

dorset
C O U N C I L

Minutes

Council Meeting

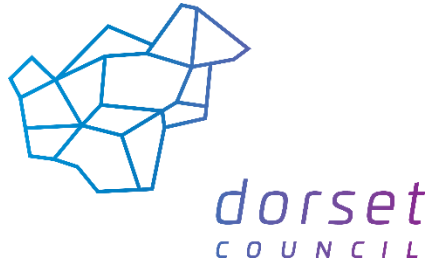
17 March 2025

PIONEER HALL

it's in the making

Ordinary Meeting of Council

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Council Meeting - Minutes

17 March 2025

Scheduled Meeting Time: 6:00 pm

Meeting Opened: 6:00 pm

Present: Councillors Edwina Powell (Acting Mayor), Jan Hughes, Kahlia Simmons, Nick Bicanic, Wendy McLennan, James Cashion, Vincent Teichmann, Mervyn Chilcott

General Manager: John Marik, Director – Corporate Services: Lauren Tolputt, Director – Infrastructure: Kerry Sacilotto, Consultant Town Planner: George Walker, Executive Assistant: Sarah Forsyth

Apologies: Assistant General Manager / Director – Community & Development: Rohan Willis

Acknowledgement of Country

Dorset Council acknowledges the deep history and culture of the First People who were the traditional owners of the lands and waterways where we live and work. We acknowledge the clans-people who lived here for over a thousand generations on the Country where Dorset is built and throughout the area we know as the north east region.

Dorset Council acknowledge the present-day Aboriginal custodians and the inclusive contribution they make to the social, cultural and economic essence of the municipality.

PROCEDURAL ITEMS

Item 37/2025 Declaration of an Interest of a Councillor or Close Associate

In accordance with Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* and the Local Government Code of Conduct for Tasmanian Councillors, Councillors are requested to indicate whether any 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 38/2025 Confirmation of Ordinary Council Meeting Minutes – 17 February 2025

Ref: DOC/25/1962

The Chair reported that she has viewed the minutes of the Ordinary Meeting held on 17 February 2025 and 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 McLennan

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 17 February 2025 having been circulated to Councillors, be confirmed as a true record.

CARRIED UNANIMOUSLY

Item 39/2025 Confirmation of Special Council Meeting Minutes – 4 March 2025

Ref: DOC/25/2689

The Chair reported that she has viewed the minutes of the Special Meeting held on 4 March 2025 and finds them to be a true record and recommends that they be taken as read and signed as a correct record.

DECISION

MOVED: Cr Teichmann | SECONDED: Cr Simmons

That the Minutes of Proceedings of the Dorset Council Special Meeting held on 4 March 2025 having been circulated to Councillors, be confirmed as a true record.

CARRIED UNANIMOUSLY

DECISION

MOVED: Cr Hughes | SECONDED: Cr Cashion

That Council confirm the Agenda and order of business for the 17 March 2025 Council Meeting.

CARRIED UNANIMOUSLY

The following questions were **taken on notice** at the 17 February 2025 Council Meeting:**Barry Hall, Bridport**

In relation to Item 28/2025 on the agenda this evening in relation to the construction of a petrol station at Bridport. I was speaking with Consultant Town Planner George Walker today regarding a report that was for the noise, etc. relating to the service station. I asked him about the hours of operation, and he advised that that was only related to the delivery of fuel to the site. I couldn't find where it said that this development was to be a 24-hour service station? In regard to that conversation with Mr Walker, he advised that B-Doubles would be able to use the service station for refuelling in the same manner and during the same hours as standard vehicles, and that I could attend the Council Meeting and raise this matter if I wished to do so.

Response from Director – Community & Development, Rohan Willis:

The completed planning permit application form that was submitted as part of the proposal (and is contained within the Agenda Attachments of the 17 February 2025 Council Meeting – see page 122 for details) explains that the proposed hours of operation of the service station development were for a 24 hour, 7 days per week operation.

It is noted that a Noise Assessment, prepared by Pitt & Sherry and provided as part of an 'Emissions Assessment' report that accompanied the application, assessed a range of noise sources that would expectedly access the development site (including moving heavy vehicles) and generated noise modelling that illustrated predicted noise levels to surrounding areas. The Noise Assessment concluded that *"the modelling results are significantly below the guideline levels specified within the EPP [Environment Protection Policy (Noise) 2009] and are likely to be well below typical ambient or background noise levels at the nearest residential areas"* and that as such *"the proposed development will likely be inaudible or indiscernible from existing noise sources"*. This Noise Assessment formed part of the suite of documentation appraised during the statutory assessment process undertaken by Council's Consultant Town Planner in relation to the application.

Jay Wilson, Bridport

In its findings, the Board of Inquiry noted that - and I quote, "the manner in which council workshops were conducted raised the prospect that debate at subsequent Council Meetings on the same resolution might be curtailed, contrary to statutory functions of Council". 17.1 – I quote, "there were instances where the outcome from previous workshops tended to limit debate at subsequent Council Meetings" and further the

Board of Inquiry reported in its recommendations - I quote, "The Local Government Meeting Regulations be amended to require councils to keep a record of the proceedings of the Council Workshop."

In recognition of the board's findings and recommendations, will Council now choose to make a publicly available record of workshop proceedings in order to ensure public transparency, accountability and compliance with statutory Council functions?

Response from General Manager, John Marik:

Please see below commentary from the Department of Premier and Cabinet – Office of Local Government, Information Sheet November 2018 in relation to workshops:

"Council workshops are informal meetings, held for the purpose of providing councillors with information on specific matters. Workshop procedure is not governed by the Act or Regulations.

