



GEORGE TOWN COUNCIL CONFIRMED MINUTES

Minutes of the Ordinary Council Meeting
held on **Tuesday 28 February 2023**

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

commencing at **1:00 pm**.

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

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

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

Shane Power
GENERAL MANAGER

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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.

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1 PRESENT

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

1.1 APOLOGIES AND LEAVE OF ABSENCE

Nil.

1.2 IN ATTENDANCE

General Manager - Mr S Power
Director Operational Performance, Strategy & Engagement - Ms K Desmond
Director Infrastructure & Development - Mr A McCarthy
Acting Director Corporate & Community - Mr J. Anderson
Executive Support and Governance Officer - Ms L Dickenson

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 24th 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)

Minute No. 16/23

DECISION

Moved: Cr Harris
Seconded: Cr Mason

That the Minutes of Council's Ordinary Meeting held on 24th 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.

VOTING

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

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Against: Cr Barwick

Abstained: Nil

CARRIED 8 / 1

Cr Barwick presented correspondence to the Chair from Mr Joyce.

The Chair acknowledged receipt of the correspondence and it will be responded to accordingly.

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.

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

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

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

4.2 PUBLIC QUESTIONS ON NOTICE

Nil.

4.3 PUBLIC QUESTION TIME

Commenced at: 1.04 pm

Concluded at: 1.23 pm

Mrs Wootton, Low Head

Mrs Wootton firstly commented on the difficulty of reading the text of the attachments for Regent Square and the Capital Works program in the Quarterly report. Could Council increase the size of print for future reports.

Q1. Mount George Heritage & Nature Trail - Mrs Wootton advised that she took mainland visitors to Mount George which she recommends to most visitors. It is the best view in the area, the most accessible historic semaphore station and a short walk around the summit complete with interpretation markers of the natural and historic features known as the Mount George Heritage & Nature Trail. It was a part of the larger long running semaphore station project and it was conducted by the local Lions Club and officially opened in February 2009. Mrs Wootton explained that she was appalled and embarrassed at what she found. The Semaphore mast was still in-situ but roped off, all of the interpretation signs were either missing or unreadable, the dry-stone wall that once outlined the original garden is no longer intact with stones scattered everywhere and it seems the stones have been appropriated to build the mountain bike trail. The once clear walking track that included the remnants of the well and the cool store site is no longer visible or accessible. Mrs Wootton was surprised to see that the mountain bike trail is so close to the remnant rock walls and previously marked sites. Mrs Wootton had expressed her concern at the early stages of the building of the Mountain Bike Trail so close to the walking track. Documentation had stated that there was no European heritage, but Peter Cox had spoken with the Project Officer and was assured that the mountain bike trail would not encroach on the historic summit, therefore the statement would only apply to the mountain bike area below it. Mrs Wootton advised that she wished she had checked it out earlier.

I also note that it will be a large task to remove and reinstall the semaphore and suggested that the fixing of the arms and checking of the stays would only be needed. Surely it would be more feasible to fix the semaphore in-situ and ensure that it is re-erected as part of the scheme of the Tamar Valley.

Will this Council please investigate the possibility of:

- a) funding and fixing the Semaphore mast in-situ as soon as possible, perhaps contributing part of the \$100,000 set aside for Wild Tamar; and
- b) restoring the interpretation and all aspects of the Heritage and Nature Trail to ensure that visitors, including those using the Mountain Bike Trails to the site can appreciate and respect the important heritage of the site.

The Chair thanked Mrs Wootton for her question, and advised that the Semaphore has been removed to Council's depot, the Chair corrected himself and advised that it is scheduled to be removed and to be inspected. Council needs to assess what level of deterioration exists in the timber particularly rot which would cause a safety hazard to anyone visiting the site. Fundamentally, Council is to make it safe. Council has requested companies to quote and assess but this project is still unfunded. The \$100,000 that you have mentioned is allocated.

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Council is working closely with the State Government on behalf of Crown confirming that they will not be contributing to the project. Council will firstly ascertain the cost implications and then the most appropriate action can be planned.

The Chair thanked Mrs Wootton on her passion for this project and attraction.

The Chair said that for the second part of the question, he would have a look and as it is not a council asset Council would need to scope what plaques were there and work with the Lions Club to ascertain what was originally there.

