

George Town Council
COUNCIL MEETING – 21ST MARCH 2018
AGENDA

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Meeting Commencing 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

1.1 APOLOGIES

1.2 IN ATTENDANCE

**George Town Council
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2. CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING HELD 21ST FEBRUARY 2018

Moved:

Seconded:

That the Minutes of Council's Ordinary meeting held on the 21st February 2018 numbered 011/18 to 029/19 and 033/18 as previously circulated to Elected Members be received and confirmed as a true record of proceedings.

DECISION

VOTING

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

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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.

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3.2 PUBLIC QUESTIONS ON NOTICE

Nil.

3.3 PUBLIC QUESTION TIME

3.4 QUESTIONS ON NOTICE FROM COUNCILLORS

Nil.

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4. DECLARATIONS OF INTEREST

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.



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. 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.*

Nil.

7. PLANNING AND DEVELOPMENT

Nil.

8. WORKS AND INFRASTRUCTURE

Nil.

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9. CORPORATE AND FINANCE

9.1 REVIEW OF FINANCIAL MANAGEMENT STRATEGY

AUTHOR: Team Leader – Corporate and Finance

REPORT DATE: 14 March 2018

FILE NO: 32.10

ATTACHMENT: Recommended revised Financial Management Strategy

SUMMARY

This report provides background to Council regarding the proposed recommendations to the Financial Management Strategy.

BACKGROUND

The Financial Management Strategy was first adopted in August 2014, (minute ref: 244/14) and an amended strategy adopted in July 2017 (minute ref: 196/17).

The Financial Management Strategy was subsequently presented to the Audit Panel for review at its March 2018 meeting. The Audit Panel made the following recommendation to Council at that meeting:

Items 6.3 and 11.3 – Target be increased to >1.0% in accordance with the Long Term Financial Plan.

That the Financial Management Strategy be adopted subject to the suggestions made above.

LEGISLATIVE / STATUTORY REQUIREMENTS

The Local Government Act 1993

The Local Government (Audit Panels) Order 2014 Statutory Rules 2014

FINANCIAL IMPLICATIONS

Nil.

OFFICER'S COMMENTS

The following recommended minor amendments to the Financial Management Strategy are made as future financial reporting will be on a quarterly basis, current liabilities are brought to account quarterly going forward and following adoption of the long term financial plan it was noted that the Asset sustainability target of 100% was unlikely to be achieved every year but was likely to be achieved on average over a five year period, which is acceptable.

These amendments being –

Items 6.3 and 11.3 – Target be increased to >1.0%

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9.1 REVIEW OF FINANCIAL MANAGEMENT STRATEGY (CONT.)

Item 5.2 – remove monthly and replace with quarterly.

Item 10.3 – include notation “(acceptable to average over a five year period)”

OFFICER’S RECOMMENDATION

- (a) That the report noting the changes to the Financial Management Strategy is received; and
- (b) The amended Financial Management Strategy is adopted by Council.

DECISION

VOTING

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

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9.2 GEORGE TOWN COUNCIL AUDIT PANEL MEETING HELD 14TH MARCH 2018

REPORT AUTHOR: General Manager

REPORT DATE: 15 March 2018

FILE NO: 29.11

ATTACHMENT: Unconfirmed Minutes George Town Council Audit Panel Meeting, 14th March 2018

Moved:

Seconded:

That the unconfirmed minutes of the George Town Council Audit Panel meeting held 14th March 2018, as attached to this report be received.

DECISION

VOTING

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

**George Town Council
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10. COMMUNITY SERVICES

10.1 ROUND TWO COMMUNITY ASSISTANCE GRANT APPLICATIONS

REPORT AUTHOR: Community Events Officer

REPORT DATE: 14 March 2018

FILE NO.: 23.2

ATTACHMENT/S: Nil.

SUMMARY

This report provides a summary and recommendations relating to requests for community grants or assistance.

STRATEGIC PLAN 2016 – 2026

Goal 02:

Support an active, vibrant and culturally diverse community life that enjoys liveable and amenity rich neighbourhoods.

Key Objective 1

Support and advocate for organisations and community groups to grow community capacity.

FINANCES

The 2017 / 2018 budget allocation for Community Grants is \$12,000.

COMMUNITY GRANTS			
Organisation	Grant Category	Amount \$	Minute #
Hannah Lenthall	Achiever Grant	200.00	231/17
George Town Scouts Club	Community Grant	950.00	231/17
James Hawes	Achiever Grant	200.00	254/17
George Town Skating Committee	Community Grant	280.00	297/17
Launceston Triathlon Club	Community Grant	650.00	297/17
George Town Fire Brigade	Community Grant	300.00	317/17
FEE REMISSION			
George Town Ladies Darts Association	Community Grant – Services	410.00	231/17
George Town Garden Club	Community Grant – Services	311.05	231/17
Lighthouse Regional Arts	Community Grant – Services	200.00	254/17
George Town Neighbourhood House	Community Grant – Services	128.00	254/17
George Town RSL Sub Branch	Community Grant – Services	920.00	277/17
George Town Little Athletics Club	Community Grant – Services	155.00	278/17
Launceston Triathlon Club	Community Grant – Services	300.00	297/17

