



Meander Valley Council
Working Together

AGENDA

ORDINARY COUNCIL MEETING

Tuesday 12 July 2022

Time 3 pm

Location Council Chambers
26 Lyall Street
Westbury, Tasmania

Phone (03) 6393 5300

Our Values

Our seven values help guide our decisions and underpin all we do.

Respect, listen and care for one another

Be trustworthy, honest and tolerant

Be positive and receptive to new ideas

Be innovative, creative and learn

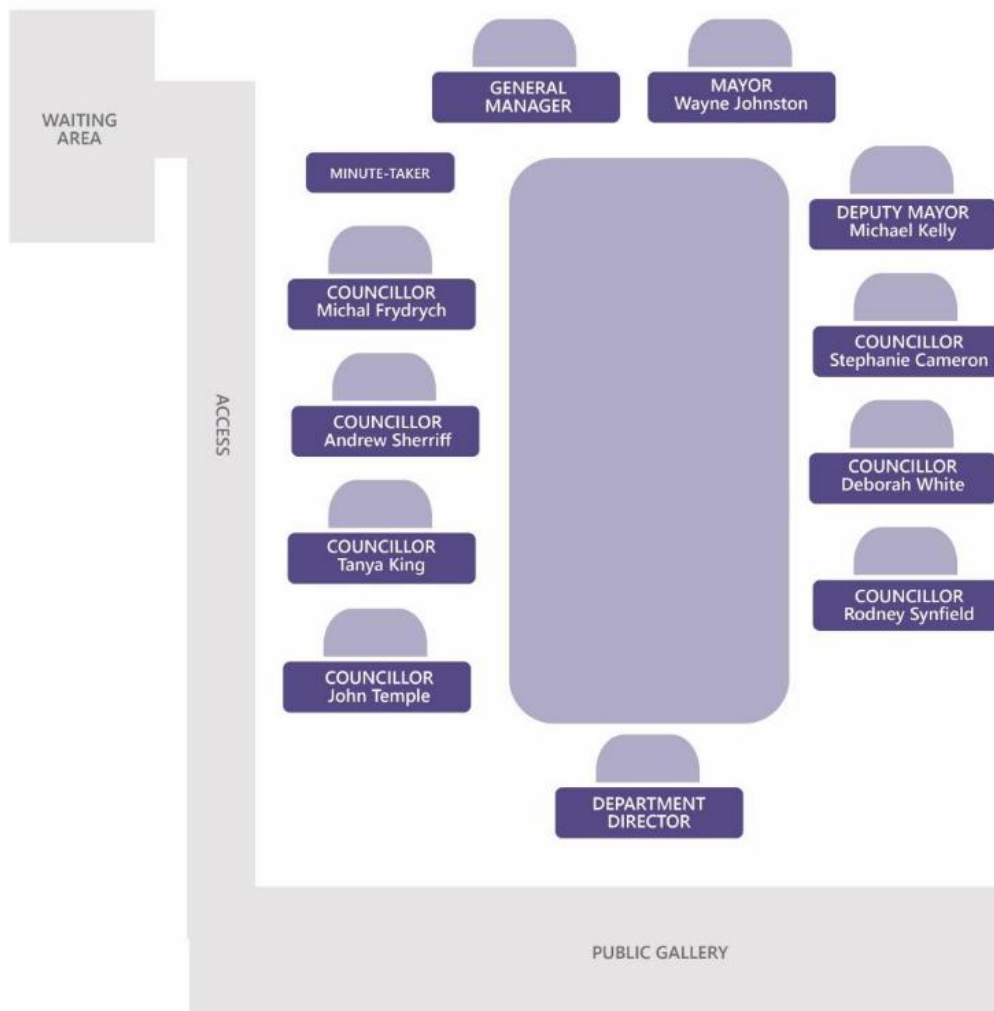
Take a fair, balanced and long term approach

Use sound business practices

Work together

Council Chambers

Seating Plan



Going to a Council Meeting

Members of the community are encouraged to engage with Meander Valley Council's monthly meetings.

You can submit questions online or register to attend in person subject to seating capacity. After the meeting, you'll find minutes and an audio recording online. We also offer handy fact sheets with information about what to expect at a Council Meeting, including how to participate in Public Question Time.

Hard copies of minutes and other documents are available to view at Council's Customer Service Centre.

Learn more

Visit www.meander.tas.gov.au/council-meeting-guidelines to find fact sheets or submit a question. Online Agendas and Minutes are located at www.meander.tas.gov.au/minutes-and-agendas.

Contact the Office of the General Manager by phone (03) 6393 5317 or email ogm@mvc.tas.gov.au to submit a question, or learn more about opportunities to speak at or attend a Council Meeting.

Public Access to Chambers

COVID-19 social distancing requirements have been relaxed and there is no longer a limit on the number of people that may attend the public gallery (beyond the practical limits of the room).

Where there is a need to manage demand, seating will be prioritised as follows:

For planning decisions: applicants and representors have first priority. A representor is a community member who writes to Council to object to or support a planning application. Statutory timeframes apply for making a valid submission.

All other decisions: priority of access is offered to members of the public on a first come, first serve basis.

Members of the media are welcome to take up any seats not in use by the public, or email ogm@mvc.tas.gov.au to request information about a Council decision. Media requests received by email before close of business (or the end of the meeting) will receive a same-day response.

Council operates under a COVID Safety Plan. If you are experiencing any symptoms associated with COVID-19, or you are a close contact, please stay home. You may not enter or remain on Council premises if staff form a reasonable view that you should be isolating.

Conduct at Council Meetings

Visitors are reminded that Council Meetings are a place of work for staff and Councillors.

Council is committed to meeting its responsibilities as an employer and as host of this important public forum, by ensuring that all present meet expectations of mutually respectful and orderly conduct.

It is a condition of entry to Council Chambers that you cooperate with any directions or requests from the Chairperson or Council officers.

The Chairperson is responsible for maintaining order at Council Meetings. The General Manager is responsible for health, wellbeing and safety of all present. The Chairperson or General Manager may require a person to leave Council premises following any behaviour that falls short of these expectations. It is an offence to hinder or disrupt a Council Meeting.

Access & Inclusion

Council supports and accommodates inclusion for all who seek participation in Council Meetings, as far as is practicable.

Any person with a disability or other specific needs is encouraged to contact Council before the meeting on (03) 6393 5300 or via email to ogm@mvc.tas.gov.au to discuss how we can best assist you with access.

Certificate of Qualified Advice

A General Manager must ensure any advice, information or recommendation is given to Council by a person with the necessary qualifications or experience: section 65, *Local Government Act 1993*.

Council must not decide on any matter without receiving qualified advice, or a certification from the General Manager.

Accordingly, I certify that, where required:

- (i) the advice of a qualified person was obtained in preparation of this Agenda; and
- (ii) this advice was taken into account in providing general advice to Meander Valley Council; and
- (iii) A copy of any such advice (or a written transcript or summary of oral advice) is included with the agenda item.



John Jordan
GENERAL MANAGER

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Meeting Open - Attendance & Apologies

Acknowledgment of Country

Council acknowledges the Pallitore and Panninher past peoples and the traditional owners and custodians of the land on which we gather for the Council Meeting, with respects paid to elders past and present and extended to all Aboriginal and Torres Strait Islander peoples present.

Confirmation of Minutes

Motion Receive and confirm Minutes of the last Ordinary Council Meeting held 14 June 2022

Vote Simple majority

Declarations of Interest

Council Workshop Report

Topics Discussed – 28 June 2022

Carrick Survey

Community Forum Update

Review of Existing Projects and Budgets for the Capital Works Program

Waste Management – Update on Key Actions

Potential Disposal of Footway – Kipling Crescent, Hadspen

Meander River Steel Arch Pedestrian Bridge – Deloraine

State Planning Provisions – Proposed Submission

Mayor & Councillor Report

Councillor Activities Since Last Meeting

21 June	Meeting	<i>Mayor Johnston</i>
	Deloraine Apex Caravan Park	
22 June	Meeting	<i>Councillor White</i>
	Council's Director Community Wellbeing & Community Programs Officer (re: Youth Forums)	
23 June	Meeting	<i>Mayor Johnston</i>
	41 Degrees South Salmon Farm	
1 July	Meeting	<i>Mayor Johnston</i>
	Local Government Association of Tasmania (LGAT) Annual General Meeting	
6 July	Meeting	<i>Mayor Johnston</i>

Northern Tasmanian Development Corporation
(NTDC) Sports Facility Workshop

15 June

Community Event

Mayor Johnston

Telstra Board cocktail party

Petitions

Nil received prior to agenda distribution.

For further information about petitions, refer to the *Local Government Act 1993: ss57-60A*.

Community Representations

Nil.

Formerly referred to as "deputations", community representations are an opportunity for community members or groups to request up to three minutes to address Council on a topic of particular interest.

Requests received at least fourteen days prior to a Council Meeting will be considered by the Chairperson. For further information, contact the Office of the General Manager on (03) 6393 5317 or email ogm@mvc.tas.gov.au.

Public Question Time

Members of the public may ask questions in person or using our online form.

Click here or visit www.meander.tas.gov.au/public-question-time to submit an online question.

Refer to pages 3 and 4 of this agenda for more information about attending a Council Meeting.

This Month's Public Questions With Notice

Nil received prior to agenda distribution.

This Month's Public Questions Without Notice

Nil received prior to agenda distribution.

Councillor Question Time

This Month's Councillor Questions With Notice

Question 1

Councillor Rodney Synfield

In relation to the wind event in 2016, Council opened up the tip after the Meander Valley Council - Ordinary Meeting Minutes: 14 June 2022 Page 14 flooding event for people to use for free, is there any such consideration in relation to the event we have just had on the weekend, bearing in mind that a lot of the wind affected stuff is probably a lot of barns being destroyed etc. Are we going to do something about allowing that to go free?

*Question without notice at past Council Meeting (June 2022)
Taken on notice*

Response

John Jordan, General Manager

The option of free access to Council's waste facilities to accommodate clean up from the recent storms was considered.

As advised on 16 June 2022, where a person or business had suffered a particular loss and was in need of support or assistance (including waiving of tip fees etc.), then Councillors (and others) should refer them to Matthew Millwood, Director Works who would provide tailored support on a case-by-case basis. Alternatively, if Councillors knew of someone in need, then they could also provide their details to Council so that Matthew could reach out and make contact directly. Council did not receive any requests for assistance.

Question 2

Councillor John Temple

Referring back to the question put by Neville Scott in Public Question Time, is there a way we could more fulsomely answer the question so that we can dispel any community concern?

*Question without notice at past Council Meeting (June 2022)
Taken on notice*

Response

Mayor Wayne Johnston

Recently, I spoke to a number of Mayors about the trend we've all noticed in staff turnover. From these conversations I can say we are not alone. Attraction and retention is clearly an issue common across the local government sector.

I also note that retention issues are not limited to staff. Many Councillors across the state will not run again in the upcoming election.

As Mayor I have learnt that local government is far more complex and challenging than most people realise. We achieve what we do because of great people with a motivation focused on the community.

Our work is incredibly rewarding, but the work of council staff and elected representatives does require resilience, particularly given high workloads and high community expectations. At the best of times it is not a space suited to everyone.

Answering the 'why' behind the attraction and retention issue is complex. The big picture is that the labour market has changed. Severe skills shortages, restricted migration, and a clear change in the career priorities of people mean the market is very different than two years ago. It is highly competitive. There is much talk about the 'great resignation' and the 'war for talent' as a very real situation that employers must deal with. Meander Valley Council is not unique in having to deal with this new reality.

As Councillors we must also consider we have pushed for change, including a restructuring of the Council workforce, and while this change is needed, it is never easy. Recalibrating Council to better meet the needs of the community is hard. Some people have moved on, but at the same time we have attracted some fantastic new people from diverse backgrounds to complement the great people we already had.

Work by the Local Government Association of Tasmania highlights some reasons driving skills shortages across local government. These include:

- Location – rural and regional locations.
- Inability to compete with the private sector on remuneration.
- Lack of suitably qualified/experienced candidates.
- Reputation and public image of councils.
- Lack of vocational and higher education training providers in Tasmania.

While we still offer some great opportunities for people, Tasmania's historic advantages are fading. Lifestyle remains a standout attractor of talent, but there are now emerging economic and social factors influencing people's choices, these include:

- Scarce rental accommodation, high rents and relocation costs.
- High house prices and cost of living expenses.
- Comparatively lower wages, particularly for professions compared to the mainland.
- Different career ambitions and progression pathways.
- Distance, commuting time and fuel costs.

Like most councils, we are exposed to all of the above factors. The simple reality is that regional councils need to be more competitive in the labour market and this means a re-think of our approaches. We cannot do this overnight.

Councillors have been well-briefed by the General Manager about these challenges over the past couple of years. Cr Temple will recall the briefings we've had on this topic culminating in a Workshop presentation from the General Manager covering attraction and retention in December 2021. The General Manager also provided a detailed assessment via email this week, some of which I have referenced in this response. As Councillors, we need to support and contribute to ensure understanding of the issues and how Council is responding to the different context we find ourselves in.

In terms of what can be done, it is worth noting that individual reasons for resignations vary greatly. It is inevitable that there are instances where individual performance, a poor hiring decision or conflict has resulted in change. But exit interviews suggest other factors.

Some of these factors are not easily changed or competed against. For example:

- The cost of travelling. Workers who commute are looking to reduce costs by obtaining work closer home.
- Westbury as an office location offers fewer local facilities and services (shops, government agencies, etc.) that people otherwise might frequent in their lunch hours.
- People moving to pursue career opportunities a Council of this size cannot offer.
- Retirement, health and family circumstances that may compel people to make choices.
- Heading hunting and taking up higher salary offers, or moving to more lucrative contracting roles.

Other factors cited by people leaving Council are more readily addressed. Work underway in response to these includes:

- A new enterprise agreement under negotiation to improve salary and working entitlements, and support more flexible approaches to work.
- We are upgrading our computer systems. This will deliver efficiencies and help make people's working lives simpler. It will also improve customer service outcomes.
- The employment of a business improvement officer to enhance reporting and also streamline processes.
- Renewing our office and depot facilities to provide a more contemporary work environment that meets people's expectations and promotes wellbeing.
- Better recruitment and selection, hiring the right people first up with consideration of team fit as much as technical skills.
- Enhancing the "brand" and reputation of Council as an employer by changing our approach to communication, messaging and community engagement.
- Introducing emotional intelligence, team profiling and mental health first aid training to help people cope with the pressures and inevitable tensions that come with our work.

