



COUNCIL MINUTES

23 APRIL 2024

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

FOR THE COUNCIL MEETING HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON
23 APRIL 2024

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The meeting commenced at 6.00 pm.

Due to the absence of the Mayor and Deputy Mayor, the General Manager requested the Councillors present to nominate a Chairperson.

Councillor Gatehouse nominated Councillor Torenius.

RECOMMENDATION

“That Councillor Torenius be nominated to chair the meeting”

56/2024 GATEHOUSE/REED

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenius, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols

Against:

The Motion was **CARRIED**

1.0 ATTENDANCE

Chairperson Councillor C Torenius
Councillor M Reed
Councillor S Campbell
Councillor J Gatehouse
Councillor M Miró Quesada Le Roux
Councillor B Nichols
Councillor N Reynolds
General Manager R Higgins

2.0 APOLOGIES

Mayor K Vincent
Deputy Mayor C Wooley

3.0 DECLARATIONS OF PECUNIARY INTEREST

The Chair 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 MINUTES OF 19 MARCH 2024

RECOMMENDATION

“That the Minutes of the Council Meeting held on 19th March 2024 be confirmed.”

57/2024 REED/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed,
Nichols

Against:

The Motion was **CARRIED**

4.1 CONFIRMATION OF THE MINUTES FROM THE SPECIAL COUNCIL MEETING 16 APRIL 2024

RECOMMENDATION

“That the Minutes of the Special Council Meeting held on 16th April 2024 be confirmed.”

58/2024 CAMPBELL/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed,
Nichols

Against:

The Motion was **CARRIED**



5.0 MAYOR'S REPORT

RECOMMENDATION

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

59/2024 REED/CAMPBELL

"That the recommendation be accepted."

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols

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 Workshop was held:

Date	Purpose	Councillor Attendance	Councillor Apologies
9 th April 2024	<ul style="list-style-type: none"> • Strategic Plan – Risk Appetite and Risk Tolerance <ul style="list-style-type: none"> ○ Finalising Councillors risk appetite and tolerance position in relation to our 4 Strategic Plan Objectives • Draft new / upgrade capital projects <ul style="list-style-type: none"> ○ Discussion on range, cost and timing of 10 year program ○ Discussion on Financial Management Strategy and Long Term Financial Plan impacts and draft modelling • Community Grants x 2 • Social Strategy <ul style="list-style-type: none"> ○ GHD Draft report 	Wooley, Campbell, Gatehouse, Nichols, Reed, Reynolds, Torenius	Vincent, Miro Quesada Le Roux

8.0 COUNCILLOR QUESTIONS ON NOTICE

9.0 COUNCILLOR MOTIONS ON NOTICE

9.1 MOTION ON NOTICE – COUNCILLOR MIRO QUESADA LE ROUX

MOTION

“Whereas the issue of aircraft noise impact and mitigation is of significant concern to our community;

Whereas the Senate Inquiry provides an opportunity to address this issue at a national level;

Whereas local governments play a crucial role in advocating for the well-being of their residents;

Be it confirmed Council’s commitment to prepare and submit a comprehensive response to the *Senate Inquiry into the Impact and Mitigation of Aircraft Noise*, with the following terms.

The Council shall:



- Advocate for the adoption of evidence-based policies at the federal level to address aircraft noise.
- Actively engage where possible with relevant stakeholders (affected residents, aviation and noise authorities, and senators).
- Conduct public awareness to encourage community participation in the Senate Inquiry.
- Submit by the 30th of April 2024, as per specified in the *Senate Standing Committees on Rural and Regional Affairs and Transport's* website [https://www.aph.gov.au/Parliamentary Business/Committees/Senate/Rural and Regional Affairs and Transport/AircraftNoise](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/AircraftNoise)

60/2024 MIRO QUESADA LE ROUX/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols

Against:

The Motion was **CARRIED**

9.2 MOTION ON NOTICE – COUNCILLOR MIRO QUESADA LE ROUX

MOTION

“That the Sorell Council:

1. Receives and acknowledges the community survey report titled “*Runway 30 RNP-AR Flight Path: Online Survey of Community Reactions to Aircraft Noise*” submitted by the Carlton River, Primrose Sands and Forcett Flight Path Opponents Group.
2. Reviews the report in detail and consider its implications.
3. When relevant, uses the report’s findings in its advocacy efforts in supporting affected residents.”

