



# GEORGE TOWN COUNCIL AGENDA

Notice is hereby given  
that the next Ordinary Council Meeting  
will be held on  
**Tuesday 22 November 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. 21 963, 3 April 2020, this meeting is being held face to face with limitations 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>GOVERNANCE MATTERS .....</b>	<b>6</b>
2.1	Tabling Of Certificate Of Elections .....	6
2.2	Declaration Of Office .....	10
<b>3</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>21</b>
3.1	Ordinary Council Meeting Held 25 October 2022.....	21
<b>4</b>	<b>LATE ITEMS .....</b>	<b>22</b>
<b>5</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>23</b>
5.1	Public Question Time Procedure.....	23
5.2	Public Questions On Notice.....	24
5.3	Public Question Time .....	25
5.4	Response To Questions From Previous Public Question Time .....	26
<b>6</b>	<b>DECLARATIONS OF INTEREST .....</b>	<b>27</b>
<b>7</b>	<b>GENERAL MANAGER'S DECLARATION .....</b>	<b>27</b>
<b>8</b>	<b>PLANNING AUTHORITY .....</b>	<b>28</b>
8.1	DA 2022/79 - Subdivision (29 Lots And Roads) - 57 Elizabeth Street, George Town.....	28
<b>9</b>	<b>OFFICE OF GENERAL MANAGER .....</b>	<b>69</b>
9.1	Council Workshops - October And November 2022.....	69
9.2	LGAT General Meeting 8 December 2022 Voting Preferences .....	73
9.3	Structure And Membership Of Committees .....	79
9.4	Council Meeting Schedule 2023.....	87
9.5	George Town Airport Sky Diving.....	93
9.6	Reconciliation Action Plan.....	96
9.7	Quarterly Report 1St July 2022 - 30Th September 2022.....	101

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

<b>10 INFRASTRUCTURE AND DEVELOPMENT .....</b>	<b>104</b>
<b>11 CORPORATE AND COMMUNITY .....</b>	<b>105</b>
<b>11.1 Proposed Learn To Swim Program Fees .....</b>	<b>105</b>
<b>12 ORGANISATIONAL PERFORMANCE, STRATEGY &amp; ENGAGEMENT.....</b>	<b>108</b>
<b>12.1 LGAT General Meeting 8 December 2022 Voting Preference .....</b>	<b>108</b>
<b>13 MAYOR.....</b>	<b>113</b>
<b>13.1 Matters Of Involvement - Mayor.....</b>	<b>113</b>
<b>14 PETITIONS.....</b>	<b>115</b>
<b>15 NOTICES OF MOTIONS .....</b>	<b>116</b>
<b>16 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE .....</b>	<b>117</b>
<b>17 COUNCIL COMMITTEE REPORTS .....</b>	<b>118</b>
<b>18 CLOSED MEETING.....</b>	<b>119</b>
<b>18.1 Into Closed Meeting.....</b>	<b>119</b>
<b>18.2 Out Of Closed Meeting .....</b>	<b>120</b>
<b>19 CLOSURE .....</b>	<b>120</b>

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**Meeting Commencing at 1:00 pm**

**Acknowledgement of Country**

*George Town Council acknowledges the Palawa People from the Litarimirina tribe from Port Dalrymple as the traditional custodians of the land.*

*We honour and give thanks for the caring of country, seas and skies of kinimathatakinta and surrounds.*

*We pay respect to the elders past, present and future for they hold the memories, traditions, culture and hope of pakana people in Lutruwita.*

**AUDIO RECORDING OF COUNCIL MEETINGS**

The public is advised that it is **Council Policy** to record the proceedings of meetings of Council on digital media to assist in the preparation of Minutes, and to clarify any queries relating to the Minutes that is raised during a subsequent meeting under the section "Confirmation of Minutes".

The recording does not replace the written Minutes and a transcript of the recording will not be prepared.

All meetings of the Council shall be digitally recorded as provided for by Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015 except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15(2).

In accordance with the requirements of Council's Audio Recording of Council Meetings Policy No. 40, members of the public are not permitted to make audio recordings of Council meetings.

*In accordance with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020, Part 4, Section 18, and as given notice by the Premier of Tasmania, Peter Gutwein, under the same Act and published in the Tasmanian Government Gazette No. 21 963, 3 April 2020, this meeting is being held face to face with limitation on public attendance to maintain social distancing.*

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

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

**1 PRESENT**

**1.1 APOLOGIES AND LEAVE OF ABSENCE**

**1.2 IN ATTENDANCE**

## **2 GOVERNANCE MATTERS**

### **2.1 TABLING OF CERTIFICATE OF ELECTIONS**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	4 November 2022
<b>FILE NO:</b>	14.80
<b>ATTACHMENTS:</b>	Nil.

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#### **SUMMARY**

The purpose of this report is to provide a record of the Certificate of Election received from the Tasmanian Electoral Commission on the 1 November 2022 in accordance with the requirements of Section 8(2) of the *Local Government (General) Regulations 2015*.

#### **BACKGROUND**

In accordance with the provisions of the Local Government (General) Regulations 2015 8(2), Council's General Manager is to "*ensure that the result of the ballot for each office is recorded in the minutes of the meeting.*" The Certificate of Election was provided by Nick Young, Returning Officer for the Tasmanian Electoral Commission dated the 1 November 2022 showing the following candidates elected to the below positions:

#### **Nine (9) Councillors**

Elected for a period of 4 years

Greg KIESER  
Simone LOWE  
Greg DAWSON  
Tim HARRIS  
Heather BARWICK  
Winston MASON  
Jason ORR  
Heather ASHLEY  
Winston ARCHER

#### **Mayor**

Elected for a period of 4 years

Greg KIESER

#### **Deputy Mayor**

Elected for a period of 4 years

Greg DAWSON

## **STRATEGIC PLAN**

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

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

1. A culture of engagement and participation
  - i. Trusted, transparent and inclusive community engagement processes.

### **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.

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

Local Government (General) Regulations 2015

## **RISK CONSIDERATIONS**

This report is provided in accordance with the Local Government (General) Regulations 2015, Section 8(2). Risk implications are therefore considered to be low.

## **FINANCIAL IMPLICATIONS**

Nil.

## **DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objections of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

## **CONSULTATION**

Nil.

## **OPTIONS**

Nil.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**OFFICER'S COMMENTS**

The Certificate of Election was received from the Tasmanian Electoral Commission on the 1 November 2022. The Certificate of Election is to be tabled by the General Manager.

**OFFICER'S RECOMMENDATION**

That the Certificate of Election as provided by the Tasmanian Electoral Commission dated 1 November 2022 be received and recorded in the minutes of the meeting.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---



2022 LOCAL GOVERNMENT ELECTIONS

**Certificate of Election**

**George Town Council**

In accordance with the Local Government Act 1993 I have declared the following candidates elected to the positions shown below.

**9 Councillors**

Elected for a period of 4 years

Greg KIESER  
Simone LOWE  
Greg DAWSON  
Tim HARRIS  
Heather BARWICK  
Winston MASON  
Jason ORR  
Heather ASHLEY  
Winston ARCHER

**Mayor**

Elected for a period of 4 years

Greg KIESER

**Deputy Mayor**

Elected for a period of 4 years

Greg DAWSON

A handwritten signature in black ink, appearing to read "Nick Young".

Nick Young RETURNING OFFICER

1 November 2022

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

## **2.2 DECLARATION OF OFFICE**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	14 November 2022
<b>FILE NO:</b>	14.80
<b>ATTACHMENTS:</b>	Nil.

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### **SUMMARY**

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

### **STRATEGIC PLAN**

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

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

1. A culture of engagement and participation
  - i. Trusted, transparent and inclusive community engagement processes.

#### **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.

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

Local Government Act 1993  
Local Government (General Regulations) 2015

### **RISK CONSIDERATIONS**

This report is provided in accordance with Local Government Regulations 1993, Section 32. Risk implications are therefore considered to be low.

### **FINANCIAL IMPLICATIONS**

Nil.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objectives of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

**CONSULTATION**

Nil.

**OPTIONS**

Nil.

**OFFICER'S COMMENTS**

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

**OFFICER'S RECOMMENDATION**

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

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---



[Regulation 40](#)

*Local Government Act 1993*

**DECLARATION OF OFFICE – S. 321**

I, **Greg KIESER**, having been elected as **MAYOR** to the **George Town Council**, do solemnly declare that I will

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

  
.....  
[Councillor Greg Kieser, Mayor]

Made before me at **George Town** in Tasmania on the **1<sup>st</sup> day of November 2022**.

  
.....  
[Shane Power, General Manager]

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

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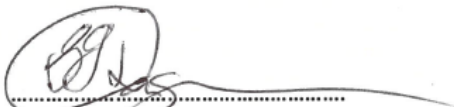
[Regulation 40](#)

*Local Government Act 1993*

**DECLARATION OF OFFICE – S. 321**


I, **Greg DAWSON**, having been elected as **DEPUTY MAYOR** to the **George Town Council**, do solemnly declare that I will

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



.....  
[Councillor Greg Dawson, Deputy Mayor]

Made before me at **George Town** in Tasmania on the **1<sup>st</sup> day of November 2022**.



.....  
[Shane Power, General Manager]

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

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Regulation 40

*Local Government Act 1993*

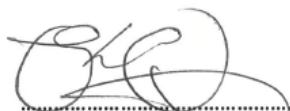
**DECLARATION OF OFFICE – S. 321**

I, **Winston ARCHER**, having been elected as **COUNCILLOR** to the **George Town Council**, do solemnly declare that I will

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

  
.....  
[Councillor Winston Archer]

Made before me at **George Town** in Tasmania on the **4<sup>th</sup> day of November 2022**.

  
.....  
[Shane Power, General Manager]

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---



Regulation 40

*Local Government Act 1993*


**DECLARATION OF OFFICE – S. 321**

I, **Heather ASHLEY** having been elected as **COUNCILLOR** to the **George Town Council**, do solemnly declare that I will

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

  
.....  
[Councillor Heather Ashley]

Made before me at **George Town** in Tasmania on the **4<sup>th</sup> day of November 2022**.

  
.....  
[Shane Power, General Manager]

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---



[Regulation 40](#)

*Local Government Act 1993*

**DECLARATION OF OFFICE – S. 321**

I, **Heather BARWICK** having been elected as **COUNCILLOR** to the **George Town Council**, do solemnly declare that I will

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

  
.....  
[Councillor Heather Barwick]

Made before me at **George Town** in Tasmania on the **2<sup>nd</sup>** day of **November 2022**.

  
.....  
[Shane Power, General Manager]

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

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Regulation 40

*Local Government Act 1993*

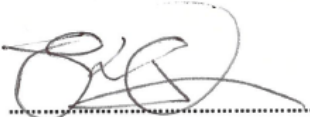
**DECLARATION OF OFFICE – S. 321**

I, **Tim HARRIS** having been elected as **COUNCILLOR** to the **George Town Council**, do solemnly declare that I will

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

  
.....  
[Councillor Tim Harris]

Made before me at **George Town** in Tasmania on the **2<sup>nd</sup> day of November 2022**.

  
.....  
[Shane Power, General Manager]

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---



Regulation 40

*Local Government Act 1993*

**DECLARATION OF OFFICE – S. 321**

I, **Simone LOWE** having been elected as **COUNCILLOR** to the **George Town Council**, do solemnly declare that I will

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

.....  
[Councillor Simone LOWE]

Made before me at **George Town** in Tasmania on the **4<sup>th</sup>** day of **November 2022**.

.....  
[Shane Power, General Manager]

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---



[Regulation 40](#)

*Local Government Act 1993*

**DECLARATION OF OFFICE – S. 321**

I, **Winston MASON** having been elected as **COUNCILLOR** to the **George Town Council**, do solemnly declare that I will

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

.....  
[Councillor Winston Mason]

Made before me at **George Town** in Tasmania on the **4<sup>th</sup>** day of **November 2022**.

.....  
[Shane Power, General Manager]

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

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[Regulation 40](#)

*Local Government Act 1993*

**DECLARATION OF OFFICE – S. 321**

I, **Jason ORR** having been elected as **COUNCILLOR** to the **George Town Council**, do solemnly declare that I will

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

A handwritten signature in black ink, appearing to be 'J Orr', written over a dotted line.

[Councillor Jason Orr]

Made before me at **George Town** in Tasmania on the **4<sup>th</sup>** day of **November 2022**.

A handwritten signature in black ink, appearing to be 'S Power', written over a dotted line.

[Shane Power, General Manager]

### **3 CONFIRMATION OF MINUTES**

#### **3.1 ORDINARY COUNCIL MEETING HELD 25 OCTOBER 2022**

##### **RECOMMENDATION**

That the Minutes of Council's Ordinary Meeting held on 25 October 2022 numbered 143/22 to 152/22 and 157/22 as provided to Councillors be received and confirmed as a true record of proceedings. (Attached)

##### **DECISION**

Moved:

Seconded:

##### **VOTING**

For:

Against:

**4 LATE ITEMS**

Nil.

## **5 PUBLIC QUESTION TIME**

### **5.1 PUBLIC QUESTION TIME PROCEDURE**

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

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

*For further information on Council's Public Question Time Rules and Procedure, please refer to George Town Council Public Question Time Policy No. 18.]*

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

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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.*

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**5.2 PUBLIC QUESTIONS ON NOTICE**

Nil.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**5.3 PUBLIC QUESTION TIME**

Commenced at:

Concluded at:

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

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

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

Nil.

## **6 DECLARATIONS OF INTEREST**

## **7 GENERAL MANAGER'S DECLARATION**

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

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



Shane Power  
**GENERAL MANAGER**

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

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

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

## **8 PLANNING AUTHORITY**

### **8.1 DA 2022/79 - SUBDIVISION (29 LOTS AND ROADS) - 57 ELIZABETH STREET, GEORGE TOWN**

<b>REPORT AUTHOR:</b>	Statutory Town Planner - Mr J. Simons Graduate Planner – Mr A. Bowles
<b>REPORT DATE:</b>	15 Novmeber 202
<b>FILE NO:</b>	DA 2022/79
<b>ATTACHMENTS:</b>	1. Title [8.1.1 - 2 pages] 2. Application documentation [8.1.2 - 47 pages] 3. SPAN TWDA 2022-01348- GTC [8.1.3 - 4 pages] 4. Representations [8.1.4 - 3 pages]

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#### **APPLICATION INFORMATION**

<b>Applicant:</b>	6ty° Pty Ltd
<b>Site Address:</b> <b>Titles details:</b>	57 Elizabeth Street & Adjoining Road Reserves, George Town CT 249563/1
<b>Property ID:</b>	9664487
<b>Zone:</b>	General Residential Zone
<b>Use:</b>	Residential Subdivision
<b>Proposed Development:</b>	Residential Subdivision (29 Lots, Roads & Footpaths)
<b>Application Received:</b>	17 <sup>th</sup> August 2022

#### **1. SUMMARY**

Application is made for a twenty-nine (29) lot subdivision at 57 Elizabeth Street, George Town.

Three (3) representations were received during the advertising period. The representations largely concern the works within the Wellington Street road reserve, including extending the infrastructure and retaining existing trees within the road reserve. These matters are addressed in the representation section below, however, no specific conditions are recommended. No objection to the subdivision of the land was raised.

