



Attachment to item number 4.0 -
Minutes from the Council Meeting 20 June 2023



COUNCIL MINUTES

20 JUNE 2023

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

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

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The meeting commenced at 6.00 pm.

1.0 ATTENDANCE

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

2.0 APOLOGIES

Councillor S Campbell
Deputy Mayor C Wooley

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.

Councillor Miro Quesada Le Roux indicated a potential pecuniary interest in item 22.7 of the agenda.

4.0 CONFIRMATION OF THE MINUTES OF 16 MAY 2023

RECOMMENDATION

“That the Minutes of the Council Meeting held on 16th May 2023 be confirmed.”

87/2023 BROWN/REED

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**



5.0 MAYOR'S REPORT

RECOMMENDATION

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

88/2023 REED/REYNOLDS

"That the recommendation be accepted."

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, 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

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The following Council Workshops were held:

| Date | Purpose | Councillor Attendance | Councillor Apologies |
|---------------------------|---|---|---|
| 23 rd May 2023 | <ul style="list-style-type: none"> • 23/24 annual plan • 23/24 operating and capital budget • LG reform project • SE Youth Initiative project with TCF • Councillor workshop requests – Blue Lagoon, lighting • 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 |
| 6 th June 2023 | <ul style="list-style-type: none"> • 23/24 annual plan • 23/24 operating and capital budget • LG reform project • 2 x Community Grant Applications | <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 |

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.”

89/2023 BROWN/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

11.0 PETITIONS

11.1 PETITION – DRAFT BLUE LAGOON MANAGEMENT PLAN

RECOMMENDATION

“That in accordance with Section 58(2) of the Local Government Act 1993, Council receives the attached petition signed by 288 signatories requesting Council take action to withdraw the current draft Blue Lagoon Management Plan 2023 for a pipe discharge from Blue Lagoon and widen consultation with the community and relevant experts; to develop an alternative plan that is sensitive to the environment; addresses the stormwater issue at a catchment level; and restores the ecological balance of the wetland and local bay.”

90/2023 REED/BROWN

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**



11.2 PETITION – ZONING SHARK POINT ROAD PENNA

RECOMMENDATION

“That in accordance with Section 60(2) of the Local Government Act 1993, Council advise the petitioners that it is unable to initiate an amendment 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 and that they be further advised to prepare a submission to the current Tasmanian Planning Policies review and future STRLUS review.”

91/2023 BROWN/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, 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 16th, 30th May and 6th June 2023 be noted.”



92/2023 GATEHOUSE/BROWN

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

13.0 GOVERNANCE**13.1 ADOPTION OF ANNUAL PLAN 2023-2024****RECOMMENDATION**

“That in accordance with Section 71 of the Local Government Act 1993, Council resolves to adopt the Annual Plan for the 2023-2024 financial year.”

93/2023 REED/MIRO QUESADA LE ROUX

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

14.0 INFRASTRUCTURE AND ASSETS

Nil reports.



15.0 COMMUNITY RELATIONS

15.1 COMMUNITY GRANT PROGRAM

RECOMMENDATION

“That Council resolve to approve a \$2000 grant application from Nugent Community and Sports Association under the 2022-2023 Community Grants Program.”

94/2023 REED/TORENIUS

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

15.2 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

“That Council resolve to approve annual contributions to Sea Rescue Dodges Ferry and South East Arts as part of the *Section 77* donations and grants budget.”

95/2023 TORENIUS/REED

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**



16.0 FINANCE

16.1 EXECUTIVE SUMMARY – FINANCIAL REPORT MAY 2023 YTD

RECOMMENDATION

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

96/2023 BROWN/REED

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

16.2 2023-2024 RATES AND CHARGES RESOLUTION

RECOMMENDATION

“That in accordance with the provisions of the Local Government Act 1993 and the Fire Services Act 1979, Council resolve to adopt the following 2023-2024 Rates and Charges Resolution for rateable land within the Council’s municipal area for the period 1st July 2023 to 30th June 2024.”

