

Dorset Council

*Improving the quality of life of the people
of the Municipality through services
based on the principles of quality, equity,
value and responsiveness.*



AGENDA

ORDINARY MEETING OF COUNCIL

19 May 2014

Council Chambers, 3 Ellenor Street, Scottsdale
commencing 6.30pm

TIM WATSON
General Manager

Ref 2014/3909

DORSET COUNCIL

QUALIFIED PERSONS ADVICE

The *Local Government Act 1993*, Section 65, provides (in part) as follows: -

- A general manager must ensure that any advice, information or recommendation given to the Council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the Council.

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

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

TIM WATSON
General Manager

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AGENDA OF THE DORSET COUNCIL MEETING

19 MAY 2014

The Meeting Opened:

PRESENT:

APOLOGIES: Councillor L C Stein

67/14	Confirmation of Ordinary Council Meeting Minutes 14 April 2014 Ref 14/3164
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Recommendation

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 14 April 2014, having been circulated to all Councillors, be confirmed as a true record.

68/14	Confirmation of Ordinary Council Meeting Closed Session Minutes 14 April 2014 Ref 14/3165
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Recommendation

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 14 April 2014, having been circulated to all Councillors, be confirmed as a true record.

69/14	Declaration of Pecuniary Interest of a Councillor or Close Associate
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The purpose of this agenda item is to provide Councillors and the community with a briefing on matters of interest dealt with during the past month by Council's Management Team.

Governance

Manager: General Manager, Tim Watson

Due to the General Manager being on Annual Leave for the period 25 April to 12 May 2014, no briefing report will be provided.

Corporate Services

Manager: Guy Jetson

Ref 14/3303

Scottsdale Digital Hub

Confirmation has been received that the Digital Hubs Program will be extended until 30 September 2014. This has been possible through budget reallocations and saving within the Digital Hubs budget.

Upcoming Budget Estimates Meetings Include:

- Thursday 22nd May – Budget Workshop – 9.30am to 4.30am
- Thursday 29th May – Budget Tour
- Tuesday 3rd June – Strategic Plan and Budget Workshop (Please note this workshop will be in place of the ordinary Council Workshop day)

Community Services
Manager: Susie Bower
 Ref 14/4011

Financial Report

Bridport Holiday Park for the period ending 31 March 2014

Ref: 14/3475

	Year to Date		
	Actual \$	Budget \$	Variance \$
Income			
Camping Fees	337,923	312,555	25,367
Shower and Laundry Fees	14,653	16,497	(1,844)
Total Income	352,576	329,052	23,524
Expenses			
Employee Costs	-	-	-
Office Admin	13,523	7,497	(6,026)
Professional Services	99,858	108,707	8,848
Insurance	6,398	4,198	(2,199)
Utilities	29,162	35,236	6,074
Grounds Maint	36,497	40,484	3,987
Vegetation / Tree Maint	28,717	47,231	18,515
Building Maint	14,361	5,998	(8,363)
Public Amenities Maint	21,292	9,371	(11,921)
Vandalism Costs	201	-	(201)
Depreciation	18,738	18,738	-
Overheads	40,312	41,619	1,307
Total Expenses	309,058	319,078	10,021
Surplus / (Deficit) before non-recurring items	43,518	9,974	33,544
Less Non-recurring items			
Website	(2,508)	-	(2,508)
House Rental	(8,106)	(8,000)	(106)
Tree Removal	(20,000)	(20,000)	-
New Planter Boxes	(2,922)	-	(2,922)
New Laundry Bench Tops	(2,100)	(2,000)	(100)
Planter Boxes (Capital expenditure)	(5,000)	(5,000)	-
Total for non-recurring items	(40,636)	(35,000)	(5,636)
Surplus / Deficit after non-recurring items	84,154	44,974	39,180
Surplus / Deficit after non-recurring items excl. Depreciation and Overheads	143,204	105,331	37,873

Background

In the 2013/2014 financial year Council transferred the operation of the Bridport Holiday Park to a management contract arrangement. The shift to a new management contract forms part of Bridport Caravan Park Master Plan, which includes infrastructure projects such as the construction and resiting of an office/reception/residence for the park, together with road and revegetation projects.

This report outlines actual performance against budget for nine months of operations to 31 March 2014. It is noted that these results need to be considered in the context of the long term operations of the park and future operational and infrastructure changes.

Operating Results

An adjusted surplus of \$84,154 was realised after adjusting for additional non-recurring expenditure. This result is \$39,180 above the result of \$44,974 forecasted in the 2013/14 budget estimates for the period. The better than expected surplus was contributed to by:

- Income earned from Camping Fees being above budget for the period - \$25,367;
- Vegetation / Tree and Ground Maintenance being below budget for period - \$18,515

Comments on specific budget items are detailed below.

Expenses

Office Administration Expenditure includes stationery, office consumables, and advertising, phone and communication costs. Actuals were over for the period and include unbudgeted website establishment costs of \$2,508, letterheads and business cards of \$1,000, and software expenditure of \$1,750.

Utilities include electricity, water and sewerage costs. While below budget (\$6,074) for the period, accounts for water and sewerage services are still being negotiated with Taswater and to date have not been received.

Grounds Maintenance includes rubbish collection plus spraying plus an allocation of \$4,000 for road maintenance.

Vegetation / Tree Maintenance comprises of tree maintenance and removal expenses. Non-recurring expenditure of \$20,000 for tree removal occurred during the period.

Building Maintenance includes maintenance of park office. Includes costs for annual testing and tagging of equipment, \$1,434 and a non-recurring expenditure item for new laundry bench tops \$2,100 and planter boxes of \$5,000.

Public Amenities Maintenance includes Council costs associated with building maintenance. Costs incurred in regard to cleaning and associated consumables are included within the costs of the management contract and comprise a substantial proportion of this balance. Reimbursements received in respect to the purchase of consumables are offset against the expenses within this account.

Actual expenditure was above budget for the period and includes additional expenditure of \$7,000 on toilet and shower fittings, installation costs and wages.

Vandalism Costs includes costs for damage to all property within the Bridport Holiday Park. No budget is allocated for vandalism. Costs for the current year (\$201) are significantly less than those incurred the same period last year (\$4,241). The introduction of token operated showers and office security cameras have contributed to the reduction in vandalism costs.

Financial Report

Derby Tin Centre for the period ending 31 March 2014

Ref: 14/3476

Admissions	Actual		
Guests	2,390		
	Actual	Year to Date	Variance
	\$	\$	\$
Income			
Admissions	21,790	30,267	(8,477)
F&B - Café	19,422	26,978	(7,556)
Merchandise	7,383	10,255	(2,872)
Total Income	48,596	67,500	(18,904)
Expenditure			
Employee Costs	61,580	78,300	16,720
Costs of Goods Sold	15,695	18,750	3,055
Utilities	11,259	14,250	2,991
Office Administration	8,791	9,000	209
Insurance	7,281	7,500	219
Building Maintenance	7,443	15,825	8,382
Grounds Maintenance	1,835	5,325	3,490
Fixed P&E Maintenance	4,886	8,475	3,589
Depreciation	30,000	30,000	-
Overheads	22,316	28,114	5,798
Total Expenditure	171,086	215,539	44,453
Surplus / (Deficit)	(122,490)	(148,039)	25,548
Surplus / (Deficit) excl. Depreciation and Overheads	(70,175)	(89,925)	19,750

Background

The Derby Tin Centre budget for 2013/2014 was set based on Council securing a private operator for the Centre. As a private operator was unable to be secured, Council approved budget variations at the November 2013 Council meeting, with the result being a net increase in the budget deficit of \$24,000.

Notes on Budget Variations

Surplus / (Deficit) - Council recorded a deficit for the period of (\$70,175). While the Centre continues to operate in deficit, the result is better than expected compared to budget. The (\$70,175) deficit is \$19,750 less than the budget of (\$89,925). Key reasons for the improved budget position are:

