



GEORGE TOWN COUNCIL CONFIRMED MINUTES

Minutes of the Ordinary Council Meeting
held on **Tuesday 19 December 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 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

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

1.1 APOLOGIES AND LEAVE OF ABSENCE

Mayor Cr Greg Kieser (in part)

1.2 IN ATTENDANCE

General Manager - Mr S Power
Director Corporate & Community - Mrs C Hyde
Director Operational Performance, Strategy & Engagement - Mr R Dunn
Director Infrastructure & Development - Mr A McCarthy
Senior Executive Support and Governance Officer - Ms L Dickenson
Executive Assistant - Director Operational Performance, Strategy & Engagement - Mrs R Orr

2 CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING HELD 28 NOVEMBER 2023

Minute No. 203/23

DECISION

Moved: Cr Harris
Seconded: Cr Mason

That the Minutes of Council's Ordinary Meeting held on 28 November 2023 numbered 192/23 to 199/23 as provided to Councillors be received and confirmed as a true record of proceedings.

VOTING

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

CARRIED UNANIMOUSLY 7 / 1

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

Cr Barwick called a Point of Order at 1.05 pm against the Chair requesting the questions to be read out.

The Chair declined Cr Barwick's request.

Mr C. Tyeson (on behalf of Weymouth Progress Association)

Section 4.2: Questions on Notice

It is now over 20 months since the WPA submitted our Weymouth Main Beach Recreation Area Development Plan to Council.

Our original presentation was delivered in March 2022 and for a second time in July 2023.

At our July 2023 presentation to councillors, we requested that Council either formally endorse or support our plan through the due Council Meeting process.

While we are aware of the commercial concept proposal from DomesCAPES, we are yet to receive any update from them or of Council's intentions to progress their plans.

Results from our annual feedback survey to members (November 2023) indicate that there is a strong desire to progress our Development Plan with Council and that it has taken too long to receive a formal reply from GTC.

We are sure that our members and the Weymouth Community would appreciate a definitive position from Council either way. Without such, we risk community perception that we have wasted our time and money in the development of our plan.

Therefore, the WPA Committee has two questions:

1. Will a motion of support for our Plan be put to Councillors at a forthcoming GTC meeting?

Response:

It is the intention of officers that the Weymouth Main Beach Recreation Area Development Plan be considered as part of the Weymouth Township Character Plan currently being undertaken by consultants. A draft Weymouth Township Character Plan will be provided to the community for comment prior to being presented to Council for formal endorsement.

2. Is the Domes proposal Council's priority for development of this area?

Response:

Council has no formal position for the development of the area.

Mr G. Byard

This letter is expressing my concern over several issues that need transparent answers.

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Firstly, I noticed in the agenda issued for the November 2023 Council meeting that a question raised by Councillor Barwick was not answered.

The question, 15.1 (4) requested how Council intended to fund the ongoing repairs and upgrade to the building known as the Old RSL Building. The answer only gave a revised cost estimate, not how the funding is to be made.

What is the answer?

Response:

Question 15.1 (4) of the November 2023 agenda is as follows:

2022/2023 budget the Anzac Building had a carried forward budget of \$1,002,964.00 which included a carry forward from the FIG. Can you tell me where the extra funding has come from to increase the figure to \$1,562,924.00?

The answer provided was:

The draft September quarterly report provided at the Council Workshop on the 14 November 2023 incorrectly detailed the estimated budget for the project. Officers has corrected this project budget to reflect Council decision at the Closed Session of Council on the 22nd August 2023. The budget is now \$1,491,468.00.

With that in mind I now ask the following.

1. What was the purchase price for the building?

Response:

Purchase price of the building was \$950,000 (ex gst)

2. Where was that funding sourced?

Response:

Councils Cash Reserves

3. Year by year the amounts that have been expended on the ongoing maintenance.

Response:

\$50,785.71 operational total cost including utilities, land tax, grounds maintenance from 01/07/2020 to 30/06/2023.

4. How is the current budget balance amount of being sourced?

Response:

The table below shows the funding amounts and sources of funding.

