



# GEORGE TOWN COUNCIL AGENDA

Notice is hereby given  
that the next Ordinary Council Meeting  
will be held on  
**Tuesday 26 April 2022**

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

commencing at **1:00 pm.**

*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. 22 180, 31 March 2022, 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.*

Shane Power  
**GENERAL MANAGER**

## TABLE OF CONTENTS

<b>1</b>	<b>PRESENT .....</b>	<b>5</b>
1.1	Apologies And Leave Of Absence .....	5
1.2	In Attendance .....	5
<b>2</b>	<b>CONFIRMATION OF MINUTES.....</b>	<b>5</b>
2.1	Ordinary Council Meeting Held 22Nd March 2022.....	5
<b>3</b>	<b>LATE ITEMS .....</b>	<b>6</b>
<b>4</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>7</b>
4.1	Public Question Time Procedure .....	7
4.2	Public Questions On Notice .....	8
4.3	Public Question Time.....	9
4.4	Response To Questions From Previous Public Question Time .....	10
<b>5</b>	<b>DECLARATIONS OF INTEREST .....</b>	<b>11</b>
<b>6</b>	<b>GENERAL MANAGER'S DECLARATION .....</b>	<b>11</b>
<b>7</b>	<b>PLANNING AUTHORITY .....</b>	<b>12</b>
7.1	DA 2021/105 - Resource Processing (Woodchip Processing Plant) - Norfolk Street, Bell Bay .....	12
7.2	DA 2022/08 - Vegetation Removal - Bell Buoy Beach Road, Low Head .....	44
<b>8</b>	<b>OFFICE OF GENERAL MANAGER .....</b>	<b>75</b>
8.1	George Town Safety Group Committee - CCTV Motion.....	75
<b>9</b>	<b>INFRASTRUCTURE AND DEVELOPMENT .....</b>	<b>79</b>
9.1	Proposed Speed Limit Changes - Hillwood .....	79
<b>10</b>	<b>CORPORATE AND COMMUNITY.....</b>	<b>84</b>
10.1	Review Of Councillor Allowances Policy .....	84
10.2	Community Assistance Grants - Round 2.....	88
10.3	Placemaking Committee Allocation Of Funding .....	96
<b>11</b>	<b>ORGANISATIONAL PERFORMANCE, STRATEGY &amp; ENGAGEMENT .....</b>	<b>101</b>
11.1	Dog Registration Fees 2022/2023 .....	101

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

<b>12 MAYOR .....</b>	<b>110</b>
<b>12.1 Matters Of Involvement - Mayor.....</b>	<b>110</b>
<b>13 PETITIONS.....</b>	<b>111</b>
<b>14 NOTICES OF MOTIONS .....</b>	<b>112</b>
<b>15 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE .....</b>	<b>113</b>
<b>16 COUNCIL COMMITTEE REPORTS .....</b>	<b>114</b>
<b>16.1 George Town Community Safety Group Committee Meeting Minutes - 1St         March 2022 .....</b>	<b>114</b>
<b>16.2 George Town Placemaking Committee Meeting Minutes - 7Th March 2022...</b>	<b>116</b>
<b>17 CLOSED MEETING .....</b>	<b>118</b>
<b>17.1 Into Closed Meeting .....</b>	<b>118</b>
<b>17.2 Out Of Closed Meeting.....</b>	<b>119</b>
<b>18 CLOSURE .....</b>	<b>119</b>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**Meeting Commencing at 1:00 pm**

**Acknowledgement of Country**

*The George Town Council pays its respects 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. 22 180, 31 March 2022, this meeting is being held face to face with limitation on public attendance to maintain social distancing.*

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## **1 PRESENT**

### **1.1 APOLOGIES AND LEAVE OF ABSENCE**

### **1.2 IN ATTENDANCE**

## **2 CONFIRMATION OF MINUTES**

### **2.1 ORDINARY COUNCIL MEETING HELD 22ND MARCH 2022**

#### **RECOMMENDATION**

That the Minutes of Council's Ordinary Meeting held on 22<sup>nd</sup> March 2022 numbered 032/22 to 039/22 and 042/22 as provided to Councillors be received and confirmed as a true record of proceedings. (attached)

#### **DECISION**

#### **VOTING**

For:

Against:

**3 LATE ITEMS**

Nil.

## **4 PUBLIC QUESTION TIME**

### **4.1 PUBLIC QUESTION TIME PROCEDURE**

*[Refer to Minute No. 243/16. The period set aside for public question time will be at least 15 minutes. Questions given on notice will be addressed first. Once questions on notice have been addressed, persons who have registered their interest to ask a question will be called to do so in the order in which they have registered. Persons attending Council meetings will have the opportunity to register their interest to ask a question without notice prior to the commencement of the meeting. Council staff will be on hand to assist with this process.*

*Participants cannot ask more than 2 questions in a row with a maximum of 2 minutes per question. If a person has more than (2) questions, they will be placed at the 'end of the queue' and may, if time permits, ask their further questions once all other persons have had an opportunity to ask questions. Persons who have not registered their interest to ask a question will be given an opportunity to do so following all those who have registered. All questions must be directed to the Chairperson.*

*For further information on Council's Public Question Time Rules and Procedure, please refer to George Town Council Public Question Time Policy 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 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.*

## **4.2 PUBLIC QUESTIONS ON NOTICE**

### **Mr J. Glisson, Low Head**

On 25th February of this year, (some 7 weeks ago) Martin Judd (a George Town ratepayer) wrote to council seeking a copy of the "Hazop/Risk Assessment that were completed pre-construction of the Pump track.

On speaking to Mr Judd he informs me that he is still waiting to receive ;

- a response to his request,
- a copy of the Assessment documents.

Can council please inform me when council will respond to his request and whether council intends supplying the requested documents?

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**4.3 PUBLIC QUESTION TIME**

Commenced at:

Concluded at:

**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.")*

Nil.

## **5 DECLARATIONS OF INTEREST**

## **6 GENERAL MANAGER'S DECLARATION**

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

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



Shane Power  
**GENERAL MANAGER**

### **LOCAL GOVERNMENT ACT 1993 – SECTION 65**

#### **65. Qualified persons**

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

## **7 PLANNING AUTHORITY**

### **7.1 DA 2021/105 - RESOURCE PROCESSING (WOODCHIP PROCESSING PLANT) - NORFOLK STREET, BELL BAY**

<b>REPORT AUTHOR:</b>	Statutory Town Planner - Mr J Simons Manager Development and Environment – Mr R Cassidy
<b>REPORT DATE:</b>	8th April 2022
<b>FILE NO:</b>	DA 2021/105
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Titles [7.1.1 - 4 pages]</li><li>2. Environmental Impact Statement [7.1.2 - 414 pages]</li><li>3. Representation [7.1.3 - 8 pages]</li><li>4. EPA Assessment [7.1.4 - 54 pages]</li><li>5. EPA Decision [7.1.5 - 2 pages]</li><li>6. EPA Permit Part B [7.1.6 - 21 pages]</li><li>7. Tas Water SPAN [7.1.7 - 2 pages]</li></ol>

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### **APPLICATION INFORMATION**

<b>Applicant:</b>	Pitt & Sherry obo Midway Tasmania Pty Ltd
<b>Site Address:</b>	15 Mobil Road (aka 37 Norfolk Street), Bell Bay
<b>Titles Details:</b>	CT 177662/1
<b>Property ID:</b>	9316159
<b>Zone:</b>	General Industrial
<b>Use:</b>	Resource Processing (woodchip processing plant)
<b>Proposed Development:</b>	Site works
<b>Application Received:</b>	30 <sup>th</sup> September 2021

### **1. SUMMARY**

Application is made to develop the land at 15 Mobil Road, Bell Bay, for a woodchip processing plant. The proposed plant is intended to process up to 500,000 green metric tonnes (GMT) of native regrowth thinning and plantation timber per annum for export by ship through the Port of Bell Bay. Logs are intended to be received by truck, unloaded and stored in piles. Two diesel powered mobile chippers are proposed for the processing of logs.

Woodchips would be loaded via wheeled loader and transported by vehicle to Berth #7 throughout the day. The rate of transport is intended to match the rate of production as closely as possible. Chips will be stored in an existing stockpile area at Berth #7 within the Declared Port.

In the event the stockpile area at Berth #7 is full, or where Midway are stockpiling a different chip grade, woodchips would be stockpiled onsite.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

Full plans of the proposal are included in the attachments. An indicative site plan and elevations are below:

Figure 1: Proposed site plan (Pitt & Sherry, 2021).

Figure 2: Indicative chipper, conveyor and stockpile elevations (Pitt & Sherry, 2021).

The application is consistent with the intent of the General Industrial Zone where Resource Processing is a permitted use. Impacts of the proposal on adjoining industrial properties are minimal and an assessment by the Environment Protection Authority (EPA) indicates broader environmental impacts can be effectively managed. While the proposal is reliant on a number of Performance Criteria, in respects to height and parking, the proposal is considered to comply with the standards and is appropriate for the proposed use and in the context of the existing use and development occurring on surrounding properties within the industrial estate.

One representation was received during the advertising period. The matters raised in the representation primarily relate to environmental impacts, including dust and noise. The environmental impacts of the proposal have been assessed by the EPA and advice provided that the environmental impacts can be appropriately managed through the conditioning of the permit and ongoing management as a Level 2 Activity. An assessment of the local road network, indicates the existing roads have capacity to absorb the additional traffic generated by the proposal.

The representation also raises a philosophical objection to ongoing investment of the woodchip industry, destruction of old growth forests, use of fossil fuels, the impact of log trucks on the safety and condition of the broader road network, and the appropriateness of the current zoning and conflicts with adjoining residential zones. These are matters which are not required to be considered as part of an assessment against Council's current Planning Scheme.

The proposed use and development is considered appropriate within the context of the Bell Bay Industrial Zone. An assessment indicates that it is compliant with all of the applicable standards of the *George Town Interim Planning Scheme 2013* and the EPA has assessed the development in accordance with the *Environmental Management and Pollution Control Act 1994*. As such, the development has been recommended for approval with conditions.

## **2. STRATEGIC PLAN**

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

### **Future Direction Four - Leadership and Accountable Governance**

2. Planning and regulatory responsibilities are undertaken fairly and openly
  - i. Building knowledge and understanding of planning and regulatory responsibilities and processes.

## **3. CONSULTATION**

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

In accordance with section 57(5) of *The Land Use Planning and Approvals Act 1993*, the application was advertised for public comment for the period of 28 days. One (1) representation was received and is further discussed in the assessment below.

#### **4. RISK IMPLICATIONS**

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

#### **5. FINANCIAL IMPLICATIONS**

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

#### **6. SITE AND LOCATION**

The subject land is located off Norfolk Street, Bell Bay. The title is approximately 5.4ha in area and has an existing access off Norfolk Street. The land has formerly been used for storage of petrochemicals and has recently undergone extensive earthworks (DA 2021/103) to rehabilitate and level the site to make it fit for future use and development. The site is largely cleared of vegetation.

The land is located within the Bell Bay Industrial Precinct and is largely surrounded by industrial uses. The Temco manganese smelter and Sims Metal recyclers are located to the north-west of the site. A coke stockpile and woodchip mill are located to the south-west. A United Petroleum bulk fuel storage facility is to the south-east, while a log storage facility is currently located to the north-east.

The proposal will occupy a leased area covering a portion of the site. A strip of land located between Sims Metal Recyclers and Temco will remain outside the leased area, along with approximately 800m<sup>2</sup> fronting Norfolk Street.



**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

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Figure 3: Aerial view of subject site, outlined in red, and adjoining lots.

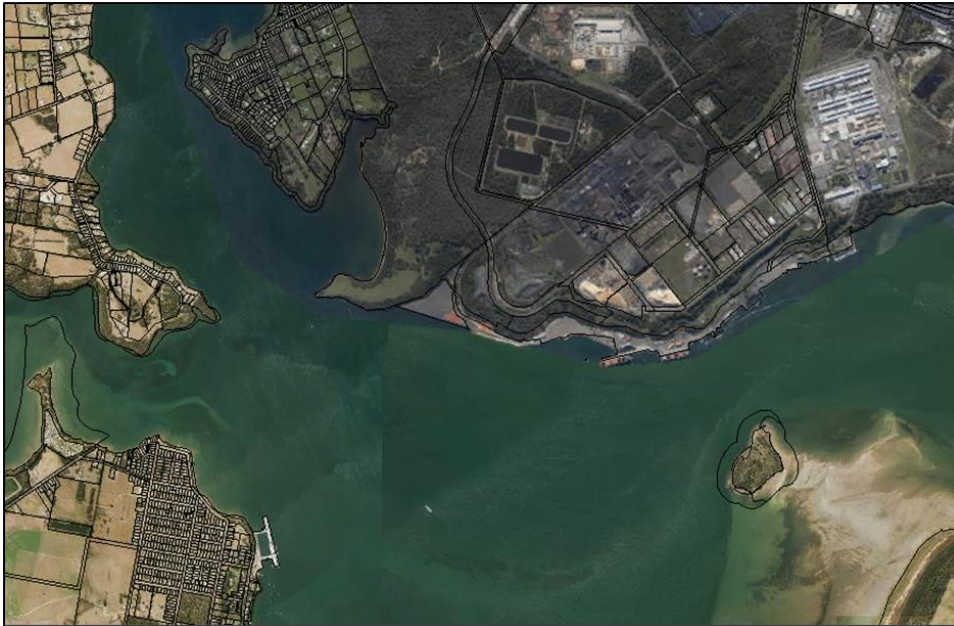


Figure 4: Aerial view of Bell Bay, showing Beauty Point, George Town and the subject site outlined in red.

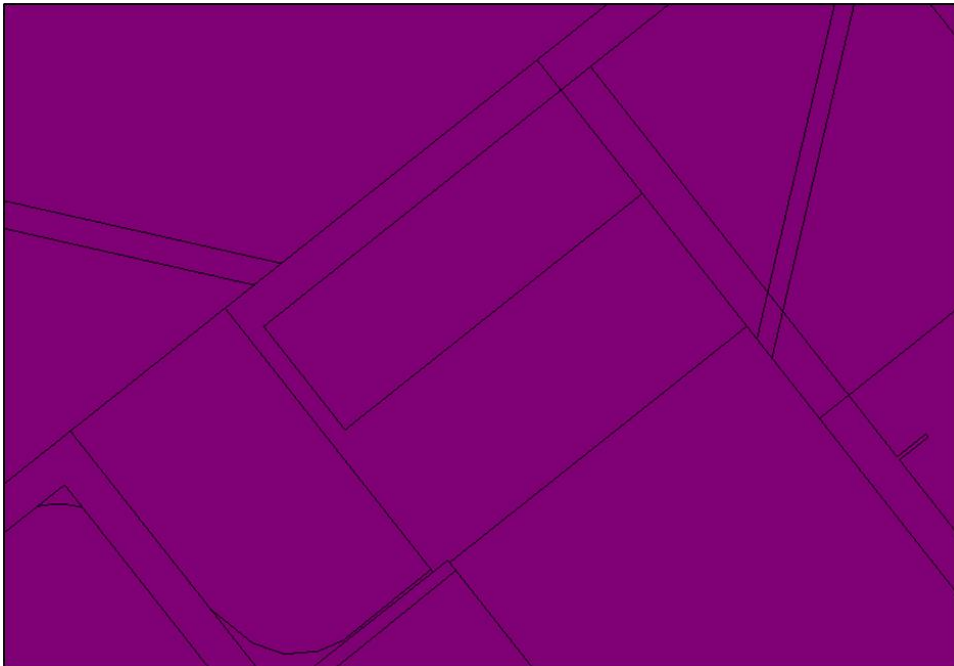


Figure 5: Zoning of subject site (outlined in red) and surrounds.



Figure 6: Subject property, looking south-west from Norfolk Street.

## **7. DEVELOPMENT AND USE DESCRIPTION**

The site has recently undergone substantial works to rehabilitate the site, improve drainage and prepare the site for future use and development. Currently the site is relatively flat, free of vegetation and free of development.

The application proposes to install/develop the following:

- A log storage area at the rear of the title (furthest from Norfolk Street) with capacity of 5000 T;
- Two diesel powered mobile chipper plants, including a screen and re-chipper;
- Noise barrier surrounding chippers (stacked containers);
- Woodchip stockpile pad with capacity for approximately 44,000 GMT;
- Conveyors for fines, truck loading and stockpiling;
- Maintenance building (two containers spanned by a canopy);
- Containerised office and amenities buildings;
- Loading ramp;
- Onsite stormwater detention;
- Self bunded, containerised fuel storage;
- Entry and exit weighbridges;
- Light vehicle parking near the entrance (9 bays); and
- Internal vehicle circulation areas suitable for B-Doubles (unsealed).

In addition to the chippers, conveyors and weighbridges above, machinery typically used at the site will include:

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

- Three 980 wheel log loaders;
- Two 20 T excavators;
- One D7 dozer; and
- One skid steer.

The proposed use comprises the delivery of logs via truck, which are processed into chips, then stockpiled for future transport or directly transported to the wharf via truck. A maximum volume of 500,000 GMT per year, sourced from plantations and native regrowth thinnings.

The proposal will result in up to 8 full time employees on the site and will have the following hours of operation:

Operation	Monday – Friday	Saturday	Sunday & Public Holidays *
<u>Woodchip processing</u> (including woodchipper, screens, re-chippers, conveyors, log handling excavators and associated equipment)	7 am – 6 pm	8 am – 6 pm	10 am – 6 pm
<u>Receiving Logs</u> (including log trucks and Log handling loaders)	Normally 5 am – 6 pm, 24 hours when required	Normally 8 am – 6 pm, 24 hours when required	Normally 10 am – 6 pm, 24 hours when required
<u>Despatching Woodchips</u> (including log trucks and woodchip handling loaders)	Normally 6 am – 8 pm, 24 hours when required	Normally 6 am – 8 pm, 24 hours when required	Normally 6 am – 8 pm, 24 hours when required

\* Operations will be undertaken on Sunday and Public Holidays if production "catch-up days" be required.

Figure 7: proposed hours of operation (Pitt & Sherry, 2021).

The activity will generate approximately 50 truck movements to the site and 56 movements from the site to the wharf on a daily basis.

## 8. REPRESENTATIONS

The application was advertised for community consultation from the 27/11/2021 – 10/01/2022. One (1) representation was received and is summarised below. A summary of the representation by the EPA can also be viewed in Appendix 1 of the Environmental Assessment Report included in the attachments.

A full copy of the representations has also been included as an attachment to this report.

