



# GEORGE TOWN COUNCIL AGENDA

Notice is hereby given  
that the next Ordinary Council Meeting  
will be held on  
**Tuesday 28 May 2024**

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 23 APRIL 2024**

#### **RECOMMENDATION**

That the Minutes of Council's Ordinary Meeting held on 23 April 2024 numbered 42/24 to 59/24 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**

### **George Hack**

I request that the following questions be included in the Agenda for this month's Council meeting:

1. In relation to the Manganese (slag) pile in the Bell Bay Advanced Manufacturing Zone currently growing at 150,000 tonnes per annum, what are the next steps and timing in place to address the underlying issue of there is no current method to remove the waste from the site, nor any plan for the reuse of the waste product?
2. Is there a Decommissioning and Rehabilitation Plan in place for the cleanup of the Manganese (slag) pile on conclusion of operations at the Bell Bay Advanced Manufacturing Zone and has any financial bond been paid by the company to secure the funds for such an event?
3. In relation to the change in zoning from Rural Resource to Open Zone and Light Industrial in the Bell Bay Advanced Manufacturing Zone, what engagement has taken place with neighbouring councils and timing did it occur?

### **Response**

1. The Liberty Bell Bay Manganese Smelter is an active Level 2 Activity and the site is regulated by the Environment Protection Authority (EPA). Questions regarding environmental impacts, the generation, storage and disposal of waste are better directed to the EPA or Liberty Bell Bay.
2. It is Council's understanding that a rehabilitation plan is in place and certainly there is an obligation for the site to be rehabilitated. For detailed information, this question would be better directed to the EPA or to Liberty Bell Bay.
3. Council was directed by the Tasmanian Planning Commission to prepare a draft amendment to the George Town Local Provision Schedule. Advertising was undertaken from the 04/12/2023 – 11/01/2024. This was undertaken in accordance with the legislation and included two appearances in the Examiner, advertising on Council's and the Tasmanian Planning Commission's websites and statutory notification letters to particular State authorities. Following advertising, the mechanism for further engagement was/is the hearing process undertaken by the Tasmanian Planning Commission.

### **Gail Hack**

I request that the following questions be included in the Agenda for this month's Council meeting:

1. On the Local Government Association Tasmania (LGAT) website, it states under the topic of Planning, that "Councils work closely with their local areas and manage development to deliver liveable communities now and into the future", and that "These objectives include sustainable development of our natural and physical resources,

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public involvement in resource management and planning, facilitating economic development following these objectives, and importantly, the sharing of responsibility for resource management and planning between the different spheres of government, the community and industry.” Based on this, how has the George Town Council worked with both West Tamar and Launceston Councils’ to create a wholistic approach to managing both residents and business concerns in relation to impacts on health and wellbeing, businesses and environments as a result of any current and future developments, specifically the SunCable proposal in the Bell Bay Advanced Manufacturing Zone?

2. How can George Town Council improve engagement of neighbouring councils’ residents and businesses (large and small) to ensure that the opportunity to respond to applications can occur in a timely manner without the expectation of residents and businesses constantly looking for advertising in newspapers or checking government websites for new applications?
3. A community consultation session held in Trevallyn – 50kms away from proposed development was attended by 4 residents of Clarence Point plus SunCable representatives compared to a public information meeting held by residents themselves with attendance of 40 plus. Is George Town Council satisfied that the community consultation conducted by SunCable is enough to establish “Social Licence” based on the above?

**Response**

1. It is important to understand that Council has not received a planning application for the SunCable development. As such, Council at this time does not know the specific details of the proposal, its environmental impacts, any proposed mitigation or management of environmental impacts. While there is potential for impacts, it is the responsibility of the developer to address these impacts, and Council does not have sufficient information on the proposal to consider how well this has or has not been done, nor to undertake any further meaningful consultation. Without confirmed details of the proposal and rigours investigation of the potential impacts, such consultation is premature. Until an application is submitted containing all the necessary information Council cannot commence any assessment or decision making process.
2. Planning is a statutory process and the mechanisms for consultation are stipulated in State legislation. Council’s engagement processes include website, newspapers and social media. In this instance, the SunCable proposal has also made national newspapers and television news. If West Tamar Council would like to explore additional opportunities for engagement, Council would be happy to discuss this further.
3. While a “Social Licence” is a desirable thing to have, it is not a legislative requirement with respect to land use planning. Any consultation currently being undertaken by SunCable is being undertaken entirely voluntarily. George Town Council does not discourage voluntary consultation being undertaken by developers. The effectiveness of their consultation and “social licence” will likely become apparent if/when an application is lodged and the formal assessment and consultation processes commence.

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**Colette Barnes**

I would like to submit a Question on Notice for the next George Town Council meeting.

My question is: Did the George Town Council notify the West Tamar Council of the rezoning application from Rio Tinto regarding the land at 135 Bell Bay Rd, George Town and if so, when and how was the West Tamar Council notified?

**Response**

All Tasmanian Councils, including West Tamar Council, were notified of the Draft Amendments on the 1<sup>st</sup> December 2023 via letter addressed to the General Manager.

For the sake of clarity, the Amendments to the zoning at the land identified, do not result from an application made by Rio Tinto. Council was directed to prepare Draft Amendments by the Tasmanian Planning Commission following the advertising of the Draft LPS and conducting a hearing with a number of stakeholders who raised an interest in the first consultation period. The consultation process was repeated for the Draft Amendments.

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**4.3 PUBLIC QUESTION TIME**

Commenced at:

Concluded at:

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

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

Nil.

## **5 DECLARATIONS OF INTEREST**

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

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

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



Shane Power  
**GENERAL MANAGER**

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

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

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

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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 2024/04 - 77B ARNOLD STREET, GEORGE TOWN - SUBDIVISION (1 LOT TO 5 LOTS)**

<b>REPORT AUTHOR:</b>	Senior Town Planner - Mr J. Simons
<b>REPORT DATE:</b>	15/05/2024
<b>FILE NO:</b>	DA 2024/04
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Assessment of Compliance with Acceptable Solutions - DA 2024/04 [7.1.1 - 49 pages]</li><li>2. Plans and supporting documents - DA 2024/4 [7.1.2 - 65 pages]</li><li>3. Representation - DA 2024/4 [7.1.3 - 1 page]</li><li>4. Applicants response to representation - DA 2024/4 [7.1.4 - 2 pages]</li><li>5. Tas Water Submission to Planning Authority Notice TWDA 2024-00104- GTC - DA 2024/4 [7.1.5 - 3 pages]</li><li>6. Zinfra ( TGP) Response - DA 2024/4 [7.1.6 - 1 page]</li></ol>

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### **APPLICATION INFORMATION**

<b>Planning Instrument:</b>	Tasmanian Planning Scheme – George Town
<b>Applicant:</b>	M & L Clifford
<b>Site Address:</b>	77B Arnold Street, George Town and road reserve
<b>Titles Details:</b>	CT 181938/2
<b>Property ID:</b>	9820464
<b>Zone:</b>	Low Density Residential
<b>Use:</b>	Residential
<b>Proposed Development:</b>	Subdivision (1 lot to 5 lots)
<b>Application Received:</b>	14/02/2024

### **1. SUMMARY**

An application under Section 57 of *The Land Use Planning and Approvals Act 1993* has been received by Council for a Subdivision (1 lot to 5 lots) at 77B Arnold Street, George Town (CT 181938/2). The development will result in one lot containing the existing dwelling on the title

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and 4 vacant lots suitable for residential use and development. The proposal will include the development of a road in the Edward Street road reserve, with temporary turning head.

One (1) representation was received during the advertising period. Concerns raised in the representation largely relate to potential noise, construction rubbish and other potential harms and distractions that may impact dogs (greyhounds) on the adjoining property at 9 Edward Street, George Town. It is requested that these issues be mitigated by the construction of a colourbond fence on the shared boundary. While the concerns for the animals' welfare are acknowledged, this is considered to be a matter that is better managed by the *Boundary Fences Act 1908*. Generally, landowners are required to contribute to a sheep proof fence. Any party that requires or desires a more specialised fence is generally responsible for the associated costs.

The proposal is consistent with the intent of the Low Density Residential Zone, complies with all of the applicable Acceptable Solutions and Performance Criteria and is recommended for approval.

## **2. STRATEGIC PLAN**

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

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

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

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

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 77B Arnold Street, George Town (CT 181938/2). The lot is an irregular shape, with an area of 1.446 Ha.

The land is used for residential purposes and has been developed with a single dwelling.

The site is identified as being in a bushfire prone area, however, there are no other specific hazard or code overlays applicable.

The land is relatively flat and cleared of vegetation. The land is serviced by reticulated water, however, sewerage and stormwater will be managed onsite.

The property has frontage to Arnold Street and to an unmade portion of the Edward Street road reserve.

The land surrounding the property is a mix of residential lifestyle lots and vacant land, in both the Low Density Residential Zone and the Future Urban Zone.