The Regulations require that a meeting agenda include the date and purpose of any council workshop held since the last council meeting. Councils and councillors need to clearly distinguish between workshops and formal council meetings. No decisions can be made or foreshadowed at council workshops. They are for information purposes only and councillor attendance at workshops is not compulsory. Individual councils are entitled to hold workshops as and when they deem it necessary. Workshops are generally closed to the public, although a council may invite the public or individuals to attend if it wishes to do so"

Dorset Council keep notes / action items but not minutes of workshops. The point of a workshop is to inform Councillors of upcoming Council Meeting agenda items so that Councillors can make a decision in a public Council Meeting. Dorset Council Meeting Agendas comply with the *Local Government (Meeting Procedures) Regulations 2015 (the Regulations)* whereby items discussed in a workshop are tabled (by heading) and the date of those discussions. Dorset Council is compliant with the Regulations and a detailed record of workshop proceedings will not be made available to the public, as the forum for decision making is at Council Meetings.

Neil Waters, South Mount Cameron

Given the veracity and the details that have come out in the Dorset Board of Inquiry Report, the section on the Nabowla quarry was of particular concern to me regarding the way Council has mismanaged and Nabowla quarry, and how through that mismanagement still failed to comply with the Environmental Protection Authority's (EPA) directives regarding the recommendations that were made to Council. The fact that the Council's been through so scrutiny, how does Council:

- 1. intend to not only rebuild faith in its electorate and its residents regarding its procedures and practises?*
- 2. propose to handle any future quarries within the Dorset area and not only prove compliance, but make sure that proponents that put these development applications forward remain compliant?*

Response from Director – Community & Development, Rohan Willis:

To clarify, there was no failure by Council to comply with 'EPA directives' in relation to the Nabowla Quarry matter. EPA requirements in relation to the Nabowla Quarry are contained within the Environmental Permit issued for the activity and are binding upon that activity. The EPA is

predominantly responsible for enforcing compliance with the conditions it imposes upon the Environmental Permits it issues.

In regard to the Nabowla Quarry matter, the Board of Inquiry Report found that Council failed to implement a procedure to monitor and record whether permit conditions that were required to be satisfied before a use or development commenced were in fact satisfied. To address this matter, the Board recommended *“that the Minister give a direction under section 225(2)(d) of the Local Government Act 1993 to the Council to implement a procedure to ensure that permit conditions are satisfied, and to ensure that Council’s obligations under section 63A of the Land Use Planning and Approvals Act 1993 are being met”*. Ministerial Directions issued to Council pursuant to Section 225(2) of the *Local Government Act 1993* and dated 22 January 2025 have included a recommendation to this effect (Direction No. 5) and required that such procedure be implemented by Council within 180 days of the issuing of those Directions.

Council will comply with the Ministerial Directions accordingly. Compliance with this Direction will ensure Council Officers that have delegated authority and responsibility for observing and upholding compliance of planning permit conditions imposed by Council – for developments such as quarries – have a structure that supports ongoing ‘line of sight’ for permit adherence (noting other regulatory authorities, including the EPA and Mineral Resources Tasmania, also have express jurisdiction and compliance responsibilities pertaining to quarry approvals).

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

Stuart Rainbow, Derby

Why our rates have been increased 300% in the last 11 years? It seems a rather dramatic increase to me. I was paying \$514.00 per annum 11 years ago and now I’m paying \$497 per quarter, and there have been no tip passes or nothing for the past 3 years.

Response from Director – Corporate Services, Lauren Tolputt:

I’ll answer generally, but certainly happy to investigate your specific circumstances. Outside of the annual increase that’s applied every year, there are several factors that could affect someone’s rates including property development, etc. Typically, we ask that any ratepayer concerned contact Council’s rates team, and they can work through your rates account. However, happy to review your specific circumstances with you outside of this meeting.

You people are the peoples’ representatives, and I believe that one of the groups that we’ve had here over the years delegated the general manager, and I’m not going to crook at John or anyone else, giving the power of carte blanche. At the time I remembered arguing against it at a meeting and I think it’s the most dangerous thing we’ve ever had in this area, and that’s led to a lot of destruction. Is this still the case?

Clarification sought by the General Manager on what delegation referred to.

Is it correct, because I could never get an answer out of Council, I was told that the former General Manager was given carte blanche for all things Derby.

Response from General Manager, John Marik:

That has all changed since my appointment as General Manager in late 2022.

Kent Rattray, Lietinna (speaking on behalf of North East Residents and Farmers - NEREF)

As a Dorset ratepayer for 35 years, I would like to know:

1. *how much of ratepayer's funds have been spent on the Rail Trail Project since 2015;*
2. *how much grant monies have been spent (if any); and*
3. *what future commitments of ratepayer's funds will be required, in excess of annual maintenance estimated at \$116,500pa and \$450,000 grant co-payment?*
4. *Additionally, are you able to provide an estimate of income arising from the rail trail and the source(s) of that income?*

ALL QUESTIONS TAKEN ON NOTICE

Alana Keygan, Pioneer

Regarding substantial commencement of the proposed sand quarry here in Pioneer, is there any evidence that can be produced to show that substantial commencement had occurred for the original DEV/2011/19 planning application to be valid?

Response from Consultant Town Planner, George Walker:

With respect to the previous application and the previous permit, my understanding of the situation is that there have been emails and correspondence to the proponent at the time. Rightly or wrongly, at the time the advice was that substantial commencement had occurred. At this stage there has been some communication with the current proponent of the sand mine quarry, and they've provided assurances that any activity that has occurred is going to cease until such time as the current application is assessed. In terms of the process of determining whether or not substantial commencement has occurred, it's a matter of enforcement under the *Land Use Planning and Approvals Act 1993* and in order for that to occur, there would need to be an indication from Council to pursue that. At this stage the correspondence from the proponent is that there will not be any activity occurring. If there was activity occurring, then Council would likely need to undertake further investigations through proper enforcement channels.

