



Meander Valley Council  
Working Together

# **ORDINARY MINUTES**

**COUNCIL MEETING**

**Tuesday 13 October 2020**

## Table of Contents

188/2020	CONFIRMATION OF MINUTES.....	3
189/2020	COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING.....	4
190/2020	ANNOUNCEMENTS BY THE MAYOR.....	4
191/2020	ANNOUNCEMENTS BY COUNCILLORS.....	5
192/2020	DECLARATIONS OF INTEREST.....	6
193/2020	TABLING AND ACTION ON PETITIONS.....	6
194/2020	PUBLIC QUESTION TIME.....	6
195/2020	COUNCILLOR QUESTION TIME.....	15
196/2020	DEPUTATIONS BY MEMBERS OF THE PUBLIC.....	16
197/2020	LOT 1 PANORAMA ROAD, BLACKSTONE HEIGHTS.....	18
198/2020	209 FARRELLS ROAD, REEDY MARSH.....	28
199/2020	150-152 DEXTER STREET, WESTBURY.....	32
200/2020	AMENDMENT 3/2020 – 12 NEPTUNE DRIVE, BLACKSTONE HEIGHTS.....	40
201/2020	2020-21 COMMUNITY GRANTS AND SPONSORSHIP FUND APPLICATION ASSESSMENTS ROUND 2 – SEPTEMBER 2020.....	42
202/2020	COUNCIL AUDIT PANEL: RECEIPT OF MEETING MINUTES.....	46
203/2020	FINANCIAL REPORTS TO 30 SEPTEMBER 2020.....	47
204/2020	REVIEW OF BUDGETS FOR THE 2020-21 CAPITAL WORKS PROGRAM.....	48
	<b>ITEMS FOR CLOSED SECTION OF THE MEETING:.....</b>	<b>49</b>
205/2020	CONFIRMATION OF MINUTES.....	49
206/2020	LEAVE OF ABSENCE.....	49
207/2020	COUNCIL AUDIT PANEL: APPOINTMENT OF INDEPENDENT CHAIRPERSON.....	49

Minutes of the Ordinary Meeting of the Meander Valley Council held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 13 October 2020 at 4.00pm.

## PRESENT

Mayor Wayne Johnston, Deputy-Mayor Michael Kelly, Councillors Susie Bower, Stephanie Cameron, Tanya King, Frank Nott, Andrew Sherriff, Rodney Synfield and John Temple.

## APOLOGIES

Nil

## IN ATTENDANCE

John Jordan, General Manager  
Merrilyn Young, Executive Assistant  
Dino De Paoli, Director Infrastructure Services  
Jonathan Harmey, Director Corporate Services  
Matthew Millwood, Director Works  
Krista Palfreyman, A/Director Community & Development Services  
Jo Oliver, Senior Strategic Planner  
Leanne Rabjohns, Town Planner  
Justin Simons, Town Planner  
Justin Marshall, Senior Accountant  
Nate Austen, Community & Lifestyle Officer  
Jacqui Parker, Governance Coordinator

## 188/2020 CONFIRMATION OF MINUTES

Councillor King moved and Councillor Cameron seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 8 September, 2020, be received and confirmed.”***

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

## 189/2020 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

Date	Items discussed:
15 September 2020	<ul style="list-style-type: none"> <li>• Presentation by Dr Katrena Stephenson, CEO of the Local Government Association of Tasmania</li> <li>• Presentation – Community Plan</li> <li>• Independent Audit Panel Chair Position</li> <li>• Launceston City Football Club Request – New change rooms at Prospect Vale Park</li> <li>• Training for Councillors</li> <li>• Restructure Update</li> </ul>
6 October 2020	<ul style="list-style-type: none"> <li>• Aspire Presentation</li> <li>• Lot 1 Panorama Road, Blackstone Heights</li> <li>• Blackstone Heights &amp; Prospect Vale Traffic</li> <li>• Sub-minimum subdivisions at Reedy Marsh</li> <li>• 150-152 Dexter Street, Westbury – 20 units</li> <li>• Teen Challenge Tasmania – Lease</li> <li>• Community Events Program</li> <li>• Prison Update</li> <li>• Development Potential – Valley Central</li> <li>• Councillor/General Manager Discussion</li> <li>• Items for Noting – Capital Works Program</li> </ul>

## 190/2020 ANNOUNCEMENTS BY THE MAYOR

### **8 September 2020**

Dinner meeting with Tasmanian Tractor Pullers Association

### **9 September 2020**

NTDC Board Meeting

### **10 September 2020**

Mayors Workshop

### **11 September 2020**

LGAT General Meeting

### **13 September 2020**

Open Day - Westbury Bowls Club

**15 September 2020**

Council Workshop

**16 September 2020**

Guest Speaker – Rotary Club of Westbury

**18 September 2020**

Investiture Ceremony – Government House

**24 September 2020**

TasWater Owners Representation Group Meeting

**26 September 2020**

NTFA Grand Final – Deloraine

**5 October 2020**

October pre-season Fire Brief

**6 October 2020**

Council Workshop

**7 October 2020**

TEMT Meeting - Launceston

**191/2020 ANNOUNCEMENTS BY COUNCILLORS**

*Councillor Susie Bower*

6 September – Site visit Mole Creek – John How

8 September – Council Meeting

22 September – Audit Panel Meeting

22 September – Council Workshop

27 September – Deloraine Football Club – Opening of demountable change rooms

30 September 2020 – Great Western Tiers Tourism Association AGM

6 October 2020 – Council Workshop

*Councillor Stephanie Cameron*

8 September – Council Meeting

22 September – Council Workshop

27 September – Deloraine Football Club – Opening of demountable change rooms

6 October – Council Workshop

*Councillor Frank Nott*

8 September - Council Meeting

22 September – Audit Panel Meeting

22 September – Council Workshop

27 September – Deloraine Football Club – Opening of demountable change rooms

30 September – Great Western Tiers Tourism Association AGM

## **192/2020 DECLARATIONS OF INTEREST**

Nil

## **193/2020 TABLING AND ACTION ON PETITIONS**

Nil

## **194/2020 PUBLIC QUESTION TIME**

### **1. PUBLIC QUESTIONS TAKEN ON NOTICE – SEPTEMBER 2020**

Mayor Johnston highlighted the procedures around questions and the limit of two per person each month.

Questions which present multiple parts (for example Question 1(a), and 1(b)) would be considered to be two or more separate questions as the case may be. Questions over the limit would at the discretion of the Mayor be carried over to the next meeting.

#### **1.1 *Emma Hamilton, Westbury***

1. a) I see on page 260 of the September 2020 Ordinary Meeting agenda ( page 4 of Amendment 1- September 2020 Meander Valley Interim Planning Scheme 2013) and page 268 of the September 2020 Ordinary Meeting agenda (page 12 of Amendment 1- September 2020 Meander Valley Interim Planning Scheme 2013) there is talk about how quickly the land at the William Street subdivision sold as justification for the proposed amendment yet there doesn't seem to be any academic referencing to quantify how quickly the lots sold. Will Council detail what research it undertook to be able to make these claims ie did it have correspondence with the landowner/ realtors or

land title searches? If so surely this evidence should be included as part of the decision making process. I would hope that if this is something councillors are being asked to vote on that the research was rigorous and more than just anecdotal evidence like a sold sticker on a development billboard or hearsay?