Mrs Wootton advised that they already have all the documentation.

The Chair said thank you and that this will be put to Council together with all the various differing priorities to assess and allocate funding through Council's budget process which Council is about to embark upon. This is something that can be assessed.

Mrs Wootton stated that a number of community members and businesses have been involved in and contributed to this project and believes it is a priority.

The Chair stated that Lions Club and Rotary are highly motivated to ensure that this legacy continues. Everything will be done in partnership with different bodies which may not necessarily have to be funded through Council and as a community asset it has tremendous merit.

Through the Chair, the General Manager added clarity to the conversation, that the correspondence from the State is on behalf of Crown stating that no funding will be forthcoming from the State to any restoration works. They will provide funding for the demolition or removal/decommissioning of the asset. Council has agreed to take the asset, conduct an assessment and Council officers will prepare a report to come back to Council once cost implications are known to resurrect it and the ongoing maintenance costs to Council would be.

In regard to the second question, the General Manager advised that Council Officers will consider the cost implications will be for licensing/leasing the land and in terms of who owns the asset as well as the walking path. The General Manager advised that he is aware of the trail but not the ownership status.

Q2. Regent Square - Mrs Wootton stated that the report is not a surprise but what is important is what items will be sacrificed to cover the costs. Amongst it is the windmill point signage which is long overdue. There is always people in that area taking photos but there is nothing there to explain what the site is about. Even the locals do not know the significance of the site and the carvings you see on social media now and again. Our history is our major draw card for our visitors and it needs to be accessible and explained.

As the elements of the grand new Lange plan (apart from the Rotunda) was never subjected to the same scrutiny as the Reference Group's more practical and achievable plan used to secure the \$2.45m funding, will Council consider coming back to the community see which of the remaining components it considers should be completed and what should be sacrificed?

The Chair advised that the community has spoken and that they recommend that all of the aspects in the plan as being important. Mrs Wootton is correct that Council is drawing a line in the sand with the budget Council has presented is as it stands. There is an overspend but

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Council has not precluded that there may be one or two invoices yet to be received. There has been a degree of mal-administration and actions have been taken. But it does not mean that the project is at its finality. Council will continue to advocate and raise funding and have demonstrated an extremely capability of doing this, some of which you will read about in the Premier's State of the Budget address today. No further information can be provided on this. This does not mean that Council will not be delivering on the remaining aspects, simply saying that the funding that Council has towards the project has been exhausted at this point in time.

Mrs Wootton stated that there would be a bigger overspend to finish the project.

Again, the Chair stated that either the additional aspects that Council will need to allocate funding to complete or not. Council cannot do both, it will be one or the other.

Is the salary of the Project Officer (and other staff who have done work on Regent Square) been included in the costs of the Redevelopment on the budget papers?

Through the Chair, to the General Manager. The General Manager stated that yes they have been costed. You will recall that going through the report that Keen labour was one of the larger components of salaries that have gone to the project. Project Management as well as labour costs have gone to the project.

Mr Brown, Lefroy

Mr Brown stated that he is quite concerned about the amount of rubbish dumped on private properties, sides of the road and in the bush. Mr Brown has noticed that there is a lot of rubbish around Lefroy. People come out and cut a load of wood and dump their rubbish and leave. Mr Brown asked if Council could issue tip vouchers again with the rate notices? Would this be possible to be done again? There is a free tip day but due to work commitments people cannot attend or if the tip days are on long weekends people have gone away. If they had passes to the tip they would have opportunities to get rid of their rubbish. Mr Brown stated that he tired of picking up other people's rubbish and asked if Council could do something about it?

The Chair thanked Mr Brown for attending the meeting and question, with public dumping on Crown land and especially from the road to Beechford through to Lefroy has substantial rubbish dumping. The Chair advised that he has taken photos, tagged the location and sent through to the General Manager and a crew is sent out to clean up the rubbish. Crown is notified and Council asks for their assistance but Council tries to clean up and maintain the environment but what ever Council does there is the persistent element of community and society that continues down this path. Council has found peoples tip vouchers in the dumped rubbish.

Once a year Council goes through a process of trying different ways - the last two years had open tip days structure, but this Council may wish to try the vouchers a go again but this will be subject to debate on the matters.