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

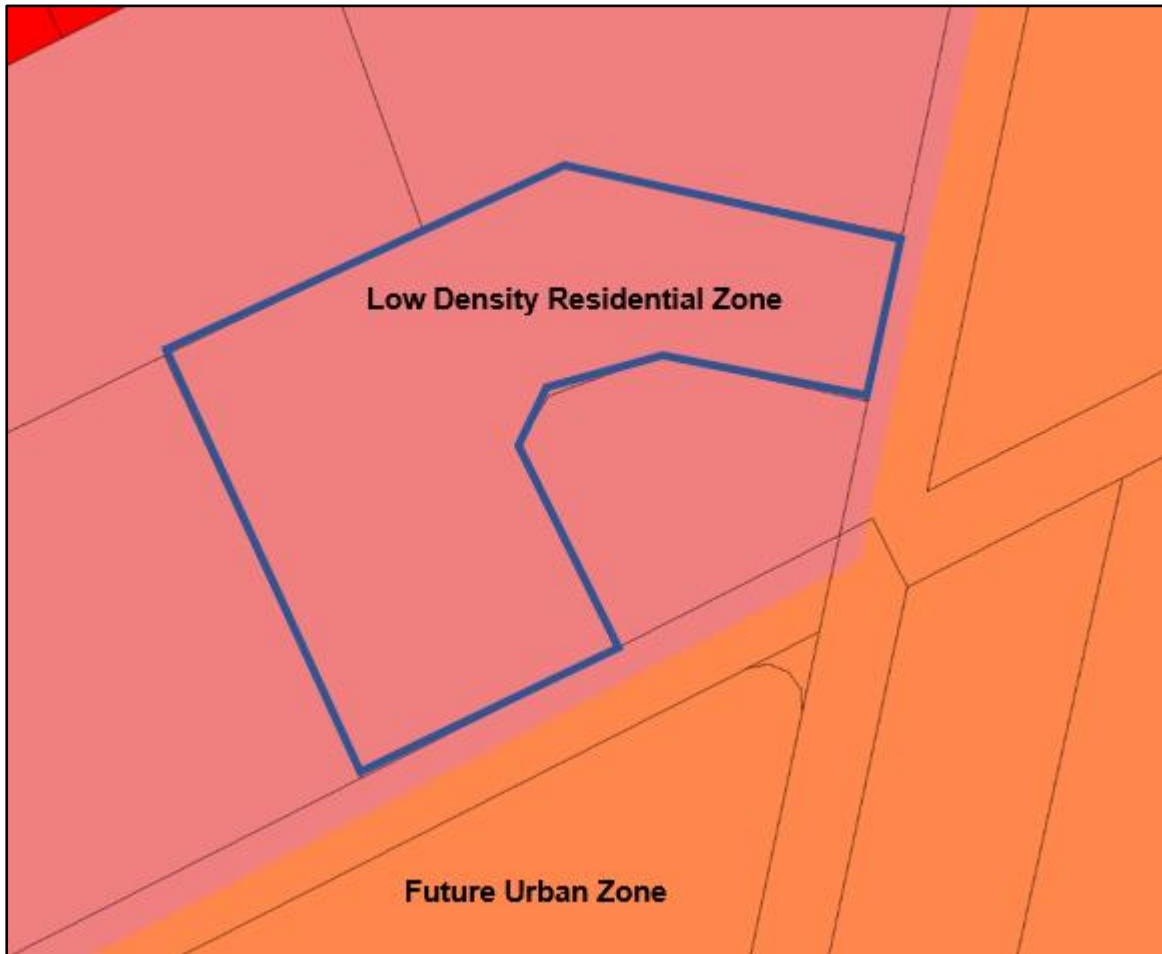


Figure 2: Zoning of subject title (outlined in blue) and surrounding land.

## 7. DEVELOPMENT AND USE DESCRIPTION

The application seeks approval for the development of the site at 77B Arnold Street, George Town (CT 181938/2) for Subdivision (1 lot to 5 lots). While the lots are intended for residential purposes, subdivision is not required to be assigned a use class.

Lot 1, containing the existing dwelling will have frontage to Arnold Street and use the existing property access. Lots 2-5 will have frontage to a new road in the Edward Street road reserve. Lots 2 and 3 will be internal lots. All of the lots will rely on onsite management of sewerage and water.

Lot No.	Area (m <sup>2</sup> )	Frontage (m)	Features
1	6843.3	44.3	Existing dwelling
2	1655	5	Vacant
3	2944.3	5	Vacant
4	1508	33.1	Vacant
5	1504.7	31.8	Vacant

The features of the proposed lots are included in Table 1 below and depicted in Figure 3.

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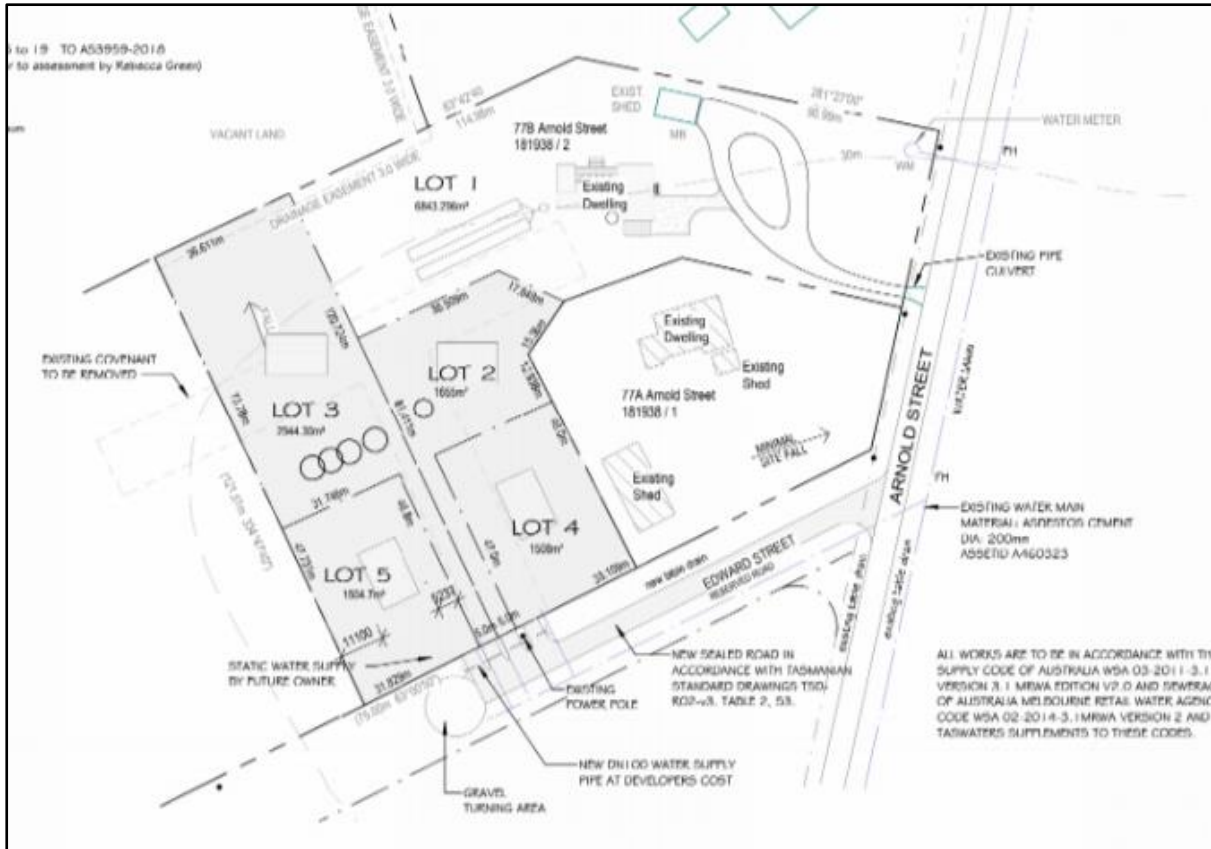


Figure 3: Proposal Plans

The full plans submitted are included in the attachments.

**8. REPRESENTATIONS**

The application was advertised for community consultation from 13/04/2024 to 29/04/2024. 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.

Issues Raised in Representations	Council Response
Turning head of road should be sealed due to noise.	<p>Use of the cul-de-sac for turning will be limited, due to it being a no through road, with access to 4 properties at this time. The noise resulting from the cul-de-sac is unlikely to result in an environmental nuisance.</p> <p>However, Council's Infrastructure Department have advised that the cul-de-sac head is to be sealed and a condition is included in the recommendation.</p>

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<p>Request a 1.2m, colourbond fence running to the turning circle to reduce noise, distraction, sharp gravel and dust blown onto neighbouring property (9 Edward Street, George Town).</p> <p>Similar to be erected between the proposed lots and the neighbouring property (9 Edward Street).</p> <p>Concern for safety and welfare of dogs, resulting from distraction, hurt or injury caused by noise or potential building materials.</p> <p>Intended to screen dog exercise yard along the shared boundary.</p> <p>Concerns for lack of proper fencing.</p> <p>Note: Council officers are looking into the address of the above property. The above is the official address despite not having an Edward Street on Council's asset register or any official maps.</p>	<p>Development of fencing between the properties, the form of fencing and the apportionment of costs is managed via the <i>Boundary Fences Act 1908</i>.</p> <p>There is an existing boundary fence between the subject property and the adjoining land. If a different type or standard of fencing is required to meet the specific needs of the land owners, this is considered to be a matter between the landowners and is better managed via the provisions of the Boundary Fences Act.</p> <p>No specific conditions are considered warranted at this time.</p>
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## **9. STATUTORY REQUIREMENTS**

The assessment of the development is dealt with under the following sections of the *Tasmanian Planning Scheme – George Town*.

- 10.0 Low Density Residential Zone
- E2.0 Car Parking and Sustainable Transport Code
- E13.0 Bushfire Prone Areas 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 for subdivision. Subdivision is not required to be classified into a particular use class. However, it is noted that the intent is for the development to create lots suitable for Residential uses.

Subdivision is generally 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

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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**

**10.1 Zone Purpose**

The purpose of the Low Density Residential Zone is:  
10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.  
10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.  
10.1.3 To provide for Visitor Accommodation that is compatible with residential character.

**Planners Response:**

The proposal is to create 4 additional lots suitable for residential use and development. The documentation submitted with the application demonstrates the lots have adequate area to manage waste water and stormwater on site.

The use and development of the land will be further considered when/if an application for use and development is submitted to Council.

No non-residential uses have been proposed at this time.

The proposed subdivision is consistent with the Zone Purpose.

**Performance Criteria assessment.**

**10.6 Development Standards for Subdivision**

10.6.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and
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(c) contains areas which are suitable for residential development.	
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 20m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> <li>(d) the functionality and useability of the frontage;</li> <li>(e) the ability to manoeuvre vehicles on the site; and</li> <li>(f) the pattern of development existing on established properties in the area,</li> </ul> <p>and is not less than 3.6m wide.</p>
<p><b>Planners Response:</b> Relies on Performance Criteria.</p> <p>While lots 1, 4 and 5 will have a frontage of 20m. Lots 2 and 3 are internal lots, with frontage of 5m. This is considered to be sufficient for the intended residential use of the land. The 5m frontages proposed are wide enough to accommodate a vehicle access, via dedicated access handles, without the need for a right of way. The land is flat and the proposed access handles are trafficable with minor improvement. The access handles are relatively short and there is adequate space within the lots to accommodate parking and turning.</p> <p>The existing pattern of development in the area comprises large lifestyle lots resulting from past zoning regimes. While the land is now in the Low Density Residential Zone, there have been few subdivisions that take advantage of this zoning and as such there is no established character under the current zoning. There are no directly comparable subdivisions or lots in the immediate area in the Low Density Residential Zone. As such the proposal is not inherently out of character with the existing pattern of development, and the presence of two internal lots is unlikely to define the character of the area.</p> <p>The proposal complies with the Performance Criteria and is consistent with the Objective.</p>	

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10.6.2 Roads

<b>Objective:</b>	That the arrangement of new roads within a subdivision provides: <ul style="list-style-type: none"> <li>(a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any relevant road network plan adopted by council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>(f) access to public transport;</li> <li>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</li> <li>(h) the need to provide for bicycle</li> </ul>

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	<p>infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>;</p> <p>(i) the topography of the site; and</p> <p>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</p>
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**Planners Response:** Relies on Performance Criteria.

