

**George Town Council
COUNCIL MEETING – 21ST DECEMBER 2021
UNCONFIRMED MINUTES**

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Meeting Commenced at 1.01 pm

George Town Council paid its respect to the Hillcrest Primary School tragedy by observing a minute's silence. The Chair offered Council's thoughts and prayers to the Hillcrest community.

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 face to face with limitation on public attendance to maintain social distancing.

Council will be allowing a maximum of 10 persons into the Ordinary Council meeting. You must pre-register to attend this meeting of Council.

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

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1. PRESENT

Mayor Cr Greg Kieser, Chairperson
Deputy Mayor Cr Tim Harris
Cr Chris Barraclough
Cr Heather Barwick
Cr Greg Dawson
Cr Dean Gibbons
Cr Winston Mason
Cr Andrew Michieletto (arrived 1:58 pm)
Cr Peter Parkes

1.1 APOLOGIES & LEAVE OF ABSENCE

Nil.

1.2 IN ATTENDANCE

General Manager - Mr S. Power
Manager Infrastructure and Works - Mr J. Herron
Manager People, Performance and Governance - Ms K. Desmond
Manager Development Services and Environment - Mr R. Cassidy
Executive Support and Governance Officer - Ms L. Dickenson
Community Development Officer - Ms A. Allison

**George Town Council
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2. GOVERNANCE MATTERS

188/21 2.1 TABLING OF CERTIFICATE OF ELECTIONS

REPORT AUTHOR: General Manager – Mr S. Power

REPORT DATE: 16th December 2021

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 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 Andrew Hawkey, Electoral Commissioner for the Tasmanian Electoral Commission dated the 13th December 2021 showing the following candidates elected as Councillor as a result of the resignation of Cr Justine Brooks on the 30th November 2021.

1 Councillor

Elected to fill the vacant office of councillor to serve until the next ordinary election of the Council.

Dean GIBBONS

OFFICER'S COMMENT

The Certificate of Election was received from the Tasmanian Electoral Commission on the 16th December. The Certificate of Election is to be tabled by the General Manager.

OFFICER'S RECOMMENDATION

That the Certificate of Election as provided by the Tasmanian Electoral Commission dated 16th December 2021 be received and recorded in the minutes of the meeting.

DECISION

Moved: Cr Mason
Seconded: Cr Barwick

That the Certificate of Election as provided by the Tasmanian Electoral Commission dated 16th December 2021 be received and recorded in the minutes of the meeting.

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Barwick, Cr Gibbons,
Cr Dawson, Cr Mason, Cr Parkes

Against: Nil.

CARRIED 8/0 UNANIMOUS



George Town Council

CERTIFICATE OF ELECTION BY RECOUNT

I have conducted a recount in accordance with section 307 of the *Local Government Act 1993*.

I have this day declared

Dean Gibbons

elected to fill the vacant office of councillor
to serve until the next ordinary election
of the Council.

Andrew Hawkey
ELECTORAL COMMISSIONER
13 December 2021

George Town Council
COUNCIL MEETING – 21ST DECEMBER 2021
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189/21 2.2 DECLARATION OF OFFICE

REPORT AUTHOR: General Manager – Mr S. Power

REPORT DATE: 16th December 2021

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 Councillor.

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 Councillor Dean Gibbons and as witnessed by the General Manager, be noted and form part of these minutes.

DECISION

Moved: Cr Parkes
Seconded: Cr Barraclough

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 Councillor Dean Gibbons and as witnessed by the General Manager, be noted and form part of these minutes.

The Councillors welcomed Cr Dean Gibbons to the Office.

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Barwick, Cr Gibbons,
Cr Dawson, Cr Mason, Cr Parkes

Against: Nil.

CARRIED 8/0 UNANIMOUS

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AGENDA ITEM 2.2 ATTACHMENT

Local Government (General) Regulations 2015
Statutory Rules 2015, No.

SCHEDULE 2 - DECLARATION OF OFFICE

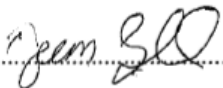
Regulation 40

Local Government Act 1993

DECLARATION OF OFFICE – S. 321


I, Dean Gibbons, having been elected as **COUNCILLOR** to the **GEORGE TOWN COUNCIL**, do solemnly declare that I will

- (a) faithfully carry out the functions and exercise the powers vested in me by virtue of that office to the best of my ability and in accordance with the law;
- (b) comply with the Council's code of conduct.
- (c) Engage in ongoing professional development; and
- (d) Abide by the principles of good governance.

.....


Councillor Dean Gibbons

Made before me at George Town in Tasmania on the 16th day of December 2021.

.....


General Manager Mr Shane Power

2.3 RECEIPT OF OFFICE – COUNCILLOR DEAN GIBBONS

DECISION STATEMENT

To allow Councillor Dean Gibbons the opportunity to address Council and to thank the public and supporters.

Cr Dean Gibbons

Cr Gibbons thanked Council for having him back and stated that it is an honour and privilege to represent the community. Cr Gibbons thanked all for their kind words and looks forward to working in the team for a prosperous future.

