



# GEORGE TOWN COUNCIL AGENDA

Notice is hereby given  
that the next Ordinary Council Meeting  
will be held on  
**Tuesday 26 September 2023**

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

commencing at **1:00 pm.**

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

*The public are requested to pre-register if attending this meeting of Council.*

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.

*The community are requested to 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 ORDINARY COUNCIL MEETING HELD 22 AUGUST 2023**

#### **RECOMMENDATION**

That the Minutes of Council's Ordinary Meeting held on 22 August 2023 numbered 136/23 to 149/23 and 155/23 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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*Council requests that members of the public pre-register to attend meetings 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 or 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.

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## **7 PLANNING AUTHORITY**

*Councils are a planning authority. Each council acts as the planning authority for their municipality. In this role, councillors consider development applications and make administrative decisions that are based on the council's planning scheme. While councillors are obliged to consider the community's views, this does not mean they can vote in favour of those views while fulfilling the role of a planning authority. Councillors must make planning decisions based on whether a planning application is consistent with the local planning scheme, even if members of the community object to the planning proposal.*

### **7.1 DA 2022/107 - ANZAC DRIVE, GEORGE TOWN - CHANGE OF USE TO FOOD SERVICES, BUSINESS & PROFESSIONAL SERVICES & PASSIVE RECREATION – SUBDIVISION (AMALGAMATION OF TITLES – 3 LOTS TO 1 LOT) – ALTERATIONS & ADDITIONS**

<b>REPORT AUTHOR:</b>	Consultant Planner
<b>REPORT DATE:</b>	06 September 2023
<b>FILE NO:</b>	DA 2022/107
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Assessment of Compliance with Acceptable Solutions - DA 2022-107 [7.1.1 - 33 pages]</li><li>2. Plans &amp; Supporting Documents - DA 2022-107 [7.1.2 - 55 pages]</li><li>3. Redacted Representation - G &amp; S Neilsen - DA 2022-107 [7.1.3 - 3 pages]</li><li>4. TWDA 2022-01788- GTC - DA 2022-107 [7.1.4 - 2 pages]</li><li>5. GM Consent to Lodge Development Application - DA 2022-107 [7.1.5 - 1 page]</li></ol>

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### **APPLICATION INFORMATION**

<b>Planning Instrument:</b>	George Town Interim Planning Scheme 2013
<b>Applicant:</b>	George Town Council
<b>Site Address:</b>	Anzac Drive, George Town & adjoining road reserves
<b>Titles Details:</b>	9654/8, 86205/3 & 205684/2
<b>Property ID:</b>	6441050
<b>Zone:</b>	Local Business Zone
<b>Use:</b>	Food Services, Business & Professional Services & Passive Recreation
<b>Proposed Development:</b>	Change of Use to Food Services, Business & Professional Services & Passive Recreation – Subdivision (amalgamation of titles – 3 lots to 1 lot) – Alterations & Additions
<b>Application Received:</b>	31 October 2022

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## **1. SUMMARY**

An application under Section 57 of *The Land Use Planning and Approvals Act 1993* has been lodged by Council for a Change of Use to Food Services, Business & Professional Services & Passive Recreation – Subdivision (amalgamation of titles – 3 lots to 1 lot) – Alterations & Additions at Anzac Drive, George Town (CT 9654/8, 86205/3 & 205684/2) & adjoining road reserves.

The application has been submitted by George Town Council. An independent planning assessment has been completed by Consultant Planner James Stewart of Woolcott Surveys.

During the advertising period one (1) representation was received by Council. The representation largely raises concerns regarding the competitive neutrality of the Council, as well as the commercial viability of this proposal. This matter is addressed further in the representation section below, however the representation does not contain specific planning matters that can be considered within the assessment and subsequent recommendation.

With the inclusion of appropriate conditions, the proposal complies with the Acceptable Solutions and Performance Criteria of the Local Business Zone and applicable codes. The proposal is recommended with a number of conditions to ensure compliance with the intent of the zone and objectives of the standards.

## **2. STRATEGIC PLAN**

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

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

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

## **3. CONSULTATION**

In accordance with section 57(5) of *The Land Use Planning and Approvals Act 1993*, the application was advertised for public comment for the period of 14 days. One (1) representation was received and is further discussed in the assessment below.

## **4. RISK IMPLICATIONS**

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

## **5. FINANCIAL IMPLICATIONS**

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

## **6. SITE AND LOCATION**

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The subject site is located at Anzac Drive, George Town (CT 9654/8, 86205/3 & 205684/2) & adjoining road reserves. The site has been developed with a large building formerly used as the George Town RSL Club. The building includes a bar and restaurant facilities, along with an extensive car park. It is currently owned by George Town Council.

The site is predominantly encompassed within three titles and adjoining road reserves managed by Council. The impacted titles are as follows:

Certificate of Title numbers	Area (m <sup>2</sup> )
205684/2	2780
86205/3	1069.88
9654/8	452
Total	4301.88

Incidental works are also required in the Main Road, Anzac Drive and Friend Street road reserves.

The land is generally flat and is not subject to any hazard overlays or conditions of note.

The land is serviced by reticulated water, sewerage and stormwater.

The land surrounding the property is the general residential area of George Town with the Max Harris Memorial Reserve located to the North of the property and George Town CBD, and pump track located to the northwest.



Figure 1: Aerial photo of subject title (outlined in blue) and surrounding land.

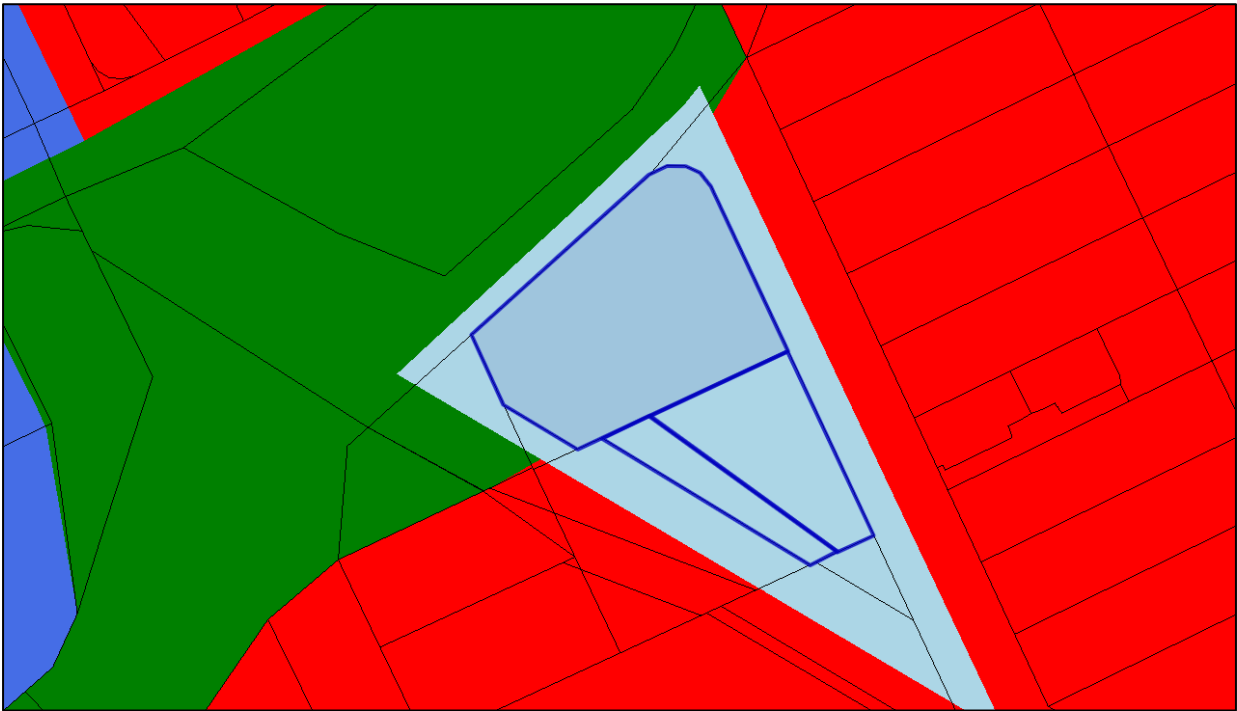


Figure 2: Zoning of subject title (outlined in blue) and surrounding land.

## 7. DEVELOPMENT AND USE DESCRIPTION

The application seeks approval for the use and development of the site at Anzac Drive, George Town (CT 9654/8, 86205/3 & 205684/2) & adjoining road reserves for Change of Use to Food Services, Business & Professional Services & Passive Recreation – Subdivision (amalgamation of titles – 3 lots to 1 lot) – Alterations & Additions.

Alterations & additions

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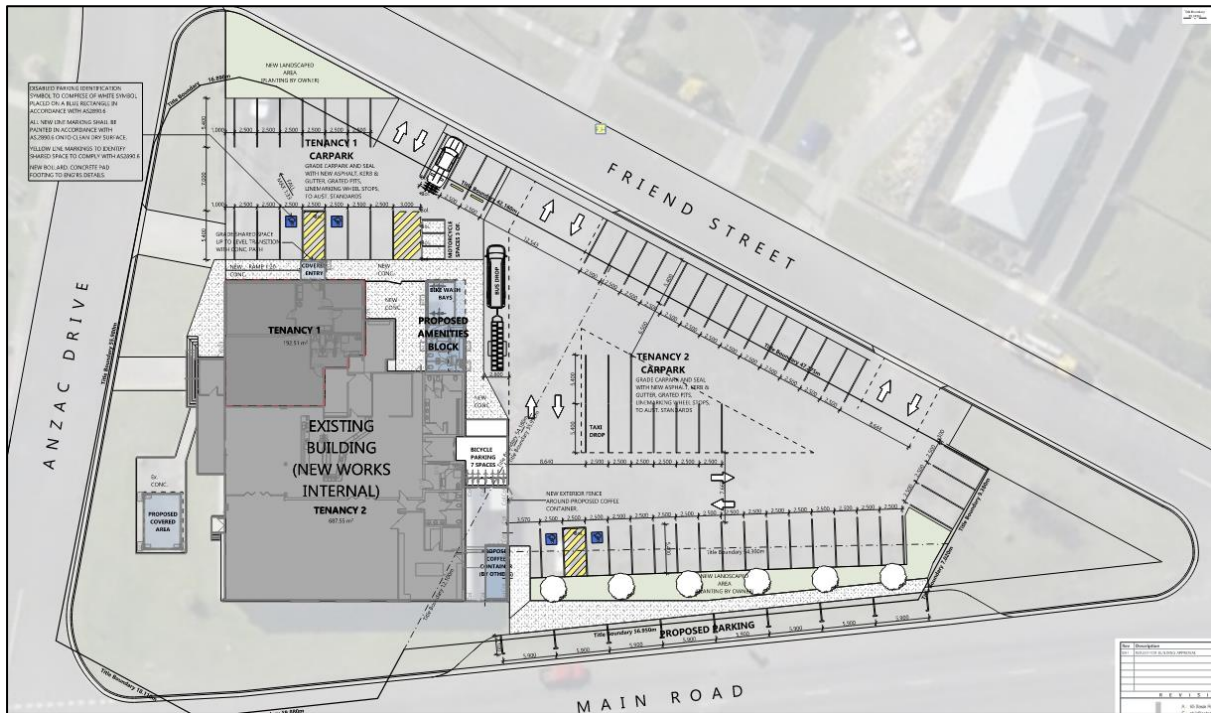


Figure 3: Proposal Plans – Site Plan

As a part of this application, alterations and additions are proposed to the existing RSL building. These alterations to the structure will increase the existing floor area of 880m<sup>2</sup> by 116.5m<sup>2</sup>, raising the coverage of the site to 996.5m<sup>2</sup> or approximately 23.16% of the site.