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**10.1 ROUND TWO COMMUNITY ASSISTANCE GRANT APPLICATIONS
(CONT.)**

COMMUNITY GRANTS			
Organisation	Grant Category	Amount \$	Minute #
Royal Flying Doctors Services Tasmania	Fee Remission – Hall Hire	500.00	
George Town Neighbourhood House	Fee Remission – Hall Hire	16.00	
Hillwood Junior Football Club	Fee Remission – Hall Hire	90.00	
Ainslie Complex Auxiliary	Fee Remission – Hall Hire	104.00	
Black Dog Institute	Fee Remission – Hall Hire	40.00	
Little Athletics	Fee Remission – Photocopying	120.70	
TOTAL		5,874.75	
GRANT FUNDING REMAINING		6,125.25	

Round 2 of Council’s Community Assistance Grant Scheme opened on Monday 5th February 2018, and closed on Friday 23rd February 2018, with a total of 10 Community Grant applications being received.

The Community Grants Review Panel met on Friday 9th March 2018, to review all applications.

The following recommendations are put to Council for consideration:

1. George Town Saints Netball Association

Program / Project	Summary	Grant Request
Netsetgo Program Registration levy for children aged 5 – 10 years.	Netsetgo is a one hour skills development session for children aged 5 and 10 years. The program incorporates skill activities, minor games, music, dance and modified matches in a fun and safe environment. The program is the development program which young children participate in as the first step to the game of Netball. The program will assist with the pathway for juniors into netball competition. A Council grant is sought to cover the cost of 30 registrations levies at a cost of \$60.00 per registration.	\$1,800
REVIEW PANEL COMMENTS		
RISK ASSESSMENT High		
The Review Panel does not recommend approval of this grant application. The Netsetgo program has now commenced, and accordingly, the grant falls outside the guidelines in that the funding would be retrospective. In addition, if full registrations are paid, there is no incentive for the child/parent to continue for the 8 – 10 weeks of the program. It also sets a precedence for future funding to all junior sporting associations.		
Note: The Liberal Party has a new policy in place called Ticket to Play. This policy will provide a \$100 voucher to all families who hold a health care card or pensioner remission card, for the purpose of registering with a junior sport.		

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10.1 ROUND TWO COMMUNITY ASSISTANCE GRANT APPLICATIONS
(CONT.)

2. Hillwood Volunteer Fire Brigade

Program / Project	Summary	Grant Request
50 Year Jubilee Medal Purchase of 25 Jubilee Medals and hall hire.	This year is the 50 th Jubilee for Tasmanian Fire Brigades, and marks the 50 year anniversary of the 1967 Tasmanian Bush Fires. To commemorate this, the Hillwood Fire Brigade will be presenting jubilee medals to their volunteers. Each medal cost is \$109.34. The Brigade has sought funding of \$1,500 from Pacific Aluminium Bell Bay, and this has been agreed to in principle.	\$1,000
<p>REVIEW PANEL COMMENTS</p> <p>RISK ASSESSMENT Medium</p> <p>The Review Panel does not recommend approval of this grant application on the basis that the funding is for a 50th Jubilee Medallion for its volunteers. The panel believes that a plaque presented by the George Town Council to the Hillwood Fire Brigade would be a more worthy recognition, rather than to each individual volunteer, with varying years of service. Accordingly, Council will liaise with the Hillwood Volunteer Fire Brigade to ascertain their acceptance of a commemorative plaque for the Brigade.</p>		

3. George Town Ladies Golf Club

Program / Project	Summary	Grant Request
Swingfit Social fitness program for ladies.	The George Town Golf Club is running a 5 week program for women, called Swingfit. This program provides a healthy and social way for women to become involved in the game of golf. The Club has a declining number of female members, and believe the program will auger well for an increase in membership, and thereby more women participating in a healthy lifestyle. The project co-ordinator travels from Scottsdale, with the fuel costs the responsibility of the George Town Golf Club. A grant is sought to assist with these costs, along with costs for part maintenance of the ground and catering for attendees.	\$300
<p>REVIEW PANEL COMMENTS</p> <p>RISK ASSESSMENT Nil</p> <p>The Review Panel has recommended partial funding of \$150 to cover the cost of the program co-ordinator's fuel costs and partial ground maintenance. The Panel believes the cost of providing an afternoon tea is the responsibility of the Golf Club.</p>		

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**10.1 ROUND TWO COMMUNITY ASSISTANCE GRANT APPLICATIONS
(CONT.)**

4. George Town Little Athletics Club

Program / Project	Summary	Grant Request
Jump Pit Run Up South George Town Primary School oval.	George Town Little Athletics Club are looking to upgrade the current jump run up which exists at South George Town Primary School, the Club's training venue. The current site is grass, uneven and is a risk to athletes and school students using the facility. Total cost of the project is \$12,000.	\$2,000

Subsequent to submitting the grant application, the George Town Little Athletics Club advised that they would not be in a position to commence this project prior to September of 2018. Accordingly, the Club will reapply in Round 1 of the 2018/2019 Grant Funding.

