1993

6. Responsibility

The responsibility for the operation of the policy rests with the Mayor and General Manager.

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

201/2017 NORTHERN TASMANIA DEVELOPMENT CORPORATION – QUARTERLY REPORT

1) Introduction

The purpose of this report is for Council to receive the Northern Tasmania Development Corporation Limited (NTDC) Quarterly Organisation Progress Report.

2) Recommendation

It is recommended that Council receive the Northern Tasmania Development Corporation Quarterly Organisation Progress Report August 2017.

DECISION:

Cr White moved and Cr King seconded ***“that Council receive the Northern Tasmania Development Corporation Quarterly Organisation Progress Report August 2017.***

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

The Council meeting adjourned for afternoon tea at 3.20pm

The Council meeting resumed at 3.40pm

202/2017 WESTBURY FUNCTION CENTRE BUSINESS CASE

1) Introduction

The purpose of this report is for Council to receive the Westbury Function Centre Business Case (July 2017) prepared by JMG Engineers and Planners.

2) Recommendation

It is recommended that Council receive the Westbury Function Centre Business Case July 2017.

DECISION:

Cr King moved and Cr Mackenzie seconded ***“that Council receive the Westbury Function Centre Business Case July 2017.”***

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

As an amendment Cr Richardson moved and Cr Connor seconded ***“that Council receive but not endorse at this time the Westbury Function Centre Business Case July 2017.”***

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

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

203/2017 NORTHERN TASMANIAN COUNCILS SHARED SERVICES STUDY

1) Introduction

The purpose of this report is for Council to receive the Northern Tasmanian Council Shared Services Study prepared by KPMG, support the establishment of governance arrangements to progress the outcomes of the Report and participate in activities to identify, plan and implement opportunities to undertake shared initiatives at a whole-of-region or sub-regional level.

2) Recommendation

It is recommended that Council:

- 1. Receive the Northern Tasmanian Council Shared Services Study Report prepared by KPMG***
- 2. Support the establishment of governance arrangements to progress the outcomes of the Report***
- 3. Participate in activities to identify, plan and implement opportunities to undertake shared initiatives at a whole-of-region or sub-regional level***

Cr Richardson left the meeting at. 4.10pm

Cr Richardson returned to the meeting at 4.12pm

DECISION:

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

- 1. Receive the Northern Tasmanian Council Shared Services Study Report prepared by KPMG***
- 2. Support the establishment of governance arrangements to progress the outcomes of the Report***
- 3. Participate in activities to identify, plan and implement opportunities to undertake shared initiatives at a whole-of-region or sub-regional level***

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

204/2017 REQUEST FOR REMISSION OF THE 2017-18 RATES AND CHARGES ON 152 AND 154 BLACKSTONE ROAD, BLACKSTONE HEIGHTS

1) Introduction

The purpose of this report is for Council to consider a request from the owner of 152 and 154 Blackstone Rd, Blackstone Heights for a remission of the 2017-18 rates and charges levied on the two properties that continue to be affected by landslip.

2) Recommendation

It is recommended that Council grants a rate remission for the General Rate (subject to applying the Minimum Amount of \$135) and Waste Management charge for 2017-18 under Section 129 of the Local Government Act 1993 to the following properties:

- ***Unit 1/152 Blackstone Road, Blackstone Heights***
- ***Unit 2/152 Blackstone Road, Blackstone Heights***
- ***154 Blackstone Road, Blackstone Heights***

Cr Mackenzie left the meeting at 4.18pm

DECISION:

Cr Connor moved and Cr White seconded by an absolute majority ***“that Council grants a rate remission for the General Rate (subject to applying the Minimum Amount of \$135) and Waste Management charge for 2017-18 under Section 129 of the Local Government Act 1993 to the following properties:***

- ***Unit 1/152 Blackstone Road, Blackstone Heights***
- ***Unit 2/152 Blackstone Road, Blackstone Heights***
- ***154 Blackstone Road, Blackstone Heights***

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

Cr Mackenzie returned to the meeting at 4.19pm

205/2017 AUSTRALIAN LIGHT HORSEMAN MEMORIAL SILHOUETTE, WESTBURY VILLAGE GREEN

1) Introduction

The purpose of this report is to seek Council approval for the installation of a silhouette depicting a light horseman at the Battle of Beersheba and accepting ownership of the silhouette as an asset donated by the Westbury RSL.

2) Recommendation

It is recommended that Council:

- 1) Approve the installation of the silhouette at the Westbury Village Green, and**
- 2) Take ownership of the silhouette once completed which will be donated by the Westbury RSL in line with Council's Policy No. 78 – New and Gifted Assets and subject to the maintenance arrangements agreed to with the Westbury RSL.**

Cr Temple left the meeting at 4.20pm

DECISION:

Cr Mackenzie moved and Cr King seconded ***“that Council:***

- 1) Approve the installation of the silhouette at the Westbury Village Green, and**
- 2) Take ownership of the silhouette once completed which will be donated by the Westbury RSL in line with Council's Policy No. 78 – New and Gifted Assets and subject to the maintenance arrangements agreed to with the Westbury RSL.**

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

Cr Temple returned to the meeting at 4.29pm

206/2017 WESTBURY RECREATION GROUND SPORTS PAVILION - DESIGN DEVELOPMENT AND COST ESTIMATE

1) Introduction

The purpose of this report is for Council to consider approval of new Capital Works Expenditure funding to undertake design of new building works at the Westbury Recreation Ground and to appoint Councillors to a design committee to oversee the design development phase of the project.

