



COUNCIL MINUTES

21 JUNE 2022

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

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

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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 – arrived at 6.01pm.
Councillor G Jackson
Councillor C Torenus
Councillor M Reed
Councillor B Nichols

STAFF IN ATTENDANCE

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

2.0 NON ATTENDANCE

Councillor D De Williams

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 17 MAY 2022

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RECOMMENDATION

“That the Minutes of the Council Meeting held on 17th May 2022 be confirmed.”

74/2022 REED/NICHOLS

“That the recommendation be accepted.”

The motion was put.

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



Against: None

The Motion was **CARRIED**

Councillor Gala arrived at 6.01pm

5.0 **MAYOR'S REPORT** **RECOMMENDATION**

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

With the inclusion of attending the opening of the Handfish Exhibition with Councillor Reed.

75/2022 **DEGRASSI/NICHOLS**

“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*.



7.0 COUNCIL WORKSHOPS REPORT

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The following Council Workshop was held:

Date	Purpose	Councillor Attendance	Councillor Apologies
7 th June 2022	<ul style="list-style-type: none"> • Draft Annual Plan • Handfish & Blue Lagoon project • Carriage Shed project • 22/23 Capital budget – final discussion on priorities for new / upgrade candidates – required for LTFP, rate levels and Financial Management Strategy. • Operating budget and EBA negotiations. 	<ul style="list-style-type: none"> • Vincent, Reed, Jackson, Gala, Torenius, Nichols 	<ul style="list-style-type: none"> • DeWilliams, Reynolds, DeGrassi

8.0 DEPARTMENTAL REPORTS

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RECOMMENDATION

“That the Departmental reports as listed be received.”

76/2022 GALA/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**

9.0 PETITIONS

At the time of preparation of this agenda no petitions had been received.

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 31st May and 7th June 2022 be noted.”

77/2022 REED/NICHOLS

“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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12.0 ENGINEERING & REGULATORY SERVICES

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12.1 STCA COASTAL HAZARD REGIONAL STRATEGY - ADAPTING TO A CHANGING COASTLINE IN TASMANIA

RECOMMENDATION

“That Council resolve to endorse the Southern Tasmanian Councils Authority’s ‘Regional Strategy – Adapting to a changing coastline in Tasmania’ (Attachment 1) and advise the STCA of its resolution.”

78/2022 REED/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**

13.0 HR & COMMUNITY SERVICES

**13.1 [^]
COMMUNITY GRANTS PROGRAM**

RECOMMENDATION

“That Council resolve to approve the following community group to receive a grant under the 2021-2022 Community Grants Program.”

79/2022 TORENIUS/NICHOLS

“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

**14.1 [^]
EXECUTIVE SUMMARY – FINANCIAL REPORT MAY 2022 YTD**

RECOMMENDATION

“That the Executive Summary – FINANCIAL REPORT MAY 2022 YEAR-TO-DATE be received and noted by Council.”

80/2022 JACKSON/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

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

Against: None



14.2 2022-2023 FEES AND CHARGES

RECOMMENDATION

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

81/2022 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**

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 of 17 May 2022 Sharon Fotheringham sought confirmation on the percentage of Leave of Absence taken by Councillor De Williams for the elected period.



Response:

Councillor De Williams has been granted approval for 95 weeks Leave of Absence in the elected period. The elected period has been 186 weeks until the end of May 2022. This being the case, Councillor De Williams has been on approved Leave of Absence for 51.07% of the elected period.

David Newitt of Sorell made general comments regarding the road conditions of Nugent Road, Bezzants Road and Hacks Road. He also commented specifically around Hacks Road and that there is a boom gate that is end on and poses a potential risk to traffic if not seen and a culvert that has collapsed.

The Manager Engineering and Regulatory Services commented that he didn't deny that Hacks Road is in poor condition. Further investigation would need to take place into responsibility of this Road.

Mr Newitt also questioned the fixed fee charge for rates and believes this is out of proportion particularly when owning a number of properties.

Mayor Vincent advised that he is happy to have a discussion along with the General Manager at a time that is suitable regarding rates.

Catherina Van Zalen of Nugent Road queried if the entrance to Sorell could be improved by planting trees along the eastern highway entrance.

Mayor Vincent advised that Council have been in discussions on how we beautify the entrances to the town. We also have a specialist in this area to develop our streetscape which includes the town entrances.

Catherina further questioned regarding footpaths in the area from Nugent Road through to Sorell.

Mayor Vincent advised that unfortunately we can't place footpaths everywhere that we have housing in the municipality. We do try and have a growing network of tracks and trails. With the new subdivisions in Pawleena Road, this will have an extensive footpath network which will link in to the highway, with future footpaths proposed for the bridge into the town.

Deirdre Biggar of Dodges Ferry questioned the road edge condition on Carlton Beach Road from First Avenue to where the footpath ends near Jetty Road and that the surface has deteriorated.

The General Manager advised that this asset reconstruction is a capital project candidate in the 22/23 budget.



The Manager Engineering and Regulatory Services advised that he would investigate the current condition of this section of road.

Sharon Fotheringham of Forcett asked if the Mayor could have a discussion with the Councillors on whether Council and rate payers could have confidence in Councillor De Williams after being absent for more than half her elected period.

Sharon further questioned if an apology had been received for Councillor De Williams for this meeting.

The General Manager advised that an apology was not received.

The open meeting concluded at 6.58 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 6.59 pm.

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 17 May 2022 – <i>Regulation 34(3)</i>
16.2	Disclosure of confidential information – <i>Regulation 15(8)</i>
16.3	Southern Tasmanian Regional Waste Authority – Establishment of a Joint Authority – Regulation 15(2)(b)

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 - 16.3 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.”

82/2022 REYNOLDS/NICHOLS

“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 17 MAY 2022

RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 17th May 2022 be confirmed.”



83/2022 REED/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**

**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.”

84/2022 DEGRASSI/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**

**16.3 SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY –
ESTABLISHMENT OF A JOINT AUTHORITY**

85/2022 REED/NICHOLS

“That the recommendation be accepted.”

The motion was put.

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



Against: None

The Motion was **CARRIED**

The closed meeting concluded at 7.03 pm.



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
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