With appropriate conditions, the proposal generally complies with the Acceptable Solutions and Performance Criteria of the General Residential Zone. Advice from a suitably qualified person addressing impact to traffic from this proposal is included with the application and demonstrates the proposal is reasonable. TasWater has determined that the proposal can be reasonably serviced with water and sewerage, while Council's Infrastructure Department is satisfied that the site can be serviced with stormwater infrastructure.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

The proposed lots have suitable area and dimensions to accommodate future residential development and the layout makes use of the existing network of vacant road reserves. The development complies with the applicable Performance Criteria and Acceptable Solutions, is consistent with the intent of the General Residential Zone and is recommended for approval with a number of 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**

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. Three (3) representations were received and are 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**

Proposal is for a 29-lot subdivision and associated infrastructure at 57 Elizabeth St, George Town, which is located within the General Residential Zone. The subject site is a 22,600m<sup>2</sup> lot that is predominantly surrounded by residential uses and vacant residential land.

Connection of the proposed road network to Esplanade North will require some works within the Environmental Management Zone.

The land is relatively flat containing a modest fall towards the North-West of the subject site. The site is surrounded by unmade road reserves to the north, east and west. The land is vacant and has been cleared of vegetation.

A small portion of the site in the north-west corner is affected by a low risk Coastal Erosion Hazard Band.

George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda

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Figure 1: Aerial photo of subject site (Outlined in Red) and surrounding land.



**Figure 2: Zoning of subject site (outlined in blue) and surrounding land.**

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

The proposed development is a 29 lot subdivision and associated infrastructure. The subdivision is located in the General Residential Zone and is intended to be used for residential uses. The proposal contains lots that vary from 601m<sup>2</sup> to 1293m<sup>2</sup>.

The development will include the extension of Davies Street, Elizabeth Street and Wellington Street, within the existing road reserves, along with the development of two cul-de-sacs. Lots are intended to be fully serviced with connections to the stormwater, sewage and reticulated water networks. The footpath network will also be expanded throughout the subdivision.

Minor works are intended within the Environmental Management Zone, including the provision of a footpath, stormwater and road connections.



**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---



**Figure 5: Site Photos - Wellington Street Road Reserve looking South**



**Figure 6: Site Photos – Wellington Street looking at subject site**

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---



**Figure 7: Site Photos –Arthur Street looking north into Elizabeth Street Road Reserve**




**Figure 8: Site Photos – Esplanade North looking east into Davies Street Road Reserve**

## **8. REPRESENTATIONS**

The application was advertised for the statutory 14 day period, from the 01/10/2022 – 18/10/2022. Three (3) representations were received and are summarised below. A full copy of the representations has also been included as an attachment to this report.

<b>Issues raised in representations</b>	<b>Council response</b>
<i>Existing stormwater services discharged from 3 Arthur Street, George Town would need to be incorporated into the stormwater design of proposal.</i>	Detailed Engineering plans will need to be submitted prior to the commencement of works. Properties which currently direct stormwater into the unmade road reserve will need to be provided with a connection to the proposed reticulated stormwater network.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

<p><i>Ten (10) native trees were planted in unmade Wellington Street Road Reserve. (See Figure 4)</i></p> 	<p>The intent of the road reserve is to facilitate the construction of a road.</p> <p>Although Council will endeavour to retain as many trees as possible, the road will be required to conform to Council's municipal standards. Detailed Engineering plans, including a street tree landscaping plan will need to be submitted to the satisfaction of Council's Director Infrastructure and Development. This may inevitably require the removal of the trees.</p>
<p><i>The proposed road infrastructure located on the Wellington Street is not wide enough and should be increased in width to a 'full-sized' road.</i></p> <p><i>The proposed road infrastructure located on the Wellington Street should be sealed and kerbed.</i></p>	<p>Council's Infrastructure Department have determined that a full width road is warranted on Elizabeth and Wellington Streets.</p> <p>All roads in the development will be sealed in accordance with Council's standards for urban roads.</p> <p>Due to the limited capacity for future development of Wellington and Elizabeth Street the roads will be required to be fully formed including kerb on both sides.</p>
<p><i>The proposed road infrastructure located on the Wellington Street have 'driveway access (if required).'</i></p>	<p>All lots within the proposed subdivision will have driveway crossovers installed. Existing lots fronting the west side of the Wellington Street Road Reserve all have existing approved access onto Esplanade North.</p> <p>It is not the responsibility of the applicant to provide existing lots with additional accesses. If additional accesses are desirable, it is recommended that individual landowners contact the landowner directly to discuss.</p>
<p><i>The proposed road infrastructure located on the Wellington Street should be 'pathed both sides.'</i></p>	<p>The applicant has included footpaths on all of the proposed roads.</p> <p>As footpath network on opposite side of the road does not service any of the proposed lots, this is not reasonably the responsibility of the developer.</p>

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

	All existing lots to the west of Wellington Street have existing frontage to Esplanade North, with the Kanamaluka Trail on the coastal side. This is sufficient to connect the existing properties to the footpath network. The additional footpaths are not necessary for the proposed lots and are not the responsibility of the applicant.
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## 9. STATUTORY REQUIREMENTS

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

- 10.0 General Residential Zone
- 29.0 Environmental Management Zone
- E4.0 Road and Railway Assets Code
- E6.0 Car Parking and Sustainable Transport Code
- E10.0 Recreation and Open Space Code
- E13.0 Coastal 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 a residential use and development. 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 Residential Use Class (single dwellings) is classified as a **No Permit Required** use in the General Residential Zone. However, in this instance the proposal relies on Performance Criteria and, therefore, is subject to the discretionary application process.

### 9.2 Planning Scheme Assessment

#### General Residential Zone

Zone Purpose

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**10.1.1 Zone Purpose Statements**

- 10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
- 10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.
- 10.1.1.3 Dwellings are to maintain as the predominant form of development with some higher densities encouraged near services and the business area. Some redevelopment sites may also be appropriate for higher density development.
- 10.1.1.4 Typical residential and non-residential development is to be detached, rarely exceeding two storeys and be setback from the street and property boundaries.
- 10.1.1.5 To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.

**Planners Response:**

The lots proposed are intended for a range of residential developments and are fully serviced by roads, reticulated stormwater, sewer and water.

Non-residential uses do not form this proposal. Future non-residential use will be addressed within a separate planning application to ensure compatibility if/when any such application is received.

Due to the residential nature of the development, it is anticipated that the sites will contain dwellings as the dominant form of future development.

The proposal is consistent with the surrounding neighbourhood character and provides fully serviced lots within an existing urban area.

The proposal is deemed consistent with purposes of the General Residential Zone.

**10.1.2 Local Area Objectives**

George Town will continue as the main centre for residential development and expansion will be based on optimising available and planned infrastructure provision and community services

**Planners Response:**

The proposed subdivision is located on infill land within the serviced area of George Town. The proposal utilises and extends existing infrastructure networks.

**10.1.3 Desired Future Character Statements**

Dwellings are to maintain as the predominant form of development with some higher densities encouraged near services and the business area. Some redevelopment sites may also be appropriate for higher density development.

Typical residential and non-residential development is to be detached, rarely exceeding two storeys and be setback from the street and property boundaries

**Planners Response:**

The proposed subdivision will support future residential forms of use and development. Therefore, this development is consistent with the statement.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

10.3 Use Standards

10.3.1 Amenity

<p>Objective To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 If for permitted or no permit required uses.	P1 The use 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> Complies with acceptable solution.  The application is for a residential subdivision. Residential uses are Permitted in the General Residential Zone.</p>	
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
<p><b>Planners Response:</b> Not applicable to application.  The proposal is not for a discretionary use.</p>	
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
<p><b>Planners Response:</b> Complies with acceptable solution.  A residential use is a permitted use in the General Residential Zone.</p>	

10.3.2 Residential Character – Discretionary Uses

<p>Objective  To ensure that discretionary uses support: a) the visual character of the area; and b) the local area objectives, if any.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

**Planners Response:** Complies with acceptable solution.

A residential use is a permitted use in the General Residential Zone.

A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.

P2 No performance criteria.

**Planners Response:** Not applicable to application.

The applicant has indicated that the proposed subdivision is for a residential use. There are no goods or material storage uses proposed in this application. Therefore, this standard is considered not applicable to the application.

A3 Waste material storage for discretionary uses must:  
a) not be visible from the road to which the lot has frontage ; and  
b) use self-contained receptacles designed to ensure waste does not escape to the environment.

P3 No performance criteria.

**Planners Response:** Not applicable to application.

The applicant has indicated that the proposed subdivision is for a residential use; a permitted use in the General Residential Zone.

10.4.15 Subdivision

10.4.15.1 Lot Area, Building Envelopes and Frontage

**Objective**

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.

**Acceptable Solutions**

A1 Lots must:  
a) have a minimum area of 720m<sup>2</sup> which:  
i) is capable of containing a rectangle measuring 10m by 15m; and  
ii) has new boundaries aligned from buildings that satisfy the setback standards.; or  
b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or  
c) be for the provision of utilities; or

**Performance Criteria**

P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:  
a) a dwelling to be erected in a convenient and hazard-free location; and  
b) on-site parking and manoeuvrability; and  
c) adequate private open space.

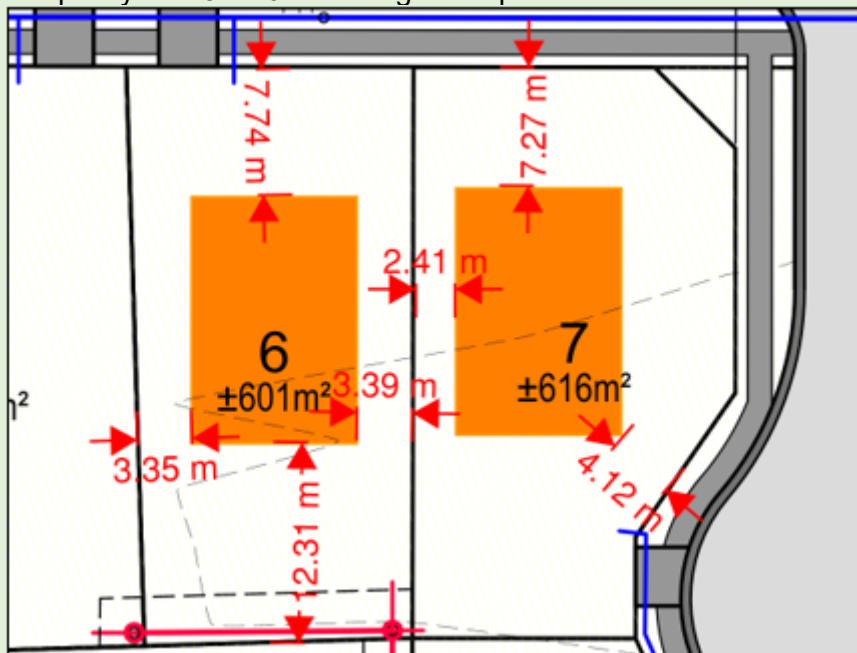
**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

- d) be for the consolidation of a lot with another lot with no additional titles created; or
- e) be to align existing titles with zone boundaries and no additional lots are created.

**Planners Response:** Relies on performance criteria.

24 of the lots proposed do not meet the minimum area of 720m<sup>2</sup> outlined in the acceptable solution, with the smallest lot being 601m<sup>2</sup>.

Although most of the lots in the proposal are smaller than the Acceptable Solutions, all of the proposed lots have sufficient area to provide for the development of a single dwelling along with private open space and car parking. As shown within the below diagram there is capacity for 15 x 10m rectangles be placed in the smallest lots in the proposal.

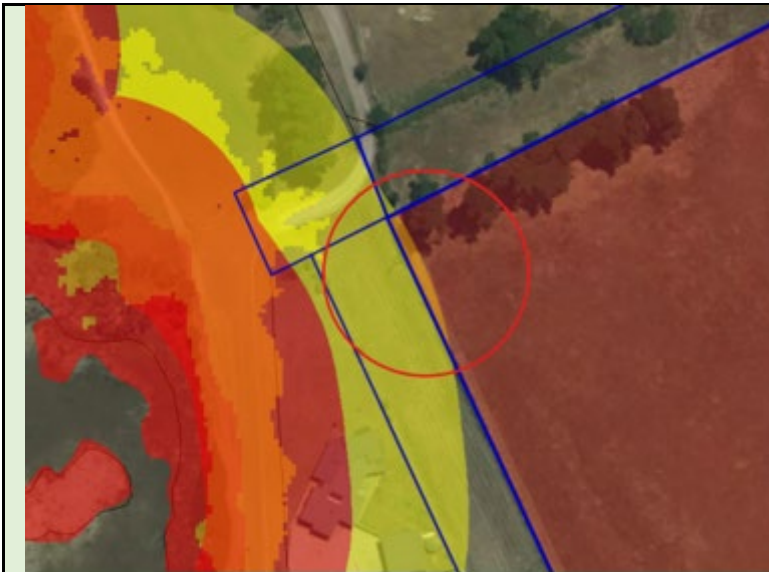


**Figure 9: Indicative plan showing 10mx15m rectangle on Lots 6 and 7.**

This diagram also illustrates that the lots have capacity to accommodate a dwelling within the setbacks outlined within the General Residential Zone, while also providing sufficient space to accommodate private open space and sufficient parking for a domestic use.

The site is flat and largely free of natural hazards. While a small portion of Lot 1 is mapped as being subject to a Low Risk Coastal Erosion Hazard Band in the north-western corner, the extent of the hazard is minimal. Although this hazard does exist, the Low Risk Hazard band indicates the site may potentially be subject to coastal recession by 2100. A large portion of the lot remains entirely free of the hazard band with sufficient area to allow the development of a dwelling without needing to encroach on areas impacted by the hazard band.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**



**Figure 10: Coastal Erosion Hazard Bands showing the extent of encroachment into the subject title.**

The proposal complies with the Performance Criteria and all lots have sufficient area and dimensions to facilitate residential development consistent with the purpose of the General Residential Zone.

It is noted that George Town Council is adopting the State Planning Provisions in the near future. Within these provisions, subdivisions within the General Residential Zone will only be required to have a lot size of 450m<sup>2</sup> to meet the acceptable solution. While not currently applicable, this future standard demonstrates that 450m<sup>2</sup> is generally considered to be sufficient to provide for the development of a single dwelling.

A2 Each lot must have a frontage of at least 10m.	P2 No performance criteria.
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**Planners Response:** Complies with acceptable solution.

All lots contain a frontage of over 10m, therefore the proposal complies with the acceptable solution set out in this standard.

10.4.15.2 Provision of Services

**Objective**  
To provide lots with appropriate levels of utility services.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Each lot must be connected to a reticulated: a) water supply; and b) sewerage system.	P1 Each lot created must be: a) in a locality for which reticulated services are not available or capable of being connected; and b) capable of accommodating an on-site wastewater management system.

**Planners Response:** Complies with acceptable solution.

All lots are proposed to be connected to reticulated water and sewerage services.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

<p>A2 Each lot must be connected to a reticulated stormwater system.</p>	<p>P2 Stormwater must be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <ul style="list-style-type: none"> <li>a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and</li> <li>b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and</li> <li>c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and</li> <li>d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.</li> </ul>
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**Planners Response:** Complies with acceptable solution.

All lots are proposed to be connected to reticulated stormwater services to the north of the subdivision.

