



Meander Valley Council  
Working Together

# MINUTES

## ORDINARY COUNCIL MEETING

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**Tuesday, 13 February 2024**


**Time** 3.04pm

**Location** Council Chambers  
26 Lyall Street  
Westbury, Tasmania

**Phone** (03) 6393 5300

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## Opening of Meeting - Attendance and Apologies

Meeting opened at 3.04pm.

**Chairperson** Mayor Wayne Johnston

**Councillors** Deputy Mayor Stephanie Cameron

**Present** Councillor Ben Dudman

Councillor Kevin House

Councillor Michael Kelly

Councillor Anne-Marie Loader

Councillor Rodney Synfield

Councillor John Temple

**Apologies** Nil

<b>Officers Present</b>	Jonathan Harmey	General Manager
	Wezley Frankcombe	Manager Governance and Performance
	David Murray	Director Infrastructure Services
	Craig Davis	Director Corporate Services
	Matthew Millwood	Director Works
	Krista Palfreyman	Director Development and Regulatory Services
	Rob Little	Asset Management Coordinator
	Anthea Rooney	Governance Officer

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## 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.

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## Confirmation of Minutes

**Motion** That Council receives and confirms the Minutes of the last Ordinary Council Meeting held on 16 January 2024.

**Moved** Councillor Kevin House

**Seconded** Councillor Ben Dudman

**Votes for** Mayor Wayne Johnston  
Deputy Mayor Stephanie Cameron  
Councillor Ben Dudman  
Councillor Kevin House  
Councillor Michael Kelly  
Councillor Anne-Marie Loader  
Councillor Rodney Synfield  
Councillor John Temple

**Votes against** Nil

**Motion carried by simple majority**

**Minute Reference: 016/2024**

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## Declarations of Interest

**Councillor** Councillor Anne-Marie Loader

**Agenda Item** Infrastructure Services

Agenda Item 14.5 - Review of 2023-24 Budget Estimates

**Action** Councillor Loader elected to remain in Chambers to participate in discussion and voting on the Agenda Item.

# Council Workshop Report

## Topics Discussed – 23 January 2024

Draft Waste and Resource Recovery Strategy

Review of Policy No. 91 – Climate Change Mitigation and Adaptation

Review of Policy No. 71 – Investment of Surplus Council Funds

Cultural Exchange/Economic Development – Proposed Project

Sport Fees and Charges

## Items for Noting

Review of Policy No. 79 – Undocumented Domestic Building Works

Review and Proposed Amendments to Policy No. 14 – Fencing Council Owned Land

Review and Proposed Amendments to Policy No. 37 – Vegetation Management

Review and Proposed Amendments to Policy No. 78 – New and Gifted Assets

New Recycling Shed – Westbury Landfill Site

Proposed Amendments to Code for Tenders and Contracts 2024

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# Mayor and Councillors' Reports

## Councillors' Official Activities and Engagements Since Last Meeting

### 17 January 2024

**Community Event:** Opening of the Carrick Park Pacing Club - History Rooms  
*Councillor Dudman*

### 25 January 2024

**Council Event:** Australia Day Awards and Citizenship Ceremony  
*Mayor Johnston*  
*Deputy Mayor Cameron*  
*Councillor Dudman*  
*Councillor House*  
*Councillor Temple*  
*Councillor Loader*  
*Councillor Synfield*

### 26 January 2024

**Community Event:** Rotary Club of Westbury Australia Day Breakfast  
*Councillor Dudman*  
*Councillor Loader*

**Community Event:** Carrick Park Pacing Club - Australia Day Race Meeting  
*Councillor Dudman*

### 29 January 2024

**Meeting:** Westbury St Patrick's Day Committee  
*Councillor Loader*

### 3 February 2023

**Council Event:** Pacific Islander Showcase  
*Councillor Loader*

### 9 February 2023

**Community Event:** Westbury Community Tea  
*Councillor Loader*

## Councillor Announcements and Acknowledgements

Councillor Ben Dudman - advised that the St Patricks Festival Steering Committee will be hosting a fund raising event trivia night at the RSL Club from 6.30pm on 16 February 2024 and then the annual St Patricks Festival on 16 March 2024.



## Petitions

No Petitions were received for this Meeting

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## Community Representations

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](mailto:ogm@mvc.tas.gov.au).

No Community Representations received as part of this Agenda

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# Public Question Time

## Public Questions With Notice

**Question 1:** *Helen Hutchinson (Questions received via email on 26 January 2024)*

1. *Given the possibly dire results from an extended heat wave, and knowing from the recent NTARC seminar that in Tasmania heat waves have an impact at lower temperatures than on the mainland because we are unused to prolonged high temperatures, will the Meander Valley Council make immediate provisions for the ill, the elderly, pregnant mothers, very young children and the homeless, to be able to easily access shade, shelter, a cool environment and free water during periods of prolonged heat, even if this means that transport has to be provided?*

**Jonathan Harmey, General Manager** advises that in the event of a prolonged high temperature heat event in the Meander Valley Council local government area, Council will investigate options to support vulnerable members of the community.

2. *In view of the results leading from the Meander Valley Oil Vulnerability Action Plan (2013) in which short and long term disruptions of oil were identified as potential risks for the Meander Valley businesses and residents, and which have since been exacerbated by the requirements of government and business to reduce carbon emissions, what actions have been taken to protect our district from oil being restricted as a result of, eg. the closure of the Suez and Panama Canals, or wars in the middle East, by replacing vehicles and equipment with electric alternatives and the provision of Council transport for those who may not be able to buy electric cars?*

**Jonathan Harmey, General Manager** advises that the Meander Valley oil vulnerability action plan from October 2013 identified a range of activities that could assist in building resilience to potential peak oil impacts. Some that Council have worked on are increasing the amount of passive recreation paths available in the Meander Valley area, facilitating our employees to be able to work more effectively remotely, increased use of video-conferencing, installing two electric charging points at Council facilities, advocating for the private development of a biomethane plant in the Meander Valley area, these were issues identified in the plan.

