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Dorset Council Meeting

Minutes

20 August 2018

The Meeting Opened: 6.00 pm

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

General Manager Tim Watson, Director – Infrastructure Dwaine Griffin, Director – Community & Development Rohan Willis, Director – Corporate Services John Marik

Apologies: Cr S D Moore

The Mayor noted that Deputy Mayor Hall had advised that he would be arriving late to the meeting.

132/18 Confirmation of Ordinary Council Meeting Minutes 16 July 2018

Ref: DOC/18/1404

Decision

MOVED: Cr Jessup | SECONDED: Cr Stein

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 16 July 2018, having been circulated to all Councillors, be confirmed as a true record.

Carried

133/18 Confirmation of Ordinary Council Meeting Closed Session Minutes 16 July 2018

Ref: DOC/18/1405

Decision

MOVED: Cr Arnold | SECONDED: Cr Stein

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 16 July 2018, having been circulated to all Councillors, be confirmed as a true record.

Carried

134/18 Confirmation of Agenda

Decision

MOVED: Cr Stein | SECONDED: Cr Arnold

That Council confirm the Agenda and order of business for the 20 August 2018 Council Meeting.

Carried

135/18 Declaration of an Interest of a Councillor or Close Associate

Nil

136/18 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.

Deputy Mayor Hall joined the meeting (6.07 pm)

Recommendation

That the Management Team Briefing Report be received and noted.

Decision

MOVED: Cr Stein | SECONDED: Cr Arnold

That the Management Team Briefing Report be received and noted.

Carried Unanimously

137/18 Council Workshops Held Since Last Council Meeting

7 August 2018 – Councillor Briefing Workshop

138/18 Applications for Leave of Absence

Nil

139/18 Public Question Time

Question Taken on Notice | 25 June 2018**Karlene Cuthbertson**

We have annual camping site at Mattingley's Beach, Bridport and have just received notification that for six weeks the toilets are going to be locked there I estimate that 100 metres either side of those toilets there are at least 20 – 22 annual sites in that area which brings in over \$65,000 dollars revenue a year for the year and I'm just asking that Council could reconsider not locking the toilets for the six weeks.

Response from Director – Infrastructure Dwaine Griffin

As a result of this excellent feedback from a permanent site holder, Council is amending the existing practice and will now make the Mattingley's Beach amenities available to annual site holders during the winter closure of the Park.

Stuart Bryce:

I represent around 200 people in Dorset who are supporters of the railway. We are a bit concerned about a business plan that you are talking about. Firstly, you said we didn't have a business plan, but we do. Is your business plan actually the February 2014 NTD report or has there been something since?

Response from Mayor Greg Howard:

We don't need a business plan as such. We had to put a business case in with the original funding application but because it is not a commercial operation, we actually don't need a business plan to operate as we are not making any income out of it.

Wendy McLennan:

I represent the North East Railway. Your business plan actually stated that there would be 23,000 visitors post construction which would grow to 35,000 after 15 years, bring \$3.5 million per annum into the region and \$6.8 million in 5 years, support 40 jobs post construction to 83 jobs, and increase economic impact by \$11.2 million per annum. How much economic benefit has there been to the community from the bike track that has been put in from Scottsdale to the Billycock, and where did these figures come from?

Response from Mayor Greg Howard:

Partly it is irrelevant as the section of the track already constructed is too short to attract intrastate, interstate and international visitors as you need a reasonable length of trail to make it attractive to those people. They don't want to come and ride for just 2-3 hours and then go away. The idea of a rail trail is you come and stay for 2-3 days and you stay at accommodation places in the interim. So Lilydale, somewhere in between, the Lavender Farm if they build their new accommodation and Scottsdale. So that's the idea of a rail trail. At the moment it is just a short ride that someone may come from Launceston to ride, or be mainly used by locals, even some people on their way back from Derby have advised that they have ridden the trail back to Scottsdale.

Response from General Manager, Tim Watson:

Northern Tasmania Development (NTD) commissioned the report you are referring to and it was written by a consultancy firm which conduct economic analysis and they are the ones that provided the figures you've quoted by looking at historical patterns of rail trails around Australia.

