



dorset
C O U N C I L

Minutes

Council Meeting

15 March 2021

it's in the making

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Council Meeting Minutes 15 March 2021

Meeting Opened: 6:28 pm

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

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

Apologies: Cr Murray Lade

Item 33/21 **Confirmation of Ordinary Council Meeting Minutes – 15 February 2021**
Ref: DOC/21/1500

The Chair reported that he had viewed the minutes of the Ordinary Meeting held on Monday, 15 February 2021, finds them to be a true record and recommends that they be taken as read and signed as a correct record.

Decision

MOVED: Cr Chilcott | **SECONDED:** Cr Hughes

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 15 February 2021 having been circulated to all Councillors, be confirmed as a true record.

CARRIED UNANIMOUSLY

Item 34/21 Declaration of an Interest of a Councillor or Close Associate

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 42

Item 35/21 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

MOVED: Cr Jessup | SECONDED: Cr Stein

That the Management Team Briefing Report be received and noted.

CARRIED UNANIMOUSLY

Item 36/21 Council Workshops Held Since Last Council Meeting

2 March | Briefing Workshop

15 March | Special Briefing Workshop

Item 37/21 Councillor Applications for Leave of Absence

Nil

Item 38/21 Public Question Time

The following questions were taken on notice at the 15 February 2021 Meeting:

Gayle Scott, Derby:

- 1. When will a community consultation meeting be held with the remaining Derby residents?*

Response from Mayor Greg Howard:

I have listened to the tape of the Council meeting and it was suggested at the meeting that further public consultation be via a meeting of Derby residents and the DCDA with a representation from that meeting to meet with Council. This occurred on the 6th March 2018 when Terry Smith and Rob Thompson attended a Council workshop. Most of the issues other than those which are disputed have been solved.

2. *Why do new buildings, developments and current planning applications in Derby all have a relaxation of wall, window and roof material standards?*

Response from Director – Community & Development, Rohan Willis:

Only those planning applications that have to be publicly advertised due to relying on the ‘performance criteria’ of certain standards under Council’s planning scheme are prefixed with the term “relaxation of...”. What this is saying is that an application that, for whatever reason, does not meet a particular ‘acceptable solution’ of a standard (e.g. a non-residential building is proposed to be located closer than 3 metres to a rear boundary in the Village Zone), must instead rely on demonstrating compliance with the corresponding *performance criteria* of that standard. In the context of the example used, this would involve a subjective assessment of the proposed building location to determine whether a “relaxation” of the *acceptable solution* measurement (3 metres to a rear boundary) is appropriate. This is the standard procedure taken by many Council’s in Tasmania when publicly advertising planning applications for these circumstances and is certainly not specific to Derby – or Dorset – alone.

You also said you were going to liaise with Tas Fire about adequate signage in times of high fire danger and total fire bans. What was the outcome of that?

Response from Mayor Greg Howard:

We forwarded the petition from North East residents to Tas Fire Service and as was pointed out in Mr Thompson’s letter Tas Fire Service is not in the habit of erecting signage depicting fire danger ratings. On total fire ban days Tas Fire Service use all forms of media to make people aware of the risks and requirements. They consider these forms of notification sufficient.

It should be noted that Council has installed fire pots across the park and along the river frontage where camping is allowed.

Vincent Teichmann, Pioneer:

Have Council thought about installing safety mirrors on some of the blind corners? There are a couple of places where accidents could very easily happen. They are not that expensive and they do a good job.

Response from General Manager, Tim Watson:

Council has taken this suggestion on notice and is investigating further.

How does Council feel about installing a rubbish bin at the top of Black Stump? For a couple of years I've been trying to look after the rubbish there generated by riders and some of it is from the drinks esky when the lapidary club runs a fundraiser, but a lot of it is other waste. It would be handy to have a recycling bin and a property Council rubbish bin to make it easier for people to sort their rubbish.

Response from General Manager, Tim Watson:

Whilst a commonsense suggestion, it is not possible for Council's waste removal vehicles to access black stump. Council's approach to rubbish is the same as adopted by the Parks and Wildlife Service which basically encourages visitors to take their rubbish with them rather than supplying bins.