**Question 2:** *Sean Manners (received via email on 2 February 2024)*

1. *Why is there nothing on the Council's website to let the community know the correct way to present a petition to Council and what is required to make that petition valid and will Council reintroduce the section marked Petitions back into the Minutes?*

**Jonathan Harmey, General Manager** advises that the correct way to present a petition to Council is established by sections 57 to 60A of the *Local Government Act 1993* which is legislation managed by the Tasmanian Government. Council allocates time in each Council Meeting agenda (published on Council's website [www.meander.tas.gov.au](http://www.meander.tas.gov.au)) to table and action any complying petition.

2. *With the next Council Strategic Plan in 2024 (this year), how will the Council ensure that there is fair, equitable and comprehensive community input into the plan?*

**Jonathan Harmey, General Manager** advises that a new community strategic plan for Meander Valley will soon be commencing. A facebook post and website update promoting upcoming public sessions were published on 3 February 2024. Community workshops are occurring on 2 March (Deloraine), 16 March (Prospect Vale) and 23 March 2024 (Westbury). These sessions will be complemented by other engagement techniques to receive community input. All community members are invited to participate in contributing towards developing our ten year community strategic plan.

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## Public Questions Without Notice

**Question 1:** *Sean Manners (asked at the Council Meeting held on 13 February 2023)*

1. *With regard to the upcoming community engagement meetings concerning the review of the Strategic Plan, the front page of the Council's website provides a link to the information in a box and it just says, have your say. This is ambiguous and tells you nothing. Should the website be much clearer so that people actually know what it is about?*

**Jonathan Harmey, General Manager** advised that it is exciting for the Council to be able to go to the community and reset the Strategic Plan for the next 10 years. That process is commencing with three public engagement sessions - 2, 16 and 23 March 2024. The sessions are public and the Council is promoting them in the best way possible, for example, some participants have been invited individually, service groups have been contacted. We can certainly have a look at the Council's website take on board your comments and look at improvements. There has also been a FaceBook post, on 3 February 2024, so the word is being spread and the Council is encouraging as many people to attend as possible.

2. *Plenty of other Tasmanian councils have information on how to present a petition into Council easily which can be found on their websites. Why does Meander Valley Council have nothing on their websites about petitions?*

**Jonathan Harmey, General Manager** advised that question has been answered and responded to in today's Agenda (*Public Questions With Notice - Sean Manners - question 2*). The response will also be published in the Minutes. Not all councils treat petitions in the same manner, however, your concerns can be investigated.

**Question 2:** *Tim Larsen (asked at the Council Meeting held on 13 February 2024)*

- 1. My query pertains to the recent changes [regarding the Alveston Drive Off-Leash Area] - is there an official declaration [in regards to an off-lead area in the Meander Valley and its status as that under the Council's Dog Management Policy] in place? If so, could you kindly specify its location and confirm its adherence to relevant legislation. Conversely, if such a declaration does not exist, I am interested in understanding the reasoning behind its absence?*

**Jonathan Harmey, General Manager** advised that the Council undertook public consultation in April and August 2022 around the Council's Dog Management Policy and the declaration of certain areas as off-lead facilities. The Alveston Drive off-lead areas was declared in that process.

As there are a number of community members in attendance with possibly more questions pertaining to the same issues, I will respond to the development type questions later in the session.

**Question 3:** *Melinda Pritchett (asked at the Council Meeting on 13 February 2024)*

- 1. In the official response regarding the dog park works, the Council states that there is no fundamental change to the overall usable area and that the Council's Officers determined the fence location based on operational and functional requirements. When making the decision to undertake the division of the Alveston Drive dog park, was the LIST map program used and if so, was the water logging hazard noted when calculating usable space and determination of fence location?*

**Jonathan Harmey, General Manager** advised that this would be a good opportunity to provide commentary on the development works aspect of the project. The Council has a capital works program to improve a number of dog off-lead areas in the municipality. The most recent contribution to that budget was in May 2023 and in June 2023 the budget was approved by Council. Funding has been available for these development works for some time. The program includes installation of fencing that provides residents and their pets with separate enclosed areas that allows both vulnerable and general dogs the opportunity to enjoy playing, socialising and training in a safe environment.

At Deloraine, a new shelter area has been built and water has been provided to the site. Additional bench seats have been received and are awaiting installation. The boundary fence improvements are being delivered along with a fence to divide the area approximately 50% each side which will provide space for vulnerable and general dogs. Even though the question specifically mentions the LIST, the Council has measured the site and has had officers and a contractor on site.

The Council and a number of Councillors have received emails regarding the dog park, separation on the site and water logging. As far as concerns received regarding the water logging, specific reference was made to the early summer of 2022, which was a period where 100mLs of rain was received for three months in a row and Deloraine, in fact, flooded. Both of the areas in question are currently mown by the Council's works Officers all year round, so this is not currently seen as an issue for the dog off-lead areas. However, as with all these works, there is no reason that, over time and as feedback is received, concerns can be addressed and revisited to ensure the delivery of a suitable facility.

2. *My question is not so much that it was proper or right to have a vulnerable dog park, but the thing that has upset us all is that there was no consultation on the actual size of the division, because we have, in our large dog park, up to 30 dogs at the one time. The vulnerable dogs will be far fewer which means that half of the area will be unused. Does the Council believe that this is a good use of space?*

**Jonathan Harmey, General Manager** responded by saying that the division as to whether a dog is vulnerable or general is up to the user and it is something that the Council can continue to monitor as the project goes forward.

**Question 4:** *Julia Gosling (asked at the Council Meeting on 13 February 2024)*

1. *Given the apparent surprise within the dog-owning populace regarding these alterations, I am compelled to enquire about the application of the principles of good governance in the decision-making process concerning the changes to the Alveston Drive off-lead centre. How has the Meander Valley Council complied with their own policies and shown good governance in this matter?*

**Jonathan Harmey, General Manager** responded that good governance, transparency and accountability in decision making are referred to regularly and is important to the Council. When reviewing the Council's Dog Management Policy in April and August 2022, consultation was undertaken prior to declaring the respective defined areas. Feedback about the Dog Management Policy was received at that time and included a small number of requests for community members to provide separate dog areas in Deloraine. As a Council, we do not broadly consult on every capital works project or Council service delivery. For example, as mentioned earlier in today's Meeting the Council is conducting a number of community consultation sessions regarding the Strategic Plan. In this particular circumstance there is no fundamental change to the overall usable area and the Council's Officers determined the new shelter, water installation and fence locations based on operational and functional requirements, so specific consultation regarding a fence was not undertaken.