Gary Watson, Pioneer

With activity that has happened here at the sand quarry last year, would that be undertaken as illegal?

Response from Consultant Town Planner, George Walker:

Without knowing what activities might have occurred, up until the current application, Council were under the impression, or the assumption based on the previous advice that substantial commencement had occurred of the original application. Without knowing extraction volumes or whether they had been recorded to Mineral Resource Tasmania (MRT) for example, we don't know whether they were illegal or not. Unfortunately, with a matter of proving substantial commencement, it's quite complicated, its multilayered, particularly with something like a sand mine where there's no significant extraction as in blasting or crushing or those sorts of things. As I understand it's quite easily extracted by an excavator, so the actual physical development component can sometimes be difficult to determine. Would it be illegal - it would be illegal if the permit had not been substantially commenced, but at this stage we simply don't have enough evidence to determine whether or not it had been, apart from information that has been supplied, as I understand through a Right to Information process, where Council had advised that it had commenced. So, without a full further investigation through an enforcement proceeding will be

very difficult to determine, but certainly in the event it hadn't substantially commenced, then yes, activities that that were occurring during recent times would be illegal.

Will this be reviewed in the future about how that has that process happened?

QUESTION TAKEN ON NOTICE

Alana Keygan, Pioneer

Is the application that is being put forward by Sanbar now, is that actually an intensification or is that a fresh application?

Response from Consultant Town Planner, George Walker:

So, the current application, I understand that there is a little bit of confusion with regards to the to the wording of the application, which was for an increase in extraction volume. At the time the application was being prepared by the proponent and their consultants, there was advice from Council, rightly or wrongly, saying that we believe that the application has substantially commenced. So, the assumption through that procedure was that this was going to be an increase in extraction volume. What we have investigated a little bit further is ensuring that if the previous permit hadn't been substantially commenced and lapsed, would the wording of the current application have any effect on its validity. The advice received is that the description of increasing in extraction volume won't invalidate the current application. So, the best way understand this particular application is that it is for a quarry for up to 50,000m³ of material per year and that it would be for a fresh volume of 50,000m³.

Is that how the Environmental Protection Authority (EPA) are assessing it, as a fresh application?

Response from Consultant Town Planner, George Walker:

Council and the EPA are looking at it with fresh eyes, as if the previous permit wasn't in place. From a planning point of view and the planning scheme and what Council looks at considering which primarily right relates to whether or not the use is allowable or permissible within the zone and then also traffic movements, it's certainly looking at it from fresh eyes and irrespective of whether or not the previous permit had substantially commenced or not. This is because it is a substantial increase in extraction volumes, which therefore has a substantial increase on traffic movements and those sorts of things. So, we wouldn't be giving any concession to the previous permit if it was in place or not on what we're looking at from a traffic point of view and from a land use perspective. What I have become aware of is the EPA were under the assumption that it was an increase and what's occurred, and I'm fairly positive that it's on the EPA website, is that they have requested supplementary information. That supplementary information I understand fills the gap between that assumption that it was existing and if it wasn't, the additional information being sought around those particular matters that I think you might have some concerns around. So the EPA have slightly changed their assessment pathway by requesting this supplementary information, information that they've requested is available on their assessment portal on the EPA website and any responses to that supplementary information request would be provided to the public as well. I think that there is an acknowledgement of the confusion whether or not it's an increase or not, whether or not it's an existing quarry and the terminology around it being increased. Certainly, the assessment from Council and the EPA's perspective is that we're assessing it purely on its merit as being 50,000m³, as previously stated, there's no real concession of whether or not the quarry was existing.

Mark Simpson, Pioneer

I understand that Council has signed off on the intersection of Main Road / Racecourse Road, just up from the Hall around 18 months ago as being completed. No works or consultation has been done. Who gave permission, who said the intersection was completed and was there consultation undertaken?

Clarification was sought by the Consultant Town Planner that the 'signing off' on the intersection approximately 18 months ago, is referring to the previous planning application.

Response from Consultant Town Planner, George Walker:

The simple answer to that is that those works that may or may not have been signed off on, if they haven't been completed, then they haven't been completed, so I don't think there's any dispute in that. I'm not 100% certain around the status of those intersections.

QUESTION TAKEN ON NOTICE

Eva Padgett, Pioneer

My question surrounds the budgeting for Pioneer. I'd like to know what updates are scheduled for the Pioneer area, and what money is allocated for those works?

QUESTION TAKEN ON NOTICE

Where do people like this young progress association go to with people that have experience in writing submissions, is there someone at Council?

Response from General Manager, John Marik:

Rather than give individual names because there are various officers that apply for grants depending on the grant being applied for, the best thing to do is contact Council reception or email to the governance team directly, and I can allocate to the appropriate officer.

Tim Slade, Pioneer

Will the Dorset Council release to all the Councillors the 43 public submissions that were received from residents of Pioneer in relation to the proposed Sanbar mine?

Response from Consultant Town Planner, George Walker:

The public submission period, as you'd be aware, has closed and there were around 43 or so public submissions that were made. The usual process is that at the moment they are with the EPA for assessment and then once the EPA have made their decision irrespective of whether their decision is for approval or refusal, it then comes back to Council acting as a planning authority in this forum and Council would therefore make a decision. At that point that is the standard time where Councillors would receive - 1) a copy of the representations, but 2) they would also have access to responses from the EPA as well as any responses to particular planning items or planning issues. There is there isn't anything stopping Councillors having access to those representations now, and certainly that's something that you'd like then that could be arranged internally for all Councillors to review them prior to the application being formally presented for decision.

