

Meander Valley Council

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

# **ORDINARY AGENDA**

**COUNCIL MEETING**

**Tuesday 12 March 2019**

# **COUNCIL MEETING VISITORS**

Visitors are most welcome to attend Council meetings.

Visitors attending a Council Meeting agree to abide by the following rules:-

- Visitors are required to sign the Visitor Book and provide their name and full residential address before entering the meeting room.
- Visitors are only allowed to address Council with the permission of the Chairperson.
- When addressing Council the speaker is asked not to swear or use threatening language.
- Visitors who refuse to abide by these rules will be asked to leave the meeting by the Chairperson.

## **SECURITY PROCEDURES**

- Council staff will ensure that all visitors have signed the Visitor Book.
- A visitor who continually interjects during the meeting or uses threatening language to Councillors or staff, will be asked by the Chairperson to cease immediately.
- If the visitor fails to abide by the request of the Chairperson, the Chairperson shall suspend the meeting and ask the visitor to leave the meeting immediately.
- If the visitor fails to leave the meeting immediately, the General Manager is to contact Tasmania Police to come and remove the visitor from the building.
- Once the visitor has left the building the Chairperson may resume the meeting.
- In the case of extreme emergency caused by a visitor, the Chairperson is to activate the Distress Button immediately and Tasmania Police will be called.



PO Box 102, Westbury,  
Tasmania, 7303

Dear Councillors

I wish to advise that an ordinary meeting of the Meander Valley Council will be held at the Westbury Council Chambers, 26 Lyall Street, Westbury, on **Tuesday 12 March 2019 at 4.00pm.**

Martin Gill  
**GENERAL MANAGER**

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**Evacuation and Safety:**

At the commencement of the meeting the Mayor will advise that,

- Evacuation details and information are located on the wall to his right;
- In the unlikelyhood of an emergency evacuation an alarm will sound and evacuation wardens will assist with the evacuation. When directed, everyone will be required to exit in an orderly fashion through the front doors and go directly to the evacuation point which is in the car-park at the side of the Town Hall.

Agenda for an Ordinary Meeting of the Meander Valley Council to be held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 12 March 2019 at 4.00pm.

**PRESENT:****APOLOGIES:****IN ATTENDANCE:****CONFIRMATION OF MINUTES:**

Councillor xx moved and Councillor xx seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 12 February 2019, be received and confirmed.”***

**COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:**

Date :	Items discussed:
26 February 2019	<ul style="list-style-type: none"> <li>• Presentation by NTWMG</li> <li>• Presentation by Meander Valley FM Community Radio</li> <li>• Capital Works – Initial Discussion</li> <li>• Planning Delegations/Representations</li> <li>• Agfest</li> <li>• Local Government Act Review</li> <li>• IT Strategic Plan</li> <li>• Four Springs</li> <li>• Westbury Camping</li> <li>• Policy 24 – Councillor Entitlements</li> <li>• Policy 90 – Mobile Food Vans</li> <li>• Code of Conduct</li> <li>• Meander Valley Community Strategic Plan</li> <li>• Local Provisions Schedule representations</li> </ul>

## **ANNOUNCEMENTS BY THE MAYOR:**

### **7 February**

TasWater owners rep meeting

### **11 February**

Cocktail party – Tasmanian cabinet

### **12 February**

Community Cabinet meeting

Council Meeting

### **12 February**

Landowners meeting for Westbury industrial site

### **26 February**

Council Workshop

### **28 February**

GWATA - Judging of essence of the valley

### **1 March**

Opening – Great Western Tiers Art Awards

### **3 March**

Meeting with Deloraine Recreation Precinct Working Group

## **DECLARATIONS OF INTEREST:**

## **TABLING OF PETITIONS:**

# **PUBLIC QUESTION TIME**

## **General Rules for Question Time:**

Public question time will continue for no more than thirty minutes for 'questions on notice' and 'questions without notice'.

At the beginning of public question time, the Chairperson will firstly refer to the questions on notice. The Chairperson will ask each person who has a question on notice to come forward and state their name and where they are from (suburb or town) before asking their question(s).

The Chairperson will then ask anyone else with a question without notice to come forward and give their name and where they are from (suburb or town) before asking their question.

If called upon by the Chairperson, a person asking a question without notice may need to submit a written copy of their question to the Chairperson in order to clarify the content of the question.

A member of the public may ask a Council officer to read their question for them.

If accepted by the Chairperson, the question will be responded to, or, it may be taken on notice as a 'question on notice' for the next Council meeting. Questions will usually be taken on notice in cases where the questions raised at the meeting require further research or clarification. These questions will need to be submitted as a written copy to the Chairperson prior to the end of public question time.

The Chairperson may direct a Councillor or Council officer to provide a response.

All questions and answers must be kept as brief as possible.

There will be no debate on any questions or answers.

In the event that the same or similar question is raised by more than one person, an answer may be given as a combined response.

Questions on notice and their responses will be minuted.

Questions without notice raised during public question time and the responses to them will not be minuted or recorded in any way with exception to those questions taken on notice for the next Council meeting.

Once the allocated time period of thirty minutes has ended, the Chairperson will declare public question time ended. At this time, any person who has not had the opportunity to put forward a question will be invited to submit their question in writing for the next meeting.

## **Notes**

- Council officers may be called upon to provide assistance to those wishing to register a question, particularly those with a disability or from non-English speaking cultures, by typing their questions.
- The Chairperson may allocate a maximum time for each question, depending on the complexity of the issue, and on how many questions are asked at the meeting. The Chairperson may also indicate when sufficient response to a question has been provided.

- Limited Privilege: Members of the public should be reminded that the protection of parliamentary privilege does not apply to local government, and any statements or discussion in the Council Chamber or any document, produced are subject to the laws of defamation.

For further information please telephone 6393 5300 or visit [www.meander.tas.gov.au](http://www.meander.tas.gov.au)

## **PUBLIC QUESTION TIME**

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

Nil

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

#### **2.1 S & A Camino – Hagley**

Would Council consider the installation of a public dump point (black water disposal unit) in Westbury, as a matter of priority, in an effort to attract and retain the ever increasing numbers of RV (recreational Vehicle) tourists within the Meander Valley which have demonstrated benefits for local businesses?

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

***The request within your question will be provided to the Infrastructure Department for inclusion in the new capital work initiatives process and presented to Council for consideration.***

#### **2.2 S & A Camino – Hagley**

When will Council provide 24 hour Public Toilet Access at the Hagley Recreation Ground?

#### ***Response from General Manager***

***There are currently no plans to provide 24 hour public toilet access at the Hagley Recreation Ground. The existing toilet is a facility toilet for users of the Recreation Ground.***



### 3. PUBLIC QUESTIONS WITHOUT NOTICE – MARCH 2019

## COUNCILLOR QUESTION TIME

### 1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – FEBRUARY 2019

Nil

### 2. COUNCILLOR QUESTIONS WITH NOTICE – MARCH 2019

#### 2.1 Cr Tanya King

- (a) What is the total land area of Tasmanian Wilderness World Heritage Area within the Meander Valley Municipality?

***Response by Martin Gill, General Manager***  
***1,258 sq. km. (Total area Meander Valley - 3,325 sq. km)***

- (b) What percentage of the Municipal land mass does this represent?

***Response by Martin Gill, General Manager***  
***Approximately 38%***

- (c) A newspaper article in the Mercury dated 20/2/19 by David Killick states that 'past inquiries in 2013 and 2016 identified practical solutions to problems that were identified'. Could council please source copies of the findings from these inquiries?

***Response by Martin Gill, General Manager***  
***Council has a copy of the following reports on record:***

- ***2013 Tasmanian Bushfires Inquiry***
- ***Tasmanian Wilderness World Heritage Area Bushfire and Climate Change Research Project – response to 2016 fires***
- ***Federal Senate – Environment and Communications References Committee: Response to, and lessons learnt from, the January and February 2016 Bushfires in remote Tasmanian wilderness***

- (d) Michael Ferguson MP has indicated that yet another inquiry will take place following the current fire season. Could Council please contact Minister Ferguson to ask what actions were taken in response to the previous two inquiries?

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

**Council will contact the Hon. Michael Ferguson MP.**

**It is noted that the Report of the Auditor General No.4 2015 – 2016 included a report on the 2013 Tasmanian Bushfires inquiry. The report included an assessment of the level of completion for each of the recommendations from the inquiry. The Auditor general qualifies the assessment stating - the assessment is based on whether everything that could reasonably have been done at this point in time has been done.**

**The Auditor General found that:**

**There had been a high level of implementation of the inquiry's 30 immediate and 25 secondary recommendations.**

- (e) When a fire occurs in the TWWHA, who decides on whether to fight the fire, or not? What is the current protocol for fire management in the TWWHA?

**Response by Martin Gill, General Manager**

**The following extract is taken from the Tasmanian Wilderness World Heritage Area Bushfire and Climate Change Research Project**

**Tasmania Parks and Wildlife Service is the management authority for the TWWHA and meets its responsibility for managing bushfire in the TWWHA through a combination of activities. These activities are guided by the TWWHA Management Plan 2016 and other well-developed policies and plans that cover bushfire prevention, preparedness, response and recovery.**

**The Tasmania Fire Service supports and works closely with the Tasmania Parks and Wildlife Service in fire management in the TWWHA, but does not take a direct operational role for response in the TWWHA, except when very large fires occur, fire threatens human settlements or the fire operational capacity of the Tasmania Parks and Wildlife Service is exceeded. The Tasmania Fire Service has a collaborative role in terms of preparedness and may have a support role in recovery from some bushfires in the TWWHA. Forestry Tasmania also works closely and cooperatively with the Tasmania Parks and Wildlife Service in many aspects of fire management.**

(f) What has been the total financial cost to fight the fires this fire season?

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

***There has been no final financial cost published for the 2019 fires.***

***The cost of the firefighting response in 2016 is estimated at \$52.6 million. This cost was attributed to 145 vegetation fires at approx. 126,800 hectares, which includes 19,800 of TWWHA. (1.3% of TWWHA)***

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

## **DEPUTATIONS BY MEMBERS OF THE PUBLIC**

## CERTIFICATION

"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

1. the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation, and
2. where any advice is given directly to Council by a person who does not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person."



**Martin Gill**  
**GENERAL MANAGER**

"Notes: S65(1) of the Local Government Act requires the General Manager to ensure that any advice, information or recommendation given to the Council (or a Council committee) is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. S65(2) forbids Council from deciding any matter which requires the advice of a qualified person without considering that advice."

## **PLANNING AUTHORITY ITEMS**

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.

The following are applicable to all Planning Authority reports:

### **Strategic/Annual Plan Conformance**

Council has a target under the Annual Plan to assess applications within statutory timeframes.

### **Policy Implications**

Not applicable.

### **Legislation**

Council must process and determine the application in accordance with the *Land Use Planning and Approvals Act 1993* (LUPAA) and its Planning Scheme. The application is made in accordance with Section 57 of LUPAA.

### **Risk Management**

Risk is managed by the inclusion of appropriate conditions on the planning permit.

### **Financial Impact**

If the application is subject to an appeal to the Resource Management Planning and Appeal Tribunal, Council may be subject to the cost associated with defending its decision.

### **Alternative Options**

Council can either approve the application with amended conditions or refuse the application.

### **Voting Requirements**

Simple Majority

## **62 MEANDER VALLEY ROAD, HAGLEY**

Reference No. 44/2019

**Planning Application:** PA\19\0107  
**Proposal:** Visitor Accommodation (self-contained recreational vehicles (RVs))  
**Author:** Justin Simons  
Town Planner

### **1) Introduction**

Applicant	A & S Camino
Owner	A & S Camino
Property	62 Meander Valley Road, Hagley (CT:133662\1)
Zoning	Rural Resource Zone
Discretions	26.3.1 Uses if not a single dwelling E4.6.1 Use and road or rail infrastructure E6.7.1 Construction of car parking spaces and access strips E6.7.2 Design and layout of car parking E6.7.3 Car Parking access, safety and security E6.8.1 Pedestrian walkways
Existing Land Use	Resource Development/Residential
Number of Representations	One (1)
Decision Due	12 March 2019
Planning Scheme:	Meander Valley Interim Planning Scheme 2013 (the Planning Scheme)

### **2) Recommendation**

***It is recommended that the application for Use and Development for Visitor Accommodation (self-contained recreational vehicles) on land located at 62 Meander Valley Road, Hagley by A & S Camino, be APPROVED, generally in accordance with the endorsed plans:***

- 1. A & S Camino – Planning Application for Self-Contained RV Farm Stay – pages 1-3***
- 2. A & S Camino – email dated 8 January 2019***

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

- 1. No camping other than in self-contained recreational vehicles and motorhomes is permitted on the site (RVs). A self-contained recreational vehicle is a vehicle specifically built for the purpose that, along with built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black waste water, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.**
- 2. All rubbish generated by patrons, is to be removed from the property and disposed of in a legal disposal site.**
- 3. The location of the nearest "public wastewater dump point" is to be clearly identified and displayed in a prominent location at the entry.**
- 4. No generator, plant or power tool is to be operated:  
Monday to Friday - before 7am and after 6pm;  
Saturday - before 8am and after 6pm; and  
Sunday - before 10am and after 6pm.**
- 5. No permanent flood lighting is permitted to be erected to service the RV Camping area.**
- 6. Incidental signage is to be erected within the boundary of the property clearly communicating Conditions 1-4 above and showing a map of the camping area.**
- 7. The entrance is to be signposted with a "10km/h" speed limit sign and a sign indicating shared area for pedestrians and vehicles. The sign is to be located within the property boundary.**
- 8. The existing vegetation screen on Meander Valley Road (see Attachment A ) is to be maintained and any trees which are removed or suffer fatalities are to be replaced with a tree of similar scale and species.**
- 9. The existing access is to be upgraded in accordance with the issued works permit conditions and to the satisfaction of the Department of State Growth.**
- 10. Prior to the commencement of use:**
  - a. Signage is to be erected in accordance with Condition 6 and**

**Condition 7.**

- b. Written evidence from the Department of State Growth is to be submitted to Council, confirming that driveway works have been completed in accordance with Condition 9.**

**Note:**

1. The nearest "public waste water dump point" is currently located at the Deloraine Racecourse.
2. The landowner is responsible for ensuring that patrons abide by the conditions of the planning permit and that they are adequately communicated to them.
3. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)
4. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:
  - a) Building approval
  - b) Plumbing approval

All enquiries should be directed to Council's Permit Authority on 6393 5320 or Council's Plumbing Surveyor on 0419 510 770.

5. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
  - c) Any other required approvals under this or any other Act are granted.
6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au)



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

### 3) Background

This application proposes to use a part of the property located at 62 Meander Valley Road, Hagley, for visitor accommodation. The site will cater for up to 20 self-contained recreational vehicles as defined by the Camping and Motorhome Club of Australia (CMCA). The camp site is located in close proximity to the existing dwelling on the site and is delineated by an existing drainage line.

Minimal infrastructure is proposed to be provided. Developments include signage and improved access.

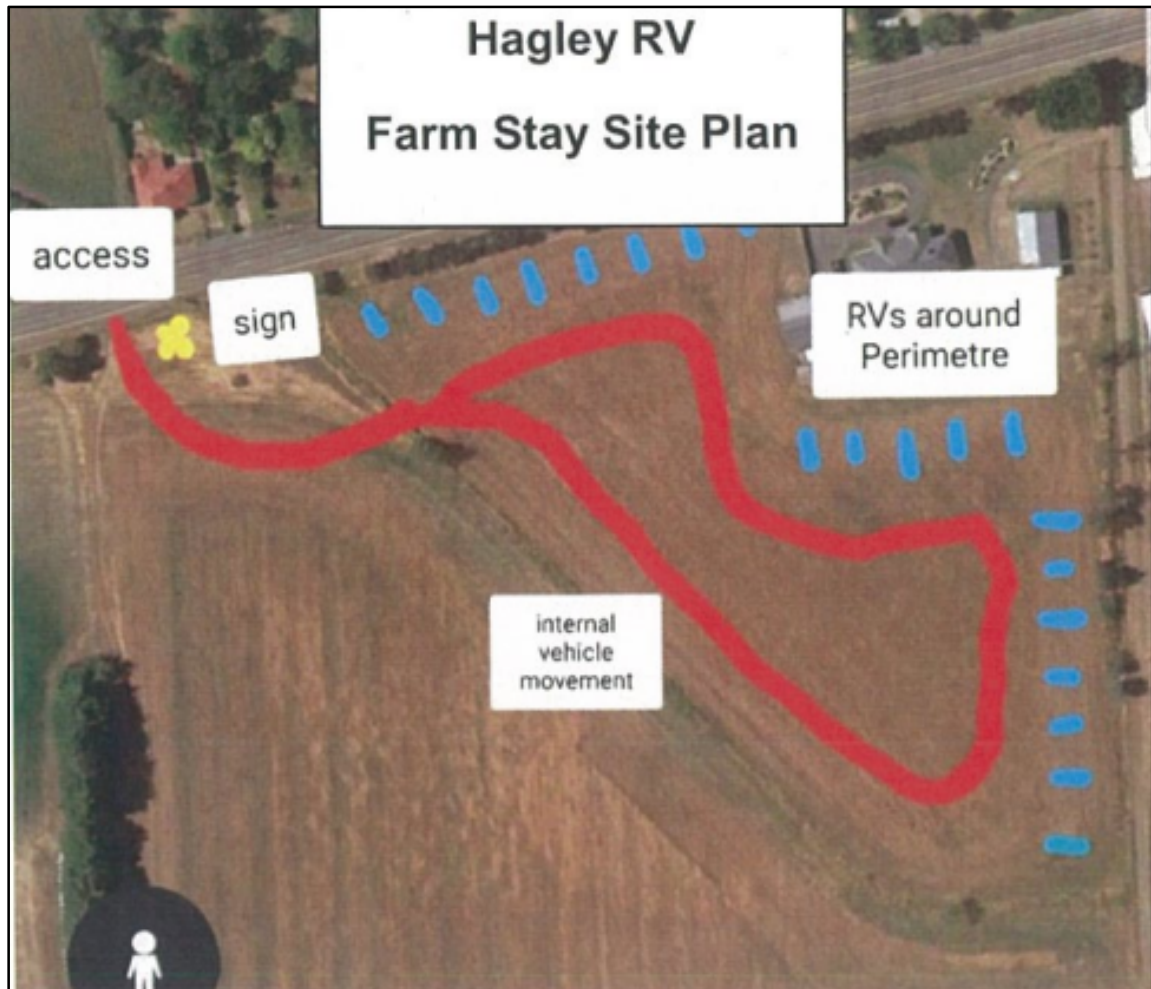


Figure 1: proposed site plan

#### 4) Representations

The application was advertised for the statutory 14-day period.

One (1) representation was received (attached document). A summary of the representation is as follows:

- a) Noise impacts
- b) Reduced privacy and security concerns
- c) Impact on village charm and visual impact
- d) Location of entry/exit and headlight impacts
- e) Height of sign and impact on views

Comment:

- a) Noise impacts have been considered by Council’s Environmental Health Officer (see attached document). It is anticipated that the impacts are

acceptable and can be managed with appropriate conditions. The nature of the use and the facilities provided onsite does not suggest patrons will stay at the site for a long period of time and does not encourage recreational activities likely to cause a nuisance. The highest risk, associated with generator noise can be managed by condition such that it is consistent with that of a residential use.

- b) The application is not considered to result in reduced privacy or security. Meander Valley Road is a significant public road and is accessible to any member of the public at any time. The proposal does not include any elevated development which would result in overlooking and does not facilitate any additional views into neighbouring properties. The development will not directly subject the surrounding properties to additional security risks greater than those associated with living next to a major road.
- c) The proposed development has minimal impact on the character of Hagley. The site is largely screened by vegetation and the use will have minimal impact on the streetscape and wider landscape. The volume of vehicles proposed to be accommodated at the site is relatively low and is of a seasonal nature. The additional visitors to Hagley are unlikely to alter its character.
- d) The location of the entry and exit to the property has been considered by the Department of State Growth (see assessment below) and is not anticipated to compromise the safety and efficiency of the road network.
- e) The access to be used is not directly adjacent to 63 Meander Valley Road and the impacts from headlights are anticipated to be consistent with those of any other vehicle using Meander Valley Road. While a right turning vehicle may result in more direct light shine into the front windows of this dwelling, most vehicles will arrive and leave the site during daylight hours. The impacts of the proposal are considered reasonable.
- f) The proposed sign complies with the Acceptable Solutions for Pole Signs. Regardless, the applicant has considered the concerns raised by the representor and has agreed to reduce the size of the sign. This change is not considered necessary to comply with the planning scheme and as such, the decision to reduce the size of the sign is at the discretion of the applicant.

## 5) Consultation with State Government and other Authorities

The application includes consent from the Department of State Growth to lodge the application and undertake works in the road reserve, along with advice regarding impacts on the road network. The advice is considered in the assessment below.

## 6) Officers Comments

**Use Class:** Visitor Accommodation

### Applicable Standards

A brief assessment against all applicable Acceptable Solutions of the applicable zone and codes is provided below. This is followed by a more detailed discussion of any applicable Performance Criteria and the objectives relevant to the particular discretion.

### Rural Resource Zone

#### 26.1.1 Zone Purpose Statements

*26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.*

*26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.*

*26.1.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values.*

*26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.*

#### Comment

The proposal is consistent with the Zone Purpose and provides for a tourism related use which does not compromise the sustainable development of rural resources. The proposal includes minimal permanent infrastructure and does not permanently convert or restrict the area from being used for primary industry activities in the future. Demand for accommodation is generally seasonal and may allow for continued use for agriculture for a part of the year.

The proposed use has sufficient setbacks from other agricultural properties that it will not impact resource development activities on adjoining land. It is also noted that the part of the land to be converted is already constrained by a low agricultural capacity (Class 4), close proximity to other dwellings and separation from other agricultural land by a watercourse.

### **26.1.2 Local Area Objectives**

#### *a) Primary Industries*

*Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.*

*The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.*

*Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.*

#### *b) Tourism*

*Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.*

*The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.*

#### *c) Rural Communities*

*Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.*

**Comment**

The proposal complies with the Local Area Objectives for tourism activities and Rural communities. The subject property is constrained by its size and proximity to residential properties. Using a portion of the land for visitor accommodation allows the land owners to diversify and value-add to the primary industry activities being undertaken on the land.

The proposal also supports economic activity and sustainability of the rural community by encouraging visitors to stay within the town and access local goods and services. The site is appropriately located close to the activity centre of the town.

**26.1.3 Desired Future Character Statements**

*The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.*

**Comment**

The visual impact of the development is not considered to be obtrusive. A row of trees along the Meander Valley Road frontage will screen the site and significantly reduce the visual impact. It is recommended that this screen be maintained. It is not anticipated that the proposal will impact broader landscape views due to the relatively low profile of recreational vehicles.

The proposal includes minimal permanent infrastructure, excluding a sign, and the site will generally maintain its current appearance during the off season.

While the proposed sign does have a visual presence in the landscape, it is not considered to be significant. The size is consistent with other road and tourist signage in the area.

The proposal is consistent with the Desired Future Character Statement.

**26 Rural Resource Zone**

Scheme Standard	Assessment
<b>26.3.1</b>	<b>Uses if not a single dwelling</b>
Acceptable Solution A1	Relies on Performance Criteria P1
Acceptable Solution A3	Relies on Performance Criteria P3
Acceptable Solution A4	Relies on Performance Criteria P4
Acceptable Solution A4	Relies on Performance Criteria P5

<b>E4 Road and Rail Assets Code</b>	
<b>E4.6.1 Use and Road or Rail Infrastructure</b>	
Acceptable Solution A3	Relies on Performance Criteria P3
<b>E5 Flood Prone Areas Code</b>	
<b>E5.5.1 Use and Flooding</b>	
Acceptable Solution A1	Complies
Acceptable Solution A2	Complies
<b>E6 Car Parking and Sustainable Transport Code</b>	
<b>E6.6.1 Car Parking Numbers</b>	
Acceptable Solution A1	Complies
<b>E6.6.3 Taxi Drop-off and Pickup</b>	
Acceptable Solution A1	Complies
<b>E6.6.4 Motorbike Parking Provisions</b>	
Acceptable Solution A1	Complies
<b>E6.7.1 Construction of Car Parking Spaces and Access Strips</b>	
Acceptable Solution A1	Relies on Performance Criteria P1
<b>E6.7.2 Design and Layout of Car Parking</b>	
Acceptable Solution A1	Relies on Performance Criteria P1
Acceptable Solution A2	Relies on Performance Criteria P2
<b>E6.7.3 Car Parking Access, Safety and Security</b>	
Acceptable Solution A1	Relies on Performance Criteria P1
<b>E6.8.1 Pedestrian Walkways</b>	
Acceptable Solution A1	Relies on Performance Criteria P1
<b>E9 Water Quality Code</b>	
<b>E9.6.1 Development and Construction Practices and Riparian Vegetation</b>	
Acceptable Solution A1	Complies
Acceptable Solution A2	Complies
Acceptable Solution A3	Complies
<b>E14 Signage Code</b>	
<b>E14.6.7 Pole Sign</b>	
Acceptable Solution A1	Complies
Acceptable Solution A2	Complies

## Performance Criteria

<b>Rural Resource Zone</b>
<b>23.6.1 Uses if not a single dwelling</b>
<b>Objective</b>
<p>a) <i>To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.</i></p>

- b) *To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.*
- c) *To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.*
- d) *Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.*
- e) *Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.*
- f) *The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.*

**Performance Criteria P1**

*P1.1*

*It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and*

*P1.2*

*Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m<sup>2</sup> over the site.*

**Comment**

As discussed above, the proposal complies with the Local Area Objectives for tourism activities and rural communities. Using a portion of the land for visitor accommodation allows the land owners to diversify and value-add to the primary industry activities being undertaken on the land. Without permanent infrastructure, the land remains available to be used for primary industry activities as required.

The proposal also supports economic activity and sustainability of the rural community by encouraging visitors to stay within Hagley and access local goods and services.

The use is not for Business and Professional Services or General Retail and Hire.

The proposed development meets the Objective of the standard.

**Performance Criteria P3**

*The conversion of non-prime agricultural to non-agricultural use must demonstrate that:*

- a) *the amount of land converted is minimised having regard to:*



- (i) existing use and development on the land; and
- (ii) surrounding use and development; and
- (iii) topographical constraints; or
- b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:
  - (i) limitations created by any existing use and/or development surrounding the site; and
  - (ii) topographical features; and
  - (iii) poor capability of the land for primary industry; or
- c) the location of the use on the site is reasonably required for operational efficiency.

**Comment**

Although the land has been mapped as having a land capability of Class 3, ground truthing undertaken by Armstong Agricultural Services (now A K Consultants) demonstrates that the subject land has a capability of Class 4 (non-prime).

The amount of non-prime land converted to a non-agricultural use is considered to be minimised. The proposal includes minimal permanent infrastructure and does not permanently convert the land or prohibit it from being used for primary industry activities in the future. Demand for accommodation is generally seasonal and may allow for continued use for agriculture for a part of the year. The footprint associated with the use is relatively small and the site is readily delineated from more productive land by a significant drainage line.

The application is considered to comply with the Performance Criteria and the objective of the standard.

**Performance Criteria P4**

*It must demonstrated that:*

- a) emissions are not likely to cause an environmental nuisance; and
- b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and
- c) the capacity of the local road network can accommodate the traffic generated by the use.

**Comment**

The proposed use does have some potential to result in in emissions, primarily relating to noise and waste management; however these can be adequately managed with appropriate conditions on any planning permit issued. Detailed

advice provided by Council's Environmental Health Officer is included in the attached documents. The context and recommended conditions are similar to those placed on other recent applications for RV accommodation. The nearest neighbouring dwelling is separated from the use by approximately 45m, a distance consistent with the RV facility currently located in Peyton Street, Westbury.

