



GEORGE TOWN COUNCIL AGENDA

Notice is hereby given
that the next Ordinary Council Meeting
will be held on
Tuesday 23 January 2024

in the Council Chambers,
16-18 Anne Street, George Town,

commencing at **1:00 pm.**

All documents presented, and recordings (audio) of this meeting are made available to the public in accordance with the Local Government Act 1993, and Local Government (Meeting Procedures) Regulations 2015.

The public are requested to pre-register if attending this meeting of Council.

Shane Power
GENERAL MANAGER

TABLE OF CONTENTS

1	PRESENT	5
1.1	Apologies And Leave Of Absence	5
1.2	In Attendance	5
2	CONFIRMATION OF MINUTES.....	6
2.1	Ordinary Council Meeting Held 19 December 2023.....	6
3	LATE ITEMS	7
4	PUBLIC QUESTION TIME	8
4.1	Public Question Time Procedure	8
4.2	Public Questions On Notice	9
4.3	Public Question Time.....	10
4.4	Response To Questions From Previous Public Question Time	11
5	DECLARATIONS OF INTEREST	17
6	GENERAL MANAGER'S DECLARATION	17
7	PLANNING AUTHORITY	18
7.1	DA 2023/110 - 10 Craighburn Road, Hillwood - Residential Outbuildings (X2)...	18
8	OFFICE OF GENERAL MANAGER	35
8.1	Council Workshops December 2023	36
9	INFRASTRUCTURE AND DEVELOPMENT	39
10	CORPORATE AND COMMUNITY.....	40
10.1	Review Of The Audit Panel Charter	41
11	ORGANISATIONAL PERFORMANCE, STRATEGY & ENGAGEMENT	43
12	MAYOR	44
12.1	Matters Of Involvement - Mayor	44
13	PETITIONS.....	45
14	NOTICES OF MOTIONS	46
15	COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE	47
15.1	Various Questions - Cr Barwick.....	48

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

15.2 Questions - Cr Orr	50
16 CLOSED MEETING	51
16.1 Into Closed Meeting	51
16.2 Out Of Closed Meeting.....	52
17 CLOSURE	52

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

Meeting Commencing at 1:00 pm

Acknowledgement of Country

George Town Council acknowledges the palawa people from the litarimirina tribe from Port Dalrymple as the traditional custodians of the land.

We honour and give thanks for the caring of country, seas and skies of kinimathatakinta and surrounds.

We pay respect to the elders past, present and future for they hold the memories, traditions, culture and hope of pakana people in lutruwita.

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 GTC 1, members of the public are not permitted to make audio recordings of Council meetings.

The community are requested to pre-register to attend this meeting of Council.

All documents presented, and recordings (audio) of this meeting are made available to the public in accordance with the above Act and Notice, and the standard applicable provisions of the Local Government Act 1993, and Local Government (Meeting Procedures) Regulations 2015.

1 PRESENT

1.1 APOLOGIES AND LEAVE OF ABSENCE

1.2 IN ATTENDANCE

2 CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING HELD 19 DECEMBER 2023

RECOMMENDATION

That the Minutes of Council's Ordinary Meeting held on 19 December 2023 numbered 203/23 to 210/23 as provided to Councillors be received and confirmed as a true record of proceedings. (Attached)

DECISION

Moved:

Seconded:

VOTING

For:

Against:

3 LATE ITEMS

Nil.

4 PUBLIC QUESTION TIME

4.1 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 GTC13.

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

Council requests that members of the public pre-register to attend meetings of Council.

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

4.2 PUBLIC QUESTIONS ON NOTICE

Nil.

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

4.3 PUBLIC QUESTION TIME

Commenced at:

Concluded at:

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

4.4 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 L. Wootton

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**



2 January 2024

Dear Mrs Wootton,

RE: RESPONSE TO QUESTION WITHOUT NOTICE

In response to your question taken on notice at the ordinary meeting of Council 19 December 2023:

"I am aware of much discussion in the community in regard to the recently erected rusted metal sign near the Pumptrack, attributed to the FIG.

Could I and the public be advised as to the full cost and funding sources for this sign and associated elements of the project (i.e. seating, landscaping, etc.)?"

The table below outlines the costs and funding associated with the Future Impact Group – Make George Town Yours entry statement project.

Item:	Cost
Manufacturing:	\$33,518.99
• 3d scan	
• Fabrication	
• Surface treatment	
• Laser cut and fold	
Installation:	\$41,734.00
Landscaping:	\$16,157.00
Painting: Of existing boundary wall	\$1,606.00
Design works:	Not confirmed
Electrical Works and Lighting	\$10,745.22
	Total: \$103,761.21
Industry funding	\$60,745.22
State Government funding	\$43,015.99
	Total: \$103,761.21

Yours sincerely

Shane Power
General Manager



Council Office: 16-18 Anne Street George Town Tasmania 7253 Postal Address: PO Box 161 George Town Tasmania 7253
T: (03) 6382 8800 F: (03) 6382 8899 E: council@georgetown.tas.gov.au W: www.georgetown.tas.gov.au

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda



2 January 2024

Mrs L. Wootton

Dear Mrs Wootton,

RE: RESPONSE TO QUESTION WITHOUT NOTICE

In response to your question taken on notice at the ordinary meeting of Council 19 December 2023:

In regard to my previous question on the full cost of the metal sculptures, are the costs of the installation available now?

The total cost for installation of the four metal sculptures was \$10,527.27.

In addition I would like to formally respond to your question from October 2023 meeting regarding the cost of the sculptures. The total cost of the sculptures excluding the installation was \$ 53,112.00.

Total cost (sculptures and installation) \$63,639.27

The Metal Sculptures project was approved by Council on 13 July 2022 (minute number 103/22). Costs were accommodated in the existing Placemaking committee budget allocations.

Yours sincerely,



Shane Power
General Manager

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda



15 January 2024

Mr John Glisson
28 McKenzie Drive
Low Head TAS 7253

Dear Mr Glisson,

Re: Ordinary Council Meeting 19 December 2024 – Public Question Time

Thank you for your questions at the 19 December 2024 Ordinary Council meeting which were taken on notice. Please see below Council's response.

