



GEORGE TOWN COUNCIL CONFIRMED MINUTES

Minutes of the Ordinary Council Meeting
held on **Tuesday 28 January 2025**

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

commencing at **1:00 pm.**

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

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

Shane Power
GENERAL MANAGER

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Meeting Commenced at 1:00 pm

Acknowledgement of Country

George Town Council acknowledges the palawa people from the litarimirina tribe from Port Dalrymple as the traditional custodians of the land.

We honour and give thanks for the caring of country, seas and skies of kinimathatakinta and surrounds.

We pay respect to the elders past, present and future for they hold the memories, traditions, culture and hope of pakana people in lutruwita.

AUDIO RECORDING OF COUNCIL MEETINGS

The public is advised that it is **Council Policy** to record the proceedings of meetings of Council on digital media to assist in the preparation of Minutes, and to clarify any queries relating to the Minutes that is raised during a subsequent meeting under the section "Confirmation of Minutes".

The recording does not replace the written Minutes and a transcript of the recording will not be prepared.

All meetings of the Council shall be digitally recorded as provided for by Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015 except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15(2).

In accordance with the requirements of Council's Audio Recording of Council Meetings Policy GTC 1, members of the public are not permitted to make audio recordings of Council meetings.

The community are requested to pre-register to attend this meeting of Council.

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

1 PRESENT

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

1.1 APOLOGIES AND LEAVE OF ABSENCE

Director Organisational Performance & Strategy - Mr R. Dunn

1.2 IN ATTENDANCE

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

2 CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING HELD 17 DECEMBER 2024

Minute No. 1/25

DECISION

Moved: Cr Harris
Seconded: Cr Dawson

That the Minutes of Council's Ordinary Meeting held on 17 December 2024 numbered 178/24 to 185/24 as provided to Councillors be received and confirmed as a true record of proceedings with the following amendments:

- that the Petition be received; and
- include that the Mayor left the meeting at the conclusion of Public Question Time and returned to the meeting to be reviewed.

VOTING

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

CARRIED 7 / 2

Cr Barwick advised that her motion title at Agenda item 14.2 should be ALGA.

3 LATE ITEMS

Nil.

4 DECLARATIONS OF INTEREST

Nil.

5 PUBLIC QUESTION TIME

5.1 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.

5.2 PUBLIC QUESTIONS ON NOTICE

Nil.

5.3 PUBLIC QUESTION TIME

Commenced at: 1.11 pm

Concluded at: 1.14 pm

Ms Hills provided Cr Barwick with a petition.

Through the Chair, the General Manager advised that under Section 58 of the Local Government Act deals with the tabling of a petition, if a Councillor has been presented with a petition they have seven (7) days to forward the petition to the General Manager.

Ms F. Hills

Q1. Ms Hills asked why is Council stalling in providing the report on the current swimming pool?

Through the Chair, the General Manager responded that Council is seeking both legal advice and permission from the third party who produced the report and if permission has been granted by the author for the release of the report.

Ms Hills questioned whether that as ratepayers we are not entitled to the report?

The General Manager advised that it depends on who owns the intellectual property. The General Manager has not received confirmation or authority to release the report publicly. It may be that Council does not have the authority to release the report. If Council does, we should and the other alternative if we do not have authority to explore a request for further information or a right to information request.

Ms Hills advised that she does not need to know who wrote the report but to receive a copy of the report.

The Chair advised that if we provide the report you will know who has done the engineers report. So Council will double check that we have permission from the author to provide the report but if you come to the counter under the Freedom of Information Act you request the report, there is a process where Council will be able to provide it.

Ms Hills commented that we have already done that and now we are being stalled. It has been 20 days and we would get it and now it has been asked for another 20 days.

The Chair advised that he did not believe there was a Freedom of Information request.

Q2. Ms Hills request that Council hold a public meeting about the swimming pool before anything is done at the current site?

