



*dorset*  
C O U N C I L

# Minutes

## Council Meeting

19 July 2021

*it's in the making*

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## Council Meeting Minutes 19 July 2021

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**Meeting Opened:** 6:01 pm

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

General Manager: Tim Watson, Director – Corporate Services: John Marik, Director – Works & Infrastructure: Dwaine Griffin, Town Planner: Thomas Wagenknecht

**Apologies:** Director – Community & Development: Rohan Willis

**Item 101/21**      **Confirmation of Ordinary Council Meeting Minutes – 28 June 2021**  
Ref: DOC/21/7654

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*The Chair reported that he had viewed the minutes of the Ordinary Meeting held on Monday, 28 June 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 Hughes | **SECONDED:** Cr Chilcott

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 28 June 2021 having been circulated to all Councillors, be confirmed as a true record.

**CARRIED UNANIMOUSLY**

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Item 102/21                      Confirmation of Agenda

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**DECISION**

MOVED: Cr Powell | SECONDED: Cr Stein

That Council confirm the Agenda and order of business for the 19 July 2021 Council Meeting.

CARRIED UNANIMOUSLY

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Item 103/21                      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 104/21                      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 Jessup | SECONDED: Cr Stein

That the Management Team Briefing Report be received and noted.

CARRIED UNANIMOUSLY

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Item 105/21                      Council Workshops Held Since Last Council Meeting

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6 July | Briefing Workshop

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Item 106/21                      Councillor Applications for Leave of Absence

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Nil

The following question was taken on notice at the 28 June 2021 Council Meeting:

**Lawrence Archer, Bridport:**

*(Question relating to the consultation for the Bridport Skate Park)*

*So where could I get details of that consultation?*

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

The design consultant used social media (Facebook) to seek feedback on the proposed design. This consultation process involved the consultant directly following up with individuals who made comment or sought clarification on the design. The consultant's audience is primarily Skate Park users in Tasmania. Through the process of designing the Bridport Skate Park, several design iterations were completed, given the direct feedback of the user group, and additional site constraints noted by Council.

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The following questions were received on notice:

**Karl Willrath, Scottsdale | 9 July 2021**

*As per the Tas Gov Gazette 3/4/2020 why did Dorset Council decide not to make available a video or a live stream version of Council meetings? <http://gazette.tas.gov.au/>*

**Response from Mayor Greg Howard:**

The requirement was for an electronic recording, of which audio is sufficient. Council held two virtual meetings during the COVID lockdown (April and May) and met in person but without public access in June 2020. All Meetings since July 2020 have been in person with public attendance available.

*When is the Dorset Council "private sector model" up for review?*

**Response from Mayor Greg Howard:**

I have no idea to what you refer.

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**Lawrence Archer, Bridport:**

*Item 116/21 on tonight's agenda Council will consider a recommendation from management to sell Council land at Derby to the Hayes family. Why, in the interest of transparency and accountability, did the Council not seek two independent valuations?*

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

Council is not required to get more than one valuation under the *Local Government Act 1993*.

*Why is the valuation that you have received not listed in the agenda?*

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

Typically under the *Local Government (Meeting Procedures) Regulations 2015*, sale of land would be in Closed Session of Council, and wouldn't be disclosed. In terms of transparency to the community, I think what is important is that the community knows that Council has done its due diligence and got an independent valuation as required. The sale price is not disclosed due to the confidential nature of it.

*What was the basis for the valuation on the land?*

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

I am not a valuer so I can't comment on how they conduct the valuation.

*Did you not receive a written valuation report?*

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

Yes, Council received a market appraisal report from the qualified Valuer.

**Karl Willrath, Scottsdale**

*In the Examiner newspaper, dated August 12 2019, there was an article about Mayor Howard spruiking about how Dorset Council unashamedly emulates the private sector. It goes onto state that since GM Watson took over, all senior management positions have been changed and trimmed.*

*As there are questions around who knew what and when in regards to the Derby depot debacle, is it possible that GM Watson has employed sycophant directors and are these directors on a bonus system?*

**Response from Mayor Greg Howard:**

No and no.

**Lawrence Archer, Bridport:**

*I note in Item 111/21 that the Annual Plan Final Report shows that items 14, 15 & 16 are reports that were provided to Council in a Workshop. Number 14 was a progress report on Aminya Redevelopment, Number 15 the Sideling upgrade report and Number 16 a progress report on the Blue Derby Foundation. As they were provided to the Councillors in a Workshop, Councillors are sworn to secrecy I believe Mr Mayor. When will those reports be made public?*

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

There is no intention to make those public. They are not necessarily written reports, they are briefings to the Councillors to keep them up to date on the progress of items. My recollection is that there are no written reports to which you refer for those items.