10.4.15.3 Solar Orientation of Lots

<p>Objective</p> <p>To provide for solar orientation of lots and solar access for future dwellings.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 At least 50% of lots must have a long axis within the range of:</p> <ul style="list-style-type: none"> <li>a) north 20 degrees west to north 30 degrees east; or</li> <li>b) east 20 degrees north to east 30 degrees south.</li> </ul>	<p>P1 Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.</p>
<p><b>Planners Response:</b> Relies on performance criteria.</p> <p>20 of the 29 proposed lots do not meet the acceptable solution. Their solar orientation is outside of the acceptable solution.</p> <p>The subdivision is proposing a layout that is consistent with the surrounding neighbourhood character and is largely dictated by the orientation of the existing road reserves.</p>	

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

As the deviation from the acceptable solution is only minor, there is adequate potential for future dwellings to be designed and orientated to take advantage of solar access.

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

<p>A2 The long axis of residential lots less than 500m<sup>2</sup>, must be within 30 degrees east and 20 degrees west of north.</p>	<p>P2 Lots less than 500 m<sup>2</sup> must provide adequate solar access to future dwellings, having regard to the:</p> <ul style="list-style-type: none"> <li>a) size and shape of the development of the subject site; and</li> <li>b) topography; and</li> <li>c) location of access way(s) and roads.</li> </ul>
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**Planners Response:** Not applicable to application.

No lots proposed are less than 500m<sup>2</sup>

10.4.15.4 Interaction, Safety and Security

**Objective**

To provide a lot layout that contributes to community social interaction, personal safety and property security.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 Subdivisions must not create any internal lots.</p>	<p>P1 Subdivisions that create internal lots must provide for adequate levels of visibility and surveillance.</p>

**Planners Response:** Relies on performance criteria.

Lot 10 is an internal lot. Therefore, the subdivision relies on the performance criteria. The internal lot provides adequate visibility and surveillance into the lot through the 10m wide frontage, which will provide sufficient opportunity for passive surveillance between the front of the dwelling and the street.

The proposed development complies with the Performance Criteria and is consistent with the objective.

<p>A2 Internal lots must be:</p> <ul style="list-style-type: none"> <li>a) for subdivisions of 10 lots or more; and</li> <li>b) less than 10% of the total lots created by the whole subdivision.</li> </ul>	<p>P2 No performance criteria.</p>
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**Planners Response:** Complies with acceptable solution.

Only one (1) lot is consistent with definition of internal lot as outlined in the George Town Interim Planning Scheme 2013, this is below the 10% (or 2.9 lots) which is set out within this standard. Therefore, this complies with the acceptable solution.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

10.4.15.5 Integrated Urban Landscape

<p>Objective</p> <p>To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:</p> <p>a) character and identity of new neighbourhoods and urban places; or b) to existing or preferred neighbourhood character, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The subdivision must not create any new road, public open space or other reserves.</p>	<p>P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that:</p> <p>a) it has regard to existing, significant features; and b) accessibility and mobility through public spaces and roads are protected or enhanced; and c) connectivity through the urban environment is protected or enhanced; and d) the visual amenity and attractiveness of the urban environment is enhanced; and e) it furthers the local area objectives, if any.</p>
<p><b>Planners Response:</b> Relies on performance criteria.</p> <p>The proposal creates multiple new roads and therefore relies on performance criteria. The site is relatively flat with sparse vegetation. While there are no existing significant features that are present on the site that would be required to be considered, it is noted that the site is surrounded by existing road reserves. The proposed development will make use of the existing road reserves and will continue the existing grid pattern that is characteristic of the area.</p> <p>A Traffic Impact Assessment prepared by a suitably qualified person was submitted with the application and demonstrates that the proposal will not have an adverse impact on the safety and efficiency of the existing network. The proposal will enhance mobility through the transport network by creating links between existing formed roads and road reserves, and provides circular links through the urban environment.</p> <p>Visual amenity and attractiveness of urban environment is not impacted by the proposal, as the existing land that the proposal is encompassing is relatively sparse and not providing visual amenity to the urban environment, the impact to visual amenity will be minimal. It is recommended that a standard condition relating to the installation of street trees be included on any permit issued to enhance the visual appeal of the new roads.</p> <p>The proposal will further the local objectives of the General Residential Zone, as it does not intend to compromise existing infrastructure provision of George Town and will maintain the objective of George Town being the main area for development.</p> <p>Therefore, this proposal complies with performance criteria.</p>	

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

10.4.15.6 Walking and Cycling Network

Objective	
<ul style="list-style-type: none"> <li>a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and</li> <li>b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.</li> <li>c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</li> </ul>	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, footpath or public open space.	P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to: <ul style="list-style-type: none"> <li>a) link to any existing pedestrian and cycling networks; and</li> <li>b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and</li> <li>c) provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and</li> <li>d) promote surveillance along roads and from abutting dwellings.</li> </ul>
<p><b>Planners Response:</b> Relies on performance criteria.</p> <p>This proposal will result in roads and footpath infrastructure being created. Therefore, the proposal relies on performance criteria.</p> <p>The proposed footpaths are designed to connect to the existing footpath network and create walkable loops, as well as connection to the Kanamaluka Trail.</p> <p>The proposed roads will allow for surveillance of all lots proposed, as roads will be located in front of all lots and the pedestrian network is proximate to all lots. This will allow passive surveillance to occur on all lots.</p> <p>As connection to the existing network is provided in a way that is safe and efficient, the proposal is considered as complying with the performance criteria.</p> <p>The proposal complies with the Performance Criteria and is consistent with the objective.</p>	

10.4.15.7 Neighbourhood Road Network

Objective
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**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

- a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and
- b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 The subdivision must not create any new road.	P1 The neighbourhood road network must: <ul style="list-style-type: none"> <li>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</li> <li>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</li> <li>c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and</li> <li>d) provide safe and efficient access to activity centres for commercial and freight vehicles; and</li> <li>e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and</li> <li>f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and</li> <li>g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and</li> <li>h) take into account of any identified significant features.</li> </ul>

**Planners Response:** Relies on performance criteria.

The transport network proposed is designed to integrate with the existing transport network and makes use of the existing road reserves surrounding the site.

The proposed road does not compromise the road hierarchy and is consistent with neighbourhood roads. The size of the road is appropriate for its use as a neighbourhood road and leads into a connector road (Arthur Street) that will facilitate movement onto main roads and eventually the East Tamar Highway. It is considered that Elizabeth Street and Wellington Street be constructed in full due to the limited opportunity to revisit these roads through future development. Davies Street is proposed to be partially constructed, with a rural road standard on the north side, due to its location on the urban fringe and the significant additional subdivision potential which will allow for further upgrades in the future.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

The road network proposed is intended to apply the urban speed limit which will allow for low-speed traffic movements.

The Traffic Impact Assessment has assessed that the proposed road will provide movement for residential vehicles and light-rigid vehicles (garbage trucks). It is not anticipated that this road network will require accommodation for vehicles in excess of those outlined in the application.

A connector road is not proposed as part of this subdivision, the existing road, on Arthur Street provides for efficient movement between neighbourhoods. The roads proposed as part of this subdivision will provide an interconnected access to the road network.

The applicant has advised within the planning report that the cul-de-sacs and roads will be adequately sized to ensure turning is available for emergency vehicles.

The proposed cul-de-sacs are relatively short and allow for the efficient division of the land at urban densities, while largely removing the need for internal lots.

There are no significant natural hazards or other features that would impact the road layout, however, the network does maximise connectivity by connecting to the existing road networks including to Esplanade North.

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

### **Special Provision 9.7**

#### **9.7 Access and Provision of Infrastructure Across Land in Another Zone**

##### **9.7.1**

If an application for use or development includes access or provision of infrastructure across land that is in a different zone to that in which the main part of the use or development is located, and the access or infrastructure is prohibited by the provisions of the different zone, the planning authority may at its discretion approve an application for access or provision of infrastructure over the land in the other zone, having regard to:

(a) whether there is no practical and reasonable alternative for providing the access or infrastructure to the site;

(b) the purpose and provisions of the zone and any applicable code for the land over which the access or provision of infrastructure is to occur; and

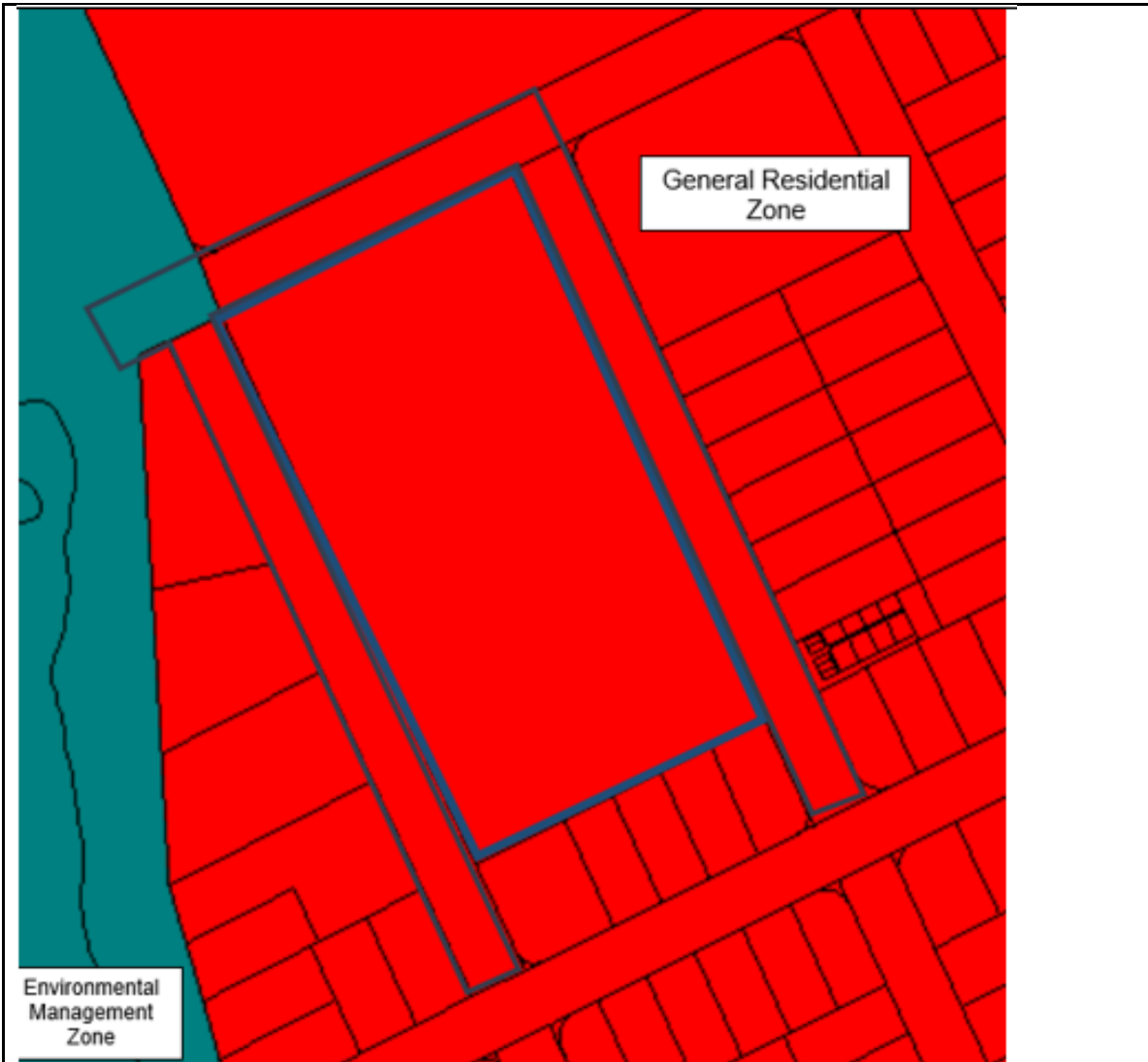
(c) the potential for land use conflict with the use or development permissible under the planning scheme for any adjoining properties and for the land over which the access or provision of infrastructure is to occur.

#### **Planners Response:**

The application proposes the connection of Davies Street and Esplanade North, along with reticulated services via a small portion of land mapped as Environmental Management.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---



The proposed road, footpath and reticulated infrastructure connections to Esplanade North are considered to be an essential means to enhance the transport network and provide connectivity within the urban environment. This route also contains the existing reticulated stormwater network and provides the most direct route to direct stormwater to the sea and minimise urban flooding.

The relatively small portion of the Environmental Management Zone to be developed is managed by Council as public open space and primarily consists of manicured lawns and the Kanamaluka Trail. The location of the proposed infrastructure is already substantially impacted by informal and formal infrastructure, including the existing stormwater network and informal turning head at the current terminus of Esplanade North. The land impacted by the proposal does not contain any environmental values of particular significance. The proposed infrastructure will enhance the utility of the coastal reserve and the Kanamaluka Trail by providing direct connectivity and walkability.

As the impact is minor, there are no conflicting land uses and it has been determined to be a practical provision of infrastructure, it is considered to comply with the special provision.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

CODE	APPLICABILITY
E1 BUSHFIRE-PRONE AREAS CODE	CODE DOES NOT APPLY
E2 POTENTIALLY CONTAMINATED LAND CODE	CODE DOES NOT APPLY
E3 LANDSLIP CODE	CODE DOES NOT APPLY
E4 ROAD AND RAILWAY ASSETS CODE	CODE APPLIES
E5 FLOOD PRONE AREAS CODE	CODE DOES NOT APPLY
E6 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	CODE APPLIES
E7 SCENIC MANAGEMENT CODE	CODE DOES NOT APPLY
E8 BIODIVERSITY CODE	CODE DOES NOT APPLY
E9 WATER QUALITY CODE	CODE DOES NOT APPLY
E10 RECREATION & OPEN SPACE CODE	CODE APPLIES
E11 ENVIRONMENTAL IMPACTS AND ATTENUATION CODE	CODE DOES NOT APPLY
E12 AIRPORTS IMPACT MANAGEMENT CODE	CODE DOES NOT APPLY
E13 COASTAL CODE	CODE APPLIES
E14 SIGNS CODE	CHOOSE ITEM.

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

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.	
Acceptable Solution	Performance Criteria
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 to application.	
The proposed development is not within 50m of a Category 1 or 2 State Road.	

**George Town Council  
2022 11 22 Ordinary Council Meeting  
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> Relies on performance criteria.</p> <p>As established in the application's TIA, the subdivision is expected to generate 261 vehicle movements per day for the subject site. This is based on an average 9 vehicle movements per dwelling. This does not consider any multiple dwellings or other development that could potentially be located on the subject site. The additional traffic generated at the three access points are as follows:</p> <ul style="list-style-type: none"> <li>• 108 vehicle movements per day at the Wellington Street intersection with Arthur Street.</li> <li>• 144 vehicle movements per day at the Elizabeth Street intersection with Arthur Street.</li> <li>• 9 vehicle movements per day at the Esplanade North intersection with Arthur Street.</li> </ul> <p>The TIA advises that the local road traffic network is designed and constructed to a suitable standard and has the capacity to absorb the additional traffic. The proposed development is not anticipated to compromise the safety and efficiency of the road network for vehicles and other road users.</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> <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> Not applicable to application.</p>	

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

The proposal does not impact any roads with a speed limit over 60km/h.

**E4.7 Development Standards**

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

**Objective**

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:

- a) ensure the safe and efficient operation of roads and railways; and
- b) allow for future road and rail widening, realignment and upgrading; and
- c) avoid undesirable interaction between roads and railways and other use or development.

Acceptable Solution	Performance Criteria
<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>

**Planners Response:** Not applicable to application.

The proposal is not within 50m of a State Road or Railway.