The perimeter of the area in question is almost 500m, which is approximately the size of an AFL football field and it is not considered that the separation into two equally sized areas will negatively affect the experience of users.



**Question 5:** *Jean Palfrey (asked at the Council Meeting on 13 February 2024)*

- 1. Is it usual behaviour for councils to notify the public of proposed works in public spaces as this ensures transparency, safety and also allows for the public to provide feedback (as evidenced by FaceBook postings today regarding footpaths in Carrick)? Why was there no such notification or consultation in regards to the Deloraine dog park?*

**Jonathan Harmey, General Manager** responded by saying that consultation could be seen in two ways in this instance - it could be the Council consulting and asking for feedback as we did in 2022 when the Dog Management Policy and declared areas were being considered - feedback was asked for in that sense. In this instance, in the case of a capital works program, it is for the Council to create awareness or advising the community that work is due to occur. For a project of this nature, the Council could have advised the public and that is probably a learning for us in the responses that have been received, but for a project like this the Council would not necessarily consult and gauge feedback and then manage that feedback. The project that is being considered is entirely consistent with work already undertaken in this entire program of works, when the Council created a new off-lead area in Prospect Vale at the bottom of Chris Street, separation at Blackstone Heights, separation at Hadspen (south east of the Hadspen Lions Park) where separation for vulnerable dogs and general dogs was created. It is actually consistent with best practice in Tasmania and interstate. This is a contemporary way of providing a safe area for all users, the community and the animals themselves and the Council's work is consistent with that.

The separation within the Deloraine dog off-lead area for vulnerable dogs and general dogs is seen as an appropriate safety measure and not all dogs are suited towards off-lead areas. Therefore, this approach is seen as a risk mitigation and creating safety. The Council does have a role in providing responsible animal management ownership and providing separation is seen as a commonly applied risk management area measure in Tasmania.

The Council's Officers undertake a compliance role within animal management and attending dangerous dogs and dog attacks are hazardous for all of those people involved in those instances. They are the primary reasons why the Council has looked at creating this solution and it is certainly not to take away the enjoyment for any of the users.

2. *There are so many dogs that interact at the moment in the dog park from the tiny ones to the great big ones and all those dogs get on with no altercations or anything. So, with the division of the dog park all those dogs will now have half the space which will cause much more friction. On the other side, there may only be three or four dogs ever. These dogs have now been pushed into only half the area and it is a risk for all those dogs to be playing in half the space.*

**Mayor Wayne Johnston** responded by saying that from a Council point of view, the well-being of all dogs is being considered - big ones and small ones. There is nothing to say that these arrangements can not be altered in the future.

**Jonathan Harmey, General Manager** that these changes may well bring about other changes, for example new users of some owners moving their dogs into the vulnerable area. The Council will monitor the situation over time.

**Question 6:** *Julie Johnson (asked at the Council Meeting on 13 February 2024)*

- 1. When enquiring about the division of the Deloraine dog park, many people have been referred to the Dog Management Policy review of 2022 and the Meander Valley Council official statement also refers to the Policy. Where, in the Policy, is the division discussed or any relevant plans shown?*

**Jonathan Harmey, General Manager** advised that the entire area being discussed, about 500m, is declared in that Dog Management Policy as an off-lead area but the exact fencing details are not.

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# Councillor Question Time

## Councillors' Questions With Notice

**Question 1:** *Councillor John Temple (asked at Council Meeting held on 16 January 2024)*

1. *Will Council investigate, as previously asked by Helen Hutchinson, providing public accessible cool areas for at risk residents, who are those over 65, frail, elderly and the very young along with the functionality of municipal halls?*

**Jonathan Harmey, General Manager** advised that Council commenced the review of Policy No. 91 - Climate Change Mitigation and Adaption at Workshop on 23 January 2024. Providing publicly accessible cool areas for at risk residents was discussed at the Workshop. The Council will continue to consider this and other associated topics during the review.

**Question 2:** *Councillor Anne-Marie Loader (received via email on 1 February 2024)*

1. *At the October 2023 Council Meeting, I asked for an update on the progress of the Westbury dump point and if a site had been selected. The response was that planning had commenced and that Councillors would be updated at an upcoming Workshop. Tourism operators have been asking me what is happening with this for some months now. Can we have an update please?*

**Jonathan Harmey, General Manager** advised that a budget was approved by Council on 27 June 2023. Councillors discussed two alternative locations for the Westbury dump point at their Workshop on 28 November 2023 and agreed on the preferred location. Since the November Council Workshop, equipment for the dump point has been ordered and received. An application for TasWater approval for the preferred location has been lodged. The Council's Officers have written to adjoining residents of the preferred location. The Westbury dump point project is aiming to be completed by the end of June 2024.

2. *Over the last 15 months I have been approached by rate payers and residents with concerns about looking after the skyline and treescape of several areas in the Meander Valley. Is there any mechanism that trees and hedges of significance can be registered in the same way buildings of historical significance can be registered with the National Trust?*

**Krista Palfreyman, Director Development and Regulatory Services** advised that the Tasmanian Planning Scheme provides mechanisms to consider impacts upon both scenic landscapes and significant trees, where identified in the Council's Local Provision Schedule.

The Scenic Protection Code provides for the application of *Scenic Protection Areas* and *Scenic Road Corridors* within rural areas to recognise and protect landscapes that are identified as important for their scenic value (including skylines, ridgelines and treed hill faces) from inappropriate development. By way of example, the Council currently has a scenic protection area overlay applying to the Blackstone Hills (including Travellers Rest) and various scenic road corridors including along the Bass Highway, Meander Valley Road and Highland Lakes Road.