Trevor Priestley:

First of all, I would like to congratulate the Council. Harry's Hill Road from North Scottsdale to Bridport has finally seen the attention of the Council after 50 years of nagging. Good on Council for doing a darn good job by slashing both sides of it and making it passable and I really commend you for doing that.

I have been coming to Council Meetings on and off for the last 2-3 years. I'm partially deaf, and I sat up the front for a reason, as I cannot hear and I still cannot hear. Is the Council going to put in a decent public address system, so the citizens that do take the time to come can hear?

Response from Mayor Greg Howard:

Firstly, thanks for your feedback regarding Harry's Hill Road. Council have only taken over ownership in the past few years, prior to that it was a privately owned and maintained road. In regards to the public address system, I wouldn't have thought there would be many Councils in Australia which have one.

David Shaw:

In regard to the funding for this stretch of rail track. I know you have the funding for the bike trail part of it, with the section that goes from Lilydale to Wyena which is in the City of Launceston municipality. In the future when it requires maintenance when it falls back on us as ratepayers, who is going to maintain that section?

Response from Mayor Greg Howard:

If the Government appoint Dorset Council as the corridor manager to that point – Lilydale Falls we would be responsible for the maintenance of the entire corridor for which we are the manager. The provision and maintenance of recreational facilities is a responsibility of Council.

Response from General Manager, Tim Watson:

We researched a couple of examples in South Australia of existing rail trails. Before that grant application was submitted two people went over to South Australia and had a discussion with community groups that run the rail trails and established that the maintenance costs are less than \$20,000 a year. They were able to demonstrate that they are able to raise revenue streams such as advertising by local businesses on the trail, in-kind volunteer assistance – it is virtually cost neutral. We don't anticipate there being a burden on the Dorset ratepayers.

Kent Rattray:

When you say it is going to be cost neutral, the rail have always sprayed the weeds down the back of our farms. Will you be keeping up this same maintenance with annual spraying or will this be left unmaintained.

Response from General Manager, Tim Watson:

There would be a maintenance program and I would anticipate that it would be sprayed at least once a year to keep the weeds, etc under control.

Kerrie Donaldson:

Why can't the funding, the \$1.47 million be redirected to the other side, Billycock to Derby, which would make that a longer length?

Response from Mayor Greg Howard:

Firstly, that section of rail wasn't included in the Infrastructure Corridors Bill and ownership still sits with Crown Land. Secondly, all the rails, the sleepers and most of the ballast have all gone, and in some places the formation has been dozed away so to build that section into a rail trail would be substantially more expensive than to construct on an existing railway.

David Paine:

I am a member of the North East & Launceston Railway group. It seems that you haven't allocated a lot of money for things like bridges, handrails, etc. Some of the figures that have been quoted, so they meet Australian Standards, so people can't fall off and hurt themselves.

Response from Mayor Greg Howard:

All of the bridges will have appropriate handrails the same as what is on the bridge over the Great Forrester River at Tonganah. In terms of other items, there aren't too many standards around this type of thing, it has to be nearly a vertical drop off before you are required to put railings on.

Anne-Marie O'Keefe:

I would like to ask why Councillor Stein has gone to the School before coming to the Lions Club out of common courtesy and respect for what we have done for the playground. In naming the playground with using the Bridport Lions name within the playground. I would like to know why we weren't asked first?

Response from Mayor Greg Howard:

We have had discussions with the Bridport Lions Club and in terms of a day or event to name the playground, Bridport Events came to the Council and asked if they could run some sort of event as a fundraiser for the Bridport Street Party which would include the naming of the park with a plaque, etc. As part of that, the School wanted to do a ballet on the spacenet, and Council didn't have a problem with that. At this stage nothing is set in concrete, Councillor Stein has a Notice of Motion tonight to address those issues and that will be discussed in due course and a decision voted on around the table.

Response from Councillor Leonie Stein:

The reason I brought it forward as a Motion was that I have had quite a few conversations with Peter Sattler, the Bridport Lions Club President and he has mentioned about the Bridport Lions not getting recognition. I approached the School about the children helping plant out the foreshore. I had said at the time that it would be good to run a competition where the children had part ownership and hopefully encourage them to respect the area, take ownership of it if they were involved in it. When I spoke to the Principal she said it would be a great idea and I advised that we wouldn't be able get around to do anything until at least spring, I'll come back you then. Then when Bridport Lions sent Council a letter regarding recognition, I thought

the timing is perfect. The reason I have suggested in the Motion that it comes to a Council Workshop is so that everybody can have an input into it, not just I have suggested in the Motion. If Lions would like to come along to that conversation I am sure that Council could accommodate that as well. I have not excluded anyone.