The development works proposed include internal alterations to the existing RSL building, demolition in some areas and new fixtures throughout the structure. Walls and partitions are intended to provide separation between the ‘food services’ and ‘business & professional services’ uses where necessary, in addition to modernizing the space.

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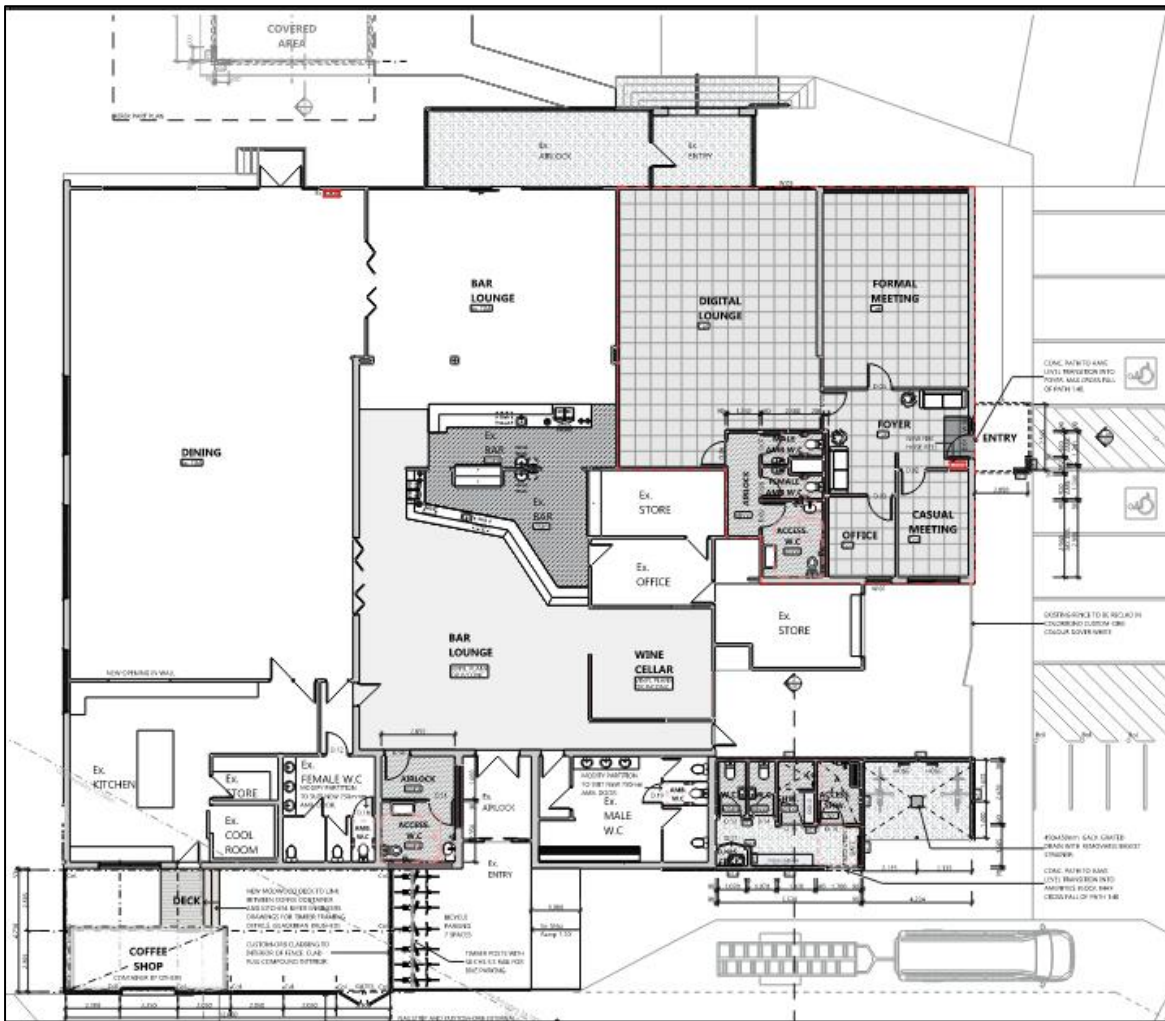


Figure 4: Proposed Floor Plan

An amenities block is proposed to be erected on the eastern corner of the structure, which is proposed to include toilet and shower facilities, in addition to a bicycle wash station. This component of the proposal is approximately 3.8m in height and lower than the existing ridgeline of the building (4.2m). The increase in site coverage from the amenities block is 40m<sup>2</sup>.

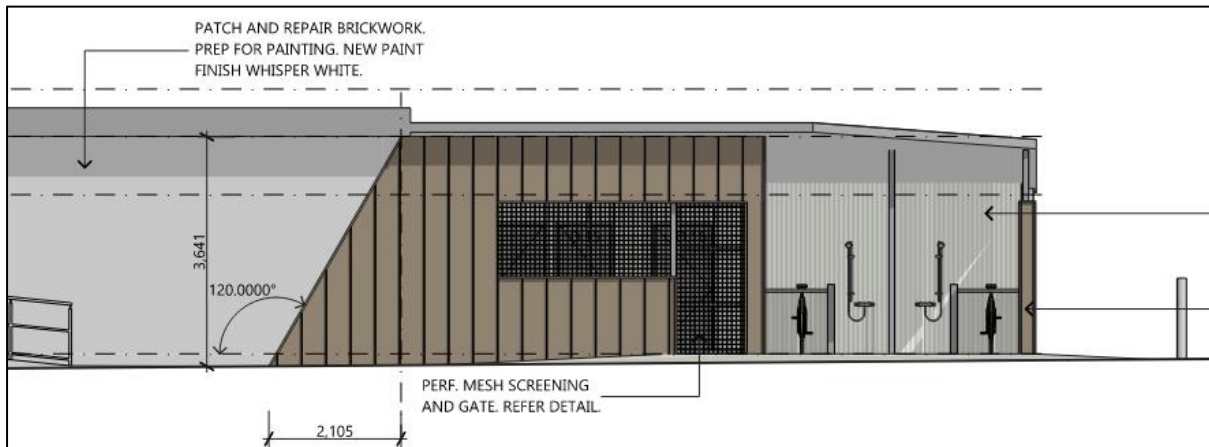


Figure 5: Elevations – Amenities Block

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A covered entry to the building is incorporated into the northeastern façade of the building, and measures 3.025m in height, covering approximately 6m<sup>2</sup> of the site.

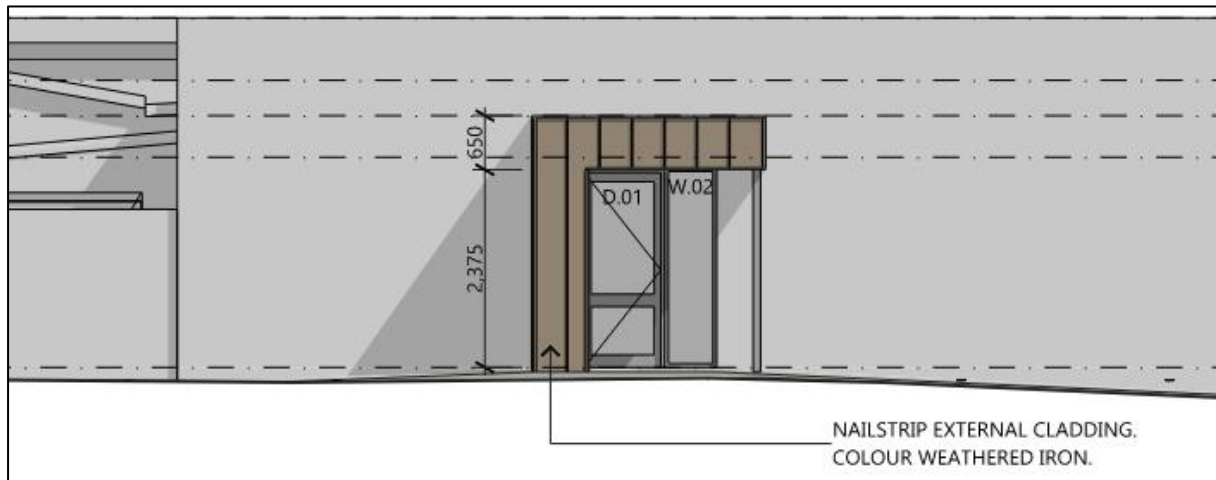


Figure 6: Elevation of proposed covered entry.

A coffee container is included within this proposal, this will predominantly be hidden by a screen facing the frontages. As the structure will be located on an elevated 350mm slab, the height of the container will be 2.875m in height, encompassing 15m<sup>2</sup> of the site.

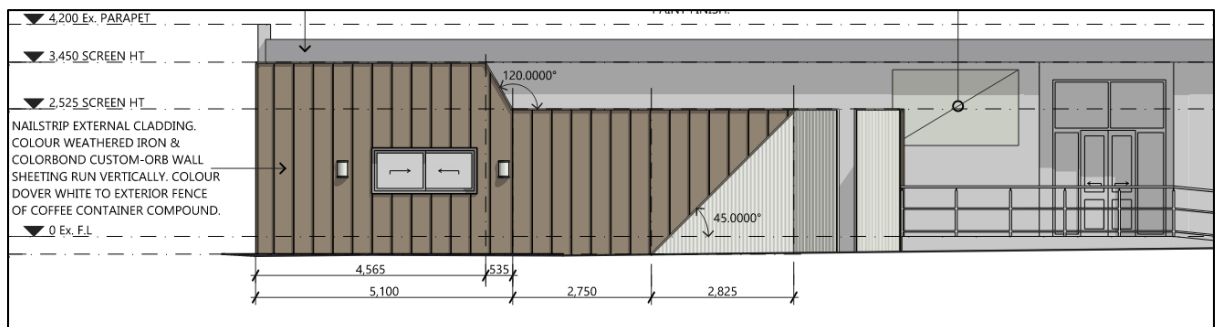


Figure 7: Elevation of proposed pergola.

Substantial modification and formalization of the existing carpark is proposed. This includes taxi drop off areas, accessible parking spaces and a pick up/drop off point for a shuttle bus service.

A proposed pergola is shown in the northwestern corner of the site, physically disconnected from the existing building. The pergola has a height of 3m and will match in with the existing buildings onsite.

**Note:** After consultation with Council's Infrastructure Department, it is understood the proposed pergola will not be included as part of the development, and an alternative deck will be included where the existing airlock is located. The alternative deck will be subject to Council assessment and a possible minor amendment. The deck is not included as part of this assessment.

### Change of Use

The application is for a mixed use development, which will encompass 'food services', 'business & professional services' and 'passive recreation'. While the uses occupy the same

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site, these components are not necessary or subservient to one another and are anticipated to function independently.

The building has previously been used for a 'food services' use in the past, and still contains infrastructure dedicated to this use class; however, the 'food services' use's existing use rights have since lapsed due to inactivity. Additionally, the proposed coffee container will be considered under the 'food services' use.

The 'business & professional services' component is contained to the northern portion of the building and will encompass the 'Future Impact Group' (FIG) offices, toilets, meeting rooms and 'digital lounge'.

The 'passive recreation' element of the proposal is encompassed within the bicycle related infrastructure, including bike wash and amenities block. As bicycle infrastructure and public infrastructure for the purposes of facilitating outdoor recreation is generally considered 'passive recreation', the amenities block is consistent with this definition.

