

dorset
C O U N C I L

Ordinary Minutes

Council Meeting

26 April 2022

it's in the making

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Council Meeting Minutes 26 April 2022

Meeting Opened: 6:03 pm

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

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

Apologies: Cr Wendy McLennan

Item 50/22 Confirmation of Ordinary Council Meeting Minutes – 21 March 2022
Ref: DOC/22/2906

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

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 21 March 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 51/22 Confirmation of Ordinary Council Meeting Closed Session Minutes – 21 March 2022
Ref: DOC/22/2903

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

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 21 March 2022 having been circulated to all Councillors, be confirmed as a true record.

CARRIED UNANIMOUSLY

Item 52/22 Confirmation of Agenda

DECISION

MOVED: Cr Jessup | SECONDED: Cr Stein

That Council confirm the Agenda and order of business for the 26 April 2022 Council Meeting.

CARRIED UNANIMOUSLY

Item 53/22 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 54/22 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 Chilcott

That the Management Team Briefing Report be received and noted.

CARRIED UNANIMOUSLY

Item 55/22 **Council Workshops Held Since Last Council Meeting**

5 April | Briefing Workshop

Item 56/22 **Councillor Applications for Leave of Absence**

Nil

Item 57/22 **Public Question Time**

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

Vincent Teichmann, Pioneer

Given that I have been a resident of Dorset for over 15 years, paying rates on three properties and have been driving shuttles for three companies in Derby for three seasons without any accidents, infringement notices or formal complaints, I would humbly ask you for a letter of support for my business so that I may obtain the final licence that I need from Parks and Wildlife Service in order to start operating my own shuttle business.

Response from Mayor Greg Howard:

As I have already explained to you in my emails that this decision is not for the Councillors, it is a decision of the General Manager. He has refused to do that on the basis that there are already enough shuttles, if not too many, already within Derby and to introduce another service would put the sustainability of some of those shuttles in doubt. It is an operational decision, it is not the role for Councillors and we support the General Manager's decision.

Could Council please provide me with a letter stating the reasons for your decision, including any legislation?

Response from Mayor Greg Howard:

Yes, we can write you a letter.

Is there an appeals process so that I can try to appeal this decision?

Response from Mayor Greg Howard:

No, there is no appeal process.

Item 58/22 **Deputations**

Nil

Councillor Dale Jessup:

Given Mr Teichmann's questions in public question time, I believe I haven't heard about this issue prior to tonight. Councillors haven't been circulated any correspondence. I obviously appreciate that the Mayor has outlined that it is an operational decision, but I would ask if we could be briefed in detail at the upcoming Workshop.

Response from Mayor Greg Howard:

Once again, I think if we do that we are going to usurp the authority of the General Manager and that is not appropriate. However, it is up to the Councillors.

Response from General Manager, Tim Watson:

I will give an update of the situation with the shuttles and you will see why I haven't supported another shuttle operator.

Councillor Edwina Powell:

In relation to the Bridport Seaside Caravan Park, have we signed the lease for that with Crown Land?

Response from General Manager, Tim Watson:

There is a ninety-nine year lease in place for a portion of it and there is a ten-year licence that expires in two years' time, so yes we do have two legal instruments in place. Crown Land in their wisdom decided to introduce a new lease a couple of years ago where they were going to charge Council \$25,000 per year and I refused to sign it.

Nil

Item 61/22**Annual Plan 2021/22 – March Quarterly Report**

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/22/3973 | March Quarterly Update: DOC/22/531

Purpose

The purpose of this agenda item is to update Council and the community on progress of the 2021/22 Annual Plan as at 31 March 2022.

	September Quarter	December Quarter	March Quarter
Achieved	6	6	2
In Progress	-	-	-
Not Achieved	-	1	-
Compliance Score	100%	85%	100%
Deferred	-	-	-

Recommendation

That the attached Annual Plan 2021/22 March Quarterly Report be received and noted.

DECISION

MOVED: Cr Chilcott | SECONDED: Cr Stein

That the attached Annual Plan 2021/22 March Quarterly Report be received and noted.