Once the trails Air-Ya-Garn, its one of the fastest trails and most popular but because of the variation in rider speed you sometimes have issues with faster riders catching up to slower riders not knowing that they are ahead of them on the trail. How do you feel about placing a stop watch or some sort of timing device like a dial at the beginning so that riders could show what speed they are riding at? This would then allow a rider about to start to see what is ahead of them and time their ride. It would make the trail safer.

Response from General Manager, Tim Watson:

The issue of slower riders or indeed beginners and novice riders is an issue to which there is no practical solution as the suggested solution would require multiple timers located along the trail. It is noted that despite the trail being rated black diamond, riders of limited ability and experience are still choosing to ride the trail. Council's strategy is to obtain funding to construct a green flow trail from black stump which should divert inexperienced riders off Air-Ya-Garn.

The following questions were received on notice:

Karl Willrath, Scottsdale | 26 February 2021

Does the Mayor think that since the state gov introduced legislation, post CV-19, that made it mandatory for the 29 "micro" councils, to record council meetings and place them on their web site was a good idea? Or does the Mayor think it was better under the "Dorset Council method" when constituents had to go into the office, and then sometimes have to go back because the right member of staff was unavailable to make a copy of the audio?

Response from Mayor Greg Howard:

A mandatory requirement for Councils to audio record Council Meetings and place them on the website if Councils could not meet in person was introduced as part of COVID restrictions. Dorset Council decided to continue the process after public access was resumed. I supported this initiative.

Under the local gov review, mandatory video live streaming of council meetings may also be passed into legislation. Does the Mayor think this would also help constituents to actively participate in our democracy?

Response from Mayor Greg Howard:

There is no suggestion that video live streaming will become mandatory.

Karl Willrath, Scottsdale | 5 March 2021

On any future rail trail developments, can the worn out sections of rail be donated to the land owners to use as fence posts? At the moment, due to the closeness of some of the modern farm fencing on the Scottsdale to Billycock section, it appears to resemble something more like an open ended prison exercise yard, than a nostalgic heritage rail trail.

Response from Mayor Greg Howard:

I am rather intrigued as to how you know what a prison exercise yard looks like. Nonetheless your comparison is grossly inaccurate given the vast majority of the current rail trail is not fenced. Of those sections that are fenced most of the fences are the original fences from the freight train days.

There are only 3 short sections at Tonganah, Ling's Siding and north of Carey's Lane where modern farm fences have been erected closer to the rail trail and the adjoining landowners should be congratulated on the manner in which they are controlling the weeds and vegetation close to the trail.

As far as donating used rail to landowners, railway iron is no longer considered a practical product for fence construction due to the handling issues, rust transfer problems and fence erection timelines and cost.

The ongoing obesity pandemic is killing and disabling an unacceptable percentage of the population. Is the Dorset Council going to play its part in challenging this health issue, and ban the sale of sugary drinks and all unhealthy food from the Scottsdale pool?

Response from Mayor Greg Howard:

Dorset Council has spent considerable funds expanding recreational opportunities for our residents at the same time making those opportunities free to access. We are way in front of other Councils in Tasmania in this regard.

The kiosk at the pool was managed by the contractor engaged to manage the pool. Council did not interfere with the food choices provided by that operator as it is their business to operate as they saw fit and we had no intention of interfering in that arrangement.

Lawrence Archer, Bridport | 6 March 2021

In relation to the Derby bike trails what income was received by the Dorset Council during the 19/20 financial year for each of the following:

1. *Sponsorship.*
2. *Hire of trails.*
3. *Donation boxes.*
4. *Sale of souvenirs?*

Response from General Manager, Tim Watson:

1. Sponsorship - \$84,862
2. Hire of trails - \$2,080
3. Donation boxes - \$4,381
4. Sale of souvenirs (merchandise) - \$21,130

Additional revenue was raised as follows:

- Break O’Day Council annual contribution - \$25,000
(trail repair and maintenance – Blue Tier)
- Derby Waste Levy - \$20,814
- Shower Revenue - \$18,838
- Net profit from Australian MTB Summit Event - \$13,330

Combined revenue was approximately \$190,000.

Karl Willrath, Scottsdale

You stated that the rates in Derby were going up because of the revaluations, is that correct?

