



*dorset*  
C O U N C I L

# Ordinary Minutes

Council Meeting

16 March 2020

*it's in the making*

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## Council Meeting Minutes 16 March 2020

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**Meeting Opened:** 6.00 pm

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

General Manager: Tim Watson, Director – Works & Infrastructure: Dwaine Griffin, Director – Corporate Services: John Marik, Director – Community & Development: Rohan Willis, Town Planner: Thomas Wagenknecht, Customer Service/Community Liaison Officer: Elizabeth Hadley

**Apologies:** Cr Murray Lade

**Item 28/20** Confirmation of Ordinary Council Meeting Minutes – 17 February 2020  
Ref: DOC/20/584

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*The Chair reported that he had viewed the minutes of the meeting of the Ordinary Meeting held on Monday, 17 February 2020, 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 Chilcott

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 17 February 2020 having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

**Item 29/20 Confirmation of Agenda**

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**Decision**

**MOVED: Cr Nichols | SECONDED: Cr Stein**

**That Council confirm the Agenda and order of business for the 16 March 2020 Council Meeting.  
Carried Unanimously**

**Item 30/20 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**

Cr Chilcott     Item 38

**Item 31/20 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 Powell**

**That the Management Team Briefing Report be received and noted.**

**Carried Unanimously**

**Item 32/20 Council Workshops Held Since Last Council Meeting**

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3 March 2020 | Council Briefing Workshop

**Item 33/20 Councillor Applications for Leave of Absence**

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Nil

The following questions were taken on notice at the 17 February 2020 Council Meeting:

**Judy Barnes:**

*The entrance coming out of the Gladstone tip and also coming out of Edward Street has started to become quite dangerous with the increased traffic and you can't see until you're nearly in the middle of the road. Could Council install some sort of reflector mirrors so you can see the traffic that's coming?*

**Response from General Manager, Tim Watson:**

The request has been entered into Council's customer request system for follow up.

**Vincent Teichmann:**

*Does Council have an idea on how much the Scottsdale Swimming Pool is leaking and how much that is costing per year?*

**Response from General Manager, Tim Watson:**

Council has been constantly making repairs to the ageing facility for several years. Estimating the amount of water leaking and cost per year is a complex task, suffice to say the pool is due for decommissioning and replacement with a new pool commencing mid 2020.

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The following questions were received on notice on 6 March 2020:

**Karl Willrath:**

*Mayor Howard, in your opinion piece that was published in the Examiner Newspaper in Oct 2019, you stated*

*"There is ample evidence that some members of the code of conduct panels have shown themselves to be biased against certain councillors, dishonest, are prepared to collude with complainants and witnesses and ignore the requirements of the Local Government Act just to get a win against a councillor"*

- 1. Can you please supply and explain this evidence that you clearly must have to make such bold claims?*
- 2. Did you exercise due diligence with this evidence and notify the Integrity Commission, and if so on what date did you notify them?*

**Response from Mayor Greg Howard:**

1. The information is confidential and not for public dissemination.
2. There are far better forums than the Integrity Commission for which to effect change on these matters.

\*\*\*\*\*

**Mary Schramm:**

*Has the Council or the Works Manager taken on board the condition of the Ringarooma Hall and the list of identified deficiencies that need remedying?*

**Response from Director – Works and Infrastructure, Dwaine Griffin:**

The Hall is included in annual maintenance inspections, as all Council asset buildings are. Anything that comes out of that will be put up for consideration at Council budget time.

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**Item 35/20                      Deputations**

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Nil

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**Item 36/20                      Councillor Question Time**

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**Councillor Edwina Powell**

*We have discussed Council's response to the Coronavirus, but I'm interested in what will be done to prepare for the event in Derby in April given the number of visitors expected?*

**Response from General Manager, Tim Watson:**

The event has been postponed. It's going to have more than 500 people and there's a Commonwealth ban in place. We are contacting all the vendors and people who had pre-purchased tickets.

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**Item 37/20                      Notices of Motion by Councillors**

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Nil

Cr Chilcott declared an interest in Item 38/20 but stated it was immaterial and did not leave the room

## Item 38/20

### 2019/2020 Matching Funds Grants Application Assessment – Round 2

Reporting Officer: Customer Service/Community Liaison Officer, Elizabeth Hadley  
Ref: DOC/20/2483

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#### Purpose

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

Organisation	Project	Project Cost (Incl. GST)	Grant Requested (Excl. GST)	Grant Recommendation
Scottsdale Bowls Club Inc.	Shade Cloth Refurbishment	\$4,348.36	\$2,066	Recommended
Ringarooma Golf Club	Purchase of Lawn Mower, Brush Cutter, Compressor and Security System	\$5,372.91	\$2,442.23	Recommended

#### Recommendation

That Council approve the following funding contributions under the Community Grants Program:

- \$2,066 to Scottsdale Bowls Club Inc.; and
- \$2,442.23 to Ringarooma Golf Club.

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#### Decision

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

That Council approve the following funding contributions under the Community Grants Program:

- \$2,066 to Scottsdale Bowls Club Inc.; and
- \$2,442.23 to Ringarooma Golf Club.