5. Bass and Flinders Community Bowls Club

Program / Project	Summary	Grant Request
Club Stove Replacement	The Bass and Flinders Centre are seeking a grant to update their current kitchen facilities, in this instance, funding for a new, and larger stove. The Club hosts several carnivals each year at which they provide meals. They also see the potential for an increase in venue hire if the kitchen is of a higher standard. The Club is seeking a grant for the cost of the stove. The Club will be responsible for the electrical work associated with the installation, and any other costs incurred for the project.	\$1,999

REVIEW PANEL COMMENTS

RISK ASSESSMENT

Medium

The Review Panel has not recommended approval of this grant application as it does not comply with the policy criteria in that the funding purpose is for a commercial gain for the Club, and does not directly benefit the community.

6. East Tamar Landcare

Program / Project	Summary	Grant Request
Turning Area at the end of the Board walk, and extension to existing Board walk	Construction of a turning area at the Reg & Yates Interpretation Centre on Baxter's Road, Pipers River. Landcare determined after completion of the current board walk, that enough area was not allowed for people in wheelchairs, or if there is a large group of people in attendance at the one time. The extension to the board walk would allow for advanced viewing / appreciation area. A Council grant is sought for the purchase of equipment, with Landcare providing the labour for the project.	\$1,547

**George Town Council
COUNCIL MEETING – 21ST MARCH 2018
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**10.1 ROUND TWO COMMUNITY ASSISTANCE GRANT APPLICATIONS
(CONT.)**

6. East Tamar Landcare (Cont.)

<p>REVIEW PANEL COMMENTS</p> <p>RISK ASSESSMENT Nil</p> <p>The Review Panel recommends a grant application of \$1,547 for the construction of the turning circle. It would make the area inclusive for all residents.</p>

7. Beechford Residents & Property Owners Association Inc.

Program / Project	Summary	Grant Request
Slab for the construction of a Community Hub	<p>The Association has identified the need for a community hub, which will provide a wet weather alternative for meetings and social events, and as a storage facility.</p> <p>A grant is sought to cover partial cost of the laying of a concrete slab to commence the project. The cost of the shed will be fully funded by the Association's funds.</p>	\$2,000

<p>REVIEW PANEL COMMENTS</p> <p>RISK ASSESSMENT Nil</p> <p>The Review Panel did not recommend support of this grant application on the basis that discussions were held with the Association recently in relation to the above project. The Association have been advised to submit a budget submission to Council for funding in the 2018/2019 budget. If the submission is not successful, the Association may resubmit their application in Round 1 of the 2018/2019 grants round.</p>

8. Tamar Sea Rescue Services

Program / Project	Summary	Grant Request
Purchase of an additional Automated External Defibrillator	<p>Tamar Sea Rescue Services provide a critical role in providing support to Tasmanian police for maritime search and rescue in the northern region.</p> <p>They currently have one defibrillator at their land based station, and have identified the need for a second one to be permanently installed on their emergency response vessel.</p> <p>A Council grant is sought for the full purchase price of a defibrillator.</p>	\$1,895

<p>REVIEW PANEL COMMENTS</p> <p>RISK ASSESSMENT Medium</p> <p>The Review Panel has high regard for the work undertaken by the Tamar Sea Rescue Services, the application is not recommended for funding as it does not comply with the policy criteria – 7.4 eligibility, dot point (2) – <i>Be located within and/or must work to significantly benefit the George Town community.</i></p>

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**10.1 ROUND TWO COMMUNITY ASSISTANCE GRANT APPLICATIONS
(CONT.)**

9. George Town Junior Football Club

Program / Project	Summary	Grant Request
Purchase of Junior Football Club replacement guernseys	<p>The George Town Junior Football Club is experiencing an increase in membership, and subsequently, an increase in the number of teams they are able to field in the 2018 Football season.</p> <p>With this increase, and the inclusion of a girls team, the Club does not have enough playing guernseys for all team players. In addition to requiring additional jumpers to cater for this year's teams, the Club has identified that all Club guernseys need replacing due to the bad condition they are in. The Club is seeking a Grant to cover the costs of 2 of the 5 sets of Club guernseys.</p>	\$1,980
REVIEW PANEL COMMENTS		
RISK ASSESSMENT		
<p>Nil</p> <p>The Review Panel recommends approval of the grant application. Confirmation was received from the George Town Football Club that the grant amount of \$1,980 would pay for two sets of new guernseys, with the Club purchasing the remaining sets. It was also confirmed that the George Town Council logo would be placed on all junior football playing guernseys.</p>		

10. George Town Community Bowls Club

Program / Project	Summary	Grant Request
Lawn Bowls for Schools	<p>The Club has been liaising with local schools to provide bowling sessions to High School students as part of their overall sports program.</p> <p>The need for this program was identified last year, and is an excellent opportunity for students to gain skill development for bowls. We anticipate that this will be an excellent program for the students, and will get the message out to the broader community that the game of bowls is totally inclusive, and not just confined to a certain demographic group in the community.</p> <p>Discussions have been held with two schools, and both are very keen to participate in the Lawn Bowls for Schools Program.</p> <p>The Club is seeking a grant to cover the cost of 6 sets of junior bowls (2 sets of each varying size).</p>	\$1,925.00

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10.1 ROUND TWO COMMUNITY ASSISTANCE GRANT APPLICATIONS
(CONT.)