22/23 Operating Surplus and Cumulative Savings from completed Capital Works Program (22/23)	478,915
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23/24 Capital Works Funding Reallocation (Renewal - Old Aerodrome Rd) - this project will now be funded from the Phase 4 (2023/24) Local Roads & Community Infrastructure Program.	500,000
23/24 Financial Assistance Grant – Higher than anticipated allocation	255,589
20/21 State Government - Strategic Initiatives Project Grant – Future Impact Grant.	136,964
23/24 Capital Works Budget Reallocation (Anne St Footpath Extension) - This work will now be incorporated in the Anne St Shared Footpath Project funded by a 2021 Vulnerable Road Users grant.*	55,000
21/22 Capital Works Budget (Wild Tamar Supporting Infrastructure Project) – will be used to deliver the bike wash and end of trip facilities.	40,000
23/24 Capital Works Funding Reallocation (Bellingham Foreshore Upgrade) - the reallocation amount will now be funded from the Phase 4 (2023/24) Local Roads & Community Infrastructure Program.	25,000
REVISED FUNDING MODEL - TOTAL	\$1,491,468

* since funding model was endorsed by Council, the Anne St footpath extension works will now be undertaken as part of a future external development with no net cost to Council.

5. Has a business plan for the future of the building been produced?

Response:

A business plan was developed by the Future Impact Group as part of its funding application to the State Government.

Council will formally consider an independently prepared commercial agreement with a tenant in due course.

6. If produced how is the venture to be funded?

Response:

It is intended that the Launchpad component be funded through state funds and future grants.

The commercial operation will be matter for the tenant. Council will receive revenue through a commercial lease arrangement with the tenant.

7. How much revenue has been lost, in the form of rates since the acquisition?

Response:

Rates and charges on the property in 2020/21 were \$3,929.21 since Council ownership this property is exempt from rates and charges.

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8. Is the Council considering breaching the law of Competitive Neutrality within the framework of a business plan, either drafted or by intent?

Response:

No.

My next question relates to Roads.

The intersection of Glen and Dalrymple Roads has been an area of concern, particularly following the upgrade of the set of bridges to the south of the intersection was completed leaving a dangerous section of roadway.

At the time (June 2021) a Temporary Works Engineers (Dale ?) agreed the intersection was dangerous was tasked to rectify the position. Approximately two weeks later that request was removed and the then contractor proceeded to remove all works related signage.

From that comes the question.

9. As the project was funded at that time, why, now is this included in the budget papers as an indication that the project is still in the planning stage and scheduled to be completed by JUNE 2024?

Response:

Tenders have been called for this project, a report recommending the awarding of the contract is included in the closed session of this Council Meeting.

Mr G. Neilsen

I respectfully ask the following questions and apologies for not being available to attend.

Preamble

To avoid any confusion I state my questions are not nor are they intended to be hypothetical. They are seeking from the positions of both a Mayor and a General Manager transparency as to their authorities and responsibilities.

In submitting the questions I point out that as advertised each year in the Annual Report, Council operates similar to a business or a corporation. Recent publicity has exposed some enterprises have been found to have neglected being prepared for significant failures or potential failures of procedures or responses to matters within their organisations resulting in negative consequences.

On the other hand responsible business enterprises analyse procedures and are prepared for likely incidents or failure of legislation or regulations.

So in line with contemporary good management principles I submit two questions hopefully to give assurances to the community.

1. My first question is to the General Manager.

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If you observe or it is brought to your attention that a Mayor was not fulfilling their duties or abiding by legislative governance procedures or their actions are not conducive to a good public image I ask.

What actions could you take and what advices or procedures would you recommend to the other elected members?

Response:

A Council's General Manager has a range of functions and powers which are outlined in section 62 of the Local Government Act 1993 (Tas) (the Act). In summary, General Managers are responsible for a Council's day-to-day operations and Council staff. A General Manager has no function or power in relation to the oversight of councillors, including Mayors. As General Manager, I seek to support all councillors in the performance of their functions by providing quality advice and training opportunities.

