



dorset
C O U N C I L

UNCONFIRMED

Minutes

Council Meeting

24 June 2024

COUNCIL CHAMBERS

it's in the making

Ordinary Meeting of Council

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Council Meeting Minutes 24 June 2024

Meeting Opened: 6:00 pm

Present: Commissioner Andrew Wardlaw

General Manager: John Marik, Assistant General Manager / Director – Community & Development: Rohan Willis, Director – Infrastructure: Michael Buckley, Acting Director – Corporate Services: Lauren Tolputt, Finance Manager: Allison Saunders, Town Planner: Lily Hayes, Consultant Planner: George Walker, Executive Assistant: Sarah Forsyth

Apologies: Nil

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.

PROCEDURAL ITEMS

Item 104/24 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

The Chair reported that he had viewed the minutes of the Ordinary Meeting held on Monday, 20 May 2024 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 May 2024 having been circulated to the Commissioner, be confirmed as a true record.

CARRIED**DECISION****MOVED / SECONDED: Commissioner Wardlaw**

That Council confirm the Agenda and order of business for the 24 June 2024 Council Meeting.

CARRIED

The following questions have been **received on notice**:

Ms Louise Brooker, Bridport | 16 May 2024

Could Council provide an audit on the management of dogs on beaches over the summer? This might include:

- 1. The times Council Officers have been asked to respond to complaints from the public about dogs on beaches over the summer months.*
- 2. The number and type of responses carried out by the dog Management Officer to these queries.*
- 3. The number of dogs declared dangerous, number declared nuisance and the number seized.*

Response from Director – Community & Development, Rohan Willis:

Council's dog management service covers a large geographic area and responds to a range of enquiries and needs within its 12 distinct township and village areas. We are committed to encouraging responsible dog ownership. We do this through education, through providing numerous locations where people can responsibly exercise their dogs, through periodically providing incentives for microchipping of dogs, through providing an affordable registration and

licence fee structure and, as a final resort, through disciplinary action undertaken in accordance with our statutory dog control powers.

Council will look into providing statistics that respond to the matters raised in your question at the July Council Meeting. Parallel to this, Council is currently in the process of obtaining approval from Parks and Wildlife Service for the erection of nine (9) dog advisory signs at various locations along the Bridport Foreshore.

Although we note your comments into alleged disregard of existing signage, several members of the community have contacted Council and reinforced that additional dog advisory signage, in particular at various entry and vantage points along the Bridport Foreshore, would expectedly improve awareness of dog control requirements in this area and discourage non-compliance. We acknowledge these perspectives and will be progressing the additional signage accordingly.

Mr Karl Willrath, Scottsdale | 13 June 2024

1. *Tas Parliament has recently introduced a system that allows constituents to ask questions of the government through their local Lower House member anonymously. Recently our Labor member for Bass, Janie Finlay MP, asked a question on behalf of a Greg of Dorset (copy attached)¹ as to when the board of enquiry report was going to be released. As the commissioner is in the position to make executive decisions, can he implement such a policy for Dorset so all constituents can have the same democratic benefits as Greg, with questions asked via their Councillor of choice?*

Response from Commissioner Andrew Wardlaw:

Unlike the system used in the House of Assembly, the *Local Government (Meeting Procedures) Regulations 2015* provides opportunities for members of the public to submit questions to the general manager seven days before an ordinary council meeting.

Given that local governments typically operate with closer and more direct interactions between constituents and their elected members, implementing an additional policy beyond the current regulation is unnecessary. The smaller scale and more intimate nature of local governance ensures that constituents already have ample opportunities to engage directly with their Councillors. The existing channels for public questions and participation in council meetings are usually sufficient to address constituents' concerns without the need for anonymity.

If anonymity is required, members of the public can approach an elected member (or, in the current case, the Commissioner) to ask a question on their behalf as a question on notice and receive an answer in writing.

2. *Amongst all the Dorset employees, how many have now completed a mental health first aid course and are there at least two people in the office that could intervene with a senior member of staff if necessary, or is it the case that only senior members of staff have completed the appropriate training?*

¹ The referred to correspondence is available in the [attachments](#)

Response from Acting Director – Corporate Services, Lauren Tolputt:

One employee has completed a Mental Health First Aid course in the course of their employment with Council, and others have attended training aimed at supporting employee wellbeing (e.g. Managers Supporting Mental Health and Wellbeing, Managing Psychosocial Risks). While Mental Health First Aid courses are designed to equip people with practical skills and the confidence to recognise, understand and respond to someone experiencing a mental health problem or crisis, it is important to note that the role of a Mental Health First Aider is voluntary and is simply to listen, provide initial support and promote support pathways. In addition to having an employee trained in Mental Health First Aid, Council also offers an Employee Assistance Program to all employees which is confidential and accessible 24/7.

