



# GEORGE TOWN COUNCIL AGENDA

Notice is hereby given  
that the next Ordinary Council Meeting  
will be held on  
**Tuesday 28 February 2023**

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

commencing at **1:00 pm.**

*This meeting is being held face to face with limitations on public attendance to maintain social distancing. Council will be allowing a maximum of 10 persons into the Ordinary Council Meeting. You must pre-register to attend this meeting of Council.*

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

Shane Power  
**GENERAL MANAGER**

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**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 GTC 1, members of the public are not permitted to make audio recordings of Council meetings.

*Council will be allowing a maximum of 10 persons into the Ordinary Council Meeting for general public attendance to maintain social distancing. You must pre-register to attend this meeting of Council.*

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

**1 PRESENT**

**1.1 APOLOGIES AND LEAVE OF ABSENCE**

**1.2 IN ATTENDANCE**

## **2 CONFIRMATION OF MINUTES**

### **2.1 UNCONFIRMED MINUTES OF THE ORDINARY MEETING HELD 24TH JANUARY 2023**

#### **RECOMMENDATION**

That the Minutes of Council's Ordinary Meeting held on 24<sup>th</sup> January 2023 numbered 01/23 to 13/23 and 15/23 as provided to Councillors be received and confirmed as a true record of proceedings. (Attached)

#### **DECISION**

Moved:

Seconded:

#### **VOTING**

For:

Against:

**3 LATE ITEMS**

Nil.

## **4 PUBLIC QUESTION TIME**

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

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

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

*For further information on Council's Public Question Time Rules and Procedure, please refer to George Town Council Public Question Time Policy GTC13.*

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

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*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.*



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**4.2 PUBLIC QUESTIONS ON NOTICE**

Nil.

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**4.3 PUBLIC QUESTION TIME**

Commenced at:

Concluded at:

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

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

Nil.

## **5 DECLARATIONS OF INTEREST**

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

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

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



Shane Power  
**GENERAL MANAGER**

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

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

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

**7 PLANNING AUTHORITY**

Nil.

## **8 OFFICE OF GENERAL MANAGER**

### **8.1 COUNCIL WORKSHOPS - JANUARY AND FEBRUARY 2023**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	21 February 2023
<b>FILE NO:</b>	14.10
<b>ATTACHMENTS:</b>	Nil

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#### **SUMMARY**

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

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

##### **TUESDAY 24 JANUARY 2023**

- Update of Planning and Building Applications
- Update Capital Works
  - Presentation from DID on potential reporting changes
  - Regent Square Update
- State Grants Commission – 2023 Hearings
- Presentation – kanamaluka Trail upgrade
- Governance
- Councillor/General Manager Discussions

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

**Apologies:** Cr Heather Barwick, Cr Winston Mason

**In Attendance:** General Manager  
Director Corporate & Community Services  
Director Organisational Performance, Strategy & Engagement  
Director Infrastructure & Development  
Administration Officer  
Team Leader – Planning & Building Services  
Planner  
Project Manager

**Guests:** Nil.

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**TUESDAY 14 FEBRUARY 2023**

- Unconfirmed Minutes 24 January 2023
- Quarterly Report
- Youth Advisory Group
- Section 24 Committees Review
- Code of Conduct – Behavioural Expectations of Council
- Draft Tasmanian Waste and Resource Recovery Strategy 2022-2025
- Policies Review
  - Reclassification of Policies as Internal
  - Urban Areas Tree Management Strategy and Road Hierarchy and Municipal Map Policy
  - Information Disclosure Policy
  - Work Health and Safety Policy
- Local Government Minister’s Visit
- Governance
  - Regent Square Update
- Councillors/General Manager Discussions

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

**Apologies:** Director Corporate & Community Services

**In Attendance:** General Manager  
Director Operational Performance, Strategy and Engagement  
Director Infrastructure & Development  
Executive Governance & Support Officer

**Guests:** Our Futures Project Officer

**STRATEGIC PLAN**

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

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

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

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

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

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Local Government (Meeting Procedures) Regulations 2015.

**RISK CONSIDERATIONS**

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

**FINANCIAL IMPLICATIONS**

Nil.

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

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

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

**CONSULTATION**

Nil.

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

That Council receives the report on the Council Workshops held on 24 January 2023 and 14 February 2023.



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**OFFICER'S RECOMMENDATION**

That Council receives the report on the Council Workshops held on 24 January 2023 and 14 February 2023.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**8.2 QUARTERLY REPORT - QUARTER 2 - 1 OCTOBER - 31 DECEMBER 2022**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	15th February 2023
<b>FILE NO:</b>	14.21
<b>ATTACHMENTS:</b>	1. 1 October - 31 December Quarterly Report George Town Council [8.2.1 - 72 pages] 2. Annex D - Capital Works [8.2.2 - 3 pages]

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**SUMMARY**

The purpose of this report is to present the George Town Council 2<sup>nd</sup> Quarter Performance Report 1<sup>st</sup> October – 31<sup>st</sup> December 2022 to Council for endorsement and public release.

**BACKGROUND**

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

**STRATEGIC PLAN**

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

**Future Direction One - Community Pride**

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

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

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

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

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

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

The following legislation is relevant to this report:

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

## **RISK CONSIDERATIONS**

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

## **FINANCIAL IMPLICATIONS**

Nil.

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

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

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

## **CONSULTATION**

The draft 2nd Quarter Performance Report was presented on the 14 February 2023 Council Workshop.

## **OPTIONS**

Council may choose to:

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

## **OFFICER'S COMMENTS**

The 2<sup>nd</sup> quarter performance report is submitted for consideration by Council.

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**OFFICER'S RECOMMENDATION**

That Council:

1. Receives the George Town Council 2<sup>nd</sup> Quarter Performance Report 1<sup>st</sup> October – 31<sup>st</sup> December 2022.
2. Provides public access to the report as part of Council's commitment to ongoing good governance.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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### **8.3 KANAMALUKA TRAIL UPGRADE**

<b>REPORT AUTHOR:</b>	General Manager - Mr S. Power
<b>REPORT DATE:</b>	28 February 2023
<b>FILE NO:</b>	28.30
<b>ATTACHMENTS:</b>	1. kanamaluka Trail Submissions [8.3.1 - 17 pages]

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#### **SUMMARY**

This report discusses the kanamaluka Trail Upgrade and recent concerns expressed by the Park Run user group

#### **BACKGROUND**

The George Town Sports and Recreation Strategy was adopted by Council at its meeting 23 March 2021 (minute 035/21). The Sports and Recreation Strategy calls for the upgrade of the kanamaluka trail from gravel to concrete. Specifically, the strategy contains the following:

#### **5.2 Tracks and trails** **What the community said**

- Trail needs to be completed with concrete Low Head to town.
- Continuation of the shared trail Low Head to lighthouse
- At least one Parkrun circuit that is a 5km offroad circuit (rather than a trail where you have to run to the end and turn back). A Parkrun route has:
  - o No steps (especially going down steps),
  - o No crossing roads, no running next to traffic unless there is a physical separation between traffic and runners, and
  - o No sharp downhill sections on the finish line.

(note: there is no reference to gravel surface)

#### **Recommended actions: tracks and trails**

13. Develop the following off-road trails as a priority:
- From George Town to Low Head, along the foreshore.

Following a budget submission from Cr Peter Parkes, Council at its meeting 29 June 2021 adopted the 2021/2022 Capital Works Program comprising \$85,000 for the upgrade of a gravel section of the kanamaluka Trail.

The scope of the works include concreting a 240 metre section of the kanamaluka Trail (the section in the yellow on the image below). The works involve widening the existing narrow gravel path to a 2.5m wide concrete shared pathway, with the intention of catering for a wider range of users including recreators with mobility aids, and parents with prams, bicycles, joggers and walkers.

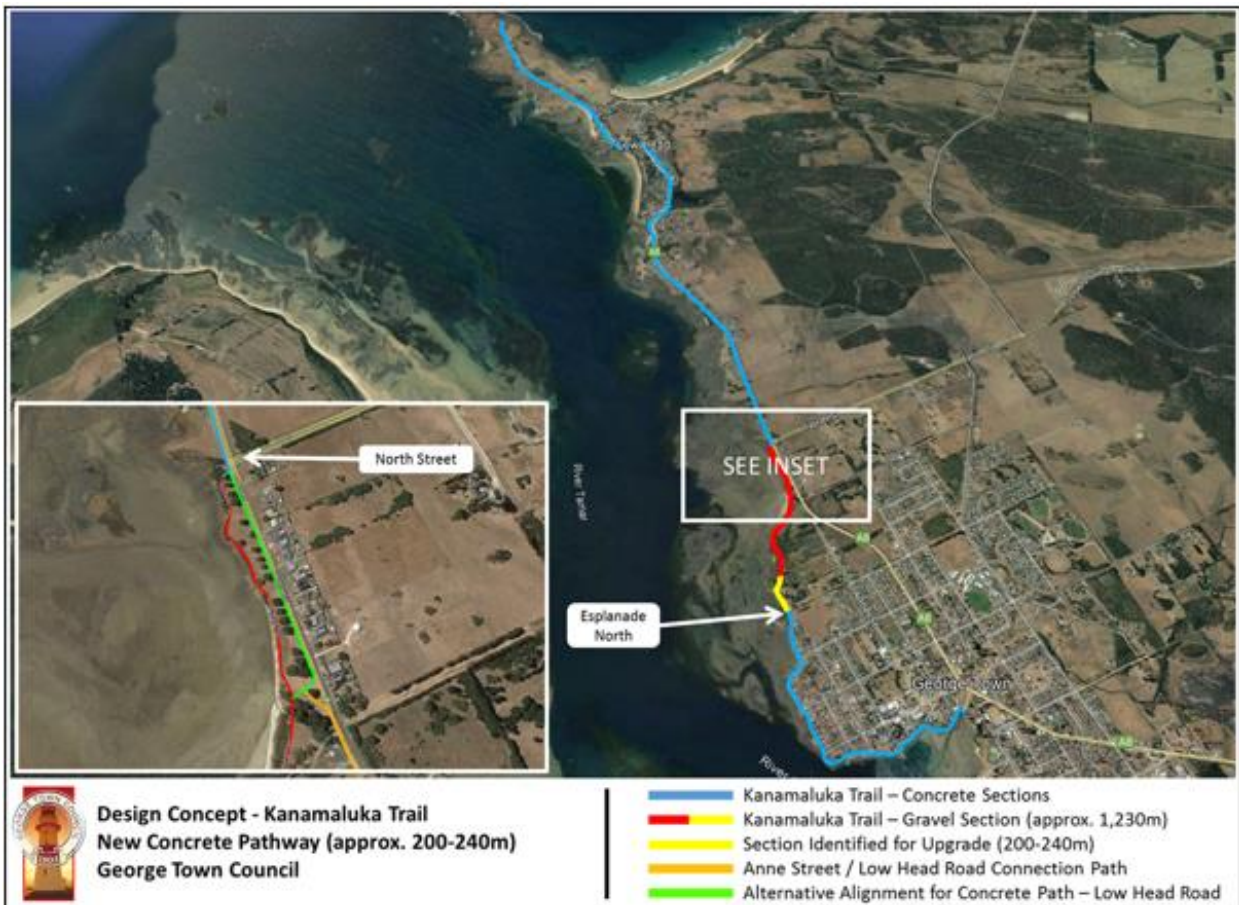
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Council has been approached by representatives of the local Park Run group requesting that the trail remain as gravel. Officers met with the representatives and agreed to undertake a further consultation process in addition to that which had occurred for the Sports and Recreation Strategy.