The Chair welcomed Cr Gibbons to the team and welcomed him back to Council.

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3. CONFIRMATION OF MINUTES

190/21 3.1 ORDINARY COUNCIL MEETING HELD 23RD NOVEMBER 2021

RECOMMENDATION

That the Minutes of Council's Ordinary meeting held on the 23rd November 2021 numbered 171/21 to 182/21 and 187/21 as provided to Councillors be received and confirmed as a true record of proceedings.

Cr Barwick sought to amend motion 182/21 in closed session requesting it to be moved to be shown in open session. The amendment was rejected by the Chair reasoning that it was not a substantive amendment and will note Cr Barwick's request would be noted and investigated.

DECISION

Moved: Cr Parkes

Seconded: Cr Mason

That the Minutes of Council's Ordinary meeting held on the 23rd November 2021 numbered 171/21 to 182/21 and 187/21 as provided to Councillors be received and confirmed as a true record of proceedings (attached).

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Dawson
Cr Mason, Cr Parkes

Against: Cr Barwick, Cr Gibbons

CARRIED 6/2

Cr Gibbons abstained from voting as he was not in official attendance.

4. LATE ITEMS

Nil.

5. PUBLIC QUESTION TIME

5.1 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.

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

George Town Council will be allowing members of the public that have submitted an objection to a planning matter (priority attendance) and questions from the public to a maximum of 10 persons (to maintain social distancing) into the Ordinary meeting of Council.

Council will accept all other written questions which will be asked and responded to at the meeting. These questions will be recorded in Council's minutes and will be available on the audio recording.

You must pre-register to attend this meeting of Council.

5.2 PUBLIC QUESTIONS ON NOTICE

Nil.

5.3 PUBLIC QUESTION TIME

Commenced at: 1:12 pm

Concluded at: 1:14 pm

Mr J. Glisson, Low Head

Q1. Mr Glisson stated that his question was about the minutes just confirmed; that he was aware of an issue that Mr Neilsen wrote to the General Manager in relation to 173/21 Residential Subdivision (11 Lots on Low Head Road and Balance) – 292 Low Head Road, Low Head. The address listed and I assume on the public notices that the subdivision is at 292 Low Head Road, Low Head which is not where the subdivision is at all it is to the south. It is no where near where the subdivision is. Can you tell me what steps will be taken i.e. readvertise with the correct address and maybe go through the process again because you cannot advertise that you are going to subdivide at 292 Low Head Road and then pass a resolution on an area that is 800 metres to 1 km away from it.

Through the Chair, the General Manager advised Mr Glisson that it is not correct and that the actual address is 292 Low Head Road. The formal property address of CT 168065/1, the subject land for the 'Ruins Paddock' is 292 Low Head Road. This is the formal address and would bring up the correct title should a member of the public search the LIST or Google.

The site comprises of 193.9 hectares, divided into three distinct parcels of land by Gunn Parade and East Beach Road. The proposed development is located on the central parcel, locally known as the 'Ruin Paddock'. All are covered by the single address, 292 Low Head Road.

While it is recognised that this can be confusing, additional steps were taken to clarify the location of the development. Advertising of the application made clear that the proposal specifically related to "land off Gunn Parade", and letters to adjoining land owners and signage included a map clearly identifying the land to which the proposal relates.

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5.4 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.”)



16 December 2021

Mr J. Glisson
28 McKenzie Drive
Low Head TAS 7253

Dear Mr Glisson

RE: PUBLIC QUESTION TIME – 23rd NOVEMBER 2021 ORDINARY COUNCIL MEETING

Thank you for your attendance at the 23rd November 2021 Ordinary meeting of Council where you provided the following preamble, subsequent discussion and resulting questions:

“Same question at the last Ordinary Council meeting, Mr Glisson stated that he did not receive an answer and that I was fobbed off basically. On the same subject, that Council made a decision based on Regulation 19.2 to resubmit an issue that had been resolved. The trouble with this is that regulation 91.1 says that before you can do that you must have a motion passed by the Council to go back to it. Mr Glisson stated that he had read the minutes and listened to the audio and no motion of the sort has been passed. Is Council ignoring the regulations or can you please tell me why there was no motion of the sort carried on the day?”

Through the Chair, the General Manager asked for clarification that there was two questions from Mr Glisson?

Mr Glisson advised that there were two questions and confirmed that the first question was:

“Why Council not following the procedures/regulations; and second question

Why was there no motion?”

In response to these questions I provide the following:

The General Manager having considered S19 1 (b) and (c) of the Local Government (Meeting Procedures) Regulations 2015, recommended the Chair to consider a motion in relation to Agenda Item 9.1 that prescribed the full membership of the s23 Committee; and to empower the General Manager to develop procedures for the committee for the purpose of a hearing to be presided by the mayor.

The motion is recorded in minutes of the 24 August Ordinary Meeting of Council listed as 130/21 being:

That Council in respect to agenda item 9.1 having considered S19 1 (b) and (c) of the Local Government (Meeting Procedures) Regulations 2015:

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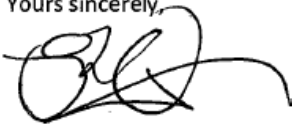
5.4 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME (CONT.)