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

Nil

Item 108/24 Deputations

Nil

Item 109/24 Commissioner Question Time

The following questions were received **without notice** from the Commissioner:

Nil

Item 110/24 Applications for Leave of Absence

Nil

Item 111/24 Notices of Motion by the Commissioner

Nil

PLANNING AUTHORITY MATTERS FOR DECISION

The Commissioner announced that Council intended to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* (LUPAA) when considering Item 112.

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 112/24 **Planning Application - Construction of a General Retail Building, and Buildings for Visitor Accommodation | 65 Main Street, Christopher Street, 3 Christopher Street, Derby**
Reporting Officers: Town Planner, Lily Hayes and Director – Community & Development, Rohan Willis
Ref: DOC/24/7987 | Assessment Report: DOC/24/7990 | PLA/2024/34

Purpose

The purpose of this report is for Council to determine a planning application submitted by Lynden Jones Architect for the construction of a general retail building, and buildings for visitor accommodation with access via Christopher Street, located at 65 Main Street, Derby.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

It is recommended that the proposal for the development and use of a general retail building, and buildings for visitor accommodation at the subject land, be approved subject to the following conditions:

1. Basis of Approval

The use and development is approved and must be undertaken in accordance with the Endorsed Plans, except where specified otherwise in this permit and documents lodged with this application PLA/2024/34. Any substantial variation from this application will require the further planning consent of the Council.

2. TasWater

The development must be in accordance with the conditions provided within the Submission to Planning Authority Notice issued by TasWater dated 9 April 2024 (Reference No. TWDA 2024/00353-DC, copy attached to this permit).

3. Stormwater Management

Stormwater generated by the development and discharged from the impervious areas (including vehicle areas, paving and building roofed areas) must be drained and directed to Council's stormwater network, to the satisfaction of the Council's Town Planner.

4. Construction of Internal Vehicle Access and Car Parking

Prior to the commencement of the approved visitor accommodation use, and to the satisfaction of Council's Town Planner, areas set aside for the parking of the visitor accommodation use vehicles, together with the aisles and access lanes, be:

- 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.

5. Works Within a Waterway Overlay

All works and development within the Waterway and Coastal Protection Overlay must comply with the environmental best practice guidelines as outlined in the Wetlands and Waterways Works Manual.

6. Hours of Operation

Without the prior approval of Council's Town Planner, operation of the approved retail use, including the loading and unloading of commercial vehicles associated with the use, must be confined to:

- (a) 7.00 am to 7.00 pm Monday to Friday; and
- (b) 8.00 am to 6.00 pm Saturday and Sunday.

CARRIED

ITEMS FOR DECISION

Item 113/24

Endorsement of Scottsdale and Derby Structure Plans

Reporting Officer: Assistant General Manager, Rohan Willis

Ref: DOC/24/7920 | Scottsdale Structure Plan: DOC/24/7982 | Derby Structure Plan: DOC/24/7983
| Agricultural Assessment Report: DOC/24/7925 | Structure Plan Consultation Summary:
DOC/24/7926 | Stakeholder Engagement Responses: DOC/24/7980

Purpose

The purpose of this report is to present to Council the Scottsdale and Derby Structure Plans for endorsement.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council endorse (i) the Scottsdale Structure Plan 2024 - 2044 and (ii) the Derby Structure Plan 2024 - 2044, as provided at the Agenda Attachments.

CARRIED

Purpose

This purpose of this agenda item is for Council Officers to conduct an annual review and provide a progress report to Council and the community in relation to the Dorset Council Strategic Plan 2023 – 2032 (the Strategic Plan).

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council:

1. receive and note the Dorset Council Strategic Plan 2023 – 2032 progress report; and
2. amend activity 7.4 of the Dorset Council Strategic Plan 2023 – 2032 to *“Engage with the Northern Tasmania Development Corporation to develop a responsive regional settlement plan, population strategy and marketing plan aimed to attract and retain young families and entrepreneurs into the community.”*

CARRIED

Purpose

The purpose of this agenda item is to adopt an Annual Plan for the 2024/25 financial year.

