



GEORGE TOWN COUNCIL AGENDA

Notice is hereby given
that the next Ordinary Council Meeting
will be held on
Tuesday 25 March 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.

Rick Dunn
ACTING 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.

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1 PRESENT

1.1 APOLOGIES AND LEAVE OF ABSENCE

1.2 IN ATTENDANCE

2 CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING HELD 25 FEBRUARY 2025

RECOMMENDATION

That the Minutes of Council's Ordinary Meeting held on 25 February 2025 numbered 012/25 to 021/25 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 DECLARATIONS OF INTEREST

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.

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

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5.2 PUBLIC QUESTIONS ON NOTICE

Nil.

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5.3 PUBLIC QUESTION TIME

Commenced at:

Concluded at:

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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.")

Nil.

6 ACTING 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.



Rick Dunn
ACTING 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 DA2024/26 - 32-42 MACQUARIE STREET, 7 BATHURST STREET, CHARLES ROBBINS PLACE AND ADJOINING ROAD RESERVES, GEORGE TOWN - MIXED USE DEVELOPMENT

REPORT AUTHOR:	Senior Town Planner - Mr J. Simons Town Planner - Mr A. Bowles
REPORT DATE:	11 March 2025
FILE NO:	DA 2024/26
ATTACHMENTS:	<ol style="list-style-type: none">1. DA 2024/26 - Assessment of Compliance with Acceptable Solutions [7.1.1 - 39 pages]2. DA 2024/26 - Plans & Supporting Documents [7.1.2 - 116 pages]3. DA 2024/26 - Representation - M Edwards [7.1.3 - 2 pages]4. DA 2024/26 - Representation - A Park and S Davies [7.1.4 - 3 pages]5. DA 2024/26 - Applicant Response to Representations [7.1.5 - 3 pages]6. DA2024/26 - TasWater SPAN TWDA 2024/00470-GTC [7.1.6 - 7 pages]7. DA2024/26 - TasNetworks Referral [7.1.7 - 1 page]

APPLICATION INFORMATION

Planning Instrument:	<i>Tasmanian Planning Scheme – George Town</i>
Applicant:	Tasmania Tamar Tourism Industry Group
Site Address:	32-42 Macquarie Street, 7 Bathurst Street, Charles Robbins Place and adjoining road reserves, George Town
Titles Details (CT no.):	47304/16, 226116/1, 124582/1, 124582/2, 124582/3, 124582/4, 156829/1, 156829/2, 156829/3 & 142619/2
Property ID:	2589680, 6441253 & 3111371
Zone:	General Business Zone
Use:	Visitor Accommodation, Residential & General Retails and Hire

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Proposed Development: Mixed Use Development – Visitor Accommodation (Serviced Apartments, Café & Bar), Residential (Multiple Dwellings x13) & General Retail and Hire (Commercial Shops) - Demolition and Redevelopment

Application Received: 2 December 2024

1. SUMMARY

An application under Section 57 of *The Land Use Planning and Approvals Act 1993* has been received by Council for a Mixed Use Development - Visitor Accommodation (Serviced Apartments, Café & Bar), Residential (Multiple Dwellings x13) & General Retail and Hire (Commercial Shops) - Demolition and Redevelopment at 32-42 Macquarie Street, 7 Bathurst Street, Charles Robbins Place and adjoining road reserves, George Town (CT's 47304/16, 226116/1, 124582/1, 124582/2, 124582/3, 124582/4, 156829/1, 156829/2, 156829/3 & 142619/2).

The development is of significant scale, occupying ten (10) existing commercial titles on the corner of Bathurst Street and Macquarie Street. Given the footprint of the development, its scale is significantly greater than other developments currently in George Town.

Two (2) representations were received during the advertising period. These representations are considered in the assessment below. While impacts on existing residential developments have been raised, these dwellings are located in the General Business Zone, which contains few provisions intended to protect residential amenity. Both residences are on large lots with capacity to mitigate privacy impacts through landscaping or separation.

Impacts on the adjoining commercial uses will generally be limited to the construction phase, beyond which the proposal is compatible with the surrounding commercial land uses.

While the development does not provide any parking for the commercial component and only one parking space per dwelling, it is noted that the site is largely within the area covered by the parking precinct plan and there is a significant amount of parking available in the immediate vicinity. Over reliance on parking immediately outside of the building can be reasonably managed by the Road Authority.

Generally, the development is consistent with the intent of the General Business Zone, comprising a commercial use in a prominent location within the central business area. The residential component on Bathurst Street will contribute to the viability and vibrancy of the commercial area by increasing the presence of people in the central area. The residential component is not considered to compromise the function of the activity centre.

The proposed development is considered to comply with the applicable Acceptable Solutions and Performance Criteria of the Planning Scheme and is recommended for approval with conditions.

2. STRATEGIC PLAN

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

Future Direction Four- Leadership and Accountable Governance

33. Fair and open planning regulatory processes

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- i. There is community 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. Two (2) representations were received, signed by four individuals, and are 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

The subject site is located on the corner of Macquarie Street and Bathurst Street, incorporating 32-42 Macquarie Street, 7 Bathurst Street, Charles Robbins Place and adjoining road reserves, George Town (CT's 47304/16, 226116/1, 124582/1, 124582/2, 124582/3, 124582/4, 156829/1, 156829/2, 156829/3 & 142619/2).

The site is currently a mix of vacant land and commercial properties. The site currently has 4 known commercial tenants, Kaizen Hair, APM Employment Services, Pink Poodle Vintage and BeYoung Massage. The site also incorporates the former Chickenfeed building on the corner of Macquarie and Bathurst Streets, and two additional vacant commercial buildings to the rear.

The site surrounds Charles Robbins Place, a portion of which is a private accessway and is proposed to be incorporated into the development.

The site is covered by the Macquarie Street Parking Precinct Plan and a low risk Coastal Erosion Hazard Band.

The land is generally very flat with some slight fall toward York Cove.

The land is serviced by reticulated water, sewerage and stormwater, and has frontage to both Bathurst Street, Macquarie Street and the public section of Charles Robbins Place.

The land is located within the commercial centre of George Town. Commercial land uses adjoin the property to the south, east and west. Regent Square and the Community Hub are located to the north. The land adjoins residential properties to the south-west.



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

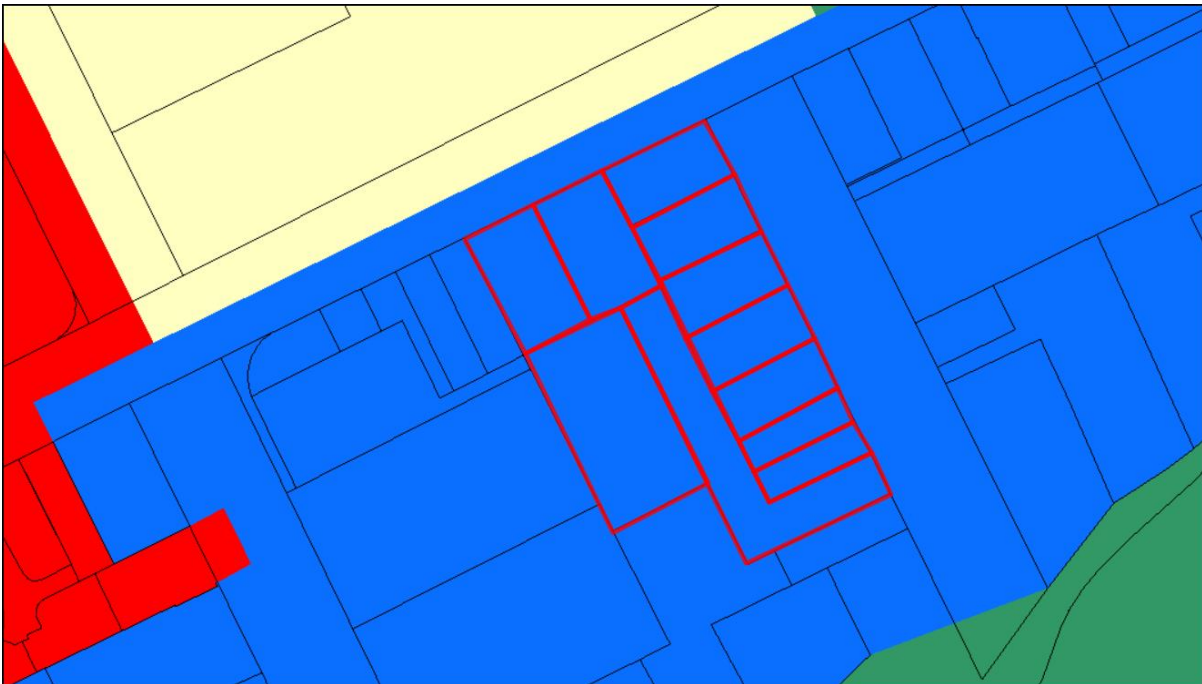


Figure 2: Zoning of subject title (outlined in blue) and surrounding land.

7. DEVELOPMENT AND USE DESCRIPTION

The application seeks approval for the use and development of the site at 32-42 Macquarie Street, 7 Bathurst Street, Charles Robbins Place and adjoining road reserves, George Town (CT 47304/16, 226116/1, 124582/1, 124582/2, 124582/3, 124582/4, 156829/1, 156829/2, 156829/3 & 142619/2) for Mixed Use Development - Visitor Accommodation (Serviced

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Apartments, Café & Bar), Residential (Multiple Dwellings x13) & General Retail and Hire (Commercial Shops) - Demolition and Redevelopment.

The proposed development is a mixed-use project.

The commercial component includes 28 serviced apartments on the first and second floors, with ground-level access on Bathurst Street through a reception/cafe area. The ground floor will feature a reception, guest lounge, office, coffee shop/dining room, conference room, meeting room, gym, and various service rooms. The roof will include a communal lounge, rooftop bar, and terrace area with a planted pergola. Additionally, three retail spaces (Shop 1: 128.7 sqm, Shop 2: 128.67 sqm, Shop 3: 117.98 sqm) will be located on the ground floor fronting Macquarie Street.

13 two-storey townhouses are also proposed, with seven fronting Bathurst Street and six fronting Charles Robbins Place. The Bathurst Street townhouses feature two bedrooms on the ground level, one of which has potential for commercial purposes, and two additional bedrooms on the first floor, along with an open-plan kitchen, dining, and living space. The townhouses along Charles Robbins Place have their living, dining, and kitchen areas on the ground floor, opening onto a terrace, with three bedrooms on the first floor. All units include a single car garage.

Landscaping is intended to be provided along Charles Robbins Place, the internal laneway, and along Bathurst Street.

Redundant crossovers are intended to be removed from Bathurst Street, potentially facilitating three additional on street parking spaces.

The building will have a maximum height of 14m. The main section of the structure is 11.3m in height, with the rooftop terrace (bar area) adding 2.7m to the overall height. The townhouses will reach a maximum height of 7m at the southern end of the site.

The commercial building is positioned along the Macquarie Street frontage, establishing a prominent, active street presence. On the eastern boundary facing Bathurst Street, setbacks range from 1.6m to directly on the boundary. The building will typically feature setbacks of approximately 2.2m to 3.8m on the western rear boundary.

The developer intends to retain ownership of the site and manage it as a single complex, but may consider strata in the future.

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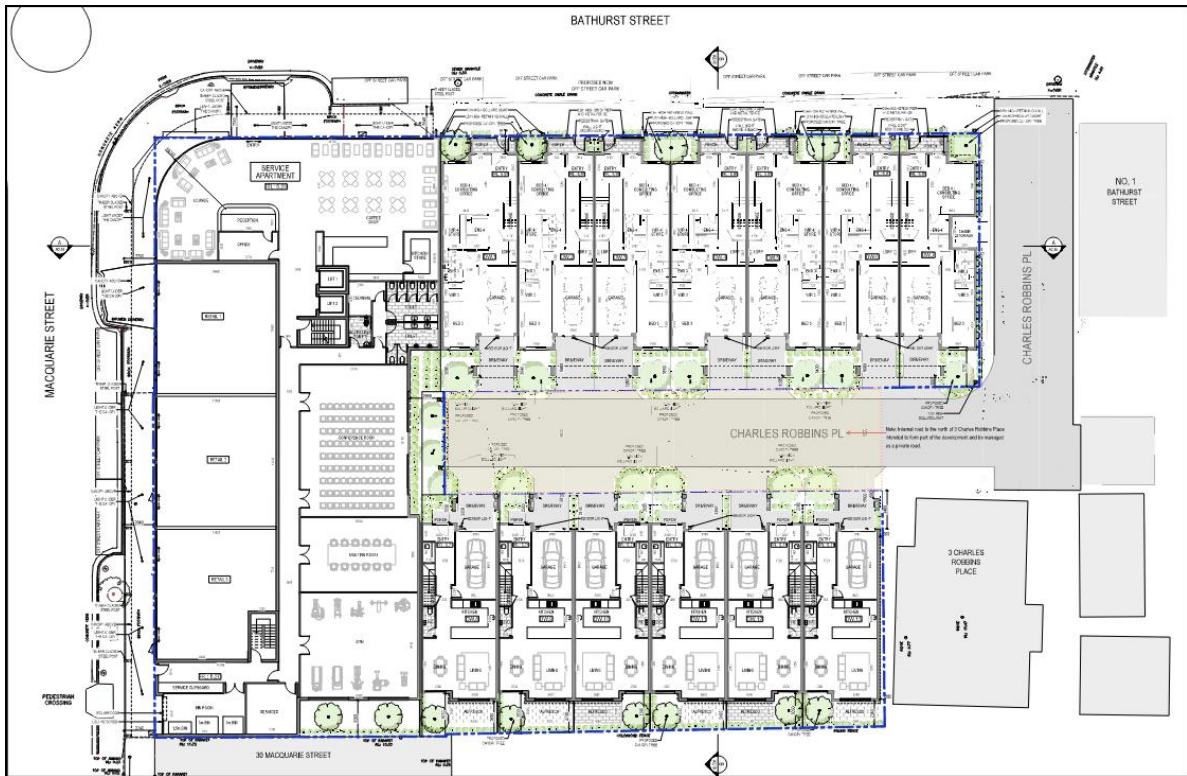


Figure 3: Proposal Plans - Site Plan



Figure 4: Proposal Plans - East Elevations (Bathurst Street)



Figure 5: Proposal Plans - Northern Elevations (Macquarie Street)

The full plans submitted are included in the attachments.

8. REPRESENTATIONS

The application was advertised for community consultation from 8 February 2025 to 24 February 2025. Two (2) representations were received and are summarised below.

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

Issues Raised in Representations	Planner Response
<p>There is no off-street parking provided for staff or serviced apartments. The development will also lead to a loss of parking during construction.</p>	<p>There is significant parking available within convenient walking distance of the site, including approximately 130 formalised off-street public car parking spaces and 70 formalised on-street public car parking spaces within 100m of the development.</p> <p>When a 400m walking distance is considered and all informal parking on side streets is considered the available parking increases significantly.</p> <p>There is considered to be sufficient public parking within 100m of the site, providing ample parking for both staff and patrons. Given this, the area is well-served in terms of parking availability and no additional parking for the site is required.</p> <p>Regarding the construction phase, while there may be a temporary loss of parking, the impacts will be short lived and would be similar to the impacts associated with any major development in the central area. The available public parking spaces in the vicinity are considered to be adequate to accommodate displaced vehicles.</p> <p>Notably, most of the site is within a Parking Precinct Area within the <i>Tasmanian Planning Scheme – George Town</i>. This Parking Precinct Plan (see C2.7 of the Planning Scheme) covers a predominant amount of the CBD area of Macquarie Street and is intended to minimise the amount of on-site car parks. This is to remove areas dedicated to parking required on sites within the CBD to ensure car parking does not dominate frontages of the streetscape. In this respect, the proposal should minimise parking on the site consistent with this plan.</p> <p>It is not unusual in the central area of towns and cities for parking to be located off-site and Council has the capacity as Road Authority to manage long term parking in the central area through additional regulation should it be required.</p> <p>Therefore, requiring additional parking on the site is not considered necessary, is not</p>

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	<p>grounds to refuse the application, and can be managed through other mechanisms if impacts arise.</p>
<p>Suggestion to extend hours of loading zone until 9pm.</p>	<p>The existing loading bay is not limited by time and is currently reserved for loading 24 hours a day. No further provisions are considered necessary.</p>
<p>The location of the service area near the boundary is considered problematic for the outdoor dining in the area, due to potential smells and customer discomfort.</p>	<p>Odour is generally managed through the <i>Environmental Management and Pollution Control Act 1994</i> for odour and the <i>Local Government Act 1993</i> for general nuisance. These acts are generally the most appropriate mechanisms for addressing the concerns outlined by the representor.</p> <p>The waste area will be located behind a roller door within large, lidded bins, which will significantly mitigate visual impacts and odour produced by this area. Given the frequency of waste collection, it is not anticipated that the proposal will allow build up and storage of waste to a point where it will cause a nuisance.</p> <p>In accordance with the waste management plan, collection will occur outside of general business hours and for the most part the waste collection area will be both sealed and screened.</p> <p>It is also noted that it is in the commercial interests of the landowner to maintain the waste storage area in a reasonable condition, particularly given its prominent location.</p>

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<p>The proposed building is represented as three stories, but it appears to be four stories. Is this compatible with the existing development in the area?</p>	<p>The proposed building's height and its compatibility with the existing development in the area have been assessed in accordance with the performance criteria outlined in the planning scheme. For an assessment against this criteria, please refer to <i>9.2 Planning Scheme Assessment - 15.4.1 (P1)</i>, which includes the relevant assessment of the proposal.</p> <p>The proposed structure has a total height of 14m. However, structures on the terrace are setback more than 6m from the edge of the building, minimising their visibility when viewed from the immediate surrounds. While it will certainly be visible from further away, the distance between the viewer and the structure will assist to mitigate the impact of the height. The primary mass of the building fronting Macquarie Street will be approximately 11.34 metres in height.</p> <p>When compared to the height of nearby buildings, the overall scale of the proposed development is not considered 'out of character' with the area. For instance, the boat shed at the Bass and Flinders Centre nearby has a height of 14.375m, while the memorial hall stands at approximately 11m. Given these existing structures, the proposed building's height, while certainly prominent in its location, does not undermine the character of development in the area when considered within the broader context of the neighbourhood.</p>
<p>The proposed building is too tall, as it overshadows 30 Macquarie Street.</p>	<p>The proposed building's overshadowing of 30 Macquarie Street, George Town is limited to the roof. The entire title of the proposed development is roofed, and there are no windows, skylights, or solar arrays within this roofed area. Therefore, there is negligible impact to solar access of any features that require or even where it would be desirable for sun to be maintained. For all intents and purposes, 30 Macquarie Street does not rely on or benefit from the current solar access, and the impacts will be negligible.</p> <p>The assessment of overshadowing within the General Business Zone only considers</p>

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	<p>overshadowing public places not private land which is assessed as part of 9.2 <i>Planning Scheme Assessment - 15.4.1 (P1)</i>.</p> <p>The impacts to 30 Macquarie Street, George Town from overshadowing is considered reasonable and therefore no conditions are recommended in respect of this concern.</p>
<p>Drainage concerns – will there be adequate drainage provided for the development?</p>	<p>The site is currently serviced by Council’s reticulated stormwater system and the development will be required to manage drainage in accordance with the <i>Urban Drainage Act 2013</i> and will be constructed in compliance with the plumbing requirements set out in the <i>Building Act 2016</i>.</p> <p>As part of the recommendation a condition is included which requires the submission of a stormwater management plan, including provisions for stormwater detention to ensure the existing system has capacity to deal with increased stormwater.</p>
<p>Concerns construction and demolition could disrupt business operations, especially the presence potential of asbestos. Would the developer be liable for damages to adjoining properties during demolition or construction.</p>	<p>Unintentional damage to adjoining properties cannot be reasonably foreseen and is a civil matter between the landowner(s) and their neighbours. The <i>Building Act 2016</i> does include some requirements to undertake protection works in some circumstances.</p> <p>The general impacts of this development are temporary in nature, as is the case with any construction, and it is not expected to cause significant disruption to businesses in the area. While some disruption to footpath usage and adjacent parking may occur during the construction phase, it is anticipated to be temporary.</p> <p>It is recommended that a condition be placed on the permit requiring a Road and Pedestrian Management plan to be submitted prior to the commencement of works which identifies how disruptions to public infrastructure, including any road and footpath closures will be managed to ensure the timeframes associated with disruptions are limited.</p>

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	<p>A condition is included in the recommendation requiring the developer to provide a Construction Environmental Management plan. This plan must outline measures taken to reduce/prevent environmental impacts and nuisance from affecting the public domain/infrastructure and adjoining properties, to the satisfaction of Council's Director of Infrastructure and Development.</p> <p>Ultimately environmental impacts, such as noise and dust impacts may be further regulated by the <i>Environmental Management and Pollution Control Act 1994</i>.</p> <p>Regarding asbestos, if present, it must be removed by a licensed asbestos removalist in compliance with the <i>Work Health and Safety Act 2012</i> and the associated regulations. This legislation requires the preparation of a removal plan, the erection of appropriate barricades, and notification to those occupying the immediate vicinity of the worksite. A note is recommended for inclusion on the permit drawing the developer's attention to the legislation applicable to asbestos removal.</p>
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Privacy issues for the adjoining properties to the west, particularly from potential overlooking due to the height

The subject site and adjoining properties are located within the General Business Zone. As the intent of the zone is to support business activities, there are few provisions which consider residential privacy. Specific provisions relating to residential privacy are only applicable to sites in proximity (within 50m) to an Inner or General Residential Zone.