-2-

1. *Appoint all Councillors to the Committee as per S 23 Council Committees for the purposes of actioning motion 9.1;*
2. *Authorise the General Manager to develop prescribed procedures as per S 23 (3).*

Again, thank you for attending Council's Ordinary meeting.

Yours sincerely,



Shane Power
General Manager

George Town Council
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5.4 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME (CONT.)



16th December 2021

Mrs Louise Flood
louiseflood@netspeed.com.au

Dear Mrs Flood,

RE: PUBLIC QUESTION TIME – 23RD NOVEMBER 2021 ORDINARY COUNCIL MEETING

Thank you for your questions submitted to the 23rd November 2021 Ordinary meeting of Council where you provided the following questions. In response to the questions taken on notice, I provide the following:

“Q1. The Planning Officer’s Report states that: “...the planning scheme does not have a heritage code: (p21). So the question is: Why on not? Because without a Heritage Code Council is powerless to offer any statutory heritage protection not only for the Ruin Paddock, but for the whole of the George Town municipality.

The Chair replied that his and the planner’s response is that there are a number of properties in the George Town and Low Head Area which are State Heritage Listed under the Historic Cultural Heritage Act 1995. Any planning application for a heritage listed property must be referred to Heritage Tas. for advice and the decision of the Heritage Council is reflected in any permit issued by Council. This provides adequate protection for the properties considered to be of State and National significance.” (extract for the 23rd November 2021 minutes)

Q2. So would Council please explain why doesn’t George Town – one of the first European Settlements in Australia have a local heritage code in its planning scheme? According to the productivity Commission over 80% of Tasmanian Local Councils had already established Heritage codes in their planning schemes way back in 2006.

There are a number of properties in the George Town and Low Head Area which are State Heritage Listed under the Historic Cultural Heritage Act 1995. Any planning application for a heritage listed property must be referred to Heritage Tas. for advice and the decision of the Heritage Council is reflected in any permit issued by Council. This provides adequate protection for the properties considered to be of State and National significance. *(As per Q1. answer above.)*

Q3. So is George Town’s 15 year delay in establishing a Local Heritage Code due to a failure of State Government policy? or Heritage Tasmania? or The Tasmanian Planning Commission? Or simply a lack of adequate resources for George Town Council?

Council’s previous planning scheme contained Heritage provisions and a schedule of properties. This was prepared prior to the existence of the *Historic Cultural Heritage Act 1995* and the Tasmanian Heritage Register. These were not transitioned into the Interim Planning Scheme 2013. This is a decision that the sitting Council made at the time. The decision was due to all of the properties scheduled, with Historic

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

significance, now being listed on the Tasmanian Heritage Register. An additional code, with lesser protections than those afforded by the above act was considered to be an unnecessary duplication of legislation.

Heritage Codes are useful for the protection of properties that are not on the Register or where values such as streetscapes or intact precincts are considered worthy of protection. Councils which adopted such codes did it to protect heritage values that had already been identified, but did not get covered by the State Register. George Town does not have any clearly defined precincts or streetscapes of this nature. While the Low Head Pilot Station, Lighthouse and associated maritime structures could be considered a precinct, they are fragmented and interspersed with existing development and in the existing context are better protected as a collection of individual buildings.

Q4. The George Town Area Structure Plan finally appears to be a step in the right direction with its commitment to ensure adequate heritage protection measures are implemented in statutory process. (SP, NVS7, p.64) So the supplementary question now is: How much longer will it be before Council implements a Heritage Code in the planning scheme? And what progress has been made in the past 4 months to achieve this code objective?

Council will continue to respect the heritage values of those properties that have been identified on the State Register in its decision making. However, at this time there has been no compelling reason for Council to revisit the need for a Heritage Code to cover values which are not covered by the *Historic Cultural Heritage Act 1995*. If you are aware of any particular site or precinct, can provide detail as to why the site is of such value that it warrants additional protections, and identify exactly what those protections should hope to achieve, Council can consider if such a code is necessary. If appropriate, Council may support an application to the Tasmanian Heritage Council for State listing. However, it is not appropriate to do this with respect to a specific site after a development application has already been submitted in good faith under the existing legislative framework.

Yours sincerely,



Shane Power
General Manager

6. DECLARATIONS OF INTEREST

- Cr Gibbon declared an interest in Agenda Item 11.1.
- Cr Dawson declared an interest in Agenda Item 11.1.
- Cr Mason declared an interest in Agenda Item 11.1.

7. 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.

8. PLANNING AUTHORITY

The Statutory Planner entered the meeting at 1.15 pm.