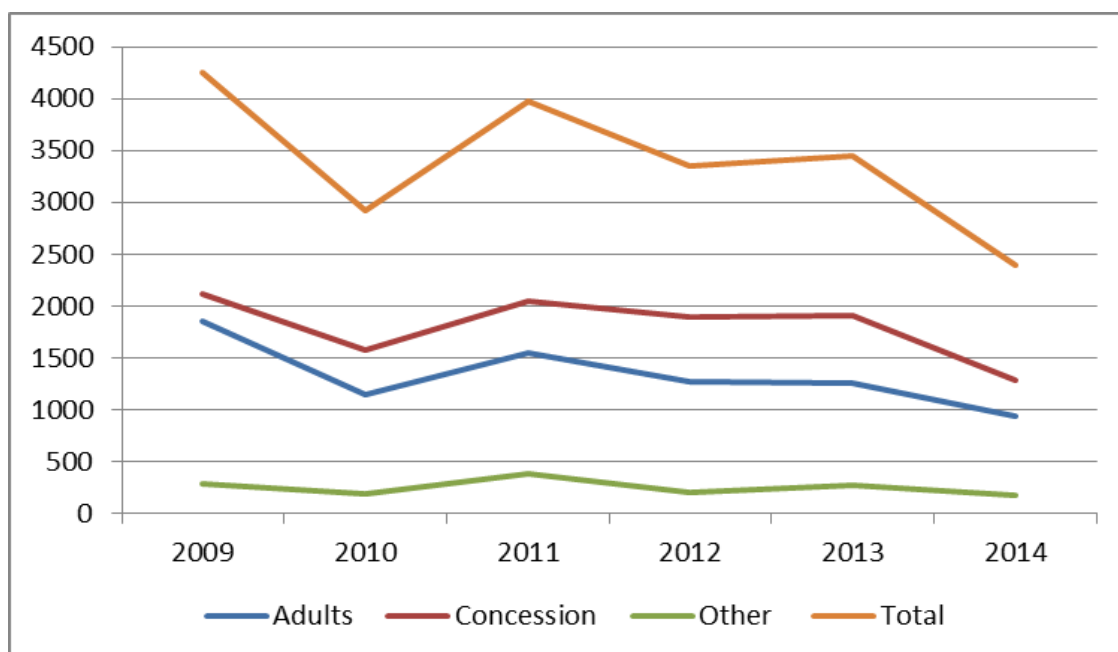
- Reduction in employee costs which were \$16,720 below budget. This has been due to reduced operating hours through the off-peak season and reduction in the number of staff .i.e. closing the centre two days per week;
- Reduction in cost of goods sold, \$3,055 below budget. This is attributed to café staff initiated changes to the menu, cooking more food on-site and subsequent reduction in food wastage. Cost of goods sold is still reasonably high, as a percentage of food sales, due to a decrease in sales and subsequent decrease in the turnover of stock during the period.
- It is noted that revenue is below budget (\$18,904). This is due to a significant drop in visitor numbers for the period and competition from a new food and beverage outlet which opened in July 2013.
- Reduction in utilities which were \$2,991 below budget. This is also attributable to reduced operating hours through the off-peak season.

Other Variances

Building Maintenance and Fixed Plant and Equipment are below budget by \$8,382 and \$3,549 respectively. This is primarily due to timing of maintenance works which is scheduled for the fourth quarter of the year.

Visitor Numbers

The graph below shows visitor numbers over the past six years. The purpose of including this graph is to illustrate that admission at the centre can fluctuate significantly from year to year.



*Note: 2014 figures are based upon the 9mth period to 31 March 2014.

Financial Report

Scottsdale Visitor Information Centre for the period ending 31 March 2014

Ref: 14/3474

Visitor Numbers	Actual	Prior Year	Variance
Local	1,389	1,632	(14.9%)
Intrastate	729	801	(9.0%)
Interstate	6,075	7,233	(16.0%)
International	1,856	1,808	2.7%
Total	10,049	11,474	(12.4%)

Bookings (\$)	Actual	Prior Year	Variance
Gross	6,574	15,148	(56.6%)
Commission	1,032	2,267	(54.5%)
Local	1,360	5,843	(76.7%)
Commission	204	884	(76.9%)

	Actual	Year to Date	Variance
	\$	Budget	\$
		\$	
Income			
Commissions Bookings	1,735	2,250	(515)
Commissions Other	3,236	2,100	1,136
Brochure Display	3,164	3,150	14
Merchandise Sales	16,237	12,750	3,487
Total Income	24,371	20,250	4,121
Expenses			
Office Admin	62,089	61,496	(593)
Cost of Goods Sold	8,119	10,121	2,002
Commission Sale Expenses	3,213	5,998	2,785
Insurance	2,319	2,370	51
Utilities	4,158	6,003	1,845
General Maint	-	1,125	1,125
Grounds Maint	125	3,374	3,249
Building Maint	731	2,624	1,893
Depreciation	3,062	3,062	-
Overheads	12,572	14,426	1,854
Total Expenses	96,387	110,597	14,210
Surplus / (Deficit)	(72,016)	(90,347)	18,331
Surplus / Deficit excl. Depreciation and Overheads	(56,383)	(72,860)	20,185

Notes on Budget Variances

Income – Revenue has decreased substantially from budget due to a reduction in visitor numbers for the prior comparative period.

Office Admin – Office admin expenses include a daily meal allowance paid to volunteers which was not provided in the 2013/14 budget estimates.

Cost of Goods Sold - A freeze has been put on purchasing any further material until the stock levels decline to a reasonable level. Inventory on hand at 31 March 2014 was approximately \$5,000.

Commission Sale Expenses – There has been a decrease in the number of reimbursements on commission sales compared to prior years.

General Maintenance - This item was carried forward for work done in the previous year and is unlikely to be spent.

Community Development Officer

Derby Tin Dragon Centre

In May the Tin Centre will close on Wednesdays and Fridays. The opening hours are 10 am to 4 pm. Staff will be catering for an event for The Heritage Tasmania Group on Tuesday 20 May.

Events

National Volunteer Week Dorset Volunteer's Dinner

This event will take place at the Bridport Bay Inn on Wednesday 14 May. Dorset Citizen of the Year Pat Young will be the guest speaker and Mayor Jarvis will host the evening.

Grant Writing Workshop

This was held in Bridport with 8 people attending and leaving positive feedback.

Community

CPAC, DIER and Barnett's Motors will sponsor another Headlight Check event which will occur in early June.

Dorset Community Grants Program

This program has opened and will close on June 30.

Property Services Officer

Sale of Vacant Land

The vacant land parcels for sale have completed the public notification period as required under sections 177, 177a and 178 of the *Local Government Act 1993*.

There have been no objections or representations received at the closing date of the public notification period.

North East Fire Management Committee

The next scheduled meeting is for 14 May. Dorset Council has taken a lead role in regards to this committee with the Deputy Emergency Management Coordinator being the Chairperson for the committee.

The committee's primary focus will be working to establish a Fire Management Plan which consists of classifying and prioritising strategic fire prevention activities such as fuel reduction burning and the maintenance and establishment of strategic fire management tools such as fire trails and water resources.

The completed plans primary purpose is to facilitate multi-agency cooperation in fire management, the prioritisation of strategic fire management activities and a planned coordinated method of applying for funding for fire management activities.

Town Entrance Signage

A meeting is scheduled with DIER for 13 May to discuss the site location for the new Town Entrance Signs for Branxholm, Derby and Moorina. After the site meeting and the mutually agreed locations are finalised, DIER will issue permits for the installation of the various signs.

Youth Officer

ACTIVE YOUTH PROGRAM

Festival of Youth

With over 550 people attending this year's Festival of Youth, it was a huge success. Funding for the event was through Medicare Local – What's Your Big Idea Funding.

Feedback from the event was very positive and all going well there will be another event in 2015.

Youth Leadership, Adventure & Indigenous Awareness Trip

A very successful trip. All participants were very impressed and enjoyed their time away. All 7 participants were outstanding in the way they conducted themselves over the week and I believe that Dorset is in good hands with our future leaders.

Some of the comments received back from participants were:

Holly James: That was the best trip ever. There were so many great experiences. I wouldn't change a thing even if I could Thank you to everyone for making the trip absolutely amazing

Talisha Woolley: I would like to thank everybody that put on an amazing trip to Flinders Island for the past 5 days. Thanks to Mat, Lynden and Tiah for a once in a life time experience, *"you were very responsible adults"* haha, but you still took care of us all!

Thanks to the Dorset Council for putting on this trip to Flinders!!

Steven Atkins: Had the best 5 days ever have some of the best memories I would like to say a huge thank you to Mat and everyone else who helped make it possible.

Zachary Lloyd: Best Trip Ever!! Wouldn't change a thing.

National Youth Week – Mobile Phone Safety Awareness Campaign

Eye's Up Eric – Mobile Phone Safety Awareness Campaign was launched at Launceston College. The campaign was very successful and we are looking at furthering the campaign into the next financial year.

Tourism Officer

Development of Dorset Image Library

'Beyond the Icons' Photography Competition launched on the Council website. To run from Monday 12 May until Monday 30 June.

Natural Resource Management Facilitator/Officer

Green Army Project Proposals

- Several Green Army Project proposals are being finalised including the new Derby mountain bike trail, Scottsdale to Tonganah Rail Trail, and the Bridport foreshore and walking track. If the projects are approved they will involve weed management, fencing to protect native vegetation and protect historic mine relicts. Additionally, Parks and Wildlife are also planning several Dorset projects through the program to upgrade the Cuckoo falls walking track as well as several coastal projects.

On-ground works

- Nine NRM North funded fencing and revegetation projects have been identified and are currently in the planning stage
- Five fencing and revegetation projects on the Brid River are currently at the planning stage as part of the Brid River Rehabilitation Project.
- Weeds of National Significance work at Musselroe Bay is progressing well. A similar project at Waterhouse has been planned and will commence within the next month.

Council and other services

- Current development applications are reviewed fortnightly and input provided as required.
- Weed management plan for the Derby mountain bike trails
- The NRM North stall at Agfest was supported on the final day of the event.

Works, Infrastructure & Regulatory Services

Manager: David Jolly

Ref 14/3976

1. Correspondence from/to Community Members

In

- Mr & Mrs Blackwell – Request for Orange Flashing Lights Various Roads – Scottsdale (attached)

Out

- Mr & Mrs Blackwell – Response letter to above (attached).