The nearest site with this residential zoning is approximately 65m away from the subject site, which means Council does not have a direct ability to refuse the application on privacy impacts.

All first floor windows are more than 3m from the boundary shared with the residential properties on Elizabeth Street. The nearest first floor balcony is 2.2m from the shared boundary. The Acceptable Solution applied to privacy in the General Residential and Inner Residential Zone is a setback of 4m.

While there are no standards applicable, in this instance the impacts of privacy are considered to be reasonable. The dwellings at 4 and 6 Elizabeth Street are both located more than 30m from the shared boundary. This separation is adequate to mitigate impacts on privacy for the dwellings.

Both properties also include extensive gardens, which extend to the shared boundary. In both cases the principle open space area does not appear to be within 4m of the rear boundary. And there is ample opportunity for the owners to undertake additional landscaping to provide additional privacy if desired.

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Reduction in property value due to proximity, density and height of the proposed development.

Impacts to property values are not considered in an assessment against the *Tasmanian Planning Scheme – George Town* and cannot be addressed.

The planning assessment is confined to those matters that are contained within the planning scheme. This concern is unable to be addressed within an assessment against the planning scheme.

No conditions are recommended to address this matter.

Although not able to be considered within the assessment, please note that the endorsed *George Town Structure Plan 2021* outlines that the CBD should encourage densification, with medium density housing like townhouses and similar being particularly important.

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<p>Design is not cohesive with the design and heritage elements of Macquarie Street.</p>	<p>The property is not within a heritage precinct, nor is it heritage listed. In the immediate area, there are very few buildings recognised in the Tasmanian Heritage Register (THR). The Local Historic Heritage Code is not applicable to the property.</p> <p>While there are some heritage elements in buildings in the broader area, particularly fronting Elizabeth Street, the Macquarie Street and Bathurst Street frontages are of mixed character, in terms of form and appearance. Most buildings were constructed between the 1950s and 1970s, with few buildings containing significant architectural heritage value. There has been little new development or redevelopment in the past 50 years.</p> <p>Although the design may differ from existing structures in the streetscape, this does not necessarily mean it will be incompatible. More recently constructed buildings, such as the extension to the Memorial Hall and 'the Hub', have demonstrated that modern, larger-scale structures can be compatible with the existing character of the area.</p> <p>Character compatibility is further assessed within section 15.4.1 (P1) and considered consistent with the Performance Criteria.</p>
<p>This development was postponed with the intention to renovate, and attract new businesses:</p> <ul style="list-style-type: none">- Was this successful?- Will the new development be successful?	<p>Council is not directly involved in or privy to the specific business dealings or performance of individual developments. The planning process does not assess business viability; instead, it evaluates the proposal based on its compliance with the planning scheme and its environmental impacts. The feasibility and viability of the proposal is a matter for the developers and owners.</p>

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The area already contains visitor accommodation-based businesses. This could lead to adverse commercial outcomes for existing businesses.

The planning scheme does not consider the impact on existing businesses as a result of increased competition. This is a fundamental aspect of capitalism—competition and market forces determine the success or failure of businesses, which are ultimately driven by the strategic decisions of the business owners themselves, not through any planning related decision.

Commercial competition does not relate to any matter assessed under the Tasmanian Planning Scheme – George Town and cannot be considered.

9. STATUTORY REQUIREMENTS

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

- 15.0 General Business Zone
- C2.0 Car Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets 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 a mixed use development with components classified as Visitor Accommodation, Residential & General Retail and Hire. The definition of the Visitor Accommodation, Residential & General Retail and Hire use are outlined in the *Tasmanian Planning Scheme – George Town* as:

Use Class	Definition
General Retail and Hire	“use of land for selling goods or services, or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, bottle shop, cellar door sales, commercial art gallery, department store, hairdresser, market, primary produce sales, local shop, shop, shop front dry cleaner and supermarket.”
Residential	“use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite

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	centre, assisted housing, retirement village and single or multiple dwellings.”
Visitor Accommodation	“use of land for providing short or medium-term accommodation for persons away from their normal place of residence on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, camping and caravan park, holiday cabin, motel, overnight camping area, residential hotel and serviced apartment complex.”

Although a single development, these aspects of the development are not subservient to one another but are separate and independent uses. Other aspects of the development, such as the gym, conference facilities, bar and café are subservient to the Visitor Accommodation Use.

The Visitor Accommodation Use Class is classified as a Discretionary use in the General Business Zone.

The Residential Use Class is classified as a Discretionary use in the General Business Zone.

The General Retail and Hire Use Class is classified as a no Permit Required use in the No Permit Required.

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

9.2 Planning Scheme Assessment

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

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

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

Zone Purpose Assessment

15.1 Zone Purpose

The purpose of the General Business Zone is:

- | | |
|--------|--|
| 15.1.1 | To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania’s main suburban and rural centres. |
| 15.1.2 | To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy. |

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- 15.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- 15.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

Planner Response: The proposed mixed-use development is located within the Central Business District (CBD) of George Town, directly contributing to the business and retail functions of the town, by incorporating three commercial retail spaces at ground level, along with visitor accommodation/cafe area on the corner of Macquarie and Bathurst Street. This proposal is located within the heart of the town’s CBD, ensuring the activity centre hierarchy is preserved and not compromised.

The proposal incorporates active frontages along both Bathurst and Macquarie Streets, with large windows and openings to engage pedestrians and encourage street-level activity. The ground-level retail spaces, along with the coffee shop/dining area and other commercial functions, will draw in pedestrians and provide visual interest.

The residential use, in the form of townhouses along Bathurst Street, maintains an active street frontage, with visibility and landscaping that contributes to the amenity of the central area. The residential component, encourages medium density residential development within the central area, contributing to the economic viability of retailers and food services within the central area. Proximity encourages walking, contributing to longer stays in the central area, window shopping and use of local entertainment venues and facilities for recreation.

The proposal is considered consistent with the purposes of the zone, as it maintains a commercial focus with active frontages within the primary commercial centre of George Town.

Performance Criteria assessment.

15.3.2 Discretionary uses

Objective:	That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions	Performance Criteria	
A1	P1	
No Acceptable Solution.	A use listed as Discretionary must:	

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	<p>(a) not cause an unreasonable loss of amenity to properties in adjoining residential zones; and</p> <p>(b) be of an intensity that respects the character of the area.</p>
<p>Planner's Response: Relies on performance criteria.</p> <p>The residential component of the development is a discretionary use in the General Business Zone. In this instance the site is a significant distance from a residential zone and will not adversely impact residential amenity in a residential zone. While there are dwellings to the south and west of the site, these dwellings are located in the General Business Zone. However, as the discretionary component of the development is residential in nature, it is generally considered to be more compatible with the surrounding residential uses than a lot of the uses permitted in the General Business Zone.</p> <p>The intensity of the development is considered to contribute positively to the vitality of the central area by creating a mutually beneficial relationship. The proximity to good and services means that the dwellings are able to do away with elements that may be more important in more suburban areas. Less reliance on vehicles allows for less land devoted to parking, proximity to public open spaces reduces reliance on private open space to meet recreational needs, reduced open space results in less maintenance and less need for storage. In return, higher density residential development and close proximity, reduces reliance on cars and increases the number of people accessing and using businesses and services in the central area. Low density residential development is not supported in the central area, as it has the potential to occupy high value land, without delivering the same mutual benefits.</p> <p>The site does not adjoin a residential zone.</p> <p>The proposed development is of an intensity that respects the central area and provides mutual benefits to the commercial centre, while not distorting the activity centre hierarchy. The proposal complies with the Performance Criteria and is consistent with the objectives.</p>	
<p>A2</p> <p>No Acceptable Solution.</p>	<p>P2</p> <p>A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the need to encourage activity at pedestrian levels;</p> <p>(c) the size and scale of the proposed use;</p> <p>(d) the functions of the activity centre and the surrounding activity centres; and</p> <p>(e) the extent that the proposed use impacts on other activity centres.</p>

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Planner's Response: Relies on performance criteria.

The residential component of the development is not considered to distort the activity centre hierarchy. Macquarie Street and surrounds form the primary commercial centre of George Town. The proposed development is a mixed use development of a significant scale and with a significant commercial component. The location of the proposal supports the function of the activity centre by increasing the number of people living and walking through the central area.

The site is currently significantly underutilised, comprising four occupied commercial tenancies and three vacant commercial buildings. The balance of the land has been vacant for a significant period. Charles Robbins Lane has historically functioned as a private service lane and has low visibility when viewed from public streets. The conversion of internal land to a residential use will have a positive impact on the vitality of the central area without compromising commercial opportunities.

While the proposal will convert a portion of the Bathurst Street frontage to a residential use, the design of the dwellings and landscaping of the frontage contributes positively to the public realm amenity of Bathurst Street through landscaping, public seating and a high degree of transparency in front yards. The high transparency and landscaping assists to make the street frontage a welcoming and visually interesting space for pedestrians and visitors.

It is also noted that the dwellings fronting Bathurst Street have been designed to be highly visible and facilitate access from Bathurst Street, making the ground floor suitable for use as a home business or consulting room for sole traders and professional services. While predominately residential in nature, there is opportunity for the ground floor to be used for small scale commercial activities and offer an appealing opportunity and flexibility that is currently missing from the central area.

More broadly, there are currently four empty commercial properties fronting Macquarie Street, one vacant lot and a significant number of underutilised properties in Sorell Street, Anne Street and Bathurst Street. The conversion of the subject titles to a residential purpose is not considered to have a significant impact on supply of commercial land and the benefits of urban renewal in the central area, incorporating medium density residential developments, are likely to have significant positive impacts for both existing and future businesses. A reduction in the available commercial land will also make redevelopment of other properties a more attractive option to meet demand.

The proposed development will not detract from secondary activity centres identified in the George Town/Low Head Structure Plan and is of a scale that would be unsuitable for those locations.

The proposal complies with the Performance Criteria and is consistent with the objective. The mixed use development is of a significant scale, improves commercial amenity and increases the commercial offering within the primary commercial centre of George Town.

15.4.1 Building height

Objective:	That building height: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of amenity to adjoining residential zones.
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Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building height must be not more than 12m.</p>	<p>P1</p> <p>Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site and adjacent properties; (c) the bulk and form of existing buildings; (d) the apparent height when viewed from the adjoining road and public places; and (e) any overshadowing of public places.
<p>Planner's Response: Relies on performance criteria.</p> <p>The roofline of the rooftop terrace extends to a height of 14m.</p> <p>The topography of George Town is relatively flat and generally does not exacerbate or mitigate the height of the building.</p> <p>The existing buildings on the site are comprised of a mix of low single storey commercial buildings. The tallest on site is the former Chickenfeed Building with a peak height of 10m, which occupies the corner of Bathurst and Macquarie Streets.</p> <p>The proposed development will be higher and have a greater bulk than the current developments on the site and will be higher than most of the existing buildings in Macquarie Street. However, there are existing buildings with similar heights and bulk in the immediate area, including the Bass and Flinders Centre at 14.375m and the Memorial Hall at 11m.</p>	

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Figure 6: Memorial Hall (11m)



Figure 7: Bass and Flinders (14.375m)

The main bulk of the accommodation building, fronting Bathurst and Macquarie Street has a height of 11.3m and complies with the Acceptable Solution. This is the part of the building that will generally be visible. While the roof top terrace extends above the Acceptable Solutions, this component of the building is set back approximately 5m from the parapet on the building line, significantly reducing its visibility from the street below. The viewer would need to stand approximately 20m from the development before it is possible to partially discern the terrace. The angle of observation means that only a small portion of

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the roofline is visible for a significant distance from the building, at which point the separation will assist to mitigate the visual bulk.

The intent of the clause is to achieve an outcome that is compatible with the streetscape. A height of 12m is deemed to be compatible with the streetscape as determined by the Acceptable Solutions. The component of the development that exceeds 12m in height, is setback, such that its visibility is minimised when viewed from the street and the apparent height of the building would have a similar visual appearance to a fully compliant building.

While the building will have significantly more visual bulk than other buildings in Macquarie and Bathurst Street, the bulk is largely a result of the amount of frontage occupied by the building (50.09m on Macquarie Street) and is reasonable for a building occupying as much frontage as is proposed. The component of the development that exceeds 12m in height is setback from the building line and makes minimal contribution to the visual bulk. The apparent bulk of the building is made up of components that are compliant with the Acceptable Solutions.

Variations in the façade of the building, such as the awnings, balconies and use of varied materials, adds visual interest and further assists to break up the visual bulk.

The development will have negligible impact on public open space, being located to the south of Regent Square. Shadows cast by the taller components of the building will generally be cast onto the subject site. While shadows will be cast onto Bathurst Street during the morning hours on the 21st June, the development includes street awnings specifically designed to protect the pedestrian areas from the rain and sun. Shadows will generally be negated by the awnings on the subject building and adjoining buildings. Overshadowing of the roads is considered reasonable.

It is noted that the residential component of the development on Bathurst Street has a height of 7m, well below the height of the Acceptable Solution and consistent with the scale of other properties in the vicinity. The lower height of the residential component has a positive impact on the overall height and bulk of the building when viewed from Macquarie Street.

While the development is significantly bigger than any other development in Macquarie Street, its scale is reasonable for the extent of street frontage it occupies. It is compatible with the streetscape and other tall buildings in the vicinity and is consistent with the objective.

15.4.3 Design

Objective:	That building façades promote and maintain high levels of pedestrian interaction, amenity, and safety and are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria	
A2	P2	
New buildings or alterations to an existing façade must be designed to satisfy all of the following:	New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:	

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- (a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;
- (b) if for a ground floor level façade facing a frontage:
 - (i) have not less than 40% of the total surface area consisting of windows or doorways; or
 - (ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;
- (c) if for a ground floor level façade facing a frontage must:
 - (i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or
 - (ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and
- (d) provide awnings over a public footpath if existing on the site or on adjoining properties.

- (a) how the main pedestrian access to the building addresses the street or other public places;
- (b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;
- (c) architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;
- (d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and
- (e) the need for provision of awnings over a public footpath.

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Planner's Response: Relies on performance criteria.

While the development complies with the Acceptable Solutions in many respects, particularly on Macquarie Street, it does so inconsistently with respect to the various titles on Bathurst Street. However, the proposal does not propose any blank walls fronting Macquarie Street or Bathurst Street, has significant window frontage on the commercial components and maintains and promotes a high degree of pedestrian interactivity. Access to the commercial buildings is direct from the street.

The residential component on Bathurst Street has areas of unfenced landscaping, low fencing around porch areas and highly visible entrances, which give a greater sense of public amenity than often associated with residential developments. The ground floor access is prominent and lends itself to being used for home-based business activities or consulting rooms. The high transparency and short extent of the fencing enhances the visual appearance of the building frontage and contributes to the visual interest for passers by.

The site does not adjoin a residential zone.

Both facades create a high degree of visual interest and opportunities for passive surveillance.

The building façade incorporates architectural elements of varying materials and depths to create visual interest and minimise blank walls.

No security shutters or grilles are proposed.

A wrap around awning is proposed above the footpath on the commercial component of the building which will provide amenity on Macquarie Street but also assists to draw pedestrians around the corner into Bathurst Street. With the exception of the corner buildings, there are few awnings in the side streets, and the continuation of the awning along the Bathurst Street frontage is not considered necessary. Removal of redundant crossovers, along with repair and maintenance of the footpath fronting the property will significantly improve public amenity along the property frontage.

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

15.4.6 Dwellings

Objective:	To provide adequate and useable private open space and storage for the needs of residents.
Acceptable Solutions	Performance Criteria

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<p>A1</p> <p>A dwelling must have private open space that is not less than:</p> <p>(a) 24m² with a minimum horizontal dimension of not less than 4m; or</p> <p>(b) 8m² with a minimum dimension of not less than 1.5m, if the dwelling is located wholly above ground floor level.</p>	<p>P1</p> <p>A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.</p>
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Planner's Response: Relies on performance criteria.

The dwellings facing Bathurst Street feature ground-floor open space, which includes a small rear area of 11m², along with two balconies on the first floor providing an additional 10.7m². While there is a small open space area fronting each dwelling on Bathurst Street, this largely serves a landscaping function, and does not meaningfully contribute to usable open space.

While having a minimum dimension less than 4m, the Bathurst Street balcony is connected directly to the living area by large doors, which allow it to act as an extension to the living area for relaxation and dining. The direct accessibility also contributes to a greater sense of being in an alfresco environment, within the main living area.

The dwellings fronting Charles Robbins Place have a back yard with an area of 17.2m² and a minimum dimension of 2.5m. This space is directly accessible from the living areas of the dwelling. Each is proposed to have a paved alfresco which has sufficient space to accommodate a six seat outdoor dining setting and is considered to be adequate for the needs of the residents.

While all of the dwellings have open space that is less than the Acceptable Solution, the space is considered to be sufficient for the needs of the intended market.

The proposed development is centrally located and prioritises living space over open space. The proposed residences offer a housing choice that is currently unavailable in George Town but has the potential to be in high demand. Higher density, low maintenance dwellings, without large yards, in a central and well serviced location are likely to appeal to a range of individuals or families, including retirees, young professionals and executives. The dwellings have the potential to capture itinerant professionals frequently working shorter stints in Bell Bay that are looking for quality residential and lifestyle opportunities but are not prepared to invest the time and costs associated with setting up a more permanent dwelling locally.

While private open space is limited, the residents will be well serviced by the significant amount of public open space and other recreational opportunities within the central area of George Town. The site is located immediately to the south of Regent Square, which provides significant outdoor recreation space including opportunities for outdoor dining, BBQs, informal sports and children's play. The site is also within 40m of the Kanamaluka Trail and the Bathurst Street Riparian Reserve. Both of these spaces offer significant recreational opportunities, and space for outdoor dining and relaxation, and will supplement the smaller open spaces provided within the development. There are also a

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number of eateries and entertainment venues in the surrounding area that provide significant opportunity to recreate outdoors.

It is also noted that the association between the commercial and residential components of the development, suggests that residents are likely to have opportunities to access the social facilities and exercise facilities within the commercial component of the building, further enhancing recreation, outdoor socialising and outdoor dining options.

A2

Each dwelling must be provided with a dedicated and secure storage space of no less than 6m³.

P2

Each dwelling must be provided with adequate storage space.

Planner's Response:

The proposed dwellings are not provided with a dedicated storage space with an area of 6m³. However, all of the dwellings include a single car garage, which provides reasonable capacity for storage of a bike and other garden related items reflective of the small open space areas required to be maintained, along with an under stair internal storage area. It is also noted that the proposed dwellings are 3 and 4 bedroom dwellings. This is unusually large for this type of dwelling but simultaneously offers ample opportunity for internal storage.

The proposal provides adequate opportunity for storage, consistent with the Performance Criteria and the objective of the standard.

C2.5.1 Car parking numbers

Objective:	That an appropriate level of car parking spaces are provided to meet the needs of the use.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table 2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which</p>	<p>P1.1</p> <p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p>

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<p>case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed</p>	<p>(b) the ability of multiple users to share spaces because of:</p> <p>(i) variations in car parking demand over time; or</p> <p>(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>
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use or development specified in Table C2.1.	
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Planner's Response:

The proposal relies on performance Criteria P1.2 as one title (CT 142619/2) is located outside of the Parking Precinct Plan. This title is developed with six of the proposed town houses, generating demand for a total of 14 parking spaces in accordance with Table C2.1. The application proposes 26 parking spaces, 12 of which are assigned to the dwellings on CT 142619/2, two per dwelling, resulting in a shortfall of 2 visitor spaces.

This is considered reasonable. 2 parking spaces are generally considered to meet the reasonable needs of a three bedroom dwelling, while the accessibility of public parking within walking distance of the site is adequate to provide for short term visitors. There are significant volumes of parking available within convenient walking distance of the site, including approximately 130 formalised off-street public car parking spaces in Council's car parks on Regent Square and 70 formalised on-street public car parking spaces within 100m of the development.

When a 400m walking distance is considered and all informal parking on side streets is considered the available parking increases significantly. Council has not experienced a shortage of parking in the central area and parking demand on the northern side streets, including Elizabeth and Sorrell Street is low.

There is considered to be sufficient public parking within walking distance to meet the two space shortfall, as well as accommodate the additional parking covered by the precinct parking plan. Given this, the area is well-served in terms of parking availability and no additional parking for the site is required.

P1.1 is not applicable as all commercial components are contained within the Parking Precinct Plan.

The Proposal Complies with the Performance Criteria and is consistent with the objective. No further conditions are considered warranted.