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**Item 108/21                      Deputations**

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Nil

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**Item 109/21                      Councillor Question Time**

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The following question was taken on notice at the 28 June 2021 Council Meeting:

**Councillor Wendy McLennan:**

*(question relating to a previous question regarding a substantial money in the Hub donation box)*

*There is a few thousand dollars in there apparently, could this be collected?*

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

The assertion that there was a few thousand dollars in the donation box at the Hub is grossly inaccurate. Council staff have a procedure in place where the donations boxes are cleared on a monthly basis and it has been confirmed that the donation boxes in Derby were cleared at the end of May. The General Manager met with the proprietor of the hub in mid-June and casually observed the donation box had less than a hundred dollars in it.

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**Councillor Wendy McLennan:**

*There has been a problem with dogs on Goftons Beach. There is an excess of dogs in that area, and I am not sure whether this is a permitted dog beach? I thought that the dog area was in the area in front of the previous Bridport backpackers. Can we put up some more signage or education?*

**Response from Mayor Greg Howard:**

Goftons is not an allocated dog beach. Council have had the same issue raised by other community organisations. Council can look at some signage and education. It is really hard to police the public if they are intent on doing the wrong thing and you can't have Officers present 24/7.

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**Item 110/21                      Notices of Motion by Councillors**

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Nil

**Item 111/21****2020/21 Annual Plan – Final Report June 2021**

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/21/8431 | Final Report: DOC/21/3852

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**Purpose**

The purpose of this agenda item is to present Council and the community with the final results of the 2020/21 Annual Plan.

**Recommendation**

That the Dorset Council Annual Plan 2020/21 - June Final Report be received and noted.

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**DECISION**

**MOVED:** Cr Chilcott | **SECONDED:** Cr Jessup

That the Dorset Council Annual Plan 2020/21 - June Final Report be received and noted.

**CARRIED UNANIMOUSLY**

**Item 112/21****Bridport Cemetery Policy Review**

Reporting Officer: Director – Works &amp; Infrastructure, Dwaine Griffin

Ref: DOC/21/7827 | Policy: 14/8797

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**Purpose**

The purpose of this agenda item is to consider the Bridport Cemetery Policy.

**Recommendation**

That Council rescind Policy No.10 - Bridport Cemetery.

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**DECISION**

**MOVED:** Cr Stein | **SECONDED:** Cr McLennan

That Council rescind Policy No.10 - Bridport Cemetery.

**CARRIED UNANIMOUSLY**

**Item 113/21****New Policy – Stock Underpasses Council Roads**

Reporting Officer: Director – Works &amp; Infrastructure, Dwaine Griffin

Ref: DOC/21/8429 | New Policy: DOC/21/8318

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**Purpose**

The purpose of this agenda item is for Council to adopt a policy position in relation to financial contributions towards the costs of installing stock underpasses on Council roads, specifically major freight routes.



## Recommendation

That Council adopt Policy No. 59 – Stock Underpasses Council Roads.

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## DECISION

MOVED: Cr Nichols | SECONDED: Cr Chilcott

That Council adopt Policy No. 59 – Stock Underpasses Council Roads.

CARRIED UNANIMOUSLY

### Item 114/21

#### Northern Tasmania Regional Cat Management Strategy 2020-2030

Reporting Officer: General Manager, Tim Watson

Ref: DOC/21/8430 | Strategy: DOC/21/7756

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## Purpose

The purpose of this agenda item is for Council to formally endorse the Northern Tasmania Regional Cat Management Strategy 2020-2030.

## Recommendation

That Council endorse the Northern Tasmania Regional Cat Management Strategy 2020-2030.

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## DECISION

MOVED: Cr Nichols | SECONDED: Cr Stein

That Council endorse the Northern Tasmania Regional Cat Management Strategy 2020-2030.

CARRIED UNANIMOUSLY

### Item 115/21

#### Emergency Management Appointments

Reporting Officer: General Manager, Tim Watson

Ref: DOC/21/8426

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## Purpose

The purpose of this agenda item is for Council to nominate persons for the position of Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator.

## Recommendation

That Council make the following appointments for a term of 3 years:

- Dorset Municipal Emergency Management Coordinator - Tim Watson
- Deputy Municipal Emergency Management Coordinator – Robert Masterman

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## Recommendation

That Council resolve to sell to adjoining landowners Matthew and Tia Hayes, approximately 500m<sup>2</sup> of Council land to the rear of 75-77 Main Street, Derby (CT 219790/2) and that the sale price be in accordance with the independent valuation obtained by Council in June 2021.

