



dorset
C O U N C I L

Minutes

Council Meeting

19 September 2022

it's in the making

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Council Meeting Minutes 19 September 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, Mervyn Chilcott, Jerrod Nichols (*arrived 6:07 pm*)

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

Apologies: Director - Works & Infrastructure, Dwaine Griffin

Item 132/22 Confirmation of Ordinary Council Meeting Minutes – 15 August 2022
Ref: DOC/22/9391

The Chair reported that he had viewed the minutes of the Ordinary Meeting held on Monday, 15 August 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 Hughes | **SECONDED:** Cr Chilcott

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 15 August 2022 having been circulated to all Councillors, be confirmed as a true record.

CARRIED UNANIMOUSLY

Item 133/22 Confirmation of Ordinary Council Meeting Closed Session Minutes 15 August 2022
Ref: DOC/22/9392

The Chair reported that he had viewed the minutes of the Ordinary Meeting Closed Session held on Monday 15 August 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 Powell

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 15 August 2022 having been circulated to all Councillors, be confirmed as a true record.

CARRIED UNANIMOUSLY

Item 134/22 Confirmation of Agenda

DECISION

MOVED: Cr Jessup | SECONDED: Cr Hughes

That Council confirm the Agenda and order of business for the 19 September 2022 Council Meeting.

CARRIED UNANIMOUSLY

Item 135/22 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

Cr Jessup Item 146 (*immaterial*)

Cr Chilcott Item 143 and Item 144 (*both immaterial*)

Item 136/22 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 Stein | SECONDED: Cr Lade

That the Management Team Briefing Report be received and noted.

CARRIED UNANIMOUSLY

Item 137/22 Council Workshops Held Since Last Council Meeting

6 September | Briefing Workshop

Item 138/22 Councillor Applications for Leave of Absence

Nil

Item 139/22 Public Question Time

The following questions were received on notice from a member of the public:

Karl Willrath, Scottsdale | 8 September 2022

In the determination report in regards to the conduct complaint brought by Cr Dale Jessup against Cr Wendy McLennan over a matter in 2018, Wendy stated to the Panel

“She had by and large found the culture within the elected members of Council to be antagonistic and intimidating to herself as a new Councillor”

What measures were taken by Council to deal with the perceived situation by Cr McLennan, and will any of these measures, if any, will be carried over to the incoming councillors after the next election?

Response from Mayor Greg Howard:

Perceptions and reality can be very different.

Have the Dorset Councillors had it explained to them, that if they do not ask their question on notice, none of their questions will be minuted, instead leaving it up to the North-Eastern Advertiser to cherry pick and risk journalistic license being applied to their questions that are reported in the paper?

Response from Mayor Greg Howard:

Yes.

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

Councillors Nichols joined the Meeting at 6:07 pm

Emma Lade, Bridport

Did Council take into account the employment opportunities created for local residents by short-term rentals or that due to the increase of rates people will lose income because as a small Airbnb owner, it is no longer viable to pay people to do this job?

Response from Mayor Greg Howard:

There's a lot of things we took into consideration, but the main consideration was that we had a hole in the budget at one point in time and our options are reasonably limited. Airbnb's are a group of businesses that have flown under the radar since their inception. Every other accommodation provider in the municipality pays commercial rates at a significantly higher rate than Airbnb's do, as they pay purely a residential rate. That gives Airbnb owners an unfair advantage over the market in terms of the competition and we had the additional problem of there being so many Airbnb's in the municipality that housing stock for both long-term rentals is basically non-existent. We have multiple businesses across the municipality where there are vacancies actually exist but they can't fill those vacancies because they can't find places for potential employees to live. It was primarily about making sure that Airbnb's which are for all intents and purposes a business, that they pay their fair share of the rate burden and that that rate burden is not unnecessarily levied on the rest of the rate payers in the municipality.

Have the Councillors taken into consideration that not all short-stay accommodation make a large profit? Most people would be happy to contribute to like a higher rate or a fee to have an Airbnb business, but should maybe be run off what our profits are as a small Airbnb doesn't make the same amount as purpose built accommodation?

Response from Mayor Greg Howard:

It is almost impossible for Council to actually be able to work that out. Even if Council were to take submissions, I'm not sure that we would get the exact figures. What we did do in the letter was we asked people who thought they shouldn't be levied the amount to provide a statutory declaration. Council have received a number of applications to date.

With the increase of the \$1,800 waste management fee, will Dorset Council collect bins more frequently than fortnightly or provide a further service to short-stay accommodation?

Response from Mayor Greg Howard:

Everyone in the municipality pays a waste management fee. The fee is to cover the management and the costs of running Waste Transfer Stations and the cost of transporting waste and recycling to either Dulverton or Launceston, whichever Council decided to use. There is no doubt Airbnb's produce more rubbish than a traditional household from our experience and a lot of the time the cleaning firms

have said that they often take the rubbish to the Waste Transfer Station themselves, even though they pay to get in, Council still have to manage the items from there.