As noted in Attachment 1, the balance of the site is within the Macquarie Street Parking Precinct Plan. This plan acknowledges the requirement for large parking areas, occupying street frontage, generally has a detrimental impact on the function and viability of the commercial area. Car parks lack active frontages and visual interest. While convenient, abundant parking directly reduces the length of customer stay in the central area while simultaneously reducing the amenity of the area and making it less desirable to visit. Increased expenditure is directly linked to length of stay, which is a result of the attractiveness of central areas for visitors to visit, dine and shop. Excessive volumes of parking can undermine the economic performance of the central area by reducing the length of stay.

However, given the proposal comprises three and four bedroom dwellings, along with visitor accommodation, the large volume of potential vehicles using street parking and the long duration resulting from these uses is likely to conflict with the high turnover required by surrounding commercial uses. As these spaces are public, it is appropriate that this risk be managed by Council as the Road Authority. Parking limitations may be appropriate during normal business hours, however, care will need to be taken to ensure the duration of parking is short enough to discourage long term parking, but long enough to ensure that

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visitors to the central area can explore, shop, window shop, eat a meal and socialise, such that it does not undermine the viability of the central area.

It is recommended that a note be included on the permit alerting the developer that the parking immediately surrounding the site cannot be relied on for long term parking and that Council reserves the right to regulate the duration of parking in this area.

Generally, patrons of visitor accommodation venues such as that proposed would expect some form of secure off street parking. It is not unusual for accommodation providers to satisfy this demand by constructing remote parking facilities off site. However, with an abundance of public parking in the vicinity and a Parking Precinct Plan exempting the development from providing most of the parking, it is up to the applicant to consider the commercial demand for secure parking and respond accordingly.

The Parking Precinct Plan notwithstanding, it is noted that the empirical assessment included in the traffic impact assessment is based on the previous planning scheme. Under the Tasmanian Planning Scheme an empirical assessment indicates a total demand of 54 spaces (72 if separating the café). The five existing commercial tenancies on the site currently generate demand for 25 spaces and 26 spaces are provided on site for residential purposes, resulting in a total increase in demand of 21 public spaces when fully occupied. While the likelihood of the entire property being fully occupied simultaneously is low, there is ample capacity for this shortfall to be provided for by the surrounding network.

C2.5.2 Bicycle parking numbers

Objective:	That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.	
	Acceptable Solutions	Performance Criteria
	<p>A1</p> <p>Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1. 	<p>P1</p> <p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.

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Planner's Response: Relies on performance criteria.

Significant dedicated public bicycle parking facilities are located within 50 metres of the site, providing convenient access to a secure bicycle parking. The site is located within the Central Business District (CBD), ensuring significant access to both services and further public bicycle parking facilities in the surrounding area allowing convenient access to the development.

The proposed residences could reasonably accommodate bicycles, however table C2.1 does not require these spaces to be provided for this use. The visitor accommodation use does not have any bicycle parking requirements under C2.1. The 'General Retail & Hire' component does require some bicycle parking, but the demand generated will not be so significant as to overwhelm the existing public bicycle parking facilities provided, which would warrant provision of additional dedicated private bicycle parking facilities.

Overall, the proposal is considered to meet the reasonable needs of users and is considered consistent with the performance criteria and objectives of the standard.

C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone

Objective:	That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which: <ul style="list-style-type: none"> (a) enables easy and efficient use; (b) promotes the safety of users; (c) minimises opportunities for crime or anti-social behaviour; and (d) prevents unreasonable light overspill impacts.
Acceptable Solutions	Performance Criteria

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<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</i></p>	<p>P1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p> <ul style="list-style-type: none"> (a) enabling easy and efficient use of the area; (b) minimising potential for conflicts involving pedestrians, cyclists and vehicles; (c) minimising opportunities for crime or anti-social behaviour through the creation of concealment spaces; (d) any unreasonable impact on the amenity of adjoining properties through light overspill; and (e) the hours of operation of the use.
<p>Planner's Response: Relies on performance criteria.</p> <p>The residential car parking areas will be lit with bollard lighting, which provides adequate visibility for users to navigate safely, given the low-speed, low-frequency traffic and pedestrians.</p> <p>The lighting is not extensive, which preserves the residential amenity and reduces the risk of light overspill.</p> <p>The light spill is generally confined within the site, ensuring any impacts on adjoining properties are not significant.</p> <p>Bollard lighting, even if operated 24 hours a day, is unlikely to cause significant disturbance to the residents of the dwellings and other surrounding properties, and any potential issues that arise from their use can readily be managed by the body corporate to reduce overall impacts.</p> <p>The lighting provides enough illumination for safe road use and preservation of residential amenity, while maintaining passive surveillance of the area, deterring potential criminal or anti-social behaviour occurring in a current area of concealment.</p> <p>Furthermore, the General Retail & Hire and Visitor Accommodation components of this development are located within a parking precinct, therefore no parking is required to be provided. Public parking facilities which may be utilised for this use are already provided lighting per the Road Authority's requirements.</p>	

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The proposal is considered consistent with the intent of the performance criteria and objective upon which it is based.

C2.6.5 Pedestrian access

Objective :	That pedestrian access within parking areas is provided in a safe and convenient manner.	
Acceptable Solutions		Performance Criteria
<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		<p>P1</p> <p>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the nature of the use;</p> <p>(c) the number of parking spaces;</p> <p>(d) the frequency of vehicle movements;</p> <p>(e) the needs of persons with a disability;</p> <p>(f) the location and number of footpath crossings;</p> <p>(g) vehicle and pedestrian traffic safety;</p> <p>(h) the location of any access ways or parking aisles; and</p> <p>(i) any protective devices proposed for pedestrian safety.</p>

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Planner's Response: Relies on performance criteria.

The proposal does not provide dedicated separate pedestrian access within the car park, which means it relies on performance criteria to ensure pedestrian safety.

It's important to note that the majority of the development is situated within the parking precinct, which doesn't require parking to be provided. However, the small segment of the development that does require parking, requires an amount greater than 10 spaces and therefore requires assessment against the performance criteria.

This portion of the development is designated for residential use, where it is reasonable to expect that vehicle movements within the car park to be a low-speed, low-traffic in this area. This will allow for safe pedestrian movement throughout the site. Additionally, Charles Robbins Place is a short road, which will inherently limit vehicle speeds, further promoting safety for pedestrians.

Given the relatively low turnover of vehicles using the car park, risks associated with pedestrian movement through the area are minimised. To further enhance safety, it is recommended that the privately maintained portion of Charles Robbins Place be clearly signposted with a 10km/h speed limit sign and a shared carriageway sign indicating the presence of both pedestrians and vehicles. This is in accordance with the requirement for signposting and is recommended to be included in consideration of advice from both Council's Infrastructure Department and the Traffic Impact Assessment provided by a suitably qualified person.

Additionally, the Traffic Impact Assessment, has outlined that traffic calming measures should be incorporated into the design, therefore this is included in the recommendation.

Overall, the proposal with the inclusion of these recommended conditions, is considered to meet the reasonable needs of users and is considered consistent with the performance criteria and objectives of the standard.

C2.7 Parking Precinct Plan

C2.7.1 Parking precinct plan

Objective:	To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.	
	Acceptable Solutions	Performance Criteria
	A1 Within a parking precinct plan, on-site car parking must:	P1 Within a parking precinct plan, on-site car parking must be necessary for the operation

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<p>(a) not be provided; or (b) not be increased above existing parking numbers.</p>	<p>of the use and not detract from the streetscape, having regard to:</p> <ul style="list-style-type: none">(a) the availability of off-street public parking spaces within reasonable walking distance;(b) the ability of multiple users to share spaces because of:<ul style="list-style-type: none">(i) variations in parking demand over time; or(ii) efficiencies gained by consolidation of parking spaces;(c) the availability and frequency of public transport within reasonable walking distance of the site;(d) the availability and frequency of other transport alternatives;(e) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;(f) the streetscape;(g) the topography of the site;(h) the location of existing buildings on the site;(i) any constraints imposed by existing development; and(j) any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development; and <p>not exceed the number specified in Table C2.1.</p>
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Planner's Response: Relies on performance criteria.

Parking is reasonably required for the residential component of this development.

The parking within the proposed development is located behind the main visible frontages of Bathurst Street and Macquarie Street, significantly reducing any impact on the streetscape and ensuring it does not detract from the visual appeal of the area.

While there is significant off-street public parking available within the Regent Square area and along the street, the proposed use for the parking is residential. Therefore, providing parking in closer proximity to the dwelling is considered appropriate for the convenience of the residents.

The parking spaces are not intended to be shared by multiple uses, as this parking is focused on accommodating the residential use.

Although public transport is available within walking distance, the frequency of service is not sufficient to fully replace the need for dedicated residential parking. As a result, the parking provided within the application is intended to serve the residential use exclusively.

There are no notable topographical considerations affecting the parking provision, and as this is a redevelopment of the site, no existing buildings will be maintained.

An assessment by a suitably qualified professional has determined that the parking provided is sufficient for the scale and nature of the residential use proposed.

Finally, the number of parking spaces within the parking precinct for the residential use does not exceed the number specified in Table C2.1.

Overall, the proposal is considered to meet the reasonable needs of users and is considered consistent with the performance criteria and objectives of the standard.

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

Objective:	To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.
Acceptable Solutions	Performance Criteria
<p>A1.1</p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2</p>	<p>P1</p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> (a) any increase in traffic caused by the use;

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<p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>(b) the nature of the traffic generated by the use;</p> <p>(c) the nature of the road;</p> <p>(d) the speed limit and traffic flow of the road;</p> <p>(e) any alternative access to a road;</p> <p>(f) the need for the use;</p> <p>(g) any traffic impact assessment; and</p> <p>(h) any advice received from the rail or road authority.</p>
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Planner's Response: Relies on performance criteria.

Increase in traffic movements requires assessment against performance criteria.

The traffic generated by the proposed residential use will primarily be of a low volume and residential in nature. It is not expected to cause a significant increase in traffic, and the local road will be able to absorb the additional traffic without compromising safety or efficiency.

The access is intended to be used almost exclusively by the residents of the site, meaning the increase in traffic will be limited to a small number of vehicles, further minimising any adverse impact on the surrounding road network.

The road in question is considered a local road within the road hierarchy, which is designed to accommodate this level of traffic. The speed limit is 50 km/h, which is a low-speed environment that enhances safety for both vehicles and pedestrians.

There are no alternative access points to the road, but the need for residential use in this location does not generate significant adverse impacts. The proposed use is compatible with the road's capacity and functionality.

A Traffic Impact Assessment (TIA) prepared by a suitably qualified professional has confirmed that the increase in traffic due to the development will not undermine the function of the road or impact its safety and efficiency. Recommendations are included in the TIA that signposting of speed limits and traffic calming is recommended.

Furthermore, the road authority has reviewed the findings of the TIA and is satisfied with the proposed development's traffic impacts. However, noting that the TIA is recommending a 5km/h speed limit, the road authority has outlined a 10km/h speed limit is more appropriate for this environment. The recommendation includes this 10km/h sign posted speed limit.

The proposal is considered consistent with the performance criteria and the objectives of the performance criteria.

10. REFERRALS

Internal Referrals

A referral was issued to Council's Engineering Officers.

The conditions recommended for inclusion on the permit have been developed in direct consultation with Council's Coordinator Engineering and Projects.

External Referrals

TasNetworks

A referral was issued to TasNetworks

A response was received by Council's Planning Department on the 29/04/2024.

The following advice was provided –

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“Based on the information provided and the size of the proposed development, there are likely to be impacts on TasNetworks’ operations.

It is recommended that the customer or their electrician submit an application via our website portal to establish an electricity supply connection to support this development.

Alternatively, it is also recommended that you advise the proponent to contact TasNetworks Early Engagement team at early.engagement@tasnetworks.com.au at their earliest convenience to discuss this development further. “

Planner's Response: The applicant is in discussion with TasNetworks. It is noted that the statutory referral process to TasNetworks functions as an early engagement process but does not require consideration as part of the determination of the application.

TasWater

A referral was issued to TasWater.

A Submission to Planning Authority Notice (SPAN) was issued on the 30/01/2025.

A copy of the SPAN is attached.

Planner's Response: A condition referencing the SPAN is included in the recommended conditions as per the requirements of the *Water and Sewerage Industry Act 2008*.

11. SERVICES

Road

The property fronts Macquarie Street, Bathurst Street and Charles Robbins Place. A number of the existing accesses will become redundant and will need to be removed. The primary vehicle access will be via a private extension to Charles Robbins Place.

Sewer

The land is serviced with reticulated sewerage.

Water

The land is serviced by reticulated water.

Stormwater

The land is serviced by reticulated stormwater.

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

Easements:

The subject property does not contain any registered burdening easements on the title, with the exception of the lot comprising Charles Robbins Place. This lot is encumbered by a number of right of ways servicing the surrounding titles. The proposed development will utilise Charles Robbins Place as a road and will not compromise access to any property. Further consideration of this is the responsibility of the applicant. A note referencing this responsibility is included on the recommendation.

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Part V Agreements:

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

Covenants:

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

Heritage Register:

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

Level 2 Activities:

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

Public Open Space

Contemplation of Public Open Space Contribution (Pursuant to Division 8 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*) is not required for consideration within this proposal.

Given the reliance of the development on public open space, the proposal will certainly increase demand for open space. It is also theoretically possible for a condition requiring such a contribution, however, there are currently no clear and tested methods to require an open space contribution for unit developments.

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.

15. CONCLUSION

The application for construction and use of Mixed Use Development - Visitor Accommodation (Serviced Apartments, Café & Bar), Residential (Multiple Dwellings x 13) & General Retail and Hire (Commercial Shops) - Demolition and Redevelopment at 32-42 Macquarie Street, 7 Bathurst Street, Charles Robbins Place and adjoining road reserves, George Town (CT's 47304/16, 226116/1, 124582/1, 124582/2, 124582/3, 124582/4, 156829/1, 156829/2, 156829/3 & 142619/2), 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 use and development, Mixed Use Development - Visitor Accommodation (Serviced Apartments, Café & Bar), Residential (Multiple Dwellings x 13) & General Retail and Hire (Commercial Shops) - Demolition and Redevelopment at 32-42 Macquarie Street, 7 Bathurst Street, Charles Robbins Place and adjoining road reserves,

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George Town (CT's 47304/16, 226116/1, 124582/1, 124582/2, 124582/3, 124582/4, 156829/1, 156829/2, 156829/3 & 142619/2) 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. Architeria Architects, Drawing No 2348, Sheet A0.00, A0.01, A0.02, A0.03, A0.04, A0.05, A1.01, A1.02, A1.03, A1.04, A2.01, A2.02, A2.10, A2.11, A2.12,
- b. G2 Urban Planning, Submission to George Town Council.
- c. G2 Urban Planning, Letter, dated 13 August 2024.
- d. Midson Traffic Pty Ltd, Traffic Impact Assessment, dated September 2024.
- e. Midson Traffic Pty Ltd, Letter-Response to Council RFI, dated 17September 2024.
- f. ECTM Consulting, Operational Waste Management Plan, dated March 2024.

Unless provided for otherwise by the conditions below, 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. 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. all infrastructure works required to be undertaken in the public road reserve shown on the endorsed plans and specifications or otherwise specified by the conditions below, including:
 - i. Crossovers and reticulated drainage infrastructure;
 - ii. Footpaths and landscaping;
 - iii. Kerb and channel;
 - iv. All necessary line marking and traffic signage;
 - v. Reticulated water and sewage;
 - vi. Electricity infrastructure;
 - vii. Communications infrastructure.
- b. all new infrastructure is to be fully integrated with existing infrastructure networks within reasonable distance of the development, including:
 - i. The footpaths at each end of the development and pram ramps;
 - ii. Kerb & channel;
 - iii. Road junctions & intersections.
- c. The existing asphalt thresholds currently providing access to the car park of 40-42 Macquarie Street are to be removed and the pedestrian footpath reinstated, using pavers colour matched to the existing pavers on Macquarie

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- Street. The Crossovers are to be removed and reinstated with concrete kerb and channel.
- d. Paving is to be extended from the kerb to the building line for the full length of Macquarie Street and to the existing southern extent of paving on Bathurst Street, removing sections of concrete and providing a consistent surface finish.
 - e. All redundant crossovers on Bathurst Street are to be removed, including sections of trafficable kerb, and the footpath reinstated with standard kerb and channel, with a minimum width of 2.5m (as existing) between the building line and the back of the kerb.
 - f. Side entry pits are to be installed on Bathurst Street to replace existing entry points to the reticulated storm water system.
 - g. Beyond the extent of the existing pavers on Bathurst Street the footpath is to be reinstated with a concrete footpath, up to the south edge of Charles Robbins Place.
 - h. A kerb extension is to be included on Bathurst Street, for a length of 20m, as illustrated in page 73 of the George Town Structure Plan 2021, widening the footpath to a minimum width of 5m (to the edge of the vehicle lane) and is to include provision for 3 street trees. The extended section is to be positioned such that it does not interfere with any existing access on the eastern side of the road.
 - i. An additional street tree is to be provided on the Macquarie Street/Bathurst Street corner, outside of the influence of the building awning and ensuring safe site distances at the intersection remain unobstructed.
 - j. The existing pedestrian/pram ramp crossing Bathurst Street is to be reorientated to ensure the centreline is orientated towards the intended path of travel in accordance with Tasmanian Standard Drawing TSD R18-v3.
 - k. A minimum of 4 parking spaces are to be retained on Bathurst Street, which are to be reconfigured and clearly line marked.
 - l. The crossover accessing Charles Robbins Place is to be upgraded in accordance with the Tasmanian Standard Drawing TSD R09-v3, with a minimum width of 6m, with 1m wings on each side, to allow for two way traffic, but is to maintain the appearance of a private driveway. The finished surface of the threshold is to be visually distinct from the finished surface of both the pedestrian footpath and Bathurst Street road surface.
 - m. A “pedestrian priority” sign is to be erected at the access to the public section of Charles Robbins Place. A designated pedestrian walkway with minimum width of 1.5m is to be provided on Charles Robbins Place, clearly delineated from parking and vehicle carriageways by curbing, line marking, materials or other clear means.
 - n. A 10 km/h speed limit sign and a “Resident and Service Vehicle Access Only” sign is to be installed at the junction of the public and private section of Charles Robbins Place to ensure a low speed environment and minimise public entry.
 - o. Any traffic calming management measures required in accordance with the endorsed Traffic Impact Assessment;
 - p. Any stormwater infrastructure required in accordance with Condition 3 below.

3. STORMWATER MANAGEMENT PLAN

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Prior to the commencement of works a detailed stormwater management plan is to be submitted to the satisfaction of Council's Director Infrastructure and Development. The plan is to:

- a. Include modelling and design drawings for the minor drainage system, based on a peak flow in a 5% AEP rain event, assuming a 100% impervious surface.
- b. Consider the entire development site as well as the existing downstream drainage network at a reasonable distance.
- c. Assess pre- and post-development runoff volumes.
- d. Identify and address any potential impacts on the existing downstream system.
- e. If post-development runoff exceeds pre-development levels, include adequate onsite stormwater detention to mitigate the impact. This may include an underground detention system or other suitable measures and must be accompanied by calculations demonstrating the adequacy.
- f. Ensure that the rate of outflow from the detention system into the existing stormwater infrastructure does not exceed the pre-development discharge rate.
- g. Consider the necessary point in construction where the stormwater and detention system must be operational to ensure adequate capacity to drain the site during construction.
- h. All stormwater management measures must comply with Council requirements and best practice engineering standards.

4. LANDSCAPING PLAN

Prior to the commencement of works a landscaping plan is to be submitted to the satisfaction of Council's Director Infrastructure and Development. The landscaping plan is to include:

- a) The species and location of a minimum of five feature trees to be planted within the property boundary on the Bathurst Street frontage (generally as depicted on Drawing A2348-A1.01).
- b) The species and location of one street tree on the corner of Bathurst Street and Macquarie Street, located to ensure safe sight distances are maintained and outside the influence of the building awning.
- c) The species and location of three street trees located within the kerb extension identified in Condition 2.h) above.

Prior to the commencement of use all landscaping is to be installed in accordance with the approved landscaping plan, using advanced stock with minimum height of 2.5m, and to the satisfaction of Council's Director Infrastructure and Development.

Notwithstanding the above, at the discretion of Council's Director Infrastructure and Development, Council may accept a bond or contribution to allow the planting to occur at the most opportune time of the year to ensure survival of the vegetation.

All care is to be taken to protect and ensure the survival of the landscaping identified on the plan and any fatalities of trees within the private property are to be replaced by the land manager as per the approved plan.

5. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2024/00470-GTC attached).

6. 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 – including the management of asbestos;
- 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) construction noise.

The plan is also to include a plan and procedure for receiving and addressing complaints from surrounding landowners. Once approved, all works are to be undertaken in accordance with the approved soil and water management plan,

7. ROAD AND PEDESTRIAN MANAGEMENT PLAN

Prior to the commencement of use a road and pedestrian management plan is to be submitted demonstrating how disruption to vehicle and pedestrian movements will be minimised, via the timing of works within the road reserve and implementation of protection devices to allow ongoing use of public infrastructure during the extended construction period.

