



*dorset*  
C O U N C I L

# Ordinary Minutes

Council Meeting

16 December 2019

*it's in the making*

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## Council Meeting Minutes 16 December 2019

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**Meeting Opened:** 6.00pm

**Present:** Crs Greg Howard (Mayor), Dale Jessup (Deputy Mayor), Wendy McLennan, Edwina Powell, Murray Lade, Mervyn Chilcott, Jerrod Nichols, Leonie Stein

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

**Apologies:** Cr Jan Hughes, Director – Works & Infrastructure: Dwaine Griffin

**Item 195/19**      **Confirmation of Annual General Meeting Minutes – 18 November 2019**  
Ref: DOC/19/12986

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*The Chair reported that he had viewed the minutes of the Annual General Meeting held on Monday, 18 November 2019, finds them to be a true record and recommends that they be taken as read and signed as a correct record.*

### Decision

**MOVED:** Cr Jessup | **SECONDED:** Cr Nichols

That the Minutes of Proceedings of the Dorset Council Annual General Meeting held on 18 November 2019 having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

Item 196/19

Confirmation of Ordinary Council Meeting Minutes – 18 November 2019

Ref: DOC/19/12986

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*The Chair reported that he had viewed the minutes of the meeting of the Ordinary Meeting held on Monday, 18 November 2019, finds them to be a true record and recommends that they be taken as read and signed as a correct record.*

**Decision**

MOVED: Cr Stein | SECONDED: Cr Chilcott

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 18 November 2019 having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

*The Chair to ask Councillors if there are any questions they wish to ask in relation to the Closed Session Minutes that would require them to be discussed in Closed Session*

Item 197/19

Confirmation of Ordinary Council Meeting Closed Session Minutes – 18 November 2019

Ref: DOC/19/12986

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*The Chair reported that he had viewed the minutes of the meeting of the Ordinary Meeting Closed Session held on Monday, 18 November 2019, finds them to be a true record and recommends that they be taken as read and signed as a correct record.*

**Decision**

MOVED: Cr Stein | SECONDED: Cr Nichols

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 18 November 2019 having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

Item 198/19

Confirmation of Agenda

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**Decision**

MOVED: Cr Jessup | SECONDED: Cr Chilcott

That Council confirm the Agenda and order of business for the 16 December 2019 Council Meeting.

Carried Unanimously

Item 199/19

Declaration of an Interest of a Councillor or Close Associate

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In accordance with Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary interest or pecuniary detriment) or conflict of interest in any item on the Agenda.

#### **INTEREST DECLARED**

Nil

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#### **Item 200/19                      Management Team Briefing Report**

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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.

#### **Recommendation**

That the Management Team Briefing Report be received and noted.

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#### **Decision**

**MOVED: Cr Stein | SECONDED: Cr Lade**

That the Management Team Briefing Report be received and noted.

**Carried Unanimously**

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#### **Item 201/19                      Council Workshops Held Since Last Council Meeting**

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3 December 2019 – Briefing Workshop

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#### **Item 202/19                      Councillor Applications for Leave of Absence**

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Nil

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#### **Item 203/19                      Public Question Time**

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#### **Item 204/19                      Deputations**

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Nil

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#### **Item 205/19                      Councillor Question Time**

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**Councillor Wendy McLennan:**

*When you are coming out of the carpark at the Old Pier, if there are any large vehicles parked on that corner from Charles Street to that first driveway it is very difficult to manoeuvre out of that carpark. Would it be possible to place a yellow line or something similar to indicate that no parking is allowed in that section of the street?*

**Question Taken on Notice**

**Councillor Leonie Stein:**

*I raised it at the Workshop about the amount of heavy vehicles still using Main Street, Bridport, in particular milk tankers. Could we monitor this, especially with the busy summer season about to commence?*

**Response from Mayor Greg Howard:**

Council Officers will follow up with heavy vehicle users in the area.