In relation to the substantial commencement and the mentioned advice received. Who gave you that advice and is it legal advice?

Response from Consultant Town Planner, George Walker:

Council has sought legal advice. The two pieces of advice firstly related to the matter of advertising as you would all be aware. Council became aware that I believe it was adjoining landowners hadn't been appropriately notified. The result of that advice was advertising hadn't occurred in accordance with the relevant Act. So, we needed to then advertise correctly, which was the second round. The second piece of legal advice that had been sought was relating to the description and the words used within the current application, which is for the 50,000m³. Specific advice on substantial commencement hasn't been sought because the previous application has no connection or correlation to the current application. We touched on before that if there was an interest within Council to pursue the matter of substantial commencement, whether or not activity has occurred, or continues to occur, there are enforcement proceedings that can take place. That's when there would be further investigation and potentially legal advice around the matter of substantial commencement.

In relation to the rezoning of that land to become a quarry, how did that occur without any of the residents being made aware that that piece of land over there can suddenly become a quarry?

Response from Consultant Town Planner, George Walker:

Tasmania has gone through planning reform, and it's gone on through a good part of the last decade and a half. What's occurred is that Tasmanian Planning Scheme came into effect, and they took over from the previous Interim Planning Schemes. The instruction from the State Planning Office was that there are a new suite of zones within the Tasmanian Planning Scheme. What needed to occur was a direct translation to begin with of zones from the previous planning scheme to the new planning scheme. Effectively all land outside of settlement areas, outside environmental management areas and conservation areas, was rezoned rural resource. The translation, and which is also provided through section 8A Guidelines of which are provided by the Tasmanian Planning Commission, required the direct translation and the only possible direct translation for this land was to be rural or agriculture. Zoning to agriculture required there to be effectively significant agricultural land or agricultural potential. In this instance, the rural zone was effectively the best fit, as it was a reflection of the previous zone. What's occurred is that I believe extractive industries, which is a quarry or mine, was a discretionary use in rural resource zone of the previous planning scheme. Within the rural zone that moved to a permitted use. Now, irrespective of if this application was made under the previous scheme, it would still have been discretionary use because it's a level 2 activity, which is an extraction volume above 5,000 cubic metres. So it didn't matter what zone it was in, whether it was now or under a previous scheme, it would still be a discretionary application, which means the community involvement. Secondly, this matter of a quarry being permissible – it was permissible in the past scheme, and it's permissible in the current scheme as well. In terms of notification, the logistics of notifying every landowner in a municipal area that a zoning is going to change within their location, unless it's physically changing someone's zone from, for example, the village zone within Pioneer to the central business zone, which has substantial differences, there wasn't a requirement to notify every single ratepayer. The public exhibition period is provided by the *Land Use Planning and Approvals Act 1993*, which required 60 days of notification, notice was made in the various newspapers, on Council's websites, on the Tasmanian Planning Commission website as well. So, there was the opportunity for public participation through that process, which is a far more extended period than a 14 day advertising period.

Douglas Kaye, Pioneer

Why do Pioneer have the only double traffic 'Y' junction left in Australia, which has been illegal for nearly 40 years? There is no pedestrian access and it's a recipe for disaster and has been for years. When is the Council going to address this?

QUESTION TAKEN ON NOTICE

Item 42/2025

Deputations

Nil

Item 43/2025

Councillor Question Time

The following Councillor questions were **taken on notice** at the **17 February 2025** Council Meeting:

Councillor Jan Hughes:

In relation to Northeast Park in Scottsdale, it has been chock-a-block the last few days or weeks. Is there a designated space within the Scottsdale town boundary for an overflow of caravans, and if there is, where is it? If there is a designated location, is it signposted so that people can know, and we can let businesses know that they can tell people who are complaining about no space in the caravan park that they can also go somewhere else?

Response from Director – Community & Development, Rohan Willis:

Currently there is not an alternative designated location in Scottsdale township for RVs, caravans, etc. This is a matter that requires further consideration by Council, in consultation with the community.

Councillor Mervyn Chilcott:

The previous suspension of some members of the public from Council Meetings has been lifted, however there was one from the then Chamber of Commerce President who was banned from attending meetings several years ago. Is that still in place?

Response from General Manager, John Marik:

Officers have reviewed Council's records management system and can find no information on the ban mentioned. For completeness, there are no bans in place for any members of the public to attend any public Council Meeting or visit any Council facility.

Councillor Wendy McLennan:

In relation to parking in Bridport during the busy times of the year, there doesn't seem to be anyone managing the parking along the Main Street, in front of businesses for those who park in time restricted areas for lengthy periods. Who inspects this, or how do we control this parking?

Response from Director – Community & Development, Rohan Willis:

Further to the response offered during Councillor Question Time, Officers will need to investigate this matter in collaboration with Tasmania Police to ascertain the current steps that are being taken

to enforce compliance with parking signage in the township and determine what additional actions may be necessary to address the matter more holistically.

The following questions were received without notice from Councillors:

Councillor James Cashion:

The last Council workshop I raised the issue of the dilapidated North East Tasmania tourism website. This website's been left to rot for the last 10 years and advertises highly out of date information that is misleading. All the while the website still holds a high Google ranking, and the web hosting is still being paid for. Has the Council got an update on the situation?

QUESTION TAKEN ON NOTICE

Councillor Nick Bicanic:

How often do we update the inspection information on the boards such as the one here in the Pioneer Hall? It states that the toilet floor should be painted within 3 months, with the notice dated 2005.