Joanne Ambrosi, Derby

(Asking a question on behalf of Fiona Nichols – Branxholm)

I own a property in Branxholm and have received two sets of rates for this property. My questions relate to the additional \$2,900 of varied waste management charge.

This varied waste management charge is exorbitant and non-tenable. How was this figure reached?

Response from Mayor Greg Howard:

We settled on the number because that helped to bring those businesses more in line with those commercial accommodation providers and the rates that they pay. As mentioned earlier, most of those already established accommodation providers pay rates multiple times that of Airbnbs. In this case and with Derby properties, there is an opportunity to offset that waste management charge with commissions on the accommodation booking platform.

Both the Mayor and General Manager have advised by letter and email that this fee is neither for waste management or the trails, therefore I would like to know what is behind this tax nor where the revenue raised is going?

Response from Mayor Greg Howard:

So it is partly to deal with waste management and that is to deal with cost and the management of the Waste Transfer Stations and to transfer the refuse outside of the municipality. It is also to ensure that Airbnbs operate on a level playing field with other accommodation providers that exist within the municipality. So in terms of where the money goes, it goes into general revenue as all rates collected do and then Council pay costs out of general revenue to provide services to the community. In the case of Derby, Council has spent many millions of dollars of ratepayer and taxpayers funds to establish a world class tourist attraction and that attraction has substantial maintenance costs to the tune of around \$400,000 to maintain the trails. Should Council not have sufficient funds to maintain the trails then the maintenance drops off and the quality deteriorates

Joanne Ambrosi, Derby

Is there a way you can reward people for doing a long-term rental versus reprimanding those who do a short-term rental?

Response from Mayor Greg Howard:

Long-term rentals are considered normal residential housing stock and pay the normal residential rate.

Are there any other businesses in the area contributing to the waste fee or the trails?

Response from General Manager, Tim Watson:

All bar one business pays between \$2,000 - \$5,000 in sponsorship so they're actually paying more than short-term accommodation providers have been traditionally.

I believe Council has invested \$400,000 on widening the Cascade Dam Road. My suggestion is to have a boom gate and charge people \$5 or \$10 to go up there and you could monitor the usage on the road.

Response from Mayor Greg Howard:

Firstly, they don't camp for free, there is a charge and whilst it is not compulsory, most people are paying. To put a boom gate on the road and to pay the additional money for wages, etc. compared to the amount of money you receive would just blow that option out of the water.

Response from General Manager, Tim Watson:

It's a sound idea, but legally we can't do it because it's a public road.

Grant Kearney, Derby

Are you as a Council satisfied with the communication and consultation that has led to the implementation of these policies?

Response from Mayor Greg Howard:

Firstly, there was very little time to consult. When Council realised that we needed to find additional revenue and found additional revenue from a number of areas, this is not the only way to fund the budget. Due to the lateness of the hole in the budget and it's one of those things that I'm not sure consultation would have had any affect. As I well know and you know, there has been a survey and even though I haven't seen the results I can imagine what the survey says, with hardly any support for people to pay an extra levy. No one wants to pay it's as simple as that. If the consultation had been undertaken and come back saying no, we are left in the same position, so do we play populous politics or do we responsibly manage the budget for not just the people of Derby, but the whole municipality - as this is our role.

Have you considered the social and economic implications of poor policy design?

Response from Mayor Greg Howard:

I think that the policy is a good policy as it goes far beyond Derby. It goes across the municipality. We have levied Airbnbs in Bridport, Scottsdale, Branxholm and Winnaleah. I think it's appropriate that businesses that are making money should be paying commercial rates. I'm comfortable with the policy and I dispute the fact it's poor policy and as I said previously, we have to manage the whole municipality for everyone, it's not just about a couple of towns. We have spent a disproportionate amount of ratepayers funds in both Derby and Bridport over the last few years – more than \$10 million in Bridport and more than \$7 million in Derby. If the option had of

been that we don't levy the Airbnb providers and we chase the money from the general rate, we would have been looking at probably a 9% rate rise. This rate rise would have been impossible to sell to the broader community. At the moment, Airbnbs are flying under the radar and should be paying commercial rates, they are just paying residential rates just like a mum and dad resident that lives next door.

Do you actually want the Airbnb operators in Derby to convert to long-term accommodation, so then you cannot house the tourists that are driving this economy?

Response from Mayor Greg Howard:

No, but you have to have a mix.

So then, why do you impose a one size fits all? I've invested \$4 million in Derby and last year I lost \$200,000 and yet I've been lumbered as someone who is making money on a one size fits all?

Response from Mayor Greg Howard:

If you are losing money in Derby then maybe the business model is not correct. The reality is that the money has been invested by Council, we have produced a product and without the money we have invested in Derby, no one here would have a business in Derby because there wouldn't be any mountain bike trails.

Am I to understand from what you've said that you don't require investment or a partnership with the community to make Derby work?

Response from Mayor Greg Howard:

I didn't say that, but I will say that across the entire municipality we could probably do with 50-80 less Airbnbs because we cannot find accommodation for workers. There are other industries in this municipality that provide the majority of the GDP for Dorset, including agriculture, and forestry – the two largest industries by far in this municipality – who cannot find worker because they can't find accommodation for them.

