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Closed Session Agenda Items

Nil

Dorset Council Meeting

Minutes

19 February 2018

The Meeting Opened: 6.00pm

Present: Crs G J Howard (Mayor), M A Hall (Deputy Mayor), L C Stein, D R Jessup, S Y Martin, S J Arnold, L D Archer, L S Quilliam

Director – Community & Development R Willis, Director – Infrastructure D Griffin, Director – Corporate Services J Marik, Accountant S J Hunt, Customer Service/Community Liaison Officer E Hadley

Apologies: Cr S D Moore, General Manager T J Watson

19/18 Confirmation of Ordinary Council Meeting Minutes 15 January 2018
Ref: 18/472

Decision

Crs Hall/Stein

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 15 January 2018, having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

20/18 Confirmation of Ordinary Council Meeting Closed Session Minutes 15 January 2018
Ref: 18/473

Decision

Crs Jessup/Stein

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 15 January 2018, having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

21/18 Confirmation of Agenda

Decision

Crs Quilliam/Jessup

That Council confirm the Agenda and order of business for the 19 February 2018 Council Meeting.

Carried Unanimously

22/18 Declaration of an Interest of a Councillor or Close Associate

Cr Dale Jessup – Item 30/18

23/18 Management Team Briefing Report

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 Management Team Briefing Report be received and noted.

Decision

Crs Stein/Quilliam

That the Management Team Briefing Report be received and noted.

Carried Unanimously

24/18 Council Workshops Held Since Last Council Meeting

6 February 2018 Councillor Briefing/Workshop

25/18 Applications for Leave of Absence

Nil

26/18 Public Question Time

Question Received on Notice – 9 February 2018**Mr Rob Thompson:**

Mr Watson, we met at the previous Council meeting, Jan 15, at Scottsdale, after I submitted the petition about campfires in Derby Park. During our conversation, you said that the Council does not want to encourage free camping in Derby because the Council wants visitors to stay in paid accommodation.

That being the case, why is the Council keeping open the boom gate at the West end of Derby Park and allowing unrestricted camping on the river bank below the riverside track (the middle and East end of Derby)?

If I could be permitted a supplementary question, I would like to hear about Council's overall plan for camping at Derby in the future.

Response from General Manager, Tim Watson:

The overarching purpose of the Blue Derby Mountain Bike Trails is to provide tourism infrastructure that will result in increased visitation to the region, diversifying the local economy and resulting in business investment and job creation. In this context Council has to date been very careful not to undermine investment in accommodation by upgrading the amenities block in Derby Park. It is incorrect to interpret this strategy to mean that Council is not supportive of free camping in Derby.

The petition in which you raised a number of concerns about camping in Derby was discussed with Councillors in the February Council Briefing Workshop. It is clear from these discussions that Council is very supportive of free camping in Derby but acknowledges that the amenities block in Derby Park will need replacement and the use of open camp fires needs to be addressed. Budget allocations for the replacement of the amenities block and construction of permanent camp fires will be recommended for inclusion in the 2018/2019 budget estimates.

With respect to your concerns about loss of public open space as a result of unrestricted camping in Derby Park, I would respectively point out that the amount of public open space along the river foreshore in Derby has increased substantially since the opening of the mountain bike trails. One could therefore conclude that this increase in public open space is a direct result of the mountain bike visitation and Councils support of free camping in Derby and indeed the whole municipality of Dorset.

Mr Stuart Rainbow:

Was there an environmental impact study done for the Stage 2 of the Bike Trails? If so, who was it submitted to?

Response from Mayor Greg Howard:

An environmental impact study was not required, however flora and fauna assessments, plus a few other reports have to be completed as part of the consent process with Crown Land Services.

So you can built trails right on the edge of the riverbank without any issues? I've witnessed trees and logs being pushed into the river

Response from Mayor Greg Howard:

World Trail (trail builders) are some of the most responsible trail builders in the world. They have constructed trails in some of the most sensitive areas in the world.

Ms Jenny Bellinger:

With the Crown Land on the foreshore, why is that for sale (six lots) in the Council auctions? It is stated in that letter tonight that the foreshore is for the people?

Response from Director, Community & Development, Rohan Willis:

There is no Crown Land for sale in the unpaid rates item. The properties you are referring to are owned by the Briseis Tin and General Mining and are up for sale due to unpaid rates.