DIER has provided me with additional information that will be discussed with the Blackwell's. Since providing a response, DIER has advised that:

“The installation of pedestrian facilities as in traffic signals or flashing lights, are provided when certain warrants are satisfied.

For traffic signals, the number of traffic and pedestrians must be greater than 600 vehicles per hour and greater than 150 pedestrians per hour.

For flashing lights, the sight distance from the crossing point must be poor and the hazard to pedestrians must be extremely severe (i.e. high speed through traffic).

From the above, the warrants for the traffic signal and flashing light are very well-defined and not many sites satisfy these warrants. Council could assess the mentioned sites against the above warrants”.

The estimated cost to formally and independently assess the sites mentioned in the Blackwell's letter is approximately \$10,000. DIER has reported that the daily traffic count on the mentioned State owned road averages 2,500 vehicle movements per day. Data does not support peak loads of greater than 600 vehicles per hour and on this basis, vehicle count does not satisfy warrant criteria.

Data for persons crossing the mentioned roads per unit time does not exist. It is unlikely that the warrant criteria would be satisfied for Scottsdale. All outstands currently in use comply with sight distances for signposted speed limits. Placement has been approved by DIER.

2. Current Projects

2.1 Transport System Priorities (May & June 2014)

Sealing Works

- East Maurice Road
- Ada Street, Scottsdale
- Main Street – Legerwood
- Sandy Point Road

- Winnaleah Road
- Sledge Track

Re-sheeting Works (Unsealed Roads)

- Pearce Street
- Ruby Flats Road
- Cascade Road
- Forester Road Intersection with Old Waterhouse Road

Footpaths

- Gofton Street (85 meters) – storm water works are required for part of this street that will delay laying of sealed footpath. Additional capital above current estimate is required in 2014/2015 to address current storm water flow issues.
- Elizabeth Street, Bridport. Part 1 between Main Street and Frances Street. Section between Frances Street and Louisa Street requires deferral to summer in 2014/2015 due to the need for large scale excavations, installation of kerb and channel and re-levelling of driveways.

Storm Water Works

- Carisbrook Lane and Main Road, Legerwood
- New River Road

2.2 Other Projects In Progress

- Trent Water Boat Ramp Extension
- Derby Toilets and Showers
- Scottsdale Street Beautification
- Bridport Holiday Park – Building Construction & Road/Storm Water Works

3. Regulatory Services Update

Ref: 14/2997

Statutory Planning – Rohan Willis

Number applications received (April)	7
Number of applications approved (April)	8
Number of applications received (2014)	25
Number of applications approved (2014)	15

Comparison Figures 2013

Number of application received (April 2013)	7
Number of applications approved (April 2013)	7
Number of applications received (2013)	27
Number of applications approved (2013)	20

Planning/Subdivision Applications Approved

DEV 2014/12	Rotary Club of Scottsdale Tonganah Rd Tonganah to Snake Tr Legerwood	Rail Trail (Passive Recreation)
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Discretionary – Approved – Delegated Authority 10 April 2014

DEV 2014/13	Mr MR & Mrs DA Reid 11 Charles St Bridport	Single Dwelling Additions with Rear Boundary & Building Envelope Variations
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Discretionary – Approved – Delegated Authority 15 April 2014

DEV 2014/15	Mr R Sattler 429 Waterhouse Rd Bridport	New Machinery Shed/Workshop
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Permitted – Approved – Delegated Authority 16 April 2014

DEV 2014/17	Mr TJ & Mrs JY Saunders 7 East Minstone Rd Scottsdale	Single Dwelling (Garage) with Boundary Setback Variation
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Discretionary – Approved – Delegated Authority 24 April 2014

DEV 2014/11	Mr S Summers Site 25 Stein's Dr Tomahawk Caravan Park Tomahawk	Visitor Accommodation (Caravan Park Building Addition)
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Discretionary – Approved – Delegated Authority 24 April 2014

DEV 2014/18	Mr WT Johnson 3 Lower Cascade Rd Derby	Retrospective Approval – Existing Sheds & Addition to Existing Shed
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Discretionary – Approved – Delegated Authority 28 April 2014

DEV 2014/14	Springfield Hatcheries Main St Bridport	Storage Building (Ancillary to Aquaculture Use) with Building Setback Variation
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Discretionary – Approved – Delegated Authority 29 April 2014

DEV 2014/19	Lanadale Pty Ltd (Richman) 8 John St Bridport	Reduced Rear Boundary Setback – Building Envelope
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Cancelled – Planning Permit no longer required

DEV 2014/20	Scottsdale High School Farm Board 81 North Scottsdale Rd Scottsdale	Storage Building with Building Setback
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Discretionary – Approved – Delegated Authority 30 April 2014

Building – Rex Cassidy

Number applications received (April)	14
Number of applications approved (April)	16
Number of applications received (2014)	59
Number of applications approved (2014)	47

Comparison Figures 2013

Number of application received (April 2013)	15
Number of applications approved (April 2013)	14
Number of applications received (2013)	50
Number of applications approved (2013)	41

Animal Control – Wayne Churchill

Kennel Licence Renewals 2013/2014 approved	30
Dogs Registered (as at 8 May 2014)	1458
<i>(including Lifetime Registrations)</i>	80

Environmental Health – Chris Wicks

Number special plumbing applications received (April)	2
Number of special plumbing applications received (2014)	7

Comparison Figures 2013

Number of applications received (April 2013)	3
Number of applications approved (2013)	10
Number of Food Premises Inspections (April)	17

Recommendation

That the Dorset Council Managers' Briefing Reports be received and noted.

71/14	Council Workshops Held Since Last Council Meeting
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- **Council Workshop – 6 May 2014**
 - Briefing Reports and Question Time
 - Website Document Portal
 - Planning Delegations
 - Dog Fees 2014/2015
 - Update – Service Industry Uses Ringarooma
 - SVIC Expressions of Interest

72/14	Applications for Leave of Absence
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73/14	Public Question Time
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74/14	Deputations
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Council invites to address the Council meeting for a time not exceeding three minutes)

75/14	Councillor Question Time
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At the Dorset Council meeting held on 14 April 2014, Mayor Jarvis tabled the following question that was taken on notice

Question - Mayor B Jarvis

Given the ongoing issue in Dorset around lead being detected in underground water systems over the last 2-3 years is it possible through the interim planning process to have some community safeguards put in place in case of any company wanting to undertake fracking in the Dorset community? As we do not understand how the water systems interconnect, any activity that may have a negative impact should have maximum community consultation before proceeding. Can we do anything under the interim planning scheme?

The indication this afternoon (from Town Planner, Rohan Willis) was that it would have to go through the EPA and the State Government. It does not appear Council would have any jurisdiction. I have asked the question so we will follow up because if someone comes along (and we have had issues with lead since early 2012) into the community we can impose harsher conditions on community consultation rather than the process go by without the community having any input.

Regulatory Services Supervisor, Rohan Willis provided the following response to Mayor Jarvis on 2 May 2014.

The short answer is no.

Issuing of exploration licences for coal seam gas (CSG) that would involve hydraulic fracturing (fracking) is the jurisdiction of Mineral Resources Tasmania (MRT).

The process for issue of an exploration licence preliminarily involves a person making application to the Minister for an exploration licence. The Director of Mines is charged with considering the application and providing a recommendation to the Minister that the application either be granted or refused. Where the Director intends to recommend to the Minister that the application is granted, details of the

application must be advertised in a newspaper circulating in the relevant area. Any person with an interest or estate in land within the exploration area may formally object to the granting of the application. Objections must be lodged with the Registrar of Mines within 28 days after the date of advertisement. Where objections are received, the Director of Mines will arrange for mediation between parties. If the objection is not resolved through mediation the matter is referred to the Mining Tribunal.

The *Mineral Exploration Code of Practice* (MRT, Tasmania) provides an outline of the current procedures which must be followed to obtain exploration approvals. This includes the '*Schedule for Onshore Exploration for Petroleum, Coal Seam Gas, Shale Gas or Geothermal Substances*', the objective of which is '*to ensure that petroleum and geothermal exploration is conducted in accordance with good oilfield practice, and that the environmental, health and safety hazards and risks involved in undertaking petroleum or geothermal operations are eliminated or minimised so far as is practicable*'. The schedule outlines conditions and operational requirements (including recognition of aspects such as protection of aquifers) but applies broadly and has no specific coverage of CSG extraction of hydraulic fracturing.

76/14	Notices of Motion by Councillors
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Purpose

The purpose of this report is to review Council policies as listed in the Annual Plan 2013/2014.

Background

The Annual Plan for 2013/2014 includes the commencement of a rolling three year cycle for reviewing Council policies. The following policies are included for review by 30 June 2014:

- Policy No. 20 – Public Liability Insurance for Community Groups
- Policy No. 36 – Personal Information Protection Policy

Copies of the relevant policies are attached to this report.

Planning, Environment & Statutory Requirements

The *Personal Information Protection Act 2004* Principle 5 requires that a personal information custodian must set out in a document its policies on the management of personal information, and that the document is to be made available to any person who requests it.

