

**George Town Council**  
**COUNCIL MEETING – 25<sup>TH</sup> AUGUST 2020**  
**CONFIRMED MINUTES**

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**Meeting Commencing at 1.00 pm**

**Acknowledgement of Country**

*The George Town Council pays its respect to the traditional and original owners of the land in which we meet, their elders past, present and emerging and we pay respect to those that have passed before us and acknowledge today's Tasmanian Aboriginal people who are the custodians of this land.*

**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.

*In accordance with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020, Part 4, Section 18, and as given notice by the Premier of Tasmania, Peter Gutwein, under the same act and published in the Tasmanian Government Gazette No. 21 963, 3 April 2020, this meeting is being held remotely. All documents presented, and recordings (both visual and audio) of this meeting are made available to the public in accordance with the above act and notice, and the standard applicable provisions of the Local Government Act 1993, and Local Government (Meeting Procedures) Regulations 2015.*

**1. PRESENT**

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

**1.1 APOLOGIES & LEAVE OF ABSENCE**

Nil.

**1.2 IN ATTENDANCE**

General Manager – Mr S. Power  
Manager Liveable & Connected Communities – Ms M. Bennett  
Manager Development & Environment – Mr R. Cassidy  
Manager People, Performance & Governance – Mr B. Daire  
Manager Corporate Services & Finance – Ms C. Hyde  
Manager Infrastructure & Works – Mr D. Richardson  
Executive Support & Governance Officer – Ms L. Dickenson

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**2. CONFIRMATION OF MINUTES**

**121/20 2.1 ORDINARY COUNCIL MEETING HELD 28<sup>TH</sup> JULY 2020**

**DECISION**

Moved: Cr Mason  
Seconded: Cr Harris

That the Minutes of Council's Ordinary meeting held on the 28<sup>th</sup> July 2020 numbered 104/20 to 117/20 and 120/20 as provided to Councillors be received and confirmed as a true record of proceedings (attached).

**VOTING**

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

Against: Nil.

**CARRIED 9/0**

**3. LATE ITEMS**

Nil.

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**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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Due to restrictions in place during the COVID19 pandemic, and the closure of the Ordinary Council Meetings as enabled through the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020, public question time will be conducted in the following manner.

**Questions With Notice**

Up to two (2) questions per person with notice can be submitted by email to [council@georgetown.tas.gov.au](mailto:council@georgetown.tas.gov.au) by Monday 5.00 pm seven (7) days prior to the Ordinary meeting. These questions, if accepted, will be published in the Agenda.

**Questions Without Notice**

Up to two (2) questions per person without notice can be submitted by email to [council@georgetown.tas.gov.au](mailto:council@georgetown.tas.gov.au) by Monday 5.00 pm one (1) day prior to the Ordinary meeting. These questions, if accepted, will be submitted to the Chair in order of acceptance.

Questions with or without notice will be read out by the Chair at the meeting and will be answered or taken on notice. These questions will be recorded in Council's minutes and an electronic recording of the Ordinary meeting will be available on Council's website for public viewing.

#### **4.2 PUBLIC QUESTION TIME**

Commenced at:

Concluded at: 1.08 pm

#### **Mr G. Neilsen, George Town**

Q1. Mayor Councillor Kieser has been reported in the Sunday Mercury 23 August as joining calls for an overhaul of the code of conduct rules.

I respectfully ask what exactly are the rules of the Code of Conduct that the Mayor considers needs to be overhauled?

The Chair responded to Mr Neilsen's question stating that a written response will be provided.

The Chair advised that as part of his quoted comment "*it is not a functioning process and it doesn't serve the public interest to force arbitration at a local level before a complaint passes over to the rather litigious process of the code of conduct panel which should be resolved without being drawn out to the public eye*" and therefore as per my quoted comment, I believe that there should be a forced arbitration process prior to the submission of a code of conduct complaint.

There are other Councils such as Hobart City Council which have similar processes embedded in the policy framework and it would be of benefit if the process was standardised across all local government. This will prevent possible disparity and the amount of code of conduct panel reviews some councils undertake in comparison to those who choose to adopt such policy and to allow for relative minor issues to be resolved, where possible, in the first instance without resorting to expensive investigations, the calling of witnesses, hearings and potential litigation.

The Chair thanked Mr Neilsen for his question.