The proposed camping area is located in close proximity to the existing dwelling on the site and the use will be managed by the residents living at this dwelling. The onsite presence will allow the applicants to address and manage any disruptive behaviour to maintain an adequate level of residential amenity. Further to this, the applicant has committed to provide an information sheet requesting that patrons have respect for neighbours.

It is recommended that the use of generators be restricted to the same hours of operation applicable to residential uses. These prohibit the use of generators and power tools:

- Monday to Friday - before 7am and after 6pm;
- Saturday - before 8am and after 6pm; and
- Sunday - before 10am and after 6pm.

Together with the presence of on-site managers, future noise issues can be managed via the *Environmental Management and Pollution Control Act 1994* and the Environmental Management and Pollution Control (Noise) Regulations 2016.

While the application does not include any proposed lighting, it is recommended that light emissions be controlled by restricting the use of flood lighting in the RV camping area. The lack of external lighting will also encourage campers to establish their sites prior to nightfall.

The application does not propose to provide toilets or washing facilities to patrons. In order to ensure that waste generated by patrons is managed it is recommended that the site be limited to self-contained RVs only, which are capable of retaining all grey and black waste water. Additional conditions prohibiting the onsite disposal of rubbish and signage indicating the location of the nearest public dump point will also assist with the management of waste.

It is recommended that these conditions be directly communicated to patrons through the use of incidental signage.

The use will not constrain or confine resource development activities on adjoining land. Agricultural activities are undertaken on the land to the south-east and west of the subject title and are separated from the proposed camping area by a significant distance. A row of dwellings on the north side of Meander Valley Road

provide a buffer between the proposed accommodation and agricultural land to the north.

The Department of State Growth, the Road Authority in regard to Meander Valley Road, has provided advice regarding impacts on the local traffic network. The advice demonstrates that the road has adequate capacity to absorb the volumes of traffic generated by the proposal. Traffic impacts are further discussed in the assessment below.

With appropriate conditions on the planning permit the use can be managed such that it complies with the Performance Criteria and is consistent with the Objectives of the standard.

Recommended Conditions:

- 1. No camping other than in self-contained recreational vehicles and motorhomes is permitted on the site. A self-contained recreational vehicle is a vehicle specifically built for the purpose that, along with built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black waste water, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.**
- 2. All rubbish generated by patrons, is to be removed from the property and disposed of in a legal disposal site.**
- 3. The location of the nearest "public wastewater dump point" is to be clearly identified and displayed in a prominent location at the entry.**
- 4. No generator, plant or power tool is to be operated:  
Monday to Friday - before 7am and after 6pm;  
Saturday - before 8am and after 6pm; and  
Sunday - before 10am and after 6pm.**
- 5. No permanent flood lighting is permitted to be erected to service the RV Camping area.**
- 6. Incidental signage is to be erected within the boundary of the property clearly communicating Conditions 1-4 above**

***Performance Criteria P5***

*It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:*

- a) *the impacts on skylines and ridgelines; and*
- b) *visibility from public roads; and*
- c) *the visual impacts of storage of materials or equipment; and*
- d) *the visual impacts of vegetation clearance or retention; and*
- e) *the desired future character statements.*

**Comment**

The proposal does not include any development besides signage and improved access.

While the use will be visible from Meander Valley Road, the impact is mitigated by the existing vegetation screen along the boundary and the relatively low volume of vehicles proposed to be accommodated at the site. The area will remain covered with pasture which will minimise the visual changes to the landscape.

While the proposed signage will be highly visible, it is relatively small in scale and the visual impacts are considered to be reasonable.

Visual impacts from the Bass Highway are effectively mitigated by distance.

The application does not propose the storage of materials or equipment.

The application does not propose vegetation removal.

The proposal has been assessed against the Desired Future Character Statements above and is considered to be consistent.

The proposal is consistent with the Objective.

**E4 Road and Railway Assets Code**

**E4.6.1 Use and Road or Rail Infrastructure**

**Objective**

*To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.*

**Performance Criteria P3**

*For limited access roads and roads with a speed limit of more than 60km/h:*

- a) *access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and*

- b) *any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and*
- c) *an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.*

**Comment**

The Road Authority, in this instance the Department of State Growth, has provided advice on the proposed use and impacts on the local traffic network. The advice concludes:

- *The proposal is for a minor development which has a low traffic generation and will likely be seasonal in nature.*
- *Sight distances to and from the proposed access location are satisfactory for the speed environment of the road.*
- *The section of Meander Valley Road is listed as a Category 5 road in the State Road Hierarchy (i.e. low in strategic importance) and is subject to low traffic volumes.*

The Department of State Growth has also recommended a condition that the existing access be upgraded to the satisfaction of the Department. This work has already commenced, however it is appropriate that the work be completed and signed off prior to use.

Considering the advice provided by the Department of State Growth, it is considered that the access is located and designed to maintain an adequate level of safety and efficiency for all road users.

The proposed use and development is considered to be consistent with the Performance Criteria and the Objective and will not compromise the safety and efficiency of the road network.

Recommended Condition:

- 1. Prior to the commencement of use the existing access is to be upgraded in accordance with the issued works permit conditions and to the satisfaction of the Department of State Growth. Written evidence from the Department of State Growth, that the works have been completed is to be provided to Council.**

## Car Parking and Sustainable Transport Code

### E6.7.1 Construction of Car Parking Spaces and Access Strips

#### **Objective**

*To ensure that car parking spaces and access strips are constructed to an appropriate standard.*

#### **Performance Criteria P1**

*All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.*

#### **Comment:**

The application proposes informal overnight parking for self-contained recreational vehicles. Grassed parking spaces are a common feature of RV sites and are considered to be adequate for the proposed use. Tourism and demand for visitor accommodation in Tasmania is highly seasonal, with increased intensity during the summer months. High rainfall generally corresponds with the period of lowest demand for this type of accommodation, reducing the risk of access difficulties. RV owners are generally aware of the capabilities of their vehicles in severe weather conditions and will choose a camp site accordingly. As demand for accommodation is largely linked to amenity, access difficulties will generally result in reduced visitation.

It is noted that the drainage line separating the accommodation area from the remainder of the farm floods during the winter, however flood modelling for this area indicates flooding is unlikely to impact the camping area. It is also noted that alternative access to Meander Valley Road is available.

The site is relatively flat and free of restrictive features, and the area available for parking and manoeuvring is significant. It is anticipated that there is satisfactory space for customers to self-regulate their positions and spacing without requiring line marking. The degree of delineation is considered to be acceptable for the scale and nature of the proposal. The parking spaces are adequately identified and reasonably trafficable in the context of the proposed use. No additional conditions are considered necessary.

### E6.7.2 Design and Layout of Car Parking

#### **Objective**

*To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.*

#### **Performance Criteria P1**

*The location of car parking and manoeuvring spaces must not be detrimental to the*

*streetscape or the amenity of the surrounding areas, having regard to:*

- a) the layout of the site and the location of existing buildings; and*
- b) views into the site from the road and adjoining public spaces; and*
- c) the ability to access the site and the rear of buildings; and*
- d) the layout of car parking in the vicinity; and*
- e) the level of landscaping proposed for the car parking.*

**Comment:**

Although one of the proposed parking areas is located between the building line and the frontage, this will not be detrimental to the streetscape. An existing vegetation screen provides a significant visual screen between the RV parking areas and the street. Although RVs will be discernible through the screen, they will not have a significant detrimental impact on the views from Meander Valley Road. The screen extends above the height of a typical RV, often extends above the ridgeline of the Great Western Tiers, and will continue to be the dominant feature of the property when viewed from the street. It is noted that the trees are deciduous, however, the Winter period when they lose their leaves, coincides with the period of least demand for this type of accommodation.



Photo 1: existing vegetation screen

It is recommended that a condition be included on the permit to maintain the vegetation such that it continues to provide a visual screen from Meander Valley Road.

The informal nature of the site and lack of built infrastructure ensures that when occupancy is low, the appearance of the site will generally be that of vacant pasture, rather than gravel or asphalt parking lot.

It is considered that the parking area is consistent with the objective and is of a reasonable standard for the proposed use.

Recommended Condition:

- 1. The existing vegetation screen on Meander Valley Road (see Attachment A ) is to be maintained and any trees which are removed or suffer fatalities are to be replaced with a tree of similar scale and species.**

### **Performance Criteria P2**

*Car parking and manoeuvring space must:*

- a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and*
- b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.*

### **Comment:**

The subject site is large with few obstructions which would hinder free movement of vehicles. The land is flat and the expected number of vehicles and rate of turnover is anticipated to be relatively low. All vehicles can enter and exit the site in a forward direction and the proposal will not impact the safety and convenience of other users and passing traffic.

The proposal complies with the Performance Criteria and the Objective of the standard.

### **E6.7.3 Car Parking Access, Safety and Security**

#### **Objective**

*To ensure adequate access, safety and security for car parking and for deliveries.*

#### **Performance Criteria P1**

*Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:*

- a) levels of activity within the vicinity; and*
- b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.*



**Comment:**

Security lighting for the site is not considered warranted. RVs using the site will generally be accompanied by the owners, providing adequate opportunity for surveillance from within the site.

No further lighting or security measures are considered warranted.

The proposal complies with the Performance Criteria and the Objective of the standard.

**E6.8.1 Pedestrian Walkways**

**Objective**

*To ensure pedestrian safety is considered in development*

**Performance Criteria P1**

*Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.*

**Comment:**

The application does not propose to provide dedicated pedestrian footpaths within the site.

Although there is a dwelling on the site, it is not intended that visitors will frequent the building.

The nature of the use and the size of the vehicles will generally ensure a high degree of caution when entering and driving within the property. The site will experience a low turn-over of vehicles compared to a general carpark and the unformed nature of the site will ensure vehicles drive with caution. To better meet the Performance Criteria and to increase safety for pedestrians it is recommended that a sign, clearly indicating a shared space for pedestrians and vehicles, be erected at the entrance in order to convey the need for caution within the site.

The additional signage, low speed environment and relatively low volume of vehicle movements within a large space are considered sufficient to provide an acceptable degree of safety for pedestrians.

Recommended Condition:

- 1. Prior to the commencement of use the entrance is to be signposted with a "10km/h" speed limit sign and a sign indicating shared area for**

**pedestrians and vehicles. The sign is to be located within the property boundary.**

### **Conclusion**

In conclusion, it is considered that the application for Use and Development for Visitor Accommodation (self-contained RVs) is acceptable in the Rural Resource Zone and is recommended for approval.

### **DECISION:**

## Attachment A – Existing Vegetation Screen



**Photo 1: existing vegetation screen circled in red**



**Photo 2: existing vegetation screen showing scale and effect**

## PLANNING NOTICE

An application has been received for a Permit under s.57 of the Land Use and Planning Approvals Act 1993:

APPLICANT: **A & S Camino - PA\19\0107**

PROPERTY ADDRESS: **62 Meander Valley Road, HAGLEY (CT:133662/1)**

DEVELOPMENT: **Discretionary use - Visitor Accommodation (self contained RVs) - vehicle movements, construction, design & layout of car parking, security lighting, pedestrian walkways**

The application is available for inspection at the council offices at Westbury, during normal office hours, or at [www.meander.tas.gov.au](http://www.meander.tas.gov.au) for a period of 14 days from the date of this notice.

Any person who wishes to make a representation in accordance with the Land Use and Planning Approvals Act 1993 must do so in writing to the General Manager, PO Box 102, Westbury, 7303, by fax 6393 1474 or email to [planning@mvc.tas.gov.au](mailto:planning@mvc.tas.gov.au) no later than:

**Tuesday 12 February 2019**

Please Note: Any representations lodged will be available for public viewing.

Should you have any questions about this application please do not hesitate to contact the Council's Planning Department on 03 6393 5320.

Dated at Westbury on 26 January 2019.

Martin Gill  
**GENERAL MANAGER**

# APPLICATION FORM

## PLANNING

### Land Use Planning and Approvals Act 1993



- Application form & details MUST be completed **IN FULL**.
- Incomplete forms will not be accepted and may delay processing and issue of any Permits.

#### OFFICE USE ONLY

Property No:       Assessment No:   -

DA\  PA\

- Is your application the result of an illegal building work?  Yes  No Indicate by ✓ box
- Is a new vehicle access or crossover required?  Yes  No

#### PROPERTY DETAILS:

Address:  Certificate of Title:

Suburb:   Lot No:

Land area:  m<sup>2</sup> / ha

Present use of land/building:  (vacant, residential, rural, industrial, commercial or forestry)

Does the application involve Crown Land or Private access via a Crown Access Licence:  Yes  No

Heritage Listed Property:  Yes  No

#### DETAILS OF USE OR DEVELOPMENT:

Indicate by ✓ box

Building work  Change of use  Subdivision

Forestry  Demolition

Other

Total cost of development (inclusive of GST):  Includes total cost of building work, landscaping, road works and infrastructure

Description of work:

Use of building:  (main use of proposed building – dwelling, garage, farm building, factory, office, shop)

New floor area:  m<sup>2</sup> New building height:  m

Materials: External walls:  Colour:

Roof cladding:  Colour:

# Department of State Growth

Salamanca Building Parliament Square  
4 Salamanca Place, Hobart TAS  
GPO Box 536, Hobart TAS 7001 Australia  
Email [permits@stategrowth.tas.gov.au](mailto:permits@stategrowth.tas.gov.au) Web [www.stategrowth.tas.gov.au](http://www.stategrowth.tas.gov.au)  
Ref: D18/285094



Annette & Stephen Camino  
62 Meander Valley Road  
HAGLEY TAS 7292

Dear Annette & Stephen Camino

## **Crown Landowner Consent Granted – 62 Meander Valley Road, Hagley**

I refer to your recent request for Crown landowner consent relating to the development application at 62 Meander Valley Road, Hagley for amending an access for a self-contained RV site.

I, Fiona McLeod, Manager Asset Management, State Roads, the Department of State Growth, having been duly delegated by the Minister under Section 52 (1F) of the *Land Use Planning and Approvals Act 1993* (the Act), and in accordance with the provisions of Section 52 (1B) (b) of the Act, hereby give my consent to the making of the application, insofar as it affects the State road network and any Crown land under the jurisdiction of this Department.