Where a person considers that a Councillor, including a Mayor, is not complying with a requirement of the Act, or any other Act, or that they have committed an offence under the Act, they may make a complaint to the Director of Local Government under section 339E of the Act.

Where a person considers that there has been a contravention of the Code of Conduct by a councillor, a person may make a complaint to the Code of Conduct Panel under section 28V of the Act.

2. My second question is directed to the Mayor.

If you observe or it is brought to your attention that a General Manager may not be fulfilling their duties correctly or they fail to give advice to elected members or their actions or behaviour within the community are not conducive to a good public image or interest I ask.

What options are available to a Mayor to address any real or perceived failings and what actions would you take to report to the community?

Response:

One of the functions of councillors, acting collectively, is to appoint and monitor the performance of a Council's General Manager (s. 28(2)(d) of the Local Government Act 1993 (Tas) (the Act)). The Act specifically prohibits councillors from directing, or attempting to direct an employee of the Council in relation to the discharge of the employee's duties (s. 28(3)(a)). This means that as Mayor, I am unable to direct or attempt to direct the Council's General Manager in relation to the discharge of their duties.

Although one of the functions of a Mayor is to lead the monitoring of the General Manager's performance, it is the collective function of all councillors to oversee the monitoring of their performance. A Mayor has no function or power to act individually.

The Council must always have regard to and uphold its legal obligations, including in relation to privacy. Reflecting these duties, the Local Government (Meeting Procedures) Regulations 2015 (Tas) provides that the Council may resolve to close a meeting to the public when discussing personnel matters (Regulation 15(2)(a)).

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4.3 PUBLIC QUESTION TIME

Commenced at: 1.06 pm

Concluded at: 1.15 pm

Mrs L. Wootton

Mrs Wootton stated that although she had read her answer to her previous question in the November Ordinary Council meeting agenda, she had not received a written or emailed response to my questions from the last October meeting and I know of others who didn't attend the next meeting or see the agenda who haven't.

Through the Chair, the General Manager advised that this will be followed up.

In regard to my previous question on the full cost of the metal sculptures, are the costs of the installation available now?

Through the Chair, the General Manager advised that this question would be taken on notice.

Question 1

In reference to the Development Application advertised for the George Town Council to construct a carpark for 30 vehicles and fencing around a large rock climbing area situated on privately owned property at 2 Greenhythe Rd near Hillwood, I am presuming a business case has been made to justify this expenditure that shows an economic benefit to the George Town municipality.

If that is so, could the public be advised of this business case and the details of any agreement made with the owners of this property, please?

Through the Chair, the General Manager thanked Mrs Wootton for her question and responded that no business case has been completed in this instance. This project forms part of the Wild Tamar initiative which substantial amount of funding has been received from the State Government however the infrastructure is being funded by the Council.

Question 2

I am aware of much discussion in the community in regard to the recently erected rusted metal sign near the Pumptrack, attributed to the FIG.

Could I and the public be advised as to the full cost and funding sources for this sign and associated elements of the project (i.e. seating, landscaping, etc.)?

The Chair advised that as mentioned it is a project of the FIG and referred the question to the General Manager.

Through the Chair, the General Manager advised that it is a Future Impact Group initiative and that there are in-kind costs which will be attributed to Council with the majority being funded externally. A break down of costs will form part of a written response to yourself and included in the next agenda.

Mrs Wootton then asked isn't FIG part of Council?

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The General Manager advised that FIG is auspiced by Council and is making its journey to independence. FIG is mainly funded by the State Government with Council and industry funding contributions.

Question 3

When I first heard of this project from a Council Officer at a meeting back in November 2021 I, along with Peter Cox, expressed some concerns.

We were assured it would have to go through planning.

Why did this project not go through the usual planning processes and community consultation before it became a fait accompli?

The Chair advised he believed it was due to the height of the structure but forwarded the question to the General Manager.

Through the Chair, the General Manager advised that this was referred to Council's planning department, and was exempt from the planning process and height may have been one of the considerations was its use being 'public art'. The General Manager advised that a formal response will be provided. In regards to the consultation that this should be referred to the Future Impact Group who managed the process as supported by Council.