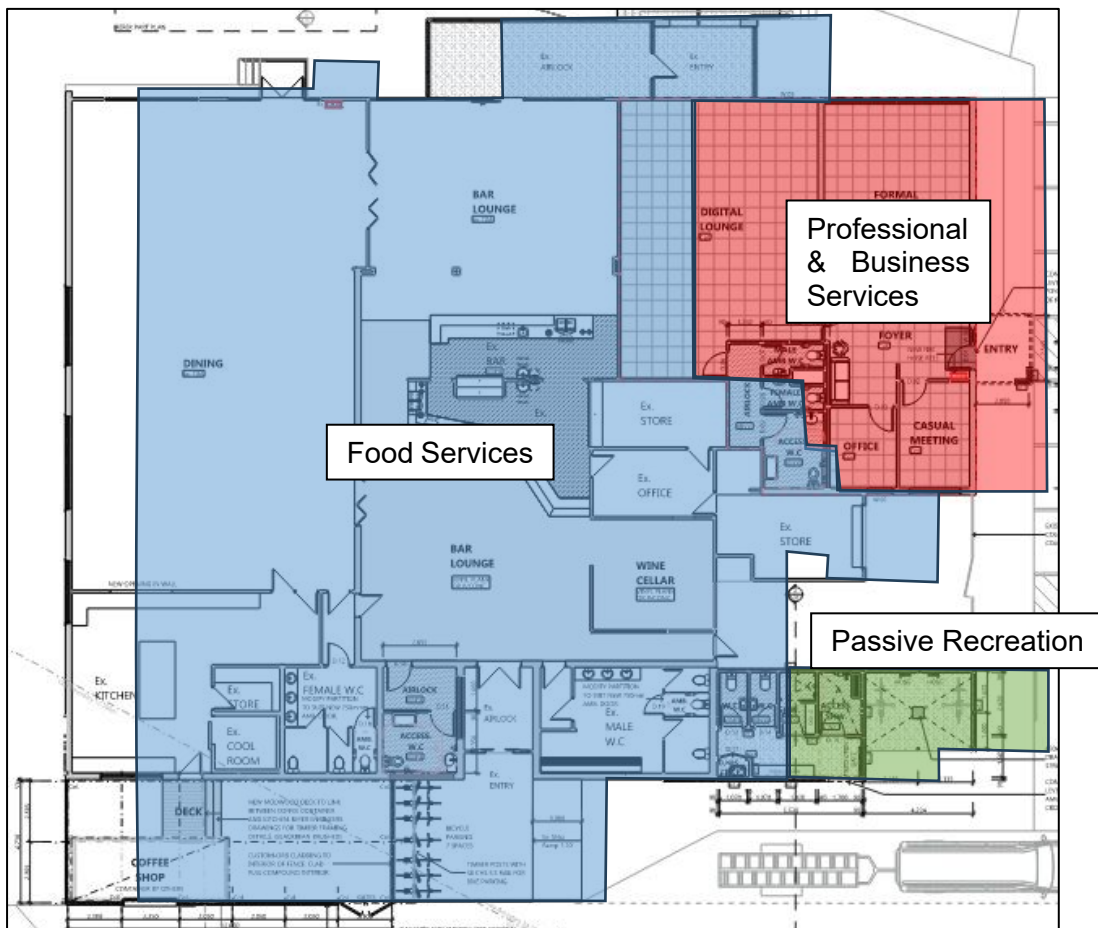


Figure 8: Diagram indicating approximate areas of each of the proposed uses

**Subdivision**

An amalgamation of the three titles impacted by the development is also proposed within the application. CT's 205684/2, 86205/3 & 9654/8 are to be amalgamated for the purposes of building and plumbing approvals under the *Building Act 2016*.

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This will combine the titles into a 4301.88m<sup>2</sup> lot that will contain three (3) frontages to Friend Street, Anzac Drive & Main Road.

The amalgamation of titles is not considered to be essential to the proposal, but has been included so that Council can progress amalgamation in the future should it so choose.

The full plans submitted are included in the attachments.

**8. REPRESENTATIONS**

The application was advertised for community consultation from 17 December 2022 to 12 January 2023. One (1) representation was received and is summarised below.

A full copy of the representation(s) has also been included as an attachment to this report.

<b>Issues Raised in Representations</b>	<b>Council Response</b>
<ul style="list-style-type: none"> <li>- A business case assessment was not properly undertaken by Council, to ensure the viability of the proposal.</li> <li>- Costs associated with this development should be revealed, as they are not transparent.</li> <li>- There are other organisations that operate hospitality businesses and furthermore, training operations.</li> </ul>	<p>The issues raised in this representation concern matters outside of an assessment of the proposal’s compliance with the <i>George Town Interim Planning Scheme 2013</i>.</p> <p>As outlined within Council’s agenda:</p> <p><i>“Councillors must make planning decisions based on whether a planning application is consistent with the local planning scheme, even if members of the community object to the planning proposal.”</i></p> <p>Competitive neutrality and operational expenditure matters are outside of the scope of this report and the provisions of the planning scheme.</p> <p>Council’s decisions regarding budgeting and expenditure are subject to a separate decision making process.</p>
<p>“Council when considering a... change of use address the statutory considerations but this does not preclude them from the authority to make their decision considering other factors.”</p>	<p>The <i>George Town Interim Planning Scheme 2013</i> – Clause 8.10 – Determining Applications, has the following proviso with respect to considering representations:</p> <p><i>“but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.”</i></p> <p>When considering an application, Council (acting as the Planning Authority) must confine itself to matters that are relevant to the planning scheme and can only exercise</p>

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	<p>discretion where such discretion is specifically provided.</p> <p>An assessment of the discretionary aspects of the assessment are included in section 9.2 of this report.</p>
<p>Concerns regarding the benefit of this project to the community and the lack of consultation about the proposal.</p>	<p>The planning application has been advertised to the public in accordance with s57 (3) of the <i>Land Use Planning and Approvals Act 1993</i>.</p> <p>Further consultation on this project, outside of the planning process and the broader <i>Land Use Planning and Approvals Act 1993</i> legislation is not relevant to an assessment of compliance with the planning scheme.</p>

**9. STATUTORY REQUIREMENTS**

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

- 21.0 Local Business Zone
- E4.0 Road & Railway Assets Code
- E6.0 Car Parking and Sustainable Transport Code

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

**9.1 Use Class**

The application is classified as Food Services, Business & Professional Services & Passive Recreation.

Food Services

The definition of the Food Services use as outlined in the *George Town Interim Planning Scheme 2013* is:

“use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.”

The Food Services Use Class is classified as a Permitted use in the Local Business Zone.

Business & Professional Services

The definition of the Business & Professional Services use as outlined in the *George Town Interim Planning Scheme 2013* is:

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“use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.”

The Business & Professional Services Use Class is classified as a No Permit Required use in the Local Business Zone.

Passive Recreation

The definition of the Passive Recreation use as outlined in the *George Town Interim Planning Scheme 2013* is:

“use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.”

The Passive Recreation Use Class is classified as a No Permit Required use in the Local Business Zone.

However, in this instance, the proposal relies on Performance Criteria and is subject to the discretionary application process.

**9.2 Planning Scheme Assessment**

Please see Attachment 1 for a full planning assessment against all of the relevant Acceptable Solutions of the Planning Scheme.

The Zone Purpose and those aspects of the development which require Council to exercise discretion are outlined and addressed in the following tables. The Performance Criteria outlines the specific things that Council must consider in exercising its discretion and determining whether to approve or refuse an application.

In cases where Council considers an application does not comply with the relevant Performance Criteria the use of conditions to achieve compliance should always be considered prior to refusal of the application.

**Zone Purpose Assessment**

## **20 Local Business Zone**

### 20.1 Zone Purpose

#### 20.1.1 Zone Purpose Statements

- 20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.
- 20.1.1.2 To limit use and development that would have the effect of elevating a centre to a higher level in the retail and business hierarchy. Limits are imposed on the sizes of premises to ensure that the established hierarchy is not distorted.
- 20.1.1.3 To maintain or improve the function, character, appearance, and distinctive qualities of each of the identified local business centres and to ensure that the design of development is sympathetic to the setting and compatible with the character of each of the local business centres in terms of building scale, height and density.
- 20.1.1.4 To minimise conflict between adjoining commercial and residential activities.
- 20.1.1.5 To ensure that vehicular access and parking is designed so that the environmental quality of the local area is protected and enhanced.
- 20.1.1.6 To provide for community interaction by encouraging developments such as cafes, restaurants, parks and community meeting places.

#### **Planner Response:**

The application is directly consistent with the zone purpose statements. The development will facilitate use associated with business and professional services and food services, both of which will meet the needs of a local area. The upgrades and additions are considered sympathetic to the local setting, and will act as an attractive entrance for locals and visitors entering the George Town main centre.

The site provides separation to residential uses via adjoining road reserves. The nature of the use, along with adequate separation ensures residential, commercial, and business uses can coexist harmoniously. A traffic impact assessment has been provided, ensuring that vehicular access and parking is appropriately designed and provided for the proposed development and change of use.

It is considered the change of use will provide a greater sense of community interaction between the town centre and the nearby Mountain Bike Trails. The provision of food services in a central location encourages a vibrant and active community.

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20.1.2 Local Area Objectives

To promote development that provides services and goods for the local residents without adversely impacting on neighbouring residents

**Planner Response:**

The application seeks to utilize an existing vacant building in a highly visible part of George Town. Both the restaurant and the not-for-profit FIG will provide a direct service for residents of the area.

Residential development is located on both the eastern, and southern sides of the site. There are no residential properties which directly adjoin the subject site. The nature of the proposed uses, considered relatively low impact, along with the separation of residential properties from the existing buildings and parking areas on site, ensure that there will not be an adverse impact on neighboring residents.

The application is considered consistent with the local area objectives.

20.1.3 Desired Future Character Statements

Development in the zone is to generally consist of a cluster of single storey buildings with small floor area that provide for low order business, professional and retail services. The intensity, shape, bulk and appearance of development is to be compatible with surrounding residential development.

**Planner Response:**

The application seeks to convert an existing vacant building. The proposed and existing building is single story and will provide two tenancies for future use. The nature of the proposed development is assessed as compatible with surrounding residential development.

The application is considered consistent with the Desired Future Character Statements.

**Performance Criteria assessment**

**20 Local Business Zone**

**20.4 Development Standards**

**20.4.1 Siting, Design and Built Form**

Objective	
To ensure that development is visually compatible with surrounding area.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A3.1 Buildings must be:  a) built to the front, rear and side boundaries of the lot	P3 Building setbacks must: a) provide for enhanced levels of public interaction or public activity; and b) ensure the efficient use of the site; and
A3.2 Extensions or alterations to existing buildings must not reduce the existing setback.	c) be consistent with the established setbacks within the immediate area and the same zone; and d) be consistent with the local area objectives, if any; and e) provide for emergency vehicle access.
<p><b>Planners Response:</b> Relies on performance criteria.</p> <p>The application relies on performance criteria, as the buildings are not built to the front, rear and side boundaries of the lot.</p> <p>It is assessed that the proposed buildings setbacks:</p> <ul style="list-style-type: none"> <li>a) Provide for an enhanced level of public interaction or public activity. The buildings are located in close proximity to surrounding footpaths, streets and the Max Harris Memorial Reserve.</li> <li>b) Are an efficient use of the site. Proposed development has been co-located adjacent and adjoining to existing buildings onsite. Buildings have been designed to support the existing primary building and uses of the site within a central location.</li> <li>c) Are consistent with established setbacks within the immediate area of other properties zoned Local Business. The nearby local business precinct on William Street provides setbacks which could be considered consistent with the subject site.</li> <li>d) Are consistent with the local area objectives. A response to the local area objectives is provided earlier in this report. The appropriately located development on site will provide goods and services to both locals and visitors to the area.</li> <li>e) Will have no impact on the ability to provide for emergency vehicle access. Suitable access is provided within the car park, which can be accessed at multiple points off Friend Street.</li> </ul>	

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The proposal is considered to comply with the performance criteria and is consistent with the objective.