**4.3 PUBLIC QUESTIONS ON NOTICE**

**Ms D. Rainbow, George Town**

1/ In the meeting of council on Feb 25<sup>th</sup> 2020 I requested a response to my question about the council manager swearing at me?

I did not receive an answer, so I would like this read and addressed.

*The Chair took this question on notice.*



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**4.4 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME**

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

**Mr J. Glisson, Low Head**



Our Ref: 14.15

3<sup>rd</sup> August, 2020

Mr John Glisson

Dear Mr Glisson,

**RE: PUBLIC QUESTION TIME – 28<sup>TH</sup> JULY 2020 ORDINARY COUNCIL MEETING**

Thank you for your question you submitted to the 28<sup>th</sup> July, 2020 Ordinary Council meeting. Your question was read out at the meeting and a complete recording of your question and response can be found on Council's website [www.georgetown.tas.gov.au](http://www.georgetown.tas.gov.au)

Your question was:

Q1. Mayor and Councillors,

My question to the July Ordinary Council meeting is;

Can you please explain to the ratepayers of George Town why council has failed to utilise section 76 (1) (b) of the Local Government Act and in doing so saved the Ratepayers more than \$200,000 in legal fees and charges.

Clearly in the case between the Council and the self proclaimed whistleblower, Mr. Graeme Neilsen the cost of recovery is more than triple the debt.

Council claims that Mr Neilsen owes the ratepayers approx. \$60,000 the Legal Fees and Charges are now more than \$200,000.

If this is considered in tandem with the advice received by council from its legal advisors that Mr Neilsen is impecunious to the claim of council, then Section 76 (1) (a) also should be considered.

**76. Writing off bad debts**

- (1) A council may write off any debts owed to the council –
  - (a) if there are no reasonable prospects of recovering the debt; or
  - (b) if the costs of recovery are likely to equal or exceed the amount to be recovered.
- (2) A council must not write off a debt unless the general manager has certified –
  - (a) that reasonable attempts have been made to recover the debt; or
  - (b) that the costs of recovery are likely to equal or exceed the amount to be recovered.

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

Response

This question has been asked previously and Council refers you to the March 2020 minutes for the response. Council will not be diverting time and resources to questions relating to this matter any further.

Yours sincerely



Shane Power  
**GENERAL MANAGER**

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



14<sup>th</sup> August, 2020

Mr Phil Hawksley

Email:

Dear Mr Hawksley,

**RE: PUBLIC QUESTIONS ON NOTICE – ORDINARY COUNCIL MEETING 28<sup>TH</sup> JULY 2020**

Thank you for your questions that you submitted to the 28<sup>th</sup> July 2020 Ordinary Council meeting where you asked the following:

1. Will Council consider a reduction of the existing 60 kmh to 40 or 50 kmh, in the Bellbuoy Beach area, in line with most other similar communities?
2. Will Council consider the installation of strategically placed speed humps on Bellbuoy Beach Road?

Data collection and analysis of traffic behavior is required to demonstrate the warrants for the change of a speed limit and/or installation of major traffic management devices, as part of an application to the Department of State Growth and the Commissioner for Transport who are the relevant authority to approve speed limit changes.

Speed limits are reviewed by:

- Safety concerns
- Crash history
- The condition of the road
- What the road is used for
- How many people use the road
- Whether it is used by vulnerable road users, such as cyclists and pedestrians
- The number of accesses and intersections
- Compliance with AustRoads and engineering standards.

Council will commence the process of traffic monitoring and data collection shortly. If you have any queries regarding the process; please contact the Manager Infrastructure & Works Mr David Richardson on (03) 6382 8800 or email [council@georgetown.tas.gov.au](mailto:council@georgetown.tas.gov.au).

Again, I thank you for your question and Council will keep you informed on the progress of application for a reduction of the speed limit and/or speed humps on Bellbuoy Beach Road.

Yours sincerely,

**Shane Power  
General Manager**

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

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*Cr Barwick called a Point of order against the Chair at 1.09 pm due to the Chair missed mentioning Mr Hawksley's response.*

**5. DECLARATIONS OF INTEREST**

Nil.

**6. GENERAL MANAGER'S DECLARATION**

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

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



Shane Power  
**GENERAL MANAGER**

**LOCAL GOVERNMENT ACT 1993 – SECTION 65**

**65. Qualified persons**

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

**7. PLANNING AUTHORITY**

Nil.