The Local Historic Heritage Code provides for the application of a *Significant Tree Register* to protect the health and appearance of listed significant trees and from unnecessary lopping, pruning, removal or destruction. The Meander Valley Local Provisions Schedule does not currently identify any significant trees.

3. *I appreciate that at the January Council Meeting a question was asked and answered about the rabbit issue in Councillor Question Time. There is huge community frustration about the ever-increasing rabbit issue. Can the Council publish a media release about the issue with how property owners can address the issue?*

**Krista Palfreyman, Director Development and Regulatory** advised that yes, the Council can publish a media release and provide social media information about how property owners can address the issue of rabbits.

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## Councillors' Questions Without Notice

**Question 1:** *Councillor Ben Dudman (asked at the Council Meeting held on 13 February 2024)*

1. *Can you explain what work is being conducted at the Deloraine dog park on Alveston Drive and why this work is being completed?*

**Jonathan Harmey, General Manager** advised that the Council's capital works program includes a number of projects to improve dog areas in the municipality and not just Deloraine. This program includes installation of fencing that provides residents with their pets separate and enclosed areas that allows both vulnerable and general dogs the opportunity to enjoy the area. At Deloraine, a new shelter has been built, water provided to the site, additional bench seats have been received and are awaiting installation. Boundary fence improvements are being delivered along with a fence to divide the area. Approximately 50% to provide for vulnerable dogs and 50% to provide for general dogs.

This project is intended to improve the off-lead areas in a number of the Council's localities, eg. Prospect Vale, Blackstone Heights, Hadspen and Deloraine and the intention is there to deliver a new area in Westbury as well. The separation within the Deloraine dog off-lead area for vulnerable dogs and general dogs is seen as an appropriate safety measure and risk mitigation practice for people and animals. Not all dogs are suited to off-lead environments and at times there is tension between animals as well.

2. *What community consultation has occurred during this process?*

**Jonathan Harmey, General Manager** reiterated that the Council undertook a community consultation process in 2022 regarding the Dog Management Policy, the off-lead areas and management of those issues. Specifically relating to fencing works, there has not been consultation other than discussions those the Council's Officers and elected members have had with community members and users of the property.

- 3. Given the response the Council has received regarding this project, is the Council considering ways it can better plan, consult and implement future projects like this in the community?*

**Jonathan Harmey, General Manager** responded that some emails have been received, Councillors have received telephone calls and questions from the gallery today indicate the area is considered highly. The Council regularly reviews how projects are delivered including feedback that is received from the Council's Officer, elected members and community members. The Council aims to consult on significant new services and infrastructure. The Deloraine Dog Park is not considered to be either of those as there was not considered to be a fundamental change to the service. In this instance, the Council could have placed start work notices at the property advising users of the upcoming works allowing community members to provide feedback. This feedback would then be considered in any future works undertaken at the property.

- 4. In the new iteration of the dog park where it is cut in half, does the Council feel that there is sufficient space for all dog types to enjoy the space and be active?*

**Jonathan Harmey, General Manager** noted that, as advised earlier, the perimeter of the space is approximately 500m and it is considered to be suitable for the intended purpose and considerably larger than some other similar areas.



**Question 2:** *Councillor Anne-Marie Loader (asked at the Council Meeting held on 13 February 2024)*

1. *Why is there not a line item relating to the dog park works in the 2024 Annual Plan nor a corresponding line item in the budget?*

**Jonathan Harmey, General Manager** responded noting that the budget for the works being spoken about today - the shelter, the water connections and the fencing have all been approved by Council as capital works budgets - Project 8104 – Off-Lead Dog Area Improvements and budgets have been approved on two occasions with the latest approval in June 2022. The overall budget for the entire program of works is \$175,000 as a capital works program inclusion, so it may not be seen in the Council's budget estimates but it is included on the capital works program listing.

2. *Councillors have been made aware of a recent Tasmanian Devil death on Meander Road near the township of Meander. With the Devil Facial Tumor disease devastating devil populations across Tasmania, even one devil death is a tragedy. According to the Tasmanian Devil Road-Kills Project, it is estimated that between 350 and 450 devils are killed each year on our roads. The Meander Area Residents and Ratepayers Association Inc. (MARRA) has asked the Council to invest in signage reminding motorists to consider wildlife and to slow down. Can the Council provide signage and can MARRA be consulted with on suitable locations?*

**Jonathan Harmey, General Manager** noted that the correspondence being referred to in this question has been received by the Council's administration. With regard to providing signage, the Council provides similar signage in other areas of the municipality, therefore, the request can be considered and MARRA can be consulted with regard to location.

3. *Apart from writing to Councillors, what else can residents with these concerns do?*

**Jonathan Harmey, General Manager** advised that request for signage can be forwarded through the Council's Customer Service area by telephone on 6393 5300 or to the Council's email address at mail@mvc.tas.gov.au. Those requests will then be forwarded and reviewed by the relevant Council Officer and will be treated as either an operational program funded through the Council's maintenance budget or if they are considered to be a larger scale project, approved by Council as a capital works program.

**Question 3:** *Councillor John Temple (asked at the Council Meeting held on 13 February 2024)*

1. *Has there been any communication on the proposed prison?*

**Mayor Wayne Johnston and Jonathan Harmey, General Manager** responded that no information had been received from the Tasmanian Government on their proposed prison project.

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## Councillor Notices of Motion

### Notice of Motion - Councillor Ben Dudman - Economic Development Forum

**Report Author** Ben Dudman  
Councillor

**Authorised By** Jonathan Harmey  
General Manager

**Motion 1** That Council:

1. hosts an Economic Development Forum in the Meander Valley, bringing together stakeholders, business owners, community members and other interested parties to discuss a vision for the future of the Meander Valley within the scope of regional economic development;
2. following the Economic Development Forum, Council will table a collated submission of ideas, proposals, and discussions at the Council Meeting within two months of the Forum for Council endorsement;
3. the endorsed document will be sent to relevant State and Federal Ministers and the major opposition party in each jurisdiction as a document identifying the economic ambitions of our region, through the eyes of those in attendance at the forum; and
4. approves, in line with section 82(4) of the *Local Government Act 1993*, a variation to the 2023-24 Budget Estimates to provide a new budget of \$20,000 for an Economic Development Forum.