2) Recommendation

It is recommended that Council:

- 1. Approves new capital works project funding of \$50,000 for design development of a building upgrade to the existing Westbury Recreation Ground sports pavilion, including function area, away change room improvements and minor renovations on the ground level only; and***
- 2. Appoint two Councillors, Director Infrastructure Services and Council's Property Management Officer to a Westbury Recreation Ground Sports Pavilion design development project steering committee to oversee the design development and cost estimate phase of the building upgrade.***

OR

- 1. Approves new capital works project funding of \$100,000 for design development of concept design Attachment A for the Westbury Recreation Ground sports pavilion incorporating second level multipurpose function centre; and***
- 2. Appoint two Councillors, Director Infrastructure Services and Council's Property Management Officer to a Westbury Recreation Ground Sports Pavilion design development project steering committee to oversee the design development and cost estimate phase of the building upgrade.***

DECISION:

Cr King moved and Cr White seconded ***“that Council***

- 1. Approves new capital works project funding of \$20,000 for design development for the next stage of upgrades to the existing Westbury Recreation Ground sports pavilion to include away change room improvements, gym, storage and minor renovations on the ground level only, and in the first instance, seek input from the Westbury Shamrocks Cricket Club and the Meander Valley Suns Football Club, recognising those clubs as the current key users of the facility.***
- 2. Approves new capital works project funding of \$50,000 for design development of a building at the existing Westbury Recreation Ground for a multi-purpose function area.***

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

The meeting was adjourned at 4.34pm

The meeting resumed at 4.40pm

Cr Connor left the meeting at 5.12pm

As an alternate motion Cr Synfield moved and Cr Kelly seconded ***“that Council***

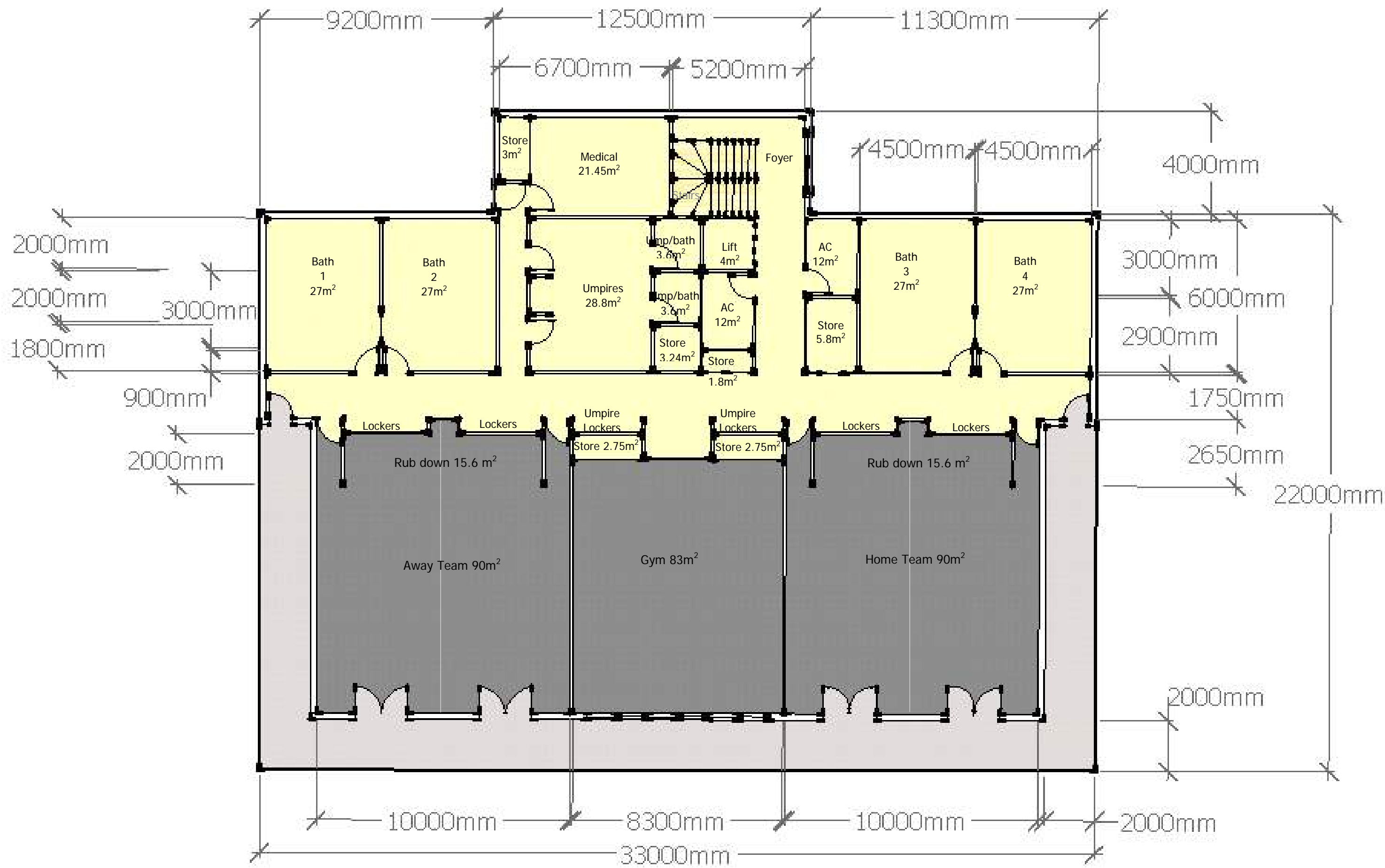
- 1. Approves new capital works funding of the amount up to \$5m to be drawn from Council cash reserves, so as to enable construction of a new Westbury Recreation Ground sports pavilion incorporating second level multipurpose function Centre as per concept design Attachment A, and in so doing demolish the existing sports pavilion on the same site (footprint).***
- 2. Appoint Councillors Mackenzie, Synfield and Richardson and Director Infrastructure Services to oversee project development supported by Council’s Property Management Officer and Parks Project Officer.***
- 3. Design development to be undertaken in-house as far as possible.***
- 4. Where possible utilise the building skills of competent and qualified local trades persons.***