**Response by Jo Oliver, Senior Strategic Planner:**

**Page four of the Draft Amendment report (p260 of the September agenda) explains that subdivision and housing development data in the General**

**Residential and Urban Mixed use zones at Westbury was analysed. This information is held at Council and is based on the permits issued for both subdivision and development for houses and multiple dwellings on lots that pre-dated 2006 and lots that were created after 2006 by subdivision. Title transfer information is also available at Council. The table included at Page four outlines the results of that analysis, a prior version of which was also included in Council's report under the Land Use Planning & Approvals Act 1993 into the representations to the Draft Meander Valley Local Provisions Schedule when it was considered at Council's April 2019 Ordinary Meeting.**

- b) Also how many building/planning applications have been lodged with council for any of those blocks on the William Street Subdivision since they have sold? What is the projected timelines between the lots being sold and being built on?

**Response by Jo Oliver, Senior Strategic Planner:**

**To date, four applications have been approved. There are no projected timelines between sales and building commencement as these circumstances often vary.**

2. Will Council explain how much rate payer money was spent to produce this Amendment report that includes things like a Traffic Impact Assessment since some of the land involved in this report was already being considered for rezone under the statutory process to transition from the Meander Valley Interim Planning Scheme 2013 to the Local Provisions Schedule. This report seems like a waste of ratepayers money in an attempt to fast track a process that was already in place and likely to take affect soon anyway when the Local Provision Schedule was approved. Why is this amendment so urgent to implement? And what has it cost rate payers?

**Response by Jo Oliver, Senior Strategic Planner:**

**The land that is the subject of the proposed rezoning was not included in the General Residential Zone as part of any transition process to the Tasmanian Planning Scheme. The landowner submitted a representation to the public exhibition of the Draft Local Provisions Schedule (LPS) requesting consideration of rezoning of the land to General Residential Zone.**

**Consideration of that representation required analysis of land supply and demand information which Council considered in a report that was endorsed at the April 2019 Ordinary Meeting and then forwarded to the Tasmanian Planning Commission. Council supported the representation, however noted that appropriate background work needed to be undertaken to justify a rezoning and that this would be followed up through a separate amendment process for the rezoning of the land, and not be included in the Draft LPS process.**

**It is normal practice for a Council to undertake amendments to planning schemes for strategic purposes and Meander Valley Council has undertaken several amendments of its own accord. Council has provisioned an amount of \$13,000 in total across 2019-20 and 2020-21 financial years for this amendment, this amount is yet to be fully expended as the process is ongoing.**

1.2 Martin Hamilton, Westbury

1. a) With regards to the questions Councillor Synfield asked in the August meeting about when Council facilities would be reopened for casual hire, I'd like to know what the General Manager anticipates the cost to Council would be to clean the facility after it has been hired, and who cleans council owned facilities after they are used by regular hirers?

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

**A number of Council owned facilities are managed through a lease arrangement or by a special committee of Council. The facility managers in these instances will have a COVID-19 plan in place for the facility and bear the costs for cleaning, which is undertaken in accordance with the COVID-19 plans.**

**Council manages the cleaning of other facilities after use by regular hirers. Council has contracts in place with two cleaning companies and the cost for cleaning after use varies between facilities, the time involved and the day of the clean, and could be from \$40 per hour during normal business hours.**



- b) Can Council tell us how much money Council is losing from not renting out their facilities for casual hire?

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

**Council has approved a small reduction in the budgeted 2020-21 fees and charges revenue as a result of restrictions to facility usage due to COVID-19.**

2. a) Given I myself have contacted Launceston City Council and Northern Midlands Council to hire facilities through them, and their staff were happy to rent out facilities for casual bookings with a written agreement about who would be responsible for cleaning the facility after it's used as well as keeping a COVID register, it would seem that COVID Safety plans can be written by other Councils in such a way that would allow casual users to hire facilities. Why can't MVC make further enquiries with other municipalities as to how they are able to do this?

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

**Council has been in contact with other councils in the northern region to discuss the use of public facilities and we are cognisant of the varying approach taken by other councils. While COVID-19 restrictions remain in place, Council is mindful of the need to ensure community safety and has determined to take a conservative approach to the management of facilities. The management arrangements are subject to review based on any changing circumstance relating to the COVID-19 Disease Emergency.**

- 2 b) It seems if a plan can be in place that the Hirer was to appropriately clean the facility to COVID safety standards after its use, then it would not be a financial burden to Council, and Council would not be losing the money they normally receive from hiring facilities when Council is already expecting a deficit. Which elected Council representative/s (not Council employees) meet to discuss the COVID Safety Plan for the municipality, and if elected Councillors are not being invited to take part in these meetings, why not?

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

**The development and implementation of Council's COVID-19 safety plan is an operational responsibility for the General Manager. Councillors are regularly briefed on the changing circumstances of the COVID-19 Disease Emergency and how the organisation is managing the diverse range of issues that are presented.**

## 2. PUBLIC QUESTIONS WITH NOTICE – OCTOBER 2020

### 2.1 Martin Hamilton, Westbury

1. In the August 2020 minutes, 3.1 Councillor Question time, it is noted that Council “had written to both the Attorney-General and the Department of Justice seeking advice in terms of their time frames for the prison process and consultation with planning.” In the September minutes it is noted that Minister Archer was coming to speak with Council. Will Council advise when this meeting is to take place, or if it has already happened, when it was, who was in attendance and what the results of this meeting were?

***Response by John Jordan, General Manager:***

***Council is still awaiting a response from the Department of Justice and Minister.***

2. On Saturday the 26th September, Mayor Johnston was photographed at the football with Premier Gutwein, Minister Shelton, Minister Barnett and Greg Hall (the past Legislative Councillor for this area who has been a strong voice of support in the media for the Northern Prison to be built here at Westbury). Did Mayor Johnston take this opportunity to discuss the Northern Regional Prison issue with these members of Parliament? If so, what outcomes have been achieved as a result of these discussions?

***Response by John Jordan, General Manager:***

***No.***

### 2.2 Emma Hamilton, Westbury

- 1 a) Further to my question with notice in the September 2020 meeting 2.2, where it was answered that there are no heritage precincts or local heritage places in the Meander Valley Interim planning scheme, I'd like to point out that Westbury has 29 properties listed on the Tasmanian Heritage Register Permanent and Provisional Registrations as at 15 July 2020. Hagley has 10. Deloraine has 47. This is comparable to other municipalities with historic towns, like Evandale in the Northern Midlands Council which has 39 properties registered in the Tasmanian Heritage Register of the same date.

Can you explain why council did not consult the community about a heritage overlay or heritage protections as part of transitioning from the 2013 Interim

planning scheme to the local provisions schedule, especially since you were able to consult the community on the issue of subdivision?

