

George Town Council
COUNCIL MEETING – 21ST FEBRUARY 2018
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Meeting Commenced at 5.00pm

AUDIO RECORDING OF COUNCIL MEETINGS

The public is advised that it is **Council Policy** to record the proceedings of meetings of Council on digital media to assist in the preparation of minutes, and to clarify any queries relating to the Minutes that is raised during a subsequent meeting under the section “Confirmation of Minutes”.

The recording does not replace the written minutes and a transcript of the recording will not be prepared.

All meetings of the Council shall be digitally recorded as provided for by Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015 except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15(2).

In accordance with the requirements of Council’s Audio Recording of Council Meetings Policy No. 40, members of the public are not permitted to make audio recordings of Council meetings.

1.0 PRESENT

Mayor Bridget Archer, Chair
Cr Tim Harris (Deputy Mayor)
Cr Chris Ashley
Cr Heather Barwick
Cr Doug Burt
Cr Greg Dawson
Cr John Glisson
Cr Tim Parish
Cr Peter Parkes

1.1 APOLOGIES

Nil

1.2 IN ATTENDANCE

General Manager
Team Leader Corporate & Finance
Team Leader Works & Infrastructure
Governance Support Officer
Contract Statutory Planner

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2.0 CONFIRMATION OF MINUTES

011/18 2.1 ORDINARY COUNCIL MEETING HELD 17TH JANUARY 2018

DECISION

Moved: Cr Glisson
Seconded: Cr Barwick

That the Minutes of Council's Ordinary meeting held on the 17th January 2018 numbered 001/18 to 006/18 and 010/18 as previously circulated to Elected Members be received and confirmed as a true record of proceedings with the following amendment:

By inserting the following comments under Item 12.3 Council Workshop – January 2018:

“that Cr Glisson expressed concern that Council may be seen to compromise its position by allowing the Developers representative Mr Bartel of Epuron to promote his intended development of a Solar Farm on the land at 119 Soldiers Settlement Road, with no Development Application before Council, when he accompanied Mr Lawrence (director of Moana Management Pty) the owners rep and applicant for the petition to amend the sealed plan.”

The Chairperson advised that a response was provided to Cr Glisson at that time and she would need to check whether the General Manager's response is also to be recorded in the minutes.

The General Manager confirmed that the response provided to Cr Glisson would also need to be recorded in the minutes.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

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3.0 PUBLIC QUESTION TIME

3.1 PUBLIC QUESTION TIME PROCEDURE

[Refer to Minute No. 243/16. The period set aside for public question time will be at least 15 minutes. Questions given on notice will be addressed first. Once questions on notice have been addressed, persons who have registered their interest to ask a question will be called to do so in the order in which they have registered. Persons attending Council meetings will have the opportunity to register their interest to ask a question without notice prior to the commencement of the meeting. Council staff will be on hand to assist with this process.

Participants cannot ask more than 2 questions in a row with a maximum of 2 minutes per question. If a person has more than (2) questions, they will be placed at the 'end of the queue' and may, if time permits, ask their further questions once all other persons have had an opportunity to ask questions. Persons who have not registered their interest to ask a question will be given an opportunity to do so following all those who have registered. All questions must be directed to the Chairperson.

For further information on Council's Public Question Time Rules and Procedure, please refer to George Town Council Public Question Time Policy No. 18.]

Questions asked and answers provided may be summarised in the minutes of the meeting.

Cr Dawson left the meeting at 5.31pm.

Cr Dawson returned to the meeting at 5.32pm.

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3.2 PUBLIC QUESTIONS ON NOTICE

Question on Notice – Council Meeting 21st February 2018

- Q1. What is the total legal cost incurred by Council dating from 15 July 2015 to present relating to the recovery of assessed costs of the S64 Appeal – Memorial Hall Re-development?

Response

Council does not discuss legal costs incurred by Council with members of the public. Information of this nature is confidential and no further response will be provided.

3.3 PUBLIC QUESTION TIME

Commenced at: 5.07pm
Concluded at: 5.37pm

Mrs Rainbow, George Town

- Q1. Mrs Rainbow referred to her attendance at a recent meeting of Labor candidates. Mrs Rainbow advised that during the introduction of one candidate, Miss Jennifer Houston, it was said that Miss Houston had been involved in a community survey and had had heavy involvement with Council re the redevelopment of Regent Square and that she was a key instigator. Mrs Rainbow asked when this had happened.

The Chairperson responded advising that she was unable to comment as she was not in attendance at the meeting. The Chairperson stated that she understood that the General Manager was in attendance at that meeting and referred the question to the General Manager. The General Manager advised that Miss Houston was referring to the play space specifically and not the master plan for Regent Square and had headed up a survey to a parents group, the child and family centre and to anyone that came onto Regent Square on one particular day and they collated over 350 signatures to Council to support the development of a play space on Regent Square. The General Manager advised it was not the Regent Square Master Plan development but specifically the child play space that Miss Houston would have been referring to on the day.

- Q2. Mrs Rainbow referred to an easement on the York Cove Rivulet which runs through her property and stated that when she bought the property she spoke to Council's Plumbing Manager at the time and there was no mention of an easement on her property nor was it shown on any plans or documents. Mrs Rainbow asked if Council could in future make people aware of easements on private property.

The Chairperson referred the question to the General Manager who advised that where there is any new subdivision now and where there is infrastructure in the ground it has an easement placed over it at that time. The General Manager advised Mrs Rainbow that if she would like an easement placed over her property on her title now Council can do an amendment to the title.

Mrs Rainbow stated that it was not about having it done after the fact it should be done when you purchase a property.

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3.3 PUBLIC QUESTION TIME (CONT.)

The Chairperson asked for clarification from Mrs Rainbow that she was stating that the infrastructure exists but there was no formal easement?

Mrs Rainbow advised that there was no easement shown on her plan.

The Chairperson advised that the General Manager would be happy to follow the matter up with Mrs Rainbow.