191/21 8.1 DA 2021/125 – USE FOR VISITOR ACCOMMODATION – 1/371 LOW HEAD ROAD, LOW HEAD

REPORT AUTHOR: Statutory Town Planner – Mr J. Simons
Manager – Development and Environment – Mr R. Cassidy

REPORT DATE: 10/12/2021

FILE NO: DA 2021/125

RECOMMENDATION

That the application for use and development, change of use to Visitor Accommodation at 1/371 Low Head Road, Low Head (CT 136825/1) be **APPROVED** subject to the following conditions:

1. ENDORSED PLANS

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

- a) Floor Plan – existing dwelling
- b) Photographs – front and rear parking areas
- c) Diagram Supporting a Reduction of Impacts;
- d) J Atkins – Email dated 15 November 2021
- e) J Atkins – Email dated 8 December 2021

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

2. USE

The existing buildings on the site are not to be made available as separate accommodation units for lease by separate parties. Patrons may lease one or both of the buildings, however only one party or group is to make use of the property at any one time.

Permit Notes

1. This permit was issued based on the proposal documents submitted for DA 2021/125. You should contact Council with any other use or development, as it may require the separate approval of Council. Councils planning staff can be contacted on 6382 8800.
2. This permit does not take into account any private covenants included on the title or any strata agreement or body corporate by-laws. The granting of a permit by Council does not negate or supersede such covenants and agreements. The risks associated with covenants and body corporate by-laws should be discussed with a solicitor.
3. This permit is not intended to prohibit the use of the existing dwelling from continuing to be used for residential purposes.

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191/21 8.1 DA 2021/125 – USE FOR VISITOR ACCOMMODATION – 1/371 LOW HEAD ROAD, LOW HEAD (CONT.)

4. Registration as a Food Business under the Food Act 2003 may be required if it is intended for any food to be provided as part of the proposed business. Please contact Council's Environmental Health Officer on (6382 8800).
5. This permit does not imply that any other approval required under any other by-law, covenant or legislation has been granted. The following additional approvals from Council may be required before construction commences:
 - a) Plumbing approval
 - b) Building approval

All enquiries should be directed to Council's Permit Authority, via 3882 8800.
6. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
 - c) Any other required approvals under this or any other Act are granted.
7. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au
8. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted at Council's discretion if a request is received within 6 months of the expiration.
9. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
10. If any Aboriginal relics are uncovered during works:
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.

191/21 8.1 DA 2021/125 – USE FOR VISITOR ACCOMMODATION – 1/371 LOW HEAD ROAD, LOW HEAD (CONT.)

DECISION

Moved: Cr Parkes
Seconded: Cr Mason

That the application for use and development, change of use to Visitor Accommodation at 1/371 Low Head Road, Low Head (CT 136825/1) be **APPROVED** subject to the following conditions:

1. ENDORSED PLANS

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

- f) Floor Plan – existing dwelling
- g) Photographs – front and rear parking areas
- h) Diagram Supporting a Reduction of Impacts;
- i) J Atkins – Email dated 15 November 2021
- j) J Atkins – Email dated 8 December 2021

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

2. USE

The existing buildings on the site are not to be made available as separate accommodation units for lease by separate parties. Patrons may lease one or both of the buildings, however only one party or group is to make use of the property at any one time.

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3. This permit is not intended to prohibit the use of the existing dwelling from continuing to be used for residential purposes.

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191/21 8.1 DA 2021/125 – USE FOR VISITOR ACCOMMODATION – 1/371 LOW HEAD ROAD, LOW HEAD (CONT.)

4. Registration as a Food Business under the Food Act 2003 may be required if it is intended for any food to be provided as part of the proposed business. Please contact Council's Environmental Health Officer on (6382 8800).
5. This permit does not imply that any other approval required under any other by-law, covenant or legislation has been granted. The following additional approvals from Council may be required before construction commences:
 - a) Plumbing approval
 - b) Building approval

All enquiries should be directed to Council's Permit Authority, via 3882 8800.

6. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
7. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au
8. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted at Council's discretion if a request is received within 6 months of the expiration.
9. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
10. If any Aboriginal relics are uncovered during works:
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.

**George Town Council
COUNCIL MEETING – 21ST DECEMBER 2021
UNCONFIRMED MINUTES**

191/21 8.1 DA 2021/125 – USE FOR VISITOR ACCOMMODATION – 1/371 LOW HEAD ROAD, LOW HEAD (CONT.)

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Barwick, Cr Gibbons,
Cr Dawson, Cr Mason, Cr Parkes

Against: Nil.

CARRIED 8/0 UNANIMOUS

The Statutory Planner left the meeting at 1.17 pm.

**George Town Council
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9. OFFICE OF GENERAL MANAGER

192/21 9.1 COUNCIL WORKSHOPS – NOVEMBER/DECEMBER 2021

REPORT AUTHOR: General Manager – Mr S. Power

REPORT DATE: 14th December 2021

FILE NO: 14.10

OFFICER'S RECOMMENDATION

That Council receives the report on the Council Workshops 21st November 2021 and 14th December 2021 from the General Manager.

DECISION

Moved: Cr Dawson

Seconded: Cr Mason

That Council receives the report on the Council Workshops 21st November 2021 and 14th December 2021 from the General Manager.

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Barwick, Cr Gibbons,
Cr Dawson, Cr Mason, Cr Parkes

Against: Nil.

