



COUNCIL MINUTES

16 MAY 2023

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

FOR THE COUNCIL MEETING HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON
16 MAY 2023

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The meeting commenced at 6.03pm.

1.0 ATTENDANCE

Mayor K Vincent
Deputy Mayor C Wooley
Councillor M Brown
Councillor S Campbell
Councillor J Gatehouse
Councillor M Miró Quesada Le Roux
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus

2.0 APOLOGIES

Nil

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 18 APRIL 2023

RECOMMENDATION

“That the Minutes of the Council Meeting held on 18th April 2023 be confirmed.”

Attachment – Council Meeting Minutes 18 April 2023.

68/2023 BROWN/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell,
Wooley, Reed, Brown

Against:



The Motion was **CARRIED**

5.0 MAYOR'S REPORT

RECOMMENDATION

"That the Mayor's communication report as listed be received."

69/2023 REED/WOOLEY

"That the recommendation be accepted."

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

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

The following Council Workshop was held:

Date	Purpose	Councillor Attendance	Councillor Apologies
2 nd May 2023	<ul style="list-style-type: none"> 23/24 annual plan 23/24 operating and capital budget LG reform project Councillor workshop requests LGAT GMC candidates 	<ul style="list-style-type: none"> Vincent, Woolley, Brown, Torenius, Miro Quesada Le Roux, Reynolds, Gatehouse, Campbell, Reed 	<ul style="list-style-type: none"> Nil
9 th May 2023	<ul style="list-style-type: none"> 23/24 budget prep bus trip 	<ul style="list-style-type: none"> Vincent, Woolley, Torenius, Reynolds, Gatehouse, Reed 	<ul style="list-style-type: none"> Brown, Miro Quesada Le Roux, Campbell
9 th May 2023	<ul style="list-style-type: none"> 23/24 operating and capital budget 	<ul style="list-style-type: none"> Vincent, Woolley, Torenius, Miro Quesada Le Roux, Reynolds, Gatehouse, Campbell, Reed 	<ul style="list-style-type: none"> Brown

8.0 COUNCILLOR QUESTIONS ON NOTICE

Nil

9.0 COUNCILLOR MOTIONS ON NOTICE

Nil

10.0 WORKGROUP REPORTS

RECOMMENDATION

“That the workgroup reports as listed be received.”

70/2023 BROWN/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenius, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



11.0 PETITIONS

11.1 PETITION – INAPPROPRIATE ZONING SHARK POINT ROAD PENNA RECOMMENDATION

“That in accordance with Section 58(2) of the Local Government Act 1993, Council receives the attached petition comprising 99 signatories requesting Council take action to reject an application for an industrial development at 404 Shark Point Road Penna and petition Councillors to initiate an amendment through the Sorell Planning Authority to the Southern Tasmanian Regional Land Use Strategy (STRLUS) to enable land on the northern side of Shark Point Road, to the west of Penna Road be rezoned to Rural Living.”

71/2023 REYNOLDS/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

11.2 PETITION – RESTRICTING VEHICULAR ACCESS TO CONNELLY’S MARSH BEACH

RECOMMENDATION

“That in accordance with Section 60(2) of the Local Government Act 1993, Council resolves to undertake the following:

- i) To install signage at the Knights Road beach access junction advising no turning and parking is available;
- ii) To prepare a design and cost estimate for the establishment of a public parking area in the Knights Road road reserve;
- iii) To formally request Parks and Wildlife Service confirm their position on retaining or restricting vehicle access to Connelly’s Marsh beach from the Knights Road access; and
- iv) To formally request Parks and Wildlife Service confirm their position on existing private property vehicle access.”



72/2023 BROWN/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

12.0 LAND USE PLANNING

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 12 on this agenda, inclusive of any supplementary items.

12.1 SORELL PLANNING AUTHORITY MINUTES**RECOMMENDATION**

“That the minutes of the Sorell Planning Authority (“SPA”) Meetings of 2nd May 2023 be noted.”

73/2023 BROWN/WOOLEY

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



13.0 GOVERNANCE

13.1 PROPOSED DISPOSAL OF PUBLIC LAND – PART OF TRILICK COURT ROAD RESERVE

RECOMMENDATION

”That Council:

1. resolve pursuant to Section 178 of the *Local Government Act 1993* (“the Act”) that Council intends to dispose, exchange or lease public land, being land (“the Land”) described in - Certificate of Title Volume 106970 Folio 14 Part of Trillick Court Road Reserve, Sorell;
2. authorise the General Manager to take all actions necessary to complete public notification of Council’s intent to exchange, sell or lease the Land in accordance with Section 178 of the Act; and
3. authorise the General Manager to consider and acknowledge any objection received pursuant to Section 178(6) of the Act and report to a future Council meeting.”

