

George Town Council
COUNCIL MEETING – 21ST NOVEMBER 2018

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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 & LEAVE OF ABSENCE

Cr Greg Dawson (Leave of Absence – refer Item 18.3)

1.2 IN ATTENDANCE

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2. GOVERNANCE MATTERS

2.1 TABLING OF CERTIFICATE OF ELECTIONS

REPORT AUTHOR: Acting General Manager

REPORT DATE: 13 November 2018

FILE NO: 14.15, 14.12

ATTACHMENT: Certificate of Election

In accordance with the provisions of the Local Government (General) Regulations 2015 8(2), Council's Acting General Manager is to "*ensure that the result of the ballot for each office is recorded in the minutes of the meeting.*" The Certificate of Election was provided by Meegan Spurr, Returning Officer for the Tasmanian Electoral Commission dated the 2nd November 2018 showing the following candidates elected to the below positions:

Nine (9) Councillors

Elected for a period of 4 years

Bridget Kathleen ARCHER

Greg KIESER

Chris BARRACLOUGH

Andrew MICHIELETTO

Winston MASON

Heather BARWICK

Greg DAWSON

Tim HARRIS

Justine BROOKS

Mayor

Elected for a period of 4 years

Bridget Kathleen ARCHER

Deputy Mayor

Elected for a period of 4 years

Tim Harris

OFFICER'S COMMENT

The Certificate of Election was received from the Tasmanian Electoral Commission on the 2nd November 2018. The Certificate of Election is to be tabled by the Acting General Manager.

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2.1 TABLING OF CERTIFICATE OF ELECTIONS (CONT.)

OFFICER'S RECOMMENDATION

That the Certificate of Election as provided by the Tasmanian Electoral Commission dated 2nd November 2018 be received and recorded in the minutes of the meeting.

DECISION

VOTING

For:

Against:

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2.2 DECLARATION OF OFFICE

REPORT AUTHOR: Acting General Manager

REPORT DATE: 13 November 2018

FILE NO: 14.15, 14.12

ATTACHMENT/S: Declarations of Office

DECISION STATEMENT

To acknowledge and record the making of the declaration of office by the newly elected Councillors.

OFFICER'S COMMENTS

In accordance with the requirements of s.321(3) of the Local Government Act 1993, a council is to acknowledge the making of a declaration at its meeting and the General Manager is to record that fact in the minutes of that meeting.

OFFICER'S RECOMMENDATION

That the Declarations of Office made under Section 321 of the Local Government Act 1993 and in accordance with Schedule 2 of the Local Government (General Regulations) 2015 by the newly elected Councillors and as witnessed by the Acting General Manager, be noted and form part of these minutes.

DECISION

VOTING

For:

Against:

2.3 APPOINTMENT OF MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR

Recognition of the appointment of Mr Peter Groves Procurement & Risk Compliance Officer George Town Council, as Municipal Emergency Management Coordinator and presentation of the Certificate of Appointment to Peter.

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3. CONFIRMATION OF MINUTES

3.1 ORDINARY COUNCIL MEETING HELD 17TH OCTOBER 2018

DECISION

Moved:

Seconded:

That the Minutes of Council's Ordinary meeting held on the 17th October 2018 numbered 151/18 to 167/18 and 170/18 as circulated to Elected Members be received and confirmed as a true record of proceedings.

VOTING

For:

Against:

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 No. 18.]

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

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4.2 PUBLIC QUESTIONS ON NOTICE

4.3 PUBLIC QUESTION TIME

Commenced at:

Concluded at:

4.4 QUESTIONS ON NOTICE FROM COUNCILLORS

Nil.

4.5 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME

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

Council Meeting – 16 December 2015

Mr Neilsen, George Town

Details of Question	Date of Response	Response provided / Action taken
<i>Will Council insist on an immediate resolution to doubts over council's rights over Regent Square for the betterment of the community?</i>	17.10.2018	<i>The Acting General Manager in his correspondence of 17 October 2018 further responded to Council's correspondence of 11 July 2018 and confirmed that the area of land shown on the attached title (Regent Square) was transferred to Council on the 31st August 2018.</i>

Council Meeting - 19 September 2018

Mr O'Doherty, George Town

Details of Question	Date of Response	Response provided / Action taken
<i>Is the entrance from Elizabeth Street and the carpark behind the Graham Fairless Centre in the lease (Regent Square)?</i>	17.10.2018	<i>The Acting General Manager in his correspondence of 17 October 2018 responded to Mr O'Doherty's question providing a copy of the title over Regent Square transferred to George Town Council on the 31 August 2018 together with an aerial shot indicating the area of the title which included the entrance from Elizabeth Street and the carpark behind the Graham Fairless Centre.</i>

Mrs Neilsen, George Town

Details of Question	Date of Response	Response provided / Action taken
<i>Will the Regent Square Reference Group get a copy of the Regent Square lease?</i>	17.10.2018	<i>The Acting General Manager in his correspondence of 17 October 2018 responded to Mrs Neilsen advising that a copy of the enclosed title showing the area of land over Regent Square transferred to George Town Council has also been circulated to members of the Reference Group.</i>

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

Council Meeting – 17 October 2018

Mrs Wootton, Low Head

Details of Question	Date of Response	Response provided / Action taken
<i>Mrs Wootton stated that the Provincial Tamar label has been resurrected on the Council's website and asked who is the small group of volunteers overseeing this Provincial Tamar site and what part is George Town Council playing in this?</i>	13.11.2018	<i>The Acting General Manager in his correspondence of 13 November 2018 responded to Mrs Wootton's question advising that upon investigation by Council staff it appeared that reference to the Provincial Tamar site had been unintentionally carried over from Council's old website to Council's new website when it was developed. Council staff have since removed all reference to the Provincial Tamar from the Council website.</i>
<i>Mrs Wootton referred to the events strategy on page 59 of the Agenda and asked what input there was from those community groups before the strategy was written and why is there no opportunity for them to comment on what seems to be a major project?</i>		<i>The Acting General Manager in his correspondence of 14 November 2018 responded to Mrs Wootton's question advising that the George Town Council's Events Strategy was an internal Council document developed to provide a framework to guide Council's approach to staging and supporting events.</i> <i>The Acting General Manager further advised Mrs Wootton that in accordance with the Council resolution 158/18 (October 2018 ordinary Council meeting), the Strategy is to lay on the table for one month and is to be advertised seeking public feedback/comment. Councillors will review any feedback/comments received at a future Council workshop prior to further consideration by Council.</i>

Mr Neilsen, George Town

Details of Question	Date of Response	Response provided / Action taken
<i>Referring to the carpark between Grays Hotel and the Council carpark, Mr Neilsen asked what part of that deal after the commercial in confidence had passed and the deal was done and referred to the \$40,000 which was to be paid to Council to erect a fence to separate the Council carpark and to redo the Council carpark, where is the \$40,000 and why wasn't it spent.</i>		<i>The Acting General Manager in his correspondence of 13 November 2018 referred Mr Neilsen to his previous correspondence dated 9 October 2018 in response to Mr Neilsen's questions taken on notice at the October 2015 Council meeting and the September 2018 Council meeting which were similar to the question asked by Mr Neilsen at the October 2018 Council meeting.</i> <i>The Acting General Manager reaffirmed that as Council did not support a motion at its February 2011 Council meeting to make the information regarding this arrangement publicly available he was unable to provide the information that Mr Neilsen had requested.</i>

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.



Harry Galea
ACTING 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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7. PLANNING AUTHORITY

Nil.

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8. PLANNING AND DEVELOPMENT

8.1 REMOVAL OF PART V AGREEMENT - 129 ANNE STREET, GEORGE TOWN. CT85589/1 & CT160499/2

AUTHOR: Statutory Town Planner

REPORT DATE: 15 November 2018

FILE NO: PID 3229580

ATTACHMENT: 1. Copy of Title for both lots.
2. Copy of Part V Agreement

SUMMARY

The owners of 129 Anne Street, George Town (CT85589/1 & CT160499/2) wish to remove an existing Part V Agreement which applies to the land. The agreement requires that the land be developed for the purposes of land based aquaculture. The current owners have held preliminary discussions with Council in relation to the removal of this agreement. A formal application to remove the Agreement has not yet been received.

DETAILS OF THE PART V AGREEMENT

The Part V Agreement details that the owner of the land must:

- a) Undertake a site remediation as outlined at item 2 of the Part V Agreement schedule.
- b) Once the site remediation is complete, develop the land for the purposes of a land based aquaculture project generally in accordance with the concept plans.
- c) The owners were to commence the site remediation within 18 months of the date of the Part V Agreement (8 Aug 2013).
- d) The owners were to complete the site remediation within 60 months of the date of the Part V Agreement (8 Aug 2013).
- e) The owners had to develop the land in accordance with all planning and building permits
- f) The owners had to substantially commence the development within 60 months of the date the Part V Agreement (8 Aug 2013).
- g) The owners had to substantially complete the development within 2 years from the date of substantial commencement.

LOGIC FOR THE REMOVAL OF THE PART V AGREEMENT

The land owners, Clean Marine Aquaculture Pty Ltd are not going to proceed with the originally proposed and approved aquaculture facility.

A sale has been agreed between the owners of the land and an interested party. The future owner wishes to construct a single dwelling on one of the titles (CT85589/1).

The owners wish to have the Part V Agreement removed in order for the sale to proceed and allow for a possible future dwelling to be constructed subject to an assessment against the *George Town Interim Planning Scheme 2013*.

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8.1 REMOVAL OF PART V AGREEMENT - 129 ANNE STREET, GEORGE TOWN, CT85589/1 & CT160499/2 (CONT.)

The Part V Agreement was made between Clean Marine Aquaculture and George Town Council. Given that Clean Marine are no longer going ahead with a land based aquaculture farm, and the new owner has no intention to develop the land for this purpose, it is deemed that having such an agreement attached to the titles is not required. It is further noted that the site remediation was never carried out in accordance with the specified dates nor was the development substantially commenced within the required timeframes.