Further Response from Mayor Greg Howard:

Council aren't selling that land. The Briseis blocks that you are referring to are listed to be transferred to Council for unpaid rates in an agenda item yet to be discussed this evening.

So why were there signs that were on the blocks saying for sale?

Response from Mayor Greg Howard:

The Notices of Intent on each parcel of land is part of the process that Council Officers have to undertake under the *Local Government Act 1993*.

Mr Stuart Rainbow:

Do Council have any long term plans to build on any of these blocks?

Response from Mayor Greg Howard:

The intention of having those blocks transferred to Council is to maintain access to the river frontage.

Ms Sarah Cassidy:

The traffic management plan may need to be relooked at. Is there anything in the plans for the future to widen the road, put bike lanes in?

Response from Mayor Greg Howard:

We've certainly looked at that however, the Main Street of Derby is a State Road, and it isn't a Council road so we don't have control over it. The only option would be to potentially widen the road on the top side (shop site) of the road, however that is where all the services are located (water, electricity, etc). It would have to be looked at in conjunction with the Department of State Roads.

In regards to dogs, I believe that there are most issues with local resident dogs, than visitors who bring their dogs with them, can this be looked into?

Response from Mayor Greg Howard:

So the law states that dogs should be under effective control. There are areas in the municipality where dogs must be on lead and this is specified in that area. Council could definitely look at the signage around Derby about dogs being on lead.

Mal Lohrey:

When the Council does the refurbishment of the Ellesmere Cemetery could they fix up some of the damaged graves and headstones?

Response from Mayor Greg Howard:

Graves are the responsibility of the deceased family to maintain (in respect of headstones, etc).

Ms Marie Rainbow:

Is there any chance of having a camp warden that gets appointed by Council?

Response from Mayor Greg Howard:

Even a camp warden has to have a head of power to issue notices, etc. If it is a consistent problem that everyone is saying maybe we need to have another look at this.

Ms Virginia Wells:

Why don't we have any signs around? At the weekend I saw four fires down along the river if there is a total fire ban on Crown Land?

Response from Mayor Greg Howard:

If Crown Land or Tas Fire Service issue the fire ban, they are the ones responsible for erecting signs and policing the compliance.

Ms Leonie Smithurst:

If I was to ride a mobility scooter on a footpath in Scottsdale, how fast would I be allowed to go? Could I go 40 km/hr on the footpath?

Response from Mayor Greg Howard:

I'm not sure they go that fast. I'll have to take this **question on notice** as I have no knowledge if mobility scooters have restrictions.

Ms Jan Hooper:

Clearing of vacant blocks. Up the other end of Derby there are a lot of block that are overgrown and have never been cleaned up. I'm just wondering whether Council has dropped the ball on this?

Response from Mayor Greg Howard:

So requests like that we would normally treat through the Council's Customer Service Request system. If you lodge a request, someone has to look at it within 10 days and you would get a response.

Ms Jenny Bellinger:

In the December meeting you said you would revisit the Pioneer water situation. Pioneer is going to end up being the only town in Tasmania without proper water.

Response from Mayor Greg Howard:

We've had this discussion with TasWater that the process that has been put in place is unacceptable. They've admitted that they handled the situation poorly.

Is the treatment plant being constructed at Herrick big enough to potentially service water to Pioneer into the future?

Question Taken on Notice

Ms Virginia Wells:

I would like to know what consultation was undertaken to the local businesses especially the Derby General Store and myself in regards to the no standing signs and yellow line along the road.

Response from Mayor Greg Howard:

We had a safety issue where if there were vehicles parked on both sides of the street there wasn't sufficient room for traffic. We will take that **question on notice** and let you know.

Ms Gayle Scott:

Currently the emergency meeting point (EMP) for Derby as designated by the Dorset Council twelve months ago is the Derby Grandstand grounds. The EMP is still not officially declared and publicly signposted and is always padlocked and inaccessible. The Derby Volunteer Fire Brigade has not been notified by Tasmanian Fire Service that this is an official EMP site. Derby Community Development Association Inc currently leases the Grandstand and grounds from Crown Lands and will this arrangement affect the lease in any legality?

In the event of an emergency, how practical is it to evacuate and assemble thousands of people onto a small temporary campground, for example, at last year's Enduro World Series?

Has any further consideration been given to the future re-siting of the Derby Fire Brigade shed and the Dorset Works Depot?