Our success requires us to focus on our people, their wellbeing, and the values and culture that define who we are and how we work. I support the General Manager's action to work in

partnership with the University of South Australia to measure, benchmark and enhance our workplace culture.

I also appreciate high sustained workloads is an important issue. The need for responsible growth in our workforce to address workloads must be a focus. Council has supported in this area through an increase of 7 FTE since 2020. However, we remain below the average staffing levels of other comparable councils and skills remain in short supply relative to workloads. Something I know the General Manager is considering.

As a Council, we employ a dedicated team of people who work hard every day to deliver services to our community. It is through their dedication and hard work that we achieve what we achieve.

I want to acknowledge the sustained workload and thank staff for their efforts. They have my full support and gratitude.

This Month's Councillor Questions Without Notice

Nil received prior to agenda distribution.

Council as a Planning Authority

In planning matters, Council acts as a Planning Authority under the *Land Use Planning and Approvals Act 1993*. Unless otherwise stated, the following applies to all Planning Authority reports:

Strategy Council has an Annual Plan target to process planning applications in accordance with delegated authority and statutory timeframes.

Policy Not applicable.

Legislation Council must process and determine applications under the *Land Use Planning and Approvals Act 1993* (LUPAA) and its Planning Scheme. Each application is made in accordance with LUPAA, s57.

Consultation The “Agency Consultation” section of each Planning Authority report outlines the external authorities consulted during the application process.

Community consultation in planning matters is a legislated process. The “Public Response – Summary of Representations” section of each Planning Authority report outlines all complying submissions received from the community in response to the application.

Budget & Finance Where a Planning Authority decision is subject to later appeal to the Tasmanian Civil and Administrative Tribunal (Resource & Planning Stream), Council may be liable for costs associated with defending its decision.

Risk Management Risk is managed by all decision-makers carefully considering qualified advice and inclusion of appropriate conditions on planning permits as required.

Alternative Motions Council may approve an application with amended conditions, or may refuse an application.

Regardless of whether Council seeks to approve or refuse an application, a motion must be carried stating its decision and outlining reasons. A lost motion is not adequate for determination of a planning matter.

Motion Simple majority

Planning Authority Reports

Draft Amendment 1/2022 - Meander Valley Local Provision Schedule - Rezoning a portion of land at Blackstone Park, Longvista Road, Blackstone Heights

Report Author Natasha Whiteley
Team Leader Planning

Authorised by Krista Palfreyman
Director Development & Regulatory Services

Decision Sought That Council, acting as the Planning Authority, certifies Draft Amendment 1/2022 as meeting the requirements of the *Land Use Planning and Approvals Act 1993*.

Vote Simple majority

Recommendation to Council

That Council:

1. Pursuant to Section 38(1), 40D(a) and 40F of the *Land Use Planning and Approvals Act 1993*:
 - a. Prepare Draft Amendment 1/2022 to the Meander Valley Local Provision Schedule to rezone the portion of land described in the certification document at Longvista Road, Blackstone Heights with Certificate of Title reference 141734/8 from Open Space Zone to Environmental Management Zone and Low Density Residential Zone; and
 - b. Certify that the draft amendment meets the requirements of the *Land Use Planning and Approvals Act 1993*.

Report

The purpose of this report is to amend the Meander Valley Local Provision Schedule to change the zoning of a portion of land at Blackstone Park, Longvista Road, Blackstone Heights (CT: 141734/8).

Figure 1 provides an aerial photo identifying the land subject to the draft amendment.

Draft amendment 1/2022 proposes to rezone the above-mentioned portion of land from Open Space Zone to Environmental Management Zone and Low Density Residential Zone.

The amendment is requested to implement Meander Valley Council's decision (77/2022 & 107/2017) to sell the land which is next to 35 Longvista Road, Blackstone Heights.

The draft amendment has been prepared in accordance with ss38(1) and 40D(a) of the *Land Use Planning and Approvals Act 1993* (LUPAA). It is considered to meet the Local Provisions Schedule (LPS) criteria as set out in s34(2) of LUPAA. As such, it is recommended that Council, being satisfied that the draft amendment to the LPS meets the LPS criteria, certify the draft amendment in accordance with s40(F)(2)(a) of LUPAA.

The draft amendment and assessment of the LPS criteria is located in the attachment titled 'Planners Advice: Assessment of Draft Amendment 1/2022'.

Background

On 14 March 2019, the Tasmanian Planning Commission approved draft amendment 1/2018 to the Meander Valley Interim Planning Scheme 2013 which came into operation on 27 March 2019. This amendment included the same rezoning as requested in this amendment.

However, due to the limitations of LUPAA (which did not provide transitional requirements) the rezoning did not carry over into the Meander Valley Local Provision Schedule. Consequently, when the Tasmanian Planning Scheme – Meander Valley came into operation on 19 April 2021 the zoning under the new scheme reverted back to the Open Space zoning that existed prior to the amendment. The proposed amendment seeks to re-establish the zoning consistent with that previously approved as part of draft amendment 1/2018.

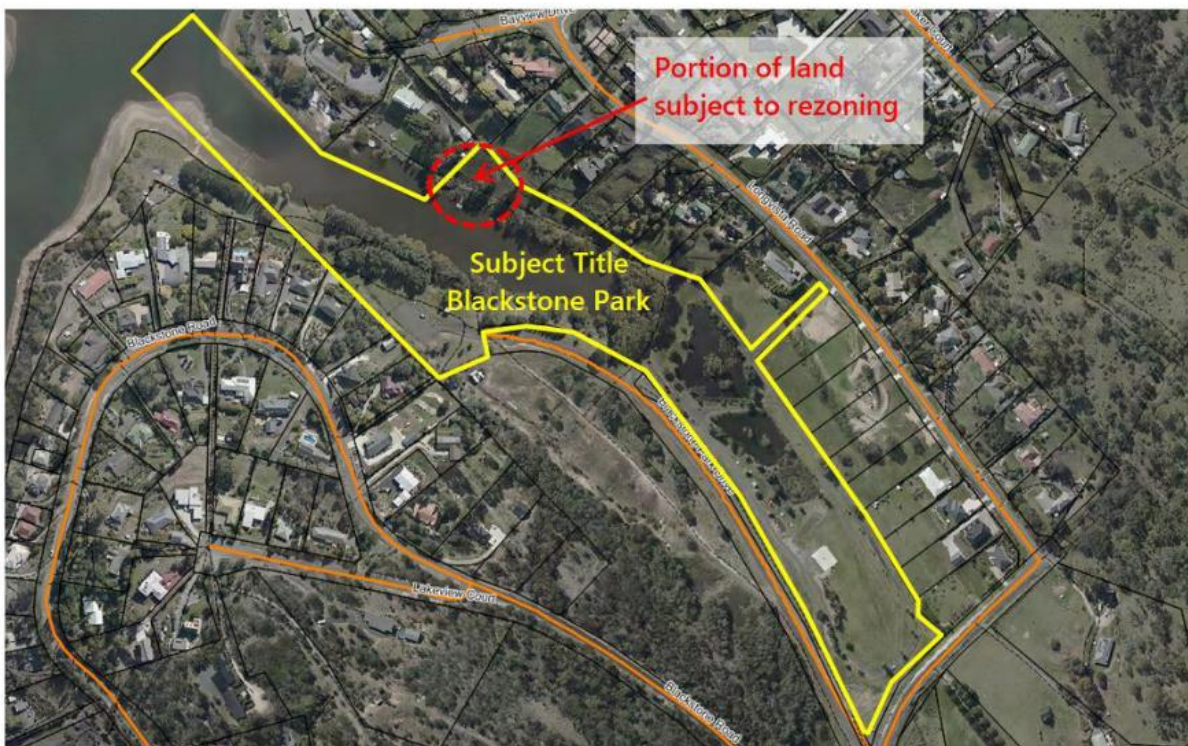


Figure 1: Aerial photo identifying subject land and location of the portion of land to be rezoned.
 Source: Exponare - 2020 Aerial Photo.

- Attachments**
1. Planners Advice: Assessment of Draft Amendment 1/2022 [12.1.1 - 23 pages]
 2. Draft Amendment 1.2022 - Certification Map [12.1.2 - 1 page]
 3. M Seen - Request for rezoning and accompanying documentation [12.1.3 - 13 pages]

Strategy Furthers the objectives of Council’s strategic future direction 1: a sustainable natural and built environment.

See Meander Valley Community Strategic Plan 2014-24. [Click here](#) or visit www.meander.tas.gov.au/plans-and-strategies to view.

Policy Not applicable

Legislation *Land Use Planning and Approvals Act 1993: Part 3B – Amendments of LPSs.*

Consultation **Community Consultation**

Upon certification of the proposed amendment, the Council is required to advertise the amendment in two Saturday editions of the

Examiner newspaper and provide for public comment (representations) for a period of 28 days.

If the draft amendment is certified at the July Council Meeting the advertising period will be as follows:

Decision – Certification: Tuesday 12 July 2022

Advertising: Saturday 16 July 2022

Saturday 23 July 2022

Closing date for comment: Monday 15 August 2022

Council must consider any comment received and provide a report to the Commission at the conclusion of the exhibition period. The commission may hold hearings in regards to the comments received prior to making a decision on the amendment.

Land Use Planning and Approvals Act 1993: ss40G, 40H, 40J, 40K, 40L.

State Government and other Authorities

Upon certification of the amendment, Council is required to refer the amendment to TasWater.

Land Use Planning and Approvals Act 1993: s40FA.

Budget & Finance Not applicable

Risk Management Not applicable

Alternative Motions Council can modify the amendment prior to certification or not certify the amendment.

Planner's Advice: Assessment of Draft Amendment 1/2022

The site

Blackstone Park, Longvista Road, Blackstone Heights (CT: 141734/8) is currently owned by Meander Valley Council and is a public open space area for recreational activities. A portion of Longbottom Inlet is also located within the title. The title is located in both Meander Valley Council and West Tamar Council municipal areas. The land is zoned Open Space and Environmental Management under the Tasmanian Planning Scheme – Meander Valley and Tasmanian Planning Scheme – West Tamar, respectively (refer to Figure 1).



Figure 1: Zoning of subject title and adjoining land, showing the Local Government Boundary Line.

Background

Council is in the process of transferring a portion of this title so that it joins 35 Longvista Road, Blackstone Heights (refer to Figures 2 & 3). The property at 35 Longvista Road contains a dwelling and, therefore, has an established residential use. As such, the Open Space zoning will not be suitable for the future residential use of the land as this is prohibited by the Planning Scheme.

Council has previously resolved to sell this land, and a combined amendment (for the rezoning) and permit (for the boundary adjustment and pontoon structure) was approved by the Tasmanian Planning Commission on 14 March 2019 (Draft amendment 1/2018). Whilst the rezoning became operational on 27 March 2019 it didn't carry over into the Meander Valley Local Provisions Schedule (LPS) when the Tasmanian Planning Scheme – Meander Valley became operational on 19 April 2021. This is because the *Land Use Planning and Approvals Act 1993* (LUPAA), at the time, did not provide transitional requirements that enabled the rezoning to transition in to the LPS. As such, this amendment proposes to rezone the portion of land to Environmental Management Zone and Low Density Residential Zone.

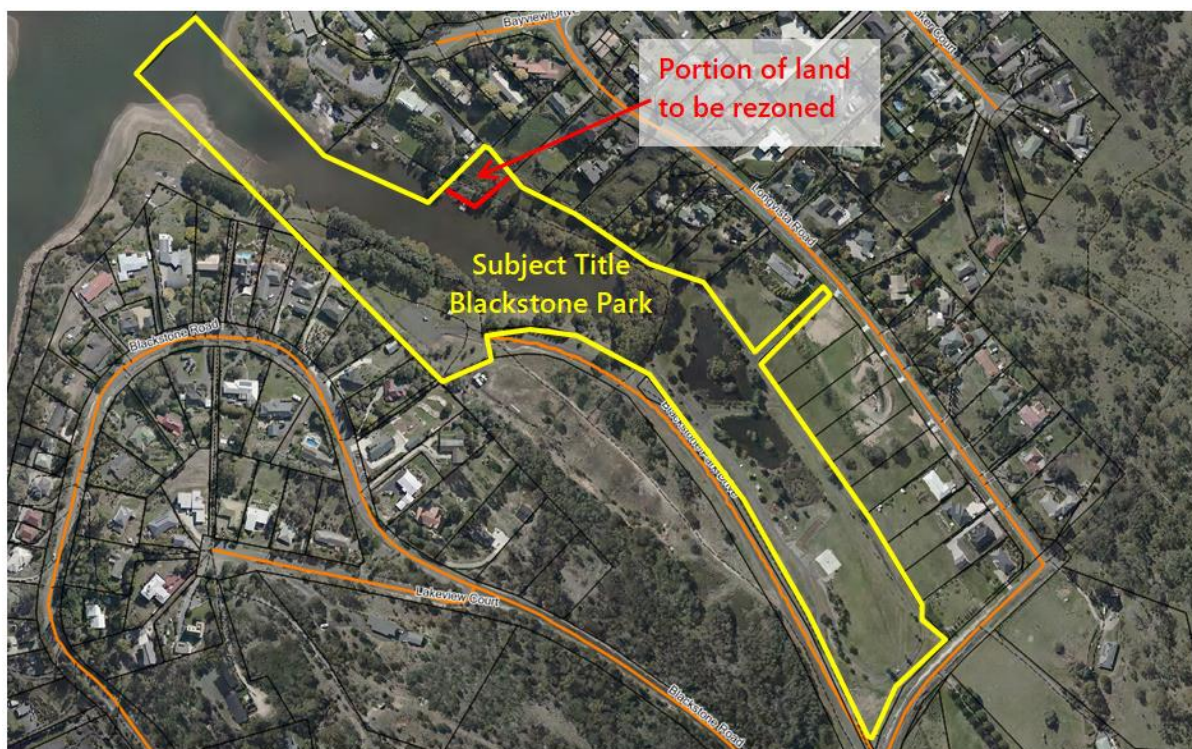


Figure 2: Aerial photo showing the subject title and adjoining land that identifies the portion of land to be rezoned.