Risk Management

It is a recommendation of Council's Insurer's that users of Council facilities have appropriate insurance cover.

Financial & Asset Management Implications

N/A

Community Considerations

N/A

Officer's Comments

Management Team discussions on the Public Liability Insurance for Community Groups Policy indicates that while the current policy satisfies requirements of Council's insurers, it is often difficult to apply this policy given the cost of insurance to community groups. It is considered that the policy ought to be reviewed to take into consideration factors such as:

- the level of risk associated with a community use or event

- level of financial & other assistance provided by Council to meet insurance requirements.

It is therefore recommended that the current policy and practices in relation to public liability insurance for community groups be included as an annual plan item for 2014/2015.

Personal Information Protection Policy has been reviewed by the Corporate Services Manager with no changes being recommended.

Recommendation

That Council adopt the following recommendations for the review of Council policies:

Policy	Name	Recommendation
20	Public Liability Insurance for Community Groups	The current policy and practices in relation to public liability insurance for community groups be included as an annual plan item for 2014/2015.
36	Personal Information Protection Policy	No Change

Purpose

The purpose of this agenda item is to provide Councillors and the community with an update on progress against the adopted Budget Estimates for 2013/2014.

Background

The Dorset Council Financial Report for period ended 31 March 2014 provides information on income and expenditure budget variations and the status of current capital projects.

Planning, Environment & Statutory Requirements

- **Strategic and Annual Plans**
 - **Strategy 5.6** – *Leadership and Governance - Organisational Development*
 - **Annual Plan** – *Manage Council finances in a way that provides stability, predictability and value for money for ratepayers.*
- **Local Government Act 1993** - Sections 82(4) and (5) enable Council to vary the budget during the course of the year.

Risk Management

N/A

Financial & Asset Management Implications

Please refer to the notes in regard to the variances between the actual and budget estimates below.

**Financial Report by Resource Group
for the Period Ending 31 March 2014**

Resource Group	Year to Date		
	Actual \$'000	Budget \$'000	Variance \$'000
Income			
Statutory Charges	148	170	(21)
User Charges	531	512	19
Grants, Subsidies, Contributions	2,455	2,373	82
Investment Income	407	360	47
			23

Reimbursements	84	46	38
Other Revenues	1,209	1,118	90
Investment income from Water Corporation	35	112	(77)
Rates	6,059	6,068	(9)
Total Income	10,929	10,759	169
Expenditure			
Employee Costs	2,974	3,131	157
Contracts and Materials	2,479	2,974	495
Other Expenses	1,084	1,090	5
Depreciation, Amortisation & Impairment	2,410	2,409	(1)
Total Expenditure	8,947	9,603	656
Surplus / (Deficit)	1,982	1,156	826
Plus 2013/14 FAGS grant instalments recognised as revenue in the 2012/13 financial year	1,633	1,522	111
Less grants received in regard to capital assets	(1,088)	(888)	(200)
Net Surplus / (Deficit)	2,527	1,790	736

Summary - Financial Report by Resource Group

The above financial report sets out the statement of profit and loss for the Dorset Council for the period ending 31 March 2014 by Resource Group.

Income from operations was \$169K above budget for the period. This was mainly attributable to Financial Assistance Grants ("FAG") and interest revenue being greater than 2013/14 budget estimates. Expenditure on operations was \$656K below budget for the period. This was attributable to savings in employee costs, decrease in waste transfer costs and favourable timing differences in regard to contractor payments and grant contributions.

2013/14 FAGS instalment received in June 2013 has been added back to the overall gross surplus on the basis that the grants are to provide financial assistance for the 2013/14 year. Australian accounting standards require the recognition of unconditional government grants in the period they are received, thus there recognition in the 2012/13 year.

Grants received in regard to capital assets are to be recognised on the statement of financial position and as a result have been subtracted from the overall gross surplus.

Explanations of Key Variances	Budget Variance \$'000
Income	
<u>Statutory Charges</u>	
• Changes to the planning fee structure have resulted in a decrease in the revenue received from planning and building fees	(34)
• Greater number of rates certificates issued due to a higher turnover of properties has increase rate certificate revenue	14
<u>Grants, Subsidies, Contributions</u>	
• Base, Road and Bridge FAG's received in the period were greater than budget estimates	81
<u>Investment Income</u>	
• Cash held on term deposit was \$2.3M greater than budget estimates and interest rates obtained are 50 basis points above the budgeted yield	47
<u>Reimbursements</u>	
• Contributions received from BPAY towards cost of BPAY implementation	10
• Contributions received for vehicle expenses incurred by the Dorset Edge not recognised in budget estimates and other contributions	28
<u>Other Revenues</u>	
• Capital grants received in regard to the rehabilitation of the Cape Portland Road were greater than budget estimates	194
• Sale proceeds from the disposal of fixed assets are less than budget estimates due to selected assets not being disposed during the period	(102)
<u>Investment income from Water Corporation</u>	
• Dividends yet to be received from the Water Corporation.	(77)
Expenses	
<u>Employee Costs</u>	
• Changes to staffing and opening hours at the Derby Tin Centre	46
• Restructuring within the Corporate Services, Works and Infrastructure and Governance department	111
<u>Contracts and Materials</u>	
• Decrease in waste transfer costs to Remount Road due to improved contractor management	79
• Timing of contractor payments and reduction in collection costs	91
	25

Explanations of Key Variances	Budget Variance \$'000
• Over estimation of contract costs in regard to Urban Street Vegetation Maintenance and Spraying Maintenance	51
• Expenses incurred in regard to the Dorset Transport Master Plan (initially recognised as capital expenditure)	(20)
• Timing difference arising from the payment of a Trail of the Tin Dragon contribution in the prior financial year (included within 2013/14 budget estimates)	154
• Use of correctional services labour on parks and reserves	15
• Decrease in the use of Valuation General's expenses	30
• Decrease in the use of professional services consultants in Corporate Services.	41

Depreciation

- Depreciation has not been updated to reflect road revaluation

**Financial Report by Department
for the Period Ending 31 March 2014**

Department	Actual \$'000	Year to Date Budget \$'000	Variance \$'000
Income			
Governance	2	-	2
Corporate Services	6,288	6,222	66
Community Services	864	830	34
Works & Infrastructure	3,775	3,708	68
Total Income	10,929	10,759	169
Expenditure			
Governance	465	541	76
Corporate Services	1,384	1,515	131
Community Services	1,828	2,127	299
Works & Infrastructure	5,270	5,421	151
Total Expenditure	8,947	9,603	656
Surplus / (Deficit)	1,982	1,156	826

Summary - Financial Report by Department

The above financial report sets out the statement of profit and loss for the Dorset Council for the period ending 31 March 2014 by Department.

As mentioned above, income from operations was \$169K above budget which was mainly attributable to above budget grant contributions (FAGS) in the Corporate Services and Works and Infrastructure departments and interest revenue in the Corporate Services departments.

Expenditure on operations was \$656K below budget for the period. 50% of this is attributable to the Community Services department through contribution timing differences, business unit and operational savings. The remaining 50% is attributable to Corporate Services and Works and Infrastructure departments due to decreases in contractor, consultant and waste transfer costs respectively.

Capital Works Report for the Period Ending 31 March 2014

	Actual \$'000	Budget \$'000	Balance \$'000
Summary by Classification			
Bridges	705	1,385	680
Plant	262	438	175
Property Assets	228	1,150	1,084
Roads	1,871	3,564	1,896
Footpath	42	235	235
Other	-	505	585
Stormwater	40	109	69
Total	3,148	7,387	4,726

Notes:

The project totals are a combination of this year's capital expenditure of \$6,766,726 and previous years carried forward capital expenditure of \$632,187

Summary by Program	Actual \$'000	Budget \$'000	Completed
Bridges - Total	705	1,385	
Shanty's Road - Superstructure	5	60	No
Robinsons Road	0	15	Yes
Old Waterhouse Road	163	250	No
Deck Tonganah Road	24	30	Yes
Ten Mile Track	261	340	Yes

Bennett's Road	179	210	Yes
Main Street Bridport	65	350	No
Bridge Barrier Upgrades	9	130	No

- Bridges at Shanty's Road, Old Waterhouse Road are set to be completed by June 2014
- Bridge Barrier Upgrades are currently being completed
- A further \$95K in capital expenditure will be incurred in regard to Main Street, Bridport prior to June 2014, with \$190K carried forward to the 2014/15 year.

Summary by Program - Plant	Actual \$'000	Budget \$'000	Completed
Plant - Total	262	438	No

- Remaining capital expenditure will be recognised in the fourth quarter of 2013/14. This mainly comprises the purchase of a new truck for works and infrastructure.