Mr J. Glisson

Question 1

Mr Glisson advised that he wrote to Council in 2001 complaining about the stormwater problem at the end of Mackenzie Drive whereby the stormwater from half of the street runs past his place into the gardens of the neighbours under their house and floods under their house at times. The Council sent an officer out to have a look and the officer agreed that it was a stormwater problem it needed to be addressed and would come back to Mr Glisson at a later stage after putting a recommendation to Council and it be included in the budget for the following year. Mr Glisson stated that he had waited for twelve months. February 2022 took photos of another flooding and sent through to Council and again another officer came to investigate and again explained the process but further advised that the solution would be more expensive that previously advised partly because they would have to run a drain. Again it was said that it would have to be put into the budget for the following year and that was February 2022 and still no action and no response. Again the same issue this week, Mr Glisson asked when this will be addressed. It is a legal and moral obligation of Council to ensure stormwater is not running from the road and under houses.

The Chair asked Mr Glisson would you like a formal response?

Mr Glisson confirmed that he would like a formal response.

Through the Chair, the General Manager advised that he is aware that there has been previous investigations but not sure how it has failed to make budget considerations. The General Manager further advised that the question will be taken on notice.

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Question 2

Mr Glisson stated that at the bottom end of East Beach Road where it joins Low Head Road. It doesn't take much of a shower for a pool of water to form. When people are walking in the area, especially walking down East Beach Road to go across onto Low Head Road any traffic coming down hill and turning into East Beach Road they are walking in the middle of the road to avoid the pool of water. Mr Glisson stated that he is aware of two or three near miss incidents and asked whether Council could look at the drainage there so it doesn't pool there and fix the problem?

The Chair clarified the exact location of the pooling of the water.

Mr Glisson stated that he would send through some photos.

Through the Chair, the General Manager advised that the question be taken on notice for officers to undertake an investigation.

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.")

Mr Jarvis

Question 1

They have corresponded with a Council officer in relation to a fire hazard that his wife is concerned about and there have been severe fires in coastal areas and where Ann lives at Gunn Parade there has been privately owned property and public owned property. A letter was written on the 6 November to the Council and really appreciated the prompt response from Council's Compliance Officer stating that the situation would be investigated and the appropriate letter sent to the owners of the property. This was 2-3 weeks ago and asking whether something has been acted upon and has it been investigated and with summer rapidly approaching and hopefully there will be some action taken. also Mr Jarvis has spoken to the Low Head Company which is behind her boundary and taking the appropriate action. If someone were able to get back to me it would be greatly appreciated.

Response:

Council officers have visited the area of concern in Gunn Parade on two occasions in late November 2023 to inspect vegetation and undergrowth.

On the first occasion it was observed that grass and vegetation was still quite green however after a subsequent visit it was determined that action to reduce a potential should commence and on 30th November, a letter was sent to the property owner requesting action to remove the undergrowth and some dry vegetation piles on the property.

An inspection is scheduled to occur on Thursday 14 December and if action has not been undertaken to satisfactorily reduce the risk an Abatement Notice will be issued to advise that action needs to occur within 14 days, otherwise Council can engage contractors to complete necessary works.

A Council officer will write to Mr Jarvis after the 14 December inspection to provide an update.

5 DECLARATIONS OF INTEREST

Nil

6 GENERAL MANAGER'S DECLARATION

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

- the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- where any advice is given directly to Council by a person who does not have the required qualifications 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.

7 PLANNING AUTHORITY

7.1 DA 2023/108 - 100 BELLBUOY BEACH ROAD, LOW HEAD - RESIDENTIAL (DWELLING EXTENSION)

REPORT AUTHOR:	Town Planner - Mr A. Bowles Town Planner – Mr Justin Simons
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REPORT DATE: 5 December 2023

FILE NO: 2023/108

Minute No. 204/23

DECISION

Moved: Cr Lowe
Seconded: Cr Harris

That the application for use and development, Residential - Dwelling Extension at 100 Bellbuoy Beach Road, Low Head (CT 118815/21) 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. Prime Design, project no. PD23267, drawing no 01 to 11 inclusive, dated 07 November 2023;

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

2. 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.