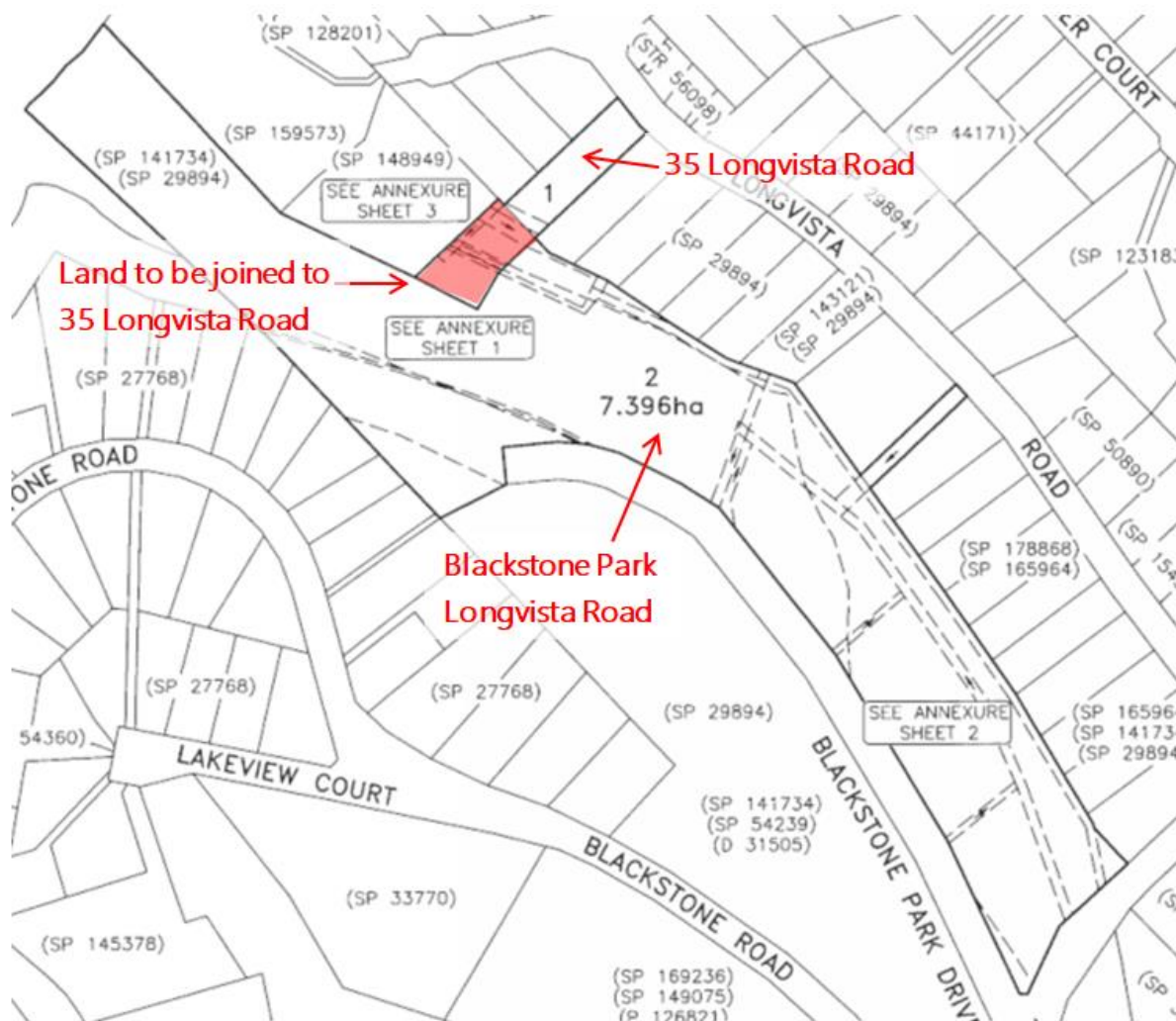


Figure 3: Extract from Final Plan of Survey showing the area of land to be joined to 35 Longvista Road, Blackstone Heights.

Request to amend an LPS

Mr M Seen, who will purchase the portion of land subject to the boundary adjustment referred to above, has requested the amendment to the LPS. This request has been made in accordance with s37 of LUPAA. Meander Valley Council, as the current owner of the land, has provided consent for the amendment in accordance with s37(3) of LUPAA.

Proposed request

The request from M Seen seeks to re-establish the Environmental Management Zone and Low Density Residential Zone on the portion of land that will be joined to 35 Longvista Road, Blackstone Heights (CT: 29894/12). As explained above, this zoning was established in 2019 but did not transition into the Meander Valley LPS. The split zoning will be consistent with the lots to the north.

Draft Amendment

Draft amendment 1/2022 seeks to amend the Meander Valley LPS by rezoning a portion of land located at Blackstone Park, Longvista Road, Blackstone Heights (CT: 141734/8) that is zoned Open Space to Environmental Management Zone and Low Density Residential Zone. Refer to Figure 4 below. The current zoning map is demonstrated in Figure 1 above.



Figure 4: Land subject to rezoning showing resulting zones consistent with titles to the north.

Requirement of LUPAA

In accordance with s40D(a) of LUPPA, the Planning Authority is to prepare a draft amendment and certify it in accordance with s40F, if pursuant to s38(2) Council is satisfied that the LPS criteria will be met. Section 40F(1) requires that a Planning

Authority must consider whether it is satisfied that the draft amendment of an LPS meets the LPS criteria set out in s34 of LUPAA, before certifying the amendment as being in accordance with the Act.

If the Planning Authority determines that the draft amendment does not satisfy the LPS criteria, the Planning Authority must modify the draft so that it meets the requirements and then certify the draft as meeting those requirements.

A Planning Authority, within seven days of certifying a draft amendment of an LPS under s40F(2), must provide to the Commission a copy of the draft and the certificate.

The Commission must then consider the draft amendment and make a decision to modify, reject or approve the draft amendment.

It is considered that the draft amendment, as explained above, is such that it will meet the LPS criteria. Therefore, draft amendment 1/2022 has been prepared in accordance with ss38 and 40D(a) and it is recommended that the draft amendment be certified under s40F of LUPAA. The assessment of the draft amendment is below.

Timeframes for preparing and considering the draft amendment

Section 38(2) and 40D(a)(i) of LUPAA requires the Planning Authority within 42 days of receiving the request:

- decide to agree to the amendment and prepare a draft amendment of the LPS; and
- certify it under s40F of LUPAA.

The request for the amendment was lodged on 25 May 2022 and the determination will not be within the required 42 days. The 42 days expire on 5 July 2022. As such an extension of time was requested to the Tasmanian Planning Commission in accordance with s38(2) who have granted an extension until 12 July 2022.

Planners Assessment

Subject Land

The portion of land to be rezoned is located to the north western edge of Blackstone Park and does not form part of the main parkland area utilised for recreation purposes. The area to be rezoned is approximately 1600m². It has a steep embankment to the water of Longbottom Inlet that is not prioritised to provide for public access to the water in the future as part of the park facilities. Currently, public water access is

provided through the park to the southern side of the inlet, via a graded slope located a short distance from the car park, toilet and BBQ facilities.

Similarly, the land is not prioritised for further development of recreation facilities due to the slope and the extent of works that is required to develop the area to an appropriate public standard. There are multiple areas within the park that are developed for recreation with associated facilities. Blackstone Park has been developed with car parking areas, walking tracks, BBQ facilities and play equipment for recreational use which is consistent with the open space zoning.

In the current context, the subject land is an unutilised, peripheral area required to be maintained by Council, yet without providing any real recreation benefit to the public. The land falls approximately 8.5 metres from the rear boundary of 35 Longvista Road to the water edge. This is equivalent to a gradient of 21%. For these reasons Council has previously determined to sell this underutilised land and have it joined to 35 Longvista Road, Blackstone Heights.

A Right of Carriageway has been provided on the Schedule of Easements for the boundary adjustment to provide for pedestrian access over the informal access track to Blackstone Park for the owners of 2A Bayview Drive, Blackstone Heights. Country Club Tasmania has formal access to their pump station and pump well on 2A Bayview Drive (pumps water from Lake Trevallyn to the golf course dams) via a pipeline easement and right of way, which is retained in the Schedule of Easements. The rezoning will not impact the easements on the title.

Rationale for Draft Amendment

The benefits of accessible local parks and open spaces within urban areas enable active and passive recreation, social opportunities and enhanced amenity. Open space areas that are usable attract use from local residents and also visitors to the area. The proposed land to be rezoned is considered unsuitable for open space as it is not feasible to develop into useable, public recreation space due to topographical constraints and cost with very limited overall benefit in the context of the facilities available across Blackstone Park.

The land proposed to be rezoned is currently not utilised for open space activities, other than as an informal thoroughfare for the owners of 2A Bayview Drive to Blackstone Park. The terrain is steep and not readily useable and difficult to maintain. The remaining area of Blackstone Park has been improved to create an attractive, safe and usable open space area and there is adequate space, within this area of land to

service the community. The main open space area has been developed with car parking areas, play grounds, trails, BBQ facilities and toilets which are located predominately to the southern side of Longbottom Inlet and connected to the north through formed trails. The use of Blackstone Park will not be detrimentally impacted by the rezoning.

Council has previously made a decision to transfer the land to the owner of 35 Longvista Road, Blackstone Heights and undertook the appropriate process under the *Local Government Act 1993*. The land is in the process of being transferred. The amendment is required to provide a zoning consistent with the residential use of the land.

Figures 5 to 7 are of the subject site.



Figure 5: Aerial photo identifying the land to be rezoned within the Meander Valley municipality and the extent of the land to be joined to 35 Longvista Road, Blackstone Heights.



Figure 6: View looking east across the site.



Figure 7: View of embankment to Longbottom Inlet on the subject land.

Surrounding Land

Blackstone Park bounds many residential properties and forms the main outlook for dwellings within the immediate area. The topography of the area is undulating, characterised by steep embankments towards the edge of the water on the northern side and rises up significantly to the development areas and further up to Longvista Road. The same generally occurs on the southern side. The adjoining residential properties at 2A, 1A & 1B Bayview View Drive have river frontage and private residential infrastructure accessing Longbottom Inlet and Lake Trevallyn. The wider area has been developed predominately with single dwellings and the area is expected to grow with residential subdivision approvals in place.

Each property that adjoins Blackstone Park has frontage to a Council maintained road which provides vehicular and pedestrian access to the property. There are pedestrian connections paths to Blackstone Park leading from Blackstone Road, Longvista Road and Kelsey Road.

Assessment of Draft Amendment 1/2022

Before making a decision to certify the draft amendment, s40F(1) of LUPAA requires Council to consider whether the draft amendment satisfies the LPS criteria as set out in s34. The criteria are addressed individually below:

The *LPS Criteria to be met by a relevant planning instrument are that the instrument:*

34(2)(a) contains all the provisions that the SPPs specify must be contained in an LPS; and

Comment:

The draft amendment does not seek to alter the required components of the State Planning Provisions (SPPs). The SPP standards of the zone and relevant codes will apply to the land. The draft amendment seeks to apply the Environmental Management Zone and Low Density Residential Zone provisions to the portions of land subject to the proposed rezoning.

34(2)(b) is in accordance with section 32 ; and

Section 32 specifies the content of an LPS as follows:

32(1) An LPS is to consist of provisions that apply only to a single municipal area specified in the LPS.

Comment:

The draft amendment applies only within the Meander Valley municipal area. It is noted that the title extends into the West Tamar municipal area which is subject to the Tasmanian Planning Scheme – West Tamar.

32(2) An LPS –

(a) must specify the municipal area to which its provisions apply; and

(b) must contain a provision that the SPPs require to be included in an LPS; and

(c) must contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to land, if required to do so by the SPPs; and

Comment:

The proposed amendment applies the SPP zoning and required overlays. The attached certification document demonstrates the map amendment.

32(2)(d) may, subject to this Act, contain any provision in relation to the municipal area that may, under section 11 or 12 , be included in the Tasmanian Planning Scheme; and

Comment:

Section 11 of LUPAA stipulates the allowable contents of the Tasmanian Planning Scheme. Particularly relevant are subsections 11(2):

(a) make any provision which relates to the use, development, protection or conservation of any land; and

(b) set out policies and specific objectives; and

(c) regulate or prohibit the use or development of any land; and

(d) set out requirements for the provision of public utility services to any land; and

The subject portion of land is to be joined to 35 Longvista Road which has an established Residential use and will become privately owned. The draft amendment proposes to rezone the land to a split zoning of Environmental Management and Low Density Residential for which Residential use is permissible. The current Open Space zoning prohibits Residential use. The land will also not be in the ownership of Council, nor will be accessible by the public, which is inconsistent with the purpose of the Open Space Zone. The draft amendment brings the planning scheme controls over the portion of land into greater conformity with the State Planning Provisions.

Section 12 of LUPAA provides protections for existing uses. The draft amendment does not affect the existing use rights under LUPAA.

32(2)(e) may contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land; and

Comment:

The draft amendment applies the provisions of the SPP Environmental Management Zone and Low Density Residential Zone and the relevant codes, bringing the planning scheme controls over the land into greater conformity with the SPPs.

32(2)(f) must not contain a provision that is inconsistent with a provision of ss11 or 12; and

Comment:

The draft amendment does not contain provisions that are inconsistent with the allowable content of planning schemes, nor does it affect existing use rights under section 12.

32(2)(g) may designate land as being reserved for public purposes; and

32(2)(h) may, if permitted to do so by the SPPs, provide for the detail of the SPPs in respect of, or the application of the SPPs to, a particular place or matter; and

32(2)(i) may, if permitted to do so by the SPPs, override a provision of the SPPs; and

32(2)(j) may, if permitted to do so by the SPPs, modify, in relation to a part of the municipal area, the application of a provision of the SPPs; and

32(2)(k) may, subject to this Act, include any other provision that –

(i) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and

(ii) is permitted by the SPPs to be included in an LPS; and

32(2)(l) must not contain a provision that the SPPs specify must not be contained in an LPS.

Comment:

Subsections (g) to (l) above are not applicable. The draft amendment seeks to rezone the land which will apply the provisions of the relevant zone as specified in the SPPs.

32(3) Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include –

(a) a particular purpose zone, being a group of provisions consisting of –

(i) a zone that is particular to an area of land; and

(ii) the provisions that are to apply in relation to that zone; or

(b) a specific area plan, being a plan consisting of –

(i) a map or overlay that delineates a particular area of land; and

(ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs; or

(c) a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.

Comment:

The draft amendment will not be including a particular purpose zone, specific area plan or site-specific qualification to the land.

32(4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –

(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or

(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.

Comment:

Not Applicable.

32(5) An LPS must be in accordance with the structure, if any, that is indicated, or specified, in the SPPs to be the structure to which an LPS is to conform.

Comment:

The draft amendment is prepared in accordance with the structure of the SPPs and the Meander Valley LPS.

32(6) A provision of an LPS must be in the form, if any, that the SPPs indicate a provision of an LPS is to take.

Comment:

The draft amendment is prepared in accordance with the form stipulated by the SPPs.