74/2023 CAMPBELL/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

13.2 COPPING REFUSE SITE JOINT DISPOSAL AUTHORITY – CERTIFIED RULE CHANGES

RECOMMENDATION

“That Sorell Council approves the certified amendments to the Rules of the Copping Refuse Disposal Site Joint Authority.”

75/2023 REED/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.



For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

13.3 LGAT GENERAL MANAGEMENT COMMITTEE – 2023 ELECTIONS

RECOMMENDATION

“That Council resolve:

- (i) to determine voting for the LGAT General Management Committee member (Southern Electoral District – less than 20,000) by numbering at least one box of the five candidates;
- (ii) to determine voting for the LGAT General Management Committee member (Southern Electoral District – more than 20,000) by numbering at least one box of the three candidates;
- (iii) to determine voting for the LGAT President by numbering at least one box of the six candidates; and
- (iv) to authorise the Mayor to execute and submit the ballot paper to the Returning Officer by 15th June 2023.”

76/2023 CAMPBELL/REED

“That the recommendation be accepted as per the following:

- (i) LGAT General Management Committee member (Southern Electoral District – less than 20,000);

*Councillor Campbell recommended Council nominate Michelle DRACOULIS.
No further recommendations were received.*

For: Vincent, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against: Reynolds



- (ii) LGAT General Management Committee member (Southern Electoral District – more than 20,000);

Councillor Reed recommended Council nominate Paula WRIEDT. No further recommendations were received.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against: Nil

- (iii) LGAT President

Deputy Mayor Wooley recommended Council nominate Mick TUCKER. No further recommendations were received.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against: Nil

- (iv) Authorise the Mayor to execute and submit the ballot paper to the Returning Officer by 15th June 2023.”

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against: Nil

The above motions were put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motions were **CARRIED**

14.0 INFRASTRUCTURE AND ASSETS

Nil reports.



15.0 COMMUNITY RELATIONS

15.1 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

“That Council resolve to approve two grant applications under the 2022-2023 Community Grants Program – \$2,000 for Families Tasmania Inc and \$2,000 for Tasmanian Brick Enthusiasts Inc.”

77/2023 CAMPBELL/BROWN

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

15.2 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

“That Council resolve to approve a donation of \$6,726 from the Section 77 Donations budget to Carlton Park Surf Life Saving Club to fund construction of a storage shed for their beach wheelchairs.”

78/2023 TORENIUS/MIRO QUESADA

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



16.0 FINANCE

16.1 EXECUTIVE SUMMARY – FINANCIAL REPORT APRIL 2023 YTD

RECOMMENDATION

“That the Executive Summary – FINANCIAL REPORT APRIL 2023 YEAR-TO-DATE be received and noted by Council.”

79/2023 REED/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenium, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

16.2 2023-2024 FEES AND CHARGES

RECOMMENDATION

Local Government Act 1993 (Tas) – Part 12

“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 2023 and ending on 30 June 2024.”

80/2023 CAMPBELL/TORENIUS

“That the recommendation be accepted (noting Recreational Vehicle Short Term Parking fees not included).”

The motion was put.

For: Vincent, Reynolds, Torenium, Gatehouse, Campbell, Wooley, Reed, Brown

Against: Miró Quesada Le Roux

The Motion was **CARRIED**



17.0 PLANNING

17.1 CLIMATE COUNCIL CITIES POWER PARTNERSHIP (CCCPP) – 5 PARTNERSHIP ACTION PLEDGES TO THE CITIES POWER PARTNERSHIP

RECOMMENDATION

“That Council resolve to endorse the five climate action pledges as recommended and to submit them on behalf of the Mayor.”

81/2023 REED/MIRO QUESADA

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

18.0 HEALTH AND COMPLIANCE

Nil reports.

19.0 ROADS AND STORMWATER

Nil reports.

20.0 FACILITIES AND RECREATION

Nil reports.



21.0 QUESTIONS FROM THE PUBLIC

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.