The land is within the Rural Resource Zone of the *George Town Interim Planning Scheme 2013*. Any future development of the land would be subject to an assessment against the relevant zone and code provisions as well as potential EPA involvement.

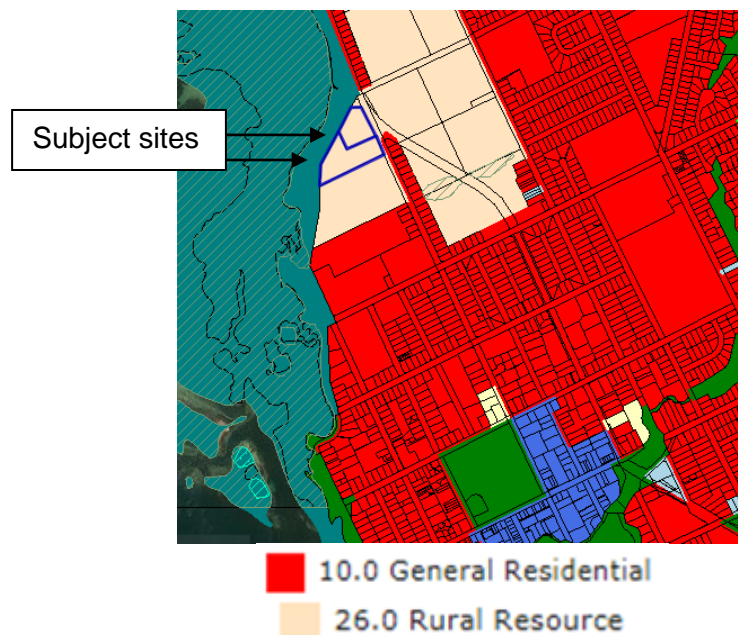


Figure 1 - subject sites shown in the context of George Town

The subject site is on the periphery of the George Town Township, on route to Low Head. The site is on the edge of the **supporting consolidation area** as shown in the Regional Framework Map under the Northern Regional Land Use Strategy 2018 (figure 2).

The implications are that the current Rural Resource Zoned Land is situated in close proximity to possible future residential development. It is questioned whether Council now wishes to have such a Part V Agreement in place given the proximity of the subject site to future residential areas of George Town.

8.1 REMOVAL OF PART V AGREEMENT - 129 ANNE STREET, GEORGE TOWN, CT85589/1 & CT160499/2 (CONT.)

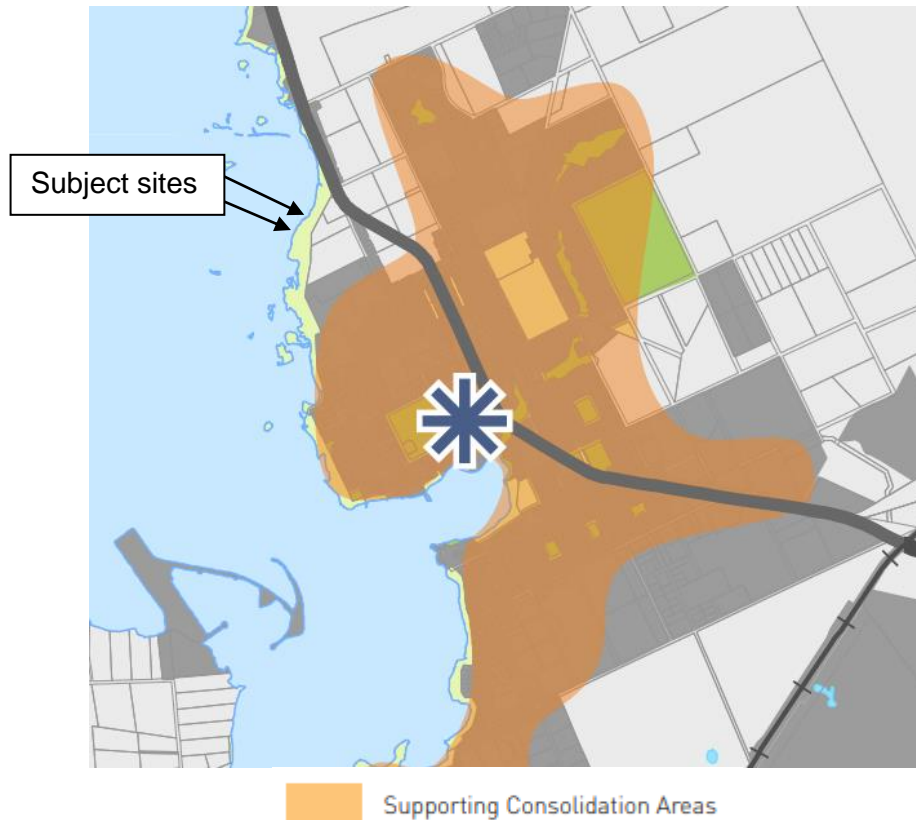


Figure 2 - Regional Framework Plan for George Town (Source: Regional Land Use Strategy for Northern Tasmania)

Having a document which appears to contradict the planning scheme is not recommended. The planning scheme allows for a wide range of uses within the Rural Resource Zone. All use and development should be assessed and controlled via the Council approved and endorsed planning instrument. The Part V Agreement in effect seeks to place another level of control over the land, by further dictating how the land must be developed. In essence, it contradicts what the planning scheme provides for.

STATUTORY REQUIREMENTS

The application for remove a Part V Agreement is contained in section 74(3) of the *Land Use Planning and Approvals Act 1993*. This section reads:

S74(3) *An agreement may be ended by the planning authority with the approval of the Commission or by agreement between the authority and all persons who are bound by any covenant in the agreement.*

This is the only provisions within the Land Use Planning and Approvals Act which applies to termination of the agreement.

**8.1 REMOVAL OF PART V AGREEMENT - 129 ANNE STREET, GEORGE TOWN.
CT85589/1 & CT160499/2 (CONT.)**

OFFICER COMMENTS

Given that the current owners of the land no longer have any plans to develop the land for the purposes of a land base aquaculture operation and have not complied with any of the requirements as outlined in the agreement, it appears onerous that this agreement be imposed onto new owners of the site.

The site is within the Rural Resource Zone of the *George Town Interim Planning Scheme 2013* and could by way of application still seek to carry out such a development subject to full assessment against the requirements of the planning scheme. The removal of the Part V Agreement allows for future owners to have some degree of surety that the land can be developed for something other than a land based aquaculture project.

The Council's delegations to the General Manager provide authority for the General Manager to remove, alter or apply Part V Agreements on land but it was considered appropriate to bring this matter to the Council before exercising any delegation.

OFFICER'S RECOMMENDATION

That the Council, in relation to the removal of a Part V Agreement for land at 129 Anne Street, George Town, resolves:

- a) that it is appropriate for the Acting General Manager to sign off on the removal of the Part V Agreement for land at 129 Anne Street, George Town (CT85589/1 & CT160499/2) upon receipt of an application from the owners of the land
- b) to write to the owners of the land stating that they would not object to the removal of the Agreement.

DECISION

VOTING

For:

Against:

9. WORKS AND INFRASTRUCTURE

9.1 WASTE TRANSFER STATION OPERATION

REPORT AUTHOR: Team Leader Works and Infrastructure

REPORT DATE: 15 November 2018

FILE NO: 73.9

ATTACHMENT/S: Nil

SUMMARY

This report is to inform Councillors of recommended changes to the Waste Transfer Station site fees and a proposal to amend the WTS day-light savings opening hours of each Wednesday from 6pm to 4pm.

BACKGROUND

Currently the George Town waste transfer station opening hours are 12-4.00pm seven days per week with the Wednesday opening hours 12.00-6.00pm (during daylight saving period).

Some years ago significant infrastructure was constructed at the WTC which is only now commissioned and operational for use by the community. This involves an undercover disposal area, a compacting trailer to transport waste to the regional waste landfill site, a smaller building for disposal of recyclables and the installation of a weight in and weight out bridge to charge on a weight based fees system.

This matter was discussed at the Council workshop held on the 14 November 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.

Key Objective 1:

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

Key Priorities 1:

Review and manage the assets and infrastructure Council currently owns in line with community needs.

FINANCIAL IMPLICATONS

These have been addressed in the body of the report.

RISK CONSIDERATIONS

Continuing with the current fees and charges is non-productive and confusing to users that are becoming familiar with the weight based fees and charges.

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9.1 WASTE TRANSFER STATION OPERATION (CONT.)

OFFICER’S COMMENTS

Operating Hours

Currently the George Town waste transfer station opening hours are 12-4.00pm seven days per week with the Wednesday opening hours 12.00-6.00pm (during daylight saving period). This initiative has proven to be underutilised by the general public.

The average number of people using the WTS during the extended 2 hour period (over the day-light savings period) is 1.5 per week. The table below shows data collected over the 6 Month period of FY2017/18. The operation of the WTS for this 2 hour period has proven to be both underutilised and not financially viable for Council to continue operating for this 2 hour period on Wednesdays during daylight savings. The cost to opening during the 2 hour period each week is approximately \$98.00 per week. If the hours are reduced then the operational saving for a full year (i.e. 6 months of the day-light savings period is \$2,548.00.)

Table 1 – Customers within Wednesdays 4 – 6 pm (Day Light Savings period)

Month	Total for month	No per week	No per week	No per week	No per week
Oct 17	3	0	1	1	1
Nov 17	6	2	0	1	3
Dec 17	11	2	4	4	1
Jan 18	7	3	2	2	0
Feb 18	4	2	2	0	0
Mar 18	8	3	1	4	0
Total 6 months	39 (or average 1.5 vehicles per week)				

Waste Charges

The weighbridge is now operational which allows the Council to move to a more equitable user pay system based on weight rather than the existing volume based fee structure. The current fee to dispose of commercial waste (\$135/tonne) is a truer reflection of the cost for disposal of bulk waste at Launceston waste centre (\$97/tonne gate fees) plus transportation and handling.

