



dorset
C O U N C I L

Minutes

Council Meeting

18 December 2023

Council Chambers

it's in the making

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Council Meeting Minutes 18 December 2023

Meeting Opened: 6:00 pm

Present: Commissioner Andrew Wardlaw

Acting General Manager / Assistant General Manager / Director – Community & Development: Rohan Willis, Director – Infrastructure: Michael Buckley, Finance Manager: Allison Saunders, Administration Manager: Lauren Tolputt, Executive Assistant: Sarah Forsyth

Apologies: General Manager: John Marik

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 Scottsdale 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.

Item 205/23 **Confirmation of Ordinary Council Meeting Minutes – 20 November 2023**
Ref: DOC/23/14288

The Chair reported that he had viewed the minutes of the Ordinary Meeting held on Monday, 20 November 2023 finds them to be a true record and recommends that they be taken as read and signed as a correct record.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 20 November 2023 having been circulated to the Commissioner, be confirmed as a true record.

CARRIED: COMMISSIONER

DECISION**MOVED / SECONDED: Commissioner Wardlaw**

That Council confirm the Agenda and order of business for the 18 December 2023 Council Meeting.

CARRIED: COMMISSIONER**Item 207/23****Declaration of an Interest of the Commissioner or Close Associate**

In accordance with Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's adopted Code of Conduct, the Commissioner is requested to indicate whether he has, or is 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 208/23**Commissioner Communications****Commissioner Wardlaw's Calendar | 16 November 2023 – 13 December 2023****November 2023**

- 16 Meeting with City of Launceston Mayor, CEO and General Manager Infrastructure and Assets, with Dorset General Manager, Town Hall, Launceston
- 17 Scottsdale Show, Scottsdale Recreation Ground
- 20 Weekly meeting with Council management team
- 20 Informal Meet and Greet, Bridport
- 20 Dorset Council Annual General Meeting, Bridport
- 20 November Council Meeting, Bridport
- 22 General Manager's Performance Review Meeting with the General Manager, Launceston
- 22 TasWater Annual General Meeting with the General Manager, Launceston
- 22 Tas Councils and Healthy Resilient Communities Session with the General Manager, South Launceston
- 24 Northern Tasmania Development Corporation Annual General Meeting with the General Manager, Launceston
- 26 Book Launch 'Legerwood Days', Legerwood Hall
- 27 Weekly meeting with Council management team
- 27 Meeting with Health Consumers Tasmania with General Manager, Council Chambers
- 27 Branxholm Progress Association Meeting with Director – Infrastructure, Branxholm Hall
- 28 Dorset Wellbeing Network Meeting, Dorset Community House
- 29 Meeting with Bridport Pier Working Group with the General Manager, Assistant General Manager and MAST representatives, Council Chambers
- 29 Meeting with ratepayer with the General Manager, Council Chambers

- 30 Scottsdale High School Annual Presentation Bursary Selection Panel Meeting, Scottsdale High School
- 30 North East Tasmania Tourism Annual General Meeting, Council Chambers

December 2023

- 4 Offshore Wind Community Consultation Session, Bridport Hotel
- 4 North East Tasmania Chamber of Commerce Meeting with the General Manager and Director – Infrastructure, Scottsdale Art Gallery Café
- 5 December Briefing Workshop, Council Chambers
- 6 Meeting with Tasmania Police Inspector Nick Clark and Senior Sergeant Luke Moore with the General Manager, Council Chamber
- 11 Public jetty at Bridport site feasibility discussion with General Manager, Assistant General Manager and Director – Infrastructure, Council Chambers
- 12 Scottsdale Primary School Presentation Morning, Scottsdale Primary School
- 12 Catch up with Bridport Seaside Caravan Park Caretakers, Bridport
- 13 Ringarooma Primary School Presentation Assembly, Ringarooma Primary School
- 13 Bridport Primary School Presentation Assembly, Bridport Primary School

Item 209/23 Management Team Briefing Report

The purpose of this agenda item is to provide the Commissioner and the community with a briefing on matters of interest dealt with during the past month by Council’s Management Team.

Recommendation

That Council:

1. receive and note the update on the North East Rail Trail project;
2. note the Dorset Council submission on the Draft Tasmania Fire and Emergency Services Bill; and
3. receive and note the Management Team Briefing Report.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council:

1. receive and note the update on the North East Rail Trail project;
2. note the Dorset Council submission on the Draft Tasmania Fire and Emergency Services Bill; and
3. receive and note the Management Team Briefing Report.