Issues raised in representations	Council response
<i>The EIS does not adequately consider the neighbouring residential and rural land zoning in West Tamar municipality and the impact of existing industrial activities and the proposed activity on those land uses. The issue of unsympathetic zoning in the Tamar should be referred to the State Planning Commission and for community discussion</i>	The subject land is zoned General Industrial and Council must assess the proposal against the provisions of the current zone. While the impacts of the particular use proposed must be and have been considered by the EPA, there is no avenue to consider the appropriateness of the

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p><i>prior to any further developments in the Bell Bay Industrial Precinct (BBIP).</i></p>	<p>zoning through individual planning applications.</p> <p>Council must assess the proposal under the Planning Scheme in place at its lodgement and there is no ability to stop the process to reconsider the zoning.</p> <p>The current zoning is appropriate in the context of the Bell Bay Industrial Precinct and is consistent with Council's strategic planning in regard to growth and investment in the area.</p>
<p><i>Hours of operation unreasonable.</i></p>	<p>The proposal is for an industrial use and development within the General Industrial Zone and surrounded by other industrial activities, some of which undertake 24 hour operations.</p> <p>The environmental impacts of the proposal have been assessed by the EPA and the proposed hours of operation have been determined to be suitable in respect to those impacts. The EPA has proposed to impose the hours of operation within the Permit Conditions.</p>
<p><i>There is significant disquiet in Beauty Point and surrounds with current noise and dust emissions. DA 2021/105 will significantly add to existing noise/dust.</i></p> <p><i>The EIS uses meteorological data from Low Head which indicates a dominance of westerly winds. The representation advises that due to local topography the winds experienced in Beauty Point are commonly north-easterly increasing the exposure to noise and dust from BBIP and that predictions in the EIS using Low Head data are likely to be erroneous.</i></p>	<p>The environmental impacts of the proposal, including noise and dust impacts have been assessed by the EPA.</p> <p>The EIS submitted with the application includes a noise impact assessment prepared by a suitably qualified person. The assessment is based on the monitoring of background noise and modelling of the anticipated noise emissions from the activity.</p> <p>A number of noise mitigation measures have been proposed, including limiting the use of the chippers to daylight hours, erecting a 4.8m high u-shaped noise barrier around the chippers, and a forward traffic flow regime to minimise reversing vehicles.</p> <p>In all scenarios the assessment concludes that noise impacts from the proposed facility will be below existing background noise at sensitive receptors. Night-time noise emissions were modelled to be significantly below the levels likely to result in sleep disturbance.</p>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

	<p>The conditions recommended by the EPA include the imposition of acceptable noise limits at sensitive receptors both for daytime noise and for morning/evening noise.</p> <p>A noise monitoring program will also be required to ensure the impacts of the site remain within acceptable parameters.</p> <p>Hours of operation may be further limited by amendment to the EPN should unacceptable impacts become apparent through the ongoing monitoring.</p> <p>The impacts of noise are considered to be suitably managed.</p> <p>The EIS indicates the most likely sources of dust emissions are through combustion emissions from the wood chipper.</p> <p>Proposed measures to mitigate dust include, processing of green timber (high moisture content), the site entrance, chipper area and stockpile areas will be sealed with concrete or asphalt, manoeuvring areas will have a 20km/h speed limit and finished with crushed rock, water suppressant will be utilised as necessary, and fines will be captured and transferred to a sealed bin.</p> <p>The EPA assessment concludes that dust is unlikely to be a significant issue for this proposal due to the moisture content of the material being processed and the mitigation measures proposed. EPA has received few complaints relating to dust and no complaints relating to wood fibres in recent years.</p> <p>The EPA has recommended that a number of general conditions relating to the minimisation of dust be included in the permit via the Permit Part B.</p> <p>The impacts of noise are considered to be suitably managed.</p> <p>In regard to the prevailing wind blowing toward Beauty Point, the EPA has confirmed that the Low Head monitoring station used in the study shows a higher degree of north-</p>
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**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

	<p>easterly wind than stations in Bell Bay and, as such, the approach used in the EIS is on the conservative side</p> <p>No further planning conditions are considered warranted.</p>
<p><i>Independent monitoring of noise and dust levels, over an extended period, at Beauty Point and surrounds be undertaken to determine the nature and quantity of these emissions prior to any further industrial development at Bell Bay.</i></p>	<p>The EPA has confirmed that a noise study has been commissioned by the Office of the Coordinator General and is currently underway to provide a noise model and insight into current noise emissions from Bell Bay Industrial Precinct and inform future assessment and regulation of noise in the area. Dust from BBIP impacting on Beauty Point has not been identified as a significant issue.</p> <p>It is noted that, where appropriate further regulation may be imposed on unacceptable practices via EPN.</p>
<p><i>Raises issue that heavy vehicles contribute significantly to damage to roads infrastructure maintained by the State Government and other municipalities such as West Tamar, Dorset and Meander Valley as well as George Town. Suggestion that those using heavy vehicles on roads should be contributing to infrastructure upkeep.</i></p>	<p>The proposal includes a traffic impact assessment prepared by a suitably qualified person which considers the impact of the proposal on the local road network including Norfolk Street, Mobil Road, Bell Bay Road and the Bass Highway.</p> <p>All roads within the proposed route are currently gazetted High Productivity Vehicle (HPV) routes and part of the Higher Mass Limit (HML) network. This means that they have met Performance Based Standards and are approved for truck and dog trailer combination of up to 26m in length.</p> <p>In all cases the roads and associated intersections are considered to be constructed to an appropriate standard to accommodate the increased vehicles associated with the proposal.</p> <p>Impacts on the wider road network are not required to be assessed as part of this application. Where planning is required, movements associated with harvesting activities will be assessed when if an application pertinent to that activity is received.</p> <p>It is also acknowledged that heavy vehicles have higher fees for registration and generally pay significantly more in regard to fuel tax. This money is collected at a State and Federal level and a portion redistributed to local road networks around the State on an as needs basis via grants. As such,</p>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

	industries relying on heavy vehicles do contribute to infrastructure upkeep in other municipalities. No further conditions are considered warranted.
<i>Use of fossil fuels, especially diesel and the environmental impacts.</i>	The EPA has assessed the proposal and the impacts are considered reasonable at this time. Conditions have also been imposed requiring the use of diesel generated equipment to be reviewed intermittently and in the event that the life of the proposal exceeds current projections, with a view to transition to electrical infrastructure. No further conditions are considered warranted.
<i>Rate of depletion of natural old-growth timber resources</i>	The proposal will make use of plantation timbers and regrowth thinning.
<i>Questions of there is already contamination of land/seabed by heavy metal and or organic products and what ongoing monitoring should be undertaken.</i>	Previous site contamination assessments following the decommissioning of a previous bulk fuel storage facility on the site concluded the proposal site has been suitably remediated. The assessment undertaken by the EPA indicates that the site can be suitably managed to mitigate environmental impacts. The site will be subject to ongoing regulation by the EPA.

## 9. STATUTORY REQUIREMENTS

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

- 25.0 General Industrial Zone
- E4.0 Road and Rail Access Code
- E6.0 Car Parking and Sustainable Transport Code

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

### 9.1 Use Class

The application is classified as use and development for Resource Processing. The definition of Resource Processing as outlined in the *George Town Interim Planning Scheme 2013* is:

“use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery and sawmilling.”

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

The Resource Processing use class is classified as a **Permitted** use in the General Industrial Zone. However, in this instance, the proposal relies on Performance Criteria and is subject to the discretionary application process.

## **9.2 Planning Scheme Assessment**

### **25 General Industrial Zone** 25.1 Zone Purpose

25.1.1	Zone Purpose Statements
25.1.1.1	To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.
25.1.1.2	To focus industrial use and development into appropriate areas suitable for its needs.
25.1.1.3	To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.
<b>Planners Response:</b>  The proposal is for the processing of timber into woodchips for export and includes the use of heavy machinery and vehicles with potential to cause offsite impacts. This is consistent with the purpose of the zone to provide for and focus uses of an industrial nature into areas designated as suitable for that purpose.	
25.1.2	Local Area Objectives
To promote the Bell Bay industrial area as a strategic location of State importance, for the establishment of major industries requiring the locational advantages of a deep port, existing transport infrastructure and services and separation from incompatible uses	
<b>Planners Response:</b>  The proposed use and development is compatible with Bell Bay's status as a strategic location of State importance for major industries. The processing of woodchips is consistent with other timber processing industries already established in the area.	
25.1.3	Desired Future Character Statements
To encourage major industrial use and development to locate and consolidate in the Bell Bay industrial area.  Small scale industrial activities are discouraged except where such uses service or support major industrial use and development.  High volumes of freight and heavy vehicles will be a feature of the zone. Some industries may use dangerous chemicals and processes and cause nuisances such as smoke, dust and noise.	

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

To ensure land abutting the Tamar River Crown Reserve is reserved for industries which specifically require access to the water for wharf and associated installations.

To ensure maximum utilisation of existing service infrastructure and ensure expansion of infrastructure services are co-ordinated.

Ensure the protection and efficiency of transport infrastructure including road, rail and water when new development is approved.

**Planners Response:**

As indicated in the Desired Future Character Statement, the Bell Bay industrial area is specifically intended for use and development such as that proposed. The proposal is of an industrial nature and will occur on a relatively large scale. The use involves high volumes of freight and has the potential to cause environmental nuisance. The land is in close proximity to the Declared Port and requires direct access to the port for shipping.

The proposal will maximise the use of existing service infrastructure, including the road network and shipping infrastructure. The proposal will not compromise the safety or efficiency of this infrastructure.

The proposal is suitable in regard to the Desired Future Character and potential impacts can be effectively managed by conditions.

25.3 Use Standards

25.3.1 Emissions

Objective	
To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Use not listed in Table E11.1 Attenuation Distances or E11.2 Attenuation Distances for Sewerage Treatment Plants must be set back from sensitive uses a minimum distance of 100 metres.	P1 The use must not cause or be likely to cause an adverse impact to the amenity of sensitive uses through emissions including noise, smoke, odour, dust and illumination.
<b>Planners Response:</b>	
Complies with the Acceptable Solutions. The use is not explicitly listed in Table E11.1 or E11.2 as an attenuated use and is setback significantly more than 100m from the nearest dwelling.	
A2 All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of: (a) by a licensed waste removal operator; or	P2 No performance criteria.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

(b) in accordance with a management plan approved by the Environment Protection Authority.

**Planners Response:**

Complies with the Acceptable Solution. Waste management has been considered by the EPA and appropriate conditions are recommended for inclusion on any planning permit issued.

25.2 Development Standards

25.2.1 Building Design and Siting

**Objective**

To ensure that the site and layout, building design and form is visually compatible with surrounding development.

**Acceptable Solutions**

A1 Building height must not exceed:  
a) 10.0m; or  
b) the average of the heights of buildings on immediately adjoining lots.

**Performance Criteria**

P1 Building height must:  
a) be complementary to the streetscape immediately surrounding the site; and  
b) avoid unreasonable levels of shading to the road, public places or adjoining properties.

**Planners Response:**

Complies with the Acceptable Solution. The proposal includes fines bins with a height of 11.4m and conveyors with a maximum height of 17.5m, resulting in a potential stockpile of similar height.

An existing bulk fuel storage tank at 23 Norfolk Street, to the immediate south-east, has a height of 17.19m. The Temco facility to the north-west has a height of 50m.

The metal recycling facility which is enveloped by the subject site has a building with a height of 3m.

The average height of development on these lots is approximately 23.33m. The height of the proposed development does not exceed the average height of the developments on the adjoining titles.

A2 Buildings must be set back a minimum distance 10m from a frontage.

P2 The proposal must be:  
a) in keeping with or enhances the streetscape character; and  
b) consistent with the local area objectives, if any.

**Planners Response:**

Complies with the Acceptable solution. The proposed buildings site office and amenities buildings are the closest buildings to the frontage and are setback 19m.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>A3 Buildings must be set back from side and rear boundaries a minimum distance 5m.</p>	<p>P3 The setback to the side and rear boundary must:</p> <ul style="list-style-type: none"> <li>a) provide adequate access to the site; and</li> <li>b) not result in unreasonable loss of amenity to the occupiers of adjoining uses having regard to the bulk and form of the building; and</li> <li>c) impact on the solar access of habitable room windows and private open space; and</li> <li>d) size and proportions of the lot; and</li> <li>e) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation.</li> </ul>
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**Planners Response:**

Relies on Performance Criteria. Containers are setback 3.6m from the side boundaries. This setback is considered to be acceptable.

The buildings will not impact access to the site, rather the area available for access and manoeuvring is enhanced by placing the buildings close to the boundaries.

The proposed buildings will not result in a loss of amenity for the adjoining property. The buildings are containerised modules and have minimal bulk. Given the industrial nature of the subject site and surrounding land, the visual appearance of the buildings is considered to be acceptable.

As the buildings are to the south of the boundary shared with 55 Norfolk Street, the shadows cast by the building will fall onto the subject site, and will not impact solar access to habitable rooms or open space areas.

The scale of the buildings is insignificant compared to the size and proportions of the lot. While there is no vegetation, fencing or other screening between the buildings and 55 Norfolk Street, the land immediately adjoining the subject site contains a 5m buffer of undeveloped land and a number of sorting bays which provide adequate separation to offset the impacts of the reduced setback.

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

CODE	APPLICABILITY
E1 BUSHFIRE-PRONE AREAS CODE	NOT APPLICABLE – NO SUBDIVISION, SENSITIVE USE OR HAZARDOUS USE.
E2 POTENTIALLY CONTAMINATED LAND CODE	NOT APPLICABLE – WHILE THE LAND HAS FORMERLY BEEN IDENTIFIED AS CONTAMINATED, THE PROPOSAL IS NOT FOR A SENSITIVE USE. IT IS ALSO NOTED THAT THE SITE HAS BEEN FULLY REHABILITATED FOLLOWING THE CONTAMINATION.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

E3 LANDSLIP CODE	NOT APPLICABLE – LAND NOT IDENTIFIED AS PRONE TO LANDSLIP.
E4 ROAD AND RAILWAY ASSETS CODE	APPLICABLE – PROPOSAL INCLUDES INCREASED USE OF THE ACCESS.
E5 FLOOD PRONE AREAS CODE	NOT APPLICABLE – LAND NOT IDENTIFIED AS BEING PRONE TO FLOOD.
E6 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	CODE IS APPLICABLE.
E7 SCENIC MANAGEMENT CODE	NOT APPLICABLE – NOT IN A SCENIC MANAGEMENT AREA OR WITHIN 100M OF A SCENIC TOURIST CORRIDOR.
E8 BIODIVERSITY CODE	NOT APPLICABLE – NO VEGETATION REMOVAL PROPOSED.
E9 WATER QUALITY CODE	NOT APPLICABLE – DEVELOPMENT IS NOT WITHIN 50M OF A WATERCOURSE AND THE PROPOSAL IS SUBJECT TO AN ASSESSMENT BY THE EPA.
E10 RECREATION & OPEN SPACE CODE	NOT APPLICABLE – APPLICATION IS NOT FOR SUBDIVISION.
E11 ENVIRONMENTAL IMPACTS AND ATTENUATION CODE	CODE NOT APPLICABLE – THE PROPOSAL DOES NOT INCLUDE A USE EXPLICITLY IDENTIFIED AS REQUIRING ATTENUATION. APPLICATIONS SUBJECT TO ASSESSMENT BY THE EPA ARE ALSO EXEMPT FROM THE CODE.
E12 AIRPORTS IMPACT MANAGEMENT CODE	NOT APPLICABLE.
E13 COASTAL CODE	NOT APPLICABLE – DEVELOPMENT IS NOT ADJACENT THE DUNE SYSTEM OR ON VULNERABLE LAND.
E14 SIGNS CODE	CODE NOT APPLICABLE. NO SIGNAGE IS PROPOSED.

**E4.0 Road and Railway Assets Code**

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective	
To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.</p>	<p>P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.</p>
<p><b>Planners Response:</b></p> <p>Not applicable. The proposal is not for a sensitive use.</p>	
<p>A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day</p>	<p>P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
<p><b>Planners Response:</b></p> <p>Relies on Performance Criteria. The site will generate approximately 115 trucks and 8 staff vehicles per day. The application includes a traffic impact assessment prepared by a suitably qualified person which demonstrates the road network within the Bell Bay Industrial Precinct is specifically designed to cater for heavy industrial vehicles and has sufficient capacity to absorb the movements associated with the proposed development.</p> <p>The traffic generated by the proposal is not anticipated to affect the safety or operation of the surrounding road network.</p> <p>The proposal is considered to comply with the Performance Criteria and is consistent with the objective.</p>	
<p>A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</p>	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

	c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
<b>Planners Response:</b>	
Not applicable. The road has a speed limit less than 60km/h.	

**E4.7 Development Standards**

E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

<b>Objective</b>	
To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:	
<ul style="list-style-type: none"> <li>a) ensure the safe and efficient operation of roads and railways; and</li> <li>b) allow for future road and rail widening, realignment and upgrading; and</li> <li>c) avoid undesirable interaction between roads and railways and other use or development.</li> </ul>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> <li>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</li> <li>b) building areas on new lots; and</li> <li>c) outdoor sitting, entertainment and children’s play areas</li> </ul>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <ul style="list-style-type: none"> <li>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</li> <li>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</li> <li>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</li> <li>d) ensure that temporary buildings and works are removed at the applicant’s expense within three years or as otherwise agreed by the road or rail authority.</li> </ul>
<b>Planners Response:</b>	

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

Relies on Performance Criteria. The proposal includes works within 50m of a rail siding extending from the Bell Bay Line to service the existing Artec Sawmill to the south of the subject site.

The proposed development will not impact the safety or efficiency of the railway. Although within 50m, the siding terminates prior to reaching the south-west boundary of the title. The proposed works will not obstruct or impact the line of sight from trains.

The proposal is not for a sensitive use and is of an industrial nature. That part of the land within 50m of the railway will be used for log storage and does not include any buildings. It is not anticipated that the existing railway siding will have any impact on the use and development of the site or vice versa.

The proposal complies with the Performance Criteria and will not impact the use and efficiency of the rail network.

**E4.7.2 Management of Road Accesses and Junctions**

<b>Objective</b>	
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
<b>Planners Response:</b>	
Complies with the Acceptable Solution. The development proposes one access to Norfolk Street providing combined entry and exit.	
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

	<p>site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
<p><b>Planners Response:</b></p> <p>Not applicable. The road has a speed limit less than 60km/h.</p>	

**E4.7.3 Management of Rail Level Crossings**

<p><b>Objective</b></p> <p>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 Where land has access across a railway:</p> <p>a) development does not include a level crossing; or</p> <p>b) development does not result in a material change onto an existing level crossing.</p>	<p>P1 Where land has access across a railway:</p> <p>a) the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and</p> <p>b) the proposal is dependent upon the site due to unique resources, characteristics or location attributes and the use or development will have social and economic benefits that are of State or regional significance; or</p> <p>c) it is uneconomic to relocate an existing use to a site that does not require a level crossing; and</p> <p>d) an alternative access or junction is not practicable.</p>
<p><b>Planners Response:</b></p> <p>Not applicable. The proposal does not take access via a level crossing.</p>	

**E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings**

<p><b>Objective</b></p> <p>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>
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**Planners Response:**

Complies with the Acceptable Solutions. The safe intersection sight distance for a road with speed limit of 60km/h or less is 80m. Sight distances at the access exceeds 100m to the north-west and south-east of the access.