The consent given by this letter is for the **making of the application only** insofar as that it impacts Department of State Growth administered Crown land and is with reference to your application dated 11 December 2018.

In giving consent to lodge the subject development application, the Department notes that the proposed access to the State road network will require the following additional consent:

The consent of the Minister under Section 16 of the *Roads and Jetties Act 1935* to undertake works within the State road reservation.

For further information please visit <http://www.transport.tas.gov.au/road/permits> or contact [permits@stategrowth.tas.gov.au](mailto:permits@stategrowth.tas.gov.au).

On sealed State roads all new accesses must be sealed from the road to the property boundary as a minimum.

Pursuant to Section 16AA of the *Roads and Jetties Act 1935*, where a vehicle access has been constructed from land to a State highway or subsidiary road, the owner of that land is responsible for the maintenance and repair of the whole of the vehicular access.

The Department reserves the right to make a representation to the relevant Council in relation to any aspect of the proposed development relating to its road network and/or property.

Yours sincerely

A handwritten signature in blue ink, appearing to read "F McLeod".

Fiona McLeod  
**MANAGER ASSET MANAGEMENT**  
Delegate of  
**Minister for Infrastructure**  
Jeremy Rockliff MP

9 January 2019

cc: General Manager, Meander Valley Council

Meander Valley Council Ordinary Agenda 14 January 2019

**PLANNING AUTHORITY**

SEARCH OF TORRENS TITLE

VOLUME 133662	FOLIO 1
EDITION 5	DATE OF ISSUE 01-Dec-2011

SEARCH DATE : 26-Nov-2018

SEARCH TIME : 10.28 AM

DESCRIPTION OF LAND

Parish of WESTBURY, Land District of WESTMORLAND  
 Lot 1 on Plan 133662  
 Derivation : Part of Lot 32606 Gtd to F.J. Smith, Part of Lot 36107 Gtd. to The Transport Commission  
 Prior CTs 130868/1 and 130868/2

SCHEDULE 1

C338957 TRANSFER to STEPHEN GARRY CAMINO and ANNETTE ELIZABETH CAMINO Registered 09-Apr-2002 at noon

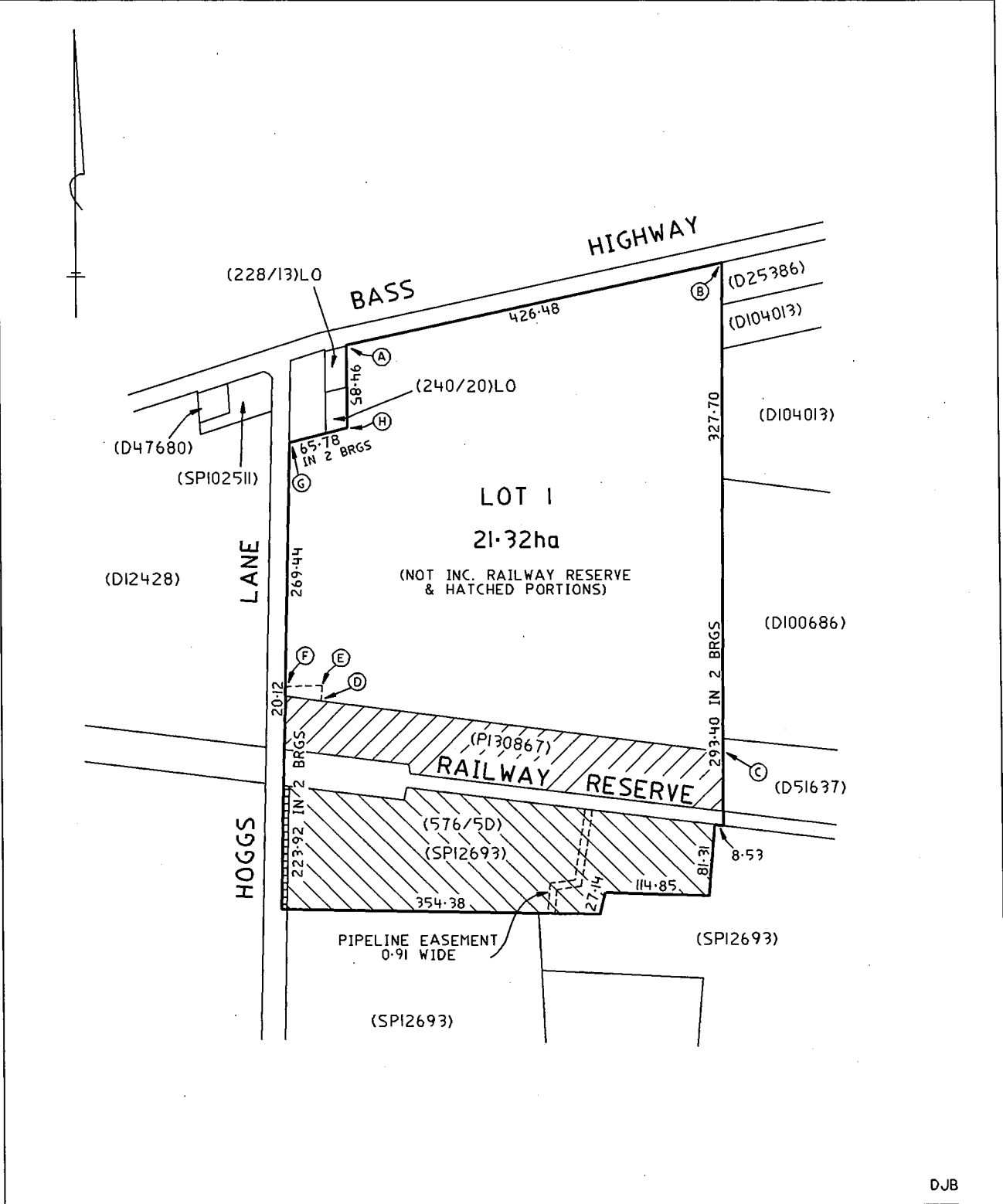
SCHEDULE 2

C192648 Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown  
 A313455 BENEFITING EASEMENT: Pipeline Rights in the terms more fully set forth therein over Pipeline Easement shown on Plan No. 133662  
 C192648 BOUNDARY FENCES CONDITION in Transfer  
 92649 ADHESION ORDER under Section 110 of the Local Government (Building and Miscellaneous Provisions) Act 1993 Registered 01-Mar-2000 at 12.01 PM  
 D36746 MORTGAGE to Perpetual Limited Registered 01-Dec-2011 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

OWNER FOLIO REFERENCE F/R 130868-1 & 2 GRANTEE		PLAN OF TITLE LOCATION WESTMORLAND - WESTBURY FIRST SURVEY PLAN No. 32/19LO COMPILED BY LDRB SCALE 1: 4000 LENGTHS IN METRES		Registered Number <b>P.133662</b> APPROVED 24 FEB 2000 <i>Alice Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 121 (4840-43)	LAST UPI No 6501609 6501610	LAST PLAN No. P130868	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	



DJB



# Planning Application for Self-Contained RV Farm Stay

62 Meander Valley Road, Hagley  
Annette & Stephen Camino

In view of the Meander Valley Council's interest in "capturing" and "retaining" tourists within the Meander Valley (MV Mayor Wayne Johnston, The Sunday Examiner 18/11/2018), and the recent closure of free parking at the Westbury Cricket Ground, we would like to propose opening a part of our property in Hagley for self-contained RV camping.

## Our Property

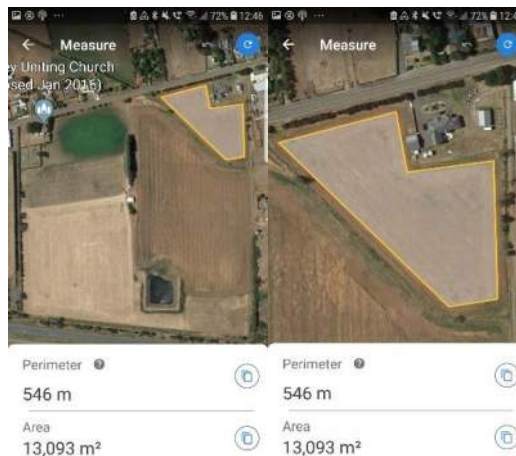
Our property located at 62 Meander Valley Road, Hagley, CT 133662/1 is a 21.32ha lot within the village of Hagley zoned Rural Resource Zone in which visitor accommodation is discretionary.



Aerial View CT 133662/1 Hagley

## Our Proposal

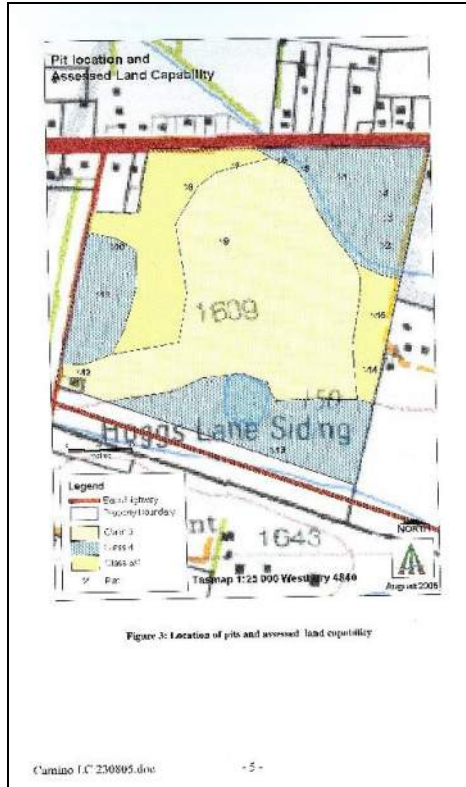
To set aside an area of land in the north east corner of the property, which is the least productive in terms of primary production, for a low cost camping site for self-contained recreational vehicles (no services provide). Due to seasonal, weather and ground conditions we envisage operation would be seasonal, limited to 6 – 8 months of the year (September/October to March/April).



Proposed Camp Site

**Planning Application for Self-Contained RV Farm Stay**  
 62 Meander Valley Road, Hagley  
 Annette & Stephen Camino

This site, north-east of the water-course was assessed by Armstrong Agricultural Services Pty Ltd in a 2005 land capability assessment prior to building our home, as Class 4 ground, one of the least agriculturally productive areas of the property.



Armstrong Agricultural Services Pty Ltd Land Capability Assessment – 2005

**Access**

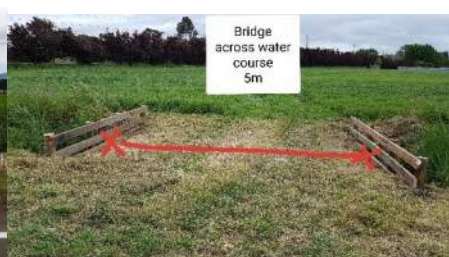
Access would be through existing driveway from Meander Valley Road across bridge over the water-course.



Access Route



Driveway from Meander Valley Road

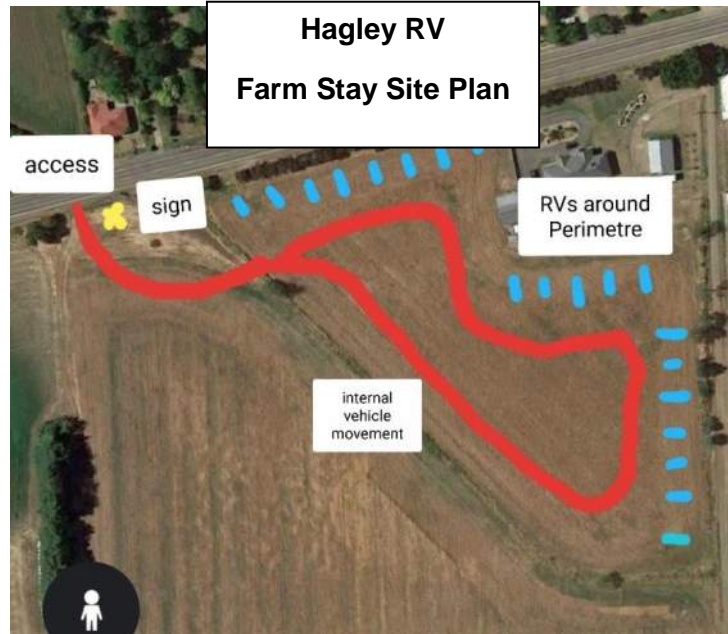


Bridge over water-course

**Planning Application for Self-Contained RV Farm Stay**  
62 Meander Valley Road, Hagley  
Annette & Stephen Camino

**Site Plan**

Depending on demand we foresee a maximum of 20 RVs per night. Visual impact from the road will be minimal due to tree row along the boundary.



Hagley RV Farm Stay Site Plan

**Signage**

Business signage would be located at the eastern side of the access driveway, would be double sided – for viewing from either direction, metal sign on metal pole approximately 3m high. Dimensions 1800mm x 900mm, colour scheme green and black writing on a cream background. Actual artistic design not yet finalised- awaiting proposal approval. Wording of sign would be:

**Hagley RV Farm Stay**  
**Self-Contained Vehicles Only**  
**\$10 per night**  
**Ph 6392 2273 / 0409 974 531**

**Conclusion**

We would like to thank you for your consideration of our proposal and assistance with this application,

Sincerely,

Annette & Stephen Camino

62 Meander Valley Road, Hagley. Ph 6392 2273 or 0409 974 513

Good Afternoon Lynette & Justin,

Steve and I have considered your email below and have decided to continue to progress our application. We are still waiting on information from the Dept of State Growth re road access and Traffic Impact Assessment. In regards to the other questions raised in Justin's letter dated 5th December, may I quickly address those:

3. Confirm if and how parking spaces are to be line marked or delineated - parking will be in an open paddock situation and parking spaces will not be marked or delineated.

4. Confirm the surface material for parking spaces - parking will be in an open paddock, the surface is grass  
5. Confirm if and how internal driveways will be formed, drained and delineated - once through the gravelled gateway entrance to the property there will be no formal internal driveways constructed. Patrons will drive across the paddock and over the bridge across the watercourse to the camp site. The bridge has a gravelled surface. Surface water drains into the watercourse through the property and as indicated in our application we expect our camp opening to be seasonal based on the condition of the ground (ie closed over winter when the ground is too wet).