E4.7.2 Management of Road Accesses and Junctions

**Objective**

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.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

<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.
<p><b>Planners Response:</b> Complies with acceptable solution.</p> <p>All of the proposed lots include a single access providing both entry and exit.</p>	
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: <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> Not applicable to application.</p> <p>The proposal does not include roads over 60km/h.</p>	

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

<p><b>Objective</b> 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>
A1 Where land has access across a railway: <ul style="list-style-type: none"> <li>a) development does not include a level crossing; or</li> </ul>	P1 Where land has access across a railway: <ul style="list-style-type: none"> <li>a) the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and</li> </ul>

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

<p>b) development does not result in a material change onto an existing level crossing.</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>
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**Planners Response:** Not applicable to application.

**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>	
<p><b>Acceptable Solution</b></p>	<p><b>Performance Criteria</b></p>
<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>
<p><b>Planners Response:</b> Complies with acceptable solution.</p> <p>A Traffic Impact Assessment has been submitted with the application demonstrating that all of the proposed road junctions have safe intersection sight distances consistent with Table E4.7.4.</p>	

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

<p><b>Planners Response:</b> Complies with acceptable solution.</p> <p>The application is for a subdivision, all lots proposed have capacity to facilitate carparking onsite. The parking requirements for individual developments will be considered when/if an application for development is received on the new lots. The proposal is deemed to comply with all of the applicable Acceptable Solutions of the Car Parking and Sustainable Transport Code. No further assessment is warranted.</p>
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**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

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**E10.0 Recreation and Open Space Code**

**E10.6 Development Standards**

E10.6.1 Provision of Public Open Space

Objective	
<p>a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and</p> <p>b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 The application must:</p> <p>a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu;</p>	<p>P1 Provision of public open space, unless in accordance with Table E10.1, must:</p> <p>a) not pose a risk to health due to contamination; and</p> <p>b) not unreasonably restrict public use of the land as a result of:</p> <p>i) services, easements or utilities; and</p> <p>ii) stormwater detention basins; and</p> <p>iii) drainage or wetland areas; and</p> <p>iv) vehicular access; and</p> <p>c) be designed to:</p> <p>i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and</p> <p>ii) reasonably contribute to the pedestrian connectivity of the broader area; and</p> <p>iii) be cost effective to maintain; and</p> <p>iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and</p> <p>v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and</p> <p>vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and</p> <p>vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and</p> <p>ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any; and</p> <p>d) have a minimum area of 5000m<sup>2</sup>.</p>

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

**Planners Response:** Complies with acceptable solution.

Consent has been provided by the General Manager of George Town Council to allow for a cash payment in lieu of public open space.

**E13.0 Coastal Code**

**E13.5 Use Standards**

E13.5.1 Risk to sensitive use

Objective

To minimise risk of unnecessary loss of life or damage within the coastal environment as a result of natural coastal processes and hazards such as storm surge, erosion, landslip, littoral drift, dune mobility and sea-level rise.

**Acceptable Solution**

- A1 Sensitive use must not occur:
- a) within the surf zone, swash zone, beach berm, incipient dune or fore dune of a coastal dune system as shown in Figure E13.1; or
  - b) on land identified as vulnerable or prone to recession.

**Performance Criteria**

- P1.1 Sensitive use that does not require access to the coast must not be located where it is subject to a high risk, in accordance with the risk assessment in E13.7.1; and
- P1.2 Sensitive use must mitigate the risk to life, property and the environment to a low risk level in accordance with the risk assessment in E13.7.1.

**Planners Response:** Relies on performance criteria.

While no sensitive uses are proposed in the application, the lots are intended for future residential development. While a small portion of Lot 1 is subject to a Low Risk Coastal Recession Hazard Band, there is ample room on the title for a dwelling to be erected outside of the hazard band. The Low Hazard Band represents a risk that the property may be subject to coastal erosion through to 2100 but the frequency and magnitude is likely to be low and consequences minor. Due to the minor extent of the hazard band and the low likelihood of an event occurring in the near future the risk is considered to be low in accordance with E13.7.1

- A2 Non-sensitive use must be for:
- a) allowing public access to the coast, especially beaches; or
  - b) conservation, maintenance of scenic amenity, to allow natural coastal processes to operate or conserve habitat for coastal species.

- P2 Non-sensitive use must:
- a) not be located in an area subject to a high risk in accordance with the risk assessment in E13.7.1; and
  - b) mitigate the risk to a low level in accordance with the risk assessment in E.13.7.1.

**Planners Response:** Complies with acceptable solution.

The proposal includes the development of a road, footpath and associated reticulated infrastructure in an area subject to a Low Risk coastal inundation area. The proposed

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

road is intended to enhance the urban road network and provide direct public access between the proposed development and the coastal reserve for vehicles and pedestrians.

A3 Boat sheds must not be used for any purpose other than the storage of boats and associated equipment.

P3 No performance criteria.

**Planners Response:** Not applicable to application.

No boat shed is included in the proposal.

**E13.6 Development Standards**

E13.6.1 Coastal Hazards

**Objective**

To protect life and property from unnecessary risk of loss of life or damage within the coastal environment as a result of natural coastal processes and hazards such as storm surge, erosion, landslip, littoral drift, dune mobility and sea-level rise.

**Acceptable Solution**

A1 Development must not occur:  
a) within the surf zone, swash zone, beach berm, incipient dune or fore dune of a coastal dune system as shown in Figure E13.1; or  
b) on land identified as vulnerable or prone to recession.

**Performance Criteria**

P1.1 Development that does not require access to the coast must not be located where it is subject to a high risk, in accordance with the risk assessment in E13.7.1; and  
P1.2 All development must mitigate the risk to life, property and the environment to a low risk level in accordance with the risk assessment in E13.7.1

**Planners Response:** Relies on performance criteria.

The north-western corner of the development is prone to low level coastal erosion. This includes the road connection to Esplanade North and a small portion of Lot 1. As shown in the assessment of 10.4.15.1 the lot has sufficient area for a dwelling to be erected without being impacted by the Coastal Inundation Hazard Bands. The risks associated with this proposal are low, as the likelihood of an event occurring is low and beyond the projected lifespan of any dwelling erected in the near future. Any individual development that does extend into the hazard band will also require its own separate assessment in accordance with table E13.7.1.

The risks appear to be predominantly associated with the infrastructure connected to the subdivision. Council's infrastructure department have advised that the risk is acceptable. The proposed road infrastructure is for a minor connection through to Esplanade North. The risks and costs associated with this infrastructure and its potential loss through coastal erosion are insignificant when compared to the existing infrastructure that will be impacted on Esplanade North and other coastal areas prior to reaching the subject development.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

The risks associated with the development are low and the application complies with the Performance Criteria.

A2 Development must not occur on hind dunes or within 30m of the seaward edge of any coastal cliff or bluff.

P2 Development on hind dunes or within 30m of the seaward edge of any coastal cliff or bluff must avoid areas subject to natural hazards such as erosion, dune mobility, flooding and slumping, that may result from storm surge, wave action, human intervention or any other causes.

**Planners Response:** Complies with acceptable solution.

Development is not located within 30m of a seaward edge of any coastal cliff or bluff or on a hind dune.

E13.6.2 Coastal Reserves

**Objective**  
 To maintain the integrity of coastal reserves and ensure that development does not dominate the natural values of foreshore areas.

**Acceptable Solution**

A1 Development within coastal reserves must be for public infrastructure or public facilities that are reliant on a coastal location.

**Performance Criteria**

P1 Development for private infrastructure within coastal reserves:  
 a) are incidental to infrastructure located on adjoining private land; and  
 b) do not restrict access to the reserve land that they cross; and  
 c) must not unreasonably impact on views from adjoining public land or public facilities to the coast.

**Planners Response:** Complies with acceptable solution.

Works extending into the coastal reserve are for public infrastructure.

A2 Development in coastal reserves must not be located on any coastal headland, bluff or on a ridgeline or skyline that is visible from public beaches or public open spaces accessible to the general public.

P2 Development must blend with the natural landscape to minimise visual impact through the use of appropriate building design (location form, materials, colours and other design mechanisms) and appropriate vegetation screening.

**Planners Response:** Complies with acceptable solution.

The proposed developments include low profile road works, which will not be particularly prominent and do not extend into any skyline or ridge line. The visual impacts of the development will be relatively low and consistent with the surrounding urban infrastructure hugging the coastal edge of George Town.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

E13.6.3 Public Access

Objective To ensure that development does not restrict public access to coastal and foreshore reserves.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 Existing public access points must not be removed.	P1 Public access to the coast and foreshore must not be reduced.
<b>Planners Response:</b> Complies with acceptable solution.  The proposal does not consist of access points being removed.	
A2 Infrastructure must not impede public access to and along the coastal environment.	P2 No performance criteria.
<b>Planners Response:</b> Complies with acceptable solution.  The proposal will enhance public access.	

E13.6.4 Landscaping and Vegetation

Objective To manage the detrimental impacts on coastal vegetation.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 Vegetation removal must not occur within 10m of the landward edge of the cliff or bluff.	P1 No performance criteria.
<b>Planners Response:</b> Complies with acceptable solution.  No vegetation removal is proposed.	
A2 Landscaping must not use: a) declared or environmental weeds; and b) plants with highly invasive reproductive qualities that are not native to the area.	P2 No performance criteria.
<b>Planners Response:</b> Complies with acceptable solution.  No landscaping is proposed outside of earthworks and infrastructure construction.	

E13.6.5 Development of the intertidal area

Objective To manage the impacts of development within the marine environment.
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**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 Development must not occur at or below the mean high water mark.</p>	<p>P1 Where development is proposed at or below the mean high water mark, an assessment report prepared by a suitably qualified person must demonstrate how the preparation works, design and siting of structures will allow full tidal flushing and minimise changes to coastal processes including:</p> <ul style="list-style-type: none"> <li>a) the natural patterns of movement; and</li> <li>b) supply of marine sediments; and</li> <li>c) sand movement; and</li> <li>d) wave action.</li> </ul>
<p><b>Planners Response:</b> Complies with acceptable solution.</p> <p>Development is not located within intertidal area.</p>	
<p>A2 Development must not disturb any intertidal area.</p>	<p>P2 Where development involves disturbance to any intertidal area or seabed, an assessment report prepared by a suitably qualified person must demonstrate that:</p> <ul style="list-style-type: none"> <li>a) public access to and use of the intertidal area or seabed is maintained once the proposal is completed; and</li> <li>b) any adverse effects on fauna or flora or their habitat is of a temporary nature and does not occur during a critical stage of their lifecycle; and</li> <li>c) the proposal does not result in any significant detriment in terms of: <ul style="list-style-type: none"> <li>i) water turbidity, nutrients or shading; or</li> <li>ii) the achievement of water quality objectives; or</li> <li>iii) adverse off-site effects; or</li> <li>iv) shoreline stability; or</li> <li>v) the amenity values of the inter-tidal area or foreshore.</li> </ul> </li> </ul>
<p><b>Planners Response:</b> Complies with acceptable solution.</p> <p>Development is not located within intertidal area.</p>	
<p>A3 Dredging, channelling or other similar actions must not impact on the foreshore or intertidal area.</p>	<p>P3 Dredging, channelling or other similar disturbance is undertaken in accordance with a plan of management prepared by a suitably qualified person that details:</p> <ul style="list-style-type: none"> <li>a) the methods of disposal of extracted material which adequately explains the processes and procedures to be</li> </ul>

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

	<p>followed in winning, transporting and disposing of all extracted materials obtained; and</p> <p>b) the treatment of the land and water interface including design of batters if reclamation is to occur; and</p> <p>c) how the impacts to coastal flora and fauna will be minimised.</p>
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**Planners Response:** Complies with acceptable solution.

Development is not located within intertidal area and should not have an impact on foreshore or intertidal area. Stormwater infrastructure is intended to utilise the route of the existing stormwater infrastructure and the existing outfall.

<p>A4 Deposition of sand, shingle or other natural material must not be used to combat beach or shoreline erosion or improve the amenity value of the foreshore.</p>	<p>P4 Where the deposition of sand, shingle or other natural material is required to combat beach or shoreline erosion or improve the amenity value of the foreshore, a report by a suitably qualified person must demonstrate that the works ensure:</p> <p>a) there is no detrimental impact on any existing drainage systems; and</p> <p>b) the deposited material is uncontaminated; and</p> <p>c) the composition of the material is</p> <p>i) suitable for the site, will remain on the intertidal area for a reasonable period of time; and</p> <p>ii) will not result in increased ongoing water turbidity or wind borne sediment transport; and</p> <p>d) the deposition will not adversely affect the amenity value of the foreshore or intertidal area through significant changes in beach slope or texture; and</p> <p>e) the deposition will not cause permanent adverse effects on marine fauna or flora or recognised cultural values or uses of the area.</p>
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**Planners Response:** Complies with acceptable solution.

Development is not proposing the deposition of any material to combat recession.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

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E13.6.6 Specific Development Provisions

Objective To consider the impacts of development associated with the marine environment.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 Boat sheds must not impede public access to and along Crown land.	P1 No performance criteria.
<p><b>Planners Response:</b> Not applicable to application.</p> <p>The application does not propose a boat shed. Therefore, this standard is not applicable to the proposal.</p>	
A2 Boat sheds are designed with a maximum: a) height of 3m for a skillion roof or 3.5m for a gabled or hip roof; and b) gross floor area of less than 30m <sup>2</sup> .	P2 No performance criteria.
<p><b>Planners Response:</b> Not applicable to application.</p> <p>The application does not propose a boat shed. Therefore, this standard is not applicable to the proposal.</p>	
A3 No acceptable solution.	P3 Jetties must: a) be constructed to allow full tidal flushing; and b) not result in significant disturbance of wetlands, seagrasses or other significant habitats; and c) not adversely impact on visual landscape values; and d) not impede public access to and along Crown land; and e) not create a navigational hazard; and f) not cause significant adverse impacts on the coastal environment or coastal process, including changes in wave action or behaviour.
<p><b>Planners Response:</b> Not applicable to application.</p> <p>A jetty is not proposed.</p>	

**10. REFERRALS**

**Internal Referrals**

The application was referred to Council's Infrastructure Department.

Engineering conditions have been provided by the Infrastructure Department and have been incorporated into the recommendation.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

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**External Referrals**

The application was referred to TasWater. A submission to Planning Authority Notice was provided on the 26/09/2022.

The application was referred to TasNetworks. TasNetworks advised there were no concerns with the proposal on the 02/11/2022.

**11. SERVICES**

***Road***

Access is available to Arthur Street and Esplanade North, via extensions of Elizabeth, Davies and Wellington Streets.

***Sewer***

The area is serviced by sewer and the proposed development is intended to connect to the existing system.

***Water***

The properties are intended to be serviced by reticulated water.

***Storm Water***

Stormwater is intended to be connected to Council's existing stormwater system. Due to the proximity to the discharge point, it is anticipated that the developer will have the scope to upgrade the existing line at minimal expense.