**Response by Jo Oliver, Senior Strategic Planner:**

**Places listed on the Tasmanian Heritage Register are not regulated by planning schemes. Instead, applications for works on State listed places are referred to the Tasmanian Heritage Council (THC) through a statutory process under the Historic Cultural Heritage Act 1995 and the requirements of the THC must be included in any planning permit issued, or a permit must be refused if the works are refused by the THC.**

**Local heritage was a matter that was considered by Council as part of the consultation for the Draft Local Provisions Schedule (Draft LPS) and was the subject of seven representations. The representations were addressed in Council's report under Section 35F of the Land Use Planning & Approvals Act 1993 (LUPAA) which was endorsed at the Ordinary Meeting of Council in April 2019. Following from this, local heritage was a matter that was discussed in detail in a hearing of the Tasmanian Planning Commission (TPC) into the Draft Local Provisions Schedule**

- 1 b) Will council explain why it only consulted a small number of homeowners in Westbury regarding subdivision in Westbury and not all ratepayers in Westbury?

**Response by Jo Oliver, Senior Strategic Planner:**

**Consultation with land owners occurred in June 2020 in regard to substantial modifications to the Draft LPS that were required to be advertised and publicly exhibited in line with legislation and following the issue of the TPC notice under Section 35K of LUPAA. One of the matters included in the notice was the Specific Area Plan over the Low Density Residential Zone at Westbury, which related to the standards for subdivision. Land owners that were affected by the various modifications that were included in the notice, across a number of areas in the municipality, were notified of the modifications proposed by the TPC.**

2. When Council meet on the 13 October 2020, it will be three months since council chose not to hold a public meeting about the northern prison project, in response to the petition submitted to council. Even though Council felt the petition did not meet the legal requirement to compel a public meeting, "Division 3 - General public meetings 60F. Public meetings" states that "A council, on its own motion, may hold a public meeting to discuss any issue

the council determines.” This means that council could still have chosen to hold a public meeting, regardless of the minimal deficiency in petition signatories that would have compelled that meeting.

Will Council advise if it has met with representatives either for or against the prison since the petition was rejected in the July 2020 meeting?

***Response by John Jordan, General Manager:***

***The Council has not met with either pro or anti prison representatives. Individual Councillors have met with people about the prison.***

Will Council advise what the outcome has been of any such consultation, and if no consultation has been undertaken by council will you explain why you have not consulted with the community and when you will consult the community on this issue? Given at the July 2020 meeting several councillors stated that they would be willing to consult with the community "at the appropriate time", and as the Premier is feeling confident enough to start reopening borders sooner than anticipated, COVID-19 is not going to be an excuse to hide behind for much longer with regards to consulting the community.

***Response by John Jordan, General Manager:***

***Council will consult with the broader community when it has further information from the Tasmanian Government including clarification of any consultation it plans to do.***

### 2.3 Anne-Marie Loader, Westbury

I notice that MVC has advertised to recruit a Town Planner (MVC Facebook 02/10/2020). Has a current town planner resigned and as such is there a vacancy? Or does MVC anticipate that there will be extra demand on MVC town planning due to an increase in development applications generated by the rezone amendment and the prison?

***Response by John Jordan, General Manager:***

***The temporary planning role has been advertised in response to an increase in planning applications across the Meander Valley local government area. Council is required to meet statutory timeframes and more resources are needed to meet these. The upswing in planning applications across Meander***

**Valley is consistent with that being experienced by other municipalities and it is likely that the current economic incentives for the building industry have contributed to this. It is not in any way due to rezoning amendments or the proposed northern prison.**

2.4 Linda Poulton, Westbury

- 1 a) Who on council asked the town planning department of MVC to initiate work on the amendment rezone of the 2013 Interim Planning Scheme, was it our elected Councillors or did council employees initiate the amendment report?

**Response by Jo Oliver, Senior Strategic Planner:**

**It is presumed the enquiry relates to Draft Amendment 1/2020 for the rezoning of land for urban residential growth at Westbury.**

**At its Ordinary Meeting of 9 April 2019, Council endorsed a report on the representations to the Draft Meander Valley Local Provisions Schedule. In response to representations relating to zoning of land at Westbury, Council endorsed a commitment to investigate the rezoning of land to the General Residential Zone with a view to preparing a stand-alone draft amendment in the future, as the review of land supply and demand data indicated that there was a forthcoming shortage of urban residential land at Westbury. This data was included in Council's report under section 35F of the Land Use Planning & Approvals Act 1993 that considered the representations to the Draft Meander Valley Local Provisions Schedule.**

- 1 b) Which previous meetings was this discussed and decided in?

**Response by Jo Oliver, Senior Strategic Planner:**

**Despite a minor delay due to COVID-19 working arrangements earlier in 2020, at the conclusion of that work, the Draft Amendment was initiated and certified by Council at its Ordinary Meeting of 8 September 2020 in accordance with its commitment and is now on public exhibition.**

2.5 Gina Poulton, Westbury

- 1 a) Did the elected Councillors give approval for rate payers money to be spent on things like the traffic impact assessment included in the rezone amendment report? If so in which meetings was this approved?

**Response by Jo Oliver, Senior Strategic Planner:**

**It is presumed the enquiry relates to Draft Amendment 1/2020 for the rezoning of land for urban residential growth at Westbury.**

**A budget allocation for the preparation of the draft amendment was approved at Council's Ordinary meeting of 11 June 2019.**

- 2 b) If elected Councillors didn't approve the expenditure for the supplementary reports included in the rezone amendment report is there any legislation around how much rate payers money council employees can spend without notifying the elected members?

**Response by Jo Oliver, Senior Strategic Planner:**

**Council approved the budget allocation.**

2.6 Peter Wileman, Westbury

Given that the council has made no further effort to allow public attendance at council meetings, is it not possible for the meetings to be transmitted into the councils newly built, small meeting room so that individuals or representatives of interested groups might be able to observe the interactions that take place at the meetings. Currently we are offered written minutes and a very poor standard of voice recordings. The written minutes do not reflect the interactions or even the spoken words of the participants and the sound recording is of extremely poor standard. In both cases the record of the meeting is made available often a week later than the meeting. Alternatively, the council could look at catching up with technology by streaming the meetings as a webcast, even if it is only to the 'Supper Room' or Town Hall. Cost cannot be an issue as the council has a record of improving the council building to meet its needs. The need to demonstrate democracy at work is paramount especially under the current difficulties.

**Response by John Jordan, General Manager:**

**The current arrangements for recording and minuting of Council meetings are sufficient to satisfy legislative requirements under the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020. Council reviews arrangements regularly considering current advice from the Tasmanian and Federal Governments and the general COVID-19 circumstance. Securing technology to improve recording is expensive and due to the high demand for such technology during COVID supply delays are a reality. That said, Council has**

***invested in a new microphone and camera to improve recording quality and imaging for online meetings such as those conducted via Zoom.***

### **3. PUBLIC QUESTIONS WITHOUT NOTICE – OCTOBER 2020**

#### **3.1 Emma Hamilton, Westbury**

1. The State Government have gone on the record at various times stating that it will NOT use the "Major Projects" legislation to build a prison at Westbury. Will Meander Valley Council likewise make a commitment to the community that it will not, now or ever, write to the minister's office and ask for the proposed Northern Regional Prison to be made a "Major Project"?

***The Mayor refused this question on the grounds that the limit to the permitted number of questions had been exceeded.***

- 2 a) Given we know from the minutes of the MVC December 2019 AGM that the Mayor had talks with the Liberal Party about pre selection, will the Mayor and all Councillors declare all direct and indirect support received from the Liberal Party during all local council election campaigns?

