



# **GEORGE TOWN COUNCIL CONFIRMED MINUTES**

Minutes of the Ordinary Council Meeting  
held on **Tuesday 24 January 2023**

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

commenced at **1:00 pm.**

*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 PRESENT .....</b>	<b>5</b>
<b>1.1 Apologies And Leave Of Absence .....</b>	<b>5</b>
<b>1.2 In Attendance .....</b>	<b>5</b>
<b>2 CONFIRMATION OF MINUTES .....</b>	<b>6</b>
<b>2.1 Ordinary Council Meeting Held 20 December 2022 .....</b>	<b>6</b>
<b>3 LATE ITEMS .....</b>	<b>7</b>
<b>4 PUBLIC QUESTION TIME .....</b>	<b>8</b>
<b>4.1 Public Question Time Procedure .....</b>	<b>8</b>
<b>4.2 Public Questions On Notice .....</b>	<b>9</b>
<b>4.3 Public Question Time .....</b>	<b>10</b>
<b>4.4 Response To Questions From Previous Public Question Time .....</b>	<b>12</b>
<b>5 DECLARATIONS OF INTEREST .....</b>	<b>14</b>
<b>6 GENERAL MANAGER'S DECLARATION .....</b>	<b>14</b>
<b>7 PLANNING AUTHORITY .....</b>	<b>15</b>
<b>7.1 DA-2022-118 - 2-4 Bennett Street - Visitor Accommodation .....</b>	<b>15</b>
<b>7.2 DA2022/6 Lot 201 Tam O'shanter Road, Lulworth - Subdivision .....</b>	<b>26</b>
<b>7.3 DA 2022/101 - 6 Old Coast Road, Low Head - Subdivision .....</b>	<b>38</b>
<b>8 OFFICE OF GENERAL MANAGER .....</b>	<b>45</b>
<b>8.1 Review Of Delegations Register .....</b>	<b>45</b>
<b>8.2 Notice Of Motion - New And Renewed Lease Arrangements .....</b>	<b>46</b>
<b>8.3 Council Workshops - December 2022 And January 2023 .....</b>	<b>47</b>
<b>8.4 Execution Of Crown Land Lease - MBT - Tippogoree Hills Conservation Area .....</b>	<b>48</b>
<b>9 INFRASTRUCTURE AND DEVELOPMENT .....</b>	<b>49</b>
<b>10 CORPORATE AND COMMUNITY .....</b>	<b>50</b>
<b>10.1 Event Sponsorship - ID Rodeo .....</b>	<b>50</b>
<b>11 ORGANISATIONAL PERFORMANCE, STRATEGY &amp; ENGAGEMENT .....</b>	<b>51</b>

**George Town Council  
2023 01 24 Ordinary Council Meeting  
Confirmed Minutes**

---

11.1 Use Of The Common Seal Policy .....	51
11.2 Future Of Local Government Review Board Submission .....	52
12 MAYOR .....	53
12.1 Matters Of Involvement - Mayor.....	53
13 PETITIONS.....	54
14 NOTICES OF MOTIONS .....	55
15 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE .....	56
15.1 Councillors' Questions With Or Without Notice .....	56
16 COUNCIL COMMITTEE REPORTS .....	57
17 CLOSED MEETING.....	58
17.1 Into Closed Meeting.....	58
17.2 Out Of Closed Meeting .....	59
18 CLOSURE .....	59

**George Town Council  
2023 01 24 Ordinary Council Meeting  
Confirmed Minutes**

---

**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.

*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.*

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## **1 PRESENT**

Mayor Cr Greg Kieser, Chairperson  
Deputy Mayor Cr Greg Dawson  
Cr Winston Archer  
Cr Heather Ashley  
Cr Tim Harris  
Cr Simone Lowe  
Cr Jason Orr

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

Cr Heather Barwick  
Cr Winston Mason

### **1.2 IN ATTENDANCE**

General Manager - Mr S. Power  
Director Corporate Services & Community - Mrs C. Hyde  
Director Operational Performance, Strategy & Engagement - Ms K. Desmond  
Director Infrastructure & Development - Mr A. McCarthy  
Administration Officer - Ms E. Moore

## **2 CONFIRMATION OF MINUTES**

### **2.1 ORDINARY COUNCIL MEETING HELD 20 DECEMBER 2022**

#### **RECOMMENDATION**

That the Minutes of Council's Ordinary Meeting held on 20 December 2022 numbered 176/22 to 192/22 and 198/22 as provided to Councillors be received and confirmed as a true record of proceedings. (Attached)

#### **Minute No. 1/23**

#### **DECISION**

Moved: Cr Harris  
Seconded: Cr Archer

That the Minutes of Council's Ordinary Meeting held on 20 December 2022 numbered 176/22 to 192/22 and 198/22 as provided to Councillors be received and confirmed as a true record of proceedings.

#### **VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr  
Against: Nil  
Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

**3 LATE ITEMS**

Nil.

## **4 PUBLIC QUESTION TIME**

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

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

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

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

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

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

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

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

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



**4.2 PUBLIC QUESTIONS ON NOTICE**

Nil.

### **4.3 PUBLIC QUESTION TIME**

Commenced at: 1.03 pm

Concluded at: 1.07 pm

#### **Mrs L. Wootton**

#### **Q1. Semaphore Masts Restoration**

Mrs Wootton asked if there are any updates on the restoration of the semaphore masts that was mentioned at the last meeting - you'd just heard something from the State Government at the last meeting. I would like to know if there's any update on the state of the masts and what's happening with the funding?

*Through the Chair the General Manager thanked Mrs Wootton for the question. The semaphore in terms of it's future will be subject to a report for Council in a forthcoming meeting. The position of officers at this point in time and the State Government and the mast remains a State responsibility for them. Their advice is to have it decommissioned at this point in time and the site made safe. Officers have suggested that the mast be delivered to the Council depot or another property to be secured while it undergoes assessment with updated market costings to have to restored and that will be subject to a report before Council for their consideration on whether or not this Council funds that restoration and therefore then takes on the ongoing maintenance and responsibility for that structure and the landscape.*

Mrs Wootton further asked where is the mast at the moment?

*The General Manager advised that the mast is still on-site. The State have indicated that their preference is for the mast to be removed for reasons of safety and also the costs associated with the restoration of that. What we're suggesting is that the State go ahead with their plans however that they deliver the infrastructure to a Council site where we can have it independently assessed and present Council with current day costs to have it restored and then Council consider whether or not they want to raise funds for that, whether through their own avenue or grant funding and then take on that asset in perpetuity.*

Mrs Wootton stated that she would like to hope that all Councillors would be in favour of restoring that because it is an important part of our whole infrastructure, even though they are replicas, it's a really important part of our tourism and our history.