3. DAMAGE TO PUBLIC INFRASTRUCTURE

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

Permit Notes

1. This permit was issued based on the proposal documents submitted for 2023/108. You should contact Council with any other use or development, as it may require the separate approval of Council. The council's planning staff can be contacted on 6382 8800.

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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. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. If any Aboriginal relics are uncovered during works:
 - a. All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b. The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c. The relevant approval processes will apply with state and federal government agencies.

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

CARRIED UNANIMOUSLY 8 / 0

The Town Planner entered the meeting at 1.17 pm.

The Town Planner left the meeting at 1.17 pm.

8 OFFICE OF GENERAL MANAGER

8.1 COUNCIL WORKSHOPS NOVEMBER AND DECEMBER 2023

REPORT AUTHOR: General Manager - Mr S. Power
REPORT DATE: 15 December 2023
FILE NO: 14.10

Minute No. 205/23

DECISION

Moved: Cr Harris
Seconded: Cr Mason

That Council:

1. Receives the report on the Council Workshops held on the 28 November 2023 and 12 December 2023.

VOTING

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

CARRIED UNANIMOUSLY 8 / 0

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8.2 ANNE STREET VARIATION

REPORT AUTHOR:	Director Infrastructure & Development - Mr A. McCarthy General Manager – Mr S. Power
REPORT DATE:	19/12/2023
FILE NO:	534022

The Director Infrastructure & Development entered the meeting at 1.27 pm.

Minute No. 206/23

DECISION

Moved: Cr Harris
Seconded: Cr Mason

That Council:

1. Approve funding allocation of \$522,383 (ex GST) for the Anne Street project (WO 1841/J90016) for the purposes of funding the variation of scope of works;
2. Transfers \$22,383 from savings from the completed Dalrymple & Industry Intersection Upgrade Project (J90001) to the Anne Street project (WO 1841/J90016);

VOTING

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

CARRIED UNANIMOUSLY 8 / 0

The Director Infrastructure & Development left the meeting at 1.28 pm.

9 INFRASTRUCTURE AND DEVELOPMENT

Nil.

10 CORPORATE AND COMMUNITY

Nil.

11 ORGANISATIONAL PERFORMANCE, STRATEGY & ENGAGEMENT

11.1 MANAGING CONFLICTS OF INTEREST FRAMEWORK

REPORT AUTHOR:	Director Organisational Performance, Strategy & Engagement – Mr R. Dunn
REPORT DATE:	12 December 2023
FILE NO:	14.6

The Director Organisational Performance, Strategy & Engagement entered the meeting at 1.28 pm.

*Cr Archer left the meeting at 1:31 pm.
Cr Archer returned to the meeting at 1:32 pm.*

Minute No. 207/23

DECISION

Moved: Cr Barwick
Seconded: Cr Archer

That Council:

1. Endorse the attached draft letter for submission to the Acting Director for the Office of Local Government in line with the Officers comments above on the Managing Conflicts of Interest Framework.

VOTING

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

CARRIED UNANIMOUSLY 8 / 0

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11.2 SAFEGUARDING CHILDREN AND YOUNG PEOPLE POLICY

REPORT AUTHOR:	Director Organisational Performance, Strategy & Engagement – Mr R. Dunn
REPORT DATE:	12 December 2023
FILE NO:	14.34

Minute No. 208/23

DECISION

Moved: Cr Mason

Seconded: Cr Ashley

That Council:

1. approve the proposed interim policy - 'Safeguarding Children and Young People' Policy and included framework.

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 8 / 0

The Director Organisational Performance, Strategy & Engagement left the meeting at 1.40 pm.