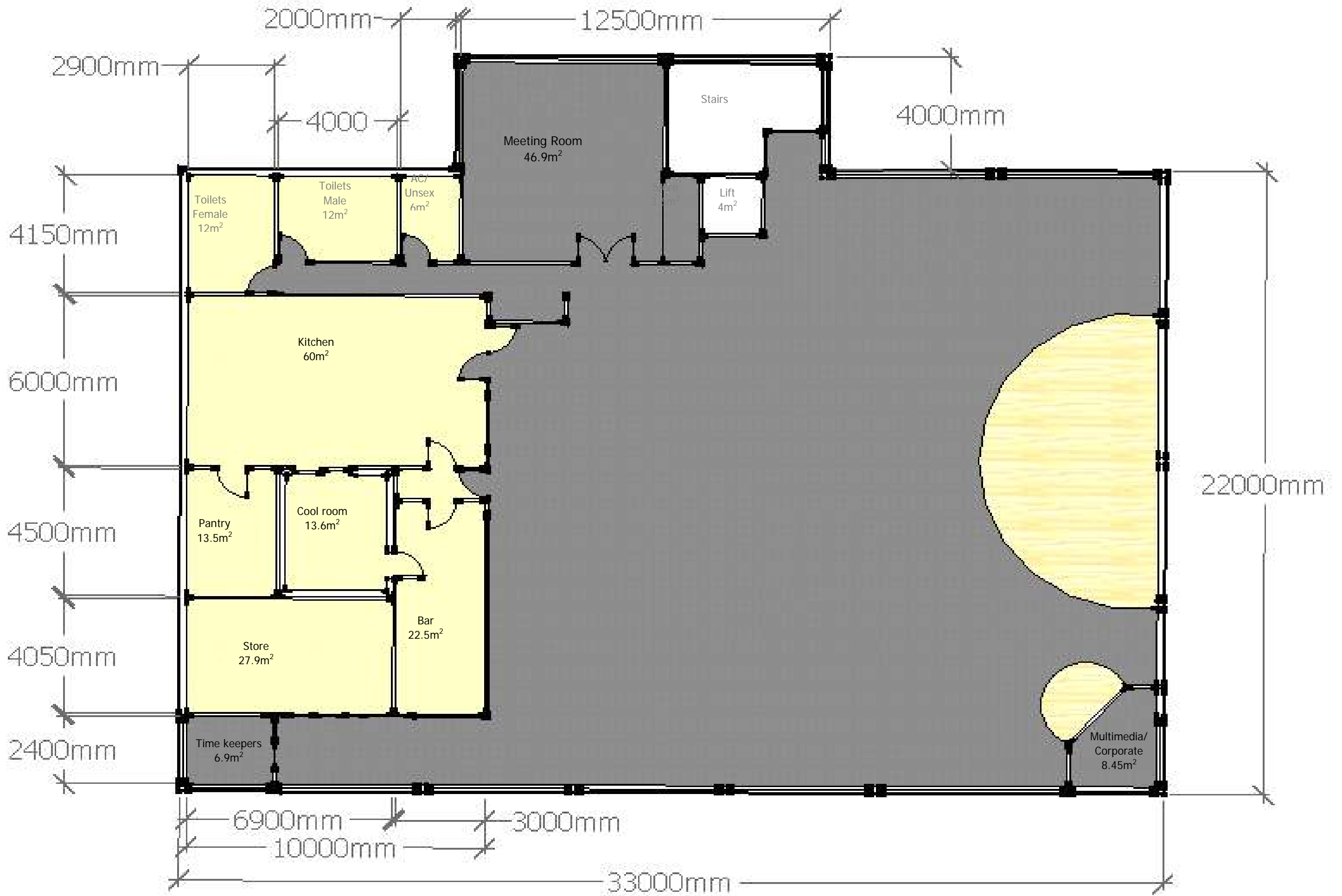
The motion was declared CARRIED by an absolute majority with Councillors Kelly, Mackenzie, Richardson, Synfield, and Temple voting for the motion and Councillors King, Perkins and White voting against the motion