97/2023 GATEHOUSE/BROWN

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Reed, Brown

Against: Miro Quesada Le Roux

The Motion was **CARRIED**



16.3 2023-2024 OPERATING AND CAPITAL BUDGETS

RECOMMENDATION

“That Council resolve pursuant to Section 82 of the Local Government Act 1993 to accept and adopt the 2023-2024 Operating and Capital budget estimates.”

98/2023 TORENIUS/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

16.4 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 resolves to hereby make the following Recreational Vehicle Short Term Parking fees for the period commencing on 1 July 2023 and ending on 30 June 2024.”

99/2023 BROWN/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**



16.5 2023-2024 RATES AND CHARGES POLICY

RECOMMENDATION

“That Council resolve in accordance with Section 86B of the Local Government Act 1993 to adopt the amended Rates and Charges Policy inclusive of the Charitable Remissions Procedure.”

100/2023 REED/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

16.6 FINANCIAL HARDSHIP ASSISTANCE POLICY

RECOMMENDATION

“That Council resolve to continue to offer and implement the revised Financial Hardship Assistance Policy, inclusive of the Application for Financial Hardship Assistance form and carry out an annual review by June 2024.”

101/2023 TORENIUS/REED

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**



17.0 PLANNING

Nil reports.

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.

Wayne McCarthy queried the illegal parking of vehicles on yellow lines, in close proximity to pedestrian crossings and in disabled parking areas and if the Council could do something about enforcing this?

The Mayor and the Director Service Delivery (DSD) responded that Council do have a number of officers delegated by the General Manager authorised to issue parking infringements. The DSD further advised to report and make Council aware of any incidents that have been identified through Customer and Business Support and an officer can be sent to investigate.

Sharon Fotheringham requested an update regarding the proposed double lane extension from the Hobart Airport to Sorell.

The Mayor advised that as far as he is aware an agreement with the Tasmania Golf Club is nearing completion. There are some issues that are still to be resolved. The two causeways are still being worked through mainly to do with the EPBC assessment process - the relocation of the starfish and Aboriginal heritage matters. DSG have appointed Pitt and Sherry as the design consultants for the causeways. Planning is yet to occur from the causeways to connect into the current bypass at Giblin Drive.



Paula Karydis from Penna questioned who was responsible for monitoring the hooning occurring on Penna Road?

Mayor Vincent advised that this is a matter for the Police - and to provide as many details as possible and report to Police.

Maria Mitsakis of Penna questioned if the traffic management road signage for the TasWater construction works on Shark Point Road could be rectified to extend the 40km signage past the 60km sign.

The DSD advised that he will talk to the contractor undertaking the works.

Wayne McCarthy further questioned what the police coverage in the area is as he tried to report dangerous behaviour and made several attempts to try and contact them. He also advised that you can't get into the station.

Mayor Vincent advised will speak to the area Inspector and find out what the manned hours for the station are.

21.1 QUESTION ON NOTICE

Helen Galloway of Sorell submitted the below question on notice;

“What steps are Council taking to be informed about artificial light pollution and its impact on ecosystems?”

The Manager Planning has provided the below response;

“Council acting as the planning authority can consider the effects of lighting on natural values where relevant to an application, such as works in an Environmental Management Zone or Priority Vegetation Area. The National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds published by the federal Department of the Environment and Energy is referred to accordingly. Potentially, the visual impact of lighting can be considered in a scenic overlay or Landscape Conservation Zone / Environmental Management Zone, however, the Tasmanian Planning Scheme has no specific reference to the visual effects of external lighting.”

The Manager Health and Compliance has advised that the provisions of the Environmental Management & Pollution Control Act 1993 have been relied upon previously to assess public complaints about light pollution impacting people only.

The open meeting concluded at 7.21 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 7.36 pm.

