



dorset
C O U N C I L

Minutes

Council Meeting

16 May 2022

it's in the making

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Council Meeting Minutes 16 May 2022

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

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

Apologies: Cr Mervyn Chilcott

Item 67/22 Confirmation of Ordinary Council Meeting Minutes – 26 April 2022
Ref: DOC/22/4403

The Chair reported that he had viewed the minutes of the Ordinary Meeting held on Tuesday, 26 April 2022 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 Hughes

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 26 April 2022 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 68/22 Confirmation of Ordinary Council Meeting Closed Session Minutes – 26 April 2022
Ref: DOC/22/4404

The Chair reported that he had viewed the minutes of the Ordinary Meeting Closed Session held on Tuesday, 26 April 2022, finds them to be a true record and recommends that they be taken as read and signed as a correct record.

DECISION

MOVED: Cr Lade | SECONDED: Cr Jessup

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 26 April 2022 having been circulated to all Councillors, be confirmed as a true record.

CARRIED UNANIMOUSLY

Item 69/22 Confirmation of Agenda

DECISION

MOVED: Cr Hughes | SECONDED: Cr Stein

That Council confirm the Agenda and order of business for the 16 May 2022 Council Meeting.

CARRIED UNANIMOUSLY

Item 70/22 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 71/22 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.

DECISION

MOVED: Cr Jessup | SECONDED: Cr Stein

That the Management Team Briefing Report be received and noted.

CARRIED UNANIMOUSLY

Item 72/22 Council Workshops Held Since Last Council Meeting

3 May | Briefing Workshop

Item 73/22 Councillor Applications for Leave of Absence

Nil

Item 74/22 Public Question Time

The following question was received on notice from a member of the public:

Lawrence Archer, Bridport | 23 April 2022

When in closed meetings does Council comply with Sect 15 (8) of the Local Government meeting regulations and consider what information may be released to the public?

Response from Mayor Greg Howard:

Yes.

The following questions were received without notice from members of the public:

Nil

Item 75/22 Deputations

Nil

Item 76/22 Councillor Question Time

Councillor Leonie Stein:

Could Council send a letter to TasWater requesting as a matter of urgency, upgrade works to be done to the sewer system in Bridport? I have received multiple concerns regarding the odour that keeps coming out of the pump stations and settling ponds at certain times.

Response from Mayor Greg Howard:

TasWater have always offered to attend a Briefing Workshop and discuss any issues that Council may have within the municipality, so Council will write to them and invite them to a future Workshop.

Is it possible that members of the community could come along and raise their concerns directly?

Response from Mayor Greg Howard:

I suspect it would be a different discussion that TasWater would have with Council versus the community, so a recommendation from Council could be to hold a community session.

Councillor Wendy McLennan:

What is the process for the objections raised against a planning application for construction of a shed in Walter Street?

Response from Director – Community & Development, Rohan Willis:

That application will be presented for decision at the June Council Meeting.

Councillor Jerrod Nichols:

Just curious with the recent heavy rain events we've seen some deterioration of unsealed roads. Have we seen an elevated number of customer service requests for road surface repairs, and if so, what is the turnaround time for that maintenance?

Response from Director – Works & Infrastructure, Dwaine Griffin:

Generally the roads are in good condition, and I've spent some time over the past few weeks inspecting them. There are a few potholes that Council are attending to and there has been a few extra service requests regarding unsealed road repairs. Given the weather and that Council's priorities were focussed on completing Carisbrook Lane in readiness for sealing prior to the cold weather. Council have three graders working full time and are attending to the requests on a case-by-case basis.

Item 77/22 Notices of Motion by Councillors

Nil

****Councillors reminded that they are acting as a Planning Authority for Item 78/22*

Item 78/22 Planning Application - Multiple Dwelling (Additional Unit) with Relaxation of Building Envelope Standards | 19 William Street BRIDPORT and William Street Road Reserve BRIDPORT
Reporting Officer: Town Planner, Thomas Wagenknecht
Ref: DOC/22/5194 | PLA/2021/205

Purpose

The purpose of this report is for Council to consider a proposal for the use and development of a multiple dwelling (additional unit) at 19 William Street, Bridport. Vehicle access for the

proposal would be provided to the site by an existing crossover (to be widened and resurfaced) onto William Street (Council maintained road reserve).

Recommendation

It is recommended that the proposal for the use and development of a multiple dwelling (additional unit) with relaxation of building envelope standards at 19 William Street, Bridport and William Street Council road reserve, be approved subject to the following conditions:

DECISION

MOVED: Cr Nichols | SECONDED: Cr Jessup

It is recommended that the proposal for the use and development of a multiple dwelling (additional unit) with relaxation of building envelope standards at 19 William Street, Bridport and William Street Council road reserve, 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/2021/205). 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 15 November 2021 (Reference No. TWDA 2021/01938-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 Town Planner.