Question 1

Mr Glisson advised that he wrote to Council in 2001 complaining about the stormwater problem at the end of Mackenzie Drive whereby the stormwater from half of the street runs past his place into the gardens of the neighbours under their house and floods under their house at times. The Council sent an officer out to have a look and the officer agreed that it was a stormwater problem it needed to be addressed and would come back to Mr Glisson at later stage after putting a recommendation to Council and it be included in the budget for the following year. Mr Glisson stated that he had waited for twelve months. February 2022 took photos of another flooding and sent through to Council and again another office came to investigate and again explained the process but further advised that the solution would be more expensive than previously advised partly because they would have to run a drain. Again it was said that it would have to be put into the budget for the following year and that was February 2022 and still no action and no response. Again the same issue this week, Mr Glisson asked when this will be addressed. It is a legal and moral obligation of Council to ensure stormwater is not running from the road and under houses.

The Chair asked Mr Glisson would you like a formal response?

Mr Glisson confirmed that he would like a formal response.

Through the Chair, the General Manager advised that he is aware that there has been previous investigations but not sure how it has failed to make budget considerations. The General Manager further advised that the question will be taken on notice. Council has had a number of officers come and go since this time.

Response:

Officers have identified a buried stormwater concrete pipe and collection pit. This drainage pipe starts at the nature strip at the end of the cul-de-sac, runs through the public reserve space between property numbers 17 and 34 McKenzie Drive, and terminates adjacent to the natural watercourse downstream. At some point, this drainage pipe was used to collect stormwater runoff from the cul-de-sac. However, given

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

the current condition, it appears this system has long been non-functional. Over the years changes in landscaping around the cul-de-sac have altered the terrain, resulting in a different low point.

Given that the buried pipe has been discovered, the next step is to assess its functionality. Council will organize a pressure clean and CCTV inspection (if required) to determine the functionality and structural integrity of the pipe. To address the overland flow issue, it may be necessary to intercept runoff on the cul-de-sac and discharge it via the existing drainage line mentioned above.

Council officers will formulate a potential solution to address the overland flow issues for consideration as part of the 2024/25 capital works program.

Question 2

Mr Glisson stated that at the bottom end of East Beach Road where it joins Low Head Road. It doesn't take much of a shower for a pool of water to form. When people are walking in the area, especially walking down East Beach Road to go across onto Low Head Road any traffic coming down hill and turning into East Beach Road they are walking in the middle of the road to avoid the pool of water. Mr Glisson stated that he is aware of two or three near miss incidents and asked whether Council could look at the drainage there so it doesn't pool there are fix the problem?

The Chair clarified the exact location of the pooling of the water.

Mr Glisson stated that he would send through some photos.

Through the Chair, the General Manager advised that the question will be taken on notice for officers to undertake an investigation.

Response:

The site has been assessed and although a probable solution has been identified, further investigations are required. East Beach Road lacks a crown which makes it difficult for water to disperse. Part of the solution will be creating a crown with two-way crossfall allowing stormwater to be directed towards the adjacent roadside drains. Adjusting the profile of the road will also lift the finished height of bitumen edges above the existing height of the adjacent nature strip thus avoiding ponding at the road edges. Officers will formulate a design and project costings for consideration as part of the 2024/25 capital works program.

Yours sincerely,



Shane Power
General Manager

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda



15 January 2024

Mrs Lorraine Wootton

Dear Mrs Wootton,

Re: Ordinary Council Meeting 19 December 2023 – Public Question Time

Thank you for your question at the Ordinary Council meeting held on the 19 December 2023. Please see Council's response to your question:

Question

When I first heard of this project from a Council Officer at a meeting back in November 2021 I, along with Peter Cox, expressed some concerns.

We were assured it would have to go through planning.

Why did this project not go through the usual planning processes and community consultation before it became a fait accompli?

Response

The Tasmanian Planning Provisions include an exemption, Clause 4.2.7, for the provision, maintenance and modification of a broad range of minor infrastructure, including public art, street furniture, playground equipment, bus shelters, public toilets and the like by or on behalf of a Council. The exemption is broad, with no specific qualifiers or limitations.

The ya pulingina works fit within this exemption and does not require a planning permit.

The different advice provided in 2021 is likely a result of changes to the planning scheme which have occurred as a part of the State Government's Planning reform process over the last several years. The current exemptions were not in place in 2021.

Planning Directive No.8 was issued in November 2022 by the Tasmanian Planning Commission. The effect of this directive was to make the exemptions of the State Planning Provisions applicable to the George Town Interim Plan Scheme 2013. These exemptions remain applicable today under the State Planning Scheme and George Town Local Provisions Schedule.

Yours sincerely,



Shane Power
General Manager

5 DECLARATIONS OF INTEREST

6 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.

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

7 PLANNING AUTHORITY

Councils are a planning authority. Each council acts as the planning authority for their municipality. In this role, councillors consider development applications and make administrative decisions that are based on the council's planning scheme. While councillors are obliged to consider the community's views, this does not mean they can vote in favour of those views while fulfilling the role of a planning authority. Councillors must make planning decisions based on whether a planning application is consistent with the local planning scheme, even if members of the community object to the planning proposal.

7.1 DA 2023/110 - 10 CRAIGBURN ROAD, HILLWOOD - RESIDENTIAL OUTBUILDINGS (X2)

REPORT AUTHOR:	Senior Town Planner - Mr J. Simons
REPORT DATE:	04/01/2024
FILE NO:	DA 2023/110
ATTACHMENTS:	<ol style="list-style-type: none">Attachment 1: Assessment of Compliance with Acceptable Solutions - DA2023/110 [7.1.1 - 38 pages]Plans and Supporting Documents- DA 2023/110 [7.1.2 - 23 pages]Representation - DA 2023/110 [7.1.3 - 1 page]

APPLICATION INFORMATION

Planning Instrument:	Tasmanian Planning Scheme and Local Provision Schedule
Applicant:	E F Mou & S B Wagner
Site Address:	10 Craighburn Road, Hillwood
Titles Details:	178752/1
Property ID:	9263774
Zone:	Rural Living
Use:	Residential
Proposed Development:	Residential Outbuildings (x2) and landscaping
Application Received:	16/11/2023

1. SUMMARY

An application under Section 57 of *The Land Use Planning and Approvals Act 1993* has been received by Council for Residential Outbuildings (x2) and landscaping at 10 Craighburn Road, Hillwood (CT 178752/1).

The proposed outbuildings include a 6m x 6m carport and a 5m x 7.2m enclosed single garage.

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

One representation was received during the advertising period. The representation raises concerns with the setback of the development and the risks associated with landslip. Following assessment of the development, the proposal's impacts are considered reasonable. The application includes an assessment prepared by a suitably qualified person demonstrating the risk of landslip associated with the proposed development can be mitigated to ensure an acceptable risk.

The proposed development complies with all applicable Acceptable Solutions and Performance Criteria of the Planning Scheme and is recommended for approval.

2. STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2020-2030:

Future Direction Four - Leadership and Accountable Governance

1. A culture of engagement and participation

- iv. Understanding processes and participating in decision making.

3. CONSULTATION

In accordance with section 57(5) of The Land Use Planning and Approvals Act 1993, the application was advertised for public comment for 14 days. One (1) representation was received and is further discussed in the assessment below.

4. RISK IMPLICATIONS

Risk is managed through the decision and conditioning of any permit issued.

5. FINANCIAL IMPLICATIONS

In the case of an appeal there are costs associated with the defence of Council's decision.

6. SITE AND LOCATION

The subject site is located at 10 Craighburn Road, Hillwood (CT 178752/1).

The land has an area of 8632m² and takes access from Craighburn Road. The land is largely cleared of vegetation and has been developed with a single dwelling. It has a steep fall from west to east and has been identified as being prone to risk of landslip.

The land is serviced by reticulated water and roadside stormwater drainage. Sewage is managed onsite.

The land surrounding the property comprises a mix of single dwellings and vacant lifestyle properties.

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**



Figure 1: Aerial photo of subject title (outlined in red) and surrounding land (prior to dwelling construction).

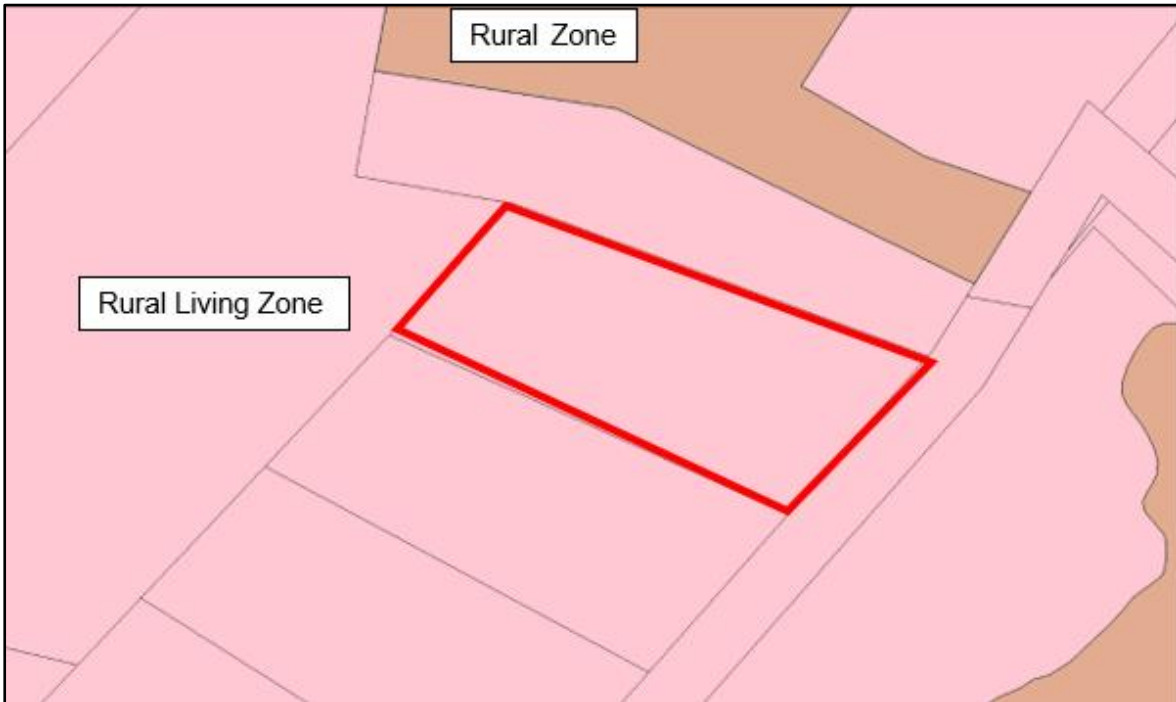


Figure 2: Zoning of subject title (outlined in red) and surrounding land.



Figure 3: Subject property, viewed from Craigburn Road.

7. DEVELOPMENT AND USE DESCRIPTION

The application seeks approval for development of the site at 10 Craigburn Road, Hillwood (CT 178752/1) for Residential Outbuildings (x2) and landscaping.

The proposed carport is 6m x 6m, with a height of 2.6m. The building is located immediately to the north of the existing dwelling. This building has already been constructed and is visible in Figure 3 above.

The proposed garage will be 5m x 7.2m, with a height of 3.44m. The building will also be located to the north of the existing dwelling, between the carport and the north side boundary.