The application includes the development of a new road in the road reserve immediately to the south of the property. This road will provide access and frontage to lots 2-5.

The proposed road is considered to provide an appropriate level of access, connectivity, safety and convenience for all road users.

The proposed road will be located within a Crown road reserve dedicated specifically for that purpose and provides for a continuation of what is currently Edward Court. Although currently disconnected, there is potential for individual sections to be joined up in the future. This allows for the continuation of the existing grid pattern of roads, consistent with the recommendations of the George Town Structure Plan.

There are no provisions for cyclists or pedestrians in the immediately surrounding road network. While a footpath and cycle path is not warranted in this instance, the engineering designs will be conditioned to ensure that there is capacity for a footpath in the future.

The new road does not comprise an arterial road or connector road and, as such, there is no requirement for dedicated bicycle infrastructure.

There is substantial capacity for additional subdivision on adjoining lots. This will allow for future extension of the road to the west. The proposed extent and standard of the road is not anticipated to compromise capacity for development of adjoining land.

The proposal complies with the Performance Criteria and is consistent with the objective.

10.6.3 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A2</b>	<b>P2</b>	
Each lot, or a lot proposed in a plan of	Each lot, or a lot proposed in a plan of	

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subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
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**Planners Response:** Relies on Performance Criteria.

All of the lots will rely on onsite management of waste water. The existing dwelling in lot 1 has an existing system, which is fully contained within the proposed title boundaries. A waste water assessment report, prepared by a suitably qualified person, has been submitted with the application. The assessment demonstrates that each of the vacant lots has capacity to manage the waste water associated with a 4 bedroom dwelling.

While a conventional septic system may be used it will require a larger area and may potentially impact the size and location of the dwelling to be built.

An AWTS system with raised beds may reduce the area required to 180m<sup>2</sup>, leaving a significant area of all of the lots available for development.

As with all lots relying on onsite systems, the size and type of system will influence and be influenced by the size and location of the dwelling proposed.

The proposal demonstrates the lots have adequate capacity to manage waste water onsite. The proposal complies with the Performance Criteria and is consistent with the objective.

<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>
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**Planners Response:** Relies on Performance Criteria.

While Lot 1 and the existing dwelling are connected to the open drain on Arnold Street, Lots

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2-5 are proposed to be managed on-site.

A stormwater assessment report has been submitted with the application demonstrating that the proposed lots all have capacity to manage stormwater onsite. The author of the report has used a conservative site coverage (impervious surfaces) of 588m<sup>2</sup>, to develop an indicative bed design with area of 74m<sup>2</sup>. The smallest lot, 1508m<sup>2</sup>, has adequate room to provide for the 74m<sup>2</sup> stormwater management system and the 180m<sup>2</sup> required for waste water management, while leaving 1254m<sup>2</sup> to provide for a dwelling, parking and manoeuvring areas.

Further development specific designs will need to be prepared in association with an application for a new dwelling under the *Building Act 2016*.

The application complies with the Performance Criteria and is consistent with the objective.

## **10. REFERRALS**

### **Internal Referrals**

Infrastructure:

The following points were provided by Council's Infrastructure Department:

- Intersection to be constructed as per the relevant Austroads standard.
- Eventual connection of Edward Court resulting in through road will result in estimated 300 vehicles per day. New road to match the width of Arnold Street – 6m sealed width – 2 way crossfall with open drains on each side-Asphalted with AC10 at thickness of 35mm.
- Temporary turning head to be constructed. Rocks to be placed to restrict further passage along the road reserve.

#### **Planners Response:**

Conditions are included in the recommendation reflecting the Infrastructure advice.

Environmental Health:

"Looking at the subdivision from a wastewater perspective, the issues that come to me are the shapes of the lots and especially lots 2 & 3 with the internal driveway access and the limited area within lot 2 and the narrowness of lot 3.

I have read the GeoTon report in regard to the subdivision and in theory the calculations and the land application is correct. But looking at the lots and the location of the building envelopes limits where the onsite wastewater and onsite stormwater disposal areas can be sited, I would suggest that areas for both the onsite wastewater and onsite stormwater and even to the extent of including the building envelope on each lot are identified, and if the subdivision is approved, marked on the new titles as being a 'drainage easement/ building envelope' so that there is no confusion when a building/plumbing application is submitted."

#### **Planners Response:**

The application of specific building envelopes and dedicated disposal areas undermines the flexibility and choice that is provided by the *Building Act 2016*. The Act is specifically designed to allow landowners the freedom of choice with respect to how they address specific building issues, such as onsite waste water management, bushfire management, and stormwater management, and to choose how they balance those competing priorities. The role of planning

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is to determine if there is reasonable scope to accommodate these elements within the site. Some blocks may be more suitable for a specific development than others.

Considering the applicant has chosen to manage stormwater on site, it is recommended that a notation be included on the titles, in accordance with Section 83, (5) of the *Local Government Building and Miscellaneous Provisions Act 1993*, specifically alerting future landowners that they need to consider onsite stormwater management.

### **External Referrals**

#### **TasWater:**

The application was referred to TasWater. A Submission to Planning Authority Notice TWDA 2024-00104-GTC was received. The submission imposes conditions and will be referenced in the permit.

#### **TasNetworks:**

TasNetworks has advised that the proposal is unlikely to impact the electricity supply network. The advice has been forwarded to the applicant as per legislative requirement.

#### **Tasmanian Gas Pipeline:**

TGP advised they have no objection with this application, noting that any work within the gas pipeline easement requires contact through Before you Dig Australia (Formerly Dial before you Dig 1100). A note will be included on the permit.

## **11. SERVICES**

### ***Road***

Access is available to Lot 1, via the existing driveway crossover on Arnold Street. A new road is proposed to provide access to Lots 2-5.

### ***Sewer***

The land is not serviced by reticulated sewer. The application includes a waste water assessment prepared by a suitably qualified person, demonstrating waste water can be reasonably managed within the lots.

### ***Water***

The land is serviced by reticulated water and new connections are proposed.

### ***Stormwater***

The land is not serviced by reticulated stormwater. The application includes a stormwater assessment prepared by a suitably qualified hydrologist, demonstrating the storm water can be reasonably managed within the lots.

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

### ***Easements:***

The subject property contains a drainage easement running along the northern boundary. The proposal does not compromise this easement.

### ***Part V Agreements:***

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

**Covenants:**

The proposal does not appear to conflict with any covenants, however, this is a matter between the land owners subject to the sealed plan and the developer is encouraged to confirm this with their solicitor. It is noted an amendment to the sealed plan, undertaken in 2021, removed a number of restrictive covenants from the title, including the reserved road plan identified on the Folio Plan.

**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*.

**Public Open Space**

In this instance, it is not considered necessary or desirable for open space to be provided for within the proposed development. There are no particular features of the land that make open space desirable, and the Low Density Residential environment and lack of pedestrian connectivity is likely to lead to underutilisation. The George Town Structure Plan does not identify open space in this vicinity and Council has not undertaken any further detailed strategic work which supports open space in this locality.

A cash in lieu contribution is considered appropriate in this instance as per the provisions of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. The proposed development will result in 4 additional residential lots within the urban area of George Town. The lots are of such a size that they are unlikely to meet the open space needs of the residents and will increase the demand placed on existing open space areas within George Town. There are no particular circumstances that would warrant a lesser amount than 5% of the value of the new lots 2-5, following completion of works. Lot 1 is excluded from the open space contribution as it is an existing lot, with an existing dwelling and does not inherently increase demand for open space.

**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**

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The application for development of a Subdivision (1 lot to 5 lots) at 77B Arnold Street, George Town (CT 181938/2) and adjoining road reserve, has been assessed against all relevant zone and code criteria of the *Tasmanian Planning Scheme-George Town*. With appropriate conditions, the application complies with the applicable Acceptable Solutions and Performance Criteria and is recommended for approval.

## **16. RECOMMENDATION**

That the application for development, Subdivision (1 lot to 5 lots and road) at 77B Arnold Street, George Town (CT 181938/2) and the adjoining road reserve 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) MDC Design and Drafting, Project No. 2400, Sheet A01, Issue B, dated 16/01/2023;
- b) Hydrodynamica, Memo Re: Onsite Stormwater Disposal Requirements, dated 7/4/2024;
- c) Geoton Pty Ltd, Preliminary Onsite Wastewater Disposal Evaluation, dated 4/12/2023;
- d) Rebecca Green and Associates, Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, dated 10/01/2024;

to the satisfaction of the Council, unless provided for otherwise by the conditions below or as directed By Council's Director Infrastructure and Development, following detailed assessment of the engineering design drawings. Any other proposed development and/or use will require a separate application to and assessment by the Council.