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## DECISION

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

That Council resolve to sell to adjoining landowners Matthew and Tia Hayes, approximately 500m<sup>2</sup> of Council land to the rear of 75-77 Main Street, Derby (CT 219790/2) and that the sale price be in accordance with the independent valuation obtained by Council in June 2021.

**CARRIED UNANIMOUSLY**

*\*\*\* Councillors were reminded that they are acting as a Planning Authority for Item 117/21*

**Item 117/21**

**Planning Application | Multiple Dwellings (Twelve Units) – 1 Bentley Street and Bentley Street (Road Reserve) BRIDPORT**

Reporting Officer: Town Planner, Thomas Wagenknecht

Ref: DOC/21/8661 | PLA/2021/113

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## Purpose

The purpose of this report is for Council to consider a proposal for the use and development of twelve multiple dwellings at 1 Bentley Street Bridport. Vehicle access for the proposal would be provided to the site by upgrading an existing crossover onto Bentley Street (Council maintained road). As the proposal would have a total development cost greater than \$5 million, only the Council in its capacity as planning authority is authorised to determine the application.

## Recommendation

It is recommended that the proposal for the use and development of twelve multiple dwellings at the subject land, be approved subject to the following conditions:

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## DECISION

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

**It is recommended that the proposal for the use and development of twelve multiple dwellings at the subject land, 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/2021/113). Any substantial variation from this application will require the further planning consent of the Council.

## **2. TasWater**

The development must be in accordance with the conditions provided within the Submission to Planning Authority Notice issued by TasWater dated 9 July 2021 (Reference No. TWDA 2021/01062-DC, copy attached to this permit).

## **3. Stormwater Management**

Prior to the commencement of the approved use, stormwater discharged from the impervious areas (including vehicle areas, paving and building roofed areas) of the development must be drained and directed to Council's stormwater network to the satisfaction of the Council's Infrastructure Director.

## **4. Construction of Vehicle Parking and Internal Access**

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

- a) provided with an impervious all weather seal of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas;
- b) constructed, drained and maintained in a continuously useable condition; and
- c) marked or provided with clear physical means to delineate vehicle parking spaces.

## **5. Construction of Crossover – Bentley Street Bridport**

- a) Prior to the commencement of the approved use, vehicle access to the subject land from Bentley Street must be designed and constructed, from the road verge to the property boundary, in accordance with Council's urban road driveway standards and to the satisfaction of Council's Director of Infrastructure.
- b) Prior to the commencement of works identified within the Bentley Street road reserve required by (a), the person responsible must be issued with a Permit to Carry Out Works In A Road Reserve by the Dorset Council.
- c) All works described in (b) above must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with the Council as a "Registered Contractor", or a person who is otherwise approved by the Council's Director of Infrastructure to undertake the works. Prior to the commencement of any works the Council's Director of Infrastructure must be notified of the contractors name and registration number. The Council's Director of Infrastructure must also be informed of the commencement date, duration and nature of the works.

## **6. Privacy Management**

Prior to the commencement of the approved use, and completed to the satisfaction of Council's Town Planner:

- a) the western facing windows of Bedroom 3 of Units 7-12 must be treated with obscure glazing with a uniform transparency of no more than 25% and to a height of at least 1.5 metres above finished floor level;

- b) privacy screens, with a uniform transparency of no more than 25% and a minimum height of 1.5 metres above finished floor level, must be erected along the shared deck edges of:
  - i) Unit 2 and Unit 3; and
  - ii) Units 4 and Unit 5; and
- c) privacy screens, with a uniform transparency of no more than 25% and a minimum height of 1.5 m above finished floor level, must be erected for a length of 2m starting from the building's façade along the:
  - i) north-facing balcony edges of Unit 8 and Unit 9; and
  - ii) south-facing balcony edges of Unit 10 and Unit 11.

## 7. Pedestrian Walkways

Prior to the commencement of the approved use, footpaths within 2.5 metres of the edge of internal driveway and parking aisles must – to the satisfaction of Council's Town Planner – be provided with:

- a) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
- b) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

## 8. Delineation of Common Property

Public, communal and private areas such as driveways, site services, and any waste collection points must be clearly delineated to the satisfaction of Council's Town Planner.

**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) TasNetworks Advice*

TasNetworks advised on 30 Jun 2021 that:

*Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.*

*As with any multiple dwellings of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks Early Engagement team at [early.engagement@tasnetworks.com.au](mailto:early.engagement@tasnetworks.com.au) at their earliest convenience.*

*(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) TasWater Works Approval
- (d) Council road works approval

**CARRIED UNANIMOUSLY**

**Time Meeting Closed:** 6:38 pm

**Minutes Confirmed:** 16 August 2021

**Minute No:** 118/21



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**Mayor**