Joanne Ambrosi, Derby

What is the process with inspecting wastewater, stormwater or sewerage systems and do Council inspect them to ensure that are to code?

Response from Director – Community and Development, Rohan Willis:

The inspections occur. Certainly there has been continuous monitoring of Derby as circumstances arise we knock on doors and we say look you are advertising for more occupancy on say Airbnb than what you have a permit for, so you need to upgrade your wastewater system. Our Environmental Health Officer has been in contact with a number of property owners and is going to conduct dye testing where those issues are arising, then we respond to those. So Council Officers are working with the

business operators and residents in the township. The transition for short-term accommodation owners is a self-assessment, with the owner saying that you have x amount of occupants to live in or occupy the premises. So Council are acting on the advice that those owners have provided. If that information provided is misleading then Council would look into it.

Response from General Manager, Tim Watson:

We suspect there is failing wastewater systems in the town. The drainage down near the bike wash emits odour at times. What we are going to do is dye testing across the hill and find out where that infiltration is occurring and which of those systems are failing.

Response from Mayor Greg Howard:

Council have been in contact with TasWater for around 5-6 years to try and get a proper sewerage system in the township and the problem is that you have to get 50% buy-in in terms of interest from all property owners within the township before they will even do a feasibility study. Then there has to be a 75% buy-in from property owners who are prepared to contribute money towards a wastewater system within the town before they will even think about drawing up plans. TasWater undertook that initial interest consultation and advised that it didn't meet the 50% threshold to progress further.

Grant Kearney, Derby

Referring to the booking platform, only 30% of people believe they will ever see any return out of that. How many bookings have been made on the platform since it was listed?

Response from Mayor Greg Howard:

It has only been live since the end of June and a lot of bookings for the upcoming season would have already been in place before it was implemented, and it will take a year before it starts to produce a dividend. I would be surprised if anyone thought they'd receive an instant dividend in three months.

Emma Lade, Bridport

With the waste management fee, sounds like a lot of it is going towards Derby and the Derby trails. As a resident of Bridport I am happy with that, as Bridport has had a lot of money spent over the past few years, but are you looking to get some funds back from the mountain bike riders who potentially camp for free and ride the trails for free?

Response from Mayor Greg Howard:

We are certainly looking at ways to charge riders, not necessarily locals or Tasmanians, but interstate visitors to use the trails.

With the optional payment for camping, why can't that be mandatory, just like the Bridport Caravan Park?

Response from Mayor Greg Howard:

The Bridport Seaside Caravan Park has 368+ spaces and expend a substantial amount of money employing a full time contractor to run the business. The Park at Derby has limited amount of camping spaces and if you started paying wages to try and manage that and make it compulsory then the wages would be ten times what you would recoup in camping fees.

Larry Cohen, Derby

I sent a fairly long letter to Council and I would like to know from the Councillors not Tim or Greg, if anyone read it?

Councillors

Yes.

I sent a lawyers letter, as this really bad policy when my initial communications got ignored and I got some condescending responses, I would like to know from the Councillors not Tim or Greg, if any of you have read that letter?

Councillors

Yes.

I would like to know from the Councillors please, of the letter that you read were the Councillors involved in the decision of this good policy or was it just coming from Greg and Tim?

Response from Mayor Greg Howard:

The rates resolution was passed unanimously by every person sitting around this table.

How is this illegal policy for waste being called waste when it is not that?

Response from Mayor Greg Howard:

Part of it is about waste.

Grant Kearney, Derby

We hear all this talk about sponsorship and trail maintenance funds but has anyone actually ever seen a budget for Blue Derby or know where the money is coming from?

Response from Mayor Greg Howard:

We don't have a specific budget for Derby, the same as we don't have a specific budget for Scottsdale or for Bridport. There is a general budget for the whole of the municipality. We know as part of the trails is that we spend approximately \$400,000 on trail maintenance.

Ian Farley, Scottsdale

Someone must be managing bookings and the platform for Dorset Council on behalf of Blue Derby, what is the cost to rate payers for that? What is the overall cost of Councils alignment with Bookeasy and what is our expected return on investment?

Response from General Manager, Tim Watson:

We secured a grant of \$20,000 to set up the platform Bookeasy. We employ a person on a casual basis out of that grant funding until operators get set up, that has been going since November last year. Once it's up and running the marketing campaign that is about to kick off will be funded by the booking commissions coming out of Bookeasy, so it will be self-funding. We see it generating enough revenue where we will be able to engage someone on a casual basis, it's probably a day a week, that what we forecast. The whole thing will be self-funded, it's not going to cost the community.

In relation to the Council election signage when they have finished with their corflute signage, do they keep them? Are they willing to donate them to the club Sporting Shooting Association Australia Scottsdale where we could use them as backstops for our targets?

Response from Mayor Greg Howard:

Generally, those Councillors who have served more than one term have recycled them and I guess that is up to the Councillors as to what their personal intentions are post the election.