With a weigh based system it is proposed to significantly reduce a number of the current charges to remove any confusion and simplify the menu of fees. Such a system eliminates disputes and claims of favouritism or victimisation and much easier for our customers to understand.

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9.1 WASTE TRANSFER STATION OPERATION (CONT.)

Table 2 - Proposed Charges (proposed changes in Red font.)

Facility or Service	Fee Description	GST Inc.	Current 2018/2019	Proposed (balance of) 2018/2019
Waste Transfer Site Fees				
Waste Management Centre fees	General Waste – Domestic (weighted per tonne) including green waste	*	Car \$10 Ute \$14 Single axle trailer \$15 SAT with cage \$18 SAT Green Waste \$15 Tandem \$22 Tandem with cage \$27 Trucks \$70 per tonne	\$70.00 per tonne (min charge \$10.00) (=0.143t)
Waste Management Centre fees	Commercial Waste	*	\$135	\$135/tonne (min charge \$10.00) (=0.074t)
Waste Management Centre fees	General Waste - Mattresses (Single and Double)	*	\$13	\$13
Waste Management Centre fees	Car or Motorcycle Tyres – each	*	\$10	\$10
Waste Management Centre fees	Light Truck and Four Wheel Drive Tyres – each	*	\$20	\$20
Waste Management Centre fees	Truck Tyres – each	*	\$40	\$40
Waste Management Centre fees	Other tyres on application	*	POA	POA
Waste Management Centre fees	All other separated recyclable metal charged at the general waste rate, measured on volume.	*	General waste rates	General waste rates
Waste Management Centre fees	Car bodies	*	\$30	\$30
Waste Management Centre fees	Inert material - Including soil, gravel, bricks, concrete, spoil from excavations, - all Trucks	*	\$55	\$55/tonne (minimum charge \$17)
Waste Management Centre fees	Clay & Clean Fill – (No contamination) – All Trucks	*	\$22 per tonne	\$22/tonne (min charge \$10.00) (=0.450t)
Other Waste	Upsize/downsize council kerbside garbage bin		\$38	\$38

Please note that the Council will still continue to not accept Hazardous or Controlled Waste (e.g. asbestos, chemicals, medical, quarantine and contaminated soils).

9.1 WASTE TRANSFER STATION OPERATION (CONT.)

OFFICER'S RECOMMENDATION

That Council approves:

1. The changes in relation to the current fees and charges relating to the waste transfer station as specified in Table 2; and
2. The reduction of the waste transfer station's operating hours each Wednesday to 12pm - 4pm to be consistent with the non-daylight saving period operating hours; and
3. That the proposed changes to fees and charges to become operational 1 January to be coupled with an extensive community advertising strategy.

DECISION

VOTING

For:

Against:

10. CORPORATE AND FINANCE

10.1 AUDIT PANEL CHARTER RECOMMENDED AMENDMENTS

REPORT AUTHOR: Team Leader – Corporate and Finance

REPORT DATE: 8 November 2018

FILE NO.: 29.11

ATTACHMENT/S: (A) Amended Audit Panel Charter
(B) Local Government Practical Guide for Audit Panels
(C) Model Audit Panel Charter
(D) Model Audit Panel Code of Conduct

SUMMARY

To represent the Audit Panel Charter as amended.

BACKGROUND

The Audit Panel Working Group (Meander Valley, West Tamar, George Town and Break O’Day Council’s) met on 6 September 2018 to review the Audit Panel Charter. The review is a requirement of Council’s existing Charter adopted in July 2017.

In the Annual report to the Council of the Audit Panel, presented to Council in June 2018, the Audit Panel Chair also recommended inclusion of changes to the Charter as outlined in the Practical Guide.

The Local Government Practical Guide for Audit Panels, Model Audit Panel Charter and Model Code of Conduct for Audit Panel Members, was released in March 2018.

The working group considered the recommendations appropriate and is therefore recommending amendments to the Charter, such that the Charter conforms to the Model in the Practical Guide, with appropriate modifications for each individual Council. The Guide also recommends a Code of Conduct for the Audit Panel and provides a Model; the working group recommends Council adopt the Model Code.

RISK CONSIDERATIONS

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

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC PLAN

Goal 5

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

10.1 AUDIT PANEL CHARTER RECOMMENDED AMENDMENTS (CONT.)

Key objectives

1. Continue to improve Council communication with the community, including celebrating the successes and achievements.
2. Consistently communicate the role of Council to the community (i.e. what Council does and does not do).
3. Strengthen working relationships and cooperation with neighboring councils.
4. Consistently achieve a high standard of internal financial and governance arrangements.
5. Initiate a conversation with the community about any aspects of Local Government reform.
6. Attract, retain and value a highly skilled and committed workforce.

Key priorities

1. Manage and seek to minimise risk throughout Council.
2. Build the strategic capacity of Council to effectively communicate with the community.
3. Monitor Council's performance against all objectives, including community objectives.
4. Initiate at least one regional project involving neighbouring councils.
5. Be actively involved and seek to influence decisions made at regional and State Government levels.

STATUTORY CONSIDERATION

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

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, including the Audit Panel Code of Conduct.

OFFICER'S RECOMMENDATION

That Council adopt the amended Audit Panel charter provided with this report.

DECISION

VOTING

For:

Against:

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10.2 AUDIT PANEL - APPOINTMENT OF INDEPENDENT MEMBER

REPORT AUTHOR: Team Leader – Corporate and Finance

REPORT DATE: 7 November 2018

FILE NO: 32.1

ATTACHMENTS: Nil

SUMMARY

This report is submitted to Council so that it can seek appointment of the independent member to its Audit Panel as the current appointment expired in October 2018.

BACKGROUND

The Local Government (Audit Panels) Order 2014 Statutory Rules 2014 requires Council to appoint an Audit Panel and prescribes qualifications of members, responsibilities of members, work plan and the administrative requirements under which the Audit Panel operates.

The previous Audit Panel members were Councillor Barwick and Councillor Glisson, with Mr Steven Heryk serving as Chairperson.

Council will consider appointment of the elected members in the report on Committee Membership in this agenda.

STRATEGIC PLAN

Goal 5:

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

Key Objective:

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

STATUTORY REQUIREMENTS

The Local Government Act 1993.

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

10.2 AUDIT PANEL - APPOINTMENT OF INDEPENDENT MEMBER (CONT.)

Functions of an Audit Panel

(1) In this clause –

Part 7 plan means a strategic plan, an annual plan, a long-term financial management plan or a long-term strategic asset management plan of a council prepared under Division 2 of Part 7 of the Act.

(2) For the purposes of section 85A(1)(d) of the Act, the following matters are specified as the matters that an Audit Panel is to consider in a review of the relevant council's performance:

(a) whether the annual financial statements of the council accurately represent the state of affairs of the council;

(b) whether and how the Part 7 plans are integrated and the processes by which, and assumptions under which, those plans were prepared;

(c) the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the council has in relation to safeguarding its long-term financial position;

(d) whether the council is complying with the provisions of the Act and any other relevant legislation;

(e) whether the council has taken any action in relation to previous recommendations provided by the Audit Panel to the council and, if it has so taken action, what that action was and its effectiveness.

OFFICER'S COMMENT

In selecting appropriate members for the audit panel it is important for the Council to consider relevant skills and experience required by an audit panel. Audit panel members must possess good business acumen and sound management and communication skills. The composition of the audit panel should include a balance of professional skills, knowledge and technical expertise, as well as sufficient capacity, independence and objectivity to discharge its responsibilities.

Council's should also take into account the following when appointing Audit Panel members.

- Knowledge and expertise in the areas of audit practices and financial management and
- Knowledge of and experience in relevant industries and
- Experience with governance processes including, but not limited to, risk management.

It is also imperative that Audit Panel members exhibit an independence of mind in their deliberations. To maximise both the real and perceived independence of Audit Panel members, Council should consider an individual's past and present relationships with Council.

10.2 AUDIT PANEL - APPOINTMENT OF INDEPENDENT MEMBER (CONT.)

Independent members of the Audit Panel are to possess:

- Good business acumen
- Sound management skills
- Good communication skills
- Knowledge and expertise in audit practices
- Knowledge and expertise in financial management
- Experience with governance processes including but not limited to risk management.

Knowledge of and skills in government, local government, not for profit organisations and organisations requiring a high degree of legislative compliance and delivery of projects and processes which offer solutions to complex community service obligations will be highly desirable in panel members.

The Audit Panel Working Group (Meander Valley, West Tamar, George Town and Break O'Day Council's) met on 6th September 2018, and reviewed the contractual arrangements with the shared Audit Panel Chairman and noted:

- *The Chairman is meeting legislative requirements appropriately*
- *Audit panels are generally working well*
- *The anticipated benefits of a shared Audit Panel Chairman seem to be being achieved*
- *There are no identified advantages to changing from the current arrangements*

Mr Steven Hernyk has been the independent Audit Panel member for the last four years, he has indicated his willingness to continue in the role for another term. Given the appointment of a new Council and potentially new Audit Panel members from the elected members, it is considered appropriate to maintain the existing independent member unchanged for a further period of one year.

Should Council seek to appoint an alternative to Mr Hernyk, a recruitment process will be required.

RISK CONSIDERATIONS

Governance risk is considered to be higher when Council does not have an internal audit function. The appointment of an Audit Panel will act to reduce the governance risk.

FINANCIAL IMPLICATIONS

Council is required to meet the fees and expenses of the independent chairperson from its audit budget however elected members of the Audit Panel are not remunerated for their involvement on an Audit Panel.

Unbudgeted recruitment costs and additional fees and expenses may be incurred should Council wish to recruit an alternative Independent member.