Summary by Program - Property Assets	Actual \$'000	Budget \$'000	Completed
Property Assets - Total	228	1,150	
Halls and Community Centres	21	88	No
Caravan Parks	50	541	No
Cemeteries	-	2	Yes
Parks and Reserves	112	-	No
Recreation and Sporting Facilities	36	128	No
Swimming Pools	1	212	No
Tourism	6	130	No
Waste Management	1	50	No

- Halls and Community Centres: relates to the refurbishment of the old Service Tasmania area at the Scottsdale Municipal Officers. This project has been deferred to 2014/15
- Caravan Parks: relates to work in the southern zone of the park, with a further \$50K being incurred in the period from 31 March 2014 to date. \$350K of this work is being carried forward to 2014/15
- Recreation and Sporting Facilities: mainly relates to work currently being completed on the Derby MTB track and amenities
- Swimming Pools: other options are currently being considered in regard to replacing the current heating, dosing and filtration systems
- Tourism: relates to town entrance signage
- Waste Management: the balance relates to Glass Crusher, Baler/Compactor and Sorting Conveyor projects which are currently being reassessed. It is

anticipated that these funds will be carried forward and applied towards a mobile garbage bin trailer and hoist in the 2014/15 year.

Summary by Program – Roads and Footpaths	Actual \$'000	Budget \$'000	Completed
Roads - Total	1,871	3,564	
Urban Roads	228	483	No
Rural Roads	1,575	3,001	No
Town Signage	68	80	
<u>Rural</u>			
Cape Portland Stabilisation	922	1,288	No
Other Rural Sealed	379	811	No
Rural Unsealed	274	903	No
<u>Urban</u>			
Scottsdale Ada St Kerb and Channel Works	97	145	No
Bridport Main St Design Stage One	81	125	No
Other Urban Roads	50	213	No
Footpaths - Total	42	235	

- A road barrier on Cape Portland Road is to be replaced. A replacement barrier is anticipated to be installed late in the current quarter.
- Sealing of Rural and Urban Roads is to be completed in the current period
- Re-sheeting of Unsealed Rural Roads was deferred to the second half of the year due to inclement weather encountered in spring 2013. This work is now being completed throughout the current period
- Road sealing works are currently being undertaken at Ada St, Scottsdale which will complete this project
- Work has been completed on the Bridport Main St design with expenditure to be recognised in the current period
- Work on other Urban Roads will be completed by June 2014
- \$140K of capital expenditure in regard to footpaths will be carried forward to the 2014/15 year. This is due to compliance issues encountered at Elizabeth St, Bridport and Storm Water problems encountered at Gofton St, Scottsdale.

Summary by Program – Storm Water	Actual \$'000	Budget \$'000	Completed
Storm Water - Total	40	109	
Scottsdale	26	24	No
Ringarooma	0	44	No
Derby	5	-	Yes
Bridport	10	42	No

- Scottsdale: minor overrun due to additional work required at the Arthur St Storm Water project
- Ringarooma and Bridport: to be completed within the period
- Derby: relates to works completed outside the Derby post office which were not included in 2013/14 budget estimates

Community Considerations

N/A

Officer's Comments - Accountant

The report for the period notes positive variations on surplus and net surplus (after adjusted items) of \$2M and \$2.5M respectively.

On the basis that the Council recognises the majority of its income during the first quarter and incurs a significant portion of project costs in the fourth it is expected that the current surplus will be considerably reduced at 30 June 2014.

Recommendation

1. **That Council receive the Financial Report for the period ended 31 March 2014**

Purpose

Section 80 of the *Dog Control Act 2000* provides that Council may determine any fees payable under the Act.

Background

Council provides a range of services in relation to dogs, including dealing with stray dogs, investigation of barking nuisance complaints, relocation of dogs, regulation of dog kennels and miscellaneous enquiries and activities. The purpose of dog registration fees is to obtain a contribution from dog owners toward the cost of Council providing these services to the community.

Registration fees for dogs are due and payable from 1 July to 30 June in each year. It is therefore necessary for Council to review fees prior to July, in respect of registration and other fees payable under the Act, to enable notification of the fees applicable to the upcoming financial year.

Planning, Environment & Statutory Requirements

Dog Control Act 2000

Risk Management

N/A

Financial & Asset Management Implications

See Officer's Comments below, for details.

Community Considerations

Council's dog management service supports the community to be aware of and responsible for animal welfare; an approach which is largely appreciated and accepted by all community members. Continuing to facilitate education/information sessions and forums by Council has also assisted the community – young and elderly alike – to develop a broader understanding of animal behaviour, which will benefit community attitudes toward animal welfare now and into the future.

Officer's Comments – Animal Management Officer

It is considered that the fee structure proposed is appropriately priced so as to encourage responsible dog ownership and management whilst supporting the

effective delivery of operational duties/functions of the Council's dog management service. Important notes as follows:

- In the last twelve months Council has received 1471 dog registrations throughout the Municipality. This number is down slightly upon the previous year. Investigations found that Council was notified of (i) a number of dogs that had deceased and (ii) a number of owners and their dogs had moved away from the Municipality.
- The introduction of "lifetime" registration has been positively received within the community, with approximately 80 dogs registered in this capacity throughout the Municipality.
- There has been a notable increase in the amount of dogs registered under Pensioner Concession. This may be a reflection upon demographic change occurring within the community (e.g. aging / more unemployed people).

The recommendation is that Council does not increase costs for actual dog registrations this financial year. In comparison with neighbouring Councils, Dorset Council costs are fractionally higher in all aspects. However, a slight increase in 'Fees – Other' is recommended as follows:

First Seizure \$57.00 up \$3.00 to **\$60.00**
 Second Seizure \$78.00 up \$2.00 to **\$80.00**

Recommendation

That the Schedule of Fees payable under the Dog Control Act 2000 for the 2014/15 financial year, as listed below, be adopted.

ANIMAL CONTROL	Proposed 2014/15
Dog Registration:	
(Before 31 July)	
Basic Dog (not desexed)	\$53.00
Working, Purebred or Greyhound	\$26.00
Pensioner (One Only)	\$14.00
Sterilised (desexed) Dog	\$23.00
Guide Dog	No Charge
Declared Dangerous Dog	\$400.00
Guard Dog	\$400.00
Lifetime Registration (must be desexed & microchipped)	\$170.00
Lifetime Registration (Pensioner Only)	\$100.00
(After 31 July)	
Basic Dog (not desexed)	\$63.00
Working, Purebred or Greyhound	\$34.00
Pensioner (One Only)	\$14.00

Sterilised (desexed) Dog	\$31.00
Guide Dog	No Charge
Declared Dangerous Dog	\$400.00
Guard Dog	\$400.00
Lifetime Registration (must be desexed & microchipped)	\$170.00
Lifetime Registration (Pensioner Only)	\$100.00
Fees - Other	
Maintenance Charge – Daily	\$28.00
Nuisance	\$30.00
Replacement Tag	\$5.00
First seizure of any dog	\$60.00
Second & Subsequent seizures	\$80.00
Third & Subsequent seizures	\$150.00
Delivery Charge (Dog returned to Owner)	\$80.00
Refund of Lifetime Registration (valid only within the first 3 years)	\$70.00
Relocation Device (Trap) Hire Deposit	\$50.00
Fees for keeping several dogs	
Licence for 3 to 5 Dogs	\$90.00
For more than 5 dogs	\$110.00
Renewal of Licence	\$70.00
Registration of dogs in excess of 4 Dogs housed at premises for which a Licence to keep several dogs (Kennel Licence) has been issued by Council (First 4 Dogs at Standard Fees) Per Extra Dog	\$22.00

80/14 Closure of Meeting

Recommendation

That pursuant to Regulation 15 (2) (c) of the Local Government (Meeting Procedures) Regulations 2005, Council close the meeting to the public.

Time:

Time Meeting Closed:



AGENDA ATTACHMENTS

ORDINARY MEETING OF COUNCIL

19 MAY 2014

Dorset Council

*Improving the quality of life of the people
of the Municipality through services
based on the principles of quality, equity,
value and responsiveness.*



UNCONFIRMED MINUTES

ORDINARY MEETING OF COUNCIL

14 April 2014

Council Chambers, 3 Ellenor Street, Scottsdale
commencing 6.30pm

TIM WATSON
General Manager

Ref 2014/3164

DORSET COUNCIL

QUALIFIED PERSONS ADVICE

The Local Government Act 1993, Section 65, provides (in part) as follows: -

- A general manager must ensure that any advice, information or recommendation given to the Council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the Council.

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

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

TIM WATSON
General Manager

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	Close	

MINUTES OF THE DORSET COUNCIL MEETING

14 APRIL 2014

The Meeting Opened: 6.30 pm

PRESENT: Councillors B J Jarvis (Mayor), R J Beswick (Deputy Mayor), S Y Martin, J D Jennings, R D Brown, J V Probert, L C Stein

General Manager T J Watson, Community Services Manager S E Bower, Corporate Services Manager G R Jetson, Works, Infrastructure & Regulatory Services Manager D A Jolly

APOLOGIES: Councillor P W Partridge

51/14	Confirmation of Ordinary Council Meeting Minutes 17 March 2014 Ref 14/2294
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Crs R Brown/S Martin

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 17 March 2014, having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

52/14	Confirmation of Ordinary Council Meeting Closed Session Minutes 17 March 2014 Ref 14/2303
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Crs J Probert/J Jennings

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 17 March 2014, having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

53/14	Declaration of Pecuniary Interest of a Councillor or Close Associate
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Nil

54/14	Dorset Council Managers' Briefing Reports
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Purpose

The purpose of this agenda item is to provide Councillors and the community with a briefing on matters of interest dealt with during the past month by Council's Management Team.