***Question taken on Notice.***

- b) Further to that will the Mayor and all Councillors declare whether anyone in the Liberal Party, either directly or indirectly, encouraged or facilitated the Mayor or Councillors to run for office at the last Meander Valley Local Council elections?

***Question taken on Notice.***

## **195/2020 COUNCILLOR QUESTION TIME**

### **1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – SEPTEMBER 2020**

Nil

### **2. COUNCILLOR QUESTIONS WITH NOTICE – OCTOBER 2020**

Nil

### 3. COUNCILLOR QUESTIONS WITHOUT NOTICE – OCTOBER 2020

#### 3.1 *Cr John Temple*

Has there been any developments regarding the proposed prison in the Westbury area?

***Response by John Jordan, General Manager:***

***No***

### 196/2020 DEPUTATIONS BY MEMBERS OF THE PUBLIC

Nil



## **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 Consideration**

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 Recommendations**

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

### **Voting Requirements**

Simple majority

## **197/2020 LOT 1 PANORAMA ROAD, BLACKSTONE HEIGHTS**

The Mayor read an email from Danielle Truscott

The Mayor invited Peter Twitchett, Julie Smith and Noel Davidson to address Council regarding the following agenda item.

**Planning Application:** PA\20\0030

**Proposal:** Subdivision (95 Lots, Balance, Roads and Public Open Space)

**Author:** Justin Simons  
Town Planner

### **1. Recommendation**

***It is recommended that the application for Use and Development for Subdivision (95 Lots, balance, roads and public open space), on land located at Lot 1, Panorama Road, Blackstone Heights (CT: 173550/1), by PDA Surveyors obo Bass Strait 8 Pty Ltd, be APPROVED, generally in accordance with the endorsed plans:***

- a) PDA Surveyors, Job No. L18017, Sheets: Site Overview, Subdivision and Services Plan, Lot Layout, Subdivision Plan (8 Lots) and Proposed Stormwater Network;**
- b) EAW Geo Services, Re: Salinity Testing – 1 Panorama Road Blackstone Heights, dated 15 July 2020, and addendum dated 19 August 2020;**
- c) Livingston Natural Resource Services, Bushfire Hazard Management Report: Subdivision, dated 20 August 2020;**
- d) Cross-Section Analysis (4 pages);**
- e) Traffic and Civil Services, Traffic Impact Assessment dated August 2020 and notes dated 28 January 2020; and**
- f) Livingston Natural Resource Services, Natural Values Report, dated 19 February 2019 and addendum dated 20 August 2020.**

And subject to the following conditions:

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

consent in writing of Council.

- c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.
2. Engineering design drawings prepared by an engineer or other person approved by Council are to be submitted to the satisfaction of Council's Director Infrastructure Services detailing the proposed road network, footpaths, driveway crossovers, reticulated stormwater system and all other associated civil works. The designs are to be in accordance with the Tasmanian Sub-division Guidelines and Standard Drawings, and any departures are to be highlighted by the designer at the time of submission to Council. The designs are to include:
- a) Kerb and channel (with the exception of Panorama Road);
  - b) A footpath to one side of each road (including Panorama Road fronting Lots 52, 53, 54 and the Public Open Space);
  - c) Pedestrian crossing from the public open space to the footpath on the north side of the connector between Panorama Road and Kelsey, in proximity to the pedestrian link to Baker Court;
  - d) Piped stormwater drainage network (excluding Panorama Road), including long sections;
  - e) Open drain on Panorama Road fronting Lots 52, 53, 54 and the Public Open Space with mortared rock endwalls consistent with the existing endwall treatments on Panorama Road;
  - f) Traffic calming adjacent to Lot 32 (see Note 1);
  - g) A 2.0 metre wide pedestrian pathway crossing between the public open space parcels shown in Stages 10 and 12;
  - h) A 2.0 metre wide concrete footpath within the open space parcels from Panorama Road to the Kelsey Road extension, including shaping, topsoil and seeding to a width of 4m on either side of the path to accommodate future maintenance using a ride on mower;
  - i) A concrete footpath in Lot 103, extending through to Baker Court;
  - j) Turning heads (see Condition 6); and
  - k) Details of civil works associated with the former quarry face identified in lots 29, 30, 31, 46 and 45 to achieve a grade suitable for residential use and development consistent with the endorsed Cross Section Analysis.
3. A construction soil and water management plan is to be submitted to the satisfaction of Council's Director Infrastructure Services detailing the management of sediment during construction to avoid contamination and siltation of the downstream stormwater network.

4. The driveway crossover servicing each of the proposed lots (excluding those fronting Panorama Road) is to be constructed in accordance with Tasmanian Standard Drawing TSD-R09-V1 and to the satisfaction of Council's Director Infrastructure Services.
5. The driveway crossover servicing each of the proposed lots fronting Panorama Road is to be constructed and sealed in accordance with the dimensional requirements of the Tasmanian Standard Drawing TSD-R03 and TSD-R04 with mortared rock end walls and to the satisfaction of Council's Director Infrastructure Services.
6. At each stage a sealed "Y" turning head is to be provided on the balance land at the terminus of each new road section sufficient to provide an adequate turning area for service vehicles. The road lot is to be extended past the final lot in the stage to accommodate the turning head; or a right of carriage way in favour of Meander Valley Council is to be placed on the title over each turning head and is to be removed via amendment to the sealed plan at each subsequent stage.
7. The development at all times is to be managed in accordance with the endorsed bushfire hazard management plan.
8. Prior to the sealing of Stage 1, a Section 71 agreement must be executed, that provides the following:
  - a) The balance land at each stage must be maintained by the landowner to provide for bushfire hazard management areas in accordance with the attached bushfire hazard management plan, Livingston Natural Resource Services, dated 20 August 2020.

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

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

9. Prior to the Commencement of Works the following are to be submitted:
  - a) The engineering design drawings in accordance with Condition 2; and
  - b) The construction soil and water management plan in accordance with Condition 3.

10. Prior to the Sealing of the Final Plan of Survey for each stage:

- a) All works required in the endorsed engineering design drawings (as per Condition 2) are to be completed;
- b) Written confirmation from a suitably qualified person that the works required by the endorsed bushfire hazard management plan have been undertaken;
- c) Easements are to be included over all Council Infrastructure and turning heads; and
- d) A Section 71 agreement must be executed in accordance with Condition 8.

11. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2019/01134-MVC) attached.

Note:

1. Council's preference is to avoid the use of road humps for traffic calming. The engineering consultant should contact Council's Infrastructure Department to discuss appropriate traffic calming controls prior to finalising road design. Refer also letter dated 24 January 2019 to PDA surveyors regarding Council's expectations concerning engineering design documentation submitted to Council for approval.
2. Prior to any construction being undertaken within the existing road reserves, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on (03) 6393 5312.
3. This subdivision creates new roads and public open space that will become Meander Valley Council's asset. Please arrange for the lots to be transferred to Meander Valley Council upon the registration of the titles for each applicable stage.
4. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).
5. This permit 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.