10.2 AUDIT PANEL - APPOINTMENT OF INDEPENDENT MEMBER (CONT.)

OFFICER'S RECOMMENDATION

That Council confirms the appointment of Mr Steven Hernyk, as the serving Chairperson of the Audit Panel for a term of one year expiring October 2019.

DECISION

VOTING

For:

Against:

10.3 REVISED CODE FOR TENDERS AND CONTRACTS

REPORT AUTHOR: Team Leader – Corporate and Finance

REPORT DATE: 14 November 2018

FILE NO: 14.13

ATTACHMENT: Revised Code for Tenders and Contracts Policy No. 27 – Version 07

SUMMARY

To submit to Council proposed changes to the existing Code for Tenders and Contracts Policy No. 27 (the Policy).

BACKGROUND

The current Code for Tenders and Contracts Policy No. 27 Version 6 was reviewed and adopted by Council on 20 September 2017. The current code meets the requirements of the Local Government Act and designates processes and procedures to guide staff when undertaking purchasing and procurement activities.

In response to recommendations from the Tasmanian Audit Office, Council undertook to perform a review of all processes, procedures, policies and documents. The attached revised Code for Tenders and Contracts was an outcome of this review.

The revised Code of Tenders and Contracts has been workshopped with Council and presented to the Audit Panel September meeting where it was moved to receive and recommend to Council the Code for Tenders and Contracts Policy No. 27 Version 7 for adoption with amendments as discussed. The Code was presented for endorsement at the 17th October 2018 Council meeting where it was resolved that the matter be referred to a workshop. The Code was again workshopped on 14th November 2018 and further clarification provided in the revised Code addressing opening of tenders, response to 3rd party questioning of decision and release of successful tenderer including selection criteria.

STRATEGIC PLAN

Goal 05

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

Key Objectives

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

RISK CONSIDERATIONS

The risks associated with the proposed amendment to the Policy are considered low as the change aligns with Council's Risk Management Policy No. 33 in that they promotes the maintenance of overall set performance standards and the regular review and improvement of Council practices and procedures.

FINANCIAL IMPLICATIONS

Other than normal administrative costs, no financial implications are recognised.

10.3 REVISED CODE FOR TENDERS AND CONTRACTS (CONT.)

OFFICER'S COMMENTS

There are several minor recommended changes to be made to the current Code for Tenders and Contracts Policy No. 27 Version 6. These changes include moving to the use of the LGAT template established in 2017 and the amending of monetary thresholds and the varying of requirements for purchase orders and requirements for the number of quotes.

As tracking of changes on the document is not possible due to the change of format in the revised version, the changes from the previous version are listed below:

- Requirements for quotations changed for purchases under \$250 to requisition only.
- Requirements for quotations changed for purchases over \$250 but under \$5,000 to not require quotes if purchased at an open market price.
- Requirements for quotations changed for purchases over \$5,000 but under \$15,000 to be 2 informal quotes (written or verbal).
- Requirements for quotations changed for purchases over \$15,000 but under \$150,000 to be formal 3 written quotes where possible
- Requirements for quotations changed for purchases over \$150,000 to be tendered in an open process.
- Inclusion of a 4 year revision term.
- Simplifying of terminology between Tender and Quotation to reduce confusion about the requirements and processes to be followed.
- Inclusion of conflict of interest disclosure (Audit Panel recommendation).
- Inclusion of public notification of successful tenderer and total tender sum (Audit Panel Recommendation).

Purchasing and procurement processes are included on the internal audit schedule and will be audited on a biannual basis.

OFFICER'S RECOMMENDATION

That Council:

- (a) endorses the changes as outlined above and within the Code for Tenders and Contracts Policy No. 27 Version 07; and
- (b) adopts the revised Code for Tenders and Contracts Policy No. 27 Version 07 effective 21st November 2018.

DECISION

VOTING

For:

Against:

11. COMMUNITY SERVICES

Nil.

George Town Council
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12. MAYOR

12.1 MATTERS OF INVOLVEMENT – MAYOR

FILE NO.: 14.11

REPORT DATE: 13 November 2018

Mayor Bridget Archer		
October	18	Attended Department of Education Awards at Country Club Casino
	29	Met with Ross Hart MP re discussion on possible future Federal support for projects
		Met with representatives GHD re presentation
November	6	Attended phone hook-up with Ross Hart MP – Shadow Visit
	7	Attended signing of declaration of office ceremony and morning tea – George Town Council
		Attended Population Taskforce Meeting
	8	Attended a presentation at the RSL by Doug Baird, father of Cameron Baird, VCMG
	9	Attended Bell Bay Economic Development Group Meeting
		Attended launch of George Town Remembers booklet
		Attended opening of Lighthouse Regional Arts – “All that glitters” art exhibition
	11	Attended Centenary of Armistice – George Town
	13	Met with representatives Australian Honours Association re Order of Australia Medal Board
	14	Attended review of applications for General Manager session
		Attended Council workshop
		Met with President George Town Football Club
	15	Officiated opening of the Tour of Tasmania Cycling Race
		Attended George Town Council AGM
16	Attended 2019 Australian of the Year Awards for Tasmania	
19	Attended Temco Focus Group Meeting	
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:

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13. GENERAL MANAGER

13.1 COUNCIL WORKSHOPS – NOVEMBER 2018

REPORT AUTHOR: Acting General Manager

REPORT DATE: 15 November 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 14TH NOVEMBER 2018

- Code for Tenders and Contracts
- Councillors Allowances Policy
- Waste Transfer Station Operation
- Removal of Part V Agreement – 129 Anne Street
- Regent Square Playground
- Social Housing
- George Town Airstrip
- 2019 Council Meeting & Workshop Schedule
- Reviewed Gifts & Benefits Policy
- Council representation on Committees/Groups
- Unconfirmed Minutes – 17 October 2018
- Governance Matters

Present: Cr Archer, Cr Harris, Cr Barraclough, Cr Barwick, Cr Brooks, Cr Dawson, Cr Kieser, Cr Mason, Cr Michieletto

Apologies: Nil.

In Attendance: Acting General Manager, Team Leader Corporate & Finance, Team Leader Works & Infrastructure, Contract Planner, Governance Support Officer

OFFICER'S RECOMMENDATION

That Council receives the report on the Council Workshops – November 2018 from the Acting General Manager.

DECISION

VOTING

For:

Against:

13.2 BURIAL AND CREMATION AMENDMENT BILL 2018

REPORT AUTHOR:	Acting General Manager
REPORT DATE:	22 October 2018
FILE NO:	41.1, 41.3, 41.4
ATTACHMENT:	1. George Town Council submission to LGAT 2. LGAT submission to State Government

SUMMARY

The purpose of this report is to seek the Council's endorsement on a submission provided by the General Manager on the proposed Burial and Cremation Amendment Bill 2018.

BACKGROUND

The Tasmanian Government on Wednesday 26 September 2018 released for consultation the Burial and Cremation Amendment Bill 2018.

Advice was received from LGAT that they will support a sector response to the Bill. Rightly, LGAT have identified that it is important for the Local Government sector to review the legislation through two lenses:

- 1) The lens of community concerns regarding proposed Anglican Church sales
- 2) The lens of councils as cemetery managers

The DPAC website

http://www.dpac.tas.gov.au/divisions/local_government/review_of_tasmanian_cemeteries_legislation provides a copy of the Bill, The Fact Sheet, Consultation Paper and FAQs for Cemetery Managers and the General Public.

A report was provided for discussion at the 3rd October Council Workshop to allow the determination of a consensus view given that a Council reply was sought by the LGAT by 10th October. The LGAT were seeking to compile a local government submission to provide to the Government by their due date of 14th October.

It has been indicated that this timeframe is necessarily short, providing a window of just one sitting day before both the end of the year and progression of the Anglican Church land sale process.

STRATEGIC PLAN

Goal 03

Conserve our natural environment and heritage and ensure it is enjoyed by our community, visitors and future generations

Key Objective

Support the conservation efforts of our Aboriginal and European heritage

Goal 04

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

13.2 BURIAL AND CREMATION AMENDMENT BILL 2018 (CONT.)

Key Objective

To identify and respond to changing needs for infrastructure and facilities

OFFICER'S COMMENTS

The amendments proposed essentially include:

- Establishment of a Regulator role (to be the Director of Local Government at this time).
- Requirement for new cemetery managers to be a body corporate with perpetual succession approved by the Regulator. This means management of cemeteries will not be reliant on a single private individual.
- Sellers will be required to notify the public of intentions and obtain a certificate of compliance from the Regulator before proceeding. Purchasers also need to apply for approval to become a cemetery manager and have public notification requirements as well.
- The regulator will have the ability to issue directives and infringement notices to cemetery managers around maintenance, record keeping, allowing access and honouring exclusive rights of burial. A penalty of up to 100 units (\$16,300) will apply for failing to comply with a directive.
- Cemetery Managers will have to undertake a compliance audit every 5 years.
- The Bill proposes that the length of time from last burial to closure be increased from 30 years to 100 years and the Regulator will need to approve closure and can apply conditions (e.g. protection of certain graves).
- The new arrangements will not apply to past sales or transfers of cemetery management but existing cemetery managers will need to continue to allow access and exclusive rights of burial, comply with sale requirements, undertake the 5 yearly audit and follow the new process re closure.
- The changes mean that if a cemetery is attached to a Church the sale can only proceed if the purchaser is a body corporate with perpetual succession. Private individuals would not be eligible to buy churches in those circumstances.

George Town Council operate 3 burial cemeteries, George Town, Lefroy and Pipers River, each which are expected to have capacity for the next 5 decades and beyond. The proposed requirements on cemetery managers are not unreasonable – i.e. reasonable access for visitors, 5 yearly compliance audits, record keeping and maintenance. The length of time before a cemetery can close has been extended from 30 to 100 years which is considered to meet community expectations.