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12 MAYOR

12.1 MATTERS OF INVOLVEMENT - MAYOR, DEPUTY MAYOR AND COUNCILLORS

REPORT DATE: 13 December 2023

FILE NO: 14.11, 14.15

Mayor Cr Greg Kieser		
November	14-28	Leave
December	1	Hosted Her Excellency the Hon. Barbara Baker the Governor of Tasmania and Professor Chalmers to George Town municipality
	4	Interview on ABC Radio
	5	Attended Aquatic Centre Tour in Melbourne
	7	Attended Tasmanian Community Fund Grant Presentation
	8	Attended George Town Council's Christmas Carnival
	12	Chaired Council Workshop
	13	Attended Star of the Sea End of Year Assembly
	14	Attended South George Town Primary School End of Year Assembly
Deputy Mayor Cr Greg Dawson (Acting Mayor 14-28 November 2023)		
November	14	Chaired Council Workshop
	17	Met with General Manager and resident's re dust issue
	17	Met with General Manager and industry representative re economic and social impact assessment
	21	Attended SunCable Consultation meeting
	28	Chaired Council Workshop
	28	Chaired Ordinary Council meeting
	29	Tamar FM Interview
December	1	Attended Her Excellency the Hon. Barbara Baker the Governor of Tasmania and Professor Chalmers visit to George Town
	5	Attended Aquatic Centre Tour in Melbourne
	6	Attended Youth Advisory Launch
	7	Attended George Town Council RAP meeting
	8	Judged floats at the Christmas Carnival
Councillor Orr		
December	5 & 6	Attended Bell Bay Major Project Conference
	8	Attended George Town Council's Christmas Carnival

Minute No. 209/23

Director Infrastructure & Development entered the meeting at 1.42 pm.

Director Infrastructure & Development left the meeting at 1.44 pm.

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DECISION

Moved: Cr Mason
Seconded: Cr Ashley

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

VOTING

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

CARRIED UNANIMOUSLY 8 / 0

Cr Orr asked under the Terms of Reference of RAP meeting is it open for other Councillors to attend?

The Chair advised that the meeting has been formed and that the meetings have not been on a regular basis.

Through the Chair, the General Manager advised that this could be raised at the next meeting and to see if the Terms of Reference can be revisited. He further advised that it is an inclusive group and membership has changed over time but this question would be taken on notice.

The Chair advised that it was not expected to be a fixed membership, and the membership to be relooked at.

13 PETITIONS

Nil.

14 NOTICES OF MOTIONS

Nil.

15 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE

15.1 VARIOUS QUESTIONS - CR BARWICK

Cr Barwick

George Town Council Reconciliation Plan
Stage 1 Reflect.

Last update received by Councillors was November 2022.

It's two years come March 2024 that this document was accepted by Reconciliation Australia.

My question

1. How long will it take for George Town Council to complete Stage 1 REFLECT of our RAP?

Response:

The RAP took effect in November 2022. Many of the actions have been completed and a number remain outstanding. Timeframes for deliverables will be revisited and presented to Council at a future workshop.

2. Who is responsible for the delivery and execution of this process in Council?

Response:

The Reconciliation Action Plan lists various officers of Council as responsible for the deliverables of the plan.

George Town Council has established and maintained an effective working group who help to establish the RAP and would help to deliver the actions in the REFLECT RAP.

3. Does this working group still exist?

(a) if so when and how often does this group meet, and who are the representatives?

(b) if not, what happened to the working group?

Response:

The RAP Working Group still exists and aims to meet every three months. However, at the December meeting it was agreed to aim for monthly meetings.

The membership of the group currently consists of:

Representing Council:

Mayor, Cr Greg Kieser

Deputy Mayor, Cr Greg Dawson

General Manager, Shane Power

Director Community and Corporate Services, Cheryl Hyde

Arts & Culture Officer, Thelma Demesa Meraz

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*Aboriginal Community Development Officer, Susan Long
Executive Assistant Community and Corporate Services, Emily-Rose Wills*

Representing external organisations:

*Reconciliation Tasmania, CEO, Mark Redmond
Reconciliation Tasmania, Co-Chair, Beth Gilligan
George Town Community Hub, Peter Parkes
Bell Bay Aluminium, Principal Advisor, Communities & Communication, Louise Clarke*

4. Council requests an update on what has been done over the past 12 months in the execution of the actions to achieve the REFLECT outcomes and the costs associated?