Mr Brown appreciates that Council has listened to his request.

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The Chair further stated that once the rubbish has been noticed, to mark the location and go to Council's website and complete a service request. This would be greatly appreciated.

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

Nil.

6 GENERAL MANAGER'S DECLARATION

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

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



Shane Power
GENERAL MANAGER

LOCAL GOVERNMENT ACT 1993 – SECTION 65

65. Qualified persons

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

7 PLANNING AUTHORITY

Nil.

8 OFFICE OF GENERAL MANAGER

8.1 COUNCIL WORKSHOPS - JANUARY AND FEBRUARY 2023

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

OFFICER'S RECOMMENDATION

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

Minute No. 17/23

DECISION

Moved: Cr Dawson

Seconded: Cr Harris

That Council receives the report on the Council Workshops held on 24 January 2023 and 14 February 2023 with the inclusion of the Information Disclosure Policy and Work Health and Safety Policy.

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 9 / 0

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

REPORT AUTHOR:	General Manager – Mr S. Power
REPORT DATE:	15th February 2023
FILE NO:	14.21
ATTACHMENTS:	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]

OFFICER’S RECOMMENDATION

That Council:

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

Minute No. 18/23

DECISION

Moved: Cr Mason

Seconded: Cr Harris

That Council:

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

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 9 / 0

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8.3 KANAMALUKA TRAIL UPGRADE

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

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

Minute No. 19/23

DECISION

Moved: Cr Lowe

Seconded: Cr Dawson

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
2. Authorise the General Manager to provide for George Town Park Run approval to use the kanamaluka Trail.
3. Subject to future budget processes and funding opportunities, concrete a shared path with an alternative alignment (as illustrated in inset within the body of the report) connecting to future and existing concrete paths at Anne Street and North Street.
4. The future works will complete a fully accessible path existing from George Town to Low Head while leaving a gravel path section for Park Run users.

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 9 / 0

8.4 REGENT SQUARE REDEVELOPMENT PROJECT

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

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

DECISION

Moved: Cr Archer
Seconded: Cr Barwick

That Council notes the report.

VOTING

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

LOST 3 / 6

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Minute No. 20/23

DECISION

Moved: Cr Dawson

Seconded: Cr Mason

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

VOTING

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

Against: Cr Archer and Cr Barwick

Abstained: Nil

CARRIED 7 / 2

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

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: Cr Dawson
Seconded: Cr Mason

Point of Order was called by Cr Barwick at 2.09 pm.

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.

FORESHADOWED MOTION

Moved: Cr Archer
Seconded:

That Council starts the process to acquire the Crown Land adjoining 280 Hillwood Jetty Road, Hillwood.

PROCEDURAL MOTION

Moved: Cr Barwick

Seconded:

That the report be discussed at a workshop.

The Chair declined the procedural motion. Councillors have sufficient information to make a decision.

Point of Order was called by Cr Archer 2.25 pm requested the Chair's reason for declining the motion.

The Chair advised that there is no compelling reason to defer the motion.

One warning was provided to a gallery member Mr John Glisson by the Chair.

Point of Order was called by Cr Barwick at 2.30 pm

Minute No. 21/23

DECISION

Moved: Cr Dawson

Seconded: Cr Mason

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.

VOTING

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

Against: Cr Barwick and Cr Harris

Abstained: Nil

CARRIED 7 / 2

Minute No. 22/23

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DECISION

Moved: Cr Archer
Seconded: Cr Barwick

That Council starts the process to acquire the Crown Land adjoining 280 Hillwood Jetty Road, Hillwood.

VOTING

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

CARRIED 5 / 4

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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

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.

Minute No. 23/23

DECISION

Moved: Cr Barwick
Seconded: Cr Dawson

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.

VOTING

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

CARRIED UNANIMOUSLY 9 / 0

10 CORPORATE AND COMMUNITY

Nil.

11 ORGANISATIONAL PERFORMANCE, STRATEGY & ENGAGEMENT

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

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

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.

Minute No. 24/23

DECISION

Moved: Cr Lowe
Seconded: Cr Ashley

That Council:

1. Disestablish the existing Committee;
2. Consider what a "Health and Wellbeing Committee" may look like, including:

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- 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.