The Chair advised that Council will look at the petition and make a determination.

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5.4 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME

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

Mr G. Neilsen



13 January 2025

Mr Graeme Neilsen
51 Tamar Avenue
George Town TAS 7253

Dear Mr Neilsen,

Re: Public Question Time – 17 December 2024 Ordinary Council Meeting

Thank you for attending the 17 December 2024 Ordinary Council meeting where you asked the following question which was taken on notice by the Chair:

Q2. This question is directed to the General Manager.

In following up certain matters in regard to the approval process for the aforementioned subdivision plus my concerns that Council may have breached a key provision of the Local Government Act I ask:

Why did you advise me via email on two separate occasions the following? First "Council is not aware of any requirements to re-imburse any past, current or future developers"; and

Secondly "Council has not made any arrangements for re-imbursement as it is not aware of any requirement to do so".

Clearly both of these advices are misleading as the conditions recommended and approved by elected members state clearly that Council will re-imburse the developer from Public Open Space contributions.

Response

As per previous advice:

"As explained to you in my emails of 20 June 2023 and 3 August 2023:

- 1. Council is functus officio (i.e. it has discharged its function) with respect to the granting of Subdivision Permit DA 2022/75 and its associated conditions, therefore Council cannot revisit (e.g. amend) the permit; and*
- 2. in response to your questions and correspondence on this issue since the April 2023 Council meeting, I ultimately sought legal advice (over which privilege is maintained) to identify the nature of your complaint and address it (i.e. the operation of s 117(5) of the Local Government (Building and Miscellaneous Provisions) Act 1993 and conditions 2(f) and 10 of Subdivision Permit DA 2022/75) and Council will apply that advice going forward.*

I reject your suggestion that any of my correspondence with you, elected members or the community was in any way misleading or inconsistent with facts known to me.

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I consider this matter closed.”

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SP', with a long horizontal flourish extending to the right.

**Shane Power
GENERAL MANAGER**

6 GENERAL MANAGER'S DECLARATION

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

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



Shane Power
GENERAL MANAGER

LOCAL GOVERNMENT ACT 1993 – SECTION 65

65. Qualified persons

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

The General Manager advised that contained in the Minutes at Page 23 the Chair acknowledge and accepted the petition and advised that it would be checked that it meets the standards and Council would write back to Ms Hills.

The Chair advised that Council have had a second petition delivered.

7 PLANNING AUTHORITY

7.1 DA 2024/106 - 10 MARINA WAY, GEORGE TOWN (CT 151813/12) - RESIDENTIAL - SINGLE DWELLING

REPORT AUTHOR: Town Planner - Mr A. Bowles
REPORT DATE: 14 January 2025
FILE NO: DA 2024/106

The Senior Planner entered the meeting at 1.17 pm.

Minute No. 2/25

DECISION

Moved: Cr Lowe
Seconded: Cr Mason

That the application for use and development, Residential - Single Dwelling at 10 Marina Way, George Town (CT 151813/12) 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. Wilson Homes, project no. 713945, sheets no. 1 to 15 inclusive, revision 7, dated 13 December 2024;
- b. Wilson Homes, Colour Scheme, dated 16 January 2025;

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

2. EXTERNAL COLOURS

The external finished colours of the dwelling are to be consistent with the endorsed colour scheme, unless otherwise approved by Council's Director Infrastructure and Development.

3. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

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

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- 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 directly or indirectly into Council's drains and watercourses; and
- d. noise;

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.

4. 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.

5. DAMAGE TO PUBLIC INFRASTRUCTURE

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

Permit Notes

1. This permit was issued based on the proposal documents submitted for DA 2024/106. 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) Plumbing approval
 - b) Building approval
 - c) Approval to undertake works in the Council road reserve.
 - d) Approval to connect to the reticulated stormwater network.