Mary Zegveld:

Going back to the railway/rail trail line. I've heard a lot of people say that we don't get a say, it's what Council has decided – that it's going to be turned into a bike trail. Why hasn't it been put back to the people as a referendum for everyone to have a vote?

Response from Mayor Greg Howard:

You elect Councillors to make decisions in the best interests of their community. We have two competing proposals for a use of some sort of facility that is what Councillors are here for, to look at all the facts and figures that are presented to us and to take into account, especially independent reports such as the Treasury Report that was released, and made a decision in the best interests of community.

Jenny Bellinger:

It is there any way we could have a public meeting to have this out? As you can see people are very passionate about this and I think they are going to get more passionate.

Response from Mayor Greg Howard:

Well I don't think a public meeting is going to achieve anything as you are still going to end up with two opposing views where by the Council still have to make the decision.

Mary Schramm:

My question has a bearing on the economic stack up of various projects. Has the Council at any stage conducted a review of the economic impact of the mountain bike trails in Derby, taking into account the state of facilities for the dwellers in Derby, the number of B&Bs which are owner/occupied or owned by people outside Dorset, therefore taking their profits outside of Dorset from it. There is a lot of activity in Derby, one of the pubs has changed hands, but there is still no general store. My impression is that a part of Dorset has been developed for the mountain biking fraternity and I think that there is a good case for detailed economic impact survey to be taken into account when further bike trails are built. What about the train which so many of us want?

Response from Mayor Greg Howard:

Yes we have done an economic study on Derby. We have track counters on the trails, we do exit polls from accommodation places and eateries in Derby. Tourism Tasmania does exit polls on the ferry and at the airports. We know there were

30,000 riders on the trails last year and they brought in between \$15-\$18 million into the North East, they also spent on average 5 ½ nights in other parts in Tasmania which resulted in \$12-\$15 million pumped into the Tasmanian economy.

Ulf Shcriever:

I am a ratepayer in Launceston and also Dorset Council areas. I think the last few minutes have shown that there are quite a few passionate people regarding this rail vs bike. Isn't it time that there was a survey done in the Dorset Council, who is for and who is against – a very clear one?

Response from Mayor Greg Howard:

If you thought that everyone would reply you would, but people don't reply and people who are in support of something, tend not to. If you look at the last public meeting we had at Bridport we were talking about a hall, with opposing views and there were people in support of the proposal, but not many of them spoke because the people that were against were very aggressive.

Harry Eleftheriou:

Local ratepayer. There have actually been a couple of surveys run over the past 18 months and they have overwhelmingly (approx.. 70%) in support for rail, not bikes. You guys say that you follow the will of the majority, why aren't you following what is listed in your constitution/regulations on your website?

Response from Mayor Greg Howard:

Surveys that are conducted by radio stations and online print media are a very small sample of people's opinions as only so many people will ring the station or write into the paper. Those that do make contact are usually against something. Council don't have a constitution to follow, and this statement is not written anywhere I know of.

David Paine:

From Launceston & North East Railway Group. Does the Dorset Council have any intentions, later on once the trails are developed from Lilydale through to Scottsdale to seal it, or are they just going to leave it as an aggregate surface?

Response from General Manager, Tim Watson:

The really successful rail trails around the world, and some of them are in Australia are sealed. I would envisage that in time the rail would be sealed but a grant would need to be secured to achieve that. No costings have been obtained at this stage.

Douglas Snare:

I come from Launceston and I am in the bike world. My customers are tourists and none of them go on your bike trail. I understand you have three employees maintaining the Derby bike trails, is that correct sir?

Response from Mayor Greg Howard:

Incorrect, we have two employees, a trainee and full time maintenance person.

Susan Shaw:

I am from Ringarooma. I want to know if you are running something as a business, why aren't you charging people to use the rail trail and for certain things that are there as amenities for this function that you are doing?