32(7) A provision of an LPS in relation to a municipal area is not to be taken to have failed to comply with this section, or to be inconsistent with a provision of the SPPs, by reason only that it is inconsistent with a provision of the SPPs that has not come into effect in relation to the municipal area.

Comment:

Not applicable.

34(2)(c) furthers the objectives set out in Schedule 1; and

Part 1 – Objectives of the Resource Management and Planning System of Tasmania	Comment
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	The draft amendment rezones land that will be transferred into private ownership, providing a zoning that is consistent to the use of the land. It is considered that the proposed rezoning promotes the sustainable development of Meander Valley's physical resources though the transfer of underutilised public land into private ownership. The embankment can therefore be sustainably managed privately which is consistent with the residential lots to the northwest of the subject area. The northern titles are privately owned with the extent of the title being both in land and water.

	There are no known threatened flora or fauna species within proximity to the site.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and</i>	The proposed Low Density Residential Zone is consistent with the existing residential use of 35 Longvista Road. The proposed split zoning to Environmental Management Zone and Low Density Residential Zone is also consistent with the zoning of the adjoining property and properties further to the northwest. Therefore, the proposed zoning of the land is considered to be fair and orderly when assessed against the zoning of the adjoining properties.
<i>(c) to encourage public involvement in resource management and planning; and</i>	Should the draft amendment be certified by Council, public involvement will be achieved in accordance with the objective by virtue of the public exhibition period prescribed by ss40G and 40H of LUPAA. Members of the public are entitled to view the application and submit representations pursuant to s40J of LUPAA.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</i>	The rezoning does not facilitate economic development.
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</i>	The draft amendment to an LPS process requires public notification and notification to agencies and State Authority. If certified by Council, the amendment will include a public exhibition period, referral to TasWater, and a copy of the draft amendment will be forwarded to the Tasmanian Planning Commission.
Part 2 – Objectives of the Planning Process Established by this Act	
<i>(a) to require sound strategic planning and co-ordinated action by State and local government; and</i>	The proposed amendment is consistent with, and is assessed as being supportive of the objective of the Act, the Northern Tasmanian Regional Land Use Strategy and the Tasmanian Planning Scheme – Meander Valley. Coordinated action by

	the State and Local Government is facilitated through the amendment process and application of the relevant legislation.
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and</i>	The draft amendment rezones underutilised public land that is being transferred into private ownership. The rezoning will see the land zoned consistent with the purpose statements of the zones and compatible with the residential use for which the land will be used for. The rezoning will be appropriate for the locale in terms of allowing use and development that is directly compatible with the surrounding area.
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and</i>	<p>The land is adjacent to an established urban area which as a result of residential development has modified the land to include infrastructure and services. The rezoning from Open Space to Low Density Residential and Environmental Management zones will result in an extension of the adjoining residential use.</p> <p>It is considered that the proposed amendment will provide for the efficient and sensible extension of the uses that will be compatible with surrounding use and development without compromising environmental or ecological values within the municipality.</p>
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and</i>	The proposed Scheme amendment has been assessed against the relevant State Policies and land use strategies which consider environmental, social, economic and conservation priorities.
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and</i>	Not Applicable.
<i>(f) to promote the health and wellbeing of</i>	The land subject to the rezoning is not

<p><i>all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and</i></p>	<p>considered usable to meet the passive and active recreational needs of the park's users. As such the land is to be transferred to 35 Longvista Road. The draft amendment is to change the zoning from Open Space Zone to Environmental Management Zone and Low Density Residential Zone to reflect the private ownership and residential nature of the land.</p>
<p><i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and</i></p>	<p>There are no known local historic or aboriginal heritage values applicable to the site. Notwithstanding this, the provisions of the <i>Aboriginal Heritage Act 1976</i> will apply to any future development of the subject site.</p>
<p><i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and</i></p>	<p>The land proposed to be rezoned does not benefit the community in its current form as it is unusable due to the steepness of the terrain, and generates a cost to Council through maintaining the area. Therefore, the benefit of the community will be realised through the sale of the land which will see the proceeds from the sale invested back into Blackstone Park and resources spent primarily on the usable area.</p>
<p><i>(i) to provide a planning framework which fully considers land capability.</i></p>	<p>The draft amendment enables the SPP provisions of the Zone/s and relevant Codes to apply to the land. The capability of the land for development is limited due to the flood level of Lake Trevallyn. The two proposed zones are reflective of capability of the land to accommodate use and development.</p>

34(2)(d) is consistent with each State policy; and

Comment:

Currently, State Policies that are in effect are:

- State Policy on the Protection of Agricultural Land 2009;

- State Policy on Water Quality Management Act 1997;
- State Coastal Policy 1996; and
- National Environmental Protections Measures (NEPMs).

Current NEPMs include:

- National Environmental Protection (Used Packaging Materials) Measure;
- National Environmental Protection (Ambient Air Quality) Measure;
- National Environmental Protection (Movement of Controlled Waste Between State and Territories) Measure;
- National Environmental Protection (National Pollutant Inventory) Measure;
- National Environment Protection (Assessment of Site Contamination) Measure;
- National Environmental Protection (Diesel Vehicle Emissions) Measure; and
- National Environmental Protection (Air Toxics) Measure.

The draft amendment does not affect State Policy requirements. The land is located in an urban environment, as such, the Protection of Agricultural Land policy is not applicable. The land is not within a coastal zone, therefore, the State Coastal Policy is not applicable. The Natural Assets Code of the SPP supplements the State Policy on Water Quality Management. As such, any future development of the land will need to comply with the development standards of the Natural Asset Code and any other relevant zone and code standard. The listed NEPMs are not considered applicable to the draft amendment, and will not be impacted upon by the amendment.

34(2)(da) satisfies the relevant criteria in relation to the TPPs; and

Comment:

Not applicable.

32(2)(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and

Comment:

The Northern Tasmanian Regional Land Use Strategy (NTRLUS) was declared and came into operation on 23 June 2021. This is the fifth edition of the Regional Land Use Strategy for Northern Tasmania.

The NTRLUS is the statutory regional plan for Northern Tasmania. It applies to all land in the northern region of Tasmania and sets out the strategy and policy basis to facilitate and manage change, growth and development to 2032.

The NTRLUS contains 7 parts. The relevant parts of the NTRLUS that is specific to the amendment are:

- Part C - Strategic goals for the region;
- Part D - Regional Planning Land Use Categories
- Part E - The Regional Planning Polices.

The vision for Northern Tasmania is to create a region within which:

- *All communities enjoy a positive, affordable and competitive future;*
- *Council's and communities work cooperatively;*
- *Sustainable economic prosperity flourishes;*
- *Valued environmental features and assets are promoted; and*
- *Quality of life is enhanced and people are moved to live, invest and visit Northern Tasmania.*

There are four key goals which underpin the Vision:

- Economic Development;
- Liveability;
- Sustainability; and
- Governance.

These goals and associated strategic directions set the policy framework to guide planning within the region. The relevant components of the NTRLUS are considered below.

C – Regional Strategic Planning Framework

C.4.2 Goal 2: Liveability – To promote liveability measures for social and community development and the betterment of healthy, strong and vibrant urban and rural settlements

Strategic Direction G2.4: <i>Enhance social inclusion</i>	
c) <i>Provide for a mix of integrated and complementary land uses.</i>	<u>Comment:</u> The land is currently underutilised and does not naturally lend itself for passive recreation in its current form. The rezoning to Low Density Residential and Environmental Management zones will provide for residential use which is consistent with the properties to the north.
Strategic Direction G3.1: <i>Promote and protect the Region's unique environmental assets and values.</i>	
b) <i>Manage the relationship between development and impacts of natural hazards (for example salinity, land instability, acid sulfate soils, bushfire and flood potential, contamination).</i> f) <i>Protect and enhance water quality including significant wetlands and waterways.</i>	<u>Comment:</u> In consideration of the potential future development of the land, the relevant codes of the SPP provide measures to protect the environmental assets in consideration of flood and water quality.
E – Regional Planning Policies	
E7.1 Regional Environmental Policy	
Open Space	
Policy	Action
OSR-P01 <i>To provide for an integrated open space and recreation system that contributes to social inclusion, community health and well-being, amenity, environmental sustainability and the economy.</i>	OSR-A01 <i>Prepare an open space strategy is consistent with the Tasmanian Open Space Policy and Planning Framework 2010.</i>
OSR-P02 <i>Improve open space planning outcomes through the delivery of a consistent regional approach that</i>	OSR-A02 <i>Prepare municipal audits and plans for open space supply in accordance with the process provided in the Tasmanian Open Space Policy and</i>

<p><i>responds to the community's needs and avoids unnecessary duplication of facilities</i></p>	<p><i>Planning Framework 2010.</i></p> <p>OSR-A03 <i>Provide for a regional network of multi-use trails. OSR-A04 Development is to have regard to the principles identified in Healthy by Design: A Guide to Planning and Designing Environments for Active Living in Tasmania (2009).</i></p>
<p><u>Comment:</u> Although the land is zoned open space, it has been identified as being an area that is not safe and underutilised by members of the public for open space activities, given the topography of the area. There are many other areas within Blackstone Park that are better suited and developed by Council for the enjoyment of the open space areas. As such, Council has determined to divest the land and is in the process of transferring it to 35 Longvista Road. The funds received from the sale of the land will be reinvested into Blackstone Park to provide continual development of the space for passive and active recreation.</p>	
<p>Natural Hazards</p>	
<p>Policy</p>	<p>Action</p>
<p>NH-P01 <i>Future land use and urban development is to minimise risk to people and property resulting from land instability by adopting a risk-managed based approach, consistent with Practice Note Guidelines for Landslide Risk Management 2007 and AGS (2007a) Guideline for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning; AGS (2007e) Australian GeoGuides for Slope Management and Maintenance.</i></p> <p>NH-P02 <i>Future land use and development is to minimise risk to people and property</i></p>	<p>NH-A01 <i>Manage further development in declared landslip zones. Complete regional land slide hazard mapping to allow identification of land susceptible to landscape hazards and its associated level of risk to specific scale and types of land uses and developments.</i></p> <p>NH-A02 <i>Permit appropriate land uses and urban development in areas of susceptibility only where risk is very low or where it can be managed by prescriptive controls to avoid undue risk to persons including life of loss</i></p>

<p><i>resulting from flooding.</i></p> <p>NH-P03 <i>Future land use and development is to minimise risk to people and property resulting from bushfire hazard.</i></p> <p>NH-P04 <i>Where avoidance of hazards is not possible or the level of risk is deemed acceptable, best practice construction and design techniques and management practices are to be implemented.</i></p>	<p><i>and damage to property.</i></p> <p>NH-A03 <i>If there is doubt about the geotechnical stability of land proposed for urban development, Council may require a geotechnical assessment to identify risks and mitigation techniques.</i></p> <p>NH-A04 <i>Include controls in planning schemes based on current best practice to manage risk to persons and property resulting from inundation.</i></p> <p>NH-A05 <i>Include controls in planning schemes based on current best practice to minimise risk to persons and property resulting from bushfire hazard.</i></p> <p>NH-A06 <i>Subdivision design is to respond to bushfire hazard risks by providing for alternative access, building setbacks and buffer distances based on current best practice.</i></p> <p>NH-A07 <i>Adopt the relevant risk management AS/NZS standard as part of core management methods for emergency, hazard and risk management.</i></p>
<p><u>Comment:</u> The land is not identified as landslip on The List's Landslide Hazard Band mapping. The title contains information regarding flood levels for Hydro Tasmania given it forms part of the Trevallyn Dam which is reflected in the proposed zoning arrangement. The draft amendment will provide for the zoning of the land to be compatible with the residential use established at 35</p>	

Longvistsa Road, Blackstone Heights. Future development of the land will be subject to assessment against the Tasmanian Planning Scheme - Meander Valley or the instrument in operation at the time. Currently the relevant codes such as, Bushfire-Prone Areas Code, Flood-Prone Area Code seek to address natural hazards. The draft amendment does not amend the codes of the planning scheme that are applicable to the land that consider landslide, bushfire and flooding.

The draft amendment is consistent with the Northern Tasmanian Regional Land Use Strategy.

34(2)(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and

Comment:

The Meander Valley Council Community Strategic Plan 2014 to 2024 (the Plan) is a key policy document overarching the Council which provides direction to the roles in which the Council undertakes the delivery of services in order to enhance and maintain the quality of life for residents in social, economic and environmental terms. The following section identifies the most relevant parts of the Plan and provides an assessment of how the proposed draft amendment responds to each strategic outcome.

Future Direction (1) – A sustainable natural and built environment	
1.1	Contemporary planning supports and guides growth and development across Meander Valley.
	<u>Comment:</u> The draft amendment will be guided by current planning legislation.
1.2	Liveable townships, urban and rural areas across the local government area with individual character.
	<u>Comment:</u> The draft amendment will not impact the liveability of the township

	as the connectivity with Blackstone Park will remain unchanged.
--	-----------------------------------------------------------------

34(2)(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and

Comment:

The land subject to the draft amendment adjoins land within the West Tamar Council municipal area. The immediately adjoining land is zoned Environmental Management in accordance with the West Tamar LPS. The proposed rezoning of land will also have an Environmental Management zoning consistent with that provided for within the West Tamar municipal area.

34(2)(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019 .

Comment:

The subject property is not affected by the Gas Pipeline and the act is therefore not applicable.

Conclusion

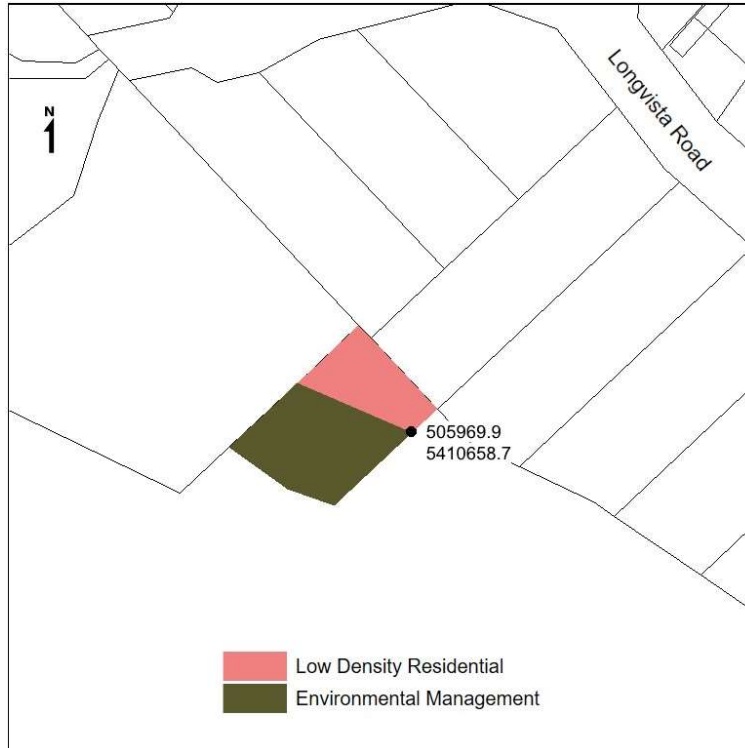
It is considered that the draft amendment meets the LPS criteria as set out in s34(2) of LUPAA and therefore it is recommended that the Planning Authority certify the draft amendment as meeting the requirements of LUPAA.