Response from Mayor Greg Howard:

That is correct.

Now the percentage, is that set by Council?

Response from Mayor Greg Howard:

What will happen is the municipality will be revalued by the Valuer-General which was supposed to occur next year, but it is now happening in 2023. He will revalue all the properties across the municipality and then Council will have to look at the rate in the dollar that Council charge based on the annual assessed value (AAV), which is based on his valuation of the properties to make sure that the percentage is reasonable.

So if Council lowered it, they could actually make it lower next year even though the valuation has gone up?

Response from Mayor Greg Howard:

That is possible.

There is a cloud hanging over GM Watson's head in regard to the illegal construction of the Council depot at Derby. For the purpose of the audio, can Mr Watson always clearly identify himself before making a contribution?

Response from Mayor Greg Howard:

I don't believe that is necessary.

The obesity pandemic is defined as a social contagion. Subject to a DEXA scan, it appears as if there is a high percentage of Councillors that are participating in the obesity pandemic. Will the Mayor put it to workshop, and let the Councillors decide if obesogenic foodstuffs are be sold at Council owned swimming pools?

Response from Mayor Greg Howard:

It will depend on the management arrangement for the Scottsdale Pool when it reopens, and Council haven't decided on that yet. There is no food sold at the Branxholm Pool.

Lawrence Archer, Bridport

Mayor Howard, could you please explain why at the last meeting at Winnaleah that you told the people in the public gallery that they couldn't ask questions relating to the agenda item further in the meeting?

Response from Mayor Greg Howard:

On the planning matter? So that has been the process at the Dorset Council long before I came onto Council. It is the process that is followed by Councils around the State where they don't take questions on planning matters where that appear in the agenda simply because the planners don't have the option of accessing the information provided. I actually ran that past Dion Lester who is the Executive Officer of the Local Government Association of Tasmania (LGAT), who is a planner himself, and he absolutely agreed with that proposal.

Are you aware of the Council Policy on public question time?

Response from Mayor Greg Howard:

Yes

What part of the Local Government Act 1993 gives you the right to vary the application of the Council Policy?

Response from Mayor Greg Howard:

I have none under the *Local Government Act* but under the *Local Government (Meeting Procedures) Regulations 2015* as the Chair, I have rights in relation to public question time.

What is total cost to Council of the new Derby Depot building including the access road, wash down bay, wastewater system, security fencing and the water supply pipeline?

QUESTION TAKEN ON NOTICE

Ian Farley, Scottsdale

Would it be possible for Council to promote or run an article on the new "Turtle" or the new Animal Management Officer?

Response from Mayor Greg Howard:

The new "Turtle" is a temporary position and hasn't been confirmed, he is basically on trial to see if he likes the job and if we are happy with his performance. So we won't be making any sort of announcement until we get a permanent position in place.

Item 39/21 Deputations

Nil

Item 40/21 Councillor Question Time

Councillor Wendy McLennan:

For the good of Bridport tourists and locals, something has to be done about the loss of sand from Old Pier Beach. The Council put in access steps so that the public can get onto the beach. The beach is no longer there and the rocks are creating tripping hazards. The difference between Old Pier Beach and the other beaches is that the sand comes back.

The three things that have made it worse:

- 1. The sand bags – moved the shoreline further towards the sea. Every time we have a high tide the water hits the bags and drags the sand out.*
- 2. The stormwater drain – the amount of water runoff has increased and it scours the sand away. The improvement of the stormwater drains and the increase in buildings has meant that there is a lot more run off.*
- 3. Rock Wall – in previous years the rock wall that protects the boat ramp was extended out to the old pier piles. When that was removed because it was affecting the original boat ramp, it allowed the sand to go past. The groin is not as long as it used to be.*

Every time we have high tides or storms with heavy rain, the combination of these removes the sand. I am aware that this is a cyclic feature but the loss of sand is greater now because of those three factors.

Are we going to stand by after doing all the work in the boat launching ramp, the car park and Bentley Street and the toilets, drinking fountains and showers that have attracted people to the area just to let this continue?

I believe that we need to take action with TasWater (re the sand bags). The stormwater drain – Jeff Jennings has been suggesting that this has needed to be moved for a while. The response was that it was being considered and then when the Bentley Street contract was let it was stated that it was too late to move it.