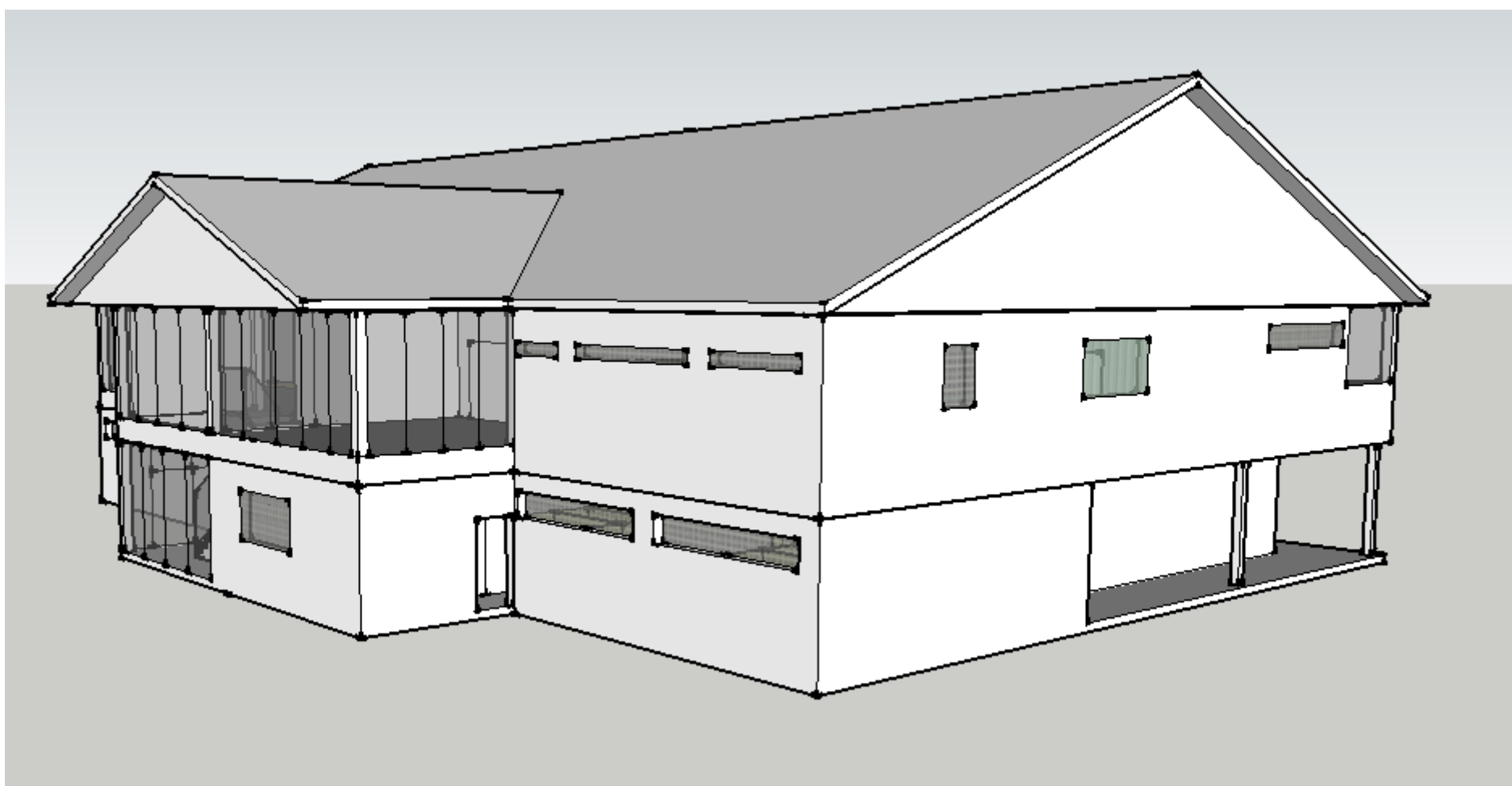
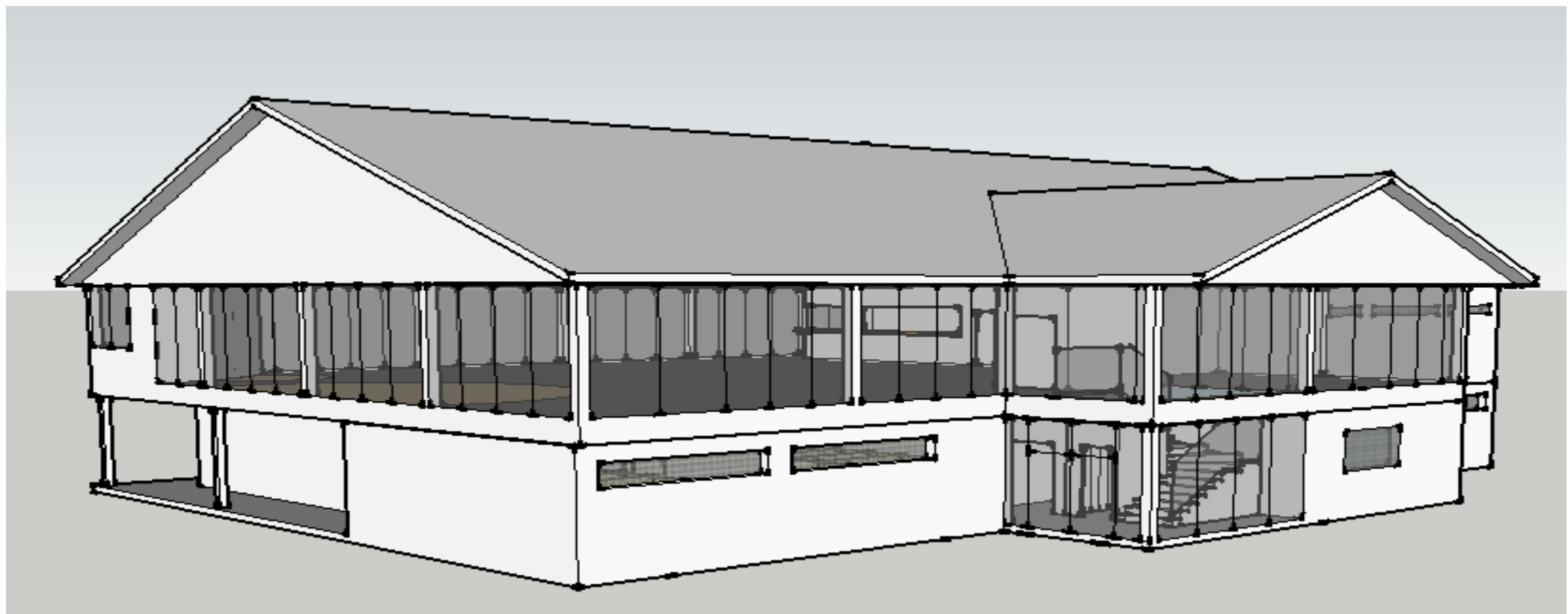