20.4.2 Subdivision

**Objective**  
Subdivision must ensure:

- a) maintenance of the complexity and diversity of the built environment and pedestrian connectivity; and
- b) that new lots have sufficient land area for the physical demands of allowable uses; and
- c) the development of local business centres for retailing and other complementary commercial, entertainment, residential and community uses; and
- d) each lot has appropriate frontage, access and services; and
- e) appropriate transition to adjoining zones, especially residential areas.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A5 Subdivision must not be located on the boundary of the General Residential Zone.</p>	<p>P5 The subdivision layout must be designed to mitigate adverse environmental impacts and minimise potential for nuisance or loss of amenity having regard to:</p> <ul style="list-style-type: none"> <li>a) lot layout and design; and</li> <li>b) orientation; and</li> <li>c) access considerations; and</li> <li>d) topography or physical separation to surrounding sensitive land uses.</li> </ul>

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

The consolidation of lots adjoins the General Residential Zone located on Friend Street. Therefore, the proposal relies on performance criteria.

Consolidation of the lots is sought primarily to formalize the existing arrangement of the site. The amalgamation is intended to tidy up the site for management purposes and to remove existing boundaries that intersect buildings. It is not essential to the use and development.



The topography of the land is flat, with the site developed with a large building and associated car park. Once consolidated the site would be entirely surrounded by roads, which provide a physical separation between the site and the nearest residential use.

Vehicle movement to and from the site will not be increased as a direct result of amalgamation.

There are no identifiable adverse impacts that occur from the amalgamation of these lots.

Environmental impacts, including noise nuisance from the existing structures and the change of uses proposed are assessed within the development standards.

The proposal is considered to comply with the performance criteria and is consistent with the objective.

## E4.0 Road and Railway Assets Code

### E4.6 Use Standards

#### E4.6.1 Use and road or rail infrastructure

Objective

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To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

**Acceptable Solution**

**Performance Criteria**

A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day

P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

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

The speed limit on Friend Street and Anzac Drive (where the existing crossovers are located) is below 60km/h and the proposal will generate more than 40 vehicle entry and exit movements per day.

The Traffic Impact Assessment prepared by a Hubble Traffic, determines the expected traffic movements from the change of use for the site will be 427 daily trips.

This is well in excess of the 40 vehicle movements outlined within the acceptable solution. Therefore the proposal is reliant on the performance criteria.

The proposal intends to utilise the existing accesses for vehicles entering and exiting the site.

The proposal is not anticipated to cause notable impacts for traffic that utilise Main Road, as the capacity of the road is determined to have sufficient space to allow for safe vehicle travel without impediment.

All roads immediately connected to the site have adequate safe intersection sight distances to allow for efficient and safe access in and out of the site.

Formalised footpaths will allow for separation between foot traffic (including cyclists) and vehicle traffic proximate to the site. This will provide additional safety for pedestrians and cyclists who utilise the site.

The proposal is considered to comply with the performance criteria and is consistent with the objective.

**E4.7 Development Standards**

E4.7.2 Management of Road Accesses and Junctions

Objective

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To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

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

The application proposes to utilise three separate access points for the site. All of these accesses are located off Friend Street, with tennancy 1 providing a single access point, and tennancy 2 providing two access points. Each of the access points provides for entry and exit egress.

The Traffic Impact Assessment from Hubble Traffic confirms that the internal layout will ensure vehicles can enter, circulate and leave in a safe and efficient manner. Footpaths along frontages ensures the safe movement of pedestrians and cyclists. The Traffic Impact Assessment supported the development on traffic grounds.

The proposal is considered to comply with the performance criteria and is consistent with the objective.

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

**Objective**

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

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

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

The Traffic Impact Assessment confirmed that sight distances to the north were a minimum of 35m for tennancy 1 access, and 45m to the south for tennancy 2 access. The speed limit for this section of Friend Street is understood to be 50km. The recommended safe intersection sight distance (SISD) required under Table E4.7.4 is 80m, thus the application relies on performance criteria.

The Traffic Impact Assessment confirmed that the available sight distances provided for the low speed environment were appropriate. The sight distances provided ensure a vehicle can enter and leave the development site in a safe and efficient manner. There were no further recommendations or changes put forward as part of the Traffic Impact Assessment.

The proposal is considered to comply with the performance criteria and is consistent with the objective.

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

### **E6.6 Use Standards**

#### **E6.6.1 Car Parking Numbers**

Objective	
To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solution	Performance Criteria

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<p>A1 The number of car parking spaces will not:</p> <p>a) If for dwellings in the General Residential Zone, be less than 100% of the requirements of Table E6.1; or</p> <p>b) be less than 90% of the requirements of Table E6.1 and not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p style="margin-left: 20px;">i) the size of the dwelling and the number of bedrooms; and</p> <p style="margin-left: 20px;">ii) the pattern of parking in the locality; and</p>
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	iii) any existing structure on the land.
<p><b>Planners Response:</b> Relies on performance criteria.</p> <p>The 'Food Services' component of the site requires 46 vehicle parking spaces in accordance with Table E6.1.</p> <p>The 'Business &amp; Professional Services' use requires 14 parking space to be in accordance with Table E6.1.</p> <p>The 'Passive Recreation' use does not contain a requirement under Table E6.1.</p> <p>As per Table Table E6.1 – Note 4:</p> <p><i>Where a proposal contains multiple use classes, the car parking requirements must be calculated as the sum of the requirements for each individual use component.</i></p> <p>Therefore, all uses proposed create requirement for 60 spaces to be compliant with Table E6.1.</p> <p>The proposal currently contains 60 vehicle parking spaces and therefore complies, however the provision of parking spaces directly adjoining site accesses has been conditioned for removal to avoid any confusion with vehicles entering the site. The proposal therefore does not contain 60 vehicle parking spaces and subsequently relies on performance criteria.</p> <p>The development provides 56 on site parking spaces, which includes four accessible parking spaces, two taxi spaces. This results in a shortfall of four spaces.</p> <p>Consideration of the surrounding local road network was undertaken. It was considered that any overflow could easily be absorbed on the surrounding roads of Anzac Drive to the north, and Friend Street to the East. While both the swimming pool and Star of Sea Primary School rely on street parking, it was considered that dining times (for the proposed restaurant) and use of the proposed development would not coincide with peak school traffic generated by the primary school and swimming pool. The surrounding residential dwellings provide sufficient parking on site, ensuring that on road parking is available for the proposed use should it be required. There are no identified onstreet parking constraints or limitatons in this part of George Town.</p> <p>The proposal is considered to comply with the performance criteria and is consistent with the objective.</p>	

**E6.6.2 Bicycle Parking Numbers**

Objective	
To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>

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- A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or
- A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.

- P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
- a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
  - b) location of the site and the distance a cyclist would need to travel to reach the site; and
  - c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.

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

The 'Food Services' component of the site requires 10 dedicated bicycle parking spaces in accordance with Table E6.1.

The 'Business & Professional Services' use requires 2 dedicated bicycle parking spaces to be in accordance with Table E6.1.

The 'Passive Recreation' use does not contain a requirement under Table E6.1.

As per Table Table E6.1 – Note 4:

*Where a proposal contains multiple use classes, the car parking requirements must be calculated as the sum of the requirements for each individual use component.*

Therefore, all uses proposed create requirement for 12 dedicated bicycle parking spaces to be compliant with Table E6.1.

The proposal provides for 7 bike parking spaces and therefore relies on performance criteria.

The type of users that visit the site will generally be mountain bike riders. In such instances, it could be expected that bikes are locked on the back of vehicles or on roof racks. The number of commuters/employees riding to and from the site is expected to be minimal. While the number of mountain bike riders coming to and from the site on bikes could be significant, it would be expected that the number of dedicated bike parks provided is sufficient.

Mountain Bike riders often prefer to remain in-sight of their bike, with the casual nature of the "coffee container" likely to result in people congregating in outdoor areas along with their bikes. In this sense, the number of long term dedicated bike parking areas on site is reduced.

The site is in close proximity to the Macquarie Street, where additional bike parking areas are provided.

Over time, if it was felt that additional bike parking areas was required, this could easily be provided onsite.

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The proposal is considered to comply with the performance criteria and is consistent with the objective.

**E6.7.2 Design and Layout of Car Parking**

**Objective**

To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

**Acceptable Solution**

**Performance Criteria**

- A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and
- A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.

- P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
- a) the layout of the site and the location of existing buildings; and
  - b) views into the site from the road and adjoining public spaces; and
  - c) the ability to access the site and the rear of buildings; and
  - d) the layout of car parking in the vicinity; and
  - e) the level of landscaping proposed for the car parking.

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

Due to the site providing three frontages, it is not possible for the parking areas to be located behind the building line. It is noted that both the building and parking areas are existing on site. Once the site is developed, along with landscaped gardens, it is assessed that the parking areas will not have a detrimental impact on streetscape. The reality is that the visual appearance of the landscaped gardens and parking areas will be a significant improvement on how the site currently presents.

A condition has been recommended regarding site landscaping. Landscaping will need to be completed prior to the use commencing.

The proposal is considered to comply with the performance criteria and is consistent with the objective.

- A2.1 Car parking and manoeuvring space must:

- P2 Car parking and manoeuvring space must:

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<ul style="list-style-type: none"> <li>a) have a gradient of 10% or less; and</li> <li>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</li> <li>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</li> <li>d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply: <ul style="list-style-type: none"> <li>i) there are three or more car parking spaces; and</li> <li>ii) where parking is more than 30m driving distance from the road; or</li> <li>iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road; and</li> </ul> </li> </ul> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<ul style="list-style-type: none"> <li>a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and</li> <li>b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.</li> </ul>
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**Planners Response:** Relies on performance criteria.

Access widths are greater than 10% of the width described in Table E6.2, subsequently the performance criteria has been addressed. It is assessed that the maneuvering and parking areas are safe and convenient for users of the site. There is considered adequate room for turning on site, with all vehicles retaining the ability to enter and exit the site in a forward direction.

The proposal is considered to comply with the performance criteria and is consistent with the objective.

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

**Objective**

To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

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<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be provided in accordance with Table E6.4; and</p> <p>b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.</p>	<p>P1 For retail, commercial, industrial, service industry or warehouse or storage uses, adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.</p>

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

The development does not propose a dedicated loading bay in accordance with Table E6.4, subsequently the performance criteria is relied upon.

It is considered that adequate space is provided for loading and unloading of the types of vehicles expected on site. The nature of the use would not necessitate a regular stream of delivery vehicles requiring a dedicated loading and unloading area.

The bus drop off section, along with the width of the access area adjoining the bike parking ensures that there is sufficient and safe area for loading and unloading. There is no need to load and unload on the street, due to the area provided on site.

The bus drop off serves as a dedicated loading area for bike riders.

The proposal is considered to comply with the performance criteria and is consistent with the objective.

