

George Town Council
COUNCIL MEETING – 21 MAY 2019
MINUTES

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Meeting Commenced at 1.00pm

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. PRESENT

Cr Tim Harris, Deputy Mayor, Chairperson
Cr Justine Brooks
Cr Chris Barraclough
Cr Greg Dawson
Cr Andrew Michieletto
Cr Winston Mason
Cr Greg Kieser
Cr Heather Barwick

1.1 APOLOGIES

Cr Bridget Archer, Mayor

1.2 IN ATTENDANCE

General Manager
Team Leader Corporate & Finance
Team Leader Community & Development Services
Team Leader Works & Infrastructure
Governance Support Officer

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2. CONFIRMATION OF MINUTES

082/19 2.1 ORDINARY COUNCIL MEETING HELD 16 APRIL 2019

DECISION

Moved: Cr Michieletto
Seconded: Cr Kieser

That the Minutes of Council's Ordinary meeting held on the 16 April 2019 numbered 060/19 to 072/19 and 076/19 as circulated to Councillors be received and confirmed as a true record of proceedings.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick
Against:

CARRIED 8/0

083/19 2.2 SPECIAL COUNCIL MEETING HELD 14 MAY 2019

DECISION

Moved: Cr Barwick
Seconded: Cr Barraclough

That the Minutes of Council's Special meeting held on the 14 May 2019 numbered 077/19 to 079/19 and 081/19 as circulated to Councillors be received and confirmed as a true record of proceedings.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick
Against:

CARRIED 8/0

3. 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.

3.2 PUBLIC QUESTIONS ON NOTICE

Nil.

3.3 PUBLIC QUESTION TIME

Commenced at: 1:03pm

Concluded at: 1:13pm

Mr Burgess, George Town Airport Association (Sub Committee) (GTAA)

Q1. The subject of my question relates to the sale of public land, specifically the George Town Airport:

Subsection 178(4)(B) of the Act provides that a person may object to Council's intent in this matter. Under Subsection 178(6) a council must consider any such objections received and decide whether or not to take any action regarding the objection. Furthermore, within seven days of making a decision regarding an objection the council must write to the objector to notify him or her of the council's decision as to whether any action will be taken.

Given that, in February 2019 the George Town Airport Association lodged an objection to the proposed sale of the airport (other than to the GTAA itself) and that no correspondence has since been received, can Council advise the GTAA on the progress of its consideration of the objection and when this matter might be dealt with?

The Chairperson advised that the matter will be considered at a future Council meeting yet to be scheduled. No decisions have been made and the matter will come back to a workshop prior to a Council meeting.

Mrs Wootton, Low Head

Q1. I have noticed that at least one of the once beautiful Ash trees that lined the lower end of Macquarie Street has been cut down and understand it was due to the roots lifting up the footpath and creating a 'trip hazard'. Since these trees were severely cut back to make way for the NBN cables, the roots have responded and have lifted up the footpaths, and I understand there are more to be removed. Surely there is an alternative to sacrificing 30 – 40 year old trees? Every town and city has large trees planted along the footpaths and roads. I recently noticed along the eastern end of Forster Street in Launceston where a similar problem had occurred, but the roots of the trees had been trimmed back and the asphalted pathway renewed next to each tree. I am happy to provide evidence of this. Could some investigation be done to see how other Councils deal with this problem before any more of our precious trees are chopped down?

The Chairperson referred the question to the General Manager. The General Manager advised that he shared Mrs Wootton's concerns with regard to protecting vegetation throughout municipality. Council will be looking to engage in some planting programs over the dormant period and also working with Council and Council officers about future tree planting programs. In terms of maintenance of Council's tree assets, there are a number of references Council can turn too and practices that can be investigated on a case by case scenario. The objective is to protect trees where Council can however if there is a risk to public property or persons that cannot be addressed through different management practices, then those trees will be removed.

3.3 PUBLIC QUESTION TIME (CONT.)

There is a whole range of measures that are available to Council through reinforcement of concrete footpaths, trip stops and root barriers to name a few.

Q2. I refer to the small flyer that was distributed throughout George Town during the last week of the election campaign that's headed "Bridget Archer and the Morrison Government – continuing to deliver for George Town.....I will continue to deliver for George Town by securing \$4.4m for the mountain bike trails and \$2.45m for the Regent Square redevelopment – including the installation of a new adventure play area and playground equipment on Regent Square."

