



# 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 16<sup>th</sup> 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 <sup>rd</sup> May 2023	<ul style="list-style-type: none"> <li>• 23/24 annual plan</li> <li>• 23/24 operating and capital budget</li> <li>• LG reform project</li> <li>• SE Youth Initiative project with TCF</li> <li>• Councillor workshop requests – Blue Lagoon, lighting</li> <li>• LGAT GMC candidates</li> </ul>	<ul style="list-style-type: none"> <li>• Vincent, Woolley, Brown, Torenus, Miro Quesada, Le Roux, Reynolds, Gatehouse, Campbell, Reed</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>
6 <sup>th</sup> June 2023	<ul style="list-style-type: none"> <li>• 23/24 annual plan</li> <li>• 23/24 operating and capital budget</li> <li>• LG reform project</li> <li>• 2 x Community Grant Applications</li> </ul>	<ul style="list-style-type: none"> <li>• Vincent, Woolley, Brown, Torenus, Miro Quesada, Le Roux, Reynolds, Gatehouse, Campbell, Reed</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>

## 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 16<sup>th</sup>, 30<sup>th</sup> May and 6<sup>th</sup> 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.

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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 <sup>th</sup> 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, Torenium, 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, Torenium, 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 ACRONYMS

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