### **2. SUBMISSION AND APPROVAL OF ENGINEERING PLANS**

Prior to the commencement of works, detailed engineering drawings and specifications must be submitted for an 'Assessment of Public Works' to the satisfaction of Council's Director Infrastructure and Development. Such drawings and specifications must include the following:

- a) Include all infrastructure works shown on the endorsed plans and specifications or otherwise specified by the conditions below, including:
  - I. Roads, crossovers and drainage infrastructure;
  - II. All necessary line marking and traffic signage;
  - III. Electricity infrastructure including street lighting where required;
  - IV. Communications infrastructure.
- b) All roads are to be designed in accordance with the Austroads Guide to Road Design, LGAT Standard Drawings and where applicable the Tasmanian Subdivision Guidelines, except where deviations are strictly necessary and approved or directed

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by Council's Director Infrastructure and Development. The Guidelines are available at [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)

- c) The newly proposed roads are to be a sealed rural road with a seal width of 6m comprising 35mm asphalt as wearing surface. The seal at the intersection with Davis Street shall be sawcut and joined with the new road with a neat finish.
- d) The cul-de-sac is to have sufficient dimensions to meet the requirements of the endorsed bushfire hazard management plan and is to be sealed.
- g) The internal road reserves are to be graded to ensure a walkable and mowable verge with minimum width of 1.5m.
- h) All road designs are to include a planting corridor with a minimum width of 3m, free of infrastructure and not encroaching on the 1.5m walkable verge, suitable for the future installation of street trees.
- i) Separation of 1.5m is to be maintained between driveway crossovers and any pole mounted electricity infrastructure or stormwater side entry pit.
- j) The means of connection to power reticulation services to each lot and street lighting in accordance with a design approved by TasNetworks. A copy of the approved design must be submitted to Council upon approval by TasNetworks.
- k) The means of connection for all lots to telecommunications. Where physical infrastructure is provided, services are to be underground. Written advice regarding the preferred means of connection and/or a plan approved by Telstra or other approved supplier must be submitted to Council upon approval by the supplier.
- m) All drawings are to be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.

In all instances where the detailed design requires deviation from the standards identified above, approval must be sought from Council's Director Infrastructure and Development. Any such request for approval must be accompanied by supporting evidence prepared by a suitably qualified engineer.

Once approved by Council's Director Infrastructure and Development, engineering design drawings are valid for a period of five (5) years from the date of such approval, following which they will automatically lapse if they have not been carried into effect via works. Where any engineering design drawings have lapsed, Council may require the re-submission and review of the relevant engineering design drawings, any associated calculations and any other relevant information to ensure compliance with current infrastructure standards and applicable legislation.

#### **4. CONSTRUCTION OF WORKS**

Prior to the sealing of the Final Plan, all private and public infrastructure works must be constructed in accordance with the engineering design drawings approved by the Council's Director Infrastructure and Development in accordance with Condition 3.

All works, including infrastructure and landscaping, must be commenced under the direct supervision of a civil engineer and completed to the satisfaction of the Council's Director Infrastructure and Development. Certification from the supervising engineer that all works

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have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

#### **5. DRIVEWAY CROSSOVERS**

Prior to the sealing of the Final Plan, the driveway crossovers servicing each lot are to be constructed in accordance with the endorsed plans, LGAT Standard Drawings TSD R03 and TSD R04 and to the satisfaction of Council's Director Infrastructure and Development.

#### **6. CONSTRUCTION DOCUMENTATION**

At the time of practical completion of the infrastructure, Council must be provided with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a) An "As Constructed" plan in AutoCAD compatible format (.dwg) and Adobe (.pdf), including the following essential information:
  - I. All dimensions, levels and connection details of the Works.
  - II. All equipment dimensions, connections, etc.
  - III. Dimensions relative to boundaries for all pipes, pits, manholes, junctions and service connection points, fire plugs, stop valves, etc.
  - IV. Diameter, material, joint type and flow direction.
  - V. Depth of cover for pipes.
  - VI. Surface RLs and invert RLs of all inlet and outlet pipes at all stormwater nodes.
- b) Compaction and soil test results for all earthworks or pavement works.
- c) An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

#### **7. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

Prior to the commencement of works a construction environmental management plan is to be submitted to the satisfaction of the Director Infrastructure and Development. The plan is to include plans and procedures for the management of:

- a) dust;
- b) erosion, including stabilisation of exposed soils within reshaped drains;
- c) soil and water management to minimise discharge of polluted or sediment laden runoff
- d) directly or indirectly into Council's drains and watercourses; and
- e) noise,

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during construction. The plan is also to include a plan and procedure for receiving and addressing complaints from surrounding land owners. All works are to be undertaken in accordance with the approved soil and water management plan.

**8. 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.

**9. CONTRIBUTION IN LIEU OF PUBLIC OPEN SPACE**

Pursuant to section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, Council has determined that the subdivision will, or is likely to, increase the demand for public open space and, as no or no sufficient or acceptable provision has been made in the plan of subdivision for public open space, Council has determined that payment of a cash contribution (the Contribution) in lieu of public open space is appropriate.

The Contribution must be in an amount equal to five percent (5%) of the value of the area of land in the approved plan of subdivision (excluding Lot 1).

The amount of the Contribution is to be determined by a valuation (the Valuation) of the specified lots prepared by a registered land valuer. The Valuation must be procured at the subdivider's expense. Unless otherwise specified in this condition, the Valuation is to determine the value of the relevant land as at the date of lodgment with Council of the Final Plan of subdivision for sealing (the Final Plan), following the completion of all works required by this permit, including but not limited to all private and public infrastructure and landscaping works.

The subdivider must pay the Contribution to Council before the Final Plan will be sealed by Council.

References in this permit condition to payment of a Contribution includes the provision of security for the same in the form of a bond by the landowner to pay the Contribution which is supported by a bank guarantee, in accordance with the requirements of sub-section 117(4) of the Local Government (Building and Miscellaneous Provisions) Act 1993. Each of the bond and the guarantee must be in a form acceptable to Council.

**10. EASEMENTS AND NOTATIONS**

All lots which cannot be serviced by a gravity connection servicing the majority of the lots surface area are to include notation on the title, as per Section 83 (5) of the *Local Government Building and Miscellaneous Provisions) Act 1993*, that Council will not provide a gravity connection and an alternative onsite stormwater management system is required for all buildings and hardstand areas.

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Easements are required over all Council and third-party services located in private property. The minimum width of any easement must be 3 metres for Council (public) stormwater mains. A greater or lesser width may be approved/required in appropriate circumstances.

**11. DEFECT LIABILITY PERIOD**

Prior to the sealing of the Plan of Survey, the person responsible must lodge with Council a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period for the amount of 5% of the construction value of the public works.

**12. BUSHFIRE HAZARD MANAGEMENT**

The land is to be maintained at all times in accordance with the endorsed Bushfire Hazard Management Plan.

**13. NO POLLUTED RUNOFF**

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

**14. DAMAGE TO PUBLIC INFRASTRUCTURE**

Any damage to public infrastructure shall be repaired at the owners cost. If any repairs are necessary, they will be undertaken in accordance with the requirements and to the satisfaction of the Director Infrastructure and Development.

**15. TASWATER**

All works are to be completed in accordance with TasWater's Submission to Planning Authority Notice.

**Permit Notes**

1. This permit was issued based on the proposal documents submitted for DA 2024/04. You should contact Council with any other use or development, as it may require the separate approval of Council. Council's 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. Infrastructure Design Approval.

All enquiries should be directed to Council's Infrastructure Department, via 6382 8800.

3. Prior to undertaking any work within the Crown Road Reserve, further application must be made to Property Services for approval to undertake works as per the requirements of the *Crown Lands Act 1976*. This is separate from the consent obtained to lodge the

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Development Application. Contact may be made via ph: 6169 9015 or email: [propertyservices@parks.tas.gov.au](mailto:propertyservices@parks.tas.gov.au)

4. Prior to undertaking any work within the Tasmanian Gas Pipeline Easement, contact must be made via Before You Dig Australia at [www.byda.com.au](http://www.byda.com.au)
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](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. 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.

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**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

## **8 OFFICE OF GENERAL MANAGER**

### **8.1 COUNCIL WORKSHOPS APRIL AND MAY 2024**

**REPORT AUTHOR:** General Manager - Mr S. Power  
**REPORT DATE:** 15 May 2024  
**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 23 APRIL 2024**

- Planning and Building Update
- Capital Works Update
- Agenda Review
  - Minutes
  - Request to Remove Part 5 Agreement 6 Leads Avenue, Low Head, Supporting Documentation
- Lagoon Beach Overflow Carpark – Land Survey Results
- Governance Issues
  - Federal Communications Committee
  - Offshore Electricity Infrastructure Amendment Regulations 2024
- Councillors/General Manager Discussions

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

**Apologies:** Deputy Mayor Greg Dawson

**In Attendance:** General Manager  
Director Corporate & Community  
Director Infrastructure & Development  
Director Organisational Performance, Strategy & Engagement  
Town Planner  
Team Leader Building and Planning

**Guests:** Nil.

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**TUESDAY 14 MAY 2024**

- Unconfirmed Ordinary Council Minutes 23 April 2024
- Unconfirmed Closed Ordinary Council Minutes 23 April 2024
- Health and wellbeing Strategy
- Confidential Rates Recovery for Rate Debts More than 3 Years in Arrears
- Potential Council Land Sales
- Dog Management Policy (External Presenters)
- Cat Management Policy
- Hillwood Open Space Plan
- Elizabeth Street
- Quarterly Report – 1 January – 31 March 2024
- Community Strategic Plan Review
- Submission for Inquiry into Local Government Sustainability
- Governance
- Councillors/General Manager Discussions

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

**Apologies:** Cr Tim Harris

**In Attendance:** General Manager  
Director Corporate & Community  
Director Infrastructure & Development  
Director Organisational Performance, Strategy & Engagement  
Senior Executive Support and Governance Officer  
Team Leader – Planning & Building Services

**Guests:** Tasmanian Parks and Wildlife Services Representatives

**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.

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**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:

1. Receives the report on the Council Workshops held on the 23 April 2024 and 14 May 2024.

**DECISION**

Moved:

Seconded:

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**VOTING**

For:

Against:

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**8.2 QUARTERLY REPORT - QUARTER 3 - 1 JANUARY - 31 MARCH 2024**

<b>REPORT AUTHOR:</b>	General Manager – Mr S. Power
<b>REPORT DATE:</b>	7 February 2024
<b>FILE NO:</b>	14.21
<b>ATTACHMENTS:</b>	1. 2024 03 31 Quarterly Report [8.2.1 - 73 pages]

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**SUMMARY**

The purpose of this report is to present the George Town Council 3<sup>rd</sup> Quarterly Performance Report 1 January 2024 – 31 March 2024 to Council for endorsement.

**BACKGROUND**

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

**STRATEGIC PLAN**

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

**Future Direction One - Community Pride**

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

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

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

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

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

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

The following legislation is relevant to this report:

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

**RISK CONSIDERATIONS**

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

**FINANCIAL IMPLICATIONS**

Nil.