10. George Town Community Bowls Club (Cont.)

REVIEW PANEL COMMENTS

RISK ASSESSMENT

Low

The Review Panel recommends approval of the purchase of the six sets of junior bowls. The Club has previously held junior bowling, however the bowls were not to the specifications required for juniors, and were often too large for the young people to hold. The purchase of these bowls augers well for the development and growth of the Club, and will encourage further participation by the youth in our community.

OFFICER'S COMMENTS

This financial year there have been an unexpectedly high number of requests for Community Grant assistance. The adoption of Council's amended Community Assistance Policy which introduced two Rounds of Community Grant funding, saw organisations being proactive in their applications to Council for funding for projects / programs which will be undertaken prior to the August round of funding.

This year, Council allocated \$12,000 for the Community Grant Program. The number of requests to date has resulted in the high likelihood of the allocation being expended well before the end of the financial year. The current Community Grant recommendations total \$5,702 which will result in a remaining budget of \$423.25.

Accordingly, pending the successful outcome of Round 1 Grant recommendations to Council, to fund potential requests for Assistance to Individuals and Council Fee Remission for the rest of the financial year, an allocation of \$2,000 is required, (based on Council Fee Remission and Young Achiever Grant requests for April, May and June 2017 which totalled \$2,477).

The current funds available in Council's Minor Community Events Program budget is \$3,900. A transfer of \$2,000 from this budget to the Community Grants Program budget would achieve the anticipated funds for the Community Assistance Policy. Taking into consideration applications made for sponsorship during the period April to June in the past two financial years, the likelihood of applications reaching / exceeding budget is low.

OFFICER'S RECOMMENDATION

That Council:

1. Does not provides a Community Grant to the George Town Saints Netball Association for their Netsetgo Program to cover the costs of the registration levy for participants.
2. Does not provide a Community Grant to the Hillwood Volunteer Fire Brigade for the purchase of Jubilee medals for their volunteers, however will investigate the option of providing a plaque to the Brigade to commemorate the 50th Jubilee of the Tasmanian Fire Brigades.

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**10.1 ROUND TWO COMMUNITY ASSISTANCE GRANT APPLICATIONS
(CONT.)**

3. Provides a Community Grant of \$150 to the George Town Ladies Golf Club to assist with travel costs for the co-ordinator of the Club's Swingfit program, and partial ground maintenance cost.
4. Does not provide a Community Grant to the George Town Community Bowls Club for the purchase of a new stove for their Club.
5. Provides a Community Grant of \$1,547 to East Tamar Landcare for the construction of a turning circle at the Reg & Yates Interpretation Centre in Pipers River.
6. Does not provide a Community Grant to the Beechford Residents & Property Owners Association Inc. for funds to erect a concrete slab as part of the Association's project to build a community hub.
7. Does not provide a Community Grant to the Tamar Sea Rescue Services as their application does not comply with Council's Community Assistance Policy.
8. Provides a Community Grant of \$1,980 to the George Town Junior Football Club for the purchase of two sets of playing guernseys.
9. Provides a Community Grant of \$1,925 to the George Town Bowls Club for the purchase of 6 sets of junior bowls to enable the Club to conduct their "Lawn Bowls for Schools Program".
10. Transfers \$2,000 from Council's Minor Community Events Program budget to Council's Community Assistance Policy budget to meet future Fee Remission and Assistance to Individual grant requests until the end of the financial year.

DECISION

VOTING

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

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11. MAYOR

11.1 MATTERS OF INVOLVEMENT – MAYOR

FILE NO.: 14.11

REPORT DATE: 14 March 2018

Mayor Bridget Archer		
<i>February</i>	22	Attended Mayoral Croquet Challenge
	26	Officially opened the restored engine of the “Ponrebbel Two”
<i>March</i>	1	George Town Remembers
	7	Attended International Women’s Day Breakfast, Launceston
		Attended Council Workshop
	8	Attended International Women’s Day Dinner, Melbourne (guest of Defence Force Recruiting)
	14	Attended Audit Panel Meeting
		Attended additional Council Workshop
	21	Attended ordinary Council Meeting

OFFICER’S RECOMMENDATION

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

DECISION

VOTING

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

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12. GENERAL MANAGER

12.1 COUNCIL WORKSHOPS – MARCH 2018

REPORT AUTHOR: General Manager

REPORT DATE: 15 March 2018

FILE NO: 14.10

ATTACHMENT/S: 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

WEDNESDAY 7 MARCH 2018

- Presentations Local Government Division & Integrity Commission
- TasWater re Curries Dam
- Tamar NRM re update on activities and future funding
- George Town Waste Transfer Station options
- February 2018 Council Minutes
- Governance Matters

Present: Mayor Bridget Archer, Deputy Mayor Tim Harris, Cr Chris Ashley, Cr Doug Burt, Cr Greg Dawson, Cr John Glisson, Cr Tim Parish

Apologies: Cr Heather Barwick, Cr Peter Parkes

Guests: Director, Local Government
Chief Executive Officer, Integrity Commission
Stakeholder Engagement Manager, TasWater
Chairman, Tamar NRM
Project Coordinators, Tamar NRM

In Attendance: General Manager
Team Leader Corporate & Finance
Team Leader Works & Infrastructure
Governance Support Officer

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12.1 COUNCIL WORKSHOPS – MARCH 2018 (CONT.)