As I understood it, the almost \$700,000 for the two stages of the playground on Regent Square was to be funded by Council – using funds already allocated, plus funds re-allocated from five other projects in the current budget, and from the sale of several public open spaces. The playground was well under way when the grant of \$2.45m for Regent Square was announced. I would like some clarification as to whether the actual cost of the already approved playground is part of the \$2.45m grant, leaving the rest of the redevelopment of the Square with a shortfall of around \$700,000.

The Chairperson referred the question to the General Manager who advised that Council is yet to receive the details in respect to the commitments from both sides of government with regard to the funding of Regent Square including the playground. Council has been in conversations with the Department administering those funds up to and leading into the caretaker period in which the Federal Government sits in at the moment. The General Manager advised that he has been in contact with the infrastructure department, now we know there is a Government about to be put back into power, about what the conditions of those funding agreements will look like. Council is yet to see the conditions. In terms of the portioning of those funds to particular elements within that space, this is as yet unknown to Council, albeit it is money that Council welcomed to the area.

Mrs Wootton stated that she thought it was additional to what has already been funded by Council so it does leave Regent Square shorter than what we thought it was going to be.

That General Manager suggested that Council will caution what the funding is going to look like until we receive a deed of agreement from the Government that Council can actually consider. There has been funds that have already been spent by Council and the Commonwealth funds will be in addition to what has been spent, however there may be some conditions within the deed of agreement that Council is yet to see that may impact where the funds are allocated. Nonetheless, Council is going through a draft budget process that is considering the impact of the funding on its current budget and future budget for next year and is well aware of some of the other projects that it had sacrificed in previous budgets to help fund what has occurred on Regent Square.

The Chairperson asked the General Manager if it would be correct to assume that if the playground situation is included in the \$2.45 million, that Council will be able to utilise the already spent money on other projects.

The General Manager advised that Council does not know what the funding agreement stipulates as yet and that would be a matter for Council to consider as part of its budget deliberations.

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3.4 QUESTIONS ON NOTICE FROM COUNCILLORS

Nil.

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.”)

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4. DECLARATIONS OF INTEREST

Nil.

5. 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 of experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.



Shane Power
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. PLANNING AUTHORITY

Nil.

7. PLANNING AND DEVELOPMENT

Nil.

8. WORKS AND INFRASTRUCTURE

Nil.

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9. CORPORATE AND FINANCE

084/19 9.1 DRAFT RELATED PARTY DISCLOSURE POLICY

REPORT AUTHOR: Team Leader – Corporate and Finance

FILE NO: 14.13

OFFICER’S RECOMMENDATION

That Council adopts the Related Party Disclosure Policy effective 21 May 2019.

DECISION

Moved: Cr Kieser
Seconded: Cr Dawson

That Council adopts the Related Party Disclosure Policy effective 21 May 2019.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick

Against:

CARRIED 8/0

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085/19 9.2 REVIEW OF FINANCIAL MANAGEMENT STRATEGY

AUTHOR: Team Leader – Corporate and Finance

FILE NO: 32.10

OFFICER'S RECOMMENDATION

The amended Financial Management Strategy is adopted by Council effective 21 May 2019.

DECISION

Moved: Cr Kieser

Seconded: Cr Mason

The amended Financial Management Strategy is adopted by Council effective 21 May 2019.

VOTING

For: Cr Harris, Cr Barraclough, Cr Dawson, Cr Michieletto

Cr Mason, Cr Kieser, Cr Barwick

Against: Cr Brooks

CARRIED 7/1

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086/19 9.3 REVISED FRAUD PREVENTION AND CONTROL POLICY NO. 42

REPORT AUTHOR: Team Leader – Corporate and Finance

FILE NO: 14.13

OFFICER'S RECOMMENDATION

That Council adopts the revised Fraud Prevention and Control Policy No 2 Version 2 effective 21 May 2019.

DECISION

Moved: Cr Kieser

Seconded: Cr Barraclough

That Council adopts the revised Fraud Prevention and Control Policy No 2 Version 2 effective 21 May 2019.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick

Against:

CARRIED 8/0

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10. COMMUNITY SERVICES

Nil.