#### **Q2. Regent Square Costing**

Mrs Wootton asked if she is any closer to getting some answers on the questions asked at the last meeting in regard to the costings on Regent Square?

*The Chair responded stating that a response has been issued to you in section 4.1 (NB: actually s4.4) stand so in short we are still receiving a few pieces of financial administration and so we are not in a position at this point in time to draw a line in the sand. So as soon as that is done we will then furnish the community with a detailed and comprehensive costing of the Regent Square project.*

Mrs Wootton further asked surely you can have the costs up to now? If you were building a house you would want to know what you were up to?

**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

---

*The Chair answered with I would rather give the community the full picture.*

*Through the Chair the General Manager advised for the benefit of the gallery and Mrs Wootton in particular - your answer to your question 1 from the last meeting was answered at the time of the meeting and has been published in the minutes for consideration.*

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

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

##### **Mrs L. Wootton**

##### **Q2. Costs of the Regent Square Redevelopment**

At the October meeting, Councillor Gibbons expressed concerns regarding the lack of lighting in the new car park at Regent Square and the dangers inherent in that. The General Manager replied that the lighting was part of the Regent Square Redevelopment Plan and that there was more to be done when more grant funding was secured. I’m sure everyone would like to know exactly how much the redevelopment of Regent Square has cost so far and what else has to be done before it’s finished. For the benefit of an informed community, could Council please provide in the next Council meeting Agenda:

- i. a complete costing of the Redevelopment of Regent Square, itemised with the costs of all major elements such as the playground, carpark, basketball court, Aboriginal shelter and shelters over the seating, drainage, irrigation, etc.; and
- ii. the source of funding used for these, since the first stage was completed i.e. since the \$2.45M grant was received; and
- iii. a list of what is still to be completed along with the estimated costs?

*The Chair thanked Mrs Wootton for her question and advised Council’s position has remained unchanged. Council will be transparent when the project is completed. Council is down to the last couple of items notably the planting of the Soroptimist garden, a few minor elements that need to go in. Council will publish a detailed schedule of all costs and funding. The Chair took the question on notice.*

*A response will be provided to Mrs Wootton’s question regarding Regent Square Redevelopment and in a future Ordinary Council meeting agenda once the project is completed.*

##### **Q3. Repairs to Semaphore Masts on Mt George**

Following concerns back in June that the Semaphore Masts on Mt George were in disrepair and were about to be removed by Parks and Wildlife Service, back in June I asked if Council would consider redirecting part of the \$100,000 that was to be reallocated for Wild Tamar start-ups to repair and maintain the Mt George signal station structures and its surrounds and interpretation. Several Councillors expressed support for this but due to concern it may jeopardise the chances of funding for the Semaphore from State Government if they knew Council was prepared to fund it, this did not happen. The late Peter Cox was very concerned about this and had made his own independent investigations. On the 9th of July, the GM emailed me to say the Minister has put a hold on removing these Semaphores and we will keep you posted. So I ask now is there any update on what is happening with the Mt George Semaphore & Signal masts and interpretation, and with the ownership of the site, please?

**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

---

*Through the Chair the General Manager advised Council has received correspondence from the Minister's office this week advising there is some financial considerations that Council officers will need consider and bring back to Council for consideration. The General Manager reiterated that Council has had correspondence as late as this week and have not had any such correspondence since the last time we engaged. It states that the Minister's position remains largely unchanged.*

*The Chair advised that the Minister's position remains unchanged and that there is no indication they will provide funding.*

Mrs Wootton further asked whether Council will consider making sure that the Semaphores receiving funding.

*The Chair advised that this would be a decision of Council and you have to conclude the process reasonably with the State Government before anything can come before this Council for consideration.*

*Through the Chair, the General Manager responded that Mrs Wootton had asked a number of questions, and we have only just received some correspondence from the Minister's office in relation to this matter and Council needs to go away and do some homework around costings and maintenance etc. that Council needs before them to make a decision on action or inaction on this matter. Your questions are valid but just a little early in the process to be able to give you answer.*

*Officers are seeking updated estimates for the repair/replacement of mast and maintenance costs and will present to Council for consideration in due course.*

## **5 DECLARATIONS OF INTEREST**

Nil.

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

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

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



Shane Power  
**GENERAL MANAGER**

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

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

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

## **7 PLANNING AUTHORITY**

### **7.1 DA-2022-118 - 2-4 BENNETT STREET - VISITOR ACCOMMODATION**

<b>REPORT AUTHOR:</b>	Statutory Town Planner - Mr J Simons Graduate Planner – Mr A Bowles
<b>REPORT DATE:</b>	13/12/2022
<b>FILE NO:</b>	DA 2022/118

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### **RECOMMENDATION**

That the application for use for Visitor Accommodation at 2 & 4 Bennett Street, Lulworth (CT 12875/2 & CT 12875/4) be **APPROVED** subject to the following conditions:

#### **1. ENDORSED PLANS**

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

- a. 6ty° Pty Ltd, Development Application, reference number 22.237, pages 1 to 6 inclusive, dated 23 November 2022.
- b. George Walker obo 6ty° Pty Ltd, Email to Council, RE: 2-4 Bennett Street, Lulworth, Dated 30 November 2022.

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

#### **2. ACCOMMODATION**

Excluding occasional visitors (see condition 3.b), patrons are to be accommodated in self-contained recreational vehicles on the site. A self-contained recreational vehicle is a vehicle specifically built for that purpose that, along with a built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black wastewater, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.

#### **3. NUMBER OF CARAVANS**

- a. The site is limited to four (4) leasable “campsites” and must contain no more than four (4) caravans, one per site, at any one time.
- b. Stays are to be limited to a maximum of 30 consecutive nights and a maximum of 120 nights per calendar year.

- c. Notwithstanding the above, the occasional additional visitors are permitted, including accommodation in tent, caravan or campervan, provided the stay is for a maximum of 14 consecutive nights and no more than 20 nights per calendar year.
- d. A log is to be maintained at all times by the occupants to be presented by the landowner on request by the Council, detailing the dates of overnight stays by lessees and visitors.

#### **4. WASTEWATER**

All wastewater, including sewerage and grey water from showers and washing up, is to be contained within each caravan and removed from the site, to be disposed of at a legal wastewater discharge point.

#### **5. NOISE LIMITATIONS**

No generator, plant or power tool is to be operated outside of the following hours:

- Monday to Friday, 7:00am and 6:00pm;
- Saturday, 9:00am and 6:00pm; and
- Sunday, 10:00am and 6:00pm.

#### **6. EXTERNAL LIGHTING**

No flood lighting is permitted to be used within the property. All external lighting is to be baffled and directed towards the ground. No lighting is to be directed at adjoining properties.