**Councillor Dale Jessup:**

*Just a question regarding the adult exercise equipment that we have got ordered for the Scottsdale Children's Reserve. Just querying the location of that equipment so far in that it doesn't seem to be an area that people would normally exercise in, like there is no other exercise equipment in the reserve. I was wondering whether it would be better placed on the Listers Lane walking track or located where there are similar pursuits?*

**Question Taken on Notice**

**Councillor Murray Lade:**

*I received a letter regarding an underpass that Council are going to install with a property owner at Legerwood. This ratepayer asked if this underpass would be more feasible on the Tasman Highway due to the amount of traffic that uses this road compared to Carisbrook Lane?*

**Response from Mayor Greg Howard:**

Underpasses are a joint venture between the State Government and the landowner. It is up to the landowner to decide whether they firstly want one, and where it would be located. You may be correct about the cattle crossing over the Tasman Highway but if the landowner doesn't want an underpass then it won't progress. As Council are going to reconstruct part of Carisbrook Lane, we agreed to install the underpass as part of these scheduled works.

*Mayor Howard vacated the Chair*

*Deputy Mayor Jessup took the Chair*

**Item 207/19**

**Notice of Motion – Councillor Greg Howard - Pioneer Water**

Ref: DOC/19/13651 | NoM: DOC/19/13652

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**Purpose**

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

**Recommendation – Cr Howard**

That Dorset Council unequivocally support the re-introduction of treated reticulated water to Pioneer residents.

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**Decision**

**MOVED: Cr Howard | SECONDED: Cr Chilcott**

That Dorset Council unequivocally support the re-introduction of treated reticulated water to Pioneer residents.

**Carried Unanimously**

*Deputy Mayor Jessup vacated the Chair*

*Mayor Howard re-took the Chair*

**Item 208/19**

**Delegation – *Land Use Planning and Approvals Act 1993***

Reporting Officer: Director – Community & Development, Rohan Willis

Ref: DOC/19/13487

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**Purpose**

To review delegations provided under Section 6 of the *Land Use Planning and Approvals Act 1993*.

**Recommendation**

That Council, pursuant to Section 6 of the *Land Use Planning and Approvals Act 1993*, delegate the following powers and functions to Council’s Town Planner, with conditions and restrictions as shown:

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**Decision**

**MOVED: Cr McLennan | SECONDED: Cr Chilcott**

That Council, pursuant to Section 6 of the *Land Use Planning and Approvals Act 1993*, delegate the following powers and functions to Council’s Town Planner, with conditions and restrictions as shown:

Provision	Function or Power	Conditions or Restrictions
Part 4 Generally	<p>Authority to require the making of a permit application and to undertake actions and proceedings in pursuance of the Council’s obligations as a planning authority to observe and enforce compliance of a planning scheme; including:</p> <ul style="list-style-type: none"> <li>i) to give such advice, consultation, referral or notification as required under this Part;</li> <li>ii) to represent the Council and to give evidence before the Resource Management and Planning Appeal Tribunal in respect of any appeal against a decision on a planning permit;</li> <li>iii) to initiate legal proceedings for any use of land, development or act if: <ul style="list-style-type: none"> <li>• contrary to a State Policy, planning scheme or special planning scheme;</li> <li>• an obstruction of a planning scheme or special planning scheme; or</li> <li>• a breach of a condition or restriction of a planning permit.</li> </ul> </li> </ul> <hr/> <p>Authority to represent the planning authority or to appoint a person to represent the planning authority and to give evidence, on a planning appeal or other action, including any mediation, before the Resource Management and Planning Appeals Tribunal or any other body of competent jurisdiction.</p>	Nil.
S.48AA	Enforcement of special permits	Nil.
S.48A	Notice to remove signs	Nil.
S.51	Permits	Nil.
S.53(5A)	Granting extension to period to substantially commence	Nil.
S.54	Additional information	Nil.
S.55	Correction of mistakes in a permit	Nil.
S.56	Minor amendments of permits	Nil.
S.57(2)	Authority to refuse grant of a permit	If a use or development proposed by an