Consultation period commenced Thursday the 9th of February 2023 and closed at 5:00pm Friday the 24th of February 2023. At the time of authoring this report (approximately 24hrs remaining for the consultation period), 10 submissions were received (attached).

Image One



Council Officers recommend proceeding with the upgrade of the section of the gravel path as pictured in yellow (above). Officers further recommend future works to concrete a shared path with an alternate alignment connecting to future and existing concrete paths at Anne Street and North Street. The future works will complete a fully accessible path existing from George Town to Low Head while leaving a gravel path section (in red above) for Park Run users.

### **STRATEGIC PLAN**

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

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

1. All are valued and included

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- i. Taking a 'whole of community' approach to everything.

**Future Direction One - Community Pride**

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

**Future Direction One - Community Pride**

- 3. A strong, recognisable, positive reputation
  - ii. Branding our produce and products.

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

- 10. Local shops and cafes thrive and respond to local and visitor needs
  - i. Focusing on 'Support Local; Buy Local; Employ Local'.

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

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

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

- 2. Planning and regulatory responsibilities are undertaken fairly and openly
  - i. Building knowledge and understanding of planning and regulatory responsibilities and processes.
  - ii. Compliance customer service standards and processes.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

The following legislation relates to the decision being sought.

Crown Lands Act 1976

The National Parks and Reserves Management Act 2002

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The following Council documents relate to the decision being sought.

George Town Sports & Recreation Strategy

Recommendation 13 - Develop the following off-road trails as a priority:

*From George Town to Low Head, along the foreshore*  
Diversity, Equitable Access and Inclusion Policy.

### **RISK CONSIDERATIONS**

In accordance with Council's adopted Risk Management Framework and Risk Matrix, it is the view of officers that concreting the proposed section of trail presents a low risk of community dissatisfaction.

### **FINANCIAL IMPLICATIONS**

Nil

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

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

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

The upgrade from gravel pathway to concrete pathway provides a recreational asset to a broader user group in accordance with Council policy and related strategy.

### **CONSULTATION**

The community implications of the recommendation action/s has been assessed against Council's Community Consultation Framework as having a low to medium impact requiring category one consultation.

When considering the consultation process undertaken for the Sports and Recreation Strategy and the further process specific to the upgrade of the kanamaluka Trail, Council can be satisfied it has exceeded its own standards for consultation.

Consultation included direct email to Park Run Australia, a meeting with Park Run George Town representatives and call for community feedback on the proposed upgrading of the trail which resulted in ten submissions. Of the submissions received, five were for the upgrade and five were against.

With regard to the Sports and Recreation Strategy the following consultation methods were used to seek input from local residents and community organisations:

- Preparation of web and social media pages by Council to invite comments and submissions
- Telephone discussions with staff



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- A world café round table consultation session with school children and residents (48 attendances)
- An online community survey (183 responses)
- Facebook (5 comments)
- Club survey for sports clubs by phone (13 responses)
- Club survey for state sports associations by phone (7 clubs interviewed)
- Interviews with elected members (8 interviews), and
- Review of the draft by staff.

### **OPTIONS**

Council may choose to:

1. Proceed with the concreting of approximately 240 meters of the gravel section of the kanamaluka Trail as highlighted in Image One in the body of the report; or
2. Defer or cancel the works;
3. Identify alternate options for the works.

### **OFFICER'S COMMENTS**

It is the view of the General Manager that the upgrade of the proposed section of the kanamaluka Trail caters for a wider range of users including recreators with mobility aids, and parents with prams, bicycles, joggers and walkers. It is understood that the gravel path is enjoyed by the Park Run user group. It is the view of the General Manager that maintaining a gravel section extending between the footbridge and North Street presents a fair compromise without discrimination. All groups can be accommodated for should Council proceed with future concrete pathway works as illustrated in Image One (see inset).

It should be noted that during the consultation process, the General Manager received correspondence from the George Town Park Run Event Director requesting consent to use the trail (approximately 5 km trek) in accordance with Park Run Australia requirements. In the correspondence the Event Director provides:

*'Our numbers vary from 6 or 7 in the depths of winter to 15 - 20 in summer, and we often host parkrun 'tourists' from intrastate, interstate and international parkruns'.*

The General Manager believes that the upgrade of the trail as proposed will provide recreation access and enjoyment to larger portion of the community.

### **OFFICER'S RECOMMENDATION**

That Council:

1. Proceed with the concreting of approximately 240 meters of the gravel section of the kanamaluka Trail as highlighted in Image One in the body of the report; and

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2. Authorise the General Manager to provide for George Town Park Run approval to use the kanamaluka Trail.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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#### **8.4 REGENT SQUARE REDEVELOPMENT PROJECT**

<b>REPORT AUTHOR:</b>	Director Infrastructure & Development – Andrew McCarthy
<b>REPORT DATE:</b>	17th February 2023
<b>FILE NO:</b>	55.32
<b>ATTACHMENTS:</b>	1. Regent Square Master Plan Version E [8.4.1 - 1 page]

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#### **SUMMARY**

This report provides an update on expenditure incurred to date for the Regent Square Redevelopment Project.

#### **BACKGROUND**

On 21 November 2018 Council's motion 182/18 resolved to deliver the Regent Square Playground project in two stages, with Stage 1 within the 2018/19 financial year and Stage 2 also within the 2018/19 financial year should funding sources be raised or alternatively referred to the 2019/20 financial year budget for consideration.

Council's motion 182/18 also resolved that the income from the sale of public open space land (Agnes Street, Davis Street and Riverleads Drive) be allocated to fund construction of Stage 2 Regent Square works.

Specifically the motion moved reads:

- a. *To deliver the project in two stages with stage 1 within the FY 2018/19 and stage 2 also within the FY 2018/19 should funding sources be raised or alternatively referred to the FY 2019/20 budget for consideration. The stages are as shown in the plan enclosed as Attachment 5.*
- b. *That in accordance with Regulation 27 clause ix of the Local Government (General) Regulations 2015 that a public tender process is not undertaken for the purchase of the items of play equipment identified as items 1 – 6 and 10 – 12 inclusive in Table 1 above (items listed in stage 1), given extenuating circumstances and unavailability of competitive tenders. Such purchase shall be in accordance with a quote received from the supplier 'Adventure+' dated 15 June 2018 enclosed as Attachment 6. Should stage 2 be undertaken in FY 2018/19 then the items mentioned above shall also include items 7, 8 & 9 in Table 1 above (items listed in stage 2).*
- c. *That the projects identified in the FY 2018/19 Budget, as shown in Table 2 above, be abandoned and such funds transferred to the Regent Square Playground project stage 1 and*
- d. *That the income from the sale of public open space land (Agnes Street, Davis Street and Riverleads Drive) be allocated to fund construction of stage 2 works*

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Stage One was delivered at a cost of \$421,924. Council may recall the requirement of disclosure for having not undertaken a tender process as reported in the 2018/2019 Annual Report and in accordance with s72(1)(e) of the *Local Government Act 1993*.

Leading into the federal election Council resolved (026/19):

'That Council:

1. *Selects the Draft Regent Square Master Plan (not inclusive of the Macquarie Street upgrade proposal) and the George Town Mountain Bike Trail for the purposes of advocating for full federal funding from the major parties contesting the pending federal election;*
2. *Pursues funding for the Glen Road and Dalrymple Road upgrades as a combined project; and*
3. *Continues to source funding by way of grants for the implementation of all of its priority projects.'*

On 8 October 2019 Council entered into a Deed of Funding Agreement with the Australian Government to fund Regent Square Redevelopment Stage 2 for \$2,450,000 (excluding GST) from the Community Development Grants program.

Council at its meeting 29 June 2019 resolved (108/19):

- a) *That the Capital Works program expenditure for the 2019/2020 financial year and the carry forward capital works as reported be approved and adopted; and*
- b) *Council does not incur any expenditure in regards to the Mountain Bike Trail and Regent Square Development Stage Two and beyond, capital projects until the funding deed with the Federal Government is signed for the full value of the application being \$4.4m and \$2.45m respectively.*

Leon Lange Design was appointed to revise the draft master plan following public consultation, with the following aspirations being provided:

- A regionally significant contemporary park space that will be award winning
- A space that can be enjoyed by all in all seasons
- Include smart technology where appropriate
- Be sensitive to the heritage of the site

On 28 February 2020 Lange Design provided Council with preliminary costings totalling \$2,478,447.50 (excluding GST) to complete the Regent Square Development Stage 2 works.

Following a public tender process, Council at its Closed Meeting 12 August 2020, were presented with submissions ranging from \$4M to \$5.7M exclusive of GST.

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No tenders were awarded as they far exceeded the available budget of \$2,450,000 excluding GST.

Following receipt of exceptionally high tender submissions, an alternate approach to project delivery commenced.

It was determined that Council would manage the project internally utilising local contractors, trades and labour where possible. It was also discussed that components of the project scope may need to be reduced or omitted should funds be exhausted.

In September 2020 Council released six Periodic Standing Contract requests for tenders to undertake the following:

1. Electrical
2. Landscaping
3. Civil
4. Building / Structural
5. Plumbing
6. Supply and Delivery of Road Materials, Quarry and Landscaping Supplies

A special attempt was made to make it easier for small to medium sized local contractors to submit a tender. As a result, Council received and awarded tenders from 43 contractors to comprise a panel of Periodic Standing Contract (176/20). A number of these contractors have worked on the Regent Square Redevelopment project.

Keen Partners has been engaged throughout the project providing local labour to assist in the delivery of the project. The grant deed does not allow Council to use its own staff for the project, thus the engagement of Keen Partners and the contracted position of Project Officer.

As reported to Council, the pandemic and geopolitical circumstances have inflated the market for materials, labour and exacerbated supply chain constraints across Tasmania and abroad. This has resulted in several variations have been sought and approved from the Commonwealth for delivery timeframes. The government acknowledged that this is a common issue throughout the nation.

Council may also recall the motion it tabled at the LGAT General Meeting December 2020 further recognising the implications of labour shortage, material costs and supply issues across the sector:

*'That LGAT:*

*calls on the State Government to harmonise the timing requirements of its local government grant schemes with other grant funding agencies (such as the Federal Government) in order to reduce contradictory and conflicting expenditure and benchmark requirements'*

A further example of the impact on the Regent Square project was presented to Council in a report recommending allocation of Phase Three of the Commonwealth Local Roads and

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Community Infrastructure Program (motion 169/21) to accommodate fabrication and installation of the picnic shelter and gathering space structures.