Mrs Neilsen, George Town

Q1. Mrs Neilsen asked what procedural method is used by Council to record the review and approval of outstanding planning conditions or amended planning conditions when those matters are allocated to a General Manager under delegated authority.

The Chairperson requested that Mrs Neilsen provide an example.

Mrs Neilsen referred to a question she had asked at the last Council meeting which had been taken on notice and which the General Manager had provided an answer to yesterday which read “As responded to Mr Graeme Neilsen on the 6th August 2013, the plan you refer to was drawn by Council’s Engineer in December 2011 following a review of outstanding conditions relating to DA2007/12 as requested and approved by then General Manager under delegated authority.”

The General Manager advised that Council would not do it that way now. It was done at that time under that particular General Manager but the way that she would do it is that all information is provided to the Council to make a decision if it’s a Council decision up front and the Council as a collective with their Planning Authority hat on would make a decision. The General Manager does not subsequently make a decision afterwards at this time.

Mrs Neilsen also referred to her question taken on notice at the January 2018 Council meeting which asked if Council had a record of approving a plan by Council officers in December 2011 regarding the Government Hub/Linc development. Mrs Neilsen stated that with respect the General Manager did not answer whether Council has a record of the approval of that plan. Mrs Neilsen advised that the General Manager’s response refers to a plan drawn in December 2011. Mrs Neilsen stated that the plan, which she had a copy of, is attributed to have been drawn by a Mario Ehlich. Mrs Neilsen asked if Mr Ehlich was the Council Engineer in 2011 and did he draw the plan as presented and as attributed to him and approved by the then General Manager and asked was he even an employee of the Council in 2011. Mrs Neilsen also asked if Council has a record of approval of the plan dated 22 December 2011.

The Chairperson responded that the overall answer to Mrs Neilsen’s question was that as the General Manager had advised in her response, that the plan was prepared by the then Council Engineer Mr De Paoli.

Mrs Neilsen asked if Mr De Paoli had attributed it to someone else?

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3.3 PUBLIC QUESTION TIME (CONT.)

The Chairperson again responded that the plan was drawn by Mr De Paoli and we know that to be the case.

Mr Neilsen, George Town

Q1. Mr Neilsen referred to the previous response provided to Mrs Neilsen and stated that in March 2009 Council's Engineer provided Cr Heather Barwick with a document to support an application to the Federal Government to complete the gravelled carpark to the west of the Memorial Hall in accordance with the approved plan. Mr Neilsen continued to read the preamble to his question.

The Chairperson asked Mr Neilsen for his question as Council had already extensively canvassed this issue.

Mr Neilsen continued to read from his preamble.

The Chairperson again asked Mr Neilsen for his question.

Mr Neilsen stated that the Chairperson had given others far more time with his preamble than given to him.

The Chairperson advised Mr Neilsen that it was very difficult to follow as he had raised a number of points and Council were endeavouring to follow his enquiry. The Chairperson asked that Mr Neilsen get to his question in order to provide a response.

Mr Neilsen reminded Councillors twice at the Federal Court at great expense to the ratepayers the judges had referred to his go behind application.

The Chairperson advised Mr Neilsen that the meeting proceedings would be moved on if Mr Neilsen did not ask his question.

Mr Neilsen stated that there was a question mark at the end of what he was reading and asked that the Chair show him some respect.

The Chairperson asked that Mr Neilsen show the Chair some respect.

Mr Neilsen continued to read from his preamble.

The Chairperson requested Mr Neilsen to resume his seat.

Mr O'Doherty, George Town

Q1. Mr O'Doherty referred to Item 6.1 on the agenda and stated that his question related to attachment 1 to the report. Mr O'Doherty asked if there are any road alterations or damage and repairs to be made to Soldier Settlement Road, would the proponent be responsible for that expense.

The Chairperson asked Mr O'Doherty for his question.

3.3 PUBLIC QUESTION TIME (CONT.)

Mr O'Doherty stated that the attachment shows Soldier Settlement Road and it shows a lot of alterations and there are various places on the plan showing future rerouting of the road. Mr O'Doherty also referred to the funding obtained from the Federal Government for The Glen Road, Industry Road and Soldier Settlement Road.

The Chairperson asked Mr O'Doherty for his question as it was difficult to follow.

Mr O'Doherty asked the Chairperson if she had any interest or a pecuniary interest in this matter.

The Chairperson advised Mr O'Doherty that the Planner was here to respond to Mr O'Doherty's question.

Mr O'Doherty referred to the number of residents along The Glen Road and Industry Road and also the school bus that travels daily on The Glen Road and asked why Council would be spending over \$2million to do Soldier Settlement Road first referring to a plan which says that the road may be altered. Mr O'Doherty asked if Council would do The Glen Road first, Industry Road second and Soldier Settlement Road third so we know then that the money on the upgrade is not wasted.

The Chairperson advised that she did not feel it was an issue for the Planner. The Chairperson further advised that there had been a previous decision in relation to the upgrade of those roads which sat outside of the planning decision. The Chairperson referred the question to the General Manager who advised that the decision was made as The Glen Road was presumably the lower costing road of the three and easier for Council to go back and petition for more grant money which Council has been advised it can do. They have removed it from the allocation for the three roads that were initially part of that package and allowing Council now to apply for more money for The Glen Road. This was a decision of Council.

Mr O'Doherty referred to the Wind Farm matter today and again to the plan and asked if it was correct that they were looking at altering Soldier Settlement Road and asked has that been agreed to by landowners and all parties involved.

The Chairperson advised Mr O'Doherty that in relation to the upgrade of those roads, the decision and funding for that pre dates the development application for the wind farm. The Chairperson further commented that she suspected that is why there are conditions applied however referred the question to Council's contract Planner, Mr Stewart, for further comment.

Mr Stewart stated that there are some conditions proposed on the permit that the applicants have been advised that should it be approved they need a traffic management plan. Then if there are upgrades that are required we will work through that within those conditions. There is scope for them to do the works and we will go through at that time.

3.3 PUBLIC QUESTION TIME (CONT.)

Mr O'Doherty again referred to the plan with the dotted lines and stated that it is quite obvious that they are looking at altering the road according to these plans.