Once approved, works must be undertaken in accordance with the Road and Pedestrian Management Plan to the satisfaction of the Director Infrastructure and Development.

8. 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.

9. 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 Director Infrastructure and Development.

10. AWNING AND APPURTENANCES

Prior to the commencement of use the landowner is to enter into a binding agreement with Council ensuring that the building owner will be responsible for the ongoing maintenance of all building awnings, raised garden beds and any other appurtenance extending into the public road reserve and for maintaining liability insurance covering a minimum of \$20 million extending to awnings and appurtenances.

11. COMPLETION OF WORKS / COMMENCEMENT OF USE

Prior to commencement of use all civil works on the Macquarie Street and Bathurst Street Road Reserves are to be completed in accordance with the endorsed plans and conditions above.

Commencement of the residential component of the use is not contingent on completion of the commercial component, and vice versa.

12. SCREENING DURING CONSTRUCTION

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During demolition and construction, the perimeter of the site is to be screened with low transparency mesh construction screening, or fencing to minimise public views into the site, except where required otherwise for access and/or safety. Screening is to be maintained in good condition at all times and replaced as required.

13. STAGING

If at any point the development is to be staged, a staging plan must be submitted to the satisfaction of Council's General Manager. The plan is to:

- a) Confirm the staging of the development and include estimated timeframes;
- b) Include provisions to visually screen the site with screening mesh, should works cease for any period exceeding 1 month.
- c) Include provisions to rehabilitate the site and erect permanent screening fencing, should construction not commence within a reasonable timeframe of demolition.

Under no circumstances is the development to be abandoned for any period of time without adequate management of the visual appearance of the site in accordance with the approved staging plan.

Permit Notes

1. This permit was issued based on the proposal documents submitted for DA 2024/26. 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. It is the developer's responsibility to make sure they have the proper consents of all landowners prior to undertaking any work on land not owned by the developer, including Council's Road Reserve and the privately owned section of Charles Robbins Place.
4. If required by a Building Surveyor, an application to amalgamate the subject titles must be submitted prior to the commencement of works. It is strongly recommended that you discuss amalgamation with your building surveyor early, to minimise delays, should further approvals be required.
5. The buildings to be demolished are known to contain asbestos. Removal of asbestos must be undertaken by a licensed asbestos removalist in accordance with the *Work Health Safety Act 2012* and the *Work Health Safety Regulations 2022*. It is the responsibility of the persons conducting a business or undertaking to ensure asbestos is managed safely.

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6. Based on the information provided and the size of the proposed development, there are likely to be impacts on TasNetworks' operations.

It is recommended that the customer or their electrician submit an application via TasNetwork's [website portal](#) to establish an electricity supply connection to support this development.

Alternatively, it is also recommended that you contact TasNetworks Early Engagement team at early.engagement@tasnetworks.com.au at your earliest convenience to discuss this development further.

7. The location of mailboxes in Charles Robbins Place should be discussed with Australia Post. A common mailbox may be required to be installed in a site that is directly accessible from a public road.

8. The proposal relies on the use of street parking and other public parking. Council has a prerogative to manage public parking, such that it is available to all businesses and patrons in the central area. Council reserves the right to make changes to the public parking, including the imposition of time limits on public parking spaces, removal of public parking spaces or the charging of fees to use public parking spaces. While there is currently sufficient parking in the area, Council is not responsible for ensuring parking is reserved and available specifically for the proposed business, particularly given the long durations that parking will be occupied. Although, located in a Parking Precinct, it is recommended the operators of the serviced apartments give consideration to securing a long term parking option for guests.

9. 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

10. 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.

11. 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.

12. 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.

13. 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

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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.

14. 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.

15. 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.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

8 OFFICE OF GENERAL MANAGER

8.1 COUNCIL WORKSHOP FEBRUARY AND MARCH 2025

REPORT AUTHOR:	General Manager - Mr S. Power
REPORT DATE:	12 March 2025
FILE NO:	14.10
ATTACHMENTS:	Nil

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 25 FEBRUARY 2025

- Planning and Building Update
- Capital Works Update
- Agenda Review
- Governance Issues
- Councillors/General Manager Discussions

Present: Mayor Greg Kieser (Chair), Deputy Mayor Greg Dawson, Cr Heather Ashley, Cr Heather Barwick, Cr Tim Harris, Cr Simone Lowe, Cr Jason Orr

Apologies: Cr Winston Archer
Cr Winston Mason

In Attendance: General Manager
Director Infrastructure & Development
Director Organisational Performance & Strategy
Senior Executive Assistant & Governance Officer
Team Leader Building & Planning
Project Manager
Senior Town Planner
Planner

Guests: Nil.

TUESDAY 11 MARCH 2025

- Graffiti
- Unconfirmed Minutes 25 February 2025 Ordinary Council Meeting

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- Unconfirmed Minutes 25 February 2025 Closed Ordinary Council Meeting
- Township Character Plan
- Advocacy
- Speed limit – Dalrymple Road
- Private Signage on Council Land Policy
- Lagoon Beach Carpark
- FOGO
- Community consultation
- Motion 45/24 Request to Remove Part 5 Agreement – 6 Leads Avenue, Low Head
- Community Grants Round 2
- Motion 148/23 Marguerite Street Property
- Health and Wellbeing Committee – Councillor Nomination
- Petition – Save our Pool
- Local Government Regulations and Local Government Meeting Procedures Regulations Remake 2025
- Local Government Electoral Bill – Discussion Paper
- Governance
 - Rescinding of Obsolete Motions and Removal of Motions from Outstanding Motions Register
 - LGAT – 2025 General Management Committee Election
- Councillors/General Manager Discussions

Present: Mayor Greg Kieser (Chair), 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
Senior Executive Assistant & Governance Officer
Senior Town Planner
Team Leader – Building & Planning

Guests: Nil.

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2024-2030:

Future Direction Four- Leadership and Accountable Governance

33. Fair and open planning regulatory processes

- i. There is community knowledge and understanding of planning and regulatory responsibilities and processes.

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

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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 2024-2030.

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 25 February 2025 and 11 March 2025.

DECISION

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Moved:

Seconded:

VOTING

For:

Against:

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8.2 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 2025 FEDERAL ELECTION FUNDING PRIORITIES

REPORT AUTHOR: General Manager - Mr S. Power
REPORT DATE: 12 March 2025
FILE NO: 15.15
ATTACHMENTS: Nil

SUMMARY

The purpose of this report is to secure Council's support to the Australia Local Government Association (ALGA) 2025 Federal Election funding priorities National campaign.

BACKGROUND

The next Federal Election must be held by 17 May 2025.

Working in conjunction with its member state and territory associations, the Australian Local Government Association (ALGA) has developed a framework and resources for a national advocacy campaign that will run in the lead up to this election.

Based around the tagline of "Put Our Communities First", the goal is to secure additional federal funding that will support every council to play a bigger role delivering local solutions to national priorities.

All Australian councils have been asked to participate in this campaign to ensure a coordinated approach that will deliver the best possible outcomes.

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2024 - 2030:

Future Direction Four - Leadership and Accountable Governance

31. Positive and productive working relationship with all levels of government and their agencies
 - ii. The outcomes and directions sought by all level of government are understood
 - iii. Government grant funding and investment is attracted

33. Fair and open planning regulatory processes
 - i. There is community knowledge and understanding of planning and regulatory responsibilities and processes

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

George Town Community Strategic Plan 2024-2030
George Town Council's Advocacy Plan

RISK CONSIDERATIONS

The risk for Council providing support to the ALGA 2025 advocacy campaign is considered minimal.

FINANCIAL IMPLICATIONS

There are no identified financial implications in providing support for the campaign.

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 was limited to advice provided to elected members electronically.

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 Put Our Communities First campaign will advocate for new federal funding to be distributed to all councils on a formula-basis, similar to the Commonwealth's Roads to Recovery Program, or the previous Local Roads and Community Infrastructure Program.

This will ensure that every council and community benefit and support local decision making based on local needs.

ALGA has developed free campaign resources that can be adapted and used by all councils to ensure a consistent and effective approach.

Participating in a national advocacy campaign does not preclude this council from advocating on additional local needs and issues, but it will strengthen the national campaign and support all 537 Australian local governments.

The five national funding priorities have been determined by the ALGA Board comprised of representatives from each of Australia's state and territory local government associations and align with key national priorities.

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These five funding priorities are:

- \$1.1 billion per year for enabling infrastructure to unlock housing supply
- \$500 million per year for community infrastructure
- \$600 million per year for safer local roads
- \$900 million per year for increased local government emergency management capability and capacity, and
- \$400 million per year for climate adaptation.

Further information on each of these priorities is listed below.

Housing Infrastructure

Australia is experiencing an affordable housing crisis, with a lack of supply impacting on both homeowners and renters. As a nation we've set an ambitious target of building 1.2 million new, well-located homes in the next five years, but based on current construction levels we're not going to meet this mark.

One of the biggest barriers to building more homes is a lack of funding for supporting infrastructure – the roads, power and water connections that are necessary for new housing developments.

Building the enabling infrastructure to cover the gap between current housing constructions and our national housing target is estimated to cost at least \$5.7 billion.

ALGA is calling for a new five-year, \$1.1 billion annual fund that would be provided to all councils to get the foundations right for the new housing our communities so desperately need.

Community Infrastructure

The local government libraries, playgrounds, bike paths, recreation centres and sporting fields that we all enjoy are vital to the wellbeing and liveability of every community. They provide free and low-cost entertainment, support active and healthy lifestyles, and allow us to meet and connect with each other. However, many of these facilities are aging and in need of significant attention. In fact, more than \$8.3 billion of local government buildings and facilities and \$2.9 billion of parks and recreation assets are in poor condition.

ALGA is proposing a \$500 million per year community infrastructure fund – to be provided to all councils – to build, maintain and upgrade the local facilities that make your community great.

Safer Local Roads

Tragically, the number of deaths and serious injuries on Australian roads continues to climb every year. Australian councils collect less than four percent of national taxation, while managing around 75% of the country's roads. Around half of all fatal car accidents occur on these roads.

Effectively funding the maintenance and necessary safety upgrades of Australia's local road network is a big challenge, and despite recent increases in the federal Roads to Recovery funding councils receive, there's still a \$500 million per year funding shortfall.

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A \$600 million per year safer roads fund – with \$500 million for infrastructure improvements and \$100 million for road safety programs – would support all councils to play a more effective role reducing deaths on Australian roads.

Emergency Management

Over the past two years, more than 60 per cent of local government areas have been declared natural disaster areas. Fires, floods and cyclones currently cost Australia \$38 billion per year, and this is predicted to rise to \$73 billion by 2060. Australian councils play a key role preparing for, responding to and recovering from natural disasters, but aren't effectively funded to carry out these duties.

Unfortunately, it's often regional communities that have the least capacity to plan and respond to natural disasters, that are hit the hardest. Increased investment in disaster mitigation and resilience, as well as local government emergency management capacity and capability, will save money in the long term while better protecting Australian lives, homes and businesses.

ALGA is proposing \$900 million per year in dedicated funding for councils to improve mitigation and resilience and build their capacity and capability to respond to emergencies in our communities.

Climate Change Adaptation

The impacts of climate change – including more frequent and severe natural disasters, coastal erosion and rising temperatures – are being felt right across the country. Australia's 537 councils are at the frontline of climate adaption. They build swimming pools to keep us cool, plant trees to provide shade, build and upgrade stormwater systems to manage heavy rains.

However, funding and support from other levels of government are failing to keep pace with these increased responsibilities, meaning the burden to fund these activities falls to local communities. The climate of every community is different, and each council knows what their community needs to prepare.

ALGA is proposing a new \$400 million climate adaptation fund, to be distributed across all Australian councils to provide local, place-based solutions to our changing climate."

OFFICER'S RECOMMENDATION

That Council resolves to:

1. Support the national federal election funding priorities identified by the Australian Local Government Association (ALGA); and
2. Supports and participates in the Put Our Communities First federal election campaign; and
3. Writes to the local federal member of Parliament, all known election candidates in local federal electorates and the President of the Australian Local Government Association expressing support for ALGA's federal election funding priorities being:
 - \$1.1 billion per year for enabling infrastructure to unlock housing supply
 - \$500 million per year for community infrastructure

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- \$600 million per year for safer local roads
- \$900 million per year for increased local government emergency management capability and capacity, and
- \$400 million per year for climate adaptation.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

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8.3 LOCAL GOVERNMENT REGULATIONS AND LOCAL GOVERNMENT MEETING PROCEDURES REGULATIONS REMAKE 2025

REPORT AUTHOR:	General Manager - Mr S. Power
REPORT DATE:	13 March 2025
FILE NO:	15.28
ATTACHMENTS:	<ol style="list-style-type: none">1. Letter - Minister for Local Government - consultation on remaking Local Government Regulations [8.3.1 - 2 pages]2. Discussion Paper Local Government Regulations Local Government Regulations and Local [8.3.2 - 11 pages]3. Attachment-1- Draft- Local- Government- Meeting- Procedures- Regulations-2025- Consultation [8.3.3 - 67 pages]4. Attachment-2- Draft- Local- Government- General- Regulations-2025- Consultation [8.3.4 - 102 pages]5. Tables showing changes to provisions in consultation versions of Local Government Mee [8.3.5 - 8 pages]

SUMMARY

The purpose of this report to Council is to consider providing feedback to the State Government on the Discussion Paper for remaking of two regulations:

- Local Government Regulations; and
- Local Government (Meeting Procedures) Regulations.

BACKGROUND

The Local Government (Meeting Procedures) Regulations 2015 (the Meeting Regulations) and the Local Government (General) Regulations 2015 (the General Regulations) are important parts of the local government legislative framework in Tasmania. Both Regulations are made under the *Local Government Act 1993 (the Act)*.

Regulations last for 10 years and are then required to be 'rewritten' (or remade). This requirement is set out under *section 11(2) of the Subordinate Legislation Act 1992*. The current Meeting Regulations and General Regulations are due to expire in June 2025 and so need to be remade.

The discussion paper provided for consultation, is set out three parts:

- Part A: introduction and overview of Regulations remake and consultation process
- Part B: proposed changes to the Local Government (Meeting Procedures) Regulations 2015
- Part C: proposed changes to the Local Government (General) Regulations 2015

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The consultation period for both discussion papers is from 25 February 2025 to 1 April 2025.

It should also be noted the discussion paper concedes that given the short timeframes available to remake both the General Regulations and Meeting Regulations, amendments to the regulations will likely be limited to proposed changes as set out in the discussion paper and the draft regulations. However, councils are still welcome to provide feedback about other provisions in these regulations. The Government will keep a record of these and consider them at a later date.

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2024-2030:

Future Direction Four - Leadership and Accountable Governance

31. Positive and productive working relationship with all levels of government and their agencies
 - ii. The outcomes and directions sought by all level of government are understood

32. Collaborative working relationships with neighboring Councils and regional organisations
 - ii. George Town is active in regional development and works collaboratively on beneficial regional initiatives

33. Fair and open planning regulatory processes
 - i. There is community knowledge and understanding of planning and regulatory responsibilities and processes

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Local Government Act 1993.

RISK CONSIDERATIONS

Failure to participate in the consultation process will mean Council has not had its views on electoral reform considered.

FINANCIAL IMPLICATIONS

Limited to officer time.

DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS

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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

Elected members were presented with the Discussion Paper: Local Government Regulations and Discussion Paper: Local Government (Meeting Procedures) Regulations at the 11 March 2025 Council Workshop.

OPTIONS

Council may choose to:

1. Make a submission in accordance with the officer's response; or
2. Make a submission with amendment to the officers response; or
3. Make a submission independent of the officers response; or
4. Choose not to make a submission.

OFFICER'S COMMENTS

It should be noted that the State Government has left it until both Regulations are close to expiry before engaging the sector in a process to 'remake' the Regulations. Due to this less than satisfactory approach, the remade regulations will not address some of the key elements which have been the subject of discussion for a number of years. Instead, these changes will require the Regulations to be amended at some stage in the near future.

It is proposed most provisions contained in the existing General Regulations and Meeting Regulations will be remade without change. In other words, they will stay the same. There are also proposed changes to the Regulations aimed at improving transparency, accountability, inclusivity and fairness in Councils. These include:

- enhancing transparency, such as requiring ordinary Council meetings be recorded and by updating requirements for disclosure of councillor interests
- promoting accountability, such as through updated reporting requirements
- encouraging inclusivity, such as by allowing Councillors to attend meetings virtually or remotely where appropriate and improving community access to recorded meetings
- ensuring fairness, such as updating Council categories that determine Councillor allowances and ensuring consistency of approach to Councillor leave arrangements.

These changes were previously identified through feedback from a range of review processes, including most recently the Future of Local Government Review. The proposed changes align with the broader aims of the Local Government Priority Reform Program 2024-26. Getting feedback on the proposed changes will help to make sure the Regulations are fit for purpose.

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Many of the provisions remain unchanged in the proposed remade Meeting Procedure Regulations and General Regulations (refer to Attachment). The proposed changes to existing regulations and new regulations are outlined below, including comments from the General Manager on the proposals in the Discussion Paper (please read the following table referencing the attachments).

PART A: INTRODUCTION AND OVERVIEW OF REGULATIONS REMAKE AND CONSULTATION PROCESS	
General Comments	
PART B: PROPOSED CHANGES TO THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015	
SNAPSHOT OF CHANGES	
<ol style="list-style-type: none"> 1. Include new regulations to: <ul style="list-style-type: none"> o enable councillors to attend meetings remotely o provide greater flexibility for councillor leave o clarify requirements for recording interests in minutes o mandate the audio or audio-visual recording of council meetings. 2. Make the rules and procedures for questions and motions consistent, and easier to understand and manage. 	
Regulation 5 - Convening of Meetings	General Manager comment: Logical addition clarifying how a majority of Councillors is to be counted.
Regulation 8 - Statement to be made at meetings	General Manager comment: This new addition apart from introducing notice that the meeting is being recorded also brings into the statement respectful behaviour and unacceptable conduct and language. Helps to reinforce expectations as to what is appropriate.
Regulation 10 - Agenda	General Manager comment: Minor tweaks have been made to this Regulation to bring in Parental Leave (see 10.2.e)
Regulation 13 - Quorum	General Manager comment: This has been amended to provide for Councillor participation by audio or audio visual link (see 13.4)
Regulation 17 – Closed Meetings	General Manager comment: Changes to this Regulation are relatively minor and included Parental Leave applications (17.2.j). Sub regulation (6) includes a requirement for the reason for the closure to be recorded in the Minutes which is logical. GTC Minutes disclose which part

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	of Sub regulation (2) applies to the item in the item heading.
Improve public access to council meetings	
How can any possible operational or logistical matters be managed in relation to the recording of council meetings?	<p>General Manager comment:</p> <p>The provisions of new Regulation 43 (replacing old Regulation 33) are generally logical and substantially reflect the current Regulation. The changes are the mandatory requirement and the process to address technical difficulties, which are both appropriate.</p> <p>It provides the General Manager with the power to edit a recording in prescribed circumstances. This does not place a requirement on the General Manager to review each recording to assess whether any of the prescribed circumstances exist.</p> <p>Clarity is sought on whether this regulation imposes on the General Manager an obligation to assess every recording, and if so, what is the impact if something is missed?</p>
How long do you think councils should keep recordings of meetings and how long should they be published on council websites?	<p>General Manager comment:</p> <p>This is currently six months in the Regulations, extending this to 12 months will require councils to have available increased storage space on the website.</p> <p>GTC currently exceeds the 12 month requirement.</p>
Do you have any concerns about the proposed changes to minutes?	<p>General Manager comment:</p> <p>There have been a number of subtle tweaks within Regulation 39 which have not been articulated in the Discussion Paper. This relates to:</p> <ul style="list-style-type: none"> • Setting a minimum specification for what Minutes will include rather than what they are to record. • Changing “any” to “each” in numerous places <p>Under the current Regulations, technically questions asked without notice by a Councillor do not have to be included. The proposed change addresses this. Greater specificity in relation to what is recorded in</p>