61/2024 MIRO QUESADA LE ROUX/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols



Against:

The Motion was **CARRIED**

10.0 WORKGROUP REPORTS

RECOMMENDATION

“That the workgroup reports as listed be received.”

62/2024 REED/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols

Against:

The Motion was **CARRIED**

11.0 PETITIONS STILL BEING ACTIONED

Petition	Tabled at Council Meeting	Status
Replacement of Steps at Red Ochre Beach	12 th April and 17 th May 2022	Approved as a 22/23 capital budget. Project Manager has experienced delays since July 2022 coordinating consensus agreement between stakeholders. Preliminary meeting has occurred with local stakeholders March 2024.
Restricting Vehicular Access to Connelly's Marsh Beach	22 nd March and 16 th May 2023	Council position as per resolution provided to NRE. Response from NRE does not address the resolution matters. The General Manager will make contact with the Minister now that caretaker period has ended.



Withdrawal of the Blue Lagoon Draft Management Plan	18 July 2023	Council laid on the table for further consultancy on review and investigate options for stormwater management at Blue Lagoon. Variation to the operating budget approved at August 2023 Council meeting to facilitate this.
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12.0 PETITIONS RECEIVED

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

13.0 LAND USE PLANNING

The Deputy 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.

13.1 SORELL PLANNING AUTHORITY MINUTES

RECOMMENDATION

“That the minutes of the Sorell Planning Authority (“SPA”) Meetings of 5th and 26th March 2024 be noted.”

63/2024 MIRO QUESADA LE ROUX/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols

Against:

The Motion was **CARRIED**



14.0 GOVERNANCE

Nil reports.

15.0 INFRASTRUCTURE AND ASSETS

Nil reports.

16.0 COMMUNITY RELATIONS

16.1 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

“That Council resolve:

- a) to decline the grant application under the 2023-2024 Community Grants Program – \$2,000 for Birchgrove Feline Assistance; and
- b) to decline the grant application under the 2023-2024 Community Grants Program - \$10,000 for Carlton Park Surf Life Saving Club.”

64/2024 CAMPBELL/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols

Against:

The Motion was **CARRIED**

17.0 FINANCE

17.1 EXECUTIVE SUMMARY – FINANCIAL REPORT MARCH 2024 YTD

RECOMMENDATION

“That the Executive Summary – FINANCIAL REPORT MARCH 2024 YEAR-TO-DATE be received and noted by Council.”

65/2024 REED/NICHOLS

“That the recommendation be accepted.”



The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed,
Nichols

Against:

The Motion was **CARRIED**

17.2 2023-2024 CAPITAL BUDGET ADJUSTMENTS

RECOMMENDATION

“That Council resolve pursuant to Section 82 of the Local Government Act 1993 to approve and adopt the below adjustments to the 2023/2024 Capital Budget estimates.”

66/2024 CAMPBELL/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed,
Nichols

Against:

The Motion was **CARRIED**

18.0 PLANNING

Nil reports.

19.0 HEALTH AND COMPLIANCE

Nil reports.

20.0 ROADS AND STORMWATER

Nil reports.

21.0 FACILITIES AND RECREATION

Nil reports.



22.0 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 if the front doors could be opened at 5:30pm prior to the Council Meetings. The Chair responded that this was possible and not an unreasonable request. The General Manager advised it was his oversight.

Sharon further questioned if the Council Meeting dates are changed if it could be mentioned at the prior meeting.

The General Manager advised that the change was advertised in the Mercury. The Chair also advised that changes to Council Meeting dates don't occur often and this particular change was due to Easter.

Mike Purdon questioned if it was possible for a reduction in hire fees for a car show interested in utilising a facility in Sorell.

The General Manager advised that after meeting with the car show organisers he referred this to the Manager Facilities and Recreation and that he would follow up. Ultimately it would be a matter for Council if they were to consider waiving or modifying the fees.

The Chair suggested that maybe a Community Grant application would be an option to consider.



Cathy Minnucci thanked Council for accepting the survey from residents regarding Aircraft Noise.

Cathy questioned how long it should take for Council to address a safety issue raised regarding the new footpath being constructed at Tamarix Road Primrose Sands?

The General Manager advised that he would follow up on the enquiry with relevant staff. He advised that this particular project is facing some obstacles at present with available land in the road reserve. The footpath was to extend through to Carlton Bluff Road with this still the intended outcome.