Mr Stewart advised that the conditions provide Council scope to look at that when they come in as well.

Mr O'Doherty asked Mr Stewart if it would not be a waste of time doing the road now if they were going to do the road in the future.

The Chairperson advised that the tender had been let for the upgrade of Soldier Settlement Road and Council cannot just withdraw the tender.

Mr O'Doherty stated that he hoped that Council has read all the associated pages of the report and asked even if the applicant was going to pay for the road, why would Council spend ratepayers' money on parts of the road that may be useless in the very near future.

The Chairperson referred the question to Council's Team Leader Works & Infrastructure who advised that having looked at the applicant's proposal there is actually no alterations to Soldier Settlement Road. The Team Leader advised that there are dotted lines on the plan which are internal roads and these do not affect Council. The applicants will provide themselves, on private land, internal roads access to the wind farm modules however there will be no alterations to Soldier Settlement Road.

Mr O'Doherty again referred to the plan and the lines thereon are asked if the applicant was proposing to put the road through there at some stage and cut the corner off.

The Team Leader again advised that there will be no alteration to Soldier Settlement Road.

The Chairperson suggested that the plan Mr O'Doherty was referring to was a title document. Mr Stewart advised that the plan Mr O'Doherty was referring to shows the land as it currently sits with easements and roads and is not directly linked to this application in terms of what the applicant is proposing to do.

Mrs Wootton, Low Head

Q1. Mrs Wootton asked if there was going to be any extra line marking done on the outskirts as you come into the town over the bridge where the lines have completely disappeared.

Mrs Wootton stated that Low Head Road also needs re marking.

The Chairperson referred the question to Council's Team Leader Works & Infrastructure who advised that line marking in Tasmania comes under the State Government's responsibility. Council provides a list of roads to be line marked however their funding for this financial year has finished so Council would pursue that for the next financial year.

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3.3 PUBLIC QUESTION TIME (CONT.)

Mrs Wootton asked what happens in winter when it's dark and the roads are wet.

The Team Leader again advised that line marking is State Growth's responsibility even on Council roads. The Team Leader advised that he would pursue this road for next financial year.

3.4 QUESTIONS ON NOTICE FROM COUNCILLORS

Cr Glisson

Q1. "Council announced via minutes 15 July 2015 that it "will seek to recover its assessed costs of the enforcement proceedings concerning Memorial Hall from Mr Neilsen."

An application to the Federal Court by Council's legal team sought \$60,628.14.

The court dismissed both the application and an appeal ordered by Council.

In dismissing the Appeal Judge McGuire stated "I also accept that, in any event, an order in such uncertain terms as to quantum cannot be enforced until the amount required to be paid by the respondent is quantified." I understand as a councillor who attended the Court Appeal that Mr Neilsen presented case law in his favour of incorrect quantum of costs.

Further it is my understanding that Council has been advised to the effect that Council has little likelihood of the recovery of costs that Council risked when defending a S64 Summons presented to RMPAT by Mr Neilsen in relation to the non-completion of several conditions of permit in relation to the Memorial Hall Re-Development.

Professional representatives for Mr Neilsen presented to Council's legal team financial evidence which supported advice to Council of the unlikelihood of cost recovery, and this has been supported by council being informed by the General Manager that Mr Neilsen is impecunious to councils claim against him.

In light of the fact that the seeking of an incorrect amount or the strong evidence presented by Mr Neilsen that despite his best efforts to receive a correctly quantified account from both RMPAT and Council I ask the General Manager to advise publically if a resolution of Council was consistent with the application made by Council's legal team?

I do not seek the resolution of Council as that was made in closed session only the administrative matter as to whether the Resolution quantum and the Application quantum were consistent."

Response:

In response to Cr Glisson's question, I can advise that Yes Council has acted in accordance with its legal advice.

3.4 QUESTIONS ON NOTICE FROM COUNCILLORS (CONT.)

Cr Barwick

Q2. “Why allowances for Councillors are not paid in accordance with Policy No.5 when a resolution of council 253/15 it was resolved Councillor Allowances or expenses claims shall be paid on a monthly basis at approximately the 28th of the month”.

Response:

As previously advised to all Councillors in November 2016 by the then General Manager Mr Martin, legislation overrides Council Policy and the Policy would be amended to align with the legislation at its next review which is due in November 2018.

Reference is also made to s340A (2A) of the Local Government Act 1993 which stipulates that “Allowances are to be paid in arrears”.

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3.5 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME

(Refer to Minute No. 425/00, which states in part, “that a copy of all written replies to questions from the Public Gallery be included in the following Council Agenda.”)

Mrs Rainbow, George Town (17th January 2018)

Dear Mrs Rainbow,

RE: PUBLIC QUESTION TIME – ORDINARY COUNCIL MEETING 17th JANUARY 2018

Thank you for your attendance at the 17th January 2018 Ordinary Council meeting where you asked the following question:

Q1. *Mrs Rainbow requested that Council consider installing flashing lights at the crossing the main street as she felt the white lines were not sufficient.*

Response

Council's engineering staff are currently working on a design proposal to be submitted to the Department of State Growth, as the state government is the authority for reviewing and approving the installation of traffic facilities (e.g. flashing lights and signage) and traffic calming devices (e.g. medians, raised linemarking and speed humps) on public roads.

It is hoped to have the proposal finalised and costed to be considered for Council's 2018/2019 Capital Works Program.

I appreciate the concern and suggestion you expressed at the January Council meeting.

Yours sincerely

Stephen Yam
TEAM LEADER WORKS & INFRASTRUCTURE

3.5 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME (CONT.)

Mr Neilsen, George Town (20th December 2017)

- Q2. Why did Council take over a road in Dune Place and Sandy Court when the whole complex was designed to be a private cobble stoned development, possibly not built to Council standards, no truncated corners and now we are going to see something that is going to impact on dangerous traffic management?

As responded in the January 2018 Council agenda, Council officers are currently investigating the matter and a response will be provided to Mr Neilsen in due course. A copy of Council's response will be recorded in the next available ordinary Council meeting agenda.