Response from Director – Infrastructure, Kerry Sacilotto:

We do annual inspection of all Council owned halls and facilities. Checking notices on boards is probably not one of the things on the annual inspection list to check. However, I will note that down and let you know when the last painting of the toilets was undertaken.

Councillor Wendy McLennan:

As we are aware, there have been quite a few complaints about the Mathinna Plains Road with the extreme volume of traffic that is now travelling on that road. Is it possible to put this on to our budgeting program so that we can seriously review what we can do to upgrade that road due to the increased traffic?

Response from Director – Infrastructure, Kerry Sacilotto:

Yes, we can consider, along with a number of other roads that are not sealed within the municipality and that can be a part of upcoming budget deliberations. However, this will need to be prioritised against other roads.

Councillor Vincent Teichmann:

A couple of years ago, a question was asked in this Hall about installing toilets at Little Blue Lake due to the fairly high number of tourists that use that area and the lack of toilets leading to people going bush. Are there any plans underway to install toilets at Little Blue Lake as yet?

Response from General Manager, John Marik:

That is not Council land, its Crown Land, so we've certainly advocated to Parks and Wildlife who managed that land for the Crown, who have stated that they certainly don't have plans to build toilets there and have been directing people by signage to the nearest town, which is Gladstone.

As part of the licence contract that Council has with Sustainable Timber Tasmania for the Blue Derby Mountain biking trails, it's a condition of that contract to ensure that the areas kept sanitary and clean. There are no toilets up with the Black Stump trailhead where quite a few mountain bikers find themselves

in need of a toilet. Are there any plans to install any toilets there, because that's really a contractual obligation of Council, I believe?

QUESTION TAKEN ON NOTICE

Councillor James Cashion:

And our last workshop, I brought up the recent banning of salvaging items at tips, and I understand it's a liability issue with the Council's licence agreement. Now the practise of tip salvaging has been a great way for crafts people to claim materials for their hobbies. Additionally, many items at tips are perfectly good and they're being sent straight to landfill under these new rules. I see this as a clear contradiction to our Strategic Plan, under environmental footprint, "Council maximise efforts to reduce waste going to landfill, maximise reuse of items, etc.....". Can Council please go back to the drawing board to consider what practical options would be available to allow the practise of salvaging items at tips again and additionally could a risk assessment be conducted to determine the likelihood of an incident occurring while salvaging items?

Response from Director – Infrastructure, Kerry Sacilotto:

It's a good point - under our licencing for the waste transfer station, we are unable to allow scavenging. It is specifically listed in our licence that we're not allowed to have that activity. I guess the things that we try and do so that there are recycled items available and trying to meet that sustainability is the work through the tip shop.

So, is there any possibility we could amend that licence?

Response from Director – Infrastructure, Kerry Sacilotto:

I would seriously doubt we would be able to amend that clause and it is in all of the licences as far as I'm aware that scavenging is not available. The other aspect is the health and safety , of members of the public being in amongst items, vehicle movements, etc. The idea really is to try and move our people through to drop their waste and leave the area of activity as soon as possible. So having people milling around in that area looking for items and things like that is actually quite a significant safety risk.

For the sake of the public record, Rohan Willis (Director – Community & Development) let me know that Council obtained legal advice in relation to the current Sanbar development application. Can Council please provide a statement of the legal advice obtained and how this pertains to the original level 1 permit issued in 2011 plus who this advice was from?

Response from General Manager, John Marik:

We can supply that legal advice, which is legally privileged and confidential, but it can be supplied to Councillors for information.

So it can't be provided to the public?

Response from General Manager, John Marik:

Correct, legal advice received is privileged.

Rohan Willis also mentioned that he is seeking legal advice over whether substantial had occurred. Can anyone confirm whether this has occurred?

Response from Consultant Town Planner, George Walker:

My understanding is at this stage the matter of whether or not would determine the previous application has been substantially commenced there hasn't been any movements on seeking legal advice on that.

Councillor Vincent Teichmann:

How is Council and specifically the General Manager are progressing with issuing letters of support to businesses who request them recently, or over the past year, two, three or more years?

Clarification sought from the Chair and General Manager to what letters of support being referred to.

Local businesses who are seeking support from the Council.

Further clarification sought from the General Manager around whether this relates to the Draft Shuttle Policy and Councillor Teichmann personal request.

I'm alluding to all letters of support, but I guess that includes mine, and since it's a request for support under section 52 of Local Government Act - support for a permit or a licence, it is actually exempt from being a conflict of interest in case that is what you are referring to or questioning. So, I'm asking on behalf of anyone who's requested a letter of support, but that does include me, yes.

QUESTION TAKEN ON NOTICE

Can we find out how much it's costing to maintain the gravel roads in Dorset and in particular the breakdown of how much different roads are costing, which are the most expensive and whether perhaps Council can look at targeting some unsealed roads to save money in the long term?

Response from Director – Infrastructure, Kerry Sacilotto:

That is some of the work that we do, but the level of detail would vary. To get the level of detail that you're after would take a lot of officer hours. There is a program of works that we do work through, but to give you that individual details on every road, that would take some time to gather and provide to you.

Further Response from General Manager, John Marik:

What's probably easier is just to give like an average cost of what it costs to maintain and construct an unsealed road versus what it costs to maintain and construct a sealed road. So I think we'll take that question and discuss during the upcoming budget discussions.

Councillor James Cashion:

Could Council consider installing signage at the 'Big Thumb' rest stop in Scottsdale advising where the closest public toilets are located?

TAKEN ON NOTICE

Item 44/2025 Applications for Leave of Absence

Nil

Councillor Wendy McLennan presented the following Notice of Motion at the 17 February 2025 Council Meeting:

“To establish a protocol for the Dorset Council to move forward and that the matter of the motion be referred to a Council Workshop.”