Recommendation

That Council adopt the attached 2024/25 Annual Plan.

Amended Recommendation

To include the following additional wording to original recommendation “...noting the revision to Activity 20 to read “Master Planning – scope and plan for funding.”

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council adopt the attached 2024/25 Annual Plan, noting the revision to Activity 20 to read “Master Planning – scope and plan for funding.”

CARRIED

Item 116/24

Long-Term Financial Plan 2025 - 2034

Reporting Officer: Finance Manager, Allison Saunders

Ref: DOC/24/7842 | Plan and Management Indicators: DOC/24/7717

Purpose

The purpose of this agenda item is to present to Council and the community the Long-Term Financial Plan (LTFP) for 2025-2034.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council approves and adopts the Long-Term Financial Plan for 2025 - 2034, pursuant to Section 70, 70E and 70F of the *Local Government Act 1993*.

CARRIED

Item 117/24

2024/25 Budget Estimates

Reporting Officer: Finance Manager, Allison Saunders

Ref: DOC/24/7846 | Budget Estimates: DOC/24/1692[v3]

Purpose

The purpose of this agenda item is to adopt the Budget Estimates for the 2024/25 financial year.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council, by absolute majority, and pursuant to Section 82 of the *Local Government Act 1993*, approves and adopts the 2024/25 Budget Estimates.

CARRIED

Recommendation

MOVED / SECONDED: Commissioner Wardlaw

1. That Council adopt the attached revised Policy No. 42 – Rates and Charges; and
2. That Council, by absolute majority, pursuant to Part 9 of the *Local Government Act 1993* (the Act), adopts the following rates and charges for the period 1 July 2024 to 30 June 2025:

1. GENERAL RATE

- 1.1 Council makes a general rate under Section 90 of the Act of 5.318 cents in the dollar on the assessed annual value of all rateable land (excluding land which is exempt pursuant to the provision of Section 87 in the Act) within the Dorset municipal area.
- 1.2 Council declares by absolute majority that pursuant to Section 107 of the Act and by reason of the following factors, the General Rate is varied as follows:
 - a) For all land which is used or predominantly used for short stay visitor accommodation, the General Rate is varied by increasing it by 5.318 cents in the dollar to 10.636 cents in the dollar on the assessed annual value of the land.
 - b) For all land which is used or predominantly used for primary production – forestry purposes, the General Rate is varied by increasing it by 0.874 cents in the dollar to 6.192 cents in the dollar on the assessed annual value of the land.
 - c) For all land which is used or predominantly used for utility services where the locality is 2205 Cape Portland Road at Cape Portland, the General Rate is varied by increasing it by 2.103 cents in the dollar to 7.421 cents in the dollar on the assessed annual value of the land.
- 1.3 Council sets a minimum amount payable in respect of the General Rate in accordance with Section 90(4) of the Act (including as varied pursuant to clause 1.2 of this resolution) of \$518.
- 1.4 Council declares by absolute majority, pursuant to Section 88A of the Act:
 - a) To set a maximum percentage increase in the General Rate at 15 per cent for land within the municipal area which is separately assessed; and
 - b) To qualify for the maximum increase cap in clause 1.4a) of this resolution, the rateable land must not have been subject to a supplementary valuation issued by the Valuer-General during the period 1 July 2023 to 30 June 2024.

2. SERVICE RATES AND SERVICE CHARGES

- 2.1 That pursuant to sections 93, 93A and 94 of the Act, Council makes the following service rates and service charges on all rateable land in the municipal area (including land which is otherwise exempt from rates pursuant to section 87 of the Act but excluding land owned by the Crown to which the Council does not supply the relevant services) for the period commencing 1 July 2024 and ending on 30 June 2025, namely:

- a) A service charge of \$161 for waste management services on all rateable land for making available waste management facilities (including operational costs of Council's Waste Transfer Stations, cartage of waste to landfill, removal of town waste and rehabilitation of Council's former tip sites);
- b) Service charges for waste management in respect of all land to which Council supplies waste management services comprising the supply of a kerb-side garbage collection service and/or the supply of a kerb-side recycling collection service, as follows:
 - i. \$143 for a small (80 litre) mobile garbage bin;
 - ii. \$168 for a medium (120 litre) mobile garbage bin;
 - iii. \$327 for a large (240 litre) mobile garbage bin; and
 - iv. \$160 where Council supplies a recycling collection service.