CARRIED: COMMISSIONER

Item 210/23 Council Workshops Held Since Last Council Meeting

5 December | Briefing Workshop

Nil

The following question was **taken on notice** at the Annual General Meeting, held on 20 November:

Lawrence Archer, Bridport

On page 48 (2.1 Rates and Charges), the waste management charge income, it increased from \$1.49 million to \$2.23 million and there was no apparent expansion or improvement of the services. How does Council justify or explain that increase of \$740,000 or a 50% increase from the previous year?

Response from Administration Manager, Lauren Tolputt:

The Waste Charge income reported on page 48 (Note 2.1, Rates and Charges) of Council's 2022/23 Annual Report not only comprises of income received from Council's waste management charge but also income received from mobile garbage bin (MGB) charges. The waste management charge is applied to all rateable properties in Dorset as a contribution towards public waste collection costs, operational costs of Council's waste transfer stations, cartage of waste to Dulverton landfill facility and rehabilitation of Council's former tip sites. Mobile garbage bin charges are applied to all land to which Council supplies kerbside garbage or recycling collection services.

Of the \$2.223m waste charges reported for 2022/23, \$1.221m was attributed to the waste management charge and \$1.012m was attributed to MGB charges. Of the \$1.221m attributed to the waste management charge, \$595,760 related to the non-varied waste management charge and \$625,404 related to the varied waste management charge. Remissions of the varied waste management charge amounting to \$345,399 were provided in accordance with the policy position adopted by Council on 18 July 2022. These remissions are not shown as being offset against the reported 2022/23 waste income but rather are shown as being offset against the reported 2022/23 general rate income. Taking the remissions into account, the net waste income for 2022/23 was \$1.887m or an increase of \$395,600 on the reported 2021/22 waste income. It is also important to note that 2022/23 waste expenditure was \$1.5m up from \$1.3m in 2021/22.

Key reasons for the increased waste income in 2022/23 include:

- Increases to the waste management charge and MGB charges to reflect increases to CPI and CCI, noting that the cost of plant, equipment and infrastructure has typically increased at more than double the CPI / CCI rates over recent years and therefore additional cash must be generated to fund future capital replacements
- A further increase to the standard waste management charge to assist in cost recovery relating to:
 - o The newly established State Landfill Levy
 - o Increased waste collection and cartage costs (particularly increased fuel costs, increased contractor costs for public waste management and increased disposal fees for various waste streams such as tyres)
 - o Increased employee costs

- Expanding the application of the varied waste management charge (which was previously only applied to commercial properties in Derby) to apply to commercial properties in Derby, Branxholm, Winnaleah, Bridport, Scottsdale and Tomahawk

In addition to ensuring cost recovery for the provision of waste services, Council must ensure that sufficient cash is generated to be able to fund future capital expenditure that is necessary to deliver Council's future Waste Management Strategy as per the 2023-2032 Strategic Plan. The development of Council's next Waste Management Strategy is underway and will be informed by the broader strategy currently being developed by the Northern Tasmanian Waste Management Program. Council's new Waste Management Strategy is anticipated to include planning for and delivery of the State Government Container Refund Scheme and Green Waste Disposal initiatives. Council will also be required to fund future capital investment including replacement of plant and equipment used for waste services, renewals / upgrades of waste transfer facilities, etc.

To summarise, there is generally a greater amount of waste income collected than reported waste expenditure on an annual basis. However, it is important to remember that Council is a long term asset manager and any income generated not only funds annual waste services operations and waste strategy initiatives, but will also contribute to funding future capital investment to ensure continued provision of quality waste services and initiatives to the municipality long term.

The following question was **taken on notice** at the 20 November Council Meeting:

Wendy McLennan, Bridport

When Council looked at the upgrade of Bentley Street, it was suggested because of the amount of stormwater that was going to run off due to the increased building going on, that it would be a good idea to take the outflow of the stormwater over the rocks. At the moment it just goes straight down over the beach causing major problems. So is there any way of reassessing this to redirect the stormwater somehow off Old Pier beach?

Response from Director – Infrastructure, Michael Buckley:

Council has a large stormwater network that staff proactively and reactively inspect to schedule maintenance including prioritising capital works expenditure for new areas, renewals and upgrades in accordance with asset management plans and processes.

Extensive design work was undertaken in 2018 by Council Officers for Bentley Street including a physical site assessment to look at multiple options including outfall on the southern side of the boat ramp. Due to the presence of hard rock previously encountered within the area of Bentley Street, estimated construction cost of approximately \$200,000 and competing ongoing priority stormwater issues within populated areas requiring funding this preferred option was not funded at the time. The foreshore plan for the new Jetty in Bridport will further review the cause of limited sand flow issues.