6. Confirm if pedestrian paths will be provide - No  
7. Confirm if access will be provided to patrons to water or sewerage - I'd like to have access to sewerage myself, unfortunately Hagley doesn't have sewerage and we only have a biocycle, so no. We do intend on providing access to mains water but not for connection during camp stay, only one access point for refilling tanks. Our application stipulated camping for self-contained RVs only. I have included the CMCA's definition of a self-contained RV FYI CMCA considers a self-contained recreational vehicle as a vehicle specifically built for the purpose that along with built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black waste water. Mar 10, 2017 What is a self contained vehicle?

A certified self-contained vehicle meets the ablutionary and sanitary needs of the occupants for a minimum of three days, without requiring any external services or discharging waste. Wastewater is then safely disposed of in approved dump stations, which can be found in most camping-grounds and public areas We would very much love to see the installation of a dump point in Westbury.

I hope this sufficiently addresses your questions. I will inform you as soon as we hear from the Dept of State Growth regarding the driveway access.

We would like to thank you both for your assistance and support, Annette and Stephen Camino

1306591

**Justin Simons**

**From:** Hills, Garry (StateGrowth) <Garry.Hills@stategrowth.tas.gov.au>  
**Sent:** Thursday, 24 January 2019 3:42 PM  
**To:** Justin Simons  
**Subject:** RE: PA\19\0107 - External Referral (Department of State Growth) - 62 Meander Valley Road, Hagley - Visitor Accommodation (self contained RVs)

Justin, further to previous email.

This advice is to confirm that the Department of State Growth as the road authority have assessed the proposal and confirm we do not require a formal Traffic Impact Assessment to be undertaken. The following comments are provided for information;

- The proposal is for a minor development which has a low traffic generation and will likely be seasonal in nature.
- Sight distances to and from the proposed access location are satisfactory for the speed environment of the road.
- The section of Meander Valley Road is listed as a Category 5 road in the State Road Hierarchy (i.e. low in strategic importance) and is subject to low traffic volumes.
- A Traffic Impact Assessment may be required if further development or change of use of the site is proposed in the future.

Noting the applicant has already applied for a State Road works permit, I'd suggest the following condition for inclusion on Council's permit;

- Prior to the commencement of use, upgrade of the existing site access in accordance with State Growth requirements and issued works permit conditions must be completed to the satisfaction of the Department.

Let me know if any further information is needed.

Thanks, Garry

**Garry Hills** | Senior Traffic Engineering Officer  
State Roads Division | Department of State Growth  
GPO Box 536, Hobart TAS 7001  
Phone: (03) 6777 1940  
[www.stategrowth.tas.gov.au](http://www.stategrowth.tas.gov.au)

**DEPARTMENT OF STATE GROWTH COURAGE TO MAKE A DIFFERENCE THROUGH:**



**From:** Justin Simons [mailto:Justin.Simons@mvc.tas.gov.au]  
**Sent:** Wednesday, 23 January 2019 2:57 PM  
**To:** Hills, Garry (StateGrowth) <Garry.Hills@stategrowth.tas.gov.au>  
**Subject:** RE: PA\19\0107 - External Referral (Department of State Growth) - 62 Meander Valley Road, Hagley - Visitor Accommodation (self contained RVs)

Hi Garry

**From:** Shaun Leatherbarrow <shaunleatherbarrow@outlook.com>  
**Sent:** Monday, 11 February 2019 10:25 PM  
**To:** Planning @ Meander Valley Council  
**Subject:** Application 62 meander valley rd Hagley

Dear Martin Gil, I am writing in regards to the planning application proposed for 62 Meander valley Rd Hagley.

My wife and I are quite distressed at not only the proposed change of land use but also it's location. As the current owners of 63 Meander valley rd we stand to lose quite a considerable amount if this venture is to go ahead as planned.

The current plan has a caravan park directly opposite out house, with campers to be located no more than 30 meters from our toddlers bedroom. Not only does this propose noise issues, but also privacy and the risk of strangers almost on our doorstep on a regular basis.

Whilst the caravans are planned to be behind a row of trees, to state that 20 RVs parked along side of the road would not adversely impact the current charm of our little village is misguided.

I also have major concerns with the location of not only the only entry and exit point but also the 3meter high sign that would be placed directly opposite our bedroom window. As a result, being placed directly between our property and the incredible view of the Western tiers. Not only would this ruin our view but the value of our property. This also poses a problem with the potential of 20 four wheel drives or RVs coming in and out of the entry with their lights shining directly into our bedroom window.

If for some reason you deem that this is something that will not ruin the charm of our beautiful villiage, and want to put profits ahead of families then I ask that you make the following recommendations:

A)The entry/exit and sign be moved towards their house where there is already their own driveway that could cater.

B) that all RVs are to be parked behind their residence as half are already proposed.

These adaptations take the signage away from other dwellings. Allow a reasonable distance from a business being conducted near young families. Plus have the added benefit of not making what is a beautiful stretch of road Noted for its natural beauty into an industrial sized car park.

I would never have bought this property if it was located opposite what is being proposed. My wife and I have talked about why we do as a family should this go ahead. We love this area, but have talked about selling up if our dream of a beautiful quiet home in the country is ruined.

I look forward to your response and the opportunity to be present when this matter is being decided.

Thank you so much for taking the time to read our concerns. This is something I feel very upset and strongly about.

Kind regards,

Shaun and Danika Leatherbarrow

Proud home owners of 63 Meander Valley rd Hagley.

[Outlook for iOS](#)

513-07-007 16306

**RESPONSE TO REPRESENTATION FROM SHAUN & DANIKA LEATHERBARROW  
OPPOSING PERMIT APPLICATION PA/19/0107 FOR A LOW COST SELF CONTAINED  
RV FARM STAY AT 62 MEANDER VALLEY ROAD, HAGLEY**  
From Annette & Stephen Camino (Applicants)

RCVD	20 FEB 2019	MVC
Action Officer	MG MY	Dept.
EO	OD	G ✓

Dear Councillors,

While we fear we cannot accommodate either of Mr & Mrs Leatherbarrows' recommendations to:

- A) Move the entry/exit and sign towards our house and use our house driveway as access, nor
- B) Direct all RVs to park behind our residence,

I do believe we may be able to concede some changes to our plans which may reassure the Leatherbarrows and address some of the other concerns raised in their representation.

1. Noise Issues – On both the Welcome sign we have designed and on an information sheet which will be provided to our guests we request our guests respect our neighbours and fellow campers and limit noise between the hours on 9pm and 8am.
2. Limit of visual impact by tree row – we have noticed there is a gap in our tree row in the line of sight between the Leatherbarrows' property and our own. We had already planned to address this by planting more trees along the boundary fence-line to fill this gap in the autumn.
3. Visual impact of signage – We have discussed this issue and are more than happy to reduce the size, colour and design of the signage, but not, however, the position. We plan to reduce the size of the sign from 1800x900 3M high to 1200x900 as per the sign at the Hagley Recreation Ground. Rather than an east/west orientation the sign would face north towards the road. We have reconsidered the colour scheme to a greyscale and chosen a heritage tractor logo in keeping with the charm of the village and as such minimising visual impact and hopefully, offense. See example below:



4. Impact of Headlights on the Leatherbarrow Property with vehicle movements at night – Mr & Mrs Leatherbarrow have expressed concern about 20 or more 4WD vehicles driving out of our proposed access at night and shining light in their bedroom window disturbing them in the process. We, as travelling caravanners ourselves, have found the great majority of RVers have settled and set-up camp for the night well before dark and as such do not foresee headlights from our guests disturbing the Leatherbarrows in any way.
5. Concerns re Privacy and strangers on their doorstep on a regular basis – I must confess I have never met the Leatherbarrows until now, I didn't know their name nor know how long they have lived in Hagley, despite being one of their closest



**RESPONSE TO REPRESENTATION FROM SHAUN & DANIKA LEATHERBARROW  
OPPOSING PERMIT APPLICATION PA/19/0107 FOR A LOW COST SELF CONTAINED  
RV FARM STAY AT 62 MEANDER VALLEY ROAD, HAGLEY**

From Annette & Stephen Camino (Applicants)

neighbours. We, too, are strangers practically on their doorstep, and have been for I don't know how long. Choosing to buy a property which fronts a major road such as the Meander Valley Road means strangers drive past our residences day and night and there is little to be done about this fact. As the proposed camp ground is adjacent to our residence we will be on-site managers, present to identify and promptly deal with any disruptive or undesirable behaviour. We are happy to suggest to our guests, when and if they decide to walk to the recreation ground or shop that they walk through our house driveway rather than out the proposed access and past the Leatherbarrows' residence.

We plan to promote our Farm Stay business as family friendly and target travelling families as potential guests. We have lived in Hagley for several years and love it dearly and as such have no intention on adversely impacting the current charm of our village.

Sincerely,

Annette & Stephen Camino (62 Meander Valley Road, Hagley)

## **COMMUNITY AND DEVELOPMENT SERVICES**

Reference No. 45/2019

### **REVIEW OF POLICY NO. 90 – MOBILE FOOD VEHICLES**

**AUTHOR:** Katie Proctor  
ENVIRONMENTAL HEALTH OFFICER

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#### **1) Recommendation**

***It is recommended that Council*** confirm the continuation of Policy No. 90 Mobile Food Vehicles until March 2022 as attached.

# POLICY MANUAL

**Policy Number: 90**

**Mobile Food Vehicles**

**Purpose:**

The purpose of this Policy is to provide direction for the granting of permits for mobile food vehicles to operate from a public street or Council owned or managed property.

**Department:**

Community & Development Services

**Author:**

Katie Proctor, Environmental Health Officer

**Council Meeting Date:**

~~13 March 2018~~ 12 March 2019

**Minute Number:**

47/2018

**Next Review Date:**

~~March 2019~~ **March 2022**

## POLICY

### 1. Definitions

A **mobile food vehicle** is a food business that operates from a mobile structure under the Food Act 2003. A mobile structure includes a vehicle or trailer that is not permanently fixed to the whole, or part, of a building, structure or land, in, at or from which food is, or is intended to be, handled or sold.

A **public street** means any street, road, lane, thoroughfare, footpath, bridge or place open to the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise as defined in the Traffic Act 1925.

**Council owned or managed property** includes Council managed parks, reserves, sports grounds, car parks and road reserves.

### 2. Objective

The objective of this policy is to establish the conditions under which Council may grant permits for mobile food vehicles to operate from a public street or Council owned or managed property.

### 3. Scope

The policy shall apply to anyone wanting to operate a mobile food vehicle within the municipality from a public street or Council owned or managed property.

### 4. Policy

Council supports the operation of mobile food vehicles within Meander Valley.

Council will consider applications for permits for mobile food vehicles on any public street within the municipality and on Council owned or managed property.

#### **4.1 Assessment considerations**

When assessing permit applications, the Council will take into account the following matters:-

- Advice from Tasmania Police as to the traffic and safety conditions and any other impact of the operation;
- Advice from Department of State Growth if the proposed location is suitable;
- Advice from key users (e.g. sports clubs) of Council owned or managed property;
- Whether the operation is an appropriate distance from established permanently fixed food premises;
- Proximity of sensitive uses (e.g. school, hospital); and
- Proposed time of day and period of operation.

Guidelines are to be made to give effect to this policy.

#### **4.2 Exemptions**

This policy does not apply to applications by mobile food vehicles to operate on a public street during an event where Council has granted permission for a street closure to conduct that event.

### **5. Legislation**

Vehicle & Traffic Act 1999

Food Act 2003

Meander Valley Interim Planning Scheme 2013

Traffic Act 1925

### **6. Responsibility**

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

## **2) Officers Report**

The purpose of this report is for Council to review Policy No. 90 - Mobile Food Vehicles, adopted at the Council meeting in March 2018. The Policy was created following the increase in the popularity of mobile food vehicles operating in the Meander Valley area, independent of organised events.

The purpose of the Policy is to provide for the granting of permits under the Vehicle and Traffic Act 1999 for mobile food vehicles to operate from a public street or from Council owned or managed property. Guidelines which give effect to the Policy outline the process for obtaining a permit and the conditions under which mobile food vehicles are to be operated.

When adopting the Policy, Council determined that the Policy be reviewed 12 months after implementation. The policy was presented at the Council workshop on 26 February 2019 with no suggested changes.

## **3) Council Strategy and Policy**

Supports the objectives of the Council's Community Strategic Plan 2014 to 2024

- Future direction (2) – A thriving local economy

## **4) Legislation**

Vehicle and Traffic Act 1999

## **5) Risk Management**

The process for consideration of a permit includes referral to local police and addresses safety and traffic flow together with factors of location.

## **6) Government and Agency Consultation**

Not applicable.

## **7) Community Consultation**

Not applicable.

## **8) Financial Consideration**

The application process for a permit includes a fee for the permit. This will be reflected in Council fees and charges and reviewed annually.

## **9) Alternative Recommendations**

Council can elect to amend the Policy.

## **10) Voting Requirements**

Simple Majority

## **DECISION:**

# **INFRASTRUCTURE**

Reference No. 46/2019

## **REVIEW OF BUDGETS FOR THE 2018-2019 CAPITAL WORKS PROGRAM**

**AUTHOR:** Dino De Paoli  
DIRECTOR INFRASTRUCTURE SERVICES

### **1) Recommendation**

*It is recommended that Council approves the following project budget changes to the 2018-2019 Capital Works Program;*

<b><i>Project Name</i></b>	<b><i>Current Budget</i></b>	<b><i>Proposed Budget Variation</i></b>	<b><i>Revised Budget</i></b>
<b><i>Open Drain Program - Carrick</i></b>	<b><i>\$26,200</i></b>	<b><i>-\$26,200</i></b>	<b><i>\$0</i></b>
<b><i>Church St Carrick – Stormwater improvements</i></b>	<b><i>\$0</i></b>	<b><i>\$19,000</i></b>	<b><i>\$19,000</i></b>
<b><i>Glenore Road Reconstruction</i></b>	<b><i>\$350,000</i></b>	<b><i>-\$25,000</i></b>	<b><i>\$325,000</i></b>
<b><i>New Footpath Developments - Westbury Program</i></b>	<b><i>\$115,668</i></b>	<b><i>-\$85,000</i></b>	<b><i>\$30,668</i></b>
<b><i>Marriott Street Footpath – Meander Valley Road to Showgrounds entrance</i></b>	<b><i>\$0</i></b>	<b><i>\$35,000</i></b>	<b><i>\$35,000</i></b>
<b><i>Marriott Street Footpath - King Street to Queen Street</i></b>	<b><i>\$0</i></b>	<b><i>\$20,000</i></b>	<b><i>\$20,000</i></b>
<b><i>Dexter Street Footpath - Taylor Street to Marriott Street</i></b>	<b><i>\$0</i></b>	<b><i>\$30,000</i></b>	<b><i>\$30,000</i></b>

### **2) Officers Report**

The purpose of this report is to seek Council approval for the reallocation of funding within the Capital Works Program as a result of project cost variations.