2.2 If any land to which any of the waste management service charges in paragraphs 2.1a) or 2.1b) is applicable is the subject of separate rights of occupation, which are separately valued in the valuation list prepared under the *Valuation of Land Act 2001*, then the charges apply to each separate right of occupation.

2.3 Pursuant to section 93A of the Act, Council makes the following service rate in respect of the fire service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the municipal area of Dorset:

- a) for land within the Bridport and Scottsdale Volunteer Brigade Rating District, a service rate of 0.2344 cents in the dollar of assessed annual value; and
- b) for land within the General Land Rating District a service rate of 0.2631 cents in the dollar of assessed annual value.

Pursuant to section 93(3) of the Act, Council sets a minimum amount of \$49 payable for the service rate in respect of the fire service contributions it must collect under the *Fire Service Act 1979*.

3. SEPARATE LAND

That for the purposes of these resolutions the rates and charges shall separately apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

4. INSTALMENT PAYMENTS

That pursuant to section 124 of the Act, Council determined that ratepayers:

- a) may pay the rates and charges by one payment, in which case the due date for that payment is 30 September 2024; and
- b) may pay rates and charges by four (4) equal instalments, in which case Council determines that the dates by which the instalments are to be paid are as follows:
 - i. the first instalment on or before 30 September 2024; and
 - ii. the second instalment on or before 30 November 2024; and
 - iii. the third instalment on or before 31 January 2025; and
 - iv. the fourth instalment on or before 31 March 2025.

5. DEFAULT INTEREST ON LATE PAYMENT

Pursuant to section 128(1)(b) of the Act, if any rate or instalment is not paid in full within 14 days of the date it falls due, then there is payable a daily interest charge equal to the prescribed percentage calculated in accordance with section 128(2) of the Act in respect of the unpaid rate or instalment for the period during which the relevant amount remains unpaid.

6. ADJUSTED VALUES

That for the purpose of each of these resolutions, any reference to assessed annual value includes a reference to that value as adjusted pursuant to section 89 of the Act.

7. TERMS USED

Words and expressions used both in these resolutions and in the Act or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those statutes.

CARRIED

Purpose

The purpose of this agenda item is to present Council with the 2024/25 Rates Resolution and amended Policy No. 42 – Rates and Charges.

Item 119/24

2024/25 Fees and Charges

Reporting Officer: Acting Director – Corporate Services, Lauren Tolputt
Ref: DOC/24/7899 | 2024/25 Schedule: DOC/24/5501

Purpose

The purpose of this agenda item is to present Council’s Fees and Charges Schedule for 2024/25

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council adopts the attached Fees and Charges Schedule for 2024/25.

CARRIED

Item 120/24

Urban Stormwater Asset Management Plan 2024

Reporting Officer: Management Accountant, Malcolm Beattie
Ref: DOC/24/7815 | 2024 Plan: DOC/24/7075

Purpose

The purpose of this agenda item is to table the Urban Stormwater Asset Management Plan 2024 (Stormwater AMP) for adoption by Council.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council adopt the attached Urban Stormwater Asset Management Plan 2024.

CARRIED

Item 121/24

Adoption of New Policy No. 62 – CCTV and Remote Camera

Reporting Officer: Director – Infrastructure, Michael Buckley
Ref: DOC/24/7672 | Policy No.62: DOC/24/4018

Purpose

The purpose of this agenda item is to table the newly developed draft Policy No.62 – CCTV and Remote Camera (the Policy) for endorsement by Council following community consultation.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council adopt the newly developed Policy No. 62 - CCTV and Remote Camera.

CARRIED

Item 122/24

Tabling of Code of Conduct Determination Report | 24 April 2024

Reporting Officer: General Manager, John Marik
Ref: DOC/24/5617 | Determination Report C30037: DOC/24/5274

Purpose

The purpose of this agenda item is to table a copy of a Code of Conduct Panel Determination Report, dated 24 April 2024, in response to a complaint made against Councillor Greg Howard by Dr Vincent Teichmann.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council receive the Code of Conduct Panel Determination Report, dated 24 April 2024, in relation to a complaint made by Dr Vincent Teichmann against Councillor Greg Howard.