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**8. OFFICE OF GENERAL MANAGER**

**122/20 8.1 COUNCIL WORKSHOPS – JULY/AUGUST 2020**

**REPORT AUTHOR:** General Manager – Mr S. Power

**REPORT DATE:** 13<sup>th</sup> August, 2020

**FILE NO:** 14.10

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**SUMMARY**

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

**DATE AND PURPOSE OF WORKSHOP HELD**

**TUESDAY 28<sup>TH</sup> JULY, 2020**

- Update on Building and Planning applications
- Update on Capital Works
- Governance Issues
- Healthy George Town Presentation
- Legal Aid Presentation

**Present:** Mayor Kieser, Deputy Mayor Harris, Cr Barwick, Cr Barraclough, Cr Brooks, Cr Dawson, Cr Mason, Cr Michieletto, Cr Parkes

**Apologies:** Nil

**In Attendance:** General Manager, Manager Corporate Services & Finance, Manager Development Services & Environment, Manager Works & Infrastructure, Manager People, Performance & Governance, Manager Liveable & Connected Communities, Executive Support & Governance Officer

**Guests:** Council's Community Development Officer  
Representative from Legal Aid

**TUESDAY 11<sup>TH</sup> AUGUST, 2020**

- Draft Ordinary Minutes of Council held 28<sup>th</sup> July, 2020
- Sport and Recreation Strategy
- George Town Sporting Complex Masterplan
- Sponsorship Applications Launceston Triathlon Club and Tour of Tasmania
- Resumption of Face to Face meetings
- IT Strategy Presentation
- Advocacy Projects
- Local Roads and Community Infrastructure Program
- Strategic Asset Update
- Governance Issues

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**122/20 8.1 COUNCIL WORKSHOPS – JULY/AUGUST 2020 (CONT.)**

**Present:** Mayor Kieser, Deputy Mayor Harris, Cr Barwick, Cr Barraclough, Cr Brooks, Cr Dawson, Cr Mason, Cr Michieletto, Cr Parkes

**Apologies:** Nil

**In Attendance:** General Manager, Manager Corporate Services & Finance, Manager Development Services & Environment, Manager Works & Infrastructure, Manager People, Performance & Governance, Manager Liveable & Connected Communities, Executive Support & Governance Officer

**Guest:** IT Consultant

**OFFICER’S RECOMMENDATION**

That Council receives the report on the Council Workshops 28<sup>th</sup> July, 2020 and 11<sup>th</sup> August, 2020 from the General Manager.

**DECISION**

Moved: Cr Parkes  
Seconded: Cr Barraclough

That Council receives the report on the Council Workshops 28<sup>th</sup> July, 2020 and 11<sup>th</sup> August, 2020 from the General Manager.

**VOTING**

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

Against: Nil.

**CARRIED 9/0**

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**123/20 8.2 NRM NORTH GROUP A ASSOCIATION MEMBERSHIP**

**REPORT AUTHOR:** General Manager – Mr S. Power

**REPORT DATE:** 13<sup>th</sup> August 2020

**FILE NO:** 14.35

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**OFFICER'S RECOMMENDATION**

That Council:

1. Appoints Councillor Harris as the George Town Council representative on the NRM North Association 'Group A' Representation.

**DECISION**

Moved: Cr Parkes

Seconded: Cr Barraclough

That Council:

1. Appoints Councillor Harris as the George Town Council representative on the NRM North Association 'Group A' Representation.

**VOTING**

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

Against: Nil.

**CARRIED 9/0**

*Cr Harris thanked the Council for his nomination and accepted to be representative on NRM North Association.*



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**124/20 8.3 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM**

**REPORT AUTHOR:** General Manager, Mr S. Power

**REPORT DATE:** 11<sup>th</sup> August 2020

**FILE NO:** 13.7

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**OFFICER'S RECOMMENDATION**

That Council:

1. approves the development of the East Beach All Abilities Recreation Area through the funding from Local Roads and Community Infrastructure Program.

**DECISION**

Moved: Cr Dawson

Seconded: Cr Parkes

That Council:

1. approves the development subject to relevant approval processes of the East Beach All Abilities Recreation Area through the funding from Local Roads and Community Infrastructure Program.

