



# Brighton Council

MINUTES OF THE **FINANCE COMMITTEE MEETING**  
OF THE BRIGHTON COUNCIL HELD  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES  
GAGEBROOK AT 5.00 P.M. ON TUESDAY,  
12<sup>TH</sup> FEBRUARY, 2013

**PRESENT:** Cr Curran (Acting Chairperson); Cr Garlick and Cr Jeffries.

**IN ATTENDANCE:** Cr Owen; Cr Taylor; Mr G Davoren (Deputy General Manager) and Mrs J Banks (Manager Governance & Human Services).

## 1. APOLOGIES:

*Cr Garlick moved, Cr Jeffries seconded that Cr Foster and Cr Gray be granted leave of absence.*

**CARRIED**

### VOTING RECORD

In favour	Against
Cr Curran	
Cr Garlick	
Cr Jeffries	

## 2. QUESTION TIME & DEPUTATIONS:

*There was no requirement for public question time.*

### **3. DECLARATION OF INTEREST:**

In accordance with Part 5, Section 48 of the *Local Government Act 1993*, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have an interest in any item on the agenda; and

Part 2 Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2005, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

Accordingly, Councillors are requested to advise of any interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2005.

*There were no declarations of interest.*

### **4. BUSINESS:**

#### **4.1 OUTSTANDING RATES: [LOT 1] BOYER ROAD DROMEDARY, PROPERTY ID 1993139, TITLE REFERENCE 228709/1:**

##### **FILE REFERENCE:**

**AUTHOR:** Deputy General Manager  
(Mr G Davoren)

##### **Background:**

For rates on land outstanding greater than 3 years; Section 137(1) of the *Local Government Act 1993* allows for Council to sell that land as if it were the owner (i) by public auction; or (ii) if the proceeds of the sale are unlikely to meet the costs of the public auction, by direct sale; or apply to the Minister for an order that the land be transferred to the council if it is not possible after reasonable inquiry to identify the owner of the land or the whereabouts of the owner.

##### **Consultation:**

Local Government Act 1993 Part 9 – Rates and Charges; Land Titles Act 1980 Division 5 - Mortgages and encumbrances; Senior Rates Officer; Other Tasmanian Councils.

##### **Risk Implications:**

Nil

##### **Financial Implications:**

Annual rates are \$247.00 with total rates owing to date: \$2773.10 (23/11/12).

**Other Issues:**

Nil

**Assessment:**

This property is a vacant block located adjacent to 757 Boyer Road, Dromedary currently in the name of Andrew Evans Mansell.

Mr. Mansell's address was provided in 2000 by the Valuer-General as Boyer Road Dromedary, however notices sent to that address have been returned.

The whereabouts of Mr. Mansell is unknown, and rates have never been paid since the property was first valued and rated in 2000. The title shows a Caveat by Commissioner of State Revenue as they also have had no result in locating the owner. The plan shows a previous plan was registered in 1971 that was cancelled in 1995 and replaced with the current 228709/1. Brighton Council, Commissioner of State Revenue and Tasmanian Collection Service have all had no result in locating the owner; undoubtedly this difficulty has been contributed to by the delay in valuation of at least 3 decades.

The property in question is 1.402 hectares of vacant land with a capital value of \$34,000 in 2006. It has access off the unformed extremity of Cranes Road and is bordered on all sides by 757 Boyer Road.

**Options:**

1. As per the recommendation.
2. Council not proceed with the sale of this property.

**RECOMMENDATION:**

Council proceed with the sale of this property in accordance with Section 137 of Part 9 of the *Local Government Act 1993*.

**DECISION:**

*Cr Garlick moved, Cr Jeffries seconded that the recommendation be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Jeffries	

## **4.2 OUTSTANDING RATES: DEANS VALLEY ROAD DROMEDARY, PROPERTY ID 2656230, TITLE REFERENCE 230487/1:**

### **FILE REFERENCE:**

**AUTHOR:** Deputy General Manager  
(Mr G Davoren)

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### **Background:**

For rates on land outstanding greater than 3 years; Section 137(1) of the *Local Government Act 1993* allows for Council to sell that land as if it were the owner (i) by public auction; or (ii) if the proceeds of the sale are unlikely to meet the costs of the public auction, by direct sale; or apply to the Minister for an order that the land be transferred to the council if it is not possible after reasonable inquiry to identify the owner of the land or the whereabouts of the owner.