#### **7. DURATION OF PERMIT**

This permit is limited to a period of four (4) years from the date of this permit. After four (4) years the permit will expire, and the use is to cease and all caravans/campers and other accommodation are to be removed from the site; or application is to be made for a further planning permit such that an assessment of the need for permanent services and management arrangements can be considered if necessary.

#### **8. SETBACKS**

All caravans/campers or other accommodation must be setback:

- a. 6m from the front boundary shared with Bennett Street; and
- b. 3m from all other boundaries.

excluding garden sheds exempt in accordance with Clause 5.3.5 of the planning scheme.

#### **9. CROSSOVER**

Within 6 months of the issuing of this permit, the existing vehicular crossover accessing each lot must be upgraded in accordance with LGAT Standard Drawing TSD-R03-v3 and TSD-R04 – v3. All works must be carried out to the satisfaction of Council's Director of Infrastructure and Development.



**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

---

Prior to undertaking any works within the Council road reserve, including the installation of the vehicle crossover, separate consent is required from Council's as the relevant Road Authority. The developer must make application to Council for a Permit to Undertake Works in the Road Reserve using Council's designated form and obtain approval prior to the start of works. This work must be at the expense of the person responsible for the development.

**10. 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.

**11. DAMAGE TO PUBLIC INFRASTRUCTURE**

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

**Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2022/118. You should contact Council with any other use or development, as it may require the separate approval of Council. Council's 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. The following additional approvals from Council may be required before construction commences:
  - a. Plumbing approval
  - b. Building approvalAll enquiries should be directed to Council's Permit Authority, via 6382 8800.
3. All activities within the sites are regulated by the *Environmental Management and Pollution Control Act 1994* (EMPCA). This includes management of wastewater and management of noise impacts. Please ensure that all occupants of the sites are aware of their obligations under this legislation. Council's environmental health staff can be contacted on 6382 8800.
4. This permit takes effect after:
  - i. The 14 day appeal period expires; or
  - ii. Any appeal to the Tasmanian Civil & Administrative Tribunal is abandoned or determined;
  - iii. any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or
  - iv. Any other required approvals under this or any other Act are granted.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil & Administrative Tribunal. A planning appeal may be instituted

**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

---

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

6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the use/development is not substantially commenced. An extension may be granted at Council's discretion if a request is received within six (6) months of the expiration.
7. 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.
8. 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.
9. The applicant is requested to remove the planning advertising sign from the property boundary, and to dispose of it in a thoughtful and sustainable manner.

## **DECISION**

Moved: Cr Lowe

Seconded: Cr Harris

That the application for use for Visitor Accommodation at 2 & 4 Bennett Street, Lulworth (CT 12875/2 & CT 12875/4) be **APPROVED** subject to the following conditions:

### **1. ENDORSED PLANS**

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

- a. 6ty° Pty Ltd, Development Application, reference number 22.237, pages 1 to 6 inclusive, dated 23 November 2022.
- b. George Walker obo 6ty° Pty Ltd, Email to Council, RE: 2-4 Bennett Street, Lulworth, Dated 30 November 2022.

**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

---

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

**2. ACCOMMODATION**

Excluding occasional visitors (see condition 3.b), patrons are to be accommodated in self-contained recreational vehicles on the site. A self-contained recreational vehicle is a vehicle specifically built for that purpose that, along with a built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black wastewater, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.

**3. NUMBER OF CARAVANS**

- a. The site is limited to four (4) leasable “campsites” and must contain no more than four (4) caravans, one per site, at any one time.
- b. Stays are to be limited to a maximum of 30 consecutive nights and a maximum of 120 nights per calendar year.
- c. Notwithstanding the above, the occasional additional visitors are permitted, including accommodation in tent, caravan or campervan, provided the stay is for a maximum of 14 consecutive nights and no more than 20 nights per calendar year.
- d. A log is to be maintained at all times by the occupants to be presented by the landowner on request by the Council, detailing the dates of overnight stays by lessees and visitors.

**4. WASTEWATER**

All wastewater, including sewerage and grey water from showers and washing up, is to be contained within each caravan and removed from the site, to be disposed of at a legal wastewater discharge point.

**5. NOISE LIMITATIONS**

No generator, plant or power tool is to be operated outside of the following hours:

- Monday to Friday, 7:00am and 6:00pm;
- Saturday, 9:00am and 6:00pm; and
- Sunday, 10:00am and 6:00pm.

**6. EXTERNAL LIGHTING**

No flood lighting is permitted to be used within the property. All external lighting is to be baffled and directed towards the ground. No lighting is to be directed at adjoining properties.

**7. DURATION OF PERMIT**

This permit is limited to a period of four (4) years from the date of this permit. After four (4) years the permit will expire, and the use is to cease and all caravans/campers and other accommodation are to be removed from the site; or application is to be made for

a further planning permit such that an assessment of the need for permanent services and management arrangements can be considered if necessary.

#### **8. SETBACKS**

All caravans/campers or other accommodation must be setback:

- a. 6m from the front boundary shared with Bennett Street; and
- b. 3m from all other boundaries.

excluding garden sheds exempt in accordance with Clause 5.3.5 of the planning scheme.

#### **9. CROSSOVER**

Within 6 months of the issuing of this permit, the existing vehicular crossover accessing each lot must be upgraded in accordance with LGAT Standard Drawing TSD-R03-v3 and TSD-R04 – v3. All works must be carried out to the satisfaction of Council's Director of Infrastructure and Development.

Prior to undertaking any works within the Council road reserve, including the installation of the vehicle crossover, separate consent is required from Council's as the relevant Road Authority. The developer must make application to Council for a Permit to Undertake Works in the Road Reserve using Council's designated form and obtain approval prior to the start of works. This work must be at the expense of the person responsible for the development.

#### **10. 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.

#### **11. DAMAGE TO PUBLIC INFRASTRUCTURE**

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

#### **Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2022/118. You should contact Council with any other use or development, as it may require the separate approval of Council. Council's 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. The following additional approvals from Council may be required before construction commences:
  - a. Plumbing approval
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**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

---

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

3. All activities within the sites are regulated by the *Environmental Management and Pollution Control Act 1994* (EMPCA). This includes management of wastewater and management of noise impacts. Please ensure that all occupants of the sites are aware of their obligations under this legislation. Council's environmental health staff can be contacted on 6382 8800.
4. This permit takes effect after:
  - i. The 14 day appeal period expires; or
  - ii. Any appeal to the Tasmanian Civil & Administrative Tribunal is abandoned or determined;
  - iii. any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or
  - iv. Any other required approvals under this or any other Act are granted.
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of 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
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the use/development is not substantially commenced. An extension may be granted at Council's discretion if a request is received within six (6) months of the expiration.
7. 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.
8. 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.
9. The applicant is requested to remove the planning advertising sign from the property boundary, and to dispose of it in a thoughtful and sustainable manner.

