



COUNCIL MINUTES

17 SEPTEMBER 2024

COUNCIL CHAMBERS
COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

**FOR THE COUNCIL MEETING HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET,
SORELL ON 17 SEPTEMBER 2024**

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The meeting commenced at 6.00 pm

1.0 ACKNOWLEDGEMENT OF COUNTRY – MAYOR GATEHOUSE

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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 C Torenius
Councillor M Larkins
Acting General Manager J Hinchin

3.0 APOLOGIES

△

Councillor N Reynolds

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 Reed indicated she had a perceived non-pecuniary interest in item 17.1 Community Grants Program as she was a proof reader of the Carlton Park Surf Lifesaving Club commemorative book.

5.0 CONFIRMATION OF THE MINUTES OF 20 AUGUST 2024



RECOMMENDATION

"That the Minutes of the Council Meeting held on 20th August 2024 be confirmed."

137/2024 LARKINS/NICHOLS

"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."

138/2024 NICHOLS/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**

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

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The following Council Workshop was held:

Date	Purpose	Councillor Attendance	Councillor Apologies
3 rd September 2024	<ul style="list-style-type: none"> • Projects Update • Community Grants <ul style="list-style-type: none"> ○ Sorell Relay for Life ○ Carlton Park Surf Lifesaving Club • Councillor Items <ul style="list-style-type: none"> ○ Conflicts of Interest ○ Governance Framework • Operational Matters <ul style="list-style-type: none"> ○ Pioneer Park ○ LGAT General Meeting agenda items 	<ul style="list-style-type: none"> • Gatehouse, Wooley, Nichols, Torenus, Reynolds, Larkins, Campbell, Reed. 	Miro Quesada

9.0 COUNCILLOR QUESTIONS ON NOTICE

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9.1 QUESTION ON NOTICE – COUNCILLOR MIRO QUESADA

“Has Sorell council investigated declaring a state of climate emergency that requires urgent action to managing climate change risks? If not, what would it take to do so? And if yes, how is it outlined in strategies and plans and what actions are being taken?”

Response from Acting General Manager:

While Council has not considered making a climate emergency declaration, the following initiatives and actions are being undertaken:



- **Climate Capability Program:** Council's NRM Facilitator is a representative to the Climate Capability Program in coordinated by the State government. This program aims to enhance our knowledge and capacity to address climate-related adaptation and mitigation efforts in local government sector in collaboration with state government, NRM organisations, and relevant sectors.
- **Baseline Information and GHG Emissions:** We are committed to understanding our climate footprint by collecting baseline data. Each year, we calculate the council's greenhouse gas (GHG) emissions and strive to reduce our footprint.
- **Electrifying Council Fleet:** A report on electrifying our fleet, including both light and heavy vehicles, with 10 year transition plan outlines the opportunities and challenges associated with fully electrifying our vehicles.
- **Coastal and Estuarine Risk Mitigation Program (CERMP):** A three-year Disaster Reduction Fund project focused on addressing the impacts of future climate changes on our stormwater infrastructure in our fragile foreshore and establishing a baseline for future urban design.
- **Electricity Efficiency Improvements:** From 2019/2020 to 2021/2022, we have reduced our energy consumption by 16.6% through upgrades, particularly in street lighting and we continue to improve our efficiency.
- **Waste Management and GHG Reduction:** Landfilling accounts for 85% of the council's GHG emissions. Starting from the year 2024/2025, we aim to significantly reduce these emissions by introducing FOGO (Food Organics and Garden Organics) and green waste collection.
- **Renewable Energy Generation:** The council generates at least 58,392 kWh of electricity annually through solar panels installed on various council buildings.
- **Flood Risk Reduction and Riparian Improvement:** We are committed to enhancing the riparian environment and reducing flood risks in our rivulets. The council has applied for grant funding in partnership with various stakeholders to support these efforts.
- **Bushfire Impact Mitigation:** We are working with expert organizations to understand the differential impacts of bushfires in our municipality and to develop adaptation plans to mitigate these risks. We have partnered with Geoneon for a grant application to develop a fire hazard rating similar to work undertaken for the City of Hobart.
- **NRM Collaboration:** Council staff continue to collaborate with NRM organisations to understand and implement future climate emergency mitigation and adaptation measures.
- **Natural Hazard Risk Register:** To better prepare for climate emergencies, GHD were commissioned to prepare a Natural Hazard Risk Register. This tool helps us understand the impacts on critical sectors and infrastructure, providing recommendations for necessary actions.
- **NRM Strategy Development:** The council is currently developing a Natural Resource Management (NRM) Strategy, where climate

change is a key cross-cutting issue across all thematic areas. This strategy will provide comprehensive recommendations for both mitigation and adaptation measures to address climate emergencies.