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

Karl Willrath, Scottsdale | 6 December 2023

Why wasn't there a link included with the draft version of the Dealing with Unreasonable Customer Conduct Policy that cited the NSW ombudsman's model so people could clearly see Dorset's version of their "before and after"?

Response from General Manager, John Marik:

The Unreasonable Conduct by a Complainant Model Policy that was developed by the NSW Ombudsman was clearly referenced in the 20 November 2023 Council Meeting agenda report, and is readily electronically accessible via the internet.

The following question was received without notice from a member of the public:

Karl Willrath, Scottsdale

It was reported in the Mercury newspaper in June 2023, that Mayor Howard was appealing code of conduct complaints not just for himself but for every councillor in Tasmania, the Mercury quoted him as saying. So if there are any code of conduct complaints that have been upheld or overturned on appeal, do they have to be tabled even when a councillor has been suspended?

Response from Acting General Manager, Rohan Willis:

If the Code of Conduct Panel were to proceed to determine a complaint in relation to a respective Councillor, despite the Councillor being suspended, then the general manager would be obliged to progress with notification of the of the Panel's decision in accord with relevant provisions of the *Local Government Act 1993*.

Item 213/23 Deputations

Nil

Item 214/23 Commissioner Question Time

The following questions were received without notice from the Commissioner:

Nil

Item 215/23 Notices of Motion by the Commissioner

Nil

Purpose

The purpose of this agenda item is to consider a motion passed at Council's Annual General Meeting held on 20 November 2023 to consider re-joining the Northern Tasmania Development Corporation.

Recommendation

That Council:

1. receive and note the motion received from Mr Tony Scott to consider re-joining the Northern Tasmania Development Corporation in the future, as approved at the 2023 Annual General Meeting; and
 2. acknowledge that a resolution was passed at the 20 November 2023 Council Meeting (Item 188/23) that Council join the Northern Tasmania Development Corporation on a trial membership from 1 December 2023 to 30 June 2024, with a review of that membership to occur no later than 31 March 2024.
-

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council:

1. receive and note the motion received from Mr Tony Scott to consider re-joining the Northern Tasmania Development Corporation in the future, as approved at the 2023 Annual General Meeting; and
2. acknowledge that a resolution was passed at the 20 November 2023 Council Meeting (Item 188/23) that Council join the Northern Tasmania Development Corporation on a trial membership from 1 December 2023 to 30 June 2024, with a review of that membership to occur no later than 31 March 2024.

CARRIED: COMMISSIONER

Purpose

The purpose of this agenda item is for Council to adopt a schedule of dates for Ordinary Council Meetings and Council Briefing Workshops in 2024.

Recommendation

That Council adopt the following Schedule of Council Meeting Dates for 2024:

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council adopt the following Schedule of Council Meeting Dates for 2024:

Ordinary Council Meeting Schedule, commencing at 6:00pm:

| | |
|-------------------------------------|-------------------------------------|
| Monday 22 January (Scottsdale) | Monday 22 July (Scottsdale) |
| Monday 19 February (Gladstone Hall) | Monday 19 August (Scottsdale) |
| Monday 18 March (Branxholm Hall) | Monday 16 September (Scottsdale) |
| Monday 22 April (Scottsdale) | Monday 21 October (Bridport) |
| Monday 20 May (Scottsdale) | Monday 18 November (Legerwood Hall) |
| Monday 24 June (Scottsdale) | Monday 16 December (Scottsdale) |

Briefing Workshop Schedule, held at the Council Chambers:

| | |
|------------------------|---------------------|
| <u>Nil for January</u> | Tuesday 9 July |
| Tuesday 6 February | Tuesday 6 August |
| Tuesday 5 March | Tuesday 3 September |
| Tuesday 9 April | Tuesday 1 October |
| Tuesday 7 May | Tuesday 5 November |
| Tuesday 4 June | Tuesday 3 December |

CARRIED: COMMISSIONER

Item 218/23 Review of Policy No. 54 – Wood Encouragement

Reporting Officer: Assistant General Manager, Rohan Willis
Ref: DOC/23/15345 | Reviewed Policy: DOC/18/5058

Purpose

The purpose of this agenda item is to review Policy No. 54 – Wood Encouragement.

Recommendation

That Council adopt unchanged Policy No. 54 – Wood Encouragement.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council adopt unchanged Policy No. 54 – Wood Encouragement.

CARRIED: COMMISSIONER

Purpose

The purpose of this report is to update Council regarding new legislative requirements pursuant to the *Child and Youth Safe Organisations Act 2023* (the Act) and to present the proposed Policy 61 - Safeguarding Children and Young People.