Recommendation

That the Dorset Council Managers' Briefing Reports be received and noted.

Decision

Crs L Stein/J Beswick

That the Dorset Council Managers' Briefing Reports be received and noted.

Carried Unanimously

55/14	Council Workshops Held Since Last Council Meeting
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- **25 March 2014 – Pre Budget Workshop**
- **1 April 2014 Briefing/Workshop**
 - Briefing Reports and Question Time
 - Financial Orders/Audit Committees (Implementation Plan)
 - Community Matching Fund Guidelines
 - Strategic Plan
 - DIER Presentation
 - Gillespies Road Intersection
 - On Site Visit – Legerwood Tree Carvings
 - On Site Visit – Bridport Holiday Park

56/14	Applications for Leave of Absence
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Nil

57/14	Public Question Time
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Mr Mal Lohrey:

“What is going on with the beautification of Scottsdale? I have read all the information provided in the agenda today, how do you come up with the figures?”

Reply by Mayor Barry Jarvis:

What is going on will be answered quite succinctly by the Deputy Mayor and Mr Jolly in Agenda Item 62.

58/14	Deputations
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Nil

59/14	Councillor Question Time
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Deputy Mayor J Beswick:

In light of recent publicity about the Pioneer Water Supply could the General Manager please report on the response from TasWater to Council’s offer to facilitate a meeting between TasWater and the Pioneer Community and the reasons for that decision?

Response by General Manager, Tim Watson

We have been in contact with TasWater’s Manager of Communications and Community Liaison, Sophie Murphy who responded on the 7th April that given the amount of community consultation and process to date, TasWater felt that a further community meeting wasn’t necessary. They backed that up with some information about the engagement and consultation process to date. They sent a total of five letters between January 2013 and August 2013 keeping the community up-to-date. They door knocked every house in August 2013 and then they held community sessions in October 2013. That has been followed up by the expressions of interest process. Through the expressions of interest, to date they have received 26 applications and they are working through the contracts with those people.

Deputy Mayor J Beswick:

Regarding the application for the development at 52 Main Street, Ringarooma and the media publicity that may have possibly given the impression that the matter is still for Council to decide, can the General Manager give a concise outline of what the situation really is with that matter?

Response by General Manager, Tim Watson

The situation at the moment is that that development application is sitting in limbo. The Resource Management and Planning Appeals Tribunal are having to make a decision on what the process is from here. Our understanding is that Council may have to re-advertise the application because Council didn’t advertise for the required statutory period. It was a technicality over the Christmas/New Year period where the

Council offices weren't open for a number of days, which weren't public holidays. Practice has always been that if you have public holidays you extend that advertising period. Officers weren't aware that they had to extend for any days that the offices were closed, irrespective of whether they are public holidays or not. As a result of that, a submission was made to the Tribunal by one of the appellants and the Tribunal is considering that and we are waiting to find out what the process is from here. Shaun McElwaine on behalf of Council made a submission, I believe today and it is just a matter of waiting to find out what the Tribunal determines in terms of what the process is. It may come back to Council for a decision, as in we may have to go back through the previous process but we are waiting for clarification. At this stage we are not in a position to inform Council what that process is.

Mayor B Jarvis – Lead in Water - Dorset

Given the ongoing issue in Dorset around lead being detected in underground water systems over the last 2-3 years is it possible through the interim planning process to have some community safeguards put in place in case of any company wanting to undertake fracking in the Dorset community? As we do not understand how the water systems interconnect, any activity that may have a negative impact should have maximum community consultation before proceeding. Can we do anything under the interim planning scheme?

The indication this afternoon (from Town Planner, Rohan Willis) was that it would have to go through the EPA and the State Government. It does not appear Council would have any jurisdiction. I have asked the question so we will follow up because if someone comes along (and we have had issues with lead since early 2012) into the community we can impose harsher conditions on community consultation rather than the process go by without the community having any input.

This question was taken on notice.

60/14	Notices of Motion by Councillors
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Nil

61/14	Annual Plan Quarterly Update – March 2014
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Reporting Officer: Corporate Services Manager, Guy Jetson
Ref 14/2899, Plan 14/2743

Purpose

The purpose of this agenda item is to update Council and the community on progress of the Dorset Council Annual Plan 2013/2014 as at 31 March 2014.

Recommendation

That the Dorset Council Annual Plan 2013/2014 Quarterly Report as of 31 March 2014 be received and noted.

Decision

Cr S Arnold/R Brown

That the Dorset Council Annual Plan 2013/2014 Quarterly Report as of 31 March 2014 be received and noted.

Carried Unanimously

62/14	Scottsdale Street Beautification Plan 2014 - 2016 Reporting Officer: Works, Infrastructure & Regulatory Services Manager, David Jolly Ref 14/2897
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Purpose

The two fold purpose is to:

- i) Consider and approve a proposed three year plan of works developed in conjunction with the Scottsdale Street Beautification Project Working Group.
- ii) Determine theme tree species for King St, Alfred St, Charles St and George St.

Recommendation

1. That Council adopt the proposed three year plan of works developed in conjunction with the Scottsdale Street Beautification Project Working Group.
2. That Council approve the following street trees as signature trees as follows:

King Street	<i>Pyrus Calleryana Capital</i> (ornamental pear tree)
George Street	<i>Pyrus Calleryana Capital</i> (ornamental pear tree)
Alfred Street	<i>Malus 'JFS-KW5'</i> - Royal Raindrops (crab apple)
Charles Street	<i>Malus ioensis 'Plena'</i> (crab apple)
McLennans Reserve	Additional plantings of ferns, rhododendrons, Taiwanese maples

Decision

Crs J Beswick/L Stein

1. That Council adopt the proposed three year plan of works developed in conjunction with the Scottsdale Street Beautification Project Working Group.
2. That Council approve the following street trees as signature trees as follows:

King Street	<i>Pyrus Calleryana Capital</i> (ornamental pear tree)
George Street	<i>Pyrus Calleryana Capital</i> (ornamental pear tree)
Alfred Street	<i>Malus 'JFS-KW5'</i> - Royal Raindrops (crab apple)
Charles Street	<i>Malus ioensis 'Plena'</i> (crab apple)
McLennans Reserve	Additional plantings of ferns, rhododendrons, Taiwanese maples

3. That Council also approves the use of some evergreen species, such as magnolias and rhododendrons, in locations to be decided by the

Councillor steering committee in consultation with the Works and Infrastructure Manager.

Carried Unanimously

63/14	Delegation – Land Use Planning & Approvals Act 1993 Reporting Officer: General Manager, Tim Watson Ref: 14/2908
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Purpose

The purpose of this agenda item is to amend delegations to reflect organisational changes and provide officers delegated authority under the *Land Use Planning and Approvals Act 1993*.

Recommendation

- 1 Pursuant to the powers contained in Section 6 of the *Land Use Planning and Approvals Act 1993* the Council hereby delegates the exercise and performance of the following powers and functions to each person employed by the Council who are the holders of the office or position in the table to this delegation, or a person acting in that capacity, on the following conditions:
 - I Each delegation is subject to the conditions or restrictions (if any) referred to in the table to this delegation.
 - II Each delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve.
 - III Each delegation is subject to the Council’s By-laws or the provisions of any Act.

TABLE OF FUNCTIONS AND POWERS DELEGATED

No. 13 Land Use Planning and Approvals Act 1993

No.	Function or Power	Person to Whom Delegated	Conditions or Restrictions
1	S. 27 Negotiate with representors and agreeing to amendments to a draft scheme in the course of a Resource Planning and Development Commission hearing.	General Manager; Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
2	S. 33(2) Approving “form” for requests to amend scheme.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
3	S. 35 Determination whether draft amendment meets requirements of section 32.	General Manager, Manager Works, Infrastructure &	Upon recommendation from Town Planner.