**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 a Subdivision (29 Lots) at 57 Elizabeth Street, George Town, has been assessed against all relevant zone and code criteria of the *George Town Interim Planning Scheme 2013*. Three representations were received, and the concerns raised in the representations have been considered. 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 of a Subdivision (29 Lots) at 57 Elizabeth St, George Town (CT: 249563/1) and adjoining road reserves 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:

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

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- a. 6ty° Pty Ltd, Proposal Plan, project no. 22.068, drawing no. CP01, revision A, dated: 08 September 2022.
- b. 6ty° Pty Ltd, Long Section Rising Main Crossing, project no. 22.068, drawing no. CP10, dated: 08 September 2022.
- c. 6ty° Pty Ltd, Planning Report, project no. 22.068, pages no. 01 to 17 inclusive, dated 07 June 2022.
- d. 6ty° Pty Ltd, Traffic Impact Assessment, project no. 22.068, issue no. 1, page no. 1 to 21 inclusive, dated 20 May 2022.

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

## **2. SUBMISSION AND APPROVAL OF ENGINEERING PLANS**

Prior to the commencement of works, detailed engineering drawings and specifications must be submitted for an 'Assessment of Public Works' to the satisfaction of Council's Director Infrastructure and Development. Such drawings and specifications must:

- (a) *Include all infrastructure works required by the permit conditions or shown in the endorsed plans and specifications including:*
  - i. Roads, footpaths, crossovers, drainage infrastructure and landscaping;
  - ii. All necessary line marking and traffic signages;
  - iii. Reticulated water and sewage;
  - iv. Electricity infrastructure including street lighting;
  - v. Communications infrastructure.
1. Include designs for a public stormwater drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve, the provision of a DN 100 connection to the lowest point of each lot, and provision of an overland flow path for flows up to a 100 year ARI storm event.
2. be prepared strictly in accordance with the *Tasmanian Subdivision Guidelines* applicable at the date of approval of the plans. These Guidelines are available at [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)
3. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
4. show the extensions of Elizabeth and Wellington Street as fully formed and sealed with a minimum width of 8.9m, kerb & channel on both sides of the road and 1.5 m wide pedestrian concrete footpath on one side.
5. show the extension of Davies Street as a sealed road with minimum width of 6.5m with kerb & channel and 1.5m wide pedestrian concrete footpath on the southern side, and formalised open drain on the northern side. Both road and footpath are to extend through to connect to Esplanade North.
6. all the Intersection designs required by the permit or shown in the endorsed plans shall be in accordance with the endorsed Traffic Impact Assessment and relevant standards.
7. designs for pedestrian footpaths on both sides of cul-de-sacs extending to its head and in accordance with the *Tasmanian Standard Drawings*.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

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8. a drainage system of sufficient capacity to drain the road and all land draining onto the road is to be designed in accordance with *Tasmanian Subdivision Guidelines*.
  - (j) *if the stormwater generated from the proposed subdivision intends to discharge via the existing public stormwater main (Davies Street and/or Wellington Street) calculations are to be provided demonstrating the existing capacity and necessary upgrades to all down stream pipes.*
9. Should a new stormwater discharge point be required or substantial upgrades required to the existing discharge point, the design is to include a gross pollutant trap to screen hard litter from the drainage system. The design of the trap must be to the satisfaction of Council's Director Infrastructure and Development.
  - (l) *future use of Lots should be considered and infrastructure appropriate for the intended use be installed to avoid re-work in the future.*
  - (m) *a landscape plan prepared in accordance with Council's Street Tree Guidelines and Procedures, and showing a minimum of one street tree per lot, and a minimum spacing between tree centres not exceeding 20m. The species of trees are to be approved by Council's Director Infrastructure and Development.*

Once approved by Council's Director Infrastructure and Development, engineering design drawings are valid for a period of five (5) years from the date of such approval, following which they will automatically lapse if they have not been carried into effect via works. Where any engineering design drawings have lapsed, Council may require the re-submission and review of the relevant engineering design drawings, any associated calculations and any other relevant information to ensure compliance with current infrastructure standards and applicable legislation.

### **3. CONSTRUCTION OF WORKS**

Prior to the sealing of the Final Plan, all private and public infrastructure works must be constructed in accordance with the engineering design drawings approved by the Council's Director Infrastructure and Development in accordance with Condition 2.

All works, including infrastructure and landscaping, must be commenced under the direct supervision of a civil engineer and completed to the satisfaction of the Council's Director Infrastructure and Development. Certification from the supervising engineer that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

### **4. DRIVEWAY CROSSOVERS**

Prior to the sealing of the Final Plan, the driveway crossovers servicing each lot are to be constructed in accordance with the endorsed plans, Tasmanian Standard Drawing TSD R09-v1 and to the satisfaction of Council's Director Infrastructure and Development.

### **5. LANDSCAPING**

Prior to the sealing of the Final Plan (relative to any staging):

- a. all landscaping (street plantings) as identified on the approved engineering drawings are to be selected, located, installed and managed in accordance with George Town Council's document "Street Trees Guidelines and Procedure", and to the satisfaction of the Director Infrastructure and Development; and

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

- b. all roadside verges and any other land impacted by infrastructure installation are to be filled/graded to all hard surfaces and finished to a mowable condition and reseeded with appropriate grass.

At the discretion of Council's Director Infrastructure and Development, and in accordance with the 'policy' Council may accept a bond to allow planting to occur at the most opportune time of the year to ensure survival of the vegetation.

## **6. CONSTRUCTION DOCUMENTATION**

At the time of practical completion of the infrastructure, Council must be provided with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings.
- b. A Closed Circuit Television inspection report for all stormwater mains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

## **7. STAGING**

The proposal may be staged with the approval of Council's Town Planner and Director Infrastructure and Development. Prior to the sealing of the Final Plan each lot in a stage all works, including landscaping and servicing, relative to each stage must be completed to the satisfaction of Council's Director Infrastructure and Development.

## **8. CAPPING OF SERVICES**

Unused service connections must be capped for possible future use, or permanently sealed with concrete plugs and the disused portion of pipe filled with an approved medium to the satisfaction of Council's Director Infrastructure and Development. The location of any capped services must be located on a site plan and provided to Council.

## **9. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

Prior to the commencement of works a construction environmental management plan is to be submitted to the satisfaction of the Director Infrastructure and Development. The plan is to include plans and procedures for the management of:

- a. dust;
- b. erosion, including stabilisation of exposed soils within reshaped drains;
- c. soil and water management to minimise discharge of polluted or sediment laden runoff directly or indirectly into Council's drains and watercourses; and
- d. noise,

during construction. The plan is also to include a plan and procedure for receiving and addressing complaints from surrounding land owners. All works are to be undertaken in accordance with the approved soil and water management plan.

## **10. PAYMENT IN LIEU OF PUBLIC OPEN SPACE**

Prior to the sealing of the Final Plan, (or sealing of any individual stage), the subdivider must pay to the Council a sum equivalent to 5% of the improved value of the area comprised in the Final Plan but excluding Lot 19 (1293m<sup>2</sup>), to be determined:

- a. following the completion of all works required by this permit, including but not limited to all private and public infrastructure and landscaping works; and
- b. by a registered land valuer procured at the subdivider's expense.

## **11. COVENANTS ON SUBDIVISIONS**

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- a) such covenants or controls are expressly authorised by the terms of this permit; or
- b) such covenants or similar controls are expressly authorised by the consent in writing of the Council.

## **12. EASEMENTS**

Easements are required over all Council and third-party services located in private property. The minimum width of any easement must be 3 metres for Council (public) stormwater mains. A greater or lesser width may be approved/required in appropriate circumstances.

## **13. TASWATER**

The development must be in accordance with the Amended Submission to Planning Authority Notice issued by TasWater (TWDA 2022/01348-GTC attached)

## **14. NO POLLUTED RUNOFF**

No polluted and/or sediment laden runoff must be discharge directly or indirectly into Council's drains, watercourses, or the foreshore during and after development.

## **15. DEFECT LIABILITY PERIOD**

Prior to the sealing of the Plan of Survey, the person responsible must lodge with Council a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period for the amount of 5% of the construction value of the public works.

## **16. 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 Manager of Infrastructure and Works.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2022/79. You should contact Council with any other use or development, as it may require the separate approval of Council. Councils planning staff can be contacted on 6382 8800.
2. This permit does not imply that any other approval required under any other by-law, covenant or legislation has been granted.
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
  - 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 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.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

## **9 OFFICE OF GENERAL MANAGER**

### **9.1 COUNCIL WORKSHOPS - OCTOBER AND NOVEMBER 2022**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	15 November 2022
<b>FILE NO:</b>	14.10
<b>ATTACHMENTS:</b>	Nil

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#### **SUMMARY**

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

#### **DATE AND PURPOSE OF WORKSHOP HELD**

##### **TUESDAY 25 OCTOBER 2022**

- Planning and Building Update
- Capital Works Update
- East Tamar Highway Corridor Strategy – Presentation
- Presentation of draft Local Planning Schedules
- Emergency Management (flood event update)
- Governance Issues

**Present:** Mayor Kieser, Deputy Mayor Tim Harris, Cr Chris Barraclough, Cr Heather Barwick, Cr Greg Dawson, Cr Dean Gibbons, Cr Winston Mason, Cr Peter Parkes

**Apologies:** Cr Michieletto

**In Attendance:** General Manager  
Director Corporate and Community  
Director Organisational Performance, Strategy & Engagement  
Executive Support & Governance Officer  
Statutory Planner  
Senior Administrative Officer/Permit Authority

**Guests:** Representatives from Aurecon Group

##### **TUESDAY 8 NOVEMBER 2022**

- Councillor Induction Session
- Induction – Planning Scheme

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

- Draft George Town Local Provision Schedule
- Unconfirmed Minutes 25 October 2022
- Presentation of Quarterly Report
- Consideration of LGAT Motion – West Tamar Council
- Discussion on proposed Council Meeting Schedule for 2023
- Councillor Committees/Meeting Representation
- Proposed Learn to Swim Program Fees
- Discussion on Artisans Guild lease of retail space
- Governance Issues

**Present:** Mayor Kieser, Deputy Mayor Greg Dawson, Cr Winston Archer, Cr Heather Ashley, Cr Heather Barwick, Cr Tim Harris, Cr Simone Lowe, Cr Winston Mason, Cr Jason Orr

**Apologies:** Nil.

**In Attendance:** General Manager  
Director Corporate and Community  
Director Organisational Performance, Strategy & Engagement  
Executive Support & Governance Officer  
Statutory Planner

**Guests:** Nil.

## **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.

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

6. Difficult issues are managed in an open manner without conflict
  - i. Building capacity in change management, understanding and responding to complexity.
  - ii. Fostering courage, kindness and determination in working through challenges and opportunities.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

- iii. Communicating well.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Local Government (Meeting Procedures) Regulations 2015.

**RISK CONSIDERATIONS**

This report is provided in accordance with Local Government (Meeting Procedures) Regulations 2015, Section 8(2)(c). Risk implications are therefore considered to be low.

**FINANCIAL IMPLICATIONS**

Nil.

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objectives of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

**CONSULTATION**

Nil.

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

That Council receives the report on the Council Workshops held on 25 October and 8 November 2022.

**OFFICER'S RECOMMENDATION**

That Council receives the report on the Council Workshops held on 25 October and 8 November 2022.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

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**9.2 LGAT GENERAL MEETING 8 DECEMBER 2022 VOTING PREFERENCES**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	18 October 2022
<b>FILE NO:</b>	15.15
<b>ATTACHMENTS:</b>	1. W Tamar - Review of Prop Agents & Land Trans Act [9.2.1 - 2 pages]

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**SUMMARY**

The Council is to provide voting preferences to the Mayor (or proxy) in respect to the motions for which notice has been given for the upcoming Local Government Association of Tasmania (LGAT) General Meeting scheduled 8 December 2022.

**BACKGROUND**

The Local Government Association of Tasmania (LGAT) is the voice of local government in Tasmania. LGAT works to protect the interests and rights of councils, to promote the efficient operation of local government and to foster strategic and beneficial relationships.

LGAT has been the peak body for local government in Tasmania for over 100 years (founded 1911) and is part of a national network of associations. It is funded by councils and other income earned through projects sponsored on behalf of local government, and a range of services and sponsorships. LGAT is an incorporated body under the Local Government Act 1993 (source: [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)).

At the time of authoring this report the LGAT Agenda for the General Meeting being held 8 December 2022, was yet to be published. When published a copy will be publicly available via LGAT's website [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au).

Council received notice of two individual motions being tabled by Kingborough Council and Burnie City Council by way of email 20 September 2022. Both motions were discussed at Council Workshop held 11 October 2022 and decision was resolved at the 25 October 2022 Ordinary Council Meeting. Council has received notice of another motion by email dated 27 October 2022 from West Tamar Council. This motion was discussed at the 8 November 2022 Council workshop.

**STRATEGIC PLAN**

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

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

1. A culture of engagement and participation
  - iv. Understanding processes and participating in decision making.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

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

4. Positive and productive working relationship with all levels of government and their agencies
  - i. Ensuring the area's needs and priorities are understood.
  - ii. Understanding the outcomes and directions sought by all levels of government.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

The following extract from the LGAT General Meeting Rules provides the following:

**PROCEDURAL MATTERS**

**RULES REGARDING CONDUCT OF MEETINGS**

**13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION**

- (a) Subject to Rule 13(f), each Member shall be entitled to send a Voting Representative to any Meeting of the Association, such Voting Representative exercising the number of votes determined according to Rule 16(a).
- (b) In addition to the requirements set out in Rule 13(f), after each ordinary Council Election, the Chief Executive Officer shall request each Member to advise the name of its Voting Representative and the proxy for the Voting Representative for Meetings of the Association until the next ordinary Council Elections.
- (c) Subject to Rule 13(f), Members may change their Voting Representative or proxy at any time by advising the Chief Executive Officer in writing of the Voting Representative prior to that representative taking his or her position at a Meeting of the Association.
- (d) A list of Voting Representatives will be made available at the commencement of any Meeting of the Association.
- (e) Members may send other elected members or Council officers as observers to any Meeting of the Association.
- (f) Each Member must provide the Association with written notice of the details of the Voting Representative who was by a resolution of the Member lawfully appointed as the Voting Representative of the Member at a Meeting of the Association.

**14. PROXIES AT MEETINGS**

- (a) Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.
- (b) The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.
- (c) The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.
- (d) Proxies count for the purposes of voting and quorum at any meeting.

**15. QUORUM AT MEETINGS**

- (a) At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

(b) If a quorum is not present within one hour after the time appointed for the commencement of a Meeting of the Association, the meeting is to be adjourned to a time and date specified by the Chair.

#### 16. VOTING AT MEETINGS

(a) Voting at any Meeting of the Association shall be upon the basis of each Voting Representative being provided with, immediately prior to the meeting, an electronic voting button or placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according voting entitlement and the voting buttons will be coded according to voting entitlement:

(b) Electronic voting buttons will be the first choice for voting on all decisions, with placards only to be used if the technology fails.

(c) Voting buttons allow councils to vote for or against a motion or formally abstain from voting. An abstain is not to be taken as a negative vote.

(d) The Chair of the meeting shall be entitled to rely upon the electronic vote or the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.

(e) Except as provided in sub-rule (f), each question, matter or resolution shall be decided by a majority of the votes for a motion. If there is an equal number of votes upon any question, it shall be declared not carried.

(f)

(i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members present at the meeting.

(ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the meeting or not.

(iii) When a vote is being taken to amend these Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the meeting or not.

(g) A Voting Representative or his or her proxy in the name of the Member is entitled to vote on any matter considered at a Meeting of the Association.

#### **RISK CONSIDERATIONS**

No risks are identified subject to voting preferences aligning with Council resolution, George Town Council Community Strategic Plan 2020-2030 and adopted Council policy.