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	the minutes has been included which ensures a consistent approach.
<p>Allow councillors to attend meetings remotely (r.46)</p> <p>The Meeting Regulations will be amended to enable councils to meet remotely in limited circumstances, such as a natural disaster or public health emergency.</p> <p>It is also proposed the chairperson of council can authorise individual councillors to attend meetings remotely due to limited circumstances. In these cases, where councillors are participating in a meeting remotely, they must be able to be fully engaged and provide their full attention to the meeting and provide assurances of the appropriate management of confidentiality where necessary. Circumstances that may prevent a councillor attending a meeting in person and are acceptable reasons for participating remotely include:</p> <ul style="list-style-type: none"> • ill health or incapacity • caregiving responsibilities • localised natural disasters or emergencies. <p>However, it is also recognised and critical that councillors must participate fully in meetings. Approval to attend remotely will not be provided if a councillor:</p> <ul style="list-style-type: none"> • is not able to provide their full attention to the council meeting • cannot maintain the confidentiality of a closed meeting • does not provide a suitable reason. <p>To balance remote and face-to-face participation in meetings, it is proposed councillors cannot utilise remote meeting provisions to attend more than one-third of meetings each year. This amendment will help to maintain current expectations around engagement with the council while still allowing for some flexibility.</p>	
Do you agree with the limited circumstances in which a councillor can attend a meeting remotely?	<p>General Manager comment:</p> <p>Regulation 46 should also require the Councillor making the request to specify whether they are attending by audio or audio-visual link.</p> <p>Remote attendance is only as effective as the quality of the connection which can vary substantially and drop out at any moment for no reason. The Regulation fails to address this situation and this needs to be corrected before the Regulations are remade.</p> <p>The General Manager has requested LGAT consider revising its remote meeting guidelines developed during the COVID-19 pandemic for government consideration. GTC also developed guidelines when face to face meetings resumed during the pandemic</p>

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	<p>which allowed for limited remote attendance on the grounds of illness. These guidelines considered technical issues such as drop out periods and the way in which the meeting was to be conducted by the chair.</p> <p>The Chair must be satisfied that councillor/s participating remotely have sufficient means to participate in closed meetings and maintain confidentiality.</p>
Do you believe the circumstances in which remote attendance may be refused are sufficient?	<p>General Manager comment:</p> <p>Reasons for refusal appear adequate, however lack of sufficient evidence under sub regulation 3 may be worthy inclusion.</p>
Do you think there needs to be a restriction or cap on the number of meetings a councillor can attend remotely each year and, if so, what should this be?	<p>General Manager comment:</p> <p>New Regulation 48 already proposes no greater than one third of meetings for the calendar year can be attended by remote means.</p>
<p>Parental leave for councillors</p> <p>An additional provision to the regulations would allow councillors <i>a right</i> to take extended parental leave for up to six months. This includes for birth or adoption of a child as well as adopting or becoming a guardian. This leave would not require approval by the council.</p> <p>Having parental leave will help councillors to take time off without risking their position.</p>	
Do you agree with the circumstances in which a councillor can have parental leave? Is there anything that should be removed or added?	<p>General Manager comment:</p> <p>This is a logical addition and the circumstances seem sufficiently encompassing in relation to circumstances.</p> <p>For clarity the Regulations should address the situation of Councillor Allowances. Employees have access to paid parental leave in accordance with Council's Enterprise Agreement. The Australian Government also meets the cost of Paid Parental leave for a 22 week period.</p>
<p>Consistent rules and procedures for questions, motions and minutes</p> <p>The proposed changes will help people understand and comply with the Meeting Regulations by making sure there are similar and clear rules where possible. They will also help the chairperson to manage meetings.</p> <p>The changes will clarify:</p>	

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- Questions from both councillors and the public should be straightforward, concise and directly relevant to council activities.
- Questions should focus on asking for information, not making statements, and should include minimal background details.
- When and why questions and motions can be refused. For example, they should not be defamatory, unlawful or offensive and must relate to the activities or functions of the council.
- Who makes the decision to refuse a question or motion and when. For example, the general manager, in consultation with the mayor, can decide if a question on notice is to be refused before a meeting. The chairperson will decide if a question or motion is to be refused at a meeting.

What needs to be recorded in the agenda and minutes if a question is refused because it is offensive, unlawful, defamatory, excessively personal or does not relate to council activities. In such cases, it is proposed the person's name, the date the question was received and the reason for refusal is recorded rather than printing the original question.

Do you think the suggested changes will provide clarity for people attending council meetings and asking questions?

General Manager comment:

Regulation 33 – Questions Generally is a new Regulation which sets parameters in relation to how a question is handled and how it is delivered. Of particular note is the requirement that it not be a statement and have minimal preamble. The introduction of this Regulation will strengthen the capacity of the chairperson to focus on a question being asked without a lengthy preamble which is sometimes delivered.

Clauses within the Regulation have been reordered to provide a logical grouping. The following changes are also noted:

1. Refusal of a motion has been expanded to include the General Manager as well as the Mayor (previously only the Mayor) and the grounds have been extended to include *(d) does not relate to the activities, or functions, of the council.*
2. Now includes a new provision in Regulation 19 that a councillor can provide less than 7 days notice or even provide a written notice during the meeting. The Mayor and General Manager then have to consider whether to allow this to occur at that meeting or at a later meeting.

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	<p>3. Regulation 20 is an entirely new provision that enables motions without notice to be given as long as it relates to a matter listed on the agenda of the meeting</p> <p>Provision should be permitted for the General Manager to take motions on notice in order to seek professional advice. Motions should not be allowed to be introduced if they conflict with Regulation 23.</p> <p>To maintain the flow of a Council meeting Regulation 10 should set aside for motions with or without notice to be considered.</p>
Do you think the changes will help the chairperson manage questions and motions in meetings?	<p>General Manager comment:</p> <p>The proposed changes will assist the chairperson to manage questions at a meeting. Concerns have been expressed in the previous discussion about the impact of changes to motions and the proposed changes are not an improvement in the management of motions as currently proposed.</p>
PART C: PROPOSED CHANGES TO THE LOCAL GOVERNMENT (GENERAL) REGULATIONS 2015	
SNAPSHOT OF CHANGES	
<ol style="list-style-type: none"> 1. Introduce mandatory reporting of councillor training activities in council annual reports. This will enhance transparency and promote ongoing professional development. 2. Update and increase councillor allowances. The increase will provide a financial contribution to compensate for the lack of superannuation. 3. Introduce two new sets of questions related to 337 land information certificates. 	
Mandate the reporting of councillor training	
Are there other learning and development activities that should also be recorded publicly?	<p>General Manager comment:</p> <p>This will require the reporting on the completion of core learning and development activities as determined by the Director of Local Government. It is presumed that this will be the Learning and Development Framework modules but it doesn't explicitly say this. The Director will determine what is disclosed. The General Manager believes that the disclosure should</p>

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	reflect the modules only. Provision for digitally challenged elected members to participate needs to be included.
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Updated councillor allowances

Tasmania’s 29 councils are varied, and allowances payable to councillors are set in a way to ensure good governance while balancing councils’ financial sustainability and the interests of the ratepayers. There are currently seven council categories based on the number of voters and revenue base for each council. Using this relatively simple methodology, allowances are set and aligned with council categories.

The base amount payable to councillors is specified in the General Regulations. These amounts are adjusted for inflation each November using an indexation process. The council categories were reviewed and updated in 2016. Consistent with the Government’s Priority Reform Program, a straightforward recalculation of allowances has been undertaken as part of the remaking of the Regulations, by reapplying the existing methodology (i.e. recalculating allowances on the basis of current numbers of voters and revenue basis) – this has seen three councils move up to the next category (Clarence City, Devonport City and Glamorgan-Spring Bay Councils).

Further to this, the matter of superannuation has been reviewed. In 2004, a 9% increase in allowances was provided to compensate for the lack of councillor superannuation. Australia’s superannuation guarantee is currently sitting at 11.5% and will increase to 12% in July 2025. Therefore, councillor allowances as proposed in the draft General Regulations have been adjusted to incorporate the equivalent of a 12% superannuation compensation component.

To ensure councillor allowances are fair and equitable in all respects however, the Government has also committed to a comprehensive review of councillor allowances and councillor numbers at a future date.

Do you have any comments about the updated councillor allowances?	<p>General Manager comment:</p> <p>Through previous discussions at Council, concerns have been expressed that the level of the allowance is a dis-incentive to some sections of the community to participate in local government as they will be financially disadvantaged by not being able to work.</p>
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337 certificate questions

Are questions 56 and 57 on weed management necessary or appropriate? Why?	<p>General Manager comment:</p> <p>This will add further to the extensive questions which Council currently deals with, the fee for a 337 Certificate will need to be increased to address this additional work.</p>
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	<p>The proposed Question 56 is supported however we need to ensure that the required data source to answer this question is available.</p> <p>Question 57 should be amended to include Weed Control Notifications. “Have any enforcement measures under the <i>Weed Management Act 1999</i> (now repealed) or <i>Biosecurity Act 2019</i> (such as notices, requirements or directions) been served in the last ten years in relation to the land? “</p> <p>Alternatively, amended to include notices in the “Note”:</p> <p>“.. (Note: Enforcement measures may be in the form of <u>written Weed Control Notifications</u>, a Requirement Notice issued under section 13 of the <i>Weed Management Act 1999</i> (now repealed) or an Individual Biosecurity Direction issued under section 193 of the <i>Biosecurity Act 2019</i>, or a Biosecurity Action Requirement.)</p>
<p>Is the set of questions (no. 21) on land subject to Major Projects necessary or appropriate? Why?</p>	<p>General Manager comment:</p> <p>This is a logical inclusion.</p>
<p>There are now a number of 337 questions, which in turn create a burden for councils. Could questions be simplified or would this lead to information not being provided?</p> <p>An example of simplified questions are:</p> <ul style="list-style-type: none"> • ‘Have approvals been granted under any relevant Act to perform plumbing work? Are they still in force and is the completion of any required work still outstanding?’ • ‘Have any compliance actions (such as notices or orders) been served in relation to the land that are still outstanding?’ 	<p>General Manager comment:</p> <p>Agree with simplified questions as suggested. The introduction of the Building Act 2019, particularly the introduction of Notifiable Work (Form 80), Notifiable Work requiring approval and Permit work means that additional level of research is required for each certificate issued including the provision of those records. In BODC experience solicitors and conveyances are struggling to understand whether matters are outstanding or not, particularly in reference to the “Negative-Negative” questions relating to completion certificates. There are some questions that would need to remain however providing answers in its current format is onerous.</p> <p>The alternative would be to increase the fee applicable to the amount of research required, particularly for properties which are multiple developments since the introduction of the Building Regulations 1994. The</p>

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	<p>current fee does not resonate with the amount of work required.</p> <p>A further consideration might be to remove any questions relating to previous legislation. The current 337 does not make reference to the Building Regulations 1978, perhaps consideration could be given to remove any references to the Building Regulations of 1994 or Building Act 2000.</p>
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The Government will consider submissions and, if required, make changes to the draft regulations. Some of the proposed changes discussed in the Discussion Paper may require changes to the *Local Government Act 1993* prior to their implementation, but the Government is interested in consulting on these matters now to ensure they have a holistic view of stakeholder perspectives. The remade regulations will then be finalised for approval by the Minister for Local Government, ready to commence in June 2025.

The consultation period runs from 25 February 2025 until 1 April 2025.

OFFICER'S RECOMMENDATION

That Council:

1. Make a submission in accordance with the Officer's response to the State Government on the Discussion Paper for remaking of two regulations:
 - Local Government Regulations; and
 - Local Government (Meeting Procedures) Regulations.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

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8.4 LOCAL GOVERNMENT ELECTORAL BILL - DISCUSSION PAPER

REPORT AUTHOR:	General Manager - Mr S. Power
REPORT DATE:	13 March 2025
FILE NO:	14.16
ATTACHMENTS:	<ol style="list-style-type: none">1. Discussion- Paper- Local- Government- Electoral- Bill [8.4.1 - 40 pages]2. At-a-glance-two-page-summary- Local- Government- Electoral- Bill-discussion-paper [8.4.2 - 2 pages]

SUMMARY

The purpose of this report is to provide Council with an opportunity to consider a submission on the Local Government Electoral Bill.

BACKGROUND

As part of the state government's commitment to local government reform, the Office of Local Government has released a discussion paper on a proposed standalone Electoral Bill and supporting regulations. It is intended that the new legislation will be in place in readiness for the council elections due to occur in October 2026.

The proposed reforms outlined in the paper aim to:

- create a more flexible format for local government elections
- strengthen donations disclosure and electoral advertising requirements
- improve the quality of public information at elections
- make changes to the franchise for electors and eligibility to run for office, alongside a suite of changes intended to improve the integrity of (and community confidence in) council elections more generally.

It should be noted that there are two areas that are out of scope in the reform. Specifically, voting in local government elections will remain compulsory and councils will continue to bear the costs of elections.

Submissions to the government are due 4 April 2025.

LGAT is also making a submission to the discussion paper and has requested feedback be provided to them by 13 March 2025.

The paper presents **two scenarios** for the future format of elections:

- The first is an upfront change to an attendance voting mode, either with a single polling day or a polling period, which would represent a substantial departure for local government elections in Tasmania.

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- The second relies upon continued distribution by mail of ballot papers, with electors encouraged and enabled to complete and return ballots by hand to physical issuing places, creating a 'hybrid' electoral system. This responds to challenges, namely decreasing postal services standards and increasing costs, which will continue to challenge the conduct of elections by universal postal ballot.

Officer response:

The government conceded in their discussion paper that it is difficult to quantify the cost implications of either scenario presented. Given voting is compulsory, it is the view of officers that a hybrid model presents the most equitable way of participating in the voting process. Specifically, a single polling day should be proposed with postal voting an option for those who cannot attend in person.

The paper also considers:

Should non-citizens enjoy a continuing entitlement to vote at local government elections?

If this entitlement were to continue, it is proposed a person's ordinary place of residence must have been in Tasmania for the 12 months prior to making an application for enrolment (or otherwise must own property in Tasmania in a personal capacity). This would be, in effect, a 'non-citizens' electoral category.

Officer response:

Officers support retaining the voting entitlements for non-citizens who own property within the municipal area and for permanent residents of the municipality.

Reforming the entitlement to nominate as councillor

If an entitlement for non-citizens to vote is preserved, require that a person must appear on the House of Assembly electoral roll to be eligible to hold the office of councillor, in addition to appearing on that roll or the supplementary electoral roll at an address in the municipal area.

Officer response:

Officers support this recommendation.

Remove the direct election of the deputy mayor

Instead, the councillors are to elect the deputy mayor at the first ordinary meeting of the term of the council. Otherwise, the role of deputy mayor could be removed entirely or made optional in favour of provision for acting mayors, including supplementary allowances.

Officer response:

Officers do not support this reform consideration. The role of deputy mayor is important to maintain. It provides immediate coverage for the mayor when he/she is unavailable. It also provides an opportunity for potential succession planning (should the electors choose).

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Deputy mayors should continue to be popularly elected for the term of council. Examples of electing the deputy mayor (and in some cases mayor) through voting 'around the table' has generated the development of factions within the elected body from the outset of the newly elected council.

It is also the view of officers that deputy mayors be provided with a greater level of training opportunity through the Office of Local Government and LGAT.

It may be worth considering allowing candidates to run for both the role of mayor and deputy mayor?

The paper proposes thirty-three technical reforms as follows:

Reform 1: reduce prescription in the statutory framework to enable the Tasmanian Electoral Commission to approve the electoral process.

Officer response:

Supported. Providing flexibility will enhance accessibility and participation rates including for hybrid voting model.

Reform 2: enable the Tasmanian Electoral Commission to approve procedures for voting, including by telephone and electronic means, for interstate and overseas electors and electors with impediments to ordinary participation, or for other classes of person prescribed by regulation.

Officer response:

Supported. Providing flexibility will enhance accessibility and participation rates including for hybrid voting model.

Reform 3: legislate that the Tasmanian Electoral Commission is required to approve procedures in accordance with universal franchise principles, namely all electors, including electors with additional barriers to participation, are to be afforded an opportunity to vote in an independent, secret and verifiable manner.

Officer response:

Supported. Providing flexibility will enhance accessibility and participation rates including for hybrid voting model.

Reform 4: require the Electoral Commissioner to publish after each election a statement on the implementation of the accessibility principles, after information, including relevant statistics and initiatives undertaken to promote universal participation in the election.

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Officer response:

Supported. Demonstrates the enhanced accessibility and participation rates.

Reform 5: increase the number of elector signatures required to support a notice of nomination to the lesser of 30 or one per cent of the number of electors in the municipal area.

Officer response:

Supported. This reform requires the candidate to demonstrate genuine commitment to engage and represent the community. Government should also consider a requirement for candidates to participate in information session on understanding local government prior to nomination.

Reform 6: move administration of the ‘general managers’ roll’ from councils to the Tasmanian Electoral Commission, including administration of the process through which land occupier and corporate nominee (supplementary electoral roll) electors are to enroll.

Officer response:

Supported. The general managers elector roll places an administrative burden on councils and is better aligned with the Tasmanian Electoral Commission.

Reform 7: provide a definition for the purposes of ‘occupier’ of land that establishes an occupier holds a leasehold interest or licence over land, and/or the person’s ordinary place of residence is in the municipal area.

Officer response:

Supported. Provides greater clarity.

Reform 8: provide that a person seeking enrolment on the supplementary roll must complete a land occupier declaration and provide documentation of the leasehold or licence over land, or evidence of their period of residence in Tasmania to the satisfaction of the Commissioner.

Officer response:

Supported. Provides for a more robust process.

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Reform 9: implement the 'one person, one vote' principle and require a nominee of a corporate landowner or occupier of land may nominate one natural person who is an officeholder of the company to be its nominee.

Officer response:

Supported. Provides a more balanced democratic process.

Reform 10: provide that all intending candidates (other than incumbent councillors) must complete a prescribed program of pre-nomination training prior to their submission of a notice of nomination.

Officer response:

Supported. The training (or information session) should be accessible and available to participate by digital means and in person. New candidates will gain a greater understanding of the responsibilities, opportunities, but also the limitations associated with the role.

Reform 11: require that the TEC provides all people submitting a notice of nomination the opportunity to provide a candidate information statement (in an approved format, providing prescribed information) and the Tasmanian Electoral Commission is to publish candidate information through appropriate means.

Officer response:

Supported. Provides electors with at least some understanding of the candidate's motivation for nomination and how they intend to represent the community.

Reform 12: provide that the Director of Local Government may provide a statement to be published by the Tasmanian Electoral Commission alongside the candidate information.

Officer response:

Supported. Provides for sector wide transparency. The sector should be engaged in the development of the performance measures and data inputs to ensure consistency across all councils.

Reform 13: establish that nomination by a registered party is to be included in the information published by the Tasmanian Electoral Commission, and printed on the ballot paper, with the candidate's name to be printed alongside the name of the registered party.

Officer response:

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Supported. Provides for greater transparency by disclosing political party endorsement for the candidate. This reform does not require disclosure of party membership, however.

Reform 14: provide for candidates whose nomination form is not lodged by a registered party to request to be identified with a group name.

Officer response:

Not supported. Candidate collectives should either register as a party in accordance with the *Electoral Act 2004* or stand independently. Providing the ability for an unregistered 'membership' of candidates may lend itself to frivolity or vexation.

Reform 15: corresponding to the Electoral Act Review Final Report and the amended section 197 of the *Electoral Act 2004*, introduce new prohibitions on the dissemination of misleading and deceptive statements.

Office response:

Supported.

Reform 16: remove the general restriction upon a person, without the consent of the candidate or intending candidate, printing, publishing or distributing any electoral advertising that contains the name, photograph or a likeness of a candidate or intending candidate at an election; other than 'how-to-vote' material intended to instruct an elector in the completion of their vote.

Officer response:

Supported in part. Consent from announced candidates should not be required, however consent should be sought from 'intending' candidates prior to publication of 'intending' candidate details. Consider providing greater definition on what constitutes *publicly declared* 'intending' candidate under the *Electoral Act 2004*.

Reform 17: clarify the definition of electoral advertising.

Officer response:

Supported.

Reform 18: provide that only a candidate, intending candidate, or a person so nominated in the notice of nomination by a candidate, may incur electoral expenditure; and provide that expenditure by other persons to promote or procure the election of a candidate or intending candidate is an offence.

Officer response:

Supported. Provides for a more robust system.

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Reform 19: institute authorisation requirements for electoral advertising and associated material.

Officer response:

Supported. Reform is consistent with the *Electoral Act 2004*.

Reform 20: replace advertising expenditure limits with a general expenditure limit, with reference to the expenditure limit for Legislative Council elections under the *Electoral Disclosure and Funding Act 2023*.

Officer response:

A general expenditure limit more flexibly (and appropriately) captures the range of campaigning activities open to candidates at contemporary elections.

Reform 21: require that a candidate is to report expenditure made on their behalf in their electoral expenditure return, in the same manner as personal expenditure. The present requirement to attribute, in full, to each candidate so featured the value of advertising featuring multiple candidates (for instance, multiple party candidates) will be retained.

Officer response:

Supported.

Reform 22: prohibit any person from incurring any expenditure for or on behalf of a registered party with a view to promoting or procuring the election of a candidate or intending candidate.

Officer response:

Supported.

Reform 23: maintain the \$50 threshold for the disclosure of gifts and benefits and extend this requirement from incumbent councillors to all candidates, who will be required to lodge two candidate donation returns with the Tasmanian Electoral Commission. The new Bill will also require the publication of initial donations disclosures on the Commission's website during the polling period and until the certificate of election.

Officer response:

Supported.

Reform 24: provide that it is an offence for a person other than a candidate or intending candidate to accept a gift or benefit for the purpose of promoting or procuring the election of a candidate, or for the dominant purpose of influencing the way electors vote in an election; and that it is an offence to make a gift or donation to a person other than a candidate or intending candidate for this purpose.