**E6.0 Car Parking and Sustainable Transport Code**

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective	
To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solution	Performance Criteria
<p>A1 The number of car parking spaces will not:</p> <p>a) If for dwellings in the General Residential Zone, be less than 100% of the requirements of Table E6.1; or</p> <p>b) be less than 90% of the requirements of Table E6.1 and not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

	<ul style="list-style-type: none"> <li>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</li> <li>i) the recommendations of a traffic impact assessment prepared for the proposal; and</li> <li>j) any heritage values of the site; and</li> <li>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: <ul style="list-style-type: none"> <li>i) the size of the dwelling and the number of bedrooms; and</li> <li>ii) the pattern of parking in the locality; and</li> <li>iii) any existing structure on the land.</li> </ul> </li> </ul>
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**Planners Response:**

Relies on Performance Criteria. The proposed development will have up to eight staff on site, requiring six parking spaces in accordance with Table E6.1. The proposed development is providing eight car parking spaces, which exceeds the requirements of E6.1 by more than 5%.

The additional parking proposed is not considered unreasonable. The subject site is expansive and has sufficient area to accommodate the additional parking.

The nature of the road verges in Norfolk Street are not conducive to onstreet parking and, as such, the provision of the additional spaces onsite is warranted.

The visual impact of an eight bay parking area compared to a six bay parking area is negligible.

The car park is fully contained within the title and will not impact amenity, safety or convenience of other road users. The site is located within an industrial precinct and the appearance of the parking in the streetscape will be consistent with other industrial uses in the area.

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

**E6.6.2 Bicycle Parking Numbers**

Objective	
To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the: <ul style="list-style-type: none"> <li>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</li> </ul>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>b) location of the site and the distance a cyclist would need to travel to reach the site; and</p> <p>c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</p>
<p><b>Planners Response:</b></p> <p>Relies on Performance Criteria. The subject site does not provide formal bike parking, however, there is ample space in the vicinity of the office and amenities buildings to provide for bike parking should the need arise. This is considered to be acceptable in the context of the site. The location of the site, lack of cycle lanes and other facilities in the vicinity and the nature of the development and demand for bike parking is anticipated to be low.</p> <p>The proposal is considered to comply with the Performance Criteria and is consistent with the objective.</p>	

**E6.6.3 Taxi Drop-off and Pickup**

<p>Objective</p> <p>To ensure that taxis can adequately access developments.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).</p>	<p>P1 No performance criteria.</p>
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solution. There is adequate space within the site and internal driveways for the parking of taxis.</p>	

**E6.6.4 Motorbike Parking Provisions**

<p>Objective</p> <p>To ensure that motorbikes are adequately provided for in parking considerations.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.</p>	<p>P1 No performance criteria.</p>
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solutions. There is adequate space within the site for the parking of motorbikes, including within the additional car parking spaces provided in the car park.</p>	

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

**E6.7 Development Standards**

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective	
To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
<b>Planners Response:</b>	
Relies on Performance Criteria. The application proposes to seal the light vehicle parking area and the main access with a surface suitable for heavy vehicles. These will be drained to the proposed onsite detention area. The light vehicle parking area will also be linemarked.	
While the access and manoeuvring areas for heavy vehicles will be unsealed toward the rear of the site, construction will remain suitable for heavy vehicles in all weather conditions and will be formed of free draining crushed rock. The use of water as a dust suppressant has been proposed to manage dust, however, road dust is anticipated to be minimal due to the slow speed of vehicles operating within the site.	
The simple linear internal road network ensures that loading and manoeuvring areas are readily identifiable.	
It is recommended that prior to the commencement of use the vehicle parking area and internal circulation is to be clearly delineated by linemarking or some other physical means.	
The proposal complies with the Performance Criteria and is consistent with the objective.	

E6.7.2 Design and Layout of Car Parking

Objective	
To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>dwelling in the General Residential Zone) must be located behind the building line; and</p> <p>A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>amenity of the surrounding areas, having regard to:</p> <p>a) the layout of the site and the location of existing buildings; and</p> <p>b) views into the site from the road and adjoining public spaces; and</p> <p>c) the ability to access the site and the rear of buildings; and</p> <p>d) the layout of car parking in the vicinity; and</p> <p>e) the level of landscaping proposed for the car parking.</p>
<p><b>Planners Response:</b></p> <p>Relies on Performance Criteria. The proposed eight bay light vehicle parking area is located between the proposed buildings and the frontage.</p> <p>In this instance the development is located within an industrial precinct. The appearance of the car park from the street is consistent with the industrial character of the area. As Norfolk Street is a no-through-road, the site is not on any walking, cycling or casual driving route. While highly visible from the public road, the car park is relatively small and is well laid out.</p> <p>The location of carparking in the frontage is consistent with other sites within the industrial precinct and is generally undertaken for operational efficiencies, to minimise heavy and light vehicle interactions and to act as a clearly identifiable point of arrival for visitors to the site. The position and appearance of the car park is in keeping with the industrial character of the site.</p> <p>It is also noted that the positioning of parking near to the frontage allows for the industrial machinery and processes to be positioned towards the rear of the land, further from the frontage.</p> <p>The application does propose to include some landscaping between the car park and the road. While this will assist to improve the visual amenity of the carpark, it is not considered to be an essential element of the development and it is preferred that landscaping be left to the discretion of the applicant. Landscaping in industrial zones is rarely well maintained, rarely achieves the desired visual outcomes, and given the low amenity present in industrial areas and low visitation, the benefits are minimal.</p> <p>The proposal complies with the Performance Criteria and is consistent with the objective.</p>	
<p>A2.1 Car parking and manoeuvring space must:</p> <p>a) have a gradient of 10% or less; and</p> <p>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</p> <p>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</p> <p>d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as</p>	<p>P2 Car parking and manoeuvring space must:</p> <p>a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and</p> <p>b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.</p>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>prescribed in Table E6.3 where any of the following apply:</p> <ul style="list-style-type: none"> <li>i) there are three or more car parking spaces; and</li> <li>ii) where parking is more than 30m driving distance from the road; or</li> <li>iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road; and</li> </ul> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	
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<p><b>Planners Response:</b></p> <p>Relies on Performance Criteria. The application proposes to construct a setback truck access. While it complies with the minimum width required by Table E6.2 it also exceeds this width by significantly more than 10%. Given the types of vehicles that will be coming and going from the site a widened access suitable for heavy vehicles is considered to be both safe and convenient.</p> <p>In all other respects the access and parking areas comply with the Acceptable Solutions. The gradient of parking will be less than 10%. All vehicles can turn onsite and will exit the site in a forward direction. Access widths adjacent to parking complies with Table E6.3 so far as applicable. The proposal complies with AS2890.1 so far as is applicable to industrial use and development.</p> <p>The proposed parking areas and access are laid out to an appropriate standard and comply with the Performance Criteria.</p>
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**E6.7.3 Car Parking Access, Safety and Security**

Objective	
To ensure adequate access, safety and security for car parking and for deliveries.	
Acceptable Solution	Performance Criteria
<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <ul style="list-style-type: none"> <li>a) secured and lit so that unauthorised persons cannot enter or;</li> <li>b) visible from buildings on or adjacent to the site during the times when parking occurs.</li> </ul>	<p>P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:</p> <ul style="list-style-type: none"> <li>a) levels of activity within the vicinity; and</li> <li>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</li> </ul>
<b>Planners Response:</b>	
Not applicable. The proposal includes less than 20 parking spaces.	

**E6.7.4 Parking for Persons with a Disability**

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

Objective	
To ensure adequate parking for persons with a disability.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 No performance criteria.
<b>Planners Response:</b>	
Not applicable. The proposal does not include accessible parking.	
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2 No performance criteria.
<b>Planners Response:</b>	
Not applicable. The proposal does not include accessible parking.	

**E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup**

Objective	
To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.	P1 For retail, commercial, industrial, service industry or warehouse or storage uses, adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
<b>Planners Response:</b>	
Complies with the Acceptable Solution. The facilities provided for unloading of deliveries are suitable for the proposed use.	

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

**E6.8 Provisions for Sustainable Transport**

E6.8.1 Bicycle End of Trip Facilities

Objective	
To ensure that cyclists are provided with adequate end of trip facilities.	
Acceptable Solution	Performance Criteria
A1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycles spaces thereafter.	P1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, end of trip facilities must be provided at adequate level to cater for the reasonable needs of employees having regard to: <ul style="list-style-type: none"> <li>a) the location of the proposed use and the distance a cyclist would need to travel to reach the site; and</li> <li>b) the users of the site and their likely desire to travel by bicycle; and</li> <li>c) whether there are facilities on the site for other reasons that could be used by cyclists; and</li> <li>d) the opportunity for sharing bicycle facilities by multiple users.</li> </ul>
<b>Planners Response:</b>	
Not applicable. Less than 5 spaces required.	

E6.8.2 Bicycle Parking Access, Safety and Security

Objective	
To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solution	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: <ul style="list-style-type: none"> <li>a) be accessible from a road, footpath or cycle track; and</li> <li>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</li> <li>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</li> <li>d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and</li> </ul>	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	
<p><b>Planners Response:</b> ' Not applicable. Less than five bicycle parking spaces are provided. '</p>	
<p>A2 Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and  b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.</p>	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
<p><b>Planners Response:</b>  Complies with the Acceptable Solution. Although there are no formal bicycle parking spaces proposed, there is ample space for bicycle parking adjacent to the proposed car park which complies with the dimensions and access requirements above.</p>	

E6.8.5 Pedestrian Walkways

<p>Objective  To ensure pedestrian safety is considered in development</p>	
<p><b>Acceptable Solution</b></p>	<p><b>Performance Criteria</b></p>
<p>A1 Pedestrian access must be provided for in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</p>
<p><b>Planners Response:</b>  Complies with the Acceptable Solutions. No dedicated access required for use and development where less than 10 spaces are proposed. It is unlikely that the combination of staff vehicles and log trucks will exceed 10 vehicles at any time and there are no buildings which pedestrians would require access to.</p>	

**10. REFERRALS**

**Internal Referrals**

Works and Infrastructure:

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

- Stormwater

The stormwater report is appropriate and the recommendations are good. Happy to approve the SW report and submit an engineering design application prior to works commencing and have the works completed prior to commencement of use on the site. Included with the lodgement of the designs there will need to be a maintenance plan.

- Traffic/road/parking

The traffic report is appropriate and the recommendations are good. Happy to approve the Traffic report and submit an engineering design application of the proposed widened driveway prior to works commencing and have the works completed prior to commencement of use on the site.

### **External Referrals**

Environment Protection Authority:

The application was referred to the EPA as a Level 2 Activity in accordance with Section 25 (1)(b) of the *Environmental Management and Pollution Control Act 1994*. The EPA has assessed the application and provided conditions for inclusion on any planning permit issued by Council. A copy of the EPA Assessment and the Permit Part B – Permit Conditions is included in the attachments.

TasWater:

The application was referred to TasWater and a Submission to Planning Authority Notice including conditions of approval was provided on the 06/10/2021.

## **11. SERVICES**

### ***Road***

The site is accessed from Norfolk Street. Alterations to the crossover are required to facilitate the proposal.

### ***Sewer***

The site is not currently connected to sewer, with the nearest connection point approximately 1km away. The proposal will rely on onsite waste water management or a pumped system.

### ***Water***

Council records do not indicate a connection to reticulated water.

### ***Storm Water***

Stormwater will be discharged to the public stormwater system in Norfolk Street, via a bioretention basin.

## **12. STATE POLICIES**

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

## **13. CONCLUSION**

The application for use and development for Resource Processing – woodchip processing plant, Norfolk Street, Bell Bay has been assessed against all relevant zone and code criteria

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

of the *George Town Interim Planning Scheme 2013*. With appropriate conditions, the application complies with the applicable Acceptable Solutions and Performance Criteria and is recommended for approval.

#### **14. RECOMMENDATION**

That the application for use and development, Resource Processing – woodchip processing plant, at Norfolk Street, Bell Bay (CT 177662/1) 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. Pitt & Sherry, Environmental Impact Statement, dated 17/11/2021 and incorporating appendices A - L;

to the satisfaction of the Council, except where provided otherwise by the conditions below. Any other proposed development and/or use will require a separate application to and assessment by the Council.

##### **1. ENVIRONMENT PROTECTION AUTHORITY CONDITIONS**

The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B, Environmental No. 10666 which the Board of the Environment Protection Authority (EPA) has required the Planning Authority to include in the permit, pursuant to Section 25 (5) of the Environmental Management and Pollution Control Act 1994 (see Permit Part B, attached).

##### **2. DRIVEWAY CROSSOVER**

Prior to the commencement of use, the driveway crossover off Norfolk Street is to be upgraded in accordance with the Tasmanian Standard Drawings TSD-R05-v2, with variation to width in accordance with the endorsed Traffic Impact Assessment (Appendix K) and to the satisfaction of Council's Directorate of Infrastructure & Development. Prior to undertaking any works within the road reserve, the developer must make application to Council for a road opening permit using Council designated form and obtain Council's written approval. All these works must be at expense of the person responsible for the development.

##### **3. PARKING**

Prior to the commencement of use:

- a. The light vehicle parking area is to be sealed with asphalt or concrete and line marked to the satisfaction of Council.
- b. The parking isle in the light vehicle parking area is to be extended 1m past the last parking bay to allow for turning.
- c. Incidental signage is to be installed on the internal accessways directing the flow of heavy vehicles within the site.

##### **4. STORMWATER**

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

Prior to the commencement of works detailed engineering drawings for the proposed bio-retention basin are to be submitted to the satisfaction of Council's Directorate of Infrastructure & Development. The designs are to be in accordance with the endorsed Stormwater Management Plan (Appendix F).

Prior to the commencement of use:

- a. The stormwater management system, including bio-retention basin is to be installed to the satisfaction of Council's Directorate of Infrastructure & Development.
- b. A maintenance plan detailing how the system will be maintained to ensure there are no adverse impacts on the public stormwater network is to be submitted to the satisfaction of Council's Directorate of Infrastructure & Development.

#### **5. TASWATER**

The development must be undertaken in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2021/01686-GTC, attached).

#### **6. NO POLLUTED RUNOFF**

No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development.

#### **7. DAMAGE TO PUBLIC INFRASTRUCTURE**

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

#### **Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2021/105. You should contact Council with any other use or development, as it may require the separate approval of Council. All enquiries can be directed to Council on 6382 8800 or via email: [planning@georgetown.tas.gov.au](mailto:planning@georgetown.tas.gov.au)
2. This permit does not imply that any other approval required under any other by-law, covenant or legislation has been granted. The following additional approvals from Council may be required before construction commences:
  - a. Plumbing approval
  - b. Building approval
  - c. Works within the road reserve approval

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

3. This permit takes effect after:
  - a. The 14 day appeal period expires; or
  - b. any appeal to the Tasmanian Civil & Administrative Tribunal is abandoned or determined; or

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

- c. Any other required approvals under this or any other Act are granted.
  
4. A planning appeal may be instituted by lodging a notice of appeal with the Tasmanian Civil & Administrative Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Tasmanian Civil & Administrative Tribunal website [www.tascat.tas.gov.au](http://www.tascat.tas.gov.au)
  
5. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted at Council's discretion if a request is received within six (6) months of the expiration.
  
6. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
  
7. 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](mailto:aboriginal@heritage.tas.gov.au); and
  - c. The relevant approval processes will apply with state and federal government agencies.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

**7.2 DA 2022/08 - VEGETATION REMOVAL - BELL BUOY BEACH ROAD, LOW HEAD**

<b>REPORT AUTHOR:</b>	Statutory Town Planner - Mr J Simons Manager – Development and Environment – Mr R. Cassidy
<b>REPORT DATE:</b>	18th April, 2022
<b>FILE NO:</b>	DA 2022/08
<b>ATTACHMENTS:</b>	1. Title [7.2.1 - 3 pages] 2. Application documents - DA 2022-8 [7.2.2 - 114 pages] 3. Representations [7.2.3 - 6 pages] 4. Response to Representations [7.2.4 - 3 pages]

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**APPLICATION INFORMATION**

<b>Applicant:</b>	D P Lawrence
<b>Site Address:</b>	Bellbuoy Beach Road, Low Head
<b>Titles Details:</b>	CT 180385/1
<b>Property ID:</b>	9026133
<b>Zone:</b>	Village & Rural Resource
<b>Use:</b>	Residential/Resource Development
<b>Proposed Development:</b>	Vegetation removal
<b>Application Received:</b>	02/02/2022

**1. SUMMARY**

Application is made to remove the existing native vegetation from 39ha of land to the south and east of the Bellbuoy Beach settlement. 30.4ha of land is proposed to be cleared to the south of Bellbuoy Beach Road, of which, approximately 18ha has already been cleared of standing vegetation and is largely covered with bracken and poa grasses. It is proposed that a further 8.6ha is to be cleared to the north of Bellbuoy Beach Road. Land to the south and west of Lord Liverpool Drive is not included in the proposal.

The intent of the proposal is two fold. Parts of the land, zoned Rural Resource, to the east of the site will be used for agricultural purposes. That part of the land within the Village Zone will be cleared to provide bushfire hazard management areas to the south of the established residential area and to facilitate any future residential use and development. Back burning is currently required by the Tasmanian Fire Service to maintain the vegetation to minimise fire risk to residential areas. A map of the backburning required is included in the attachments.



Figure 1: proposed extent of vegetation removal outlined in red.

Two representations were received during the advertising period and are discussed in the assessment below.

While the representations raise valid planning considerations, including impacts on biodiversity, the application demonstrates that significant conservation values can be protected in the preservation of a streamside reserve. The impacts of the remaining clearing will not have a detrimental impact on biodiversity in the bioregion and are largely consistent with the intent of the applicable standards, the Village Zone and the Rural Resource Zone. These matters are further discussed in the assessment below.

## **2. STRATEGIC PLAN**

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

### **Future Direction Four - Leadership and Accountable Governance**

2. Planning and regulatory responsibilities are undertaken fairly and openly
  - i. Building knowledge and understanding of planning and regulatory responsibilities and processes.

## **3. CONSULTATION**

In accordance with section 57(5) of *The Land Use Planning and Approvals Act 1993*, the application was advertised for public comment for the period of 14 days.

## **4. RISK IMPLICATIONS**

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

## **5. FINANCIAL IMPLICATIONS**

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

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

**6. SITE AND LOCATION**

The site comprises an existing, largely vacant lot with an area of 55.04ha to the south of the existing Bellbuoy Beach residential area. The land has been developed with a waste water treatment plant managed by TasWater and a 33 lot residential subdivision is currently under construction to the south of Lord Liverpool Drive.

