



dorset
C O U N C I L

Minutes

Council Meeting

18 January 2021

it's in the making

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Council Meeting Minutes 18 January 2021

Meeting Opened: 6:00 pm

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

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

Apologies: Nil

Item 1/21 Confirmation of Ordinary Council Meeting Minutes – 21 December 2020
Ref: DOC/20/14078

The Chair reported that he had viewed the minutes of the Ordinary Meeting held on Monday, 21 December 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 Chilcott | **SECONDED:** Cr Hughes

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 21 December 2020 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 2/21 Confirmation of Ordinary Council Meeting Closed Session Minutes – 21
December 2020**
Ref: DOC/20/14079

The Chair reported that he had viewed the minutes of the Ordinary Meeting Closed Session held on Monday, 21 December 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 Stein

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 21 December 2020 having been circulated to all Councillors, be confirmed as a true record.

CARRIED UNANIMOUSLY

Item 3/21 Confirmation of Agenda

Decision

MOVED: Cr Hughes | SECONDED: Cr Lade

That Council confirm the Agenda and order of business for the 18 January 2021 Council Meeting.

CARRIED UNANIMOUSLY

Item 4/21 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

Nil

Item 5/21 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 Stein | SECONDED: Cr Powell

That the Management Team Briefing Report be received and noted.

CARRIED UNANIMOUSLY

Item 6/21 Council Workshops Held Since Last Council Meeting

18 January | Special Briefing Workshop

Item 7/21 Councillor Applications for Leave of Absence

Nil

Item 8/21 Public Question Time

The following question was received on notice:

Karl Willrath, Scottsdale | 8 January 2021

How many questions were received on notice in the calender (sic) year 2020, but were not answered because they were "deemed" not to fit the criteria?

Response from Mayor Greg Howard:

6.

Stuart Bryce, Lulworth:

I am the Chair of the North East Residents and Farmers (NERAF) and we have a very strong position on the railway line from Launceston to Scottsdale. I have been re-elected as the Chair and have been for the past 5 years and I now live in the George Town municipality and I can assure you I have no axes to grind.

If I could start off on saying before I ask my questions, congratulations to the Dorset Council for the work that they've done on the Derby Bike Trails and the success that has brought to the area and now you are lining up for your 3rd World Enduro which is fantastic.

They're mountain bike riders, the people who ride around here are road bike riders. Now Mayor if I can quote you, when asked who would use the trail, you said publicly that it would be "the elderly and families". So it is interesting that you need so much more trail for elderly and families as I am not sure how they quite fit in there. We are also aware that there are other movements by the Council to do other things, perhaps even a joint trail from Wyena to Lilydale which of course doesn't make the NERAF very happy at all.

What I really want to concentrate on is the economic benefit that it is to Dorset, vis-à-vis a railway train all the way through to Scottsdale and in that regard, I guess the question I ask, as it seems to evade me is why we need that rail trail, but let assume you have a good reason, I'd like to know what it is? Is it really for elderly and families or is it anything to do with the

economic benefit to another road transport organisation operating in the North East? As in trucks, should Tas Rail ever decide to use the railway line again for freight?

Response from Mayor Greg Howard:

Firstly, I have no knowledge of the mentioned joint trail from Wyena to Lilydale.

Council received a letter from Tas Rail right at the beginning of the process, which basically said they could not think of any scenario where they would like to re-introduce trains on the North-East line for freight because it's simply uneconomical.

Rail trails everywhere that they have been introduced, especially on the mainland, have been extremely popular with a very broad age demographic from toddler's right through to the elderly. You'll find there are a lot of people over 70 in the North East that ride rail trails locally and on the mainland. The economic benefit comes from bringing tourists into the community who otherwise wouldn't come as they are visiting purely to ride the rail trail. I went to a forum in Sale a couple of years ago and I talked to a group of farmers who were initially against a rail trail and had similar concerns to what NERAF has and now, they are some of the biggest supporters, simply because the benefit that has been created to their own prosperity and the area they live in.

There is something slightly different on this rail trail, the opportunity for pop up shops etc. is very limited because the remoteness of the rail trail.