**Moved** Councillor Ben Dudman

**Seconded** Councillor Anne-Marie Loader

**Votes For** Mayor Wayne Johnston  
Deputy Mayor Stephanie Cameron  
Councillor Ben Dudman  
Councillor Kevin House  
Councillor Michael Kelly  
Councillor Anne-Marie Loader  
Councillor Rodney Synfield  
Councillor John Temple

**Votes Against** Nil

**Motion carried by absolute majority**

**Minute Reference: 017/2024**

# Development and Regulatory Services

## Review of Policy No. 79 - Undocumented Domestic Building Works

**Report Author** Krista Palfreyman  
Director Development and Regulatory Services

**Authorised By** Jonathan Harmey  
General Manager

**Motion** That Council confirms continuation of Policy No. 79 – Undocumented Domestic Building Works, as shown below:

<b>Policy No. 79</b>	<b>Undocumented Building Works</b>	<b>Domestic</b>
<b>Purpose</b>	The purpose of this Policy is to establish guidelines for a procedure for managing undocumented building works.	
<b>Department</b>	Development and Regulatory Services	
<b>Author</b>	Krista Palfreyman, Director	
<b>Council Meeting Date</b>	13 February 2024	
<b>Minute Reference</b>	XXX	
<b>Next Review Date</b>	<b>March 2028</b>	

### POLICY

#### **1. Definitions**

*Undocumented Building Works* Building works carried out without either sufficient documentation or the required building approval, in accordance with the requirements of the *Building*

Act 2016.

*Class 1a and 10 Domestic Buildings and Structures*

*Class 1a* A single dwelling being a detached house, or one or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit.

*Class 10*

A non-habitable building or structure:  
Class 10a - a private garage, carport, shed or the like.  
Class 10b - a structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like.

*Building Certificate*

A certificate issued by the General Manager under Regulation 83 of the *Building Regulations 2016* certifying that the Council does not intend to take any action in relation or the specified building.

*Permit Authority*

An Officer of the Council appointed by the General Manager to perform the functions under the *Building Act 2016* in respect of building, plumbing and demolition work.

**2. Objective**

The objectives of this Policy are to provide:

- (a) an appropriate cut-off date whereby building works constructed before 1993 are generally deemed to comply with section 12 of the *Building Act 2016* and the relevant building regulations, where insufficient records

- exist; and
- (b) a clear process to establish the legal status of domestic buildings and structures.

### **3. Scope**

This Policy is applicable to existing Class 1a and 10 Domestic buildings and structures where insufficient records exist of building permits or other valid authorisations as prescribed in the *Building Act 2016*.

This Policy is not applicable to any work on any Class 1B and 2 – 9 Commercial buildings.

### **4. Policy**

It is policy that:

1. subject to inspection, any Class 1a building constructed prior to 1993 will be considered to substantially comply with the building control requirements applicable at the date of construction and will not be pursued as illegal building works.
2. subject to inspection, any Class 10 domestic building works which were constructed prior to 1993 will be considered to substantially comply with the building control requirements applicable at the estimated time of construction and will not be pursued as illegal building works.
3. inspection and or required reports, for any building works subject to this policy will be undertaken at the property owner's expense by an accredited building surveyor or other licensed authority deemed by the Council as appropriate.
4. inspection and or assessment is to assess the general compliance with relevant standards at the actual or estimated time of construction and that the works do not present any obvious safety issues and as applicable are suitable for occupation.
5. subject to inspection, Class 10 and Class 1a domestic building works will be considered to be fit for purpose, due to their performance over the last 20 (or more) years.

6. the Council's Permit Authority will determine if a building was built prior to 1993.
7. subject to ensuring the basic health and safety of any occupants of the building, the General Manager may, at the request of the property owner, issue a Building Certificate for a building constructed prior to 1993.
8. in determining a matter under this policy, the Council may, at its discretion:
  - (a) request additional information in response to a provided report;
  - (b) request or prepare a report to determine the condition of the building works, and/or identifying the building works are suitable for occupation, if applicable;
  - (c) determine the year of construction (where possible); and
  - (d) require the property owner to carry out any works required to make the building safe.

## **5. Legislation and Related Standards**

*Building Act 2016*

*Building Regulations 2016*

Meander Valley Council Customer Service Charter

## **6. Responsibility**

Responsibility for the operation of this Policy rests with the Director Development and Regulatory Services.



**Moved** Councillor Ben Dudman

**Seconded** Deputy Mayor Stephanie Cameron

**Votes For** Mayor Wayne Johnston

Deputy Mayor Stephanie Cameron

Councillor Ben Dudman

Councillor Kevin House

Councillor Michael Kelly

Councillor Anne-Marie Loader

Councillor Rodney Synfield

Councillor John Temple

**Votes Against** Nil

**Motion carried by simple majority**

**Minute Reference: 018/2024**

## Corporate Services

# Review of Policy No. 71 - Investment of Surplus Council Funds

**Report Author** Justin Marshall  
Team Leader Finance

**Authorised By** Craig Davies  
Director Corporate Services

**Motion** That Council confirms the continuation of Policy No. 71 – Investment of Surplus Council Funds, as shown below:

<b>Policy No. 71</b>	<b>Investment of Surplus Council Funds</b>
<b>Purpose</b>	The purpose of this Policy is to provide guidelines for the investment of surplus funds of the Council.
<b>Department Author</b>	Corporate Services Craig Davies, Director
<b>Council Meeting Date</b>	13 February 2024
<b>Minute Reference</b>	XXX
<b>Next Review Date</b>	<b>February 2028</b>

### POLICY

#### **1. Definitions**

*Surplus Council Funds* Funds that are not required to be expended in the course of normal operations of the Council.

*Working Capital* The amount of funds available to meet the Council's financial obligations when they fall due.