**Carried Unanimously**

## Item 39/20

### 2019/2020 Discretionary Grants Application Assessment – Round 2

Reporting Officer: Customer Service/Community Liaison Officer, Elizabeth Hadley  
Ref: DOC/20/2484

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#### Purpose

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

Organisation	Project	Project Cost (Incl. GST)	Grant Requested (Excl. GST)	Grant Recommendation
Jetsonville Playgroup	Deck Roof – Stage 1	\$9,240	\$8,400	Recommended (Conditional upon all applicable regulatory approvals being obtained within a period of six months)

### Recommendation

That Council approve the following funding contribution under the Community Grants Program:

- \$8,400 to Jetsonville Playgroup, conditional upon all applicable regulatory approvals being obtained within a period of six (6) months.

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### Decision

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

That Council approve the following funding contribution under the Community Grants Program:

- \$8,400 to Jetsonville Playgroup, conditional upon all applicable regulatory approvals being obtained within a period of six (6) months.

**Carried Unanimously**

*\*\*\*Councillors were reminded that they are acting as a Planning Authority for Item 40/20*

**Item 40/20                      Additions and Alterations to Managers Dwelling, Cheesery and Café; and Visitor Accommodation (Camping) – 62 Bridport Back Road NABOWLA and Crown Road Reserve NABOWLA**

Reporting Officer: Town Planner, Thomas Wagenknecht

Ref: DOC/20/2603 | PLA/2019/142

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### Purpose

The purpose of this report is for Council to consider a proposal for: i) additions and alterations to an existing managers dwelling; ii) the partial conversion of the managers dwelling to a cheesery and café; and iii) the development of a camping area (visitor accommodation) at 62 Bridport Back Road, Nabowla. The proposal would be accessed via a private vehicle access across a Crown Land road reserve.



## Recommendation

It is recommended that the proposal for the additions and alterations to the managers dwelling, cheesery and café, and visitor accommodation (camping) at 62 Bridport Back Road NABOWLA and reliant on an unnamed crown reserved road, be approved subject to the following conditions:

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## Decision

**MOVED: Cr Nichols | SECONDED: Cr Chilcott**

It is recommended that the proposal for the additions and alterations to the managers dwelling, cheesery and café, and visitor accommodation (camping) at 62 Bridport Back Road NABOWLA and reliant on an unnamed crown reserved road, 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 (PLA/2019/142). Any substantial variation from this application will require the further planning consent of the Council.

### **2. Stormwater Management**

Stormwater discharged from the impervious areas (including vehicle areas, paving and building roofed areas) of the development must be managed by the responsible person within the subject land so as to ensure that flooding, erosion and environmental nuisance is minimised to the satisfaction of the Council's Town Planner.

### **3. Construction of Vehicle Parking and Access**

Prior to the commencement of the use, and to the satisfaction of Council's Town Planner, areas set aside for the parking of vehicles, together with the aisles, must be:

- i) constructed, drained and maintained in a condition suitable for use by the vehicles which will use the areas;
- ii) marked or provided with clear physical means to delineate vehicle parking spaces; and
- iii) where the access serves 21 or more car parking spaces, have a minimum vehicle access width of 5.5 metres; and
- iv) where the access services 6 to 20 car parking spaces, have a minimum vehicles access width of 3 metres with passing bays (2 metres wide by 5 metres long plus entry and exit tapers) every 30 metres.

### **4. Hours of Operation – Café (Food Services Use)**

Without the prior approval of Council's Town Planner, operation of the approved food services use must be confined to:

- 9.00 am to 7.00 pm Monday to Friday; and
- 9.00 am to 7.00 pm Sunday.

**NOTE:** For the purpose of this permit “**the person responsible**”, depending on the context, means:

- a) The person who has and takes the benefit of this permit for the undertaking of the use or development authorised pursuant to it;
- b) The person or persons who undertake development or use pursuant to this permit; and
- c) Servants, agents and contractors, in each case of such persons.

#### 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:

- (a) the date on which the permit is granted; or
- (b) 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) Adjoining Forestry Operations*

It is noted that adjoining land is utilised by various landowners for the purposes of forestry plantations. This is an existing use with associated use right within a traditional agricultural and forestry area where these practices have been part of the landscape at Nabowla for a significant time. The applicant should be aware that a variety of forestry operations such as felling, processing using mechanical equipment, transport of processed logs using log trucks, burning of logging slash, site preparation using excavators, weed control, tree planting, fertilizer application, pest control, tree pruning and measuring, and the like may occur from time to time on those premises.

##### *(vii) 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

- (c) Works in Crown Land approval
- (d) Food Business Registration

Carried Unanimously

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**Item 41/20                      Closure of Meeting to the Public**

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**Decision**

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

**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:    6.26 pm**

Carried Unanimously

**Meeting Adjourned:                      6.26 pm**

*Reason:*                                      For tea break with members of the public

**Meeting Resumed:                        6.45pm**

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## **CLOSED SESSION AGENDA ITEMS**

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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 42/20      Contract 2019/20-07 – Scottsdale Pool Redevelopment ‘Design and Construct Wet Play Area’**

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:

- Contracts and tenders for the supply of goods and services

**Time Meeting Closed:                      6.53 pm**

Minutes Confirmed: 27 April 2020

Minute No: 44/20

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Mayor