

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.*



Minutes

Ordinary Meeting of Council

19 March 2018

Council Chambers, 3 Ellenor Street SCOTTSDALE

Commencing at 6.00 pm

TIM WATSON
General Manager

Ref 18/2612

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Dorset Council Meeting

Minutes

19 March 2018

The Meeting Opened: 6.00 pm

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

General Manager T J Watson, Director – Corporate Services J Marik, Director – Community & Development R P Willis, Director – Infrastructure D Griffin

Apologies: Nil

36/18 Confirmation of Ordinary Council Meeting Minutes 19 February 2018

Ref: 18/1533

Decision

Crs Hall/Stein

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 19 February 2018, having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

37/18 Confirmation of Agenda

Decision

Crs Moore/Stein

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

Carried Unanimously

38/18 Declaration of an Interest of a Councillor or Close Associate

Cr Archer Item 45/18

39/18 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/Jessup

That the Management Team Briefing Report be received and noted.

Carried Unanimously

40/18 Council Workshops Held Since Last Council Meeting

6 March 2018 - Councillor Briefing Workshop

41/18 Applications for Leave of Absence

Nil

42/18 Public Question Time

Questions Taken on Notice – 19 February 2018**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 General Manager, Tim Watson:

Council is not aware of any mobility scooter that travels at 40km/hr, indeed a typical mobility scooter cannot exceed 10 km/hr. Any enquiries about the law should be directed to Tasmania Police.

Ms Jenny Bellinger:

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

Response from Director – Community & Development, Rohan Willis:

TasWater is responsible for construction of the Water Treatment Plant at Herrick. Queries regarding the capacity of this infrastructure to service other settlement areas should therefore be directed to TasWater.

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 General Manager, Tim Watson:

The decision to restrict parking on one side of the street was taken after receiving direction from those businesses affected by the congestion occurring in the Main Street. It is also understood that publican from the Federal Hotel had publicly stated on numerous occasions that parking on both sides of the street was an issue that needed addressing.

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?

Response from General Manager, Tim Watson:

The grandstand and grounds are public land and therefore it is extremely unlikely that the existence of a lease with the DCDA would preclude the use of the site as an emergency meeting point.

Emergency Meeting Points (EMPs) are managed by Sustainable Timber Tasmania and are pre-arranged, easily-found locations in rural and remote parts of Tasmania where you can meet up with ambulance or other emergency services. Confirmed EMPs in nearest proximity to Derby are situated at the Tasman Hwy / Mount Paris Dam Road junction and the Winnaleah Road / Tasman Hwy junction.

A Community Bushfire Protection Plan, prepared by Tasmania Fire Service (TFS) for the Derby area, identifies two Nearby Safer Places in Derby: (i) the Council Depot site at Tasman Hwy; and (ii) the Tin Dragon Interpretation Centre (at the junction of Main Street and Christopher Street).

The Derby Community Development Association should contact the TFS directly to discuss any potential change to the status of the Derby Recreation Ground as an EMP and clarify lease implications accordingly.

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?

Response from General Manager, Tim Watson:

Football grounds and camp grounds are typically used as evacuation points in townships all over Australia. This strategy was successfully employed during the Black Saturday bushfires in Victoria.

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

Response from General Manager, Tim Watson:

Council's strategy is to relocate the Works Depot and Fire Brigade Shed for a number of reasons. Firstly, the Depot is an eyesore that is not in fitting with the historical character of Derby. Secondly, the Depot site could be better utilised for commercial purposes to service the Derby and surrounding communities, e.g. restaurant, doctor's surgery, pharmacy, etc. Council will of course consult with those community groups affected by such a relocation.

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

Response from General Manager, Tim Watson:

As per previous answer.

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?

Response from General Manager, Tim Watson:

Council maintains the vast majority of Crown Land within Derby and receives no financial contribution from Crown Land Services. In this context and the fact that townships are the responsibility of Councils and Councils are best suited to understand the needs of their community, it makes absolutely no sense for Crown Land Services to continue to have ownership of this public land.

In addition, every time Council proposes to construct public infrastructure on Crown Land it is required to go through an additional approvals process in

addition to obtaining planning and building approvals. The transfer of public land from Crown Land Services to Council removes this unnecessary administrative process.

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?

Response from General Manager, Tim Watson:

Council is already liable for all potential claims relating to the mountain bike trails. As the mountain bike project is a Council initiative for the benefit of the Dorset community Council has indemnified Crown Land Services, Parks and Wildlife Service, and Sustainable Timber Tasmania against any claims relating to the mountain bike trails.

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?

Response from General Manager, Tim Watson:

As per previous answer.

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?

Response from General Manager, Tim Watson:

The sign is very relevant given the physical constraints of the sealed section of the road.