<i>Authorised Deposit</i>	A body corporate in relation to which an authority
<i>Taking Institution</i>	under subsection 9(3) of the <i>Banking Act 1959</i> (No. 6 of 1959 as amended) is in force.
<i>Investment Arrangement</i>	An arrangement that relates to acquiring, consolidating, dealing with, or disposing of certificates of deposit, bonds or notes issued or proposed to be issued.

## **2. Objective**

The objective of this Policy is to ensure that the best possible rate of return is achieved from the investment of surplus funds of the Council whilst, at the same time, ensuring the security of those funds and maintaining sufficient working capital to support the operations and capital program requirements of the Council.

## **3. Scope**

This Policy applies to all investments of surplus funds of the Council.

## **4. Policy**

1. The level of the Council's funds available for investment is to be reviewed at least weekly. During the review process likely cash inflows and outflows for the immediate future will be assessed to establish either the availability of surplus funds or the need to redeem existing investments.
2. The Council will target a cash buffer to the equivalent of three – six months, based on the cash expenses cover ratio in line with the Tasmanian Audit Office benchmark for adequate cash cover. These funds will be kept between cash at bank, at call funds and term deposit

investments. Sufficient funding will be available in cash at bank and at call funds to allow the Council to undertake its operations and meet its obligations. The maturity timing of term deposit investments will match predicted cash flow requirements.

3. Funds may be deposited with any Commonwealth, State or Authorised Deposit Taking Institution. To control the overall credit quality of the deposits, the following maximum holding limits will apply:

S&P Long Term Credit Rating *	Maximum % holding
AAA to AA-	100%
A+ to A-	70%
BBB+ to BBB-	70%
Not Rated	30%

\* or equivalent

4. Where surplus funds are available the following procedures will apply:

Not less than two quotations shall be obtained from authorised deposit-taking institutions whenever an investment arrangement is proposed. The best quote of the day will be successful after allowing for credit rating, timing of investment return, administrative and banking costs.

An *Investment of Surplus Funds Form* is to be completed which will include the following information:

- amount of cash to be invested;
- the duration of the investment;
- details of products, including security (ie. S&P rating, State or Commonwealth) and interest rates offered by the institutions approached;
- name of the institution and product selected; and
- endorsement of the selection by any two of the following Council Officers - the Team Leader Finance, the Director Corporate Services and the General Manager.

5. An investment register will be maintained with all movements, which will include:
- a list of all investments in the Council's investment portfolio;
  - current rate of return on individual investments;
  - credit rating of institution;
  - percentage of total portfolio allocation with each institution; and
  - maturity dates.

Reporting on cash and investments will be tabled at Council Meetings on a quarterly basis.

## **5. Legislation and Related Standards**

*Local Government Act 1993 (sections 64 and 75)*

*Banking Act 1959*

Meander Valley Council Financial Management Strategy

Meander Valley Council Annual Plan and Budget Estimates

## **6. Responsibility**

Responsibility for the operation of this Policy rests with the Director Corporate Services.

**Moved** Councillor Kevin House

**Seconded** Councillor Ben Dudman

**Votes for** Mayor Wayne Johnston  
Deputy Mayor Stephanie Cameron  
Councillor Ben Dudman  
Councillor Kevin House  
Councillor Michael Kelly  
Councillor Anne-Marie Loader  
Councillor Rodney Synfield  
Councillor John Temple

**Votes against** Nil

**Motion carried by simple majority**

**Minute Reference: 019/2024**

# Infrastructure Services

## Review of Policy No. 14 - Fencing Council Owned Land

**Report Author** Matthew Millwood  
Director Works

**Authorised By** Jonathan Harmey  
General Manager

**Motion** That Council confirms continuation of Policy No. 14 – Fencing Council Owned Land, as shown below:

### Policy No. 14

### Fencing Council Owned Land

#### Purpose

The purpose of this Policy is to outline the circumstances in which the Council will share the cost of boundary fences with other property owners.

#### Department Author

Infrastructure Services  
Matthew Millwood, Acting  
Director

#### Council Meeting Date Minute Reference

13 February 2024  
XXX

#### Next Review Date

**February 2028**

POLICY
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### 1. Definitions

Nil.

### 2. Objective

To ensure that the sharing of costs of boundary fencing between land owned by the Council and adjoining private land is in accordance with legislation.

### **3. Scope**

This Policy applies to the Council and any land owner adjacent to land owned by the Council.

### **4. Policy**

The Council will share the cost of fencing boundaries between private land and land owned by the Council in accordance with the *Boundary Fences Act 1908* (the Act). The Act exempts the Council from making a contribution where land owned by the Council is a roadway (which includes a public highway, street, whether it be by vehicle access, horse-way or foot-way), a reserve or public place.

Situations where the Council is not exempt and is required to share in the cost of a boundary fence include where a property adjoins land owned by the Council that is not public land, including:

- a house or building where these are the dominant uses on the title; and
- commercial or security area (eg. Council depot).

Where the Council's management of land requires a particular quality of fence (including off lead dog exercise areas), the Council is to negotiate with the owners of adjoining properties and pay for the difference in the quality of fence required or otherwise in accordance with the Act.

### **5. Legislation and Related Standards**

*Boundary Fences Act 1908*

### **6. Responsibility**

Responsibility for the operation of this policy rests with the Director Infrastructure Services.



**Moved** Councillor Ben Dudman

**Seconded** Councillor Anne-Marie Loader

**Votes for** Mayor Wayne Johnston

Deputy Mayor Stephanie Cameron

Councillor Ben Dudman

Councillor Kevin House

Councillor Michael Kelly

Councillor Anne-Marie Loader

**Votes against** Councillor Rodney Synfield

Councillor John Temple

**Motion carried by simple majority**

**Minute Reference: 020/2024**

## Infrastructure Services

### Review of Policy No. 37 - Vegetation Management

**Report Author** Matthew Millwood  
Director Works

**Authorised By** Jonathan Harmey  
General Manager

**Motion** That Council confirms continuation of Policy No. 37 – Vegetation Management, as shown below:

#### **Policy No. 37**

#### **Vegetation Management**

##### **Purpose**

The purpose of this policy is to provide direction for the management of vegetation on property and managed land owned by the Council.