CARRIED

ITEMS FOR NOTING

Item 123/24 Council Workshops Held Since Last Council Meeting

4 June | Briefing Workshop

11 June | Special Briefing Workshop

Item 124/24 Commissioner Communications

Appointment of Acting General Manager

Commissioner Wardlaw's Calendar | 16 May 2024 – 19 June 2024

May 2024

- 16 Tas Irrigation – Community Management Information and Consultation Session with General Manager, Scottsdale Football Clubrooms
- 16 Meeting with nbn representative Sam Marshall with General Manager, Council Chambers
- 19 Biggest Morning Tea event, Northbourne Community Centre, Scottsdale
- 19 The Grand Finale event, Scottsdale Art Gallery Café
- 20 Weekly catch up with Management Team, Council Chambers
- 20 Photo opportunity with Dorset Volunteer SES Crew, Scottsdale Fire Station
- 20 May Council Meeting, Council Chambers
- 21 7SD radio interview via telephone
- 21 Tasmanian JackJumpers Championship Cup Tour, Scottsdale Stadium
- 21 Scottsdale Football Club: Major Employer Session with Acting Director – Corporate Services, Lost Farm Restaurant
- 22 Meeting with ratepayer, Bridport Café
- 22 Northern Tasmania Development Corporation – Management Representative Group Meeting, via online meeting software
- 23 Meeting with Area Connect representative Brett Williams with General Manager, Council Chambers
- 27 Weekly catch up with Management Team, Council Chambers
- 27 Meeting with Tasmania Police Acting Commander (Northern District) Nathan Johnston with General Manager, Council Chambers
- 28 Dorset Wellbeing Network Meeting, Dorset Community House
- 28 Meeting with Health Consumer Tas with General Manager, Council Chambers
- 28 ABC radio interview via telephone
- 30 Dorset Municipal Emergency Management Committee Meeting, Council Chambers
- 30 Meeting with Labor Party Michelle O'Byrne with General Manager, Council Chambers

- 30 Meeting with May Shaw Chief Executive Officer and Chair with General Manager, Council Chambers

June 2024

- 3 Council Budget Infrastructure Tour with General Manager, Director – Infrastructure, Civil Works Supervisor and Management Accountant, municipal tour
- 3 North East Tasmania Chamber of Commerce Networking Event and Presentations, Little Rivers Brewing Company
- 4 June Briefing Workshop, Council Chambers
- 5 Meeting with ratepayer, Bridport
- 6 Tassie Scallop Fiesta Media Event with Premier, Delamere Vineyard
- 7 Meeting with Management Team regarding 2024/25 rating strategy, Council Chambers
- 11 Special Council Briefing Workshop – Rail Trail Business Case Discussion, Council Chambers
- 11 Meeting with Council Officers regarding 2024/25 rating strategy, Council Chambers
- 12 Meeting Community and Development Team regarding Scottsdale and Derby Structure Plans, Council Chambers
- 12 Future-Links Gladstone Meeting with General Manager and Director – Infrastructure, Gladstone Hall
- 13 Meeting with Council Officers regarding 2024/25 rating strategy, Council Chambers
- 18 Rotary Club of Scottsdale – Changeover Dinner, Scottsdale Art Gallery Café
- 19 Meeting with Marine and Safety Tasmania (MAST), Burbury Consulting and Bridport Pier Working Group with General Manager and Assistant General Manager, via online meeting software

Item 125/24 Management Team Briefing Report

Purpose

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.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council:

1. receive and note the unconfirmed Dorset Municipal Emergency Management Committee minutes, dated 30 May 2024;
2. receive the summary of varied rate remissions granted in closed session during 2023/24;
3. note the quarterly community update on implementation of the Child and Youth Safe Framework; and
4. receive and note the Management Team Briefing Report.

CARRIED

Item 126/24 Closure of Meeting to the Public

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: 8:07 pm

CARRIED

Meeting Adjourned: 8:07 pm

Reason: *Tea break with the public*

Meeting Resumed: 8:10 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 127/24 Confirmation of Ordinary Council Meeting Closed Session Minutes – 20 May 2024

Item 128/24 Bentley Street Bridport Lease / Licence

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:

- personal and confidential information

CLOSURE OF MEETING

Time Meeting Closed: 8:20 pm

Minutes Confirmed: 22 July 2024

Minute No:

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Commissioner

UNCONFIRMED