



GEORGE TOWN COUNCIL CONFIRMED MINUTES

Minutes of the Ordinary Council Meeting
held on **Tuesday 26 September 2023**

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

commenced 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 Commenced 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

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

1.1 APOLOGIES AND LEAVE OF ABSENCE

Cr Heather Ashley
Cr Simone Lowe

1.2 IN ATTENDANCE

General Manager - Mr S Power
Director Corporate & Community - Mrs C Hyde
Director Infrastructure & Development - Mr A McCarthy
Senior Executive Support and Governance Officer - Ms L Dickenson

2 CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING HELD 22 AUGUST 2023

Minute No. 156/23

DECISION

Moved: Cr Harris

Seconded: Cr Dawson

That the Minutes of Council's Ordinary Meeting held on 22 August 2023 numbered 136/23 to 149/23 as provided to Councillors be received and confirmed as a true record of proceedings.

VOTING

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Barwick, Cr Harris and Cr Mason

Against: Cr Orr

Abstained: Cr Orr

CARRIED UNANIMOUSLY 6 / 1

The Planner entered the meeting at 1.08 pm.

Cr Barwick called a Point of Order at 1.15 pm regarding LG(MP) Regulations.

MOVED FROM THE FLOOR

Moved: Cr Archer

Seconded: Cr Orr

That Council move Agenda Item 3.1 in Closed Session to be moved to the Open Agenda.

VOTING

For: Cr Archer, Cr Barwick and Cr Orr

Against: Cr Kieser, Cr Dawson, Cr Harris and Cr Mason

Abstained: Nil

LOST 3 / 4

The Planner left the meeting at 1.21 pm.

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.

Council requests that members of the public pre-register to attend meetings of Council.

4.2 PUBLIC QUESTIONS ON NOTICE

Nil.

4.3 PUBLIC QUESTION TIME

Commenced at: 1.22 pm

Concluded at: 1.35 pm

Mr G. Neilsen

Q1. Mr Neilsen advised that Sue and himself have put a lot of effort and research into our representation which is on Page 131 - 133. Looking at the response on the rezoning of the ex RSL and there has been exerts from the representations and Council's response put in there. Council in considering the change of use addressing the statutory consideration that this does not conclude from the authority to make a decision considering other factors. The Planner has said "but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised." Mr Neilsen continued reading from the report "An assessment of the discretionary aspects of the assessment are included in section 9.2 of this report." Section 9.2 is on Page 23.

"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."

So looking at the section on page 24, 21.1.1.1 To provide for businesses, professional and retail services which meet the convenience needs of a local community.

Mr Neilsen asked that Council has not established a need for the services. So my question in referencing our representation, can you please provide a response to Question 5 and A.

Through the Chair, the General Manager read out question 5 - "Was there community consultation especially with those already providing food/beverage services, training and employment opportunities?" In response the General Manager advised that there was consultation and it was limited to training RTOs and also through consultation facilitated through the Future Impact Group. The General Manager reiterated that there was consultation but limited.

Mr Neilsen asked not specifically with the food and beverage service industries?

The General Manager advised there their was consultation with the food and beverage services

Mr Neilsen stated I mean with local providers i.e. Hotels and coffee shops etc.?

The General Manager responded no, that the consultation was done with social enterprises in Tasmania, mainland and including the UK.

The General Manager read Mr Neilsen's question A - Has Council identified or had it brought to their attention that there are insufficient food/beverage/bar facilities in the area? The General Manager responded that it has not been brought to attention specifically and but there have been observations and comments on the operating hours of local facilities and offerings. One of the intents of this development is to service a new market that is to

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descend upon the municipality and hopefully meet that market. Councillors still have a long way to go in appointing a business.

Mr Neilsen asked if there was a need.

Q2. I refer to correspondence on the 25th August and as late as 4th September and I have not received a response. My questions given that these knowns have not been answered in correspondence can you please respond to them now. On the 25th August I wrote to the Acting General Manager further to previous correspondence with both yourself and the General Manager, does Council now have a contemporary business case for the re-development of the ex RSL? and finally does Council have a committed tenant with a documented exchange of intent by both parties? Later that day, the Acting General Manager referred to previous correspondence from the General Manager that did not address those questions. Mr Neilsen advised that he responded on the same day if I am firstly to understand that a contemporary business plan has not been undertaken and provided to elected members and secondly my enquiry re current situation of a committed tenant remains unanswered. On the 4th September, having had no response, I wrote to the Acting General Manager, disappointed that my recent emails had not been responded to. We would appreciate a response to the specific enquiries. In addition, I have read a press release that the purchase of the ex RSL signed off prior to authority of Council. I simply ask is this true? Given that there are three aspects to the question would be known by either a yes or no answer (1) as to the contemporary business plan (2) a committed tenant; and (3) if the article in the Tamar Times was correct?