Mr Neilsen, George Town (21st October 2015)

- Q2. Mr Neilsen asked what progress has been made to complete the arrangements pertaining to the joint usage and right of way to the entry and exit to Grays Hotel and the exit from the BWS bottle shop, both over Council owned land.

A response was provided to Mr Neilsen on the 22nd October 2015 advising that Council officers would be further investigating Mr Neilsen's request with the intention of providing a full report to Council once the information is compiled. Mr Neilsen was advised that his question would be responded to further at that time.

As advised by the General Manager at the January 2018 Council meeting, due to the time that has elapsed and change of management since Mr Neilsen asked the above question and received Council's initial response, it will be necessary for the General Manager to investigate the matter prior to formalising a further response to Mr Neilsen.

Mr Neilsen, George Town (21st October 2015)

- Q3. Mr Neilsen's question was in relation to the former sewerage plant on the corner of Anne Street and Low Head Road and asked if the project does not have the benefit of a current permit, what steps are Council undertaking to comply with the contract of sale and decision of Council for the return of this valuable waterfront asset to its rightful owners; that is the George Town Council on behalf of ratepayers.

A response was provided to Mr Neilsen on the 22nd October 2015 advising that Council officers would be further investigating Mr Neilsen's request with the intention of providing a full report to Council once the information is compiled. Mr Neilsen was advised that his question would be responded to further at that time.

As advised by the General Manager at the January 2018 Council meeting, due to the time that has elapsed and change of management since Mr Neilsen asked the above question and received Council's initial response, it will be necessary for the General Manager to investigate the matter prior to formalising a further response to Mr Neilsen.

3.5 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME (CONT.)

Mrs Neilsen, George Town (17th January 2018)

Q1. Mrs Neilsen asked if Council has a record of approving a plan drawn by Council officers in December 2011 regarding the Government Hub/Linc development.

As advised at that time by the General Manager there are some plans approved however the General Manager needed to check the date.

Further response

As responded to Mr Graeme Neilsen on the 6th August 2013, the plan Mrs Neilsen refers to was drawn by Council's Engineer in December 2011 following a review of outstanding conditions relating to DA2007/12 as requested and approved by then General Manager under delegated authority.

4.0 DECLARATIONS OF INTEREST

Cr Parkes declared an interest in Agenda Item 12.3(d).

Cr Harris declared an interest in Agenda Item 6.1.

Cr Archer declared an interest in Agenda Item 6.1.

Cr Parish declared an interest in Agenda Items 12.3(b) and 12.4

The Chairperson advised that as both she and the Deputy Mayor have declared an interest in item 6.1, prior to that item she would vacate the Chair and the General Manager will prompt Councillors to elect a Chair for that item.

5.0 GENERAL MANAGER'S DECLARATION

I certify that with respect to all advice, information or recommendations provided to Council with this Agenda:

- the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- where any advice is given directly to Council by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.



Justine Brooks-Bedelph
GENERAL MANAGER

LOCAL GOVERNMENT ACT 1993 – SECTION 65

65. Qualified persons

- (1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- (2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –
 - (a) the general manager certifies, in writing –
 - (i) that such advice was obtained; and
 - (ii) that the general manager took the advice into account in providing general advice to the council or council committee; and
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

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6.0 PLANNING AUTHORITY

The Council will act as a planning authority under the provisions of the *Land Use Planning and Approvals Act 1993* in respect of any items included in this section of the agenda.

Local Government (Meeting Procedures) Regulations 2015

25. Acting as a planning authority

- (1) *If a council or council committee intends to act at a meeting as a planning authority under the Land Use Planning and Approvals Act 1993, the chairperson is to advise the meeting accordingly.*
- (2) *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Cr Archer vacated the Chair and left the meeting at 5.44pm.

Cr Harris left the meeting at 5.44pm.

The General Manager requested that Councillors elect a Chair for the next item.

012/18 ELECTION OF CHAIRPERSON FOR CONSIDERATION OF ITEM 6.1 - DA 2017/42: WIND FARM AND ASSOCIATED UTILITIES INFRASTRUCTURE

Moved: Cr Parkes

Seconded: Cr Dawson

That Cr Burt be elected as Chair for the purpose of Item 6.1.

	For	Against		For	Against
Cr Archer			Cr Dawson	✓	
Cr Harris			Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

Cr Burt accepted the Chair at 5.45pm.

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013/18 6.1 DA 2017/42: WIND FARM AND ASSOCIATED UTILITIES INFRASTRUCTURE

REPORT AUTHOR: Statutory Town Planner

FILE NO: DA 2017/42

DECISION

Moved: Cr Dawson
Seconded: Cr Parkes

That the application for a Wind Farm and Associated Utilities Infrastructure, for land at 553 Old Aerodrome Road (CT 198926/1), Soldiers Settlement Road (CT 210237/1), 381 Soldiers Settlement Road (CT's 152982/5, 104545/1 and 154906/1), Musk Vale Road (CT 154910/1), Bridport Road (CT 139746/1) and 135 Bell Bay Road (CT 154929/1) be **APPROVED** subject to the following conditions:

1. Endorsed Plans

The use and/or development must be carried out substantially in accordance with the application for planning approval, documentation and plans, submitted to Council and the Environmental Protection Authority. Except where such use and development is to be modified by way of the conditions imposed by both Council in this Permit and the Environmental Protection Authority Permit (attached). If there are any conditions that conflict or are duplicated, the conditions of the Environmental Protection Authority Board will prevail.

2. Environmental Protection Authority Conditions

The person responsible for the activity must comply with the conditions contained in schedule 2 of Permit Part B, Environmental No. 8785 which the board of the Environmental Protection Authority (EPA) has required the Planning Authority to include in the permit, pursuant to Section 25 (5) of the *Environmental Management and Pollution Control Act 1994*. (See permit part B attached).

3. Exposed Storage

Goods, equipment, packaging material or machinery must not be stored outside a building so as to be visible from any public road or thoroughfare or public open space.