CARRIED 8/0 UNANIMOUS

**George Town Council
COUNCIL MEETING – 21ST DECEMBER 2021
UNCONFIRMED MINUTES**

193/21 9.2 DRAFT GIFTS AND DONATIONS POLICY GTC-10 – VERSION 03

REPORT AUTHOR: Shane Power, General Manager

REPORT DATE: 14 December, 2021

FILE NO: 14.3

OFFICER'S RECOMMENDATION

That Council:

1. Accepts the minor alterations as attached and adopts the Draft Gifts and Donations Policy GTC-10.

DECISION

Moved: Cr Harris
Seconded: Cr Parkes

That Council:

1. Accepts the minor alterations as attached and adopts the Draft Gifts and Donations Policy GTC-10.

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Barwick, Cr Gibbons,
Cr Dawson, Cr Mason, Cr Parkes

Against: Nil.

CARRIED 8/0 UNANIMOUS

10. DEVELOPMENT AND ENVIRONMENT

Nil.

11. WORKS AND INFRASTRUCTURE

194/21 11.1 GEORGE TOWN SPORTS OVALS DRAINAGE WORKS

REPORT AUTHOR: Manager Infrastructure & Works, Mr Jon Herron

REPORT DATE: 15 December 2021

FILE NO: 66.34

OFFICER'S RECOMMENDATION

That Council:

1. Proceed with a public tender process for the installation of the drainage systems at the George Town Sports Ovals; noting award of contract will be subject to funding confirmation.

DECISION

Moved: Cr Harris

Seconded: Cr Barraclough

That Council:

1. Proceed with a public tender process for the installation of the drainage systems at the George Town Sports Ovals; noting award of contract will be subject to funding confirmation.

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Gibbons,
Cr Dawson, Cr Mason, Cr Parkes

Against: Cr Barwick

CARRIED 7/1

12. CORPORATE SERVICES AND FINANCE

195/21 12.1 AUDIT PANEL MEMBERSHIP

REPORT AUTHOR: Manager - Corporate Services & Finance

REPORT DATE: 14th December 2021

FILE NO: 14.12

OFFICER'S RECOMMENDATION

That Council:

1. Nominate and reappoint Councillor Mason as Audit Panel Member for the remaining term of this Council.

DECISION

Moved: Cr Barraclough

Seconded: Cr Harris

That Council:

1. Nominate and reappoint Councillor Mason as Audit Panel Member for the remaining term of this Council.

Cr Barwick questioned the inclusion of Section 24 Special Committees in the agenda report as the Audit Panel is not a Section 24 Committee.

Cr Barraclough called a Point of Order against Cr Barwick at 1:29 pm.

Cr Barwick stated that the document is telling lies.

The Chair noted the comments made by Cr Barwick and did not allow the Point of Order by Cr Barraclough.

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Gibbons,
Cr Dawson, Cr Barwick, Cr Parkes

Against: Cr Mason

CARRIED 7/1

Cr Mason abstained from voting as the motion relates to himself.

13. LIVEABLE & CONNECTED COMMUNITIES

196/21 13.1 EVENT SPONSORSHIP - ID RODEO PROMOTIONS

REPORT AUTHOR: Manager Liveable & Connected Communities – Ms M. Bennett

REPORT DATE: December 2021

FILE NO: 23.2

OFFICERS RECOMMENDATION

That Council:

1. Accepts the sponsorship application presented as it meets Council's Sponsorship Policy guidelines and assessment criteria; and
2. Awards sponsorship financial assistance to the iD Rodeo Promotions to the amount of \$6,000.

DECISION

Moved: Cr Mason

Seconded: Cr Gibbons

That Council:

1. Accepts the sponsorship application presented as it meets Council's Sponsorship Policy guidelines and assessment criteria; and
2. Awards sponsorship financial assistance to the iD Rodeo Promotions to the amount of \$6,000.

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Gibbons,
Cr Dawson, Cr Mason, Cr Parkes

Against: Cr Barwick

CARRIED 7/1

**George Town Council
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14. MAYOR

197/21 14.1 MATTERS OF INVOLVEMENT – MAYOR

FILE NO.: 14.11

REPORT DATE: 14th December 2021

Mayor Cr Greg Kieser		
November	12	Tasmania Talks interview
	13	Attended the Lighthouse Regional Arts – Visual Purple exhibition opening
	15	Attended George Town Chamber of Commerce
	15	Met with Northern Workforce Development facilitator and Neb Hub
	23	Chaired Council Workshop
	23	Chaired Ordinary Council Meeting
	24	Attended Neighbourhood House Board Meeting
	29	Attended Charles Robbin – Corporate Visitors Day
December	1	Met with Resident
	2-3	Attended LGAT Mayors Workshop and LGAT General Meeting
	6	Tasmania Talks interview
	8	Attended NTDC Mayors' Quarterly Meeting
	9	Met with BBAMZ CEO
	9	Attended South George Town Primary School Presentation Assembly
	9	Attended Star of the Sea End of Year Presentation Assembly
	10	MC at George Town Christmas Parade and Carols
	14	Chaired Council Workshop
	14	Attended Port Dalrymple School Presentation Evening
	16	Attended Star of the Sea End of Year Presentation Kinder to Year 9
	16	Attended round table with Minister Fletcher
16	Attended Loaves & Fishes Dinner	
Deputy Mayor Cr Tim Harris		
December	3	Presented the Volunteer of the Year Award – George Town

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 Parkes
Seconded: Cr Mason

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

**George Town Council
COUNCIL MEETING – 21ST DECEMBER 2021
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197/21 14.1 MATTERS OF INVOLVEMENT – MAYOR (CONT.)