Through the Chair, the General Manager advised that he wished to add more than a yes or no answer. When you are talking about a contemporary business plan or business case, the General Manager interprets them as quite different and distinct but I also ask and extend this further to ask what your expectations are and can meet outside of this particular forum to what a contemporary business plan or business case can be? Given the business is to lease a building not operate. In this case, the business plan could be as simple as what is the pay back period of any income received from the lease for the capital invested both for the purchase and upgrade over time, taking into consideration depreciation of the asset and appreciation of capital value it could be as simple as that. It may not extend to how much you make on a chip or a burger.

Second question has Council committed to any tenant to date, the answer is no. There have been discussions with potential tenants, it has run an expression of interest process albeit some time ago and it may be that Council given that amount of time may elect to run another process. Certainly no commitment has been made with anyone.

The third question around the whether or not the ex RSL agreement was purchased in agreement by myself and the Mayor prior to going to Council. No that did not occur. A resolution of Council gave us the authority to purchase the ex RSL.

Mr Neilsen further asked, could he have the dates of the signing of the contract and the date put to Council.

The Mayor advised that Council is happy to provide that information to you.

Mr Neilsen then stated to be clear of the General Manager's answer to his questions, is that there is no business plan undertaken which he finds amazing.

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The Chair stated that this is your interpretation. Through the Chair, the General Manager stated that there has been a business plan done, your question was has there been a contemporary business plan done. There was a business plan done, absolutely.

Mr Neilsen went on to speak stating that there was no contemporary business plan and that there is no committed tenant.

Mr Neilsen continued to speak.

The Chair advised Mr Neilsen that he will be cautioned.

The Chair called a Point Order on Cr Barwick at 1.36 pm LG(MP) Regulations.

MOTION FROM THE FLOOR

Moved: Cr Barwick

That Council move Agenda Item 13.2 to be addressed before Agenda Item 7.1.

The Chair did not accept the motion.

The Chair called a Point of Order against Cr Archer at 1.40 pm LG(MP)R

Cr Barwick requested to speak. Chair accepted Cr Barwick's request.

Cr Barwick would like to congratulate the George Town Saints 18 year old men's football team and the Hillwood Sharks seniors football team for making it to the Grand Finals this year.

Neither team won for our region however, both teams were winners in her eyes and others peoples eyes - so congratulations to the Coaches, trainers and all involved with the two Clubs in getting the Saints and Sharks to the Grand Finals 2023. Cr Barwick also like to thank Mr Andrew McCarthy for looking after me in the corporate box in place of the Mayor at the UTas Stadium.

Cr Barwick also advised that Malcolm Aitken came to work with Council 28 years ago. He left this earthly life at the age of 60 years. Malcolm was a very shy reserved nice guy who I referenced as Uncle Malcolm. He will be missed by the staff and Councillors. I would like to ask us all at the table and in the gallery to hold a minutes silence to remember Malcolm Aitken.

Council undertook a minutes silence to respect the passing of Malcolm Aitken.

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The Chair accepted the motion at 1.47 pm.

DECISION

Moved: Cr Barwick

Seconded: Cr Dawson

That Council move Agenda Item 13.2 to be addressed before Agenda Item 7.1.

Cr Dawson called a Point of Order against Cr Barwick at 1.48 pm re LG(MP) R 23(1)(a).

VOTING

For: Cr Archer, Cr Barwick and Cr Mason

Against: Cr Kieser, Cr Dawson, Cr Harris and Cr Orr

Abstained: Nil

LOST 3 / 4

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

Cr Orr declared an interest in Agenda Item 10.1 (3) and (4).

Cr Archer declared an interest in Agenda Item 7.1.

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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The General Manager advised that the following alterations/amendments to be included in the Agenda:

- *Agenda Item 9.1 should read Hillwood Sports Ground Surface Renovation*
- *Agenda Item 10.1 to be included in the Table of Contents "Community Grants Round 1 2023/2024"*
- *Agenda Item 13.1 Health & Wellbeing Centre motion on notice should include the Councillor's name who submitted the motion (Cr Barwick) in the Table of Contents..*

7 PLANNING AUTHORITY

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

REPORT AUTHOR:	Consultant Planner
REPORT DATE:	06 September 2023
FILE NO:	DA 2022/107

Cr Archer left the meeting at 1:57 pm.

The Planner entered the meeting at 1.58 pm.

Minute No. 157/23

DECISION

Moved: Cr Harris

Seconded: Cr Dawson

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,
- 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

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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

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

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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
 - 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.
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.