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Officer response:

Supported.

Reform 25: provide that it is an offence for a councillor, intending candidate or candidate, at any time, to accept a donation for the purpose of promoting or procuring the election of a candidate or intending candidate at a local government election:

- **over \$50, including services or goods valued in kind, without recording the basic details of that donor**
- **over \$50 in cash**
- **over \$50 from a foreign donor.**

Officer response:

Supported.

Reform 26: provide that a local government election or by-election may not be held such that the polling period overlaps the date of a Tasmanian or Australian Government parliamentary election.

Officer response:

Supported.

Reform 27: provide the Tasmanian Electoral Commission with powers of investigation.

Officer response:

Supported. Enhances integrity of system.

Reform 28: alignment of electoral offences and sanctions with the Electoral Act.

Officer response:

Supported. provides consistency and clarity.

Reform 29: provide a statutory caretaker framework, applying from the notice of election to the date of the issue of the certificate of election for all elections other than by-elections and countbacks.

Officer response:

Supported. Prevents future councils being unrealistically committed to action and prevents the use of council resources for 'campaigning'.

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Reform 30: provide that during the caretaker period, prohibit a council from making any major policy or financial decisions, namely decisions:

- relating to the appointment, reappointment, remuneration or termination of a general manager, other than a decision in respect of the appointment of an acting general manager under section 61B
- committing the council to expenditure greater than one per cent of general and service rating and fees and charges revenue raised in the preceding financial year, or \$100,000, whichever is the larger
- directing council resources in a manner intended, or likely to, influence voting at the election
- relating to a matter the council considers it could reasonably defer until after the election period, other than:
 - decisions relating to a matter the council is required to determine in that period under statute
- decisions of a routine and operational nature.

Officer response:

Supported. Prevents future councils being unrealistically committed to action and prevents the use of council resources for 'campaigning'.

Reform 31: provide that during the caretaker period, it is an offence for a council to:

- publish any material in any format which promotes any candidate or group of candidates for election, or otherwise seeks to influence voters in the election
- publish material in relation to the election other than information to promote participation in the election and in relation to election process, or other material of a kind published by the Electoral Commissioner
- make resources available to the advantage of any candidate, which are not equally available to all candidates for election

Officer response:

Supported. Prevents future councils being unrealistically committed to action and prevents the use of council resources for 'campaigning'.

Reform 32: provide that major policy or financial decisions of a council during the caretaker period are of no effect and provide that persons who incur loss or damage due to an ineffectual decision of a council, who acted in good faith, are entitled to recover compensation from the council.

Officer response:

Supported. However further clarity on compensation limitations is required.

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Reform 33: increase the proportion of electors signing a petition required to compel a council to hold an elector poll to 20 per cent; while restricting the matters about which an elector poll may be held to matters with a legitimate connection to the exercise of a council's functions or powers or to the incorporation of the council, as determined by the council.

Officer response:

Supported. Demonstrates genuine engagement with the elector base.

STRATEGIC PLAN

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

Future Direction Four - Leadership and Accountable Governance

29. Capable leadership in communities

i. Communities have skilled leaders and contemporary leadership practices that guide change and manage complexity

Future Direction Four - Leadership and Accountable Governance

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

ii. The outcomes and directions sought by all level of government are understood

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Local Government Act 1993

Local Government (General) Regulations 2015

Electoral Act 2004

Electoral Disclosure and Funding Act 2023

RISK CONSIDERATIONS

Failure to participate in the consultation process will mean council has not had its views on electoral reform considered.

FINANCIAL IMPLICATIONS

Limited to officer time.

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.

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Officers support proposed reform measures that enhance the accessibility and therefore participation rates in the voting process for local government elections.

CONSULTATION

Limited to council workshop.

OPTIONS

Council may choose to:

1. Support officer's responses as presented for a submission to the consultation process;
or
2. Support officer's responses as presented for a submission to the consultation process with amendment; or
3. Develop responses independent to officers for a submission to the consultation process; or
4. Choose not to participate in the consultation process.

OFFICER'S COMMENTS

Officer's responses to the proposed reforms are intended to stimulate discussion and provoke thought by councillors. Ultimately, officers will seek the views and endorsement of Council for any submission on behalf of the George Town Council to the consultation process.

OFFICER'S RECOMMENDATION

That Council:

1. Support the Officers Responses as presented for a submission to the consultation process on the Local Government Electoral Bill.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

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8.5 RESCINDING OF OBSOLETE MOTIONS AND REMOVAL OF MOTIONS FROM OUTSTANDING MOTIONS REGISTER

REPORT AUTHOR:	General Manager - Mr S. Power
REPORT DATE:	13 March 2025
FILE NO:	14.12, 14.5
ATTACHMENTS:	Nil

SUMMARY

The purpose of this report is to provide Council with Council resolutions recommended for removal from the outstanding motions register.

BACKGROUND

This report recommends the rescinding of outstanding motions that have been made obsolete by way of successive motions or actions or are considered to be of an operational nature, in practice and functioning. This report also recommends the removal of nominated motions from the Outstanding Motions Register where appropriate.

Officers maintain a register of motions of Council which is presented to elected members on a quarterly basis to track and report on progress. The report details motions completed in the reporting period and those that remain outstanding. The register of outstanding motions (attached) contains motions dating back to 2017 with many being obsolete and others containing decisions or directions of an ongoing nature. The intent in removing identified motions is to provide accurate performance reporting on actioning of Council motions without diminishing decisions or directions from Council.

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2024-2030:

Future Direction Four- Leadership and Accountable Governance

33. Fair and open planning regulatory processes

- i. There is community knowledge and understanding of planning and regulatory responsibilities and processes

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Section 18 of the *Local Government (Meeting Procedures) Regulations 2015*, Motion to overturn decision prescribes:

- (1) For the purposes of this regulation, a decision may be overturned, wholly or partly, by
 -
 - (a) a motion directly rescinding or otherwise overturning the decision or part of the decision; or

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- (b) *a motion that conflicts with, or is contrary to, the decision or part of the decision.*

- (2) *A council or council committee may only overturn a decision passed at a previous meeting held since the last ordinary election –*
 - (a) *by an absolute majority, in the case of a council; or*
 - (b) *by a simple majority, in the case of a council committee.*

- (3) *Any report given by the general manager to a council in respect of a proposed motion to overturn a decision of the council, or that will result in the overturning of a decision of the council, wholly or partly, is to include –*
 - (a) *a statement that the proposed motion, if resolved in the affirmative, would overturn that previous decision or part of that previous decision; and*
 - (b) *the details of that previous decision, or the part of that previous decision, that would be overturned; and*
 - (c) *advice as to whether or not that previous decision, or that part of that previous decision, directed that certain action be taken; and*
 - (d) *if that previous decision, or that part of that previous decision, directed that certain action be taken, advice as to whether or not that action has been wholly or substantially carried out.*

RISK CONSIDERATIONS

Endorsing the Officers recommendation is deemed to have minimal risk.

FINANCIAL IMPLICATIONS

There are no financial implications identified with the proposed action.

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 2024-2030.

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

Outstanding motions to be considered for rescinding has been presented to Council at its workshop on the 11 March 2025.

OPTIONS

Council may choose to:

1. Support the recommendation as presented; or

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2. Support the recommendation with amendment; or
3. Not support the recommendation.

OFFICER'S COMMENTS

It is the view of the General Manager the below table comprises motions that have been made obsolete by way of successive motions or actions or are considered to be of an operational nature, in practice and functioning. Completed motions as at 31 December 2024 have been included for information purposes.

- Green** - Completed as at 31 December 2024
Yellow - Updated status report

Outstanding Motions listed as at 31 December 2024

Min No.	Date	Motion	Action/ Comments as at 13 March 2025
PLANNING			
45/24	23/04/24	Request to Remove Part 5 Agreement – 6 Leads Avenue, Low Head That Council: 1. defer the item.	Completed. Report provided at the March Council Workshop.
114/24	23/07/24	DA 2024/13 – 40 Davis Street, Beechford – Subdivision (11 Lots and Road) <i>As per resolution.</i>	Completed
128/24	27/08/24	Request to Remove Part 5 Agreement – 86 Bell Buoy Beach Road, Low Head That Council: 1. agrees, pursuant to section 74(3) of the Land Use Planning and Approvals Act 1993, to end the agreement D34898 registered against the title of 86 Bellbuoy Beach Road, Low Head (CT163013/4).	Completed
151/24	22/10/24	DA2024/74 - 80 North Street, George Town - Subdivision (1 Lot & Balance) <i>As per resolution.</i>	Completed
152/24	22/10/24	DA2024/75 - 93 Burton Street, Hillwood - Resource Development - Free-Range Poultry/Eggs <i>As per resolution.</i>	Completed

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165/24	26/11/24	DA 2024/86 - 82 Bellbuoy Beach Road, Low Head - Subdivision (1 Lot To 4 Lots) <i>As per resolution.</i>	Completed
166/24	26/11/24	DA2024/60 - Residential - Single Dwelling & Outbuilding - 253 Old Bangor Tram Road, Mount Direction (Ct177146/1) With Access Via Crown Road Reserve <i>As per resolution.</i>	Completed
ORGANISATIONAL PERFORMANCE, STRATEGY & ENGAGEMENT			
052/21	27/04/21	Notice of Motions – Dog Management Policy Review That this motion be put to the next workshop for discussion.	Completed
024/23	28/02/23	S24 Special Committee Review – George Town Safety Group Committee That Council: <ol style="list-style-type: none"> 1. Disestablish the existing Committee; 2. Consider what a “Health and Wellbeing Committee” may look like, including: <ol style="list-style-type: none"> a. whether this would be: <ol style="list-style-type: none"> i. a Section 23 Council Committee (comprised of Councillors appointed by the Council); or ii. a Section 24 Special Committee (comprised of such persons appointed by the Council as the Council thinks appropriate), and b. giving consideration to draft Terms of Reference to be brought before Council at the next Workshop for discussion; and 3. Include such a Committee in the 2023/24 Annual Plan. 	Completed Report provided to Council at the 25 February Ordinary Council meeting.
INFRASTRUCTURE AND DEVELOPMENT			
136/17	17/05/17	Accessible Car Parking That Council: <ol style="list-style-type: none"> c) Receives the report from the Manager of Infrastructure and Engineering and notes the report information; and c) Undertakes an audit of Council’s existing accessible car parking infrastructure within the George Town boundary to determine compliance with regulations; and c) Develops a priority list with a view to progressively upgrading these assets, according to available funding, resources and needs. 	To be considered in potential Macquarie Street Upgrade. Report to be provided to Council Workshop for consideration.

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047/22	26/04/22	<p>Proposed Speed Limit Changes – Hillwood That Council:</p> <ol style="list-style-type: none"> 1. Proceed with a formal application to the Commissioner of Transport seeking approval to consolidate speed zones as presented in Attachment (5), with amendment reflecting advice from the Department of State Growth for a shorter 40 km/h zone. 	Traffic assessment completed – further review completed. Awaiting feedback from DSG.
067/22	24/05/22	<p>Proposed Acquisition of Crown Land for Public Open Space and Light Industrial Buffer That Council:</p> <ol style="list-style-type: none"> 1. commence a process with the State Government through Parks Wildlife Services, Crown Land Services, or their delegated agents, to transfer a portion of land (consisting of approximately 3.5 hectares and forming part of PID:7852601) to George Town Council under a Section 12 transfer (Crown Land Act 1976), for the purposes of public open space. 	On hold at the direction of State Government.
23/23	28/02/23	<p>Consideration of Entering into a Lease with Crown Land Re: Land Between Elizabeth Street and Bathurst Street, George Town That Council:</p> <ol style="list-style-type: none"> 1. In respect of the land between Elizabeth Street & Bathurst Street, George Town: <ol style="list-style-type: none"> a. Confirms its intention to enter into a ten (10) year lease; and b. Authorises the Mayor and General Manager to execute the lease agreement on behalf of Council. 	In progress
128/23	25/07/23	<p>Aquatic, Health & Wellbeing Centre – Cr Archer That Council consider and adopt a funding method for any expense beyond the promised \$17.5m with options for rescoping, before spending any further money on the upgrade of the Aquatic, Health & Wellbeing Centre.</p>	In progress
148/23	22/08/23	<p>Marguerite Street Property – Cr Lowe The Council should examine the capability and address any issues to guarantee continuous utilisation possibilities for the Marguerite Street property located within the Blue Gum Park facility.</p>	Completed. Report provided to the March Council Workshop.

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52/24	23/04/24	<p>East Beach Viewing Platform That Council:</p> <ol style="list-style-type: none"> Undertake the necessary remediation and repairs to the existing viewing platform at 40 Gunn Parade, Low Head, CT 198058/1 at Council's expense; Authorise the General Manger to formally transfer ownership and ongoing responsibility for the viewing platform at 40 Gunn Parade, Low Head, CT 198058/1 to the owners of the land. 	In progress.
111/24	25/06/24	<p>Confidential Item - Coastal Drainage Assessment Report <i>As per resolution.</i></p>	In progress. To be completed in April 2025.
121/24	23/07/24	<p>Additional Schedule of Fees for the 2024/2025 Financial Year That Council, pursuant to Section 205 of the Local Government Act 1993 receive and adopt the additional schedule of fees as listed below for the 2024/2025 financial year. <i>As per resolution.</i></p>	Schedules updated – completed.
148/24	24/09/24	<p>Confidential Item – Strategic Acquisition <i>As per resolution.</i></p>	Completed.
160/24	22/10/24	<p>RFT 09/2024 Gravel Resheeting Program 2024/25 <i>As per resolution</i></p>	Completed.
161/24	22/10/24	<p>RFT 07/2024 Old Aerodrome Road Upgrade (Stage 2) – Closed Council <i>As per resolution</i></p>	Completed.
170/24	26/11/24	<p>Boundary Fence Contribution Policy That Council: 1.Adopts the Boundary Fence Contribution policy as attached effective 26 November 2024.</p>	Completed.
171/24	13/11/24	<p>Request to Separate Titles - 13 Wellington Street George Town That Council:</p> <ol style="list-style-type: none"> Agree to issue a certificate under section 90 of the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>, relating to Sealed Plan 38682/3, but only at such time that the following has occurred: 	In progress.

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		<p>a) a planning application for subdivision depicting Lots 1 and 2 on the Plan has been submitted, assessed and approved in accordance with the Land Use Planning and Approvals Act 1993; and</p> <p>b) all conditions of any such approval have been met.</p>	
176/24	26/11/24	<p>RFT 08/2024 - Early Contractor Involvement (Eci) - Construction Of George Town Aquatic, Health And Wellbeing Centre – Closed Council <i>As per resolution</i></p>	Completed.
181/24	17/12/24	<p>Consideration – New Crown Agreements That Council:</p> <p>Accepts responsibility for and authorises the General Manager to enter into a ten (10) year agreements by signing and sealing the required documentation for the following:</p> <ol style="list-style-type: none"> a. Foreshore Site: Leam Rd Corner b. York Cove Pontoon & Boat Ramp c. Low Head Pontoon d. Weymouth Hall 	In progress.
CORPORATE AND COMMUNITY			
040/23	28/03/23	<p>George Town Colonial Heritage Storytelling Trail That Council:</p> <ol style="list-style-type: none"> 1. Lay the item on the table and return to the Ordinary Council meeting in April with amendments if required. 2. Invite the people that made submissions to meet with staff to correct inaccuracies in the draft Colonial Storytelling Trail. 	<p>In progress.</p> <p>Presentation to occur at a Council Workshop on Three Trails.</p>
037/24	26/03/24	<p>Community Events and Sponsorship Application Process That Council establish a transparent application process outlining the criteria for sustaining a budget line item in relation to community events and sponsorships, inclusive of all expectations in relation to financial reporting and profit and loss reconciliations as a priority.</p>	Completed

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143/24	24/09/24	<p>Community Assistance Grants Round 1 That Council:</p> <ol style="list-style-type: none"> 1. Awards financial assistance to St Vincent de Paul Society Tasmania to the amount of \$1,600 – Towards supplies for the Dining with Friends community service program. 2. Awards financial assistance to George Town Neighbourhood House to the amount of \$2,000 – Towards Testing and Tagging Course, Machine and Tags. 3. Awards financial assistance to Tam O’Shanter Golf and Community Club to the amount of \$2,000 – Towards the upgrading of the club heat pump. 4. Awards financial assistance to Lions Club of George Town Inc to the amount of \$2,000 – Towards large screen TV for installation in the Senior Citizens Room at the York Cove Centre. 5. Awards financial assistance to George Town Art and Artisans to the amount of \$2,000 – Towards a marketing campaign. 6. Awards financial assistance to George Town Folk Club Inc to the amount of \$2,000 – Towards new website for the Tamar Valley Folk Festival. 7. Awards financial assistance to East Tamar Landcare Group to the amount of \$2,000 – Towards a boardwalk extension at the Reg Yates Memorial Interpretation Centre, Pipers River. 8. Awards financial assistance to Pipers River Neighbourhood Watch to the amount of \$377.60 – Towards equipment – BBQ and projector screen for community engagement. 	Completed.
156/24	22/10/24	<p>Audit Panel - Appointment of Independent Member That Council:</p> <ol style="list-style-type: none"> 1. Approve the appointment of Andrew Gray as an independent member and independent chairperson of Council’s Audit Panel, for a further period of two (2) years, in accordance with Section 6 of the Local Government (Audit Panels) Order 2014 and Section 5 of Council’s Audit Panel Charter, and 	Completed.

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		2. Approve the General Manager to execute an agreement with Andrew Gray as an independent member and independent chairperson for a period of two (2) years.	
182/24	17/12/24	Sponsorship Policy That Council: 1. Adopt the amended GTC-22 Sponsorship Policy.	Completed.
183/24	17/12/24	George Town Council Audit Panel Committee Minutes That Council: 1.Receives and notes the Minutes of the Audit Panel meeting held on 19 June 2024 and 18 September 2024 as an accurate record of that meeting.	Completed.
OFFICE OF THE GENERAL MANAGER			
025/18	21/02/18	Potential Council Land Sales That the following items be deferred to a workshop: (f) Sell Gerzalia Drive (PID 1737346) with proceeds from the sale to be invested into public open space within the community; (f) Sell 15 Riverleads Drive (PID 1723024) with proceeds from the sale to be invested into public open space within the community; (f) Offer for sale 30 Davies Street (PID 6450301) to adjoining land owners only due to the existing access issues and limited use as standalone parcel of land; (f) Sell 241 Agnes Street (PID 1931747) with proceeds from the sale to be invested into public open space within the community; (f) Offer for sale Gerzalia Drive (PID 2048374) to adjoining land owner due to limited development opportunity; (f) Offer for sale Gerzalia Drive (PID 1737346) with proceeds from the sale to be invested into public open space within the community.	Completed – superceded with Motion 078/24.
100/20	23/06/20	Notice of Motion – Domestic/Family and Sexual Violence Strategy – Cr Brooks	Completed.

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		That Council develops a Domestic /Family and Sexual Violence Strategy in order to demonstrate our commitment to making our community safer for everyone impacted by the trauma of violence and that Council formally commits to working with Police, Community Service organisations and housing providers on not only addressing but stamping out this insidious societal problem.	Adopted Terms of Reference for Health and Wellbeing Committee at February Ordinary Council meeting.
019/22	22/02/22	Proposed Making of a By-Law – Reserves, Parks and Gardens By-Law 1/2022 That Council: Endorse the introduction of Reserves, Parks and Gardens By-law 1/2022 in accordance with the specific requirements as determined in Division 2 of Part 11 of the Local Government Act 1993.	Commenced
127/22	23/08/22	Strategic Land Acquisition – Closed Council <i>As per resolution.</i>	Completed.
184/22	20/12/22	Request to Commemorate the Late Mr Peter Cox That Council: 1. In principle, confirms support for the naming of land bound by 50 Tamar Avenue and 76 Tamar Avenue to commemorate the late Mr Peter Cox; noting that the following actions need to occur: a) Ascertains if the land in question is able to be utilised as a park or reserve; b) Contacts the residents of Tamar Avenue who have supported the proposal, the private owner of number 62 Tamar Avenue and the Crown in relation to the proposal; c) Contacts the family of the late Mr. Peter Cox to obtain written consent to commemorate the deceased and obtain the required biography; d) Undertakes investigations in relation to any Aboriginal name for the area which may need to be taken into consideration when naming; 2. Proceeds to a Community Consultation in line with the consultation framework set out by Placenames Tasmania and George Town Council’s policies and procedures.	In progress.