Item 140/22

Deputations

Nil

Item 141/22

Councillor Question Time

Councillor Leonie Stein:

Now that we have the Jarvis Link in Bridport being heavily used, for the majority of the population it's awesome but for some who come into town with ill intent they can enter and leave without being caught on any surveillance cameras. Is it possible to put one either at the top of the Main and Maxwell Streets intersection or actually on Jarvis Link T-section? I have spoken to the local policeman in regards to this and he said they would be in support of us

having a camera out there because we have them throughout the Main Street, on the bridge but now with the second access into township they can move around the township without being spotted.

QUESTION TAKEN ON NOTICE

The section of the foreshore that Crown Land demanded we stop maintaining is becoming a concern for many users of that track. The grass has grown significantly, you can see where the town maintenance stop and that section starts. They are concerned that if this continues the risk of snakes and so forth from being so overgrown. With the letters being sent from the community to that Department, can we also as a Council send a request that it be maintained regularly by them or otherwise they start reimbursing Council for maintenance?

Response from General Manager, Tim Watson:

I have reached out to the General Manager of Crown Land today for him to give me a call on the matter.

Could Council contact the Police and suggest they do some surveillance on children's crossing at school pick up times? I witnessed a near miss with a small child with people coming through at school time and are going straight through the crossing without stopping.

Response from Mayor Greg Howard:

We will liaise with the police on that matter.

In regards to the previous issues that have been raised tonight, I just wondered if the Bridport and other areas that aren't immediately associated with Derby, if they are aware that if they chose to use the booking platform that they also would be entitled to the commission and rebate, is that correct?

Response from General Manager, Tim Watson:

That is correct.

Was that put in the letter sent out to them? If it wasn't, can that communication please be sent to them?

Response from General Manager, Tim Watson:

I'd have to check that, I think it was. If it wasn't, we can advise those affected.

Councillor Wendy McLennan:

In relation to the Bridport Foreshore. We were going to contact Parks about getting permission to be able to clear the trees?

Response from General Manager, Tim Watson:

The General Manager, I am catching up with him in the next few weeks when he is in the North East and he is going to walk me through there and tell us what he is comfortable for Council to maintain.

Can we also consider the fact of the Lions Club or someone similar doing the clearing?

Response from General Manager, Tim Watson:

Yes of course. As you are aware, in the past they've advised that we can't touch it as I explained to Will Jocelyne and he said he has a different view on the matter and that is why he is going to make a trip up to advise what we can and can't do. I think that is an excellent suggestion if the Lions Club or similar would like to be involved.

Councillor Mervyn Chilcott:

With the short-term accommodation providers for the little bloke, who has only got a small rental, where do the exemption start in the situation where they probably only get twenty bookings per year, are they still expected to pay the amount?

Response from General Manager, Tim Watson:

It is a decision of Council, so the answer is yes.

The corner up at Legerwood where the main highway turns into Carisbrook Lane. Is there any improvement going to occur or have they been stopped?

Response from Mayor Greg Howard:

There is no plans to change it, no.

Councillor Edwina Powell:

Can we review the decision of Council relating to the varied waste management charge under the rates resolution?

Response from Mayor Greg Howard:

Yes we can, however, the process would be that Council would have to rescind the full rate resolution and start over again. This requires an absolute majority decision of Council.

Some Councils have introduced a caretaker mode as policy during the Local Government Election Period. Have we adopted this as well, or has that policy escaped me?

Response from Mayor Greg Howard:

No we haven't. There are a few Councils that have, but most haven't undertaken a caretaker period.

Deputy Mayor Dale Jessup:

In regards to Mr Willrath's second question contained in this agenda. His question in relation to whether Councillors are aware that if they do not ask their questions on notice none of their questions will be recorded in the minutes. I am just clarifying this as it may give Councillors and members of the public the impression that no questions from Councillors are minuted. Whilst we are not required to minute questions from Councillors, as per our practice these questions are recorded in the minutes. Is this correct?

Response from Mayor Greg Howard:

Just for clarification, under the Meeting Regulations there is no such thing as Councillor Question Time. There is no provision in a Council Meeting for a section called Councillor Question Time. Hardly any Councils in Tasmania actually has the process that Dorset use. It was something that was introduced to give Councillors an opportunity to ask questions, not required to do it and there is no scope for it, but as Councillor Jessup correctly pointed out, we do minute the questions whether they are on notice or not.

Councillor Wendy McLennan:

Further to the previous question raised by Councillor Powell? Do we have to rescind the whole rates resolution?

Response from Mayor Greg Howard:

Yes.

Item 142/22 Notices of Motion by Councillors

Councillor Edwina Powell

Foreshadowed motion regarding Rates Resolution passed at the 18 July Council Meeting, in particular the varied waste management charges to be discussed at the 17 October 2022 Council Meeting.

Cr Chilcott declared an interest in Item 143, however stated it was immaterial and remained in the Meeting.