Meander Valley Local Provision Schedule 2021

Amendment 1/2022

Certification Map



Map Amendment

1. Rezone a portion of Certificate of Title 141734/8 from Open Space Zone to Low Density Residential Zone and Environmental Management Zone.

The COMMON SEAL of the Meander Valley Council has been hereunto affixed on 12 July 2022 pursuant to a resolution of Council delegating authority to the General Manager to affix the corporation's seal

.....
John Jordan
General Manager

Natasha Whiteley

From: Matt Seen [REDACTED]
Sent: Tuesday, 24 May 2022 9:15 AM
To: Natasha Whiteley
Subject: Planning app and letter
Attachments: DOC240522-24052022100630.pdf

Caution: This email came from outside of MVC - only open links and attachments you're expecting.

Hi Natasha below I have attached both planning app and letter, please let me know ASAP if you require anything more, regards
Matt.

1757603

I Matthew Seen, am writing to the Meander Valley Council planning department with the request to submit the land to which I am purchasing for the portion of land within Blackstone Park (CT: 141734/8) will be joined to 35 Longvista Drive, Blackstone Heights (29894/12) to be re-zoned from Open Space zone to Low Density Residential Zone and Environmental Management Zone.

Please find attached the completed application form to accompany my request.

Kind Regards,



Matthew Seen



Meander Valley Council
Working Together

APPLICATION FORM

PLANNING PERMIT

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:	<input type="text" value="12396"/>	Assessment No:	<input type="text" value="10"/> - <input type="text" value="1100"/> - <input type="text" value="0170"/>
DA\	<input type="text" value="22/0421"/>	PA\	<input type="text" value="22/0270"/>
PC\	<input type="text"/>		

- Is your application the result of an illegal building work? Yes No Indicate by ✓ box
- Have you already received a Planning Review for this proposal? Yes No
- Is a new vehicle access or crossover required? Yes No

PROPERTY DETAILS:

Address:	<input type="text" value="35 longvista drive"/>	Certificate of Title:	<input type="text" value="141734/8"/>
Suburb:	<input type="text" value="Blackstone Heights"/> <input type="text" value="7250"/>	Lot No:	<input type="text"/>
Land area:	<input type="text" value="2050"/> ^(m²) ha		
Present use of land/building:	<input type="text"/>	<small>(vacant, residential, rural, industrial, commercial or forestry)</small>	

- 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
- | | | | |
|----------------------------------------|-------------------------------------------|--------------------------------------|-------------------------------------|
| <input type="checkbox"/> Building work | <input type="checkbox"/> Change of use | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Demolition |
| <input type="checkbox"/> Forestry | <input checked="" type="checkbox"/> 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: m² New building height: m

Materials: External walls: Colour:

Roof cladding: Colour:



Meander Valley Council
Working Together

Written Permission to accompany the request for amendment of LPS

In accordance with Section 37 (3) of the *Land Use Planning and Approvals Act 1993*, Meander Valley Council hereby provides written permission, as the owner of the land, for the making of the request being Draft Amendment 1/2022 to rezone a portion of Blackstone Park, Lot 8 Longvista Drive, Blackstone Heights (CT: 141734/8) from Open Space Zone to Low Density Residential Zone and Environmental Management Zone.

Signed:

A handwritten signature in black ink, which appears to read 'Jonathan Harmey'.

Jonathan Harmey
ACTING GENERAL MANAGER

25 May 2022

TASMANIAN PLANNING COMMISSION

Our ref: DOC/19/29136
Officer: Mary Bessell
Phone: 03 6165 6826
Email: tpc@planning.tas.gov.au

20 March 2019

Mr Martin Gill
General Manager
Meander Valley Council
PO Box 102
WESTBURY TAS 7303

By email: mail@mvc.tas.gov.au

Attention: Natasha Whiteley

Dear Mr Gill

**Meander Valley Interim Planning Scheme 2013
Amendment 1-2018 & permit PA-19-0037**

Rezone land at Longvista Road, Blackstone Heights from Open Space to Environmental Management & Low Density Residential and 2 lot subdivision and residential structure

The Tasmanian Planning Commission has modified and approved this draft amendment, under section 41(ab) and 42, of the former provisions of the *Land Use Planning and Approvals Act 1993* (the Act).

The Commission has confirmed the decision of the planning authority to grant permit PA-19-0037 under section 43H(1)(a) of the Act.

The Commission has specified that the approved amendment and permit come into operation on 27 March 2019. The Commission will make the necessary amendments to the planning scheme for viewing on the the [LIST website](#).

In accordance with section 42(3)(d) of the Act, Council is required to give notice of the decision and in this respect your attention is drawn to regulation 8 of the *Land Use Planning and Approvals Regulations 2014*.

If you require further information please contact Mary Bessell, Planning Adviser, on 03 6165 6826.

Yours sincerely



Karen Fyfe
Planning Assessment Coordinator

Level 3, 144 Macquarie Street Hobart Tasmania GPO Box 1691 Hobart TAS 7001
Ph: 03 6165 6828 Email: tpc@planning.tas.gov.au
www.planning.tas.gov.au

TASMANIAN PLANNING COMMISSION

DECISION

Planning scheme	Meander Valley Interim Planning Scheme 2013
Amendment	1-2018 - rezone a portion of land located at Longvista Road, Blackstone Heights (CT 141734/8) from Open Space to Environmental Management and Low Density Residential
Permit	PA-19-0037 - subdivision (boundary adjustment) at Longvista Road (CT 141734/8) and 35 Longvista Road (CT 29894/12) Blackstone Heights, and the use and development of a residential structure (pontoon walkway)
Planning authority	Meander Valley Council
Date of decision	14 March 2019

Decision

The draft amendment is modified under section 41(ab) of the *Land Use Planning and Approvals Act 1993* as set out in Annexure A and is approved under section 42.

The permit is confirmed under section 43H(1)(a) of the *Land Use Planning and Approvals Act 1993* as granted by the planning authority.



Sandra Hogue
Deputy Executive Commissioner

Note:

References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The commencement day was 17 December 2015.

REASONS FOR DECISION

Background

Amendment

A draft amendment to rezone a portion of the land at Longvista Road, Blackstone Heights (CT 141734/8) from Open Space to Environmental Management and Low Density Residential.

The proposed split zoning aligns with the land to the north of the site and continues the boundaries of the Low Density Residential and Environmental Management zones.

Permit

A permit for subdivision boundary adjustment (2 lots to 2 lots) and Residential Structure (pontoon walkway) on the land at Longvista Road, Blackstone Heights (CT 141734/8) and 35 Longvista Road (CT 29894/12).

The permit for subdivision is to subdivide 2217m² of land from CT 141734/8, a large parcel of land owned by Meander Valley Council, known as Blackstone Park. The portion to be subdivided is adjacent to 35 Longvista Road (CT 29894/12) and the new lot will be adhered to this title.

The pontoon is already constructed and also requires planning approval (which has been granted) from West Tamar Council, as the development straddles the municipal boundary.

Site information

The draft amendment applies to a portion of Blackstone Park, (CT 141734/8).

Blackstone Park (CT 141734/8) accessed via Longvista Road, Blackstone Heights is zoned Open Space and used for recreation activities. The subject title adjoins 35 Longvista Road and includes a steep embankment and extends over a portion of the adjoining water (known as Longbottom Inlet).

Blackstone Park is contained in a large title (CT 141734/8) which extends over approximately 7ha, including both banks of Longbottom Inlet and traversing the municipal boundary between Meander Valley Council and West Tamar Council.

Blackstone Park (CT 141734/8) is zoned Open Space over land and the extent of the title that is over water is zoned Environmental Management.

The Salinity Risk Overlay applies and the site is surrounded more broadly by an established residential area zoned Low Density Residential.

The permit includes 35 Longvista Road, Blackstone Heights (CT 29894/12). This rectangular lot contains a house and is located within the Low Density Residential Zone. The land slopes to the southwest towards the waterfront and the steep banks of Longbottom Inlet where it adjoins Blackstone Park.

A pontoon has already been constructed on that part of Blackstone Park that is to be excised and adhered to 35 Longvista Road.

Issues raised in representations

TasWater's Submission to the Planning Authority Notice (TWDA No. 2018/01899-MVC) under 56S(2) of the *Water and Sewerage Industry Act 2008* stated it did not object to the draft amendment to the planning scheme and had no formal comments for the Tasmanian Planning

Commission in relation to the matter and did not require to be notified of nor attend any subsequent hearings.

Planning authority's response to the representations

The planning authority considered the representations and recommended:

The above combined permit and amendment for Blackstone Park, Longvista Road and 35 Longvista Road, Blackstone Heights came off advertising on 17 December 2018. I wish to advise that Meander Valley Council has not received any representations to this amendment.

Consideration of the draft amendment

1. Under section 40 of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission is required to consider the amendment and the representations, statements and recommendations contained in the planning authority's section 39 report.
2. One representation was received and after consultation under section 40(2A) of the Act, the Commission dispensed with holding a hearing.
3. The amendment has been initiated and certified by the Meander Valley Council, in its capacity as planning authority, and further supported in the reports under sections 35 and 39.
4. Under section 32(1), in the opinion of the relevant decision-maker, a draft amendment:
 - (a)-(d) . . .
 - (e) must, as far as practicable, avoid potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area;
 - (ea) must not conflict with the requirements of section 300;
 - (f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.
5. Under section 32(2), the provisions of section 20(2)-(9) inclusive apply to the amendment of a planning scheme in the same manner as they apply to a planning scheme.
6. Section 300 includes that:
 - (1) An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker, practicable, consistent with the regional land use strategy for the regional area in which is situated the land to which the scheme applies.
7. Section 300(2)-(5) inclusive relates to the effect of amending a local provision with respect to common provisions. These matters are not relevant to the draft amendment as there are no implications for any common provisions.
8. Section 32(1)(e) is considered below as it is relevant to the draft amendment as the site adjoins an adjacent planning area.

9. Under section 32(1)(f) regional impacts of use and development permissible under the amendment are considered below with reference to the Northern Tasmania Regional Land Use Strategy, as amended on 27 June 2018 (regional strategy).

Consistency with the regional land use strategy

10. The planning authority advises in the section 35 report that it has considered the draft amendment in the context of the regional strategy.
11. In particular, the planning authority submits that the relevant sections of the regional strategy include C.4.2 Goal 2: Liveability – *‘To promote liveability measures for social and community development and the betterment of healthy, strong and vibrant urban and rural settlements’*.
12. In response to this goal, the planning authority consider in the section 35 report that:

The land is currently underutilised and does not naturally lend itself for passive recreation in its current form. The rezoning to Low Density Residential and Environmental Management zones will provide for residential use which is consistent with the properties to the north.

Commission’s consideration

13. The Commission notes the submission of the planning authority and is satisfied that the draft amendment is, as far as is practicable, consistent with the regional strategy.

Conflict with planning scheme applying to adjacent area

14. The planning authority observes in the section 35 report that:

Section 32(1)(e) of the Act requires an amendment to a planning scheme, as far as practicable, must avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.
15. As the draft amendment adjoins the West Tamar Council boundary, this section is relevant. In considering this section of the Act, the planning authority submit that:

The proposed rezoning to Environmental Management Zone and Low Density Residential Zone is consistent with the zoning of the residential properties to the north. The properties to the north contain split zoning with the titles extending into Longbottom Inlet. These titles are also located within both Meander Valley and West Tamar municipalities.

Furthermore, the Environmental Management zone is consistent with the zoning of the portion of land within the West Tamar municipality. Both the Meander Valley Interim Planning Scheme 2013 and West Tamar Interim Planning Scheme 2013 were drafted using the same directive and regional standards. Whilst there are different standards applicable to each scheme there is no major inconsistency between the two (2) Environmental Management zonings.

Overall, the proposed rezoning is unlikely to give rise to conflict within the nature envisaged by section 32 of the Act.

Commission’s consideration

16. The Commission concurs with the planning authority and is satisfied that the draft amendment, as far as is practicable, avoids the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.

State Policies and Resource Management and Planning System Objectives

17. The Commission finds that no State Policies are relevant to the draft amendment and that it seeks to further the Objectives of the Resource Management and Planning System in Schedule 1.

Modifications required to draft amendment

18. The instrument for the draft amendment required modification to improve clarity by increasing the scale and including a GPS datum point for mapping accuracy.

Decision on draft amendment

19. Subject to the modifications described above, the Commission finds that the draft amendment is in order and gives its approval.

Consideration of the permit

20. Under section 43H, the Commission is required to review the planning authority's decision as reported under section 43F.

Meander Valley Interim Planning Scheme 2013

21. The planning authority submits in the section 35 report that residential use is prohibited in the Open Space Zone. Therefore, this rezoning and permit are to facilitate use and development of a pontoon.
22. The planning authority outlined in the section 35 report the details of the proposed subdivision boundary adjustment (2 lots to 2 lots) and Residential Structure (pontoon walkway). The planning authority then proceed to assess these developments against the provisions of the planning scheme.

Proposed subdivision and pontoon walkway

23. The planning authority describe in the section 35 report that:

It is proposed to subdivide 2217m² of land from Lot 8 Longvista Road (Blackstone Park CT 141734/8), and join it to 35 Longvista Road, Blackstone Heights. This will provide 35 Longvista Road with water frontage. A Right of Way is proposed as part of the subdivision to provide the owners of 2A Bayview Drive with pedestrian access to Blackstone Park.

A pontoon has been constructed... in both Meander Valley and West Tamar municipalities. The portion of pontoon within Meander Valley is the walkway being approximately 3m long by 1.2m wide and constructed on the ground. It provides the access to the remaining floating pontoon.

24. The planning authority assessed the development for a boundary adjustment and pontoon against the provisions of the Low Density Residential Zone and Environmental Management Zone:

The proposal is effectively for a boundary adjustment, and no additional lots will be created. There will be no change to the existing infrastructure to service the adjustment.