Will the Derby Volunteer Fire Brigade be consulted before any definite decision is made?

At the Dorset Council Meeting on 18 December 2017, the General Manager answered a public question regarding the transfer of Crown Land in Derby to Dorset Council. He stated, "...it makes a lot more sense for the crown land within the Derby township to be transferred to Council...". Could you please explain in what way or ways does it make sense for the Dorset Council to own the land?

Is the Dorset Council then liable for any injuries or personal damages caused on the attained land, especially on the existing and planned MTB tracks to be established within the Crown Land?

As the Dorset Council has also recently purchased the ex-Briseis Mine hole or Derby Lake, will you be liable for damages caused by rockfall and accidental drownings?

A commercial shuttle bus service consulted the Dorset Council approximately a year ago concerning the Cascade Dam Road. The shuttle buses were having trouble travelling at high speeds along the road in their haste to reach drop-off points. There were near head-on collisions with other vehicles on one very busy weekend. The shuttle service company requested a sign be installed at the intersection of Krushka Street and Cascade Dam Road. The sign states, 'Caution, Narrow Road. Private shuttles are not recommended past this point'. How relevant is the sign now there are four accommodation places specifically for MTB rides established along this road past the sign?

Does the Dorset Council (which has its logo on the road sign) recommend the accommodation guests leave their vehicles parked before this sign (very limited parking along Krushka Street with shuttle buses parked there daily)? Then do you suggest they hire a shuttle bus to take them, their bikes and luggage to their accommodation?

On occasions, the shuttle bus drivers have been very aggressive to others using the road. Both local residents and vehicles carrying MTBs are told they are not allowed to use the road as it is exclusively for the commercial shuttle bus service. Late last year, a vehicle carrying two MTBs was told by the shuttle service to turn around and go back down the road, which they did. Would it be more practical, safer and convenient for all concerned to introduce a 20 km/hr speed limit on the road and remove the sign?

Are all the recommendations as stated in the Dorset Council's Derby Heritage Study 2012 being followed and adhered to?

At next years Enduro World Series, will all local community groups be consulted and included in the planning with meetings and given the opportunity to fundraise in the 'temporary village'?

All Questions were Taken on Notice

27/18 Deputations

Nil

28/18 Councillor Question Time

Cr Steve Arnold:

I would like Council to send a letter to TasWater in regards to water restrictions in Bridport. I personally can't see how TasWater could put restrictions on when residents are paying for the water. I did take particular note of the amount of water that was running down the Brid River, I question their theory.

Response from Mayor Greg Howard:

Certainly we can write to TasWater. The problem with the Brid is that the water quality is lower than most other water sources in the North East. TasWater then have trouble running it through the treatment plant. It was set up for a town of 1200 odd people, and in summer when it peaks at 5000 you would notice a difference. They have a long term plan to pipe water from Scottsdale.

Cr Sheryl Martin:

At budget time could we reconsider the reinstatement of discount to ratepayers who choose to pay their rates in full?

Response from Mayor Greg Howard:

Going into the budget that is a request that anyone can put forward and be discussed.

Cr Dale Jessup:

In relation to the recent funding announcement by the State Government of \$3 for redevelopment of the Scottsdale Pool and Netball courts. Can I ask that we place on the agenda for the March Council Workshop a discussion around community consultation of the major pool users in relation to redevelopment of the pool facilities should the State Liberal Party be returned to Government?

Response from Mayor Greg Howard:

Yes, it will be included in the March Workshop agenda.

Cr Lawrence Archer:

In relation to the last Council Workshop where the Council decided to put in a submission on Councillor Allowances. On request to the General Manager I was told that was confidential and I couldn't release it to the public. Is that still the case?

Response from Mayor Greg Howard:

All Workshop papers have always been and will continue to be confidential. Any papers that are attachments to the normal workshop papers that are already in the public arena, you can direct members of the public to those particular websites or departments to access those. Council Workshops are a discussion forum between Councillors and staff, they have always been closed to the public and yes if the General Manager said they are not to be released, then they aren't to be released. I agree with him.

29/18 Notices of Motion by Councillors

Nil

Mayor Howard reminded Councillors they are acting as a Planning Authority when considering Agenda Item 30/18.

Cr Dale Jessup declared an interest in Item 30/18 but stated that it is immaterial and didn't leave the room.