Item 143/22 2022/23 Matching Funds Grants Application Assessments – Round 1
Reporting Officer: Customer Service/Community Liaison Officer, Elizabeth Hadley
Ref: DOC/22/10761 | Summary of Applications: DOC/22/10514

Purpose

The purpose of this agenda item 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	Unisex Disabled Toilet Under Scottsdale RSL Building	\$29,750	\$13,522	Recommended <i>(Conditional upon all applicable approvals being obtained within a period of 6 months)</i>
Lions Club of Bridport	Bridport Outdoor Half-Court Basketball Court	\$62,500	\$15,000	Recommended

Note: All figures have been rounded up to the nearest dollar.

Recommendation

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

- \$13,522 to Scottsdale Bowls Club; and
- \$15,000 to Lions Club of Bridport.

DECISION

MOVED: Cr Stein | SECONDED: Cr Nichols

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

- \$13,522 to Scottsdale Bowls Club; and
- \$15,000 to Lions Club of Bridport.

CARRIED UNANIMOUSLY

Cr Chilcott declared an interest in Item 143, however stated it was immaterial and remained in the Meeting.

Item 144/22

2022/23 Small Grants Application Assessments – Round 1

Reporting Officer: Customer Service/Community Liaison Officer, Elizabeth Hadley

Ref: DOC/22/10763 | Summary of Applications: DOC/22/10762

Purpose

The purpose of this agenda item 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
North Eastern Netball Association	Equipment Renewal	\$2,544	\$2,000	Part Recommendation - Purchase of the squeegee mops \$573 excl.GST
Dorset State Emergency Service	Dorset SES LED Light Replacement	\$1,347	\$1,020	Recommended
Ringarooma Swimming Pool	Glass Front Refrigerator for storage of sale items	\$2,717	\$2,000	Recommended
North Eastern Agricultural & Pastoral Society	Bench Seating	\$2,000	\$1,819	Not Recommended
Scottsdale Amateur Swim Club	Equipment	\$1,583	\$1,439	Recommended
Scottsdale RSL Sub Branch	Seats for Cenotaph	\$1,000	\$1,000	Recommended
North East Mens Shed - Winnaleah	Table Saw	\$2,470	\$2,000	Not Recommended
Scottsdale Tennis Club	Court 2 Net Replacement	\$667	\$285	Recommended
Legerwood Catering Group	Legerwood Hall Ceiling Fan	\$2,070	\$1,882	Recommended
Lions Club of Bridport	Equipment	\$1,886	\$1,715	Not Recommended
Dorset Tasmania History Society	Ellesmere Cemetery Unmarked Graves Project – Final Phase	\$9,673	\$1,885	Recommended

Note: All figures have been rounded up to the nearest dollar.

Recommendation

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

- \$573 to North Eastern Netball Association;
- \$1,020 to Dorset State Emergency Service;
- \$2,000 to Ringarooma Swimming Pool;
- \$1,439 to Scottsdale Amateur Swim Club;

- \$1,000 to Scottsdale RSL Sub Branch;
 - \$285 to Scottsdale Tennis Club;
 - \$1,882 to Legerwood Catering Group; and
 - \$1,885 to Dorset Tasmania History Society.
-

DECISION

MOVED: Cr Hughes | SECONDED: Cr Nichols

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

- \$573 to North Eastern Netball Association;
- \$1,020 to Dorset State Emergency Service;
- \$2,000 to Ringarooma Swimming Pool;
- \$1,439 to Scottsdale Amateur Swim Club;
- \$1,000 to Scottsdale RSL Sub Branch;
- \$285 to Scottsdale Tennis Club;
- \$1,882 to Legerwood Catering Group; and
- \$1,885 to Dorset Tasmania History Society.

CARRIED UNANIMOUSLY

Item 145/22

2022/23 Discretionary Grants Application Assessments – Round 1

Reporting Officer: Customer Service/Community Liaison Officer, Elizabeth Hadley
Ref: DOC/22/10765 | Summary of Applications: DOC/22/10762

Purpose

The purpose of this agenda item 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 Tennis Club	Bridport Tennis Clubroom Internal Renovation	\$9,605	\$7,637	Recommended
Tomahawk Community Association	Tomahawk CCTV Cameras	\$16,110	\$14,500	Not Recommended
Ringarooma Community Hub	Internal and External Painting of Clubhouse	\$17,620	\$13,637	Part Recommendation - Outside repairs and painting \$4,970 excl.GST
North Eastern Agricultural & Pastoral Society Inc.	Stable Upgrade (Christopher Street Side of Scottsdale Recreation Ground)	\$6,000	\$6,000	Not Recommended
Derby Netball Club	Derby Netball Court Re-Sealing	\$14,982	\$13,620	Part Recommendation - Repair and clean up on the outside of the court \$2,325 excl.GST

Note: All figures have been rounded up to the nearest dollar.

Recommendation

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

- \$7,637 to Bridport Tennis Club;
- \$4,970 to Ringarooma Community Hub; and
- \$2,325 to Derby Netball Club.

DECISION

MOVED: Cr Jessup | SECONDED: Cr Lade

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

- \$7,637 to Bridport Tennis Club;
- \$4,970 to Ringarooma Community Hub; and
- \$2,325 to Derby Netball Club.