The most significant section of the bill is that a cemetery must be owned by an institution or body corporate – hence severely limiting future sale of disused churches (where a cemetery exists) to a private owner. In all other aspects the changes seems reasonable. In practice it will mean that cemetery managers will for-ever retain a management role over the land – or for at least 100 years after the last burial.

The collective view of the 3rd October Workshop was compiled into a response attached. In addition LGAT have provided a copy of the joint local government submission also attached.

13.2 BURIAL AND CREMATION AMENDMENT BILL 2018 (CONT.)

OFFICER'S RECOMMENDATION

That the Council endorse the submission dated 4th October 2018 and forwarded by the Acting General Manager, Harry Galea on the Burial and Cremation Amendment Bill 2018.

DECISION

VOTING

For:

Against:

13.3 REGENT SQUARE PLAYGROUND

REPORT AUTHOR: Acting General Manager

REPORT DATE: 15 November 2018

FILE NO: 55.32

ATTACHMENT:

1. Regent Square Master Plan
2. Regent Square Playground, Site Plan
3. Regent Square Senior Playspace Layout
4. Regent Square Junior Playspace Layout
5. Playground Staging Plan
6. Quote for play equipment – adventure+

SUMMARY

The purpose of this report is to inform the Council of the current status of the Regent Square Playground project and seek direction on proposed actions to advance the project.

BACKGROUND

The Regent Square Playground project has been in the planning for over the past 2 years. The project's main element is the development of a senior playground opposite the Council Office and Chamber and the more minor element being the replacement of a number of playground items within the existing junior playground on the corner of Anne and Macquarie Streets.

Previous works included the development of a master plan for Regent Square (enclosed as Attachment 1) and a preferred playground layout and equipment by provider Adventure+ (enclosed as Attachments 2, 3 & 4).

It is likely that the scale of the project's play items and plan development anticipated funding from both rates and acquiring external government funding. Over the many months in development the size and scale of the playground would have been reduce marginally as opportunities for external funding began to evaporate. Unfortunately as the project gained momentum, the scale never reduced to the point of matching available funding particularly given that all external funding applications were negative. The available funds (from the Council FY2018/19 budget) leaves a balance of \$254,446.

Recent public exhibition and survey of the preferred playground configuration and equipment has resulted in supportive comments (144 to 11 for the senior playground and 125 to 26 for the junior playground). The survey indicated that 80% would use the facility weekly (or more). It would appear that the Council have community support for the project.

This matter was discussed at the Council workshop held on the 14 November 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.

Key Objective 1

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

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13.3 REGENT SQUARE PLAYGROUND (CONT.)

Key Priority 9

Upgrade parks to include outdoor recreational facilities.

OFFICER'S COMMENTS

Total Project Costs:

The cost for purchase and installation of the various items of play equipment are quoted below.

(Note: The project has been divided into 2 stages given budget restrictions. The staging plan is provided as an Attachment. Further comment on cost implications later in report.)

Table 1 – Cost Estimate

#	Description	Cost (purchase and basic installation)	Progressive total	
			Stage 1	Stage 2
Senior Playground (Stage 1)				
1	Module special senior design	\$96,370	96,370	
2	Community swing frame	\$5,440	101,810	
3	Gyro3.0	\$12,520	114,330	
4	Trampoline Round (2# @ \$11,390)	\$22,780	137,110	
5	Surfboard Rocker	\$1,730	138,840	
6	Snowboard Rocker	\$1,070	139,910	
Senior Playground (Stage 2)				
7	Skyclimber Steel frame rope structure	\$65,390		65,390
8	Flyway double	\$32,140		97,530
9	Spinpoint Twister	\$2,690		100,220
Junior Playground (Stage 1)				
10	Special Design junior play unit	\$38,790	178,700	
11	See Saw Rocker	\$2,940	181,640	
12	Rocker Ride (2# @ \$1,470	\$2,940	184,580	

As mentioned the above costs are for purchase and basic installation. Costs additional to those above to complete works are shown below.

#	Description	Units	Cost	Progressive total	
A	Temporary Fencing during construction	Item	Stage 1 - \$2,000 Stage 2 - \$2,000	186,580	102,220
B	Demolition and site preparation (stripping and granular base)	2,500m ² @ \$5 1,600m ² @ \$5 (total 100mm depth)	Stage 1 - \$12,500 Stage 2 - \$8,000	199,080	110,220
C	Playground boarders (includes concrete Stage 1 circular footpath and Stage 2 footpath connection between junior and senior play spaces)	485m ² @ \$160 360m ² @ \$160 (100mm washed concrete paths) plus • \$5,000 drainage (S1) • \$2,000 edging (S2)	Stage 1 - \$77,600 Stage 2 - \$60,000	276,680	170,220
			Stage 1 - \$5,000 Stage 2 - \$2,000	281,680	172,220

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13.3 REGENT SQUARE PLAYGROUND (CONT.)

#	Description	Units	Cost	Progressive total	
D	Synthetic Softfall (senior spaces coloured red & grey only)	220m ² @ \$250 140m ² @ \$290 (total 85mm depth)	Stage 1 - \$55,000 Stage 2 - \$49,300	336,680	221,520
E	Pine Bark Softfall (300mm over balance of senior spaces)	2200m ² @ \$15 1510m ² @ \$15 (total 300mm depth)	Stage 1 - \$33,000 Stage 2 - \$22,650	369,680	244,170
F	Landscaping and furniture	Item – includes • \$3,000 3 seats • \$10,000 landscaping	Stage 1 - \$13,000	382,680	
G	Picnic shelter, basketball/multi-ball area		No allowance		
H	Contingency	10%	Stage 1 - \$38,500 Stage 2 - \$21,090	421,180	268,570

Sub-total: \$421,180 \$268,570

The full project has been divided into 2 stages. Even with this staging the total cost of stage 1 is well in excess of the budget available (\$254,446). Further comment and options are provided in Budget Considerations below.

Public Tendering of Works:

In addition, the Council's procurement policy specifies that any purchase over \$150,000 requires an open public tender process as demanded in the Local Government Act 1993 for purchases over \$250,000. During the project development phase a number of suppliers were requested to provide options and quotes for the works. Although not privy to the past history, the project has proceeded to selecting the preferred equipment and provider. To publicly advertise a tender for this project would not provide any real advantage given there is only one supplier for the preferred playground equipment.

The Local Government Regulations (and reproduced in the Council's procurement policy) envisaged situations where a public tender process is not considered sensible given the circumstances. Specifically the exemption circumstances identified in Regulation 27 – *Non application of the public tender process* are:

- i. an emergency if, in the opinion of the general manager, there is insufficient time to invite tenders for the goods or services required in that emergency
- ii. a contract for goods or services supplied or provided by, or obtained through, an agency of a State or of the Commonwealth
- iii. a contract for goods or services supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania
- iv. a contract for goods or services obtained as a result of a tender process conducted by another council, a single authority, a joint authority, the Local Government Association of Tasmania or an agency of a State or of the Commonwealth
- v. a contract for goods or services in respect of which a council is exempted under another Act from the requirement to invite a tender
- vi. a contract for goods or services that is entered into at public auction

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13.3 REGENT SQUARE PLAYGROUND (CONT.)

- vii. a contract for insurance entered into through a broker
- viii. a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance
- ix. a contract for goods or services if the council resolves by absolute majority and states the reasons for the decision, that a satisfactory result would not be achieved by inviting tenders because of–
 - extenuating circumstances or
 - the remoteness of the locality or
 - the unavailability of competitive or reliable tenderers
 - a contract of employment with a person as an employee of the council

It is considered that clause ix (dot points 1 & 3) apply to this project.

Approvals:

The George Town Interim Planning Scheme lists playground equipment on public land as exempt when undertaken by a Council. Exemption is listed under clause 6.2.2 b).

Also a certificate of exemption was issued by the Tasmanian Heritage Council on 28 August 2018 for the installation of the playground at Regent Park.

As a result no further approvals are required.

Budget Considerations:

The cost for each stage is estimated to be:

- Stage 1 - \$421,180
- Stage 2 - \$268,570

As mentioned the available funds for stage 1 is \$254,446 – hence a shortfall of \$167,000 for stage 1.

The options considered were:

1. To further reduce the scope of stage 1 until the funds available matched the cost.
Officer Comment – *the public expectation is based on the plan used during the consultation and even a 2 stage implementation process may disappoint some in the community. To reduce the project to fit within the current budget is very difficult to achieve given the configuration of the play space. The proposed boundaries of stage 1 is the circular shared pathway (plus Gyro equal access play item) – this seems logical. This option of reducing the scope of stage 1 is not favoured.*
2. To defer stage 1 until the next financial year budget to allow the funding of the \$167,000 shortfall. Stage 2 could be considered next year or programmed for a later year.
Officer Comment – *similar to the first comment above, not only the configuration but the community are expecting delivery of the playground within this financial year (some comments expect work to complete this summer period). This option is also not favoured.*
3. To consider abandonment of other budgeted projects to provide the additional funds to complete stage 1. Stage 2 could be considered next year or programmed for a later year.

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13.3 REGENT SQUARE PLAYGROUND (CONT.)

Officer Comment – *The degree of public expectation influences a favourable response to this option. Officer have identified projects that the Council could abandon to allow the necessary funds to be diverted to the Regent Square project. The projects suggested are:*

Table 2 – Projects proposed to be abandoned

Project	Budget Allowance	Comment
Ground irrigation Sports Complex Stage 1 following investigation	\$18,778	No decision made at this point as to the scope of this work
George Town Sports Complex - upgrade to water infrastructure. Stage 1 of multi stage project to upgrade sports field irrigation systems to efficient, compliant standard	\$31,355	No decision made at this point as to the scope of this work
George Town Sportsground	\$65,000	No decision made at this point as to the scope of this work, this was for revamp of entrance and roads
Trevor St Weymouth extension - scoping of works	\$16,200	To be deferred, Council had previously decided not to include this in 2017/18
Road Table Drain rehabilitation (1595) – reduce from \$71,000 to \$35,700)	35,700	
Total selected project value	\$167,033	

The abandoned projects will be raised during the FY2019/20 budget preparation for consideration.