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

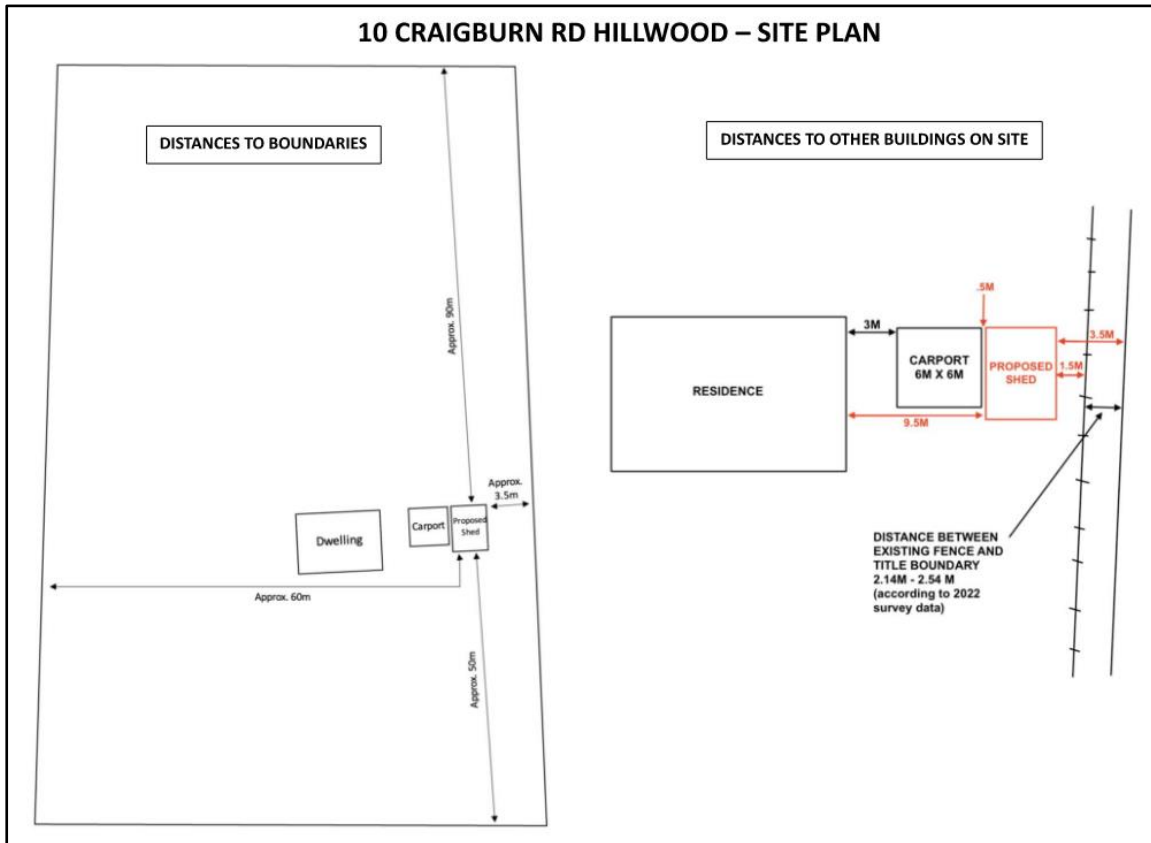


Figure 4: Proposed Site Plan

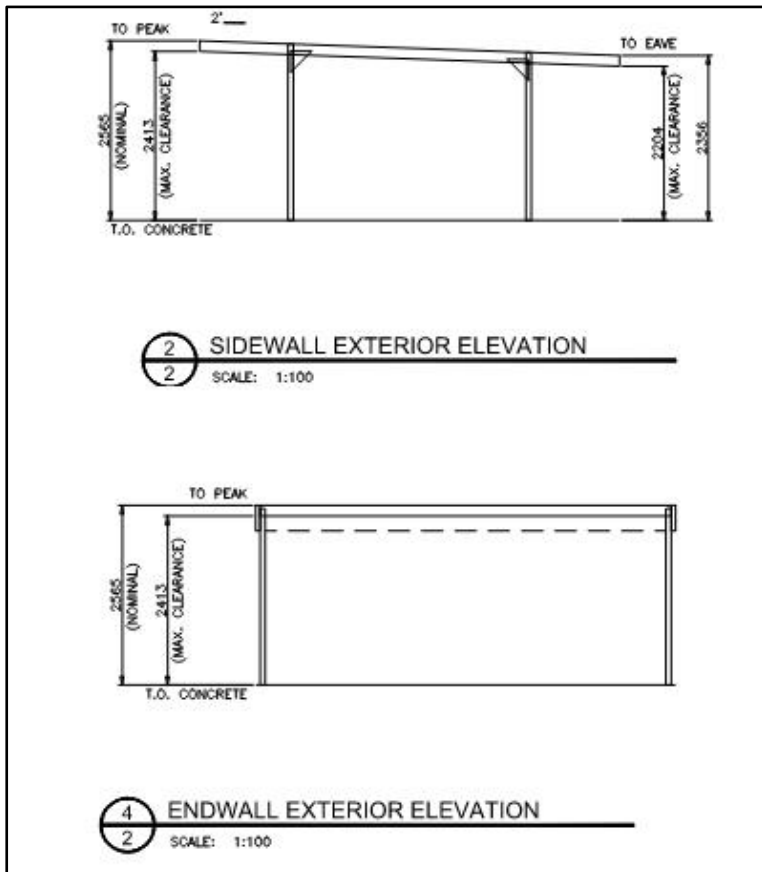


Figure 5: Carport Elevations

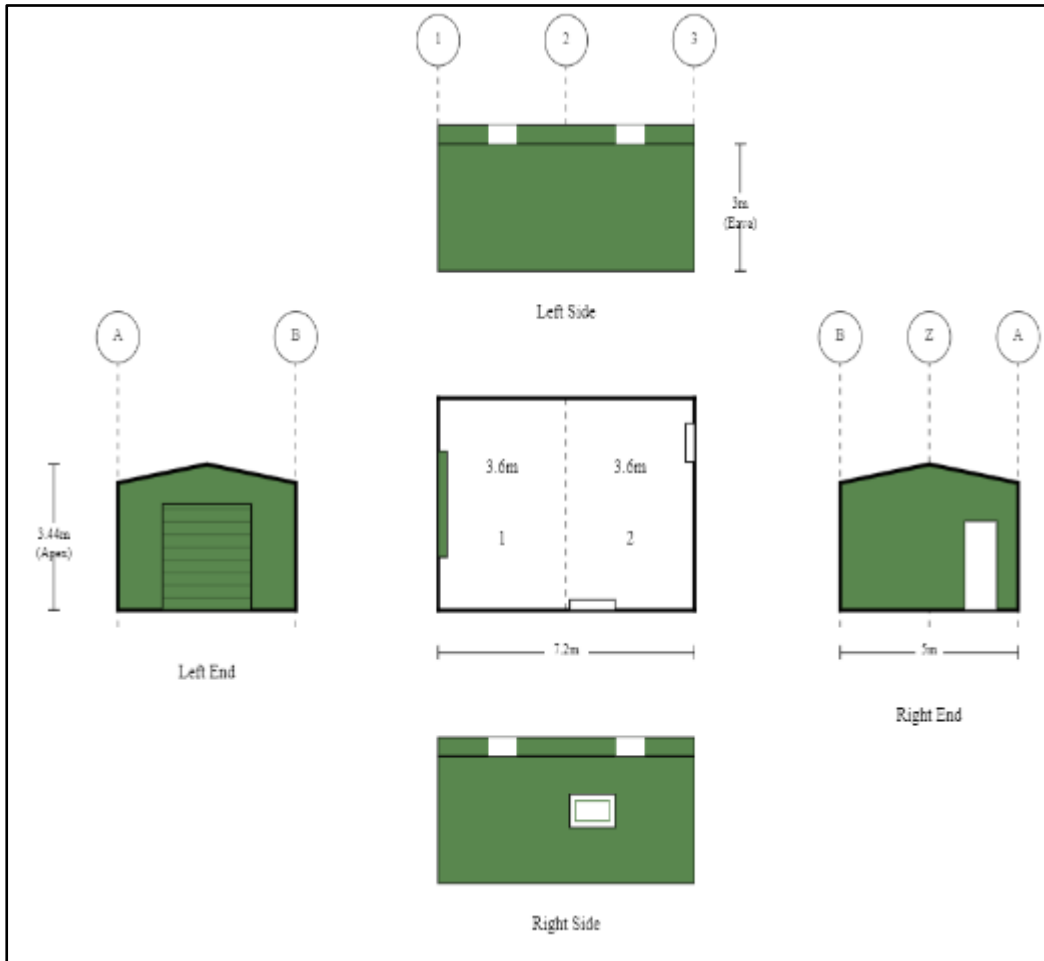


Figure 6: Proposed Garage Elevations.