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Barwick, Cr Gibbons,
 Cr Dawson, Cr Mason, Cr Parkes

Against: Nil.

CARRIED 8/0 UNANIMOUS

15. PETITIONS

Nil.

16. NOTICES OF MOTIONS

Nil.

17. 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."]*

Cr Barwick

- Q1. Can the General Manager advise Council why he has not, as requested by Council, publicly put on the Council site the successful tender and price for RFT 05/21 which was for the works on Regent Square?
- Q2. A request for a copy of the tender document RFT 06/21?
- Q3. As a Council, we directed that motion 18.5 be released to the public – 6 Perrin Drive, Low Head the Amendment to Sealed Plan. Can you tell me when this will be released yet?
- Q4. Can Council please get advice through Council's insurers on coverage of persons or persons who carry out any work in any capacity for Council including work as a volunteer or as a Councillor and should they be covered under Council's Health and Safety Policy?

The Chair and the General Manager will respond to Cr Barwick's questions.

Cr Dawson

- Q1. Is there a register of Councillors who have completed the Council induction who then can go on to do works as a volunteer? Has this been assessed against the written advice that Cr Barwick is looking for?

The Chair advised that the question will be taken on notice.

Cr Harris

- Q1. Is there a register of third-party organisations done by Councillors or Volunteers for the purpose of volunteering?

The Chair took the question on notice.

**George Town Council
COUNCIL MEETING – 21ST DECEMBER 2021
UNCONFIRMED MINUTES**

18. COUNCIL COMMITTEE REPORTS

**198/21 18.1 GEORGE TOWN COMMUNITY SAFETY GROUP COMMITTEE MEETING
MINUTES – 2ND NOVEMBER 2021**

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

REPORT DATE: 14th December, 2021

FILE NO: 14.7

OFFICER'S RECOMMENDATION

That Council notes the approved minutes of the George Town Safety Group Committee meeting minutes of the 2nd November 2021.

PROCEDURAL MOTION

Moved: Cr Barwick
Seconded: Cr Dawson

That the George Town Community Safety Group Committee meeting minutes report be deferred to January 2022.

VOTING

For: Cr Kieser, Cr Harris, Cr Barraclough, Cr Barwick, Cr Gibbons,
Cr Dawson, Cr Mason, Cr Parkes

Against: Nil.

CARRIED 8/0 UNANIMOUS

**George Town Council
COUNCIL MEETING – 21ST DECEMBER 2021
UNCONFIRMED MINUTES**

19. CLOSED MEETING

199/21 19.1 INTO CLOSED MEETING

DECISION

Moved: Cr Barraclough
Seconded: Cr Harris

That Council move into closed meeting at 1.51 pm to discuss the following items:

Agenda Item 19.2 Minutes of the closed ordinary Council meeting held on the 23rd November 2021
--

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

REQUIRES ABSOLUTE MAJORITY OF COUNCIL

Agenda Item 19.3 Domestic Kerbside, General Waste and Recyclables Collection Contract
--

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 Gibbons,
Cr Dawson, Cr Mason, Cr Parkes

Against: Nil.

CARRIED 8/0 UNANIMOUS

**George Town Council
COUNCIL MEETING – 21ST DECEMBER 2021
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202/21 19.4 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 Barwick

Seconded: Cr Dawson

That Council moves out of Closed Meeting at 2.00 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 Gibbons,
Cr Dawson, Cr Mason, Cr Michieletto, Cr Parkes

Against: Nil.

CARRIED 9/0 UNANIMOUS

**201/21 19.3 DOMESTIC KERBSIDE GENERAL WASTE AND RECYCLABLES
COLLECTIONS CONTRACT**

That Council:

1. Enter into a new contract number 07/21 with JJ's Waste & Recycling for the provision of Domestic Kerbside General Waste Collection and Domestic Kerbside Recyclables Collection Services for a one (1) year contract commencing 1 February 2022, inclusive on an option to extend by a further one (1) year term commencing 1 February 2023; for the schedule of rates provided in Table One included in the body of the report;

There being no further business, the meeting closed at 2.01 pm.

**Cr Greg Kieser
MAYOR**



ABN 68 300 116 092

Office of the General Manager

27th August, 2020

Attention: Kevin Best
President
Tam O'Shanter Golf and Community Club Inc.
19 Fairway Avenue, Tam O'Shanter
Lulwo1th TAS 7252

Dear Kevin,

RE: TASMANCAN COMMUNITY FUND - LETTER OF SUPPORT

I am pleased to provide this letter of support for the grant application by the Tam O'Shanter Golf and Community Club Carpark and Entrance Resurfacing and Accessibility project.