30/18 Planning Application – Telecommunications Facility and Associated Infrastructure

Reporting Officer: Town Planner, Rohan Willis
Ref: 18/1208 | Application: DEV 2018/3

Purpose

The purpose of this report is for Council to consider a proposal for the construction of a telecommunications monopole and ancillary infrastructure components.

Recommendation

It is recommended that the proposal for the construction of a telecommunications monopole and ancillary infrastructure components at 190 Davies Road, Scottsdale be approved subject to the following conditions:

Decision**Crs Archer/Jessup**

It is recommended that the proposal for the construction of a telecommunications monopole and ancillary infrastructure components at 190 Davies Road, Scottsdale be approved subject to the following conditions:

1. Basis of Approval

The use and development is approved and must be undertaken in accordance with the Endorsed Documents, except where specified otherwise in this permit and documents lodged with this application (DEV No. 2018/3). Any substantial variation from this application will require the further planning consent of the Council.

2. Construction and Environmental Management Plan

Prior to the commencement of any works, a Construction and Environmental Management Plan must be submitted to the Council's Town Planner, to the satisfaction of the Council's Town Planner, for approval. The plan must be prepared by a suitably qualified person(s) and must include the following details:

- a) a site management plan that details how soil and water is to be managed on the site during the construction process to prevent the escape of soil and sediments from the development site, including:
 - i. The proposed location of any topsoil stockpiles;
 - ii. The erosion and sediment control practices to be used on the site or otherwise for the purpose of the use; and
 - iii. Timing of any site rehabilitation or landscaping programs.

3. Schedule of Finishes/Colours

Prior to the commencement of the use, a Schedule of Finishes/Colours for the monopole (including associated antennas) must be submitted for approval by the Council's Town Planner. All finishes/colours that are to be applied to the monopole should act to blend rather than contrast the visual appearance of the structure with the rural landscape. Once approved, the Schedule of Finishes/Colours will be endorsed to form part of the planning permit.

ADVISORY NOTES

(i) Permission in Writing

Any reference to the need for Council approval of a matter or thing prescribed under the conditions pertinent to this permit requires such approval to be given in writing.

(ii) Objections to Proposal

This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource Management and Planning Appeal Tribunal.

(iii) Appeal Provisions

Attention is directed to sections 61 and 62 of the *Land Use Planning and Approvals Act 1993* (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:

A planning appeal may be instituted by lodging a notice of appeal with the Clerk of the Resource Management and Planning Appeal Tribunal.

A planning appeal may be instituted within 14 days of the date the planning authority serves notice of the decision on the applicant.

(iv) Permit Commencement

This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 61 of the *Land Use Planning and Approvals Act 1993* and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing.

(v) Period of Approval

Pursuant to Section 53(5) the *Land Use Planning and Approvals Act 1993*, this approval will lapse after a period of two (2) years from:

- i. the date on which the permit is granted; or
- ii. if an appeal has been instituted against the planning authority's decision to grant the permit, the date of the determination or abandonment of the appeal,

if the use or development is not substantially commenced within that period.

(vi) Other Approvals

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

- (a) Building approval
- (b) Plumbing approval

Carried Unanimously

31/18 Unpaid Rates and Charges – Section 137 Notices

Reporting Officer: Director – Corporate Services, John Marik
Ref: 18/749

Purpose

The purpose of this agenda item is to authorise Council officer to recover rate debts under Section 137 of the *Local Government Act 1993*.

Recommendation

The Officer recommends to Council and seeks authorisation to:

1. List the following properties for sale by way of public auction:
 - a. Church St, Derby, TAS, 7264 (title reference 213102/8)
 - b. 15 Scott Street, Branxholm, TAS, 7261 (title reference 231829/1)
 - c. Main Road, Pioneer, TAS, 7264 (title reference 233464/1)
 - d. 46 Garibaldi Rd, Pioneer, TAS, 7264 (title reference 105067/1)
2. Make application to the Minister for the following properties to be transferred to Council:
 - a. The Briseis Tin and General Mining, Christopher Street, Derby, TAS, 7264 (title reference 231603/1)
 - b. The Briseis Tin and General Mining, Derby, TAS, 7246 (multiple titles 219958/1; 232841/1; 231511/1; 230798/1; 247979/2; 220861/1)
3. Sell the following properties at market value to adjoining land owners:
 - a. Mathinna Plains, Ringarooma, TAS, 7263 (title reference 210055/1)
 - b. West Maurice Rd, Ringarooma, TAS, 7263 (title reference 207125/1)
 - c. Mutual Rd, Derby, TAS, 7264 (title reference 207400/1)
 - d. Scott St, Branxholm, TAS, 7261 (title reference 164944/1)
 - e. 263 Banca Road, Winnaleah, TAS, 7265 (title reference 208925/1)
 - f. Boobyalla Rd, Boobyalla, TAS, 7264 (multiple titles 131393/1; 121393/2; 121393/3; 215360/1; 96436/25)