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

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

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

**CONSULTATION**

The draft 3<sup>rd</sup> Quarter Performance Report was presented on the 14 May 2024 Council Workshop.

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

The 3<sup>rd</sup> quarter 1 January 2024 – 31 March 2024 performance report is submitted for consideration by Council.

**OFFICER'S RECOMMENDATION**

That Council:

1. Receives the George Town Council 3<sup>rd</sup> Quarterly Performance Report 1 January 2024 – 31 March 2024; and
2. Provide public access to the report as part of Council's commitment to ongoing good governance.

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**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**8.3 REVIEW OF GEORGE TOWN COUNCIL'S COMMUNITY STRATEGIC PLAN 2024-2030**

<b>REPORT AUTHOR:</b>	General Manager - Mr S. Power
<b>REPORT DATE:</b>	8 April 2024
<b>FILE NO:</b>	17.6
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. 2876 GTC 10 Year Community Strategic Plan 2024- V 3 [8.3.1 - 32 pages]</li><li>2. Changes made following public submissions (1) [8.3.2 - 2 pages]</li></ol>

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**SUMMARY**

This report is to provide an update on the George Town Council's Community Strategic Plan Review 2020-2030 for endorsement.

**BACKGROUND**

In accordance with the *Local Government Act 1993, Part 7, Division 2, Section 70E, Sub-section 1(A)*, Council is required to review its 10 year strategic plan every 4 years. George Town Council's current strategic plan covers the period 2020-2030. As such, George Town Council commissioned a review of its Strategic Plan, leading to the development of a revised Community and Council Strategic Plan 2020-2030.

**STRATEGIC PLAN**

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

**Future Direction One - Community Pride**

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

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

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

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

*Local Government Act 1993, Part 7, Division 2, Section 66-69.*

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**RISK CONSIDERATIONS**

George Town Council would be at risk of non-compliance with the *Local Government Act 1993, Part 7, Division 2, Section 70E, Sub-section 1(A)*.

**FINANCIAL IMPLICATIONS**

An allocation of \$25,000 exists within the adopted budget for the review of the Community Strategic Plan. Council appointed consultants at a cost of \$18,000 to undertake the project. The balance of funds is to be used for graphic design and any further consultation. It is unlikely the full allocation will be utilised.

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

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

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

**CONSULTATION**

Consultation has been extensive involving World Cafe sessions and direct engagement with local community and key stakeholders but has also been extended to sector representative bodies.

Elected members were provided with the draft of the Community Strategic Plan prior to inviting community members to view and comment on the draft. The public consultation period extended over 28 days and closed on the 1<sup>st</sup> April, 2024.

The Audit Panel was briefed on the review of the draft Community Strategic Plan on the 17<sup>th</sup> April 2024.

**OFFICER'S COMMENTS**

Request for Expression of Interest was issued in April 2023. One submission was received, of which NOA Group was successful against the assessment criteria and engaged. (NOA Group completed Council's first Community Strategic Plan 2020-2030.)

The draft Plan was presented to elected members for review and comment at the 23 January 2024 Council Workshop. The reviewed draft Community Strategic Plan was open for community consultation via Council's social media; the Examiner; and radio in accordance with statutory requirements and Council's Community Consultation Framework.

Council received two (2) submissions from the public (below). Council Officers have forwarded the comments to NOA Group for consideration in the draft Plan.

<b>Craig Tyeson (Weymouth Community member)</b>
---

In relation to the Draft Review of the Community Strategic Plan, I provide the following comments:
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1. The Review is very George Town focussed.
2. It also seems to make assumptions about the extent to which there is collaboration with Community and Progress Associations. The references to collaboration with local Progress Associations contains motherhood statements with very little substance.
3. My impression after going through it was that it doesn't say much about local associations at all, but rather contains a number of very tenuous statements with little or no real evidence base.
4. No mention of Weymouth anywhere or evidence based acknowledgement of the work undertaken by the WPA on behalf of the Community.
5. All in all, I think it's disappointing.

These comments are **not** provided as a member of the Weymouth Progress Association inc. but as a member of the Weymouth community.

**Jo Hart**

Thank you for the opportunity to comment on this plan.

Overall, I think it is an excellent document that will serve our community well. There are a couple of points that I would like to see enhanced.

1. I think the data in the plan adds strength. It is unfortunate that more contemporary data wasn't available. Much has changed in George Town since 2016. Including a date on the income data would add impact.
2. The recent endeavours by Council and FIG in youth leadership development have been impressive. These should be highlighted in the community pride section. Encouraging our young people to take a leadership role in developing community pride is a great step forward, as is establishing the Youth Impact Council with it's direct voice to Council.
3. Under the Progressive heading, I would like to see a greater focus on innovative programs, such as the Launchpad, which focus on mentoring and connecting people who have been unemployed for a considerable time into work or training. Reducing the number of people in our community disconnected from employment needs to be a key performance area if we are to achieve our plan.

The draft Community Strategic Plan was presented to the May Council Workshop for consideration prior to being submitted for endorsement at the May Ordinary Council meeting.

That Council:

1. Adopts the George Town Community Strategic Plan 2024 – 2030; and
2. Provide public access to the report as part of Council's commitment to ongoing good governance.

**DECISION**

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Moved:

Seconded:

**VOTING**

For:

Against:

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**8.4 LOCAL GOVERNMENT CODE OF CONDUCT - DETERMINATION REPORT NEILSEN V KIESER**

<b>REPORT AUTHOR:</b>	General Manager - Mr S. Power
<b>REPORT DATE:</b>	2 May 2024
<b>FILE NO:</b>	14.25
<b>ATTACHMENTS:</b>	1. DETERMINATION REPORT - Code of Conduct complaint - George Town Council - Mr Graeme Neilsen against C [8.4.1 - 5 pages]

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**SUMMARY**

The purpose of this report is to table the Local Government Code of Conduct Panel's Determination Report relating to a Code of Conduct complaint lodged by Mr Graeme Neilsen against Cr Greg Kieser.

**BACKGROUND**

A Code of Conduct complaint was lodged by Mr Graeme Neilsen against Cr Greg Kieser dated 5 October 2023 and provided to the General Manager of the George Town Council.

In accordance with s.28Z (1)(a) of the Local Government Act 1993 (the Act), the General Manager referred the complaint to the Code of Conduct Panel (the Panel) by providing it to the Executive Officer of the Panel.

The Panel met to consider the complaint and determined in accordance with s.28ZG (2)(a) and (b) that the complaint would be investigated by the Panel.

The General Manager received advice from the Panel dated 23 April 2024 that in accordance with s.28ZK (2) of the Act the Panel had made its determination in relation to the complaint lodged by Mr Graeme Neilsen against Cr Greg Kieser, enclosing a copy of the Determination Report.

The Determination Report outlines:

1. Code of Conduct Panel;
2. Summary of the Complaint;
3. Initial assessment;
4. Investigation;
5. Hearing;
6. Determination;
7. Reasons for determination;
8. Right to review.

**STRATEGIC PLAN**

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

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

6. Difficult issues are managed in an open manner without conflict
- ii. Fostering courage, kindness and determination in working through challenges and opportunities.
  - iii. Communicating well.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

- Section 28 Local Government Act 1993
- George Town Council Code of Conduct (adopted 21 January 2019)

**RISK CONSIDERATIONS**

There are no risks recognised in Council receiving and noting the report.

**FINANCIAL IMPLICATIONS**

In accordance with s.28O of the Act, any remuneration and allowances payable to members of the Code of Conduct Panel in relation to a code of conduct complaint and its investigation and determination are payable by the relevant council.

**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.

**OFFICER'S COMMENTS**

Under s.28ZK of the Act, if the General Manager receives a Determination Report but no addendum, the General Manager is to ensure that a copy of the Determination Report is tabled at the first meeting of the relevant Council at which it is practicable to do so and which is open to the public. No addendum was attached to the Determination Report.

**OFFICER'S RECOMMENDATION**

That Council:

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- a) Receives and notes the Local Government Code of Conduct Panel's Determination Report attached to this report and relating to the Code of Conduct complaint from Mr Graeme Neilsen against Councillor Greg Kieser; and
- b) Notes the tabling of the Determination Report in accordance with s.28ZK(4) of the Local Government Act 1993

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**8.5 LOCAL GOVERNMENT CODE OF CONDUCT - DETERMINATION REPORT ARCHER V KIESER**

<b>REPORT AUTHOR:</b>	General Manager - Mr S. Power
<b>REPORT DATE:</b>	2 May 2024
<b>FILE NO:</b>	14.25
<b>ATTACHMENTS:</b>	1. Code of Conduct Determination Report - George Town Council - Councillor Winston Archer against Mayor [8.5.1 - 8 pages]

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**SUMMARY**

The purpose of this report is to table the Local Government Code of Conduct Panel's Determination Report relating to a Code of Conduct complaint lodged by Cr Winston Archer against Cr Greg Kieser.

**BACKGROUND**

A Code of Conduct complaint was lodged by Cr Winston Archer against Cr Greg Kieser dated 2 November 2023 and provided to the General Manager of the George Town Council.

In accordance with s.28Z (1)(a) of the Local Government Act 1993 (the Act), the General Manager referred the complaint to the Code of Conduct Panel (the Panel) by providing it to the Executive Officer of the Panel.

The Panel met to consider the complaint and determined in accordance with s.28ZG (2)(a) and (b) that the complaint would be investigated by the Panel.

The General Manager received advice from the Panel dated 23 April 2024 that in accordance with s.28ZK (2) of the Act the Panel had made its determination in relation to the complaint lodged by Cr Winston Archer against Cr Greg Kieser, enclosing a copy of the Determination Report.

The Determination Report outlines:

1. Code of Conduct Panel;
2. Summary of the Complaint;
3. Initial assessment;
4. Investigation;
5. Hearing;
6. Determination;
7. Reasons for determination;
8. Right to review.

**STRATEGIC PLAN**

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

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

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6. Difficult issues are managed in an open manner without conflict
- ii. Fostering courage, kindness and determination in working through challenges and opportunities.
  - iii. Communicating well.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

- Section 28 Local Government Act 1993
- George Town Council Code of Conduct (adopted 21 January 2019)

**RISK CONSIDERATIONS**

There are no risks recognised in Council receiving and noting the report.