- **Coastal Erosion and Inundation Hazards:** Planning and building applications within areas mapped by the Tasmanian Government are subject to risk mitigation regulation.

Declaring a Climate Emergency would require further investigation and research, and a majority decision of Council.

10.0 COUNCILLOR MOTIONS ON NOTICE

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11.0 WORKGROUP REPORTS

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RECOMMENDATION

"That the workgroup reports as listed be received."

139/2024 CAMPBELL/WOOLEY

"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**

12.0 PETITIONS STILL BEING ACTIONED

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Petition	Tabled at Council Meeting	Status
Withdrawal of the Blue Lagoon Draft Management Plan	18 th July 2023 ordinary Council meeting – S.58(2) LGA 1993.	Council laid the matter on the table for further consultancy on review and options assessment for stormwater management at Blue Lagoon. Variation to the operating budget approved at August 2023 Council meeting to facilitate this - \$50k.



		<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 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") Meetings of 27th August 2024 be confirmed and noted"

140/2024 WOOLEY/NICHOLS

"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**

14.2 DEVELOPMENT APPLICATION NO. DA 2024 /197 -1

Applicant:	A Walters (Obo Sorell Council)
Proposal:	External Lighting (BMX facility)
Site Address:	11 Arthur Street, Sorell (CT 35403/1)
Planning Scheme:	Tasmanian Planning Scheme (Sorell LPS)
Application Status	Discretionary
Relevant Legislation:	Section 57 of the Land Use Planning and Approvals Act 1993 (LUPAA)
Reason for SPA meeting:	Council land
Relevant Zone:	28.0 Recreation
Proposed Use:	Sports and Recreation (Other)
Applicable Overlay(s):	Nil
Applicable Codes(s):	Nil
Valid Application Date:	23 August 2024
Decision Due:	3 October 2024
Discretion(s):	1 Height
Representation(s):	One

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2024.197.1 for a External Lighting (BMX facility) at 11 Arthur Street, Sorell be approved, subject to the following conditions:

1. Except where modified by a condition of this permit, the use and development must be substantially in accordance with the endorsed plans and documents:
2. All lighting shall be designed in accordance with AS4282-1997 – *Control of the obtrusive effects of outdoor lighting* and operated so that light does not spill onto neighbouring properties and create an environmental nuisance.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

Legal



- 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 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.

Asset Protection

- In accordance with the *Local Highway Bylaw 2 of 2015*, the owner is required to repair any damage to any Council infrastructure caused during construction.
- Council recommends contacting Dial-Before-You-Dig (phone 1100 or www.1100.com.au) before undertaking any works.

Other Approvals

- This permit does not imply that any other approval required under any other by-law or legislation has been granted.
- Separate building and plumbing approval may be required prior to the commencement of the development/use.

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

141/2024 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**



15.0 GOVERNANCE

^
Nil reports

16.0 INFRASTRUCTURE AND ASSETS

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Nil reports

17.0 COMMUNITY RELATIONS

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17.1 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

“That Council approve a grant application from Sorell Relay for Life (Auspiced by Cancer Council Tasmania) and a donation to Carlton Park Surf Lifesaving Club under the 2024-2025 Community Grants Program as per the following report.”

142/2024 TORENIUS/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**

18.0 FINANCE

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18.1 EXECUTIVE SUMMARY – FINANCIAL REPORT AUGUST 2024 YTD

RECOMMENDATION

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



143/2024 REED/NICHOLS

"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**

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."

144/2024 LARKINS/TORENIUS

"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**

19.0 PLANNING

△
Nil reports

20.0 HEALTH AND COMPLIANCE

△
Nil reports

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 thanked the General Manager for taking the time to attend the Senate inquiry into Aircraft Flight Paths, and that it was greatly appreciated to be noted.

Dierdre Biggar questioned the ownership of the foreshore land in front of First Avenue be addressed as she is concerned about the trees impacting on her property and would like to know if Council can do something with these trees?

The Acting General Manager and Mayor advised they would follow up and investigate further on this.

Mike Purdon of Sorell questioned the colour of the roundabout near McDonalds, after being painted it is now not clearly visible. Can something be done to rectify?

The Acting General Manager advised that she would take this on notice and look into it.

Sharon Fotheringham questioned if anything could be done to stop the traffic from turning across Cole Street into McDonalds to avoid traffic building up to the roundabout?

The Mayor advised that we would take the question on notice and investigate.

The open meeting closed at 6.32 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 6.37 pm.

24.0 CLOSED MEETING

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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 20 August 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.”

145/2024 NICHOLS/TORENIUS

“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**

24.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 20 AUGUST 2024

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RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 20th August 2024 be confirmed.”



146/2024 REED/NICHOLS

"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**

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."

147/2024 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**

The closed meeting concluded at 6.39 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
FBR	Formation Barrier Rock
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