Cathy further questioned regarding the building of homes what is the time period cut-off for these to be completed? There is a property that has been in the process of being constructed for in excess of 10 years at Primrose Sands.

The General Manager advised he would need the details of the site in question to enable a specific response to be provided. It would depend when the building permit was issued as the building regulations have changed over time. There is the ability to obtain extensions to building permits but he would need to confirm how many are possible.

Cathy queried a question raised at a previous meeting regarding revenue in the finance report as she was expecting someone to make contact to clarify this.

The General Manager advised that he provided a response in the Public Question time minutes and apologised for not contacting the person directly. The reported increase in revenue was not associated with supplementary rates as originally thought but was due to the book value of a group of donated assets transferring to Council through the operating budget from private subdivision works including roads, footpaths and stormwater.

Dierdre Biggar followed on from a question at the previous meeting regarding solar farms and she asked if the vacant land outside the Council building could be used?

The General Manager advised that in order to achieve the best and highest use of the land, Council has to date been considering a long term community use purpose (health/medical/child care).

The open meeting concluded at 6.49 pm.



CLOSED MEETING

Members are advised that items listed below in the CLOSED SESSION AGENDA are classified as CONFIDENTIAL ITEMS in accordance with the provisions of the Local Government Act 1993.

A Councillor must not discuss any item listed in a CLOSED SESSION AGENDA with any person (except another elected member, the General Manager or the author of a report to the closed session of Council or a Council Committee) without a specific resolution of the Council or a Council Committee that considered the report.

Section 338A (1) of the Local Government Act 1993 states that a Councillor must not disclose information:

- (a) seen or heard by the Councillor at a meeting or part of a meeting of a council or council committee that is closed to the public that is not authorised by the council or council committee to be disclosed; or*
- (b) given to the Councillor by the mayor, deputy mayor, chairperson of a meeting of the council or council committee or the general manager on the condition that it be kept confidential.*

Section 338A (3) states that a member must not disclose information acquired as such a member on the condition that it be kept confidential.

Additionally, Section 339 of the Local Government Act 1993 states that:

- (1) A councillor or a member must not make improper use of any information acquired as a councillor or member.*
- (3) Improper use of information includes using the information –*
 - (a) to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for oneself, a member of one's family or a close associate; or*
 - (b) to cause any loss or damage to any council, controlling authority, single authority, joint authority or person.*



The closed meeting commenced at 6.51 pm.

23.0 CLOSED MEETING

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

Reference	Item
23.1	Confirmation of the Closed Council Minutes of the Council Meeting of 19 March 2024 and Special Council Meeting of 16 April 2024 - <i>Regulation 34(3)</i>
23.2	Disclosure of confidential information – <i>Regulation 15(8)</i>
23.3	Sorell Audit Panel Minutes 27 February 2024 – <i>Regulation 15(2)(g)</i>
23.4	Sorell Audit Panel Membership – <i>Regulation 15(2)(g)</i>
23.5	Tender CERMP125 Sorell Coastal and Estuarine Risk Mitigation Program – <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 23.1 - 23.5 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.

67/2024 REYNOLDS/MIRO QUESADA LE ROUX

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols

Against:

The Motion was **CARRIED**



23.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 19 MARCH 2024 AND SPECIAL COUNCIL MEETING 16 APRIL 2024

RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 19th March 2024 and Special Council meeting held on 16th April 2024 be confirmed.”

68/2024 REED/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols

Against:

The Motion was **CARRIED**

23.2 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.”

69/2024 CAMPBELL/NICHOLS

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed, Nichols

Against:

The Motion was **CARRIED**



23.3 SORELL COUNCIL AUDIT PANEL MEETING MINUTES

70/2024 NICHOLS/REED

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed,
Nichols

Against:

The Motion was **CARRIED**

23.4 AUDIT PANEL MEMBERSHIP

71/2024 REED/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed,
Nichols

Against:

The Motion was **CARRIED**

23.5 TENDER CERMP125 SORELL COASTAL AND ESTUARINE RISK MITIGATION PROGRAM

72/2024 REED/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Reed,
Nichols

Against:

The Motion was **CARRIED**

The closed meeting concluded at 7.12 pm.



MINUTES
ORDINARY COUNCIL MEETING
23 APRIL 2024

24.0 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
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