**FINANCIAL IMPLICATIONS**

In accordance with s.28O of the Act, any remuneration and allowances payable to members of the Code of Conduct Panel in relation to a code of conduct complaint and its investigation and determination are payable by the relevant council.

**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.

**OFFICER'S COMMENTS**

Under s.28ZK of the Act, if the General Manager receives a Determination Report but no addendum, the General Manager is to ensure that a copy of the Determination Report is tabled at the first meeting of the relevant Council at which it is practicable to do so and which is open to the public. An addendum was attached to the Determination Report which is present to Councillors in the closed meeting of 28 May 2024.

**OFFICER'S RECOMMENDATION**

That Council:

- a) Receives and notes the Local Government Code of Conduct Panel's Determination Report attached to this report and relating to the Code of Conduct complaint from Cr Winston Archer against Councillor Greg Kieser; and
- b) Notes the tabling of the Determination Report in accordance with s.28ZK(4) of the Local Government Act 1993.

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**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**8.6 TAMAR ESTUARY AND ESK RIVERS (TEER) PROGRAM AGREEMENTS 2024 - 2028**

<b>REPORT AUTHOR:</b>	General Manager - Mr S. Power
<b>REPORT DATE:</b>	20 May 2024
<b>FILE NO:</b>	32.4
<b>ATTACHMENTS:</b>	1. TEER Collaboration Agreement 2024-2028 [8.6.1 - 22 pages] 2. Collaboration and Data Sharing Agreement [8.6.2 - 25 pages]

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**SUMMARY**

The Tamar Estuary and Esk Rivers (TEER) Program is a regional partnership of which George Town Council has been a member of since its inception in 2008.

Council's previous partnership agreement with NRM North and other TEER program partners expires on the 30<sup>th</sup> June 2024. The Collaboration Agreement and Collaboration and Data Sharing Agreement for 2024-2028 is attached.

**BACKGROUND**

The Tamar Estuary and Esk Rivers (TEER) Program is a regional collaboration between the agencies working together to coordinate management and guide investment in activities to protect, restore and enhance the kanamaluka/Tamar estuary and Esk rivers systems.

*The TEER Program provides a coordinated management approach and guides solutions and investment in activities that protect, maintain, and enhance the estuary and river systems from catchment to coast. The program focuses on improving our scientific understanding of issues impacting on the health of these waterways to better identify any target priority areas requiring investment in on-ground works. (source: teer.org.au)*

**STRATEGIC PLAN**

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

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

12. Protected local natural landscapes and values

- i. Caring for our environment.

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

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

- i. Ensuring the area's needs and priorities are understood.

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

5. Collaborative working relationships with neighbouring Councils in the region and regional organisations
  - ii. Responding collaboratively to regional initiatives.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

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**RISK CONSIDERATIONS**

No risks are identified in entering into the TEER Collaboration Agreement; and Collaboration and Data Sharing Agreement for 2024-2028.

**FINANCIAL IMPLICATIONS**

Council's funding allocation for future years will be subject to increases as presented in the table below.

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Table 1: Financial contributions from TEER Program Collaborators 2024 – 2028.

<i>Collaborator</i>	2024-25	2025-26*	2026-27*	2027-28*
<i>Department of Natural Resources and Environment Tasmania</i>				
<i>Environment Protection Authority</i>				
<i>Department of Health</i>				
<i>Launceston City Council</i>				
<i>Meander Valley Council</i>				
<i>West Tamar Council</i>				
<i>Northern Midlands Council</i>				
<i>George Town Council</i>	\$14,125.79	\$14,478.93	\$14,840.91	\$15,211.93
<i>Hydro Tasmania</i>				
<i>TasWater</i>				
<i>TasPorts</i>				
<i>Tasmanian Irrigation</i>				
<b>TOTAL</b>				

\*Collaborator contributions in 2025-26, 2026-27 and 2027-28 are estimates only and will be determined based on Hobart CPI in December each year.

Councils previous annual contribution was \$10,000 (ex GST). Provision for the new TEER contribution will be made in the draft 2024/2025 budget.

**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**

TEER representatives presented the proposed program to elected members at the 12 March 2024 Council workshop.

**OPTIONS**

Council may choose to:

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

**OFFICER'S COMMENTS**

The kanamaluka/Tamar estuary is highly valued by the community for a range of social, environmental and economic values. The health of the estuary is closely linked to the health of the waterways in its upper catchments and management of the estuary requires both government and community approach to understanding, planning for and managing the catchment.

Through the collective efforts and funding of partner organisations the health of the river has been significantly increased. It is critical that this funding and partnerships continue to ensure the river is enjoyed by all for future generations.

**OFFICER'S RECOMMENDATION**

That Council:

1. Authorise the General Manager to execute the Tamar Estuary and Esk Rivers (TEER) Program Collaboration Agreement 1 July 2024 – 30 June 2028; and
2. Authorise the General Manager to execute the Tamar Estuary and Esk Rivers (TEER) Program Collaboration and Data Sharing Agreement 1 July 2024 – 30 June 2028.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

## **9 INFRASTRUCTURE AND DEVELOPMENT**

### **9.1 TRANSFER OF ASSETS AND MEMORANDUM OF UNDERSTANDING - STATE EMERGENCY SERVICE (SES)**

<b>REPORT AUTHOR:</b>	Director Infrastructure & Development – Mr A. McCarthy
<b>REPORT DATE:</b>	20 May 2024
<b>FILE NO:</b>	45.6
<b>ATTACHMENTS:</b>	1. Mo U George Town July 2024 - 2027 final [9.1.1 - 9 pages]

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#### **SUMMARY**

This report seeks Council approval to authorise the General Manager to execute a Memorandum of Understanding (MoU) with the Tasmanian State Emergency Service (SES) which includes transferring assets to the George Town SES unit and providing financial assistance for its operations.

#### **BACKGROUND**

In the past, Council has provided vehicles, equipment and financial support to assist the George Town SES to carry out emergency response services. Duties have included road crash rescue, assistance during storms and floods and a range of other emergency events.

Last year, the State Government proposed to establish a new Act to combine the Tasmania Fire Service (TFS) and the State Emergency Service (SES). In response, the Local Government Association of Tasmania (LGAT) advised Councils to pause negotiations with individual SES units. Earlier this year, LGAT changed its advice when the State Government changed its position.

Council currently supplies the George Town SES unit with; 2x vehicles, 3x trailers and 2x all-terrain vehicles. Two generators, a radio and stabilisation set have also been provided for the vehicles. Additionally, Council has provided direct financial support to the George Town SES unit each year for recurring operating costs including equipment maintenance, vehicle insurance and registration.

In the absence of legislative reform, the proposed MoU provides certainty to the SES unit moving forward. In the event the State Government resurrects its reform of the Act, Council can set aside the MoU.

#### **STRATEGIC PLAN**

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

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

6. Responsive emergency services

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- i. Having enough professional, para-professional and volunteer emergency services personnel and equipment.
- iii. Working together with all other agencies for prevention and if necessary co-ordinated responses.

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

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

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

- *Emergency Management Act 2006*
- *Council's Plant, Vehicle and Equipment Replacement Policy, policy No.: IWI 8 - Version: 1*

**RISK CONSIDERATIONS**

In accordance with Council's adopted Risk Management Framework and Risk Matrix, entering into the MoU is considered low risk.

However, there is a risk the State Government may resurrect its reform of the Fire Service Act. Should this occur Council can terminate the agreement by exercising the following condition within the MoU:

**19. Termination**

*"Either party reserves the right to terminate this MoU at any time. Either party wishing to terminate this MoU must provide the other party with written notice".*

**FINANCIAL IMPLICATIONS**

Currently, Council pays recurring operating expenses to the SES Unit as they fall due at an average cost of \$18,000 per annum. The new MoU proposes that Council provides the George Town SES with an annual payment of \$18,000 instead. Under the proposed arrangement the payment of expenses will be the responsibility of the SES unit,

The SES contribution will be included as a line item in Council's annual budget. The contribution will have an annual adjustment of 5%.

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The MoU proposes that the following assets are transferred to the SES. Once the assets are gifted, future capital replacements will be the responsibility of the Tasmanian SES.

<b>Registration</b>	<b>Asset</b>
FO3416	2006 Ford Transit
D74KU	2013 Ford Ranger
ET7516	1980 Trailer white Box
IT2493	2007 Tandem Trailer
R05332	2013 ATV Can AM
R05331	2013 ATV Can AM
Z40RD	2013 ATV Trailer
	Generator Honda EU20i
	Generator (1) Gentech Model EP11000hsre 11kva electric start with 20hp Honda engine
	Radio installed in SES vehicle
	Stabfast Vehicle stabilisation set

The total written down value of the above assets is \$5,000 as at 1 July 2024.

### **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**

Councillors have received a briefing on this matter in a previous workshop.

Consultation has occurred with the Regional Manager of the SES and LGAT.

### **OPTIONS**

Council may choose to:

1. Support the recommendation to enter a Memorandum of Understanding with the SES as per the attached MoU.

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2. Support the recommendation to enter a Memorandum of Understanding with the SES with amendment  
or
3. Not support the recommendation

**OFFICER'S COMMENTS**

The SES provides an essential service to our community. The George Town SES unit is made up of dedicated and skilled volunteers. Financial assistance from Local Government provides critical funds to enable their highly valued emergency work to continue.

In the past, Council has supplied vehicles and equipment to the SES whilst retaining ownership of these assets. Funding has also been allocated to assist with the unit's operations.

This report seeks to provide further continuity of Council support for the George Town SES including the transfer of vehicles and equipment to the local unit and financial support via an annual payment. Capital replacement of the transferred Assets will become the responsibility of the Tasmanian SES.

Whilst the MoU specifies the intent of both parties, it is not legally binding. If circumstances change due to a review of the Fire Service Act by the State Government, either party can terminate the MoU.

