



COUNCIL MINUTES

21 MAY 2024

COUNCIL CHAMBERS
COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

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

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The meeting commenced at 6.00 pm.

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

Councillor Miro Quesada nominated Councillor Reynolds.

RECOMMENDATION

“That Councillor Reynolds be nominated to chair the meeting”

73/2024 MIRO QUESADA/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**

1.0 ATTENDANCE

Councillor S Campbell
Councillor J Gatehouse
Councillor M Miró Quesada Le Roux
Councillor B Nichols
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus

2.0 APOLOGIES

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 THE MINUTES OF 23 APRIL 2024

RECOMMENDATION

“That the Minutes of the Council Meeting held on 23rd April 2024 be confirmed.”

74/2024 NICHOLS/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**

4.1 CONFIRMATION OF THE MINUTES FROM THE SPECIAL COUNCIL MEETING 7 MAY 2024

RECOMMENDATION

“That the Minutes of the Special Council Meeting held on 7th May 2024 be confirmed.”

75/2024 REED/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

Following his successful election win for the Upper House seat of Prosser, Mayor Kerry Vincent tendered his resignation. His term as Mayor officially ended on Thursday 9 May 2024.

The Chair noted the contribution Mayor Vincent had made to the Council, municipality and south east region during his tenure.

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
7 May 2024	<ul style="list-style-type: none"> • Draft Operating Budget 2024/2025 • Draft Capital Budget 2024/2025 • Draft Rates Modelling Options • Fees & Charges • 80% Draft Active Transport Strategy • Risk Management Documents <ul style="list-style-type: none"> - Risk Management Policy - Risk Management Framework - Organisational Risk Register 	Vincent, Wooley, Gatehouse, Miro Quesada Le Roux, Nichols, Reed, Reynolds, Torenus	Campbell



	<ul style="list-style-type: none"> • Councillor Requests <ul style="list-style-type: none"> - Flight Paths – MMQ - Federal Government review Local Government Financial Sustainability - MR 		
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8.0 COUNCILLOR QUESTIONS ON NOTICE

8.1 QUESTION ON NOTICE – COUNCILLOR MIRO QUESADA LE ROUX

76/2024 MIRO QUESADA/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**

Improving Ratepayer and Resident Engagement in the Planning Process

1. What initiatives or strategies does the council have in place to ensure that ratepayers and residents are well-informed about the planning process? And that they are able to navigate the system with confidence and without frustration?
2. How can we enhance meaningful participation, achieve positive outcomes, and reduce frustration for all stakeholders?
3. Has council explored educational initiatives or creative engagement such as workshops, engaging with community leaders, or initiatives that bridge differences?
4. How might council’s communications channels help with education and engagement in the planning process and the ways to navigate and use it?

Collated Management Response – Planning and Community Relations:

- **Newsletter Articles and Social Media:** We've previously written newsletter articles focusing on the planning process for community education. Expanding this effort to our social media platforms and future community newsletters and e-news can be accommodated to help with important information reaching a broader audience.



- **Fact Sheets:** Our planning staff have been diligent in developing a comprehensive range of fact sheets covering various planning functions and common queries. These resources aim to simplify the process and make it more accessible to the community.
- **Website Information:** We've made significant progress increasing the amount of planning-related information available on our website noting maximizing its effectiveness is an ongoing challenge. We're committed to enhancing the usability and accessibility of our online resources.
- **Plan Build Website:** The rollout of the plan build website, a State Government project, is eagerly awaited. While it currently provides valuable access to zones and overlays, we anticipate its expansion into an application portal will further streamline the planning process for both residents and stakeholders.
- **Developer Workshops:** A small number of workshops / briefings have been provided for the development / design sector to assist with clarifying Council submission requirements and changes in planning instruments ie. 1993 Scheme to 2015 Interim Scheme to current LPS.
- **Resource Constraints:** Local government in Tasmania faces significant resource challenges across a number of specialist functions. Planning resourcing in southern Tasmania is not consistently addressed with wide disparity between and across Regional and Metro councils. The addition of a Senior Planner to our team has enabled us to facilitate and offer more pre-application meetings. These meetings serve as a practical means to clarify scheme requirements and improve customer service.

General Manager Comment:

Community understanding and appreciation of statutory and strategic planning processes and methodologies across State and Local Government has been limited and sporadic for many years. Planning is becoming a more specialised and regulated discipline and presents challenges for community and elected members. This is exacerbated by the range and extent of planning reform and modification that has occurred over the past 10 years and which remains ongoing.