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 16 th May 2023 – <i>Regulation 34(3)</i> |
| 22.2 | Disclosure of confidential information – <i>Regulation 15(8)</i> |
| 22.3 | Leave of Absence – Councillor Brown - <i>Regulation 15(2)(h)</i> |
| 22.4 | Copping Refuse Disposal Site Joint Authority Quarterly Report – <i>Regulation 15(2)(c)</i> |
| 22.5 | Copping Refuse Disposal Site Joint Authority Meeting Minutes – 25 May 2023 – <i>Regulation 15(2)(c)</i> |
| 22.6 | Tender C-23-T-005 Nugent Road Reconstruction – <i>Regulation 15(2)(d)</i> |
| 22.7 | Proposed Disposal of Council Land - <i>Regulation 15(2)(f)</i> |
| 22.8 | Requested Purchase of Land – CT 37/9366 Tasman Highway, Sorell- <i>Regulation 15(2)(f)</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 - 22.8 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.

102/2023 REYNOLDS/REED

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**



22.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 16 MAY 2023

RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 16 May 2023 be confirmed.”

103/2023 REYNOLDS/TORENIUS

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

22.2 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.”

104/2023 REYNOLDS/TORENIUS

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

Councillor Brown left the room at 7.37pm.



22.3 LEAVE OF ABSENCE – COUNCILLOR BROWN

105/2023 REED/MIRO QUESADA LE ROUX

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

Councillor Brown returned to the room at 7.38pm.

22.4 COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY QUARTERLY REPORT- MARCH 2023

106/2023 GATEHOUSE/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

22.5 COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY MEETING MINUTES – 25 MAY 2023

RECOMMENDATION

107/2023 BROWN/REED

“That the recommendation be accepted.”

The motion was put.

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



Against:

The Motion was **CARRIED**

22.6 TENDER C-23-T-005 NUGENT ROAD RECONSTRUCTION, WATTLE HILL

108/2023 REED/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

Councillor Miro Quesada Le Roux left the room at 7.47pm.

22.7 PROPOSED DISPOSAL OF COUNCIL LAND – 19 PENNA RD, MIDWAY POINT (MALUNNA)

109/2023 BROWN/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Reed, Brown

Against:

The Motion was **CARRIED**

Councillor Miro Quesada Le Roux returned to the room at 8:00pm.



22.8 REQUESTED PURCHASE OF LAND – CT 37/9366 TASMAN HIGHWAY,
SORELL

110/2023 BROWN/REED

“That the recommendation be accepted.”

The motion was put.

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

Against:

The Motion was **CARRIED**

The closed meeting concluded at 8:06pm.



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 |
| 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 |





Attachment to item number 12.1-
Sorell Planning Authority (SPA) Minutes



SORELL PLANNING AUTHORITY (SPA) MINUTES

4 JULY 2023

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON
TUESDAY 4 JULY 2023

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1.0 ATTENDANCE

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Chairperson Mayor Vincent
Deputy Mayor C Wooley
Councillor S Campbell
Councillor J Gatehouse
Councillor M Miro Quesada Le Roux
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus
Robert Higgins, General Manager

Staff in attendance:

Shane Wells – Manager Planning

2.0 APOLOGIES

Councillor M Brown – approved Leave of Absence

3.0 CONFIRMATION OF THE MINUTES OF 20 JUNE 2023

RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 20th June 2023 be confirmed.”

33/2023 TORENIUS / REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Woolley, Reed, Torenus, Miro Quesada Le Roux, Reynolds, Gatehouse and Campbell

Against: None

The Motion was **CARRIED**



4.0 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.

Councillor Torenus declared a (perceived) non-pecuniary interest in item 5.2 (adjoining owner).

In considering the following land use planning matters the Sorell Planning Authority intends to act as a planning authority under the *Land Use Planning and Approvals Act 1993*.