##### **Department Author**

Infrastructure Services  
Matthew Millwood, Acting  
Director

##### **Council Meeting Date Minute Reference**

13 February 2024  
XXX

##### **Next Review Date**

**February 2028**

POLICY
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#### **1. Definitions**

##### *Vegetation*

Trees, shrubs, grasses, sedges and herbs - generally all plant life in a location.

##### *Native Vegetation*

A plant which is indigenous to Tasmania.

<i>Remnant Vegetation</i>	Native vegetation that retains the characteristics of the vegetation which existed on that site prior to European settlement. It may be in good or degraded condition.
<i>Urban Areas</i>	Areas that have been developed for a wide range of community and civic purposes within a town, suburb or city.
<i>Urban Forest</i>	Vegetation within urban areas: primary component of urban ecosystems.
<i>Biodiversity</i>	The variability among living organisms from all sources, including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part.

## **2. Objective**

The objectives of this Policy are to:

- sustain the character and biodiversity values of rural locations through the management of vegetation.
- manage vegetation in urban areas in a manner that improves the amenity and environmental performance of our townships, parks, reserves and roadsides.
- manage vegetation and undertake tree audits in a manner that ensures the safety of the community.

## **3. Scope**

This Policy applies to vegetation on the Council's property and land managed by the Council.

## **4. Policy**

Vegetation, including remnant vegetation and plantings of

native and exotic species, are important features of the Meander Valley's scenic landscapes and contribute to the unique character of rural areas, townships and many urban areas.

Native vegetation plays an important role as a source of genetic diversity, enhancing open space and in improving the health of waterways.

Vegetation provides an array of social, health and well-being, economic and environmental benefits to the community.

The Council will manage vegetation in line with the following principles:

- provides guidance for the planning, maintenance and improvement of parks, reserves and roadsides;
- assesses site suitability and use to ensure appropriate species and densities are planted and maintained;
- recognises ancillary benefits for the health and well-being of the community provided by urban forests;
- includes consideration of public safety in our parks and on our roadsides and allows for a comprehensive third-party audit on the condition of our trees;
- promotes positive environmental outcomes;
- recognises the importance of maintaining and enhancing biodiversity;
- recognises the cultural values of vegetation and protects high value vegetation; vegetation communities and remnant vegetation;
- recognises the role of riparian vegetation in enhancing water quality within streams and wetlands;
- encourages the appropriate vegetation of waterways;
- recognises the role remnant vegetation has in defining the character of a place;
- work towards best practices and compliance with relevant legislation;
- recognises the important role that vegetation can play in managing landslip and salinity risks; and
- outlines the positive outcomes working with adjoining landowners.

## **5. Legislation and Related Standards**

*Threatened Species Act 1995*

*Environment Protection and Biodiversity Conservation Act 1999*

*Historical Cultural Heritage Act 1995*

*Nature Conservation Act 2002*

*Weed Management Act 1999*

*Local Government (Highways) Act 1982*

*Neighborhood Disputes About Plants Act 2017*

## **6. Responsibility**

Responsibility for the operation of this Policy rests with the Director Infrastructure Services.

**Moved** Deputy Mayor Stephanie Cameron

**Seconded** Councillor Ben Dudman

**Votes For** Mayor Wayne Johnston

Deputy Mayor Stephanie Cameron

Councillor Ben Dudman

Councillor Kevin House

Councillor Michael Kelly

Councillor Anne-Marie Loader

Councillor John Temple

**Votes Against** Councillor Rodney Synfield

**Motion carried by simple majority**

**Minute Reference: 021/2024**

# Infrastructure Services

## Review of Policy No. 78 - New and Gifted Assets

**Report Author** Robert Little  
Asset Management Coordinator

**Authorised By** Matthew Millwood  
Acting Director Infrastructure Services

**Motion** That Council confirms the continuation of Policy No. 78 – New and Gifted Assets, as shown below:

<b>Policy No. 78</b>	<b>New and Gifted Assets</b>
<b>Purpose</b>	The purpose of this Policy is to provide guidelines for the Council when considering new and gifted assets.
<b>Department Author</b>	Infrastructure Services Rob Little, Asset Management Coordinator
<b>Council Meeting Date Minute Reference</b>	13 February 2024 XXX
<b>Next Review Date</b>	<b>February 2028</b>

<b>POLICY</b>
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### 1. Definitions

*Whole of Life* Includes all costs associated with the ownership of an asset that allows it to continue to function and meet service needs over its life including planning, creation, operations, maintenance, depreciation, renewal and disposal. If asset

planning is limited to a single phase such as creation, decisions may not take into account long-term issues.

*Forward Works Program* The Council's future capital works and proposed projects which the annual Capital Works Program is developed from.

*Gifted Asset* Assets not constructed or funded by the Council, however, all future responsibility and ongoing management is passed on to the Council.

*New Assets* Assets that are created to meet additional service level requirements.

## **2. Objective**

To be fair and equitable when consideration is given to new assets to be constructed by the Council or proposed gifted assets are to be taken over by the Council to ensure decisions are made with full understanding of long term effects on the Council's financial sustainability and inherent costs and risks. This information will assist in the consultation process with the community.

## **3. Scope**

This policy applies to:

- all new assets over \$20,000;
- all assets with an annual operating expense of over \$2,500; and
- all gifted assets.

## **4. Policy**

The Council will undertake an asset and cost benefit analysis on projects to consider the Whole of Life costs associated with

any proposed new or gifted asset. A summary of Whole of Life costs will be included in the Council's Forward Works Program to assist with project approval processes.

Formal reports to Council requesting funding approval for new and gifted assets, including any project receiving grant funding, are to include details outlining Whole of Life considerations and the future impact on the Council's Long Term Financial Plan and user fees and charges where appropriate.

This will allow the Council to understand and consider financial implications for ratepayers and facility users before proceeding with new assets construction or taking over gifted assets.