CARRIED UNANIMOUSLY

*** Councillors are reminded that they are acting as the Planning Authority for Item 146

Cr Jessup declared an interest in Item 146, however stated it was immaterial and remained in the Meeting.

Item 146/22 **Combined Permit and Amendment – Amendment 1/2022 and PLA/2022/1266 | 1954 Bridport Road, BRIDPORT**
Reporting Officer: Town Planner, Thomas Wagenknecht
Ref: DOC/22/9120 | Supporting Reports and Information: DOC/22/10836

Purpose

The purpose of this report is for Council to consider:

- (a) initiating amendment to the Dorset Interim Planning Scheme 2013 (the Planning Scheme) to rezone land at 1954 Bridport Road, Bridport (Folio of the Register 235494/1) from Rural Living Zone to Rural Resource Zone and apply site-specific qualifications to that land; and
- (b) a proposal for a subdivision (1 lot into 2 lots) and construction of (i) self-storage compartments and ancillary caretakers residence, (ii) aircraft hangars, and (iii) service station, and associated signage at 1954 Bridport Road, Bridport and Bridport Road (Department of State Growth road reserve).

Recommendation

- 1) Pursuant to Sections 33(3) and 34(1)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993* the following amendment to the Dorset Interim Planning Scheme 2013 is initiated and, in accordance with Section 35, is initiated and certified as being in accordance with Sections 20(1), 30(O), 32(1) and 33(2B) of the Act:
 - a. Rezone land at 1954 Bridport Road, Bridport (Folio of the Register 235494/1) from Rural Living Zone to Rural Resource Zone; and
 - b. Apply a site-specific qualification to land at Folio of the Register 235494/1 to provide unqualified Permitted use status for the following use classes;
 - i. Storage;
 - ii. Vehicle Fuel Sales and Service;
 - iii. Service Industry; and
- 2) Pursuant to Section 43A of the former provisions of the *Land Use Planning and Approvals Act 1993*, approve:
 - a. Subdivision (1 lot into 2 lots); and
 - b. Construction of:
 - i. self storage compartments and ancillary caretakers residence;
 - ii. aircraft hangars; and
 - iii. service station and associated signage,

at 1954 Bridport Road, Bridport (Folio of the Register 235494/1) and Bridport Road, Bridport (road reserve) subject to the following conditions:

DECISION

MOVED: Cr McLennan | SECONDED: Cr Jessup

- 1) Pursuant to Sections 33(3) and 34(1)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993* the following amendment to the Dorset Interim Planning Scheme 2013 is initiated and, in accordance with Section 35, is initiated and certified as being in accordance with Sections 20(1), 30(O), 32(1) and 33(2B) of the Act:
 - a. Rezone land at 1954 Bridport Road, Bridport (Folio of the Register 235494/1) from Rural Living Zone to Rural Resource Zone; and
 - b. Apply a site-specific qualification to land at Folio of the Register 235494/1 to provide unqualified Permitted use status for the following use classes;
 - i. Storage;
 - ii. Vehicle Fuel Sales and Service;
 - iii. Service Industry; and
- 2) Pursuant to Section 43A of the former provisions of the *Land Use Planning and Approvals Act 1993*, approve:
 - a. Subdivision (1 lot into 2 lots); and
 - b. Construction of:
 - i. self storage compartments and ancillary caretakers residence;
 - ii. aircraft hangars; and
 - iii. service station and associated signage,

at 1954 Bridport Road, Bridport (Folio of the Register 235494/1) and Bridport Road, Bridport (road reserve) 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/2022/1266). Any substantial variation from this application will require the further planning consent of the Council.

The Endorsed Documents, except where specified otherwise in this permit, are the following:

- (a) Plan of Subdivision (prepared by PDA Surveyors and dated 12 July 2022);
- (b) Plan of Subdivision – Development Overlay (prepared by PDA Surveyors and dated 12 July 2022);
- (c) Plan of Subdivision – Stormwater Design (prepared by PDA Surveyors and dated 12 July); and

(d) Floor and Elevation Plans A201, A202, A203, A205, and A207 (prepared by S. Group and dated 23 February 2022).

2. Amended Plans

Prior to sealing of the final Plan of Survey, and to the satisfaction of Council's Town Planner, the responsible person must submit an amended Site Masterplan A101 (prepared by S. Group and dated 23 February 2022), that:

- (a) removes reference to the third southernmost vehicle access proximate to the frontage of the adjoining 1952 Bridport Road Bridport; and
- (b) relocates the three (3) proposed 40,000 litre water tanks and pump shed to be clear of the proposed stormwater management and detention system as detailed within the endorsed '*Stormwater Management Report – 1954 Bridport Road, Bridport, Tasmania*' (prepared by PDA Surveyors and dated 20 June 2022).

When approved by the Council's Town Planner, the amended Site Masterplan will be endorsed and will then form part of this permit.

