



COUNCIL MINUTES

20 AUGUST 2024

COUNCIL CHAMBERS
COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

FOR THE COUNCIL MEETING HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET,
SORELL ON 20 AUGUST 2024

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The meeting commenced at 6.02 pm.

1.0 ACKNOWLEDGEMENT OF COUNTRY – MAYOR GATEHOUSE

I would like to begin by paying respect to the traditional and original owners of this land the Mumirimina people, to pay respect to those that have passed before us and to acknowledge today's Tasmanian Aboriginal community who are custodians of this land.

2.0 ATTENDANCE

Mayor J Gatehouse
Deputy Mayor C Wooley
Councillor S Campbell
Councillor M Miró Quesada Le Roux
Councillor B Nichols
Councillor M Reed
Councillor N Reynolds -Arrived at 6.26 pm
Councillor C Torenus
Councillor M Larkins
General Manager R Higgins
Manager Health and Compliance G Robertson

3.0 APOLOGIES

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.

No Councillor indicated they had, or were likely to have, a pecuniary interest in any items on the agenda.

5.0 CONFIRMATION OF THE MINUTES OF 16 JULY 2024

RECOMMENDATION

"That the Minutes of the Council Meeting held on 16th July 2024 be confirmed."

123/2024 REED/LARKINS

"That the recommendation be accepted."

The motion was put.



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

Against:

The Motion was **CARRIED**

6.0 MAYOR'S REPORT

RECOMMENDATION

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

With the addition Councillor Reed was also in attendance at the LGAT conference in Devonport, and the Mayor and Councillor Reed attended a meeting with Helen Burnet MP of the Tasmanian Greens Party.

124/2024 LARKINS/CAMPBELL

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**

7.0 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*.

8.0 COUNCIL WORKSHOPS REPORT

[^]
The following Council Workshop was held:

Date	Purpose	Councillor Attendance	Councillor Apologies
6 th August 2024	<ul style="list-style-type: none"> • Public Places By-law - review • Community Grants <ul style="list-style-type: none"> ○ Sorell Community Network ○ Tasmanian Brick Enthusiasts ○ Bream Creek Community Market Garden ○ South-East Pickleball • Councillor Items <ul style="list-style-type: none"> ○ Potential property purchase – Gordon St ○ Declaring a State of Climate Emergency ○ Cultural Awareness Training ○ Governance Framework • Social and Active Transport Strategies – Final Docs 	<ul style="list-style-type: none"> • Gatehouse, Wooley, Nichols, Torenius, Miro Quesada, Reynolds, Larkins, Campbell, Reed. 	Nil

9.0 COUNCILLOR QUESTIONS ON NOTICE

10.0 COUNCILLOR MOTIONS ON NOTICE

11.0 WORKGROUP REPORTS

Councillor Reynolds arrived at 6.26 pm.

RECOMMENDATION

"That the workgroup reports as listed be received."

125/2024 NICHOLS/WOOLEY

"That the recommendation be accepted."

The motion was put.



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

Against:

The Motion was **CARRIED**

12.0 PETITIONS BEING ACTIONED

Petition	Tabled at Council Meeting	Status
Replacement of Steps at Red Ochre Beach	<p>12th April 2022 ordinary Council meeting – S.58(2) LGA 1993.</p> <p>17th May 2022 ordinary Council meeting – S.60(2) LGA 1993.</p>	<p>Approved as a 22/23 capital budget. Project Manager has experienced delays since July 2022 coordinating consensus agreement between stakeholders.</p> <p>Further project progress dependent on stakeholder engagement and Council progressing matters through Government agencies.</p> <p>Statutory petition process concluded.</p> <p>Refer to agenda item 10.6 for capital project status update.</p> <p>Petitioners to be advised accordingly.</p>
Restricting Vehicular Access to Connelly's Marsh Beach	<p>18th April 2023 ordinary Council meeting – S.58(2) LGA 1993.</p> <p>16th May 2023 ordinary Council meeting – S.60(2) LGA 1993.</p>	<p>Council position as per May 2023 resolution provided to NRE. Initial response from NRE did not address the resolution matters.</p> <p>The General Manager was seeking a meeting with the Minister post 2024 state election.</p> <p>General Manager subsequently forwarded May 2023 resolution and met with Secretary NRE, Dep Sec PWS and General Manager PWS.</p> <p>Discussed issues on jurisdiction of Crown beach, private ownership of road reserve, existing unlicensed private vehicle beach accesses and alternate options to physically blocking access ie. signage.</p> <p>NRE to determine appropriate signage and will install in due course.</p> <p>Statutory petition process concluded.</p> <p>No further action from Council. Petitioners to be advised accordingly.</p>
Withdrawal of the Blue Lagoon Draft Management Plan	18 th July 2023 ordinary Council	Council laid the matter on the table for further consultancy on review and options assessment for stormwater management at Blue Lagoon.



	meeting – S.58(2) LGA 1993.	<p>Variation to the operating budget approved at August 2023 Council meeting to facilitate this - \$50k.</p> <p>Final consultant reports received April 2024.</p> <p>Council staff continue to progress matters with Red Handfish research team (NHRT) in first instance through exchange of consultant reports, development of an interim water level management SOP and ongoing engagement prior to determining further actions.</p> <p>Exchange of all project materials expanded to relevant state and federal agencies.</p> <p>Engagement with NRM EAG has also occurred.</p>
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13.0 PETITIONS RECEIVED

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

14.0 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 14 on this agenda, inclusive of any supplementary items.