4. To consider raising the additional funds to complete the project (in its entirety) by rationalising the public open space managed by the Council. It is practice, although not required by legislation, that proceeds from the sale of public open spaces are used to either purchase additional public open space or toward the capital improvement of existing sites.

Officer Comment – *This option is favoured either:*

- a. *to raise the \$268,570 funds needed for stage 2 or*
- b. *given the current Council resolution to dispose of 241 Agnes Street, 30 Davis Street and 15 Riverleads Drive (likely to raise in excess of \$185,000) such funds are required to be used to purchase or improve existing public opens spaces such as the \$167,000 shortfall for stage 1 or preferably the delivery of stage 2. It is likely the sales will be finalised by end of the 2018 calendar year.*

Proposed Action:

It is recommended that the Regent Square Playground project be divided into 2 stages to be implemented over 2 financial years. Stage 1 to be constructed in the current financial year utilising current budget funding and funds by abandoning projects shown in table 2 above. The abandoned projects to be relisted for consideration during the preparation of the FY 2019/20 budget.

13.3 REGENT SQUARE PLAYGROUND (CONT.)

Depending on how well the three (3) properties (Agnes Street, Davis Street and Riverleads Drive) sell coupled with the transfer of a small additional funding, then it is possible that stage 2 could be delivered with stage 1.

The purchase of the principal components of the playground are valued at greater than \$150,000 hence a trigger in the Council Policy for a public tendering process. However given the history of the project and consultation with the reference group and the community, this has narrowed the favoured play equipment items to a single supplier. An alternate supplier will result in equipment of different configuration, style and type. It is considered appropriate that the Council use the provisions of Regulation 27 [Local Government (General) Regulations 2015] to approve an exemption from the implementation of the Council policy requiring the application of a public tender process.

If the Council support the above action then it is likely the project will begin insitu 4 months from ordering resulting in insitu works early April with completion by the end of July 2019.

In terms of stage 2 works it is recommended that the Council authorise the identification of public open space land in excess to recreation needs with a view that proceeds would be used to fund construction.

OFFICER'S RECOMMENDATION

That Council, in respect to the Regent Square Play Ground Project, resolves:

- (a) To deliver the project in two stages with stage 1 within the FY 2018/19 and stage 2 also within the FY 2018/19 should funding sources be raised or alternatively referred to the FY 2019/20 budget for consideration. The stages are as shown in the plan enclosed as Attachment 5.
- (b) That in accordance with Regulation 27 clause ix of the Local Government (General) Regulations 2015 that a public tender process is not undertaken for the purchase of the items of play equipment identified as items 1 – 6 and 10 – 12 inclusive in Table 1 above (items listed in stage 1), given extenuating circumstances and unavailability of competitive tenders. Such purchase shall be in accordance with a quote received from the supplier 'Adventure+' dated 15 June 2018 enclosed as Attachment 6. Should stage 2 be undertaken in FY 2018/19 then the items mentioned above shall also include items 7, 8 & 9 in Table 1 above (items listed in stage 2).
- (c) That the projects identified in the FY 2018/19 Budget, as shown in Table 2 above, be abandoned and such funds transferred to the Regent Square Playground project stage 1 and
- (d) That the income from the sale of public open space land (Agnes Street, Davis Street and Riverleads Drive) be allocated to fund construction of stage 2 works.

DECISION

VOTING

For:

Against:

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13.4 SOCIAL HOUSING

REPORT AUTHOR: Acting General Manager

REPORT DATE: 15 November 2018

FILE NO: 11.9

ATTACHMENT: (A) Catholic Care Affordable Housing Program
(B) Plan – Housing Tasmania vacant lots
(C) Plan – Council Public Open Space lots proposed for disposal

SUMMARY

The purpose of this brief is to facilitate discussion among Councillors on the appetite for a joint proposal with Catholic Care to provide social and/or affordable housing in George Town.

BACKGROUND

Tasmania provides about 12,000 public houses with 2/3rd managed by Housing Tasmania and 1/3rd managed by other social providers such as Catholic Care.

George Town has been assessed to have the lowest score in Tasmania (or greatest level of disadvantage) by the Australia Bureau of Statistics socio-economic index for areas. The index is derived from attributes that reflect disadvantage such as low income, low educational attainment, high unemployment and jobs in relatively unskilled occupations.

A meeting on Monday 22nd October with representatives of Catholic Care expressed a strong desire to extend their program to include the George Town township. Catholic Care manage and own a significant number of social and affordable housing across the state but consider there is a gap in the George Town region which they seek to resolve. Attached is a series of slides that provides background to the Catholic Care program.

One of the priority actions of Catholic Care is to couple the provision of social or affordable private housing with wrap around services – education, safety, spirituality, health, economic and community engagement. This is a significant point of difference to the traditional public housing schemes offered by Housing Tasmania.

Currently Catholic Care have 130 properties under construction.

The model Catholic Care seek to discuss with the Council is a joint scheme (similar to the current project in Scottsdale). Under this arrangement the Council would provide appropriately sited land and Catholic Care assume responsibility to provide social and/or affordable housing and the support services mentioned above.

This matter was discussed at the Council workshop held on the 14 November 2018.

STRATEGIC PLAN

Goal 01

Foster the growth of a diverse business and industry mix and to foster population growth.

Key Objective

Key priority

Promote the George Town municipality as affordable and accessible for home buyers

13.4 SOCIAL HOUSING (CONT.)

OFFICER'S COMMENTS

The ideal situation, from Catholic Care's prospective, is the provision of land that:

- Is integrated in the current housing districts of George Town
- Is sited within commuting distance of business, commodity and community services
- Has all utility services associated with an urban area.

Housing Tasmania Land

Currently Housing Tasmania are holding discussions with Housing Tasmania to allow rehabilitation of 2 existing land subdivisions to sell as low cost allotments – the details are:

- 12 lots in Rove Avenue and Stonehouse Street
- 33 lots in Hallem Street, Woolcock Court, Green Court, Agnes Street and Dunning Avenue.

In addition Housing Tasmania have a number of single allotments that are vacant and located within the urban area – these are located at 21 Gordon Square, 9 Grachan Avenue, 18 Widdowson Street, 60 Davies Street, 181 Franklin Street, 248 Agnes Street, 122 Franklin Street, 38 Main Street and Cimitiere Street. A plan showing these single lots are attached.

It is proposed to bring these subdivisions and vacant lots to the attention of Catholic Care but given their preferred criteria the 'subdivision' lots are likely to be too far from the central services of the township.

Council Public Open Space

The Council in recent months undertook an assessment of the low community value public open space lots with a view of disposal. The process involved staff and Elected Members. The conclusion resulted in a report to the Council's March 2018 meeting resolved to dispose of 10 properties.

The current situation is that 3 properties have been listed with a real estate agent for sale - 241 Agnes Street, 30 Davis Street and 15 Riverleads Drive. The proceeds of these properties are recommended to be allocated to fund capital development at Regents Square. The other 6 properties include Anne Street (large allotment), 65 Low Head Road, Gerzalia Drive (large allotment), Gerzalia Drive (Small allotment), Lot 501 Woolcock Court and 122 Franklin Street. A plan showing the open space lots are attached (note: green dots are lots currently being sold).

As a whole the land stock owned by the Council is inappropriately located (too far from town services) or too large (less suitable for residential affordable housing). That said it is recommended that the identified sites be discussed with Catholic Care for them to determine suitability. Those sites supported by Catholic Care will presented to a future Council workshop before advancing to the next stage.

OFFICER'S RECOMMENDATION

Given the above it is recommended that the Council inform Catholic Care that:

- (a) That the Council support in-principle an investigation into a joint venture to provide social and/or affordable housing; and
- (b) The stock of Council owned land as resolved by the Council for disposal at its July 2017 meeting, except for 241 Agnes Street, 30 Davis Street and 15 Riverleads Drive, be assessed for suitability as affordable housing lots. Should lots be identified as suitable then a further Council workshop report be presented for discussion; and

13.4 SOCIAL HOUSING (CONT.)

- (c) Housing Tasmania has a significant number of urban sized housing allotments within 2 subdivisions (although not conveniently located to business, community and community services) and 9 individual housing lots (likely to be suitable for social and/or affordable housing).

DECISION

VOTING

For:

Against:

George Town Council
COUNCIL MEETING – 21ST NOVEMBER 2018
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13.5 COUNCIL MEETING/WORKSHOP SCHEDULE – 2019

REPORT AUTHOR: Acting General Manager

REPORT DATE: 15 November 2018

FILE NO: 14.21

ATTACHMENT: Nil

SUMMARY

To provide information to Council to assist in the adoption of the 2019 ordinary Council Meeting and Council Workshop schedule.

BACKGROUND

Local Government (Meeting Procedures) Regulations 2015 require:

Regulation 6 (Times of Meetings)

- (1) A meeting is not to start before **5.00pm** unless otherwise determined by the Council by absolute majority or by the Council Committee by simple majority.
- (2) After each ordinary election, a Council and a Council Committee are to review the times of commencement of meetings.

Regulation 7 (Notice of Meetings)

- (2) At least once in each year, the general manager is to publish in a daily newspaper, or in a prescribed newspaper, circulating in the relevant municipal area a notice containing –
 - (a) the times and places of the ordinary council meetings for the next 12 months; and
 - (b) the times and places, as known, of the council committee meetings for the next 12 months.

This matter was discussed at the Council workshop held on the 14 November 2018.

RISK CONSIDERATIONS

No risks are identified.

FINANCIAL IMPLICATIONS

No financial implications are recognised.

STRATEGIC PLAN

Goal 5

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

Key Objective

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

George Town Council
COUNCIL MEETING – 21ST NOVEMBER 2018
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13.5 COUNCIL MEETING/WORKSHOP SCHEDULE – 2019 (CONT.)