**Minute No. 2/23**

**AMENDED MOTION**

Moved: Cr Orr

Seconded: Cr Dawson

That the application for use for Visitor Accommodation at 2 & 4 Bennett Street, Lulworth (CT 12875/2 & CT 12875/4) be **APPROVED** subject to the following conditions:

**1. ENDORSED PLANS**

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

- a. 6ty° Pty Ltd, Development Application, reference number 22.237, pages 1 to 6 inclusive, dated 23 November 2022.
- b. George Walker obo 6ty° Pty Ltd, Email to Council, RE: 2-4 Bennett Street, Lulworth, Dated 30 November 2022.

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

**2. ACCOMMODATION**

Excluding occasional visitors (see condition 3.b), patrons are to be accommodated in self-contained recreational vehicles on the site. A self-contained recreational vehicle is a vehicle specifically built for that purpose that, along with a built in sink, on-board cooking and sleeping facilities, carries a supply of fresh water and can retain all grey and black wastewater, as defined by the Campervan and Motorhome Club of Australia. Caravans also fitting this description are acceptable.

**3. NUMBER OF CARAVANS**

- a. The site is limited to four (4) leasable “campsites” and must contain no more than four (4) caravans, one per site, at any one time.
- b. Stays are to be limited to a maximum of 30 consecutive nights and a maximum of 120 nights per calendar year.
- c. A log is to be maintained at all times by the occupants to be presented by the landowner on request by the Council, detailing the dates of overnight stays by lessees and visitors.

**4. WASTEWATER**

All wastewater, including sewerage and grey water from showers and washing up, is to be contained within each caravan and removed from the site, to be disposed of at a legal wastewater discharge point.

**5. NOISE LIMITATIONS**

No generator, plant or power tool is to be operated outside of the following hours:

- Monday to Friday, 7:00am and 6:00pm;
- Saturday, 9:00am and 6:00pm; and
- Sunday, 10:00am and 6:00pm.

**6. EXTERNAL LIGHTING**

No flood lighting is permitted to be used within the property. All external lighting is to be baffled and directed towards the ground. No lighting is to be directed at adjoining properties.

**7. DURATION OF PERMIT**

This permit is limited to a period of four (4) years from the date of this permit. After four (4) years the permit will expire, and the use is to cease and all caravans/campers and other accommodation are to be removed from the site; or application is to be made for a further planning permit such that an assessment of the need for permanent services and management arrangements can be considered if necessary.

**8. SETBACKS**

All caravans/campers or other accommodation must be setback:

- a. 6m from the front boundary shared with Bennett Street; and
- b. 3m from all other boundaries.

excluding garden sheds exempt in accordance with Clause 5.3.5 of the planning scheme.

**9. CROSSOVER**

Within 6 months of the issuing of this permit, the existing vehicular crossover accessing each lot must be upgraded in accordance with LGAT Standard Drawing TSD-R03-v3 and TSD-R04 – v3. All works must be carried out to the satisfaction of Council's Director of Infrastructure and Development.

Prior to undertaking any works within the Council road reserve, including the installation of the vehicle crossover, separate consent is required from Council's as the relevant Road Authority. The developer must make application to Council for a Permit to Undertake Works in the Road Reserve using Council's designated form and obtain approval prior to the start of works. This work must be at the expense of the person responsible for the development.

**10. 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.

**11. DAMAGE TO PUBLIC INFRASTRUCTURE**

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

**12. RUBBISH**

All lots are to be provided with Council issued and serviced waste and recycle bins the cost of which will be borne by the landowner via the waste management services charge on the annual rates. A request for bins is to be submitted to Council within 2 months of the date of this permit.

**Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2022/118. You should contact Council with any other use or development, as it may require the separate approval of Council. Council's 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. The following additional approvals from Council may be required before construction commences:
  - a. Plumbing approval
  - b. Building approvalAll enquiries should be directed to Council's Permit Authority, via 6382 8800.
  
3. All activities within the sites are regulated by the *Environmental Management and Pollution Control Act 1994* (EMPCA). This includes management of wastewater and management of noise impacts. Please ensure that all occupants of the sites are aware of their obligations under this legislation. Council's environmental health staff can be contacted on 6382 8800.
  
4. This permit takes effect after:
  - i. The 14 day appeal period expires; or
  - ii. Any appeal to the Tasmanian Civil & Administrative Tribunal is abandoned or determined;
  - iii. any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or



**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

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- iv. Any other required approvals under this or any other Act are granted.
  
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of 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
  
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the use/development is not substantially commenced. An extension may be granted at Council's discretion if a request is received within six (6) months of the expiration.
  
7. 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.
  
8. 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.
  
9. The applicant is requested to remove the planning advertising sign from the property boundary, and to dispose of it in a thoughtful and sustainable manner.

**VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr  
Against: Nil  
Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

**George Town Council  
2023 01 24 Ordinary Council Meeting  
Confirmed Minutes**

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**7.2 DA2022/6 LOT 201 TAM O'SHANTER ROAD, LULWORTH - SUBDIVISION**

<b>REPORT AUTHOR:</b>	Statutory Town Planner - Mr J Simons Graduate Planner – Mr A Bowles
<b>REPORT DATE:</b>	12/01/2023
<b>FILE NO:</b>	DA 2022/6

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**RECOMMENDATION**

That the application for use and development, residential outbuilding at Lot 201 Tam O'Shanter Road, Lulworth (CT 183047/1) be **APPROVED** subject to the following conditions:

**1. ENDORSED PLANS**

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

- a. 6ty° Pty Ltd, Planning Submission, project no. 20.125, pages 1 to 34 inclusive, dated September 2022;
- b. 6ty° Pty Ltd, Proposal Plans, project no. 20.125, drawing no. P01, dated 23 March 2021;
- c. 6ty° Pty Ltd, Proposal Plans, project no. 20.125, drawing no. P04, revision D, dated 10 August 2022;
- d. 6ty° Pty Ltd, Proposal Plans, project no. 20.125, drawing no. P05 to P06, revision A, dated 10 August 2022;
- e. ECOTas, Natural Values Assessment of Parts of Lot 201 Tam O'Shanter Road, Lulworth, Tasmania, pages 1 to 57 inclusive, dated 21 May 2022;
- f. Rebecca Green & Associates, Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, project no. RGA-B1957, version 2, dated 19 August 2022;
- g. 6ty° Pty Ltd, Traffic Impact Assessment, project no. 20.125, version 1, dated 16<sup>th</sup> April 2021;
- h. 6ty° Pty Ltd, Traffic Impact Assessment – Addendum, project no. 20.125, dated 06 September 2021;
- i. JD Consulting, Onsite Waste Water Assessment – Proposed 8 lot Subdivision, dated 1 August 2022;
- j. JD Consulting, Onsite Waste Water Assessment – Proposed 23 lot Subdivision, dated 1 September 2022;