The application also includes a landslip risk assessment which considers the landscaping of the slope to the rear of the dwelling and outlines the types of landscaping works that can reasonably be done on the site without increasing the landslip risk associated with the property. The works include the creation of shallow terraces (less than 0.6m depth), for planting of fruit trees and other garden structures.

The full plans submitted are included in the attachments.

8. REPRESENTATIONS

The application was advertised for community consultation from 25/11/2023 to 11/12/2023. One (1) representation was received and is summarised below.

A copy of the representation has been included as an attachment to this report, where it can be read in full.

Issues Raised in Representations	Council Response
----------------------------------	------------------

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

<p>Application includes measurements on land that is currently in dispute.</p>	<p>A 2022 survey of the subject property identified the existing fence is not located on the property boundary. As such, a portion of the title is possibly located on the north side of the existing fence. The application includes setback measurements from both the existing fence and from the boundary surveyed in 2022.</p> <p>The proposed outbuildings are not located in the area under dispute.</p> <p>The lesser of these setbacks, from the existing fence, has been considered in the assessment below.</p> <p>The proposed setback of 1.5m from the existing fence is considered to comply with the applicable standards. Compliance is not reliant on the land under dispute.</p>
<p>Proposal for landscaping is extremely broad and contains no detail of exactly what is proposed.</p> <p>Poly-tunnels, hothouses and fruit trees suggests a commercial operation.</p>	<p>Council has received a number of reports from the owners of the land at 4 Craighburn Road regarding landscaping works commenced at 10 Craighburn Road. On inspection, the scale of the works does not appear to be significant in scale, however, there is no specific provision in the planning scheme which exempts the works from requiring an assessment.</p> <p>The applicant has included a landslip risk assessment which identifies low risk landscaping works that can be undertaken on the site without increasing the risk associated with landslip. The intent of submitting this assessment is to provide the landowner, Council and the adjoining landowner some confidence that some landscaping works can be undertaken without resulting in an increase in risk and without the need for repeated permits.</p> <p>The application does not include poly-tunnels, hothouses or a commercial use. A note is included</p>

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

	on the permit confirming the permit does not cover these elements. However, it is noted that such structures are often exempt from requiring a planning permit and additional permits may not be required.
Landscaping includes cut and fill. Previous cut and fill has allegedly caused damage to the adjacent dwelling. Recommends that filling be undertaken rather than cutting.	The filling and cutting of land in landslip prone areas comes with equal risk. Works and structures on landslip prone areas are encouraged to be lightweight to reduce the downward pressure on potential fault lines. Bringing in additional fill material can have a similar impact. The landslip risk assessment includes advice from a qualified person that the described works, terracing with cut depths less than 0.6m are low risk, provided they are managed to minimise erosion.

9. STATUTORY REQUIREMENTS

The assessment of the development is dealt with under the following sections of the *George Town Interim Planning Scheme 2013*:

- 11.0 Rural Living Zone
- C2.0 Parking and Sustainable Transport Code
- C15.0 Landslip Hazard Code

This is an application which is to be determined under section 57 of the *Land Use Planning and Approval Act 1993* (the Act) as discretionary.

9.1 Use Class

The application is classified as Residential. The definition of the Residential use as outlined in the *Tasmanian Planning Scheme* is:

“use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings”

The Residential Use Class is classified as a ‘no permit required’ use in the Rural Living Zone. However, in this instance, the proposal relies on Performance Criteria and is subject to the discretionary application process.

9.2 Planning Scheme Assessment

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

Please see Attachment 1 for a full planning assessment against all of the relevant Acceptable Solutions of the Planning Scheme.

The Zone Purpose and those aspects of the development which require Council to exercise discretion are outlined and addressed in the following tables. The Performance Criteria outlines the specific things that Council must consider in exercising its discretion and determining whether to approve or refuse an application.

In cases where Council considers an application does not comply with the relevant Performance Criteria the use of conditions to achieve compliance should always be considered prior to refusal of the application.

Zone Purpose Assessment

11.1 Zone Purpose

The purpose of the Rural Living Zone is:

11.1.1 To provide for residential use or development in a rural setting where:

- (a) services are limited; or
- (b) existing natural and landscape values are to be retained.

11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.

11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.

11.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Planners Response: The application is for the development of two outbuildings and landscaping associated with an existing dwelling. While the size of the land permits landscaping and horticulture activities to occur on a larger scale than would normally occur in an urban environment, the application does not suggest these activities are of a scale where they are no longer subservient to the residential use of the property. These activities are not unusual in Rural Living areas and are not inconsistent with the intent of the zone.

Council has the ability to undertake enforcement in the event these activities evolve to a commercial scale that is no longer subservient to the residential use.

Performance Criteria assessment.

11.0 Rural Living Zone

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

11

11.4.1

11.4.2 Building height, setback and siting

Objective:	That height, setback and siting of buildings: <ul style="list-style-type: none"> (a) is compatible with the character of the area; (b) does not cause an unreasonable loss of amenity; (c) minimises the impact on the natural values of the area; and (d) minimises the impact on adjacent uses.
------------	---

Acceptable Solutions	Performance Criteria
<p>A3</p> <p>Buildings must have a setback from side and rear boundaries of not less than 10m.</p>	<p>P3</p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height bulk and form of existing and proposed buildings; (e) the character of the development existing on established properties in the area; and (f) any overshadowing of adjoining properties or public places.

Planner's Response: Relies on performance criteria.

The proposed outbuildings are setback less than 10m from the side boundary. While the boundary location is in dispute, the proposal is setback at least 1.5m from the existing fence. This setback will not result in an unreasonable loss of amenity to the adjoining property at 4 Craighburn Road.

The land immediately adjacent to the outbuildings at 4 Craighburn Road largely comprises landscaped private open space, however, it is not considered to be the principle private open space of 4 Craighburn Road due to the substantial distance from the dwelling. Site visits suggest that this area is possible used for informal parking. The proposed outbuildings have a relatively low profile, the tallest having an apex of 3.4m combined, the buildings do not result in unreasonable visual bulk when viewed from this space.

It is noted that a number of trees have been planted along the boundary of 4 Craighburn Road and these will substantially screen the development from view as they reach maturity. However, even without this landscaping, the visual impacts are not unreasonable due to the small scale of the development and separation from the dwelling.