At the Closed Meeting of Council 22 February 2022, the estimated expenditure required to complete agreed elements of the project was reported to be \$3,781,220 (excluding GST). Consequently, Council resolved to allocate further funding (029/22):

- a) Phase Three of the Local Roads and Community Infrastructure Program totalling \$666,120;
- b) the Public Open Space Reserve being \$315,865.24; and
- c) identifying savings in the 2021/2022 capital works budget

The funds allocated through identifying savings in the 2021/2022 capital works budget equated to \$350,243.

Regent Square was opened to the public 9 December 2022, having all agreed elements of the park completed.

Officers endeavored to keep Council well informed of the project costs throughout the project, seeking budget adjustments as necessary before works occur.

In determining final costs for the project several financial transactions and invoices were discovered that resulted in an over expenditure of the approved budget for Regent Redevelopment. The amount of unapproved expenditure totals \$284,207 (excluding GST).

While the expenditure was required for the delivery of the project, an internal investigation revealed that the expenditure was not approved in accordance with policy and council expectations. Appropriate action has been taken, consequently.

Break down:

\$174,496.13 (ex GST)	Operating transactions to be journalled to capital program
\$19,588.88 (ex GST)	TasWater
\$51,188.86 (ex GST)	Electrical works
\$23,895.00 (ex GST)	Structure variation
\$14,895.00 (ex GST)	Civil works

This takes the final cost of the project (YTD) to \$4,065,207 (excluding GST).

## **STRATEGIC PLAN**

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

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

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

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**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Section 73 of the *Local Government Act 1993* explains:

A council may raise funds in any or more of the following ways –

(e) by obtaining grants and other allocations of money.

Section 74 of the *Local Government Act 1993* explains that a council may expend its funds for the purpose of exercising its powers or carrying out its functions under this or any other Act within the estimates adopted under [section 82](#).

Section 82 of the *Local Government Act 1993* explains:

1. The general manager must prepare estimates of the council's revenue and expenditure for each financial year.
2. Estimates are to contain details of the following:
  - (a) the estimated revenue of the council;
  - (b) the estimated expenditure of the council;
  - (c) the estimated borrowings by the council;
  - (d) the estimated capital works of the council;
3. Estimates for a financial year must –
  - (a) be adopted by the council, with or without alteration, by absolute majority;
4. A council may alter by absolute majority any estimate referred to in [subsection \(2\)](#) during the financial year.

**RISK CONSIDERATIONS**

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

At the Closed Meeting of Council 22 February 2022 the following was reported:

*'There is a high risk that Council will not achieve all the milestones that are planned for Regent Square within its available budget. Council has limited funding sources to complete this project within the near future. Therefore, this project is at risk unless alternative funding can be successfully received for this purpose.'*

While every endeavor has been made to determine all unaccounted expenditure on the Regent Square Redevelopment project, there remains a moderate risk that further expenditure for completed works may be discovered.

**FINANCIAL IMPLICATIONS**

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At the Closed Meeting of Council 22 February 2022, the estimated expenditure required to complete agreed elements of the project was reported to be \$3,781,220 (excluding GST).

The source of funding as follows:

Federal Funding	\$2,450,000
Phase Three LRCIP	\$666,120
Open Space Reserve	\$315,865
2021/2022 Capital Works Program Savings	\$350,243
Unfunded expenditure	\$284,207

It is proposed that unfunded expenditure will be accommodated through the following areas of the capital works program:

Storm Water (Pits)	\$98,689
Storm Water (Pipes)	\$86,440
Storm Water (Anne Street)	\$25,000
Storm Water (Adelaide Street)	\$31,146
Storm Water (Friend Street)	\$14,788
Storm Water (various)	\$12,000
Street Banners	\$5,907
Windmill Point	\$10,000
Total	\$283,970

*Noting the irrigation system requires some further works to the configuration which will be costed to Parks & Reserves.*

Outstanding works as per Master Plan Issue E (attached) are as follows:

Item 1	Kerb extensions
Item 2	1811 George Town Plan
Item 7	Streetscape
Item 9	War Memorial
Item 15	Boardwalk and interpretative signage
Item 16	Identities of George Town (plinths and digi glass displays)
Item 17	Lions and Soroptimists garden
Item 18	Sound Stage
Item 19	Historical Node
Item 20	Kerb extensions
Item 26	Road Safety track
Item 35	Street trees/outstands (budgeted 22/23)

Delivery of remaining elements will be subject to future budgets processes, grant and advocacy opportunities.



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

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

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

- Encourage people to participate in the community by having fair and inclusive opportunities, including appropriate and equal access to facilities, services and activities.

Regent Square design incorporates accessibility considerations including appropriately graded pathways, playground equipment, park furniture and diversity considerations including a Gathering Space inspired by Aboriginal Wind Shelters.

## **CONSULTATION**

George Town Council adopted the Regent Square Master Plan at its Council Meeting held on 25 February 2020. The following consultation process took place to produce the adopted Regent Square Master Plan:

1. A reference group comprising ten community members, the Mayor and the General Manager have been consulted over an extensive period in the development of the draft Regent Square Master Plan.
2. Council, at its meeting on 16 July 2019, resolved to place the Regent Square Reference Group Draft Master Plan Version 1 dated 9 July 2019 as presented, on public exhibition seeking community feedback for a period of 28 days. The plan was placed on public exhibition throughout August 2019 inviting feedback through social media, Council's website, print and radio. Council's officers also sought community feedback by way of verbal survey at the launch of Stage One of the Regent Square Playground 31 August 2019.

Council received 28 individually registered written submissions and many more verbal submissions that were recorded by Officers resulting in a total of 81 comments. All submissions received were collated and presented to Council at its workshop on 8 October 2019. All data was compiled and forwarded to Lange Design for interpretation and inclusion in a revised draft master plan for the site. The revised draft master plan was presented to Council at its workshop on 17 December 2019. Following the workshop, it was requested to develop 3D artistic impressions that could demonstrate perspectives of what the site may look like when developed.

The revised draft master plan and accompanying 3D artistic impressions were presented to representatives of the local Aboriginal community 11 February 2020 receiving positive feedback.

The revised draft master plan and accompanying 3D artistic impressions were also presented to members of the Regent Square Reference Group 11 February 2020 with a number of concerns being raised. Concerns around the omission of the rotunda were expressed by the community during the consultation session.

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The revised draft master plan was presented for adoption, dated 13 February 2020, incorporating a number of changes following the consultation sessions of 11 February 2020. Issue E, retaining the rotunda, was released as adopted.

Councillors have been consulted on project progress including over expenditure at a series of workshops. This report's intent is to update Councillors and community on the project as part of its commitment to transparency.

### **OPTIONS**

Council may choose to:

1. Note the report, including the over expenditure incurred to date for the Regent Square Redevelopment; or
2. Seek an alternate action.

### **OFFICER'S COMMENTS**

While events outside of Councils control have led to an increase in some costs associated with the project, it is acknowledged that Councils project, procurement and contract management capabilities can be improved. As such, a Project Management Framework and reporting structures are being improved. This is a commitment being undertaken, alongside contract management training and implementing a corporate-wide software system that will enhance Councils procurement compliance capabilities. An independent Quantity Surveyor has also been engaged to provide current market costs for providing estimates with greater accuracy for new projects.

### **OFFICER'S RECOMMENDATION**

That Council:

1. Note the report, including the over expenditure incurred to date for the Regent Square Redevelopment; and
2. Approve identified budget allocations to accommodate over expenditure as follows:

a) Storm Water (Pits)	\$98,689
b) Storm Water (Pipes)	\$86,440
c) Storm Water (Anne Street)	\$25,000
d) Storm Water (Adelaide Street)	\$31,146
e) Storm Water (Friend Street)	\$14,788
f) Storm Water (various)	\$12,000
g) Street Banners	\$5,907
h) Windmill Point	\$10,000

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**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

## **9 INFRASTRUCTURE AND DEVELOPMENT**

### **9.1 CONSIDERATION OF ENTERING INTO A LEASE WITH CROWN LAND RE: LAND ADJOINING 280 HILLWOOD JETTY ROAD, HILLWOOD**

**REPORT AUTHOR:** Team Leader - Planning & Building Services - Ms T. Burt  
**REPORT DATE:** 20th February 2023  
**FILE NO:** 34.2  
**ATTACHMENTS:** Nil

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#### **SUMMARY**

The purpose of this report is to seek consent to apply to lease the land adjoining Council's property at 280 Hillwood Jetty Road, Hillwood, also known as the Hillwood Football Club and Hillwood Hall.

The suggested lease duration will be ten (10) years.

#### **BACKGROUND**

Officers have become aware of a parcel of land requiring a lease with the Crown. As pictured below, a portion of the Hillwood Recreation reserve is vested in the State, however it partly accommodates the Hillwood Football Club facility and surrounds which is subject to council and club management (via a user agreement). Council has also received funding to upgrade the club rooms requiring Crown consent and a lease.



**Figure 1: Aerial Photo: boundaries**

The site is used to facilitate the Hillwood Football Club and the Hillwood Hall including a small playground. The Hillwood Football Club is managed through a user agreement with Council.

It is essential for Council to secure usage rights over this property if Council wishes to carry out works on the clubrooms or its surrounds. Considering there are already existing Council assets on this Crown land, a lease is also required to allow Council for maintain aspects of this property as required.

Council had previously enquired with the Crown to buy this piece of land, however it was determined that a lease presents the best financial option for Council.

### **STRATEGIC PLAN**

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

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

1. Recreational opportunities for all
  - i. Developing well-designed and maintained recreational facilities – shared pathways, tracks, trails, exercise stations – all ages, all abilities.
  - iii. Growing participation in Active George Town and activating similar 'Active' groups throughout the municipality.

- iv. Engaging young people in recreational activities of their choice.

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

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

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

- 7. Community celebrations build the areas reputation
  - i. Using cultural and artistic celebrations to engage and build understanding of the community and area.
  - ii. Growing attendance numbers by responding to new, creative ideas and improvements.
  - iv. Including specific activities designed by young people in all celebrations.

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

- 8. Public infrastructure relevant to needs
  - i. Making sure the place works well through good design, safety standards asset management and ongoing maintenance.
  - ii. Understanding priorities and scheduling responses.
  - iii. Maintaining access to quality health, well-being, education and training.
  - iv. All ability amenities to meet the needs of residents and visitors.
  - v. Improve access through the design, maintenance and extension of footpaths, tracks and trails.

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

- 4. Positive and productive working relationship with all levels of government and their agencies

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- i. Ensuring the area's needs and priorities are understood.
- ii. Understanding the outcomes and directions sought by all levels of government.
- iii. Building skills in attracting funding and investment.

Maintaining leases over existing sport and recreation facilities is essential to providing these services.

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

Lease agreements are entered into in accordance with the *Crown Land Act 1976*.

If Council wishes to continue to use and maintain these facilities, lease agreements are a statutory requirement.

Section 175 of the *Local Government Act 1993* provides:

*'A council may purchase or lease land for any purpose which it considers to be of benefit to the council or the community.'*

### **RISK CONSIDERATIONS**

Recognised risks associated with leases require that Council is responsible for the ongoing maintenance of the area and any facilities to a standard that eliminates hazard and potential public liability claims.