to the satisfaction of the Council, except where explicitly provided otherwise 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 and drainage infrastructure;
  - ii. All necessary line marking and traffic signage;
  - iii. Electricity infrastructure including street lighting;
  - iv. Communications infrastructure.
- b. be prepared 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)
- c. Include designs for a public stormwater drainage system to drain all roadways and nature strips within the road reserves and all land draining onto the road reserve to a legal discharge point, and provision of an overland flow path for flows up to a 100 year ARI storm event. In particular a table drain is to be constructed on the proposed road reserve adjacent to Lots 1 to 8 discharging directly to the drainage easement located on Certificate of Title 49450/15, via the road reserves.
- d. Lots 1-8 are to be provided with a piped connection to the roadside table drain at the lowest point of the lot on the road boundary.
- e. show the extensions of Fairway Avenue as fully formed and sealed with a minimum width of 6.5m, with table drain.
- f. show the creation of the new cul-de-sac as a sealed road with minimum width of 6.5m and turning circle with minimum diameter of 24m<sup>2</sup> in accordance with the endorsed bushfire hazard management plan.
- g. all the intersection works and line marking is to be in accordance with the endorsed Traffic Impact Assessment and relevant standards.
- h. A level/walkable verge with a minimum width of 1.5m free from drainage infrastructure is to be included on at least one side of the newly created roads to allow an opportunity for pedestrians to leave the carriageway and for future provision of a footpath.

All drawings are to be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.

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 R03-v2 and TSD R04-v2 and to the satisfaction of Council's Director Infrastructure and Development.

### **5. 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 infrastructure. A greater or lesser width may be approved/required in appropriate circumstances.

### **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. Compaction and soil test results for all earthworks or pavement works.
- c. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

### **7. 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 sand within drains, road verges and on any lots;
- 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.

#### **8. FIRE ACCESS LOT**

The "Fire Access" lot located between Lots 39 and 40 on the plan of subdivision is not to be created as a separate lot, but is to be adhered to Lot 201 and any third party access requirements are to be achieved via right of way.

#### **9. 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.

#### **10. 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.

#### **11. 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 value of the newly created lots comprised in the Final Plan but excluding the balance lot (93,946m<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.

#### **12. PART 5**

Prior to the Sealing of the Final Plan, a Section 71 agreement must be executed, that provides the following:

The balance land is to be maintained by the owner at all times in accordance with the endorsed Bushfire Hazard Management Plan, prepared by Rebecca Green and Associates and dated 19<sup>th</sup> August 2022 (attached).

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the Land Use Planning and Approvals Act 1993.

All costs associated with preparing and registering the Agreement must be borne by the applicant.

### **13. 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.

### **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. 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.

### **16. CONVEYANCE OF ROADS**

On sealing of the final plan of survey all road lots in the subdivision must be conveyed to the Council and the road lots issued directly in the name of George Town Council. All costs involved in this procedure must be met by the developer.

## **Permit Notes**

- 1) This permit was issued based on the proposal documents submitted for DA 2022/6. 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. The following additional approvals from Council may be required before construction commences:
  - a) Plumbing approval
  - b) Building approvalAll enquiries should be directed to Council's Permit Authority, via 6382 8800.
- 3) It is the responsibility of the land owner to determine if a Forest Practices Plan is required for the proposed clearance in accordance with the Forest Practices Act 1985. Enquiries should be made with the Forest Practices Authority, who can be contacted via <https://www.fpa.tas.gov.au/>
- 4) Covenants registered to the title are not taken into consideration as part of a planning assessment and approval under the *Land Use Planning and Approvals Act 1993* does not over ride covenants. It is the responsibility of the land owner to ensure they are in compliance with any covenants. If uncertain, it is recommended that you seek legal advice.
- 5) This permit takes effect after:
  - i) the 14 day appeal period expires; or
  - ii) any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or

**George Town Council  
2023 01 24 Ordinary Council Meeting  
Confirmed Minutes**

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- iii) any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or
  - iv) any other required approvals under this or any other Act are granted.
- 6) 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)
- 7) 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.
- 8) 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.
- 9) 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.

**Minute No. 3/23**

**DECISION**

Moved: Cr Lowe  
Seconded: Cr Archer

That the application for use and development, residential outbuilding at Lot 201 Tam O'Shanter Road, Lulworth (CT 183047/1) be **APPROVED** subject to the following conditions:

**1. ENDORSED PLANS**

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

- a. 6ty° Pty Ltd, Planning Submission, project no. 20.125, pages 1 to 34 inclusive, dated September 2022;

**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

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- b. 6ty° Pty Ltd, Proposal Plans, project no. 20.125, drawing no. P01, dated 23 March 2021;
- c. 6ty° Pty Ltd, Proposal Plans, project no. 20.125, drawing no. P04, revision D, dated 10 August 2022;
- d. 6ty° Pty Ltd, Proposal Plans, project no. 20.125, drawing no. P05 to P06, revision A, dated 10 August 2022;
- e. ECOTas, Natural Values Assessment of Parts of Lot 201 Tam O'Shanter Road, Lulworth, Tasmania, pages 1 to 57 inclusive, dated 21 May 2022;
- f. Rebecca Green & Associates, Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, project no. RGA-B1957, version 2, dated 19 August 2022;
- g. 6ty° Pty Ltd, Traffic Impact Assessment, project no. 20.125, version 1, dated 16<sup>th</sup> April 2021;
- h. 6ty° Pty Ltd, Traffic Impact Assessment – Addendum, project no. 20.125, dated 06 September 2021;
- i. JD Consulting, Onsite Waste Water Assessment – Proposed 8 lot Subdivision, dated 1 August 2022;
- j. JD Consulting, Onsite Waste Water Assessment – Proposed 23 lot Subdivision, dated 1 September 2022;

to the satisfaction of the Council, except where explicitly provided otherwise 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 and drainage infrastructure;
  - ii. All necessary line marking and traffic signage;
  - iii. Electricity infrastructure including street lighting;
  - iv. Communications infrastructure.
- b. be prepared 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)
- c. Include designs for a public stormwater drainage system to drain all roadways and nature strips within the road reserves and all land draining onto the road reserve to a legal discharge point, and provision of an overland flow path for flows up to a 100 year ARI storm event. In particular a table drain is to be constructed on the proposed road reserve adjacent to Lots 1 to 8 discharging directly to the drainage easement located on Certificate of Title 49450/15, via the road reserves.