#### **FINANCIAL IMPLICATIONS**

Financial implications include travel and accommodation costs associated with attending LGAT meetings by elected members and the General Manager in accordance with Council Policy. Such costs are accommodated for within the adopted 2022/2023 budget.

#### **DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objectives of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

## **CONSULTATION**

The motion presented in this report have been discussed at Council workshop 8 November 2022. Further clarification on the intent of the West Tamar Council's motion was sought by the General Manager and provided to Councillors by email dated 15 November 2022.

A copy of the LGAT agenda when published will be made available via LGAT's website [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au) on the 24 November 2022.

## **OPTIONS**

Council may choose to:

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

## **OFFICER'S COMMENTS**

As in previous years, Council is requested to provide voting direction to the Council delegate (the Mayor or proxy), on the items listed for decision, items for noting and items for discussion for LGAT General Meetings.

George Town Council has not submitted any items for members' decision for inclusion in the 8 December 2022 LGAT General Meeting agenda.

The following options are submitted for Council's consideration:

## **OPTIONS**

### **Option 1**

That Council determines that the Mayor be authorised to vote at the LGAT General Meeting 8 December 2022, in accordance with Council's strategic direction, policy and Council resolutions with due consideration of any conference debate on items listed for decision at that meeting;

**OR**

### **Option 2**

That Council considers and provides voting preferences to the Mayor for the LGAT General Meeting 8 December 2022 as determined by the Chair (usually a show of hands or verbal confirmation) in respect to each individual item listed below and formally endorses that direction;

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

<b>LGAT Meeting Agenda 8 December 2022 Item No.</b>	<b>General Items for Decision</b>	<b>Council Decision</b>
TBA	<p><b>Review of Property Agents &amp; Land Transactions Act 2016</b></p> <p>That LGAT:</p> <p>Seek revisions to the Property Agents and Land Transactions Act 2016 to consider:</p> <ul style="list-style-type: none"> <li>a) Requiring a 337 Certificate prior to listing a property and making it available as part of the sale process; and</li> <li>b) Requiring full disclosure for properties as part of the listing process.</li> </ul>	

**OFFICER'S RECOMMENDATION**

That Council:

1. Authorises the Mayor for the LGAT General Meeting 8 December 2022 as determined by the Chair (usually a show of hands or verbal confirmation) in respect to each individual item as listed below and formally endorses that direction:

<b>LGAT Meeting Agenda 8 December 2022 Item No.</b>	<b>General Items for Decision</b>	<b>Council Decision</b>
TBA	<p><b>Review of Property Agents &amp; Land Transactions Act 2016</b></p> <p>That LGAT:</p> <p>Seek revisions to the Property Agents and Land Transactions Act 2016 to consider:</p> <ul style="list-style-type: none"> <li>a) Requiring a 337 Certificate prior to listing a property and making it available as part of the sale process; and</li> <li>b) Requiring full disclosure for properties as part of the listing process.</li> </ul>	

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**9.3 STRUCTURE AND MEMBERSHIP OF COMMITTEES**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	9 November 2022
<b>FILE NO:</b>	14.12
<b>ATTACHMENTS:</b>	Nil

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**SUMMARY**

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

**BACKGROUND**

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

This matter was discussed at the Council workshop held on the 8 November 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 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.

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

4. Positive and productive working relationship with all levels of government and their agencies
  - i. Ensuring the area’s needs and priorities are understood.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

- ii. Understanding the outcomes and directions sought by all levels of government.

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

- 5. Collaborative working relationships with neighbouring Councils in the region and regional organisations
  - i. Playing an active role in regional development.
  - ii. Responding collaboratively to regional initiatives.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Section 24 Special Committees – Local Government Act 1993

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

**RISK CONSIDERATIONS**

The risk is considered low.

**FINANCIAL IMPLICATIONS**

Expenses incurred as associated with attendance at the Committees and Regional Organisations/Associations are accounted for in accordance with Council policy.

**CONSULTATION**

Discussion was held at the Council Workshop on 8 November 2022.

**OPTIONS**

Council is to nominate Councillors on Committees and Regional Organisations/Associations.

**OFFICER'S COMMENTS**

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

<b>Committee</b>		<b>Membership</b>	<b>Frequency of meetings</b>	<b>Term</b>
<b>George Town</b>	<b>Municipal Management</b>	<ul style="list-style-type: none"><li>• Municipal Chairperson (Mayor)</li></ul>	Half yearly	4 Years

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

<p><b><u>Role:</u></b> The functions and role of this Committee are set out in the Emergency Management Act 2006 as are some of its appointments.</p>	<ul style="list-style-type: none"> <li>• Two Councillor Representatives</li> <li>• General Manager</li> <li>• Director Infrastructure &amp; Development</li> <li>• Municipal Emergency Management Coordinator (Council Officer – Mrs K. Desmond)</li> <li>• Deputy Municipal Emergency Management Coordinator (Mr A. Taylor)</li> <li>• Provision of administrative support (Governance)</li> </ul>		
<p><b>George Town Audit Panel</b></p> <p><b><u>Role:</u></b> To provide an independent mechanism to review council processes and decision-making. The Audit Panel is not responsible for management activities, nor can it act as a substitute for management controls or the accountability functions of a council.</p>	<ul style="list-style-type: none"> <li>• Chairperson (external appointment)</li> <li>• Two Councillor Representatives</li> <li>• One Councillor to act as Proxy</li> </ul>	Quarterly	2 Years
<p><b>George Town Community Safety Group (Section 24 Committee)</b></p> <p><b><u>Role:</u></b> The Community Safety Committee provides a forum for:</p> <ul style="list-style-type: none"> <li>• Information sharing and data collection.</li> <li>• Discussion about George Town community safety issues.</li> </ul>	<ul style="list-style-type: none"> <li>• Chair, Councillor</li> <li>• Deputy Chair, One Councillor Representative</li> <li>• Provision of administrative support (Governance)</li> </ul>	Monthly	4 Years

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

<ul style="list-style-type: none"> <li>• Collaborative development of recommendations on ways stakeholders in the community can work in partnership to improve community safety, and foster a culture of safe and responsible community behaviour.</li> </ul>			
<p><b>Placemaking Committee (Section 24 Committee)</b></p> <p><b>Role:</b>  The Placemaking Committee aims 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, coordination and synergizing with other placemakers, and consultation with key stakeholders, in order to grow the sense of community pride, ownership, and spirit.</p>	<ul style="list-style-type: none"> <li>• Chair, Councillor</li> <li>• Provision of administrative support (Community)</li> </ul>	Monthly	4 Years

**George Town Audit Panel Membership**

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

**Special Committees of Council (Section 24 Committee)**

In accordance with Council's Establishment of Special Committees Policy, all Special Committees of Council are to be reviewed annually.

Council currently has two (2) active Special Committee (Section 24 Committee) being the George Town Community Safety Group and Placemaking. These Committees meet on a monthly basis in the Council Chambers with Council providing administrative support to the Committee.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**Liaison/Representatives for Bodies & Associations**

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

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

<b>Committee/Group</b>	<b>Regional</b>	<b>Other</b>	<b>Present Representation</b>	<b>Frequency of Meetings</b>	<b>Term</b>
Tamar Estuary Management Taskforce (TEMT)	<input checked="" type="checkbox"/>		Mayor	Usually bi-monthly or as required	4 Years
TasWater Board (Owners Representatives)	<input checked="" type="checkbox"/>		Mayor – Owners representative General Manager – Proxy	Quarterly	3 Years
Local Government Association of Tasmania (LGAT)		<input checked="" type="checkbox"/>	Mayor – voting delegate General Manager – proxy	Quarterly	4 Years
Tamar NRM Management Committee		<input checked="" type="checkbox"/>	Two Councillor representatives Director Infrastructure & Development	Bi-monthly or as required	Ongoing
Tamar NRM Reference Group		<input checked="" type="checkbox"/>	Director Infrastructure & Development	Six monthly	Ongoing
Friends of Low Head Penguin Colony (FOLHPC)		<input checked="" type="checkbox"/>	Mayor	Monthly	4 Years
Homelessness Advisory Committee – Neighbouring Council Representation		<input checked="" type="checkbox"/>	Councillor representative	Bi- monthly	4 Years
Communities for Children (CfC)	<input checked="" type="checkbox"/>		Councillor representative	Bi-monthly	4 years
Reconciliation Working Group			Two Councillors representatives, representatives from Bell Bay Aluminium, Reconciliation Tas. And Council Aboriginal	Quarterly	4 years

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

			Community Development Officer, Director CC, Director OPSE & Community Officer - Arts and Culture and community member		
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It should also be noted that whilst an individual Councillor may attend meetings of other organisations, community groups and regional bodies, they must not act as a Council representative unless formally appointed by Council to act in that capacity.

**OFFICER'S RECOMMENDATION**

That Council appoints representatives as follows:

Committee	Membership	Representative
<p><b>George Town Municipal Emergency Management Committee</b></p> <p><b>Role:</b> The functions and role of this Committee are set out in the Emergency Management Act 2006 as are some of its appointments.</p>	<ul style="list-style-type: none"> <li>• Municipal Chairperson (Mayor)</li> <li>• Two Councillor Representatives</li> <li>• General Manager</li> <li>• Director Infrastructure &amp; Development</li> <li>• Municipal Emergency Management Coordinator (Council Officer – Mrs K. Desmond)</li> <li>• Deputy Municipal Emergency Management Coordinator (Mr A. Taylor)</li> <li>• Provision of administrative support (Governance)</li> </ul>	
<p><b>George Town Audit Panel</b></p> <p><b>Role:</b></p>	<ul style="list-style-type: none"> <li>• Chairperson (external appointment)</li> </ul>	

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

<p>To provide an independent mechanism to review council processes and decision-making. The Audit Panel is not responsible for management activities, nor can it act as a substitute for management controls or the accountability functions of a council.</p>	<ul style="list-style-type: none"> <li>• Two Councillor Representatives</li> <li>• One Councillor to act as Proxy</li> </ul>	
<p><b>George Town Community Safety Group (Section 24 Committee)</b></p> <p><b>Role:</b> The Community Safety Committee provides a forum for:</p> <ul style="list-style-type: none"> <li>• Information sharing and data collection.</li> <li>• Discussion about George Town community safety issues.</li> <li>• Collaborative development of recommendations on ways stakeholders in the community can work in partnership to improve community safety, and foster a culture of safe and responsible community behaviour.</li> </ul>	<ul style="list-style-type: none"> <li>• Chair, Councillor</li> <li>• Deputy Chair, One Councillor Representative</li> <li>• Provision of administrative support (Governance)</li> </ul>	
<p><b>Placemaking Committee (Section 24 Committee)</b></p> <p><b>Role:</b> The Placemaking Committee aims 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, coordination and synergizing with other placemakers, and consultation with key stakeholders, in order to grow the sense of community pride, ownership, and spirit.</p>	<ul style="list-style-type: none"> <li>• Chair, Councillor</li> <li>• Provision of administrative support (Community)</li> </ul>	

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

<b>Committee/Group</b>	<b>Regional</b>	<b>Other</b>	<b>Present Representation</b>	<b>Representative</b>
Tamar Estuary Management Taskforce (TEMT)	<input checked="" type="checkbox"/>		Mayor	
TasWater Board (Owners Representatives)	<input checked="" type="checkbox"/>		Mayor – Owners representative General Manager – Proxy	
Local Government Association of Tasmania (LGAT)		<input checked="" type="checkbox"/>	Mayor – voting delegate General Manager – proxy	
Tamar NRM Management Committee		<input checked="" type="checkbox"/>	Two Councillor representatives Director Infrastructure & Development	
Tamar NRM Reference Group		<input checked="" type="checkbox"/>	Director Infrastructure & Development	
Friends of Low Head Penguin Colony (FOLHPC)		<input checked="" type="checkbox"/>	Mayor	
Homelessness Advisory Committee – Neighbouring Council Representation		<input checked="" type="checkbox"/>	Councillor representative	
Communities for Children (CfC)	<input checked="" type="checkbox"/>		Councillor representative	
Reconciliation Working Group		<input checked="" type="checkbox"/>	Two Councillor representatives	

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

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**9.4 COUNCIL MEETING SCHEDULE 2023**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	15 November 2022
<b>FILE NO:</b>	14.21
<b>ATTACHMENTS:</b>	Nil

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**SUMMARY**

The purpose of this report to provide Council with proposed Ordinary Council meeting dates and times for 2023 for its consideration.

**BACKGROUND**

Council is required to adopt a schedule for the Ordinary Council meeting dates and times each year for the next 12 months. This schedule is required to be published in a daily newspaper.

**STRATEGIC PLAN**

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

**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.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Local Government (Meeting Procedures) Regulations 2015 require:

**Regulation 6 (Times of Meetings)**

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

**Regulation 7 (Notice of Meetings)**

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

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

- (b) the times and places, as known, of the council committee meetings for the next 12 months.

### **RISK CONSIDERATIONS**

The risk associated with the proposed schedule of meetings is considered low. The proposed schedule reflects that of previous years which has not attracted criticism from the public. The proposed schedule has been discussed at workshop having consideration for availability of elected members and implications on organisational resources.

### **FINANCIAL IMPLICATIONS**

Financial implications are based on a support staff member attending all Council workshops and meetings; and an additional four (4) Council Officers i.e. Statutory Planner, Works Coordinator; Engineering Coordinator, Team Leader (Planning and Building Services).

There is no financial impact in relation to the Executive (including the General Manager) on any of the options available to Council.

Approximate financial costs to Council are provided in three (3) options:

#### Option 1:

Ordinary Council meetings and workshops are held during normal working hours with the exception of the Annual General Meeting which commences at 6.00 pm.

Approximate cost would be approximately \$150.00 for the calendar year 2023.

#### Option 2:

Ordinary Council meetings and workshops are held during normal working hours during the winter months and after hours during daylight savings months.

Approximate costs based on a three (3) hour meeting is \$8,500.00 for six (6) Ordinary Council meetings; six (6) workshops plus AGM.

#### Option 3:

Ordinary Council meetings and workshops are held alternatively from normal working hours to outside working hour times.

Approximate cost based on a three (3) hour meeting is \$8,500.00 for six (6) Ordinary meetings, six (6) workshops plus AGM.

#### Option 4:

Council workshops are held during normal working hours with the Ordinary Council meetings and AGM commencing at 6.00 pm.

Approximate costs based on a three (3) hour meeting is \$8,500.00 for twelve (12) Ordinary meetings, plus AGM.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

Costs can be reduced by having a minimum of attendance of the Executive Support and Governance Officer with other officers attending as required.

It should be noted that staff require a 10-hour break before re-commencing work as prescribed within the Enterprise Agreement.

### **DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objectives of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

It is acknowledged that the proposed schedule may not accommodate all members of the public. Councils consultation and engagement efforts should ensure that the community remain informed of Council business and provide avenues for input in Council decision making.

### **CONSULTATION**

The meeting schedule was presented to elected members at the 8<sup>th</sup> of November 2022 Council workshop.

### **OPTIONS**

Council may choose to:

1. Endorse the proposed Ordinary Council meeting schedule Option 1 as presented; or
2. Propose another Ordinary Council meeting schedule for endorsement.

### **OFFICER'S COMMENTS**

The following is provided to assist Council in determining its 2023 Ordinary Council meeting dates and commencement times.

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

In accordance with the requirements of Section 72B(1) of the *Local Government Act 1993* a Council must hold an Annual General Meeting on a date that is not later than the 15<sup>th</sup> of December in each year. It is suggested that the 2023 AGM be held on Thursday 10<sup>th</sup> of November 2023.