The land is partially within the Village Zone and partially within the Rural Resource Zone. There is also a small area of the title zoned as Utilities covering the existing waste water treatment plant. The proposed development is restricted to the eastern parts of the title, within the Village and Rural Resource Zones.

The land has frontage on Bellbuoy Beach Road and Lord Liverpool Drive.



Figure 2 - Aerial view of Bellbuoy Beach showing location of subject property outlined in red.

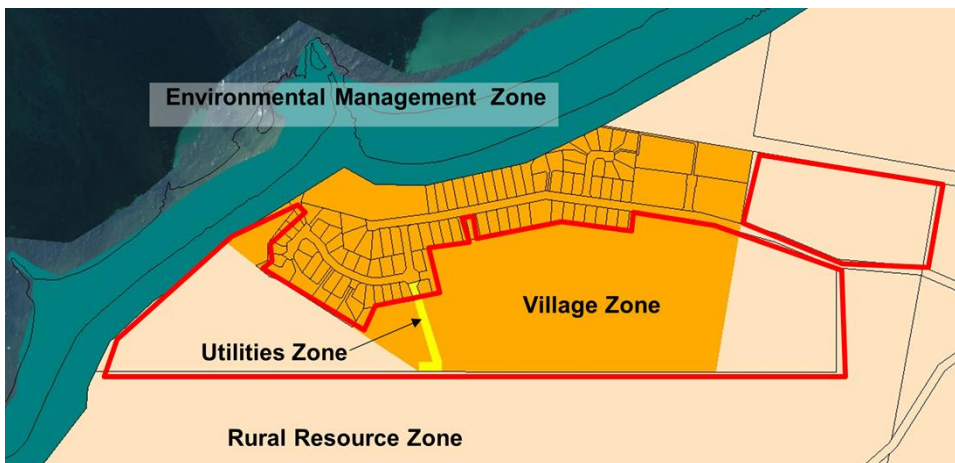


Figure 3 - Zoning of subject site (outlined in red) and surrounds.

The land subject to the development comprises a mix of native vegetation, existing cleared areas and formerly cleared areas.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

**7. DEVELOPMENT AND USE DESCRIPTION**

The application seeks approval to remove a large portion of the vegetation covering the land to the south and east of the Bellbuoy Beach settlement.

The vegetation is typically low coastal scrub and coastal forest and varies significantly in the degree to which it has been disturbed by past land use practices. The composition of vegetation is identified in Figure 4 below. Figure 5 identifies the approximate land area of each vegetation type present, following ground truthing by a qualified environmental consultant. The most significant difference between the TasVeg mapping and the consultant's assessment is that the land identified as regenerating cleared land and a large portion of the coastal scrub have been ground truthed as agricultural land.

While the undergrowth will be removed from the areas identified as coastal forest, tall trees will be left standing in this area. The application also proposes to retain a streamside buffer adjacent to a watercourse to the north of Bellbuoy Beach Road.

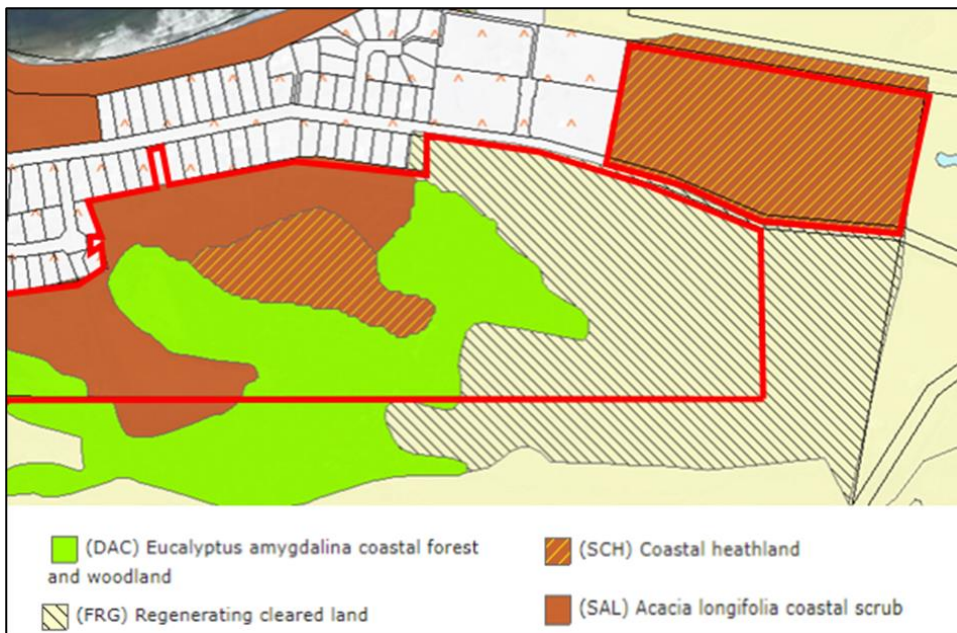


Figure 4 – Subject land showing vegetation communities (TasVeg 4.0)

Vegetation Group	Vegetation Community	Tasveg 4 (ha)	Remapped (ha)
Dry eucalypt forest and woodland	(DAC) Eucalyptus amygdalina coastal forest and woodland	9.4	8.7
Scrub, heathland and coastal complexes	(SAL) Acacia longifolia coastal scrub	5.3	2.1
	(SCH) Coastal heathland	10.8	9.2
Other natural environments	(OAQ) Water, sea		0.2
Modified land	(FRG) Regenerating cleared land	13.5	2.9
	Agricultural Land		15.9
<b>TOTAL</b>		<b>39.0</b>	<b>39.0</b>

Figure 5 – Variation between mapping and ground truthing (Livingston Natural Resources, 2022)

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---



Figure 6 – Photo from Bellbouy Beach Road, looking south, showing typical regenerating/agricultural land.



Figure 7 – Photo from Bellbouy Beach Road, looking north over coastal heathlands.



Figure 8 – Photo from Bellbuoy Beach Road, looking south, showing typical vegetation to be cleared.

## 8. REPRESENTATIONS

The application was advertised for community consultation from the 12/02/2022 – 01/03/2022. Two (2) representations were received during the advertising period. A summary of the issues raised in the representation is below. Full copies of the representations have also been included as an attachment to this report.

Issues raised in representations	Council response
<i>Visual Amenity</i>	<p>The proposal is not in a scenic tourist corridor or scenic protection area. There are no specific criteria requiring an assessment of visual amenity. It is noted that broad views of the land from public spaces on Bellbuoy Beach Road and Mariner Court are limited, due to the screening effect provided by the roadside vegetation and residential properties.</p> <p>While it is acknowledged that the visual character of the land to the rear of residential properties will change, this is not considered to be adverse to the intent of the Village Zone. Beauty is highly subjective. The coastal environment comprises a mix of cleared pastures, native grasslands and standing vegetation. The mosaic of different vegetation types contributes to the beauty of the area. Once recovered from the initial clearance, the</p>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

	<p>visual appearance of the site will not be out of character with the coastal environment. Similar visual impacts will arise from proposed back burning operations.</p>
<p><i>Justification for agricultural needs.</i></p>	<p>Resource development is a no permit required use in the Rural Resource Zone and does not require justification.</p> <p>Council's role is to determine if the extent of vegetation clearance is reasonable or not.</p> <p>It is noted that the Rural Resource land to the south of Bellbuoy Beach Road is already largely cleared. Environmental values on the north side will be protected through the maintenance of a riparian buffer adjacent to watercourses.</p>
<p><i>Precise map of area to be excluded from proposed clearing.</i></p>	<p>It is considered appropriate that a more concise map readily identifying the areas to be excluded from clearance be submitted to Council prior to the commencement of works. Such a map is considered to be essential to ensuring that the person responsible for undertaking the work has a clear understanding of what vegetation must be retained.</p> <p>A condition is recommended for inclusion on a planning permit, should Council determine to approve the application.</p>
<p><i>Provision of adequate alternative foraging habitat.</i></p>	<p>A flora and fauna assessment was submitted with the application. The assessment identifies that the removal of vegetation from the site will have minimal impact on the availability of foraging habitat in the region. Areas of vegetation to be retained will provide adequate habitat connectivity and foraging is likely to continue to occur within cleared areas by the types of species identified in the assessment.</p>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

<p><i>Carbon storage</i></p>	<p>While the subject site likely contributes somewhat to carbon storage, the vegetation is not of a type that would store an amount considered to be of significance. It is recommended that burning of the waste not be permitted, with preference being given to mulching and natural decay processes to minimise release of carbon.</p> <p>No further offsets are considered warranted due to the relatively limited scale of the proposal and the types of vegetation being removed.</p>
<p><i>Back burning preferred over removal.</i></p>	<p>Back burning may still be required to manage the vegetation in the short term, depending on advice to the land owner from the Tasmanian Fire Service. The scrubby nature of the vegetation suggests that back burning is likely to remove and brown a significant portion of the vegetation and will have similar undesirable short term visual impacts to the vegetation removal.</p>
<p><i>Remnant patch of native vegetation with limited connectivity – changes will further isolate.</i></p>	<p>Historic aerial photography shows a significantly greater degree of clearance across the site as recent as 2004, with vegetation largely limited to those areas identified as forest. The tree canopy in this area is proposed to be retained. Other areas of vegetation are largely regrowth of formerly cleared land rather than remnant vegetation.</p> <p>The vegetation to be removed does not comprise a threatened vegetation community and does not provide suitable nesting or denning habitat for any threatened species. The vegetation is of a type which is locally in abundance and the extent of removal is very small in the context of the bioregion. While there will be some impacts on smaller and more common species in the immediate area, the effects will not significantly reduce foraging habitat, or compromise species representation or viability in the bioregion.</p> <p>The maintenance of the forest area is not considered to further fragment the wildlife corridor to such an extent that it will diminish its functionality for transient species of conservation significance.</p>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

<p><i>Difficult to ensure the protection of the watercourse or other areas to be retained – protection essential to providing water supply for native animals in the coastal zone.</i></p>	<p>Council has the ability to enforce the conditions of any planning permit issued, including the retention of the riparian reserve and forest canopy.</p>
<p><i>Removal of vegetation proposed in order to make future development in the Village Zone less contentious.</i></p>	<p>Council’s role is to assess if the proposal does or does not comply with the planning scheme, regardless of the motivations of the applicant.</p> <p>It is noted that the land is largely within a zone that supports residential use and development and preparation of the land for future residential development is consistent with the purpose of the zone.</p>
<p><i>No immediacy for the work and therefore it should be deferred to a future date. Timing of works to compound impacts of subdivision currently under construction.</i></p>	<p>Council must make a decision regarding the proposal within the statutory timeframes under the <i>Land Use Planning and Approvals Act 1993</i>. Council cannot defer the decision, but must make a decision to approve the application (with or without conditions) or refuse the application.</p> <p>The timing of the proposal to coincide with subdivision works at the end of Lord Liverpool Drive is not considered to impact the long term biodiversity values of the bioregion.</p> <p>It is understood that some maintenance of vegetation is required by the Tasmanian Fire Service and will likely be undertaken prior to the 2022 Summer.</p>

## 9. STATUTORY REQUIREMENTS

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

- 16.0 Village Zone
- 26.0 Rural Resource Zone
- E4.0 Road and Rail Assets Code
- E6.0 Car Parking and Sustainable Transport Code
- E8.0 Biodiversity Code

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

### 9.1 Use Class

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

The application can be best be classified as a Residential (for bushfire management and future residential development) and Resource Development (for areas to be used for agriculture). The definition of the Residential use as outlined in the *George Town Interim Planning Scheme 2013* is:

*“use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.”*

The definition of the Resource Development Use as outlined in the *George Town Interim Planning Scheme 2013* is:

*“use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fishstock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing.”*

The Residential Use Class is classified as a **No Permit Required** use within the Village Zone. The Resource Development Use Class is classified as a **No Permit Required** use in the Rural Resource Zone. However, all removal of native vegetation is subject to a discretionary application process and the proposal relies on Performance Criteria.

## **9.2 Planning Assessment**

### Planning Scheme Zone Assessment

#### **16 Village Zone**

##### 16.1 Zone Purpose

16.1.1	Zone Purpose Statements
16.1.1.1	To provide for small rural centres with a mix of residential, community services and commercial activities.
16.1.1.2	To provide for low impact, non residential uses that support the function of the settlement.
16.1.1.3	To provide for the amenity of the residents in a manner appropriate to the mixed use characteristics and needs of a particular settlement.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**Planners Response:**

The proposal will not undermine the function of the Bellbuoy Beach area as a small rural centre. Clearance of adjoining vegetation will result in increased bushfire safety for the residences in Bellbuoy Beach. While it may facilitate future expansion of the residential area, this is generally supported by the choice of zoning applicable to the land and will not undermine the residential nature and amenity of the area.

The proposal does not include any non-residential uses within the Village Zone.

**16.1.2 Local Area Objectives**

1. Recognise the historic development of the coastal settlements whilst supporting some infill and limited development subject to the availability of services and in a manner that does not create ribbon development.
2. Ensure the new use development in unserviced areas;
  - a. is self-sufficient in infrastructure provision,
  - b. does not cause material environmental harm; and
  - c. does not create significant additional demands on community resources.
3. Protects the amenity of existing and future occupants of residences on adjoining lots in terms of;
  - a. visual and acoustic privacy
  - b. overlooking habitable rooms and outdoor recreation areas; and
  - c. loss of sunlight to habitable rooms and outdoor recreation areas.
4. Ensure the design and layout of residential subdivision takes account of coastal protection requirements, solar access, waste disposal protection, protection of native vegetation, maintenance of the environmental and hydrological functions of streams and waterways and the visual amenity of surrounding areas.

**Planners Response:**

The application does not include subdivision, but recognises the historic existence of the settlement and the Village Zoning.

The proposal does not require additional services and does not increase demands on community resources. Environmental harm is addressed in the assessment of the biodiversity code below and the impacts are considered to be reasonable.

The proposal does not include any specific use or works that would compromise the visual and acoustic privacy, or result in overlooking or loss of sunlight. These elements will be considered as part of any future development of the land.

The application does not include residential subdivision. However, it is noted that the flora and fauna assessment submitted with the application requires certain areas of the title to be set aside to protect native vegetation of significance and a watercourse. Environmental impacts are further discussed in the Biodiversity Code below.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

While the visual appearance of the land will change, there are no specific use or development proposed that will result in amenity impacts that are incompatible with the residential character of the settlement.

**16.1.3 Desired Future Character Statements**

In the small coastal settlements of:

Bellingham, Bellbuoy Beach, Beechford, Lulworth, Tam O'Shanter and Weymouth limited residential and commercial development will be allowed depending on the services available. The lot density will provide for on-site open space and on-site parking for cars and boats.

The urban form and density of development will be influenced by the availability of infrastructure;

- the need to protect against adverse impact on natural or cultural values and
- the need to minimise exposure to natural and environmental hazards that create risk for the health and safety of people, property and the environment.

Most larger sites will be self-sufficient in respect to water supply, disposal of waste water and community and commercial facilities with smaller sites being required to be provided with connection to an offsite reticulated waste water treatment and re use system.

**Planners Response:**

The proposal does not include any specific residential or commercial developments and does not increase demand for servicing.

The application includes a flora and fauna assessment which highlights areas of significance which require protection, including potential habitat for threatened species and a watercourse.

**16.3 Use Standards**

16.3.1 Amenity

Objective	
To ensure that all non-residential uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

A1 If for permitted or no permit required uses.	P1 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solution. The application is associated with a residential use, which is a no permit required use in the Village Zone.</p> <p>It is noted that there is potential for noise emissions, however, it is noted that these will be relatively short lived and can be further controlled by a condition requiring work to be undertaken during normal business hours and prohibiting clearance activities being undertaken on weekends.</p>	
A2 Commercial vehicles must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle operations must demonstrate that the amenity of residential uses within the surrounding area will not be unduly impacted upon by noise from operations or deliveries from the site.
<p><b>Planners Response:</b></p> <p>Not applicable. The proposal does not include commercial vehicle movements to and from the site.</p>	
A3 Commercial vehicles are parked within the boundary of the property.	P3 Parking of commercial vehicles, including delivery vehicles, are not to create a traffic hazard or compromise the mixed use functions of the road.
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solutions. All vehicles associated with the vegetation removal will be parked within the site.</p>	

**16.3.2 Village Character**

Objective	
To ensure that non-residential uses are of an appropriate scale and type to support the objectives for the settlement.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>A1 Non-residential use must not exceed a combined gross floor area of 250m<sup>2</sup> over the site.</p>	<p>P1.1 The use is not within the classes of Business and Professional services, Education and Occasional care, General retail and hire, Hotel, Hospital services, Bulky Goods sales, Manufacturing and processing; and</p> <p>P1.2 The size and appearance of the use does not dominate the character of the area; and</p> <p>P1.3 The proposal is consistent with the local area objectives for visual character, if any.</p>
<p><b>Planners Response:</b></p> <p>Not applicable. The application is for vegetation removal only and does not propose any ongoing use that is likely to cause a conflict.</p>	
<p>A2 Goods or materials must not be stored outside in locations visible from adjacent properties, the road or public land.</p>	<p>P2 Storage of goods or materials is consistent with the local area objectives for visual character, if any.</p>
<p><b>Planners Response:</b></p> <p>Not applicable. The application does not propose storage of goods or materials.</p>	
<p>A3 Waste materials must be stored in:</p> <ul style="list-style-type: none"> <li>a. a manner and location that is not visible from the road to which the lot has frontage; and</li> <li>b. fully self-contained receptacles designed to ensure waste does not escape to the environment.</li> </ul>	<p>P3 Waste materials are stored in a manner that is consistent with the local area objectives for visual character, if any.</p>
<p><b>Planners Response:</b></p> <p>Relies on Performance Criteria. In this instance the waste produced is entirely organic. Removal is largely to be undertaken by a commercial mulcher and organic waste will be deposited directly on the ground to minimise dust and create an organic soil layer for future plantings.</p>	

**16.4 Development Standards**

Not applicable. The proposal is for vegetation removal only and no specific development is proposed.

**26.0 Rural Resource Zone**

26.1 Zone Purpose

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**26.1.1 Zone Purpose Statements**

- 26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
- 26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.
- 26.1.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values.
- 26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

**Planners Response:**

The proposal is for vegetation removal. Those areas within the Rural Resource Zone are intended to be used for grazing. An agricultural use and is consistent with the Zone Purpose. The proposal allows for the maximum utility of marginalised land and does not restrict the ability of any adjoining land to undertake resource development activities. The application is not for tourism.

**26.1.2 Local Area Objectives**

**a) Primary Industries:**

Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.

The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.

Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.

**b) Tourism**

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.

The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

**c) Rural Communities**

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

**Planners Response:**

The proposal is consistent with the objective for primary industries. No specific use or development is proposed at this time and the land is likely to remain vacant or grazed. The proposed development does not compromise the long term viability of the land.

**26.1.3 Desired Future Character Statements**

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.