Sharon Fotheringham of Forcett questioned the zoning of a property on Sugarloaf Road approximately 5 kilometres in and whether multiple dwelling are permitted as there appears to be 2 units built alongside a dwelling close to the roadside?

The General Manager advised he would make enquiries and respond directly to Ms Fotheringham after the meeting.

Maria Mitsakis of Penna questioned if Council would consider a footpath along Shark Point Road Penna due to the increase in traffic relating to the recently approved caravan and boat storage facility on Shark Point Road?

Mayor Vincent advised that unfortunately there isn't a footpath consideration in this years budget and is not part of the next 12 months expected expenditure.

Maria further questioned if Council would consider dropping the speed limit on Shark Point Road Penna from 80km to 60km for safety reasons due to the previously mentioned development?

The Director Service Delivery advised Council have the ability to consider speed limit reductions but ultimately is the decision of the Road Safety Commission. Department of State Growth will only consider these on a Council



recommendation. He further advised that we would have data on the average speed of vehicles in this section of road that can be presented to Council.

Maria asked what the expected timeframe for a response to a meeting request with the General Manager should be.

The General Manager advised that timeframes are contained in Councils Customer Service Charter and that he would be happy to discuss a suitable time to meet at the end of the meeting.

Rendell Emmett of Penna made a statement regarding the increase in traffic in particular heavy trucks and lack of a footpath on Shark Point Road, Penna.

Maree Emmett of Penna raised concern over the turning lane from Midway Point into the new subdivision on Penna Road, Midway Point.

The Director Service Delivery advised that he would follow up with the regulations for this turning lane and advise Maree.

Maria Mitsakis asked if Council would make a commitment to initiating an amendment to the STRLUS.

Mayor Vincent advised that without all the details being presented that Council would not be able to make a commitment now. He further advised that Council has previously supported failed zoning changes in the Penna area. Further consultation with staff would be required.

Maria further questioned if the community would be involved in any amendment considerations.

The Mayor advised that as part of the STRLUS review, there are numerous areas within the municipality that will be reviewed with different areas and community members with differing needs.

Paula Karydis of Penna made a statement regarding current and longer term strategic land use for Penna and that the existing Rural Zone provides for incompatible uses with surrounding dwellings. She also questioned what Council is going to do regarding the non-native Pine trees that have been planted as part of the screening of the approved caravan and boat storage facility on Shark Point Road?

Mayor Vincent responded that the Planning Scheme and underpinning STRLUS is out of date but that Council currently does not have the ability to change this until the STRLUS is reviewed. Council having to make decisions as a Planning Authority and act as a Council are two very different considerations. He further advised that



Council do have a vision for this area including Orielton, and part of that is to preserve productive agricultural land as well. Along with this protection of agricultural land, the State Planning Scheme provisions provide for a range of permitted uses in the Rural and Agriculture zones that can be established.

A response was not provided regarding the planting of non-natives on the site. The General Manager will, however, enquire of the Manager Planning the operation of the permit and any relevant conditions.



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 8.22pm.

22.0 CLOSED MEETING

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

Reference	Item
22.1	Confirmation of the Closed Council Minutes of the Council Meeting of 18 April 2023 – <i>Regulation 34(3)</i>
22.2	Disclosure of confidential information – <i>Regulation 15(8)</i>
22.3	Tender C-23-S-006 Curryjong Rivulet Culvert on Nugent Road, Replacement – <i>Regulation 15(2)(d)</i>
22.4	Audit Panel Meeting Minutes – <i>Regulation 15(2)(c)</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 22.1 - 22.4 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.

82/2023 REYNOLDS/BROWN

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



22.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 18 APRIL 2023

RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 18 April 2023 be confirmed.”

83/2023 TORENIUS/MIRO QUESADA

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

22.2 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.”

84/2023 REED/MIRO QUESADA

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



22.3 TENDER C-23-S-006 CURRYJONG RIVULET CULVERT ON NUGENT ROAD, REPLACEMENT

85/2023 REED/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

22.4 AUDIT PANEL MEETING MINUTES

86/2023 CAMPBELL/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

The closed meeting concluded at 8.27pm.



23.0 ACRONYMNS

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
LT	Leadership Team
LTFP	Long Term Financial Plan
LTI	Lost Time Injury
MAST	Marine & Safety Tasmania
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 Club 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
SPA	Sorell Planning Authority
STCA	Southern Tasmanian Councils Association
STRWA	Southern Tasmanian Regional Waste Authority
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