If the organisation is to undertake more targeted community education and engagement in the planning process, additional resourcing will be required. This requires a clear scope and timeframe to be developed and required resourcing including additional revenue. Appropriately, there needs to be an associated Council resolution if it is intended to be an operational priority with budget allocation.

9.0 COUNCILLOR MOTIONS ON NOTICE

9.1 MOTION ON NOTICE – COUNCILLOR REED

“That Council develops a local governance policy to clarify and document the way elected members work together and support decision making processes that are transparent and well understood.”

77/2024 REED/MIRO QUESADA

“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.”

78/2024 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**



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. Further project progress dependent on local stakeholders participating in engagement with Council.
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 government has been formed.
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. Final consultant report received April. Council staff progressing matters with Red Handfish researchers in first instance prior to determining further actions.

12.0 PETITIONS RECEIVED

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

13.0 LAND USE PLANNING

The chair 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 13 on this agenda, inclusive of any supplementary items.

13.1 SORELL PLANNING AUTHORITY MINUTES

RECOMMENDATION

“That the minutes of the Sorell Planning Authority (“SPA”) Meeting of 14th May 2024 be confirmed.”

79/2024 GATEHOUSE/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**

13.2 DEVELOPMENT APPLICATION NO. DA 2024 / 67 - 1

RECOMMENDATION

“That Council resolve that Planning Application 5.2024.67.1 for Two Shade Structures at 2 Tiger Head Road, Dodges Ferry be certified as a No Permit Required use and development.”

80/2024 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**



14.0 GOVERNANCE

14.1 RISK MANAGEMENT

RECOMMENDATION

“That Council resolve to endorse and adopt the revised *Risk Management Policy, Risk Management Framework and Organisational Risk Register.*”

81/2024 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**

15.0 INFRASTRUCTURE AND ASSETS

Nil reports.

16.0 COMMUNITY RELATIONS

16.1 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

“That Council resolves to approve an application from Marion Bay Coastcare under the 2023-2024 Community Grants Program as per the following report.”

82/2024 TORENIUS/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**



17.0 FINANCE

17.1 EXECUTIVE SUMMARY – FINANCIAL REPORT APRIL 2024 YTD

RECOMMENDATION

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

83/2024 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**

17.2 2023-2024 CAPITAL BUDGET ADJUSTMENTS

RECOMMENDATION

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

84/2024 TORENIUS/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**



17.3 2024-2025 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 2024 and ending on 30 June 2025.”

The General Manager advised an amendment to the wording of the description - Stadium Fees, Individual users and Small groups on page 109 of the agenda to include “*private bookings only, NOT for club use*”.

85/2024 NICHOLS/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**

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 Council are aware of the funding announced in the Federal Budget for the Arthur Highway?

The General Manager advised that he was aware of the funding that the State Government have made provision for but which is yet to be determined as to what projects will be undertaken. He was unaware of the announced Federal funding.

Sharon further questioned if the Men's Shed allowed women to attend?

The General Manager advised that they do have particular days where women are encouraged to attend.

Sharon questioned regarding the Greenwaste bins being allocated to residential areas and what happens to rural areas?

The General Manager advised that the service was being provided to residential and rural residential areas. The view is that larger properties are generally able to deal with domestic scale greenwaste a lot easier than residents in built up areas.

Sharon further questioned if rural areas are subsidising the cost of this service?



The General Manager advised that only residents receiving the service pay for it.

Sharon questioned regarding the Sorell Memorial Hall fee in the fees and charges schedule for day use of the hall and grounds of \$436.50. Is this what the market would pay?

The Director of People and Performance advised that this is what they would pay.

Sharon questioned if we are voting for both a Mayor and Councillor in the upcoming by-election?

The Chair advised people can nominate as just Councillor if they wish but should they want to be Mayor, they need to be successfully elected as both Councillor and Mayor. So voting is required for both positions.

The open meeting concluded 7.02 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 7.03 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 23 April 2024 - <i>Regulation 34(3)</i>
23.2	Disclosure of confidential information – <i>Regulation 15(8)</i>
23.3	Tender C-24-S-009 Seventh Avenue Stormwater Upgrade – <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 - 23.3 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.

86/2024 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**

23.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 23 APRIL 2024 AND SPECIAL COUNCIL MEETING 7 MAY 2024

RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 23rd April 2024 and Special Council Meeting 7th May 2024 be confirmed.”



87/2024 NICHOLS/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**

23.2 AUTHORITY 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.”

88/2024 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**

23.3 TENDER C-24-S-009 SEVENTH AVENUE STORMWATER UPGRADE**89/2024 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**

The closed meeting concluded at 7.09 pm.



24.0 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
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