4. Schedule of Materials/colours

Prior to the commencement of the works, a printed sample and schedule of external wind turbine materials, finishes and colours, must be submitted for approval by Councils General Manager. Once approved, the schedule will be endorsed to form part of the planning permit.

5. No Further Vegetation Removal

Tree and vegetation removal must be limited to those specifically required for removal as a result of development. No other tree or vegetation is to be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed, without the further written consent of the Council.

013/18 6.1 DA 2017/42: WIND FARM AND ASSOCIATED UTILITIES INFRASTRUCTURE (CONT.)

6. Lighting

Except in the case of an emergency, no external lighting of infrastructure associated with the wind energy facility, other than low level security lighting or aviation safety lighting may be installed or operated without the further written consent of the General Manager.

7. Security

Public safety warning signs must be located on all towers and infrastructure at appropriate locations to the satisfaction of the responsible authority.

8. Signage

No signs are to be erected on the properties without Council approval unless exempt under the current Planning Scheme.

9. Reports and Plans to be provided to Council

The Design Report, Construction Environmental Management Plan and Operational Environmental Management Plan, as required by the EPA and/or outlined in the Development Proposal and Environmental Management Plan submitted with the application are to be submitted to Councils General Manager for approval prior to the commencement of works.

10. Pre-construction Assessment

Before development starts, a dilapidation survey of public roads that may be used in connection with the construction of the facility, and proposed access points to the site must be submitted to Council.

The survey must assess the suitability, design, condition and construction standard of the relevant public roads, bridges and associated roadway structures and access points, and must:

- a) be prepared by a suitably qualified and experienced independent civil or traffic engineer acceptable to Council;
- b) include recommendations, if any, regarding upgrades required to accommodate construction traffic;
- c) be approved by Councils Works and Infrastructure Department.

11. Traffic Management Plan

Before development starts, a Traffic Management Plan must be submitted to the Department of State Growth and Council. When endorsed the plan will form part of this permit.

The Traffic Management Plan must:

- a) be prepared by a suitably qualified and experienced independent civil or traffic engineer acceptable to Council;
- b) specify measures to be taken to manage traffic impacts associated with the construction of the facility, including details of any partial and full road closures, traffic sign removals and reinstatements, speed limits, transport times, escorts and other restrictions during transport;
- c) include a public information plan;

013/18 6.1 DA 2017/42: WIND FARM AND ASSOCIATED UTILITIES INFRASTRUCTURE (CONT.)

- d) include notification of property owners, Police, emergency service providers and utility services along transport routes;
- e) include procedures for incident management;
- f) include contact details for incidents and complaints;
- g) include a program to inspect, maintain and (where required) repair public roads and assets used by construction traffic;
- h) be approved by Councils Works and Infrastructure Department.

The endorsed Traffic Management Plan must be submitted to the satisfaction and must not be altered or modified without the written consent of Councils Works and Infrastructure Department.

To minimise traffic conflict with school transport and public events, all wind farm construction vehicles and operational heavy vehicle traffic shall not operate (i) on roads adjacent to and within close proximity of schools on school days between the hours of 8.00 to 9.30 am and 2.30 to 4.00 pm; and (ii) on roads within close proximity of public events, e.g. ANZAC and Remembrance Day events.

Movements of Over-Sized Over-Mass (OSOM) vehicles shall be undertaken after midnight to minimise impact on local traffic.

12. Traffic Upgrade Works

Where works are recommended or required under the pre-construction dilapidation survey or the endorsed Traffic Management Plan, there must be a submission to and approval by Council of:

- a) detailed engineering plans for the required works prepared by a qualified and experienced civil engineer acceptable to Council;
- b) a program for the works to be undertaken.
- c) The works must be completed in accordance with the approved plans and program, to the satisfaction of Councils Works and Infrastructure Department.
- d) The developer must pay the cost of any alterations, damages and/or reinstatement to Council's road and bridge assets, Council infrastructure, existing services or private property incurred as a result of the development. Any and all work undertaken is to be to Councils and/or Department of State Growth specifications. Contractors used must be acceptable to Council, and must adhere with Councils safety policies.

13. Practical Completion

- a) Upon practical completion, the developer in conjunction with Councils Works and Infrastructure Department must undertake a post construction condition assessment of roads, bridges and roadway assets used for transportation routes and submitted to Council.

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**013/18 6.1 DA 2017/42: WIND FARM AND ASSOCIATED UTILITIES
INFRASTRUCTURE (CONT.)**

- b) Any damage or wear and tear, which may be attributed to the development is to be made good at the developer's expense to the satisfaction of Councils Works and Infrastructure Department.

Permit Notes

- A. *This permit was issued based on the proposal documents submitted for DA 2017/42. You should contact Council with any other use or developments, as they may require the separate approval of Council.*
- B. *This permit does not imply that any other approval required under any other legislation or by law has been granted.*
- C. *The laydown facilities area has not been approved as part of this application. A separate planning application for buildings within the facilities area must be lodged with Council.*
- D. *This permit takes effect after:*
- a) *the 14 day appeal period expires; or*
 - b) *any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or*
 - c) *any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
 - d) *any other required approvals under this or any other Act are granted.*
- E. *This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced.*
- F. *If any Aboriginal relics are uncovered during works;*
- a. *All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,*
 - b. *The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and*
 - c. *the relevant approval processes will apply with state and federal government agencies.*

	For	Against		For	Against
Cr Archer			Cr Dawson	✓	
Cr Harris			Cr Glisson		✓
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick		✓	Cr Parkes	✓	
Cr Burt	✓				

CARRIED

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Cr Burt vacated the Chair at 6.20pm.

Mayor Archer re-entered the meeting and resumed the Chair at 6.20pm.

Cr Harris re-entered the meeting at 6.20pm.