VOTING

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

CARRIED 6 / 3

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11.2 S24 SPECIAL COMMITTEE REVIEW - PLACEMAKING COMMITTEE

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

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.

Minute No. 25/23

DECISION

Moved: Cr Dawson

Seconded: Cr Mason

That Council:

1. Disestablish the Committee and consider a specific Placemaking Grant Round and, of which, submissions would be submitted to the Ordinary Council Meeting for decision; and
2. The terms of any Placemaking Grant Round would be discussed at a future Council Workshop and included in the 2023/24 budget.

VOTING

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Ashley, Cr Lowe and Cr Mason

Against: Cr Harris and Cr Orr

Abstained: Cr Barwick

CARRIED 6 / 3

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11.3 POLICY REVIEW - COUNCILLORS CODE OF CONDUCT

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

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 28th February 2023 with a review date of January 2024.

DECISION

Moved: Cr Harris

Seconded: Cr Dawson

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 28th February 2023 with a review date of January 2024.

Minute No. 26/23

AMENDED DECISION

Moved: Cr Harris

Seconded: Cr Dawson

That Council:

1. Rescind the existing GTC-3 Code of Conduct Version 1 (minute number 010/19); and
-

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2. Adopt the draft GTC-3 Code of Conduct Version 2 effective 28th February 2023 with a review date of January 2024; and
3. Move that the letter from the Director of Local Government be removed from the attachments and inserted into the minutes.

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 9 / 0

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Department of Premier and Cabinet

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Councillor Greg Kieser
Mayor
George Town Council
PO Box 161
GEORGE TOWN TAS 7253
Email: council@georgetown.tas.gov.au

Dear Mayor

Happy New Year. I trust that 2023 will be a productive and rewarding year for yourself, your fellow councillors/aldermen and for your Council.

As Director of Local Government, I have a statutory responsibility to promote good governance in local government. A key priority for the Office of Local Government in 2023 is to continue to support a positive culture across the sector. This includes striking an appropriate balance between supporting councillors and aldermen to perform their duties well and responding to concerns about behaviour that is impacting negatively on the sector.

Councillors are leaders in their local communities. The Model Code of Conduct adopted by all Councils provides that a councillor must treat all people fairly, must not cause any reasonable person offence or embarrassment, and must not bully or harass any person. A councillor must also listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.

Meeting the standard of behaviour prescribed in the Code is not optional. Section 28U of the *Local Government Act 1993* (the Act) provides that, in performing the functions and exercising the powers of his or her office with a council, a councillor is to comply with the provisions of the council's code of conduct.

A significant majority of councillors work within the boundaries of the Code of Conduct and act in the best interests of the council and the community. Unfortunately, however, there have been several examples since the 2022 Local Government elections of behaviour that falls short of the standards set in the Code of Conduct and is impacting negatively on the operation of Councils. This has included:

1. Outbursts of aggression

Councillors must not use anger or aggression when seeking to make or respond to an issue in debate (during or outside of Council meetings). This includes raising their voice aggressively or throwing or dropping meeting papers or other items in an aggressive manner.

Behaviour can be considered aggressive even when not specifically directed towards an individual. Aggressive behaviour can also include, for example, capitalisation of text in emails and online posts.

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2. Acts of intimidation

Councillors must not threaten others with adverse action when debating matters within or outside of Council meetings. Councillors should never use fear of reprisal as a tool to persuade others towards a particular position or view.

3. Bullying and harassment

Councillors must not engage repeatedly and forcefully with others in a way that could be considered bullying and harassment, either verbally, in emails or online. This includes frequent exchanges that involve low levels of aggression or intimidation.

4. Accusations of impropriety

Councillors must not accuse others of impropriety without pursuing their claims through appropriate formal channels.

Councillors must also avoid unreasonably inferring or attaching intent or meaning to the actions of others for the purposes of damaging their reputation or lessening the value of their contribution to a discussion or debate.

5. Disruptive behaviour

Councillors must allow others to speak freely and succinctly without interjection or interruption.

Acting respectfully does not mean always agreeing with others. Indeed, robust debate and inquiry is in the interest of democracy and the communities we serve. I encourage all councillors to hold both fellow councillors and the general manager to account for performing their functions well but reinforce that this must be done constructively and respectfully.

