

Local Government Act 1993
Section 225(2)

MINISTERIAL DIRECTIONS

To: Dorset Council

TAKE NOTICE that having considered submissions made to me by the Dorset Council (the Council) and its councillors in respect of the report of the Board of Inquiry into the Dorset Council dated 18 October 2024, in accordance with section 225(2) of the *Local Government Act 1993* (the Act), I direct the Council to:

Direction 1

1. Pursuant to section 225(2)(d) of the Act, implement a policy and procedure, within 180 days, to address the conflict of interest that arises where Council is the applicant and/or developer in respect of a planning application, and at the same time is the planning authority determining that application.

Direction 2

2. Pursuant to section 225(2)(d) of the Act, for the term of the Council, refer all discretionary development applications within the meaning of section 57 of the *Land Use Planning and Approvals Act 1993* with a financial value of \$500 000 and above in respect of which Council is the applicant and/or developer to external consultants for assessment and recommendation to Council as the planning authority.

Direction 3

3. Pursuant to section 225(2)(a) of the Act, within 90 days, review all service rates and charges made under sections 93 and 94 of the Act for the financial year 2024/2025, and table a report at an ordinary meeting of Council that clarifies the extent to which such monies raised are being invested in, or expended through, the delivery of the relevant services.

Direction 4

4. Pursuant to section 225(2)(d) of the Act, facilitate training to be delivered by the Department of Natural Resources and Environment Tasmania (NRE Tas) for all Council staff responsible

for overseeing or undertaking works on Crown land in their obligations under the *Crown Lands Act 1976*, the *Aboriginal Heritage Act 1975* and the *Nature Conservation Act 2002*, within 60 days of notification by NRE Tas.

Direction 5

5. Pursuant to section 225(2)(d) of the Act, implement a procedure, within 180 days, to ensure that conditions and restrictions on permits issued by council as planning authority under the *Land Use Planning and Approvals Act 1993* are complied with and to ensure that Council's obligations under section 63A of that Act are met.

Direction 6

6. Pursuant to section 225(2)(a) of the Act, implement a procedure, within 120 days, to ensure that Council's functions and obligations under Division 5 of Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* are conducted according to law.

Direction 7

7. Pursuant to section 225(2)(a) and (b) of the Act, for the term of the Council, ensure that no additional work under the contract with World Trail Pty Ltd for Stage 2 of the North East Mountain Bike Trails, executed on 17 July 2017, are undertaken and that procurement of any additional works on the trails is undertaken in compliance with the tendering and contract requirements of the Act and the *Local Government (General) Regulations 2015*.

Direction 8

8. Pursuant to section 225(2)(d) of the Act implement a procedure, within 120 days, to ensure that any actions taken by Council under Part 18 of the *Building Act 2016* are undertaken lawfully.

Direction 9

9. Pursuant to section 225(2)(d) of the Act, implement a procedure, within 120 days, to ensure that the requirements for the issue of infringement notices under the *Building Act 2016* are satisfied.

Direction 10

10. Pursuant to section 225(2)(d) and/or section 225(3)(a) of the Act, report quarterly to the Minister for Local Government on the progress of actions to implement these directions for the first 12 months, and then every six months for the term of the current Council, until all of the directions are completed.

A handwritten signature in black ink, appearing to be 'Kerry Vincent', written in a cursive style.

Hon Kerry Vincent MLC
Minister for Local Government

Date: 22 January 2025