Recommendation

1. adopts proposed Policy 61 - Safeguarding Children and Young People as part of its compliance with the *Child and Youth Safe Organisations Framework*;
2. notes the requirement to appoint a Child Safety Officer and appoints the Administration Manager to that role; and
3. a quarterly update report is provided regarding Council's implementation of the *Child and Youth Safe Organisations Framework* in March 2024, June 2024, September 2024 & December 2024.

Amended Recommendation

1. adopts proposed Policy 61 - Safeguarding Children and Young People as part of its compliance with the *Child and Youth Safe Organisations Framework*;
2. notes the requirement to appoint a Child Safety Officer and appoints the Administration Manager to that role; and
3. a quarterly update report is provided regarding Council's implementation of the *Child and Youth Safe Organisations Framework* in March 2024, June 2024, September 2024 & December 2024.
4. Review the Policy in December 2024, unless reviewed prior.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council:

1. adopts proposed Policy 61 - Safeguarding Children and Young People as part of its compliance with the *Child and Youth Safe Organisations Framework*;
2. notes the requirement to appoint a Child Safety Officer and appoints the Administration Manager to that role; and
3. a quarterly update report is provided regarding Council's implementation of the *Child and Youth Safe Organisations Framework* in March 2024, June 2024, September 2024 & December 2024.
4. Review the Policy in December 2024, unless reviewed prior.

CARRIED: COMMISSIONER

Purpose

The purpose of this report is to propose variations to Council's 2023/24 Annual Plan.

Recommendation

That Council adopted the attached revised 2023/24 Annual Plan with the following variations:

- Activity 2 relating to the State Government container refund scheme is deferred to the June 2024 quarter.
- Activity 9 relating to the Blue Derby transition reporting is varied to reflect the Notice of Motion from Commissioner Wardlaw relating to the timing of quarterly reports.
- Activity 26 - review of Policy No. 56 – Bridport Seaside Caravan Park Annual Site is deferred to the June 2024 quarter.
- Inclusion of new Activity 28 relating to the Child and Youth Safe Organisations Framework and quarterly update reporting to Council.
- Administration changes to the responsible teams be undertaken due to internal team appointments and review.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council adopted the attached revised 2023/24 Annual Plan with the following variations:

- Activity 2 relating to the State Government container refund scheme is deferred to the June 2024 quarter.
- Activity 9 relating to the Blue Derby transition reporting is varied to reflect the Notice of Motion from Commissioner Wardlaw relating to the timing of quarterly reports.
- Activity 26 - review of Policy No. 56 – Bridport Seaside Caravan Park Annual Site is deferred to the June 2024 quarter.
- Inclusion of new Activity 28 relating to the Child and Youth Safe Organisations Framework and quarterly update reporting to Council.
- Administration changes to the responsible teams be undertaken due to internal team appointments and review.

CARRIED: COMMISSIONER

Purpose

The purpose of this agenda report is to propose a variation to the 2023/24 Fees and Charges Schedule for camping at the area adjacent to the Derby car park and amenities.



Figure 1: Location for proposed overnight camping adjacent to public car park and amenities

Recommendation

That Council adopts the amended 2023/24 Fees and Charges Schedule for Camping Fees as listed:

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council adopts the amended 2023/24 Fees and Charges Schedule for Camping Fees as listed:

| | Proposed Variation \$ | 26 June 2023 Approved \$ | GST Inc. |
|--|--------------------------|--------------------------------|-------------|
| CARAVAN PARK FEES | | | |
| Derby Park | | | |
| Camping Per Site/Per Night | - | 25.00 | Yes |
| Derby Car Park and Amenities Area | | | |
| Camping Per Site/Per Night | 40.00 | - | Yes |
| Branxholm Caravan Park | | | |
| Camping Per Site/Per Night | - | 20.00 | Yes |

CARRIED: COMMISSIONER

DECISION

MOVED / SECONDED: Commissioner Wardlaw

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: 6:29 pm

CARRIED: COMMISSIONER

Meeting Adjourned: 6:29 pm

Reason: Tea break with the public

Meeting Resumed: 6:35 pm

CLOSED SESSION 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 223/23 Confirmation of Ordinary Council Meeting Closed Session Minutes – 20 November 2023

Item 224/23 General Manager's Annual Performance Review

The reports on these matter 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:

- Personnel matters

Time Meeting Closed: 6:39 pm

Minutes Confirmed: 22 January 2024

Minute No: 1/24



Commissioner Wardlaw