WEDNESDAY 14 MARCH 2018

- Sports Complex Development Master Plan
- Facilities Review
- Potential Council Land Sales (referred from February 2018 Council Meeting)
- Governance Matters

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

Apologies: Nil

Guests: Nil

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

OFFICER'S RECOMMENDATION

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

DECISION

VOTING

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

George Town Council
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12.2 POTENTIAL COUNCIL LAND SALES

REPORT AUTHOR: General Manager
Team Leader – Corporate and Finance

REPORT DATE: 15 March 2018

FILE NO: 32.36

ATTACHMENT/S: (A) Extract Confirmed Minutes – 19th July 2017
(B) Submissions
(C) Title 21509/16, 30 Davies St, George Town
(D) Title 13111/505, 241 Agnes St, George Town
(E) Title 37050/19, 15 Riverleads Dr, George Town
(F) Title 124457/11, Gerzalia Drive, George Town
(G) Title 135076/105, Gerzalia Drive, George Town

BACKGROUND

The sale of excess Council land was previously considered at the Council meeting held on the 15 March 2017. At that meeting Council resolved to discuss the matter further at the next available workshop.

A follow up discussion on the matter took place at the Council workshop held on the 7th June 2017.

Further discussion took place at the Council workshop held on the 5th July 2017.

At the ordinary Council meeting held on the 19th July 2017, it was resolved (203/17):

That Council:

- (a) Authorises the Acting General Manager to apply the processes determined by sections 177 through to 178A of the Local Government Act 1993 (where relevant to the land) to land identified as PID 1931747, 6450301, 1723024, 7888524, 1737346, 2048374.
- (b) Authorises the Acting General Manager to apply to the holder of the Caveat C774447 and the Land Titles Office for the removal of the Caveat on land identified as PID 6447460 and if the Caveat C774447 is removed, to apply the processes determined by sections 177 through to 178A of the Local Government Act 1993 (where relevant to the land) on the land identified as PID 6447460.
- (c) Authorises the Acting General Manager to apply the processes determined by sections 177 through to 178A of the Local Government Act 1993 (where relevant to the land) to apply to transfer the land identified as PID 2526022 back to Housing Tasmania under reservation C627696.

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12.2 POTENTIAL COUNCIL LAND SALES (CONT.)

- (d) Authorises the Acting General Manager to apply to Taswater to facilitate the placement of an easement on the land identified as PID 6457933 and at the completion of the easement, apply the processes determined by sections 177 through to 178A of the Local Government Act 1993 (where relevant to the land).
- (e) Authorises the General Manager to obtain a flora and fauna report for the land identified as PID 2721418.

At the ordinary Council meeting held on 21st February 2018, it was resolved (024/18):

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.

and, (025/18)

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

Further discussions took place at the Council workshop held on the 14th March 2018.

STRATEGIC PLAN

Goal 4

Strengthen the vibrancy of our towns and enhance the benefits of living in a rural setting and living close to the river and coast.

Objective 1

To identify and respond to changing needs for infrastructure and facilities.

Goal 5

Ensure Council listens to and understands community needs and continues to make responsible decisions on behalf of the community.

12.2 POTENTIAL COUNCIL LAND SALES (CONT.)

Key Objective 4

Consistently achieve a high standard of internal financial and governance arrangements.

RISK CONSIDERATIONS

The risks of selling public land may be that Council might determine in the future that the land was required for a park or other community purpose. Given the plentiful areas of open space within the George Town community this risk is considered low impact.

FINANCIAL IMPLICATIONS

The financial implications including costs, potential savings and future revenue are outlined within the extract of the confirmed minutes 19th July 2017 as attached to this workshop brief.

LEGAL AND STATUTORY CONSIDERATIONS

Local Government Act 1993 (the Act) s.177, s.177A, s.178 and s.178A

Power to Deal with Property

Under subsection 20 (5) of *the Act* a Council can acquire, hold, dispose of and otherwise deal with property.

What is Public Property?

Section 177A of the Act stipulates that the following land owned by a Council is determined to be 'Public Land'

- A public pier or jetty;
- Any land that provides health, recreation, amusement or sporting facilities for public use;
- Any public park or garden;
- any land shown on a subdivision plan as public open space that is acquired by Council under the Local Government (Building and Miscellaneous Provisions) Act 1993;
- any other land that the Council determines is public land

Deciding to sell public land

When a Council decides to deal with public land under Section 178 of the Act, it must be done in an open meeting (Sub-regulation 15 (3) (c) and passed by an absolute majority (178 (3)).

COMMUNITY CONSULTATION

Section 178 of the Local Government Act 1993, (the Act), defines an extensive public consultation process. Section 178A of the Act defines an appeal process which the community can utilise.