Without a lease in place, it limits Council's ability to legally provide maintenance to the land and infrastructure without seeking permission from the Crown on an as needs basis.

### **FINANCIAL IMPLICATIONS**

Financial implications include maintenance, upkeep and any works to the facilities which will require Crown consent if the works are determined to be on their land.

Rent (and associated other agreement costs such as legal and valuation) will generally only be charged to Council if the agreement is for a commercial or income producing purpose. If the purpose is for community benefit i.e. public recreation, there is no legal cost for Council and the rent will be \$1.00 if and when demanded (this has not been demanded in the past).

If Council does not wish to enter into a lease, any improvements may need to be removed and the site remediated to the Crown's satisfaction.

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

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

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

**CONSULTATION**

Council has been in continuous consultation with the Hillwood Football Club.

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

Given there are existing Council assets on this land, it would be in our best interest to formalize some authority over this land which will assist with making decisions in relation to the use and improvements, provided consent is given from the State.

If Council entered this lease agreement, Council is responsible and committed to maintaining this area for 10 years.

At any given time, the Council may request to cancel or change the lease agreement, subject to approval by the Minister's delegate.

Upon receipt of Council's decision, if in favor of entering into this lease, the new ten (10) year lease agreement will be prepared by the Minister of the Information and Land Services Division of the Department of Primary Industries, Parks, Water and Environment for signing.

**OFFICER'S RECOMMENDATION**

That Council:

1. In respect to the land adjoining 280 Hillwood Jetty Road, Hillwood:
  - a. Confirms its intention to enter into a ten (10) year lease; and
  - b. Authorises the Mayor and the General Manager to execute the lease on behalf of Council.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:



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**9.2 CONSIDERATION OF ENTERING INTO A LEASE WITH CROWN LAND RE: LAND BETWEEN ELIZABETH STREET AND BATHURST STREET, GEORGE TOWN**

**REPORT AUTHOR:** Team Leader - Planning & Building Services - Ms T. Burt  
**REPORT DATE:** 20th February 2023  
**FILE NO:** 34.2  
**ATTACHMENTS:** Nil

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**SUMMARY**

The purpose of this report is to seek consent to apply to lease the land between Elizabeth Street & Bathurst Street, George Town.

The suggested lease duration will be ten (10) years.

**BACKGROUND**

This site is currently used for public recreation. There are some existing Council's assets i.e. small playground, public rest stop and public toilet, located on this Crown Land.

Although part of the kanamaluka Trail is located on this land, Council hasn't entered into an agreement with the Crown to date for use of this land.



**Figure 1: Aerial Photo - land**

Council currently maintains this property along with the assets on it. It is Council's intention to install a metal structure on this site in the very near future. To assist with the installation of the metal structure, it is essential for Council to enter into an official lease agreement to use and maintain the land and assets.

### **STRATEGIC PLAN**

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

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

1. Recreational opportunities for all
  - i. Developing well-designed and maintained recreational facilities – shared pathways, tracks, trails, exercise stations – all ages, all abilities.
  - iii. Growing participation in Active George Town and activating similar 'Active' groups throughout the municipality.
  - iv. Engaging young people in recreational activities of their choice.

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

3. Social infrastructure meets community needs

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

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

- 7. Community celebrations build the areas reputation
  - i. Using cultural and artistic celebrations to engage and build understanding of the community and area.
  - ii. Growing attendance numbers by responding to new, creative ideas and improvements.
  - iii. Programming to avoid clashes of dates.
  - iv. Including specific activities designed by young people in all celebrations.

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

- 8. Public infrastructure relevant to needs
  - i. Making sure the place works well through good design, safety standards asset management and ongoing maintenance.
  - ii. Understanding priorities and scheduling responses.
  - iii. Maintaining access to quality health, well-being, education and training.
  - iv. All ability amenities to meet the needs of residents and visitors.
  - v. Improve access through the design, maintenance and extension of footpaths, tracks and trails.

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

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

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- iii. Building skills in attracting funding and investment.

Maintaining leases over existing recreation facilities is essential to providing these services.

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

Lease agreements are entered into in accordance with the *Crown Land Act 1976* and conditions of the lease are within the lease agreements themselves.

If Council wishes to continue to use and maintain these facilities, lease agreements are a statutory requirement.

Section 175 of the *Local Government Act 1993* provides:

*'A council may purchase or lease land for any purpose which it considers to be of benefit to the council or the community.'*

### **RISK CONSIDERATIONS**

Recognised risks associated with leases require that Council is responsible for the ongoing maintenance of the area and any facilities to a standard that eliminates hazard and potential public liability claims.

Without a lease in place, it limits Council's ability to legally provide maintenance to the land and infrastructure without seeking permission from the Crown on a as needs basis.

### **FINANCIAL IMPLICATIONS**

Financial implications include maintenance, upkeep and any works to the site which will require Crown consent.

Rent (and associated other agreement costs such as legal and valuation) will generally only be charged to Council if the agreement is for a commercial or income producing purpose. If the purpose is for community benefit i.e. public recreation, there is no legal cost for Council and the rent will be \$1.00 if and when demanded (this has not been demanded in the past).

If Council does not wish to enter into a lease, any improvements may need to be removed and the site remediated to the Crown's satisfaction.

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

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

In accordance with the Diversity, Equitable Access and Inclusion Policy, Council has the opportunity to provide fair and equal access for people within its community, regardless of their individual needs. Accessible recreational spaces, buildings and infrastructure enhances livelihood for people with disabilities, parents with children (strollers), elderly, people with temporary injuries, whilst also augmenting Occupational Health and Safety requirements.

Providing recreational facilities significantly increases the accessibility of recreational opportunities for all members of the community.

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**CONSULTATION**

Community consultation is not required to enter into a lease agreement, being the status quo scenario.

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

Given there are existing Council assets on this land, it would be in Council's best interest to formalize some authority over this land which will assist with making decisions in relation to the use and improvements provided consent is given from the State.

It is intended that if Council was to enter into this lease agreement, Council is responsible and committed to the maintenance of this area for a ten (10) year period.

At any given time Council can request to cancel or alter lease agreements however the cancellation of lease would be subject to approval from the Minister's delegate and is not guaranteed.

Upon receipt of Council's decision, if in favor of entering into this lease, the new ten (10) year lease agreement will be prepared by the Minister of the Information and Land Services Division of the Department of Primary Industries, Parks, Water and Environment for signing.

**OFFICER'S RECOMMENDATION**

That Council:

1. In respect of the land between Elizabeth Street & Bathurst Street, George Town:
  - a. Confirms its intention to enter into a ten (10) year lease; and
  - b. Authorises the Mayor and General Manager to execute the lease agreement on behalf of Council.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**10 CORPORATE AND COMMUNITY**

Nil.

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

### **11.1 S24 SPECIAL COMMITTEE REVIEW - GEORGE TOWN COMMUNITY SAFETY GROUP COMMITTEE**

<b>REPORT AUTHOR:</b>	Director Organisational Performance, Strategy & Engagement - Ms K. Desmond
<b>REPORT DATE:</b>	7th February 2023
<b>FILE NO:</b>	14.35
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. GTC 16 Section 24 Special Committee Review Policy [11.1.1 - 5 pages]</li><li>2. S 24 Special Committees of Council Annual Review Procedure [11.1.2 - 8 pages]</li><li>3. GTC 16 T1 Section 24 Special Committee Needs Assessment [11.1.3 - 8 pages]</li></ol>

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#### **SUMMARY**

The purpose of this report is to provide the outcome of the annual review of the Section 24 Special Committee – George Town Community Safety Group Committee to enable Council to make an informed decision regarding the future of the George Town Community Safety Group Committee as per GTC-16 Special Committees Policy.

#### **BACKGROUND**

The George Town Community Safety Group Committee (**the Committee**) is a Section 24 Special Committee created by the George Town Council, that has operated in its current form since 2006.

The Committees Terms of Reference states that the aim of the Committee is to enhance the safety of the George Town municipal area by providing a forum for:

- Information sharing and data collection
- Discussion of safety issues within the municipal area to formulate the provision of advice to the Council
- Foster collaboration between community stakeholders to improve community safety
- Foster a culture of safe and responsible community behaviour.

It further states that the Committee will:

- Develop long and short term strategies to address local safety issues, focusing on prevention, education and early intervention
- Actively engage the community and other key stakeholders on local community safety issues of concern

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- Improve dialogue and partnerships with non-government organisations, community organisations, and other key stakeholders
- Identify new initiatives and capacity to source grant money to fund community safety initiatives,
- Develop and disseminate community safety material among the local and business community as approved by Council

Work collaboratively as a group and be actively involved in projects/activities identified by the committee.

The committee has achieved much during its tenure including but not limited to:

- Introduction of smoking restrictions at school crossings;
- Care for our kids, kerbside bin sticker campaign;
- Advocating for 40 km p/h speed limitations when passing emergency services;
- Advocating or multiple local road speed reviews; and
- The adoption of the George Town Community Safety Plan.

## **STRATEGIC PLAN**

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

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

#### **4. Safe and secure communities**

- i. Focusing on prevention.
- ii. Making George Town drug free with no crime.
- iii. Developing a plan to end domestic, family and sexual violence.

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

#### **1. A culture of engagement and participation**

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

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

GTC16 – Special Committees Policy



## **RISK CONSIDERATIONS**

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

## **FINANCIAL IMPLICATIONS**

Financial implications have not been assessed.

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

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

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

## **CONSULTATION**

Discussion was held at the Council Workshop on 14<sup>th</sup> February 2023.

## **OFFICER'S COMMENTS**

This report for ease of reading has been broken into four (4) review sections and a summary section containing officers' findings and recommendations. This review was conducted for the period June 2021 to June 2022 (**the Review Period**).

### **Attendance**

During the Review Period, the Committee had representatives attend from the following groups at various times:

1. Tas Police
2. Piper's River Neighbourhood Watch
3. George Town Neighbourhood Watch
4. George Town Neighbourhood House
5. Bellingham Progress Association
6. Weymouth Progress Association
7. George Town Chamber of Commerce
8. Low Head Progress Association
9. Lulworth Community Association
10. Port Dalrymple School/Department of Education
11. Hillwood Progress Association

Attendance has varied from month to month between six (6) and 11 attendees comprising of the Chairperson, Deputy Chair, representatives from the above organisations, and Council Officers. The Committee has always been able to reach a quorum during the review period.

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Of the 11 organisations noted above, five (5) are Community Associations.

During the Review Period, there have not been any attendees from the following State Government Agencies:

1. Department of State Growth
2. Tasmanian Health Services
3. Ambulance Tasmania
4. Department of Justice
5. State Emergency Service
6. Tasmanian Fire Service

There were also no attendees from Service Provider Networks.

This highlights a distinct lack of engagement by most State government departments and emergency services.

**Appointment of New Members:**

The Terms of Reference of the Committee state that “Appointment to the Committee is by the Chairperson on advice from the Committee members.”.

Based on the review undertaken by Council Officers only one (1) request for a new member was made and that request was to Ambulance Tasmania by the Chairperson. No response was received by the Committee from Ambulance Tasmania.