OFFICER’S COMMENT

The following schedule of meetings is based on recent discussion and suggestions and is offered to assist Council in determining its 2019 ordinary Council meeting and Council workshop dates and commencement times. Council will also need to confirm two additional Council Budget Workshops.

Due to staff leave over the Christmas and the New Year period, it is suggested that the January 2019 Council workshop and the ordinary Council meeting be held on the 4th Wednesday being the 23 January 2019.

Due to logistics, acoustics/recording issues and costs it is recommended Council that all Council meetings be held at the George Town Council Office (Council Chambers).

When scheduling the timing of ordinary Council meetings and Council workshops Council should take into consideration that staff have already completed an 8 hour day and will be entitled to a break of at least 30 minutes prior to the commencement of any afterhours meetings.

In accordance with the requirements of Section 72B(1) of the Local Government Act a Council must hold an Annual General Meeting on a date that is not later than the 15 December in each year. It is suggested that the 2019 AGM be held on Thursday 14 November 2019.

Note: A Council meeting is not to start before 5.00pm unless by absolute majority.

Proposed Ordinary Council meetings and Council Workshop schedule for 2019 (including two budget workshops)

COUNCIL MEETING/WORKSHOP	DATE	TIME
Workshop	Wednesday 23 January	9.00am
Council Meeting	Wednesday 23 January	1.00pm
Workshop	Wednesday 20 February	9.00am
Council Meeting	Wednesday 20 February	1.00pm
Workshop	Wednesday 20 March	9.00am
Council Meeting	Wednesday 20 March	1.00pm
Budget Workshop	Wednesday 10 April	9.00am
Workshop	Wednesday 17 April	9.00am
Council Meeting	Wednesday 17 April	1.00pm
Budget Workshop	Wednesday 8 May	9.00am
Workshop	Wednesday 15 May	9.00am
Council Meeting	Wednesday 15 May	1.00pm

George Town Council
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13.5 COUNCIL MEETING/WORKSHOP SCHEDULE – 2019 (CONT.)

COUNCIL MEETING/WORKSHOP	DATE	TIME
Workshop	Wednesday 19 June	9.00am
Council Meeting	Wednesday 19 June	1.00pm
Workshop	Wednesday 17 July	9.00am
Council Meeting	Wednesday 17 July	1.00pm
Workshop	Wednesday 21 August	9.00am
Council Meeting	Wednesday 21 August	1.00pm
Workshop	Wednesday 18 September	9.00am
Council Meeting	Wednesday 18 September	1.00pm
Workshop	Wednesday 16 October	9.00am
Council Meeting	Wednesday 16 October	1.00pm
Annual General Meeting	Thursday 14 November	6.00pm
Workshop	Wednesday 20 November	9.00am
Council Meeting	Wednesday 20 November	1.00pm
Workshop	Wednesday 18 December	9.00am
Council Meeting	Wednesday 18 December	1.00pm

OFFICER’S RECOMMENDATION

That Council adopts the following 2019 Council meeting, Council Workshop and AGM schedule:

COUNCIL MEETING/WORKSHOP	DATE	TIME
Workshop	Wednesday 23 January	9.00am
Council Meeting	Wednesday 23 January	1.00pm
Workshop	Wednesday 20 February	9.00am
Council Meeting	Wednesday 20 February	1.00pm
Workshop	Wednesday 20 March	9.00am
Council Meeting	Wednesday 20 March	1.00pm
Budget Workshop	Wednesday 10 April	9.00am
Workshop	Wednesday 17 April	9.00am
Council Meeting	Wednesday 17 April	1.00pm
Budget Workshop	Wednesday 8 May	9.00am
Workshop	Wednesday 15 May	9.00am
Council Meeting	Wednesday 15 May	1.00pm
Workshop	Wednesday 19 June	9.00am
Council Meeting	Wednesday 19 June	1.00pm
Workshop	Wednesday 17 July	9.00am
Council Meeting	Wednesday 17 July	1.00pm
Workshop	Wednesday 21 August	9.00am
Council Meeting	Wednesday 21 August	1.00pm
Workshop	Wednesday 18 September	9.00am
Council Meeting	Wednesday 18 September	1.00pm
Workshop	Wednesday 16 October	9.00am
Council Meeting	Wednesday 16 October	1.00pm
Annual General Meeting	Thursday 14 November	6.00pm
Workshop	Wednesday 20 November	9.00am

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13.5 COUNCIL MEETING/WORKSHOP SCHEDULE – 2019 (CONT.)

COUNCIL MEETING/WORKSHOP	DATE	TIME
Council Meeting	Wednesday 20 November	1.00pm
Workshop	Wednesday 18 December	9.00am
Council Meeting	Wednesday 18 December	1.00pm

ABSOLUTE MAJORITY OF COUNCIL REQUIRED

DECISION

VOTING

For:

Against:

George Town Council
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13.6 DRAFT GIFTS AND DONATIONS POLICY (PREVIOUSLY THE GIFTS AND BENEFITS POLICY) NO. 45 – VERSION 02

REPORT AUTHOR: Acting General Manager

REPORT DATE: 15 November 2018

ATTACHMENT/S: Draft Gifts and Donations Policy No. 45 – Version 02

FILE NO: 14.13

SUMMARY

To submit the Draft Gifts and Donations Policy No. 45 (the Policy) to Council for review and consideration and adoptions.

BACKGROUND

In accordance with the Local Government Act 1993 S339A:

Misuse of Office:

- (1) A councillor, an employee or a member must not procure the doing or not doing of anything by the council to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for –
 - (a) the councillor, employee or member; or
 - (b) a close associate of the councillor, employee or member; or
 - (c) a member of the councillor's employee's or member's family.
- (2) In addition to any penalty imposed under this section, a court may make an order –
 - (a) barring the councillor from nominating as a candidate at any election for a period not exceeding 7 years; or
 - (b) dismissing the councillor member from office.
- (3) Includes a member of an audit panel.

This matter was discussed at the Council workshop held on the 14 November 2018.

LEGISLATION

Local Government Act 1993
Local Government (General) Regulations 2015

STRATEGIC PLAN

Goal 05

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

Key Objective

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

Key Priority

Manage and seek to minimise risk throughout Council.

OFFICER'S COMMENTS

The function of the Policy is to recognise that the conduct of Council business may give rise to gifts or donations of appreciation being offered to Council officials and that in appropriate circumstances it is acceptable for such gifts or donations to be accepted.

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AGENDA

13.6 DRAFT GIFTS AND DONATIONS POLICY (PREVIOUSLY THE GIFTS AND BENEFITS POLICY) NO. 45 – VERSION 02 (CONT.)

Given the potential for acceptance of gifts and donations to be misinterpreted and to cause reputational damage to Council and the Council officials involved, it is necessary for Council officials to conduct themselves in accordance with a recognised and appropriate set of acceptable procedures.

The main objective of this Policy is to:

1. Ensure that Council officials are made aware of their obligations and responsibilities concerning the offer or acceptance of any gift or donation; and
2. Provide guidance to Council officials in identifying, assessing and managing offers of gifts or donations to ensure that they do not constitute or are perceived to constitute corrupt conduct; and
3. To align with Council’s Code of Conduct, Standard of Conduct.

The Policy, originally adopted in March 2015 has been updated to reflect:

- (1) The Policy has been renamed to the “Gifts & Donations” Policy in keeping with the Local Government (General) Regulations 2015 and reference to the word “benefit/s” has been removed;
- (2) The requirements of Council’s Code of Conduct adopted in May 2016;
- (3) Council’s 2016-2026 Strategic Plan; and
- (4) Recent changes to the Local Government (General) Regulations 2015 (June 2018) to include:
 - Nominal value; and
 - Definition of gift or donation
- (6) The addition of information in respect to the timeframe for the provision of notice of the receipt of a gift or donation.
- (7) The deletion of the reference to variation of the policy including the amounts and frequencies specified may by resolution of Council. The nominal value is prescribed in the Local Government (General) Regulations 2015.
- (8) Updates to Gifts and Donations Register template in accordance with the requirements of the Local Government (General) Regulations 2015.

Please refer to tracked changes within the reviewed Policy.

It is not considered necessary that the Policy be advertised for public comment due to its statutory nature. Any public input would have little impact on the intent of the Policy.

OFFICER’S RECOMMENDATION

That Council adopts the Gifts and Donations Policy No. 45 Version 02 as attached to this report effective 21 November 2018.

DECISION

VOTING

For:

Against:

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13.7 STRUCTURE AND MEMBERSHIP OF COMMITTEES

REPORT AUTHOR: Acting General Manager

REPORT DATE: 15 November 2018

FILE NO: 14.12

ATTACHMENT/S: Establishment of Special Committees Policy No. 7 – Version 02

SUMMARY

To review Councillors representation on internal and external committees and regional bodies and organisations.

BACKGROUND

With the recent election it is necessary to review Councillors representation on internal and external committees and regional bodies and associations.

This matter was discussed at the Council workshop held on the 14 November 2018.

LEGISLATION

Section 24 Special Committees – Local Government Act 1993

- (1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.
- (2) A special committee consists of such persons appointed by the council as the council thinks appropriate.
- (3) The council is to determine the procedures relating to the meetings of a special committee.