3. Bushfire Hazard Management Plan

- (a) Prior to sealing of the final Plan of Survey and the commencement of the approved uses, an amended Bushfire Hazard Management Plan, and associated supporting content, must be submitted that is consistent with the location of the two vehicle access points detailed within the Plan of Subdivision prepared by PDA Surveyors dated 12 July 2022, to the satisfaction of Council's Town Planner.
- (b) The development must comply with the amended Bushfire Hazard Management Plan, and associated supporting content, identified in (a) above.

4. Site Landscaping Plan

Prior to sealing of the final Plan of Survey, a Site Landscaping Plan (the Plan) must be submitted for approval by Council's Town Planner that will, upon its implementation, suitably enhance the visual amenity of the Bridport Road tourist corridor. The Plan must be prepared by a suitably qualified person, must be drawn to scale and must include the following details:

- (a) major site features such as building footprints, topography, contours, existing vegetation and street boundaries;
- (b) existing and proposed garden areas and plantings (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity) along the frontage of, and throughout, the site;
- (c) any stabilisation works required as a result of tree or vegetation removal; and
- (d) any screen plantings (where required).

Once approved by Council's Town Planner, the Plan will be endorsed and will form part of the permit. The landscaping required by the Plan must be:

- (a) installed in accordance with the endorsed Plan;

- (b) sufficiently initiated within three (3) months of the commencement of the approved use(s) to which the respective landscaping areas and plantings are subservient; and
- (c) maintained to the satisfaction of Council's Town Planner and must not be removed, destroyed or lopped without the written consent of the Council's Town Planner.

5. Stormwater Management

- (a) Prior to the sealing of the final Plan of Survey, all stormwater works and requirements identified by the endorsed '*Stormwater Management Report – 1954 Bridport Road, Bridport, Tasmania*' prepared by PDA Surveyors and dated 20 June 2022 must be completed to the satisfaction of Council's Town Planner, to ensure that stormwater is discharged from the site in a manner that will not increase the amount of stormwater discharge from the site by more than 10% of the discharge which exists at the effective date of this planning permit.
- (b) Prior to the commencement of works identified in (a), preliminary design plans prepared and certified by a Practising Engineer for works identified in (a) above must be submitted to the Council's Town Planner and prepared to the satisfaction of the Council's Town Planner for approval.

6. Demolition

Prior to sealing of the final Plan of Survey, all approved demolition works must be completed in a manner that ensures the protection of property and services which are to either remain on or adjacent to the site from interference or damage.

7. Construction of Crossovers – Bridport Road (DSG State Road Reserve)

- (a) Prior to sealing of the final Plan of Survey and the commencement of the approved uses, and to the satisfaction of Council's Town Planner, all vehicle accesses to the subject land from the road verge of Bridport Road must be designed and constructed, complete with signage and line marking, in accordance with the Department of State Growth's rural road heavy vehicle access requirements, complete with;
 - (i) a minimum sealed access width of 6 metres for the northern access;
 - (ii) a minimum sealed access width of 11 metres for the southern access;
 - (iii) driveable culvert endwalls for all accesses; and
 - (iv) associated vegetation clearance required by the Department of State Growth to improve sight distances.
- (b) Prior to the commencement of any works identified in the Bridport Road Reserve required by (a), the person responsible must be issued with the appropriate works approval by the Department of State Growth. Evidence of this permit must be provided to the Council's Town Planner.

8. Construction of Vehicle Parking and Internal Access

Prior to the commencement of the approved uses, 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 provided in accordance with the amended Site Masterplan referred to at Condition 2 above. These areas must be provided with an impervious all weather surface that is:

- (a) constructed, drained and maintained as necessary to minimise:
 - (i) the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas; and
 - (ii) the emission of dust or the discharge of uncontrolled drainage; and
- (b) marked or provided with clear physical means to delineate vehicle parking spaces.

9. Easements

Easements are required over all Council and third party services located in private property. The incorporation of any necessary easements including drainage easements over sewer and storm water pipelines are to be shown. Easements must include any overland drainage paths where concentrated water runs. The minimum width of any easement must be 3 metres for Council (public) mains.

10. Covenants

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- (a) such covenants or controls are expressly authorised by the terms of this permit; or
- (b) such covenants or similar controls are expressly authorised by the consent in writing of the Council; or
- (c) such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

11. Sealing Plan of Survey

No Plan of Survey will be sealed by Council for the approved lots until the following matters have been completed to the satisfaction of the Council's Town Planner and made at the responsible person(s) cost:

- (a) satisfactory completion of public and private infrastructure and service works/installation in accordance with the Council's and any requisite responsible authority/s requirements (including the provision of engineering certification where required); and
- (b) sufficient evidence that Substantial Commencement of Works has been achieved for the approved service station; and
- (c) any payment or action required by a planning permit condition to occur prior to the sealing of the Plan of Survey.

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) 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. This legislation does not provide for the ability to institute an appeal against the decision of the Tasmanian Planning Commission made in accordance with section 43H of the *Land Use Planning and Approvals Act 1993*.

(iii) Permit Commencement

Where the Tasmanian Planning Commission decides to grant a planning permit for the proposal, such a permit has no effect until the date of the Tasmanian Planning Commission’s approval of the draft amendment.