**Objectives Of the Committee**

Council Officers have considered the objectives of the Committee, in conjunction with the membership and minutes, and note that this reveals that a number of objectives of the Committee have not been met or have only partially been attempted.

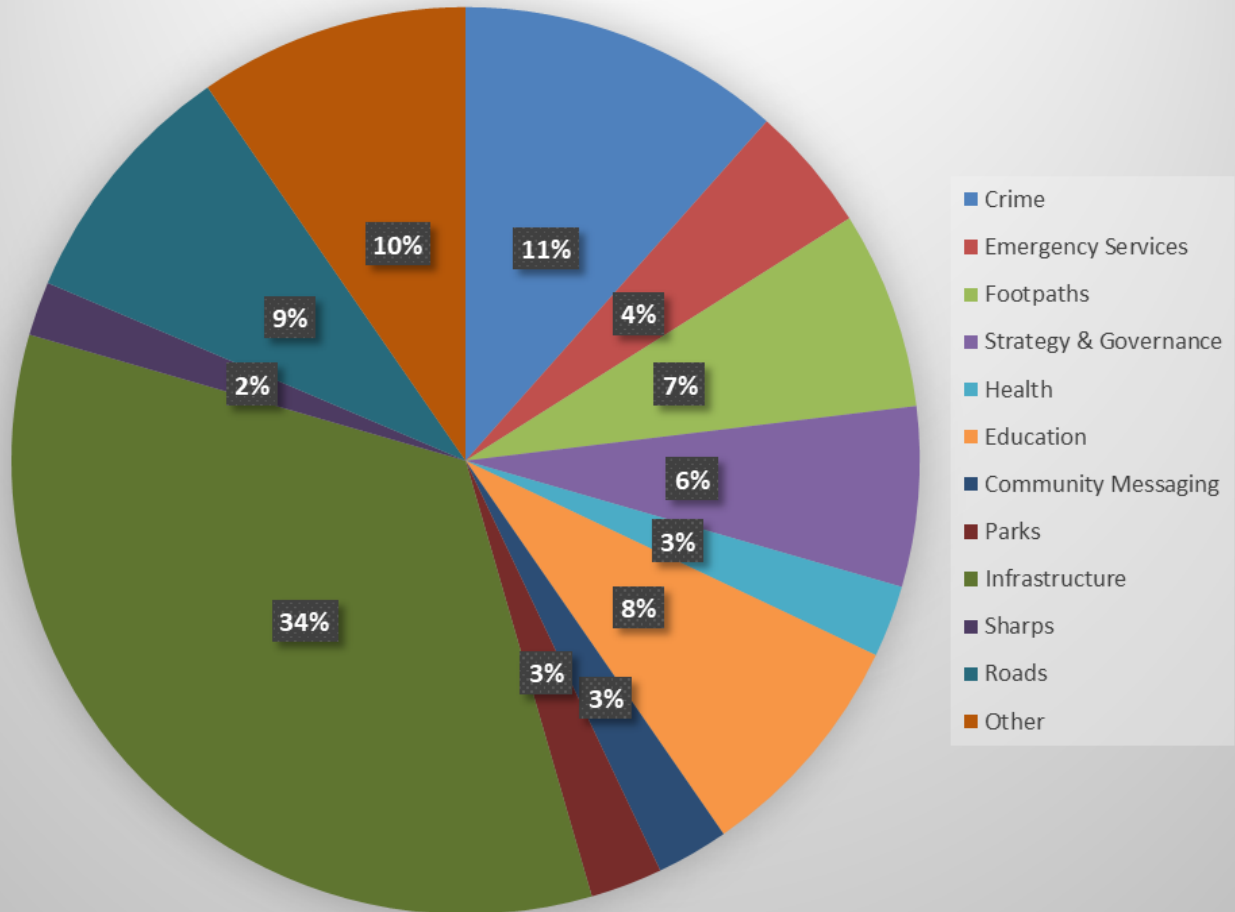
It is the view of Council Officers that during the Review Period there was an apparent focus of the Committee on operational matters that has significantly reduced its ability to meet its objectives. In particular developing long and short-term strategies to address local safety issues and identifying new initiatives and capacity to source grant money to fund community safety initiatives. There has also been very little community safety material disseminated by the Committee to the community.

A review of the items discussed at the Committee meetings was conducted as part of this review.

53% of the items discussed over the review period were in relation to footpaths, roads, parks and infrastructure (see the diagram below).

These items are repetitive in nature, linked to the Committee’s Terms of Reference in the broadest manner and often outside of Council’s purview. A further 10% of items were unable to be defined within the broader group of categories set out below.

George Town Council Section 24 Community Safety  
Committee - Deliberations 2021 - 2022



### Survey

An anonymous survey of the Committee members was undertaken to ascertain the opinions of the Committee members to assist in the review process. Respondents to the survey were able to answer each question by selecting an answer from a range of:

1. Strongly Agree
2. Agree
3. Neither Agree nor Disagree
4. Disagree
5. Strongly Disagree
6. Skip

The percentages stated below have been calculated from the answers. Respondents also had the opportunity to add additional comments in response to each question.

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Overall, 56.25% of the Committee members who responded to the survey stated that they agreed that the Committee was achieving its aims and objectives.

12.5% of respondents agreed that the Committee actively engaged the community and other key stakeholders on local community safety issues of concern.

12.5% of respondents agreed that the Committee develops and disseminates community safety material among the local and business community as approved by Council.

75% of respondents agreed that the Committee had improved dialogue and partnerships with non-government organisations, community organisations and other key stake-holders.

Provided below is a sample of the comments made by Committee members as part of the survey response. The comments have been grouped under the relevant question.

**Q1 The Community Safety Committee achieves its aim of being a forum for information sharing and data collection.**

*“Agree that it is a forum for sharing information but have not seen any evidence of data collection”.*

*“The Safety Committee provides an opportunity for the community to present and discuss safety issues that are relevant to their local area, in a non confrontive manner.”*

*“It is hard to keep track of when the TOR (Terms of Reference) was reviewed and/or updated. If the TOR states that the TOR will be reviewed annually, it ought be dated in order that members of the Committee and other relevant parties know when that occurred. The George Town Community Safety Plan 2020-2030, which was developed by the George Town Community Safety Committee and submitted to the Council includes a TOR – which is at odds with the TOR as referred to above...The guiding documents of the George Town Community Safety Committee do not align.”*

*“The committee allows networking and information sharing, however its membership does not IMHO represent all relevant organisations/stakeholders...in respect to “safety” issues within the community. Therefore, some potentially relevant data is not collected.”*

**Q2 The Community Safety Committee achieves its aim of being a forum for the discussion of safety issues within the municipal area to formulate advice to the Council.**

*“The issues discussed are more often than not, something that would be better suited to a service request to the council. Roads in disrepair, trees needing pruning, as an example, do not fall within the Terms of Reference...”*

*“Whilst some legitimate safety matters are raised and addressed, much of the detail discussed at the meeting appears to have limited direct relevant to “safety” issues, with a considerable number of matters raised having a tenuous connection to such.”*

*“The committee members do not only formulate information to the Council but to the general public as well. The Committee also keeps the Police informed of issues in the outlying areas that they cannot connect with all the time.”*

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**Q3 The Community Safety Committee achieves its aim of being a forum to foster collaboration between community stakeholders to improve community safety.**

*"...issues discussed are more aligned to service requests for the Council, rather than legitimate community safety concerns."*

*"Key stakeholders such as the DoE, Communities and THS no longer attend...because of the nature of the issues discussed at the meetings."*

*"This Committee is a committee open to the public coming to meetings with issues that may not get the notice of the Council management but via the Safety Committee they can"*

**Q4 The Community Safety Committee achieves its aim of fostering a culture of safe and responsible community behaviour**

*"Whilst there is some ability to impact a safe culture and responsible community behaviour, the opportunities are limited – both in terms of input and audience to communicate with – due to limited representation/participation..."*

**Q5 The Community Safety Committee has developed long and short term strategies to address local safety issues, focusing on prevention, education, and early intervention.**

*"The George Town Community Safety Plan 2020-2023 was a positive outcome of the Committee, which took some considerable work and effort to achieve. The plan states in the forward [sic] that "it lays out our strategic focus for the next 4 years between 2020 and 2023". None of the objectives or aims included in the plan have been achieved to date...This is disheartening to say the least".*

*"The work of the Committee tends to be more operational rather than strategic. Most of the issues raised can be addressed by submitting Service Requests."*

*"Whilst there have been resolutions made...these do not appear to have resulted in memorable achievements effecting local safety issues."*

*"...many of the same matters are raised repeatedly with little obvious advancement."*

**Q6 The Community Safety Committee actively engages the community and other key stakeholders on local community safety issues of concern.**

*"The representatives from some of the community associations do not always represent their community due to their lack of inclusion of their local community in their membership and activities"*

*"...this is occurring to some degree."*

*"...the role of the Chair is to drive these aims and objectives. The opportunity to harness the energy provided by the local working groups who attend the Committee meetings is being missed. These groups provide an ideal conduit to engage the wider community and other key stakeholders however, that opportunity is currently being missed and in fact, not being facilitated."*

*"...there is considerable effort by several members to engage with local residents on matters, there are also obvious omissions (bodies/agencies not represented/participating)."*

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**Q7 The Community Safety Committee has improved dialogue and partnerships with non-government organisations, community organisations, and other key stake holders.**

*“There is significant confusions and a lack of definitive advice as to when a proxy may attend the meeting. The issue of proxy attendance is not included in the Terms of Reference, in either document, with respect to membership. Given the current frequency of meetings, attendance by the same person at every meeting is unrealistic.”*

*“There are definite “networking” opportunities/benefits arising from the Committee’s existence.”*

*“...the committee are not permitted by the terms of reference to apply for grants, etc.”*

**Q8 The Community Safety Committee has identified new initiatives and capacity to source grant money to fund community safety initiatives.**

*“To the best of my knowledge, the Committee has not identified any new initiatives and capacity to source grant money to fund community safety initiatives.”*

*“I am aware of some funding grants which have been obtained for community safety initiatives, but am yet to see the results of these realised.”*

*“Asked about a \$20K grant but no one comes back to you from the management team”.*

**Q9 The Community Safety Committee develops and disseminates community safety material among the local and business community as approved by Council.**

*“There needs to be better communication from the Council across all areas”.*

*“What community safety material has even been given to the Safety Committee to disseminate out in the community or the permission to develop any material for the local and business community. WE DO not have a budget to do the above question”*

**Q10 The Community Safety Committee work collaboratively as a group and are actively involved in projects/activities identified by the Committee.**

*“The Committee shares many ideas from the country members, schools, neighbourhood house, police department. We listen to the rate payers and their concerns and discuss their issues at the table.”*

**General Comments**

*“...the only initiative I have seen is the garbage bin stickers. What happens in the meetings and that getting out to the public and organisations needs to be clarified when and what can be released.”*

*“The Terms of Reference will probably be looked at again but it needs to include something about organisations being permitted to allow a proxy if the proxy is named not just sending anyone.”*

*“The Committee appears to have deficiencies in membership/participation/attendance”*

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*“The Committee appears to have deficiencies in strategic vision/drive”.*

*“The Committee appears to have deficiencies in focus specifically on safety matters.”*

*“Information shared or data collected is often irrelevant to the Committee.”*

It is clear from the above that the Committee is deeply divided amongst its members as to whether it is achieving its stated aims and objectives.

