



# COUNCIL MINUTES

16 AUGUST 2022

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



## MINUTES

FOR THE COUNCIL MEETING TO BE HELD AT THE  
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON  
16 AUGUST 2022

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The meeting opened at 6:00pm.

## 1.0 ATTENDANCE

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

## STAFF IN ATTENDANCE

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

## 2.0 APOLOGIES

Councillor K Degrassi  
Councillor V Gala

## 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 19 JULY 2022

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### RECOMMENDATION

“That the Minutes of the Council Meeting held on the 19<sup>th</sup> of July 2022 be confirmed.”

## 102/2022 NICHOLS/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

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



Against: None

The Motion was **CARRIED**

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

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

With the following amendments:

- Meeting with Barb McGregor DPAC was cancelled and moved to next week.
- Meeting with Mr Tao – Iron Creek / Orani Developer.
- Meeting with Nic Street, Tom Cooper and Jane Howlett re: DFFC change room grant.
- Discussions with SERDA General Managers with changes to SERDA post the incorporation of BEST.

## 103/2022 **NICHOLS/REED**

“That the recommendation be accepted.”

The motion was put.

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

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
2 <sup>nd</sup> August 2022	<ul style="list-style-type: none"> <li>• Pembroke Park Function Centre project</li> <li>• LG election caretaker period</li> <li>• Advisory panel on sustainability and environmental matters</li> <li>• LG reform project</li> <li>• Sorell bypass signage</li> <li>• Community grants</li> <li>• 11 Dubs &amp; Co Drive approved DA</li> </ul>	<ul style="list-style-type: none"> <li>• Vincent, Reynolds, Reed, Jackson, Torenium, Nichols</li> </ul>	<ul style="list-style-type: none"> <li>• Gala, DeGrassi</li> </ul>

## 8.0 DEPARTMENTAL REPORTS

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### RECOMMENDATION

“That the Departmental reports as listed be received.”

#### 104/2022 REED/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**



## 9.0 PETITIONS

### 9.1 PETITION – IMPROVEMENTS TO THE SORELL DOG PARK

#### RECOMMENDATION

“That in accordance with Section 60(2) of the Local Government Act 1993, Council includes as part of the 2022/23 mid-year capital and operating budget candidate assessment process, those components identified in this report including consideration of the preferred long-term location of the facility.”

#### 105/2022 REED/NICHOLS

“That the recommendation be accepted.”

The motion was put.

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

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 19<sup>th</sup> July 2022 be noted.”

#### 106/2022 TORENIUS/JACKSON

“That the recommendation be accepted.”



The motion was put.

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

Against: None

The Motion was **CARRIED**

**11.0 GOVERNANCE**

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NIL Reports

**12.0 ENGINEERING & REGULATORY SERVICES**

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NIL Reports

**13.0 HR & COMMUNITY SERVICES**

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**13.1 COMMUNITY GRANTS PROGRAM**

**RECOMMENDATION**

“That Council approve the following community groups to receive grants under the 2022-2023 Community Grants Program.”

**107/2022 NICHOLS/REYNOLDS**

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**



## 14.0 FINANCE

### 14.1 <sup>^</sup> EXECUTIVE SUMMARY – FINANCIAL REPORT JULY 2022 YTD

#### RECOMMENDATION

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

#### 108/2022 REED/NICHOLS

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**

## 15.0 QUESTIONS FROM THE PUBLIC

<sup>^</sup>  
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.

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Sharon Fotheringham asked regarding the performance of the new lights at Midway Point.





Mayor Vincent advised the Department of State Growth are fine tuning as works finish which will further improve traffic flow.

Sharon further questioned regarding the upgrade of Wielangta Road and if Council or State Government were funding.

Mayor Vincent advised that Council has been communicating with the Government for a number of years and provided costings on maintaining this road. Management are also aware of the increase in traffic that upgrading of this road would produce and the potential flow on effects this would have on our existing road network in this area. Mayor Vincent also advised that with the high costs in maintaining a road of this nature this wouldn't be something Council would look at considering without ongoing funding from the Government.

Sharon asked if the recycling centre was still in the industrial estate in Sorell.

Mayor Vincent advised that it was still operational.

Sharon questioned if when Council engages contractors, as an example Surveyors, is this put out to tender and are they given a brief in which they have to adhere to?

The MERS advised that with the Capital works program there is a brief at the start of the year for survey work and there is brief at the end for the year. They are engaged by way of purchase order with a standard set of terms and conditions with a discussion of what is required.

Sharon further questioned on if a timeline is requested.

The MERS advised that we request what timeline they can provide but this is dictated by the market at the time.

The open meeting closed at 6.53pm.



## 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 opened at 6.54pm.

## 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 19 July 2022 – <i>Regulation 34(3)</i>
16.2	Disclosure of confidential information – <i>Regulation 15(8)</i>
16.3	Waste Management Tender for Public Bin collection service – <i>Regulation 15(2)(d)</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 - 16.3 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.”

#### 109/2022 JACKSON/TORENIUS

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**

## 16.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 19 JULY 2022

### RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 19<sup>th</sup> July 2022 be confirmed.”



110/2022 JACKSON/NICHOLS

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**

16.2 **AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION**  
**^**  
**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.”

111/2022 REED/NICHOLS

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**



16.3 WASTE MANAGEMENT TENDER FOR PUBLIC BIN COLLECTION SERVICE

112/2022 NICHOLS/REED

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**

The closed meeting concluded at 7.06pm



## 17.0 ACRONYMNS

ACWC	Arts & Cultural Working Committee
AGM	Annual General Meeting
AFL	Australian Football League
AIR	Australian Immunisation Register
ASU	Australian Services Union
ATO	Australian Taxation Office
AWTS	Aerated Wastewater Treatment Systems
BEST	Business and Employment Southeast Tasmania
CAC	Community Administration Centre
CEO	Chief Executive Officer
CLRS	Councillors
CPR	Cardiopulmonary Resuscitation
CRM	Customer Request Management
CRDSJA	Copping Refuse Disposal Site Joint Authority
DASC	Development Assessment Special Committee
DEDTA	Department Economic Development, Tourism & The Arts
DOE	Department of Education
DPAC	Department of Premier & Cabinet
DPFEM	Department of Police, Fire and Emergency Management
DSG	Department of State Growth
DST	Destination Southern Tasmania
EBA	Enterprise Bargaining Agreement
EOI	Expressions of Interest
EOFY	End of Financial Year
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
NRE	Department of Natural Resources and Environment Tasmania
NRM	Natural Resource Management
PWS	Parks and Wildlife Service
RACT	Royal Automobile Clube of Tasmania
RDA	Regional Development Australia
RSL	Returned Services League



RTI	Right to Information
SBIP	School Based Immunisation Program
SEI	South East Irrigation
SEBA	South East Basketball Association
SENA	South East Netball Association
SERDA	South East Region Development Association
SEUFC	South East United Football Club
SES	State Emergency Service
SFC	Sorell Football Club
SFL	Southern Football League
SMH	Sorell Memorial Hall
SMT	Senior Management Team
STCA	Southern Tasmanian Councils Association
SWSA	Southern Waste Strategy Association
SWS	Southern Waste Solutions
TasCAT	Tasmanian Civil and Administrative Tribunal
TAO	Tasmanian Audit Office
TCF	Tasmanian Community Fund
TOR	Terms of Reference
UTAS	University of Tasmania