## DECISION:

Cr King moved and Cr Cameron seconded ***“that the application for Use and Development for Subdivision (95 Lots, balance, roads and public open space), on land located at Lot 1, Panorama Road, Blackstone Heights (CT: 173550/1), by PDA Surveyors obo Bass Strait 8 Pty Ltd, be APPROVED, generally in accordance with the endorsed plans:***

- a) **PDA Surveyors, Job No. L18017, Sheets: Site Overview, Subdivision and Services Plan, Lot Layout, Subdivision Plan (8 Lots) and Proposed Stormwater Network;**
- b) **EAW Geo Services, Re: Salinity Testing – 1 Panorama Road Blackstone Heights, dated 15 July 2020, and addendum dated 19 August 2020;**
- c) **Livingston Natural Resource Services, Bushfire Hazard Management Report: Subdivision, dated 20 August 2020;**
- d) **Cross-Section Analysis (4 pages);**
- e) **Traffic and Civil Services, Traffic Impact Assessment dated August 2020 and notes dated 28 January 2020; and**
- f) **Livingston Natural Resource Services, Natural Values Report, dated 19 February 2019 and addendum dated 20 August 2020.**

And subject to the following conditions:

1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:
  - a) Such covenants or controls are expressly authorised by the terms of this permit; or
  - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.
  - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.
2. Engineering design drawings prepared by an engineer or other person approved by Council are to be submitted to the satisfaction of Council's Director Infrastructure Services detailing the proposed road network, footpaths, driveway crossovers, reticulated stormwater system and all other associated civil works. The designs are to be in accordance with the Tasmanian Sub-division Guidelines and Standard Drawings, and any departures are to be highlighted by the designer at the time of submission to Council. The designs are to include:
  - a) Kerb and channel (with the exception of Panorama Road);
  - b) A footpath to one side of each road (including Panorama Road fronting Lots 52, 53, 54 and the Public Open Space);
  - c) Pedestrian crossing from the public open space to the footpath on the north side of the connector between Panorama Road and Kelsey, in proximity to the pedestrian link to Baker Court;
  - d) Piped stormwater drainage network (excluding Panorama Road), including long sections;

- e) Open drain on Panorama Road fronting Lots 52, 53, 54 and the Public Open Space with mortared rock endwalls consistent with the existing endwall treatments on Panorama Road;
  - f) Traffic calming adjacent to Lot 32 (see Note 1);
  - g) A 2.0 metre wide pedestrian pathway crossing between the public open space parcels shown in Stages 10 and 12;
  - h) A 2.0 metre wide concrete footpath within the open space parcels from Panorama Road to the Kelsey Road extension, including shaping, topsoil and seeding to a width of 4m on either side of the path to accommodate future maintenance using a ride on mower;
  - i) A concrete footpath in Lot 103, extending through to Baker Court;
  - j) Turning heads (see Condition 6); and
  - k) Details of civil works associated with the former quarry face identified in lots 29, 30, 31, 46 and 45 to achieve a grade suitable for residential use and development consistent with the endorsed Cross Section Analysis.
3. A construction soil and water management plan is to be submitted to the satisfaction of Council's Director Infrastructure Services detailing the management of sediment during construction to avoid contamination and siltation of the downstream stormwater network.
  4. The driveway crossover servicing each of the proposed lots (excluding those fronting Panorama Road) is to be constructed in accordance with Tasmanian Standard Drawing TSD-R09-V1 and to the satisfaction of Council's Director Infrastructure Services.
  5. The driveway crossover servicing each of the proposed lots fronting Panorama Road is to be constructed and sealed in accordance with the dimensional requirements of the Tasmanian Standard Drawing TSD-R03 and TSD-R04 with mortared rock end walls and to the satisfaction of Council's Director Infrastructure Services.
  6. At each stage a sealed "Y" turning head is to be provided on the balance land at the terminus of each new road section sufficient to provide an adequate turning area for service vehicles. The road lot is to be extended past the final lot in the stage to accommodate the turning head; or a right of carriage way in favour of Meander Valley Council is to be placed on the title over each turning head and is to be removed via amendment to the sealed plan at each subsequent stage.
  7. The development at all times is to be managed in accordance with the endorsed bushfire hazard management plan.



8. Prior to the sealing of Stage 1, a Section 71 agreement must be executed, that provides the following:

- a) The balance land at each stage must be maintained by the landowner to provide for bushfire hazard management areas in accordance with the attached bushfire hazard management plan, Livingston Natural Resource Services, dated 20 August 2020.

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

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

9. Prior to the Commencement of Works the following are to be submitted:

- a) The engineering design drawings in accordance with Condition 2; and
- b) The construction soil and water management plan in accordance with Condition 3.

10. Prior to the Sealing of the Final Plan of Survey for each stage:

- a) All works required in the endorsed engineering design drawings (as per Condition 2) are to be completed;
- b) Written confirmation from a suitably qualified person that the works required by the endorsed bushfire hazard management plan have been undertaken;
- c) Easements are to be included over all Council Infrastructure and turning heads; and
- d) A Section 71 agreement must be executed in accordance with Condition 8.

11. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2019/01134-MVC) attached.

Note:

1. Council's preference is to avoid the use of road humps for traffic calming. The engineering consultant should contact Council's Infrastructure Department to discuss appropriate traffic calming controls prior to finalising road design. Refer also letter dated 24 January 2019 to PDA surveyors regarding Council's expectations concerning engineering design documentation submitted to Council for approval.
2. Prior to any construction being undertaken within the existing road reserves, separate consent is required by the Road Authority. An Application for Works

in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on (03) 6393 5312.

3. This subdivision creates new roads and public open space that will become Meander Valley Council's asset. Please arrange for the lots to be transferred to Meander Valley Council upon the registration of the titles for each applicable stage.
4. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).
5. This permit 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.

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

*Summary of Comment by Cr Tanya King:*

Thank you to the staff for their efforts in working with the developer to bring this application to us. I understand with empathy the concerns of the representors, but would envisage that with the revenue that will be generated from the subdivision, that there will be capacity for the necessary infrastructure improvements to be made with regard to stormwater management, pedestrian safety, and traffic management.

*Summary of Comment by Cr Frank Nott:*

With my concerns for the safety and risk to residents and road users in an extensive 95 lot development I sought additional information, including from the General Manager and Director of Infrastructure. Further investigation and modelling was necessary to address:

1. Provision and time frames for other road exits in the event of a major bushfire;
2. Improvements to road networks/intersections where 'bottlenecks' would occur with greater traffic volumes and in emergencies; and
3. Status of Panorama Road for drivers, cyclists and pedestrians with drains on both sides and without footpaths where a fatality occurred in December 2016.

## 198/2020 209 FARRELLS ROAD, REEDY MARSH

The Mayor invited Chris Brown and Andrew Ricketts to address Council regarding the following agenda item.