## **5. Legislation and Related Standards**

*Local Government Act 1993* (section 82)

Meander Valley Council Policy No. 56 – Recreation Facilities Pricing

Meander Valley Council Policy No. 60 – Asset Management

## **6. Responsibility**

Responsibility for the operation of this Policy rests with the Director Infrastructure Services.



**Moved** Councillor Ben Dudman  
**Seconded** Councillor Kevin House  
**Votes For** Mayor Wayne Johnston  
Deputy Mayor Stephanie Cameron  
Councillor Ben Dudman  
Councillor Kevin House  
Councillor Michael Kelly  
Councillor Anne-Marie Loader  
Councillor Rodney Synfield  
Councillor John Temple

**Votes Against** Nil

**Motion carried by simple majority**

**Minute Reference: 022/2024**

## Infrastructure Services

### Review of Code for Tenders and Contracts

**Report Author** Matthew Millwood  
Director Works

**Authorised by** Jonathan Harmey  
General Manager

**Motion** That Council reviews and adopts, as per section 333B of the *Local Government Act 1993*, the Code for Tenders and Contracts for 2024, as amended and presented as Attachment 2.

**Moved** Councillor Michael Kelly

**Seconded** Councillor Anne-Marie Loader

**Votes For** Mayor Wayne Johnston  
Deputy Mayor Stephanie Cameron  
Councillor Ben Dudman  
Councillor Kevin House  
Councillor Michael Kelly  
Councillor Anne-Marie Loader  
Councillor Rodney Synfield

**Votes Against** Councillor John Temple

**Motion carried by simple majority**

**Minute Reference: 023/2024**

# Infrastructure Services

## Review of 2023-24 Budget Estimates

**Report Author** Matthew Millwood  
Acting Director Infrastructure Services

**Authorised By** Jonathan Harmey  
General Manager

**Motion** That Council:

1. by absolute majority, in line with section 82(4) of the *Local Government Act 1993*, approves a variation to the 2023-24 Capital Works Program for the following items:
  - a. the inclusion of a new capital works project budget allocation of \$40,000 for a new Recycling Shed at the Westbury Landfill Site; and
  - b. accepts a grant funding contribution of \$29,997.90 from the Waste Data Readiness Grant Program towards the new Recycling Shed.
2. in line with section 82(5) of the *Local Government Act 1993*, provide a new one off operational budget allocation of \$17,000 to support the operations of the Deloraine and Mole Creek Online Access Centres to June 2024, funded from a decrease of \$17,000 from Community Development's one off project "Community Training and Events Calendar".

**Moved** Councillor Ben Dudman

**Seconded** Deputy Mayor Stephanie Cameron

**Votes For** Mayor Wayne Johnston

Deputy Mayor Stephanie Cameron

Councillor Ben Dudman

Councillor Kevin House

Councillor Michael Kelly

Councillor Anne-Marie Loader

Councillor Rodney Synfield

**Votes Against** Councillor John Temple

**Motion carried by absolute majority**

**Minute Reference: 024/2024**

## Governance

### Annual General Meeting Report 2023

**Report Author** Wezley Frankcombe  
Manager Governance and Performance

**Authorised By** Jonathan Harmey  
General Manager

**Motion** That Council, in respect of the Annual General Meeting held on 12 December 2023:

1. notes the motion passed at the Annual General Meeting to receive and confirm Minutes of the last Annual General Meeting held on 13 December 2022, in Attachment 1;
2. notes the motion passed at the Annual General Meeting to receive and endorse the amended Annual Report in respect of its organisational performance for the 2022-23 financial year, in Attachment 2; and
3. receives and confirms the Minutes of the Annual General Meeting of Council held on 12 December 2023, in Attachment 3.

Councillor Ben Dudman withdrew from the Meeting at 4:33pm  
Councillor Ben Dudman re-attended the Meeting at 4:36pm

**Moved** Councillor Kevin House

**Seconded** Councillor Ben Dudman

**Votes For** Mayor Wayne Johnston  
Deputy Mayor Stephanie Cameron  
Councillor Ben Dudman  
Councillor Kevin House  
Councillor Michael Kelly  
Councillor Anne-Marie Loader

**Votes Against** Councillor Rodney Synfield  
Councillor John Temple

**Motion carried by simple majority**

**Minute Reference: 025/2024**

## Motion to Close Meeting

**Motion** That Council closes the Meeting to the public for discussion of matters in the list of Agenda items below:

*See Local Government (Meeting Procedures) Regulations 2015: section 15(1)*

**Moved** Councillor Anne-Marie Loader

**Seconded** Deputy Mayor Stephanie Cameron

**Votes For** Mayor Wayne Johnston  
Deputy Mayor Stephanie Cameron  
Councillor Ben Dudman  
Councillor Kevin House  
Councillor Michael Kelly  
Councillor Anne-Marie Loader  
Councillor Rodney Synfield  
Councillor John Temple

**Votes Against** Nil

**Motion carried by absolute majority**

**Minute Reference: 026/2023**

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## Closed Session Agenda

### Confirmation of Closed Minutes

Refer to *Local Government (Meeting Procedures) Regulations 2015*: section 34(2)

### Councillors' Leave of Absence Applications

Refer to *Local Government (Meeting Procedures) Regulations 2015*: section 15(2)(h)

### Release of Public Information

Refer to *Local Government (Meeting Procedures) Regulations 2015*: section 15(8)

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## Release of Public Information

**Motion** That Council, in Closed Session, determined there was no information suitable for release for the public's information.

**Moved** Deputy Mayor Stephanie Cameron

**Seconded** Councillor Anne-Marie Loader

**Votes For** Mayor Wayne Johnston  
Deputy Mayor Stephanie Cameron  
Councillor Ben Dudman  
Councillor Kevin House  
Councillor Michael Kelly  
Councillor Anne-Marie Loader  
Councillor Rodney Synfield  
Councillor John Temple

**Votes Against** Nil

**Motion carried by simple majority**

**Resolution: 029/2024**

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## Meeting End

Meeting closed at 4.46pm.

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**Mayor Wayne Johnston**  
**Chairperson**

**Date:**