CARRIED UNANIMOUSLY

Item 62/22**Consideration of Representation - Notice of Intention to Dispose of Public Land | CT 159544/1 Emily Street BRIDPORT 'Ezzy Park'**

Reporting Officer: General Manager, Tim Watson

Ref: DOC/22/2588 | Objection: DOC/22/2586

Purpose

The purpose of this agenda item is for Council to consider a community representation in response to Council's notice of intention to dispose of CT 159544/1 Emily Street, Bridport known as 'Ezzy Park'.

Recommendation

That Council proceed with the disposal of CT 159544/1 Emily Street, Bridport known as 'Ezzy Park' to the Crown for the specific purpose of developing an emergency services hub in Bridport in accordance with the provisions of Section 178 of the *Local Government Act 1993*. This resolution is on the basis that CT 159544/1 cannot be used by any other State agency other than Tasmania Fire Service or Ambulance Tasmania without the written consent of Dorset Council.

DECISION

MOVED: Cr Nichols | SECONDED: Cr Jessup

That Council proceed with the disposal of CT 159544/1 Emily Street, Bridport known as 'Ezzy Park' to the Crown for the specific purpose of developing an emergency services hub in Bridport in accordance with the provisions of Section 178 of the *Local Government Act 1993*. This resolution is on the basis that CT 159544/1 cannot be used by any other State agency other than Tasmania Fire Service or Ambulance Tasmania without the written consent of Dorset Council.

CARRIED UNANIMOUSLY

Item 63/22

Sale of Council Land | 14 Hawkes Place SCOTTSDALE

Reporting Officer: General Manager, Tim Watson

Ref: DOC/22/4006

Purpose

The purpose of this agenda report is for Council to formally resolve its intention to sell the balance of the Council land at 14 Hawkes Place, Scottsdale (CT 182233/1) to Centacare Evolve Housing for the purpose of constructing a mix of social and affordable housing.

Recommendation

1. That Council resolve to rescind that part of the decision of Minute 153/21 resolved at the 20 September 2021 Council Meeting that referred to the sale of Lot 2 to Hussock's Pty Ltd as follows*:

That Council resolve an intent:

1. *to:*

b. sell the area generally illustrated as Lot 2, per Diagram 1 below, to Hussock's Pty Ltd,

in accord with the provisions of Section 178 of the Local Government Act 1993;
and*

2. *as an interim measure, to:*

b. enter into a lease agreement of not less than 12 months in duration with Hussock's Pty Ltd for the area generally illustrated as Lot 2, per Diagram 1 below;

- c. *rescind lease agreements with Centacare Evolve Housing and Hussock's Pty Ltd once respective titles for applicable areas are available and a transfer for each can be respectively affected.*

2. That Council resolve an intent to:

- a. sell the area generally illustrated as Lot 2, per Diagram 2 below, to Centacare Evolve Housing for \$100,000 excluding GST, in accord with the provisions of Section 178 of the *Local Government Act 1993**; and
- b. as an interim measure, to:
 - i. enter into a 99 year lease agreement with Centacare Evolve Housing for the area generally illustrated as Lots 1 and 2, per Diagram 2 below;
 - ii. rescind the lease agreement with Centacare Evolve Housing once the respective title is available and a transfer can be affected.

*Voting Requirement under the Act | Absolute Majority

DECISION

MOVED: Cr Hughes | SECONDED: Cr Nichols

1. That Council resolve to rescind that part of the decision of Minute 153/21 resolved at the 20 September 2021 Council Meeting that referred to the sale of Lot 2 to Hussock's Pty Ltd as follows*:

That Council resolve an intent:

1. *to:*

- b. *sell the area generally illustrated as Lot 2, per Diagram 1 below, to Hussock's Pty Ltd,*

in accord with the provisions of Section 178 of the Local Government Act 1993; and*

2. *as an interim measure, to:*

- b. *enter into a lease agreement of not less than 12 months in duration with Hussock's Pty Ltd for the area generally illustrated as Lot 2, per Diagram 1 below;*
- c. *rescind lease agreements with Centacare Evolve Housing and Hussock's Pty Ltd once respective titles for applicable areas are available and a transfer for each can be respectively affected.*

2. That Council resolve an intent to:

- a. sell the area generally illustrated as Lot 2, per Diagram 2 below, to Centacare Evolve Housing for \$100,000 excluding GST, in accord with the provisions of Section 178 of the *Local Government Act 1993**; and
- b. as an interim measure, to:
 - i. enter into a 99 year lease agreement with Centacare Evolve Housing for the area generally illustrated as Lots 1 and 2, per Diagram 2 below;

- ii. rescind the lease agreement with Centacare Evolve Housing once the respective title is available and a transfer can be affected.