Response from Mayor Greg Howard:

We are not running individual projects as a business, we run the Council as a business. Recreation facilities right across the municipality cost Council money to maintain and run.

Why can't you charge people to use these trails instead of ratepayers? We have been in Dorset for 10 years and our rates have gone up a colossal amount.

Response from Mayor Greg Howard:

Well that is rubbish. Dorset have one of the lowest rate increases of any Council in the State.

NOTE: *Councillor Officers have since investigated Mrs Shaw's claims about colossal rate increases and have been unable to verify these claims. Since July 2014 the rates on Mrs Shaw's two properties have increased by a combined total of \$14.*

Edwina Powell:

Given the extent of the controversy over the rail trail vs railway and the compromise that was handed down by Minister Gutwein that has not pleased either group possibly, certainly not the railway people. Is there room for this Council to take some sort of lead on the whole controversy and reflect on it and return back to allow for what has been said here tonight and look at the two options and how that could be utilised in the best possible way for Dorset because I think that that may be a way forward. I know it's an awful thing to go back over decisions but in this circumstance I think it could be very worthwhile. The feeling I have, and I didn't have a position on it originally, is that people don't think they have been consulted sufficiently. I don't think a referendum or surveys are the answer, but I think Council could review both proposals and see if they can dovetail into each other.

Response from Mayor Greg Howard:

That is what the Department of Treasury and Finance have done. What they have done is looked at all the reports, and there have been numerous reports from both sides. It has said basically that the best compromise, the best option is Lilydale as a starting point for both proposals. From the rail trail point of view, it needs to start in a town. Treasury also said that the railway is a high cost, high risk option, they haven't consulted with the Office of the National Rail Safety Regulator sufficiently. Any reasonable person would look at both proposals and say that the compromise that

has been announced is a good one. I don't think that Council reviewing going back over it is going to change anything, it won't change the numbers, and the figures will still be the same.

140/18 Deputations

Nil

141/18 Councillor Question Time

Deputy Mayor Max Hall:

Five years ago did we have a group five times larger than this, with the fear of Aminya closing?

Response by General Manager, Tim Watson:

Yes

Did we request to build a road on the western access to Bridport and have we delivered on that?

Response by General Manager, Tim Watson:

Yes, and Council is a third of the way through the construction

Have we delivered on the Aminya Hostel to look after our aged?

Response by General Manager, Tim Watson:

Yes, the solution is progressing.

Cr Sheryl Martin:

What permanent structures are allowed at the Bridport Holiday Park to be erected by campers and do they require a permit?

Response by Director – Community & Development, Rohan Willis:

At the moment we permit temporary structures at the Holiday Park. There are things that are permissible, but they still have to comply with necessary standards and are also subject to Council approval depending on the types of structure. We don't want to clutter the Park and in some circumstances, we haven't given approval or provided consent for lodging those applications. Otherwise, in circumstances where it's not going to congest the park any further, we do apply approvals.

Cr Leonie Stein:

With the recent vandalism in the Bridport Holiday Park on the recently refurbished Eastman's amenities block, can we look at putting in some CCTV surveillance cameras on our facilities throughout the Caravan Park? It will be expensive initially, but so is all the vandalism repairs that we are constantly doing on a regular basis.

Response by Director – Infrastructure, Dwaine Griffin:

I will be looking at that in the 2019/2020 budget.

Cr Dale Jessup:

Could Council please send a letter to the Department of State Growth thanking them for their prompt action regarding the water over the Sideling?

Response by General Manager, Tim Watson:

We would be delighted to do this.

Noting that Council have taken over the management of the Scottsdale Waste Transfer Station, can Council staff consider having a free rubbish day at all municipal transfer stations? This could be advertised in conjunction with the recently amended opening hours at the Scottsdale Waste Transfer Station.

Response by General Manager, Tim Watson:

That is a very good suggestion. We would probably bring an item to a Workshop to discuss a number of initiatives to alleviate the amount of illegal dumping of waste right across the municipality.

Cr Steve Arnold:

I've brought this up in previous years but as we've seen over the last few days with rough weather the trees lining roads are very dangerous. Could Council to write a letter to the Department of State Growth in regards to trees that are so close to some of our roads. Perfect example are the trees that lined the Billycock Hill section of the Tasman Highway.