**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

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- d. Lots 1-8 are to be provided with a piped connection to the roadside table drain at the lowest point of the lot on the road boundary.
- e. show the extensions of Fairway Avenue as fully formed and sealed with a minimum width of 6.5m, with table drain.
- f. show the creation of the new cul-de-sac as a sealed road with minimum width of 6.5m and turning circle with minimum diameter of 24m<sup>2</sup> in accordance with the endorsed bushfire hazard management plan.
- g. all the intersection works and line marking is to be in accordance with the endorsed Traffic Impact Assessment and relevant standards.
- h. A level/walkable verge with a minimum width of 1.5m free from drainage infrastructure is to be included on at least one side of the newly created roads to allow an opportunity for pedestrians to leave the carriageway and for future provision of a footpath.

All drawings are to be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.

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 R03-v2 and TSD R04-v2 and to the satisfaction of Council's Director Infrastructure and Development.

### **5. 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 infrastructure. A greater or lesser width may be approved/required in appropriate circumstances.

## **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. Compaction and soil test results for all earthworks or pavement works.
- c. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

## **7. 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 sand within drains, road verges and on any lots;
- 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.

## **8. FIRE ACCESS LOT**

The "Fire Access" lot located between Lots 39 and 40 on the plan of subdivision is not to be created as a separate lot, but is to be adhered to Lot 201 and any third party access requirements are to be achieved via right of way.

## **9. 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.

## **10. 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.

#### **11. 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 value of the newly created lots comprised in the Final Plan but excluding the balance lot (93,946m<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.

#### **12. PART 5**

Prior to the Sealing of the Final Plan, a Section 71 agreement must be executed, that provides the following:

The balance land is to be maintained by the owner at all times in accordance with the endorsed Bushfire Hazard Management Plan, prepared by Rebecca Green and Associates and dated 19<sup>th</sup> August 2022 (attached).

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the Land Use Planning and Approvals Act 1993.

All costs associated with preparing and registering the Agreement must be borne by the applicant.

#### **13. 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.

#### **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. 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.

#### **16. CONVEYANCE OF ROADS**

On sealing of the final plan of survey all road lots in the subdivision must be conveyed to the Council and the road lots issued directly in the name of George Town Council. All costs involved in this procedure must be met by the developer.

**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

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**Permit Notes**

- 1) This permit was issued based on the proposal documents submitted for DA 2022/6. 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. The following additional approvals from Council may be required before construction commences:
  - a) Plumbing approval
  - b) Building approvalAll enquiries should be directed to Council's Permit Authority, via 6382 8800.
- 3) It is the responsibility of the land owner to determine if a Forest Practices Plan is required for the proposed clearance in accordance with the Forest Practices Act 1985. Enquiries should be made with the Forest Practices Authority, who can be contacted via <https://www.fpa.tas.gov.au/>
- 4) Covenants registered to the title are not taken into consideration as part of a planning assessment and approval under the *Land Use Planning and Approvals Act 1993* does not over ride covenants. It is the responsibility of the land owner to ensure they are in compliance with any covenants. If uncertain, it is recommended that you seek legal advice.
- 5) This permit takes effect after:
  - i) the 14 day appeal period expires; or
  - ii) any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or
  - iii) any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or
  - iv) any other required approvals under this or any other Act are granted.
- 6) 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)
- 7) 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.
- 8) 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.
- 9) 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,

**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

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- 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.

**VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

**George Town Council  
2023 01 24 Ordinary Council Meeting  
Confirmed Minutes**

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**7.3 DA 2022/101 - 6 OLD COAST ROAD, LOW HEAD - SUBDIVISION**

<b>REPORT AUTHOR:</b>	Statutory Town Planner - Mr J Simons Graduate Planner – Mr A Bowles
<b>REPORT DATE:</b>	5th January 2023
<b>FILE NO:</b>	DA 2022/101

---

**RECOMMENDATION**

That the application for use and development, residential outbuilding at 6 Old Coast Road, Low Head (CT 117983/2) be **APPROVED** subject to the following conditions:

**1. ENDORSED PLANS**

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

- a. D J McCulloch Surveying, Job No 1814-2225, Plan No. 2522-03 DA, dated 14/12/2022
- b. D J McCulloch Surveying, letter dated 5/10/2022

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

**2. 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.

**3. STORMWATER MANAGEMENT**

Prior to sealing of final plan:

- a. A stormwater management plan prepared by a suitably qualified person is to be provided to the satisfaction of Council's Director Infrastructure and Development. The plan is to confirm:
  - i. the current method of stormwater management for the buildings on Lot 1;
  - ii. Demonstrate hydraulic separation is achieved between lots 1 and 2 with no stormwater pipes crossing the shared boundary; and

- iii. Identify any works required to redirect, manage and contain stormwater within the boundaries of lot 1.
- b. Any works recommended in the management plan approved in accordance with Condition 3.a) to achieve hydraulic separation and manage stormwater within the relevant title boundaries is to be completed to the satisfaction of Council's Director Infrastructure and Development.

Note: this permit does not override the need for plumbing approval to be obtained for stormwater works should they be required and enquiries should be made with Council's Permit Authority prior to the commencement of works.

#### **4. DRIVEWAY CROSSOVERS**

Prior to the sealing of the final plan of survey the existing vehicular crossovers fronting Old Coast Road servicing are to be sealed, in accordance with LGAT Standard Drawings TSD-R03-v2 and TSD-R04-v2 and to the satisfaction of Council's Manager of Infrastructure and Engineering.

Prior to undertaking any works within the Council road reserve, including the installation of the vehicle crossover, separate consent is required from Council as the relevant Road Authority. The developer must make application to Council for a Permit to Undertake Works in the Road Reserve using Council's designated form and obtain approval prior to the start of works. This work must be at expense of the person responsible for the development.

#### **5. PUBLIC OPEN SPACE CONTRIBUTION**

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 value of the newly created lots 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.

#### **6. TASWATER**

The development must be in accordance with the Amended Submission to Planning Authority Notice issued by TasWater (TWDA 2022/01689-GTC attached).

#### **7. BUILDING SURVEYORS REPORT**

Prior to the sealing of the final plan of survey:

- a. a Building Surveyors report is to be provided to Council. The report is to identify any remediation works required to the existing outbuildings as a result of their

proximity to the new boundary in order to comply with the National Construction Code.

- b. any remediation works required in the Building Surveyors report are to be undertaken.

Note: in some instances building approvals may be required prior to undertaking remediation works.

#### **8. 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.

#### **9. DAMAGE TO PUBLIC INFRASTRUCTURE**

Prior to the sealing of the final plan of survey, any damage to public infrastructure, including damage to nature strips and road reserves, 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 Director Infrastructure and Development.

### **Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2022/101. 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 or legislation has been granted. Prior to the commencement of works the following approvals may be required:
  - i. Approval to undertake works in the road reserve.
  - ii. Plumbing approval.
3. This permit takes effect after:
  - i. the 14 day appeal period expires; or
  - ii. any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or
  - iii. any agreement that is required by this permit pursuant to Part V of the *Land Use Planning and Approvals Act 1993* is executed; or
  - iv. any other required approvals under this or any other Act are granted.
4. 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 for up to two years, provided a request is received within 6 months of the expiration of the permit.