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06/23	24/01/23	<p>Notice of Motion – New and Renewed Lease Arrangements That Council:</p> <ol style="list-style-type: none"> 1. That any new or renewed lease arrangements being considered by Council Management, under section 175 of the <i>Local Government Act 1993</i>, be brought to Council Workshop for discussion and then be scheduled for the next available Council meeting for a decision by Council. 2. Notes, the General Manager (or their delegate) are authorised to execute leases of an operational nature. 	Ongoing
19/23	28/02/23	<p>kanamaluka Trail Upgrade That Council:</p> <ol style="list-style-type: none"> 1. Proceed with the concreting of approximately 240 meters of the gravel section of the kanamaluka Trail as highlighted in Image One in the body of the report; and 2. Authorise the General Manager to provide for George Town Park Run approval to use the kanamaluka Trail. 3. Subject to future budget processes and funding opportunities, concrete a shared path with an alternative alignment (as illustrated in inset within the body of the report) connecting to future and existing concrete paths at Anne Street and North Street. 4. The future works will complete a fully accessible path existing from George Town to Low Head while leaving a gravel path section for Park Run users. 	Process underway
061/23	26/04/23	<p>Mt George Semaphore and Mast – Lease That Council authorise the General Manager to organise a lease agreement with Crown Land Services over Mt. George Semaphore site at his discretion.</p>	Ongoing
112/23	27/06/23	<p>280 Jetty Road, Hillwood – Cr Barwick Minute Number 045/23 - 280 Jetty Road, Hillwood remain on the Outstanding Council Motions list until the Section 12 agreement is executed over</p>	Included on outstanding motions list.

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		Crown Land adjoining Council Freehold Land PID 7852767 (known as the Hillwood Football ground).	
183/23	24/10/23	Councillor Expenses – Cr Barwick The Councillor Expenses quarterly report (available on the Web site) itemises what the expense payable is i.e. like we state kilometres travelled.	Completed.
154/24	22/10/24	George Town Council's Annual Report 2023/2024 That Council: 1. Adopts the 2023/2024 Annual Report for George Town Council with the amendment of the inclusion of the IDAHOBIT Day flag raising ceremony.	Completed.
155/24	22/10/24	Draft Managing Unreasonable Conduct By Customers Policy That Council: 1. Adopt the Managing Unreasonable Conduct by Customers Policy as circulated; noting: a) The inclusion of and application to 'elected members' throughout; b) The deletion of 'access to services'; 2. Note the Managing Unreasonable Conduct by Customers Procedure/Guidelines; and 3. Adopt the amended GTC-8 Customer Service and Complaints Handling Policy; noting the removal of clause 11 'abusive customers'.	Completed.
169/24	26/11/24	Quarterly Report - Quarter 1 - 1 July - 30 September 2024 That Council: 1. Receives the George Town Council 1st Quarter Performance Report 1 July – 30 September 2024. 2. Provide public access to the report as part of Council's commitment to ongoing good governance.	Completed.
175/24	26/11/24	General Manager's Professional Development <i>As per resolution</i>	Completed.
179/24	17/12/24	Council Workshops November and December 2024 That Council: Receives the report on the Council Workshops held on the 26 November 2024 and 10 December	Completed.

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		2024 amendment to include Low Head in the George Town Open Space Plan topic.	
180/24	17/12/24	Draft Advocacy Plan and NTDC Regional Priority Projects That Council: <ol style="list-style-type: none"> 1. Adopts and endorses the George Town Council Advocacy Plan. 2. The General Manager is to ensure that up to date project costings are maintained. 3. The General Manager is to forward up to date project costings to NTDC and other interested parties as they are developed. 	Completed.
OFFICE OF MAYOR			
		Nil.	

OFFICER'S RECOMMENDATION

That Council:

1. Receives the report; and
2. Notes the following motions are completed and will be removed from the Council Outstanding Motions list after the presentation of the 3rd Quarterly Performance Report dated 31 March 2025:
 - a. 45/24
 - b. 114/24
 - c. 128/24
 - d. 151/24
 - e. 152/24
 - f. 165/24
 - g. 166/24
 - h. 052/21
 - i. 024/23
 - j. 148/23
 - k. 121/24
 - l. 148/24
 - m. 160/24
 - n. 161/24
 - o. 170/24
 - p. 176/24

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- q. 037/24
- r. 143/24
- s. 156/24
- t. 182/24
- u. 183/24
- v. 025/18
- w. 100/20
- x. 127/22
- y. 183/23
- z. 154/24
- aa. 155/24
- bb. 169/24
- cc. 175/24
- dd. 179/24
- ee. 180/24

3. Rescinds the following ongoing motions:

- a. 06/23 Notice of Motion – New and Renewed Lease Arrangements; and
- b. 183/23 Councillor Expenses.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

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8.6 LGAT GENERAL MEETING 2 APRIL 2025 - CONSIDERATION OF MOTIONS

REPORT AUTHOR:	General Manager - Mr S. Power
REPORT DATE:	17 March 2025
FILE NO:	15.15
ATTACHMENTS:	<ol style="list-style-type: none">1. City of Hobart Motion - Line Marking on Local Government Roads [8.6.1 - 2 pages]2. City of Hobart Motion - 7- Star Energy Efficiency [8.6.2 - 2 pages]3. 2025 02 03 Waratah Wynard Motion Offshore Oil and Gas [8.6.3 - 8 pages]

SUMMARY

The Council is to provide voting preferences to the Mayor (or proxy) in respect to the motions for which notice has been given for the upcoming Local Government Association of Tasmania (LGAT) General Meeting scheduled for 2 April 2025.

BACKGROUND

The Local Government Association of Tasmania (LGAT) is the voice of local government in Tasmania. LGAT works to protect the interests and rights of councils, to promote the efficient operation of local government and to foster strategic and beneficial relationships.

LGAT has been the peak body for local government in Tasmania for over 100 years (founded 1911) and is part of a national network of associations. It is funded by councils and other income earned through projects sponsored on behalf of local government, and a range of services and sponsorships. LGAT is an incorporated body under the Local Government Act 1993 (source: www.lgat.tas.gov.au).

At the time of authoring this report the LGAT Agenda for the General Meeting being held 2 April 2025, is yet to be published. When published a copy will be publicly available via LGAT's website www.lgat.tas.gov.au.

Council has received notice of a motions being tabled by Waratah-Wynard Council and Hobart City Council for:

- Proposed Offshore Oil and Gas Development in Tasmania (Waratah-Wynard)
- Funding for Line Marking on Local Government Roads (Hobart City Council)
- Adoption of 7-star Energy Efficiency Requirements (Hobart City Council)

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2024-2030:

Future Direction Four - Leadership and Accountable Governance

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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.

Future Direction Four - Leadership and Accountable Governance

5. Collaborative working relationships with neighbouring Councils in the region and regional organisations
- i. Playing an active role in regional development.

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

The following extract from the LGAT General Meeting Rules provides the following:

PROCEDURAL MATTERS

RULES REGARDING CONDUCT OF MEETINGS

13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION

- (a) *Subject to Rule 13(f), each Member shall be entitled to send a Voting Representative to any Meeting of the Association, such Voting Representative exercising the number of votes determined according to Rule 16(a).*
- (b) *In addition to the requirements set out in Rule 13(f), after each ordinary Council Election, the Chief Executive Officer shall request each Member to advise the name of its Voting Representative and the proxy for the Voting Representative for Meetings of the Association until the next ordinary Council Elections.*
- (c) *Subject to Rule 13(f), Members may change their Voting Representative or proxy at any time by advising the Chief Executive Officer in writing of the Voting Representative prior to that representative taking his or her position at a Meeting of the Association.*
- (d) *A list of Voting Representatives will be made available at the commencement of any Meeting of the Association.*
- (e) *Members may send other elected members or Council officers as observers to any Meeting of the Association.*
- (f) *Each Member must provide the Association with written notice of the details of the Voting Representative who was by a resolution of the Member lawfully appointed as the Voting Representative of the Member at a Meeting of the Association.*

14. PROXIES AT MEETINGS

- (a) *Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.*
- (b) *The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.*

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- (c) *The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.*
- (d) *Proxies count for the purposes of voting and quorum at any meeting.*

15. QUORUM AT MEETINGS

- (a) *At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.*
- (b) *If a quorum is not present within one hour after the time appointed for the commencement of a Meeting of the Association, the meeting is to be adjourned to a time and date specified by the Chair.*

16. VOTING AT MEETINGS

- (a) *Voting at any Meeting of the Association shall be upon the basis of each Voting Representative being provided with, immediately prior to the meeting, an electronic voting button or placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according to voting entitlement and the voting buttons will be coded according to voting entitlement:*

Population of the Council Area	Number of votes entitled to be exercised by the Voting Representative	Colour placard to be raised by the Voting Representative when voting
<i>Under 10,000</i>	<i>1</i>	<i>Red</i>
<i>10,000 – 19,999</i>	<i>2</i>	<i>White</i>
<i>20,000 – 39,999</i>	<i>3</i>	<i>Blue</i>
<i>40,000 and above</i>	<i>4</i>	<i>Green</i>

- (b) *Electronic voting buttons will be the first choice for voting on all decisions, with placards only to be used if the technology fails.*
- (c) *Voting buttons allow councils to vote for or against a motion or formally abstain from voting. An abstain is not to be taken as a negative vote.*
- (d) *The Chair of the meeting shall be entitled to rely upon the electronic vote or the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.*
- (e) *Except as provided in sub-rule (f), each question, matter or resolution shall be decided by a majority of the votes for a motion. If there is an equal number of votes upon any question, it shall be declared not carried.*
- (f)
 - (i) *When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members present at the meeting.*
 - (ii) *When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the meeting or not.*
 - (iii) *When a vote is being taken to amend these Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the meeting or not.*

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- (g) *A Voting Representative or his or her proxy in the name of the Member is entitled to vote on any matter considered at a Meeting of the Association.*
- (h) *In respect of a Meeting of the Association held solely or partly by using technology as permitted by Rule 11(d):*
 - (i) *other than the table at Rule 16(a), Rules 16(a) to (d) will not apply to voting at those meetings;*
 - (ii) *the General Management Committee will determine the method of voting in lieu of electronic voting buttons and placards; and*
 - (iii) *for the avoidance of doubt, each Member must be permitted to exercise the number of votes determined according to the table at Rule 16(a).*

RISK CONSIDERATIONS

No risks are identified subject to voting preferences aligning with Council resolution, George Town Council Community Strategic Plan 2024-2030 and adopted Council policy.

FINANCIAL IMPLICATIONS

Financial implications include travel and accommodation costs associated with attending LGAT meetings by elected members and the General Manager in accordance with Council Policy. Such costs are accommodated for within the adopted 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

The motions were received after the 11 March 2025 Council Workshop therefore, consultation was by electronic means.

A copy of the LGAT agenda when published will be made available via LGAT's website www.lgat.tas.gov.au.

OPTIONS

Council may choose:

1. That Council determines that the Mayor be authorised to vote at the LGAT General Meeting 2 April 2025, in accordance with Council's strategic direction, policy and Council resolutions with due consideration of any conference debate on items listed for decision at that meeting;

OR

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2. That Council considers and provides voting preferences to the Mayor for the LGAT General Meeting 2 April 2025 as determined by the Chair (usually a show of hands or verbal confirmation) in respect to each individual item listed below and formally endorses that direction;

OFFICER'S COMMENTS

As in previous years, Council is requested to provide voting direction to the Council delegate (the Mayor or proxy), on the items listed for decision, items for noting and items for discussion for LGAT General Meetings.

George Town Council has not submitted any items for members' decision for inclusion in the 2 April 2025 LGAT General Meeting agenda. Council has submitted a motion to the September meeting with regards to Councillor allowances.

LGAT General Meeting Agenda 2 April 2025 Item No.	Items for Decision	Council Decision
TBA	<p>Proposed Offshore Oil and Gas Development in Tasmania – Waratah-Wynyard Council</p> <p>Decision Sought</p> <ol style="list-style-type: none"> 1. That LGAT establish a Position Statement on offshore oil and gas exploration and development in Tasmanian and Commonwealth waters off Tasmania consistent with the goals of the Paris Agreement and latest and best available science. 2. That LGAT advocate to Tasmanian State and Federal Government to not approve any new offshore oil and gas exploration and development in Tasmanian and Commonwealth waters. 	
TBA	<p>Funding for Line Marking on Local Government Roads</p> <p>Decision Sought</p> <p>The Local Government Association of Tasmania lobby the Tasmanian Government to urgently increase the allocation of State-based funds for line marking on Local Government roads to more closely align with the quantum required to meet safe operating standards.</p>	
TBA	<p>Adoption of 7-star Energy Efficiency Requirements</p> <p>Decision Sought</p>	

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	The Local Government Association of Tasmania lobby the Tasmanian Government to adopt the 7-star energy efficiency requirements of the National Construction Code 2022 to provide more comfortable homes with lower energy running costs for Tasmanians.	
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OFFICER'S RECOMMENDATION

That Council:

1. Determines that the Mayor is authorised to vote at the LGAT General Meeting 2 April 2025, in accordance with Council's strategic direction, policy and Council resolutions with due consideration of any conference debate on items listed for decision at that meeting;

DECISION

Moved:

Seconded:

VOTING

For:

Against:

9 INFRASTRUCTURE AND DEVELOPMENT

9.1 CROWN LAND AGREEMENT - PIPERS RIVER RECREATION GROUND

REPORT AUTHOR:	Team Leader - Planning & Building Services - Ms T. Burt
REPORT DATE:	19th February 2025
FILE NO:	52.1
ATTACHMENTS:	1. Letter re- recreation ground use [9.1.1 - 2 pages]

SUMMARY

The purpose of this report is to seek consent to update the current lease Council holds over the Pipers River Recreation Ground.

BACKGROUND

The current lease was executed under previous legislation (*Crown Lands Act 1935*). The lease commenced in 1954 for a period of 99 years.

In 2016 Crown commenced a process to transfer Crown Land to Councils through the Crown Land Assessment and Classification project. This site was recommended for transfer, however, at the time Council declined the offer. Crown did not pursue any other transfer options for this site and the original lease remained in place.

The Crown has recommended the lease be updated to make it consistent with current practices.

STRATEGIC PLAN

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

Future Direction One - Progressive well-resourced communities

1. Social infrastructure and services match growth and community needs
 - i. Community services and social infrastructure match the aspirations and needs of growing communities

Future Direction One - Progressive well-resourced communities

4. Vibrant local communities
 - i. Progress and Community Associations plan and achieve their annual priorities

Future Direction Three - Community Pride

23. All communities take pride in their place
- i. There is community pride in place, who we are, what we do and how we do it

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Lease agreements are entered into in accordance with the *Crown Land Act 1976* and conditions of the lease are within the lease agreements themselves.

In this case, if Council wishes to continue to use and maintain these facilities, updating the lease agreement is required so it's relevant to the current legislation.

RISK CONSIDERATIONS

Recognised risks associated with agreements require that Council is responsible for the ongoing maintenance of the area and any facilities to a standard that eliminates hazard and potential public liability claims.

Without an agreement in place, it limits Council's ability to legally provide maintenance to the land and infrastructure without permission from the Crown on a case by case basis.

Not entering into agreements or renewing agreements could pose a reputational risk for Council as these agreements demonstrate Council's commitment to managing land and maintaining community assets in line with endorsed strategic documents.

FINANCIAL IMPLICATIONS

The financial implications encompass maintenance, upkeep, and potential upgrades to assets throughout the agreement term, with the Crown's consent.

Rent and other associated costs (such as legal and valuation fees) will typically be charged to the Council only if the agreement serves a commercial or income-generating purpose. For agreements aimed at community benefit, such as public recreation, there are no legal costs for the Council, and the rent will be \$1.00 if and when demanded. Currently the intent is to use the Pipers River site for community purposes.

If in the future Council no longer wishes to hold agreements with Crown, an application will need to be made to cancel the agreement and a works application lodged to remove any improvements and remediate the site to the Crown's satisfaction. The cancellation is subject to approval by the Minister.

DIVERSITY, EQUITABLE ACCESS AND INCLUSION CONSIDERATIONS

In accordance with the Diversity, Equitable Access and Inclusion Policy, Council has the opportunity to provide fair and equal access for people within its community, regardless of their individual needs. Accessible recreational spaces, buildings and infrastructure enhances

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livelihood for people with disabilities, parents with children (strollers), elderly, people with temporary injuries, whilst also augmenting Occupational Health and Safety requirements.

Providing recreational facilities significantly increases the accessibility of recreational opportunities for all members of the community. Pipers River is a significant distance from other recreational facilities provided by Council.

CONSULTATION

The current status of the lease has been extensively discussed with the Pipers River Association who expressed their support for the update to occur. The reduction of the lease area has been discussed with the Piper River Fire Brigade who expressed concerns considering its current function in relation to emergency events (see attached support letter).

Community consultation is not required to enter into license or lease agreements.

OPTIONS

Council may choose to:

1. Support the motion as presented, or;
2. Not support the motion.

OFFICER'S COMMENTS

Updating this lease agreement demonstrates Council's commitment to enhancing public open space and maintaining infrastructure in alignment with its endorsed plans and strategies.

Holding agreements over land, provides Council with the authority to make decisions regarding the land's use and improvements, subject to Crown consent.

Although the current lease has 28 years remaining, when updated, it is assumed that a 10-year period will be granted. This is consistent with all agreements Council have with the Crown.

As part of the application to update the lease, Council may like to reconsider the land area that will form part of the agreement.

The current lease area is 3.035 hectares. If there is a reduction in land size, the remaining land will transfer back to Crown for any other interested parties to lease.

However, through recent discussions with the Pipers River Fire Brigade it has been identified that the land plays an important community role in relation to emergency situations, as a staging place and landing for helicopters, as well as having future development potential. Based on this information it is considered more desirable to retain the entire site as per the current agreement. Ongoing costs are not excessive and would amount to slashing 1-2 times a year which will form part of our current slashing program.

It is noted that the lease can be reviewed at any time. Given that Council has just commenced exploring what role the site will play into the future it may be premature to reduce the area, potentially limiting what can be done with the site as we move forward.

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OFFICER'S RECOMMENDATION

That Council:

Apply to update the lease without amendments and accepts responsibility for ongoing management of the Pipers River Recreation Ground and authorises the General Manager to sign and seal the required documentation.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

10 CORPORATE AND COMMUNITY

10.1 GEORGE TOWN COUNCIL AUDIT PANEL COMMITTEE CONFIRMED MINUTES 11 DECEMBER 2024

REPORT AUTHOR:	Director – Corporate and Community – Mrs. C Hyde
REPORT DATE:	13 March 2024
FILE NO:	29.11
ATTACHMENTS:	1. Audit Panel Confirmed Minutes 11 December 2024 [10.1.1 - 4 pages]

SUMMARY

This report is to provide Council with a copy of the confirmed Audit Panel Minutes from the meeting dated 11th December 2024, in accordance with the George Town Council Audit Panel Charter.

BACKGROUND

George Town Council Audit Panel meets quarterly to consider reports presented by Council Officers in line with the adopted and Council endorsed Audit Panel Annual Work Plan. In accordance with the George Town Council Audit Panel Charter, meeting minutes of the Audit Panel are to be presented to Council at an ordinary Council meeting.

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2024-2030:

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

4. Positive and productive working relationship with all levels of government and their agencies
 - ii. Understanding the outcomes and directions sought by all levels of government.

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

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The Local Government Act 1993.
The Local Government (Audit Panels) Order 2014 Statutory Rules 2014.
George Town Audit Panel Charter.

RISK CONSIDERATIONS

No risks identified.

FINANCIAL IMPLICATIONS

Costs associated with the Audit Panel are included in the operational budget of Council.

CONSULTATION

The minutes are confirmed by the Audit Panel Committee on Wednesday 12 March 2025.

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 and notes the Minutes of the Audit Panel meeting held on 11th December 2024 as an accurate record of that meeting.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

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10.2 COMMUNITY ASSISTANCE GRANTS ROUND 2

REPORT AUTHOR:	Director Corporate & Community - Ms C. Hyde
REPORT DATE:	6th March 2025
FILE NO:	23.2
ATTACHMENTS:	<ol style="list-style-type: none">1. BPA Application- CA G 01 [10.2.1 - 10 pages]2. BPA Annual Return Report (3) [10.2.2 - 2 pages]3. BPA Certificate of Placement Landcare_-_ Liability 2024 v 6 [10.2.3 - 5 pages]4. BPA SCA N 0029 [10.2.4 - 1 page]5. GTJF Application- CA G 02 [10.2.5 - 10 pages]6. GTJFC ABN Current Details 39322191966 [10.2.6 - 1 page]7. GTJFC Hoodies [10.2.7 - 1 page]8. GTJFC Jersey Sample [10.2.8 - 1 page]9. GTJFC Marsh Insurance 2025 [10.2.9 - 1 page]10. GTJFC Polo Sample [10.2.10 - 1 page]11. GTJFC Quote Q U 0335 [10.2.11 - 1 page]12. OCC Application- CA G 04 [10.2.12 - 11 pages]13. OCC 2025.01.20-09.29- LIAB Certificate of Currency 24-25 (1) [10.2.13 - 2 pages]14. OCC 480501782 1073310597934628 7303237407536039434 n [10.2.14 - 1 page]15. OCC Bec Proposal 1 [10.2.15 - 1 page]16. OCC Quote For Creative Arts [10.2.16 - 1 page]17. OCC Rebecca Quote (1) [10.2.17 - 2 pages]18. RC Application- CA G 06 [10.2.18 - 10 pages]19. RC Architectural Drafting Quote [10.2.19 - 2 pages]20. RC Certificate Currency Public Liability [10.2.20 - 1 page]21. RC Incorporation Cert [10.2.21 - 1 page]

SUMMARY

The purpose of this report is to provide Council with an opportunity to discuss and review the applications that have been received for the Community Assistance Grants Round 2 2024/2025. The applications are required to be accessed on merit and how they will provide support to the broader community.