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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; 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.

VOTING

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

Against: Cr Barwick

Abstained: Nil

CARRIED 6 / 1

Cr Archer returned to the meeting at 2:02 pm.

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

Minute No. 158/23

DECISION

Moved: Cr Mason
Seconded: Cr Dawson

That Council:

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

VOTING

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

CARRIED UNANIMOUSLY 7 / 0

9 INFRASTRUCTURE AND DEVELOPMENT

9.1 HILLWOOD SPORTS GROUND SURFACE RENOVATION

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

The Director Infrastructure & Development entered the meeting at 2.05 pm.

DECISION

Moved: Cr Orr
Seconded: Cr Archer

That Council, Hillwood Sports Ground Surface Renovation Project:

1. Apply for grants from the following programs:
 - Tasmanian Active Infrastructure Program
 - Australian Football Facilities Fund

The Chair called a Point of Order against Cr Barwick at 2.07 pm LG(MP)R 23(1) (b).

Cr Orr asked if there were any Public Open Space funds spent on the George Town Football ground.

Through the Chair, the General Manager took the question on notice.

FORESHADOWED MOTION

Moved: Cr Dawson

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

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Moved: Cr Orr

Seconded: Cr Archer

That Council, Hillwood Sports Ground Surface Renovation Project:

1. Apply for grants from the following programs:
 - Tasmanian Active Infrastructure Program
 - Australian Football Facilities Fund

VOTING

For: Cr Archer, Cr Mason and Cr Orr

Against: Cr Kieser, Cr Dawson, Cr Barwick and Cr Harris

Abstained: Nil

LOST 3 / 4

Minute No. 159/23

Moved: Cr Dawson

Seconded: Cr Harris

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

VOTING

For: Cr Kieser, Cr Dawson, Cr Archer, Cr Barwick, Cr Harris and Cr Mason

Against: Cr Orr

Abstained: Nil

CARRIED 6 / 1

QUESTION FROM THE FLOOR

Cr Barwick

Motion 045/23

That Council authorise the General Manager to execute a Section 12 agreement over Crown Land adjoining Council freehold land PID 7852767 (known as the Hillwood Football ground) with the General Manager and Mayor to affix the common seal of Council.

Through the Chair, the General Manager advised the process is underway and that a report will be provided by the Team Leader Planning & Building Services at the next workshop.

Cr Barwick asked what funds are available in Public Open Space Reserves?

Through the Chair, the General Manager took the question on notice and advised that the information is contained within the Quarterly report provided to elected members.

10 CORPORATE AND COMMUNITY

10.1 COMMUNITY ASSISTANCE GRANTS ROUND 1 2023/2024

REPORT AUTHOR:	Director –Corporate & Community – Ms C.Hyde
REPORT DATE:	29 August 2023
FILE NO:	23.2

Minute No. 160/23

DECISION

Moved: Cr Archer

Seconded: Cr Harris

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.

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

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Minute No. 161/23

DECISION

Moved: Cr Dawson

Seconded: Cr Mason

That Council:

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

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

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Cr Orr left the meeting at 2.47 pm.

Minute No. 162/23

DECISION

Moved: Cr Mason
Seconded: Cr Dawson

That Council:

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

VOTING

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

CARRIED 4 / 2

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Minute No. 163/23

DECISION

Moved: Cr Mason

Seconded: Cr Harris

That Council:

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

VOTING

For: Cr Kieser, Cr Dawson, Cr Harris and Cr Mason

Against: Cr Archer and Cr Barwick

Abstained: Nil

CARRIED 4 / 2

Cr Orr returned to the meeting at 3.05 pm.

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10.2 TASMANIAN ROCK CHALLENGE SPONSORSHIP REQUEST

REPORT AUTHOR:	Director – Corporate & Community – Ms C. Hyde
REPORT DATE:	5 September 2023
FILE NO:	23.9

Cr Dawson left the meeting at 3.05 pm.

Minute No. 164/23

DECISION

Moved: Cr Mason

Seconded: Cr Archer

Cr Dawson returned to the meeting at 3.07 pm.

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.

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

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10.3 NORTHERN TASMANIA SPORTS FACILITY PLAN

REPORT AUTHOR:	Director Corporate & Community - Ms C. Hyde
REPORT DATE:	29 August 2023
FILE NO:	28.28, 27.1

Minute No. 165/23

DECISION

Moved: Cr Dawson

Seconded: Cr Mason

That Council

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

VOTING

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

Against: Cr Barwick

Abstained: Nil

CARRIED 6 / 1

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11 MAYOR

11.1 MATTERS OF INVOLVEMENT - MAYOR

REPORT DATE: 20 September 2023

FILE NO: 14.11

Mayor Cr Greg Kieser		
August	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
Sept	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
Deputy Mayor Cr Greg Dawson		
Sept	19	Attended Hillwood Progress Association AGM
Councillors		
Sept	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

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Minute No. 166/23

DECISION

Moved: Cr Mason

Seconded: Cr Harris

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

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 7 / 0

12 PETITIONS

Nil.