**E6.8.5 Pedestrian Walkways**

<p>Objective</p> <p>To ensure pedestrian safety is considered in development</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 Pedestrian access must be provided for in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</p>
<p><b>Planners Response:</b> Relies on performance criteria.</p>	

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Pedestrian access is provided on numerous footpaths surrounding the subject site. Given the clear sight lines and open nature of the carpark, it is considered that safe pedestrian access can be provided between spaces and entrances of buildings.

The proposal is considered to comply with the performance criteria and is consistent with the objective.

## **10. REFERRALS**

### **Internal Referrals**

#### **Crossover/Parking**

The development will require upgrades to the existing crossovers to comply with both LGAT Standards.

Furthermore, parking will be required to be sealed and line marked to ensure that traffic movements both within and from the site are efficient and safe.

#### **Stormwater**

Upgrades to stormwater drainage will be required for the extensive hardstand and impervious surfaces proposed.

#### ***Environmental Health***

Standard notes relating to kitchen design and registration as a food business are to be included on the permit.

### **External Referrals**

#### ***TasWater***

A referral to TasWater was sent 12 April 2023.

A Submission to Planning Authority Notice (TWDA 2022/01788-GTC), pursuant to the Water and Sewer Industry Act 2008 (s56P(1)) was issued by TasWater on 29 August 2023.

This submission imposes conditions to which the development is required to comply. The full details of this submission is included within the attachments.

## **11. SERVICES**

### ***Road***

Access is available to Friend Street and Anzac Drive, via the existing driveway crossovers. The crossovers will be upgraded to provided dual entry and exit.

Access off Anzac Drive access is generally not intended for public use within this proposal. This is intended for an authorized vehicle entry and exit point exclusively and entry restricted by bollards.

### ***Sewer***

Council records indicate the land is serviced by sewer.

### ***Water***

The land is serviced by reticulated water.

**Stormwater**

The subject site is connected to the reticulated stormwater network.

**12. PART V'S, COVENANTS, HERITAGE & LEVEL 2 ACTIVITIES**

**Easements:**

The subject property does not contain any registered burdening or benefitting easements on the title.

**Part V Agreements:**

No Part V's are registered against the subject property's title.

**Covenants:**

No covenants are registered against the subject property's title.

**Heritage Register:**

The subject property is not registered within the Tasmanian Heritage Register administered under Part 4 of the *Historic Cultural Heritage Act 1995*.

**Level 2 Activities:**

The subject property does not contain a use that could be considered a Level 2 activity as classified within Schedule 2 of the *Environmental Management and Pollution Control Act 1994*.

**13. STATE POLICIES**

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

**14. ALTERNATIVE OPTIONS**

Council can approve the application with alternative conditions or refuse the application with appropriate grounds.

**15. CONCLUSION**

The application for building additions and use of Change of Use to Food Services, Business & Professional Services & Passive Recreation – Subdivision (amalgamation of titles – 3 lots to 1 lot) – Alterations & Additions at Anzac Drive, George Town (CT 9654/8, 86205/3 & 205684/2) & adjoining road reserves, has been assessed against all relevant zone and code criteria of the *George Town Interim Planning Scheme 2013*. With appropriate conditions, the application complies with the applicable Acceptable Solutions and Performance Criteria and is recommended for approval.

**16. RECOMMENDATION**

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That the application for use and development, Change of Use to Food Services, Business & Professional Services & Passive Recreation – Subdivision (amalgamation of titles – 3 lots to 1 lot) – Alterations & Additions at Anzac Drive, George Town (CT 9654/8, 86205/3 & 205684/2) & adjoining road reserves be **APPROVED** subject to the following conditions:

**1. ENDORSED PLANS**

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

- a. Cataract Designs, 'Refurbishment of the Anzac Drive Building, Anzac Drive, George Town', dated 23/09/2022, project no 22024, drawing A000, A001, A100, A101, A102, A103, A104, A200, A201, A300, A301, A302, A400, A401.
- b. Hubble Traffic, Traffic Impact Assessment, Change of Use – Anzac Drive Building, George Town, dated 6 December 2022. .

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

**2. AMENDED PLANS REQUIRED**

Prior to the commencement of any work and/use, amended plans must be submitted for approval from Councils Director Infrastructure and Development. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions provided.

The plans must show:

- a) Parking spaces immediately adjoining the accesses off Friend Street are to be removed and clear separation achieved via landscaping.

**3. NO POLLUTED RUNOFF**

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

**4. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2022/01788-GTC attached).

**5. CAR PARKING CONSTRUCTION**

Prior to the commencement of the use, areas set aside for vehicle parking and access lanes as shown on the endorsed plans must;

- a) Be properly constructed to such levels that they can be used in accordance with the plans,
- c) Be surfaced with a fully sealed, debris free surface of concrete or asphalt.
- d) Be drained to Councils requirements,
- e) Be line-marked or otherwise delineated to indicate each car space and access lanes,

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- g) Have exterior lights that are installed in such positions as to effectively illuminate all pathways and car parking areas. Such lighting must be controlled or shielded to prevent direct light being emitted outside the site.
- h) Provide clear entry/exit and directional signage to ensure safe maneuvering within the subject site.
- i) Provide Bollards on the access to Anzac Drive. The Anzac Drive access is not intended for public use as part of the development.

All work is to be completed to the satisfaction of Councils Director Infrastructure and Development.

**6. LANDSCAPING**

Prior to the commencement of the use, the landscaping shown on the endorsed plan (Cataract Designs - A001) must be completed as per the requirements and to the satisfaction of Councils Director Infrastructure and Development.

**7. WORKS REQUIRED PRIOR TO CONSOLIDATION OF TITLES**

Prior to the sealing of the final plan of subdivision, the consolidated title must be provided with a stormwater connection to the public drainage system.

**8. CAPPING OF SERVICES**

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

**9. EXTERIOR AND SECURITY LIGHTING**

Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.

**10. BUSINESS HOURS**

The operation of the proposed food services development must be confined to:

- a) 6:00am and 9:00pm Monday to Sunday

The operation of the proposed business and professional services development must be confined to:

- b) 8:00am and 9:00pm Monday to Sunday

The hours of operation do not prohibit cleaning or administrative activities from occurring on the premises, nor do the hours of operation apply to occasional use events as specified in clause 4.1.2 of the *Tasmanian Planning Scheme - George Town*.

**10. LOADING AND UNLOADING**

Loading and unloading of delivery goods and merchandise and the like must be carried out within the boundaries of the subject land.

**11. VEHICULAR CROSSINGS**

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Prior to the commencement of the use, an upgraded vehicular crossover must be provided to service this development in accordance with the LGAT standard drawing. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services.

## **12. COVENANTS ON SUBDIVISIONS**

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

- a) Such covenants or controls are expressly authorised by the terms of this permit; or
- b) Such covenants or similar controls are expressly authorised by the consent in writing of the Council.
- b) such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

### **Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2022/107. You should contact Council with any other use or development, as it may require the separate approval of Council. Councils planning staff can be contacted on 6382 8800.
2. This permit does not imply that any other approval required under any other by-law, covenant or legislation has been granted. The following additional approvals from Council may be required before construction commences:
  - a. Plumbing approval
  - b. Building approval

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

3. Registration as a Food Business under the Food Act 2003 is required. The proposed building is to be used as a food premises and will require inspection by Council's Environmental Health Officer under the Food Act 2003 prior to the commencement of use. Please contact Council's Environmental Health Officer on (6382 8800).
4. Prior to the commencement of works and use, the areas set aside for food preparation and wash up as shown on the endorsed plans will need to be designed to comply with NCC volume 1 Tas Appendix H102 + AS 4674-2004 (Design, Construction and Fit out of Food Premises) and submitted as part of the building approval process under the Building Act 2016.
5. This permit takes effect after:
  - i. the 14 day appeal period expires; or
  - ii. any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or

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- iii. any agreement that is required by this permit pursuant to Part V of the *Land Use Planning and Approvals Act 1993* is executed; or any other required approvals under this or any other Act are granted.
  
6. A planning appeal may be instituted by lodging a notice of appeal with the Tasmanian Civil & Administrative Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Tasmanian Civil & Administrative Tribunal website [www.tascat.tas.gov.au](http://www.tascat.tas.gov.au).
  
7. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted at Council's discretion if a request is received within 6 months of the expiration.
  
8. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
  
9. It is the responsibility of the applicant to ensure that they are acting in accordance with any Section 71 (Part 5) Agreement or Covenant registered to the title. These matters are not taken into account as part of an assessment against the planning scheme. A permit issued under the *Land Use Planning and Approvals Act 1993* does not undermine or absolve any individual from any obligation imposed by such agreements. The obligations and risks associated with Section 71 (Part 5) Agreements and Covenants should be discussed with a solicitor.
  
10. The application does not include any proposed signage. Should the site seek to provide signage associated with future use and development, this will require separate assessment by the Council and may require an additional planning permit. Please speak to Council planning staff in relation to requirements.
  
11. If any Aboriginal relics are uncovered during works:
  - a. All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b. The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au); and
  - c. The relevant approval processes will apply with state and federal government agencies.

The applicant is requested to remove any planning advertising signs from the property boundary, and to dispose of it in a thoughtful and sustainable manner.

**DECISION**

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Moved:

Seconded:

**VOTING**

For:

Against:

## **8 OFFICE OF GENERAL MANAGER**

### **8.1 COUNCIL WORKSHOPS - AUGUST AND SEPTEMBER 2023**

**REPORT AUTHOR:** General Manager - Mr S. Power  
**REPORT DATE:** 20 September 2023  
**FILE NO:** 14.10  
**ATTACHMENTS:** 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 22 AUGUST 2023**

- Planning and Building Update
- Agenda Review
- Healthy George Town Presentation
- Communication Strategic Plan 2023-2028
- Governance Issues
- Councillors/General Manager Discussions

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

**Apologies:** Cr Heather Ashley  
Cr Jason Orr  
General Manager

**In Attendance:** Acting General Manager  
Director Infrastructure & Development  
Planner  
Team Leader Building and Planning  
Team Leader Community  
Executive Support and Governance Officer

**Guests:** Nil.

##### **TUESDAY 12 SEPTEMBER 2023**

- Unconfirmed Minutes 22 August 2023
- Closed Unconfirmed Minutes 22 August 2023

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- FIG Project Update
- Northern Tasmania Sports Facility Plan
- Community Grants & Sponsorship
- Intranet Presentation
- Waste Contract Update
- Risk Management Framework
- Gerzalia Drive Hearing Update
- Lulworth Planning Appeal
- Township Charter Plan and Heritage Study Update
- Hillwood Football Club Ground Update
- Councillors/Acting General Manager Discussions

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

**Apologies:** Cr Heather Ashley  
General Manager

**In Attendance:** Acting General Manager  
Director Infrastructure & Development  
Executive Support and Governance Officer  
Executive Officer – Launchpad  
Team Leader – Community  
Communications Officer  
Youth Officer  
Operations Co-ordinator  
Consultant  
Team Leader – Planning & Building Services

**Guests:** Nil.

## **STRATEGIC PLAN**

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

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

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

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

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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**

Nil.

**OFFICER'S RECOMMENDATION**

That Council:

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1. Receives the report on the Council Workshops held on the 22 August 2023 and 12 September 2023.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

## **9 INFRASTRUCTURE AND DEVELOPMENT**

### **9.1 HILLWOOD SPORTS GROUP SURFACE RENOVATION**

**REPORT AUTHOR:** Director Infrastructure & Development - Mr A. McCarthy  
**REPORT DATE:** 20 September 2023  
**FILE NO:** 28.18  
**ATTACHMENTS:** Nil

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#### **SUMMARY**

The purpose of this report is to authorise the allocation of funds from Public Open Space Reserve to complete Hillwood Sports Ground Surface Renovation Project (J90053).