Meander Valley Interim Planning Scheme 2013
Draft amendment 1-2018 and permit PA-19-0037

The lot size for 35 Longvista Road will increase by 2217m² resulting in the title being 4868m² in area. Pontoon structures are common for the properties with access to the water and the proposed structure is consistent with this.

The proposed boundary adjustment and pontoon will not impact the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic values.

Whilst the walkway is located in a flood area, a flood event is likely to only cause minor damage to the walkway.

Urban Salinity

25. The planning authority in the section 35 report submits that the properties are subject to the Urban Salinity mapping of the planning scheme. However, the proposed development is exempt from the code under Clause E15.4(d) because the subdivision involves less than three (3) lots.
26. The planning authority concluded that the proposed use and development demonstrates compliance with the applicable standards of the planning scheme and issued a permit.

Commission's consideration

27. The Commission concurs with the planning authority's assessment of the proposed development under the planning scheme.

Resource Management and Planning System Objectives

28. The Commission finds that the permit seeks to further the Objectives of the Resource Management and Planning System in Schedule 1.

Modification to permit conditions

29. No modifications are required to the permit conditions.
30. While the notes appended to the permit are not a matter for the Commission, it is suggested that the notes on appeals to the Resource Management and Appeal Tribunal are removed as they are not applicable to a permit granted under section 43A.

Decision on permit

31. The Commission confirms the permit granted by the planning authority.

Attachments

Annexure A – Modified amendment

Annexure A

Modified amendment 1-2018

Rezone a portion of Certificate of Title 141734/8 from Open Space to Low Density Residential and Environmental Management.



**TASMANIAN
PLANNING COMMISSION**

Approved 
Operative date: 27 March 2019

TASMANIAN PLANNING COMMISSION



Meander Valley Interim Planning Scheme 2013

Draft amendment 1-2018

Rezone a portion of Certificate of Title 141734/8 from Open Space to Low Density Residential and Environmental Management.



Corporate Services

Council Audit Panel Minutes, Reports & Review of Audit Panel Charter

Report Author Jonathan Harmey
Director Corporate Services

Decision Sought Receipt and approval of documentation arising from and in support of Council's Audit Panel and its continuing program.

Vote Simple majority

Recommendation to Council

That Council:

1. receive the minutes of the Audit Panel meeting held on 28 June 2022;
2. receive the Audit Panel annual report for 2021-22;
3. receive the Audit Panel biannual performance evaluation for 2020-21 and 2021-22;
4. approve the Audit Panel annual work plan for 2022-23; and
5. confirm the continuation of the amended Audit Panel Charter.

Report

The purpose of this report is to table documentation relating to the Council's Audit Panel for Council review, noting and approval. As attached, this documentation includes:

1. The minutes of the meeting held on 28 June 2022. These have been reviewed and endorsed by the Council Audit Panel Chairperson and are provided for Council's information as required under the current Audit Panel Charter.
2. The Annual Report and Biannual Performance Evaluation which were received from the Audit Panel Chairman and discussed at the 28 June 2022 meeting; they identify how the Audit Panel has discharged its responsibilities.
3. The Annual Work Plan which outlines the focus of the Audit Panel during the 2022-23 financial year. Approval of the Annual Work Plan for 2022-23 is sought.

4. The Audit Panel Charter. This was last reviewed in October 2018 and is required to be reviewed every four years. Confirmation of the Audit Panel Charter is sought.

The Audit Panel has met four times each year over the past four years. The minutes and annual reports have been regularly presented to the Council for receipt.

The composition of the Audit Panel has changed over the four-year period, currently the Panel has two independent members and two councillor representatives, which is working very well.

A collaborative arrangement between councils means that a common chairperson is appointed to service a number of audit panels. The Director of Corporate Services has discussed the review of the Audit Panel Charter with representatives from West Tamar, George Town and Break O'Day. The current Charter is considered to be meeting the needs of the Council and the Audit Panel. There are no substantial changes recommended to Council as part of the review.

The Audit Panel considered and endorsed the Charter review during its 28 June meeting and it is recommended to be continued for a further four-year period.

- Attachments**
1. Audit Panel Minutes - 28 June 2022 [13.1.1 - 5 pages]
 2. Audit Panel Annual Report 2021-22 [13.1.2 - 3 pages]
 3. Audit Panel Biannual Performance Evaluation 2020-21 and 2021-22 [13.1.3 - 1 page]
 4. Audit Panel Annual Workplan 2022-23 [13.1.4 - 2 pages]
 5. Audit Panel Charter Review 2022 [13.1.5 - 9 pages]

Strategy The recommendation fulfils the requirements outlined in Council's Audit Panel Charter confirmed at the October 2018 Council Meeting.

Furthers the objectives of Council's strategic future direction 5: innovative leadership and community governance.

See Meander Valley Community Strategic Plan 2014-24. [Click here](#) or visit www.meander.tas.gov.au/plans-and-strategies to view.

Policy Not applicable


Legislation *Local Government Act 1993: ss85, 85A and 85B.*
Local Government (Audit Panels) Orders

Consultation Not applicable

Budget & Finance The cost to undertake actions of the annual work plan for 2022-23 are provided for in the 2022-23 Budget Estimates.

Risk Management Not applicable

Alternative Motions The Council can approve the recommendation with amendment.

 Meander Valley Council Working Together	Audit Panel Minutes
Meeting Time & Date: 9:30am, 28 June 2022	Venue: Westbury Council Chambers
Present:	
Chairman Andrew Gray	Councillor John Temple
Mr Ken Clarke	Councillor Michal Frydrych
In Attendance:	
John Jordan, General Manager	Justin Marshall, Team Leader Finance
Jon Harmey, Director Corporate Services	Jacqui Parker, Manager Governance & Performance
Dino De Paoli, Director Infrastructure Services	Tania Sharman, Workplace Health & Safety Officer
Krista Palfreyman, Director Development & Regulatory Services	Susan Ellston, Finance Officer
Melissa Lewarn, Director Community Wellbeing	
Apologies:	
Matthew Millwood, Director Works	

ORDER OF BUSINESS

ITEM
1. Declaration of Pecuniary Interests/conflict of interest Nil.
2. Adoption of Previous Minutes Adopted.
3. Outstanding from previous meeting - Action Sheet The Panel reviewed the Action Sheet and discussed the following items: <ul style="list-style-type: none"> 3.1. Policy No. 23 – Responsibilities of Council Representatives – Deferred; Further Review required 3.2. Policy No. 67 – Personal Information Protection – Referred to Council Workshop for further review. Policy No. 84 – Gifts and Benefits – Deferred; Full rewrite required then to Council Workshop for further review. 3.3. Policy No. 66 – Security for Incomplete Works in Subdivisions – Deferred; Further Review required. Policy No. 81 – Online Communication (social media Councillors) – Deferred; Further Review required. Appointing a consultant to engage a strategy. 3.4. Submit a list of Policies which have been identified as requiring Audit Panel Review A list of policies was submitted to the Panel members to review those requiring Audit Panel review. The Policies will be reviewed outside the meeting and present for comment at next Audit Panel Meeting.

<p>4. Review Annual Meeting Schedule and Work Plan The Annual Meeting Schedule and Workplan 2022-23 was presented to the Audit Panel, some minor changes.</p> <p>The reports were accepted and to be submitted for the July Council Meeting agenda for adoption.</p> <p>Received and Noted.</p>
<p>Governance and Strategy</p>
<p>5. Review of Council Strategic Plan No requirement for a Review until 2024. Consultation will take place after the Council Elections in October 2022.</p> <p>Received and Noted.</p>
<p>6. Review of Annual Budget and report to Council The Budget Report and Budget Estimates & Rates Resolution document were presented to the Audit Panel.</p> <p>Comment was received from panel members around the level of detail and in particular the well written commentary around Waste Management Service and Charges in the document, making for an easy but informative read.</p> <p>There was a comment in relation to the Interest revenue from investment that the actual may be higher due to the institutions beginning to increase rates in the June quarter after a period of very low rates.</p> <p>Comment was made on the Loan payable to Tascorp being offsetting by the Loan due by Aged Care Deloraine.</p> <p>Received and Noted.</p>
<p>7. Review policies and procedures</p> <p>8.</p> <p>7.1 In addition to the policies outstanding in section 3, the following are currently outstanding for review:</p> <ul style="list-style-type: none"> - Policy No. 37 – Vegetation Management – Deferred; Further review required. - Policy No. 43 – Dog Management – Deferred; Further review required. - Policy No. 80 – Management of Public Art – Deferred; Further review required. - Policy No. 85 – Open Space – Deferred; Further review required. - Policy No. 89 – Management of Public Art – Deferred; Further review required. <p>7.2 The following Policies will soon become due and are provided for comment for the Audit Panel:</p> <ul style="list-style-type: none"> - Policy No. 1 – Risk Management – Comments were made to include a link to the Risk Register, Risk Management Framework and also update the Standards. - Policy No. 68 – Writing off Bad Debts – Comments were made to possibly report more than annually and also a report back to elected members more frequently.

<p>- Policy No. 45 – Information Management – Comments were received to possibly set the review date in 2 years due to the changes in the Information Management area.</p> <p>Received and Noted.</p>
<p>Financial and Management Reporting</p>
<p>9. Review most current results and report any relevant findings to Council The April 2022 Financial Report was presented to the Audit Panel.</p> <p>Comment was made that the Balance Sheet was not included in the Financial Reports and may be of benefit. Corporate Services Director commented that this could be included without much effort.</p> <p>Chairman commented on possibly including the Balance Sheet quarterly.</p> <p>Received and Noted.</p>
<p>10. Review any business unit or special financial reports The updated 2022 Council’s Financial Management Strategy was presented to the Audit Panel. Minor changes were made by Council.</p> <p>Received and Noted.</p>
<p>11. Review the impact of changes to Australian Account Standards</p> <p>Nothing to report.</p>
<p>Internal Audit</p>
<p>12. Consider any available audit reports Internal audit areas in progress; Contractor induction process and building application legislative timeframe achievement.</p> <p>External Audit of Major Project Variation controls to be conducted by Synectic, commencing on 12 July 2022 and concluding on 12 August 2022. A report will be presented at the next Audit Panel meeting.</p> <p>Received and noted.</p>
<p>13. Review management’s implementation of audit recommendations Records management security review (Nov 2021):</p> <ol style="list-style-type: none"> 1. Wording of Policy 45 to be reviewed and updated as considered appropriate. Refer Item 7.2 2. Meeting with software supplier to investigate permanent deletion option from database. <p>Received and noted.</p>

<p>14. Review and approve annual internal audit program and alignment with risk register</p> <p>Internal Audit Plan for the next 12 months is being reviewed and developed relating directly to monthly KPI's for contractors and works crew.</p> <p>Received and noted.</p>
<p>External Audit</p>
<p>15. Consider any available audit reports</p> <p>The following reports were presented to the Audit Panel:</p> <ol style="list-style-type: none"> 1. Independent Auditor's Report for Audit of Grant Funds for Hadspen Recreation Ground project was presented to the Audit Panel. 2. Term of Audit Engagement for the Local Roads and Community Infrastructure Program of Meander Valley Council. <p>Received and noted.</p>
<p>16. Review management's implementation of audit recommendations</p> <p>Audit Findings from 2020-21 are still being actioned/implemented. Tas Audit Office have provided a draft MOAF document based on the 2021-22 interim audit, which is currently being reviewed. The actions/implementations will be finalised for September Audit Panel Meeting.</p> <p>Received and noted.</p>
<p>17. Review and approve external audit plan including meeting with Tas Audit Office representative</p> <p>The Final version of the Audit Strategy document for the year ending 30 June 2022 was presented to the Panel.</p> <p>Received and noted.</p>
<p>18. Consider any performance audit reports that will be undertaken by the Tas Audit Office and address implications for the Council</p> <p>Nothing to report.</p>
<p>Risk Management and Compliance</p>
<p>19. Receive material risk management reports (risk profile, risk management and treatment and periodical/rotational risk review)</p> <p>The minutes from the Risk & WHS Committee meeting from 8 June 2022 were presented to the Audit Panel.</p> <p>1st Draft Review of SWMS and Work Instructions is now completed and with Director of Works for review.</p> <p>Received and noted.</p>

<p>20. Monitor any major claims or lawsuits by or against the Council and complaints against the Council</p> <p>None to Report.</p>
<p>21. Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour</p> <p>None to Report.</p>
<p>Audit Panel Performance</p>
<p>22. Report to Council regarding execution of duties and responsibilities by the Audit Panel</p> <p>The Chairman tabled his Annual Report 2021-2022.</p> <p>The report was accepted and to be submitted for the July Council Meeting agenda for adoption.</p> <p>Received and noted.</p>
<p>23. Initiate the bi-annual Audit Committee performance self-assessment (every 2nd year)</p> <p>The following reports were presented to the Audit Panel:</p> <ol style="list-style-type: none"> 1. Audit Panel - Performance self-assessment 2021-2022. 2. Responses - Audit Panel performance self-assessment. <p>The report was accepted and to be submitted for the July Council Meeting agenda for adoption.</p> <p>Received and noted.</p>
<p>Other Business</p>
<p>24. Charter review</p> <p>Council's audit panel charter is due for review in October 2022, The Document was presented to the Audit Panel for review. No major changes were identified.</p> <p>Received and noted.</p>
<p>25. Correspondence in</p> <p>Correspondence from Nic Street MP, Minister for Local Government – Local Government Amendment (Elections) Act 2022 was presented to the Audit Panel for comment.</p> <p>Received and noted.</p>
<p>Meeting close</p> <p>This meeting closed at 10:45 am</p>
<p>Next Meeting</p> <p>The next meeting to be held on Tuesday 23 September 2022 at 9.30am</p>

Meander Valley Council

Annual report of the Audit Panel to the Council for 2021-22

This report explains how the Audit Panel discharged their responsibilities during 2021-22. The report also outlines the Panel's plan for 2022-23.

The key purpose of this report is to:

- achieve greater awareness of the purpose, role and objectives of the Audit Panel;
- outline the outcomes achieved by the Panel; and
- provide council with information on the future objectives of the Panel.

Membership

The Audit Panel currently comprises four members, the two independent members plus two Councillors.

During 2021-22, the independent members were Andy Gray (Chairperson) and Ken Clarke (from December 2021).

The Councillors during 2021-22 were:

- Clr Frank Nott (until August 2021)
- Clr John Temple (from August 2021)
- Clr Michal Frydrych (from October 2021)

Meetings and attendance

The Audit Panel had meetings on 21 September 2021, 14 December 2021, 22 March 2022 and 28 June 2022. The four meetings held meets the minimum required number of meetings under the Audit Panel's Charter.