Project budget allocations within the Capital Works Program that are submitted to Council for approval prior to the commencement of each financial year are prepared using a range of methods. In some instances and depending on the availability of resources and time constraints, projects can be thoroughly scoped and accurate estimates prepared using available empirical or supplier

information. Conversely, project cost estimates may only be general allowances prepared using the best information available at the time.

During the financial year, detailed design, adjustment to project scope and the undertaking of additional works during construction, results in project expenditure under and over approved budget amounts. New projects may also be requested for inclusion in the program.

The overall financial objective in delivering the Capital Works Program is to have a zero net variation in the program budget. As part of our ongoing management of projects, Council officers review project time lines, budgets, scope and available resources. Project savings are generally used to offset project overruns and additional funding can be requested to assist with balancing the budget or to finance new projects.

In order to deliver the outcomes required from capital works projects outlined in the Annual Plan, Council officers regularly review project scope, resourcing requirements and committed and forecast expenditure. Typically on a quarterly basis, project information is presented to Council where cost variations have occurred, and formal approval is requested from the Council to reallocate funding within the Capital Works Program where variations are beyond the General Manager's financial delegation.

The table below outlines existing projects in the Capital Works Program, and four new projects not previously presented to Council, where reallocation of funding is required.



**TABLE 1: 2018-2019 CAPITAL WORKS BUDGET – REALLOCATION OF PROJECT FUNDING**

<b>Project No.</b>	<b>Project Name</b>	<b>Council Costs to date</b>	<b>Original Budget</b>	<b>Proposed Budget Variation</b>	<b>New Budget</b>	<b>Delegation</b>	<b>Comments</b>
6497	Open Drain Program, Carrick	\$0	\$26,200	-\$26,200	\$0	Council	Transfer to PN6456 & PN6850
6456	Church St Carrick Stormwater	\$10,948	\$0	\$19,000	\$19,000	Council	New project - Transfer from PN6497
6850	Arthur St, Carrick - Stormwater	\$21,711	\$15,000	\$7,200	\$22,200	GM	Transfer from PN6497
6495	Urban Stormwater Drainage – Program Budget	\$0	\$71,653	-\$18,400	\$53,253	GM	Transfer to PN6695
6695	Nutt St - Subdivision Contribution and Drainage Works	\$63,364	\$45,000	\$18,400	\$63,400	GM	Transfer from PN6495
6153	R2R 2019 Glenore Rd Reconstruction - Glenore	\$324,394	\$350,000	-\$25,000	\$325,000	Council	Transfer to PN5815 & PN5861
5815	Simmons St road upgrade – Carrick	\$51,780	\$36,000	\$16,000	\$52,000	GM	Transfer from PN6153
5861	West Parade kerb, footpath and car parking - Deloraine	\$73,743	\$65,000	\$9,000	\$74,000	GM	Transfer from PN6153
6284	New Footpath Developments - Westbury Program	\$0	\$115,668	-\$85,000	\$30,668	Council	Transfer to new footpath projects

<b>Project No.</b>	<b>Project Name</b>	<b>Council Costs to date</b>	<b>Original Budget</b>	<b>Proposed Budget Variation</b>	<b>New Budget</b>	<b>Delegation</b>	<b>Comments</b>
TBC	Marriott Street Footpath – Meander Valley Road to Showgrounds entrance	\$0	\$0	\$35,000	\$35,000	Council	Transfer from PN6284
TBC	Marriott Street Footpath - King Street to Queen Street	\$0	\$0	\$20,000	\$20,000	Council	Transfer from PN6284
TBC	Dexter Street Footpath - Taylor Street to Marriott Street	\$0	\$0	\$30,000	\$30,000	Council	Transfer from PN6284
	<b>Totals</b>		<b>\$724,521</b>	<b>\$0</b>	<b>\$724,521</b>		

The location of the proposed sections of footpath work in Westbury are highlighted in the figure below.

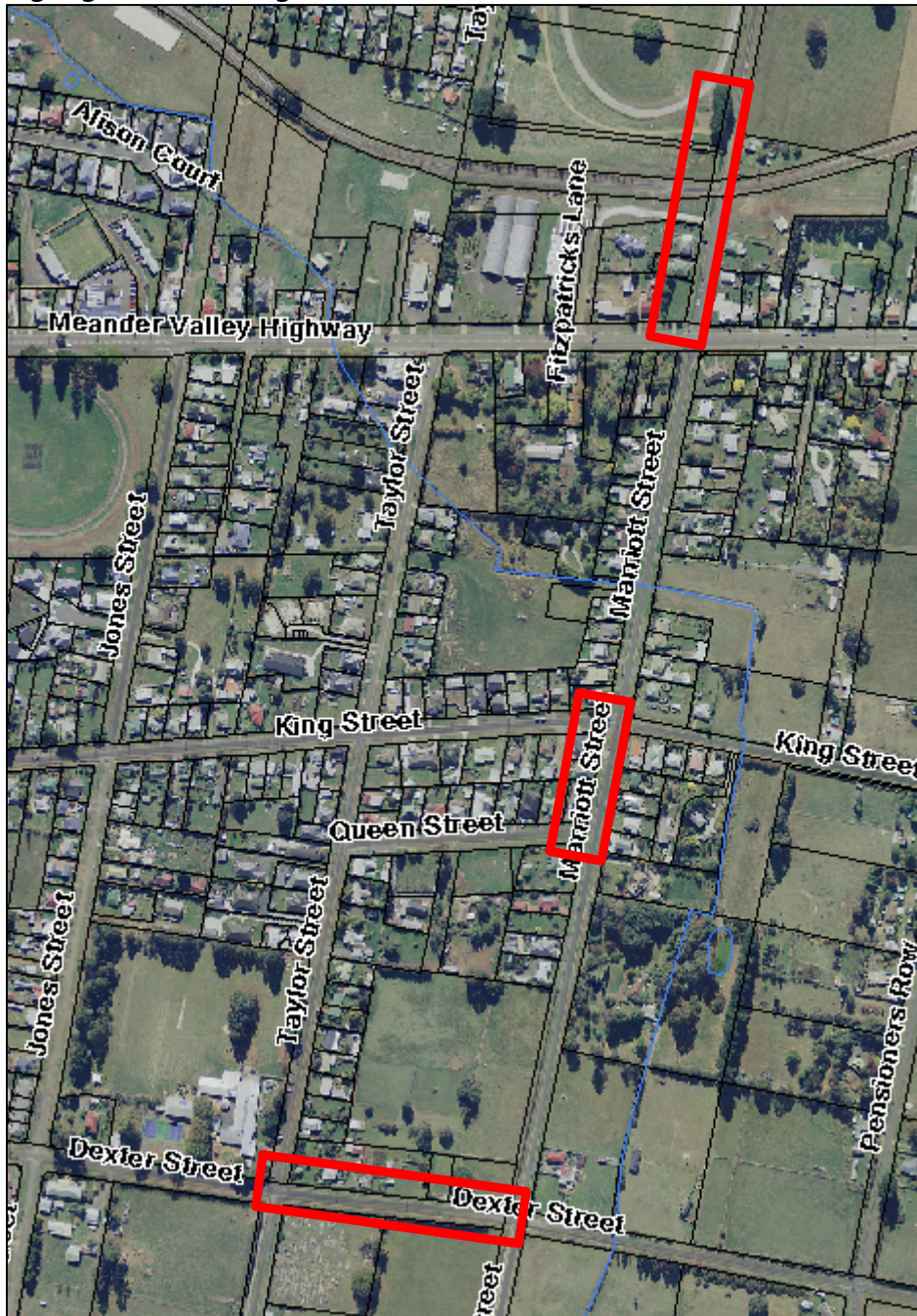


Figure 1 : Location of proposed footpath works

The section of path in Marriott Street between Meander Valley Road to the entrance to the showgrounds would be constructed at 1.80m in width and include a crossing over the rail lines. The other section in Marriott Street will provide a connection between the existing path in King Street and the recently constructed path in Queen Street. The footpath in Dexter Street from the Westbury Primary School to Marriott Street will provide for improved amenity

for school children in the mornings and afternoons as they walk or cycle to and from school.

The other proposed adjustments to project budgets are minor in nature and work on the projects listed have been completed.

### **3) Council Strategy and Policy**

Council's Annual Plan requires Council officers to report on the progress of capital works projects.

### **4) Legislation**

Section 82(5) of the Local Government Act 1993 requires Council to approve by absolute majority any proposed alteration to Council's estimated capital works outside the limit of the General Manager's financial delegation of \$20,000.

### **5) Risk Management**

Not applicable.

### **6) Government and Agency Consultation**

Not applicable.

### **7) Community Consultation**

Not applicable.

### **8) Financial Consideration**

The recommended variations in this report will result in a nil change to the value of the 2018-2019 Capital Works Program.

### **9) Alternative Recommendations**

Council can elect to amend or not approve the recommendation.

### **10) Voting Requirements**

Simple Majority

## **DECISION:**

# **INFRASTRUCTURE**

Reference No. 47/2019

## **PROPOSED NEW ROAD NAME OF WINWOOD LANE TO REPLACE SUBURB ROAD (WESTERN SECTION OFF MARY STREET), WESTBURY**

**AUTHOR:** Beth Williams  
ADMINISTRATION OFFICER INFRASTRUCTURE SERVICES

### **1) Recommendation**

***It is recommended that Council endorse the proposed new road name of Winwood Lane for the short section of road currently identified as Suburb Road (western section off Mary Street), Westbury, and forward it to the Nomenclature Office for formalisation.***

### **2) Officers Report**

Suburb Road, Westbury has two unconnected navigable road sections, as highlighted in Figure 1 below. The longer section is between Marriott and East Street, and the other shorter section is a no through road to the west off Mary Street. Part of the road reserve that could have connected the sections between Mary and Marriott streets has over time been acquired and subdivided. This means a constructed road can never connect the two sections based on current land tenure.

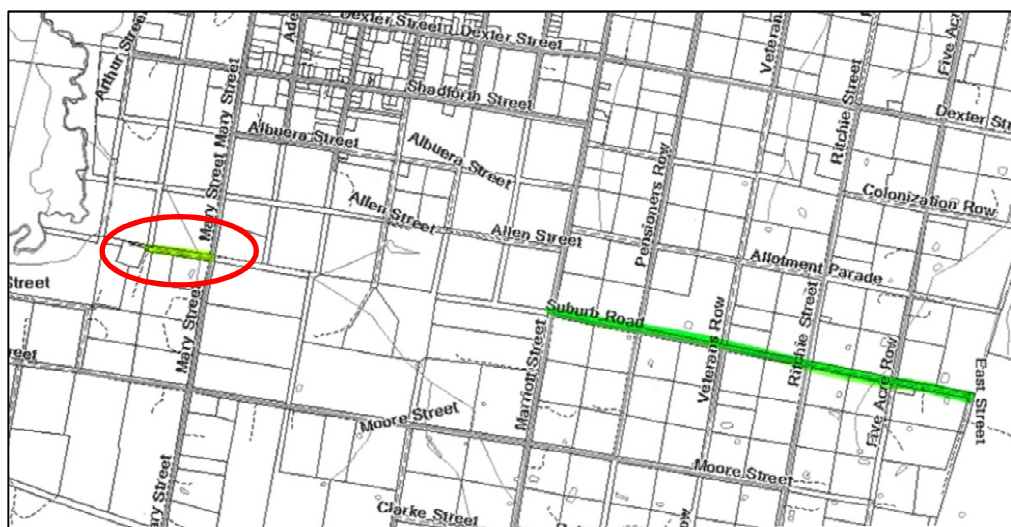


Figure 1: The two unconnected sections of Suburb Road (subject road circled)

The current situation concerning Suburb Road is contrary to the *Rural and Urban Addressing Standard AS/NZ 4819:2011* in having unconnected navigable sections of a road assigned with the same name.

Accordingly, Council is proposing to rename the short section of Suburb Road west off Mary Street (as circled in Figure 1).



*Figure 2: Suburb Road (west off Mary Street), Westbury*

When proposing a new road name, Council's preference is to consider a name that has a historical reference to the area. The Tasmania Nomenclature Office also prefers non-duplication of a name that has previously been used within the State. There is also a reluctance to approve a road name that has been amended simply with a cardinal suffix.

The road section to be renamed is maintained by Council and is approximately 210 metres in length. Two residential properties are accessed off this road.

An investigation of past owners of properties located on this section of Suburb Road has revealed the name of 'A Winwood', an early landholder who was in 1924 granted the small property indicated on the street plan below (refer Figure 3). This is now the residential property of D&J Burns.

As the name 'Winwood' would meet the addressing criteria, it is therefore proposed to rename the short section of road currently identified as Suburb Road (west off Mary Street) as 'Winwood Lane'.