- a) Except for a wind farm and associated utilities infrastructure located at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2); and
- b) To provide for a wind farm and associated utilities infrastructure at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2) which requires a rural location for operational, security, management and proximity to transmission network reasons; and
- c) To ensure that the wind farm and associated utilities infrastructure at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2) is of a scale and intensity that is appropriate having regard to the adjoining rural area.

**Planners Response:**

The visual impact of the proposed development is consistent with the visual character of the surrounding rural areas, which comprise a mosaic of cleared grazing land and native vegetation.

Council can consider the addition of vegetation screening on road lines, which would significantly limit views of the cleared areas, however, it is noted that the existing vegetation within Council's road reserve on the approaches to the settlement already achieve a significant degree of screening.

**26.3 Use Standards**

**26.3.1 Discretionary Uses if not a single dwelling**

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

Objective	
<p>a) To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.</p> <p>b) To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.</p> <p>c) To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.</p> <p>d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</p> <p>e) Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.</p> <p>f) The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 If for permitted or no permit required uses.	<p>P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</p> <p>P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m<sup>2</sup>over the site.</p>
<b>Planners Response:</b>	
Complies with the Acceptable Solution. The application is for a Resource Development in the Rural Resource Zone, a “no permit required use”.	
A2 If for permitted or no permit required uses	<p>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</p> <p>i) amount of land alienated/converted is minimised; and</p> <p>ii) location is reasonably required for operational efficiency; and</p> <p>P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region</p>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

	having regard to the economic, social and environmental costs and benefits.
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solution. The application is for a “no permit required” use.</p>	
<p>A3 If for permitted or no permit required uses.</p>	<p>P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</p> <p>a) the amount of land converted is minimised having regard to:</p> <p>i) existing use and development on the land; and</p> <p>ii) surrounding use and development; and</p> <p>iii) topographical constraints; or</p> <p>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:</p> <p>i) limitations created by any existing use and/or development surrounding the site; and</p> <p>ii) topographical features; and</p> <p>iii) poor capability of the land for primary industry; or</p> <p>c) the location of the use on the site is reasonably required for operational efficiency.</p>
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solution. The application is for a “no permit required” use.</p>	
<p>A4 If for permitted or no permit required uses.</p>	<p>P4 It must demonstrated that:</p> <p>a) emissions are not likely to cause an environmental nuisance; and</p> <p>b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</p> <p>c) the capacity of the local road network can accommodate the traffic generated by the use.</p>
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solution. The application is for a “no permit required” use.</p>	

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>A5 The use must:</p> <p>a) be permitted or no permit required; or</p> <p>b) be located in an existing building.</p>	<p>P5 Except for a wind farm and associated utilities infrastructure located at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2) it must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</p> <p>a) the impacts on skylines and ridgelines; and</p> <p>b) visibility from public roads; and</p> <p>c) the visual impacts of storage of materials or equipment; and</p> <p>d) the visual impacts of vegetation clearance or retention; and</p> <p>e) the desired future character statements.</p>
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solution. The application is for a “no permit required” use.</p>	

26.3.2 Dwellings

Not applicable. The application is not for a dwelling.

**Codes:**

Code	Applicability
E1 Bushfire-Prone Areas Code	Not applicable – The application is not for subdivision, a vulnerable or a hazardous use.
E2 Potentially Contaminated Land Code	Not applicable – Land not identified as having been used for any contaminating activities.
E3 Landslip Code	Not applicable – The proposal is not located in an area identified as being prone to landslide hazard.
E4 Road and Railway Assets Code	Code is applicable – The use will result in an increase in the use of an access.
E5 Flood Prone Areas Code	Not applicable – Land not identified as being prone to flood.
E6 Car Parking and Sustainable Transport Code	Applicable – Code is applicable to all use and development.
E7 Scenic Management Code	Not applicable – Development is not in a Scenic Management Area or Scenic Tourist Corridor.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

E8 Biodiversity Code	Code applicable - Native vegetation is likely to be disturbed by the proposal.
E9 Water Quality Code	Not applicable – Proposal is not within 40m of a watercourse.
E10 Recreation & Open Space Code	Not applicable – Application is not for subdivision.
E11 Environmental Impacts and Attenuation Code	Code applicable – The proposal is for a sensitive use within the attenuation area of a waste water treatment plant.
E12 Airports Impact Management Code	Not applicable.
E13 Coastal Code	Not applicable – Land is not identified as vulnerable.
E14 Signs Code	Not applicable. The proposal does not include signs.

E4.0 Road and Rail Assets Code

**E4.6 Use Standards**

E4.6.1 Use and road or rail infrastructure

Objective	
To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
<b>Planners Response:</b>	
Not applicable. The lot is not within 50m of a category 1 or 2 road.	

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day</p>	<p>P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solution. The proposal will not result in more than 40 vehicle movements per day.</p>	
<p>A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</p>	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> <li>a. access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and</li> <li>b. any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</li> <li>c. an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</li> </ul>
<p><b>Planners Response:</b></p> <p>Not applicable. Speed limit is less than 60km/h.</p>	

**E4.7 Development Standards**

E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p><b>Objective</b></p> <p>To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <ul style="list-style-type: none"> <li>a. ensure the safe and efficient operation of roads and railways; and</li> <li>b. allow for future road and rail widening, realignment and upgrading; and</li> <li>c. avoid undesirable interaction between roads and railways and other use or development.</li> </ul>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> <li>a. new road works, buildings, additions and extensions, earthworks and landscaping works; and</li> <li>b. building areas on new lots; and</li> <li>c. outdoor sitting, entertainment and children's play areas</li> </ul>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <ul style="list-style-type: none"> <li>a. maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</li> <li>b. mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</li> <li>c. ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</li> <li>d. ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</li> </ul>
<p><b>Planners Response:</b></p> <p>Complies with the Acceptable Solution. No works are within 50m of a railway or category 1 or 2 road.</p>	

E4.7.2 Management of Road Accesses and Junctions

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p><b>Objective</b></p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
<p><b>Planners Response:</b></p> <p>The application complies with the Acceptable Solution. No new accesses are proposed.</p>	
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> <li>a. access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</li> <li>b. any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</li> <li>c. an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</li> </ul>
<p><b>Planners Response:</b></p> <p>Not applicable.</p>	

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**E4.7.3 Management of Rail Level Crossings**

Not applicable. The proposal does not involve access via a level crossing.

**E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings**

<p><b>Objective</b></p> <p>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 Sight distances at</p> <ul style="list-style-type: none"> <li>a. an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</li> <li>b. rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</li> <li>c. If the access is a temporary access, the written consent of the relevant authority has been obtained.</li> </ul>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>
<p><b>Planners Response:</b></p> <p>Not applicable. No changes to the existing access are proposed.</p>	

**E6.0 Car Parking and Sustainable Transport Code**

The car parking code applies to all use and development. The subject land has ample room to accommodate the parking requirements for machinery associated with vegetation removal. The area is relatively small, contains a relatively low volume of vegetation and the campaign to remove the vegetation will be relatively short lived. The proposal is considered to be compliant with all of the applicable standards of the car parking code.

**E8.0 Biodiversity Code**

**E8.6 Development Standards**

**E8.6.1 Habitat and Vegetation Management**

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

<p>Objective</p> <p>To ensure that:</p> <ul style="list-style-type: none"> <li>a. vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and</li> <li>b. the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.</li> </ul>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1.1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or;</p> <p>A1.2 Development does not clear or disturb native vegetation within areas identified as priority habitat.</p>	<p>P1 Clearance or disturbance of native vegetation within priority habitat may be allowed where a flora and fauna report prepared by a suitably qualified person demonstrates that development does not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:</p> <ul style="list-style-type: none"> <li>a. quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</li> <li>b. means of removal; and</li> <li>c. value of riparian vegetation in protecting habitat values; and</li> <li>d. impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, , in proximity to habitat or vegetation; and</li> <li>e. need for and adequacy of proposed vegetation or habitat management; and</li> <li>f. conservation outcomes and long-term security of any offset in accordance with the <i>General Offset Principles</i> for the RMPS, Department of Primary Industries, Parks, Water and Environment.</li> </ul>

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

**Planners Response:**

Complies with the Acceptable Solution. The proposal does not disturb areas mapped as priority habitat. There are no areas of priority habitat within the title.

A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.

P2.1 Clearance or disturbance of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of species or vegetation communities of significance in the bioregion having regard to the:

- a. quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and
- b. means of removal; and
- c. value of riparian vegetation in protecting habitat values; and
- d. impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and
- e. need for and adequacy of proposed vegetation or habitat management; and
- f. conservation outcomes and long-term security of any offset in accordance with the *General Offset Principles* for the RMPS, Department of Primary Industries, Parks, Water and Environment.

**Planners Response:**

Relies on Performance Criteria. The proposal is for the removal of native vegetation.

The application includes a flora and fauna report prepared by a suitably qualified person, demonstrating that the proposal will not unduly compromise the representation of species or vegetation communities of significance in the bioregion. Additional clarification has been provided specifically in the removal of the undergrowth in forested areas.

The vegetation to be removed has largely been cleared in the past, and while some areas have experienced substantial regeneration, a large portion of the area remains in a highly

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

modified state. The site exhibits a number of weeds, including gorse and exotic pasture grasses across the site.

The vegetation communities present are typical of the northern coastal regions. They are widespread and are not identified as being threatened or of high conservation value.

While foraging habitat has been identified for a number of threatened and vulnerable faunal species, there are no suitable denning or nesting sites within the title, largely due to the type and age of the vegetation, particularly the lack of large mature trees, tree hollows and hollow logs. The species identified as likely present forage in a broad range of vegetation types and the proposal will not prohibit foraging or result in a detrimental loss of foraging habitat.

Due to the scrubby nature of the vegetation, removal associated with the adjacent subdivision has largely been undertaken by direct mulching. This method minimises disturbance of root systems and results in a mulch layer, assisting to minimise dust and assist with the establishment of new ground covers. It is recommended that a condition be placed on the permit to require the continuation of this method and to prohibit high disturbance methods, such as bulldozing and burn piles. The retention of root systems will assist with the fast recovery of native grasses to improve the short term visual impact of the clearance.



Figure 9: Typical appearance of existing areas cleared recently by direct mulching.

The flora and fauna assessment identifies potential habitat for threatened flora species adjacent to a perennial watercourse on the land to the north of Bellbuoy Beach Road. The assessment recommends a buffer of 20m wide be applied to the watercourse to protect potential habitat. This is considered suitable to ensure the protection of the values identified in this area and provides contiguity and access to water resources for fauna species.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

The application is for vegetation removal only and does not include any buildings or other form of development.

Currently the study area (east of Lord Liverpool Drive) contains approximately 20ha or 50% native vegetation cover. The assessment identifies that the riparian reserve and the tree canopy contained within the forested areas comprises 30% of the area. This is sufficient to provide cover and wildlife corridors for the transient faunal species likely to be foraging in the area.

The application proposes the retention of a riparian reserve and the retention of canopy trees in the forested area. It is recommended that greater clarity is required to identify the areas and extent that is to be retained, such that there are clearly identifiable parameters for contractors and other parties. Prior to the commencement of works it is recommended that a detailed site clearance plan is to be submitted to the satisfaction of Council's Town Planner. The plan is to clearly delineate those areas of the site, including the riparian reserve and forest areas to be maintained in accordance with the submitted flora and fauna assessment.

Figure 9 below shows the approximate extent (prior to ground truthing) of Eucalyptus forest where the canopy will be retained in green, and the watercourse to the north of Bellbuoy Beach Road in blue.



Figure 10: Aerial photo of subject land showing the approx. extent of forest vegetation, canopy to be retained, and the watercourse in the northern portion.

With appropriate conditions, the proposal is considered to comply with the Performance Criteria and is consistent with the objective. Identified areas of high conservation value have been appropriately protected and adequate cover will be retained to provide for wildlife corridors for foraging faunal species.

## **10. REFERRALS**

The following advice has been incorporated in the recommendation where appropriate.

### **Internal Referrals**

No internal referrals were required.

### **External Referrals**

No external referrals were required.

## **11. SERVICES**

### ***Road***

The property has an existing road access to Bellbuoy Beach Road and Lord Liverpool Drive. The nature of the proposal does not warrant a new or upgraded access.

### ***Sewer***

The land is connected to an offsite waste water treatment system, however, the proposal does not increase demand for services.

### ***Water***

The land is not serviced by reticulated water, however, the proposal does not increase demand for services.

### ***Storm Water***

The proposed development does not concentrate stormwater.

## **12. STATE POLICIES**

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

## **13. CONCLUSION**

The application for Vegetation Removal on land located at Bellbuoy Beach, has been assessed against all relevant zone and code criteria of the *George Town Interim Planning Scheme 2013*. With appropriate conditions, the application complies with the applicable standards and is recommended for approval. The proposal does not conflict with the intent of the Village or Rural Resource Zones and will have minimal impact on biodiversity in the bioregion.

## **14. RECOMMENDATION**

That the application for Vegetation Removal, for land located at Bellbuoy Beach Road, LOW HEAD (CT 180385/1), be **APPROVED** subject to the following conditions:

### **1 ENDORSED PLANS**

The use and/or development must be carried in general accordance with the Endorsed documents specified below:

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

- a. Livingston Natural Resource Services, Natural Values Report, 21/01/2022;
- b. Livingston Natural Resource Services, email dated 14/04/2022;

and to the satisfaction of the Council, except where otherwise provided for in the conditions below. Any other proposed development and/or use will require a separate application to and assessment by the Council.

## **2 VEGETATION CLEARANCE PLAN**

Prior to the commencement of works a detailed Vegetation Clearance Plan is to be submitted to the satisfaction of Council's Town Planner. The Plan is to be suitable for use by contractors or individuals undertaking the work and is to clearly show the following:

- a. Clearly delineate the location and extent of the riparian buffer adjacent the watercourse to the north of Bellbuoy Beach Road.
- b. Clearly delineate the extent of Forest where canopy trees will be retained.
- c. Clearly identify the means of removal. Vegetation is to be removed in a manner that minimises root disturbance and green waste is not to be heaped and burned. It is preferred that as much material as possible is mulched and deposited onsite to minimise erosion risks.

Once received and approved, the plan will be endorsed and will form part of the planning permit.

## **3 MARKING OUT**

- a) Prior to the commencement of works:
  - the riparian reserve identified in the Vegetation Clearance Plan (Condition 2) are to be delineated on the ground by tape, marking paint or some other clear means.
  - advice from a suitably qualified environmental consultant that retained vegetation has been clearly delineated on the ground is to be provided to the satisfaction of Council.
- b) No clearance of vegetation is to extend into the riparian reserve identified in the Vegetation Clearance Plan (Condition 2).

## **4 HOURS OF WORKS**

Vegetation clearance works must only be carried out between the hours of 7am to 6pm Monday to Friday. Works are not to be undertaken on Weekends or Public Holidays.

### **Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2022/8. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council on 6382 8800 or via email: [planning@georgetown.tas.gov.au](mailto:planning@georgetown.tas.gov.au)

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

2. This permit does not imply that any other approval required under any other by-law or legislation has been granted. Additional approvals from relevant agencies may be required before construction can commence, including:
  - a. A forest practices plan will be required for the removal of vegetation in excess of 1ha in a 12 month period. The application suggests this is likely to occur. It is the responsibility of the land owner to determine if a Forest Practices Plan is required for the proposed clearance in accordance with the *Forest Practices Act 1985*. Enquiries should be made with the Forest Practices Authority, who can be contacted via <https://www.fpa.tas.gov.au/>
3. This permit takes effect after:
  - b. The 14 day appeal period expires; or
  - c. any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or.
  - d. Any other required approvals under this or any other Act are granted.
4. A planning appeal may be instituted by lodging a notice of appeal with the Tasmanian Civil & Administrative Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Tasmanian Civil & Administrative Tribunal website [www.tascat.tas.gov.au](http://www.tascat.tas.gov.au)
5. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received within 6 months of the expiration.
6. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
7. 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](mailto:aboriginal@heritage.tas.gov.au); and
  - c. The relevant approval processes will apply with state and federal government agencies.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

## **8 OFFICE OF GENERAL MANAGER**

### **8.1 GEORGE TOWN SAFETY GROUP COMMITTEE - CCTV MOTION**

<b>REPORT AUTHOR:</b>	General Manager – Shane Power
<b>REPORT DATE:</b>	14th April, 2022
<b>FILE NO:</b>	22.24
<b>ATTACHMENTS:</b>	Nil

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#### **SUMMARY**

The purpose of this report is to provide Council with the information to consider potential installation of CCTV cameras at township entrances in outer lying communities.

#### **BACKGROUND**

The George Town Community Safety Group Committee at its meeting Tuesday 1 February 2022 agreed to put a motion to Council regarding potential installation of CCTV cameras in remote locations.

Subsequently the General Manager met with the Chair of the committee, Cr Barwick and fellow representative Cr Barraclough to discuss the intent of the request. The impetus for requesting CCTV at outer lying areas was a recent burglary at the Weymouth Fire Station, noted criminal activity at Ralph Street, Weymouth and support from Tasmania Police.

It was suggested that CCTV cameras could be located at access and egress points to outlying communities to capture all traffic entering each local. In the event of a criminal offence being reported, Tasmania Police could access footage from Council to identify vehicles associated with reported crime, as is current practice with existing data captured from CCTV.

Quotes obtained recently for the supply of CCTV cameras and poles suggest Council can expect to invest approximately \$3,650 per location (or greater), excluding costs associated with freight and installation. Officers have not yet considered costs associated with potential vegetation clearance and/or repeater poles to provide connection to data receivers or any other associated hardware that may be required for each site.

#### **STRATEGIC PLAN**

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

##### **Future Direction One - Community Pride**

2. All communities take pride in their place
  - iii. Developing well-designed public spaces which are attractive, safe and support the area's identity and reputation.

**Future Direction One - Community Pride**

4. Safe and secure communities
  - i. Focusing on prevention.

**Future Direction One - Community Pride**

5. Community groups work together on common goals
  - i. Working together on common goals.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

The following legislation and standards relate to this report:

- Privacy Act 1988 (Commonwealth)
- Australian Privacy Principles
- Evidence Act 1995 (Commonwealth)
- Surveillance Devices Act 2004 (Commonwealth)

**RISK CONSIDERATIONS**

Coupled with community education campaigns that include permanent signage, the presence of CCTV cameras can act as a deterrent to theft and other criminal or anti-social activity. Footage obtained through CCTV can also provide Tasmania Police with evidence required for investigation and potential prosecution.

**FINANCIAL IMPLICATIONS**

There is no provision in the 2021/2022 budget for this proposal.

**CONSULTATION**

Consultation to date has been limited to the George Town Community Safety Committee, Council workshops and local police. Should the Council pursue the installation of CCTV in outer lying areas, it is recommended officers inform residents by way of direct mail of the intent of the CCTV cameras, access protocol and security of footage (data).

The consideration of CCTV installation was discussed at the Council Workshop 12<sup>th</sup> April 2022.