Response from Mayor Greg Howard:

Pop up shops that have happened on the back end of farms on other rail trails, really the line has to come first, and the product come second.

Lawrence Archer, Bridport:

When is Council going to publicly announce that it has agreed to extend the General Managers contract for a further term?

Response from Mayor Greg Howard:

The General Managers contract is confidential and was handled in closed session, we don't discuss those things in the public arena.

In regard to the new Derby Depot building and its encroachment onto a private mining lease, has the General Manager agreed to pay the owner of the mining lease \$1,000 per month for that encroachment?

Response from General Manager, Tim Watson:

There has been nothing agreed with the lessee and Council are not in negotiations.

Karl Willrath, Scottsdale:

The September 2020 issue of the North Eastern Advertiser in an opinion editorial titled 'Perspective on Current Matters' the Mayor released personal information of a Dorset Council employee. By doing so does the Mayor understand that he may have caused this employee embarrassment?

Response from Mayor Greg Howard:

That is incorrect.

Does the Mayor understand that as per definition of consent under section 2A of the criminal code that a free agreement may not have been entered into in relation to the aforementioned piece in the Advertiser?

Response from Mayor Greg Howard:

That is incorrect as well.

Lastly, my question is, this is public question time. We've just had a speech from the first questioner. Do you think that fully met the criteria of questions under public question time and do you think you handled them appropriately?

Response from Mayor Greg Howard:

Absolutely. It was background information provided by Mr Bryce prior to asking questions at the end, which I have duly answered, so it is appropriate.

Lawrence Archer, Bridport:

As Council's always publicly announce the appointment or re-appointment of General Manager's, why is Dorset Council being so secretive about Mr Watson's contract extension or appointment for a further period?

Response from Mayor Greg Howard:

As I've previously said it is confidential.

Dianne Venn, Lilydale:

I want to make a point that I am not against bikes as per say, however my objection is to the destruction of a 95% operational rail track. This will be the first in Australia that has been destroyed in Australia for a rail trail.

Response from Mayor Greg Howard:

The track is not 95% operational and it is not the first in Australia that has been removed to create a rail trail. There are huge lengths of rail trail in Victoria where the rail has been removed to create rail trails. The trail through to Orbost is approximately 100km and is a perfect example.

When was that rail removed Mr Mayor?

Question Taken on Notice

Given the development application (DA) proposal is for decommissioning of rail infrastructure, construction of rail surface, targeted construction of decking and handrails and selected erection of associated signage, why do you not have anything for toilet facilities, given the disgraceful unhygienic situation that is at the Billycock?

Response from Mayor Greg Howard:

Toilet facilities will be the next stage of what we plan to do, but we need to get the rail trail built first.

So handrails and decking and signage is far more important than providing toilets?

Response from Mayor Greg Howard:

Handrails across the bridges will be compulsory and the trail wouldn't be able to be opened without that due to the height of the bridges from the surface below.

With the assumption that 500 people per day, and that is based on 26,000 users annually, don't you think that perhaps toilet facilities are more important to be in place before it's open? Instead of being a rail trail, it will become a bog trail.

Response from Mayor Greg Howard:

The amount of people in the initial submission that went to the Federal Government for funding, and I am unsure what the figure was as it precedes my time on Council, was with a projected peak of usage in 15 years. That gives us 15 years to build the trail and facilities along the trail, and some of those may be built privately. Our assumption is that product will develop along the trail and they may provide their own facilities.

So how will that fit then if there are absolutely no toilet facilities along the trail?

Response from Mayor Greg Howard:

There are toilet facilities at Lebrina, Lilydale, and potentially at Nabowla. There of course needs to be some toilet facilities constructed as has been recently constructed and opened at Tonganah.

With reference to the Strategic Infrastructure Corridors Act 1992, Section 99 – Removal of Rail Infrastructure – Items 1 and 2 and Hansard. What investigations, engineering reports, costings or other evidence has been undertaken by Dorset Council or the Minister for Infrastructure to comply with the requirements prior to the decision to make DA application for rail infrastructure removal?