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12.2 POTENTIAL COUNCIL LAND SALES (CONT.)

In accordance with Council resolution 203/17 and s.178 of the Local Government Act Council's notice of intent to sell the following land was placed in the Examiner newspaper on Wednesday 20th September 2017 and Wednesday 27th September 2017:

Property	Owner	Current Use	Zoning
30 Davies Street PID 6450301	GTC	Vacant Land	General Residential
241 Agnes Street PID 1931747	GTC	Vacant Land	General Residential
15 Riverleads Drive PID 1723024	GTC	Vacant Land	General Residential
Lot 501 Woolcock Court PID 7888524	GTC	Vacant Land	General Residential
Gerzalia Drive PID 1737346	GTC	Vacant Land	Low Density Residential
Gerzalia Drive PID 2048374	GTC	Vacant Land	General Residential

Note: Only those properties listed in the Council resolution 203/17 (a) have been advertised to date as the remaining properties require further investigations and actions.

CONSIDERING PUBLIC OBJECTIONS TO PROPOSED SALE OF PUBLIC LAND

Subsection 178 (4) of the Act makes provision for a person to object to a council's intent to sell, lease, donate, exchange or otherwise dispose of land. Under section 178 (6) a council must consider any such objections received and decide whether to take any action regarding the objection.

If objections to the intention to sell are received, s178(6) of the Local Government Act 1993 requires the matter to go back to Council for a final decision.

The requirement to "consider any objection lodged" is met by:

- a. attaching copies of all objectives to the relevant Agenda item; and
- b. summarising the objections in the officer's report using a table, etc. and ensure that the officer's recommendation considers the matters raised in those objections.

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12.2 POTENTIAL COUNCIL LAND SALES (CONT.)

Submissions received.

Three (3) submissions were received, copies of which form attachments to this report and are summarised below, for the land still under consideration. Council officer comments outlining the consideration of each submission is provided in accordance with Section 78 (6) of the Act.

Objector	Property	Summary of Objection	Officer's Comments
	Gerzalia Drive PID 1737346	<ul style="list-style-type: none"> • This parcel of land was a requirement by Council to allocate for "Open Public Space" in lieu of 5% of land value. • Council quite correctly deemed that there was no public recreational space in the vicinity and the parcel of land negotiated represented the only access to the waterfront areas adjacent to the entire subdivision. • The total design of the Low Density residential zone took into account that future subdivision as the town developed the land could be rezoned into General Residential. • It should be noted that this substantial area of George Town in the southern sector is the last that can be developed due to the restrictions of the bordering Industrial Zone. 	<p>At the time of subdivision the Council have the ability to ask for either an open space contribution OR a financial contribution up to 5% value of the unimproved land incorporated in the subdivision.</p> <p>At the time of this subdivision it may have been determined that the land was required for future open space purposes however with attitudes towards open spaces changing the lot is now determined to be surplus to Council's strategic needs.</p> <p>Where once there was a small park with a swing and a slide every few blocks, Councils are now rationalising these parks and creating larger, more inclusive public open spaces which provide for multiple users. This also encourages social inclusion due to the broader demographic of uses coming into contact with one another on a daily basis.</p> <p>The maintenance, upkeep and depreciation of having many smaller parks makes them financially unsustainable and we see this occurring across regional areas where equipment is removed at the end of its useful life and not able to be replaced.</p> <p>The officer's recommendation is to sell with investment of the proceeds into public open space.</p>

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Objector	Property	Summary of Objection	Officer's Comments
	15 Riverleads Drive PID 1723024	<ul style="list-style-type: none"> • The developer of this subdivision was required to allocate this allotment and not afforded the option of a 5% cash contribution at the insistence of Council who deemed that there was no public allocated recreational space in the area due to an earlier administrative oversight where land allocated was resumed by a landowner. • Council insisted that there was a need due to no other recreation land allocation from York Cove to beyond Lawrence Street. • The developer voluntarily and at their own expense created the walkway linking Reece Street to Riverleads Drive to access the recreation land and beyond. • The allotment was specifically subdivided in consultation with Council and allocated a service entrance of three (3) metres which I believe is less than the requirement for a residential subdivision. • A previous proposal by Council to sell this land was abandoned for all the right reasons which are still relevant today. 	<p>At the time of subdivision the Council have the ability to ask for either an open space contribution OR a financial contribution up to 5% value of the unimproved land incorporated in the subdivision.</p> <p>At the time of this subdivision it may have been determined that the land was required for future open space purposes however with attitudes towards open spaces changing the lot is now determined to be surplus to Council's strategic needs.</p> <p>Where once there was a small park with a swing and a slide every few blocks, Councils are now rationalising these parks and creating larger, more inclusive public open spaces which provide for multiple users. This also encourages social inclusion due to the broader demographic of uses coming into contact with one another on a daily basis.</p> <p>The maintenance, upkeep and depreciation of having many smaller parks makes them financially unsustainable and we see this occurring across regional areas where equipment is removed at the end of its useful life and not able to be replaced.</p> <p>Reece Street is in close proximity to the start of the Kanamaluka trail and hectares of bushland which provides physical activity and open space exploring opportunities.</p> <p>The officer's recommendation is to sell.</p>
	30 Davies Street PID 6450301	<ul style="list-style-type: none"> • This land is most likely resumed for unpaid rates is on an unmade road and unless purchased by an adjoining landholder who could adhere the titles will present a negative 	<p>The property could be offered to adjoining landowners in what could be a positive opportunity for both parties. One party increases the size of their land holdings without increasing rates under current model and</p>