**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

---

5. 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)
6. If any Aboriginal relics are uncovered during works;
  - i. All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - ii. The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6165 3152 or 1300 135 513 (ask for Aboriginal Heritage Tasmania). Aboriginal Heritage Tasmania can be emailed at: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)
  - iii. If required, the relevant approval processes will apply with state and federal government agencies.
7. The applicant is requested to remove the planning advertising sign from the property boundary, and to dispose of it in a thoughtful and sustainable manner.

**Minute No. 4/23**

**DECISION**

Moved: Cr Dawson

Seconded: Cr Archer

That the application for use and development, residential outbuilding at 6 Old Coast Road, Low Head (CT 117983/2) be **APPROVED** subject to the following conditions:

**1. ENDORSED PLANS**

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

- a. D J McCulloch Surveying, Job No 1814-2225, Plan No. 2522-03 DA, dated 14/12/2022
- b. D J McCulloch Surveying, letter dated 5/10/2022

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

**2. 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.

### **3. STORMWATER MANAGEMENT**

Prior to sealing of final plan:

- a. A stormwater management plan prepared by a suitably qualified person is to be provided to the satisfaction of Council's Director Infrastructure and Development. The plan is to confirm:
  - i. the current method of stormwater management for the buildings on Lot 1;
  - ii. Demonstrate hydraulic separation is achieved between lots 1 and 2 with no stormwater pipes crossing the shared boundary; and
  - iii. Identify any works required to redirect, manage and contain stormwater within the boundaries of lot 1.
- b. Any works recommended in the management plan approved in accordance with Condition 3.a) to achieve hydraulic separation and manage stormwater within the relevant title boundaries is to be completed to the satisfaction of Council's Director Infrastructure and Development.

Note: this permit does not override the need for plumbing approval to be obtained for stormwater works should they be required and enquiries should be made with Council's Permit Authority prior to the commencement of works.

### **4. DRIVEWAY CROSSOVERS**

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Prior to undertaking any works within the Council road reserve, including the installation of the vehicle crossover, separate consent is required from Council as the relevant Road Authority. The developer must make application to Council for a Permit to Undertake Works in the Road Reserve using Council's designated form and obtain approval prior to the start of works. This work must be at expense of the person responsible for the development.

### **5. PUBLIC OPEN SPACE CONTRIBUTION**

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 value of the newly created lots 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.

#### **6. TASWATER**

The development must be in accordance with the Amended Submission to Planning Authority Notice issued by TasWater (TWDA 2022/01689-GTC attached).

#### **7. BUILDING SURVEYORS REPORT**

Prior to the sealing of the final plan of survey:

- a. a Building Surveyors report is to be provided to Council. The report is to identify any remediation works required to the existing outbuildings as a result of their proximity to the new boundary in order to comply with the National Construction Code.
- b. any remediation works required in the Building Surveyors report are to be undertaken.

Note: in some instances building approvals may be required prior to undertaking remediation works.

#### **8. 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.

#### **9. DAMAGE TO PUBLIC INFRASTRUCTURE**

Prior to the sealing of the final plan of survey, any damage to public infrastructure, including damage to nature strips and road reserves, 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 Director Infrastructure and Development.

#### **Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2022/101. 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.

**George Town Council**  
**2023 01 24 Ordinary Council Meeting**  
**Confirmed Minutes**

---

2. This permit does not imply that any other approval required under any other by-law or legislation has been granted. Prior to the commencement of works the following approvals may be required:
  - i. Approval to undertake works in the road reserve.
  - ii. Plumbing approval.
3. This permit takes effect after:
  - i. the 14 day appeal period expires; or
  - ii. any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or.
  - iii. any agreement that is required by this permit pursuant to Part V of the *Land Use Planning and Approvals Act 1993* is executed; or
  - iv. any other required approvals under this or any other Act are granted.
4. 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 for up to two years, provided a request is received within 6 months of the expiration of the permit.
5. 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)
6. If any Aboriginal relics are uncovered during works;
  - i. All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - ii. The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6165 3152 or 1300 135 513 (ask for Aboriginal Heritage Tasmania). Aboriginal Heritage Tasmania can be emailed at: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au)
  - iii. If required, the relevant approval processes will apply with state and federal government agencies.
7. The applicant is requested to remove the planning advertising sign from the property boundary, and to dispose of it in a thoughtful and sustainable manner.

**VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr  
Against: Nil  
Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

*The Planner left the meeting at 1.32pm*

## **8 OFFICE OF GENERAL MANAGER**

### **8.1 REVIEW OF DELEGATIONS REGISTER**

**REPORT AUTHOR:** Director Corporate and Community – Cheryl Hyde  
**REPORT DATE:** 24 January 2023  
**FILE NO:** 14.2

---

### **OFFICER'S RECOMMENDATION**

That Council:

1. Endorses the revised Delegations Register dated January 2023 as presented.

*Director Corporate & Community entered the meeting at 1.33pm*

**Minute No. 5/23**

### **DECISION**

Moved: Cr Dawson  
Seconded: Cr Lowe

That Council:

1. Endorses the revised Delegations Register dated January 2023 as presented.

### **VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr  
Against: Nil  
Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

**8.2 NOTICE OF MOTION - NEW AND RENEWED LEASE ARRANGEMENTS**

<b>REPORT AUTHOR:</b>	Director Corporate and Community – Cheryl Hyde
<b>REPORT DATE:</b>	24 January 2023
<b>FILE NO:</b>	14.10

---

**OFFICER’S RECOMMENDATION**

That Council:

1. That any new or renewed lease arrangements being considered by Council Management, under section 175 of the *Local Government Act 1993*, be brought to Council Workshop for discussion and then be scheduled for the next available Council meeting for a decision by Council.
2. Notes, the General Manager (or their delegate) are authorised to execute leases of an operational nature.

**Minute No. 6/23**

**DECISION**

Moved: Cr Harris  
Seconded: Cr Ashley

That Council:

1. That any new or renewed lease arrangements being considered by Council Management, under section 175 of the *Local Government Act 1993*, be brought to Council Workshop for discussion and then be scheduled for the next available Council meeting for a decision by Council.
2. Notes, the General Manager (or their delegate) are authorised to execute leases of an operational nature.