		Regulatory Services, Town Planner	
4	S. 35 (4) Provide the Tasmanian Planning Commission with a copy of Council's decision to initiate a planning scheme amendment.	General Manager	Upon recommendation from the Town Planner
5	S. 38 Advertise and exhibit draft amendment when notice is given by the Tasmanian Planning Commission	General Manager	Upon recommendation from Town Planner
6	S. 39(2) To prepare the report for Tasmanian Planning Commission where there are no submissions	General Manager	Upon recommendation from Town Planner
7	S. 40(2) Negotiations with representors and agreement to amendments in the course of a Resource Planning and Development Commission hearing.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
8	S. 41 Modifications and amendments as requested by Resource Planning and Development Commission.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
9	S. 42(3) To give notice of Tasmanian Planning Commission approval of a draft amendment	General Manager	Upon recommendation from Town Planner.
10	S. 43E Request for further information.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
11	S. 43G Negotiations and agreement during hearing.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
12	S. 54 Request for additional information.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	
13	S. 55 Corrections of mistakes in planning permit.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon advice from Town Planner.
14	S. 56 Minor amendments to	General Manager,	Upon recommendation

	permit.	Manager Works, Infrastructure & Regulatory Services, Town Planner	from Town Planner.
15	S. 57(2) Application for discretionary permit. To refuse or grant a permit.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Only where such application is not in accordance with the planning scheme.
16	S. 57(5) Application for discretionary permit. To extend time for receipt of representations.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	
17	S. 57(6) Application for discretionary permit. To refuse or grant a permit.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Only in cases where no representations have been received objecting to the proposal and the Town Planners recommendation is to grant a permit, or where time for a decision will expire and so create a deemed approval.
18	57(6A) Application for discretionary permit. To extend time for making a decision.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon agreement in writing with the applicant.
19	S. 57A Mediation.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	
20	S. 58 Approval of application for other permits (permitted) including an extension of time.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation of the Town Planner.
21	S. 59(3) Deemed approval hearing. To negotiate, compromise, agree, etc during a hearing on a deemed approval.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	
22	S. 61 Planning appeals. To negotiate, compromise, agree, etc. during the hearing of an appeal.	General Manager, Manager Works, Infrastructure & Regulatory Services,	

		Town Planner	
23	S. 64 Commencement and conduct of civil enforcement proceedings	General Manager, Town Planner	Council to be advised at next ordinary meeting.
24	S. 65 Appeal in respect of a decision of Appeal Tribunal under Section 64.	General Manager.	Only if unable to be brought before Council within the time required for lodgment of an appeal and on the advice of the Town Planner. Council to be advised.
25	S. 67 Notice of withdrawal of modification of Planning Scheme.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	
26	S. 71 Planning authority may enter into agreements.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation of Town Planner.
27	S. 73 Bonds and Guarantees. To authorise the partial or total release of bonds, guarantees and security deposits held pursuant to Section 71 of the Act upon certification from the relevant manager that the work or things to which the bond, guarantee or security deposit relates has been to the Council's requirement satisfied in whole or in part. To call on any bonds, guarantees and security deposits to carry out work that has not been completed to the Council's requirements upon certification of the relevant manager.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	

Decision

NOTE: The Officer recommendation was amended to remove the words '...or grant...' from number 15 - S. 57(2)

Crs J Beswick/S Arnold

1 Pursuant to the powers contained in Section 6 of the *Land Use Planning and Approvals Act 1993* the Council hereby delegates the exercise and performance of the following powers and functions to each person employed by the Council who are the holders of the office or position in the table to this delegation, or a person acting in that capacity, on the following conditions:

- I Each delegation is subject to the conditions or restrictions (if any) referred to in the table to this delegation.
- II Each delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve.
- III Each delegation is subject to the Council's By-laws or the provisions of any Act.

TABLE OF FUNCTIONS AND POWERS DELEGATED

No. 13 Land Use Planning and Approvals Act 1993

No.	Function or Power	Person to Whom Delegated	Conditions or Restrictions
1	S. 27 Negotiate with representors and agreeing to amendments to a draft scheme in the course of a Resource Planning and Development Commission hearing.	General Manager; Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
2	S. 33(2) Approving "form" for requests to amend scheme.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
3	S. 35 Determination whether draft amendment meets requirements of section 32.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
4	S. 35 (4) Provide the Tasmanian Planning Commission with a copy of Council's decision to initiate a planning scheme amendment.	General Manager	Upon recommendation from the Town Planner
5	S. 38 Advertise and exhibit draft amendment when notice is given by the Tasmanian Planning Commission	General Manager	Upon recommendation from Town Planner
6	S. 39(2) To prepare the report for Tasmanian Planning Commission where there are	General Manager	Upon recommendation from Town Planner

	no submissions		
7	S. 40(2) Negotiations with representors and agreement to amendments in the course of a Resource Planning and Development Commission hearing.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
8	S. 41 Modifications and amendments as requested by Resource Planning and Development Commission.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
9	S. 42(3) To give notice of Tasmanian Planning Commission approval of a draft amendment	General Manager	Upon recommendation from Town Planner.
10	S. 43E Request for further information.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
11	S. 43G Negotiations and agreement during hearing.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
12	S. 54 Request for additional information.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	
13	S. 55 Corrections of mistakes in planning permit.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon advice from Town Planner.
14	S. 56 Minor amendments to permit.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation from Town Planner.
15	S. 57(2) Application for discretionary permit. To refuse a permit.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Only where such application is not in accordance with the planning scheme.
16	S. 57(5) Application for discretionary permit. To extend time for receipt of representations.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	

17	S. 57(6) Application for discretionary permit. To refuse or grant a permit.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Only in cases where no representations have been received objecting to the proposal and the Town Planners recommendation is to grant a permit, or where time for a decision will expire and so create a deemed approval.
18	57(6A) Application for discretionary permit. To extend time for making a decision.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon agreement in writing with the applicant.
19	S. 57A Mediation.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	
20	S. 58 Approval of application for other permits (permitted) including an extension of time.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation of the Town Planner.
21	S. 59(3) Deemed approval hearing. To negotiate, compromise, agree, etc during a hearing on a deemed approval.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	
22	S. 61 Planning appeals. To negotiate, compromise, agree, etc. during the hearing of an appeal.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	
23	S. 64 Commencement and conduct of civil enforcement proceedings	General Manager, Town Planner	Council to be advised at next ordinary meeting.
24	S. 65 Appeal in respect of a decision of Appeal Tribunal under Section 64.	General Manager.	Only if unable to be brought before Council within the time required for lodgment of an appeal and on the advice of the Town Planner. Council to be advised.
25	S. 67 Notice of withdrawal of modification of Planning	General Manager, Manager Works,	

	Scheme.	Infrastructure & Regulatory Services, Town Planner	
26	S. 71 Planning authority may enter into agreements.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	Upon recommendation of Town Planner.
27	S. 73 Bonds and Guarantees. To authorise the partial or total release of bonds, guarantees and security deposits held pursuant to Section 71 of the Act upon certification from the relevant manager that the work or things to which the bond, guarantee or security deposit relates has been to the Council's requirement satisfied in whole or in part. To call on any bonds, guarantees and security deposits to carry out work that has not been completed to the Council's requirements upon certification of the relevant manager.	General Manager, Manager Works, Infrastructure & Regulatory Services, Town Planner	

Carried Unanimously

Mayor Barry Jarvis would like to wish Peter Fish, our local newspaper editor all the best in his retirement, as this is the last meeting he will attend in an official capacity. Council would like to thank Peter and the North Eastern Advertiser for the time and effort they take promoting the Dorset Municipality with such passion.

64/14	Closure of Meeting
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Crs R Brown/L Stein

That pursuant to Regulation 15 (2) (c) of the Local Government (Meeting Procedures) Regulations 2005, Council close the meeting to the public.

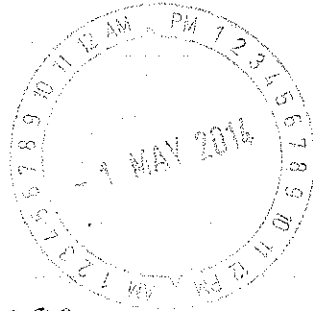
Carried Unanimously

Time: 7.25 pm

Time Meeting Closed: 7.29 pm

Minutes Confirmed: 19 May 2014
Minute No

.....
Mayor



Ringarooma
Tasmania
29/4/2014

Mr. Darren Jolley,
Works Infrastructure Manager,
Dorset Council. + interested councillors.

Recently we have been travelling in the North-west coast and the West coast, and observed that in Latrobe and Queenstown, (in streets where there would be high pedestrian traffic), they have flashing orange lights on each side of the road. We wondered if this would be helpful in Scottsdale in several places. -

(i) King Street - in front of Uniting Church to front of Workforce building.

(ii) Victoria Street - outside Woolworths to old time centre building.

(iii) George Street - Scottsdale Hotel to Service Station (if traffic lights are not to be installed there).

These lights do make motorists aware that pedestrians may be in the area.

We wonder if you could assess the corner of Leggetwood Lane, Ringarooma side of late Syd. Bennett's house. Recently, two vehicles have had accidents on this corner, (luckily with no injuries), as one did turn over.

It seems many GP systems direct travellers on this road, and as those involved in these accidents were newcomers to the area, perhaps some extra signage may be warranted.

We are very pleased with the drainage work which has been carried out on East Maurice Road.

Thank you for your service,
Rita and CharyAnne Blackwell.

24 EAST MAURICE ROAD,
RINGAROOMA. 7263.

Our Ref: 14/3680

2nd May 2014

R & S Blackwell
24 East Maurice Road
Ringarooma 7263

Dear Mr and Mrs Blackwell

Thankyou for your letter dated 29 April 2014 in relation to flashing orange road lights at Scottsdale and your safety concerns around Legerwood Lane.

I have forwarded your letter to the road regulator the Department of Infrastructure, Energy and Resources (DIER) for their comment. I will provide you with a copy of their response when received. Please note that an immediate response is unlikely.

A copy of this letter will be provided to Councillors for their information.