13 NOTICES OF MOTIONS

13.1 HEALTH & WELLBEING CENTRE – CR BARWICK

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: Cr Barwick

Seconded: Cr Archer

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

The Director Infrastructure and Development entered the meeting at 3.23 pm.

Cr Barwick called a Point of Order against the Chair at 3.24 pm re LG (MP) Regulations.

VOTING

For: Cr Archer and Cr Barwick

Against: Cr Kieser, Cr Dawson, Cr Harris, Cr Mason and Cr Orr

Abstained: Cr Harris

LOST 2 / 5

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: Cr Barwick

Seconded: Cr Mason

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.

Cr Harris left the meeting at 3.45 pm.

Cr Harris returned to the meeting at 3.47 pm.

VOTING

For: Cr Barwick and Cr Mason

Against: Cr Kieser, Cr Dawson, Cr Archer, Cr Harris and Cr Orr

Abstained: Nil

LOST 2 / 5

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.

External Funding	Budget adjust.	Budget A 22/23	YTD actual	Committed
\$250,000	\$136,964	\$113,036	\$113,036	zero
Expenditure B YTD + Committed		Balance Budget A - 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.

Expenditure – Anzac Drive WO1772	Actual Cost
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
Total expenditure to date	\$113,035.91
Balance transfer per resolution	\$136,964.09
Total external funding	\$250,000.00

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.

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Response

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.

Cr Mason left the meeting at 3:59 pm.

Cr Mason returned to the meeting at 4:00 pm.

15 CLOSED MEETING

15.1 INTO CLOSED MEETING

Minute No. 167/23

DECISION

Moved: Cr Mason
Seconded: Cr Dawson

That Council move into closed meeting at 4.02 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.

VOTING

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

CARRIED UNANIMOUSLY 6 / 1

The Chair returned to Open Session at 4.56 pm.

QUESTION FROM THE FLOOR

Cr Barwick

Question 1

Cr Barwick stated that the Millers Street, Weymouth lease of Council expires in April 2023 where the cricket ground is situated. Council have a motion to have a formal agreement between Council and Weymouth Progress Association to be included with the Weymouth Hall. Weymouth Progress Association asked if they could have a lease with the Council as they do not wish to have a lease with the Crown. Cr Barwick requested an update.

The General Manager advised that the lease has expired and has been through Council and executed in May and the Weymouth Progress Association were advised of this. The Weymouth Progress Association sent through a draft user agreement along with budget asks and Council have been in correspondence with the Association requesting clarification. One item the General Manager will speak about is the Emergency Management. One of the concerns that the General Manager has is regarding funding asks and expectations of the reserve i.e. funding asks for infrastructure let along the existing infrastructure. The terminology a 'nearby safer place' has been identified by Tasmania Fire Service. The General Manager has not seen any correspondence from the TFS hierarchy. Council are seeking this. The concern is the expectation of the community and emergency services may not be aligned and wish to make them aligned from a position of authority. Requests may give the community the perception, potentially false perception, that this is a safe place where they gather and are equipped beyond what will make them safe and comfortable. In fact, the advice of emergency authorities a 'nearby safer place' is where you go when your fire plan has failed. This is where this particular part is at.

With regard to the use of the facilities and User Agreement Council have had some concerns that have been communicated to the Association.

The Director Corporate and Community has been in correspondence with the Weymouth Progress Association in respect to the User Agreement for the facility which is known as the cricket ground. Council officers, Council's Building Surveying team attended the site with the Chair of Weymouth Progress Association to inspect and the current condition which is not habitable and does not comply with the building requirements in respect to access. These facilities are current being reviewed to potentially being closed for any use and Council have communicated this to WPA. WPA are agreeance with staff after inspecting the site.

They have asked Council for an agreement over the cricket ground which Council is still working on.

The agreement is with the Weymouth Progress Association and not the Crown. Council will be checking with Crown if it allows a sub-lease.

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Question 2

Cr Barwick asked if Council would investigate the whereabouts of the warming oven on wheels from the Hillwood Hall.

The Director Infrastructure and Development advised that Council is unable to locate the “pie warmer” and Council is working with the Hillwood Progress Association in replacing the warming oven.

16 CLOSURE

There being no further business, the meeting closed at 5.06 pm.

Cr Greg Kieser
MAYOR