BACKGROUND

In accordance with Council's Community Assistance Policy (GTC-6), on the 3rd of February 2025, Council announced the opening of Round 2 of the 2024/2025 Community Assistance Grant Program, with application closing on Friday 28th of February 2025.

The Community Assistance Policy applies to applications for:

- Fee Remission
- Assistance to Individuals

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- Community Grants

Total budget allocation of \$40,000.00.

A total of 4 Community Grant applications were received in Round 2 to the amount of \$6,611.00

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2024-2030:

Future Direction One - Progressive well-resourced communities

1. Social infrastructure and services match growth and community needs
 - iv. Necessary community services and social infrastructure are funded

Future Direction One - Progressive well-resourced communities

4. Vibrant local communities
 - i. Progress and Community Associations plan and achieve their annual priorities

Future Direction Three - Community Pride

23. All communities take pride in their place
 - ii. The plans, programs and achievements of groups that work to improve amenity and build pride in our communities are supported and celebrated

Future Direction Three - Community Pride

25. Community groups work together on common goals
 - i. A cohesive community with capacity to work together and achieve common goals
 - ii. Community projects and programs are communicated to duplication is avoided, and everyone knows what is going on

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Section 71 of the Local Government Act 1993 requires:

- (1) A council is to prepare an annual plan for the municipal area for each financial year.
- (2) An annual plan is to:

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- a. be consistent with the strategic plan; and
 - b. include a statement of the manner in which the council is to meet the goals and objectives of the strategic plan; and
 - c. include a summary of the estimates adopted under section 82; and d. include a summary of the major strategies to be used in relation to the council's public health goals and objectives.
- (3) As soon as practicable after a Council adopts an annual plan, the General Manager is to:
 - a. Make a copy available of the Annual Plan available for public inspection at the public office during ordinary business hours;
 - b. Provide the Director and the Director of Public Health a copy of the Annual Plan

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

RISK CONSIDERATIONS

No risks are identified.

FINANCIAL IMPLICATIONS

The 2024/2025 budget allocation for Community Grants is \$40,000.00 Funding allocation as of the 4th of March 2025.

- Fee Remissions: \$3,394.00
- Assistance to Individuals: \$0
- Community Assistance Grants:
 - \$13,977.00 - Round 1
 - \$6,611.00 requested from Round 2

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

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Council is provided with the Community Assistance Grants for their consideration at the 11th of March 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

Grant applicants are summarised below and their grants applications attached for Councillors information.

Bellingham Progress Association Inc

Project Title: Line Marking

Project Summary: The project involves line marking the present tennis court lines and also incorporating line for a pickleball court. We would also buy some racquets and balls for pickleball for the community to use.

Public Liability and Certificate of Incorporation supplied.

Request:

Line Marker	\$327.00	
Line Marking Paint	\$104.00	
Pickleball Sets	\$180.00	
TOTAL	\$611.00	Requesting \$611.00

Funding received in this financial year – 2024/2025

Community Grants Round 1	Nil
Fee Remissions	Nil
Sponsorship	Nil

OPTIONS

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

George Town Junior Football Club

Project Title: Club playing jumpers and attire

Project Summary: Playing jumpers and attire are vital in allowing all children to feel inclusive and part of the George Town Junior Football Club. Setting fees at a minimum and allowing children of all different demographic backgrounds to have the EXACT same attire makes all children no matter their background feel inclusive to our club. The attire will be showcased throughout Northern Tasmania at not only home but also away games.

Certificate of Currency and Unincorporated Entity supplied.

Request:

Uniforms and Attire	\$23,073.80	
TOTAL	\$23,073.80	Requesting \$2,000.00

Funding received in this financial year – 2024/2025

Community Grants Round 1	Nil
Fee Remissions	Nil
Sponsorship	Nil

OPTIONS

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

Outer Cove Creative

Project Title: Colour & Fusion: Creative Workshops

Project Summary: In this pilot study, we propose a series of three community arts-based workshops in George Town, hosted at local community-based venues . Workshop 1 focuses on sustainable botanical and natural dye techniques to transform fabric and paper using locally sourced materials, empowering participants with creative expression. Workshop 2, a 3-hour session on Recycled Mandala Workshop, an engaging and eco-conscious art experience designed for families and friends to create, 10 participants collaboratively design and construct their mandala using recycled and repurposed materials. Workshop 3 offers a 3-hour glass mosaic session where participants craft personalised pieces, enhancing community while fostering creativity.

Certificate of Currency and Certificate of Incorporation Supplied.

Request:

Project and Production	\$2,160.04	
Advertising and Promotion	\$100.00	
Venue Hire	\$200.00	
TOTAL	\$2,460.04	Requesting
\$2,000.00		

Funding received in this financial year – 2024/2025

Community Grants Round 1	Nil
Fee Remissions	Nil
Sponsorship	Nil

OPTIONS

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

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Rotary Club of George Town

Project Title: Picnic Shelter and Change Cubicles Tippogoree Hills Trail Head, Lauriston Park

Project Summary: Construct a 10.2m x 6.8m Picnic shelter similar to those erected at East Beach, with 5 disability access picnic tables and provision for future electric BBQ's and two (2) 1.8m x 1.2m change cubicles for users of Tippogoree Hill Mountain Bike Trails and Lauriston Park.

Certificate of Incorporation and Certificate of Currency supplied.

The Rotary Club of George Town has meet and discussed with George Town Council's Project Officer.

Request:

Architectual Plans	\$2,000.00	
Structural Engineering design and certification	\$2,000.00	
Concrete Slab	\$9,600.00	
Roofing	\$2,200.00	
Structural Hardware	\$1,000.00	
Paint/Finish	\$1,000.00	
TOTAL	\$17,800.00	Requesting
\$2,000.00		

Funding received in this financial year – 2024/2025

Community Grants Round 1	Nil
Fee Remissions	Nil
Sponsorship	Nil

OPTIONS

- Support the grant application as presented, pending Council approval of the project and development application; or
- Support the grant application with an amendment; or
- Not support the application

OFFICER'S RECOMMENDATION

That Council

1. Approve the community assistance grant application of \$611.00 from the Bellingham Progress Association Inc. for the line making and pickle ball equipment.

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2. Approve the community assistance grant application of \$2,000 from the George Town Junior Football Club as contribution to the purchase of players jumpers.
3. Approve the community assistance grant application of \$2,000 from the Outer Cove Creative Inc. for three art-based community workshops.
4. Approve the community assistance grant application of \$2,000 from the Rotary Club of George Town as contribution towards construction of picnic shelter at Tippogoree Hills Trail Head, Lauriston Park, subject to Council approval of the project and development application.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

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10.3 GEORGE TOWN HEALTH AND WELLBEING COMMITTEE APPOINTMENT

REPORT AUTHOR:	Director – Corporate and Community – Mrs C Hyde
REPORT DATE:	25 March 2025
FILE NO:	14.7
ATTACHMENTS:	Nil

SUMMARY

The purpose of this report is to provide information and to Council to appoint a Councillor as Chair of the George Town Health and Wellbeing Committee.

BACKGROUND

At the February 2023 Ordinary meeting, Council resolved;

024/23 - S24 Special Committee Review – George Town Safety Group Committee

That Council:

1. *Disestablish the existing Committee;*
2. *Consider what a “Health and Wellbeing Committee” may look like, including:*
 - a. *whether this would be:*
 - i) *a Section 23 Council Committee (comprised of Councillors appointed by the Council); or*
 - ii) *a Section 24 Special Committee (comprised of such persons appointed by the Council as the Council thinks appropriate), and*
 - b. *giving consideration to draft Terms of Reference to be brought before Council at the next Workshop for discussion; and*
3. *Include such a Committee in the 2023/24 Annual Plan.*

At the May 2024 Ordinary meeting, Council consider the George Town Health and Wellbeing Strategy. At that meeting, Council resolved:

Minute No. 77/24

That Council:

Endorses the George Town Health and Wellbeing Strategy 2024-2030

In accordance with the above motions and the George Town Health and Wellbeing Strategy a committee under Section 24 of the Local Government Act 1993, is to be formed.

The draft terms of reference for the Health and Wellbeing committee were presented to workshop on 28 January 2025 and 11 February 2025 and were endorsed by Council at the 25 February 2025 ordinary meeting;

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Minute No. 18/24

1. Endorses the Draft Terms of Reference for the George Town Health and Wellbeing Section 24 Committee.

STRATEGIC PLAN

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

Future Direction One - Progressive well-resourced communities

1. Social infrastructure and services match growth and community needs
 - i. Community services and social infrastructure match the aspirations and needs of growing communities

Future Direction One - Progressive well-resourced communities

7. Public transport available across George Town
 - i. Increased availability and usage of public transport across George Town municipality

Future Direction Two - Prosperity in all aspects of Life and Living

19. Healthy, active communities
 - i. Preventive health and well-being practices are central to community life
 - ii. High health and well-being literacy
 - iii. Growing, cooking and eating fresh, seasonal produce is cultural creative to eating well
 - iv. Active sport participation in sport, recreation, cultural and creative activities across all ages
 - v. people making informed choices about drug and alcohol use
 - vi. Mental Health support is available
 - vii. The effects of trauma and associated behaviours are understood and influence how things are done
 - viii. There are enough health and well-being professionals and services to meet community needs

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

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Local Government Act 1993, Section 24, 48A, 49 and 51

George Town Council Health and Wellbeing Committee Terms of Reference

RISK CONSIDERATIONS

There is a risk of not complying with legislation if procedures relating to a special committee are not determined prior to the committee being established.

FINANCIAL IMPLICATIONS

There are no identified financial implications.

CONSULTATION

Limited to workshop.

OPTIONS

That Council:

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

OFFICER'S COMMENTS

In accordance with section 4 of the endorsed terms of reference, a Councillor will be appointed by Council as Chair of the committee, the committee will appoint a Deputy Chair whose role it will be to perform the duties of the Chair in the Chair's absence.

OFFICER'S RECOMMENDATION

That Council:

1. Appoints Cr _____, as Councillor representative and Chair of the George Town Health and Wellbeing Committee.

DECISION

Moved:

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Seconded:

VOTING

For:

Against:

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10.4 LOAN COUNCIL ALLOCATION FOR 2025/2026

REPORT AUTHOR:	Director Corporate & Community - Ms C. Hyde
REPORT DATE:	25 March 2025
FILE NO:	32.20
ATTACHMENTS:	Nil

SUMMARY

The purpose of this report is to provide Council with a review of loan borrowings for 2025/2026.

BACKGROUND

Each year the Council is required to seek Treasury approval for its borrowing intentions. Council is restricted in its capacity to borrow funds by sections 78 and 80 of the Local Government Act 1993.

STRATEGIC PLAN

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

Future Direction Four - Leadership and Accountable Governance

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

ii. The outcomes and directions sought by all level of government are understood

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

The following sections of the Local Government Act 1993, regulate Council's borrowing activities.

78. Borrowings

(1) A council, for the purpose of raising a loan or obtaining any form of financial accommodation, may decide by an absolute majority to provide any of the following forms of security:

(a) debentures;

(b) bills of sale, mortgages or other charges;

(c) inscribed stock;

(d) guarantees;

(e) any other document evidencing indebtedness other than bearer instruments.

(2) A council may not raise a loan in any financial year exceeding any amount the Treasurer determines for that financial year.

*(3) In this section, **loan** includes any financing arrangement as determined by the Treasurer.*

80. Limit on borrowing

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(1) Except with the approval of the Minister, a council may not borrow additional money for any purpose if the annual payments required to service the total borrowings would exceed 30% of its revenue of the preceding financial year.

(2) Grants made to a council for specific purposes are to be excluded in calculating 30% of revenue of the council.

RISK CONSIDERATIONS

In considering Councils, debt position the following should be considered.

Net financial liabilities is an indicator of the level of debt being managed. If the net financial liabilities ratio is positive, Council has no “net debt”. If it is negative then the council will be managing some level of debt.

	Description	Indicator Results
Net financial liabilities	Liquid assets less total liabilities	Net financial liabilities equals total liabilities less financial assets.
Net financial liabilities ratio	Liquid assets less total liabilities/Total operating revenue	Where the value is falling over time Council’s capacity to meet its financial obligations from operating income is improving.

Aims and Targets (from Council’s Financial Strategy)

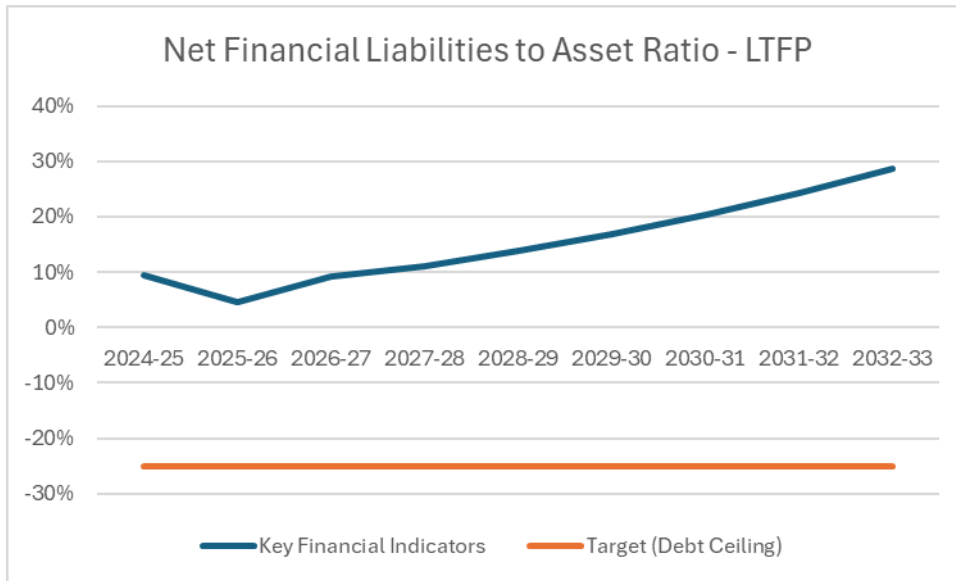
Performance measure	Net financial liabilities ratio
Performance calculation	Liquid assets less total liabilities/Total operating revenue
Aim	Between 0 and negative 50%
Target	Negative 25% (assumes a level of modest debt).

Council’s net financial liabilities ratio as estimated based on the assumptions made in the Long-Term Financial Plan are included in the graph below.

Comment from the current Long Term Financial Plan

The net financial liabilities ratio remains within the target set (0% to negative 25%) in the financial strategy. From 2025 the target is exceeded as cash balances increase and loans are paid down. Any new borrowings within the timeframe of the long-term financial plan will impact on the ratio going forward.

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FINANCIAL IMPLICATIONS

Any new borrowings will impact on the financial position of Council in line with repayments and interest charges.

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 is limited to Council Budget Workshop only.

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

On reviewing the long-term financial plan and considering the timing of current and proposed capital works projects for 2025/2026, there does not seem to be any indication that new

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borrowings over and above those already existing will be required for the 2024/2025 financial year.

OFFICER'S RECOMMENDATION

That Council:

1. Authorises the General Manager to advise Treasury that no further borrowings are required by George Town Council for the 2025/2026 financial year.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

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: 17 March 2025

FILE NO: 14.11, 14.15

Mayor Cr Greg Kieser		
February	20	Met with local residents
	24	Attended NTDC Board Meeting
	25	Chaired Council Workshop
	25	Chaired Ordinary Council meeting
	26	ABC Radio Interview
	27	George Town Swimming Pool – visit with Cr Orr
March	3	Chaired Progress Association meeting
	6	Met with General Manager and ReCFit Representatives
	6	Tamar FM Interview
	11	Chaired Council Workshop
	12	Attended Audit Panel meeting
	12	Met with BBAMZ and Japanese Delegates
	12	Met with local residents
	12	Attended Youth Council meeting
	13	Attended BBAMZ General Members meeting
	14	Met with Nick Duigan MP
	15	Attended George Town United Church Peace Pole
Deputy Mayor Cr Greg Dawson		
February	25	Attended Council Workshop
	25	Attended Ordinary Council meeting
March	15	Attended Art Exhibition Jim Mooney Gallery
Cr Jason Orr		
February	24	TICT Northern Focus Event
	27	George Town Swimming Pool – informative visit with the Mayor
March	2	Swirl – informative visit
	4	Soroptimist International Women’s Day Breakfast
	4	DAP/East Tamar Tourism Network Catchup
	9	Weymouth Progress Association AGM
	9	Clean Up Australia

OFFICER’S RECOMMENDATION

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

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DECISION

Moved:

Seconded:

VOTING

For:

Against:

13 PETITIONS

13.1 PETITION - GEORGE TOWN COMMUNITIES SAVE OUR POOL

REPORT AUTHOR: General Manager - Mr S. Power
REPORT DATE: 17 March 2025
FILE NO: 14.15
ATTACHMENTS: Nil

SUMMARY

The purpose of this report is to provide Council with a petition received on Tuesday 25 February 2025.

BACKGROUND

The General Manager conducted a preliminary review of the petition hand delivered to the Mayor at the 25 February 2025 Ordinary Council meeting.

The request of the petition is as follows:

"We urge the George Town Community to take immediate action to ensure the outdoor pool remains open, operational, and accessible to all members of the community.

The proposal for the new Well Being Centre offers no outdoor facilities and does not look to be family friendly. Offering only 5 lanes and a therapy pool. Please sign this petition to make your voice heard."

The petition meets the basic requirements of the *Local Government Act 1993, Part 6, Division 1, Petitions, Section 57.*

As the petition does not seek a public meeting, it is not relevant if it complies with *Section 59* of the Act.

A check of the signatories against the General Manager's Roll is not required as no action has been sort under *Section 59.*

A check of signatories indicates that there are four (4) double up entries identified.

There are 855 signatories to the petition.

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2024-2030:

Future Direction One - Progressive well-resourced communities

1. Social infrastructure and services match growth and community needs

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- i. Community services and social infrastructure match the aspirations and needs of growing communities
- iv. Necessary community services and social infrastructure are funded

Future Direction Four - Leadership and Accountable Governance

27. A culture of engagement, communication and participation

- i. Community views are heard through skilled, trusted and inclusive community engagement processes

33. Fair and open planning regulatory processes

- i. There is community knowledge and understanding of planning and regulatory responsibilities and processes

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Local Government Act 1993.

RISK CONSIDERATIONS

Minimal risk is considered in tabling the petition.

FINANCIAL IMPLICATIONS

Council will incur financial costs to conduct the Aquatic Health and Wellbeing Centre - Community Information Sessions for the cost of a facilitator and experts who will be involved in the sessions.

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 is limited to the Council workshop on the 11 March 2025.

OPTIONS

Council may choose to:

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

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OFFICER'S COMMENTS

In accordance with the *Local Government Act 1993, Part 6, Division 1, Petitions, Section 58, Paragraph (2)*, the petition is being tabled by the General Manager at the next ordinary meeting of the George Town Council, dated the 25 March 2025.

In accordance with the *Local Government Act 1993, Part 6, Division 1, Petitions, Section 60, Paragraph (1), sub-para (b)* The General Manager is to notify the person presenting the petition of when Council is to consider the petition, and in accordance with Paragraph (2), sub-para (a) and (b), within 42 days of tabling the petition, present the petition for consideration by Council to make a determination on any actions it might take regarding the petition.

Legislative requirements of the petition have been met except for consideration by the George Town Council. It is a requirement of the Ordinary Council meeting that the nature of the Petition be considered and action determined if required.

OFFICER'S RECOMMENDATION

That the Petition submitted by Ms. F. Hills on the 25 February 2025 to the Mayor be received and noted.

DECISION

Moved:

Seconded:

VOTING

For:

Against:

14 NOTICES OF MOTIONS

Nil.

15 COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE

Questions Taken on Notice from 25 February Ordinary Council Meeting

Cr Barwick

Q1. Responsible Serving of alcohol at the art exhibition on the 14 February – there was alcohol at both the Watch House and the Memorial Hall but was virtually serve yourself. Who was responsible for this? And at what cost to Council if any?

Response

Part A of Cr Barwick's question was answered, and the cost was taken on notice.

The total cost of service of alcohol at the 14 February Creative George Town Art exhibition was \$339.12. This was included in the budget for the program.

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 25 February 2025

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

Agenda Item 16.3 George Town Aquatic Health and wellbeing Centre – Early Works Package RFT 08/2024

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

REQUIRES ABSOLUTE MAJORITY OF COUNCIL

DECISION

Moved:

Seconded:

VOTING

For:

Against:

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17 CLOSURE

There being no further business, the meeting closed atpm.

**Cr Greg Kieser
MAYOR**