Councillor Wendy McLennan has since withdrawn the Motion from the 17 March Council Meeting, and details referred to in the Motion will be discussed by Council at an upcoming Briefing Workshop.

PLANNING AUTHORITY MATTERS FOR DECISION

The Chair announced that Council intended to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* (LUPAA) when considering Item 46/2025.

Council is required by Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015* to deal with items as a Planning Authority under the LUPAA in a sequential manner.

The following item is to be dealt with at the meeting of Council in its capacity as a Planning Authority.

Item 46/2025 **Planning Application – Increase in Gravel Extraction and Processing Volumes (up to 10,000m³ of extraction and processing per annum) | South Esk Regional Reserve**
Reporting Officer: Consultant Town Planner, George Walker
Ref: DOC/25/3215 | Assessment Report: DOC/25/3216 | PLA/2024/91

Purpose

The purpose of this report is for Council to determine a planning application submitted by Dorset Council for the increase in gravel extraction and processing volumes at their existing Ben Ridge Road gravel quarry located within the South Esk Regional Reserve, approximately 2.5km to the south-west of the junction of Ben Ridge Road and Mathinna Plains Road.

Recommendation

It is recommended that the proposal for increase in gravel extraction and processing volumes (up to 10,000 cubic metres of extraction and processing per annum) at the subject land, be approved subject to the following conditions.

DECISION

MOVED: Cr McLennan | SECONDED: Cr Cashion

It is recommended that the proposal for increase in gravel extraction and processing volumes (up to 10,000 cubic metres of extraction and processing per annum) at the subject land, be approved subject to the following conditions:

Part A

1. *Basis of Approval*

The use and development for increase in gravel extraction and processing volumes (up to 10,000 cubic metres of extraction and processing per annum) is approved and must be undertaken in accordance with the following Endorsed Documents, unless altered by way of the listed conditions in Part A and B of this Permit:

- (a) Ben Ridge Quarry Environmental Effects Report Revision 2 dated 16 February 2024 prepared by Integrated Land Management and Planning;
- (b) Natural Values Assessment of Ben Ridge Road Quarry (Capacity Increase), Mining Lease 4M/2017, Mathinna Plains, Tasmania dated 11 November 2023 prepared by ECOtas.

Part B

1. *Environmental Protection Authority*

The person responsible must comply with the conditions contained in Schedule 2 of Permit Part B (Permit Conditions - Environmental No. 11690), which the Board of the Environmental Protection Authority has required the planning authority to include in this permit, pursuant to Section 25(5) of the *Environmental Management and Pollution Control Act 1994*, dated 19 December 2024.

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.*

(vi) Sustainable Timber Tasmania Advice

The application was referred to Sustainable Timber Tasmania, which provided the following advice on 1 November 2024:

“The applicant [Dorset Council] is responsible for the care & maintenance of any Forestry Road used in association with Mining Lease 4M/2017.”

CARRIED UNANIMOUSLY

ITEMS FOR DECISION

Item 47/2025 **Tabling of Commissioner Payments**
Reporting Officer: General Manager, John Marik
Ref: DOC/25/3038

Purpose

The purpose of this agenda item is to report the total payments made to Mr Andrew Wardlaw during his tenure as Commissioner for Dorset Council.

Recommendation

That Council receive and note the report and payments made to Mr Andrew Wardlaw during his tenure as Commissioner for Dorset Council, from 2 August 2023 until 22 January 2025.

DECISION

MOVED: Cr Simmons | SECONDED: Cr Hughes

That Council receive and note the report and payments made to Mr Andrew Wardlaw during his tenure as Commissioner for Dorset Council, from 2 August 2023 until 22 January 2025.

CARRIED UNANIMOUSLY

Item 48/2025 **Audit Panel Committee Members Appointment**
Reporting Officer: Director – Corporate Services, Lauren Tolputt
Ref: DOC/25/3109

Purpose

The purpose of this agenda item is to appoint Councillor representation on Council’s Audit Panel Committee until the end of their elected term in 2026.

Recommendation

That Council appoints the following representatives to serve on the Audit Panel Committee until the end of their elected term in 2026:

- Councillor Kahlia Simmons
- Councillor James Cashion
- Councillor Vincent Teichmann (alternate member)

DECISION

MOVED: Cr Chilcott | SECONDED: Cr Bicanic

That Council appoints the following representatives to serve on the Audit Panel Committee until the end of their elected term in 2026:

- **Councillor Kahlia Simmons**

- Councillor James Cashion
- Councillor Vincent Teichmann (alternate member)

CARRIED UNANIMOUSLY

Item 49/2025 **Review of Policy No. 58 – Writing off Debts**
Reporting Officer: Director – Corporate Services, Lauren Tolputt
Ref: DOC/25/3100 | DOC/25/1986

Purpose

The purpose of this agenda item is to adopt the reviewed Policy No. 58 – Writing Off Debts (the Policy).

Recommendation

That Council adopts the revised Policy No. 58 – Writing Off Debts, copy provided at the Agenda Attachments.

DECISION

MOVED: Cr Hughes | SECONDED: Cr McLennan

That Council adopts the revised Policy No. 58 – Writing Off Debts, copy provided at the Agenda Attachments.