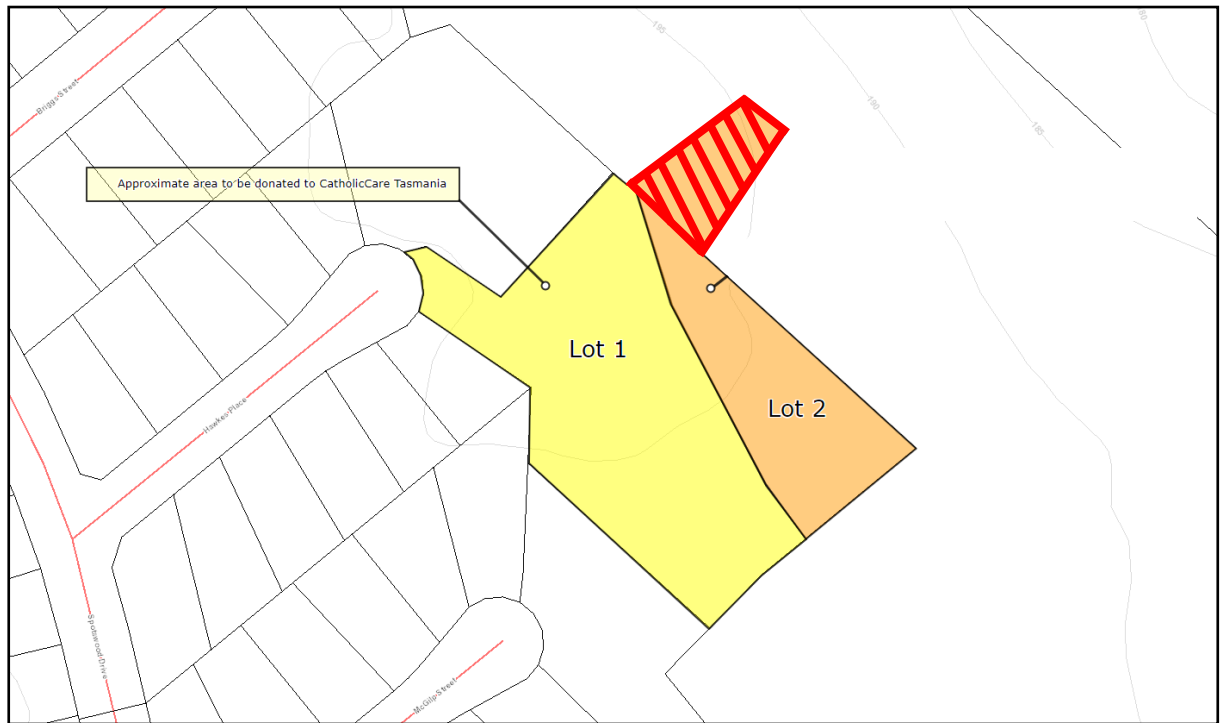


Diagram 2

CARRIED UNANIMOUSLY

Item 64/22 Closure of Meeting to the Public

DECISION

MOVED: Cr Stein | SECONDED: Cr Chilcott

That the Meeting be closed to the public pursuant to Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015, and that members of the public be required to leave the meeting room.

Time Meeting Closed to the Public: 6:32 pm

CARRIED UNANIMOUSLY

CLOSED SESSION ITEMS

The following matter was listed in the Closed Session Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015:

Item 65/22 Contract 2021/22-09 | Victoria Street Scottsdale Reconstruction

The report on this matter was 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 report relates to:

- Contracts and tenders for the supply of goods and services

Time Meeting Closed: 6:43 pm

Minutes Confirmed: 16 May 2022

Minute No: 67/22



Mayor