The General Manager has consulted with the regional Inspector of Tasmania Police who has confirmed that CCTV can be a valuable tool in the prevention of crime and prosecution of offenders, as has proven successful in built up areas such as George Town. However, the value of CCTV in remote locations for the purpose of monitoring vehicles can be limited due to poor video quality, making vehicle registration identification difficult. Footage can assist police on narrowing timeframes in which a crime may have occurred. Cameras in remote locations can also be subject to theft or vandalism.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

An alternative to installing CCTV at township and village entrances may be to maintain a register of privately owned CCTV systems that police can access in the instance of a reported crime. Further, Council and police can provide businesses, residents and community groups with support for individual grant applications for CCTV security systems.

The resulting motion of Council is to be discussed at a future meeting of the George Town Community Safety Committee.

**OPTIONS**

That Council:

1. In partnership with George Town Police and the George Town Community Safety Committee consider the development of a register of privately owned CCTV systems that police can access in the instance of a reported crime.
2. Explore grant opportunities to fund the supply and installation of CCTV cameras in outer lying area/s to be owned and operated by Council; or
3. Refer funding for supply and installation of CCTV cameras in outer lying area/s to the 2022/2023 budget process; or
4. Do not pursue funding avenues for the supply and installation of CCTV cameras in outer lying areas at this stage, or the development of a register of privately owned CCTV systems.

**OFFICER'S COMMENTS**

Council can consider the provision of CCTV cameras in the 2022/2023 and subsequent budgets should it wish to pursue this request. If so, it is advised that site specific quotes be obtained in full to inform the budget process accordingly.

Grants for the provision of community safety measures such as CCTV are available from time to time, however, may not be met with success given the low crime rates in coastal communities.

It is the view of the General Manager that Council owned and operated CCTV systems in outer lying areas does not present sufficient return on investment given the low crime rates in coastal communities. Better value can be realized through the support of individuals in applying for grants for private CCTV systems supported by a register of systems that can be accessed by police.

Council should continue to work with Tasmania Police and the George Town Community Safety Committee supporting education campaigns targeted toward owners and occupiers of homes, holiday shacks, sheds, business, and other premises subject to burglary to ensure owners are taking reasonable steps in preventing theft.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

**OFFICER'S RECOMMENDATION**

That Council:

1. In partnership with George Town Police and the George Town Community Safety Committee consider the development of a register of privately owned CCTV systems that police can access in the instance of a reported crime; and
2. Continue to support George Town Police and the George Town Community Safety Committee crime prevention education and awareness programs.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

## **9 INFRASTRUCTURE AND DEVELOPMENT**

### **9.1 PROPOSED SPEED LIMIT CHANGES - HILLWOOD**

<b>REPORT AUTHOR:</b>	General Manager – Shane Power
<b>REPORT DATE:</b>	20th April, 2022
<b>FILE NO:</b>	63.8
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. 2022 02 15 Hillwood Speed Limit change letter [9.1.1 - 4 pages]</li><li>2. Hillwood Speed Limit Review - Submission Summary [9.1.2 - 5 pages]</li><li>3. Hillwood Speed Limit Review - Submissions Received [9.1.3 - 57 pages]</li><li>4. Traffic Engineering Advice - Hillwood Speed Limit Review [9.1.4 - 49 pages]</li><li>5. Hillwood consolidated speed review [9.1.5 - 1 page]</li></ol>

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#### **SUMMARY**

This report presents elected members with feedback received from Hillwood residents on proposed changes to vehicle speed limits in the Hillwood area and discusses proposed next steps for implementing speed reductions.

#### **BACKGROUND**

George Town Council has received multiple requests to review speed limits within the Hillwood area from concerned residents.

Subsequently, Council commissioned the services of Traffic & Civil Services (TCS) to undertake a review on current traffic conditions of the Hillwood area and to make recommendations for improvements including speed reductions. The review considered:

- Traffic survey data
- Reported crash history
- Site inspections
- Review of applicable standards and guidelines

TCS concluded that consolidating the speed limits throughout the Hillwood area including a reduction in speed limits as proposed in Attachment (5) would be appropriate safety mitigation measure. Their findings are presented in detail in Attachment (4).

The authority to change speed limits with Tasmania rests with the Commissioner for Transport. The Commissioner will only review speed limits where there is a compelling case to do so, is supported by appropriate evidence and community support, and only when requested by the relevant road manager.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

Evidence obtained and assessed by TCS suggests consolidated speed zones should be implemented in the Hillwood area. Accordingly, Council has since consulted with the Hillwood community on the recommended consolidated speed limits as proposed by TCS.

George Town Council sent out the attached correspondence (Attachment 1) to Hillwood residents on the 16<sup>th</sup> February 2022 requesting feedback on the proposed speed limits throughout Hillwood by close of business 1<sup>st</sup> March 2022. Council continued to receive feedback after the due date (note: late submissions have been included and considered).

Approximately 336 letters were sent out to Hillwood ratepayers with a response of 31 submissions.

The letters outlined the suggested reduction in the existing speed limits from a combination of 70 km/h, 60 km/h, 50 km/h and 40 km/h to a more concise arrangement of 60 km/h and 40 km/h as per Attachment 1. This includes;

- Johnstons Road, Hillwood Road, Leam Road, part of Craighburn Road and the Hillwood Jetty Road section from the East Tamar Highway to be 60 km/h.
- All other roads within Hillwood to be reduced to 40 km/h with the exception of the East Tamar Highway and the latter section of Craighburn Road being 80 km/h.

The Department of State Growth (DSG) been provided the opportunity to comment on the proposed changes prior to formal submission to the Commissioner for Transport. Early informal feedback received from DSG suggests that a significant section of road at 40 km/h as proposed may not be supported under the current speed zoning guidelines. A reduced section of 40 km/h is more likely to be met with approval.

## **STRATEGIC PLAN**

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

### **Future Direction Three - Progressive Well-Resourced Communities**

8. Public infrastructure relevant to needs
  - i. Making sure the place works well through good design, safety standards asset management and ongoing maintenance.

### **Future Direction Four - Leadership and Accountable Governance**

1. A culture of engagement and participation
  - i. Trusted, transparent and inclusive community engagement processes.
  - ii. Engaging over things that matter to the community.
  - iv. Understanding processes and participating in decision making.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Section 59 of the *Traffic Act 1925* requires:

- (1) The Commission may issue directions for the use of traffic signs –
  - (a) on or near public streets; and
  
- (1A) A direction referred to in [subsection \(1\)](#) may be given to any of the following:
  - (a) a highway authority;
  - (b) a prescribed authority;
  - (c) any other person or class of persons.

The Transport Commission retains the authority to install and modify speed limit signage. This signage (along with traffic signals) can only be modified with the approval of the Transport Commission.

Before considering a speed limit change, the Transport Commission will request that a review be prepared by the road manager (in this case George Town Council) which the Transport Commission will then consider and make a decision.

Council has established a Policy Governance Framework which prescribes review periods for each policy of Council. *GTC-11 Community Consultation Framework* has been recently reviewed in accord with Council's Policy Governance Framework and it has been determined that the objectives of policy are sufficiently covered to consult with the local residents about specific decisions that are guided by legislation.

**RISK CONSIDERATIONS**

The following risks have been identified in accordance with Council's adopted Risk Management Framework and Risk Matrix.

An independent Traffic Engineering Advice resulted in the following conclusions:

- Traffic activity on the Council Road network at Hillwood is low
  
- The council roads at Hillwood are low standard being narrow and <5.5m wide with no shoulders and pedestrian unfriendly roadsides, meandering alignment and no footpaths or facilities for pedestrians
  
- There are no provisions for vulnerable road users on the council roads at Hillwood.
  
- The standard of council roads at Hillwood is low for rural and rural residential roads
  
- The reported crash history at Hillwood shows no evidence of a crash propensity on any of the council roads.
  
- From observations the speed environments appear to be below the posted speed limits.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

- George Town Council speed surveys from September to December 2020 generally provide evidence of speed environments lower than the posted speed limits.
- Reducing the speed limits is considered an appropriate and credible traffic safety mitigation in the circumstances.

### **FINANCIAL IMPLICATIONS**

The cost of this proposal will be submitted to elected members during the 2022/2023 budget process for consideration.

### **CONSULTATION**

The community implications of the recommended action have been assessed against Council's Community Consultation Framework as having a low to medium impact requiring category two consultation.

George Town Council has consulted with residents of Hillwood to identify the level of support to reduce the speed as proposed in Attachment (1).

Council has received requests over several years on the speed zones from residents of Hillwood. A letter was sent to 336 residents on the 16th February 2022 on the proposal to change road speed limits and improve for public recreation at Hillwood. Council received 31 responses to date with 2 opposing the proposed speed limit review.

The submissions also proposed a number of traffic management suggestions to increase the safety of pedestrians and vehicular safety.

Department of State Growth (DSG) requires evidence of strong support from residents prior to considering the change of any speed limits. DSG been provided the opportunity to comment on the proposed changes prior to formal submission to the Commissioner for Transport.

### **OPTIONS**

Council may choose to recommend to the Transport Commission:

1. the installation of the proposed speed limit changes (as per attached map); or
2. the installation of the proposed speed limit changes (with amendments in consultation with DSG); or
3. not proceed with any proposed speed limit changes in Hillwood at this time.

### **OFFICER'S COMMENTS**

George Town Council has consulted with residents of Hillwood roads to identify the level of support to alter the speed. Council has received 31 responses with only two opposing the proposed speed limit reductions.

Early informal advice received from the DSG suggests that a significant section of road proposed at 40 km/h is unlikely to be supported under the current speed zoning guidelines. It is therefore recommended that officers proceed with a formal application to the Commissioner

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

of Transport taking into consideration advice from DSG for a shorter section of road reduced to 40 km/h.

**OFFICER'S RECOMMENDATION**

That Council:

1. Proceed with a formal application to the Commissioner of Transport seeking approval to consolidate speed zones as presented in Attachment (5), with amendment reflecting advice from the Department of State Growth for a shorter 40 km/h zone.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

## **10 CORPORATE AND COMMUNITY**

### **10.1 REVIEW OF COUNCILLOR ALLOWANCES POLICY**

<b>REPORT AUTHOR:</b>	Director Corporate and Community – Cheryl Hyde
<b>REPORT DATE:</b>	20 April 2022
<b>FILE NO:</b>	29.11
<b>ATTACHMENTS:</b>	1. Attachment - Councillor Allowances Policy - Revised April 2022 [ <b>10.1.1</b> - 8 pages]

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#### **SUMMARY**

This report seeks Council endorsement of the the revised GTC -19 Councillor Allowances Policy.

#### **BACKGROUND**

The GTC -19 Councillor Allowances Policy was adopted in May 2021 (Minute No – 039/20) and is required to be reviewed every 12 months or as deemed necessary. The current review considers accommodating Councillor own devices and reimbursement of Mayoral expenses which fall outside of the current policy.

George Town Council Audit Panel considered the proposed changes to the policy in December 2021, at which time the Panel recommended the draft be returned to Council workshop for further discussion on the clause for Mayoral Vehicle and Expenses. A revised draft was presented to Council at its workshop in February 2022 for further discussion.

The revised policy was presented to Audit Panel for consideration on 7 April 2022 where it was endorsed for Councils consideration.

#### **STRATEGIC PLAN**

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

#### **Future Direction Four - Leadership and Accountable Governance**

3. Leadership across the community
  - i. Building community leadership capabilities.

#### **STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Section 340A of the Local Government Act 1993 Allowances

- (1) A councillor is entitled to prescribed allowances.
  - (2) A mayor or deputy mayor are entitled to prescribed allowances in addition to any allowances referred to in subsection 1.
-

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

(2A) Allowances are to be paid in arrears.

(3) A councillor, mayor or deputy mayor may decide not to receive part or all of an allowance.

(4) A decision under subsection (3) is to be by written notice to the general manager of the relevant council.

(5) Councillors who are suspended under section 215 (5) are not entitled to any allowances during the period of suspension.

(6) A person who must not perform any function or exercise any power of a councillor under section 339C is not entitled to any allowances.

Section 42 of the Local Government (General) Regulations 2005 – Allowances for elected members:

(1) For the purposes of subsections 340A(1) and (2) of the Act, the allowances for councillors and the additional allowances for mayors and deputy mayors for the period of 12 months starting on the 1 November.

(2) The allowances for councillors and the additional allowances for deputy mayors and mayors payable in each subsequent period of 12 months starting on the 1 November.

(2a) take effect from that date each year

(2b) are calculated by multiplying the allowances for the previous year by the inflationary factor for the current year and rounding the resulting amount to the nearest whole dollar

(3) The allowances referred to in this regulation are to be paid in monthly or fortnightly instalments

Section 43 of the Local Government (General) Regulations 2005 – Expenses for Councillors. A councillor is entitled to be reimbursed for reasonable expenses in accordance with the policy adopted under schedule 5 to the Act in relation to

(a) Telephone rental and telephone calls;

(b) Travelling; and

(c) Care of any dependent of the councillor.

## **RISK CONSIDERATIONS**

The following risks have been identified in accordance with Council's adopted Risk Management Framework and Risk Matrix.

There is a low risk that reimbursements may be made outside of the policy parameters. Processes including presentation of evidence of expenses relating to the undertaking of the role and function of Councillors is required prior to approval for reimbursement. Expenses are subject to audit processes and will be made publicly available on a quarterly basis and published in the Annual Report.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**FINANCIAL IMPLICATIONS**

Council budgets for Councillor Allowances.

**CONSULTATION**

The community implications of the recommendation action/s has been assessed against Councils Community Consultation Framework as having a low to medium impact requiring category one consultation. Community Consultation is not require. The revised Policy was workshopped with Council in November 2021 and March 2020, and has been reviewed by Council’s Audit Panel.

**OPTIONS**

Council may choose to:

1. Support the revised Councillor Allowances Policy as presented; or
2. Support the revised Councillor Allowances Policy with amendment; or
3. Not support the Revised Councillor Allowances Policy.

**OFFICER’S COMMENTS**

The current version of this policy has been in place since May 2021. The policy has been reviewed and a small number of minor changes to bring reimbursements in line with CPI increase as at November 2021, and the following changes are proposed.

Current Policy	Proposed Change/Addition	Officers Comment
Mayoral Vehicle	<p>Mayoral Vehicle and Expenses:</p> <p><i>Reimbursement will be made to the Mayor for minor and/or incidental expenses up to a maximum of \$250 per financial year, as approved by the General Manager, and incurred by the Mayor (or Deputy Mayor when standing in for the Mayor), while carrying out formal functions or duties as Mayor.</i></p> <p><i>A report on these expenses will be provided by the General Manager to Council on a quarterly basis.</i></p>	<p>To provide General Manager delegation to approve minor expenses incurred by the Mayor (or Deputy Mayor if standing in for the Mayor) which may include costs to attend formal functions by partners.</p> <p>Like sized Councils such as Derwent Valley have similar expenditure allowances for the Mayor, or provide a set annual allowance.</p>
Expenses – Conferences & Training Courses	<i>However, in line with Council Policy no; 17 - Equitable Access and Inclusion Policy,</i>	Council recently adopted Policy no 17, Equitable Access and Inclusion Policy. In all

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

	<i>should a Councillor require additional assistance, reimbursement of any additional costs will be provided as approved by the General Manager.</i>	policy reviews Policy 17 is considered. Accordingly, in reviewing of the Councillor Allowances policy, it is noted that provision should be made where a Councillor requires additional assistance to attend Conferences or training courses.
Stationery & Electronic Devices	<i>A councillor may opt to bring their own electronic device for use in carrying out their official duties. A reimbursement of \$50 per month will be provided to Councillors who bring their own device. Councillors providing their own device are required to ensure the security of Council information, to the satisfaction of the General Manager and in accordance with Council's Information Technology Framework.</i>	Councillors have increasingly requested use of their own devices. In these cases the cost to Council of a device is saved.  To compensate for this, it is proposed Councillors who use their own devices will be provided with a flat \$50 per month fee and be required to ensure the security of Council information in line with Council's Information Technology Framework.

**OFFICER'S RECOMMENDATION**

That Council:

1. Adopts the GTC 19- Councillor Allowances Policy Revision #15 April 2022

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

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**10.2 COMMUNITY ASSISTANCE GRANTS - ROUND 2**

<b>REPORT AUTHOR:</b>	Director Corporate and Community – Cheryl Hyde
<b>REPORT DATE:</b>	20 April 2022
<b>FILE NO:</b>	23.2
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Low Head Community Garden Application- CA P 002202122 R 2 [<b>10.2.1</b> - 10 pages]</li><li>2. St Vincent de Paul Application- CA P 003202122 R 2 [<b>10.2.2</b> - 10 pages]</li><li>3. Weymouth Progress Association Application- CA P 004202122 R 2 [<b>10.2.3</b> - 11 pages]</li><li>4. Friends of Low Head Penguin Colony Application- CA P 006202122 R 2 [<b>10.2.4</b> - 11 pages]</li><li>5. Dress for Success Application- CA P 007202122 R 2 [<b>10.2.5</b> - 11 pages]</li></ol>

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**SUMMARY**

This report presents Elected Members with applications received for the Community Grant Round 2 for 2021/2022. The applications are required to be accessed on merit including community benefit.

**BACKGROUND**

In accordance with Council's Community Assistance Policy (No. 10), on the 1st March 2022, Council announced the opening of Round 2 of the 2021/2022 Grant Assistance program, with applications closing on Tuesday 29th March 2022.

The Community Assistance Policy applies to applications for

- Fee Remission
- Assistance to Individuals
- Community Grants

Original budget allocation of \$20,000.

Total of Community Grant Applications received in Round 2 \$13,650.00

Council at its meeting of 22nd February 2022, approved the transfer of savings totalling \$9,000 from Events/Community Grants to fund a second round of Community Assistant Grants.

**STRATEGIC PLAN**

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

**Future Direction One - Community Pride**

1. All are valued and included

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

- i. Taking a 'whole of community' approach to everything.
- iv. Communicating so everyone knows what each group is doing.

**Future Direction One - Community Pride**

- 5. Community groups work together on common goals
  - ii. Communicating proposed projects and programs to leverage opportunities, avoid duplication and keep up with what is going on.

**Future Direction Three - Progressive Well-Resourced Communities**

- 1. Recreational opportunities for all
  - iii. Growing participation in Active George Town and activating similar 'Active' groups throughout the municipality.

**Future Direction Three - Progressive Well-Resourced Communities**

- 2. Sporting opportunities for all
  - i. Growing participation in sporting activities.
  - ii. Growing membership and leadership capabilities in sporting activities.
  - iii. Engaging young people in the sporting activities of their choice.