4. Construction of Vehicle Parking and Internal Access

- (a) Prior to the commencement of the approved use, and to the satisfaction of Council's Town Planner, a total of six (6) car parking spaces must be provided within the bounds of 19 William Street Bridport (Folio of the Register 216164/4).
- (b) Areas set aside for the parking of vehicles, together with the aisles and access lanes, must be:
 - i) formed to an adequate level as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas;
 - ii) constructed, drained and maintained in a continuously useable condition; and
 - iii) marked or provided with clear physical means to delineate individual vehicle parking spaces.

5. *Construction of Crossover – William Street road reserve*

- (a) Prior to the commencement of the approved use, vehicle access to the site from William Street must be designed and constructed, from the road verge to the property boundary, to the satisfaction of the Council's Town Planner.
- (b) Prior to the commencement of any works identified in (a), the person responsible must be issued with the appropriate works in a road reserve approval by the Council.
- (c) All works described in (a) 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 Infrastructure Director to undertake the works. Prior to the commencement of the works the Council's Infrastructure Director must be notified of the contractors name and registration number. The Council's Infrastructure Director must also be informed of the commencement date, duration and nature of the works.

6. *Internal Privacy Management*

Prior the commencement of the approved use of Unit 2, and completed to the satisfaction of Council's Town Planner, a fence with a minimum height of 2.1 metres, and a uniform transparency of no more than 25%, must be erected along the southern edge of the private open space of Unit 1, as detailed within the submitted plans.

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 and Planning Stream of the Tasmanian Civil and Administrative Tribunal (TASCAT).

(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 Resource and Planning Stream of the Tasmanian Civil and Administrative Tribunal (TASCAT).
- 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 and Planning Stream of the Tasmanian Civil and Administrative Tribunal (TASCAT) 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 8 April 2022 that:

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

It is recommended that the customer contact TasNetworks on 1300 137 008 if they have any questions regarding any upgrades that may require to their electricity supply due to this development.'

(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) Permit to Carry Out Works in a Council Road (Dorset Council)

(viii) Reinstatement Works

Any damage that may occur to any of the Council's infrastructure during construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

CARRIED UNANIMOUSLY

Item 79/22

2022/23 Animal Management Fees

Reporting Officer: Director – Community & Development, Rohan Willis
Ref: DOC/22/5080

Purpose

The purpose of this report is for Council to review Animal Management Fees for the 2022/23 financial year.

Recommendation

That Council adopt the Schedule of Fees payable for animal management for the 2022/23 financial year as tabled:

DECISION

MOVED: Cr Stein | SECONDED: Cr Nichols

That Council adopt the Schedule of Fees payable for animal management for the 2022/23 financial year as tabled:

SCHEDULE OF FEES – Animal Management	Proposed 2022/23 Fees
Dog Registration – Lifetime	
Non-Desexed Dog	\$143
Desexed, Working, Purebred or Greyhound	\$83
Pensioner-Owned Dog	\$56
Guide Dog	Nil
Guard Dog	\$440
Dog Licence Fees - Annual	
New Dog Licence – 3 to 5 Dogs	\$102
New Dog Licence – More than 5 Dogs	\$124
Existing Dog Licence – Renewal	\$39
Dog Fees – Other	
Maintenance Charge – Daily	\$31
Nuisance	\$35
Replacement Tag	\$5
1 st Seizure of any Dog	\$67
2 nd Seizure of any Dog	\$90
Subsequent Seizures (per seizure)	\$168
Delivery Charge (Dog returned to Owner)	\$90
Cat Management	
Relocation Device (Trap) Hire Deposit	\$75

CARRIED UNANIMOUSLY

Purpose

The purpose of this report is for Council to review Food Business Registration Fees for the 2022/23 financial year.