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

3. This permit takes effect after:
 - i. the 14 day appeal period expires; or
 - ii. any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or
 - iii. any agreement that is required by this permit pursuant to Part V of the *Land Use Planning and Approvals Act 1993* is executed; or any other required approvals under this or any other Act are granted

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4. A planning appeal may be instituted by lodging a notice of appeal with the Tasmanian Civil & Administrative Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Tasmanian Civil & Administrative Tribunal website www.tascat.tas.gov.au.
5. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted at Council's discretion if a request is received within 6 months of the expiration.
6. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
7. Covenants registered to the title are not taken into consideration as part of a planning assessment and approval under the *Land Use Planning and Approvals Act 1993* does not over ride covenants. It is the responsibility of the land owner to ensure they are in compliance with any covenants. If uncertain, it is recommended that you seek legal advice.
8. 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.
9. If any Aboriginal relics are uncovered during works:
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania
Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania)
Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.
10. If this development application has been subject to the advertisement process, 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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VOTING

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

CARRIED 8 / 1

8 OFFICE OF GENERAL MANAGER

8.1 COUNCIL WORKSHOP DECEMBER 2024

REPORT AUTHOR:	General Manager - Mr S. Power
REPORT DATE:	20 January 2025
FILE NO:	14.10

Minute No. 3/25

DECISION

Moved: Cr Mason
Seconded: Cr Ashley

That Council:

1. Receives the report on the Council Workshops held on the 17 December 2024.

VOTING

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

CARRIED UNANIMOUSLY 9 / 0

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8.2 ADVOCACY PLAN - AMENDMENT

REPORT AUTHOR:	General Manager – Shane Power
REPORT DATE:	12 January 2025
FILE NO:	17.6

Minute No. 4/25

DECISION

Moved: Cr Orr
Seconded: Cr Dawson

That Council:

1. Approves the inclusion of the East Arm Road project in the George Town Council Advocacy Plan.

VOTING

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

CARRIED 8 / 1

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8.3 DRAFT MODEL DISPUTE RESOLUTION POLICY

REPORT AUTHOR:	General Manager - Mr S. Power
REPORT DATE:	14 January 2025
FILE NO:	14.13

PROCEDURAL MOTION

Moved: Cr Archer
Seconded: Cr Barwick

That Council:

1. Consider the Model Dispute Resolution Policy at the Council Workshop.

Cr Barwick raised a point of order in relation to the motion not being a procedural motion at 1.37 pm.

The Chair considered it as a procedural motion.

Cr Archer raised a point of order at 1.38 pm.

The Chair advised that Council is in the middle of a vote.

Cr Archer was given his first warning at 1.39 pm.

The Chair advised that he would allow Cr Archer to explain his point of order.

Cr Archer advised that his point of order was that his motion was not a procedural motion.

The Chair ruled that it was a procedural motion.

VOTING

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

LOST 4 / 5

Cr Archer raised a point of order in relation to the Chair that the motion cannot be debated at 1.44 pm.

The Chair ruled that he was answering a question.

Cr Dawson left the meeting at 1.48 pm.

Cr Dawson returned to the meeting at 1.50 pm.

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Minute No. 5/25

DECISION

Moved: Cr Dawson

Seconded: Cr Harris

That Council:

1. Adopt the Model Dispute Resolution Policy.

VOTING

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

Against: Cr Archer, Cr Barwick, Cr Lowe and Cr Orr

Abstained: Nil

CARRIED 5 / 4

The Chair requested that the Model Dispute Resolution Policy to be included in the February workshop agenda.

9 INFRASTRUCTURE AND DEVELOPMENT

Nil.

10 CORPORATE AND COMMUNITY

Nil.