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11. ACTING MAYOR

087/19 11.1 MATTERS OF INVOLVEMENT – ACTING MAYOR

FILE NO.: 14.11

REPORT DATE: 15 May 2019

Acting Mayor Cr Tim Harris		
May	7	Attended MAST public forum re: Recreational Boating Fund
	8	Attended TasWater General Meeting
		Attended NTDC General Meeting
	13	Attended Premier and Cabinet function
	14	Attended Special Council Meeting
		Attended Additional Council Workshop
		Attended Premier and Cabinet Meeting with Councillors, General Manager and Team Leaders
	21	Attended Council Workshop
Attended Ordinary Council Meeting		

OFFICER'S RECOMMENDATION

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

DECISION

Moved: Cr Barwick
Seconded: Cr Michieletto

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick
Against:

CARRIED 8/0

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12. GENERAL MANAGER

088/19 12.1 COUNCIL WORKSHOPS – APRIL 2019 AND MAY 2019

REPORT AUTHOR: General Manager

FILE NO: 14.10

OFFICER'S RECOMMENDATION

That Council receives the report on the Council Workshops – 16 April and 14 May 2019 from the General Manager.

DECISION

Moved: Cr Kieser
Seconded: Cr Dawson

That Council receives the report on the Council Workshops – 16 April and 14 May 2019 from the General Manager.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick
Against:

CARRIED 8/0

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**089/19 12.2 EXPRESSIONS OF INTEREST – GEORGE TOWN COUNCIL –
PLACEMAKING ADVISORY COMMITTEE**

REPORT AUTHOR: General Manager

FILE NO: 14.7

OFFICER'S RECOMMENDATION

That Council:

- (a) Appoints the following members to the George Town Council Placemaking Advisory Committee:
- Rebecca Stuttard
 - Lynette White
 - Jo Hart
 - Ingrid O'Sullivan
 - Phill Hinds
 - Ann Williams-Fitzgerald
- (b) Acknowledges and thanks the unsuccessful applicants for their interest in membership to the George Town Council Placemaking Advisory Committee.

DECISION

Moved: Cr Brooks
Seconded: Cr Dawson

That Council:

- (a) Appoints the following six individuals to the George Town Council Placemaking Advisory Committee:
- Rebecca Stuttard
 - Victoria Jansen-Riley
 - Jo Hart
 - Ingrid O'Sullivan
 - Phill Hinds
 - Ann Williams-Fitzgerald
- (b) Acknowledges and thanks the unsuccessful applicants for their interest in membership to the George Town Council Placemaking Advisory Committee; and
- (c) That Cr Brooks contacts all applicants.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick

Against:

CARRIED 8/0

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090/19 12.3 2019 ALGA NATIONAL GENERAL ASSEMBLY – VOTING PROCEDURES

AUTHOR: General Manager

FILE NO.: 15.8

OFFICER'S RECOMMENDATION

That Council endorses the Mayor as voting delegate at the 2019 Australian Local Government Association's National General Assembly in accordance with Council's strategic direction, policy and Council resolutions.

DECISION

Moved: Cr Barwick

Seconded: Cr Kieser

That Council endorses the Mayor or Acting Mayor as voting delegate at the 2019 Australian Local Government Association's National General Assembly in accordance with Council's strategic direction, policy and Council resolutions.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick

Against:

CARRIED 8/0

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091/19 12.4 APPOINTMENT OF COUNCIL REPRESENTATIVE – COMMUNITIES FOR CHILDREN COUNCIL

AUTHOR: General Manager

FILE NO.: 15.8

OFFICER'S RECOMMENDATION

That Council appoints Cr Brooks as the George Town Council representative to the Children for Communities Council effective 21 May 2019.

DECISION

Moved: Cr Barwick

Seconded: Cr Mason

That Council appoints Cr Brooks as the George Town Council representative to the Children for Communities Council effective 21 May 2019.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick

Against:

CARRIED 8/0

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**092/19 12.5 GEORGE TOWN COUNCIL AUDIT PANEL MEETING HELD 5 FEBRUARY
2019**

REPORT AUTHOR: General Manager

FILE NO: 29.11

DECISION

Moved: Cr Kieser
Seconded: Cr Barwick

That the Confirmed minutes of the George Town Council Audit Panel meeting held 5 February 2019 as attached to this report be received.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick

Against:

CARRIED 8/0

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093/19 12.6 WARATAH DAM

AUTHOR: General Manager

FILE NO.: 42.11

OFFICER'S RECOMMENDATION

That Council:

- (1) Advises TasWater that it acknowledges the heritage and significance of the Waratah Dam and the importance of the Dam to the community and encourages TasWater to pursue alternative solutions to reinstate or repair the Dam.

or

- (2) Advises TasWater that whilst it acknowledges the heritage and significance of the Waratah Dam and the importance of the Dam to the Waratah community, due to the safety and economic management concerns outlined in the TasWater information sheet (May 2019), and as a TasWater Stakeholder, it supports TasWater's investigation into the options of divesting or decommissioning of the Dam.

DECISION

Moved: Cr Kieser
Seconded: Cr Dawson

That Council advises TasWater that whilst it acknowledges the heritage and significance of the Waratah Dam and the importance of the Dam to the Waratah community, due to the safety and economic management concerns outlined in the TasWater information sheet (May 2019), and as a TasWater Stakeholder, it supports TasWater's investigation into the options of divesting or decommissioning of the Dam.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick

Against:

CARRIED 8/0

13. PETITIONS

Nil.

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14. NOTICES OF MOTIONS

Nil.

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.'"]*

Nil.

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16. COUNCIL COMMITTEE REPORTS

094/19 16.1 GEORGE TOWN COMMUNITY SAFETY GROUP COMMITTEE MEETING

REPORT AUTHOR: General Manager

FILE NO: 22.24

DECISION

Moved: Cr Barwick

Seconded: Cr Mason

That the confirmed minutes of the George Town Community Safety Committee meeting held on the 2 April 2019 as attached to this report be received.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick

Against:

CARRIED 8/0

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17. CLOSED MEETING

095/19 17.1 INTO CLOSED MEETING

DECISION

Moved: Cr Barwick
Seconded: Cr Barracough

That Council move into closed meeting at 1.41pm to discuss the following items:

Item 1 Minutes of the closed ordinary Council meeting held on the 16 April 2019

As per the provisions of regulation 34(6) of the Local Government (Meeting Procedures) Regulations 2015.

Item 2 Minutes of the closed Special Council meeting held on the 14 May 2019

As per the provisions of regulation 34(6) of the Local Government (Meeting Procedures) Regulations 2015.

Item 3 Local Government Association of Tasmania – 2019 Elections – Completion of Ballot Papers

As per the provisions of regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick

Against:

CARRIED BY ABSOLUTE MAJORITY 8/0

*Cr Harris left the meeting at 1.42pm.
Cr Harris returned to the meeting at 1.43pm.*

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099/19 17.5 OUT OF CLOSED MEETING

In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2015 regulation 15(8) while in a closed meeting the Council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.

The following items were discussed in closed meeting:

096/19 Minutes of the closed ordinary Council meeting held on the 16 April 2019

As per the provisions of regulation 34(6) of the Local Government (Meeting Procedures) Regulations 2015.

097/19 Minutes of the closed Special Council meeting held on the 14 May 2019

As per the provisions of regulation 34(6) of the Local Government (Meeting Procedures) Regulations 2015.

098/19 Local Government Association of Tasmania – 2019 Elections – Completion of Ballot Papers

As per the provisions of regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

DECISION

Moved: Cr Barwick
Seconded: Cr Barraclough

That Council moves out of Closed Meeting at 2:11pm and endorse those decisions taken while in Closed Meeting and the information remains Confidential.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick
Against:

CARRIED 8/0

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100/19 ACKNOWLEDGEMENT OF SERVICE TO THE COMMUNITY AND COUNCIL

Moved: Cr Harris
Seconded: Cr Kieser

That Council writes to:

- (a) Dr Jane Zimmermann thanking her for her extensive service to the community and wishes her well in her retirement; and
- (b) Mr Ross Hart thanking him for his contribution and support to the George Town community; and
- (c) Mrs Bridget Archer congratulating her on her election and thanking her for her tireless work as Councillor and Mayor for the George Town community.

VOTING

For: Cr Harris, Cr Brooks, Cr Barraclough, Cr Dawson
Cr Michieletto, Cr Mason, Cr Kieser, Cr Barwick
Against:

CARRIED 8/0

There being no further business, the meeting closed at 2:14pm.

Cr Tim Harris
ACTING MAYOR