The Tam O'Shanter Golf and Community Club has been operational for approximately 30 years and providing a valuable sporting, social and a "safer place" amenities for our rural and seaside communities of Weymouth, Lulworth, Bellingham and Pipers River.

The Club provides a venue, not only for its members, but also for the wider community for meals, social functions and a "near by safer place" under the Tasmanian Fire Service, Community Bushfire Protection Plan.

Golf is a sport that is supported across a broad age demographic, and the clubs membership ranges from juniors to seniors. In a community that is home to many retirees and senior citizens, the facilities of the Club are highly utilized by the more senior members of the community so it is imperative that the accessibility to both the club rooms, dining facilities and golfing greens is safe and accessible to all.

The resurfacing of the carpark and entrances from the road to the club rooms and golfing greens is required to provide patrons and visitors with a safe and accessible parking area. This project will also provide designated accessible parking bays and bus parking bay to accommodate large groups from outer areas using the facilities.

While many of the improvements over the years of operation have been achieved by the club through its own volunteers and finances, with a project of this size and financial outlay the Club will require funding assistance. This project aligns with Council's 10 Year Community Strategic Plan.

As General Manager of the George Town Council I am happy to endorse Tam O'Shanter Golf Club's grant application and look forward to a successful outcome for the club.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shane Power', written over a white background.

Shane Power
General Manager

**George Town Community Safety Group Committee Meeting
Tuesday 2nd November, 2021
Confirmed Minutes**

Meeting opened: 12.30 pm

Present: Cr Heather Barwick (Chair), Cr Chris Barraclough (Deputy Chair), Pat Marron, Karyl Bruinewood, Simone Lowe, Craig Tyeson, Ray Hibbs, Jon Herron, Les Pride, John Glisson, Jon Herron (Manager Infrastructure and Works)

Minute Secretary: Louise Dickenson

Apologies: Jason Orr, Stuart Austin, Senior Sergeant Robert King

Guest: Geraldine Crisp

Topic: Suicide Prevention Training

Motion:

Moved: Les Pride
Seconded: Simone Lowe

To receive the minutes of the previous meeting of the 5th October 2021.

Carried

Moved: Les Pride
Seconded: Craig Tyeson

Motion:

To accept the minutes of the previous meeting of the 5th October 2021 as an accurate record of that meeting to accept the confirmed minutes be received and noted by Council.

Carried

The Chair introduced Geraldine to the meeting. Geraldine is based at the Kentish Regional Clinic (CORES Australia) and facilitates and deliver suicide prevention training; self-care and mental health. It is a small not for profit organisation and has been operational since 2013. CORES works all around Tasmania and other states in partnership with Black Dog Institute. Geraldine provided an overview of her background and through the Clinic is looking at opportunities and how to support Councils.

CORES is a one day program designed for individuals, businesses and the community and aims to inform what suicide is and statistics, signs and indicators, why we don't know the risk was there. CORES does offer Mental First Aid training to support persons who are assisting those people who are in risk.

Relationship Australia is offering \$1,500 for Community Action Plans and \$5,000 to Councils. Need to be realistic on what can be achieved with the available funds. Geraldine advised that she has spoken with Melanie from Relationships Australia and community consultation is part of the process to deliver a Community Action Plan for the funding. The Community consultation aimed to occur in January and will be driven by the community.

One session of CORES training could be held prior to Christmas. Costing is 15 people \$500 or 30 people \$1000.

Of note: LGAT will be holding a ½ hour meeting on suicide prevention to talk about funding that Cr Barwick will be attending.

Cr Barwick advised that the General Manager has confirmed support by providing lunch and venue for the training to occur.

The Chair thanked Geraldine for her time and appreciated her presentation to the Committee.

Correspondence:

Weymouth Risk Management Plan

The Weymouth Progress Association President Mr Craig Tyeson had circulated their Risk Management Plan for the Committee's information. It is to respond to hazards, identify potential risks and strategies to mitigate the risks. The Plan indicates who is responsible for each parcel of land i.e. Crown, Council. It is about being proactive for the Community.

The Weymouth Fire Management Plan has received positive feedback from the State Government and are using it as an example for regions around Tasmania.

Congratulations to Weymouth Progress Association.

Business arising from the minutes:

Nil.

Notice of Motions

Nil.

Action List Update

Regent Square – Railing

Discussion took place on the railing next to the playground and does it meet Australian Standards. Manager Infrastructure & Works to provide a report/information on the compliance with Australian Standards.

Moved: Pat Marron
Seconded: Simone Lowe

That a report be provided by the Manager Infrastructure & Works to the Committee on the compliance with Australian Standards on the fencing along Anne Street for the safety of the children.

Carried

Neighbourhood House Issue – Showering facilities for homeless

The Committee agreed that this issue be removed from the Action List.

General/Other Safety Business:

Nil.

Area Reports:

Bellingham Progress Association – Ray Hibbs

Mr Hibbs advised that the bench and seating has fallen apart at the playground at the Hall. Requested that Council to follow up and to include the surrounding seats etc. on the playground safety audit.