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

The proposal is located close to the northern boundary of the title. Shadows cast by the development will fall to the south onto the subject property and will not result in overshadowing of the adjoining property or public spaces.

Separation between the existing dwelling at 4 Craighburn Road and the proposed outbuildings is approximately 80m. The dwelling is also substantially elevated relative to the proposed development as a result of the natural topography. Distance and topography provide adequate separation to ensure the proposed buildings will not impact on the amenity of the adjacent dwelling (see Figure 7 below).



Figure 7: Showing separation between the site of development and the dwelling at 4 Craighburn Road.

Large sheds are a common feature of residential properties in Hillwood. The proposed outbuildings are relatively small in scale and substantially smaller than existing sheds on nearby properties. The scale and appearance is not considered to be out of character.

The outbuildings do not contain any elevated floor surfaces and will not result in overlooking or impact the privacy of the adjoining property.

The proposal complies with the Performance Criteria and the objective of the standard.

C15.0 Landslip Hazard Code

C15.6.1 Building and works within a landslip hazard area

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

Objective:	That building and works on land within a landslip hazard area can: (a) minimise the likelihood of triggering a landslip event; and (b) achieve and maintain a tolerable risk from a landslip.
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	<p>P1.1 Building and works within a landslip hazard area must minimise the likelihood of triggering a landslip event and achieve and maintain a tolerable risk from landslip, having regard to:</p> <ul style="list-style-type: none"> (a) the type, form, scale and intended duration of the development; (b) whether any increase in the level of risk from a landslip requires any specific hazard reduction or protection measures; (c) any advice from a State authority, regulated entity or a council; and (d) the advice contained in a landslip hazard report. <p>P1.2 A landslip hazard report also demonstrates that the buildings and works do not cause or contribute to landslip on the site, on adjacent land or public infrastructure.</p> <p>P1.3 If landslip reduction or protection measures are required beyond the boundary of the site the consent in writing of the owner of that land must be provided for that land to be managed in accordance with the specific hazard reduction or protection measures.</p>
<p>Planner's Response: Relies on performance criteria.</p> <p>The application includes buildings and works in a landslip hazard area. It is noted that the carport will require authorisation under the <i>Building Act 2016</i> and as such is exempt from the Code. However, the garage and landscaping are likely Low Risk Works under the <i>Building Act 2016</i> and will not require authorisation under the <i>Building Act 2016</i>, rendering the code applicable to these developments.</p> <p>A landslip risk assessment was undertaken in 2014 and endorsed by Council as part of approval of the subdivision which created the subject title. This assessment identified a</p>	

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

building area on the lower portion of the subject site as being suitable for development. The proposed buildings are located within this area. A further landslip risk assessment has been submitted with the application considering the risks associated with this specific proposal.

Both of the proposed structures are steel framed, founded on concrete slabs, and are considered to be lightweight. The proposed earthworks on the slope above the dwelling are limited to minor cut and fill, less than 0.6m in depth to create terraces.

The land slip risk assessment considered the potential consequences to determine the risk associated with the proposed development. The report identifies that the landslide activity in the area is historic in nature and is of a regional scale. Reactivation of the slide could occur as a result in regional changes to ground water or extensive excavation at the toe. Based on the scale of the works, the likelihood of reactivating a regional landslide is determined to be rare and the risk associated with the development is very low.

A small to medium scale landslip can occur where land is locally steep. Small to medium slides generally occur due to poor management of excavations and poor management of concentrated stormwater. Cut and fill associated with the proposed outbuildings on the lower part of the site is minimal and the likelihood of a small to medium slide occurring is rare and the risk low.

On the steeper parts of the lot, where cut and fill terracing is proposed, the risk of a slide occurring from the work described, is advised as being unlikely, reducing to rare once trees are established. The risk is identified as low; very low once trees are established.

Overall the risks associated with the proposal are assessed as low to very low.

Some basic mitigation measures are proposed.

- Uncontrolled discharge of concentrated stormwater is not permitted. Stormwater is to be piped to the existing stormwater management system.
- Erosion control measures including establishing grass, mulch and trees.
- Light to medium excavation equipment eg 13t excavator can be accommodated on the slope.
- Maintenance of drains, vegetation, retaining structures and other measures described are the responsibility of the landowner.

These requirements are considered to be reasonable and do not require any ongoing management of a specialist nature. It is recommended that the requirements of the landslip risk assessment be endorsed as part of the planning permit.

Given the minor nature of works described in the application, the low-very low risk level and the basic measures proposed to manage drainage and soil stability.

The proposal complies with the Performance Criteria and is consistent with the objective.

10. REFERRALS

Internal Referrals

No internal referrals considered warranted.

External Referrals

The application was referred to TasNetworks, who advised that the development is not likely to adversely affect TasNetworks' operations.

11. SERVICES

Road

Access is available to Craighburn Road, via the existing driveway crossover.

Sewer

Waste water is managed onsite. The proposed development does not increase demand for waste water.

Water

The land is serviced by reticulated water. The development does not increase demand for water.

Stormwater

Stormwater from the existing dwelling is directed to a natural drainage line and onto the roadside drainage system.

12. PART V'S, COVENANTS, HERITAGE & LEVEL 2 ACTIVITIES

Easements:

The subject property does not contain any registered burdening or benefitting easements on the title.

Part V Agreements:

A part 5 Agreement is registered to the title. The Part 5 Agreement relates to the original subdivision and the identification of building areas within the allotments. The proposed buildings are within the identified building envelopes. The depth of the proposed cut and fill, erosion prevention treatments and drainage recommendations are all consistent with the requirements of the Part 5 Agreement.

Covenants:

No covenants are registered against the subject property's title.

Heritage Register:

The subject property is not registered within the Tasmanian Heritage Register administered under Part 4 of the *Historic Cultural Heritage Act 1995*.

Level 2 Activities:

The subject property does not contain a use that could be considered a Level 2 activity as classified within Schedule 2 of the *Environmental Management and Pollution Control Act 1994*.

13. STATE POLICIES

The State Policies are inculcated in the standards of the planning scheme. Compliance with the planning scheme ensures compliance with the State Policies.

14. ALTERNATIVE OPTIONS

Council can approve the application with alternative conditions or refuse the application with appropriate grounds.

15. CONCLUSION

The application for construction and use of Residential Outbuildings (x2) and landscaping at 10 Craighurn Road, Hillwood (CT 178752/1), has been assessed against all relevant zone and code criteria of the *Tasmanian Planning Scheme*. With appropriate conditions, the application complies with the applicable Acceptable Solutions and Performance Criteria and is recommended for approval.