**OFFICER'S RECOMMENDATION**

That Council:

1. Authorises the General Manager to execute a Memorandum of Understanding with the Tasmania State Emergency Service for three years, starting 1 July 2024 in accordance with the terms and conditions of the attached MoU.
2. Writes down the assets identified in Appendix A of the Memorandum of Understanding as at 1 July 2024 and recognise a "loss on disposal" of \$5,000.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

## **10 CORPORATE AND COMMUNITY**

### **10.1 HEALTH AND WELLBEING STRATEGY**

<b>REPORT AUTHOR:</b>	Director Corporate & Community - Ms C. Hyde
<b>REPORT DATE:</b>	6 May 2024
<b>FILE NO:</b>	21.25
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Community Consultation feedback George Town Health and Wellbeing Strategy [<b>10.1.1</b> - 2 pages]</li><li>2. George Town Health and Wellbeing Strategy - Final Draft [<b>10.1.2</b> - 27 pages]</li></ol>

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#### **SUMMARY**

This report provides Council with the final draft George Town Health and Wellbeing Strategy, after community consultation, for endorsement.

#### **BACKGROUND**

In April 2022, Council successfully obtained grant funding via the Healthy Tasmania Lift Local Grants program to develop a Health and Wellbeing Strategy for the municipality.

The aim of the strategy is to address the changing landscape of health and wellbeing in Tasmania and our local area, acknowledge the changing role Councils play in health and wellbeing and prioritise actions and resources towards local needs.

In October 2023, following a request for submission process, Enable Health Consultants were appointed to develop the strategy in consultation and collaboration with community members, partner organisations and health and wellbeing professionals within the municipality.

Council was provided the draft strategy at workshop in April, prior to the strategy being provided to the community for consultation.

#### **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.
  - v. Working towards removing all barriers to participation in community life.

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

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4. Safe and secure communities

- i. Focusing on prevention.

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

11. Healthy, active communities

- i. Knowing how to stay healthy and active and valuing good health outcomes. Eating well, active living, preventative health approaches.
- ii. Getting and staying active. Participation in recreation, arts and cultural activities.

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

1. Recreational opportunities for all

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

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

3. Social infrastructure meets community needs

- i. Developing and maintaining social infrastructure that meets the community’s changing needs.

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

4. Persons with special needs have local access to needed services

- i. Understanding local needs and service gaps.
- iii. Building local service provision capability.
- v. Increasing services available for seniors across the municipality.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

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George Town Council Community Strategic Plan 2020-2030

**RISK CONSIDERATIONS**

The success of the strategy is reliant on collaborative partnerships with various stakeholders. Governance arrangements when establishing the health and wellbeing committee will ensure clarity of roles and foster positive and productive working relationships.

**FINANCIAL IMPLICATIONS**

External funding was received for the strategy, costs associated with actions falling out of the strategy would be considered within the usual budget process.

**DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS**

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

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

**CONSULTATION**

Members of the community and leaders from organisations working in community health and wellbeing (HWB) were engaged in the development of the strategy.

Consultation was also held at the World Cafe – 49 participants, Online survey – 109 participants, three partner workshops, partner organisation interviews – 5 HWD leaders and two Council workshops.

The draft strategy was then placed out for public consultation and feedback for 21 days in April/May 2024 via Council's social media, website and through direct engagement to stakeholders and community groups.

**OPTIONS**

Council may choose to:

1. Endorse the George Town Health and Wellbeing Strategy as presented; or
2. Endorse the George Town Health and Wellbeing Strategy with amendment; or
3. Not endorse the George Town Health and Wellbeing Strategy.

**OFFICER'S COMMENTS**

The draft Health and Wellbeing Strategy was presented to elected members for review and comment at the 13 February 2024, 9 April 2024 and 14 May 2024 Council Workshop. The reviewed draft Health and Wellbeing Strategy was open for community consultation via Council's social media, website and through direct engagement to stakeholders and community groups, in accordance with Council's Community Consultation Framework.

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Council received one (1) submission from the public (attached). The submission has been considered in the final draft of the strategy.

That Council:

1. Endorses the George Town Health and Wellbeing Strategy 2024-2030.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**10.2 POTENTIAL SALE OF COUNCIL PUBLIC OPEN SPACE**

**REPORT AUTHOR:** Director Corporate & Community - Ms C. Hyde  
**REPORT DATE:** 28 May 2024  
**FILE NO:** 32.36  
**ATTACHMENTS:** Nil

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**SUMMARY**

To provide Council with an update and further information in relation to identified Council properties for sale.

**BACKGROUND**

At the March 2018 Ordinary Council meeting, Council resolved to;

*041/18 POTENTIAL COUNCIL LAND SALES*

*That Council resolve to sell Gerzalia Drive (PID 1737346) with proceeds from the sale to be invested into public open space within the community with the proposed sale to be held in abeyance until public access to the water has been confirmed.*

*And,*

*045/18 12.2 POTENTIAL COUNCIL LAND SALES*

*That the Council investigates an amalgamation of the titles of Gerzalia Drive (PID 2048374) to the adjoining land under private ownership.*

In respect to minute 041/18, council officers have identified that the closest access to the water is on Tamar Avenue. PID 1737346 does not have river frontage but rather abuts Crown Land which then goes to the river.

In respect to minute 045/18, at the time the adjacent owner did not indicate a will to amalgamate titles.

**STRATEGIC PLAN**

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

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**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 Four - Leadership and Accountable Governance**

1. A culture of engagement and participation
  - ii. Engaging over things that matter to the community.

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

6. Difficult issues are managed in an open manner without conflict
  - iii. Communicating well.

**STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS**

Local Government Act 1993 (the Act) s.177, s.177A, s.178 and s.178A

**Power to Deal with Property**

Under subsection 20 (5) of the Act a Council can acquire, hold, dispose of and otherwise deal with property.

**What is Public Property?**

Section 177A of the Act stipulates that the following land owned by a Council is determined to be 'Public Land'

- A public pier or jetty;
- Any land that provides health, recreation, amusement or sporting facilities for public use;
- Any public park or garden;
- any land shown on a subdivision plan as public open space that is acquired by Council under the Local Government (Building and Miscellaneous Provisions) Act 1993;
- any other land that the Council determines is public land

**Deciding to sell public land**

When a Council decides to deal with public land under Section 178 of the Act, it must be done in an open meeting (Sub-regulation 15 (3) (c) and passed by an absolute majority (178 (3)).

**RISK CONSIDERATIONS**

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The risks of selling public land may be that Council might determine in the future that the land was required for a park or other community purpose. Given the plentiful areas of open space within the George Town community this risk is considered low impact.

### **FINANCIAL IMPLICATIONS**

The financial implications would include costs associated with the sale or transfer of title, potential savings with respect to land tax and maintenance and future revenue as rateable property.

### **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**

Section 178 of the Local Government Act 1993, (the Act), defines an extensive public consultation process. Section 178A of the Act defines an appeal process which the community can utilise.

### **OPTIONS**

Council may choose to:

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

### **OFFICER'S COMMENTS**

The above motions of Council are on Councils outstanding motion list.

At the time of the original decision, Council considered the sale of selected properties owned by Council as a revenue source to fund public open space developments and improvements. In more recent years, developer contributions have largely been in cash and have provided an alternate source of revenue for such projects.

Considering this change and the improved financial position of Council, the need to raise revenue via sale of land has diminished. Accordingly, Council may consider rescinding the existing motions and retain the properties within the public open space asset classification.

### **OFFICER'S RECOMMENDATION**

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That Council:

1. Rescinds motions -

041/18 POTENTIAL COUNCIL LAND SALES

That Council resolve to sell Gerzalia Drive (PID 1737346) with proceeds from the sale to be invested into public open space within the community with the proposed sale to be held in abeyance until public access to the water has been confirmed. And,

045/18 POTENTIAL COUNCIL LAND SALES

That the Council investigates an amalgamation of the titles of Gerzalia Drive (PID 2048374) to the adjoining land under private ownership.

2. Instructs the General Manager to continue to include PID 1737346 and PID 2048374 on the register of public land owned by Council.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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

### **11.1 CAT MANAGEMENT POLICY**

<b>REPORT AUTHOR:</b>	Director Organisational Performance, Strategy & Engagement - Mr R. Dunn
<b>REPORT DATE:</b>	6 May 2024
<b>FILE NO:</b>	43.7
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Draft Cat Management Policy [11.1.1 - 7 pages]</li><li>2. Catownership Fact Sheet [11.1.2 - 1 page]</li><li>3. TASMANIAN CAT MANAGEMENT PLAN FINAL [11.1.3 - 24 pages]</li></ol>

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### **SUMMARY**

The purpose of this report is to provide the Council with the draft Cat Management Policy for adoption.

### **BACKGROUND**

The George Town Council 2023 – 2024 Annual Plan requires the development of a Cat Management Policy.

### **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
  - ii. Maintaining public spaces so they are clean, tidy and appealing.

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

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

- ii. Engaging over things that matter to the community.

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

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

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

The Cat Management Act 2009 prescribes roles and responsibilities for cat management.

#### **RISK CONSIDERATIONS**

The Cat Management Policy aims to reduce risk of feral and stray cat populations impacting on wildlife and encourages responsible cat ownership.

#### **FINANCIAL IMPLICATIONS**

A budget allocation to undertake a pilot feral cat management program will be submitted for Council consideration as part of the 2024/2025 budget process.

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

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

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

#### **CONSULTATION**

Consultation occurred with Elected Members at the 14 May 2024 Council Workshop.

#### **OPTIONS**

Council may choose to:

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

#### **OFFICER'S COMMENTS**

The Cat Management Act was given Royal Assent on the 17 December 2009 and was followed by the establishment of the Cat Management Regulations 2022.

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At the time the Act was being drafted and subsequently enacted, there was considerable public debate suggesting the Act did not prescribe the necessary, practical steps to address the issues raised in consultation related to expanding feral cat populations and their impact on wildlife. Additionally, the growing populations of stray cats in urban areas was also raised as a being problematic.

There was a considerable, commonly held view that the legislation did not address the day to day issues and problems that uncontrolled cat populations presented, and that the legislation focussed more on potential educational initiatives and information provision. The development of the Cat Ownership Fact Sheet and its perceived lack of detail, somewhat supported this view.

Concern was also raised about the lack of resourcing consideration needed to support organisations (including Local Government) to undertake the Actions outlined in the Tasmanian Cat Management Plan.