**VOTING**

For: Cr Dawson, Cr Archer, Cr Ashley, Cr Harris and Cr Lowe  
Against: Cr Kieser and Cr Orr  
Abstained: Nil

CARRIED 5 / 2

**George Town Council  
2023 01 24 Ordinary Council Meeting  
Confirmed Minutes**

---

**8.3 COUNCIL WORKSHOPS - DECEMBER 2022 AND JANUARY 2023**

**REPORT AUTHOR:** Administration Officer – Eleanor Moore  
**REPORT DATE:** 18th January 2023  
**FILE NO:** 14.10

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**OFFICER'S RECOMMENDATION**

That Council receives the report on the Council Workshops held on 20 December 2022 and 17 January 2023.

**Minute No. 7/23**

**DECISION**

Moved: Cr Dawson  
Seconded: Cr Archer

That Council receives the report on the Council Workshops held on 20 December 2022 and 17 January 2023.

**VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr  
Against: Nil  
Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

**George Town Council  
2023 01 24 Ordinary Council Meeting  
Confirmed Minutes**

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**8.4 EXECUTION OF CROWN LAND LEASE - MBT - TIPPOGOREE HILLS  
CONSERVATION AREA**

**REPORT AUTHOR:** Administration Officer – Eleanor Moore  
**REPORT DATE:** 16th January 2023  
**FILE NO:** 32.24

---

**OFFICER’S RECOMMENDATION**

That Council:

1. Authorises the General Manager and the Mayor to execute the lease agreement (as attached) and affix the Common Seal for the purposes of construction and operation of the final section of the mountain bike trails within the Tippogoree Hills Conservation Area as presented in Figures 1 and 2.

**Minute No. 8/23**

**DECISION**

Moved: Cr Harris  
Seconded: Cr Dawson

That Council:

1. Authorises the General Manager and the Mayor to execute the lease agreement (as attached) and affix the Common Seal for the purposes of construction and operation of the final section of the mountain bike trails within the Tippogoree Hills Conservation Area as presented in Figures 1 and 2.

**VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr  
Against: Nil  
Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0



**9 INFRASTRUCTURE AND DEVELOPMENT**

Nil.

## **10 CORPORATE AND COMMUNITY**

### **10.1 EVENT SPONSORSHIP - ID RODEO**

**REPORT AUTHOR:** Director Corporate and Community – Cheryl Hyde  
**REPORT DATE:** 24 January 2023  
**FILE NO:** 23.9

---

### **OFFICER'S RECOMMENDATION**

That Council:

Provides \$4,000 sponsorship to Id Rodeo towards the Rodeo to be held in George Town on March 18, 2023.

### **Minute No. 9/23**

### **DECISION**

Moved: Cr Lowe  
Seconded: Cr Archer

That Council:

Provides \$4,000 sponsorship to Id Rodeo towards the Rodeo to be held in George Town on March 18, 2023.

### **VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr  
Against: Nil  
Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

*Director of Corporate and Community left the meeting at 1.50pm*

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

### **11.1 USE OF THE COMMON SEAL POLICY**

**REPORT AUTHOR:** Director – Kristen Desmond  
**REPORT DATE:** 19 January 2023  
**FILE NO:** 21.12, 14.12

---

### **OFFICER'S RECOMMENDATION**

That Council:

1. Endorse the Policy as presented

*Director Operational Performance, Strategy & Engagement entered the meeting at 1.51pm*

**Minute No. 10/23**

### **DECISION**

Moved: Cr Dawson  
Seconded: Cr Lowe

That Council:

1. Endorse the Policy as presented

### **VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr  
Against: Nil  
Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

**George Town Council  
2023 01 24 Ordinary Council Meeting  
Confirmed Minutes**

---

**11.2 FUTURE OF LOCAL GOVERNMENT REVIEW BOARD SUBMISSION**

**REPORT AUTHOR:** Director Operational Performance, Strategy & Engagement –  
Kristen Desmond

**REPORT DATE:** 19 January 2023

**FILE NO:** 14.20

---

**OFFICER'S RECOMMENDATION**

That Council:

1. Authorises the General Manager to make a submission to the Local Government Review Board in line with Council Offices comments

**Minute No. 11/23**

**DECISION**

Moved: Cr Harris

Seconded: Cr Lowe

That Council:

1. Authorises the General Manager to make a submission to the Local Government Review Board in line with proposed responses.

**VOTING**

For: Cr Kieser, Cr Dawson, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr

Against: Cr Archer

Abstained: Nil

CARRIED 6 / 1

*Director of Operational Performance, Strategy & Performance left the meeting at 2.01pm*

**George Town Council  
2023 01 24 Ordinary Council Meeting  
Confirmed Minutes**

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## **12 MAYOR**

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

**REPORT DATE:** 19 January 2023

**FILE NO:** 14.11

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<b>Mayor Cr Greg Kieser</b>		
<b>December</b>	16	Attended Tippogoree Hills MTB opening media event
	17	Attended Tippogoree Hills Lower Trails Opening
	19	Attended George Town Neighbourhood House Artisans Guild meeting
	20	Attended Port Dalrymple School Presentation evening
	23	Attended George Town Neighbourhood House Christmas Dinner
<b>Deputy Mayor Cr Greg Dawson</b>		
<b>January</b>	19	Attended George Town Council Judging for Australia Day Awards

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

#### **OFFICER'S RECOMMENDATION**

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

**Minute No. 12/23**

#### **DECISION**

Moved: Cr Lowe

Seconded: Cr Orr

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

#### **VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

**13 PETITIONS**

Nil.

**14 NOTICES OF MOTIONS**

Nil.

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

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

#### **Cr Archer**

Q1. What is Council's most up to date Costings for construction of the "Aquatic, Health and Wellbeing Centre"?

Response:

*\$21,808,489 (includes optional outdoor water play facility)*

Q2. What is Council's projected operational and depreciation costs for the "Aquatic, Health and Wellbeing Centre" once construction is complete?

Response:

*\$489,331 (net) per annum*



**16 COUNCIL COMMITTEE REPORTS**

Nil.

## **17 CLOSED MEETING**

### **17.1 INTO CLOSED MEETING**

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

**Agenda Item 17.2 Minutes of the Closed Ordinary Council Meeting held on 20 December 2022**

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

**Minute No. 13/23**

### **DECISION**

Moved: Cr Dawson

Seconded: Cr Lowe

That Council move into closed meeting at 2.04pm to discuss the following items:

**Agenda Item 17.2 Minutes of the Closed Ordinary Council Meeting held on 20 December 2022**

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

### **VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

### **17.3 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.*

**Minute No. 15/23**

#### **DECISION**

Moved: Cr Dawson

Seconded: Cr Ashley

That:

1. Council moves out of Closed Meeting at 2.07pm and endorses those decisions taken while in Closed Meeting and the information remains Confidential.

#### **VOTING**

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Harris, Cr Lowe and Cr Orr

Against: Nil

CARRIED UNANIMOUSLY 7 / 0

### **18 CLOSURE**

There being no further business, the meeting closed at 2.08pm.

**Cr Greg Kieser  
MAYOR**