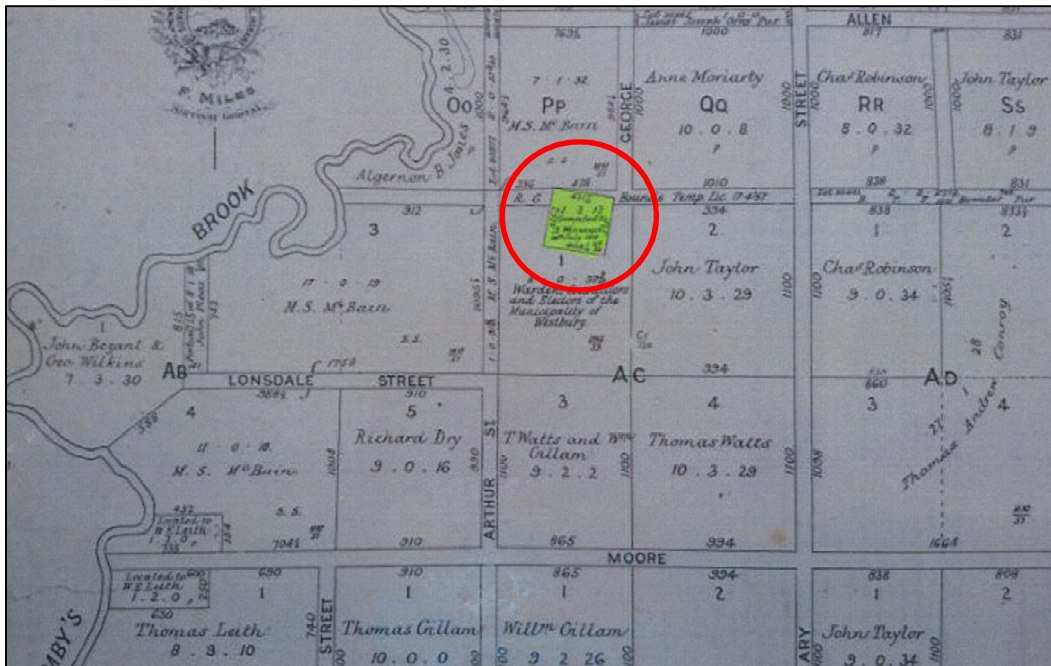


Figure 3: Property at the end of Suburb Road, originally granted to A Winwood in 1924.

The Tasmanian Placenames Guidelines defines a 'Lane' as 'a narrow way between walls, buildings or a narrow country or city roadway'. This designation is suitable for the proposed new road name.

Council has the jurisdiction to name roads within proclaimed town boundaries, however the proposed replacement road name needs to be endorsed by Council under Section 20(E) of the *Survey Co-Ordination Act 1944* before the approved name can be submitted to the Nomenclature Office. As Suburb Road is within the proclaimed town boundary of Westbury, the submission only requires the Nomenclature Office to note the new name and would not require its gazetting. As such there would be no objection period and the name would become official on receiving notification from the Nomenclature Office that the name has been considered acceptable according to the Tasmanian Place Naming Guidelines.

### 3) Council Strategy and Policy

Not applicable.

### 4) Legislation

Road naming is regulated under the *Survey Co-Ordination Act 1944*.

## **5) Risk Management**

Risk is managed through the formal process of ratifying road names to avoid conflict with existing named roads in other municipalities within Tasmania. Non-duplication of names also ensures greater address clarity for such agencies as emergency services as it removes confusion in property location identification, thus enhancing public safety.

## **6) Government and Agency Consultation**

Not applicable.

## **7) Community Consultation**

Two property owners access their properties off this section of Suburb Road; C&A Bough and D&J Burns. Both property owners have been consulted regarding the proposed new road naming. Council's approach has been to propose a name that is historically based but is not preferential to either property owner. There has been no objection to the road being renamed, with Mr and Mrs Bough approving of the proposed new road name of Winwood Lane.

Further consultation has occurred with Mr Michael Burns, who has acted on behalf of his parents. Mr Burns has proposed four new road names as alternatives to the proposed name of 'Winwood'. The names proposed were: 'Burns', 'Eric's', 'Wood Yard' and 'Burnswood'. After investigation, however it has been concluded that none of these road names can be considered as suitable alternatives.

Both 'Burns' and 'Eric's' would be duplications of road names already in existence in Tasmania. The Burns family operates a timber business from their property, hence the suggested names of 'Wood Yard' and 'Burnswood'. These names cannot be considered as the *draft Tasmanian Place Naming Guidelines (July 2017) - 3.12 Business and Commercial place names* advises that 'a place name should not include the name of a commercial business, trade name, or non-profit organisation or any term that may be construed as advertising a commercial or industrial enterprise.'

## **8) Financial Consideration**

Not applicable.



## **9) Alternative Recommendations**

Council can select a name other than that recommended or delegate this responsibility to Council staff.

## **10) Voting Requirements**

Simple Majority

## **DECISION:**

# **GOVERNANCE**

Reference No. 48/2019

## **MEANDER VALLEY COUNCIL MODEL CODE OF CONDUCT**

**AUTHOR:** Martin Gill  
GENERAL MANAGER

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### **1) Recommendation**

***It is recommended that Council adopts the Meander Valley Model Code of Conduct 2019: as follows:***

#### **PART 1 - Decision making**

- 1.** A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
- 2.** A councillor must make decisions free from personal bias or prejudgement.
- 3.** In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
- 4.** A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

#### **PART 2 - Conflict of interests that are not pecuniary**

- 1.** When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
- 2.** A councillor must act openly and honestly in the public interest.
- 3.** A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the

Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.

**4.** A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.

**5.** A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.

**6.** A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –

**(a)** declare the conflict of interest before discussion on the matter begins; and

**(b)** act in good faith and exercise reasonable judgement to determine a reasonable person would consider that the conflict of interest requires the councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.

**7.** This Part does not apply in relation to a pecuniary interest.

#### PART 3 - Use of Office

**1.** The actions of a councillor must not bring the Council or the office of councillor into disrepute.

**2.** A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.

**3.** In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

#### PART 4 - Use of resources

**1.** A councillor must use Council resources appropriately in the course of his or her public duties.

**2.** A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.

3. A councillor must not allow the misuse of Council resources by any other person or body.

#### PART 5 - Use of information

1. A councillor must only access Council information needed to perform his or her role and not for personal reasons or non-official purposes.

2. A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

#### PART 6 - Gifts and benefits

1. A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances.

2. A councillor must avoid situations in which the appearance may be created that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council.

#### **PART 7 - Relationships with community, councillors and Council employees**

1. A councillor –

(a) must treat all persons fairly

(b) must not cause any reasonable person offence or embarrassment

(c) must not bully or harass any person.

2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.

3. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.

4. A councillor must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council.

#### **PART 8 - Representation**

1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council.
2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.
3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor.
4. A councillor must clearly indicate when he or she is putting forward his or her personal views.
5. A councillor's personal views must not be expressed publicly in such a way as to undermine the decisions of the Council or bring the Council into disrepute.
6. A councillor must show respect when expressing personal views publicly.
7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.
8. When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

#### PART 9 - Variation of Code of Conduct

1. Any variation of this model code of conduct is to be in accordance with section 28T of the Act.

## **2) Officers Report**

Section 28R of the Local Government Act 1993 (Act), states that the Minister is to make a model code of conduct relating to the conduct of Councillors.

During 2017 and 2018 the Minister with the input from the Local Government sector reviewed the local Government Code of Conduct and on 10 December 2018 made amendments to the Act to implement the recommendations that emerged from the review.

The attached information sheet provides an overview of the changes

In making the changes to the Act, the Minister also changed the Local Government (Code of Conduct) Order 2016. These changes were gazetted on 26 December 2018.

Under section 28T of the Local Government Act 1993 (the Act), councils must adopt the amended Model Code within three months of the Order taking effect. The deadline for adopting the amended Model Code is therefore 26 March 2019.

Many of the changes were made to remove the overlap between provisions in the Act, including pecuniary interests and use of information.

Council reviewed the proposed amendments to the Meander Valley Model Code of Council at the Council Workshop in February.

### **3) Council Strategy and Policy**

Further the objectives of the Council's Community Strategic Plan 2014 to 2024 in particular:

- Future direction (2) – A thriving local economy
- Future direction (5) - Innovative leadership and community governance

### **4) Legislation**

Local Government Act 1993  
Local Government (Code of Conduct) Order 2016

### **5) Risk Management**

Council is required to adopt a code of conduct under the provisions of the Local Government Act 1993 if it does not it would face censure and potentially intervention by the Minister for Local Government. This would have a significant impact on the reputation of Council.

If Council chooses to vary the model code but does not do this in accordance with the provisions of s.28 of the Local Government Act, it risks censure or intervention by the Minister for Local Government.

## **6) Government and Agency Consultation**

The Local Government Division has provided advice to councils about the changes to the Local Government (Code of Conduct) Order 2016.

## **7) Community Consultation**

Not applicable.

## **8) Financial Consideration**

Not applicable.

## **9) Alternative Recommendations**

Not applicable.

## **10) Voting Requirements**

Simple Majority

## **DECISION:**

# Amendments to *Local Government Act 1993* and *Local Government (Model Code of Conduct) Order 2016*

## INFORMATION SHEET

This information sheet provides a summary of the changes made to the *Local Government Act 1993* and the *Local Government (Model Code of Conduct) Order 2016* in December 2018

### Code of Conduct Changes

Following a review of the model code of conduct framework, there have been changes made to both the *Local Government Act 1993* (the Act) and the *Local Government (Model Code of Conduct) Order 2016* (the Code). Together, these changes will improve the overall efficiency and effectiveness of the complaints handling process.

Amendments to the Act apply as of 10 December 2018 include:

- **section 28V(3)(fb)** - a new requirement that a complainant provide details of reasonable efforts made to resolve the issue that is the subject of the complaint, when lodging a complaint;
- **section 28ZE(5A)** - a new requirement that a complainant (along with councillors or employees of the council) are to provide a statutory declaration verifying the accuracy of the information they provide in respect of a complaint;
- **section 28ZB(1)(a) and (ab)** - a new provision to allow the chairperson of a Code of Conduct Panel to dismiss complaints on the basis of 'triviality', as well as on the basis that the complainant has not made a reasonable

effort to resolve the issue prior to lodgement of the complaint;

- **section 72(1)(ba)** - a new provision requiring councils to include in their annual report the number of code of conduct complaints that were received in total, as well as the number that were upheld either wholly or in part;
- **section 339** - a new offence provision to explicitly prevent any person from misusing information acquired in relation to a code of conduct investigation; and
- a small number of minor amendments focused on improving the overall procedural fairness, confidentiality and transparency of the complaints handling process.

Amendments to the model code were approved by the Minister for Local Government on 7 December 2018 and came into effect upon Gazettal on 26 December 2018. However, these changes will not apply until the amended model code is adopted by the relevant council.

Amendments include:

- **part 2 – clause 7** - changes to make it clear that the model code does not apply to pecuniary interests or to the



disclosure of confidential information, as these are dealt with as offence provisions under the Act; and

- **Part 2 – clause 6** - the introduction of a 'reasonable person' test in relation to non-pecuniary conflicts of interest. This replaces the 'materiality' test, and is intended to provide consistency within the Code and with common law principles. Further guidance will be issued about what is the 'reasonable person'.

## Miscellaneous Changes

Miscellaneous amendments to the Act were also made in order to address a number of minor drafting and administrative matters. Relevant changes include:

### **Pecuniary interests - section 52(1)(d)**

The Act was amended to clarify that a councillor can only vote on a matter relating to the payment of allowances or expenses if that matter relates to all councillors of the council.

### **Gifts and donations register - section 56B(3)**

The register of gifts and donations for elected members is required to be made permanently available at the relevant council's office, on the council's website and updated at least monthly.

### **Improper use of information - section 339(1), (2) and (2A)**

Existing provisions have been extended to capture former councillors, members, members of an audit panel or employees, similar to the restrictions that apply under the *Corporations Act 2001* to former directors with respect to the misuse of information.

### **Vacation of office - Schedule 5 - clause 3(1)**

The office of a councillor, who is elected to any Parliament in Australia, is vacated on the day on which they begin to hold office in that Parliament. This will prevent members elected to Tasmanian or Australian Parliament continuing to also serve as councillors.

### **Customer service charter - section 339F(4)**

A review of a council's charter needs to be undertaken within 12 months of a council election, rather than every two years.

**Disclaimer:** Advice on legislation or legal policy issues contained in this paper is intended for information and general guidance only. Such advice is not professional legal opinion.

# **GOVERNANCE**

Reference No. 49/2019

## **REVIEW OF MEANDER VALLEY COUNCIL COMMUNITY STRATEGIC PLAN 2014 TO 2024**

**AUTHOR:** Martin Gill  
GENERAL MANAGER

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### **1) Recommendation**

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

- a) approves the review under Section 70E of the Local Government Act 1993 and makes the following amendments to the Meander Valley Council Community Strategic Plan 2014 to 2024***
  - remove references to a Council Delivery Plan***
- b) includes a project in the 2019 – 2020 Annual Plan to undertake a mid-term review of the Meander Valley Council Community Strategic Plan 2014 to 2024 which would incorporate community consultation***

### **2) Officers Report**

In 2014 under the provisions of section 66 of the Local Government Act 1993 Council prepared a 10 year Strategic Plan for the Meander Valley Council local government area. Council resolved to call the plan the Meander Valley Community Strategic Plan 2014 – 2024 (Strategic Plan).

The Strategic Plan sets out the vision and the future direction of our community for a 10 year period. It sets out the strategic outcomes that further the objectives of the future directions included in the Strategic Plan.

Section 70E of the Local Government Act requires that Council reviews the Strategic Plan every four years.

During 2018 the General Manager undertook an initial review of the Strategic Plan. This initial review included consultation with the Local Government Division about:

- the extent and intention of a four year review
- the timing in relation to the local government elections (October 2018)

As a result of this consultation the framework of the review was structured in the following manner:

- review during 2018
- consideration by new Council following election

The intent of the review was to be limited, in that; it was not intended to result in a re-write of the Strategic Plan. It was decided that this would be an interim review to meet Council's statutory obligations before an extensive review was undertaken in late 2020.

This approach would allow the new Council to become familiar with the processes of Council, the issues that were important to the community, and importantly allow time for the new Council to develop its own vision.