7.0 PLANNING AND DEVELOPMENT

014/18 7.1 PETITION TO AMEND SEALED PLAN – LAND OWNER CONSENT

AUTHOR: Statutory Town Planner

ADDRESS: 119 Soldiers Settlement Road, George Town

DECISION

Moved: Cr Glisson

Seconded: Cr Harris

That George Town Council, as the owners of Lot 1 on Schedule 130563, write to the petitioner, stating that they withdraw their objection dated 8th January 2018, and that subsequently Council do not object to the removal of covenant 1 from Lot 2 of sealed plan 130563.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

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**015/18 7.2 APPLICATION BY DOUGLAS AND COLLINS TO AMEND SEALED PLAN
130563 – OLD AERODROME ROAD, GEORGE TOWN**

AUTHOR: Statutory Town Planner

ADDRESS: Old Aerodrome Road, George Town (PID 3466455)

DECISION

Moved: Cr Harris
Seconded: Cr Glisson

That the Petition to amend Sealed Plan No 130563 associated with land located at Old Aerodrome Road, George Town (PID 3466455), be granted pursuant to Section 104 (1) (a) of the *Local Government (Building & Miscellaneous Provisions) Act 1993*.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

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8.0 WORKS AND INFRASTRUCTURE

016/18 8.1 WEYMOUTH BRIDGE TRAFFIC IMPROVEMENTS

REPORT AUTHOR: Team Leader Works and Infrastructure

FILE NO: 63.1

DECISION

Moved: Cr Harris
Seconded: Cr Ashley

That Council approve the installation of a “Give Way” sign and other associated signage and linemarking in compliance with Australian Standard AS1742.2 for the approaches to the Weymouth Road Bridge, with the “Give Way” sign to be installed on the bridge approach from Bridport Road.

An **AMENDMENT** was:

Moved: Cr Parkes
Seconded: Cr Dawson

That Council:

- (1) approve the installation of a “Give Way” sign and other associated signage and linemarking in compliance with Australian Standard AS1742.2 for the approaches to the Weymouth Road Bridge, with the “Give Way” sign to be installed on the bridge approach from Bridport Road; and
- (2) that the General Manager notify the bridge renewal program that Council will not be accepting the bridge renewal program grant for the Weymouth Bridge.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

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016/18 8.1 WEYMOUTH BRIDGE TRAFFIC IMPROVEMENTS

SUBSTANTIVE MOTION

Moved: Cr Parkes
Seconded: Cr Dawson

That Council:

- (1) approve the installation of a “Give Way” sign and other associated signage and linemarking in compliance with Australian Standard AS1742.2 for the approaches to the Weymouth Road Bridge, with the “Give Way” sign to be installed on the bridge approach from Bridport Road; and
- (2) that the General Manager notify the bridge renewal program that Council will not be accepting the bridge renewal program grant for the Weymouth Bridge.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

017/18 8.2 WEYMOUTH – ONE WAY TRAFFIC

REPORT AUTHOR: Team Leader Works and Infrastructure

FILE NO: 66.25, 66.119

DECISION

Moved: Cr Parish
Seconded:

2. That Council allocate \$15,000 in the 2018/2019 financial year for the design, survey and costing for a new Trevor Street road extension.
3. That Council list the Trevor Street road extension construction project for consideration in the draft 2018/2019 Capital Works Program.

DUE TO NO SECONDER, THE MOTION LAPSED

Moved: Cr Dawson
Seconded: Cr Harris

1. That Council allocate \$32,000 in the 2018/2019 financial year to install traffic safety improvements on Campbell, Trevor, Ralph and Smith Streets to immediately provide for a safer and user-friendly environment for both vehicles and pedestrian usage.

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017/18 8.2 WEYMOUTH – ONE WAY TRAFFIC (CONT.)

2. That Council allocate \$15,000 in the 2018/2019 financial year for the design, survey and costing for a new Trevor Street road extension.
3. That Council list the Trevor Street road extension construction project for consideration in the draft 2018/2019 Capital Works Program.

	For	Against		For	Against
Cr Archer		✓	Cr Dawson		✓
Cr Harris		✓	Cr Glisson		✓
Cr Ashley		✓	Cr Parish		✓
Cr Barwick		✓	Cr Parkes		✓
Cr Burt		✓			

MOTION WAS LOST

9.0 CORPORATE AND FINANCE

018/18 9.1 PRESENTATION OF REVISED LONG TERM FINANCIAL PLAN 2018|2027

REPORT AUTHOR: General Manager/Team Leader – Corporate and Finance

FILE NO: 32.1

DECISION

Moved: Cr Burt
Seconded: Cr Ashley

That Council:

- (a) Receives and acknowledges the revised long term financial plan; and
- (b) Acknowledges that the long term financial plan will be revised, refreshed and extended on an annual basis; and
- (c) Acknowledges the prepared long term financial plan (and future revised versions) will act as a guiding document in the consideration of future annual budget deliberations.

An **AMENDMENT** was moved:

Moved: Cr Glisson
Seconded: Cr Barwick

- (a) Receives and acknowledges the revised long term financial plan; and
- (b) Acknowledges that the long term financial plan will be revised, refreshed and extended on an annual basis; and
- (c) Acknowledges the prepared long term financial plan (and future revised versions) will act as only a guiding document in the consideration of future annual budget deliberations.
- (d) With the exception of Roads to Recovery projects there will be no new or upgraded assets unless they are supported by a business case with whole of life funding and costs (including depreciation) that demonstrates the sustainability of that further investment.