**VOTING**

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

Against: Cr Barwick

**CARRIED 8/1**

**125/20 8.4 LOCAL GOVERNMENT CODE OF CONDUCT PANEL – DETERMINATION REPORT**

*The Mayor Kieser handed the Chair over to Deputy Mayor at 1.26 pm due to the report was concerning himself.*

*Mayor Kieser and Cr Barwick left the meeting 1.26 pm.*

**REPORT AUTHOR:** General Manager, Mr S. Power

**REPORT DATE:** 20<sup>th</sup> August, 2020

**FILE NO:** 14.25

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**OFFICER'S RECOMMENDATION**

That Council:

- a) Receives and notes the Local Government Code of Conduct Panel's Determination Report attached to this report and relating to the Code of Conduct complaint against Councillor Greg Kieser; and
- b) Notes the tabling of the Determination Report in accordance with s.28ZK(4) of the Local Government Act 1993.

**DECISION**

Moved: Cr Dawson

Seconded: Cr Mason

That Council:

- a) Receives and notes the Local Government Code of Conduct Panel's Determination Report attached to this report and relating to the Code of Conduct complaint against Councillor Greg Kieser; and
- b) Notes the tabling of the Determination Report in accordance with s.28ZK(4) of the Local Government Act 1993.

*Cr Parkes left the meeting at 1.20 pm*

**VOTING**

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

Against: Nil.

**CARRIED 6/0**

**125/20 8.4 LOCAL GOVERNMENT CODE OF CONDUCT PANEL – DETERMINATION REPORT**

*Mayor Kieser entered the meeting at 1.34 pm*

*The Mayor Kieser resumed the Chair at 1.34 pm*

*The meeting adjourned at 1.36 pm to resume at 1.45 pm due to technical issues as Cr Barwick was unable to rejoin the meeting.*

*The meeting recommenced at 1.43 pm.*

*Cr Barwick rejoined the meeting at 1.43 pm.*

**9. DEVELOPMENT AND ENVIRONMENT**

Nil.

**10. WORKS AND INFRASTRUCTURE**

Nil.

**11. CORPORATE SERVICES AND FINANCE**

Nil.

**12. LIVEABLE & CONNECTED COMMUNITIES**

**126/20 12.1 SPONSORSHIP APPLICATION TOUR OF TASMANIA**

**REPORT AUTHOR:** Community Development Officer - Mrs R. O'Sign

**REPORT DATE:** 19<sup>th</sup> August 2020

**FILE NO:** 23.2

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**OFFICER'S RECOMMENDATION**

That Council:

1. Approve the sponsorship application by GTR Events to host Stage 1 of the 2020 Tour of Tasmania in George Town, providing sponsorship of \$2,500, plus in kind support to the value of \$500 to assist with costs associated with hosting the event.

**DECISION**

Moved: Cr Dawson

Seconded: Cr Harris

That Council:

1. Approve the sponsorship application by GTR Events to host Stage 1 of the 2020 Tour of Tasmania in George Town, providing sponsorship of \$2,500, plus in kind support to the value of \$500 to assist with costs associated with hosting the event.

**VOTING**

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

Against: Nil.

**CARRIED 8/0**

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**127/20 12.2 SPONSORSHIP APPLICATION LAUNCESTON TRIATHLON CLUB**

**REPORT AUTHOR:** Community Development Officer - Mrs R. O'Sign

**REPORT DATE:** 19<sup>th</sup> August, 2020

**FILE NO:** 23.2

**ATTACHMENTS:** Sponsorship Application: Launceston Triathlon Club

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**OFFICER'S RECOMMENDATION**

That Council:

1. Approves the sponsorship application by Launceston Triathlon Club, and provides sponsorship of \$1,500.00 to assist with costs associated with hosting the Club's world qualifying Triathlon in George Town in March 2021.

**DECISION**

Moved: Cr Harris

Seconded: Cr Mason

That Council:

1. Approves the sponsorship application by Launceston Triathlon Club, and provides sponsorship of \$1,500.00 to assist with costs associated with hosting the Club's world qualifying aquathon event and associated triathlon events in George Town in March 2021.

**VOTING**

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

Against: Nil.