Recommendation

That Council adopt the Schedule of Fees payable for food business registrations for the 2022/23 financial year as tabled:

DECISION

MOVED: Cr Jessup | SECONDED: Cr Hughes

That Council adopt the Schedule of Fees payable for food business registrations for the 2022/23 financial year as tabled:

SCHEDULE OF FEES	Proposed 2022/23 Fees
Food Business Registration – Non-Mobile Premises:	
New Food Business (Annual Registration)	Nil
Renewal of existing Food Business (Annual Registration)	Nil
Temporary Registration (Single Event - Permanent Resident of Dorset)	Nil
Food Business Registration – Mobile Premises (Permanent Resident of Dorset):	
New Food Business (Annual Registration)	Nil
Renewal of existing Food Business (Annual Registration)	Nil
Temporary Registration (Single Event)	Nil
Food Business Registration – Mobile Premises (Non-Permanent Resident of Dorset):	
New Food Business (Annual Registration)	\$143
Renewal of existing Food Business (Annual Registration)	\$143
Temporary Registration (Single Event)	\$32
Food Business Registration – charitable cause:	
Community Organisation or Charitable Event Applicants	Nil
Food Business Registration – Other:	
Food Business Inspection	\$83

CARRIED UNANIMOUSLY

Purpose

The purpose of this agenda item is to appoint representatives to the Bridport Seaside Caravan Park (the Park) Special Committee of Council, made up of Councillors and community members.

Recommendation

1. That Council appoint the following persons to the Special Committee for a term of two years:
 - a. Kaye Shaw (Regular Park User Representative)
 - b. Karlene Cuthbertson (Annual Site Representative)
 - c. Diane Turner (Independent Community Member Representative)
2. That Council appoint the following Councillors to the Committee for a term of two years:
 - a. Councillor Greg Howard
 - b. Councillor Leonie Stein
 - c. Councillor Jerrod Nichols (alternate member)
3. That the Bridport Seaside Caravan Park Special Committee be reviewed by Council six months from the date of this Council Meeting.

DECISION

MOVED: Cr Jessup | SECONDED: Cr Hughes

1. That Council appoint the following persons to the Special Committee for a term of two years:
 - a. Kaye Shaw (Regular Park User Representative)
 - b. Karlene Cuthbertson (Annual Site Representative)
 - c. Diane Turner (Independent Community Member Representative)
2. That Council appoint the following Councillors to the Committee for a term of two years:
 - a. Councillor Greg Howard
 - b. Councillor Leonie Stein
 - c. Councillor Jerrod Nichols (alternate member)
3. That the Bridport Seaside Caravan Park Special Committee be reviewed by Council six months from the date of this Council Meeting.

CARRIED UNANIMOUSLY

Purpose

The purpose of this agenda item is to amend Council’s Public Land Register to remove that portion of 54 Ringarooma Road, Scottsdale (CT 197948/1) that is not used for public open purposes.

Recommendation

That Council amend the Public Land Register for the Dorset Municipal Area to include only the portion of 54 Ringarooma Road, Scottsdale (CT 197948/1) that has a land classification of conservation as shaded in brown, as shown in figure 1 below.

DECISION

MOVED: Cr Nichols | SECONDED: Cr Lade

That Council amend the Public Land Register for the Dorset Municipal Area to include only the portion of 54 Ringarooma Road, Scottsdale (CT 197948/1) that has a land classification of conservation as shaded in brown, as shown in figure 1 below.



Figure 1

CARRIED UNANIMOUSLY

Purpose

The purpose of this agenda item is to resolve to sell approximately 530m² of CT 235225/1. The portion of the Anderson Street road reserve recommended for sale is not used as a road reserve but is in effect a vacant residential lot.

Recommendation

That Council resolve to sell approximately 530m² of Council land road reserve in Anderson Street, Bridport (CT 235225/1) via an expressions of interest process.

MOVED: Cr Stein | SECONDED: Cr Lade

That Council resolve to sell approximately 530m² of Council land road reserve in Anderson Street, Bridport (CT 235225/1) via an expressions of interest process.

Amendment

MOVED: Cr Jessup | SECONDED: Cr McLennan

That Council resolve to sell approximately 530m² of Council land road reserve in Anderson Street, Bridport (CT 235225/1) via an expressions of interest process and transfer the splays to the adjoining properties via a boundary adjustment at no cost.

CARRIED UNANIMOUSLY

DECISION

The Amendment became the Motion

That Council resolve to sell approximately 530m² of Council land road reserve in Anderson Street, Bridport (CT 235225/1) via an expressions of interest process and transfer the splays to the adjoining properties via a boundary adjustment at no cost.



CARRIED UNANIMOUSLY

Item 84/22

Quarterly Financial Report – Period Ended 31 March 2022

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/22/5131

Purpose

The purpose of this agenda item is to present to Councillors and the community the financial performance for the 9 months ended 31 March 2022.

Recommendation

That Council receive the Financial Report for the period ended 31 March 2022.

DECISION

MOVED: Cr Nichols | SECONDED: Cr Powell

That Council receive the Financial Report for the period ended 31 March 2022.

CARRIED UNANIMOUSLY

Time Meeting Closed: 7:07 pm

Minutes Confirmed: 27 June 2022

Minute No: 85/22



Mayor