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?

Response from General Manager, Tim Watson:

No.

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?

Response from General Manager, Tim Watson:

Cascade Dam Road is a public road and Council has at no stage restricted public use of the road to commercial shuttle bus services only – claims to the contrary are a fallacy.

Given the physical constraints of the lower portion of Cascade Dam Road signage was erected to discourage private shuttling to the trails. Further solutions are being investigated to address the ongoing challenges on this section of road.

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

Response from General Manager, Tim Watson:

Subsequent to the completion of the Derby Heritage Study 2012 Council consulted widely with the Derby community including a public meeting and the community provided Council with considerable feedback. The provisions in the Dorset Interim Planning Scheme 2013 are a reflection of that community feedback and the desire of the Council to have controls in place to protect the historical character of Derby. In particular, several Councillors made specific mention of the brick veneer house constructed adjacent to the Dorset Hotel and the adverse impact it had on the historical character of the town.

The Derby Heritage Study 2012 was used to inform the preparation of a number of development standards provided under the Village Zone in the Dorset Interim Planning Scheme 2013. These standards are specific to Derby and require certain development proposals to be sympathetic and not detract from the historic significance of dominant buildings on the same site(s). Matters of consideration here include roof form and materials, wall materials and windows (that face onto Main Street). Under these standards, brick, plastic, vinyl and fibreglass cladding products are prohibited in Derby.

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'?

Response from General Manager, Tim Watson:

As per the April 2017 event the community will be kept informed of any likely impact on residents. As the event is managed and organised externally through Event Management Solutions, any community groups would need to negotiate directly with the event organiser to obtain space within the event village.

Nil

43/18 Deputations

Nil

44/18 Councillor Question Time

Cr Lawrence Archer:

Could I please ask about the Agreement with May Shaw for the operation of Aminya. Around September/October last year Council were told that we were due for an Agreement to be finalised with May Shaw before Christmas. Where are we at with this Agreement?

Response from General Manager, Tim Watson:

We are still waiting for a draft to be provided by Council's Solicitor. The General Manager is currently following up with the Solicitor every few days to expedite this.

The advice to Bridport Innovations regarding the RV Park in Bridport. How do we stand when Council has made a decision in this current financial years budget to construct an RV Park in Bridport and we have gone through a planning application and now at a Workshop (although the Workshop says by consensus) as far as I know Council can't make decisions at Workshops, so how do we stand with reneging on that decision that Council made to have an RV Park in Bridport and provided funds in the budget to do that, surely we are going to need a motion of Council to change that decision?

Response from General Manager, Tim Watson:

My understanding would be is that a budget allocation gives the delegated authority to act on a project, but that doesn't automatically bind Council to deliver that project – as change occurs every year. There are often projects that we can't deliver because circumstances change. Council went through

a planning process and received some significant feedback, which we then responded to by withdrawing the application from assessment. It isn't mandatory that you deliver budget items but what it does it gives you the head of power to spend community money on projects that you as Councillors see as beneficial or required.

Cr Archer declared an interest in Item 45/18, but remained in the room.

45/18 Notices of Motion by Councillors

Mayor Greg Howard – Received 14 March 2018

That Council remove all licence and lease fees paid by sporting clubs and not for profit community groups associated with the use of Council owned facilities.

For discussion at the April Briefing Workshop and subsequent Council Meeting

46/18 Policy Reviews

Reporting Officer: Director – Corporate Services, John Marik
Ref: 18/2347 | Policies - Municipal Logo: 13/12388, Personal Information Protection: 18/1707, Public Liability Insurance for Community Groups: 18/1810

Purpose

The purpose of this report is to review Council policies as listed in the Annual Plan 2017/2018.

Recommendation

That Council:

1. Make no alteration to Policy No. 1 Municipal Logo;
2. Adopt the attached revised Policy No. 20 Public Liability Insurance for Community Groups;
3. Adopt the attached revised Policy No. 36 Personal Information Protection.

Decision

Crs Stein/Hall

That Council:

- 1. Make no alteration to Policy No. 1 Municipal Logo;**
- 2. Adopt the attached revised Policy No. 20 Public Liability Insurance for Community Groups;**

3. Adopt the attached revised Policy No. 36 Personal Information Protection.

Carried Unanimously

47/18 Closure of Meeting

Decision

Crs Hall/Stein

That pursuant to Regulation 15 (2) (d) of the *Local Government (Meeting Procedures) Regulations 2015*, Council close the meeting to the public.

Time: 6.20 pm

Carried Unanimously

Meeting Adjourned: 6.20 pm

Meeting Resumed: 6.35 pm

Time Meeting Closed: 7.07 pm

Minutes Confirmed: 16 April 2018

Minute No: 50/18

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Mayor