The audit panel meeting and attendance record was:

	21 Sep 2021	14 Dec 2021	22 Mar 2022	28 Jun 2022	Total
Andy Gray	Yes	Yes	Yes	Yes	4/4
Ken Clarke	n/a	Yes	Yes	Yes	3/3
Clr John Temple	Yes	Yes	Yes	Yes	4/4
Clr Michal Frydrych	n/a	Yes	Yes	Yes	3/3
Clr Frank Nott *	n/a	n/a	n/a	n/a	n/a

* No meetings were held between the start of the year and Clr Nott's resignation in August 2021.

Functions of the Audit Panel

The function of the Audit Panel is to review Council's performance across a range of areas. The specifics of this function are sourced from:

- Section 85A of the Local Government Act 1993, which includes review of Council's performance in relation to:
 - Financial systems, financial governance arrangements and financial management
 - Strategic Plan, Long-term Financial Plan, and Asset Management Strategies and Policies
 - Policies, systems and controls to safeguard long-term financial position
- Local Government (Audit Panels) Order 2014, which includes consideration of:
 - Annual financial statements of Council
 - Strategic Plan, Long-term Financial Masterplan, and Asset Management Strategies and Policies
 - Accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls
 - Compliance with the Local Government Act
 - Whether Council has taken any action in relation to recommendations provided by the Audit Panel
- Council's Audit Panel Charter (dated October 2018), which include considering:
 - The matters noted above
 - Human resource management, including policies, procedures and enterprise agreements
 - Information and communications technology governance
 - Management and governance of the use of data, information and knowledge
 - Other activities with the Panel's remit, as determined by the Panel

Liaison with Tasmanian Audit Office

Council's external auditor, the Tasmanian Audit Office (TAO), attended meetings with the Panel during the year.

The Audit Panel considered all reports from TAO on their activities undertaken in reviewing and auditing the internal control environment. The independent audit of the annual financial statements of the Council for 2021 was reviewed by the Audit Panel.

Key activities in 2021-22

The key activities of the Audit Panel during 2021-22 included:

- Reviewed the accounting policies and draft financial report for the year ended 30 June 2022
- Monitored the effectiveness of Council's risk management processes and controls, including a review of the insurance portfolio
- Received regulatory updates to maintain current knowledge of contemporary governance practice and legislative requirements
- Received internal audit reports covering:
 - Records management security (completed by external resources – Crowe)
- Noted details of internal audits in action at the end of 2021-22 as being:

- Major project variation controls – assess and evaluate process and variation approval practices for larger projects (>\$100,000) (being completed by external resources – Synectic)
- Contractors are being effectively inducted before commencing work (being completed by internal resources)
- Building applications not being assessed within legislative timeframes (being completed by internal resources)
- Considered the findings from the TAO procurement compliance audit report (noting that Council was not subject to review as part of this process)
- Reviewed the external audit strategy for financial year 2021-22
- Developed and approved the Panel’s annual work plan for 2022-23

Internal audit function

The use of a blend of internally resourced and externally resourced internal audit activity continued in 2021-22. The Management Team have acted on internal audit findings and recommendations, which in turn lead to incremental improvements in Council’s control framework.

We recommend that a partially outsourced internal audit function continue to be used in future years. This blended internal audit function serves two purposes:

- enables Management and the Council to have greater assurance that there is compliance with policy, procedure and internal control; and
- enables the Audit Panel to discharge its responsibilities.

Program for 2022-23

In accordance with Council’s Audit Panel Charter, the Audit Panel is required to develop an annual work plan that includes, but is not limited to, a schedule of meetings and the known objectives for each meeting.

The review of the annual work plan has consisted of:

- Consideration of the requirements of the Local Government Act 1993, Local Government (Audit Panels) Order 2014, and Council’s Audit Panel Charter (as noted above)
- Consideration of matters discussed by the Audit Panel during the last year that may warrant a separate agenda item
- Requests from Council to the Audit Panel, if any

Based on this review, there are no changes proposed for the 2022-23 Audit Panel work plan.

Attached to this report is the proposed work plan of the Audit Panel for the next twelve months. The Audit Panel’s meeting in June 2022 recommended this work plan to Council for approval.

In concluding, I thank all Panel members for their contributions this year. I also thank the Management Team who provided support to the Audit Panel.

Andy Gray

Chairperson Audit Panel

Meander Valley Council

Audit Panel Performance Self-Assessment

Background

As part of our work plan, we are required to complete a periodic self-assessment on the Audit Panel's performance. This occurs every two years and was due again in 2021-2022 in advance of the June 2022 Audit Panel meeting.

The self-assessment was a series of questions through Microsoft Forms around the function and operation of the Audit Panel. A free-form section also allowed members to contribute specific comments.

As with previous self-assessments, all Audit Panel members and Management Team members who attend the meetings were invited to respond to the self-assessment survey.

Ratings

Each question was rated on a scale of 1-5 as follows:

- 5 - indicating that you strongly agree with the statement
- 4 - indicating that you agree with the statement
- 3 - indicating that you neither agree or disagree with the statement
- 2 - indicating that you disagree with the statement
- 1 - indicating that you strongly disagree with the statement

High level observations from the self-assessment

The majority of questions rated above 4, indicating members were in agreement with the statement.

The questions that scored below 4 (agreeing with the statement) were in relation to:

- Audit Panel members oversee the process and are notified of communications received from governmental or regulatory agencies, or other parties, related to alleged or actual areas of non-compliance (score of 3.8).
- Audit Panel meetings include separate private sessions with the internal auditor and independent external auditor (score of 3).
- The Audit Panel develops an Annual Work Plan that dedicates the appropriate time and resources needed to fulfil its responsibilities (score of 3.8).
- The Audit Panel considers, understands, and approves the process implemented by management to effectively identify, assess, and respond to Council's business and financial risks (score of 3.8).

Specific comments made

The following specific comments were made:

1. Very well run
2. It has been pleasing to see the Audit Panel increased to four members (two Councillors and two independent) during the year, this will benefit Council going forward
3. Perhaps more focus on prompting continuous improvement and maturing of processes; monitoring actions to enhance organizational performance on matters within the remit of the Panel

The self-assessment was discussed at the Audit Panel meeting on Tuesday 28 June 2022.



Meander Valley Council Audit Panel Annual Work Plan

Proposed Meeting Dates 2022			Sept	Dec
Proposed Meeting Dates 2023	March	June		

AGENDA ITEM		March	June	Sep	Dec
Standing Items					
1.	Declaration of Pecuniary Interests/conflict of interest	√	√	√	√
2.	Adoption of Previous Minutes	√	√	√	√
3.	Outstanding from previous meeting - Action Sheet	√	√	√	√
4.	Review Annual Meeting Schedule and Work Plan		√		
Governance and Strategy					
5.	Review of Council Strategic Plan		√		
6.	Review 10-Year Financial Plan	√			
7.	Review Financial Management Strategy (Sustainability)	√			
8.	Review preliminary Budget parameters and assumptions	√			
9.	Review annual budget and report to Council		√		
10.	Review Annual Plan			√	
11.	Review Long-Term Strategic Asset Management Plan			√	
12.	Review Asset Management Strategy			√	
13.	Review Asset Management Policy			√	
14.	Review policies and procedures	√	√	√	√
15.	Review performance of plans, strategies and policies including performance against identified benchmarks				√
16.	Assessment of governance and operating processes integration with financial management practices of the Council			√	
Financial and Management Reporting					
17.	Review most current results and report any relevant findings to council	√	√	√	√
18.	Review any business unit or special financial reports	√	√	√	√
19.	Review annual financial report, audit report and management representation letter (for advice to GM) and make recommendation to Council including meeting with Tas Audit Office representative			√	
20.	Review the impact of changes to Australian Accounting Standards		√		
Internal Audit					
21.	Consider any available audit reports	√	√	√	√
22.	Review management's implementation of audit recommendations	√	√	√	√
23.	Review and approve annual internal audit program and alignment with risks		√		
24.	Review the adequacy of internal audit resources for consideration in Council's annual budget and review performance of internal auditors	√			
External Audit					
25.	Consider any available audit reports	√	√	√	√
26.	Review management's implementation of audit recommendations		√		√
27.	Review and approve external audit plan including meeting with Tas Audit Office representative		√		
28.	Consider any performance audit reports that will be undertaken by the Tas Audit Office and address implications for the Council	√	√	√	√
Risk Management and Compliance					
29.	Annual review of risk management framework policies				√
30.	Receive material risk management reports (risk profile, risk management and treatment and periodical/rotational risk review)		√		√
31.	Monitor ethical standards and any related party transactions to determine the systems of control are adequate and review how ethical and lawful behaviour and culture is promoted within the Council.	√		√	

Attachment 13.1.4 Audit Panel Annual Workplan 2022-23

AGENDA ITEM		March	June	Sep	Dec
32.	Review the procedure for Council's compliance with relevant laws, legislation and Council policies	√			
33.	Review internal, anti-fraud and anti-corruption management controls	√			
34.	Review information and communications technology governance, including processes and controls for management and use of data, information and knowledge				√
35.	Review business continuity plan				√
36.	Review processes to manage insurable risks and existing insurance cover			√	
37.	Review delegation processes and exercise of these	√			
38.	Review tendering arrangements and advise Council	√			
39.	Review WH&S management processes				√
40.	Monitor any major claims or lawsuits by or against the Council and complaints against the Council	√	√	√	√
41.	Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour	√	√	√	√
Audit Panel Performance					
42.	Review Audit Panel Charter and make any recommendations for change to the Council for adoption (review due every four years)				√
43.	Report to Council regarding execution of duties and responsibilities by the Audit Panel		√		
44.	Initiate bi-annual Audit Committee performance self-assessment (every 2nd year)		√		
Other					
45.	Review issues relating to National competition policy	√			



MEANDER VALLEY COUNCIL

Audit Panel Charter

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1 INTRODUCTION

The Council has established the Meander Valley Council Audit Panel (the Audit Panel) in compliance with **Part 8** Division 4 of the Local Government Act 1993 (the Act), the Local Government (Audit Panels) Order 2014 (the Audit Panels Order) and the Local Government (Audit Panels) Amendment Order 2015, as amended from time to time.

This Charter has been developed in cooperation with Local Government Audit Panel Working Group and sets out the Audit Panel's objectives, authority, composition, tenure, functions, reporting and administrative arrangements.

2 OBJECTIVE

The objective of the Audit Panel is to:

- assist Council in providing a transparent and independent process to ensure accountability to the community in the governance, management and allocation of resources; and
- review the Council's performance under section 85A of the Act and report to the Council its conclusions and recommendations.

3 DEFINITIONS

- *Audit Panel* – the Meander Valley Council Audit Panel as stipulated in section 1 of this document.
- *Audit Panel Working Group* – consists of Council officers representing the Break O'Day, George Town, Meander Valley and West Tamar Councils.
- *Chief Financial Officer* – the Director Corporate Services of the Meander Valley Council as appointed from time to time.
- *Commissioner* - a person appointed under sections 230 or 231 of the Act to exercise the powers and perform the functions of the Councillors.
- *Council* – the Meander Valley Council.
- *Council member* - a Councillor representing the Council on the Audit Panel.
- *General Manager* - the General Manager of the Meander Valley Council as appointed from time to time.
- *Independent member* - a person who is not a Councillor, Commissioner or employee of the Meander Valley Council and has not been a Councillor or employee of the Council within the previous two years.
- *Management* - employees of Council tasked with managing the operations and daily functions.
- *Part 7 plan* - a strategic plan, an annual plan, a long term financial management plan or a long term strategic asset management plan of a Council prepared under Division 2 of part 7 of the Act.
- *The Act* - the *Local Government Act 1993* as amended.

- *The Orders* - the Local Government (Audit Panels) Order 2014 ~~Statutory Rules 2014~~ and the Local Government (Audit Panels) Amendment Order 2015, as amended.

4 AUTHORITY

The Council authorises the Audit Panel, within its responsibilities, to:

- obtain any information it requires from any employee or external party (subject to any legal obligation to protect information);
- discuss any matters with the Tasmanian Audit Office (TAO), or other external parties (subject to confidentiality considerations);
- request the attendance of any employee, including members of the Council, at Audit Panel meetings; and
- obtain legal or other professional advice, as considered necessary to meet its responsibilities (subject to prior approval by the Mayor or General Manager).

The Council will include an allocation in its Annual Plan and Budget Estimates to allow the Panel to conduct reviews in accordance with its annual work plan.

5 COMPOSITION AND TENURE

The Audit Panel comprises a minimum of 3 and a maximum of 5 members appointed by the Council, of whom:

- if the panel has 4 or 5 members, at least 2 must be independent members; or
- if the panel has 3 members, at least 1 must be an independent members.

A person who is an employee, or the General Manager, or the Mayor of the Council is not eligible for appointment as a member of the panel.

A person who is an employee or Councillor of another municipal Council is not eligible for appointment as a member of the panel.

If a Commissioner is appointed to the Council, he or she may be appointed as a Council member of the panel.

The Council will appoint an independent member as the Chairperson of the panel.

Audit Panel members are appointed for a period not exceeding two years.

If an Audit Panel member resigns, Council will appoint a replacement at the earliest convenient time.

Audit Panel members may be re-appointed at the approval of the Council.

6 QUALIFICATIONS AND SELECTION OF INDEPENDENT MEMBERS

Independent members of the Audit Panel are to possess:

- Good business acumen
- Sound management skills

- Good communication skills
- Knowledge and expertise in audit practices
- Knowledge and expertise in financial management
- Experience with governance processes including but not limited to risk management.

Knowledge of and skills in government, local government, not for profit organisations and organisations requiring a high degree of legislative compliance and delivery of projects and processes which offer solutions to complex community service obligations will be highly desirable in panel members.

Calls for independent members to apply for a position on the Audit Panel shall be publicly advertised in the first instance.

The selection process for independent members will be determined and undertaken by Council and supported using Council's existing recruitment and selection processes.

7 FUNCTIONS

To comply with the Orders, when reviewing the Council's performance the Audit Panel is to consider:

- the Council's financial system, financial governance arrangements and financial management;
- whether the annual financial statements of the Council accurately represent the state of affairs of the council;
- whether and how the strategic plan, annual plan, long-term financial management plan and long-term strategic asset management plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared;
- the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position;
- whether the Council is complying with the provisions of the Act and any other relevant legislation;
- whether the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council and, if it has so taken action, what that action was and its effectiveness; and
- any other activities within the panel's remit, as determined by the panel.