Response by General Manager, Tim Watson:

We can write to the Department of State Growth and get clarity on what their position is on roadside trees and trimming.

142/18

Notices of Motion by Councillors

Nil

143/18 Notice of Motion – Cr L C Stein – Bridport Playground Naming
Ref: DOC/18/2634

Purpose

The purpose of this agenda item is to consider a notice of motion proposed by Councillor L C Stein.

Recommendation

That the matter be included for further discussion at the September Council Briefing Workshop.

Decision

MOVED: Cr Stein | SECONDED: Cr Hall

That the matter be included for further discussion at the September Council Briefing Workshop.

Carried Unanimously

Mayor Howard vacated the Chair for item 144/18. Deputy Mayor Hall took the Chair.

144/18 Notice of Motion – Cr G J Howard – Good Sports Program
Ref: DOC/18/2637

Purpose

The purpose of this agenda item is to consider a notice of motion proposed by Councillor G J Howard.

Recommendation

That participation in the Good Sports Program be a mandatory requirement for any sporting club using Council facilities where the sporting club's participant base includes young people.

Decision

MOVED: Cr Howard | SECONDED: Cr Archer

That participation in the Good Sports Program be a mandatory requirement for any sporting club using Council facilities where the sporting club's participant base includes young people.

Voting For the Motion: Crs Howard, Archer, Stein, Hall

Voting Against the Motion: Crs Martin, Arnold, Jessup

Carried

The Mayor retook the Chair

Purpose

The purpose of this agenda report is for Council to formally resolve its intention to donate approximately 5,500 sq/m of Council owned land known as Hawkes Place, Scottsdale – Certificate of Title 9414/303.

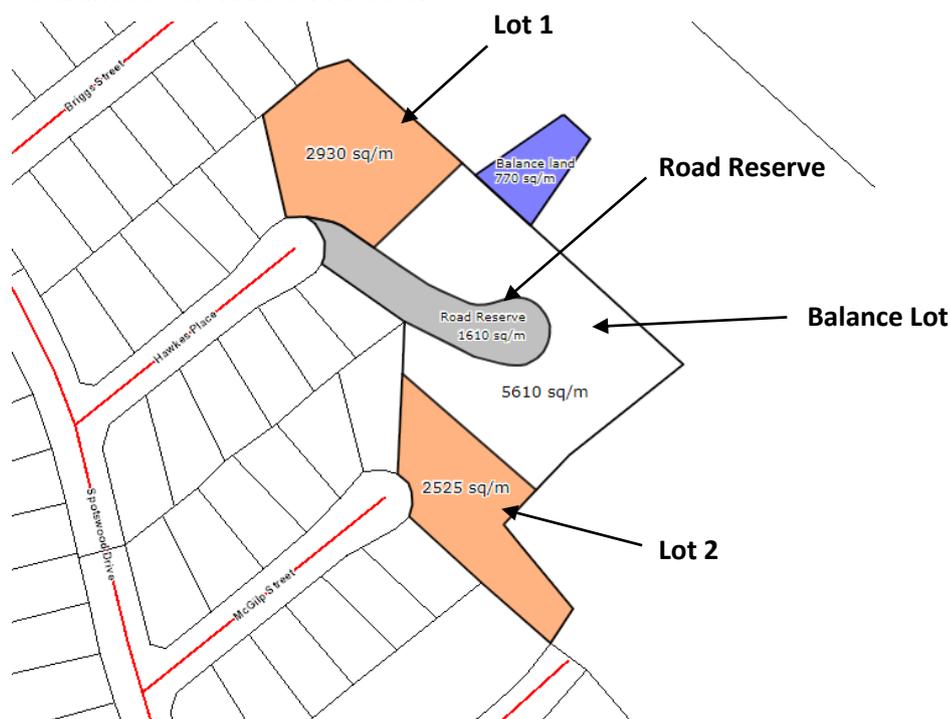


Diagram 1

Recommendation

1. That Council resolve an intent to donate the following land to CatholicCare in compliance with Section 178 of the *Local Government Act 1993*:
 - a. Lot 1 and Lot 2 per diagram 1 above. (it should be noted that the above diagram is indicative and the actual subdivision dimensions may be subject to minor variations)
2. As an interim measure Council enter into a 99 year lease with CatholicCare re Lot 1 and Lot 2 per diagram 1 above. The 99 year lease to be rescinded once title is available and a transfer can be affected.