#### **BACKGROUND**

Council at its meeting 27 June 2023 adopted the 2023/2024 Capital Works Program including the Hillwood Sports Ground Surface Renovation Project (J90053).

The following images were taken during the most recent football season:

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Due to the deterioration it has become apparent that the existing budget (\$30,000) is insufficient to achieve a fit for purpose playing surface. As a result, the following options have been considered:

1. Full ground reconstruction (\$450-500K)
2. Major renovation (\$125K)
3. Hybrid reconstruction (\$225K).

### **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.

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

8. Public infrastructure relevant to needs

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- iv. All ability amenities to meet the needs of residents and visitors.

### **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.

Council is unlikely to deliver a playing surface that meets the minimum safety standards without additional funds. An unsafe surface could result in games being cancelled and reputational damage to George Town Council.

### **FINANCIAL IMPLICATIONS**

Council's adopted budget for the Hillwood Sports Ground Surface Renovation Project is \$30,000. The total project cost to deliver the proposed renovation works is expected to be \$125,000. Council will apply for grants to fund the expected shortfall (\$95,000) from the following programs:

- Tasmanian Active Infrastructure Program
- Australian Football Facilities Fund

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If one or both grants are unsuccessful the shortfall is proposed to be funded from Council's Public Open Space Reserve. Council's Public Open Space Reserve has a balance of \$190,080.

### **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.

### **CONSULTATION**

Consultation with Councillors occurred during Council Workshop on Tuesday 12 September 2023. Officers continue to liaise with the Hillwood Football Club.

### **OPTIONS**

Council may choose to:

1. Allocate \$95,000 from the Open Space Reserve to allow the Hillwood Sports Ground Surface Renovation Project to be completed in readiness for the 2024 NTFA season; or
2. Defer the project to await the outcome of the grant applications. If unsuccessful seek alternative funding sources and complete the project by the beginning of the 2025 NTFA season; or
3. Cancel the project, accept the risk and continue to maintain the ground within the existing operating budget.

### **OFFICER'S COMMENTS**

Due to the condition of the ground Mr John Neylan, a highly qualified turfgrass agronomist, inspected the ground and made the following observations:

- The field is predominantly Kikuyu which has developed a significant thatch layer. The thatch layer will hold water over the winter months and significantly impeding (sic) the drainage of the field. The field needs to be scarified to remove the majority of thatch.
- The subsoil drains are widely spaced and probably ineffective at this spacing. The orientation of the subsoils to the slope of the field is also poor and unlikely to intercept the water efficiently. These drains rely on intercepting surface flow and ideally would

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have been installed at about 45 degrees to the slope. The installation of sand slits is a necessity which would greatly improve the efficiency of surface drainage.

- If funding wasn't an issue, I would suggest a full reconstruction as per the project recently completed at George Town Sports Ground, including removal of the existing thatch surface, reshaping of the surface, new ag-drains, sand slits & sand mattress. Depending on final scope of works, a budget estimate for these works would be in the range of \$450-550k.
- At a minimum a renovation of the ground should be undertaken in spring. Suggested renovation works:
  - Vertidrain the ground to relieve compaction
  - De-thatching of existing surface
  - Heavy top dress of 10mm sand across entire field
  - Renovation of ag-drains to allow functionality
  - Installation of sand slits
  - Over sowing with Rye Grass 200kg/ha
  - 10mm sand top dressing

The estimated cost to renovate the ground is \$125,000. Due to the budget constraints a hybrid reconstruction option with an estimated cost of \$225,000 was considered. This option included the retention of the existing drainage.

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

That Council, Hillwood Sports Ground Surface Renovation Project:

1. Allocate \$95,000 from the Public Open Space Reserve to complete the Hillwood Sports Ground Surface Renovation Project.
2. Apply for grants from the following programs:
  - Tasmanian Active Infrastructure Program
  - Australian Football Facilities Fund

#### **DECISION**

Moved:

Seconded:

#### **VOTING**

For:

Against:

## **10 CORPORATE AND COMMUNITY**

### **10.1 COMMUNITY ASSISTANCE GRANTS ROUND 1 2023/2024**

<b>REPORT AUTHOR:</b>	Director –Corporate & Community – Ms C.Hyde
<b>REPORT DATE:</b>	29 August 2023
<b>FILE NO:</b>	23.2
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Families Tasmania Inc [<b>10.1.1</b> - 17 pages]</li><li>2. St Vincent de Paul [<b>10.1.2</b> - 13 pages]</li><li>3. Friends of Low Head Penguin Colony [<b>10.1.3</b> - 25 pages]</li><li>4. Weymouth Progress Association [<b>10.1.4</b> - 20 pages]</li></ol>

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#### **SUMMARY**

The purpose of this report is to provide Elected Members with an opportunity to consider the applications that have been received for Round One of the 2023/2024 Community Grants Program. The applications are required to be assessed on merit and how they will provide support to the broader community.

#### **BACKGROUND**

In accordance with Council’s Community Assistance Policy (No. 10), on the 1st August 2023, Council announced the opening of Round One of the 2023/2024 Grant Assistance Program, with applications closing on Friday 25th of August 2023.

The Community Assistance Policy applies to applications for:

- Fee Remission
- Assistance to Individuals
- Community Grants

Total budget allocation of \$40,000.

**Community Grant Applications received in Round One for consideration total \$7,970.00.**

#### **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.
- iv. Communicating so everyone knows what each group is doing.

**Future Direction One - Community Pride**

- 2. All communities take pride in their place
  - i. Supporting the plans of Progress Associations.

**Future Direction One - Community Pride**

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

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

- 12. Protected local natural landscapes and values
  - iv. Supporting Coastal Care, George Town Coastal Care Management Group, Tamar NRM, NRM North, Land Care, Friends of the Penguin Colony and other environmental interests.

**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**

- 5. Communities have agreed strategic plans
  - i. Supporting Progress Associations to achieve their annual priorities.
  - ii. Making sure communities remain connected, engaged and empowered.

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

- 7. Community celebrations build the areas reputation

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- 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.

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

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

### **RISK CONSIDERATIONS**

The applications recommended for Council approval are considered to be of low risk, as the applications meet the criteria outlined within the Community Assistance Policy and sufficient budget is available to accommodate the requests.

### **FINANCIAL IMPLICATIONS**

The 2023/2024 budget allocation for Community Grants is \$40,000.

Funding allocation as of the 29th of August 2023

- Fee Remissions: \$1,080.00
- Assistance to Individuals: \$1,500.00
- Community Assistance Grant 2023/2024 Round 1 – *Proposed \$7,970.00*

### **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**

Council was provided with the community grants applications for discussion at the 12 September 2023 Council Workshop.

### **OPTIONS**

Council may choose to:

1. Support the grant applications as presented; or
2. Support the grant applications with amendment; or

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3. Not support the grant applications.

**OFFICER'S COMMENTS**

Round One of the 2023/2024 Grant Assistance Program opened on 1<sup>st</sup> August 2023 and closed on Friday 25<sup>th</sup> August 2023. A total of 4 grant applications were received.

A consolidated financial overview of the funding requests is presented below, applications have been submitted with this report for Councils perusal and assessment.

**Community Grant Applications**

**Note: the following project summaries have been extracted from the applications and are the words of the applicants.**

**COMMUNITY GRANT APPLICATIONS**

**1. Families Tasmania Inc. – CAGPR101**

**Project Title:** Breathe, Nurture & Play - guided meditation & creative expression through art play.

**Project Summary:** Workshops titled Breathe, Nurture & Play - guided meditation & creative expression through art play, offered on weekends, is to create a safe environment for participants to connect to themselves through a body awareness exercise which incorporates a guided meditation by the facilitator. There would be a brief writing exercise, exploring what might be going on for them from a mental perspective, irrespective of whether it is 'positive or negative', its purpose is to bring awareness to themselves and what they can take away with them to explore. This will then follow with creative play using different art mediums.

**Request:**

Promotion and advertising	\$200.00	
Admin	\$300.00	
Tutor Costs	\$1,500.00	
Salaries	\$420.00	
Venue	\$200.00	
<b>Total</b>	<b>\$2,620.00</b>	<b><u>Request for \$2,000.00</u></b>

**Quotation, letter of support and insurances supplied.**

**Funding received in the previous financial year – 2022/2023**

Community Grants Round 1 & 2	\$0.00
Fee Remissions	\$0.00
Sponsorship	\$0.00

- Support the grant applications as presented; or
- Support the grant applications with an amendment; or
- Not support the applications

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- Not support the applications and refer project to Healthy George Town for consideration.

This project appears to align with the mental health and wellness program to be developed within the Healthy George Town project – which Council has provided funding for in the 2023/2024 operational budget.

**OFFICER’S RECOMMENDATION**

That Council:

1. Does not award financial assistance through the Community Grants program to Families Tasmania to the amount of \$2,000.00 to hold Breathe, Nature & Play workshops, but refers the application to be considered within the 2023/2024 Healthy George Town mental health and wellbeing program.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**2. St Vincent de Paul – CAGPR103**

**Project Title:** Dining with Friends

**Project Summary:** Dining with Friends is a Social Inclusion and Community program, delivered by St Vincent de Paul Society. The Society delivers the program in six locations across the state. Volunteers prepare a meal for and share a meal with those in our community who are socially isolated or lonely.

**Request:**

Food and supplies	\$7,200.00	
<b>Total</b>	<b>\$7,200.00</b>	<b><u>Request for \$2,000.00</u></b>

**Insurances supplied.**

**Funding received in the previous financial year – 2022/2023**

Community Grants Round 1 & 2	Round 1 \$1,799.00 – Freezer
Fee Remissions	\$0.00
Sponsorship	\$0.00

- Support the grant applications as presented; or
- Support the grant applications with an amendment; or
- Not support the applications

**OFFICER’S RECOMMENDATION**

That Council:

Awards financial assistance to St Vincent de Paul to the amount of \$2,000.00 for their Dining with Friends community program.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**3. Friends of Low Head Penguin Colony – CAGPR104**

**Project Title:** Photographic Reporting and Safety for Low Head Little Penguins

**Project Summary:** Cameras have been sourced and will be placed strategically in the Colony. Marine plywood is required and must be purchased. The plywood, on receipt, will be cut per templates and holes for screws completed. Each nest box is surrounded in plastic and the box parcels will be delivered to the three Schools in George Town. Classes will then assemble the boxes. The boxes will be placed in areas of the Colony by Volunteers, students and Parks Rangers.

**Request:**

Cameras	\$1,241.00	
30GB upfront data plan	\$900.00	
Cutting marine ply	\$1,200.00	
Marine Ply	\$1,540.00	
<b>Total</b>	<b>\$4,881.00</b>	<b><u>Request for \$1,970.00</u></b>

**Quotes, letters of support and insurance supplied.**

**Funding received in the previous financial year – 2022/2023**

Community Grants Round 1 & 2	\$0.00
Fee Remissions	\$0.00
Sponsorship	\$0.00

- Support the grant applications as presented; or
- Support the grant applications with an amendment; or
- Not support the applications

**OFFICER'S RECOMMENDATION**

That Council:

Awards financial assistance to the Friends of the Low Penguin Colony to the amount of \$1,970.00 for their photographic reporting and nesting boxes project.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**4. Weymouth Progress Association – CAGPR105**

**Project Title:** Commercial Dishwasher

**Project Summary:** To ensure that the kitchen in the Weymouth Hall is fully compliant with current George Town Council food standards, we propose to purchase and install a commercial dishwasher.