**CARRIED 8/0**



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**13. MAYOR**

**128/20 13.1 MATTERS OF INVOLVEMENT –MAYOR**

**FILE NO.:** 14.11

**REPORT DATE:** 19<sup>th</sup> August, 2020

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<b>Mayor Cr Greg Kieser</b>		
<b>July</b>	20	Met with the Coordinator General and General Manager re Local Developments
	22	Attended Code of Conduct hearing
	22	Met with Low Head Penguin Tours business owner
	23	Attended 2020 Volunteer Recognition Award Function
	23	Attended joint media launch for the Greater Launceston Transport Vision
	27	Met the Chair of NTDC with General Manager
	27	Attended George Town Chamber of Commerce meeting
	28	Chaired Council Workshop
	28	Chaired Ordinary Council meeting
	28	Met with prospective developers and General Manager re Bell Bay Precinct
	29	Interview with Statewide Mornings Outside broadcast in George Town – Northern Tasmania ABC
	29	Attended meeting with resident and General Manager re Airport
	29	Interview with Tamar FM
	29	Attended TasWater Owner’s Representatives Group Information Session
	31	Attended meeting with prospective developers and General Manager re Bell Bay Precinct
	31	Attended Code of Conduct hearing
31	Attended Regional Collaboration Framework - NTDC	
<b>August</b>	3	Attended Hillwood Progress Association AGM
	10	Interview with Tasmania Talks – Northern Tasmania ABC
	10	Met with resident
	10	Attended George Town Chamber of Commerce meeting
	11	Chaired Council Workshop
	13	Attended DAP Leadership team meeting
	13	Attended photoshoot with Healthy Tasmania
	13	Met with the Hon. Ivan Dean and the General Manager
	13	Met with General Manager and Salvation Army representation
	13	Met with prospective developers and General Manager re Bell Bay Precinct
	13	Attended Mountain Bike Reference Group meeting
	14	Met with President of the George Town Chamber of Commerce re Why Leave Town
	14	Attended Regional Collaboration Framework – NTDC
19	Met with Senator Polley and General Manager re Bell Bay Precinct and economic and social recovery post Covid-19	

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**128/20 13.1 MATTERS OF INVOLVEMENT –MAYOR (CONT.)**

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

**OFFICER’S RECOMMENDATION**

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

**DECISION**

Moved: Cr Mason  
Seconded: Cr Dawson

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

**VOTING**

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

Against: Nil.

**CARRIED 8/0**

**14. PETITIONS**

Nil.

**15. NOTICES OF MOTIONS**

Nil.

**16. COUNCILLORS QUESTIONS WITH OR WITHOUT NOTICE**

*[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.'*"]

**16.1 LEGAL ADVICE – CR BROOKS**

Q1. Was the legal advice received on Mr Neilsen being impecunious a private and confidential matter or was it released to the public?

Response

All legal advice provided to elected members regardless of the method of conveyance or the matter in which the legal advice is subject to, is to be treated in confidence by elected members unless otherwise permitted.

**16.2 REMOVAL OF GRAFFITI – CR HARRIS**

Q1. What role has Council have in enforcing the removal of graffiti?

Response

Council has the following avenues in enforcing the removal of graffiti:

- Advice from Legal Aid Tasmania's Graffiti Fact Sheet, graffiti is normally dealt with by police under the Police Offences Act 1935 (Tas). This action would be on the perpetrator.
- If the graffiti is on a building and could be described as "excessive", Council can consider it under the 'Dilapidated Buildings' section of the Building Act. This action would be on the property owner.
- If the graffiti can be considered as 'litter' under the Litter Act 2007, Council can also potentially take action under this Act. This action would be on the perpetrator.

**17. COUNCIL COMMITTEE REPORTS**

**129/20 17.1 GEORGE TOWN PLACEMAKING COMMITTEE MEETING**

**REPORT AUTHOR:** Executive Support & Governance Officer – Ms L. Dickenson

**REPORT DATE:** 18<sup>th</sup> August, 2020

**FILE NO:** 14.7

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**OFFICER’S RECOMMENDATION**

That Council accept the Confirmed minutes of the 1<sup>st</sup> June and 20<sup>th</sup> July, 2020 as an accurate record of that meeting.

*Cr Barwick called a Point of Order at 2.08 pm against the Chair requiring clarification on the Meeting Procedures relating to Councillors question taken on notice.*

**DECISION**

Moved: Cr Brooks  
Seconded: Cr Dawson

That Council accept the Confirmed minutes of the 1<sup>st</sup> June and 20<sup>th</sup> July, 2020 as an accurate record of that meeting.