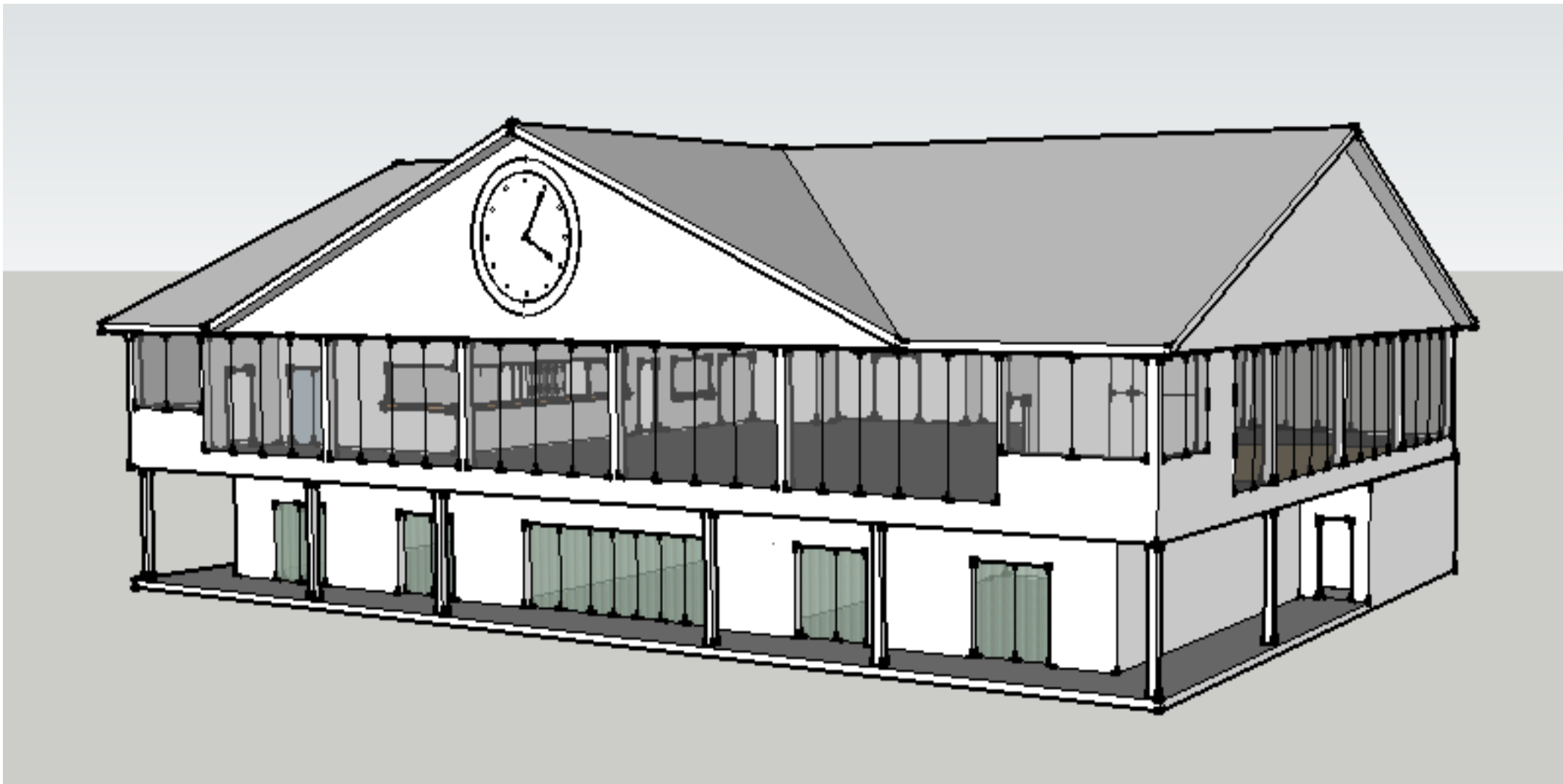
Comment by Cr Deborah White