Decision

Crs Hall/Quilliam

The Officer recommends to Council and seeks authorisation to:

1. List the following properties for sale by way of public auction:
 - a. Church St, Derby, TAS, 7264 (title reference 213102/8)
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 - e. 263 Banca Road, Winnaleah, TAS, 7265 (title reference 208925/1)
 - f. Boobyalla Rd, Boobyalla, TAS, 7264 (multiple titles 131393/1; 121393/2; 121393/3; 215360/1; 96436/25)

Carried Unanimously

32/18 Quarterly Financial Report – 31 December 2017

Reporting Officer: Accountant, Samantha Hunt
Ref: 18/1202

Purpose

The purpose of this agenda item is to present to Councillors and the community the financial performance for the six months ended 31 December 2017.

Recommendation

That Council receive the Financial Report for the period ended 31 December 2017.

Decision

Crs Stein/Hall

That Council receive the Financial Report for the period ended 31 December 2017.

Carried Unanimously

**33/18 2017/2018 Councillors Discretionary Grants Application
Assessment – Round 2**

Reporting Officer: Customer Service & Community Liaison Officer, Elizabeth Hadley
Ref: 18/1210 | Grant Application: 18/343

Purpose

The purpose of this report is to present the recommendations of the Community Grants Committee to Council for approval.

Recommendation

That Council approve funding for the following Councillors Discretionary Grants application:

- \$14,650 to North Eastern Pony Club

Organisation	Project	Project Cost	Grant Requested	Grant Recommendation
North Eastern Pony Club	Kitchen/Shed Upgrade	\$17,850	\$14,650	Recommended

Decision**Crs Jessup/Quilliam**

That Council approve funding for the following Councillors Discretionary Grants application:

- \$14,650 to North Eastern Pony Club

Carried Unanimously

34/18 2017/2018 Small Grants Application Assessment – Round 2

Reporting Officer: Customer Service & Community Liaison Officer, Elizabeth Hadley
Ref: 18/1218 | Grant Applications: 18/625 & 18/577

Purpose

The purpose of this report is to present the recommendations of the Community Grants Committee to Council for approval.

Recommendation

That Council approve funding for the following Small Grants applications:

- \$650 to Branxholm Cricket Club
- \$500 to Ringarooma Community Cultural Heritage Association

Organisation	Project	Project Cost	Grant Requested	Grant Recommendation
Branxholm Cricket Club	Purchase Equipment	\$1,000	\$650	Recommended
Ringarooma	Update and re-	\$2,034.05	\$500	Recommended

Community Cultural Heritage Association	new Ringarooma tourist noticeboard			
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Decision

Crs Hall/Stein

That Council approve funding for the following Small Grants applications:

- **\$650 to Branxholm Cricket Club**
- **\$500 to Ringarooma Community Cultural Heritage Association**

Carried Unanimously

35/18 2017/2018 Community Matching Grants Application Assessment – Round 2

Reporting Officer: Customer Service/Community Liaison Officer, Elizabeth Hadley
Ref: 18/1219 | Grant Application: 18/613

Purpose

The purpose of this report is to present the recommendations of the Community Grants Committee to Council for approval.

Recommendation

That Council approve funding for the following Community Matching Funding Grants application:

- **\$9,250 to Ringarooma Golf Club Inc.**

Organisation	Project	Project Cost	Grant Requested	Grant Recommendation
Ringarooma Golf Club Inc.	Purchase of Toro Greens Mower	\$18,500	\$9,250	Recommended

Decision

Crs Archer/Quilliam

That Council approve funding for the following Community Matching Funding Grants application:

- **\$9,250 to Ringarooma Golf Club Inc.**

Carried Unanimously

Time Meeting Closed: 7.30 pm

Minutes Confirmed: 19 March 2018

Minute No: 36/18

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Mayor