



COUNCIL MINUTES

17 MAY 2022

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

FOR THE COUNCIL MEETING HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON
17 MAY 2022

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AGENDA
ORDINARY COUNCIL MEETING
17 MAY 2022

The meeting commenced at 6.00pm.

1.0 ATTENDANCE

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Mayor K Vincent
Deputy Mayor N Reynolds
Councillor K Degrassi
Councillor V Gala
Councillor G Jackson
Councillor C Torenus
Councillor M Reed
Councillor B Nichols

STAFF IN ATTENDANCE

Robert Higgins – General Manager
Jess Hinchin – Manager, HR Customer and Community Services
Russell Fox – Manager, Engineering and Regulatory Services

2.0 APOLOGIES

Councillor D De Williams – Approved Leave of Absence

3.0 DECLARATIONS OF PECUNIARY INTEREST

The Mayor requested any Councillors to indicate whether they had, or were likely to have, a pecuniary interest in any item on the agenda.

No Councillor indicated they had, or were likely to have, a pecuniary interest in any items on the agenda.

4.0 CONFIRMATION OF THE MINUTES OF 12 APRIL 2022

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RECOMMENDATION

“That the Minutes of the Council Meeting held on 12th April 2022 be confirmed.”

59/2022 REED/JACKSON

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Reed, Nichols, Jackson, Gala, Degrassi



Against: None

The Motion was **CARRIED**

4.1 CONFIRMATION OF THE MINUTES OF SPECIAL COUNCIL MEETING OF 03 MAY 2022

^ RECOMMENDATION

“That the Minutes of the Special Council Meeting held on 3rd May 2022 be confirmed.”

60/2022 JACKSON/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**

5.0 MAYOR’S REPORT

^ RECOMMENDATION

“That the Mayor’s communication report as listed be received”

61/2022 NICHOLS/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**



6.0 SUPPLEMENTARY ITEMS

^ RECOMMENDATION

“That the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the *Local Government (Meeting Procedures) Regulations 2015*.”

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- a) The reason it was not possible to include the matter on the agenda; and
- b) That the matter is urgent; and
- c) That advice has been provided under section 65 of the *Local Government Act 1993*.

Item 12.1 – BRINKTOP ROAD PROPOSED SPEED REDUCTION

62/2022 TORENIUS/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenium, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**

7.0 COUNCIL WORKSHOPS REPORT

^
The following Council Workshop was held:

Date	Purpose	Councillor Attendance	Councillor Apologies
10 th May 2022	<ul style="list-style-type: none">• 22/23 Capital budget – final discussion on priorities for new / upgrade candidates – required for LTFP, rate levels and Financial Management Strategy.• Operating budget situation and EBA negotiations.	<ul style="list-style-type: none">• Vincent, Reed, Jackson, Gala, Torenium, Nichols	<ul style="list-style-type: none">• DeWilliams (leave of absence), Reynolds, DeGrassi



	<ul style="list-style-type: none"> • Lewisham Scenic Drive footpath. • Livestream of Council meeting – position on continuing / ceasing after 3 month trial. • RSL Memorial Hall redevelopment option and election position. • Dodges Ferry Reserve / School entrance vegetation clearing works. • Richards Ave – groundwater preliminary investigation report • Sorell LPS hearing – latest directions from TPC of 14th April 2022. • LG Review – feedback from 3rd May LGAT session. 		
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8.0 DEPARTMENTAL REPORTS

[^] RECOMMENDATION

“That the Departmental reports as listed be received.”

63/2022 NICHOLS/JACKSON

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**

9.0 PETITIONS

9.1 PETITION – REPLACEMENT OF STEPS AT RED OCHRE BEACH

RECOMMENDATION

“That in accordance with Section 60(2) of the Local Government Act 1993, Council includes the construction of a southern Red Ochre pedestrian beach access as part of the 2022/23 capital budget candidate assessment process inclusive of



ongoing maintenance obligations of the infrastructure and access road and lease/licence arrangements with Parks and Wildlife Service.”

64/2022 NICHOLS/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**

10.0 LAND USE PLANNING

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The Mayor advised in accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Council to act as a planning authority pursuant to the Land Use Planning and Approvals Act 1993 is to be noted.

In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under item 10 on this agenda, inclusive of any supplementary items.