**Planning Application:** PA\21\0024

**Proposal:** Subdivision (2 Lots)

**Author:** Jo Oliver  
Senior Strategic Planner

### 1) Recommendation

***It is recommended that the application for Use and Development for Subdivision (2 lots) on land located at 209 Farrells Road REEDY MARSH (CT:211388/1) by PDA Surveyors, be REFUSED, for the following reasons:***

- 1. The subdivision does not satisfy 13.4.2.1 P1 in that it creates lots in an arrangement that is not consistent with the purpose of the Rural Living Zone at Reedy Marsh; and***
- 2. The subdivision does not satisfy 13.4.2.2 P1c) as it is not consistent with the Local Area Objectives and Desired Future Character Statements for Reedy Marsh.***

### DECISION:

Cr Temple moved and Cr Synfield seconded ***“that the application for Use and Development for Subdivision (2 lots) on land located at 209 Farrells Road REEDY MARSH (CT:211388/1) by PDA Surveyors, be REFUSED, for the following reasons:***

- 1. The subdivision does not satisfy 13.4.2.1 P1 in that it creates lots in an arrangement that is not consistent with the purpose of the Rural Living Zone at Reedy Marsh; and***
- 2. The subdivision does not satisfy 13.4.2.2 P1c) as it is not consistent with the Local Area Objectives and Desired Future Character Statements for Reedy Marsh.”***

As an alternate motion Cr Kelly moved and Cr Sherriff seconded ***“that the application for Use and Development for Subdivision (2 lots) on land located at 209 Farrells Road, Reedy Marsh (CT:211388/1) by PDA Surveyors Pty Ltd, be APPROVED, generally in accordance with the endorsed plans:***

- a) **PDA Surveyors; Plan of Subdivision; Dated 18 June 2020; Reference: 45715-P01; and**
- b) **Livingstone Natural Resource Services; Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan – 209 Farrells Rd, Reedy Marsh; Dated 3 September 2020 Version 2,**

and subject to the following conditions:

1. **Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:**
  - a) **Such covenants or controls are expressly authorised by the terms of this permit; or**
  - b) **Such covenants or similar controls are expressly authorised by the consent in writing of the Council.**
  - c) **Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**
2. **Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
  - a) **The proposed driveway access to Lot 2 must be constructed in accordance with LGAT Standard Drawing TSDR03 & R04 to the satisfaction of Council’s Director of Infrastructure Services. Refer Note 1.**

**Note:**

1. **Prior to the commencement of any work within Council’s Road Reserve, including construction of the driveways, separate consent is required by the Road Authority. An Application for Works in the Road Reservations is enclosed. All enquiries should be directed to Council’s Infrastructure Department on telephone 6393 5312.**
2. **Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to**

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

- 3. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:**

- a) Building approval**
- b) Plumbing approval**

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

4. This permit takes effect after:
- a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
  - c) Any other required approvals under this or any other Act are granted.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au)
6. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
7. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
8. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
9. If any Aboriginal relics are uncovered during works;

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

***The alternate motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, and Sherriff voting for the alternate motion and Councillors Nott, Synfield and Temple voting against the alternate motion.***

***The alternate motion became the motion and was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, and Sherriff voting for the motion and Councillors Nott, Synfield and Temple voting against the motion***

***From the discussion, the reasons for the decision were expressed as an absence of any major impact on the area or neighbours AND factoring the current lot configurations in the area, some of which are smaller in size than the subject lot.***

**Specific comments included:**

**Cr Kelly:** It's not going to have a major impact on the area or the neighbours. The whole area out there is chopped up into bits and pieces as we know, a lot of us know the area quite well. I believe it's a sensible development that's been proposed.

**Cr Sherriff:** The work Mr Brown has put into this, I commend him for it. He is doing what any normal person would do with their land if they intend to break it up and build other dwellings or sell it off. I think they should be able to do that. I sympathise with him for having to go through this rigmarole to actually get it passed. When you've got land you should be able to do within reason what you want to do with it. There is lot sizes in Reedy Marsh that are smaller than these proposed lots. I don't see that there is an argument.

**Cr King:** In his correspondence Mr Brown makes some very valid points especially with regard to lot sizes and some of the already existing lot sizes. His existing dwelling is very neat and tidy and to that end, the risk of a visual blight, considering the application before us, is very low.

## **199/2020 150-152 DEXTER STREET, WESTBURY**

The Mayor invited Peter Hatters, Joanne Mitchelson and Jason Van Zetten to address Council regarding the following agenda item.

**Planning Application:** PA\21\0057

**Proposal:** Multiple dwellings (20 units)

**Author:** Leanne Rabjohns  
Town Planner

### **1) Recommendation**

***It is recommended that the application for Use and Development for Multiple Dwellings (20 units), on land located at 150-152 Dexter Street, Westbury (CT:105704/1), by Urban Design Solutions, be APPROVED, generally in accordance with the endorsed plans:***

- a) Urban Design Solutions – Drawing Number: 6690 – Sheet Number: 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63 & 64;**
- b) Rare. – Project Number: 20.4119 – Drawing Number: C401 Rev 2, C411 Rev 0; and**
- c) Traffic & Civil Services, Traffic Impact Assessment, Dated September 2020.**

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

- 1. Prior to the commencement of works:
  - a) An amended site plan is to be submitted to the satisfaction of Council's Town Planner. The plans must be drawn to scale with dimensions and must show:
    - i) An additional one (1) car parking space in the visitor car parking area.
  - b) A Landscape Plan for the access strip, micro roundabout and the area between the micro roundabout and Units 12 & 13 must be submitted to the satisfaction of Council's Town Planner. The plan must be



prepared by a suitably qualified person and be drawn to scale. The plants must be evergreen, no higher than 3m at maturity, aim to soften the appearance of the development from Dexter Street and be semi-mature at the time of planting.

- c) Design drawings for the internal "street light" must be submitted to the satisfaction of Council's Town Planner (as per Condition 5).
  - d) Full engineering design drawings are to be submitted to the satisfaction of Council's Director Infrastructure Services detailing the proposed reticulated stormwater system. The designs are to be in accordance with the Tasmanian Standard Drawings and any departures are to be highlighted by the designer at the time of submission to Council. The drawings are to include long sections of the new pipe work (see Note 1).
2. The plants must be planted as per the endorsed Landscape Plan. Should any tree or shrub be removed or destroyed, it will be required to be replaced by a tree or shrub of similar size and variety.
  3. A sealed driveway crossover must be designed and constructed to the satisfaction of the Director Infrastructure Services (see Note 1 and Note 2).
  4. The central island of the micro roundabout must be line marked and signed, to the satisfaction of the Director Infrastructure Services.
  5. The internal 'street light' must be baffled and located so that no direct light is emitted outside the property boundaries, to the satisfaction of Council's Town Planner.
  6. A 10km/hr Shared Zone and End Shared Zone signage are to be installed as per the endorsed Traffic Impact Assessment prepared by Traffic & Civil Services;
  7. All visitor car & motorbike parking spaces are to be line marked or otherwise physically delineated to the satisfaction of Council's Town Planner. Spaces must also be clearly dedicated, through line marking or incidental signage.
  8. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2020/01408-MVC attached).

Note:

1. Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on 6393 5312. All works in the road reserve are at the developers cost.
2. In regards to the detailed design drawing for the proposed driveway, the developer's designer is encouraged to contact Council prior to commencing detailed design to confirm minimum requirements and site specific issues. The driveway must allow for turning of service vehicles. Culvert pipe and headwall are to be provided in accordance with Tasmanian Standard Drawing TSD-R03 and pavement thickness is to allow for design service vehicle loading.
3. Stormwater detention is required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.
4. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on (03) 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).
5. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:
  - a) Building approval
  - b) Plumbing approval

All enquiries should be directed to Council's Permit Authority on (03) 6393 5320 or Council's Plumbing Surveyor on 0419 510 770.
6. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) Any other required approvals under this or any other Act are granted.