Yours faithfully

David Jolly
Works and Infrastructure Manager



COUNCIL POLICIES

PUBLIC LIABILITY INSURANCE FOR COMMUNITY GROUPS

POLICY NUMBER: 20 (Version 2)

OBJECTIVE: To ensure that all community groups and individuals hiring Council facilities are adequately covered by public liability insurance.

STATUTORY AUTHORITY: Local Government Act 1993

ADOPTED: **Council Meeting:** 19 February 2007
Minute Number: 22/07

POLICY

1. That the Dorset Council require all community groups/organisations and individuals that regularly hire or lease Council property or facilities to maintain their own Public Liability Insurance, and other insurances as required, to ensure that the only liability insured by Council is the liability over which it has control. The Public Liability Insurance Policy must:-

- Must be placed with an underwriter licensed in Australia; and
- The cover is to be for a sum of not less than \$10 million and be in a form acceptable to Council.

A certificate of currency must be produced which covers the period of the hire or lease of the Council facility.

2. That where a community group/organisation make use of Council property or Council facilities for a public event the Council requires the community group/organisation to have Public Liability Insurance as stated in clause 1 of this policy.
3. That a casual hirer (i.e. one off hirers) of Council property or facilities shall purchase public liability insurance under Council's blanket insurance policy for a fee in addition to the hire fee.



COUNCIL POLICIES

PERSONAL INFORMATION PROTECTION POLICY

POLICY NUMBER: 36

OBJECTIVE: Personal Information Protection Principle 5 requires that a personal information custodian must set out in a document its policies on the management of personal information, and that the document is to be made available to any person who requests it.

STATUTORY AUTHORITY : Personal Information Protection Act 2004

ADOPTED; *Council Meeting 16 October, 2006*

Minute Number 158/06

POLICY

Purpose

The Personal Information Protection Act 2004 (the Act) was introduced to protect the individual’s right to personal privacy.

Dorset Council (Council) is committed to the Personal Information Protection Principles included in the Act. This policy explains the principles and how they may apply to you.

Scope

This policy applies to councillors, officers and agents of Council.

The policy covers all personal information held by Council, including:

- information we have collected from you, as well as information we have collected from third parties,
- all information collected regardless of format and media, e.g. correspondence, forms (paper and electronic), in person, over the telephone or via Council websites.

Definitions

Personal information is information that can be used to identify an individual, such as name, address and date of birth.

Sensitive Information includes information or an opinion about an individual's health, racial or ethnic origin, political opinions, trade union membership, philosophical or religious beliefs, sexual preferences or criminal record.

Principle 1 Collection

- 1.1. Council will only collect personal information from you when it is necessary for its functions or activities.
- 1.2. Council will collect personal information about you directly from you wherever it is reasonable and practicable to do so.
- 1.3. Council will collect personal information only by lawful and fair means and not in an unreasonably intrusive way.
- 1.4. In some instances, Council will be required by law to collect personal information.
- 1.5. Council will only collect sensitive information where you have consented or as permitted under the Act.
- 1.6. Before, during, or as soon as practicable after collection of personal information, Council will take reasonable steps to ensure that you are aware of:
 - Council's identity and how to contact it;
 - your right to access the information;
 - the purpose for which the information is collected;
 - the intended recipients of the information;
 - any law that requires the information to be collected;
 - the main consequences (if any) for you if all or part of the information is not provided.
- 1.7. If Council collects personal information about you from someone else, it will take reasonable steps to make sure that you are aware of the matters referred to above, unless doing so would pose a serious threat to the life,

safety, health or welfare of any individual, or, would prejudice the carrying out of an investigation.

Principle 2 Use and disclosure

- 2.1. Council will only use personal information within Council, or disclose it outside Council,
 - for the purpose for which it was collected, or
 - in accordance with this Act or as provided for in any other legislative provision, or
 - where you have consented, or
 - where you would reasonably expect this to occur.
- 2.2. Council may use the information for purposes including, but not limited to, the following:
 - To contact you in order to provide services requested by you, e.g. obtaining a permit.
 - To contact you in order to resolve issues relating to Council services or functions, that you have brought to our attention, e.g. where you have reported a matter to be resolved by Council such as a fallen tree branch.
 - It may be used to contact you before a Council Meeting to confirm your attendance and advise you of any changes to the meeting details where you have made an application to speak or ask a question.
 - To supply you with material concerning Council initiatives and programs.
 - To contact you in relation to your property.
 - To facilitate the collection of Council fees and charges, e.g. we will use your name and address details to forward rate notices.
 - To enable payment for Council-provided goods and services, e.g. we may collect your credit card and bank account details when you make a payment for goods and services.
 - To enable Council to undertake its law enforcement functions, e.g. Council collects information about you from various Road Traffic Authorities to ascertain ownership of abandoned vehicles etc..
 - To update your name and address details and verify information.
 - To check occupancy for ratings purposes.
 - To contact you in case of an emergency.
- 2.3. In some circumstances, Council needs to disclose your information to other organisations. Examples of situations where disclosure may occur include:
 - Personal Information collected in relation to your property may be forwarded to the Valuer General and the Australian Bureau of Statistics, the Director of Building Control, and the Training Levy Board in accordance with various legislative requirements.

- Personal information included on a Subdivision or Development Application may be forwarded to the Resource Management and Planning Appeal Tribunal and made available to the public, as required by the Land Use Planning and Approvals Act (1993).
- Pensioner Applications for Rates Remission may be forwarded to Centrelink, the Department of Treasury, the Department of Veterans' Affairs and Housing Tasmania.
- Information relating to financial requests, for example a direct debit, may be forwarded to our bank.
- If a workplace incident or other incident or accident occurs, information may be forwarded to our workers compensation, public liability or professional indemnity insurers.
- If you do not pay your rates, Council may forward your information to the courts and a debt collector may be appointed.
- If infringement notices are not paid, Council may forward your information to the courts and a solicitor.
- If you apply to work in any area of Council that involves working with children or youths whether as an employee or as a volunteer a report may be requested from Tasmania Police for safety screening purposes. Your consent will be sought in this regard and if not forthcoming this may affect your chances of being employed.
- In order to properly assess your development, building or subdivision application, Council may seek the advice of other agencies and, in doing so, will provide details of your application, including any personal information included on the application to that agency. Examples of these agencies include the University of Tasmania; Department of Primary Industries, Water and Environment; Department of Infrastructure, Energy and Resources; Department of Tourism, Parks, Heritage and the Arts and the Tasmanian Fire Service.

Principle 3 Data quality

- 3.1. Council will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.
- 3.2. You may update the personal information you have supplied to Council. Details on how to do so are outlined under Privacy Principle 6.

Principle 4 Data Security

- 4.1. Council will take all necessary steps to make sure that personal information is stored safely and securely. Technological and operational procedures are in place to protect personal information from misuse and loss.
- 4.2. Council will dispose of personal information where it is no longer necessary to fulfil the purposes for which the it was collected, or as required by the Archive

4.3. Act or other legislation.

Principle 5 Openness

- 5.1. Council will make this policy available upon request.
- 5.2. On request by a person, Council will take reasonable steps to let the person know, generally, what sort of personal information it holds, collects, for what purposes, and how it collects, holds, uses and discloses that information.

Principle 6 Access and Correction

- 6.1. Should you wish to access your personal information, please contact Council on 03 6352 6500. We will endeavour to deal with your request promptly at an administrative level, but more complex requests may need to be processed in accordance with the Freedom of Information Act 1982.
- 6.2. Access will be provided except in the circumstances outlined by The Act, for example, where the information relates to legal proceedings.

Principle 7 Unique Identifiers

- 7.1. A unique identifier is a reference that enables the identification of a particular person (e.g. your drivers licence number).
- 7.2. Council will only assign unique identifiers if it is necessary to carry out any Council functions or responsibilities, or it is required by law.

Principle 8 Anonymity

- 8.1. Council will, where it is lawful and practicable, give individuals the option of remaining anonymous when entering into transactions with Council.
- 8.2. However, as anonymity may limit Council's ability to process a complaint or other matter, Council reserves the right to take no action on any matter if you choose not to supply sufficient personal information to Council.

Principle 9 Transborder Data Flows

- 9.1. Council will transfer personal information to a region outside Tasmania only if authorised by law or with the consent of the individual.

Principle 10

Principle 11 Sensitive Information

- 11.1. Sensitive information, as defined by law, is any information about a person's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliation, philosophical beliefs, membership of a professional trade association, membership of a trade union, sexual preference or practice, criminal record or health information.
- 11.2. Council will only collect sensitive information when you have consented, or as permitted under the Personal Information Protection Act or required by law.

11.3. Sensitive information will be treated with the upmost security and confidentiality and only used for the purpose for which it was collected.

Correction and Complaints

If you are not satisfied with the handling of your personal information or the outcome of your request to access or correct your personal information, you may contact Council to make a complaint on 03 6352 6500. Your complaint will be investigated within ten business days and a written response will be provided. If you are not happy with the outcome of your complaint, you can lodge a complaint with the Ombudsman. The Ombudsman's Office can be contacted on 03 6233 6217, or 1800 001 170 (cost of a local call outside Hobart area), and by email at ombudsman@justice.tas.gov.au.