10.1 DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE MINUTES

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RECOMMENDATION

“That the minutes of the Development Assessment Special Committee (DASC) Meetings of 12th April 2022 be noted.”

65/2022 NICHOLS/TORENIUS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**



11.0 GOVERNANCE

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11.1 CLOSURE AND ACQUISITION OF A 298SQM PORTION OF STORES LANE

RECOMMENDATION

“That Council resolve to authorise the General Manager to:

- i) close the identified 298sqm portion of Stores Lane, Sorell pursuant to Section 14 of the Local Government (Highways) Act 1982; and
- ii) subsequent to the completion of the above process, acquire the identified 298sqm portion of Stores Lane, Sorell pursuant to Section 15 of the Local Government (Highways) Act 1982.”

66/2022 REYNOLDS/TORENIUS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenium, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**

12.0 ENGINEERING & REGULATORY SERVICES

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12.1 BRINKTOP ROAD - PROPOSED SPEED REDUCTION

RECOMMENDATION

“That Council resolve to receive and note this report and consider reducing the 100 km/h speed limit on Brinktop Road to 80 km/h.”

67/2022 TORENIUS/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenium, Reed, Nichols, Jackson, Gala, Degrassi

Against: None



The Motion was **CARRIED**

13.0 HR & COMMUNITY SERVICES

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13.1 PEMBROKE PARK SPORTS COMPLEX AND STADIUM NAME

RECOMMENDATION

“That Council resolve to:

- i Name the newly developed Stadium at Pembroke Park to South East Stadium and;
- ii. Approve the change of name for the Pembroke Park Sports Complex to the South East Sports Complex, at Pembroke Park.”

68/2022 JACKSON/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**

14.0 FINANCE

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14.1 FINANCIAL REPORTS APRIL 2022 YEAR TO DATE

RECOMMENDATION

“That the Financial Reports listed for April 2022 YEAR-TO-DATE be received and noted by Council.”

69/2022 NICHOLS/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Reed, Nichols, Jackson, Gala, Degrassi

Against: None



The Motion was **CARRIED**

14.2 2022-2023 FEES AND CHARGES – ANIMAL MANAGEMENT & FOOD BUSINESS

RECOMMENDATION

“In accordance with Section 205 of the *Local Government Act 1993* (Tas), the Council hereby makes the following Animal Management and Health (Food Business Operations Licenses and Mobile Food Business Registration) fees and charges for the period commencing on 1 July 2022 and ending on 30 June 2023.”

70/2022 TORENIUS/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenium, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**



15.0 QUESTIONS FROM THE PUBLIC

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In accordance with Regulation 31 of the Local Government (Meeting Procedures) Regulations 2015, Council will conduct a Public Question Time.

At each meeting the Mayor will invite those members of the public present to ask questions. When requested please:

- Stand up; and
- State clearly your name and address.

This time is allocated for questions from the public. Questions are to be kept brief and specific to the topic to which they relate.

Members of the public are reminded that questions and any answers to such questions are not to be debated.

Questions may be submitted to Council in writing at least seven (7) days before an ordinary Council meeting.

15.1 QUESTION ON NOTICE

At the Council meeting on 15th March 2022, Sharon Fotheringham of Forcett asked the following question which was taken on notice.

“What the total payments made to the Councillors while on approved leave of absence are, and the total time that has been granted.”

Councillor	Approved Leave of Absence Periods	Total Payments made during leave of absence
Deborah De Williams	13 November 2018* – 1 February 2019	\$30,109.45*
	20 February 2019 – 18 March 2019*	
	19 August 2019* – 19 October 2019	
	29 June 2020 – 29 September 2020	
	5 April 2021 – 26 July 2021	
	27 July 2021 – 20 October 2021	
	21 October 2021 – 22 February 2022	
	25 February 2021 – 25 May 2022	
Kerry Degrassi	7 May 2019 – 19 June 2019*	\$7,865.01*
	16 August 2019* – 20 August 2019	
	15 February 2022 – 11 April 2022	

*part attendance occurred during the month of paid allowance.



Sharon asked a question of the Mayor with regard to if Telstra had made contact with him concerning the upgrade of lines in the Tasman peninsula area.

Mayor Vincent advised that an email had come out advising they were looking at some extra sites, it didn't indicate where they were only that there are various pockets of Blackspots that they would be looking at putting in extra transmission infrastructure.