The Australian Local Government Association Conference (including the National General Assembly) is attended by the Mayor and General Manager in Canberra each year, and usually coincides with a Parliamentary Sitting week. The conference dates for 2023 have been confirmed as 18 – 21 June.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

The Ordinary Council meeting is proposed to commence either at 1.00 pm with the exception of the Annual General Meeting commencing at 6.00 pm or 6.00 pm for all meetings on the following dates:

<b>DATE</b>	<b>OPTION 1</b>	<b>OPTION 2</b>
Tuesday 24 January	1.00pm	6.00pm
Tuesday 28 February	1.00pm	6.00 pm
Tuesday 28 March	1.00pm	6.00 pm
Wednesday 26 April	1.00pm	6.00 pm
Tuesday 23 May	1.00pm	6.00 pm
Tuesday 27 June	1.00pm	6.00 pm
Tuesday 25 July	1.00pm	6.00 pm
Tuesday 22 August	1.00pm	6.00 pm
Tuesday 26 September	1.00pm	6.00 pm
Tuesday 24 October	1.00pm	6.00 pm
Thursday 16 November	1.00pm	6.00 pm
Tuesday 28 November	1.00pm	6.00 pm
Tuesday 19 December	1.00pm	6.00 pm

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

Proposed Council Workshop schedule for 2023 (including two budget workshops)

<b>COUNCIL WORKSHOP</b>	<b>DATE</b>	<b>TIME</b>
Workshop	Tuesday 24 January	9.00am
Workshop	Tuesday 14 February	9.00am
Workshop	Tuesday 28 February	9.00am
Workshop	Tuesday 14 March	9.00am
Workshop	Tuesday 28 March	9.00am
<b>Budget Workshop *</b>	Wednesday 12 April	9.00am
Workshop	Wednesday 26 April	9.00am
<b>Budget Workshop *</b>	Tuesday 9 May	9.00am
Workshop	Tuesday 23 May	9.00am
Workshop	Tuesday 13 June	9.00am
Workshop	Tuesday 27 June	9.00am
Workshop	Tuesday 11 July	9.00am
Workshop	Tuesday 25 July	9.00am
Workshop	Tuesday 8 August	9.00am
Workshop	Tuesday 22 August	9.00am
Workshop	Tuesday 12 September	9.00am
Workshop	Tuesday 26 September	9.00am
Workshop	Tuesday 10 October	9.00am
Workshop	Tuesday 24 October	9.00am
Workshop	Tuesday 14 November	9.00am

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

<b>Workshop</b>	Tuesday 28 November	9.00am
<b>Workshop</b>	Tuesday 12 December	9.00am
<b>Workshop</b>	Tuesday 19 December	9.00am

\* Budget workshops to be confirmed.

Note that if Council chooses to have workshops occur after 5 pm then there would be a requirement of 3 workshops per month to achieve the same number of hours of presentations and workshop papers provided to the previous Council.

Workshops schedule are not required to be published in a daily newspaper.

**OFFICER'S RECOMMENDATION**

That Council by absolute majority:

1. Endorse the following schedule for Ordinary Council meetings to be held in 2023:

<b>DATE</b>	<b>OPTION 1</b>
Tuesday 24 January	1.00pm
Tuesday 28 February	1.00pm
Tuesday 28 March	1.00pm
Wednesday 26 April	1.00pm
Tuesday 23 May	1.00pm
Tuesday 27 June	1.00pm
Tuesday 25 July	1.00pm
Tuesday 22 August	1.00pm
Tuesday 26 September	1.00pm
Tuesday 24 October	1.00pm
Thursday 16 November	1.00pm
Tuesday 28 November	1.00pm
Tuesday 19 December	1.00pm

2. Publish this schedule in a daily newspaper.

**DECISION**

Moved:

Seconded:

**VOTING**

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

For:

Against:

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**9.5 GEORGE TOWN AIRPORT SKY DIVING**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	15 November 2022
<b>FILE NO:</b>	53.1
<b>ATTACHMENTS:</b>	1. 21.166.01 GT Master Plan FINAL Adopted [9.5.1 - 46 pages] 2. V 3 Draft Agreement - GTAA Sky Diving Fees DB v 1.1 copy [9.5.2 - 3 pages]

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**SUMMARY**

This report presents Council with a draft agreement between George Town Council and Sydney Skydivers for the use of the George Town Airport, for hosting of skydiving operations and establishes a daily landing fee for such use.

**BACKGROUND**

Council officers have been in discussions with the George Town Airport Association (GTAA) and private operators following recent permitted and non-permitted sky diving activity at the Council owned George Town Airport.

The airport currently operates under dual ownership, where Council owns the main sealed runway and apron, and the George Town Airport Association (GTAA) own the crossing grass runways. Airport day-to-day operations and maintenance is managed by the GTAA with larger maintenance requirements referred to Council for action. All hangars and structures at the airport are under the same ownership arrangement, except the terminal building which is a negotiated sublease between Council and Freedom Flying School.

The airport is mainly used by the local community for recreational and private flying, flying training, and local community events. There has recently been an increased interest and demand for hangars and aircraft parking spots at the airport. This demand may be due to restricted access to surrounding airports such as Devonport and Launceston where landing and parking fees are steadily increasing.

The use of the airport for skydiving purposes aligns with the Council created Wild Tamar Initiative which promotes skydiving as part of the local adventure tourism mix.

Council at its meeting 24 May 2022 resolved:

1. Authorise the General Manager to negotiate an agreement between Council and the George Town Airport Association for landing fees to be acknowledged and form part of a new process; and
2. Authorise the General Manager to negotiate an agreement between Council and the George Town Airport Association (and skydiving operator/s) that sets out landing fees, expectations of compliance and operations in accordance with guidelines of the Australian Parachute Federation, CASA and fly neighbourly policies; and

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

3. Introduce a new fee 'landing fee' of \$100 be introduced as part of the 2022/2023 budget process.

Subsequently the General Manager has been discussion with the GTAA in an attempt to negotiate an agreement between Council and the GTAA for oversight of skydiving operations. GTAA's position is for Council to assume all responsibility for skydiving operations citing a lack of resources for oversight. As a result the General Manager has been negotiating a lease directly with the skydiving operator. The draft agreement is attached.

### **STRATEGIC PLAN**

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

#### **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 Airport Master Plan;

*'Establish George Town Airport as a regional hub for recreational and private aviation whilst continuing to support emergency services, inbound visitors, and community events with minimal economic impact on rate payers.'*

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

George Town Airport is not a registered aerodrome and is not required to comply with regulations and standards for planning at aerodromes as outlined by the Civil Aviation Safety Authority (CASA) in the Civil Aviation Safety Regulations (CASR Part 139) and the Manual of Standards (MOS Part 139).

As an Aircraft Landing Area (ALA), use of the Civil Aviation Advisory Publication (CAAP) 92-1(1) for guidelines surrounding the planning and operation of ALA's can be applied to the George Town Airport.

CAAP 92-1(1) advises best practice for small airports such as the George Town Airport. The guidelines in this publication include:

- Aircraft types that can operate from an ALA
- Allowed aircraft operations that can be conducted from an ALA

Additionally, the skydiving operator must comply with the with the Australian Parachute Federation's operating regulations and controlling reference documents for governing the safe and efficient conduct of parachuting activities.

### **RISK CONSIDERATIONS**

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

The draft agreement absolves Council from liability of claim resulting from the skydiving activity.

**FINANCIAL IMPLICATIONS**

The draft agreement establishes a \$100 landing fee payable to Council by the skydiving operator. It is envisaged that a small amount of officer time will be required to attend to queries or concerns relating to the activity.

**CONSULTATION**

Consultation has been limited to GTAA, skydiving operators and Councillors via workshop. The Wild Tamar Initiative which includes skydiving has been advertised through social media and website.

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

It is the view of the General Manager that skydiving activity aligns well with Council's endeavour to create a second economy through tourism and aligns particularly well with the Wild Tamar initiatives and existing adventure tourism offerings.

**OFFICER'S RECOMMENDATION**

That Council:

1. Authorise the General Manager to execute the draft agreement (as attached) with Sydney Skydivers;
2. Authorise the General Manager to execute the draft agreement (as attached) with alternate sky diving operators if applicable.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**9.6 RECONCILIATION ACTION PLAN**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power Community Officer – Culture, Arts and Experiences – Ms T. Demesa Meraz
<b>REPORT DATE:</b>	15 November 2022
<b>FILE NO:</b>	23.1
<b>ATTACHMENTS:</b>	1. FINAL George Town Council Reconciliation Action Plan [9.6.1 - 28 pages]

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**SUMMARY**

This report presents Elected Members with the final document of the George Town Reflect Reconciliation Action Plan as endorsed by Reconciliation Australia.

**BACKGROUND**

The municipality of George Town is home to a population of 7,213 (ABS Census 2021) of which approximately 4.3% identify as Aboriginal or of Torres Strait Islander origin.

Home to the pakana peoples and abutting the kanamaluka (Tamar River) the municipality is steeped in rich aboriginal history and has a high representation of community who identify as being Aboriginal.

George Town Council has demonstrated its recognition and respect of its cultural history and its Aboriginal citizens and their relationship with country through a number of actions. Such actions include (but are not limited to):

- the incorporation of ‘acknowledgement of country’ at its meetings, events and publications the inclusion of an action within its 2019/2020 Annual Plan to capture and celebrate the tangible and intangible cultural assets of the municipality
- providing annual funding toward Mannalargenna Day held in December each year
- successive budgets have incorporated allocations for reconciliation
- participation in NAIDOC week and employs an Aboriginal Liaison Officer on a casual basis
- supporting community cultural awareness workshops
- training of staff in cultural awareness has
- Incorporation of an architectural interpretation of a traditional gathering space and wind shelter in Regent Square
- development of the kanamaluka story telling experience
- submission of motions to Local Government Association of Tasmania (LGAT) general meetings for the attention of State Government
- supported motion put to National General Assembly for Aboriginal representation in federal parliament
- commitment to develop a Reconciliation Action Plan (RAP).

There are over 1,200 RAP’s in place across the country with many Council’s already participating.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

RAP's provide a framework to guide organisations to achieve positive reconciliation outcomes. They are designed to meet the unique circumstances of an organisation by providing practical ways in which an organisation can contribute to the national movement in achieving reconciliation.

There are four categories of RAPS' designed to support organisations through the various stages of their journeys to reconciliation. These are Reflect, Innovate, Stretch and Elevate. It was suggested that the Reflect RAP is most appropriate for Council given its early stages to reconciliation. Reflect RAP's provide foundational support for reconciliation across the municipality and organisation. Subsequent RAP's will build on the actions of the Reflect RAP as the Council and community matures in its journey to reconciliation.

Reconciliation Tasmania presented to Council at its workshop 10 September 2019 and at its workshop 23 June 2020, informing Council of ways in which it can demonstrate its commitment to reconciliation including through the development of a Reconciliation Action Plan (RAP).

Following the workshop of 23 June 2020, the General Manager invited Reconciliation Tasmania to submit a proposal to prepare the initial 'Reflect' RAP. Reconciliation Tasmania have since responded by providing a proposal to undertake the preparation of the RAP. The proposal outlines the scope and methodology in which Reconciliation Tasmania recommend in the development of the RAP should Council choose to proceed.

Council at its ordinary meeting 28 July 2020 resolved:

*'By absolute majority resolves to engage Reconciliation Tasmania to undertake the development of a Reconciliation Action Plan for George Town Council the amount of \$15,250 exclusive of GST, having not undertaken a procurement process in accordance with its Code for Tendering and Contracts (policy no 27 – version 7) as it is satisfied that such a process would not result in an improved outcome for Council given the specialist nature of developing Reconciliation Action Plans and the limited specialists available within Tasmania to perform such services.'*

In developing the Reconciliation Action Plan a working group was established comprising:

- Three elected members
- Local Aboriginal representative
- Council officers (including the General Manager)
- Reconciliation Tasmania representatives
- Bell Bay Aluminum representatives

The working group on the George Town Reflect RAP has worked on the plan with Reconciliation Tasmania and Reconciliation Australia for more than two years.

On 9 November 2022 Council received notification of the official endorsement of the Reflect RAP from Reconciliation Australia.

The present document is the approved document from Reconciliation Australia and is to be shared with Council, staff and community.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**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.
  - ii. Moving towards genuine reconciliation.
  - iii. Including and acknowledging the contribution of our Aboriginal community members.
  - iv. Communicating so everyone knows what each group is doing.
  - v. Working towards removing all barriers to participation in community life.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

There is no legislative requirement for Council to develop a Reconciliation Action Plan (RAP), however actions arising from a RAP may be informed by planning legislation and or the Aboriginal Heritage Act 1975.

**RISK CONSIDERATIONS**

The assessed risk associated with this decision of Council is considered low in accordance with Councils adopted Risk Matrix.

Successful delivery of actions from a RAP will depend on commitment and partnership from Council, staff and community.

The stage of the George Town Reconciliation Action Plan is in the 'reflection' stage, which means that Council, staff and the community are in the early steps to fully understand the process towards achieving reconciliation with the Tasmanian Aboriginal people. Sections of the community may not show interest in getting involved in this reconciliation journey. Still, Council and staff are committed to support this reconciliation journey and a better understanding through the actions.

**FINANCIAL IMPLICATIONS**

At the meeting of June 2022, Council adopted a budget allocation of \$30,000 for the financial year 2022/2023 for the purposes of progressing reconciliation and delivering the Actions of the George Town Reconciliation Action Plan. Expenses include:

- Professional graphic art for RAP format, layout, artwork and photography
- Professional printing of the RAP document and associated promotional pieces banners, flyers etc
- Catering costs for workshops;

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

- RAP Launch event costs; and
- RAP Actions 2022/2023.

### **DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objectives of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

The Reconciliation Action Plan aims to ensure George Town Council is a culturally safe place for community, staff and visitors. The RAP calls for a review of organisational policies including recruitment policy to ensure equal opportunity is provided to first nation peoples.

### **CONSULTATION**

Council has been briefed periodically throughout the development of the Reconciliation Action Plan including by way of presentation at the 11 October 2021 Workshop in which a draft was distributed. The local Aboriginal community has been consulted through Council's Aboriginal Liaison Officer.

The General Manager presented the draft and discussed the process of development of the RAP to the LGAT workshop 24 November 2021.

The approved Reflect Reconciliation Action Plan will be available on Council's website and in hard copy at reception for community viewing. Copies have been requested by a number of other interested parties including by the former Governor of Tasmania, Kate Warner.

### **OPTIONS**

Council may choose to:

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

### **OFFICER'S COMMENTS**

The final endorsed George Town Reflect Reconciliation Action Plan has been developed over a two-year period in consultation with the local Aboriginal community, industry representatives, elected members, council officers, Reconciliation Tasmania and Reconciliation Australia. The RAP further demonstrates Council's leadership and commitment toward genuine reconciliation and aligns with Council's strategic objectives, Annual Plan actions and adopted budget.

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**OFFICER'S RECOMMENDATION**

That Council:

1. Endorses the George Town Council Reflect Reconciliation Action Plan as attached.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**9.7 QUARTERLY REPORT 1ST JULY 2022 - 30TH SEPTEMBER 2022**

<b>REPORT AUTHOR:</b>	Executive Support and Governance Officer – Louise Dickenson
<b>REPORT DATE:</b>	15 November 2022
<b>FILE NO:</b>	14.12
<b>ATTACHMENTS:</b>	1. 1 July - 30 September Quarterly Report [9.7.1 - 65 pages]

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**SUMMARY**

The purpose of this report is to present the George Town Council 1<sup>st</sup> Quarter Performance Report 1<sup>st</sup> July – 30<sup>th</sup> September 2022 to Council for endorsement and public release.