## **SUMMARY**

During the review process by Council Officers, it became clear that the Committee has strayed from the focus of its Terms of Reference over the Review Period.

It may also be argued that the Progress Associations and other key stakeholders, such as the Neighbourhood House, have started to work in the community safety space and as such it is arguable that the role of the Committee is being or is at risk of being duplicated.

The Committee does provide a forum for associations to meet on a regular basis. However there does not appear to have been any clear community messaging of policies or strategies that currently achieve the aims and objectives of the Committee as set out in the Terms of Reference during the Review Period.

Council may choose to:

1. Disestablish the existing Committee and take no further action, or
2. Disestablish the existing Committee and consider what a “Health and Wellbeing Committee” may look like, including whether this would be a Section 23 Council Committee (comprised of Councillors appointed by Council) or a Section 24 Special Committee (comprised of such persons appointed by Council as Council thinks appropriate). Such a Committee would be included in the 2023/24 Annual Plan and draft Terms of Reference would be brought to Council at Workshop for discussion, or
3. Retain the existing Committee and the new Chairperson be given the opportunity to bring the Committee back to its original aims and objectives with an extra review period of six (6) months from the date of the first Committee meeting after Council’s decision. This may include the following actions:
  - a. Council approving invitations be sent to the following organisations:
    - i. Tasmania Police,
    - ii. Department of State Growth,
    - iii. Tasmanian Health Services,
    - iv. Ambulance Tasmania,
    - v. Department for Education, Children and Young People,
    - vi. Department of Justice,
    - vii. Service Provider Networks,
    - viii. Community Liaison Groups,

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- ix. Tasmanian Fire and Emergency Services.
  
- b. The Terms of Reference being updated as follows:
  - i. To provide the ability for member organisations to nominate a named proxy to attend when the main representative is unable to,
  - ii. The appointment criteria updated to note that appointment is by invitation from Council. Council can consider the Chairperson's advice in this regard but will not be bound by the same,
  - iii. The frequency of meetings to be held every two months or more frequently as determined by the Chairperson to allow for greater flexibility,
  - iv. More clarity is provided around the dates required for items to be submitted to the Agenda and the Agenda provided to the members,
  - v. Consistency in the use of the term "Chairperson".

**OFFICER'S RECOMMENDATION**

That Council:

- 1. Disestablish the existing Committee;
- 2. Consider what a "Health and Wellbeing Committee" may look like, including:
  - a. whether this would be:
    - i. a Section 23 Council Committee (comprised of Councillors appointed by the Council); or
    - ii. a Section 24 Special Committee (comprised of such persons appointed by the Council as the Council thinks appropriate), and
  - b. giving consideration to draft Terms of Reference to be brought before Council at the next Workshop for discussion; and
- 3. Include such a Committee in the 2023/24 Annual Plan.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:



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**11.2 S24 SPECIAL COMMITTEE REVIEW - PLACEMAKING COMMITTEE**

<b>REPORT AUTHOR:</b>	Director Organisational Performance, Strategy & Engagement – Ms K Desmond
<b>REPORT DATE:</b>	7th February 2023
<b>FILE NO:</b>	14.35
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. GTC-16 Special Committees [11.2.1 - 5 pages]</li><li>2. S 24 Special Committees of Council Annual Review Procedure [11.2.2 - 8 pages]</li><li>3. GTC 16 T1 Section 24 Special Committee Review Needs Assessment - Placemaking Committee [11.2.3 - 7 pages]</li><li>4. Terms of Reference George Town Placemaking Advisory Committee Updated [11.2.4 - 4 pages]</li></ol>

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**SUMMARY**

The purpose of this report is to provide Council with the annual review of the Section 24 Special Committee – Placemaking Committee to enable them to make an informed decision regarding the future of the Placemaking Committee.

**BACKGROUND**

Section 24 – Special Committees of the *Local Government Act 1993* provides that:

- (1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.
- (2) A special committee consists of such persons appointed by the council as the council thinks appropriate.

Council policy, GTC-16 Special Committees, requires the annual review of special committees of Council and establishes the minimum requirements to be reviewed and presented to Council as listed in the body of this report (refer to attachment two for full policy).

The George Town Council Placemaking Committee is a Section 24 Special Committee created on 19<sup>th</sup> February 2019 by the George Town Council by resolution 029/19. The committee's purpose is to enhance public spaces and strengthen the connection between people and places within the municipal area.

In accordance with the Terms of Reference, the Committee is automatically disbanded at the end of the term of the current Council. A new Council Term commenced on 1 November 2022 and the review is intended to provide Elected Members with an overview of the Committee's work to date to enable them to make a decision as to whether the Committee is disbanded, continues in its current form, or continue with alterations to the Terms of Reference.

The review was undertaken for the period of June 2021 to June 2022 (**the Review Period**).

## **STRATEGIC PLAN**

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

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

1. All are valued and included
  - i. Taking a 'whole of community' approach to everything.
  - iv. Communicating so everyone knows what each group is doing.
  - v. Working towards removing all barriers to participation in community life.
  - vi. Encouraging volunteering across all ages.

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

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

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

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

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

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

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

2022/2023 Annual Plan  
GTC - 16 Special Committees Policy

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Section 24 of the *Local Government Act 1993* provides that:

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

### **RISK CONSIDERATIONS**

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

The review process is not meant to be a critical assessment of individual member performance or contribution, but rather the performance and relevance of the committee/s with regard to strategic alignment, relevance with regard to contemporary council business and/or community concerns, use of council resources and compliance with terms of reference.

### **FINANCIAL IMPLICATIONS**

In prior years, Council has allocated a budget of \$50,000 to the Committee which has not been expended to date.

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

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

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

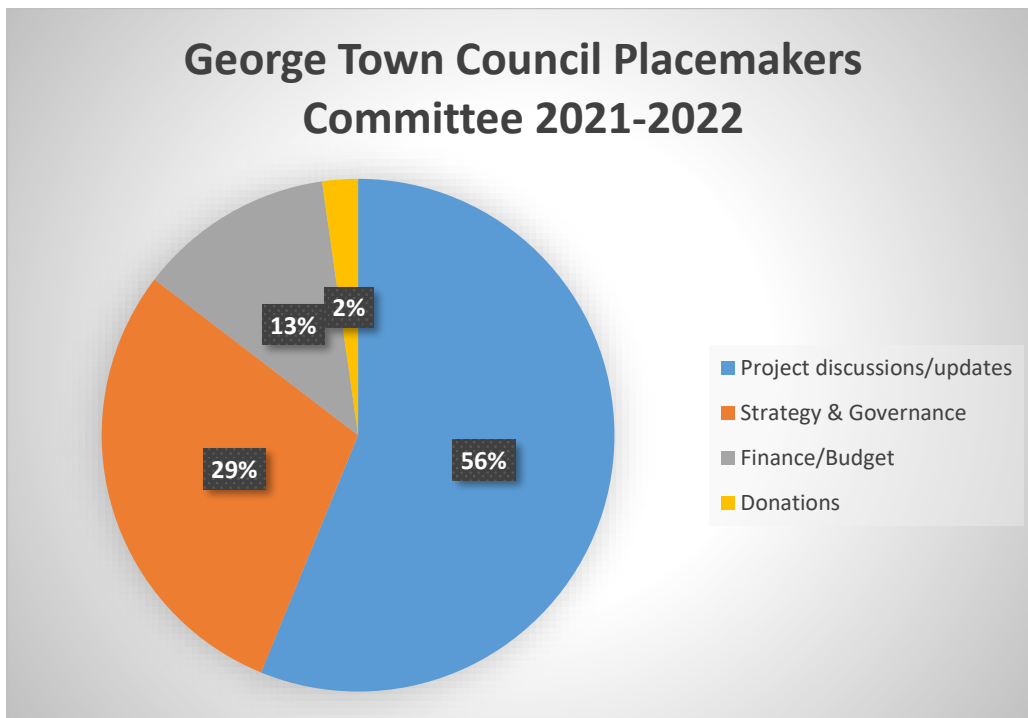
### **CONSULTATION**

Discussion occurred at the Council Workshop on 14<sup>th</sup> February 2023.

### **OFFICER'S COMMENTS**

The Placemaking Committee has taken pride in its ability to improve the George Town municipality and efforts have been made to adhere to the Terms of Reference. The period under review was tumultuous for the Committee as it went through the recruitment of new members as well as the resignation of the Chair. It has, however, continued with its existing projects with diligence and continues to come up with new initiatives.

The following breakdown of discussions were had in Committee meetings during the Review Period:



As shown, the discussions regarding new and existing projects constituted 56% of the discussions. This included updates to and from the General Manager or Project Manager appointed by Council for those Projects that proceeded.

29% of the discussions related to Strategy and Governance, including discussions surrounding the section 24 Committee Annual Review and the appointment of new members.

13% received financial reports and discussions of the budget and current/projected expenditure of the Committee's allocated funds.

### **Survey**

An anonymous survey of the Committee members was undertaken to ascertain the opinions of the Committee members to assist in the review process. Respondents to the survey were able to answer each question by selecting an answer from a range of:

1. Strongly Agree
2. Agree
3. Neither Agree nor Disagree
4. Disagree
5. Strongly Disagree
6. Skip

The percentages stated below have been calculated from the answers. Respondents also had the opportunity to add additional comments in response to each question.

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Of the eight (8) Committee members, only four (4) completed the survey. The results indicated a positive trend in the responses and the general overview is one of satisfaction with the Placemaking Committee's actions and achievements.

27% of respondents strongly agreed, and 54% agreed, that the Committee achieves the majority of its aims, including:

- to enhance public spaces,
- strengthen the connection between people and places within the George Town Municipal area,
- engaging in consultation with the community,
- adhering to the Terms of Reference, and
- Working collaboratively as a group to provide advice and recommendations to the George Town Council on placemaking projects.

The majority of respondents refrained from commenting specifically in relation to the survey questions and only utilised the response framework stated above to provide their answers. Due to the small pool of respondents and to maintain anonymity, no specific quotes are provided in this report.

### **Attendance**

Attendance at the Committee meetings was relatively constant with 6 members (including the chair and the Council staff member) in attendance the majority of the time during the Review Period. The highest number of attendees was eight (8) in November 2021 and the lowest was five (5) in March 2022.

In order to proceed with meetings, the Committee must reach a quorum of 50% plus one (1). As the membership outlined in the Terms of Reference is one (1) Councillor who is the Chair, six (6) community members and one staff member (no voting rights) this is a total membership of seven (7) voting members. Quorum is essentially reached with an attendance of four (4) (three (3) community members and the chairperson). The Committee has not failed to reach a quorum during the Review Period.

There does not appear to be any register of members with details of the terms and lengths of their membership.