Sharon further queried regarding the question on notice response, that it appears Councillor De Williams leave period is in excess of 50% of the elected period? Mayor Vincent advised that confirmation of the percent of absence would be taken on notice.

The open meeting concluded at 6.41 pm.



CLOSED MEETING

Members are advised that items listed below in the CLOSED SESSION AGENDA are classified as CONFIDENTIAL ITEMS in accordance with the provisions of the Local Government Act 1993.

A Councillor must not discuss any item listed in a CLOSED SESSION AGENDA with any person (except another elected member, the General Manager or the author of a report to the closed session of Council or a Council Committee) without a specific resolution of the Council or a Council Committee that considered the report.

Section 338A (1) of the Local Government Act 1993 states that a Councillor must not disclose information:

- (a) seen or heard by the Councillor at a meeting or part of a meeting of a council or council committee that is closed to the public that is not authorised by the council or council committee to be disclosed; or*
- (b) given to the Councillor by the mayor, deputy mayor, chairperson of a meeting of the council or council committee or the general manager on the condition that it be kept confidential.*

Section 338A (3) states that a member must not disclose information acquired as such a member on the condition that it be kept confidential.

Additionally, Section 339 of the Local Government Act 1993 states that:

- (1) A councillor or a member must not make improper use of any information acquired as a councillor or member.*
- (3) Improper use of information includes using the information –*
 - (a) to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for oneself, a member of one's family or a close associate; or*
 - (b) to cause any loss or damage to any council, controlling authority, single authority, joint authority or person.*



The closed meeting commenced at 6.41pm.

16.0 CLOSED MEETING

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The General Manager advised that in his opinion the listing of agenda item/s:

Reference	Item
16.1	Confirmation of the Closed Council Minutes of the Council Meeting of 12 th April 2022 – <i>Regulation 34(3)</i>
16.2	Disclosure of confidential information – <i>Regulation 15(8)</i>

As prescribed items in accordance with Regulations 15 and 34 of the Local Government (Meeting Procedures) Regulations 2015, and therefore Council may by absolute majority determine to close the meeting to the general public.

RECOMMENDATION

“That the meeting be closed to the public to enable Council to consider agenda items 16.1 - 16.2 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.”

71/2022 NICHOLS/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**

16.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 12 APRIL 2022

RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 12th April 2022 be confirmed.”



72/2022 TORENIUS/NICHOLS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenius, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**

16.2 **AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION**
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RECOMMENDATION

“That in accordance with Regulation 15(9) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor and General Manager be authorised to disclose information from this ‘Closed Section’ of this meeting in the course of implementing the decisions of Council.”

73/2022 JACKSON/NICHOLS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenius, Reed, Nichols, Jackson, Gala, Degrassi

Against: None

The Motion was **CARRIED**

The closed meeting concluded at 6.42pm.



17.0 ACRONYMNS

ACWC	Arts & Cultural Working Committee
AGM	Annual General Meeting
ASU	Australian Services Union
CAC	Community Administration Centre
CLRS	Councillors
CPR	Cardiopulmonary Resuscitation
CRDSJA	Copping Refuse Disposal Site Joint Authority
DASC	Development Assessment Special Committee
DEDTA	Department Economic Development, Tourism & The Arts
DPAC	Department of Premier & Cabinet
DSG	Department of State Growth
DST	Destination Southern Tasmania
EOI	Expressions of Interest
EPA	Environment Permit Authority
EWaste	Electronic Waste
FMAC	Fire Management Assessment Committee
GM	General Manager
ICT	Information Communication Technology
LGAT	Local Government Association of Tasmania
LPS	Local Provisions Schedule
LTFP	Long Term Financial Plan
LTI	Lost Time Injury
MAST	Marine & Safety Tasmania
MERS	Manager Engineering & Regulatory Services
MEMC	Municipal Emergency Management Committee
NBN	National Broadband Network
NRM	Natural Resource Management
RDA	Regional Development Australia
RSL	Returned Services League
RTI	Right to Information
SEI	South East Irrigation
SERDA	South East Region Development Association
SEBE	South East Business and Employment
SES	State Emergency Service
SMH	Sorell Memorial Hall
SMT	Senior Management Team
STCA	Southern Tasmanian Councils Association
SWSA	Southern Waste Strategy Association
SWS	Southern Waste Solutions
TCF	Tasmanian Community Fund
TOR	Terms of Reference