Question Taken on Notice

Ian Farley, Scottsdale:

Due to the recent continuation of COVID-19 outbreaks in both NSW and Queensland, I just want to make sure Council are still on track with their COVID plans, and that we still have future contingencies in place if there is another outbreak in Tasmania and how that will effect current rate payers?

Response from General Manager, Tim Watson:

Yes, we have recently reviewed our COVID plan, in fact we've updated it just before Christmas time, so our current plans are up to date and if the situation changes, we are well placed to respond.

Dianne Venn, Lilydale

The original grant application was for 26,000 as I mentioned previously. These numbers will fluctuate according to seasons, holidays, etc. so one would expect that perhaps in the summertime and holidays that there would be in excess of 500 people wanting to use the bike trail, less in winter of course. How is a 10 space car parking area going to accommodate that number of people?

Response from Mayor Greg Howard:

Most people who ride a rail trail don't actually have a vehicle, except for the day riders. Most others would be probably transported by a minibus, which is the way the model works on the mainland – where companies have been created who provide the minibus and transport the riders to the rail trail with their bikes, dropped them off and then take their luggage to wherever they are going to stay on that particular night. They then pick them up the next morning and take them to their next destination. Due to this the vehicle spaces at Lilydale Falls and Scottsdale won't be an issue.

In the DA it is stated along the way that visitors and users may access the trail where it intersects with local roads. Given that the intersecting roads are servicing rural residents are narrow and gravel surfaced, why is there no provision in the DA for designated off road parking areas to accommodate vehicles to ensure both safe parking and clear road access for local residents?

Response from Mayor Greg Howard:

Whilst it is possible to access the trail from any intersection with the road, most people won't do that apart from the locals who are riding it purely for recreational purposes. All the people who are riding it as a tourism venture will actually start at one end of the trail or the other and ride the whole trail. There will be minimal people who may take their vehicle to an intersecting road and use the trail from that point.

So you have no concerns that this will cause safety issues?

Response from Mayor Greg Howard:

No.

Item 9/21 Deputations

Nil

Item 10/21 Councillor Question Time

Councillor Jan Hughes:

We discussed a couple of Council Meetings ago that the redevelopment of the rest of King Street, Scottsdale was going to go ahead. Could we have an update on where that might occur please?

Response from Director – Works & Infrastructure, Dwaine Griffin:

Looking at commencing at the end of March, beginning of April and the project should take 4-6 weeks.

Councillor Edwina Powell:

I have a question regarding a zebra crossing in King Street, Scottsdale. I know it has been raised from time to, and due to increased traffic through the district and through King Street, should that be considered?

Response from Mayor Greg Howard:

It's not up to Council as it's a Department of State Growth road and they have to approve it. Council have applied in the past and they've knocked it back. We could apply again but due to no change in traffic movements, circumstances, etc., I wouldn't see them changing their mind.

Item 11/21 Notices of Motion by Councillors

Nil

Item 12/21**Annual Plan 2020/21 – December Quarterly Report**

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/20/13819 | Annual Plan December Quarterly Report: DOC/20/12527

Purpose

The purpose of this agenda item is to update Council and the community on progress of the Annual Plan 2020/21 as at 31 December 2020.

	September Quarter	December Quarter
Achieved	4	2
In Progress	1	1
Not Achieved	-	1
Compliance Score	100%	75%
Deferred	1	3

Recommendation

That the attached Annual Plan 2020/21 December Quarterly Report be received and noted.

Decision

MOVED: Cr Jessup | SECONDED: Cr Stein

That the attached Annual Plan 2020/21 December Quarterly Report be received and noted.

CARRIED UNANIMOUSLY

Item 13/21**Closure of Meeting to the Public****Decision**

MOVED: Cr Stein | SECONDED: Cr Chilcott

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: 6:51 pm

CLOSED SESSION AGENDA ITEMS

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 14/21 Section 137 Property Sales for Unpaid Rates

The report on this matters was listed in the Closed Session 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:

- Information of a personal and confidential nature

Time Meeting Closed: 7:05 pm

Minutes Confirmed: 15 February 2021

Minute No: 16/21

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Mayor