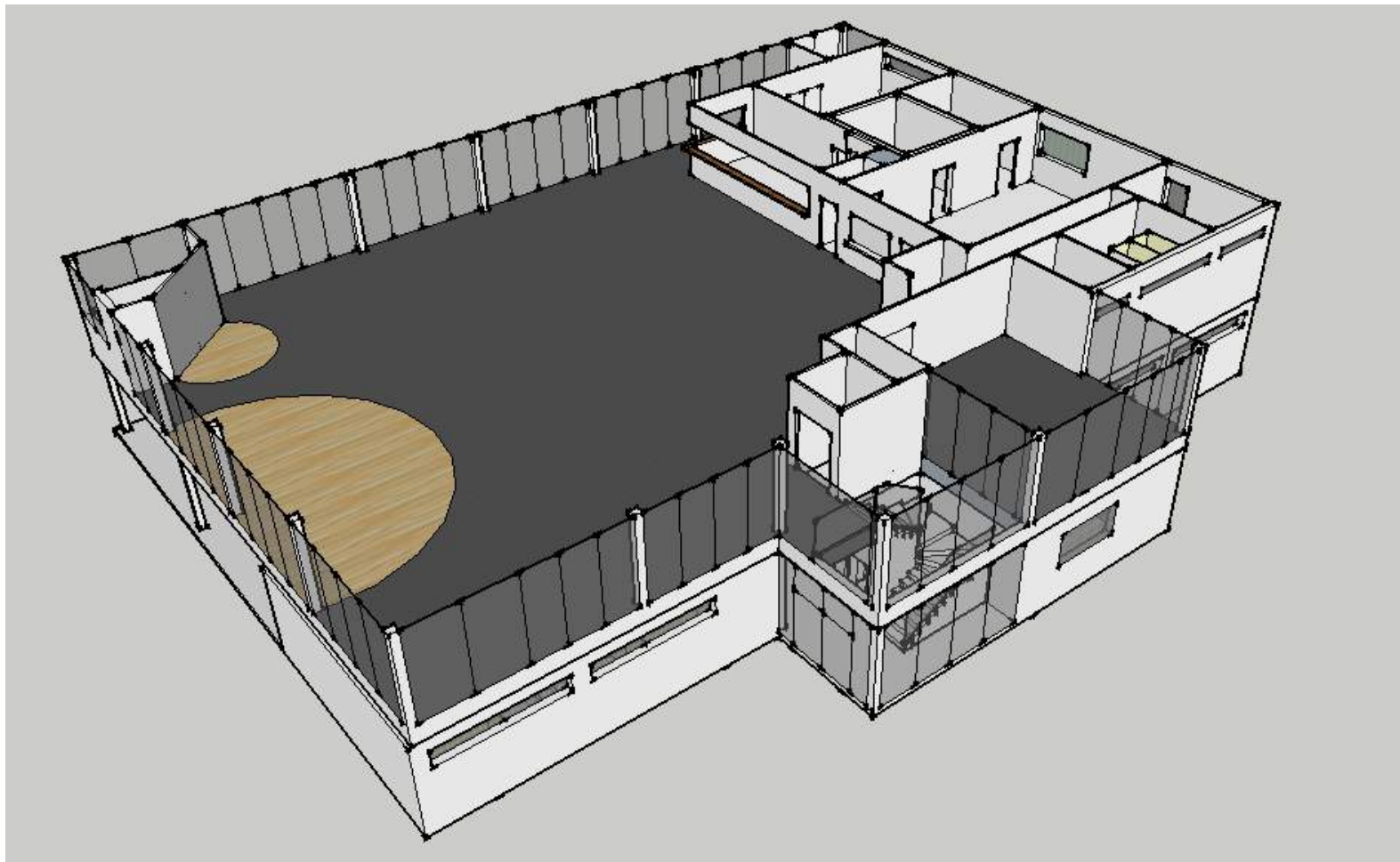
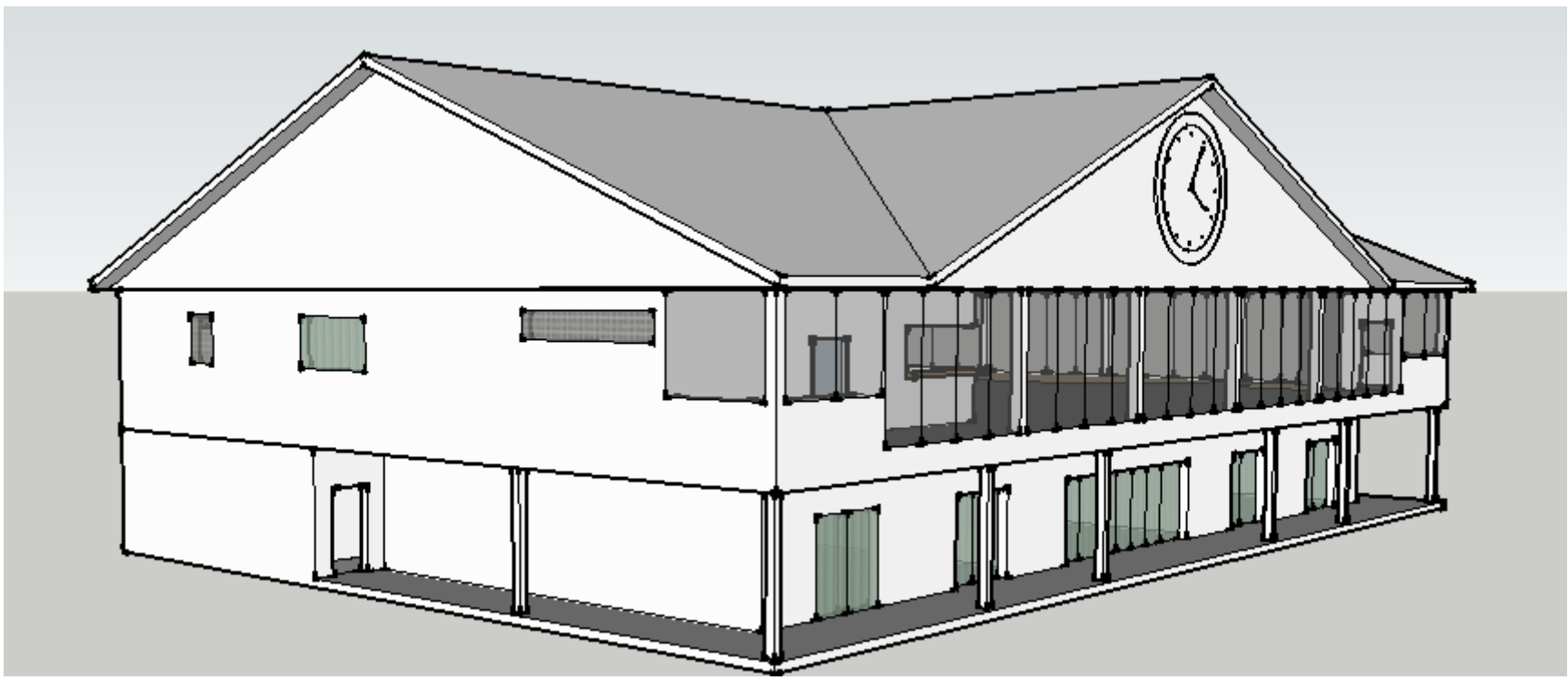
I have serious misgivings about this proposal which falls into 3 categories:

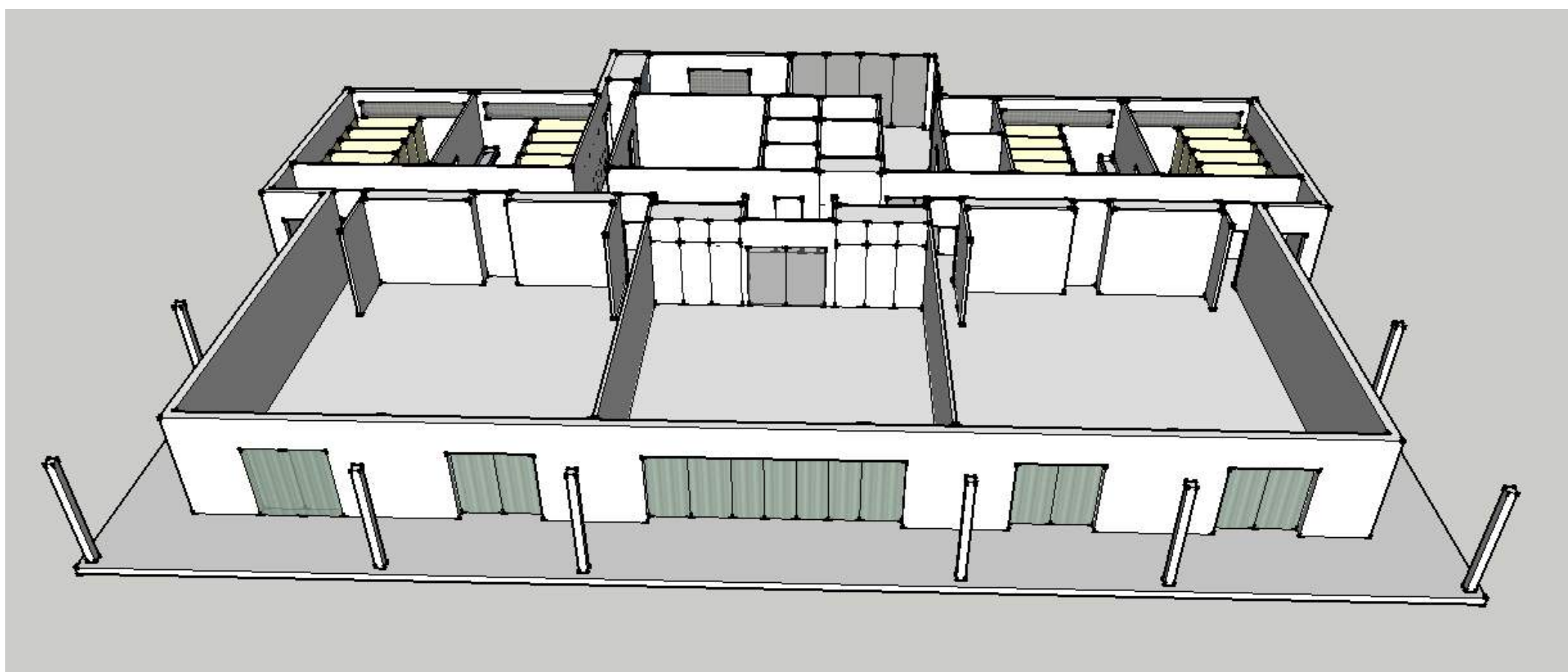
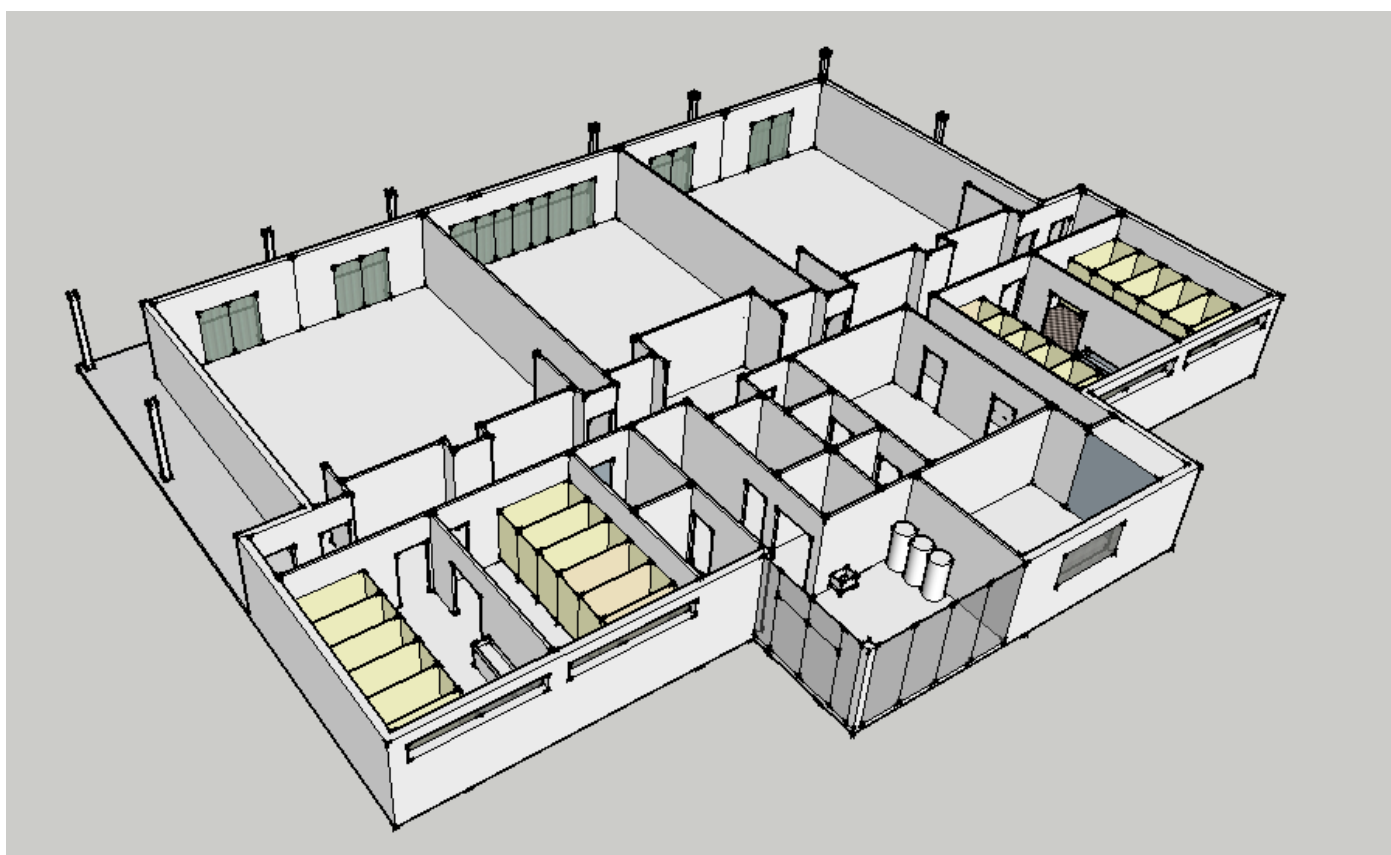
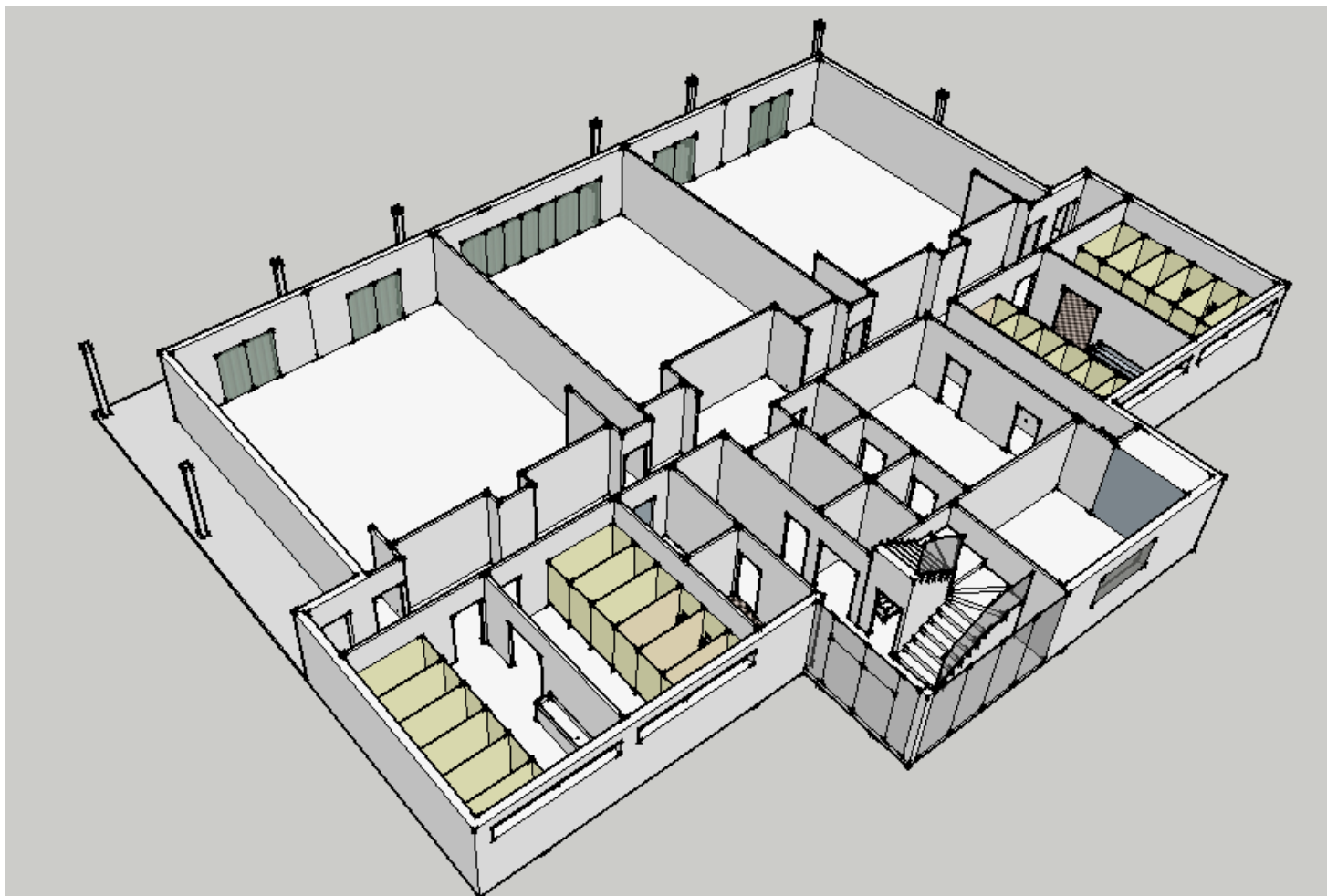
- (1) Paying for the ongoing costs of \$5 million facility.
- (2) The rate of usage, given that the projections voiced around the table seem overly optimistic given that they are in opposition to ABS data.
- (3) The potential for design flaws: already there is mention of bringing in a pie van to cater for those who don't want to go upstairs to buy food.











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** by an absolute majority with Councillors Kelly, King, Mackenzie, Perkins, Richardson, Synfield, Temple and White voting for the motion.*

207/2017 CONFIRMATION OF MINUTES

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 8 August 2017.

208/2017 LEAVE OF ABSENCE

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

209/2017 WESTBURY RECREATION GROUND PAVILION UPGRADE STAGE 1

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

210/2017 CONTRACT 182 – 2017-18 ASPHALT AND BITUMINOUS SEALING OF ROADS

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

211/2017 ANNUAL PERFORMANCE REVIEW

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

The meeting moved into Closed Session at 5.34pm

The meeting re-opened to the public at 5.58pm

Cr White moved and Cr Mackenzie seconded "***that the following decision was taken by Council in Closed Session and is to be released for the public's information:***

- ***that Council award Contract 182 – 2017-18 Asphalt and Bituminous Sealing of Roads, incorporating Schedule 1 and Schedule 2, to Venarchie Contracting Pty. Ltd.***

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

The meeting closed at 5.58pm

.....CRAIG PERKINS (MAYOR)