		application is prohibited by the planning scheme.
S.57(6) & (7)	Authority to grant a permit and serve notice	If: <ul style="list-style-type: none"> <li>a) no representations have been received that object to an application; and</li> <li>b) the total cost of development applicable to the application is less than \$5 million (excluding any development for uses identified under the Resource Development or Utilities use classes of the Council's planning scheme); and</li> <li>c) the recommendation of the Director Community and Development is to grant a permit; or</li> <li>d) there will be a failure to determine an application for a permit under s.57 before the expiration period referred to in either s.57(6)(b)(i) or (ii).</li> </ul>
S.57(6A)	Negotiate an extension of time for determination of a permit application	Nil.
S.57A	Mediation	Nil.
S.58	Application for other permits	Nil.
S.59(7)	Determine an application for a permit if the statutory time has elapsed	Nil.
S.61	Represent the Council in an appeal against a permit decision	Nil.
S.63B(3)	Authority to issue notice in response to a person making an allegation of a contravention or likely contravention of a planning scheme or permit	Nil.
S.64	Initiate civil enforcement proceedings for breach of a planning scheme or a permit	Council to be advised at next Ordinary Meeting.

S.71	Require an Agreement	Nil.
S.75	Amend agreements	Nil.
S.76	Lodge Agreement with Commission	Nil.
S.78	Registration of agreements	Nil.
S.80	Represent the Council or appoint a/ person (legal practitioner) to represent the Council in proceedings before the Appeal Tribunal	Nil.
S.84	Serve notices or other documents	Nil.
S.86	Requirement to pay fees	Nil.

**Carried Unanimously**

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**Item 209/19**                      **Variation to 2019/20 Annual Plan – Bushfire Mapping Amendment**  
Reporting Officer: Director – Community & Development, Rohan Willis  
Ref: DOC/19/13735

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**Purpose**

The purpose of this agenda report is to present a proposed variation to the 2019/20 Annual Plan.

**Recommendation**

That Council defer the following 2019/20 Annual Plan – Priority Action Plan activity to be completed during the June 2020 quarter:

*Bushfire Mapping Amendment – Initiate draft amendment of Planning Scheme.*

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**Decision**

**MOVED: Cr Jessup | SECONDED: Cr Stein**

**That Council defer the following 2019/20 Annual Plan – Priority Action Plan activity to be completed during the June 2020 quarter:**

*Bushfire Mapping Amendment – Initiate draft amendment of Planning Scheme.*

**Carried Unanimously**

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**Item 210/19**                      **Related Party Disclosures Policy Review**  
Reporting Officer: Director – Corporate Services, John Marik  
Ref: DOC/19/13560 | Policy: DOC/19/12977

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**Purpose**

The purpose of this agenda item is to review the Related Party Disclosures Policy.

### Recommendation

That Council adopt reviewed Policy 52 - Related Party Disclosures.

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### Decision

MOVED: Cr Jessup | SECONDED: Cr Nichols

That Council adopt reviewed Policy 52 - Related Party Disclosures.

Carried Unanimously

### Item 211/19

### Waste Management Strategy Update

Reporting Officer: Director – Corporate Services, John Marik  
Ref: DOC/19/13553

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### Purpose

The purpose of this agenda item is to provide an update to Council and the community on the Waste Management Strategy.

### Recommendation

Council receive and note the Waste Strategy update.

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### Decision

MOVED: Cr Nichols | SECONDED: Cr Stein

Council receive and note the Waste Strategy update.

Carried Unanimously

### Item 212/19

### Closure of Meeting to the Public

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### Decision

MOVED: Cr Jessup | SECONDED: Cr Stein

That the Meeting be closed to the public pursuant to Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, and that members of the public be required to leave the meeting room.

Time Meeting Closed to the Public: 6.37 pm

Carried Unanimously

Meeting Adjourned: 6.37 pm

Reason: For tea break with members of the public

Meeting Resumed: 6.50 pm

## CLOSED SESSION AGENDA ITEM

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The following matter was 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 213/19 General Manager's Annual Performance Review

The report on this matter was listed in the Closed 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 report relates to:

- Personnel matters

Time Meeting Closed: 7.10 pm

Minutes Confirmed: 20 January 2020

Minute No: 1/20

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Mayor