In fulfilling its functions, the Audit Panel should consider the following key areas:

- corporate governance;
- systems of internal control;
- risk management frameworks;

- human resource management, including policies, procedures and enterprise agreements;
- procurement;
- information and communications technology governance;
- management and governance of the use of data, information and knowledge; and
- internal and external reporting requirements.

8 RESPONSIBILITIES OF PANEL MEMBERS

Members of the Audit Panel are expected to understand and observe the legal requirements of the Act and the Orders. Members are also expected to:

- act in the best interests of the Council;
- apply sound analytical skills, objectivity and judgment;
- express opinions constructively and openly;
- raise issues that relate to the Audit Panel's functions and pursue independent lines of enquiry within the Panel's deliberations and meetings; and
- contribute the time required to review the papers provided.

9 REPORTING

The Audit Panel is to provide a copy of its meeting minutes to the Council as soon as practical after each Audit Panel meeting, preferably for the ordinary Council meeting following the Audit Panel meeting.

If the Audit Panel has conducted a review under section 85A of the Act, the Audit Panel must provide a written report of its conclusions and recommendations to the Council as soon as practicable after the review is completed.

The Audit Panel must provide an annual report to the Council that comprises, at least:

- a summary of the work undertaken and significant findings during the past year;
- a review of the Panel's Charter and, if required, recommended changes to the Council for its approval;
- an update on the membership of the Panel, in particular if there have been or may be change;
- the significant aspects of the Panel's deliberations for the coming year, together with a proposed work plan for the coming year; and
- any other matters deemed, by the Panel, as requiring the Council's attention.

10 ADMINISTRATIVE ARRANGEMENTS

10.1 MEETINGS

The Audit Panel will meet at least four times per year.

The Chairperson must seek Council approval prior to holding more than five meetings per year. The Chairperson must seek Council approval to hold additional meetings if asked to do so by at least two members of the Panel.

The Audit Panel is to regulate its own proceedings in accordance with this Charter.

The Chairperson may determine that a meeting is to be held in private.

The General Manager and CFO, or their delegates, are to attend Audit Panel meetings unless the Chairperson determines a meeting is to be held in private.

The Audit Panel may invite or allow any councillor and/or employee of the Council and/or representative of the TAO to attend meetings of the Audit Panel.

10.2 QUORUM

A quorum of an Audit Panel meeting will consist of the majority of members, including at least one independent member.

10.3 WORK PLAN

Prior to 1 July each year the Audit Panel is to develop an annual work plan that includes, but is not limited to, a schedule of meetings and the known objectives for each meeting.

All discretionary items referred to the Audit Panel that fit within its remit should be brought before the Panel so it can determine which items will be prioritised for inclusion in the work plan.

The forward meeting schedule should include the dates, location, and proposed agenda items for each meeting.

10.4 SECRETARIAT

The Council, in consultation with the Audit Panel, will appoint a person to provide secretariat support to the Audit Panel. The secretariat will:

- ensure the agenda for each meeting is approved by the Chairperson;
- endeavour to ensure the agenda and supporting papers are circulated at least one week prior to the meeting; and
- ensure the minutes of the meetings are prepared and submitted to the Council as soon as practicable after each meeting.

10.5 INTERESTS

Audit Panel members must declare any real, potential or perceived pecuniary or non-pecuniary interests that may affect them in carrying out their functions. The Audit Panel member with the interest must also notify the General Manager of the Council, in writing, of the interest within seven days of declaring the interest.

Independent members are to consider past employment, consultancy arrangements and related party issues in making these declarations.

A standing item for declarations of interests should be included in all panel meeting agendas.

The Chairperson of the Audit Panel is to ensure that the declaration of an interest is recorded in the minutes of the meeting and any relevant written report.

10.6 CONFIDENTIALITY

Panel members must maintain the confidentiality of any information, documents and communication that the Council or Panel has designated as being in confidence, and only access Council information in order to perform their role as a Panel member.

10.7 CODE OF CONDUCT

Audit Panel members are to abide by standards of behaviour in the Code of Conduct for Members of the Audit Panel (Appendix 1).

10.8 INDUCTION

The Council will provide new Audit Panel members with relevant information and briefings upon their appointment to assist them to meet their Audit Panel responsibilities.

10.9 PERFORMANCE EVALUATION

The Audit Panel will undertake an annual performance evaluation of its work and provide a report and any recommendations in relation to the evaluation to Council.

The performance evaluation will review the extent to which the Audit Panel has met its responsibilities under this charter and in accordance with the Act and the order.

11 REMUNERATION

Independent members of the Audit Panel shall be paid a fee per meeting attended as approved by Council at the time of appointment.

Council will include independent members of the Audit Panel in its professional indemnity insurance coverage for the services provided to Council.

12 REVIEW OF CHARTER

The Audit Panel Working Group will review this Charter every four years. The outcomes and recommendations from this review will be provided to Council for information and approval.

13 APPROVAL

Approved by the Council on 9 October 2018 12 July 2022 (minute reference 191/2018).

Signed: _____
General Manager

APPENDIX 1: CODE OF CONDUCT FOR MEMBERS OF THE AUDIT PANEL

This code of conduct sets out the standards of behaviour expected of the Meander Valley Council's Audit Panel members (members). The standards support the characteristics of good governance outlined in the Good Governance Guide for Local Government in Tasmania (reference below).

As an independent source of scrutiny in the interests of the community, the Audit Panel provides checks and balances on key Council activities and a means of highlighting issues that require strategic attention.

Councillors who are members of the Audit Panel are in a unique position and have an obligation to maintain an Audit Panel perspective in the interests of the community when they discharge their duties as Panel members, i.e. they must display independence of mind, separate from their role as a Councillor.

In performing their role on the Audit Panel, and in acting in the best interests of the community, all members of the Audit Panel commit to the following standards.

1. Effective management of conflicts of interest

Members avoid conflicts of interest that arise between their personal interests and their public duty as an Audit Panel member, as far as reasonably possible. This includes pecuniary and non pecuniary conflicts of interest (actual, potential or perceived). Where avoidance is not possible, members appropriately manage conflicts of interest. Members are responsible for acting in good faith and exercising reasonable judgment to manage conflicts of interest, including the offer or receipt of gifts and benefits.

Council members may at times deal with conflicts of interest as a consequence of their dual roles as an audit panel member and a councillor. This may present as a conflict between the interests of the community (as seen from the Audit Panel perspective).

All members will regularly provide advice of their actual, potential and perceived conflicts to the panel.

2. Proper use of Council information

Members maintain the confidentiality of any information, documents and communication that the Council or panel has designated as being in confidence. Members only access Council information needed for them to perform their role as a panel member and not for personal interests or reasons.

3. Proper use of position

Members perform their role in the best interests of the Council and the community. Members operate within the intended scope of the Audit Panel (as outlined in the Audit Panel Charter) and adhere to relevant Council policies and procedures.

4. Appropriate interactions

Members act ethically and treat all persons with fairness and respect. Members conduct themselves in a way that positively represents the panel, and is in the best interests of the Council and the community. Members interact appropriately with fellow members, councillors, Council staff and the community, and give full respect and consideration of to all relevant information known to them. Members should not interact directly with Council staff without the prior approval of the panel and the general manager.

Further information on the ethical standards covered in this code of conduct, and the terminology used, can be found in the Good Governance Guide for Local Government in Tasmania: (www.dpac.tas.gov.au/divisions/local_government).

Infrastructure Services

Review of 2021-22 Capital Works Program Budgets

Report Author Dino De Paoli
Director Infrastructure Services

Decision Sought Approval of recommended budget changes to projects included in the 2021-22 Capital Works Program.

Vote Absolute majority

Recommendation to Council

The Council approves in line with Section 82(4) of the *Local Government Act 1993*: variations to the 2021-22 Capital Works Program, as per attachment titled "Capital Works Program - Budget Changes", noting an overall decrease in the value of the program of \$119,700.

Report

The purpose of this report is to seek Council approval for the reallocation of funding to projects included in the 2021-22 Capital Works Program and to remove six (6) projects from the capital works program resulting in a reduction in the value of the program by \$119,700.

Section 82(4) 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.

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, or removal.

The overall financial objective in delivering the Capital Works Program is to have a zero net variation in the program budget. 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. However, in this instance, as a result of the recommendation to remove six (6) projects from the Program, the Program value will decrease by \$119,700. This funding will be retained in Council's cash reserves.

Refer to the attached "Capital Works Program - Budget Changes" table for the funding reallocation details. It is noted that minor changes only have been made to the proposed budget variation figures against completed bridge projects, in comparison to the table information discussed with Council at the June 2022 Workshop.

Attachments 1. Capital Works Program - Budget Changes [14.1.1 - 4 pages]

Strategy Furthers the objectives of Council's strategic future direction 6: planned infrastructure services.

See Meander Valley Community Strategic Plan 2014-24. [Click here](#) or visit www.meander.tas.gov.au/plans-and-strategies to view.

Policy Not applicable

Legislation *Local Government Act 1993: s82(4).*

Consultation Not applicable

Budget & Finance The recommended variations in this report will result in a \$119,700 decrease to the value of Council's Capital Works Program.

Risk Management Not applicable

Alternative Motions Not applicable

Capital Works Projects Budget Changes

Project No.	Project Name	Council Costs to date	Current Budget	Proposed Budget Variation	Revised Budget	Delegation	Comments
5211	Cheshunt Road culvert renewal	\$97,376	\$200,000	-\$102,000	\$98,000	Council	Transfer funds to PN8002
5448	Cheshunt Road irrigation channel culvert renewal	\$127,048	\$200,000	-\$72,000	\$128,000	Council	Transfer funds to PN8002
5370	Bradys Creek Tribulet, Davies Road, bridge renewal	\$183,048	\$215,000	-\$31,000	\$184,000	Council	Transfer funds to PN8002
5255	Meander River, Selbourne Road, bridge deck replacement	\$449,771	\$525,750	-\$38,000	\$487,750	Council	Transfer funds to PN8002
8002	Meander River, Deloraine, steel arch footbridge renewal	\$4,921	\$345,000	\$243,000	\$588,000	Council	Transfer funds from PN5211, 5448, 5370 & 5255
6498	Open Drain Program, Westbury	\$0	\$117,500	-\$15,000	\$102,500	GM	Transfer funds to PN6470
6470	William Street, Westbury - Stormwater construction	\$153,213	\$138,400	\$15,000	\$153,400	GM	Transfer funds from PN6498
5361	Mole Creek, Den Road, bridge fencing installation	\$0	\$30,000	-\$30,000	\$0	Council	Transfer funds to PN5409 (\$15K). Remove from program.

Attachment 14.1.1 Capital Works Program - Budget Changes

Project No.	Project Name	Council Costs to date	Current Budget	Proposed Budget Variation	Revised Budget	Delegation	Comments
5409	Un-Named Drain, Harveys Road, culvert extension	\$0	\$10,000	\$15,000	\$25,000	GM	Transfer funds from PN5361
6272	East Barrack Street, Deloraine, footpath construction from Morrison to Liverpool	\$145,770	\$238,000	\$0	\$238,000	Council	Approval required for change of scope. Drainage work to be completed as Stage 1 prior to path construction.
5887	Scott Street footpath - Hadspen	\$99,145	\$135,000	-\$19,000	\$116,000	GM	Transfer funds to PN6110
5978	Franklin Street kerb and channel - Westbury	\$82,863	\$75,000	\$8,000	\$83,000	GM	Transfer funds to PN6110
6110	Bridgenorth Road reconstruction	\$181,268	\$170,000	\$11,000	\$181,000	GM	Transfer funds from PN5887 & PN 5978
7671	Prospect Vale Park Development Plan – Allocation for future projects	\$0	\$62,500	-\$62,500	\$0	Council	Transfer funds to PN7678. Remove from program.
7678	Prospect Vale Park ring road & main access	\$1,861	\$20,000	\$62,500	\$82,500	Council	Transfer funds from PN7671
6861	Main Road, Meander, stormwater construction	\$36,561	\$43,600	-\$4,000	\$39,600	GM	Transfer funds to PN6867

Attachment 14.1.1 Capital Works Program - Budget Changes

Project No.	Project Name	Council Costs to date	Current Budget	Proposed Budget Variation	Revised Budget	Delegation	Comments
6867	Bartley Street, Hadspen, stormwater construction	\$54,275	\$50,000	\$4,000	\$54,000	GM	Transfer funds from PN6861
6259	Railton Road, Kimberley, safety improvements	\$38,124	\$78,000	-\$8,000	\$70,000	GM	Transfer funds to PN7411
7411	Chudleigh Hall, carpark Improvements	\$22,335	\$14,000	\$8,000	\$22,000	GM	Transfer funds from PN6259
7665	Hadspen Memorial Centre, change room extension	\$156,919	\$180,000	-\$23,000	\$157,000	Council	Transfer funds to PN6529
7634	Whitemore Recreation Ground, tennis courts drainage	\$7,902	\$15,000	-\$7,000	\$8,000	GM	Transfer funds to PN6529
6529	Carrick Recreation Ground, public toilets upgrade	\$2,493	\$100,000	\$30,000	\$130,000	Council	Transfer funds from PN7665 & PN7634
6284	New Footpath Developments – Westbury	\$0	\$30,700	-\$30,700	\$0	Council	No defined project. Remove from program.
6285	New Footpath Developments - Blackstone	\$857	\$7,000	-\$7,000	\$0	Council	No defined project. Remove from program.

Attachment 14.1.1 Capital Works Program - Budget Changes

Project No.	Project Name	Council Costs to date	Current Budget	Proposed Budget Variation	Revised Budget	Delegation	Comments
6496	Open Drain Program, Blackstone Heights 15/16	\$0	\$34,000	-\$34,000	\$0	Council	No defined project. Remove from program.
8701	Major Plant Replacements	\$0	\$33,000	-\$33,000	\$0	Council	Funding is surplus to program requirements. Remove from program.
	Totals		\$3,067,450	-\$119,700	\$2,947,750		

Note: Listed "costs to date" are based on the Technology One Report dated 20 June 2022.

Closed Session Agenda

Confirmation of Closed Minutes

Refer to *Local Government (Meeting Procedures) Regulations 2015: s34(2)*.

Leave of Absence Applications

Refer to *Local Government (Meeting Procedures) Regulations 2015: s15(2)(h)*.

Release of Public Information

Refer to *Local Government (Meeting Procedures) Regulations 2015: s15(8)*.

Motion to Close Meeting

Motion Close the meeting to the public for discussion of matters in the list of agenda items below.

Refer to *Local Government (Meeting Procedures) Regulations 2015: s15(1)*.

Vote Absolute majority

Meeting End