Page 36 of the Good Governance Guide for Local Government outlines the importance of building effective relationships. It encourages all councillors to treat others with respect, to clearly understand their role and the role of others and to follow communication protocols. A copy of the Guide is available on the Department of Premier and Cabinet's website and can be accessed here: [Good-Governance-Guide-4-August-2022](#). A new online module focussed on building respectful relationships is also being developed as part of the new Learning and Development Framework and will be available in February 2023.

Consistent with the recently agreed reforms to the Code of Conduct Framework for Local Government, it is expected that issues associated with behaviour are addressed locally wherever possible. This may include using local dispute resolution processes or, for example, using meeting procedures to address disruptive or unruly behaviour. Regulation 40 of the *Local Government (Meeting Procedures) Regulations 2015* authorises the chairperson to suspend a councillor for all or part of a meeting if a councillor:

- (a) makes a personal reflection about another councillor or an employee of the council and refuses to apologise; or
- (b) interjects repeatedly; or
- (c) disrupts the meeting and disobeys a call to order by the chairperson.

The Code of Conduct process is available to address concerns about negative behaviour that cannot be resolved locally. Any person, elected or otherwise, can lodge a Code of Conduct complaint. A Bill is currently before Parliament to make agreed changes to the code of conduct process to ensure that it can effectively respond to concerns as they arise.

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As Director of Local Government, I have a statutory responsibility to use the tools available in the Act to support the efficient and effective operation of local government. I am committed to using these tools to address any ongoing behaviour that cannot be managed through local action. This may include lodging Code of Conduct complaints against offending councillors or alderman. It may also involve recommending to the Minister that a Performance Improvement Direction is issued under Part 12B of the Act. I do not expect to use these tools frequently but will intervene where I consider that negative behaviour is seriously undermining the ability of the Council to function effectively.

It would be greatly appreciated if you could circulate this letter to all councillors/aldermen in your Council for their information and consideration and table a copy of the letter at your next Council meeting.

Kind regards



Mathew Healey

Director

19 January 2023

CC: Mr Shane Power, General Manager

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11.4 POLICY REVIEW - URBAN AREAS TREE MANAGEMENT STRATEGY AND PLAN

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

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).

Minute No. 27/23

DECISION

Moved: Cr Mason
Seconded: Cr Dawson

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).

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 9 / 0

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11.5 POLICY REVIEW - ROAD HIERARCHY AND MUNICIPAL MAP POLICY

REPORT AUTHOR: Director Organisational Performance, Strategy & Engagement
– Ms K Desmond

REPORT DATE: 6th February 2023

FILE NO: 14.35

ATTACHMENTS: 1. 14 Road Hierarchy and Municipal Map Policy [**11.5.1** - 6 pages]

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.

Cr Mason left the meeting at 3.10 pm.

Minute No. 28/23

DECISION

Moved: Cr Harris
Seconded: Cr Dawson

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.

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 8 / 0

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11.6 FUTURE IMPACT GROUP - YOUTH ADVISORY GROUP

REPORT AUTHOR: Director Organisational Performance, Strategy & Engagement
- Ms K. Desmond

REPORT DATE: 20th February 2023

FILE NO: 21.12

ATTACHMENTS: 1. Draft Terms of Reference for Youth Advisory Group
[11.6.1 - 4 pages]

OFFICER'S RECOMMENDATION

That Council appoints representatives as follows:

Group	Membership	Councillor Representative
Youth Advisory Group <u>Role</u> 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"> • 10-15 young people aged between 12 and 25 • Mayor • Two Councillor Representatives • Project Officer (Council Officer – Mr A Beeston) 	1. Mayor Cr Greg Kieser 2. Cr 3. Cr

Minute No. 29/23

DECISION

Moved: Cr Harris
Seconded: Cr Ashley

That Council appoints representatives as follows:

Group	Membership	Councillor Representative
Youth Advisory Group <u>Role</u> An advisory group of young people that operate as a volunteer team supporting the Our Futures project,	<ul style="list-style-type: none"> • 10-15 young people aged between 12 and 25 • Mayor • Two Councillor Representatives 	1. Mayor Cr Greg Kieser 2. Cr Heather Ashley 3. Cr Winston Mason