**VOTING**

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

Against: Nil.

**CARRIED 8/0**



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**130/20 17.2 GEORGE TOWN PLACEMAKING COMMITTEE APPOINTMENT**

**REPORT AUTHOR:** General Manager – Mr S. Power  
Executive Support & Governance Officer – Ms L. Dickenson

**REPORT DATE:** 18<sup>th</sup> August, 2020

**FILE NO:** 14.7

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**OFFICER’S RECOMMENDATION**

That Council:

1. Accepts the Placemaking Committee recommendation to invite and appoint Cheryl Harrington as a member of the Committee.

**DECISION**

Moved: Cr Brooks  
Seconded: Cr Dawson

That Council:

1. Accepts the Placemaking Committee recommendation to invite and appoint Cheryl Harrington as a member of the Committee.

**VOTING**

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

Against: Nil.

**CARRIED 8/0**

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**131/20 17.3 GEORGE TOWN PLACEMAKING COMMITTEE MEMBER RESIGNATION**

**REPORT AUTHOR:** Executive Support & Governance Officer – Ms L. Dickenson

**REPORT DATE:** 17<sup>th</sup> August, 2020

**FILE NO:** 14.7

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**OFFICER'S RECOMMENDATION**

That Council:

1. Accepts Ms Ingrid O'Sullivan's resignation as a member of the Placemaking Committee; and
2. Formally advises Ms O'Sullivan of Council's decision.

**DECISION**

Moved: Cr Brooks

Seconded: Cr Barraclough

That Council:

1. Accepts Ms Ingrid O'Sullivan's resignation as a member of the Placemaking Committee; and
2. Formally advises Ms O'Sullivan of Council's decision.

**VOTING**

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

Against: Nil.

**CARRIED 8/0**

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**132/20 17.4 GEORGE TOWN COMMUNITY SAFETY GROUP COMMITTEE**

**REPORT AUTHOR:** Executive Support & Governance Officer – Ms L. Dickenson

**REPORT DATE:** 18<sup>th</sup> August, 2020

**FILE NO:** 14.7

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**OFFICER’S RECOMMENDATION**

That Council:

1. Accept the minutes of the George Town Safety Group Committee meeting of 3<sup>rd</sup> March, 2020 as an accurate record of that meeting (attached); and
2. Provides a copy of the Macquarie Street redevelopment concept plan to the George Town Safety Group Committee for comment and not be distributed to the public until authorised by the General Manager or Council.

**DECISION**

Moved: Cr Barraclough

Seconded: Cr Dawson

That Council:

1. Accept the minutes of the George Town Safety Group Committee meeting of 3<sup>rd</sup> March, 2020 as an accurate record of that meeting (attached); and
2. Provides a copy of the Macquarie Street redevelopment concept plan to the George Town Safety Group Committee for comment and not be distributed to the public until authorised by the General Manager or Council.

**VOTING**

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

Against: Nil.

**CARRIED 8/0**

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**18. CLOSED MEETING**

**133/20 18.1 INTO CLOSED MEETING**

**DECISION**

Moved: Cr Harris  
Seconded: Cr Dawson

That Council move into closed meeting at 2.24 pm to discuss the following items:

**Item 1 Minutes of the closed ordinary Council meeting held on the 28<sup>th</sup> July, 2020**

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

**REQUIRES ABSOLUTE MAJORITY OF COUNCIL**

**Item 2 RFT04/19 Periodic standing contracts 01 July 2019 to 30 June 2021**

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

**VOTING**

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

Against: Nil.

**CARRIED 8/0**

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**136/20 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: Cr Harris  
Seconded: Cr Mason

That Council moves out of Closed Meeting at 2.42 pm and endorse those decisions taken while in Closed Meeting and the information remains Confidential.

**VOTING**

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

Against: Nil.

**CARRIED 8/0**

**137/20 MEETING CLOSURE**

Moved Cr Dawson  
Seconded: Cr Barraclough

That Council close the meeting at 2.42 pm.

**VOTING**

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

Against: Nil.

**CARRIED 8/0**

There being no further business, the meeting closed at 2.43 pm

**Cr Greg Kieser  
MAYOR**