### **Consultation:**

Local Government Act 1993 Part 9 – Rates and Charges; Land Titles Act 1980 Division 5 - Mortgages and encumbrances; Senior Rates Officer; Other Tasmanian Councils.

### **Risk Implications:**

Nil

### **Financial Implications:**

Annual rates are \$247.00 with total rates owing to date: \$1847.77 (22/11/12).

### **Other Issues:**

Nil

### **Assessment:**

This property is a vacant block located at Deans Valley Road, Dromedary currently in the name of Arthur Alfred Johnson.

Mr. Johnson's address was provided in 2005 by the Valuer-General as Boyer Road Dromedary, however notices sent to that address have been returned.

The whereabouts of Mr. Johnson is unknown, and rates have never been paid since the property was first valued and rated in 2005. Both the title and the plan cite mortgages registered in 1921 and 1924 that may explain the difficulty in locating the owner after 90 years, particularly with the delay of over 80 years before it was valued.

The property in question is 8.9208 hectares of vacant land with a capital value of \$42,000 in 2006. The property is land-locked, that is, it has no direct access from any road in Dromedary, or any access easements from adjoining properties.

It is bordered by the following properties: on the north-western tip by 134 Deans Valley Road, on the western boundary by 174 Deans Valley Road & on the northern, eastern & southern boundaries by 63 Millvale Road.

**Options:**

1. As per the recommendation.
2. Council not proceed with the sale of this property.

**RECOMMENDATION:**

Council proceed with the sale of this property in accordance with Section 137 of Part 9 of the *Local Government Act 1993*.

**DECISION:**

*Cr Jeffries moved, Cr Garlick seconded that the recommendation be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Jeffries	

**4.3 MONTHLY FINANCE REPORT AS AT 31 JANUARY 2013:**

**FILE REFERENCE:** 0103

**AUTHOR:** Deputy General Manager  
(Mr G Davoren)

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**Background:**

The finance reports were submitted for consideration.

They comprised the summarised financial position and revenue and expenses of the Council for the first seven months of the 2012/13 financial year.

**Consultation:**

Nil

**Risk Implications:**

Nil

**Financial Implications:**

Not Applicable

**Other Issues:**

Nil

**Assessment:**

Nil

**Options:**

1. As per the recommendation.
2. Not receive the reports.

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**RECOMMENDATION:**

That the reports be received.

**DECISION:**

*Cr Jeffries moved, Cr Garlick seconded that the recommendation be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Jeffries	

#### **4.4 SALE OF LAND 63M<sup>2</sup> ADJOINING 18 RACECOURSE ROAD, BRIGHTON**

**FILE REFERENCE:** 18 RACECO

**AUTHOR:** Deputy General Manager  
(Mr G Davoren)

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#### **Background:**

Council has been approached by the owners of 18 Racecourse Road, Brighton regards to purchasing a small 63m<sup>2</sup> irregular portion of road frontage land that abuts their property, enabling the area to be fenced and the garden maintained thus minimising the public intrusions caused by people taking a short cut across their land.

Since purchasing their property in June 2007, the owners advise that they have filled the area with loam and have planted some shrubs.

In the event that the land is negotiated, it is Council's intent to impose a 6m x 6m splay on the corner.

The existing land area of 18 Racecourse Road is 881m<sup>2</sup>

#### **Consultation:**

Municipal Engineer and Executive assistant

An independent valuation was obtained from Opteon which determined this parcel of land to be valued at \$6,950.

#### **Risk Implications:**

Nil

#### **Financial Implications:**

The owners of 18 Racecourse Road, Brighton have offered to purchase the property for \$3,500 and are prepared to pay all Council costs for surveying, transaction and legal costs.

#### **Other Issues:**

Nil

#### **Assessment:**

The land is of no use to Brighton Council and a sale would provide less maintenance for Council.

Other properties along this strip about the street frontage and the visual appeal of the street frontage would improve if 18 Racecourse Road also abutted the street frontage.

**Options:**

1. As per the recommendation.
2. Do not sell the small portion of land between 18 Racecourse Road and the street frontage.

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**RECOMMENDATION:**

Sell the small portion of land between 18 Racecourse Road and the street frontage for \$3,500 with the condition that all Council costs for surveying, transaction and legal costs are met by the purchaser.

**DECISION:**

*Cr Jeffries moved, Cr Garlick seconded that the recommendation be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Jeffries	

The meeting closed at 5.20 p.m.

Confirmed:

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(Mayor)

Date:

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19<sup>th</sup> February 2013