OFFICER'S COMMENTS

The following table indicates the current Committee/Panel structure and membership:

Committee	Membership	Frequency of meetings	Term
<p>George Town Municipal Emergency Management Committee</p> <p>Role: The functions and role of this Committee are set out in the Emergency Management Act 2006 as are some of its appointments.</p>	<ul style="list-style-type: none"> • Municipal Chairperson (Mayor) • Two Councillor Representatives • General Manager • Team Leader Works & Infrastructure • Municipal Emergency Management Coordinator (Council Officer) • Provision of administrative support (Governance) 	Half yearly	4 Years

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Committee	Membership	Frequency of meetings	Term
<p>George Town Audit Panel</p> <p>Role: To provide an independent mechanism to review council processes and decision-making. The Audit Panel is not responsible for management activities, nor can it act as a substitute for management controls or the accountability functions of a council.</p>	<ul style="list-style-type: none"> • Chairperson (external appointment) • Two Councillor Representatives • One Councillor to act as Proxy 	Quarterly	2 Years
<p>George Town Community Safety Group (Section 24 Committee)</p> <p>Role: The Community Safety Committee provides a forum for:</p> <ul style="list-style-type: none"> • Information sharing and data collection. • Discussion about George Town community safety issues. • Collaborative development of recommendations on ways stakeholders in the community can work in partnership to improve community safety, and foster a culture of safe and responsible community behaviour. 	<ul style="list-style-type: none"> • Chair, Councillor • Proxy, One Councillor Representative • Provision of administrative support (Corporate) 	Monthly	4 Years
<p>George Town Sports Complex Advisory Committee (Section 24 Committee) (Currently in recess)</p> <p>Role: To provide direction and advice on opportunities for the George Town Community to progress ideas for management, future development and activity at the George Town Sports Complex.</p>	Refer Officer's comments below		

13.7 STRUCTURE AND MEMBERSHIP OF COMMITTEES (CONT.)

George Town Audit Panel Membership

In selecting appropriate members for the Audit Panel it is important for the Council to consider relevant skills and experience required by an Audit Panel. Audit Panel members must possess good business acumen and sound management and communication skills. The composition of the Audit Panel should include a balance of professional skills, knowledge and technical expertise, as well as sufficient capacity, independence and objectivity to discharge its responsibilities.

Special Committees of Council (Section 24 Committee)

In accordance with Council's Establishment of Special Committees Policy, all Special Committees of Council are to be reviewed annually as near as possible to December of each year.

Council currently has one active Special Committee (Section 24 Committee) being the George Town Community Safety Group. This Group meets on a monthly basis in the Council Chambers with Council providing administrative support to the Committee.

In October 2017 Council resolved that the George Town Sports Complex Committee be placed into recess until December 2017 and considers further the future of the Committee at that time (Council res 286/17).

Due to changes in Council officer availability, support to the Group and low attendance numbers by Committee members, there was support for the Committee to be broadened to include all sports and recreational groups within the municipality. By broadening membership, the group could be known as the "Recreational User Group" rather than a Committee. The group then would become community driven, encouraging networking amongst the users and would be more reflective of the community's needs. Whilst Council could continue to offer a meeting venue for the Group, the Group would be responsible for its own administrative functions.

No further consideration has been given to the future of the George Town Sports Complex Committee since December 2017 however it would seem appropriate that whilst Council is considering its Committee structure and membership, it also considers the future of George Town Sports Complex Committee.

Liaison/Representatives for Bodies & Associations

Council also has representation on a number of organisations generally at the request of that organisation. Other than the Local Government Association, where there are statutory provisions, this representation is optional.

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13.7 STRUCTURE AND MEMBERSHIP OF COMMITTEES (CONT.)

In the past the Mayor and Councillors have represented Council on a number of these committees/bodies or associations as indicated in the following table:

Committee/Group	Regional	Other	Present Representation	Frequency of Meetings	Term
Tamar Estuary Management Taskforce (TEMT)	✓		Mayor	Usually bi-monthly or as required	4 Years
TasWater Board (Owners Representatives)	✓		Mayor – Owners representative General Manager – Proxy	Quarterly	3 Years
Local Government Association of Tasmania (LGAT)		✓	Mayor – voting delegate General Manager – proxy	Quarterly	4 Years
Tamar NRM Management Committee		✓	Two Councillor representatives Team Leader Works & Infrastructure	Bi-monthly or as required	Ongoing
Tamar NRM Reference Group		✓	Team Leader Works & Infrastructure	Six monthly	Ongoing

It should also be noted that whilst an individual Councillor may attend meetings of other organisations, community groups and regional bodies, they must not act as a Council representative unless formally appointed by Council to act in that capacity.

OFFICER'S RECOMMENDATION

That the Council:

1. Nominate the Mayor to be the Municipal Chairperson on the George Town Municipal Emergency Management Committee and nominates two Council representatives and the General Manager to be members of that Committee; and
2. Nominate two Councillors as members of the George Town Audit Panel and one Councillor as Proxy to the George Town Audit Panel; and
3. Appoint the Mayor as Council representative on the Tamar Estuary Management Taskforce; and
4. Appoint the Mayor be the voting delegate and the General Manager as Proxy in Council's representation of the TasWater Board, Owners Representatives;
5. Appoint the Mayor as voting delegate and the General Manager remain as Proxy in Council's representation of the Local Government Association of Tasmania;
6. Appoint a Councillor and Proxy to the George Town Community Safety Group;

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13.7 STRUCTURE AND MEMBERSHIP OF COMMITTEES (CONT.)

7. Appoints two Councillors as representatives to the Tamar NRM Management Committee; and
8. Refers the future of the George Town Sports Complex Advisory Committee to the next available Council workshop for further discussion.

DECISION

VOTING

For:

Against:

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13.8 CONFIRMATION OF THE MINUTES OF THE 2018 ANNUAL GENERAL MEETING

REPORT AUTHOR: Acting General Manager

REPORT DATE: 16 November 2018

FILE NO: 29.11

ATTACHMENT: Unconfirmed Minutes of the 2018 Annual General Meeting

SUMMARY

The purpose of this report is present the Minutes of the 2018 Annual General Meeting to Council for adoption.

BACKGROUND

The 2018 Annual General Meeting was held on the 15 November 2018.

Goal 05

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

Key Objective 04

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

OFFICER'S COMMENT

The Minutes of the 2018 Annual General Meeting held on the 15 November 2018 are recommended to Council for adoption.

OFFICER'S RECOMMENDATION

That the Minutes of the 2018 Annual General Meeting held on the 15 November 2018 be received and confirmed as a true record of proceedings.

DECISION

VOTING

For:

Against:

14. PETITIONS

Nil.

15. NOTICES OF MOTIONS

15.1 NOTICE OF MOTION RECEIVED FROM CR BARWICK

Moved: Cr Barwick
Seconded:

That the George Town Council resolves to sell, under a tender process, the land known as the George Town Airstrip at 119 Soldier Settlement Road (PID1890690) in accordance with Section 177 (sale of Land owned by Council) in accordance with the Local Government Act 1993.

GENERAL MANAGER'S COMMENTS

The construction of the George Town Airstrip was originated by the George Town Airport Association, an organisation formed by the local Chamber of Commerce in 1970.

The site was purchased with funds donated and loaned by citizens and business. The initial grass runway was built with donations from various sources together with some State government funding. It was 671 metres long and was officially opened in February 1974.

The runway was extended by 244 metres to an overall length of 915 metres and other upgrading works completed in February 1987.

In 1992, the Council became involved in investigating the further upgrading of the airport. The proposal involved lengthening and sealing the runway, drainage works and the installation of lighting and safety markers. These works were funded by a local capital works grant and a Council contribution.

As part of the process of assessing the upgrading proposal, the management and control of the airport was also reviewed. As a result, the George Town Airport Association transferred by way of gift, the ownership of the airport to the Council.

The upgrading works were completed in May of 1993 and it was at that time that the Council became aware through the Civil Aviation Authority that the airport did not comply with a number of regulatory requirements that seriously restricting its commercial viability.

Previous Considerations

Over the past years there have been a significant number of previous Council and workshop reports discussing the merits of retaining ownership or sale of the airstrip. The last consideration by the Council was at the 18th July 2018 meeting to determine whether to consider any potential or future sale as 'public land' (section 178) or NOT 'public' land (section 177).

Financial Considerations

A 10 year summary of income, recurrent and capital expenditure is provided as an Attachment.

The recurrent expenditure and annual income (lease payments and rates) are both fairly consistent at an average of \$9,000pa and \$11,400pa respectively. The capital expenditure is cyclic proportional to the asset lives but a long-term forecast indicates an annualised capital expenditure of \$10,500. In short the income off-sets expenditure (recurrent and capital) by less than 60% or an annual deficit of \$8,100.

15.1 NOTICE OF MOTION RECEIVED FROM CR BARWICK (CONT.)

Conclusion

It is considered that the sale value of the land is significantly influenced by the existence of a 10 year lease (expiring 11 May 2028).

To maximise potential to achieve the higher value then it may be desirable to defer sale of the property until one or 2 years from the expiry date of the lease (11 May 2028). The possibility of major works are negligible given major drainage was undertaken in 2016 and the air strip sealed in 2017. Unknown future costs relate mainly to requirements imposed by the Aviation Authority.

DECISION

VOTING

For:

Against:

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

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

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

Nil.

Cr Glisson - 17 October 2018

Q1. *Has Council considered Section 76 "writing off of bad debts" re Mr Neilsen issue?*

The Chair took the question on notice.

Response

This is an ongoing legal matter which is progressing in accordance with Council resolution.

Cr Dawson - 17 October 2018

Q1. *Has Council considered Section 76 "writing off of bad debts" to anyone else in the municipality previously and will we consider this for all debts?*

The Chair took the question on notice.

Response

Council has a Write Off of Bad Debt Policy No 15, from time to time Council has written off bad debts for unpaid rates, in line with this policy and following a report to Council. Bad debts are only written off after all avenues for recovery have been exhausted.

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17. COUNCIL COMMITTEE REPORTS

Nil.

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18. CLOSED MEETING

18.1 INTO CLOSED MEETING

DECISION

Moved: Cr
Seconded: Cr

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

Item 1 Closed Meeting Minutes – Ordinary Council Meeting 17th October 2018

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

REQUIRES ABSOLUTE MAJORITY OF COUNCIL

VOTING

For:

Against:

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

VOTING

For:

Against:

There being no further business, the meeting closed at

**Cr Bridget Archer
MAYOR**