11 ORGANISATIONAL PERFORMANCE & STRATEGY

Nil

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12 OFFICE OF THE MAYOR

12.1 MATTERS OF INVOLVEMENT - MAYOR, DEPUTY MAYOR AND COUNCILLORS

REPORT DATE: 22 January 2025

FILE NO: 14.11

Mayor Cr Greg Kieser		
December	17	Chaired Council Workshop
	17	Part Chaired Ordinary Council Meeting
	17	Attended End of Year Assembly Port Dalrymple School
	18	Tamar FM Interview
	19	Attended and contributed to the Dining with Friends Christmas Dinner
January	13	Met with prospective business
	14	Met with Community Housing representatives
	22	Met with Bass candidate
	22	Met with Liberty GfG representatives
Deputy Mayor Cr Greg Dawson		
December	17	Part Chaired Ordinary Council Meeting
January	17	Attended the opening of "Wildly Woven: The Textures and Colours of Lutruwita/Tasmania's Spirit"
	18	Attended and participated in the Ragwort Raid at Pipers River
Cr Jason Orr		
December	17	RESET Graduation – Port Dalrymple School

Minute No. 6/25

DECISION

Moved: Cr Orr
Seconded: Cr Mason

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

*The Director Corporate and Community entered the meeting at 2.05 pm.
The Director Corporate and Community left the meeting at 2.06 pm.*

VOTING

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

CARRIED UNANIMOUSLY 9 / 0

13 PETITIONS

Cr Barwick presented a petition received from Ms Fiona Hills titled "Save our Pool" to the General Manager.

14 NOTICES OF MOTIONS

14.1 COUNCIL WORKSHOPS - CR BARWICK

DECISION

Moved: Cr Barwick
Seconded: Cr Lowe

Move that "notes" taken at each Council Workshop be typed up and given to Councillors each month like those supplied to the Progress/Community Associations Meeting Group.

VOTING

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

LOST 2 / 7

The Chair requested that the Council Workshop notes be listed for discussion at a workshop.

14.2 ALGA CONFERENCE - CR BARWICK

DECISION

Moved: Cr Barwick
Seconded: Cr Archer

That Council does not send a delegate to the ALGA Conference to be held in Canberra on 24 - 27 June this 2025.

The General Manager Mr Shane Power left the meeting at 2.28 pm.

Mr Andrew McCarthy assumed the role as Acting General Manager for the remainder of the meeting at 2.28 pm.

VOTING

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

LOST 2 / 7

15 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE

Cr Barwick

On the 19th. November 2024 Mr. Scott Mason conducted the mid-year performance review with the General Manager Mr. Shane Power, by zoom.

Question 1.

General Managers Review.

That the report from Mr. Scott Mason on the mid-year review of the General Manager, Mr Shane Power be presented to councillors for discussion and approval.

Response

The mid-year review of the General Manager can be provided to the Closed Ordinary Council meeting 25 February 2025.

Question 2.

As Council was successful in its application for a grant from Isolated Communities Resilience Grant to purchase 5 x 9kva generators and fuel containers where are the 5 areas that these generators will go?.

Response

The generators will be provided at Beechford, Bellingham, Hillwood, Lulworth and Weymouth.

Question 3.

Seniors Exercise Equipment.

Request that a final report on the feasibility to reinstate the Seniors Exercise Equipment on Regent Square, be presented to the February Council meeting for a final decision.

Response

Elected Members were provided with the report on the Seniors Exercise Equipment at the 12 July 2022 Council Workshop and is available on the Councillors' intranet. Copies are available upon request.

Question 4

Egg Island Reserve clarification.

Is this area under a Crown Licence or Crown Lease?

Response

Council has a licence over a portion of the Egg Island Reserve. The licence accommodates Council's existing shared walking and cycle trail (which terminates at Egg Island Reserve) and

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makes provision for the trail to be extended into the reserve in accordance with the adopted Hillwood Open Space Plan.



Egg Island Reserve Licence

Cr Dawson raised a point of order in relation to Cr Barwick on the basis that the Chair had not called for Agenda Item 15 at 2.38 pm.

Cr Dawson left the meeting at 2.39 pm.