(iv) Period of Approval

Pursuant to Section 43I(4) of 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 the planning authority has granted an extension under subsection 4A, after a further period of 2 year; or
- (c) if the planning authority has granted a further extension under subsection (6), at the end of a further period of 2 years from the end of the further period of 2 years for which the permit was extended under subsection (4A).

(v) 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) Department of State Growth road works approval
- (b) Sealing of Final Plan of Survey
- (c) Building and plumbing approvals

CARRIED UNANIMOUSLY

Item 147/22

Dorset Council Financial Management Strategy and Long Term Financial Plan 2022 - 2032

Reporting Officer: Director, Corporate Services, John Marik

Ref: DOC/22/10588 | Financial Management Strategy & Plan: DOC/22/10803

Purpose

The purpose of this agenda item is to adopt the Financial Management Strategy and Long Term Financial Plan for 2022 - 2032.

Recommendation

That pursuant to Section 70, 70A, 70E, 70F of the *Local Government Act 1993*, Dorset Council approves and adopts the Financial Management Strategy and Long Term Financial Plan for 2022 - 2032.

DECISION

MOVED: Cr Nichols | SECONDED: Cr Hughes

That pursuant to Section 70, 70A, 70E, 70F of the *Local Government Act 1993*, Dorset Council approves and adopts the Financial Management Strategy and Long Term Financial Plan for 2022 - 2032.

CARRIED UNANIMOUSLY

Item 148/22

Disability Access Policy Review

Reporting Officer: Director – Community & Development, Rohan Willis
Ref: DOC/22/10727 | Reviewed Policy: DOC/22/10154

Purpose

The purpose of this report is to adopt a revised Policy No. 35 – Disability Access.

Recommendation

That Council adopt the attached revised Policy No. 35 – Disability Access.

DECISION

MOVED: Cr Chilcott | SECONDED: Cr Stein

That Council adopt the attached revised Policy No. 35 – Disability Access.

CARRIED UNANIMOUSLY

Item 149/22

Variations to 2022/23 Annual Plan

Reporting Officer: Director – Community & Development, Rohan Willis
Ref: DOC/22/10726

Purpose

The purpose of this report is to propose variation to Council's 2022/23 Annual Plan by deferring Activity No.8 (Scottsdale Urban Residential Growth Strategy), Activity No.9 (Austins Road Development) and Activity No.10 (Derby Urban Residential Growth Strategy) of the Priority Action Plan.

Recommendation

That Council defers Activity No. 8 (Scottsdale Urban Residential Growth Strategy), Activity No. 9 (Austins Road Development) and Activity No. 10 (Derby Urban Residential Growth Strategy) of the Priority Action Plan provided within Council's 2022/23 Annual Plan as follows:

1. Complete drafts of both the Scottsdale Urban Residential Growth Strategy and the Derby Urban Residential Growth Strategy by no later than the end of the June 2023 quarter (30 June 2023); and
2. Include all other items for each of these activities for completion, as appropriate, under Council's 2023/24 Annual Plan.

DECISION

MOVED: Cr Jessup | SECONDED: Cr Stein

That Council defers Activity No. 8 (Scottsdale Urban Residential Growth Strategy), Activity No. 9 (Austins Road Development) and Activity No. 10 (Derby Urban Residential Growth Strategy) of the Priority Action Plan provided within Council's 2022/23 Annual Plan as follows:

1. Complete drafts of both the Scottsdale Urban Residential Growth Strategy and the Derby Urban Residential Growth Strategy by no later than the end of the June 2023 quarter (30 June 2023); and
2. Include all other items for each of these activities for completion, as appropriate, under Council's 2023/24 Annual Plan.

CARRIED UNANIMOUSLY

Item 150/22

Northern Tasmania Waste Management Group – Revised Governance Model

Reporting Officer: General Manager, Tim Watson

Ref: DOC/22/10645 | Revised Governance Model Plan: DOC/22/10644

Purpose

The purpose of this agenda item is to consider a new governance arrangement for the Northern Tasmania Waste Management Group, of which Dorset Council is a member.

Recommendation

That Council endorse the governance model proposed for the Northern Tasmania Waste Management Group to be hosted by NRM North.

DECISION

MOVED: Cr Nichols | SECONDED: Cr Jessup

That Council endorse the governance model proposed for the Northern Tasmania Waste Management Group to be hosted by NRM North.

CARRIED UNANIMOUSLY

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: 8:10 pm

CARRIED UNANIMOUSLY

Meeting Adjourned: 8:10 pm

Reason: For tea break with members of the public

Meeting Resumed: 8:27 pm

CLOSED SESSION AGENDA ITEMS

The following matters were 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 152/22 Contract 2022/23-03 | Bituminous Sealing of Roads**Item 153/22 General Manager's Annual Performance Review**

The reports on these matters were 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 respective reports relates to:

- Contracts and tenders for the supply of goods and services
- Personnel matters

Time Meeting Closed: 8:53 pm

Minutes Confirmed: 17 October 2022

Minute No: 154/22

**Mayor**