Response:

Timeframes and costs for deliverables will be revisited and presented to Council at a future workshop and will include actions and costs incurred to date.

According to George Town Council Reconciliation Action Plan and I quote " George Town Council RAP sought TAC'S assistance in dual naming our meeting and training rooms with Aboriginal words. We have also started the process to rename our building (as South George Town Primary School has recently done) in addition to working on a Hub Aboriginal Acknowledgement of Country to be displayed at our entrances", end of quote.

5 Has the above as quoted been completed?
If not where are Council at?

Response:

The quote refers to work undertaken by the George Town Community Hub, not the Council (see page 15 of the RAP).

6. Has the RAP Impact Measurement Questionnaire been completed and sent to Reconciliation Australia?

Response:

The RAP Impact Measurement Questionnaire was completed and sent to Reconciliation Australia 8 September 2023.

7. As Council no longer have a Tree Policy can you please answer the following question "If a tree on a council nature strip or verge should fall over, or a branch or tree limb drop off and damages a fence, a car or any part of a house, who is responsible for the damaged caused to property by the said tree?

Response:

Councils' insurance policy applies in this instance. Any claim for damage or loss caused by a fallen tree or limb on Council managed land is assessed by Councils insurer on a case-by-case basis.

15.2 SEASCAPE DRIVE AND BOOBYALL DRIVE - CR ORR

Q1. Drainage Work on Seascape Drive and Boobyalla Drive

During 2021 and 2022, Council undertook drainage work on Seascape Drive in front of lots 28-34 & 15 Seascape Drive and 1 Boobyalla Drive. As part of works the residents agreed to pay \$4,300 for private works that consisted of five new crossover pipes and headwalls installed to the LGAT Standards drawing number TSD-R03-v3.

Would the Council table the costs of the five pipes and ten headwalls?

Does the new crossover pipes and headwall comply with the LGAT Standards drawing number TSD-R03-v3?

Response

Council purchased the materials at a cost of \$4,230 and engaged a contractor to carry out the works. A breakdown of materials is as follows:

Item	Qty	Unit Price	Total Cost (ex GST)
Stormwater Pipe 300mmx5.8m	13	288.62	3,752.06
Stormwater pit	3	64.73	194.19
Stormwater pit grate Class A	3	94.52	283.56
		Total	\$4,229.81

The total cost of the project including the civil works was \$20,540.

The completed works are not fully compliant with LGAT Standards Drawings, including TSD-R03-v3. In particular, the pipe size, grade, and cover (height of covers over culverts).

It's worth noting that in areas with topographical constraints, such as flat land with very minimal natural fall, building something fully compliant is challenging. In such locations, a site-specific fit-for-purpose approach is typically considered.

Upon assessing the subject site, there is a possibility to realign the drainage line slightly to achieve closer compliance with the standard. Council Officers have engaged a hydraulic engineer to develop a concept plan and costings. Once complete a budget submission will be presented to Council for consideration as part of the budgeting process.

16 CLOSED MEETING

16.1 INTO CLOSED MEETING

Minute No. 210/23

DECISION

Moved: Cr Mason

Seconded: Cr Harris

That Council move into closed meeting at 1.57 pm to discuss the following items:

Agenda Item 16.2 Minutes of the Closed Ordinary Council Meeting held on 28 November 2023

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

Agenda Item 16.3 RFT 02/23 ANZAC Drive Carpark Upgrade

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

Agenda Item 16.4 RFT 08/23 Dalrymple and The Glen Road Junction Upgrade

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

Agenda Item 16.5 Domestic Kerbside, General Waste and Recyclables Collection Contract

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

Agenda Item 16.6 General Manager – 6 Monthly Progress Review

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

VOTING

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

Against: Nil

Abstained: Nil

CARRIED UNANIMOUSLY 8 / 0

*The Mayor Cr Kieser entered the meeting at 2.30 pm and assumed the Chair at 2.42 pm.
The Chair opened the meeting to the public at 3.00 pm.*

17 CLOSURE

There being no further business, the meeting closed at 3.02 pm.



**Cr Greg Kieser
MAYOR**