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

## DECISION:

Cr Sherriff moved and Cr Cameron seconded ***"that the application for Use and Development for Multiple Dwellings (20 units), on land located at 150-152 Dexter Street, Westbury (CT:105704/1), by Urban Design Solutions, be APPROVED, generally in accordance with the endorsed plans:***

- a) **Urban Design Solutions – Drawing Number: 6690 – Sheet Number: 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63 & 64;**
- b) **Rare. – Project Number: 20.4119 – Drawing Number: C401 Rev 2, C411 Rev 0; and**
- c) **Traffic & Civil Services, Traffic Impact Assessment, Dated September 2020.**

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

- 1. Prior to the commencement of works:
  - a) An amended site plan is to be submitted to the satisfaction of Council's Town Planner. The plans must be drawn to scale with dimensions and must show:
    - i) An additional one (1) car parking space in the visitor car parking area.
  - b) A Landscape Plan for the access strip, micro roundabout and the area between the micro roundabout and Units 12 & 13 must be submitted to the satisfaction of Council's Town Planner. The plan must be prepared by a suitably qualified person and be drawn to scale. The plants must be evergreen, no higher than 3m at maturity, aim to soften the appearance of the development from Dexter Street and be semi-mature at the time of planting.
  - c) Design drawings for the internal "street light" must be submitted to the satisfaction of Council's Town Planner (as per Condition 5).
  - d) Full engineering design drawings are to be submitted to the satisfaction of Council's Director Infrastructure Services detailing the proposed reticulated stormwater system. The designs are to be in accordance with the Tasmanian Standard Drawings and any departures are to be highlighted by the designer at the time of submission to Council. The drawings are to include long sections of the new pipe work (see Note 1).
- 2. The plants must be planted as per the endorsed Landscape Plan. Should any tree or shrub be removed or destroyed, it will be required to be replaced by a tree or shrub of similar size and variety.

3. A sealed driveway crossover must be designed and constructed to the satisfaction of the Director Infrastructure Services (see Note 1 and Note 2).
4. The central island of the micro roundabout must be line marked and signed, to the satisfaction of the Director Infrastructure Services.
5. The internal 'street light' must be baffled and located so that no direct light is emitted outside the property boundaries, to the satisfaction of Council's Town Planner.
6. A 10km/hr Shared Zone and End Shared Zone signage are to be installed as per the endorsed Traffic Impact Assessment prepared by Traffic & Civil Services;
7. All visitor car & motorbike parking spaces are to be line marked or otherwise physically delineated to the satisfaction of Council's Town Planner. Spaces must also be clearly dedicated, through line marking or incidental signage.
8. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2020/01408-MVC attached).

Note:

1. Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on 6393 5312. All works in the road reserve are at the developers cost.
2. In regards to the detailed design drawing for the proposed driveway, the developer's designer is encouraged to contact Council prior to commencing detailed design to confirm minimum requirements and site specific issues. The driveway must allow for turning of service vehicles. Culvert pipe and headwall are to be provided in accordance with Tasmanian Standard Drawing TSD-R03 and pavement thickness is to allow for design service vehicle loading.
3. Stormwater detention is required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.

4. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on (03) 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).
5. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:
  - a) Building approval
  - b) Plumbing approval

All enquiries should be directed to Council's Permit Authority on (03) 6393 5320 or Council's Plumbing Surveyor on 0419 510 770.

6. This permit takes effect after:
  - a) The 14 day appeal period expires; or
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) Any other required approvals under this or any other Act are granted.
7. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
8. If an applicant is the only person with a right of appeal pursuant to section 61 of the *Land Use Planning and Approvals Act 1993* and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
9. This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.

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

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

**200/2020 AMENDMENT 3/2020 – 12 NEPTUNE DRIVE,  
BLACKSTONE HEIGHTS**

**AUTHOR:** Jo Oliver  
Senior Strategic Planner

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**1) Recommendation**

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

- 1. Pursuant to Sections 33(3) and 34(1)(a) of the former provisions of the Land Use Planning and Approvals Act 1993, initiate Draft Amendment 3/2020 to the Meander Valley Interim Planning Scheme 2013 to:***
  - a) Insert a Specific Area Plan as F8 Neptune Drive Specific Area Plan, in accordance with the attached certification document at Attachment 2.***
- 2. Pursuant to Section 35(1)(b), modify the draft amendment by:***
  - a) amending the title of the Specific Area Plan to 'F8 Neptune Drive Specific Area Plan';***
  - b) amending the text of the proposed provisions to relate to strata lots, distinct from the standard definition of a 'lot' in a subdivision;***
  - c) adding the Tasmanian Planning Scheme standards for subdivision that are applicable to the balance of Blackstone Heights;***
  - d) delete General Retail and Hire, Pleasure Boat Facility, Research and Development, Resource Processing and Transport Depot and Distribution from the use table, making these uses prohibited; and***
  - e) qualify 'Storage' use as for the existing use (contractor's yard),***

***in accordance with the certification document at Attachment 2.***
- 3. Pursuant to Section 35(1)(b), certify the modified draft amendment as being in accordance with Sections 300 and 32 of the Act.***



## DECISION:

Cr Nott moved and Cr Synfield seconded ***“that the agenda item be deferred to a future workshop.”***

***The motion was declared LOST with Councillors Nott, Synfield and Temple voting for the motion and Councillors Bower, Cameron, Johnston, Kelly, King and Sherriff voting against the motion.***

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

- 1. Pursuant to Sections 33(3) and 34(1)(a) of the former provisions of the Land Use Planning and Approvals Act 1993, initiate Draft Amendment 3/2020 to the Meander Valley Interim Planning Scheme 2013 to:***
  - a) Insert a Specific Area Plan as F8 Neptune Drive Specific Area Plan, in accordance with the attached certification document at Attachment 2.***
- 2. Pursuant to Section 35(1)(b), modify the draft amendment by:***
  - a) amending the title of the Specific Area Plan to ‘F8 Neptune Drive Specific Area Plan’;***
  - b) amending the text of the proposed provisions to relate to strata lots, distinct from the standard definition of a ‘lot’ in a subdivision;***
  - c) adding the Tasmanian Planning Scheme standards for subdivision that are applicable to the balance of Blackstone Heights;***
  - d) delete General Retail and Hire, Pleasure Boat Facility, Research and Development, Resource Processing and Transport Depot and Distribution from the use table, making these uses prohibited; and***
  - e) qualify ‘Storage’ use as for the existing use (contractor’s yard), in accordance with the certification document at Attachment 2.***
- 3. Pursuant to Section 35(1)(b), certify the modified draft amendment as being in accordance with Sections 300 and 32 of the Act.***

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff and Temple voting for the motion and Councillor Synfield voting against the motion.***

**201/2020 2020-21 COMMUNITY GRANTS AND  
SPONSORSHIP FUND APPLICATION  
ASSESSMENTS ROUND 2 – SEPTEMBER 2020**

**AUTHOR:** Nate Austen  
Community and Lifestyle Officer

**1) Recommendation**

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

- 1. Notes the recommendations of the Community Grants Committee;***
- 2. Approves community grants for Round 2 – September 2020, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:***

<b>Community Grants</b>		
<b>Organisation</b>	<b>Project</b>	<b>Grant Recommended</b>
Arts Deloraine	WOAD 20	\$1,500
Deloraine Community Band (Auspice Arts Deloraine)	New Pearl Bass Drum & Accessories	\$2,626
Deloraine Districts Pony Club	Amenities Upgrade	\$3,000
Deloraine House Inc	A place to change	\$450
Northern Tasmanian Football Umpires Association	Sports Club Chair Upgrade Stage 1	\$2,719
Rotary of Melbourne Passport Club	Tech Help for Seniors - Pilot Project	\$3,000
Westbury Primary School Parents & Friends	Westbury Community Recycling Hub	\$3,000*
Whitemore Tennis Club	Special Clean of Court	\$2,500
<b>Sub-total</b>		<b>\$18,795</b>
*subject to receipt of a Bendigo Bank grant.		