### **Aims and Objectives**

The Placemaking Committee was originally created due to an identified need to enhance public spaces and strengthen the connection between people and places within the George Town area. Since its inception, further groups have now been established in this space. It is arguable that the Placemaking Committee is now superfluous to requirements given the ongoing and expanding remit of the Future Impact Group.

That said, the Future Impact Group's placemaking focus is currently focused specifically on George Town. This may be a good opportunity to review and revise the Terms of Reference of the Committee to focus the Committee's efforts in the other communities in the George Town municipality to ensure community satisfaction and a sense of inclusion in the improvements being made to the municipality as a whole.

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In order to avoid duplication of efforts and overlapping of areas of interest, as well as seeking to improve communication between the Future Impact Group and the Placemaking Committee, it may be a good opportunity to seek to include a representative of the Future Impact Group in the membership of the Committee. The Council may also consider that due to the expanding remit of the Future Impact Group in the placemaking space that the Committee be disestablished and members of the Committee be encouraged to join the Future Impact Group.

**OPTIONS**

Council has the option to:

1. Continue the Committee with no changes to the Terms of Reference
2. Continue the Committee with new Terms of Reference realigned to provide clarity and direction to the Committee
3. Disestablish the Committee and take no further action
4. Disestablish the Committee and give consideration to a “Placemaking Grant Round” where in the Progress Associations are able to provide Placemaking ideas to the Council for funding.

**OFFICER’S COMMENTS**

Since the end of the Review Period, the Committee has received resignations from three (3) of the Committee members. Any further resignations will mean that the Committee will not reach quorum.

As stated above, there is now an overlap in areas of interest between the Committee and the Future Impact Group and the potential for conflicting ideas or duplication of work.

There is potential for the Committee’s budget allocation to be retained and made available to community groups who wish to apply for a grant to complete placemaking projects in their specific communities throughout the municipality.

This would enable the community to have their say in the placemaking activity in their area, which will help foster a pride of place. This will ensure that all communities within the municipality have an equal opportunity to apply for and receive funds, removing any perceived bias towards the larger communities.

**OFFICER’S RECOMMENDATION**

That Council:

1. Disestablish the Committee and consider a specific Placemaking Grant Round; and
2. The terms of any Placemaking Grant Round would be discussed at a future Council Workshop and included in the 2023/24 budget.

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**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**11.3 POLICY REVIEW - COUNCILLORS CODE OF CONDUCT**

<b>REPORT AUTHOR:</b>	Director Organisational Performance, Strategy & Engagement – Ms K Desmond
<b>REPORT DATE:</b>	8th February 2023
<b>FILE NO:</b>	14.35
<b>ATTACHMENTS:</b>	1. GTC-3 Code of Conduct - draft Version 2 [ <b>11.3.1</b> - 6 pages] 2. Letter from Director of Local Government - Expectations of Behaviour - George Town Council [ <b>11.3.2</b> - 3 pages]

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**SUMMARY**

To submit the George Town GTC-3 Code of Conduct Version 1 policy (**the Policy**) to Council with a recommendation that the existing Policy – Version 1 be rescinded and replaced by the draft GTC-3 Code of Conduct Version 2 effective 28<sup>th</sup> February 2023.

**BACKGROUND**

Section 28T of the *Local Government Act 1993* requires that an Elected Members Code of Conduct must be reviewed by Council within 3 months of an ordinary election.

The Director for Local Government has provided a letter to all Councils (attached) to be tabled at the 28<sup>th</sup> February Ordinary Council Meeting outlining expectations of Councillor behaviour and his statutory responsibility to promote good governance in local government.

**STRATEGIC PLAN**

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

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

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

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

4. Positive and productive working relationship with all levels of government and their agencies
  - ii. Understanding the outcomes and directions sought by all levels of government.

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

6. Difficult issues are managed in an open manner without conflict



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- i. Building capacity in change management, understanding and responding to complexity.
  
- iii. Communicating well.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Section 28T of the *Local Government Act 1993* requires:

- (1) Within 3 months after the day on which an order under section 28R(1) takes effect, each council must adopt the model code of conduct, either with or without any variations permitted under subsection (3) , as its code of conduct relating to the conduct of its councillors.
- (2) Within 3 months after the Minister makes available to councils an amendment to the model code of conduct or a substitute model code of conduct, a council must adopt the amendment, or revoke its code of conduct and adopt the substitute model code of conduct as its code of conduct, either with or without variations permitted under subsection (3) .
- (3) In adopting the model code of conduct, an amendment to the model code of conduct or a substitute model code of conduct, a council may vary the model code of conduct, amendment or substitute model code of conduct in any manner that is allowed by the model code of conduct, amendment or substitute model code of conduct, is approved by the Minister or is prescribed.
- (4) A variation of the model code of conduct, an amendment to the model code of conduct or a substitute model code of conduct is to be set out in a schedule to the model code of conduct, the model code of conduct as amended or the substitute model code of conduct.
- (5) Within 14 days after adopting the model code of conduct, an amendment to the model code of conduct or a substitute model code of conduct, a council is to provide a copy of it to the Director.
- (6) The general manager is to make a copy of the council's code of conduct available –
  - (a) for public inspection, free of charge, at the public office of the council during ordinary office hours and on its website; and
  - (b) for purchase at a reasonable charge.
- (7) A council is to review its code of conduct within 3 months after each ordinary election.

**RISK CONSIDERATIONS**

In endorsing the Code of Conduct, Councillors in addition to adhering to the requirements of the *Local Government Act 1993*, acknowledge and agree to the importance of high standards of behaviour in maintaining good governance thereby minimising risk to the Council.

**FINANCIAL IMPLICATIONS**

Nil

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

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

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

**CONSULTATION**

Consultation is restricted to workshop only.

**OPTIONS**

Council may choose to:

1. Endorse the Policy as presented; or
2. Endorse the Policy with amendment; or
3. Not endorse the Policy.

**OFFICER'S COMMENTS**

The Code of Conduct for elected members is currently being reviewed as part of the Local Government Act Review process, as such it is recommended that the current policy be reindorsed as presented with a review date of January 2024 to ensure that any updates resulting from the State Governments Code of Conduct review are completed in a timely manner.

**OFFICER'S RECOMMENDATION**

That Council:

1. Rescind the existing GTC-3 Code of Conduct Version 1 (minute number 010/19); and
2. Adopt the draft GTC-3 Code of Conduct Version 2 effective 28<sup>th</sup> February 2023 with a review date of January 2024.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**11.4 POLICY REVIEW - URBAN AREAS TREE MANAGEMENT STRATEGY AND PLAN**

<b>REPORT AUTHOR:</b>	Director Organisational Performance, Strategy & Engagement – Ms K Desmond
<b>REPORT DATE:</b>	6th February 2023
<b>FILE NO:</b>	14.35
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Minute 201.11 - Urban Areas Tree Management Strategy [<b>11.4.1</b> - 2 pages]</li><li>2. Urban Areas Tree Management Strategy [<b>11.4.2</b> - 3 pages]</li><li>3. Minute 202.11 Urban Areas Tree Plan [<b>11.4.3</b> - 4 pages]</li><li>4. 2011 Council Meeting 16 February Proposed 10 Year Rolling Urban Area [<b>11.4.4</b> - 8 pages]</li></ol>

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**SUMMARY**

The purpose of this report is to provide Council with details on the George Town Council policies currently requiring review.

**BACKGROUND**

Policy GTC12-Policy Governance Policy sets out the framework for the approval and review of George Town Council policies, procedures and strategies. As part of this review process, this report provides information to the Council regarding the following strategies and plans:

1. Urban Areas Tree Management Strategy
2. 10 Year Rolling Urban Areas Tree Planting Plan

**Tree Management Strategy**

The Urban Areas Tree Management Strategy (**the Strategy**) and 10 Year Rolling Urban Areas Tree Planting Plan (**Tree Plan**) sat under GTC-P2 Tree Management Policy, which was rescinded and deleted by Council resolution 018/22.

The Strategy and the Tree Plan have not been removed and remain public facing Council endorsed documents available on the Council website. Given GTC-P2 has been rescinded by Council, the Strategy and Tree Plan are now considered by Council Officers as obsolete. This report is to recommend that Council approve the repeal of both the Strategy and the Tree Plan allowing Council officers to remove them from the website.

**STRATEGIC PLAN**

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

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

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

- iv. Understanding processes and participating in decision making.

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

- 6. Difficult issues are managed in an open manner without conflict
  - i. Building capacity in change management, understanding and responding to complexity.
  - iii. Communicating well.

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

GTC-12 Policy Governance Policy  
GTC-P2 Tree Management Policy (Rescinded)

#### **RISK CONSIDERATIONS**

The risk implications are considered moderate if Council chooses to not rescind the Strategy and Tree Plan as the overarching policy has already been rescinded and deleted by Council.

Should the Strategy remain in its current form and without additional budget, there is a real risk of non-compliance with the Strategy as it sets out at Section 7.3:

*'Planting Program - The program incorporates the strategic planting of 200 trees annually in George Town Council's urban areas, parks, reserves and streets over 10 years commencing in 2011/12.'*

#### **FINANCIAL IMPLICATIONS**

There are no financial implications identified with the rescinding of the Strategy and the Tree Plan.

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

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

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

#### **CONSULTATION**

Consultation has been limited to Council briefings at workshop.

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**OPTIONS**

Council may choose to:

1. Endorse the rescinding of the Strategy and Tree Plan; or
2. Retain the Strategy and the Tree Plan.

**OFFICER'S COMMENTS**

Council's Policy GTC-P2 Tree Management Policy was rescinded by resolution 018/22. It is the view of Council Officers that the Strategy and Tree Plan unnecessarily exposes Council to risks beyond its control and resources capacity and should also be rescinded.

Council could consider a new Street Tree Strategy, should it wish to, that better considers Council's financial and resource constraints.

**OFFICER'S RECOMMENDATION**

That Council:

1. Rescind and delete the Urban Areas Tree Management Strategy (minute 201/11); and
2. Rescind and delete the 10 Year Rolling Urban Areas Tree Planting Plan (minute 202/11).

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**11.5 POLICY REVIEW - ROAD HIERARCHY AND MUNICIPAL MAP POLICY**

<b>REPORT AUTHOR:</b>	Director Organisational Performance, Strategy & Engagement – Ms K Desmond
<b>REPORT DATE:</b>	6th February 2023
<b>FILE NO:</b>	14.35
<b>ATTACHMENTS:</b>	1. 14 Road Hierarchy and Municipal Map Policy [11.5.1 - 6 pages]

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**SUMMARY**

The purpose of this report is to provide Council with details on the George Town Council policies currently requiring review.

**BACKGROUND**

Policy GTC12 Policy Governance Policy sets out the framework for the approval and review of George Town Council policies, procedures and strategies. As part of this review process, this report provides information to the Council regarding the following policy:

Policy 14. Road Hierarchy and Municipal Map Policy

**Policy 14. Road Hierarchy and Municipal Map**

Policy 14 is currently a public-facing policy endorsed by Council resolution 235/1995 and amended by Council resolution 236/1995. The policy required the creation and maintenance of a map detailing the road hierarchy within the municipality.

