



Meander Valley Council

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

# **ORDINARY MINUTES**

**COUNCIL MEETING**

**Tuesday 12 February 2019**

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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 February 2019 at 4.00pm.

**PRESENT:** Mayor Wayne Johnston, Councillors Susie Bower, Stephanie Cameron, Andrew Connor, Tanya King, Andrew Sherriff and John Temple.

**APOLOGIES:** Deputy-Mayor Michael Kelly, Councillor Frank Nott

**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 Co-ordinator  
Marianne MacDonald, Communications Officer

## **18/2019 CONFIRMATION OF MINUTES:**

Councillor Bower moved and Councillor Sherriff seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 15 January 2019, be received and confirmed.”***

***The motion was declared CARRIED with Councillors Bower, Cameron, Connor, Johnston, King, Sherriff and Temple voting for the motion.***

## **19/2019 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:**

Date :	Items discussed:
22 January 2019	<ul style="list-style-type: none"><li>• NTDC – Regional Economic Development Plan</li><li>• Council Induction</li><li>• Blackstone Heights Footpath Upgrades Stage 2</li><li>• Community Forums</li><li>• Waste Management Presentation &amp; Rural Rubbish &amp; recycling collection service</li><li>• Review of the Local Government Act 1993</li></ul>

## **20/2019 ANNOUNCEMENTS BY THE MAYOR:**

### **Saturday 19 January 2019**

Leadership Panel for Emerging Leaders – Rural Youth

### **Tuesday 22 January 2019**

Council Workshop

### **Friday 25 January 2019**

Australia Day Awards

### **Saturday 26 January 2019**

Westbury RSL Australia Day Breakfast  
Chudleigh Hall Australia Day Breakfast  
Red Hot Summer Tour – Meet and Greet

## **21/2019 DECLARATIONS OF INTEREST:**

34/2019 Contract No. 200 2018/19 – Design & Construction of Bridges – Western Area – Mayor Wayne Johnston

## **22/2019 TABLING OF PETITIONS:**

Nil

## **23/2019 PUBLIC QUESTION TIME**

### **1. PUBLIC QUESTIONS TAKEN ON NOTICE – JANUARY 2019**

#### **1.1 Mr M Eastley, Deloraine**

Would Council please consider convening a meeting to resolve issues from the work of the now defunct Safety Committee? A copy of the Safety Audit, which has been with Council for at least 12 months, is attached.

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

***Council will organise a meeting to discuss the status and resolution of the remaining items on the Safety Audit.***

### **2. PUBLIC QUESTIONS WITH NOTICE – FEBRUARY 2019**

Nil

### **3. PUBLIC QUESTIONS WITHOUT NOTICE – FEBRUARY 2019**

Nil

## **24/2019 COUNCILLOR QUESTION TIME**

### **1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – JANUARY 2019**

Nil

### **2. COUNCILLOR QUESTIONS WITH NOTICE – FEBRUARY 2019**

Nil

### **3. COUNCILLOR QUESTIONS WITHOUT NOTICE – FEBRUARY 2019**

#### **3.1 Cr Andrew Connor**

Telecommunications Tower Appeal

Can the General Manager provide an update on the appeal against Council's decision to refuse an application for a Telecommunication Facility at Zenith Court, Blackstone Heights? And costs to this stage?

**Response by Martin Gill, General Manager**

**A Directions Hearing was held on 16 January 2019.**

**In the lead up to the hearing one party who had made a representation applied to join the appeal. Following the hearing another representor joined the appeal. At the directions hearing no amendments were sought to be made to the grounds of refusal or the grounds of appeal.**

**Following the hearing, at the direction of the Tribunal, the first joined party submitted an application to enlarge. The application to enlarge was submitted on 23 January. There were 7 issues raised in the application. Council and the appellant provided a response to the application to enlarge. The Tribunal considered the application to enlarge and the responses from Council and the appellant.**

**The Tribunal determined the following matters would be enlarged:**

- **The proposed lease between TasWater and Telstra and whether it is capable of exceeding 10 years**
- **The setback of the proposed tower**

**Mediation was held on 12 February 2019. The mediation did not result in a resolution to the matters under appeal.**

**The hearing is scheduled for 8 April 2019.**

**We have not received any invoices from our solicitor so we do not know the costs to this stage.**

## **25/2019 DEPUTATIONS BY MEMBERS OF THE PUBLIC**

Nil

## **26/2019 NOTICE OF MOTION**

**Notice of Motion** - Cr Andrew Connor

### **ACCESSIBILITY OF COUNCIL MEETINGS**

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#### **1) Motion**

That Council make its meetings accessible to the community through online streaming and recording of proceedings as follows:

- a. Make a live video stream of Council meetings available online
- b. Record audio & video of Council meetings and make these recordings available online soon after the meeting
- c. Make electronic content such as presentations and live agendas available as part of or alongside any video stream or recording
- d. Make all content accessible on mobile devices
- e. Make video and content available in the Supper Room when it is used as an overflow facility
- f. Allow for live streaming and recording of committee meetings if approved by those committees
- g. Connect the teleconference system to the audio system of the Council Chambers so that remote participants of meetings can clearly hear and be heard
- h. Allow for other methods of remote participation such as Skype or similar online communications systems
- i. All speakers at the meeting are to use a microphone

#### **DECISION:**

Cr Connor moved "that Council make its meetings accessible to the community through online streaming and recording of proceedings as follows:

- a. Make a live video stream of Council meetings available online
- b. Record audio & video of Council meetings and make these recordings available online soon after the meeting
- c. Make electronic content such as presentations and live agendas available as part of or alongside any video stream or recording

- d. Make all content accessible on mobile devices
- e. Make video and content available in the Supper Room when it is used as an overflow facility
- f. Allow for live streaming and recording of committee meetings if approved by those committees
- g. Connect the teleconference system to the audio system of the Council Chambers so that remote participants of meetings can clearly hear and be heard
- h. Allow for other methods of remote participation such as Skype or similar online communications systems
- i. All speakers at the meeting are to use a microphone

## **DECISION:**

**The motion lapsed for want of a seconder.**



## **PLANNING AUTHORITY**

For the purposes of considering the following Planning Authority items, Council is acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993.

### **27/2019 10 COOK STREET, HADSPEN**

The Mayor invited Leonie Brazendale and Karen De Bruyn to address Council regarding this agenda item.

**Planning Application:** PA\19\0126

**Proposal:** Residential outbuilding

**Author:** Leanne Rabjohns  
Town Planner

#### **1) Recommendation**

***It is recommended that the application for Use and Development for Residential Outbuilding on land located at 10 Cook Street, Hadspen CT 162555/3 by M Stylianou, be APPROVED, generally in accordance with the endorsed plans:***

- a) Wilkin Design – Job Number: DA/BA-18STY – Page Number: 01 & 02***
- b) Rainbow Building Solutions – Project number: LAU01\_8406 – Drawing number: 14***

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

- 1. Prior to the commencement of any works, amended plans must be submitted for approval to the satisfaction of Council's Town Planner. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must show:**
  - a) The maximum side wall height (to eaves) of the outbuilding being 2.7m and the roof pitch being 22.5°.**
- 2. The use of outbuilding is not permitted for human habitation and is limited to residential storage and related residential activities only.**

**3. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2018/02045-MVC) attached.**

Note:

1. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).
2. This permit 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 approvalAll enquiries should be directed to Council's Permit Authority on 6393 5322 or Council's Plumbing Surveyor on 0419 510 770.
3. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) Any other required approvals under this or any other Act are granted.
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
7. In accordance with the legislation, all permits issued by the permit authority

are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.

8. If any Aboriginal relics are uncovered during works;
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## **DECISION:**

***Cr Sherriff moved and Cr King seconded "that the application for Use and Development for Residential Outbuilding on land located at 10 Cook Street, Hadspen CT 162555/3 by M Stylianou, be APPROVED, generally in accordance with the endorsed plans:***

- a) Wilkin Design – Job Number: DA/BA-18STY – Page Number: 01 & 02***
- b) Rainbow Building Solutions – Project number: LAU01\_8406 – Drawing number: 14***

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

- 1. Prior to the commencement of any works, amended plans must be submitted for approval to the satisfaction of Council's Town Planner. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must show:**
  - a) The maximum side wall height (to eaves) of the outbuilding being 2.7m and the roof pitch being 22.5°.**
- 2. The use of outbuilding is not permitted for human habitation and is limited to residential storage and related residential activities only.**

**3. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2018/02045-MVC) attached.**

Note:

1. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).
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3. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) Any other required approvals under this or any other Act are granted.
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.