**3. Approves Council fee reimbursement grants for Round 2 – September 2020, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

<b>Council Fees Reimbursement Grants</b>		
<b>Organisation</b>	<b>Event</b>	<b>Grant Recommended</b>
Carrick Park Pacing Club	Refund of Planning fees	\$670

**4. Approves sponsorship donation for individuals and organisations for Round 2 – September 2020, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

<b>Sponsorship Donation for Individuals and Organisations</b>		
<b>Organisation</b>	<b>Event</b>	<b>Sponsorship Recommended</b>
Rotary Club of Central Launceston	2020 Circus Quirkus	\$300

**5. Notes the following Recovery Event Sponsorship approved by the General Manager on 2 October 2020, following recommendation by the Committee:**

<b>Recovery Event Sponsorship</b>		
<b>Organisation</b>	<b>Event</b>	<b>Sponsorship Recommended</b>
Dairy Plains Hall Committee	Picnic @ the Plains	\$1,500 (Plus in-kind; waive all relevant Council fees)

## **DECISION:**

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

- 1. Notes the recommendations of the Community Grants Committee;**
- 2. Approves community grants for Round 2 – September 2020, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

<b>Community Grants</b>		
<b>Organisation</b>	<b>Project</b>	<b>Grant Recommended</b>
Arts Deloraine	WOAD 20	\$1,500
Deloraine Community Band (Auspice Arts Deloraine)	New Pearl Bass Drum & Accessories	\$2,626
Deloraine Districts Pony Club	Amenities Upgrade	\$3,000
Deloraine House Inc	A place to change	\$450
Northern Tasmanian Football Umpires Association	Sports Club Chair Upgrade Stage 1	\$2,719
Rotary of Melbourne Passport Club	Tech Help for Seniors - Pilot Project	\$3,000
Westbury Primary School Parents & Friends	Westbury Community Recycling Hub	\$3,000*
Whitemore Tennis Club	Special Clean of Court	\$2,500
<b>Sub-total</b>		<b>\$18,795</b>
*subject to receipt of a Bendigo Bank grant.		

**3. Approves Council fee reimbursement grants for Round 2 – September 2020, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

<b>Council Fees Reimbursement Grants</b>		
<b>Organisation</b>	<b>Event</b>	<b>Grant Recommended</b>
Carrick Park Pacing Club	Refund of Planning fees	\$670

**4. Approves sponsorship donation for individuals and organisations for Round 2 – September 2020, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

<b>Sponsorship Donation for Individuals and Organisations</b>		
<b>Organisation</b>	<b>Event</b>	<b>Sponsorship Recommended</b>
Rotary Club of Central Launceston	2020 Circus Quirkus	\$300

**5. Notes the following Recovery Event Sponsorship approved by the General Manager on 2 October 2020, following recommendation by the Committee:**

<b>Recovery Event Sponsorship</b>		
<b>Organisation</b>	<b>Event</b>	<b>Sponsorship Recommended</b>
Dairy Plains Hall Committee	Picnic @ the Plains	\$1,500 (Plus in-kind; waive all relevant Council fees)

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

## 202/2020 COUNCIL AUDIT PANEL: RECEIPT OF MEETING MINUTES

**AUTHOR:** Jonathan Harmey  
Director Corporate Services

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### 1) Recommendation

***It is recommended that Council receive the minutes of the Audit Panel meeting held on 22 September 2020.***

### DECISION:

Cr Kelly moved and Cr Nott seconded ***“that Council receive the minutes of the Audit Panel meeting held on 22 September 2020.”***

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

## **203/2020 FINANCIAL REPORTS TO 30 SEPTEMBER 2020**

**AUTHOR:** Justin Marshall  
Senior Accountant

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### **1) Recommendation**

***It is recommended that Council receive the following financial reports for the period ended 30 September 2020:***

- 1. Consolidated operating statement with accompanying operating statements for the key operational areas of Council***
- 2. Capital works project expenditure to date***
- 3. Capital resealing project expenditure to date***
- 4. Capital gravelling project expenditure to date***
- 5. A summary of rates outstanding***
- 6. Cash reconciliation & investments summary***

### **DECISION:**

Cr Kelly moved and Cr Sherriff seconded ***“that Council receive the following financial reports for the period ended 30 September 2020:***

- 1. Consolidated operating statement with accompanying operating statements for the key operational areas of Council***
- 2. Capital works project expenditure to date***
- 3. Capital resealing project expenditure to date***
- 4. Capital gravelling project expenditure to date***
- 5. A summary of rates outstanding***
- 6. Cash reconciliation & investments summary***

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

## 204/2020 REVIEW OF BUDGETS FOR THE 2020-21 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 2020-21 Capital Works Program;*

<b>Project Name</b>	<b>Current Budget</b>	<b>Proposed Budget Variation</b>	<b>Revised Budget</b>
<b>Westbury Landfill Site Cell Expansion</b>	<b>\$160,800</b>	<b>\$30,000</b>	<b>\$190,800</b>
<b>Mobile Organics Bins 19/20</b>	<b>\$300,000</b>	<b>-\$30,000</b>	<b>\$270,000</b>

### DECISION:

Cr Nott moved and Cr Sherriff seconded ***“that Council approves the following project budget changes to the 2020-21 Capital Works Program:***

<b>Project Name</b>	<b>Current Budget</b>	<b>Proposed Budget Variation</b>	<b>Revised Budget</b>
<b>Westbury Landfill Site Cell Expansion</b>	<b>\$160,800</b>	<b>\$30,000</b>	<b>\$190,800</b>
<b>Mobile Organics Bins 19/20</b>	<b>\$300,000</b>	<b>-\$30,000</b>	<b>\$270,000</b>

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



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

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

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

Council moved to Closed Session at 5.29pm

### **205/2020 CONFIRMATION OF MINUTES**

(Reference Part 2 Regulation 34(2) Local Government (Meeting Procedures) Regulations 2015)

### **206/2020 LEAVE OF ABSENCE**

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

### **207/2020 COUNCIL AUDIT PANEL: APPOINTMENT OF INDEPENDENT CHAIRPERSON**

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

Council returned to Open Session at 5.33pm

Cr Bower moved and Cr Kelly seconded ***“that the following decision was taken by Council in Closed Session and is to be released for the public’s information:***

***Approve the appointment of Andrew Gray as an independent member and independent chairperson of Council’s Audit Panel, for a period of two (2) years, in accordance with Section 6 of the Local Government (Audit Panels) Order 2014 and Section 5 of Council’s Audit Panel Charter.”***

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

The meeting closed at 5.34pm

.....  
Wayne Johnston  
**Mayor**