**OFFICER'S RECOMMENDATION**

That Council:

1. Adopts the Cat Management Policy.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

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**12 MAYOR**

**12.1 MATTERS OF INVOLVEMENT - MAYOR, DEPUTY MAYOR AND COUNCILLORS**

**REPORT DATE:** 20 May 2024

**FILE NO:** 14.11, 14.15

<b>Mayor Cr Greg Kieser</b>		
<i>April</i>	18	Attended Audit Panel Meeting
	18	Attended meeting with prospective energy company
	22	Met with Labor Party members
	23	Chaired Council workshop
	23	Chaired Ordinary Council meeting
	24	Interview Tamar FM
	25	Attended George Town ANZAC Service
	29	Attended Bell Bay Impact Brief Workshops
	30	Attended NTDC Board meeting
<i>May</i>	1	Attended NTDC Strategy Workshop
	1	Attended Youth Impact Council
	7	ABC Radio Interview
	14	Part Chaired Council Workshop
	15	Met with SunCable representatives and General Manager
	15	Presented at GTC Roadshow – Hillwood
	16	Attended Reconciliation Action Plan meeting
	18	Presented at GTC Roadshow - Weymouth
	18	Presented at GTC Roadshow – Pipers River
	20	Presented at GTC Roadshow – George Town
<b>Deputy Mayor Cr Greg Dawson</b>		
<i>April</i>	25	Attended George Town ANZAC Service
<i>May</i>	14	Part Chaired Council Workshop
	15	Attended GTC Roadshow – Hillwood
	20	Attended GTC Roadshow – George Town
<b>Cr Orr</b>		
<i>April</i>	25	Weymouth Anzac Day Service
<i>May</i>	4	Weymouth Progress Association Committee Meeting
	7	Destination Action Group Meeting
	15	GTC Roadshow - Hillwood
	18	GTC Roadshow - Weymouth
	18	GTC Roadshow – Pipers River
	20	GTC Roadshow – George Town
	20	George Town & District Historical Society Inc.
<b>Cr Ashley</b>		

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<b>May</b>	1	Attended Youth Impact Council
	15	GTC Roadshow - Hillwood
	17	Attended Raising of the IDAHOBIT Flag
	18	GTC Roadshow - Weymouth
	18	GTC Roadshow – Pipers River
	20	GTC Roadshow – George Town
<b>Cr Mason</b>		
<b>May</b>	1	Attended Youth Impact Council
	15	GTC Roadshow - Hillwood
	17	Attended Raising of the IDAHOBIT Flag
	18	GTC Roadshow - Weymouth
	18	GTC Roadshow – Pipers River
	20	GTC Roadshow – George Town

**OFFICER’S RECOMMENDATION**

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:

**13 PETITIONS**

Nil.

## **14 NOTICES OF MOTIONS**

### **14.1 GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW - CR ARCHER**

**Moved:** Cr Archer

That the General Manager's annual performance review be conducted in either a closed Ordinary Council Meeting; or closed Special Council Meeting.

**Reason:**

No reason provided.

### **DECISION**

Moved:

Seconded:

### **VOTING**

For:

Against:

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**14.2 WEYMOUTH COMMUNITY HALL DISHWASHER - CR ORR**

**Moved:** Cr Orr

The George Town Council to install a SW5000 Eswood Smartwash Dishwasher and associated costs plus \$875 towards the price of the dishwasher for the Weymouth Community Hall 18-20 Major Street Tasmania.

The dishwasher valued at \$3650 will be from the \$2000 from Commonwealth Volunteers Grant , \$875 from the Weymouth Progress Association and \$875 plus installation from the George Town Council Community Grants.

Quote attached.

**Reason:**

The Hall is situated in the beautiful coastal town of Weymouth. Once a quiet little village has now been discovered by many “Sea-Changers” The kitchen has recently been upgraded to meet current health standards thanks to a large grant obtained by the Weymouth Progress Association and a small shortfall by the Council. The welcome upgrade has resulted in more events being booked and more usage of the kitchen. The WPA uses the kitchen for their larger events such as the Weymouth Sandcastle Competition Day, Christmas in July, Winter Solstice walk, annual Birthday Celebration, Xmas – New Year get togethers, trivia nights, Anzac Day Service, and the Weymouth Easter Market. Smaller gatherings include Book Club, monthly committee meetings, four association and annual general meetings. Other groups regular book the hall via the WPA like Tamar NRM and a dance club that hire the hall for a four-day event plus members regular hire the hall for gatherings like kid’s parties.

The WPA are happy to assist with the installation of the dishwasher, contribute \$875 of their members funds and have obtained a grant of \$2000 with the assistance of Bridget Archer. Total of \$2875 plus in-kind support. This is a great opportunity for further investment in a Council owned building, at a very small cost to the Council.

**DECISION**

Moved:

Seconded:

**VOTING**

For:

Against:

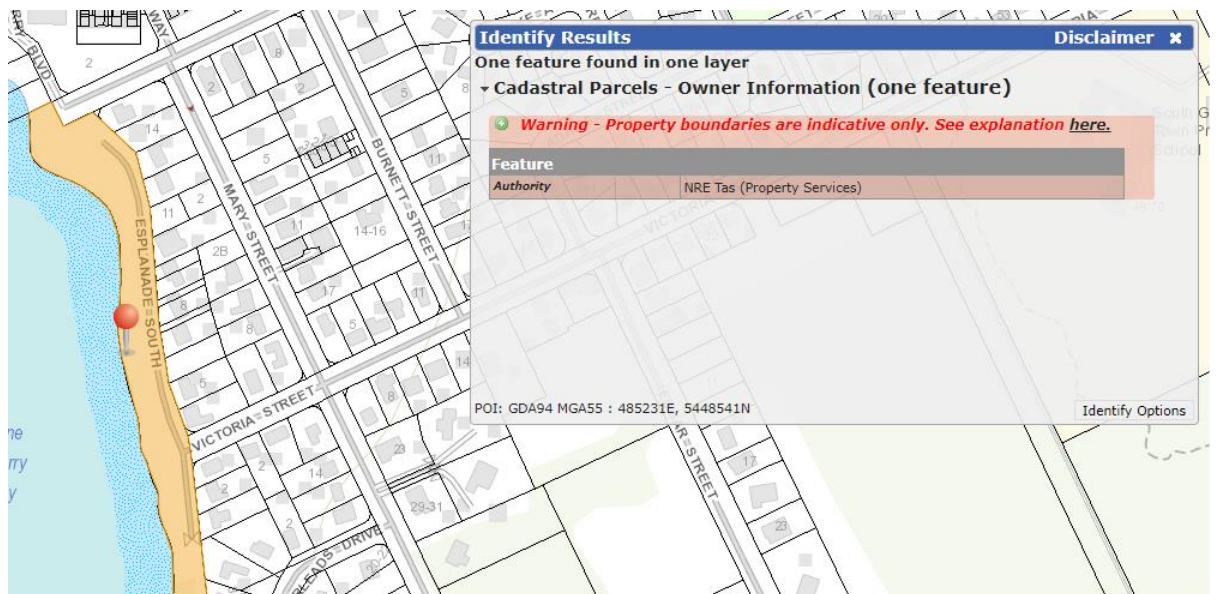
## **15 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE**

### **15.1 CROWN LAND, AUDIO RECORDING GUIDELINES POLICY, QUARTERLY REPORT - CR ORR**

- Q1. Is the roadway and land (CID 1141431) adjacent to the property boundary of No.1 and No.15 Esplanade South, Crown Land?

Response

*The subject land in the image below is Crown Land.*



- Q2. Does the George Town Council have a licence or Lease on this section of land or is NRE Tas – Property Services the authority Land Manager?

Response

*George Town Council does not have a Crown lease or license over the subject area. NRE are the land owner, however as the Local Government (Highways) Act 1982 designate Council as the road authority, which in turn enables us to undertake maintenance and construction works in relation to the road infrastructure, which includes drains, bridges, and pathways.*

*Division 1 - General powers and duties of corporations*

*21. General responsibility of corporations*

*(1) Subject to this Act, the corporation of a municipality is charged with the duty of maintaining the local highways in the municipality that are maintainable by the corporation as shown on its municipal map, and, in any particular case,*

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*it shall discharge that duty in such manner as, having regard to all the circumstances of the case, it considers practicable and appropriate.*

- Q3. At the April Council Meeting, Councillors were presented with a working document of the Council Meetings Audio Recording Guidelines Policy. This working document was adopted as per Minute No. 50/24 with a major amendment. Will the final draft of the Council Meetings Audio Recording Guidelines Policy be presented to Councillors for final adoption?

Response

*As stated in your question, Council adopted the Council Meetings Audio Recording Guidelines Policy excluding audio recording of workshops (Minute No. 50/24). This motion has been enacted by Council officers with the policy being in force and publicly available.*

*“Once a decision has been made by a current council, the outcome of that decision can only be changed firstly by way of a rescission motion and if passed the subsequent determination of an alternative course of action. The General Manager must provide specific advice to a council prior to determination of a revocation matter. A rescission motion must be given either “on notice” by a councillor at least 7 days before the meeting at which it is to be considered.” LGAT Best Practice Minute Taking for Local Government.*

*If the intent is not to alter the motion but rather to view the final draft policy, this can be provided to Councillors at a Council workshop in hardcopy or accessed via Councils website.*

- Q4. Re Quarterly Report.

Under Infrastructure and development, Minute No. 22/23 was noted as completed in the report received at the February meeting. It is still listed in the Jan – March report where it should now be off the list.

Response

*Minute No. 22/23 has been completed and has been removed from the 1 January – 31 March 2024 Quarterly Performance report.*

## **16 CLOSED MEETING**

### **16.1 INTO CLOSED MEETING**

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

**Agenda Item 16.2 Minutes of the Closed Ordinary Council Meeting held on 23 April 2024**

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

**Agenda Item 16.3 Local Government Code of Conduct – Determination Report Archer V Kieser**

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

**Agenda Item 16.4 Leave of Absence – Mayor Cr Greg Kieser**

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

**Agenda Item 16.5 Purchase of New Loader**

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

**Agenda Item 16.6 Rates Recovery for Rate Debts More than Three Years in Arrears**

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

**Agenda Item 16.7 Legal Expenditure**

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

**Agenda Item 16.8 Confidential Councillors' Questions With or Without Notice – Dalrymple and Old Bangor Tram Road Junction Upgrade – Cr Orr**

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

**REQUIRES ABSOLUTE MAJORITY OF COUNCIL**

### **DECISION**

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Seconded:

**VOTING**

For:

Against:

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**17 CLOSURE**

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

**Cr Greg Kieser  
MAYOR**