**Request:**

Dishwasher	\$4,388.54	
<b>Total</b>	<b>\$4,388.54</b>	<b><u>Request for \$2,000.00</u></b>

**Quotes and insurance supplied.**

**Funding received in the previous financial year – 2022/2023**

Community Grants Round 1 & 2	\$0.00
Fee Remissions	\$0.00
Sponsorship	\$400.00 Weymouth Progress Association Anniversary Event

**Funding received in this financial year – 2023/2024**

Sponsorship	\$400.00 Weymouth Progress Association Anniversary Event
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- Support the grant applications as presented; or
- Support the grant applications with an amendment; or
- Not support the applications

Council's Director – Corporate and Community, Cheryl Hyde, has made further enquiries of the Weymouth Progress Association with respect to the installation of the dish washer. The President, Craig Tyeson advised that the installation would be funded by the Association with in kind support from local tradespersons.

Council Officers have requested and reviewed advice from Council's Environmental Health Officer (EHO) regarding the requirements to have a commercial grade dishwasher installed at the Weymouth Hall. Advice received indicated that there is no requirement for a commercial grade or any dishwasher to be installed in accordance with the Food Safety Standards or for Council licence renewal. The advice also raised concerns over the design and capacity of existing plumbing and waste water systems capacity to cope with the additional loading rates (volume of water) that will result from the use of the dishwasher. Further to this, the high temperature of the water used in the unit may require installation of an extraction system and a specialty drainage system.

A condition of any grant funding toward the purchase of the dishwasher, would be that while funded by the Weymouth Progress Association, all works are to be approved and supervised by Council's facilities co-ordinator with all inductions, licences and approvals being provided to Council.

However, given the advice from the EHO, potential significant changes to plumbing, extraction and waste water systems together with installation, chemical and ongoing maintenance costs,

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and the limited use of the Weymouth Hall for functions, the grant application is not supported by Council Officers.

**OFFICER'S RECOMMENDATION**

That Council:

Does not award financial assistance to the Weymouth Progress Association to the amount of \$2,000.00 towards the purchase of a commercial dishwasher.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**10.2 TASMANIAN ROCK CHALLENGE SPONSORSHIP REQUEST**

<b>REPORT AUTHOR:</b>	Director – Corporate & Community – Ms C. Hyde
<b>REPORT DATE:</b>	5 September 2023
<b>FILE NO:</b>	23.9
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Application-sponsorship 02 Tasmanian Rock Challenge [10.2.1 - 11 pages]</li><li>2. Certificate of Incorporation CYS Tasmanian Rock Challenge [10.2.2 - 1 page]</li><li>3. IO Performance - Public Liability Tasmanian Rock Challenge [10.2.3 - 2 pages]</li><li>4. letter of support rock challenge Georgetown 200823 [10.2.4 - 1 page]</li></ol>

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**SUMMARY**

The purpose of this report is to provide Council with the opportunity to consider the Tasmanian Rock Challenge sponsorship application received by Council on the 22<sup>nd</sup> August 2023 in line with Council's 2023/2024 Sponsorship Program.

**BACKGROUND**

At the Council meeting held on the 28 January 2020, endorsed the Sponsorship Policy. The development of the policy was in response to a request from Councillors to separate Sponsorship Policy (events) from the Community Assistance Policy (infrastructure and projects). The Sponsorship Policy provides for applications to be submitted to Council by organisations to seek sponsorship funding that will assist in the hosting of events in the George Town municipality.

An application has been received seeking sponsorship from the Tasmanian Rock Challenge for a George Town Youth Festival Event.

**Tasmanian Rock Challenge  
Sponsorship Application Request \$4,000.00**

**Background:**

The Tasmanian Rock Challenge is a celebration of youth achievement in contemporary music.

The primary purpose of the Tasmanian Rock Challenge is to provide opportunities for young people to develop performance skills and participate in events that showcase youth achievement in contemporary music.

This is done through a major state-wide event that is held in September and then through a series of local events.

The Tasmanian Rock Challenge is auspiced by Cornerstone Youth Services Inc.

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**Event Description (extract from application):**

The George Town Youth Festival is a music event that showcases six to eight acts. The event commences in the afternoon and continues into the early evening.

We partner with other youth services who are able to provide other activities while the event is running.

In the past we have teamed up with services who have provided a free bbq, we are hoping to continue this for future events.

We are also planning to have a range of youth services present who are able to provide relevant information about youth support services.

**Objectives & Outcomes (extract from application):**

The objectives of The Tasmanian Rock Challenge's 'Youth Week/Mid-year Program' are to provide performers with professional development opportunities that can only be obtained from practical live music experience.

These objectives will be achieved by providing performers with professional development opportunities that can only be obtained from practical live music experience.

**Other:**

Subject to approval or not approval, the Tasmanian Rock Challenge will need to obtain event approvals from Council to run the event.

**STRATEGIC PLAN**

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

**Future Direction One - Community Pride**

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

**Future Direction One - Community Pride**

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

**Future Direction One - Community Pride**

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

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**Future Direction One - Community Pride**

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

**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**

1. Recreational opportunities for all
  - iv. Engaging young people in recreational activities of their choice.

**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**

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

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Council's Policy GTC 22 Sponsorship Policy sets out the criteria in which applications are to be considered as follows.

Economic 25%

Ability of the proposed project/event to contribute to a measurable economic benefit in the George Town municipal area. The capacity to provide opportunities for local businesses to leverage the event.

Tourism 25%

Ability of the project/event to increase visitation within the municipal area, or if the activity/event is held outside the municipality, it will provide direct tourism/economic benefits to the municipal area.

Marketing 20%

The degree to which the project/event proposes to increase the profile of the George Town municipality in a positive way.

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Cultural 10%

Degree to which the project/event assists in the development of an inclusive and strong community and increases participation in municipal life for all.

Inspired 10%

The degree to which the project/event has a point of difference from existing project/events. The degree to which the project activates spaces in the city, particularly during quiet periods/seasonal and unused spaces.

Competency 10%

Demonstrated experience; compliance with and capacity to; manage the project/event and sponsorship requirements. The project must demonstrate financial viability.

**RISK CONSIDERATIONS**

Risks to Council when sponsoring events can be many and varied. Brand association is one such risk that can showcase or damage Council's reputation. Council's reputation can also be jeopardised through sponsorship of inappropriate activities. Council's Sponsorship Policy addresses these risks by defining and making it clear that only 'Appropriate Associations' and 'Appropriate Activities' are to be considered for sponsorship.

Officers have assessed the sponsorship application from the Tasmanian Rock Challenge and have determined that the event entity and event activity are an 'Appropriate Association' and hosting 'Appropriate Activities', that pose little risk to Council's reputation.

Risks also exist around legislative requirements, public health and safety and the environment. The applicant has a good history regarding the delivery of events. They have provided their Public Liability Insurance Certificate of Currency. An event application will have to be submitted to the Council for approval.

**FINANCIAL IMPLICATIONS**

Council adopted its 2023/2024 sponsorship budget of \$40,000 in June 2023. The approval of this application is accommodated within the 2023/2024 sponsorship budget.

YTD approved sponsorships for 2023/2024:

Tamar Valley Folk Festival	\$9,300.00
Weymouth Progress Association	\$400.00
<b>TOTAL</b>	<b>\$9,700.00</b>
<b>BALANCE</b>	<b>\$30,300.00</b>

**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**

Discussion was held with Council at its workshop Tuesday 12th of September 2023.

**OPTIONS**

Council may choose to:

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

**OFFICER’S COMMENTS**

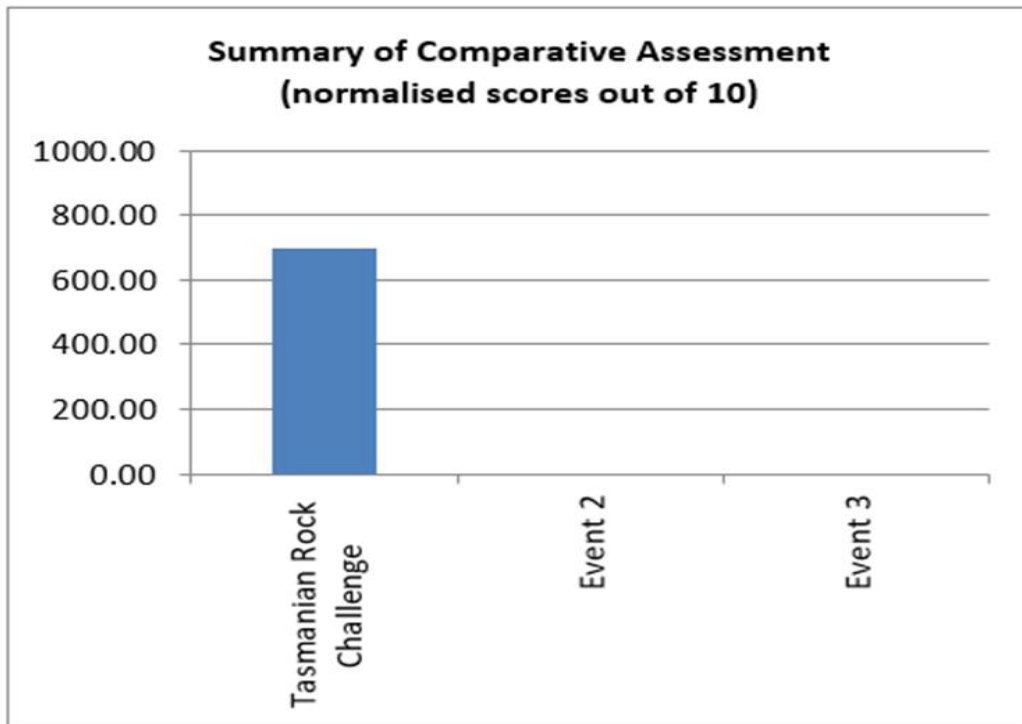
This sponsorship application has been assessed and found to have a strong cultural and social impact in accordance with the tables below.

**Sponsorship Evaluation**

**Comparative Evaluation**

<b>Tasmanian Rock Challenge</b>	
<b>Total Cost -&gt;</b>	<b>\$4,000.00</b>

Selected evaluation criteria	Weight (%)	Score/10	weighted score	Notes
1 Economic Benefit	25.0	6.0	150.0	Aim to partner with other youth services to provide other activities while the event is running and youth support services to be on hand to provide relevant information. Including the schools.
2 Tourism	25.0	6.0	150.0	Aim to the local youth but will attract music enthusiasts statewide.
3 Marketing	20.0	7.0	140.0	Has an active facebook page with 2.3k followers and as run successful events previously.
4 Cultural	10.0	8.0	80.0	Provide local youth with professional development opportunities that can only be obtained from practical live music experience.
5 Inspired	10.0	8.0	80.0	The Tasmanian Rock Challenge provides young artists with an opportunity to perform to an audience outside the school environment.
6 Competency	10.0	10.0	100.0	The Tasmanian Rock Challenge has been active in Tasmania for over 30 years and has develop various projects around the state.
7				
8				
<b>Total weighting</b>	<b>100.0</b>	total (norm)	<b>700.0</b>	6 criteria scored



The Tasmanian Rock Challenge aligns with the Community Strategic Plan and the work being undertaken in the Our Futures project and will provide a platform for youth in the municipality engage through music and performing.

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

That Council:

1. Approve sponsorship funding of \$4,000.00 to the Tasmanian Rock Challenge auspiced by Cornerstone Youth Services Inc. for their George Town Youth Festival.