In this context the objectives of the current review were:

- measure progress toward achieving the strategic outcomes set out in the document
- analyse the strategic outcomes to ensure they remain relevant and future looking
- determine what amendments, if any need to made to the Strategic Plan
- determine if existing programs within Council need to be adjusted to better align with the strategic outcomes set out in the document

The review indicated that Council was on track to achieve the strategic outcomes identified under the respective future direction objectives set by Council in 2014.

The review has resulted in one recommended change to the current Strategic Plan document. It is recommended that the reference to a Council Delivery Plan is removed because this initiative was not progressed by the previous Council.

### **3) Council Strategy and Policy**

Furtheres the objectives of the Council's Community Strategic Plan 2014 to 2024 in particular:

- Future direction (5) - Innovative leadership and community governance

### **4) Legislation**

Local Government Act 1993

### **5) Risk Management**

Not applicable.

### **6) Government and Agency Consultation**

Consultation was undertaken with the Local Government Division.

### **7) Community Consultation**

Not applicable.

### **8) Financial Consideration**

Not applicable.

### **9) Alternative Recommendations**

Council could elect to not have a mid-term review and review the document in 2022 in accordance with the requirements of the Local Government Act 1993.

### **10) Voting Requirements**

Simple Majority

## **DECISION:**

# **GOVERNANCE**

Reference No. 50/2019

## **POLICY REVIEW NO. 24 – COUNCILLOR EXPENSE ENTITLEMENTS, ATTENDANCE AT CONFERENCES AND TRAINING**

**AUTHOR:** Martin Gill  
GENERAL MANAGER

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### **1) Recommendation**

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

- a. Approves a new capital works budget of \$30,000 for the purposes of purchasing a Council fleet vehicle for use by the Mayor in accordance with Council Policy No. 24.***
- b. Confirms the continuation of Policy No.24 - Councillor Expense Entitlements, Attendance at Conferences and Training with amendments as follows.***

## **POLICY MANUAL**

**Policy Number: 24**      **Councillor Expense Entitlements, Attendance at Conferences and Training**

**Purpose:** To provide guidelines for the reimbursement of Councillors expenses incurred in carrying out their duties.

**Department:** Governance & ~~Community Services~~  
**Author:** ~~Patrick Gambles, Acting Director~~  
Martin Gill, General Manager

**Council Meeting Date:** ~~13 December 2016~~ 12 March 2019  
**Minute Number:** ~~261/2016~~

**Next Review Date:** ~~November 2020~~ **March 2021**

## POLICY

### **1. Definitions**

~~Nil.~~

~~Councillors:~~ All elected members of the Meander Valley Council including the Mayor and Deputy Mayor.

### **2. Objective**

To ensure Councillors are adequately ~~compensated~~ reimbursed on a consistent basis for expenses incurred in carrying out their duties, including professional development and training, so that electors are not deterred by cost from seeking a position on Council.

### **3. Scope**

This policy applies to all ~~Councillors. elected members of Meander Valley Council.~~

### **4. Policy**

#### **Remuneration and Allowances**

The allowances for ~~the Mayor, Deputy Mayor and~~ Councillors are as outlined in the Local Government (General) Regulations 2015 and ~~Section 340A of the Local Government Act (Act).~~ Allowances are paid monthly by direct deposit into the Councillor's nominated bank account.

~~If the Deputy Mayor is appointed to act in the role of Mayor for a period of 4 consecutive weeks or more, the Deputy Mayor is entitled to receive, for that period, the allowance payable to the Mayor.~~

#### **Travelling/ and Carer Expenses**

Councillors are entitled to reimbursement of travelling ~~and/or carer expenses~~ expenses and care of any child or dependent while carrying out the duties of office in the following situations:-

- To attend ~~Council meetings of Council,~~ Council workshops, ~~or~~ meetings of any committee of the Council; ~~and~~ any other meeting where the Councillor has been delegated or authorised by Council to attend.
- Upon inspections or business within the Council area, provided such inspections or business is undertaken in compliance with ~~resolutions of the a~~ Council ~~decision or Council meeting agenda item.~~
- Upon inspections or business as arranged by the General Manager or Departmental Directors.

- To attend to business of the Council, outside the Council area, in compliance with a ~~resolution of Council~~ **decision or Council meeting agenda item**.
- Attendance at the Annual Conference of the Local Government Association of Tasmania or any meeting of a regional organisation committee which Council sends a delegate.
- Attend any ~~seminar/conference~~ **conference, seminars and training** in compliance with a ~~resolution or policy of Council~~ **the relevant section of this Policy**.
- Travel must be taken in the shortest route practical.
- The travelling allowance for Councillors shall be paid in accordance with the **Australian Taxation Office cents per kilometre rate set for that financial year in which the travel occurred. For 2018-19 this is the amount of 68 cents per kilometre. rates prescribed for the Tasmanian Public Service as for an "occasional user" category, with the Mayor being paid as for a "required user" but for all kilometres claimed.**
- ~~A vehicle may be provided for use by the Mayor for the purposes of discharging his or her functions and duties of office if more cost effective for Council than paying a travelling allowance.~~
- Reimbursement for Councillors other than the Mayor will be paid on a monthly or quarterly basis.
- Council is to make a fully maintained Mayoral vehicle available to the Mayor, when representing Council at meetings, functions, and other activities. The Mayoral vehicle will be managed in accordance with Council's code of use for motor vehicles, with the classification being a private user. The allocated vehicle is for use by the Mayor when attending Council related activities and may also be used by the Mayor for private purposes.
- Carer expense claims need to provide sufficient evidence of the cost, net of any reimbursements received or due.

## Telephones

Council will reimburse Councillors for the cost of telephones **(including rentals, data and calls) up to a maximum \$500 per 12 months**. Claims need to provide **evidence of the costs incurred and** sufficient information to show that it relates to the carrying out of the duties of office.

**The Mayor may be provided with a mobile phone with all associated costs met by Council.**

## Communication Equipment

For each term of office, Council will provide each councillor with

- (i)• ~~a capital cost allowance~~ **Capital reimbursement** up to a maximum of \$3,000 for purchase of a mobile phone, **tablet**, a fax/printer/scanner, a computer (loaded with an appropriate operating system and office suite) and a filing cabinet to assist them in performing ~~his/her~~ **their** duties.

- The ~~capital cost allowance~~ capital reimbursement will be paid upon evidence of the purchase of equipment.

~~Or~~

- (ii)• ~~an annual lease allowance up to \$625 per annum to offset the usage of existing personal communication equipment as listed above.~~

~~And~~

- (iii)• ~~An annual support allowance up to \$900 p.a. towards Internet costs for home and mobile devices. Council will reimburse Councillors for the cost of home internet up to a maximum \$500 per 12 months. Claims need to provide evidence of the costs incurred and sufficient information to show that it relates to the carrying out of the duties of office.~~

~~The annual lease allowance will be paid on the following pro-rata basis:~~

- ~~———— \$375 per annum for computer usage~~
- ~~———— \$100 per annum for printer/scanner/fax~~
- ~~———— \$ 75 per annum for mobile phone~~
- ~~———— \$ 75 per annum for filing cabinet~~
- ~~———— \$625 per annum~~

~~when a Councillor provides personal communication equipment, which has not been funded previously by Council, for Council use.~~

~~The annual support allowance will be paid upon evidence of maintenance and ISP costs incurred.~~

Should a Councillor resign or the term of office be terminated prior to the normal four year term, then ~~all communication equipment will be returned to Council or~~ a pro-rata refund of ~~the capital cost allowance may~~ all communication equipment purchase costs will be payable by that Councillor (this shall be in the form of a cash refund or an equivalent deduction from any allowance payable to the Councillor as outlined in the Local Government (General) Regulations 2015).

## **Secretarial Assistance**

Council will provide a reasonable level of word processing assistance to enable elected members to carry out their official duties. The General Manager will have discretion in determining the extent of assistance which can be provided.

## **Stationery**

Council, shall upon request, provide Councillors with standard stationery held or obtained generally for the organisation's requirements.

Stationery may include but not necessarily limited to paper, business cards, writing implements, diaries, writing pads, envelopes and the like.

Requests for stationery will be by the way of the completion of a requisition presented to the General Manager.



## **Conferences, Seminars and Training**

Council recognises the obligation on Councillors to be properly informed on matters relating to governance and Council decisions. The following guidelines apply to conference, seminars and training:

- Council will provide an annual **budget** allocation for conference, seminar and training expenses for Councillors.
- The Council and General Manager are to ensure that there is equity between Councillors in relation to attendance at conferences, seminars and training courses.
- The Council is to ensure that conferences, seminars and training courses are relevant to the current activities of Council and the training and professional development needs of Councillors.
- Councillors attending a conference must submit a written report to the General Manager within 4 weeks of returning from the conference. This report should outline the conference program and benefits gained.
- Councillors attending a training course or seminar shall provide any course notes or handouts to the General Manager for distribution to other Councillors.
- Councillors who wish to attend a conference, seminar or training program must lodge a Training Registration Form with the General Manager. Details of the conference, seminar or training program must be attached to the Training Registration Form.
- **Attendance, accommodation, airfares and reasonable meal expenses will be arranged by Council or paid by reimbursement to the Councillors.**

Where the total cost of registration, travel and expenses is likely to exceed \$2,500, the General Manager will refer the application to Council for consideration and approval.

Where the total cost of registration, travel and expenses is less than \$2,500, then the General Manager will have delegated authority to consider and approve the application.

If the General Manager refuses an application, a Councillor may submit an application in writing for consideration at a meeting of Council.

The Mayor and Deputy Mayor are Council's designated delegates to the LGAT Annual Conference. Other Councillors may attend by using the Councillor Training Registration Form.

## **Other Expenditure**

Any expenditure not specified above as expenditure for which a Councillor is entitled to be reimbursed or paid by the Council shall be the responsibility of the Councillor, except where Council resolves otherwise.

## **General Provisions**

The following general provisions apply to this policy wherever appropriate to determine the amount of out of pocket expenses that will be reimbursed to Councillors:

- ~~Travel must be undertaken by the shortest route possible.~~
- ~~Any time occupied in authorised Council business is not to be included in the calculation of any expenses to be paid.~~ Councillors will not be reimbursed for time spent representing the community; this is taken into account in legislated Councillor Allowances.
- Councillors will be provided with name badges.
- ~~Wherever possible and practicable a Councillor should seek prior Council approval before attending an activity for the purpose of making payments in relation to any expenses incurred.~~
- Where travel is by flight the standard form of travel will be economy class.
- Travelling expenses, carer expenses and out of pocket expenses will, unless there are exceptional circumstances, be paid in arrears.
- Council will not reimburse claims later than 12 months after the claim has been incurred by the Councillor.
- Given that the Councillor Allowance is expected to be treated by the Australian Taxation Office as assessable income in the individual's hands, Councillors are encouraged to consider whether expenditure is deductible for taxation purposes as an expense necessarily and solely incurred in the carrying out of their Council duties. Prevailing taxation laws and substantiation requirements should be recognised and considered when maintaining records for deduction purposes.

## **5. Legislation**

This policy is complementary to the Local Government Act 1993 and Local Government (General) Regulations 2015.

## **6. Responsibility**

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

## **2) Officers Report**

The objective of this policy is to ensure that Councillors are adequately reimbursed on a consistent basis for expenses incurred in carrying out their duties.

This Policy was last reviewed in December 2016 where it was endorsed with minor amendments. The review has been undertaken twenty one months prior to the next review date following the Local Government Elections in October 2018 and as such the policy has not been reviewed by the Audit Panel.

Council considered the Policy at the February 2019 workshop. The Council review provided for the inclusion of sections to make available a fully maintained Council vehicle and a fully maintained Council mobile phone for the Mayor. Another less significant change is for Councillors to be reimbursed for private vehicle travel at the ATO cents per kilometre rate (currently 68 cents per kilometre) rather than the current provision of the Tasmanian Public Service occasional user rate (47.87 cents per kilometre for vehicles over 2 litres or 41.17 cents per kilometre for vehicles 2 litres and under).

## **3) Council Strategy and Policy**

Not applicable.

## **4) Legislation**

If Council decides to provide the Mayor with a Council vehicle, a capital expenditure budget will be required to action the purchase. Council may alter the Capital Works expenditure budget by absolute majority in accordance with Section 82(4) of the Local Government Act 1993.

Council allowances are provided in accordance with Section 340A of the Local Government Act 1993 and Section 42 of the Local Government (General) Regulations 2015.

## **5) Risk Management**

Not applicable.

## **6) Government and Agency Consultation**

Not applicable.

## **7) Community Consultation**

Not applicable.

## **8) Financial Consideration**

The annual cost to Council from the reimbursement provisions in the Policy is approximately \$32,000. This is in addition to Councillors Allowances paid in accordance with the Local Government Act. An allocation is made in the operating Budget Estimates each year for all associated costs.

Providing the Mayor with a fully maintained vehicle, rather than cents per kilometre reimbursement, and a fully maintained mobile phone is anticipated to cost an additional \$8,500 per year.

Increasing the private vehicle travelling allowance reimbursement rate for Councillors from 41.17 cents per kilometre to 68.00 cents per kilometre is anticipated to cost an additional \$2,700 per year.

## **9) Alternative Recommendations**

Council can elect to make further amendments or retain the existing policy until the current review date of November 2020.

## **10) Voting Requirements**

Recommendation a. requires an Absolute Majority.

Recommendation b. requires a Simple Majority.

If both recommendations are moved as one item for decision, an Absolute Majority will be required.

## **DECISION:**

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

Councillor xx moved and Councillor xx 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.”***

### **Voting Requirements**

Absolute Majority

The meeting moved into Closed Session at x.xxpm

## **CONFIRMATION OF MINUTES**

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

## **LEAVE OF ABSENCE**

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

## **CONTRACT NO. 201 2018-19 - WESTBURY RECREATION GROUND – NEW FUNCTION ROOM AND ALTERATIONS TO EXISTING CLUBROOMS**

(Reference Part 2 Regulation 15(2)(x) Local Government Meeting Procedures) Regulations 23015)

The meeting re-opened to the public at x.xxpm

Cr xxx moved and Cr xxx seconded ***“that the following decisions were taken by Council in Closed Session and are to be released for the public’s information.”***

The meeting closed at .....

.....  
WAYNE JOHNSTON (MAYOR)