14.1 SORELL PLANNING AUTHORITY MINUTES

RECOMMENDATION

“That the minutes of the Sorell Planning Authority (“SPA”) Meeting of 6th August 2024 be noted.”

126/2024 TORENIUS/REED

“That the recommendation be accepted.”

The motion was put.

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



Against:

The Motion was **CARRIED**

15.0 GOVERNANCE

15.1 SOCIAL STRATEGY

RECOMMENDATION

"That Council resolve to endorse the Sorell Social Strategy."

127/2024 WOOLEY/MIRO QUESADA

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**

15.2 ACTIVE TRANSPORT STRATEGY

RECOMMENDATION

"That Council resolve to endorse the Active Transport Strategy."

128/2024 REED/MIRO QUESADA

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**

16.0 INFRASTRUCTURE AND ASSETS

Nil Reports



17.0 COMMUNITY RELATIONS

17.1 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

"That Council resolve to approve a grant application from Tasmanian Brick Enthusiasts and decline grant applications from Sorell Community Network, Bream Creek Community Market Garden and South east Pickleball under the 2024-2025 Community Grants Program as per the following report."

129/2024 CAMPBELL/LARKINS

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**

18.0 FINANCE

18.1 EXECUTIVE SUMMARY – FINANCIAL REPORT JULY 2024 YTD

RECOMMENDATION

"That the Executive Summary – FINANCIAL REPORT JULY 2024 YEAR-TO-DATE be received and noted by Council."

130/2024 REED/NICHOLS

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**



18.2 2024-2025 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 2024/2025 Capital Budget estimates."

131/2024 NICHOLS/CAMPBELL

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**

19.0 PLANNING

Nil Reports

20.0 HEALTH AND COMPLIANCE

20.1 PLUMBING FEES FOR SHARK POINT ROAD SEWERAGE CONNECTION – REQUEST TO WAIVE

RECOMMENDATION

"That Council resolve pursuant to Section 207 of the *Local Government Act 1993* to remit sewerage connection plumbing application fees for the following properties:

- 455 Shark Point Road, Penna;
- 459 Shark Point Road, Penna;
- 461 Shark Point Road, Penna;
- 463 Shark Point Road, Penna; and
- 471 Shark Point Road, Penna."

132/2024 TORENIUS/LARKINS

"That the recommendation be accepted."

The motion was put.

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



Against:

The Motion was **CARRIED**

20.2 NOTICE OF INTENTION – NEW PUBLIC PLACES BY-LAW 1 of 2025

RECOMMENDATION

"That in accordance with Section 156(1) of the Local Government Act 1993 Council resolves to:

- a. Make a new Public Places by-law; and
- b. Prepare a regulatory impact statement."

133/2024 LARKINS/CAMPBELL

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**

21.0 ROADS AND STORMWATER

Nil reports.

22.0 FACILITIES AND RECREATION

Nil reports.

23.0 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 there were any restrictions in place with the Penna Dog Beach?

The Manager Health and Compliance advised that to his knowledge this beach is classified as a year-round dog exercise area so no restrictions are in place.

Cathy Minnucci of Primrose Sands questioned regarding the new footpath at Tamarix Road, in particular the "dog legs" that have been created at the Nerine Street and in the vicinity of the Carlton Bluff Road intersections and whether these paths are now considered complete?

The General Manager advised that the Nerine Street junction works as constructed are complete with no further modifications proposed.

The General Manager further advised regarding the second section of the footpath that constraints with title boundaries and drainage have impacted construction but that he would need to confirm with staff in the first instance.

Cathy further questioned if representatives from Sorell Council will be attending the senate hearing into aircraft flight paths?

The General Manager advised that he would be attending Wednesday at 9.30am.

Dierdre Biggar of Dodges Ferry questioned regarding lack of street lighting on the intersection of Arthur Highway and Old Forcett Road and that there needs to be lighting placed on the Old Forcett Road side of the intersection.

The Mayor advised the General Manager would raise this with the Department of State Growth.

Dierdre further questioned regarding a footbridge that is being removed in the Lewisham area that she had read on social media?

The General Manager advised that this may be associated with Parks and Wildlife doing foreshore works in the area. They are constructing two formal pedestrian accesses down to the beach from the foreshore to enable



controlled access points and removing a number of privately constructed structures.

Deidre questioned regarding steps to the beach in the vicinity of First Avenue in Dodges Ferry that have been removed, do we know why?

The General Manager advised that he is unsure as to what has happened to the stairs but does not expect Council has removed them as they are not located on Council land.

The open meeting concluded at 7.05 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 7.08 pm.

24.0 CLOSED MEETING

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

Reference	Item
24.1	Confirmation of the Closed Council Minutes of the Council Meeting of 16 th July 2024 - <i>Regulation 34(3)</i>
24.2	Disclosure of confidential information – <i>Regulation 15(8)</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 24.1 - 24.2 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015."

134/2024 NICHOLS/REYNOLDS

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**

24.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 16 JULY 2024

RECOMMENDATION

"That the Closed Minutes of the Council Meeting held on 16th July 2024 be confirmed."



135/2024 TORENIUS/NICHOLS

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**

24.2 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."

136/2024 CAMPBELL/LARKINS

"That the recommendation be accepted."

The motion was put.

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

Against:

The Motion was **CARRIED**

The closed meeting concluded at 7.10 pm.

25.0 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