#### **DECISION**

Moved:

Seconded:

#### **VOTING**

For:

Against:

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**10.3 NORTHERN TASMANIA SPORTS FACILITY PLAN**

<b>REPORT AUTHOR:</b>	Director Corporate & Community - Ms C. Hyde
<b>REPORT DATE:</b>	29 August 2023
<b>FILE NO:</b>	28.28, 27.1
<b>ATTACHMENTS:</b>	1. Northern Tasmania Sports Facility Plan 2023 ( FINA L) 1 [10.3.1 - 109 pages]

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**SUMMARY**

This report is to present the Northern Tasmanian Sports Facility Strategy to Council for consideration and endorsement.

**BACKGROUND**

The Northern Tasmania Sports Facility Plan 2023 is an initiative of five northern Tasmania Councils (City of Launceston, George Town, Meander Valley, Northern Midlands and West Tamar Councils). The plans primary consideration is for council owned and managed facilities, and focusses on sports nominated by the Councils. The plan was coordinated by Northern Tasmania Development Corporation and supported by a working group of Councils officer from the respective Councils. Ross Planning was engaged to develop the plan.

**STRATEGIC PLAN**

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

**Future Direction One - Community Pride**

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

**Future Direction One - Community Pride**

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

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

2. Sporting opportunities for all
  - i. Growing participation in sporting activities.
  - ii. Growing membership and leadership capabilities in sporting activities.

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- iii. Engaging young people in the sporting activities of their choice.

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

- 3. Social infrastructure meets community needs
  - i. Developing and maintaining social infrastructure that meets the community's changing needs.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

George Town Sport & Recreation Strategy.  
George Town Sports Complex Master Plan.  
George Town Aquatic, Health & Wellbeing Centre Business Case.

**RISK CONSIDERATIONS**

No risks have been identified.

**FINANCIAL IMPLICATIONS**

No financial implications were identified.

**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**

Council discussed the draft Regional Sports Facility Strategy when presented at the 9 May 2023 Council Workshop and again at the 12 September 2023 workshop. Councillors were provided the opportunity to provide further feedback to NTDC following the September 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**

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This Sports Facility Plan is the first phase in a long-term planning initiative of the five councils. The Plan focuses on sport and active recreation facilities to ensure that the long-term needs of the community are adequately catered for. The Plan is intended to complement national, state and regional plans and strategies, and feeds into local planning processes of the five councils. It has been developed through sport facility inspections, engagement with both internal and external stakeholders and detailed analysis.

The development of the plan included significant community and key stakeholder engagement. This includes a survey that resulted 1580 responses being received. While a number of responses were completed by residents living outside the study area, the vast majority came from the five LGA's. Almost half of the respondents were Launceston City Council residents. There was also a significant focus on direct engagement with sporting clubs, associations and peak sporting bodies. A draft report was circulated to key stakeholders for feedback which was then considered in the final report.

The plan recognises that sport and active recreation network is well provided for and in reasonable condition with the study area, however, in some areas, there is identified need for future investment upgrades. It also notes that there are key sports that are at capacity, which will only to be exasperated by future population growth and continued growth in relevant sports. This plan addresses these needs by identifying the need for additional facilities and facility upgrades.

As mentioned the Sports Facility Plan considers those sports operating from Council-owned (or managed) facilities, as these are the sports over which Council can have the most impact moving forward. It is acknowledged that there are a number of sports not covered by the Facility Plan given the nature of the associated land tenure (private ownership). While schools and private facilities have been acknowledged where they provide a sport or recreation opportunity to the community, they are not part of the Plan's core analysis. Partnerships with schools and private facilities certainly form part of the Plan's recommendations.

Following review at the Council workshop, Councillors were asked to provide feedback. The feedback received was to request the document be considered a living document with regular updates to recognise upgraded facilities and where they sit in the regional hierarchy.

The purpose of the document is to provide an evidence-based approach to the strategic planning, development and management of sport and active recreation across the five local government areas of City of Launceston, George Town, Meander Valley, Northern Midlands and West Tamar. Within the key plan recommendations, several projects are identified, and recommended time frames are included, the progress of these projects and a review of the plan will be monitored by NTDC and member Councils.

The next phase of the plan will require the Councils as the responsible entity for their respective area to consider the recommendations as part of each Councils future sport and recreation infrastructure planning. The Councils may also from time to time reconvene the working group to work on the more strategic items for regional outcomes.

## **OFFICER'S RECOMMENDATION**

That Council

1. Endorses the Northern Tasmania Sports Facility Plan 2023 as presented.

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**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**11 MAYOR**

**11.1 MATTERS OF INVOLVEMENT - MAYOR**

**REPORT DATE:** 20 September 2023

**FILE NO:** 14.11

<b>Mayor Cr Greg Kieser</b>		
<b>August</b>	22	Chaired Council Workshop
	22	Chaired Ordinary Council meeting
	23	Met with potential developer
	28	Met with TasWater and Director Infrastructure & Development
	30	Attended George Town Neighbourhood Meeting
	30	Met with Consultant and Acting General Manager
	30	Met with Nick Duigan MLC and Acting General Manager
	30	Tamar FM Interview
	30	Attended Artisan Guild Members meeting
<b>Sept</b>	6	Met with resident
	11	Attended Tour of Timberlink
	12	Chaired Council Workshop
	13	Attended NTDC Members meeting
	18	Chaired Committee for Hearing – Application to Amend Sealed Plan 154317 - 6 Leads Avenue, Low Head
	18	Met with future developer with General Manager
	19	Attended NTDC Board Meeting
	19	Attended Hillwood Progress Association AGM
	20	Attended NTDC Regional Collaboration Forum
<b>Deputy Mayor Cr Greg Dawson</b>		
<b>Sept</b>	19	Attended Hillwood Progress Association AGM
<b>Councillors</b>		
<b>Sept</b>	11	Tour of Timberlink attended by Cr Jason Orr and Cr Winston Archer
	18	Committee for Hearing – Application to Amend Sealed Plan 154317 - 6 Leads Avenue, Low Head – Cr Heather Barwick, Cr Tim Harris, Cr Simone Lowe, Cr Winston Mason, and Cr Jason Orr
	19	Hillwood Progress Association AGM – Cr Tim Harris and Cr Winston Mason
	19	VNT AGM – Cr Jason Orr
	20	NTDC Regional Collaboration Forum – Cr Jason Orr

**OFFICER'S RECOMMENDATION**

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

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

**12 PETITIONS**

Nil.

## **13 NOTICES OF MOTIONS**

### **13.1 HEALTH & WELLBEING CENTRE**

**Moved:** Cr Barwick

That a detailed Economic Assessment be provided to Elected Members at the earliest opportunity re the proposed Health and Wellbeing Centre in George Town.

**Reason:**

Not provided.

### **DECISION**

Moved:

Seconded:

### **VOTING**

For:

Against:

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**13.2 EX RSL CLUB - CR BARWICK**

**Moved:** Cr Barwick

That a detailed Business Plan to be provided to elected members as a matter of urgency before we commit to a major refit of the ex RSL club.

**Reason:**

No reason provided.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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

### **14.1 VARIOUS QUESTIONS - CR ARCHER AND CR BARWICK**

#### **Cr Archer**

Q1. Council has used employee time/wages & internal plant hire to complete the Regent Square Development. Will an agenda item be put to Council for consideration for budget adjustment/overspend and approval?

#### **Response**

Material, internal plant hire and employee costs associated with the completion of Regent Square totaled \$29,154.07 sourced from Councils adopted 2022/2023 operating budget for Parks and Reserves. As such, Officers have not sought to prepare an agenda item.

Elements of the design were unable to be accommodated in the project budget. It is anticipated that items will be completed as grants and/or future budget allocations become available. It is likely that such elements will be a mixture of capital and operational in nature and may be the subject of future agenda items.

#### **Cr Barwick**

Q1. Has the Formal User Agreement on the Weymouth Cricket Ground site between Weymouth Progress Association and the George Town Council been signed yet?

#### **Response**

A formal user agreement has not been signed for the Weymouth Cricket Ground. Officers are liaising with the Weymouth Progress Association regarding a draft agreement.

Q2. On the 2208/2023 a Capital Works budget was given to Councillors for approval WO 1772 Anzac Parade building FIG funded upgrade.

<b>External Funding</b>	<b>Budget adjust.</b>	<b>Budget A 22/23</b>	<b>YTD actual</b>	<b>Committed</b>
\$250,000	\$136,964	\$113,036	\$113,036	zero

<b>Expenditure B YTD + Committed</b>	<b>Balance Budget A - B</b>
\$113,036	-

Can I please have an explanation about the budget readjustment,

- (a) and an itemised account of what the \$250,000 was spent on, and
- (b) a complete cost to date of expenditure on the ex RSL Club.

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Response

The balance of the \$250,000 externally funded budget was reallocated as per Council resolution 196/22 (closed session). Expenditure to date totals \$113,035.91 as detailed in the table below.

<b>Expenditure – Anzac Drive WO1772</b>	<b>Actual Cost</b>
Labour	\$196.96
Materials and Services– (electrical, demolition waste removal, planning costs)	\$7,900.95
Plant hire (security fencing)	\$2,209.10
Contractors Capital – (demolition, electrical, flooring, roof repairs)	\$102,728.90
<b>Total expenditure to date</b>	<b>\$113,035.91</b>
<b>Balance transfer per resolution</b>	<b>\$136,964.09</b>
<b>Total external funding</b>	<b>\$250,000.00</b>

Q3. Grant funding for the Artisan Guild.

On our Council page the Artisan Guild grant funding was placed. Concerns were raised with me about the funding as written

- Grant fund \$380,000 local commitment 2021
- Council other financial support
- \$50,000 contingency for construction cost overrun.
- In kind \$62,500 includes Arts Culture & experience officer @ 25% over 3 years includes permit and approvals.
- These figures add up to \$492,500

You may all say "we can add up" Somehow the figure on the document bottom line reads \$592,500.

Please explain .expenditure v income

Response

Page 32 of the grant deed contains a typographical error. The total project proposed income budget is \$492,500 which includes in kind support. The total project proposed expenditure is \$430,000 (not including in kind support).

Q4. Can I please have the motion/resolution number where Council has stated it does NOT support the sealing of the DEN ROAD?

(a) Can I have the resolution number where Council does NOT support the watering of the Den Road due to the associated costs and level of effectiveness.

Response

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Council does not have any motions specifically relating to either of these matters.

However, the Den Road is not listed on Councils adopted 10-year road upgrade program (minute 058/20).

Officers are unaware of any motion relating to the application of watering for purposes of dust suppressant for any unsealed roads including the Den Road.

Industry advice confirms this treatment is ineffective and cost prohibitive and is therefore not supported by Council Officers. This advice is provided to residents when enquiring about dust issues.

## **15 CLOSED MEETING**

### **15.1 INTO CLOSED MEETING**

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

**Agenda Item 15.2     Minutes of the Closed Ordinary Council Meeting held on 22 August 2023**

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

**Agenda Item 15.3     Employee Code of Conduct**

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

**Agenda Item 15.4     DA 2022/103 Appeal P/2023/72 - Fairway Avenue Lulworth**

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

**Agenda Item 15.5     Confidential Councillor Questions With or Without Notice - Health and Wellbeing Centre – Cr Barwick**

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

**REQUIRES ABSOLUTE MAJORITY OF COUNCIL**

### **DECISION**

Moved:

Seconded:

### **VOTING**

For:

Against:

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**15.2 OUT OF CLOSED MEETING**

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

**DECISION**

Moved:

Seconded:

That:

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

**VOTING**

For:

Against:

**16 CLOSURE**

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

**Cr Greg Kieser  
MAYOR**