CARRIED UNANIMOUSLY

ITEMS FOR NOTING

Item 50/2025 **Council Workshops Held Since Last Council Meeting**

4 March 2025 | Briefing Workshop

- Draft Derby Shuttle Bus Business Policy
- Dorset Board of Inquiry Update
- Future of Local Government – Priority Reforms | Draft Submission
- Tasmanian Government Proposed Electoral Bill Discussion Paper
- Review Policy No. 55 – Mobile Food Vendor
- Draft Dorset Weed Management Plan 2025 – 2030
- Review of Policy No. 58 – Writing off Debts
- Scottsdale Pedestrian Accessibility | King Street and George Street
- 2025/26 Budget Period Timeline
- Briefing Reports
 - Councillor Community Attendance
 - Councillor Communications

- Tasmanian Government | Remaking of Local Government Regulations – Consultation
- Audit Panel Councillor Membership
- Local Government Association of Tasmanian Energy Tender – Contract Outcomes
- Pioneer Resident Meeting Discussion
- Dorset Community Group Meeting Attendance
- Management Team Updates
 - Northern Tasmania Regional Land Use Strategy Steering Committee

Item 51/2025 Elected Member Communications

Mayor / Councillors Calendar | 13 February – 12 March 2025

February 2025

13 Councillor Planning Session attended by Councillors Powell, Hughes, McLennan and Simmons, Council Chambers

March 2025

4 Special Meeting of Council, Council Chambers
 4 March Briefing Workshop, Council Chambers
 11 Acting Mayor meeting with General Manager, Council Chambers

Item 52/2025 Management Team Briefing Report

Purpose

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 Bicanic | SECONDED: Cr McLennan
 That Council receive and note the Management Team Briefing Report.**

CARRIED UNANIMOUSLY

CUSTOMER SERVICE REQUESTS

	Requests Received February 2025	Comparison Requests February 2024	Received 2025	Comparison 2024
Animal	3	6	4	6
Bridges	-	-	-	-
Caravan Parks	-	-	1	2
Cemeteries	1	-	1	-
Community Development General	-	-	-	-
Corporate Services General	-	-	2	-
Council Elections	1	-	1	-
Customer Service	2	-	3	1
Emergency Services Enquiries	1	-	1	-
Environmental Management & Health	2	1	3	2
Government Relations	-	-	-	-
Licencing	-	-	-	-
Parks and Reserves	2	-	4	-
Planning & Building	-	1	-	1
Public Health	-	-	1	1
Public Online Enquiries	-	-	-	-
Public Amenities	1	1	1	3
Public Halls Buildings	-	2	-	2
Recreation Grounds	1	5	1	5
Roads	16	25	41	55
Swimming Pools	-	-	5	-
Waste Management	1	-	1	1
Total Requests	31	41	70	79

A detailed copy of the 2025 Customer Service Requests is included in the attachments.

APPROVED APPLICATIONS

	Approved February 2025	Approved 2025 YTD	Approved 2024 YTD
Planning	5	13	16
Building¹	5	7	20
Plumbing	4	4	9

See attachments for detailed information about applications approved in February 2025.

¹ From 15 March 2023, Dorset Council ceased providing Building Surveying services for any new building applications. Council is still providing Plumbing Surveyor services and continues to act as the Permit Authority, as required.

WASTE MANAGEMENT REQUESTS

	Requests Received February 2025	Comparison February 2024	FYTD Received 2024/25	Comparison FYTD Received 2023/24
Feedback and Queries	1	2	21	15
Repair Bin	6	5	51	37
Replace Bin	7	1	40	27
Request a New Service	13	2	46	25
Remove Additional Bin	4	31	12	65
Request an Additional Bin	-	-	34	2
Request an Upsize/Downsize	-	1	40	34
Request to Opt Out (of Service)	-	-	1	2
Total Requests	31	42	245	207

2024/25 CAPITAL WORKS PROGRAM

Ref: DOC/23/8447

	Complete 2024/25
	Completed in February 2025
	Carried Forward Projects – 2025/26

PROJECT	STATUS
BRIDGES	
Bridge 1553 Boddington's Road, Bridport – timber deck renewal	Planning
Bridge 1580 Ten Mile Track, Cuckoo – hotmix overlay	Completed
Bridge 1508 Garibaldi Road, Pioneer – scour pretention piers (additional allocation)	Quotes Requested
Bridge 1508 Garibaldi Road, Pioneer – scour protection piers	Quotes Requested
STORMWATER	
Main Street, Bridport (RSL) – kerb and stormwater design only	Completed
<u>Upgrade</u>	
William Street, Scottsdale (Incitec Pivot) – network upgrade	Tender Awarded
<u>New</u>	
Branxholm Park – complete stormwater and seal	Completed
Ethel Street, Scottsdale – extension into King Street	Tender Awarded
Heazlewood Lane, Scottsdale – extension	Completed
Union Street, Scottsdale – survey and plan	Design
Bridport Foreshore (near skate park) – survey and plan	Commenced
Esplanade, Derby – survey and plan	Planning
Scottsdale Depot and industrial subdivision – survey and plan	Planning
ROADS – RESHEETING	
<u>Renewal</u>	
Barnbogle Road, Bridport	Completed
Snake Track, Legerwood	Completed
Barnett Road, Ringarooma	Completed
Old Waterhouse Road, Waterhouse	Completed
Halfway Road, Waterhouse	Completed
Talagandra Road, Waterhouse	Completed
Jacobsons Road, Nabowla	Completed
Cape Portland Road, Gladstone	Completed