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

***The motion was declared CARRIED with Councillors Bower, Cameron, Connor, Johnston, King and Temple voting for the motion AND Cr Sherriff voting against the motion.***

## **28/2019 280 EXTON ROAD, EXTON**

<b>Planning Application:</b>	PA\19\0121
<b>Proposal:</b>	Resource Development (controlled climate agriculture) – polytunnels, agricultural building, workers accommodation, dwelling, office and associated signage
<b>Author:</b>	Justin Simons Town Planner

### **1) Recommendation**

***It is recommended that the application for Use and Development for Resource Development (Controlled Climate Agriculture) on land located at 280 Exton Road, Exton, CT 175297/1, by Rebecca Green and Associates, be APPROVED, generally in accordance with the endorsed plans:***

- a) Rebecca Green and Associates – Planning Submission***
- b) PDA Surveyors - Job Number: 40401 – Sheet: D03***
- c) Charlie Ellis Architecture – Location Plan, Site Plan, Floor Plan, Elevations, Proposed Offices***
- d) Adorn Drafting – Drawing Number: DWG 420 – Sheets: 3,4, 5 & 6***
- e) Ranbuild – Drawing Number: LAUNC2-4393 – Sheet: 1***

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

- 1. Prior to the commencement of works:**
  - a) the existing southern driveway access is to be swept of loose material where it intersects with Exton Road to the satisfaction of the Director Infrastructure Services (see Note 1).**
  - b) Low lying vegetation to the south of the existing southern access near the bridge on Exton Road is to be removed to the satisfaction of the Director Infrastructure Services (see Note 1)**
- 2. Prior to the commencement of use of the approved dwelling, the existing dwelling is to cease being used as a residence and is to be converted to office space in accordance with the endorsed plans.**
- 3. Once converted, the proposed office is not to be used as a dwelling or any form of accommodation.**

- 4. All waste is to be managed such that it does not enter the dam or adjacent watercourse, or leave the site (other than removal to a legal waste disposal facility).**
- 5. All commercial and employee vehicles associated with the business are to be parked within the property boundaries.**
- 6. The accommodation approved by this permit is only to be used by people employed at the subject site and is not to be used by the general public or people employed offsite.**

Note:

1. Prior to any work being carried out within the road reservation, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed, all enquiries should be directed to Council's Infrastructure Department on telephone 6393 5312.
2. An assessment of the existing on-site wastewater management system servicing the dwelling/future office will need to be undertaken by a suitably qualified practitioner to ascertain whether the existing system is appropriate for handling the wastewater volume resulting from the change of use. Should the system require modifying, a Plumbing Permit will be required at the Building and Plumbing permit application stage. An on-site wastewater design report by a suitably qualified practitioner is also required to accompany the application for a Plumbing Permit.
3. An application for a Plumbing Permit will be required at the Building and Plumbing Permit application stage for the on-site wastewater system servicing the new dwelling and workers accommodation. An on-site wastewater design report by a suitably qualified practitioner is also required to accompany the application for a Plumbing Permit.
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](mailto: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](http://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. An extension may be granted if a request is received.
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](mailto: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 Cameron seconded "that the application for Use and Development for Resource Development (Controlled Climate Agriculture) on land located at 280 Exton Road, Exton, CT 175297/1, by Rebecca Green and Associates, be APPROVED, generally in accordance with the endorsed plans:**

- a) Rebecca Green and Associates – Planning Submission**
- b) PDA Surveyors - Job Number: 40401 – Sheet: D03**
- c) Charlie Ellis Architecture – Location Plan, Site Plan, Floor Plan, Elevations, Proposed Offices**
- d) Adorn Drafting – Drawing Number: DWG 420 – Sheets: 3,4, 5 & 6**
- e) Ranbuild – Drawing Number: LAUNC2-4393 – Sheet: 1**

**and subject to the following conditions:**

- 1. Prior to the commencement of works:**
  - a) the existing southern driveway access is to be swept of loose material where it intersects with Exton Road to the satisfaction of the Director Infrastructure Services (see Note 1).**
  - b) Low lying vegetation to the south of the existing southern access near the bridge on Exton Road is to be removed to the satisfaction of the Director Infrastructure Services (see Note 1)**
- 2. Prior to the commencement of use of the approved dwelling, the existing dwelling is to cease being used as a residence and is to be converted to office space in accordance with the endorsed plans.**
- 3. Once converted, the proposed office is not to be used as a dwelling or any form of accommodation.**
- 4. All waste is to be managed such that it does not enter the dam or adjacent watercourse, or leave the site (other than removal to a legal waste disposal facility).**
- 5. All commercial and employee vehicles associated with the business are to be parked within the property boundaries.**
- 6. The accommodation approved by this permit is only to be used by people employed at the subject site and is not to be used by the general public or people employed offsite.**

Note:

1. Prior to any work being carried out within the road reservation, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed, all enquiries should be directed to Council's Infrastructure Department on telephone 6393 5312.
2. An assessment of the existing on-site wastewater management system servicing the dwelling/future office will need to be undertaken by a suitably qualified practitioner to ascertain whether the existing system is appropriate for handling the wastewater volume resulting from the change of use. Should the system require modifying, a Plumbing Permit will be required at the Building and Plumbing permit application stage. An on-site wastewater design report by a suitably qualified practitioner is also required to accompany the application for a Plumbing Permit.
3. An application for a Plumbing Permit will be required at the Building and Plumbing Permit application stage for the on-site wastewater system servicing the new dwelling and workers accommodation. An on-site wastewater design report by a suitably qualified practitioner is also required to accompany the application for a Plumbing Permit.
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](mailto:mail@mvc.tas.gov.au).
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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](http://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. An extension may be granted if a request is received.
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](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

***The motion was declared CARRIED with Councillors Bower, Cameron, Connor, Johnston, King, Sherriff and Temple voting for the motion.***

## **29/2019 46 WEST CHURCH STREET, DELORAINE**

**Planning Application:** PA\19\0117

**Proposal:** Subdivision (2 lots)

**Author:** Leanne Rabjohns  
Town Planner

### **1) Recommendation**

***It is recommended that the application for Use and Development for a Subdivision (2 lots) on land located at 46 West Church Street, Deloraine CT 128269/1 by PDA Surveyors, be APPROVED, generally in accordance with the endorsed plans:***

- 1. PDA Surveyors – Plan of Subdivision – Reference: 43251JD-1**

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

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
  - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
  - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
  - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**
- 2. The driveway crossover servicing Lot 1 is to be constructed in accordance with LGAT Standard Drawing TSD-R09-V1 and to the satisfaction of Council's Director Infrastructure Services (see Note 1).**
- 3. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
  - a) Amended Plan of Subdivision showing the crossover for Lot 1 being relocated to the south-east corner off West Church Street and that the wording of the connection to the sewer to**

**Lot 1 is corrected, to the satisfaction of Council's Director Infrastructure Services.**

**b) The developer must pay to Council \$1,600.00, a sum equivalent to 5% of the unimproved value of the approved lots, as a Public Open space contribution.**

**c) The crossover for Lot 1 must be constructed as per Condition 2 above.**

**4. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2018/02050-MVC) attached.**

Note:

1. Prior to the construction of the driveways, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on telephone 6393 5312.
2. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).
3. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
  - c) Any other required approvals under this or any other Act are granted.
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so

notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

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

## **DECISION:**

***Cr Connor moved and Cr Sherriff seconded that the application for Use and Development for a Subdivision (2 lots) on land located at 46 West Church Street, Deloraine CT 128269/1 by PDA Surveyors, be APPROVED, generally in accordance with the endorsed plans:***

- 1. PDA Surveyors – Plan of Subdivision – Reference: 43251JD-1**

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

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



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

***The motion was declared CARRIED with Councillors Bower, Cameron, Connor, Johnston, King, Sherriff and Temple voting for the motion.***



**30/2019 NORTHERN TASMANIA DEVELOPMENT CORPORATION – QUARTERLY REPORT**

**1) Recommendation**

*It is recommended that Council receive the Northern Tasmania Development Corporation Quarterly Organisation Progress Report December 2018.*

**DECISION:**

*Cr Bower moved and Cr King seconded “that Council receive the Northern Tasmania Development Corporation Quarterly Organisation Progress Report December 2018.”*

*The motion was declared CARRIED with Councillors Bower, Cameron, Connor, Johnston, King, Sherriff and Temple voting for the motion.*

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

Councillor Temple 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 Bower, Cameron, Connor, Johnston, King, Sherriff and Temple voting for the motion.***

The meeting moved into Closed Session at 4.18pm

### **31/2019 CONFIRMATION OF MINUTES**

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 15 January, 2018.

### **32/2019 LEAVE OF ABSENCE**

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

### **33/2019 CONTRACT NO. 191 – 2018/19 - BLACKSTONE HEIGHTS FOOTPATH UPGRADES STAGE 2**

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

### **34/2019 CONTRACT NO 200 – 2018/19 – DESIGN & CONSTRUCTION OF BRIDGES – WESTERN AREA**

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

The meeting re-opened to the public at 4.38pm

Cr King moved and Cr Bower seconded "***that the following decisions taken by Council in Closed Session be released for the public's information-***

***Award Contract No. 191 – Blackstone Heights Footpath Upgrades Stage 2 to Crossroads Civil Contracting Pty Ltd for the construction of a concrete path and associated works.***

***and***

***Award Contract No.200 - 2018-19 – Design and Construction of Bridge No's 3585, 4274 and 5069 to TasSpan."***

***The motion was declared CARRIED with Councillors Bower, Cameron, Connor, Johnston, King, Sherriff and Temple voting for the motion.***

The meeting closed at 4.39pm

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WAYNE JOHNSTON (MAYOR)