5.0 LAND USE PLANNING

5.1 DEVELOPMENT APPLICATION NO.5.2023.109.1

| | |
|--------------------------------|---|
| Applicant: | Ireneinc Planning And Urban Design |
| Proposal: | Change of Use - Dwelling to Visitor Accommodation |
| Site Address: | 3 Pelican Place, Boomer Bay (CT 167219/3) |
| Planning Scheme: | <i>Tasmanian Planning Scheme – Sorell (TPS-S)</i> |
| Application Status | Discretionary |
| Relevant Legislation: | Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i> |
| Reason for SPA meeting: | More than one representation received. |
| Relevant Zone: | 22.0 Landscape Conservation |
| Proposed Use: | Visitor Accommodation |
| Applicable Overlay(s): | |
| Applicable Codes(s): | |
| Valid Application Date: | 10 May 2023 |
| Decision Due: | 8 July 2023 |
| Discretion(s): | 1 Discretionary use |
| Representation(s): | Three |

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application DA 2023 / 00109 - 1 for a Change of Use - Dwelling to Visitor Accommodation at 3 Pelican Place, Boomer Bay be approved, subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans submitted on 5 September 2022 except as may be amended by the conditions of this permit.
2. Pets (other than for physical or mental health assistance) must not be permitted to stay on the property in association with the approved use.



3. The operator must take reasonable steps to inform guests of the natural values of the area, including risks of road kill.
4. The internal driveway including areas set aside for vehicle parking and manoeuvring shall be in general accordance with AS/NZS 2890.1:2004, and must:
 - a) be adequately upgraded where required, to the prescribed standard, within six months of first use;
 - b) be constructed with a durable all-weather pavement;
 - c) be drained to a legal point of discharge or retain runoff onsite such that stormwater is not concentrated onto adjoining properties;
 - d) have a sealed or gravel surface that is designed, constructed and maintained to avoid sedimentation or erosion or excess dust; and
 - e) be maintained through the life of the use in a condition that, at a minimum, is suitable for two wheel drive vehicles.
5. Prior to first use, at least one car parking space must be provided on site and must be available for car parking at all times. Any external space must:
 - a) be at least 5.4m long and 2.6m wide with an additional 0.3m clearance from any nearby wall, fence or other obstruction; and
 - b) have a maximum gradient of 1 in 20 (5%) measured parallel to the angle of parking and 1 in 16 (6.25%) in any other direction.
6. The maximum number of guests occupying the visitor accommodation per day shall not exceed five (5) persons, averaged over a 14 day recurring period.
7. The onsite waste water management system including the land application area must be protected from vehicular access.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- The permit does not take effect until 15 days after the date that this permit was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the *Land Use Planning and Approvals Act 1993*.
- This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- This planning approval shall lapse at the expiration of two (2) years from the date on which this permit became valid, if the permit is not substantially commenced. At the discretion of the Planning Authority, the expiration date may be extended

for a further two (2) years on two separate occasions for a total of six (6) years. Once lapsed, a new application will be required.

- Any changes to the use or development approved, may be deemed as substantially in accordance with the permit or may first require either a formal amendment to this permit or a new permit.

You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to TASCAT, 38 Barrack Street Hobart 7000 Ph: (03) 6165 6790 or email resourceplanning@tascat.tas.gov.au

34/2023 CAMPBELL / REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Woolley, Reed, Torenus, Miro Quesada Le Roux, Reynolds, Gatehouse and Campbell

Against: None

The Motion was **CARRIED**

Councillor Torenus left the room at 4.51pm

5.2 SUBDIVISION APPLICATION NO. SA 2022 / 00029 - 1

| | |
|--------------------------------|---|
| Applicant: | Rogerson & Birch Surveyors |
| Proposal: | 3 Lot Subdivision |
| Site Address: | 88 Lewisham Road, Forcett (CT 166029/1) |
| Planning Scheme: | <i>Tasmanian Planning Scheme – Sorell (TPS-S)</i> |
| Application Status | Discretionary |
| Relevant Legislation: | Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i> |
| Reason for SPA meeting: | Subdivision creates more than one lot. |

| | |
|--------------------------------|--|
| Relevant Zone: | Rural and Agriculture |
| Proposed Use: | N/A |
| Applicable Overlay(s): | Priority vegetation, waterway, coastal inundation, coastal erosion, flood, landslip, bushfire, scenic protection |
| Applicable Codes(s): | Road and Railway |
| Valid Application Date: | 14 December 2022 |
| Decision Due: | 8 July 2023 |
| Discretion(s): | 1 Nil |
| | 2 |
| Representation(s): | Nil |



RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 7.2022.29.1 for a 3 Lot Subdivision at 88 Lewisham Road, Forcett be approved, subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans submitted on 5 September 2022 except as may be amended by the conditions of this permit.
2. Prior to sealing the final plan of survey, the road reserve for Lakeland Drive that is in the name of D & L Nominees Pty Ltd, being CT 107279/100 and CT 107279/101, must be transferred to Council at a nominal sum.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- The various 'existing Council approved access' shown on the endorsed plans may not be suitable for any future non-rural or non-agricultural use and may require upgrade or relocation.
- The permit does not take effect until 15 days after the date that this permit was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the *Land Use Planning and Approvals Act 1993*.
- This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- This planning approval shall lapse at the expiration of two (2) years from the date on which this permit became valid, if the permit is not substantially commenced. At the discretion of the Planning Authority, the expiration date may be extended for a further two (2) years on two separate occasions for a total of six (6) years. Once lapsed, a new application will be required.
- Any changes to the use or development approved, may be deemed as substantially in accordance with the permit or may first require either a formal amendment to this permit or a new permit.
- All engineering related queries should be directed to the Development Engineer. The Council General Manager has delegated functions relevant to the permit to the Development Engineer.
- Sealing of a final plan of survey is subject to a prescribed Council fee at the date of lodgement of the final plan or survey.
- Land Title Office fees must be paid directly to the Recorder of Titles.
- The final plan of survey will not be sealed until all works required by this permit are complete.

- The final plan of survey is inclusive of any schedule of easement and Part 5 Agreement.

You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to TASCAT, 38 Barrack Street Hobart 7000 Ph: (03) 6165 6790 or email resourceplanning@tascat.tas.gov.au

35/2023 CAMPBELL / REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Woolley, Reed, Gatehouse, Miro Quesada Le Roux, Reynolds and Campbell

Against: None

The Motion was **CARRIED**

Councillor Torenus re-entered the room at 5.10pm

5.3 REZONING FROM RURAL LIVING TO AGRICULTURE - 5.2023.154.1

| | |
|--------------------------------|--|
| Proposal: | Rezoning to Agriculture Zone |
| Site Address: | 680 Nugent Road , Wattle Hill (CT 17314/5) |
| Planning Scheme: | <i>Tasmanian Planning Scheme Sorell (TPS-S)</i> |
| Relevant Legislation: | Part 3B of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i> |
| Reason for SPA meeting: | No delegated authority for a planning scheme amendment |

RECOMMENDATION

1. That pursuant to Section 40D(b) of the Land Use Planning and Approvals Act 1993, the Planning Authority prepare Amendment AM-SOR-5-2023-154-1 to the Sorell Local Provisions Schedule for land at 680 Nugent Road, Wattle Hill to rezone CT 17314/5 from the Rural Living Zone to the Agriculture Zone.
2. That having decided to prepare the amendment, the Planning Authority certifies pursuant to Section 40F of the Land Use Planning and Approvals Act 1993 that the draft amendment meets the Land Use Planning and Approvals Act 1993.
3. That, in accordance with section 40I of the Land Use Planning and Approvals Act 1993, the Planning Authority seeks from the Tasmanian Planning Commission exemption from public exhibition for the draft amendment.



4. That should the exemption not be granted, in accordance with Section 40G of the Land Use Planning and Approvals Act 1993, the Planning Authority places the amendment on public exhibition for a period of 28 days.

36/2023 REED / CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Woolley, Reed, Torenus, Miro Quesada Le Roux, Reynolds, Gatehouse and Campbell

Against: None

The Motion was **CARRIED**

The Meeting closed at 5.18pm

MAYOR VINCENT
CHAIRPERSON
4 JULY 2023