It is a legislative requirement under s208 of the *Local Government Act 1993* for the General Manager to maintain such a map.

The current policy is specific to the 1995/96 financial year and details budget amounts for road maintenance. This information is no longer applicable as all budgeted road maintenance costs are detailed in the Capital Works programs and managed under Councils Asset Management Plan.

This report recommends that Council rescinds Policy 14 as it is no longer required as it has been superseded by Council's Asset Management Framework comprising:

- Asset Management Policy;
- Asset Management Strategy;
- Transport Asset Management Plan;
- Stormwater Asset Management Plan;
- Bridges and Culverts Asset Management Plan; and
- Building Asset Management Plan.

Council also undertakes a condition survey of its road network every four years which establishes annual renewal programs. A condition survey is scheduled for May 2023.

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The Asset Management Framework is scheduled to be reviewed in 2023/2024.

**STRATEGIC PLAN**

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

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

1. A culture of engagement and participation
  - i. Trusted, transparent and inclusive community engagement processes.
  - iv. Understanding processes and participating in decision making.

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

6. Difficult issues are managed in an open manner without conflict
  - i. Building capacity in change management, understanding and responding to complexity.
  - iii. Communicating well.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

GTC12 Policy Governance Policy  
Section 208 Local Government Act 1993

**208. Council map**

- (1) [Section 208 Subsection (1) amended by No. 8 of 2005, s. 123, Applied:01 Jul 2005] The general manager is to keep up to date a map of its municipal area showing the following:
  - (a) [Section 208 Subsection (1) amended by No. 8 of 2005, s. 123, Applied:01 Jul 2005] all local highways maintainable by the council;
  - (b) all other highways, other than State highways, made, formed, paved or otherwise made good;
  - (c) [Section 208 Subsection (1) amended by No. 8 of 2005, s. 123, Applied:01 Jul 2005] all roads that an owner is liable to maintain;
  - (d) [Section 208 Subsection (1) amended by No. 8 of 2005, s. 123, Applied:01 Jul 2005] all streets that the council has resolved to construct under Part V of the Local Government (Highways) Act 1982 ;
  - (e) all roads leased under section 63 (2) of the Local Government (Highways) Act 1982 ;
  - (f) all lands not wholly subject to a highway;
  - (g) all declared landslip areas.
- (2) [Section 208 Subsection (2) amended by No. 71 of 2013, Sched. 2, Applied:19 Dec 2013] [Section 208 Subsection (2) amended by No. 52 of 2008, Sched. 1, Applied:01 Jul 2009] One combined map may be used for the purposes of this section and section 12 of the *Urban Drainage Act 2013*.

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- (3) A map –
- (a) may be on one sheet or several sheets and different information may be shown on different sheets of the same area; and
  - (ab) [Section 208 Subsection (3) amended by No. 38 of 2000, s. 38, Applied:14 Jul 2000] may be in an electronic form; and
  - (b) may be inspected, free of charge, by any person; and
  - (c) is evidence of the matters mentioned in subsection (1) (a) , (b) and (c)
- (4) Subsection (3) does not operate to fix accurately –
- (a) the boundary of a highway unless it is indicated on the map that the relevant information was obtained by a registered surveyor or from a plan prepared by a registered surveyor; or
  - (b) a boundary other than the boundary of a highway.

### **RISK CONSIDERATIONS**

It is the view of Council Officers that Policy 14. Road Hierarchy and Municipal Map Policy exposes the Council to a low to moderate reputational risk by continuing to have a publicly facing policy which has been superseded by Councils Asset Management Framework.

### **FINANCIAL IMPLICATIONS**

There are no financial implications identified with the rescinding of Policy 14 Road Hierarchy and Municipal Map.

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

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

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

### **CONSULTATION**

Consultation has been limited to Council briefings at workshop.

### **OPTIONS**

Council may choose to:

1. Rescind and delete Policy 14. Road Hierarchy and Municipal Map; or
2. Retain Policy 14. Road Hierarchy and Municipal Map and table to be reviewed at a workshop

### **OFFICER'S COMMENTS**

It is the view of Council Officers that Policy 14 – Road Hierarchy and Municipal Map Policy exposes the Council to reputational risk by providing information that is outdated. It should therefore be rescinded and deleted.



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**OFFICER'S RECOMMENDATION**

That Council:

1. Rescind and delete Policy 14 – Road Hierarchy and Municipal Map Policy (minute 236/1995);
2. Acknowledge Councils Asset Management Framework supersedes Policy 14 – Road Hierarchy and Municipal Map Policy.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**11.6 FUTURE IMPACT GROUP - YOUTH ADVISORY GROUP**

<b>REPORT AUTHOR:</b>	Director Organisational Performance, Strategy & Engagement - Ms K. Desmond
<b>REPORT DATE:</b>	20th February 2023
<b>FILE NO:</b>	21.12
<b>ATTACHMENTS:</b>	1. Draft Terms of Reference for Youth Advisory Group [11.6.1 - 4 pages]

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**SUMMARY**

This report is seeking nominations from two (2) Councillors to participate in the Our Futures Youth Advisory Group.

**BACKGROUND**

Our Futures is a collective impact, community led project that seeks to increase the visibility of young people, building their capacity and skills, whilst increasing their opportunities to engage in meaningful decision-making across the George Town municipality. The Our Futures project is the result of funding obtained through the Tasmanian Community Fund jointly by Council and Future Impact group.

The Our Futures grant requires that a Youth Advisory Group of young people be created to operate as a volunteer team supporting the Our Futures project, providing a platform of advice to Council and serving as an accountability mechanism to the Our Futures Project Officer.

It is requested that the Mayor and two (2) Councillors commit to participating in the Youth Advisory Group to enable the young people in the George Town municipality to have a direct connection to Council about youth issues, concerns and opportunities. This will provide Councillors with a great opportunity to personally bring the voice of young people to the heart of George Town Council and foster change.

Councillors will be required to attend monthly meetings on Wednesday afternoons to listen, clarify and receive advice from young people and champion the needs of the young people of George Town.

The Our Futures Youth Advisory Group is not a special committee of Council.

**STRATEGIC PLAN**

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

**Future Direction One - Community Pride**

1. All are valued and included
  - i. Taking a 'whole of community' approach to everything.
  - iv. Communicating so everyone knows what each group is doing.

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- v. Working towards removing all barriers to participation in community life.
- vi. Encouraging volunteering across all ages.
- vii. Building community pride in our young people.

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

- 3. Social infrastructure meets community needs
  - ii. Responding to the needs of young people.

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

- 6. Diverse and active volunteering base
  - ii. Actively encouraging and mentoring young people to be part of volunteering efforts around things they are interested in.

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

- 1. A culture of engagement and participation
  - iii. Including young people in all engagement.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Youth Advisory Group Terms of Reference

**RISK CONSIDERATIONS**

The risk to Council in relation to the Youth Advisory Group has been assessed as low.

**FINANCIAL IMPLICATIONS**

Nil.

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

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

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

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- Maximising access to the Council for the young people of the municipality.

**CONSULTATION**

Discussion was held at the Council Workshop on the 14<sup>th</sup> of February 2023.

**OPTIONS**

Council is to nominate two (2) Councillors to participate in the Youth Advisory Group.

**OFFICER'S COMMENTS**

The following table indicates the proposed group structure and membership:

<b>Group</b>	<b>Membership</b>	<b>Frequency of Meetings</b>	<b>Term</b>
Youth Advisory Group  <b>Role</b> An advisory group of young people that operate as a volunteer team supporting the Our Futures project, providing a platform of advice to Council and serving as an accountability mechanism to the Project Officer.	<ul style="list-style-type: none"><li>• 10-15 young people aged between 12 and 25</li><li>• Mayor</li><li>• Two Councillor Representatives</li><li>• Project Officer (Council Officer – Mr A Beeston)</li></ul>	Fortnightly (alternating between formal and informal. Councillors are required to attend the formal meetings on the first Wednesday of every month)	12 months with option to continue.

In selecting appropriate members for the Youth Advisory Group, it is important for Council to consider appointing representatives who are willing to work with and support the Youth Advisory Group.

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**OFFICER'S RECOMMENDATION**

That Council appoints representatives as follows:

<b>Group</b>	<b>Membership</b>	<b>Councillor Representative</b>
<b>Youth Advisory Group</b>  <b><u>Role</u></b> An advisory group of young people that operate as a volunteer team supporting the Our Futures project, providing a platform of advice to Council and serving as an accountability mechanism to the Project Officer.	<ul style="list-style-type: none"><li>• 10-15 young people aged between 12 and 25</li><li>• Mayor</li><li>• Two Councillor Representatives</li><li>• Project Officer (Council Officer – Mr A Beeston)</li></ul>	<ol style="list-style-type: none"><li>1. Mayor Cr Greg Kieser</li><li>2. Cr</li><li>3. Cr</li></ol>

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**12 MAYOR**

**12.1 MATTERS OF INVOLVEMENT - MAYOR**

**REPORT DATE:** 23 February 2023

**FILE NO:** 14.11

<b>Mayor Cr Greg Kieser</b>		
<i>January</i>	24	Chaired Council Workshop
	24	Chaired Ordinary Council Meeting
	24	Attended George Town Chamber of Commerce meeting
	25	Met with resident
	25	Interview with Tamar FM
	26	Presided over the Australia Day and Citizenship Ceremony
	27	Attended NTDC Board meeting
	31	Attended Friends of Low Head Penguins meeting
<i>February</i>	1	Attended NTDC & Members meeting
	1	Attended Lions meeting
	3	Met with Minister for Local Government, Minister Street
	6	Met with Nick Duigan MLC and General Manager
	6	Met with Premier, Nick Duigan MLC and General Manager
	8	Attended Tamar Valley Leaders Lunch
	14	Chaired Council Workshop
	15	Met with Resident
	15	Attended Future of Local Government Review
	16	Attended TasWater meeting
	19	Attended Star of the Sea 70 <sup>th</sup> Year Celebrations
	21	Met with developer
	21	Attended media event for the opening of East Beach All Accessible Facility
<b>Deputy Mayor Cr Greg Dawson</b>		
<i>January</i>	26	Attended Citizenship Ceremony
<i>February</i>	5	Attended Opening of Afghan Mosaic with OCCl, Jim Mooney Gallery on behalf of Council
	8	Attended Northern Leaders Lunch
	15	Attended in the Local Government Review session conducted at Longford

**OFFICER'S RECOMMENDATION**

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

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**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**13 PETITIONS**

Nil.



**14 NOTICES OF MOTIONS**

Nil.

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

Nil.

**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 24 January 2023**

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

#### **Agenda Item 17.3 Legal Expenditure**

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

### **DECISION**

Moved:

Seconded:

### **VOTING**

For:

Against:

#### **17.4 OUT OF CLOSED MEETING**

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

#### **DECISION**

Moved:

Seconded:

That:

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

#### **VOTING**

For:

Against:

#### **18 CLOSURE**

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

**Cr Greg Kieser  
MAYOR**