In 1980, the Council moved the stormwater drain on Croquet Lawn Beach so that it didn't go down the middle of the beach. This has proven that it has stopped the erosion of the sand.

I know a lot of this isn't Council's responsibility, but can Council call a meeting of the organisations responsible for that area and together work out some sort of solution to the problem?

QUESTION TAKEN ON NOTICE

Councillor Leonie Stein:

With increased tourist numbers in Bridport can we look into a suitable location for a second dump point as I don't believe the one in the Caravan Park is sufficient for the volume of people coming through and using it?

QUESTION TAKEN ON NOTICE

Councillor Edwina Powell:

Could a written report be given to Councillors as to the actual progress of the Sideling upgrade so we know what actually has taken place?

Response from Mayor Greg Howard:

The status is that Council representatives (Mayor and General Manager) were invited, along with other stakeholders to a Department of State Growth two-day Workshop. Council were provided with no information going in and haven't received any outcomes from the Workshop. All the Department of State Growth have said is that the Sideling will commence in financial year 2021/22.

Could Dorset Council ask for a copy of the notes that were taken at the meeting with State Growth at the two-day workshop?

Response from Mayor Greg Howard:

Yes, we can do.

Councillor Mervyn Chilcott:

In regard to the question on meeting procedure at Winnaleah, where is there capacity for the lady whose question you shut down to ask her question?

Response from Mayor Greg Howard:

She should have asked the question in public question time. She probably hadn't been to a meeting before and didn't realise that. I met with her the next day to find out what her question was, and it turned out her question was not relevant to the development application anyway. It was a question about trucks turning in the railway yard and where are they going to turn in the future. We outlined what our future plans might be in our discussion.

Councillor Edwina Powell:

Can Council please rewrite or clarify the guidelines around question time and deputations so there isn't confusion?

Response from Mayor Greg Howard:

Yes, we do intend to address that Policy.

The sound in this room (Scottsdale Library) is excellent. You can speak here and you can hear right at the back of the room. I have hearing aids and I can hear everything very clearly. When we are back in the Council Chambers or at Halls around the municipality, it is impossible to hear people who either ask questions or Officers who offer advice or directions – it is very difficult to hear them. There are times when you (Mayor) or the General Manager speak and it isn't clear and a lot of that discussion is lost. Could we get a simple mic for use in these rooms?

QUESTION TAKEN ON NOTICE

Councillor Wendy McLennan:

I don't understand what happens when people present 1000 or so signatures about the rail trail. What does Council do to acknowledge such a petition?

Response from Mayor Greg Howard:

It depends on how the petition is worded on what we are required to do with it. So where the petition is worded in a way that they call for a public meeting, if there is more than 5% of the electors who signed a petition calling for a public meeting then Council are required to hold a public meeting, but we are not bound by the decision even of a public meeting necessarily. If the petition is not worded in that way, which the rail trail petition wasn't, basically Council accept and acknowledge it and we normally defer it and take it to our next Workshop for discussion. Which is what we did this time except it has been deferred to a second Workshop.

Nil

Cr Chilcott declared a conflict of interest in Item 42 and left the Meeting prior to discussion (6:53 pm)

Item 42/21

2020/21 Community Grants Program – Application Assessments | Round 2

Reporting Officer: Customer Service/Community Liaison Officer: Elizabeth Hadley
Ref: DOC/21/2343 | Summary of Grant Applications: DOC/21/2294

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
Bridport Surf Life Saving Club	Purchase of New Nipper Boards	\$3,200	\$2,000	Recommended
CWA Bridport Branch	Purchase of Equipment	\$2,484	\$2,000	Recommend \$1,009 be granted for equipment (excluding tables).
Scottsdale Fire Brigade	Brigade Memorial Plaques	\$3,555	\$923	Recommended
Bridport Girl Guides	Customised Girl Guide Fire Pit	\$1,084	\$985	Recommended
Events at Bridport	Fencing for Events	\$1,235	\$1,123	Recommended
Bridport Bowls Club	Notice Board	\$2,500	\$1,955	Recommended
Scottsdale Bowls Club	Industrial Barbecue and side tables	\$2,155	\$1,960	Recommended
Ringarooma Community Cultural Heritage Association	Cataloguing of Current Records	\$653	\$594	Recommended
North East Little Athletics Inc.	Purchase High Jump Mat and Trolley	\$13,879	\$6,457	Recommended
Scottsdale RSL Sub Branch	Security Cameras for Cenotaph and Entrances to Children's Reserve	\$4,686	\$4,260	Recommended
TOTAL REQUESTED			\$22,257	
TOTAL RECOMMENDED FOR FUNDING			\$21,266	