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018/18 9.1 PRESENTATION OF REVISED LONG TERM FINANCIAL PLAN 2018|2027

	For	Against		For	Against
Cr Archer		✓	Cr Dawson		✓
Cr Harris		✓	Cr Glisson	✓	
Cr Ashley		✓	Cr Parish		✓
Cr Barwick	✓		Cr Parkes		✓
Cr Burt		✓			

MOTION WAS LOST

Moved: Cr Burt
Seconded: Cr Ashley

That Council:

- (a) Receives and acknowledges the revised long term financial plan; and
- (b) Acknowledges that the long term financial plan will be revised, refreshed and extended on an annual basis; and
- (c) Acknowledges the prepared long term financial plan (and future revised versions) will act as a guiding document in the consideration of future annual budget deliberations.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson		✓
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick		✓	Cr Parkes	✓	
Cr Burt	✓				

CARRIED

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10. COMMUNITY SERVICES

019/18 10.1 RECEIPT OF LATE ITEM AGENDA REPORT – APPOINTMENT TO THE GEORGE TOWN COUNCIL COMMUNITY ASSISTANCE GRANTS REVIEW PANEL

REPORT AUTHOR: General Manager

FILE NO: 23.2

DECISION

Moved: Cr Dawson

Seconded: Cr Harris

That Council resolves to receive the late item Agenda Report from the General Manager in regard to the appointment of two (2) Councillors and one (1) proxy to the George Town Council Community Assistance Grants Review Panel in accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2015 R8(6)(a), (b), (c). This advice is provided in accordance with Section 65 of the Local Government Act.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Burt	✓		Cr Parkes	✓	
Cr Barwick	✓				

CARRIED

020/18 10.2 LATE ITEM REPORT – APPOINTMENT OF COUNCILLORS TO THE GEORGE TOWN COUNCIL COMMUNITY ASSISTANCE GRANTS REVIEW PANEL

REPORT AUTHOR: General Manager

FILE NO: 23.2

DECISION

Cr Parkes nominated Cr Dawson and himself to the Community Grants Review Panel

Cr Dawson nominated Cr Archer as proxy to the Community Grants Review Panel

Moved: Cr Parkes

Seconded: Cr Burt

That Council nominates:

- (a) Cr Dawson and Cr Parkes to the Community Grants Review Panel for a period of one (1) year from the 21st February 2018; and

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**020/19 10.2 LATE ITEM REPORT – APPOINTMENT OF COUNCILLORS TO THE
GEORGE TOWN COUNCIL COMMUNITY ASSISTANCE GRANTS REVIEW
PANEL (CONT.)**

- (b) Appoints Cr Archer as proxy to the Community Grants Review Panel for a period of one (1) year from the 21st February 2018.

	For	Against		For	Against
Cr Archer	✓		Cr Burt	✓	
Cr Barwick	✓		Cr Dawson	✓	
Cr Ashley	✓		Cr Harris	✓	
Cr Glisson	✓		Cr Parkes	✓	
Cr Parish	✓				

CARRIED

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11. MAYOR

021/18 11.1 MATTERS OF INVOLVEMENT – MAYOR

FILE NO.: 14.11

REPORT DATE: 15th February 2018

The Chairperson advised that she had attended additional functions/meetings:

21	Attended the induction ceremony for the student leaders Star of the Sea
	Met with Senator Steve Martin re: fruit fly incursion into Tasmania.

DECISION

Moved: Cr Burt

Seconded: Cr Parish

That the information report from the Mayor on Matters of Involvement be received and the information noted.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

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12. GENERAL MANAGER

022/18 12.1 COUNCIL WORKSHOPS – FEBRUARY 2018

REPORT AUTHOR: General Manager

FILE NO: 14.10

DECISION

Moved: Cr Harris
Seconded: Cr Dawson

That Council receives the report from the General Manager and notes the information.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

**023/18 12.2 REVIEW OF DRAFT AUDIO RECORDING OF COUNCIL MEETINGS
POLICY NO. 40 – VERSION 05**

REPORT AUTHOR: General Manager

FILE NO: 14.13

DECISION

Moved: Cr Harris
Seconded: Cr Ashley

That Council endorse the amendments to the Draft Audio Recording of Council Policy No. 40 – Version 05 as presented.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

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024/18 12.3 POTENTIAL COUNCIL LAND SALES

REPORT AUTHOR: General Manager

FILE NO: 32.36

Councillors agreed with the Chairperson suggestion that as Cr Parish had declared an interest in point (b) and Cr Parkes point (c) the recommendations be dealt with separately.

Cr Burt called a Point of Order in accordance with LG(MP)R 23(a) at 7.35pm to clarify that Cr Glisson was discussing point (a) of the motion.

DECISION

Moved: Cr Burt
Seconded: Cr Parkes

That Council:

(a) Retain Lot 501 Woolcock Court (PID 7888524) until it becomes known how the surrounding land owned by DHHS is to be developed.

A **PROCEDURAL** motion was:

Moved: Cr Glisson
Seconded: Cr Barwick

That item (a) be deferred to a workshop.

	For	Against		For	Against
Cr Archer		✓	Cr Dawson		✓
Cr Harris		✓	Cr Glisson	✓	
Cr Ashley		✓	Cr Parish		✓
Cr Barwick	✓		Cr Parkes		✓
Cr Burt		✓			

MOTION WAS LOST

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024/18 12.3 POTENTIAL COUNCIL LAND SALES (CONT.)

Moved: Cr Burt
Seconded: Cr Parkes

That Council:

- (a) Retain Lot 501 Woolcock Court (PID 7888524) until it becomes known how the surrounding land owned by DHHS is to be developed.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

*Cr Parish left the meeting at 7.41pm.
Cr Parkes left the meeting at 7.42pm.*

025/18 12.3 POTENTIAL COUNCIL LAND SALES

A **PROCEDURAL** motion was

Moved: Cr Glisson
Seconded: Cr Harris

That the following items be deferred to a workshop:

- (b) Sell Gerzalia Drive (PID 1737346) with proceeds from the sale to be invested into public open space within the community;
- (c) Sell 15 Riverleads Drive (PID 1723024) with proceeds from the sale to be invested into public open space within the community;
- (d) Offer for sale 30 Davies Street (PID 6450301) to adjoining land owners only due to the existing access issues and limited use as standalone parcel of land;
- (e) Sell 241 Agnes Street (PID 1931747) with proceeds from the sale to be invested into public open space within the community;
- (f) Offer for sale Gerzalia Drive (PID 2048374) to adjoining land owner due to limited development opportunity;

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025/18 12.3 POTENTIAL COUNCIL LAND SALES

- (g) Offer for sale Gerzalia Drive (PID 1737346) with proceeds from the sale to be invested into public open space within the community.