16. RECOMMENDATION

That the application for use and development, Residential Outbuildings (x2) and landscaping at 10 Craighurn Road, Hillwood (CT 178752/1) be **APPROVED** subject to the following conditions:

1. ENDORSED PLANS

The use and/or development must be carried out as shown on the endorsed plans and described in the endorsed documents:

- a. 10 Craighurn Rd Hillwood – Site Plan;
- b. Sheds n Homes, Drawing No, LTH 2307014-1, Building Layout, dated 05/10/2023;
- c. Tasman Geotechnics, Landslip Risk Assessment, dated 13/10/2023;

to the satisfaction of Council. Any other proposed development and/or use will require a separate application to and assessment by Council.

2. LANDSLIP RISK ASSESSMENT

The development is to be constructed and maintained at all times in accordance with the endorsed landslip risk assessment.

2. NO POLLUTED RUNOFF

No polluted and/or sediment laden runoff must be discharged directly or indirectly into Council's drains, watercourses or the foreshore during and after development.

3. DAMAGE TO PUBLIC INFRASTRUCTURE

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

Any damage to public infrastructure shall be repaired at the owners cost. If any repairs are necessary, they will be undertaken in accordance with the requirements and to the satisfaction of the Manager of Infrastructure and Works.

Permit Notes

1. This permit was issued based on the proposal documents submitted for DA 2023/110. You should contact Council with any other use or development, as it may require the separate approval of Council. Council's planning staff can be contacted on 6382 8800. Additional earthworks beyond the scope of those described in the application will require additional planning permits and assessment by a qualified landslip risk assessor. No approval is granted for hothouses grow tunnels or other structures. These structures will need to be discussed with Council prior to construction, noting that in some circumstances further approvals may be required.
2. This permit does not imply that any other approval required under any other by-law, covenant or legislation has been granted. The following additional approvals from Council may be required before construction commences:
 - a. Plumbing approval
 - b. Building approval

All enquiries should be directed to Council's Permit Authority, via 6382 8800.

3. This permit takes effect after:
 - i. the 14 day appeal period expires; or
 - ii. any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or
 - iii. any agreement that is required by this permit pursuant to Part V of the *Land Use Planning and Approvals Act 1993* is executed; or any other required approvals under this or any other Act are granted.
4. A planning appeal may be instituted by lodging a notice of appeal with the Tasmanian Civil & Administrative Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Tasmanian Civil & Administrative Tribunal website www.tascat.tas.gov.au.
5. 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. An extension may be granted at Council's discretion if a request is received within 6 months of the expiration.
6. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
7. It is the responsibility of the applicant to ensure that they are acting in accordance with any Section 71 (Part 5) Agreement or Covenant registered to the title. These matters

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

are not taken into account as part of an assessment against the planning scheme. A permit issued under the *Land Use Planning and Approvals Act 1993* does not undermine or absolve any individual from any obligation imposed by such agreements. The obligations and risks associated with Section 71 (Part 5) Agreements and Covenants should be discussed with a solicitor.

8. 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.

The applicant is requested to remove any planning advertising signs from the property boundary, and to dispose of it in a thoughtful and sustainable manner.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

8 OFFICE OF GENERAL MANAGER

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

8.1 COUNCIL WORKSHOPS DECEMBER 2023

REPORT AUTHOR: General Manager - Mr S. Power
REPORT DATE: 21 December 2023
FILE NO: 14.10
ATTACHMENTS: Nil

SUMMARY

The purpose of this report is to provide a record of workshops held in accordance with the requirements of Section 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*.

DATE AND PURPOSE OF WORKSHOP HELD

TUESDAY 19 DECEMBER 2023

- Planning and Building Update
- Capital Works Update
- Agenda Review
- Governance Issues
- Councillors/General Manager Discussions

Present: Mayor Greg Kieser, Deputy Mayor Greg Dawson, Cr Winston Archer, Cr Heather Ashley, Cr Heather Barwick, Cr Tim Harris, Cr Simone Lowe, Cr Winston Mason

Apologies: Nil.

In Attendance: General Manager
Director Corporate & Community
Director Organisational Performance, Strategy & Engagement
Director Infrastructure & Development
Town Planner
Team Leader Building & Planning
Senior Executive Support & Governance Officer

Guests: Nil.

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2020-2030:

Future Direction Four - Leadership and Accountable Governance

2. Planning and regulatory responsibilities are undertaken fairly and openly

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

- i. Building knowledge and understanding of planning and regulatory responsibilities and processes.

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Local Government (Meeting Procedures) Regulations 2015.

RISK CONSIDERATIONS

This report is provided in accordance with Local Government (Meeting Procedures) Regulations 2015, Section 8(2)(c). Risk implications are therefore considered to be low.

FINANCIAL IMPLICATIONS

Nil.

DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objectives of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

CONSULTATION

Nil.

OPTIONS

Council may choose to:

1. Support the motion as presented; or
2. Support the motion with amendment; or
3. Not support the motion.

OFFICER'S COMMENTS

Nil.

OFFICER'S RECOMMENDATION

That Council:

1. Receives the report on the Council Workshop held on the 19 December 2023.

DECISION

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

Moved:

Seconded:

VOTING

For:

Against:

9 INFRASTRUCTURE AND DEVELOPMENT

Nil.

10 CORPORATE AND COMMUNITY

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

10.1 REVIEW OF THE AUDIT PANEL CHARTER

REPORT AUTHOR:	Director Corporate & Community - Ms C. Hyde
REPORT DATE:	14/01/2024
FILE NO:	29.11
ATTACHMENTS:	1. Amended Audit Panel Charter review [10.1.1 - 10 pages]

SUMMARY

The purpose of this report is to present Council with the revised Audit Panel Charter for endorsement.

BACKGROUND

Council's existing charter was adopted in November 2018. The revised charter and minor amendments were provided to and endorsed by Audit Panel in January 2023.

An oversight by officers resulted in the endorsed version not being presented to Council following the Audit Panel endorsement.

The charter is reviewed by Audit Panel every two years and endorsed by Council every fourth year.

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2020-2030:

Future Direction Four - Leadership and Accountable Governance

4. Positive and productive working relationship with all levels of government and their agencies

- ii. Understanding the outcomes and directions sought by all levels of government.

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Division 4 – Audit Panels of Local Government Act 1993
Local Government (Audit Panels) Order 2014
Local Government (Audit Panels) Amendment Order 2015

RISK CONSIDERATIONS

As a governance tool the adoption of the revised Charter would be expected to reduce Council's overall exposure to risk.

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

FINANCIAL IMPLICATIONS

NIL

DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objectives of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

CONSULTATION

The reviewed audit panel charter was discussed and endorsed by the Audit Panel.