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Objector	Property	Summary of Objection	Officer's Comments
		financial return for ratepayers if the purchaser requests the basic services of road and footpath, etc.	Council decreases maintenance costs while obtaining some funds to put back into the community for the use and enjoyment of all.
	241 Agnes Street PID 1931747	<ul style="list-style-type: none"> Historically this allotment was set aside for a recreational area when subdivided by the government of the day. The allotment is used by residents of Edward Court as a thoroughfare to connect with Agnes Street to schools and shops, etc. Amenity of the well-used thoroughfare will be compromised if the total allotment is sold. 	This title is in a higher density unit area and lends itself to be developed in the same pattern given its 'dual road accesses. With plenty of undeveloped land set aside for open space in the undeveloped subdivision, this site would not be considered for the development of a new park or recreation space. Residents of Edward Court have access to Agnes street via a 100m walk along Dunning Avenue. The officer's recommendation is to sell.
	Gerzalia Drive PID 2048374	No objection to the sale of this property, but notes the appeal to purchase is restricted to only one adjoining owner.	Council officers agree and note the use of the site is limited to a single adjoining owner. Recommendation is to pursue possible sale discussions with adjoining neighbour.
Ms Wendy Jackson George Town	Gerzalia Drive PID 1737346	<ul style="list-style-type: none"> In 1990's undertook subdivision where Council had overlooked the public open space. The only option was for Council to take the land off my block 51 Gerzalia Drive. There was no offer of "cash in lieu" or contribution. If this land is not being used for what it was taken from me for, which is public open space, I would hope that the Council will work something out for me. Request for an extension to get more information for lawyer. 	This parcel of land has potential to be retained and developed further but would require considerable expenditure. Access to the water is currently difficult without vegetation removal and approval to remove would be unlikely given the stability of some of the river banks in this area (landslip declared on parts of Tamar Avenue). It is in a low density populate area and the costs of maintenance vs. usage need to be weighed up. The officer's recommendation is to sell with investment of the proceeds into public open space within the community.
Mr & Mrs Rob and Val Colgrave George Town	Gerzalia Drive PID 1737346	<ul style="list-style-type: none"> This long narrow section bordering a property which we sold was acquired by Council for future service work, something to do with a 	Given the commentary it is suspected that the submission for PID 1737346 and PID 2048374 by Colgrave have been transposed and written response

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Objector	Property	Summary of Objection	Officer's Comments
		<p>future sewerage pump. We request that inquiries be made re this matter. We believe the section forms part of the near neighbour's fenced section and is maintained by them.</p>	<p>address correct PID. This parcel of land has potential to be retained and developed further but would require considerable expenditure. Access to the water is currently difficult without vegetation removal and approval to remove would be unlikely given the stability of some of the river banks in this area (landslip declared on parts of Tamar Avenue). It is located in a low-density area and the costs of maintenance vs. usage need to be weighed up. The officer's recommendation is to sell with investment of the proceeds into public open space.</p>
	<p>Gerzalia Drive PID 2048374</p>	<ul style="list-style-type: none"> • This allotment was selected to comply with the requirement to make available 5% of land to be subdivided or 5% of the land value. • Would have preferred the latter but Council insisted on the land transfer. The reasons given were that there were no other recreation open space available in this new subdivision and because the low density could well be converted into a more concentrated housing area in the future the need for open space would increase. • The land presented a pristine natural environment (fauna & flora) and the only access to the Tamar River (Deceitful Cove). • The land was the only section of the subdivision that had not been disturbed for agriculture and horse training facilities. This all added to the ongoing use as a delightful low maintenance recreation area. 	<p>It is suspected that the submission for PID 1737346 and PID 2048374 by Colgrave have been transposed. Use of the site is limited to a single adjoining owner. Recommendation is to pursue possible sale discussions with adjoining neighbour.</p>

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Objector	Property	Summary of Objection	Officer's Comments
		<ul style="list-style-type: none">• I have observed many using the area and it should be noted that it was a requirement to put in a modest car park layby.• This was not an area set aside for a conversion to a public reserve but is rather an active and valuable asset for near neighbours and has the potential for further publicity and use.	

12.2 POTENTIAL COUNCIL LAND SALES (CONT.)

RIGHTS OF APPEAL

Section 178A of the Act provides those persons who have lodged an objection or submission with a right of appeal to the Resource Management and Appeals Tribunal (RMPAT). An appeal may be made if the objector believes that the decision of Council has not been made in the public interest due to there not being a similar facility available for use or because the Community may suffer undue hardship as a result of losing access to the public land.