Action: Manager I&W to follow up.

George Town Woolworths – there is a heap of cable on the footpath and been there for months.

Action: Manager I&W to follow up.

Meeting was held at Bellingham on the weekend and the issue of speeding was raised. There are already speed limit signage and Police are to be advised of the speeding vehicles.

Weymouth Progress Association – Craig Tyeson

Mr Tyeson queried the lease agreement terms and Council to maintain the grounds.

Action: Chair advised she will follow up the lease agreement terms on the maintenance of grounds.

The Weymouth Environment and Fire Management Committee have advised that the fire trail access are overgrown and believes it would be for all areas. Some trails need to be realigned as it runs on private property.

Action: Lodge service request with Council

The Main Beach draft plan has gone out for community consultation and a survey is available on the website at www.weymouth.org.au for all who are interested in providing feedback.

Rocks have been put in place along Trevor Street.

George Town Neighbourhood House – Simone Lowe

Ms Lowe advised that a service request has been submitted to Council on the branches hanging over Mt George Road and trees/shrubs blocking the line of site. Council has put a “No Standing” signs along Mt George Road. There is also a traffic hazard on Bell Buoy Beach Road i.e. large rocks on the road and the road needs to be swept.

Ms Lowe queried the insurances of people who are sitting as volunteers on Committees. Are they covered by Council. To be followed up.

There being no more business meeting closed at 1.45 pm

Next meeting Date:

7th December 2021

George Town Placemaking Committee

Committee MINUTE – NOVEMBER 2021



Date: Monday 08/11/21
 Time: 10.00 am – 12.00pm
 Location: George Town Council Chambers – 16-18 Anne Street, George Town

Present:

Cr Justine Brooks (Chair) [JB] Jo Hart [JH] Cheryl Harrington [CH], Phill Hinds [PH], Meagan Bennett [MB], Kaija Kautto [KK], Ann Williams Fitzgerald (AWF) and Thelma Demesa Meraz [TDM].

Absent: Carolyn Smith Hillwood, invitation was send as guest only but she hasn't respond yet.

Guests:

Meeting opened: 10.00 am

ITEM	DISCUSSION	ACTION
1	Apologies None	
2	Minutes of Previous Meeting September Minutes Approved, endorsed with amendments.	MB
3.	Financial Report None. No additional funds have been expended. Request for budget update.	MB

George Town Placemaking Committee

Committee MINUTE – NOVEMBER 2021



4	Correspondence Report None	JB
5	Business Arising	JB
6.0	Nifty Gritty: True Stories Told by Real Humans Program In general, it was a good experience for the participants. Consideration should be given to ongoing program?	JB
7.0	<p>Around the room updates:</p> <p>Low Head Caravan Park request for \$10K for maintenance of the wood/tree sculpture at Low Head. Have the funds been allocated to this project by Council from the Placemaking budget? Meagan Bennett and Justine Brooks to clarify.</p> <p>Survey was circulated by JB to the Committee on the 4th of November, see appendix 1 and 2.</p> <p>Wi Fi guest login request for Placemaking member to use in the Chambers.</p> <p>To be completed document GTC-16- T1 Section 24. SPECIAL COMMITTEE NEEDS ASSESSMENT / REVIEW TEMPLATE circulated by Justine.</p> <p>Flyer for Lulworth toilet block – Supplied by J. Orr has been circulated to the community.</p> <p>[JB] Requested update of the list projects from the 28/10/2019 World Consultation Café.</p>	<p>MB</p> <p>MB</p> <p>MB</p> <p>?</p> <p>MB</p> <p>MB</p>
8.0	<p>Bollards</p> <p>[JB] Invoice of the Low Head life savers design at East Beach has been sent to Council to ensure the payment is made MB will request the information from Cheryl</p> <p>The Placemaking Committee's preferred site for the Artisan Guild is at Agnes Street.</p>	MB

George Town Placemaking Committee

Committee MINUTE – NOVEMBER 2021



	JB requested to create a Gant chart to show the progress of the Bollards project: Elizabeth St. East Beach and Yacht Club .	TDM
9.0	<p>Rubbish Bins Community consultation regarding preferred bird to place on the bins.</p> <p>Ask the community which bird best reflects or is preferred to represent their community:</p> <ol style="list-style-type: none"> 1. Sea Eagles 2. Wedge Tail Eagle 3. Penguin 4. Pie Oyster Catcher 5. Black/White Cockatoo 6. Kookaburra 7. Blue wrens 	<p>MB</p> <p>TDM</p>
10	<p>Resignations</p> <ol style="list-style-type: none"> 1. Shane Power to put to Council to have new Councillor to Chair the Committee or to dissolve the Committee. 2. [JB] Informed the Committee that she will be stepping down as Chair and from Council 3. Justine [JB] advised that proxy Chair could not conduct the December meeting without an appointment of a new Chair 4. Phill Hinds resigned from the Committee. Justine thanked Phil for his contribution to the Committee and wished him well in the future 	
12.0	Meeting Closed 12.00pm	