**BACKGROUND**

Council has a motion requiring the production of a quarterly report on the operations of the Council organisation. The quarterly report is produced in line with Council's motion.

**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 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.

**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.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

The following legislation is relevant to this report:

*The Local Government Act 1993, Section .27 (c), the Mayor is to promote good governance by, and within, the Council,*

**RISK CONSIDERATIONS**

The implementation of a quarterly report is designed to minimise risk to the organisation and increased transparency through providing an ongoing performance report on the Council's financial, strategic and customer service objectives, to the elected members and the community.

**FINANCIAL IMPLICATIONS**

Nil.

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objects of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

**CONSULTATION**

The draft 1<sup>st</sup> Quarter Performance Report was presented on the 8th of November 2022 Council Workshop.

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

The 1<sup>st</sup> quarter performance report is submitted for consideration by Council.

**OFFICER'S RECOMMENDATION**

That Council:

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

1. Receives the George Town Council 1<sup>st</sup> Quarter Performance Report 1<sup>st</sup> July – 30 September 2022.
2. Provides public access to the report as part of Council's commitment to ongoing good governance.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**10 INFRASTRUCTURE AND DEVELOPMENT**

Nil.

## **11 CORPORATE AND COMMUNITY**

### **11.1 PROPOSED LEARN TO SWIM PROGRAM FEES**

<b>REPORT AUTHOR:</b>	Director Corporate and Community – Cheryl Hyde
<b>REPORT DATE:</b>	10 November 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 information regarding the proposed learn to swim fees for the 2022/2023 swim season.

#### **BACKGROUND**

The Council set the 2022/2023 Fees and Charges at its meeting on the 28 June 2022. The fees and charges for the operation of the George Town Swimming Pool were set at that time.

Council resumed operational responsibility for the Swimming Pool in October 2021, prior to that the Swimming Pool had been operated under contract arrangements.

Council officers have received significant community interest in Learn to Swim classes being held at the George Town Swimming Pool.

Swimming pool employees have recently been recruited for the 2022-2023 session. Included in those recruits are two employees who hold accreditation as learn to swim instructors.

Currently the Council's Fee and Charges do not include Learn to Swim. In accordance with the Local Government Act, fees and charges are adopted by an absolute majority of Council.

#### **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.

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

- **Section 205 of the Local Government Act 1993** as amended states:

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**205. (1)** *In addition to any other power to impose fees and charges but subject to subsection (2), a council may impose fees and charges in respect of any one or all of the following matters:*

- (a) the use of any property or facility owned, controlled, managed or maintained by the council;*
- (b) services supplied at a person's request;*
- (c) carrying out work at a person's request;*
- (d) providing information or materials, or providing copies of, or extracts from, records of the council;*
- (e) any application to the council;*
- (f) any licence, permit, registration or authorization granted by the council;*
- (g) any other prescribed matter.*

**(2) A council may not impose a fee or charge in respect of a matter if –**

- (a) a fee or charge is prescribed in respect of that matter; or*
  - (b) this or any other Act provides that a fee or charge is not payable in respect of that matter.*
- (3) Any fee or charge under subsection (1) need not be fixed by reference to the cost to the Council**

- **National Competition Policy: Applying the Principles to Local Government in Tasmania (December 2013)**

#### **RISK CONSIDERATIONS**

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

A failure to implement a fee for the learn to swim which is competitively neutral, is identified as medium risk as it could have a negative financial impact, cause reputational damage and breach of the National Competition Policy and Framework.

Implementation of a fee structure will mitigate this risk.

Council will hold the required insurance required to run these classes.

#### **FINANCIAL IMPLICATIONS**

Below for the information of Council is a comparison table which shows the current fees for learn to swim at surrounding Local Government operated swimming pools or aquatic facilities.

Local Government operated	Fee per class
Dorest Council	\$18 per lesson (minimum 5 students)
Launceston Aquatic Centre	\$18.50 per lesson
Riverside Swim Centre	By appointment

#### **CONSULTATION**

Council officers have consulted with schools and members of the community regarding the need to offer Learn to Swim at the George Town Swimming Pool.

Council was briefed at the workshop of 8 November 2022.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

Council offered a limited number of free learn to swim classes for 4-9 year olds as part of the Healthy George Town Summer Kids Program in 2021-22. This proved to be a popular program. Unfortunately, due to restricted funding this program will not be available in 2022-23.

As a coastal community there remains a need for these classes to be offered locally and the addition of learn to swim at the George Town Swimming Pool will provide a positive opportunity to local families.

Should the fees be approved, council officers will work with Royal Lifesaving via the Swim and Survive partnership to ensure swim program compliance and safety.

Proposed fee for Learn to Swim at George Town Swimming Pool is \$18 per lesson (GST inc) with a minimum of 5 participants per lesson. Fees for the full program are payable prior to commencement of the program. Program will be held during the summer school holidays.

**OFFICER'S RECOMMENDATION**

That Council:

Approve the proposed fee for Learn to Swim at George Town Swimming Pool of \$18 per lesson (GST inc) with a minimum of 5 participants per lesson. Fees for the full program will be payable prior to commencement of the program. Program will be held during the summer school holidays.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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

### **12.1 LGAT GENERAL MEETING 8 DECEMBER 2022 VOTING PREFERENCE**

<b>REPORT AUTHOR:</b>	Director – Kristen Desmond
<b>REPORT DATE:</b>	16 November 2022
<b>FILE NO:</b>	15.15
<b>ATTACHMENTS:</b>	1. Elected Rep W H& S Review with Attachment [12.1.1 - 19 pages]

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#### **SUMMARY**

The Council is to provide voting preferences to the Mayor (or proxy) in respect to the motions for which notice has been given for the upcoming Local Government Association of Tasmania (LGAT) General Meeting scheduled 8 December 2022.

#### **BACKGROUND**

The Local Government Association of Tasmania (LGAT) is the voice of local government in Tasmania. LGAT works to protect the interests and rights of councils, to promote the efficient operation of local government and to foster strategic and beneficial relationships. LGAT has been the peak body for local government in Tasmania for over 100 years (founded 1911) and is part of a national network of associations. It is funded by councils and other income earned through projects sponsored on behalf of local government, and a range of services and sponsorships.

LGAT is an incorporated body under the Local Government Act 1993 (source: [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)). At the time of authoring this report the LGAT Agenda for the General Meeting being held 8 December 2022 was yet to be published. When published a copy will be publicly available via LGAT's website [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au). Council received notice of an individual motion being tabled by LGAT by way of email on Tuesday 15 November 2022. The motion was discussed at the Council Workshop held 22 November 2022.

#### **STRATEGIC PLAN**

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

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

1. A culture of engagement and participation
  - iv. Understanding processes and participating in decision making.

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

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**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

4. Positive and productive working relationship with all levels of government and their agencies
- i. Ensuring the area's needs and priorities are understood.
  - ii. Understanding the outcomes and directions sought by all levels of government.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

The following extract from the LGAT General Meeting Rules provides the following:

**PROCEDURAL MATTERS RULES REGARDING CONDUCT OF MEETINGS**

**13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION**

(a) Subject to Rule 13(f), each Member shall be entitled to send a Voting Representative to any Meeting of the Association, such Voting Representative exercising the number of votes determined according to Rule 16(a).

(b) In addition to the requirements set out in Rule 13(f), after each ordinary Council Election, the Chief Executive Officer shall request each Member to advise the name of its Voting Representative and the proxy for the Voting Representative for Meetings of the Association until the next ordinary Council Elections.

(c) Subject to Rule 13(f), Members may change their Voting Representative or proxy at any time by advising the Chief Executive Officer in writing of the Voting Representative prior to that representative taking his or her position at a Meeting of the Association.

(d) A list of Voting Representatives will be made available at the commencement of any Meeting of the Association.

(e) Members may send other elected members or Council officers as observers to any Meeting of the Association.

(f) Each Member must provide the Association with written notice of the details of the Voting Representative who was by a resolution of the Member lawfully appointed as the Voting Representative of the Member at a Meeting of the Association.

**14. PROXIES AT MEETINGS**

(a) Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.

(b) The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.

(c) The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.

(d) Proxies count for the purposes of voting and quorum at any meeting.

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**15. QUORUM AT MEETINGS**

- (a) At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.
- (b) If a quorum is not present within one hour after the time appointed for the commencement of a Meeting of the Association, the meeting is to be adjourned to a time and date specified by the Chair.

**16. VOTING AT MEETINGS**

- (a) Voting at any Meeting of the Association shall be upon the basis of each Voting Representative being provided with, immediately prior to the meeting, an electronic voting button or placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according voting entitlement and the voting buttons will be coded according to voting entitlement:
- (b) Electronic voting buttons will be the first choice for voting on all decisions, with placards only to be used if the technology fails.
- (c) Voting buttons allow councils to vote for or against a motion or formally abstain from voting. An abstain is not to be taken as a negative vote.
- (d) The Chair of the meeting shall be entitled to rely upon the electronic vote or the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (e) Except as provided in sub-rule
- (f), each question, matter or resolution shall be decided by a majority of the votes for a motion. If there is an equal number of votes upon any question, it shall be declared not carried.
  - (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members present at the meeting.
  - (ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the meeting or not.
  - (iii) When a vote is being taken to amend these Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the meeting or not.
- (g) A Voting Representative or his or her proxy in the name of the Member is entitled to vote on any matter considered at a Meeting of the Association.

**RISK CONSIDERATIONS**

No risks are identified subject to voting preferences aligning with Council resolution, George Town Council Community Strategic Plan 2020-2030 and adopted Council policy

**George Town Council**  
**2022 11 22 Ordinary Council Meeting**  
**Agenda**

---

**FINANCIAL IMPLICATIONS**

Financial implications include travel and accommodation costs associated with attending LGAT meetings by elected members and the General Manager in accordance with Council Policy. Such costs are accommodated for within the adopted 2022/2023 budget.

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

The Diversity, Equitable Access and Inclusion Policy aligns with the following goals and objectives of the Community Strategic Plan 2020-2030.

George Town Council is committed to maximising access and inclusion to services, facilities, features and activities for all within the community, regardless of ability, literacy, numeracy and language limitations, age, race, religion or other, within all aspects of Council.

**CONSULTATION**

Motions presented in this report have been discussed at Council workshop 22 November 2022. A copy of the agenda when published will be made available via LGAT's website [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au) on the 24 November 2022

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

Option 1

That Council determines that the Mayor be authorised to vote at the LGAT General Meeting 8 December 2022, in accordance with Council's strategic direction, policy and Council resolutions with due consideration of any conference debate on items listed for decision at that meeting;

OR

Option 2

That Council considers and provides voting preferences to the Mayor for the LGAT General Meeting 8 December 2022 as determined by the Chair (usually a show of hands or verbal confirmation) in respect to the individual item listed below and formally endorses that direction.

LGAT Meeting December 2022 Item No	Agenda 8	Item for Decision	Council Decision
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**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

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3. Workplace Health and Safety Review of Elected Representatives	That members endorse the recommendations contained in the Work Health and Safety Review – Elected Representatives.	
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**OFFICER’S RECOMMENDATION**

That Council:

1. Authorises the Mayor for the LGAT General Meeting 8 December 2022 as determined by the Chair (usually a show of hands or verbal confirmation) in respect of the individual item as listed below and formally endorses that direction:

LGAT Meeting December 2022 Item No	Agenda 8 Item for Decision	Council Decision
3. Workplace Health and Safety Review of Elected Representatives	That members endorse the recommendations contained in the Work Health and Safety Review – Elected Representatives.	

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

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## **13 MAYOR**

### **13.1 MATTERS OF INVOLVEMENT - MAYOR**

**REPORT DATE:** 15 November 2022

**FILE NO:** 14.11

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<b>Mayor Cr Greg Kieser</b>		
<b>October</b>	14	Attended Womens Catholic League event
	20	Attended Port Dalrymple School Lunch
	20	Attended Senior's Citizen Concert
	25	Chaired Council Workshop
	25	Chaired Ordinary Council Meeting
	26	Attended George Town Neighbourhood House AGM
	27	Mayoral Moments Radio Interview
	29	Attended Hillwood Progress Association's Trivia Night
	31	Attended NTDC Board Meeting
<b>November</b>	1	Signed Declaration of Office
	2	Tamar FM Interview
	3	Attended meeting with developers
	3	Met with local business owners and General Manager
	3	Attended Business Excellence Awards
	4	Attended new Council Induction Ceremony
	4	Met with local business owners
	5	Attended Mens breakfast at George Town Baptist Church
	8	Chaired Council Workshop
	9	Met with local Pastor
	9	Attended Owners Representatives Group General Meeting
	10	Chaired George Town Council's Annual General Meeting
	15	Attended George Town Neighbourhood House meeting
	16	Met with local business owner

<b>Deputy Mayor Cr Greg Dawson</b>		
<b>November</b>	11	Attended Remembrance Day

### **OFFICER'S RECOMMENDATION**

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

### **DECISION**

Moved:

Seconded:

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**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

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**VOTING**

For:

Against:

**14 PETITIONS**

Nil.

**15 NOTICES OF MOTIONS**

Nil.

## **16 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE**

### **Cr Barwick**

Q1. Can you please supply to all Councillors current sealed and unsealed 10 year rolling road program by road or street name from ..... to for example East Arm Road .... Dalrymple Road?

#### **Response**

- *Hardcopies of the adopted Ten Year Road Upgrade and Road Rehabilitation Program provided as per 058/20.*
- *Hardcopy of Council agenda and minute 058/20 provided.*
- *Hardcopy of four year forecast resealing program provided as per 058/20.*
- *Hardcopy of revised resealing program for 2023/2024 provided.*

Q2. In 1981 the land that the Chambers sits on was valued at 50K, Council purchased the land off Church of England in 1982. Can you advise Council how much is owed on this building and the possible final payment date?

#### **Response**

*There is no outstanding loan for the purchase of the chambers.*

Q3. Has there been a successful leasor selected for the old RSL Building and if so when will the lease etc. Be coming to the table for discussions?

#### **Response**

*There remains only one party that Council Officers are discussing lease terms and conditions for the operation of the Anzac Drive restaurant. The draft lease will be presented to Council once the proponent provides their final proposal.*

**17 COUNCIL COMMITTEE REPORTS**

Nil.

## **18 CLOSED MEETING**

### **18.1 INTO CLOSED MEETING**

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

**Agenda Item 18.2     Minutes of the Closed Ordinary Council Meeting held on 25 October 2022**

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

**Agenda Item 18.3     Consideration of Retail Lease Agreement**

*As per the provisions of Regulation 15(2)(b) of the Local Government (Meeting Procedures) Regulations 2015.*

### **DECISION**

Moved:

Seconded:

### **VOTING**

For:

Against:

**George Town Council  
2022 11 22 Ordinary Council Meeting  
Agenda**

---

**18.2 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. The General Manager is authorised to release the information contained in Agenda Item Consideration of Retail Lease Agreement Point (1) excluding financial information to the public at the discretion of the General Manager.
2. 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:

**19 CLOSURE**

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

**Cr Greg Kieser  
MAYOR**