Recommendation

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

- \$2,000 to Bridport Surf Life Saving Club;
- \$1,009 to CWA Bridport Branch;
- \$923 to Scottsdale Fire Brigade;
- \$985 to Bridport Girl Guides;
- \$1,123 to Events at Bridport;
- \$1,955 to Bridport Bowls Club;
- \$1,960 to Scottsdale Bowls Club;
- \$594 to Ringarooma Community Cultural Heritage Association;
- \$6,457 to North East Little Athletics; and
- \$4,260 to Scottsdale RSL Sub Branch.

Decision

MOVED: Cr Hughes | SECONDED: Cr Nichols

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

- \$2,000 to Bridport Surf Life Saving Club;
- \$1,009 to CWA Bridport Branch;
- \$923 to Scottsdale Fire Brigade;
- \$985 to Bridport Girl Guides;
- \$1,123 to Events at Bridport;
- \$1,955 to Bridport Bowls Club;
- \$1,960 to Scottsdale Bowls Club;
- \$594 to Ringarooma Community Cultural Heritage Association;
- \$6,457 to North East Little Athletics; and
- \$4,260 to Scottsdale RSL Sub Branch.

CARRIED

Cr Chilcott returned to the Meeting (6:59 pm)

Item 43/21

Road Asset Management Plan 2020 - 2030

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/21/2290 | Road Asset Management Plan: DOC/19/14100

Purpose

The purpose of this agenda item is to table the Road Asset Management Plan 2020 - 2030 (Road AMP) to Councillors for adoption.

Recommendation

That Council adopt the attached Road Asset Management Plan 2020 - 2030.

Decision

MOVED: Cr Nichols | SECONDED: Cr McLennan

That Council adopt the attached Road Asset Management Plan 2020 - 2030.

CARRIED UNANIMOUSLY

Item 44/21

NTDC Regional Collaboration Framework Endorsement

Reporting Officer: General Manager, Tim Watson

Ref: DOC/20/13827 | DRAFT Regional Collaboration Framework: DOC/20/12461

Purpose

The purpose of this agenda item is to formally receive and endorse the Northern Tasmanian Regional Collaboration Framework.

Recommendation

That Council receive and endorse the attached Northern Tasmanian Regional Collaboration Framework.

Decision

MOVED: Cr Jessup | SECONDED: Cr Hughes

That Council receive and endorse the attached Northern Tasmanian Regional Collaboration Framework.

CARRIED UNANIMOUSLY

Purpose

The purpose of this report is to adopt the proposed Bridport Seaside Caravan Park – Annual Site Policy.

Recommendation

That Council adopt:

- i. the attached (revised) Policy No.56 Bridport Seaside Caravan Park – Annual Site Policy; and
- ii. the Schedule of Fees payable for the annual administration fee to retain position upon the Bridport Seaside Caravan Park – Annual Site Waiting List, as specified below:

SCHEDULE OF FEES (2020/21)	
Administration Fee (incurred annually): Bridport Seaside Caravan Park – Annual Site Waiting List	\$50

Decision

MOVED: Cr Stein | SECONDED: Cr Nichols

That Council adopt:

- iii. the attached (revised) Policy No.56 Bridport Seaside Caravan Park – Annual Site Policy; and
- iv. the Schedule of Fees payable for the annual administration fee to retain position upon the Bridport Seaside Caravan Park – Annual Site Waiting List, as specified below:

SCHEDULE OF FEES (2020/21)	
Administration Fee (incurred annually): Bridport Seaside Caravan Park – Annual Site Waiting List	\$50

CARRIED UNANIMOUSLY

Time Meeting Closed: 7:13 pm

Minutes Confirmed: 19 April 2021

Minute No: 46/21

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Mayor