OFFICER'S SUMMARY

Division 8 – 116 and 117 of the Local Government (Building and Miscellaneous) Act 1993 – makes provision for the Council to acquire either an open space contribution OR a financial contribution up to 5% value of the unimproved land incorporated in the subdivision. This can vary with each subdivision depending on the need in the immediate area.

At the time of the subdivisions associated with the subject lots it may have been determined that the land was required for future open space purposes however with attitudes towards open spaces changing some lots are now determined to be surplus to Council's strategic needs.

Where once there was a small park with a swing and a slide every few blocks, Councils are now rationalising these parks and creating larger, more inclusive public open spaces which provide for multiple users. This also encourages social inclusion due to the broader demographic of uses meeting one another daily.

The maintenance, upkeep and depreciation of having many smaller parks makes them financially unsustainable and we see this occurring across regional areas where equipment is removed at the end of its useful life and not always replaced.

Council are legally able to deal with / dispose of land which it no longer requires for open space but must consult with the community, consider the objections and then decide which must meet the following test:

1. Will the sale of the land cause the community to suffer undue hardship due to the loss of access to, and the use of the public land; and
2. Are there similar facilities, or open space sites, available to the community to utilise instead?

The following recommendations which relate to each individual property, as outlined within this report, are submitted for Council's consideration.

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12.2 POTENTIAL COUNCIL LAND SALES (CONT.)

OFFICER'S RECOMMENDATION

That Council resolve to sell Gerzalia Drive (PID 1737346) with proceeds from the sale to be invested into public open space within the community.

DECISION

VOTING

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

OFFICER'S RECOMMENDATION

That Council resolve to sell 15 Riverleads Drive (PID 1723024) with proceeds from the sale to be invested into public open space within the community.

DECISION

VOTING

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

OFFICER'S RECOMMENDATION

That Council resolve to 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, failing which it is offered for general sale.

DECISION

VOTING

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

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12.2 POTENTIAL COUNCIL LAND SALES (CONT.)

OFFICER'S RECOMMENDATION

That Council resolve to sell 241 Agnes Street (PID 1931747) with proceeds from the sale to be invested into public open space within the community.

DECISION

VOTING

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

OFFICER'S RECOMMENDATION

That Council resolve to offer for sale Gerzalia Drive (PID 2048374) to adjoining land owner due to limited development opportunity.

DECISION

VOTING

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

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13. PETITIONS

Nil.

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14. NOTICES OF MOTIONS

14.1 NOTICE OF MOTION – CR GLISSON – REQUEST FOR COPY OF INFORMATION

Moved: Cr Glisson

Seconded:

That council be provided with a copy of the application for the grant for the Mount George Mountain Bike Trail, and the response from the minister confirming that council was successful in its application.

Reasons

I have sought a copy of the documents via correspondence on 19th January, 07th February, 15th February and 23rd February, as well as asking for it verbally on a number of occasions. The Mount George Mountain Bike Trail was and will be a matter listed in councils agenda. Council has made one decision to support the allocation of funds to the project, and will almost certainly be asked to commit more fund in the future. I am a member of the governance group established to oversee the project. For all of the reasons above and more to be explained at the next council meeting I seek that the Notice of Motion be listed in the March Ordinary council meeting.

GENERAL MANAGER’S COMMENTS

As previously advised to Cr Glisson in response to his request of the 23rd February 2018 for the above information under S28D of the Local Government Act “Documents relating to agendas”, his request is still being considered pending advice from the Director of Local Government. Upon receipt of that advice, Cr Glisson will be advised accordingly.

It is noted however that it is highly irregular to utilise the notice of motion process when an active application for information has already been applied for under Section 28D of the Act and that request is still active. It is also worth noting that the provisions under S28D are in place to assist an Elected Member with decision making on an agenda item. Council staff are unsure how the content of a grant application assists Elected Members after a decision on this matter after it has already been determined by Council (Council Res: 026/18).

DECISION

VOTING

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

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.

Further to the previous response provided in the February 2018 Agenda this matter will be listed for discussion at the April 2018 workshop.

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16. COUNCIL COMMITTEE REPORTS

16.1 GEORGE TOWN COMMUNITY SAFETY GROUP COMMITTEE MEETING

REPORT AUTHOR: General Manager

REPORT DATE: 13 March 2018

FILE NO: 22.24

ATTACHMENT/S: (A) George Town Community Safety Group Committee Confirmed Minutes – 5th December 2017
(B) George Town Community Safety Group Committee Confirmed Minutes – 6th February 2018

Moved:

Seconded:

That the confirmed minutes of the George Town Community Safety Committee meetings held on the 5th December 2017 and 6th February 2018 as attached to this report be received.

DECISION

VOTING

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

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17. CLOSED MEETING

17.1 INTO CLOSED MEETING

Moved: Cr
Seconded: Cr

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

Item No. 1 Confirmation of Confidential Minutes of Council's Ordinary meeting held on the 21st February 2018 LG(MP)R 15(2)(g) and LG(MP)R 34(6)

DECISION

VOTING

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

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17.3 OUT OF CLOSED MEETING

Moved:

Seconded:

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

DECISION

VOTING

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

There being no further business, the meeting closed at

**Cr Bridget Archer
MAYOR**