**Future Direction Three - Progressive Well-Resourced Communities**

- 3. Social infrastructure meets community needs
  - i. Developing and maintaining social infrastructure that meets the community's changing needs.
  - ii. Responding to the needs of young people.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Section 71 of the Local Government Act 1993 requires:

- (1) A council is to prepare an annual plan for the municipal area for each financial year.
- (2) An annual plan is to –
  - (a) be consistent with the strategic plan; and
  - (b) include a statement of the manner in which the council is to meet the goals and objectives of the strategic plan; and

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

- (c) include a summary of the estimates adopted under section 82; and
- (d) include a summary of the major strategies to be used in relation to the council's public health goals and objectives.
- (3) As soon as practicable after a council adopts an annual plan, the general manager is to –
  - (a) make a copy of the annual plan available for public inspection at the public office during ordinary business hours; and
  - (b) provide the Director and the Director of Public Health with a copy of the annual plan.

Council has an established Policy Community Assistance Policy No.10 which offers community organisations and individuals the opportunity to apply to Council for funding to assist them in the operations and implementation of their activities within the community.

### **RISK CONSIDERATIONS**

The risk in relation to Council approving all applications proposed in the Community Grants Round 2, 2022 is moderate as there is insufficient funds in the amended budget to approve all applications. Should Council support all applications additional funding allocation of \$3,382.00 is required. Officers are aware of two previous grant recipients that are returning unexpended funds to the total of \$5,200.

### **FINANCIAL IMPLICATIONS**

The amended 2021/2022 budget allocation for Community Grants is \$29,000.

Funding allocation as at the 1 April 2022 includes:

- Assistance to Individuals: \$1,500.00
- Round 1 \$17,231.95 (\$2,000 is pending – Beechford Residents and Property Owners Association)

Available funds \$10,268

Round 2 applications \$13,650

### **CONSULTATION**

The community implications of the recommendation action/s has been assessed against Council's Community Consultation Framework as having a low to medium impact requiring category one consultation. Community Consultation is not required.

### **OPTIONS**

Council may choose to:

1. Support the Officers recommendation as presented; or
2. Support the Officers recommendation with amendments; or
3. Not support any the applications.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

**OFFICER'S COMMENTS**

Five applications were received totalling \$13,650.00:

- Low Head Community Garden - \$2,000.00
- St Vincent de Paul Society (TAS) inc - \$2,000.00
- Weymouth Progress Association - \$6,859.00
- Friends of Low Head Penguin Colony – \$800.00
- Dress for Success Hobart – \$2,000k

Each application is presented in further detail as follows:

Community Grant Applications

**1. Low Head Community Garden – CAP0022021/22R2**

**Project Title:** Security Camera

**Project Summary:** Installation of a security system including cameras and sensor light.

Equipment Request:

Security System	\$4,147.53
<b>Total</b>	<b>\$4,147.53</b>

**Request for \$2,000.00**

**Quotation supplied & Insurances supplied**

**Funding received in previous financial year – 2020/21**

Community Grants Round 1 & 2	\$0.00
COVID-19 Community Grants	\$0.00
Fee Remissions	\$0.00

**Funding received in Community Grant 2021/22 Round 1**

Community Grants Round 1	\$0.00
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**2. St Vincent de Paul Society (TAS) inc. – CAP0032021/22R2**

**Project Title:** Dining with Friends Program George Town

**Project Summary:** Dining with Friends is a community service program of the St Vincent de Paul Society in Tasmania. Dining with friends is a social program where volunteers prepare a meal for and share a meal with those in our community who may be homeless, socially isolated, lonely, or would just like to share a meal with others. Dining with Friends has been operating within the George Town community for 18 months serving between 20-40 people

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

each Thursday. Dining With Friends currently operates out of the Stan O'Doherty Hall - 33 Goulburn Street.

Request:	
Supplies	\$2,400.00
Co-ordinator wage	\$1,752.00
<b>Total</b>	<b>\$4,152.00</b>

**Request for \$2,000.00**

**Insurances supplied. No quotes supplied**

Funding received in previous financial year – 2020/21

Community Grants Round 1 & 2	\$2,000.00 - Round 1 Dining with Friends
COVID-19 Community Grants	\$0.00
Fee Remissions	\$0.00

**Funding received in Community Grant 2021/22 Round 1**

Community Grants Round 1	\$0.00
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**3. Weymouth Progress Association – CAP0042021/22R2**

**Project: Title:** Noland Bay Energy Co-operative

**Project Summary:** This is a feasibility study to determine the attitude of both permanent and temporary residents of Weymouth to the development of a renewable energy hub to protect the community from the loss of power during a natural disaster such as bushfire, as the power to this and nearby communities is supplied by a single power line. Power is frequently disrupted in the short term by such incidents as pole fires and tree branch falls. We also plan to educate participants to understand and minimize their own home energy use. This project, if successful, can form a template for nearby communities.

**Request:**

Development of 2 surveys	\$2,000
Undertaking survey face to face with permanent residents	\$4,800
Undertaking survey and collate results from non-permanent residents	\$2,400
Purchase 10 electricity usage metres	\$400
Telephone, paper, postage and printing	\$750
Collation and Recommendations of final report	\$1,500
<b>Total</b>	<b>\$11,850</b>

**Request for \$6,850.00**

**Other funding received Premiers Grant \$5,000.00**

**Quotations and insurances supplied**

Funding received in previous financial year – 2020/21

Community Grants Round 1 & 2	\$0.00
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**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

COVID-19 Community Grants	\$1,150.00 (Events Recovery) – Community Reunion BBQ and Fun Day September 2020
Fee Remissions	\$0.00

**Funding received in Community Grant 2021/22 Round 1**

Community Grants Round 1	\$1,000.00 - Weymouth Main Beach Recreation Area Development Plan
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**NOTES:**

As per the Grant Guidelines, organisations which have received financial support through the Community Assistance Program – Community Grants in the same financial year;”

Weymouth Progress Association received a Community Grant of \$1,000 in round 1.

The comment included in the application form: General Manager has recommended that we apply for the full balance of funds required to conduct the project through Community Assistance Grants Program.

**4. Friends Of Low Head Penguin Colony – CAP0062021/22R2**

**Project Title:** Mapping and Reporting on Penguins nesting on private property

**Project Summary:** Penguins are known to nest on Crown land at Low Head. However, for perceived safety reasons, some are nesting on private land. Their positions have not been mapped and it is necessary all sites are recorded to maintain details of all Penguins on the Peninsula.

**Equipment Request:**

Printing and stationery	\$500.00
Postage	\$300.00
<b>Total</b>	<b>\$800.00</b>

**Request for \$800.00**

**Quotations and Insurances supplied**

**Funding received in previous financial year – 2020/21**

Community Grants Round 1	\$0.00
COVID-19 Community Grants	\$0.00
Fee Remissions	\$0.00

**Funding received in Community Grant 2021/22 Round 1**

Community Grants Round 1	\$0.00
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**5. Dress for Success Hobart – CAP0072021/22R2**

**Project Title:** Dress for Success Pop Up

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**Project Summary:** Dress for Success are seeking support to trial a pop-up service in the George Town Community to determine the need for a service like Dress for Success. We know that the new Jobs Hubs is supporting many people in the community to access work opportunities and believe there is an opportunity to work closely with the hub to receive referrals.

**Equipment Request:**

Program Costs	\$1,600.00
Accommodation	\$400.00
Travel	\$300.00
Marketing & Promotion	\$300.00
Staff Costs	\$2,210.00
<b>Total</b>	<b>\$4,810.00</b>

**Request for \$2,000.00**

**Insurances supplied**

**No quotes supplied**

**Funding received in previous financial year – 2020/21**

Community Grants Round 1 & 2	\$0.00
COVID-19 Community Grants	\$0.00
Fee Remissions	\$0.00

**Funding received in Community Grant 2021/22 Round 1**

Community Grants Round 1	\$0.00
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Having consideration of the policy guidelines, benefit to community, maturing (or readiness) of proposals and available budget, the Director Community & Corporate Services has determined that the following applications should be supported in full:

- St Vincent de Paul Society (TAS) inc - \$2,000.00
- Friends of Low Head Penguin Colony – \$800.00

It is further recommended that the application from the Weymouth Progress Association for \$6,859.00 not be awarded in full, however a total of \$2,000 be provided through this round of funding to allow the project to commence. It is further recommended that officers work with the Weymouth Progress Association to refine the project scope, potential governance arrangements and project deliverables at which stage Council may consider further funding of the project.

It is recommended that the application from the Low Head Community Garden not be supported. The rationale for not supporting the application is due the potential implications the proposal may have on breaching of privacy related legislation.

It is also recommended that the application from Dress for Success Hobart for the amount of \$2,000 is not supported at this time due to inadequate information having been provided with the application and sufficient evidence of local benefit. It should be noted that the applicant has been invited to present and discuss their application further at the workshop preceding the meeting in which this item is being considered.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**OFFICER'S RECOMMENDATION**

That Council:

1. Awards financial assistance to

- I. St Vincent de Paul Society (TAS) inc to the amount of \$2,000.00 for the Dining with Friends Program;
- II. Weymouth Progress Association to the amount of \$2,000.00 for the Noland Bay Energy Co-operative, subject to provision of project and reporting scope to the satisfaction of Council;
- III. Friends of Low Head Penguin Colony to the amount of \$800.00 for the Mapping and Reporting on Penguins nesting on private property.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**10.3 PLACEMAKING COMMITTEE ALLOCATION OF FUNDING**

<b>REPORT AUTHOR:</b>	Director Corporate and Community – Cheryl Hyde
<b>REPORT DATE:</b>	20 April 2022
<b>FILE NO:</b>	14.7
<b>ATTACHMENTS:</b>	1. Sample images and specifications [ <b>10.3.1</b> - 3 pages]

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**SUMMARY**

This report seeks approval from Council for the re-distribution of pre-approved funding for Placemaking Committee projects.

**BACKGROUND**

The Placemaking Committee (PMC) is a Special Committee of the Council for the purposes of Section 24 of the Local Government Act 1993. Established in May 2019 by way of formal appointment of committee members by the Council, the PMC comprises six community members, a Councillor and an officer of the Council.

The aim of the PMC is to enhance public spaces and strengthen the connection between people and places within the George Town municipal area through advice and recommendations to the George Town Council, co-ordination and synergising with other place makers, and consultation with key stakeholders, in order to grow the sense of community pride and ownership.

Council at its meeting 28 July 2020 approved \$50,000 capital funding for the Placemaking Group project known as the Artistic Timber Bollard Trail.

The Placemaking Committee's Terms of Reference specify that the PMC are required to make recommendations to Council regarding matters of enhancement of public spaces throughout the municipality, and therefore seek approval for reallocation of already approved funding.

Director of Corporate and Community and the Placemaking Chair and Committee have compiled the project recommendation and proposed associated costs for Council's consideration.

**STRATEGIC PLAN**

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

**Future Direction One - Community Pride**

1. All are valued and included
  - i. Taking a 'whole of community' approach to everything.
  - v. Working towards removing all barriers to participation in community life.

- vii. Building community pride in our young people.

**Future Direction One - Community Pride**

- 2. All communities take pride in their place
  - ii. Maintaining public spaces so they are clean, tidy and appealing.
  - iii. Developing well-designed public spaces which are attractive, safe and support the area's identity and reputation.

**Future Direction Two - Prosperity for All in All Aspects of Life**

- 7. Strengths-based reputation building
  - i. Focusing population attraction on the area's advantages of well-connected and supportive communities: digital advantage; community of learners.

**Future Direction Two - Prosperity for All in All Aspects of Life**

- 9. Tourism growth in yield
  - iv. Focusing on cultural and historic interpretation and associated experiences and the area's produce.

**Future Direction Three - Progressive Well-Resourced Communities**

- 1. Recreational opportunities for all
  - iii. Growing participation in Active George Town and activating similar 'Active' groups throughout the municipality.
  - iv. Engaging young people in recreational activities of their choice.

**Future Direction Three - Progressive Well-Resourced Communities**

- 7. Community celebrations build the areas reputation
  - i. Using cultural and artistic celebrations to engage and build understanding of the community and area.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

- ii. Growing attendance numbers by responding to new, creative ideas and improvements.

### **STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Under section 74 of the Local Government Act 1993, Council has delegated authority to the General Manager to:

'expend its funds for the purpose of exercising its powers or carrying out its functions under this or any other Act within the estimates adopted under section 82'.

Section 82 of the Local Government Act 1993 provides:

(4) A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.

Section 24 of the Local Government ACT 1993 provides:

(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 meetings of a special committee

The Place Making Committee Terms of Reference states:

'The Committee is a Special Committee that will make recommendations to Council on matters relating to the enhancement of public spaces throughout the municipality.'

### **RISK CONSIDERATIONS**

Risk implications relating to public safety and appropriate placement of metal sculptures, will be managed through consultation with Council's Planning Unit and Infrastructure and Works department. A risk assessment on the project will be undertaken by Council Officers.

### **FINANCIAL IMPLICATIONS**

Council at its meeting 28 July 2021 approved \$50,000 capital funding for initiatives of the Placemaking Group including for the Artistic Timber Bollard Trail. To date \$3,964.33 has been expended on this project. Balance of the project is \$46,035.67. Due to difficulties in sourcing appropriate timbers, the PMC are seeking to remove this project and request reallocation of these funds to an alternate public art project.

Additionally, the PMC is requesting the Council to consider reallocation of \$8,274.18 from the Selfie Frame project, approved by Council at its meeting in March 2022, by reducing the number of Selfie frames to acquire from four to two Selfie Frames.

### **CONSULTATION**

The implications for the community with the implementation of the Placemaking projects has been assessed against Council's Community Consultation Framework as having a low to medium level of impact therefore requiring community consultation.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

The PMC will provide a report to Council with the outcomes of the Community Consultation.

**OPTIONS**

Council may choose to:

1. Support -
  - The reallocation of \$46,035.67 remaining funds from the *Artistic Timber Bollard Trail* and \$8,274.18 from the *Selfies Frame* project to the *Metal Sculptures* project, with the final designs and costs being presented to Council with the outcomes of community consultation for approval, and
  - Rename the *Bog Beautiful – Hillwood Toilet Block project and Community Paint by Numbers* to *Community Mural Beautification Projects*; or
2. Support -
  - The reallocation of \$46,035.67 remaining funds from the *Artistic Timber Bollard Trail* and \$8,274.18 from the *Selfies Frame* project to the *Metal Sculptures* project, with the final designs and costs being presented to Council with the outcomes of community consultation for approval, and
  - Rename the *Bog Beautiful – Hillwood Toilet Block project and Community Paint by Numbers* to *Community Mural Beautification Projects* with amendments; or
3. Not support -
  - The reallocation of \$46,035.67 remaining funds from the *Artistic Timber Bollard Trail* and \$8,274.18 from the *Selfies Frame* project to the *Metal Sculptures* project, with the final designs and costs being presented to Council with the outcomes of community consultation for approval, and
  - Rename the *Bog Beautiful – Hillwood Toilet Block project and Community Paint by Numbers* to *Community Mural Beautification Projects*

**OFFICER'S COMMENTS**

**PROJECT FOR CONSIDERATION**

**Public Art – Metal sculptures**

The prosperity of a community is measured beyond its economic standing and is often best reflected through a rich cultural presence that can include various forms of art and place making. It is the view of the Council Officers and the PMC that the request for reallocation of funds to finance the Metal sculptures project, will be an investment from Council that will be well received by its community for an immediate visual impact.

The Metal Sculptures will contribute to enhancing public spaces and the relationship between the environment, the community and the places by recognising in a creative manner the local fauna.

The PMC have approached an artist to provide a quotation and samples of potential sculptures. Council officers have also approached two local manufacturing businesses to provide quotations and samples of potential sculptures in accordance with Council Code for Tenders and Contracts.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

Sample images attached are generic of the size and style of sculptures being proposed.

Estimated costs of the project may see a shortfall if the reallocation of funds is approved, it is anticipated the shortfall may be funded from savings in other projects or from potential future PMC budget allocations.

<b>Proposed Projects</b>	<b>Proposed Cost</b>
Supply and installation of 3 oversized metal sculptures	\$58,000

#### OTHER PROJECTS

At the February meeting, Council moved to support the *Bog Beautiful – Hillwood Toilet Block project and Community Paint by Numbers* for locations to be determined. Due to time lapse between the projects, Council has disengaged the artist for the Bog Beautiful trail. Accordingly, Council officers suggest the projects be renamed *Community Mural Beautification Projects* and engage an artist or artists to undertake these projects.

#### OFFICER'S RECOMMENDATION

That Council:

1. Reallocate \$46,035.67 remaining funds from the *Artistic Timber Bollard Trail* and \$8,274.18 from the *Selfies Frame* project to the *Metal Sculptures* project, with the final designs and costs being presented to Council with the outcomes of community consultation for approval, and
2. Rename the *Bog Beautiful – Hillwood Toilet Block project and Community Paint by Numbers* to *Community Mural Beautification Projects*

#### DECISION

Moved:

Seconded:

#### VOTING

For:

Against:

## **11 ORGANISATIONAL PERFORMANCE, STRATEGY & ENGAGEMENT**

### **11.1 DOG REGISTRATION FEES 2022/2023**

<b>REPORT AUTHOR:</b>	Director Organisational Performance, Strategy & Engagement – Ms K. Desmond
<b>REPORT DATE:</b>	20th April 2022
<b>FILE NO:</b>	43.3, 32.4
<b>ATTACHMENTS:</b>	Nil

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#### **SUMMARY**

The purpose of this report is to provide Council with the proposed dog registration and management fees for the 2022/2023 financial year.

#### **BACKGROUND**

Council has authority under the *Dog Control Act 2000* (the Act) to determine the fees payable for dog registrations and management. The *Local Government (Rates and Charges) Remission Act 1991* provides Council with the ability to provide a reduction in fees to some members of the community who meet the relevant requirement.

Dog registration fees are set earlier than other Council fees in order to allow Council time to issue registration notices and to provide opportunity for owners of dogs to re-register their dogs prior to the start of the new financial year.

Council's current fee structure provides a financial incentive for early payment of fees by lowering the fee for registration of dogs prior to June 30<sup>th</sup> 2022.

Council has recently appointed a Compliance Officer with microchipping qualifications, so we will be recommending the inclusion of fees for same.

#### **STRATEGIC PLAN**

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

##### **Future Direction Three - Progressive Well-Resourced Communities**

4. Persons with special needs have local access to needed services
  - i. Understanding local needs and service gaps.
  - iii. Building local service provision capability.

##### **Future Direction Four - Leadership and Accountable Governance**

2. Planning and regulatory responsibilities are undertaken fairly and openly
-

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

---

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

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

*Section 8(1) of the Dog Control Act 2000* – The owner of a dog that is over the age of 6 months must register the dog.

*Section 15A(1) of the Dog Control Act 2000 – Implanting of microchips* - The owner of a dog that is over 6 months of age must ensure that the dog is implanted in an approved manner with an approved microchip.