Cr Dawson returned to the meeting at 2.39 pm.

Cr Orr raised a point of order on the basis is Council is having a debate at 2.40 pm?

The Chair replied that Council is not having a debate.

Cr Archer

Q1. Has settlement occurred for the purchase of 4 Sorrell Street, George Town?

The Chair advised that settlement has occurred.

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When did settlement occur?

Through the Chair, the Director Infrastructure and Development took the question on notice.

Q2. Has 4 Sorrell Street listed with an agent to seek a tenant?

Through the Chair, the Director Infrastructure and Development confirmed that it has.

Q3. Ms Hills referred to a Right to Information in Public Question Time and the difficulty in getting the information requested. Mr Archer understands that Council has claimed an extension of time under Section 37 subsection 1 of the Right to Information Act. The information being related to Trade secrets or that disclosure of that information would likely expose the third party to competitive disadvantage. How can an engineers report that Council has sought expose the creator of that report to losing trade secret or exposing them to a competitive disadvantage?

The Chair advised that all commercial-in-confidence items need to be moved to closed and asked Cr Archer if the question can be moved?

Cr Archer raised a point or order at 2.43 pm in relation to the Chair brought up things that are not claimed in their extension of time to assess. Council has specifically claimed to consult with the author of the report specific to trade secrets and information that would expose the third party to competitive disadvantage.

The Chair clarified that he did not wish Council to be exposed in anyway during debate should confidential information be accidentally exposed.

Cr Archer asked has Council made any attempt to dedact any sensitive or potentially sensitive information from the engineers report relating to the current swimming pool. Cr Archer believes that there is nothing to expose Council to risk. Cr Archer asked again, has Council provided the engineers report on the current swimming pool with any information dedacted?

The Chair instructed the minute taker to capture the question formally and have it reintroduced in the closed session of the meeting in Questions without Notice and provide Cr Archer with an answer.

Cr Barwick

Cr Barwick advised that the Chair had advised a gentlemen to apply under the Right to Information for the report. that gentlemen did apply under Right to Information and got a response in the time frame, in that time frame the General Manager asked for an extension of time and the gentlemen would not get the report to be able to read the engineers report prior to the closing of the planning application.

The Chair responded that the General Manager has provided the response and requested that discussion cease and move the topic into closed session.

Cr Archer

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Q. At the previous council meeting the engineers report for the swimming pool was asked for and it was referred by the Chair to apply for it under the Right to Information. Who did you consult with in giving the answer to that question?

The Chair advised that Council is continuing on with the same line of questioning and move it to closed as the risk profile is unacceptably high and responded to the question advising that the Chair made to reference and is familiar with the Local Government Act and if a person wants to apply under the Right to Information Act they are allowed to request.

Cr Archer raised a point of order 2.48 pm in relation to the Chair on the basis that there was a specific request at the last meeting by a member of the public under Public Question Time and referred them to apply under the Right to Information for the information.

The Chair confirmed that he referred them to apply under that framework.

Cr Archer re-iterated his question Who did you consult with, if anybody, to suggest that the member of the public apply under the Right to Information?

The Chair advised that he has had many different occasions where these requests have been received and it was a general reference. The Chair was simply citing that this framework exists and they are welcome to make an application under that framework. Should they want the information this is an avenue that they can pursue.

16 CLOSED MEETING

16.1 INTO CLOSED MEETING

Minute No. 7/25

DECISION

Moved: Cr Ashley
Seconded: Cr Mason

That Council move into closed meeting at 2.50 pm to discuss the following items:

Agenda Item 16.2 Minutes of the Closed Ordinary Council Meeting held on 17 December 2024

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

Agenda Item 16.3 Legal Expenditure

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


VOTING

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

CARRIED UNANIMOUSLY 9 / 0

17 CLOSURE

There being no further business, the meeting closed at 3.55 pm.



**Cr Greg Kieser
MAYOR**