PROJECT	STATUS
ROADS – RESEALS	
Westwood Street, Bridport	Preparation Work Completed
South Street, Bridport	
Elizabeth Street, Bridport	
Louisa Street, Bridport	
Anderson Street, Bridport	
Main Street, Ringarooma	
Cuckoo Road, Cuckoo	
Mackenzie Valley Road, Cuckoo	
Ruby Flats Road, Ringarooma	
Amos Road, Moorina	
Moorina Cemetery Road, Moorina	
Rainbows Road, Herrick	
Winnaleah Road, Winnaleah	
Heckrath Road, Bridport	
East Minstone Road, Scottsdale	
ROADS – OTHER PROJECTS	
Timperons Road, Blumont – intersection with Golconda Road hotmix overlay	Completed
Groves Street, Gladstone – repair and reseal	Completed
Cape Portland Road, Gladstone – seal repair and reseal	Completed
Sledge Track, West Scottsdale – investigation of landslip	Withdrawn ²
King Street, Scottsdale – pedestrian crossing	Investigations
George Street, Scottsdale – pedestrian crossing	Investigations
Main Street, Bridport – pedestrian crossing	Approved
Coplestone Street, Scottsdale – new 180m footpath	Planning
Golconda Road, Golconda – safety upgrade and pavement reconstruction	Commenced
BUILDINGS	
Scottsdale Depot – internal stair replacement	Planning
Bridport Seaside Caravan Park – grey water pits near office	Planning
Branxholm Town Hall – roof replacement	Partially Complete
Ringarooma – bar shed seal and paint bricks	Commenced
Gladstone Hall – remove old toilets and refurbish	Partially Complete
Scottsdale Aquatic Centre – install ventilation in plant room	Completed
All buildings in Scottsdale area – upgrade safety switches	Planning
All buildings in Bridport area – upgrade safety switches	Planning
All buildings in Derby area – upgrade safety switches	Planning
Bridport Seaside Caravan Park – Goftons amenities lighting upgrade	Completed
Bridport Hall – upgrade floor coverings	Completed
Bridport Football Club – viewing deck (additional allocation)	Completed
Bridport Hall – 3-phase power outlet outside wall	Completed

² Following a site visit with consulting engineers, it was concluded that the risk of further movement is low, while the cost of stabilisation works would be significant with limited benefit. Council's Infrastructure team will continue to monitor the site.

PROJECT	STATUS
BUILDINGS (cont.)	
Bridport Seaside Caravan Park – planning for new camp kitchen at Goftons Beach end	Planning
Scottsdale Railway Station Building – restoration	Planning
Branxholm Waste Transfer Station – Oil Bunded Shed	Planning
Branxholm Waste Transfer Station – Recycling Shed	Planning
Gladstone Waste Transfer Station – Oil Bunded Shed	Planning
Gladstone Waste Transfer Station – Recycling Shed	Planning
Scottsdale Waste Transfer Station – Oil Bunded Shed	Planning
Bridport Fish Cleaning Tables	Withdrawn³
LAND IMPROVEMENTS	
Northeast Park, Scottsdale – reseal road	Commenced
Bridport Seaside Caravan Park – road repairs (hotmix and seal)	Completed
Scottsdale Aquatic Centre – chlorinator pump replacement	Completed
Scottsdale Aquatic Centre – concrete repair	Completed
Scottsdale Aquatic Centre – replace ultraviolet light (water treatment)	Completed
Pine Plantation Ringarooma Road, Scottsdale – replanting	Planning
Blue Derby Mountain Bike Trails – Tunnel stairs	Carried Forward
Blue Derby Mountain Bike Trails – Wotcha Upta trail renewal and upgrade	Completed
Croquet Lawn Beach, Bridport – access improvements	Planning
Blue Derby Mountain Bike Trails – revegetation including landslip, trailhead, Lake Derby and Riverside trails	Commenced
<u>Upgrade</u>	
Scottsdale, Branxholm and Winnaleah – playground equipment (Open Spaces Grant)	Partially Complete
Ellesmere Cemetery, Scottsdale – 2 x new concrete rows and purchase headstones	Planning
Victoria Street, Scottsdale – new shrubs and gardens	Commenced
Scottsdale Depot – back flow prevention – water main	Planning
Ellesmere Cemetery, Scottsdale – row numbering	Planning
CWA Carpark, Bridport – solar light	Ordered
Waste Transfer Stations – best practice compliance signage	Commenced
Scottsdale Waste Transfer Station – CCTV	Commenced
Rail Trail – Scottsdale to Lilydale Falls (additional allocation)	Consultation
CARRY FORWARD PROJECTS	
Walter Street, Bridport – stormwater (pit) upgrades	Completed
Eastmans Beach, Bridport – amenities block renewal	Completed
South Street, Bridport – replace kerb	Completed
Blue Derby – network signage redesign	Commenced

³ After community consultation was undertaken, feedback received was strongly against the proposed fish cleaning tables. The project was reviewed, with no other projects identified that would fit the scope of the grant, with the \$15,000 funding offer refused and the project withdrawn.

PROJECT	STATUS
CARRY FORWARD PROJECTS (cont.)	
<u>Upgrade</u>	
Bridge 1572 Haas Road / Frenches Creek, Legerwood – upgrade to concrete	Funding Application Submitted
Main and Westwood Street, Bridport Intersection – stormwater upgrade	Completed
Building Renovations (Blue Derby Foundation) - 57 Main Street, Derby	Consultation
Old Waterhouse Road, Waterhouse – safety improvements	Commenced
Blue Derby Trailhead – redevelopment (south of Main Street)	Commenced
<u>New</u>	
Gladstone Community Park	Consultation Completed
Scottsdale Depot – relocated storage shed	Planning
Scottsdale Waste Transfer Station – roof covering spare bin area	Completed
Derby Depot – new trail crew storage shed	Carried Forward
Rail Trail – Scottsdale to Lilydale Falls	Consultation

CLOSURE OF MEETING

Time Meeting Closed: 7:46 pm

Minutes Confirmed: 14 April 2025

Minute No: 56/2025



Mayor