Decision

MOVED: Cr Hall | SECONDED: Cr Archer

1. That Council resolve an intent to donate the following land to CatholicCare in compliance with Section 178 of the *Local Government Act 1993*:

- a. Lot 1 and Lot 2 per diagram 1 above. (it should be noted that the above diagram is indicative and the actual subdivision dimensions may be subject to minor variations)
2. As an interim measure Council enter into a 99 year lease with CatholicCare re Lot 1 and Lot 2 per diagram 1 above. The 99 year lease to be rescinded once title is available and a transfer can be affected.

Carried Unanimously

146/18 Unpaid Rates and Charges – Section 137 Notices

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/18/2532

Purpose

The purpose of this item is to amend the Council resolution of 19 February 2018 relating to the recovery of unpaid rates on twelve properties.

Recommendation

That Council make application to the Minister for the following properties to be transferred to Council, and subject to Ministerial approval, the properties be on sold to the adjoining land owners at market value:

- a. Mathinna Plains, Ringarooma, TAS, 7263 (title reference 210055/1)
- b. West Maurice Road, Ringarooma, TAS, 7263 (title reference 207125/1)
- c. Mutual Road, Derby, TAS, 7264 (title reference 207400/1)
- d. Scott Street, Branxholm, TAS, 7261 (title reference 164944/1)
- e. 263 Banca Road, Winnaleah, TAS, 7265 (title reference 208925/1)
- f. Boobyalla Road, Boobyalla, TAS, 7264 (multiple titles 131393/1; 121393/2; 121393/3, 215360/1; 96436/25)

Decision

MOVED: Cr Jessup | SECONDED: Cr Hall

That Council make application to the Minister for the following properties to be transferred to Council, and subject to Ministerial approval, the properties be on sold to the adjoining land owners at market value:

- a. Mathinna Plains, Ringarooma, TAS, 7263 (title reference 210055/1)
- b. West Maurice Road, Ringarooma, TAS, 7263 (title reference 207125/1)
- c. Mutual Road, Derby, TAS, 7264 (title reference 207400/1)
- d. Scott Street, Branxholm, TAS, 7261 (title reference 164944/1)
- e. 263 Banca Road, Winnaleah, TAS, 7265 (title reference 208925/1)
- f. Boobyalla Road, Boobyalla, TAS, 7264 (multiple titles 131393/1; 121393/2; 121393/3, 215360/1; 96436/25)

Carried Unanimously

147/18 Budget Variation 1 of 2018/19

Reporting Officer: Director – Infrastructure, Dwaine Griffin
Ref: DOC/18/2642

Purpose

The purpose of this item is to seek a budget variation to the Budget Estimates for 2018/19.

Recommendation

That Council approve the following budget variation:

1. That Council approve a variation to the 2018/19 budget estimates of \$182,000 to bring forward the renewal of a backhoe.

Decision

MOVED: Cr Stein | SECONDED: Cr Jessup

That Council approve the following budget variation:

1. **That Council approve a variation to the 2018/19 budget estimates of \$182,000 to bring forward the renewal of a backhoe.**

Carried Unanimously

148/18 Closure of Meeting

Decision

MOVED: Cr Hall | SECONDED: Cr Arnold

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

Time Meeting Closed to the Public: 7.45 pm

Carried Unanimously

Meeting Adjourned: 7.45 pm

Reason: For tea break with members of the public

Meeting Resumed: 8.02 pm

The following matters were listed in the Closed Session Meeting section of the Council Agenda in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*:

Item 149/18 Contract 2018/19-03 Elizabeth Street Bridport Upgrade

Item 150/18 Contract 2018/19-02 Asphalt & Concrete Footpath Construction and Associated Works

Item 151/18 Contract 2018/19-05 Bituminous Sealing of Roads

The reports on these matters were listed in the Closed Session Meeting section of the Council Agenda in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* as the detail covered in the reports relating to:

- Contracts and tenders for the supply of goods and services
-

Time Meeting Closed: 8.16 pm

Minutes Confirmed: 17 September 2018

Minute No: 153/18

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Mayor