*Section 80 of the Dog Control Act 2000 – Fees*

- (1) A Council may determine any fees payable under this Act.
- (2) A general manager may
  - (a) waive a fee; or
  - (b) refund part or all of a fee; or
  - (c) discount a fee

**RISK CONSIDERATIONS**

The following risks have been identified in accordance with Council's adopted Risk Management Framework and Risk Matrix.

A failure to implement a fee schedule is identified as medium risk as it would have a negative financial impact on Council.

Implementation of a fee structure will mitigate this risk.

**FINANCIAL IMPLICATIONS**

Council currently provides the community with an 'out of hours' animal management service which requires Council's Ranger to be on-call for emergencies and dangerous situations. At present, the revenue received through registrations and associated dog management activities does not cover the cost of this service. While the figures provided below are yet to capture the spike in revenue expected during the latter part of the financial year, by those taking up the discounted early payment option, comparing the figures with the previous year, the yearly revenue is trending up.

Council provided an extended discounted early payment option until 31 July 2020 in the current financial year to assist those who may have been financially impacted by COVID-19. This has resulted in higher than anticipated income for the 2020/2021 year to date.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**Table 1: Year to date financial figures – Animal Control**

<b>Master Account (desc)</b>	<b>Actual YTD 2022</b>	<b>Budget QTD 2022</b>	<b>Remaining Total Budget</b>	<b>Percentage Used</b>
Animal Control Total	-\$12,402	-\$13,000	-\$13,498	48.08%
Animal Control Expenditure Total (28/2/2022)	\$64,336	\$47,826	\$27,607	71.14%

While predominantly focused on Animal Management, it should be noted that the duties associated with the Council Ranger position provides other economic and community benefits which are not reflected in the revenue collected and would be an additional expense to Council and likely to be detrimental to the community should that service cease.

**Additional services – microchipping**

Council has recently appointed a Compliance Officer with veterinary nurse and microchipping skills and qualifications. Along with the obvious benefits of greater understanding and awareness of animal health and welfare, we are now positioned to provide microchipping for our community.

This has become apparent as a need, following the closure of our only local veterinarian clinic, and frequent feedback from our community of the difficulty in getting their pets microchipped.

This results in continuing reduction in microchipping compliance, a reluctance to seek dog registration and difficulty for our staff to find owners of stray dogs.

To overcome these issues we are proposing to include a microchipping service for members of our community.

These services will be provided at normal retail costs, as the intent is to ensure there is an accessible service available, but not at the detriment of commercial operators.

The fee structure will be two tiered, one as per above for a normally booked microchip, while a higher fee will be applicable for those found not microchipped. This is as a deterrent, to encourage timely microchipping, and reflecting the higher costs associated with setting up for 'one off' consultations.

The microchipping service and fee structure will be reviewed over the first year to allow it's benefits/success to be determined.

**CONSULTATION**

Council's dog registration and animal management fees are set annually as part of the budget process. Any submissions received by Council from dog owners are considered during this process.

This report has been provided to elected members at the 12<sup>th</sup> April 2022 Council's Workshop for discussion.

**OPTIONS**

Council may choose to:

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

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

**OFFICER'S COMMENTS**

A comparison of dog registration and other fees was carried out for the previous year between George Town Council (GTC) and neighbouring councils West Tamar Council (WTC), Meander Valley Council (MVC) and Dorset Council (DC), indicates that the fees remain consistent across these Councils (see table below). With minor increases being proposed for the 2022/2023 year, a comparison exercise was not deemed necessary this year. However, the previous year's comparison table is included for reference.

**DOG REGISTRATION FEES**

	<b>GTC</b>	<b>WTC</b>	<b>MVC</b>	<b>DC</b>
Whole Dog	\$72	\$76	\$65	\$54
De-sexed Dog	\$32	\$34	\$22	\$27
Pensioner Concession - Whole Dog	\$23	\$23	\$22	\$20
Pensioner Concession - De-sexed Dog	\$16	\$23	\$22	\$20
Working Dog	\$32	\$46	\$22	\$27
Registered Breeding Dog	\$32	\$46	\$22	\$27
Greyhounds Registered	\$32	\$46	\$22	\$27
Guide Dog	Exempt	exempt	exempt	exempt
Companion Dog	Exempt	exempt	exempt	exempt
Guard Dog	\$145	\$150	\$65	\$400 (lifetime)
Dangerous Dog	\$465	\$440	\$568	\$400
Lifetime Registration - Whole	\$250	n/a	n/a	\$130
Lifetime Registration - De-sexed	\$125	n/a	n/a	\$75
Lifetime Registration De-sexed Dog - Pensioner Concession	\$65	n/a	n/a	\$50
Lifetime Registration Whole Dog - Pensioner Concession	\$125	n/a	n/a	\$50
Transfer registration dog registered in other Tasmanian Council.	\$10	n/a	n/a	n/a

Miscellaneous fees

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

	<b>GTC</b>	<b>WTC</b>	<b>MVC</b>	<b>DC</b>
Replacement registration tag	\$10	\$10	n/a	\$5
Fee for notice of complaint	\$26	\$25	\$22	\$31
Annual renewal of kennel licence	\$25	\$51	\$34	\$35
Kennel licence - 3 to 5 dogs	\$75	\$135	\$127	\$92
Kennel licence - more than 5 dogs	\$110	\$135 plus \$15 per dog over 4	\$127	\$112
Declared dangerous dog	\$450	\$440	\$568	\$400
Dangerous dog sign, collar etc.	\$56	Cost plus 10%	Cost plus GST	n/a
Surrender dog for rehousing	n/a	\$100	n/a	n/a

Impounding fees

	<b>GTC</b>	<b>WTC</b>	<b>MVC</b>	<b>DC</b>
Pound maintenance charge per dog per day	\$42	\$32	\$22	\$29
Dog release for 1st seizure of dog	\$65	\$60	\$34	\$61
Dog release for 2nd & subsequent seizure of dog	\$160	\$160	\$58	\$82 2nd, \$153 subsequent

Source of Information: Relevant Council websites

A comparison of several local (Launceston) vets was carried out to determine commercial rates for our new microchipping service. These showed fees of \$44, \$60, and \$62. As the \$44 fee is from the closest vet to George Town, it is considered to be more closely aligned to this fee.

**PROPOSED FEES 2022/2023**

1. Re-registration of dog on or before 30 June 2022 or first registration of dog reaching the age of six months

	<b>Fee 2021/2022</b>	<b>Proposed Fee 2022/2023</b>
Whole Dog	\$52	\$55
Desexed Dog	\$26	\$27
Pensioner Concession - Whole Dog	\$26	\$27
Pensioner Concession - Desexed Dog	\$16	\$17
Working Dog	\$26	\$27
Registered Breeding Dog	\$26	\$27
Greyhounds Registered	\$26	\$27

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

Guide Dog	Exempt	Exempt
Companion Dog	Exempt	Exempt
Guard Dog	\$105	\$110
Dangerous Dog	\$467	\$472

2. Re-registration of dog after 30 June 2022

	<b>Fee 2021/2022</b>	<b>Proposed Fee 2022/2023</b>
Whole Dog	\$75	\$78
Desexed Dog	\$33	\$35
Pensioner Concession - Whole Dog	\$27	\$29
Pensioner Concession - Desexed Dog	\$17	\$18
Working Dog	\$33	\$35
Registered Breeding Dog	\$33	\$35
Greyhounds Registered	\$33	\$35
Guide Dog	Exempt	Exempt
Companion Dog	Exempt	Exempt
Guard Dog	\$150	\$153
Dangerous Dog	\$482	\$506
Lifetime Registration - Whole	\$260	\$273
Lifetime Registration - Desexed	\$130	\$137
Lifetime Registration Desexed Dog - Pensioner Concession	\$67	\$70
Lifetime Registration Whole Dog - Pensioner Concession	\$130	\$136
Transfer registration dog registered in other Tasmanian Council.	\$10	\$11

Rules for Lifetime registration - no refunds given for deceased dogs.

Rules for Lifetime registration - no refunds given for transfer to other Local Government Areas.

Miscellaneous fees

	<b>Fee 2021/2022</b>	<b>Proposed Fee 2022/2023</b>
Replacement registration tag	\$10	\$11
Fee for notice of complaint	\$27	\$28
Annual renewal of kennel licence	\$26	\$27
Kennel licence - 3 to 5 dogs	\$78	\$82
Kennel licence - more than 5 dogs	\$114	\$120
Declared dangerous dog	\$465	\$487
Dangerous dog sign, collar etc.	\$110	\$115
Surrendered Dog	\$100	\$105
Microchip booked through Council	<i>New fee</i>	\$50

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

Microchip required prior to release when found at large without chip	<i>New fee</i>	\$75
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Impounding/release fees

	Fee 2021/2022	Proposed Fee 2022/2023
Pound maintenance charge per dog per day	\$45	\$47
Dog release for 1st seizure of dog	\$67	\$70
Dog release for 2nd & subsequent seizure of dog	\$165	\$173
Microchip required prior to release when found at large without chip	<i>New fee</i>	\$75

**OFFICER'S RECOMMENDATION**

That Council adopts the following Dog Registration fees for 2022/2023:

**DOG REGISTRATION FEES 2022/2023**

1. Re-registration of dog on or before 30 June 2022 or first registration of dog reaching the age of six months

	Fee 2022/2023
Whole Dog	\$55
Desexed Dog	\$27
Pensioner Concession - Whole Dog	\$27
Pensioner Concession - Desexed Dog	\$17
Working Dog	\$27
Registered Breeding Dog	\$27
Greyhounds Registered	\$27
Guide Dog	Exempt
Companion Dog	Exempt
Guard Dog	\$110
Dangerous Dog	\$472

2. Re-registration of dog after 30 June 2022

	Fee 2022/2023
Whole Dog	\$78
Desexed Dog	\$35
Pensioner Concession - Whole Dog	\$29
Pensioner Concession - Desexed Dog	\$18
Working Dog	\$35
Registered Breeding Dog	\$35

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

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Greyhounds Registered	\$35
Guide Dog	Exempt
Companion Dog	Exempt
Guard Dog	\$153
Dangerous Dog	\$506
Lifetime Registration - Whole	\$273
Lifetime Registration - Desexed	\$137
Lifetime Registration Desexed Dog - Pensioner Concession	\$70
Lifetime Registration Whole Dog - Pensioner Concession	\$136
Transfer registration dog registered in other Tasmanian Council.	\$11

Rules for Lifetime registration - no refunds given for deceased dogs.

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Miscellaneous fees

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Replacement registration tag	\$11
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Annual renewal of kennel licence	\$27
Kennel licence - 3 to 5 dogs	\$82
Kennel licence - more than 5 dogs	\$120
Declared dangerous dog	\$487
Dangerous dog sign, collar etc.	\$115
Surrendered Dog	\$105
Microchip booked through Council	\$50
Microchip required prior to release when found at large without chip	\$75

Impounding/release fees

	<b>Fee 2022/2023</b>
Pound maintenance charge per dog per day	\$47
Dog release for 1st seizure of dog	\$70
Dog release for 2nd & subsequent seizure of dog	\$173
Microchip required prior to release when found at large without chip	\$75

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

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**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

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## **12 MAYOR**

### **12.1 MATTERS OF INVOLVEMENT - MAYOR**

**REPORT DATE:** 20<sup>th</sup> April, 2022

**FILE NO:** 14.11

<b>Mayor Cr Greg Kieser</b>		
<i>March</i>	17	LGAT – Mayors Professional Development
	18	Introductory Meeting – Lara Alexander MP
	18	LGAT General Meeting
	21	Roundtable – Shadow Minister for Climate Change and Energy Chris Bown, Helen Polley and Ross Hart
	21	Hydrogen proponent meeting
	22	Chaired Council Workshop
	22	Chaired Ordinary Council Meeting
	23	Attended Tasmania Talks
	24	Low Head Roadshow
	24	George Town Roadshow
	25	Attended opening of the 1 / 2 Court Basketball launch with Member for Bass Bridget Archer MP
	25	Met with Nick Duigan MLC and General Manager at George Town Football and Cricket Oval
	26	Attended Zenith Distillery – Gin Launch
	30	Met with Janie Finlan and General Manager
	30	Met with resident
	31	Met with Tasmanian Community Fund Board members
<i>April</i>	5	Attended Liberty Bell Bay Commemorative Dinner
	6	Attended Liberty Bell Bay Inauguration Ceremony
	7	Attended Audit Panel Meeting
	8	Attended Tamar Valley Roadkill Initiative
	12	Chaired Council Workshop
	12	Attended presentation by developer
	13	Attended visit by Liberal MPs to 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**

### **VOTING**

For:

Against:

**13 PETITIONS**

Nil.

**14 NOTICES OF MOTIONS**

Nil.

**15 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE**

Nil.

## **16 COUNCIL COMMITTEE REPORTS**

### **16.1 GEORGE TOWN COMMUNITY SAFETY GROUP COMMITTEE MEETING MINUTES - 1ST MARCH 2022**

<b>REPORT AUTHOR:</b>	Executive Support and Governance Officer – Louise Dickenson
<b>REPORT DATE:</b>	20th April, 2022
<b>FILE NO:</b>	14.7
<b>ATTACHMENTS:</b>	1. 2022 03 01 George Town Safety Group Confirmed Minutes [ <b>16.1.1</b> - 5 pages]

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#### **SUMMARY**

The purpose of this report is to provide information to Council on the confirmed Minutes of George Town Community Safety Group Committee for receiving and noting any recommendations from the George Town Safety Group Committee for consideration.

#### **BACKGROUND**

The George Town Community Safety Group Committee met on 4<sup>th</sup> April, 2022 and accepted the Minutes as a true and accurate record of the meeting held on 1<sup>st</sup> March 2022.

#### **STRATEGIC PLAN**

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

##### **Future Direction One - Community Pride**

4. Safe and secure communities
  - i. Focusing on prevention.

#### **STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Local Government Act 1993 and Council Policy GTC-16 Special Committees.

George Town Safety Group Committee Terms of Reference.

#### **RISK CONSIDERATIONS**

The following risks have been identified in accordance with Council's adopted Risk Management Framework and Risk Matrix.

The scope of the George Town Safety Group Committee is governed by Council Policy GTC-16 Special Committees and the George Town Safety Group Committee Terms of Reference. Risk implications are therefore considered to be low.

#### **FINANCIAL IMPLICATIONS**

There are no identified financial implications.

**George Town Council**  
**Ordinary Council Meeting - 26 April 2022**  
**Agenda**

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**CONSULTATION**

The 1<sup>st</sup> March 2022 Minutes of the meeting were discussed at the 4<sup>th</sup> April 2022 George Town Community Safety Group Committee meeting and were accepted as an accurate record of that meeting.

**OPTIONS**

That Council:

1. Receives the Minutes dated 1<sup>st</sup> March 2022 of the George Town Community Safety Group Committee; or
2. Does not receive the Minutes dated 1<sup>st</sup> March 2022 of the George Town Community Safety Group Committee.

**OFFICER'S COMMENTS**

The George Town Community Safety Group Committee is established as a Special Committee of Council in accordance with Section 24 of the Local Government Act 1993.

**OFFICER'S RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the George Town Safety Group Committee meeting held on 1<sup>st</sup> March 2022 as an accurate record of that meeting.

**DECISION**

**VOTING**

For:

Against:

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

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**16.2 GEORGE TOWN PLACEMAKING COMMITTEE MEETING MINUTES - 7TH MARCH 2022**

<b>REPORT AUTHOR:</b>	Director Corporate and Community – Mrs C. Hyde
<b>REPORT DATE:</b>	20th April, 2022
<b>FILE NO:</b>	14.7
<b>ATTACHMENTS:</b>	1. Placemaking Minutes 7-3-22 - Confirmed [16.2.1 - 2 pages]

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**SUMMARY**

The purpose of this report is to provide information to Council on the confirmed Minutes of the George Town Placemaking Committee for receiving and noting any recommendations from the George Town Placemaking Committee for consideration.

**BACKGROUND**

The George Town Placemaking Committee met on 4<sup>th</sup> April 2022 and accepted the Minutes as a true and accurate record of the meeting held on 7<sup>th</sup> March 2022.

**STRATEGIC PLAN**

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

**Future Direction One - Community Pride**

1. All are valued and included
  - i. Taking a ‘whole of community’ approach to everything.

**Future Direction One - Community Pride**

2. All communities take pride in their place
  - ii. Maintaining public spaces so they are clean, tidy and appealing.
  - iii. Developing well-designed public spaces which are attractive, safe and support the area’s identity and reputation.

**Future Direction One - Community Pride**

3. A strong, recognisable, positive reputation
  - iii. Promoting the area as the place to live, work, play and invest.

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

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**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Local Government Act 1993 and Council Policy GTC-16 Special Committees.

George Town Council Placemaking Committee Terms of Reference.

**RISK CONSIDERATIONS**

The following risks have been identified in accordance with Council's adopted Risk Management Framework and Risk Matrix.

The scope of the George Town Placemaking Committee is governed by Council Policy GTC-16 Special Committees and the George Town Placemaking Committee Terms of Reference. Risk implications are therefore considered to be low.

**FINANCIAL IMPLICATIONS**

There are no identified financial implications.

**CONSULTATION**

The 7<sup>th</sup> March 2022 Minutes were discussed at the 4<sup>th</sup> April 2022 Committee meeting and were accepted as an accurate record of that meeting.

**OPTIONS**

That Council:

1. Receives the Minutes of the Placemaking Committee held on 7<sup>th</sup> March 2022; or
2. Does not accept the Minutes of the Placemaking Committee held on 7<sup>th</sup> March 2022.

**OFFICER'S COMMENTS**

Nil.

**OFFICER'S RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the George Town Placemaking Committee meeting held on 7<sup>th</sup> March 2022 as an accurate record of that meeting.

**DECISION**

**VOTING**

For:

Against:

## **17 CLOSED MEETING**

### **17.1 INTO CLOSED MEETING**

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

**Closed Agenda Item 1.1      Minutes of the Closed Ordinary Council Meeting held on  
22<sup>nd</sup> March 2022**

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

**Closed Agenda Item 2.1      Reappointment of General Manager**

*As per the provisions of Regulation 15(2)(a), (d) and (g) of the Local Government (Meeting Procedures) Regulations 2015.*

**Closed Agenda Item 3.1      Legal Expenditure Report.**

*As per the provisions of Regulation 15(2)(a), (b), (d) (e)(I)(ii), (f) (g), (i) and (j) of the Local Government (Meeting Procedures) Regulations 2015.*

## **DECISION**

## **VOTING**

For:

Against:

**George Town Council  
Ordinary Council Meeting - 26 April 2022  
Agenda**

---

**17.2 OUT OF CLOSED MEETING**

*In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2015, Regulation 15(8), while in a closed meeting the Council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.*

**DECISION**

Moved:

Seconded:

That:

1. Council moves out of Closed Meeting at ....pm and endorses those decisions taken while in Closed Meeting and the information remains Confidential.

**VOTING**

For:

Against:

**18 CLOSURE**

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

**Cr Greg Kieser  
MAYOR**