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providing a platform of advice to Council and serving as an accountability mechanism to the Project Officer.	<ul style="list-style-type: none">• Project Officer (Council Officer – Mr A Beeston)	4. Cr Greg Dawson (Proxy)
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VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 8 / 0

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12 MAYOR

12.1 MATTERS OF INVOLVEMENT - MAYOR

REPORT DATE: 23 February 2023

FILE NO: 14.11

Mayor Cr Greg Kieser		
<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 th Year Celebrations
	21	Met with developer
	21	Attended media event for the opening of East Beach All Accessible Facility
Deputy Mayor Cr Greg Dawson		
<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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Minute No. 30/23

DECISION

Moved: Cr Ashley

Seconded: Cr Harris

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

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 8 / 0

13 PETITIONS

Nil.

14 NOTICES OF MOTIONS

Nil.

15 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE

Cr Barwick

Q: Will management call for expressions of interest to quote for works to restore the replica Semaphore on Mount George before the May Council workshop where we are looking at budgets?

The Chair advised that right now there is a crane in the process of effectively disassembling the semaphore. The top section is being moved to the depot for inspection as part of a condition assessment we are going to get in people who are qualified as such to review the condition and as part of that process quote what work is required to restore it. The Chair confirmed that it was his understanding that Councillor Barwick would get her wish however the timing is questionable as to exactly when.

Councillor Barwick requested quotes when they are obtained so as to look at them from a budgetary perspective.

The Chair noted that he thought it was highly probable that Council would do that. Again there are some factors that may be out of our control in terms of what our policy for quotation is - whether it's three separate joiners to do that quotation work.

Through the Chair, the General Manager thanked the Mayor and Councillor Barwick. The General Manager explained that there are a couple of things to consider in terms of timing in that time frame. We could call on expressions of interest. The only implication or risk he could see was that if the mast and the semaphore were taken down by Parks in the timeframe described, it may put Council in an awkward position.

Councillor Barwick noted that she has spoken to Crown regarding the document and the estimated cost of thousands of dollars. She explained that the document that they have received did every little nitty gritty bitty things of the Semaphore. Having spoken to different people through the talk of Mount Direction, Councillor Barwick was of the opinion that the masts hanging down could be locked off so that then that could not move. The chains that are making it dangerous need to be tightened - they're very loose. There's a lot of stuff that could be done a lot cheaper than the big expense that people see with the semaphore that's happening. Some of that stuff could be addressed. Councillor Barwick explained that the guys that did the work at Mount Direction performed a rope climb. They went to the top of our mast, took the piece off and sent it down via rope and had it all fixed and put it all back up and up there and it will last another 30 years. Councillor Barwick confirmed that she thinks there's a cheaper way than what we've already been quoted. It would be sad to lose it. Councillor Barwick noted that she is now a little bit too old to go and get grant funding for Mount George and taking over the lease and is considering giving Mount Direction to the George Town Council at the moment. What an asset!

The Chair requested confirmation from Councillor Barwick regarding whether she wanted her question to be recorded or if she was happy. The Chair asked if her question had been answered your question and what would the Councillor like us to do?

Councillor Barwick confirmed that her question is as it is.

The Chair confirmed that this would be recorded and a response published in the next agenda.

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Through the Chair the General Manager noted that it is not Council's asset. Council will have to get the Crown's authority to go onto their land and get a quote against the structure. If Council is going to go run a public process calling for expressions of interest to repair the Crown's asset, we would at least seek their approval as a courtesy and notification in advance.

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.

Minute No. 31/23

DECISION

Moved: Cr Harris

Seconded: Cr Lowe

That Council move into closed meeting at 3.30pm 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.

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 8/ 0

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.

Minute No. 34/23

DECISION

Moved: Cr Barwick

Seconded: Cr Harris

That:

1. Council moves out of Closed Meeting at 3.45 pm and endorses those decisions taken while in Closed Meeting and the information remains Confidential.

VOTING

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

Against: Nil

CARRIED UNANIMOUSLY 8 / 0

18 CLOSURE

There being no further business, the meeting closed at 3.46pm.

**Cr Greg Kieser
MAYOR**