OPTIONS

Council may choose to:

1. Support the motion as presented; or
2. Support the motion with amendment; or
3. Not support the motion.

OFFICER'S COMMENTS

The amended Audit Panel Charter is presented for consideration with changes made and recommended, highlighted on the amended Audit Panel Charter attached.

OFFICER'S RECOMMENDATION

That Council:

1. Adopt the amended Audit Panel charter provided with this report.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

11 ORGANISATIONAL PERFORMANCE, STRATEGY & ENGAGEMENT

Nil

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

12 MAYOR

12.1 MATTERS OF INVOLVEMENT - MAYOR

REPORT DATE: 16/01/2024
FILE NO: 14.11, 14.15

Mayor Cr Greg Kieser		
<i>Month</i>	Date	
December	15	Attended RSL Christmas Party
	18	Attended Christmas drinks with the Premier
	19	Chaired Council Workshop
	19	Chaired (in part) Ordinary Council meeting from 2:42pm to close
	19	Port Dalrymple end of year presentations and awards
	20	Interview with Tamar FM
	21	Meeting with NTDC
Deputy Mayor Cr Greg Dawson		
<i>Month</i>	Date	
December	19	Attended Council Workshop
	19	Chaired (in part) Ordinary Council meeting from 1:00pm – 2:42pm.
	20	Interview with Tamar FM
	31	Attended George Town New Years Eve Extravaganza

Note: The Mayor has maintained regular contact with the General Manager and key staff to keep abreast of and respond to the COVID-19 crisis.

OFFICER'S RECOMMENDATION

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

DECISION

Moved:

Seconded:

VOTING

For:

Against:

13 PETITIONS

Nil.

14 NOTICES OF MOTIONS

Nil.

15 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE

**George Town Council
2024 01 23 Ordinary Council Meeting
Agenda**

15.1 VARIOUS QUESTIONS - CR BARWICK

Safety Issue

Q1. Can I please have a start and a completion date for the placement of lighting in the "new" car park on Regent Square. This is something that needs urgent attention.

Response:

Due to budget constraints, several elements of the original design of Regent Square were not included in the redevelopment. Council will continue to seek funding opportunities, such as grants and future capital works programs, to deliver the remaining elements.

Council officers will review remaining elements and brief Councillors at a future Council Workshop.

Reconciliation Action Plan. Council allocated \$20,000.00 towards this program in March 2022.

Q2. Can you give Council a breakdown of how much money has been spent in this space and what the balance of the account is?

Response:

An amount of \$30,000 was allocated in the 2022/2023 operational budget for the Implementation of the RAP REFLECT.

Naidoc Week, flag raising ceremony, art exhibition, workshops 2022	\$ 3,537.56
Printing Uluru statement	\$ 1,040.00
Printing Acknowledgement Statement - council facilities	\$ 688.00
Mannalargenna Day 2022	\$ 2,000.00
3 Flag pole and slab installation - council offices	\$11,508.66
Purchase and framing of Indigenous artwork	\$ 2,845.70
RAP document design	\$ 3,445.45
Cultural workshops	\$ 1,294.50
Staff costs	\$ 4,266.35
Attendance conference	\$ 1,309.19
Total expenditure 2022/2023	\$30,626.22

Council leased and public owned land

Q3. Can I please have a list of land that the council has currently on lease, or pending lease, along with public owned land including public open space?

Response:

A copy of the information requested has been provided to Cr Barwick.

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

Mayor's Discretionary Fund

Q4. Mr Chairman, do you have a "discretionary fund"? If yes, what value is it?

Response:

There is no discretionary fund for the mayor.

Feedback Healthy George Town. I believe Council put \$69,000 into the budget for the Healthy George Town program to continue, after State Government refused funding.

Q5. Can you give me a breakdown of monies spent on this program, with balance of monies not yet spent and a report of the 2-3 most popular programs people support?

Response:

A report on Healthy George Town is attached.

Anzac Drive building

Q6. Can you advise me, is the plumbing and electrical work (inside and out) included in the contractual agreement with Tas City Builders on the Anzac Drive building?

Response:

The plumbing and electrical work, associated with the Anzac Drive building's redevelopment, is included in the contract with Tas City Building. It should be noted that demolition works were performed by a separate contractor, which included the removal of existing wiring. All stormwater and associated works for the car park are included in the contract with the civil contractor.

Commemoration late Mr. Peter Cox. On the 20th of December 2022, Council moved in principle support for the naming of land in Tamar Avenue with certain actions to occur.

Q7. Can you advise Council where things are at with this item?

Response:

Council Officers have contacted the family of the late Mr Peter Cox seeking support for the motion. The family are generally supportive of the proposal.

Council Officers will prepare a report for discussion at a future Council Workshop.

15.2 QUESTIONS - CR ORR

Regarding 2023 Agenda Item 15.2 Seascape Drive and Boobyalla Drive (attached). Thank you for the Council's response.

Q1. Will the Council refund the \$4300 to the residents, for the private works that were not completed as per the original agreement?

Response:

Council officers have spoken with the resident regarding the matter and have committed to perform additional works, as per the original undertaking. Once completed, the works will be reviewed to assess their effectiveness. If the works do not achieve the desired result Council has agreed to refund the resident's contribution.

During the drainage works on Seascape Drive and Boobyalla Drive, the roads had to be cut and trenches dug for the drains to be installed. The cutout on Seascape Drive has been satisfactorily completed. The cutout on Boobyalla Drive still requires the asphalt or similar product to be laid.

Q2. Could you please advise when this work will be completed?

Response:

The asphaltting to Boobyalla Rise will be completed by 31 January.

16 CLOSED MEETING

16.1 INTO CLOSED MEETING

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

Agenda Item 16.2 Minutes of the Closed Ordinary Council Meeting held on 19 December 2023

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

Agenda Item 16.3 Security Road Bridge Replacement – RFT 09/2023

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

Agenda Item 16.4 General Manager – 6 monthly Progress Review

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

REQUIRES ABSOLUTE MAJORITY OF COUNCIL

DECISION

Moved:

Seconded:

VOTING

For:

Against:

George Town Council
2024 01 23 Ordinary Council Meeting
Agenda

16.2 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.

DECISION

Moved:

Seconded:

That:

1. The General Manager is authorised to release the information contained in Item(s) XX (X-X) to the public at the discretion of the General Manager.
2. Council moves out of Closed Meeting at ...pm and endorses those decisions taken while in Closed Meeting and the information remains Confidential.

VOTING

For:

Against:

17 CLOSURE

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

Cr Greg Kieser
MAYOR