	For	Against		For	Against
Cr Archer		✓	Cr Dawson		✓
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish		
Cr Barwick	✓		Cr Parkes		
Cr Burt		✓			

CARRIED

Cr Parkes returned to the meeting at 7.45pm.
Cr Parish returned to the meeting at 7.45pm.

026/18 12.4 MT GEORGE MOUNTAIN BIKE TRAIL – PRIORITY PROJECT, OUT OF BUDGET FUNDING REQUEST AND PROJECT GOVERNANCE

REPORT AUTHOR: General Manager

FILE NO: 14.13

Cr Parish left the meeting at 7.46pm

DECISION

Moved: Cr Dawson
Seconded: Cr Burt

That Council resolve to:

- a) Commit \$8500 from cash reserves towards the Mt George Mountain Bike concept report with the knowledge that the feasibility report is funded by the Tasmanian Cycle Tourism funding grant; and
- b) Write to the entities identified as key stakeholders and invite them to form a Mt George Mountain Bike project reference group with Council as the project manager.

An **AMENDMENT** was:

Moved: Cr Barwick
Seconded: Cr Glisson

That Council resolve to:

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026/18 12.4 MT GEORGE MOUNTAIN BIKE TRAIL – PRIORITY PROJECT, OUT OF BUDGET FUNDING REQUEST AND PROJECT GOVERNANCE (CONT.)

- a) Commit \$8500 from cash reserves towards the Mt George Mountain Bike concept report with the knowledge that the feasibility report is funded by the Tasmanian Cycle Tourism funding grant.

	For	Against		For	Against
Cr Archer		✓	Cr Dawson		✓
Cr Harris		✓	Cr Glisson	✓	
Cr Ashley		✓	Cr Parish		
Cr Barwick	✓		Cr Parkes		✓
Cr Burt		✓			

AMENDMENT WAS LOST

Moved: Cr Dawson
Seconded: Cr Burt

That Council resolve to:

- a) Commit \$8500 from cash reserves towards the Mt George Mountain Bike concept report with the knowledge that the feasibility report is funded by the Tasmanian Cycle Tourism funding grant; and
- b) Write to the entities identified as key stakeholders and invite them to form a Mt George Mountain Bike project reference group with Council as the project manager.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish		
Cr Barwick		✓	Cr Parkes	✓	
Cr Burt	✓				

CARRIED

Cr Parish returned to the meeting at 8.08pm.

13. PETITIONS

Nil.

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14. NOTICES OF MOTIONS

027/18 14.1 PROPOSED SALE OF GEORGE TOWN AIRPORT

DECISION

Moved: Cr Glisson
Seconded: Cr Parish

That in line with council decision minute no 437/08 the General Manager be directed to advertise the Airport site for sale with tenants, the process to be by closed tender and be advertised nationally.”

A **PROCEDURAL** motion was:

Moved: Cr Dawson
Seconded: Cr Parkes

That the matter be deferred to a workshop.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

The Chairperson adjourned the meeting for 10 minutes due to technical issues with the minute taker's computer at 8.15pm.

The meeting resumed at 8.25pm.

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028/18 14.2 GENERAL MANAGER – CONFIRMATION OF APPOINTMENT

DECISION

Moved: Cr Glisson

Seconded: Cr Harris

That council congratulate the General Manager on completing her probationary period in the role of general manager, and formally confirm her appointment to the ongoing role of general manager.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

15. COUNCILLORS QUESTIONS WITHOUT NOTICE TAKEN ON NOTICE FROM PREVIOUS ORDINARY COUNCIL MEETING

[Refer to Minute No. 362/15 which states "At any Ordinary Meeting of Council when a 'without notice' question from a councillor is accepted, and when this question is taken on notice',

- a) *The General Manager is to record in the minutes of that meeting the 'question', and that the question was 'taken on notice'.*
- b) *Provide the answer to the question 'taken on notice, at the next Ordinary Meeting of Council, in writing.'"]*

Cr Dawson (15th November 2017)

Cr Dawson requested an update on motion 134/17 (c) scoping, design, costings and risk for areas listed.

Response

The following interim response is provided. Further information will be presented to the next Council workshop and responded to in the next ordinary Council agenda:

- *Goulburn Street (Black spot treatment at intersection with Cimitiere Street) – Works will start in March 2018.*
- *Weymouth Road - This project was removed from the revised 2017/2018 Capital Works Program as approved at the Ordinary Council meeting on 15 November 2017.*
- *Lulworth (Hurst Street stormwater drainage) – Design currently underway. Installation is scheduled in 2018/2019 if design is appropriate and acceptable.*
- *Bellingham (Smith and Howard Streets stormwater drainage works) – Works will start in March 2018.*

16. COUNCIL COMMITTEE REPORTS

Nil.

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17. CLOSED MEETING

029/18 17.1 INTO CLOSED MEETING

DECISION

Moved: Cr Barwick
Seconded: Cr Parkes

That Council move into closed meeting at 8.42pm to discuss the following items:

- Item No. 1 Confirmation of Confidential Minutes of Council's Ordinary meeting held on the 17th January 2018 LG(MP)R 15(2)(g) and LG(MP)R 34(6)
Item No. 2 Legal Expenditure LG(MP)R 15(2) (a); (b); (d); (e)(i)(ii); (f); (g); (i); and (j)
Item No. 3 Legal Matter LG(MP)R 15 (2) (g) and (i)

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

033/18 17.5 OUT OF CLOSED MEETING

DECISION

Moved: Cr Burt
Seconded: Cr Harris

That Council moves out of the Closed Meeting and endorse those decisions taken while in Closed Meeting and the information remains Confidential.

	For	Against		For	Against
Cr Archer	✓		Cr Dawson	✓	
Cr Harris	✓		Cr Glisson	✓	
Cr Ashley	✓		Cr Parish	✓	
Cr Barwick	✓		Cr Parkes	✓	
Cr Burt	✓				

CARRIED

There being no further business, the meeting closed at 9.21pm.

**Cr Bridget Archer
MAYOR**