



Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL HELD
IN THE COUNCIL CHAMBER, COUNCIL OFFICES
OLD BEACH AT 1.05 P.M. ON TUESDAY,
19th NOVEMBER 2013**

PRESENT: Cr Foster (Mayor); Cr Taylor (Deputy Mayor); Cr Curran;
Cr Garlick; Cr Geard; Cr Jeffries and Cr Williams.

IN ATTENDANCE: Mr R Sanderson (General Manager); Mr G Davoren
(Deputy General Manager); Mr H Macpherson (Municipal
Engineer); Mr J Dryburgh (Manager Strategic Planning)
and Mrs J Banks (Manager Governance & Human
Services)

A - MEETING TIME:-

Section 6(1) of the Local Government (Meeting Procedures) Regulations 2005 states that an Ordinary Council Meeting is not to start before 5 p.m. unless otherwise determined by the council by absolute majority.

RECOMMENDATION:

That the Ordinary Council Meeting of 19th Novembers 2013, commence at 1.00pm.

DECISION:

Cr Taylor moved, Cr Garlick seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Jeffries	
Cr Taylor	
Cr Williams	

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING OF 15th OCTOBER 2013.

Cr Curran moved, Cr Garlick seconded that the Minutes of the Ordinary Council Meeting of the 15th October 2013, be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Jeffries	
Cr Taylor	
Cr Williams	

1.2 CONFIRMATION OF MINUTES OF THE FINANCE COMMITTEE MEETING OF 12TH NOVEMBER 2013.

Cr Jeffries moved, Cr Garlick seconded that the Minutes of the Finance Committee Meeting of the 12th November 2013, be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Jeffries	
Cr Taylor	
Cr Williams	

2. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Owen and Cr Gray requested leave of absence due to work commitments.

Cr Taylor moved, Cr Williams seconded that Cr Gray and Cr Owen be granted leave of absence.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Jeffries	
Cr Taylor	
Cr Williams	

3. PUBLIC QUESTION TIME AND DEPUTATIONS:

As there were no members in the gallery there was no requirement for question time.

4. 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.

5. REPORTS FROM COUNCILLORS:

5.1 MAYOR'S COMMUNICATIONS:

FILE REFERENCE: 0205-6

AUTHOR: Mayor
(Cr T Foster)

The Mayor's communications were as follows:

- Oct 18 Brighton Primary School. Flag Raising of the Aboriginal Flag.
- Oct 18 Meeting with Andrew Bullock of Bullock Civil Contracting.

- Oct 21 Meeting with Sharlene Brown, new General Manager of Legal and Governance for Taswater.
- Oct 24 Along with staff and councillors attended the funeral service for Maurice Barwick.
- Nov 01 Meeting at Taswater with Chairman, CEO and GM Legal and Governance.
- Nov 01 Council – briefing with GM and DGM
- Nov 06 Meeting with Mark Shelton – Liberal Member for Lyons.
- Nov 06 Microwise Board meeting with Greg Hudson.
- Nov 07 Chaired a meeting of Taswater Selection Committee in Launceston
- Nov 07 Chaired a meeting of Taswater Owner Representatives in Launceston.
- Nov 07 Along with GM attended the AGM of Southern Water-final mtg.
- Nov 08 GM, DGM and I had a meeting in Adelaide with Senior Executives of OST (Open Systems Technology) to discuss a Joint Venture proposal between OST and Microwise.
- Nov 11 Attended the launch of “Broken” at the Civic Centre.
- Nov 11 Meeting in Hobart with Tim Gardner, Managing Director of Stornaway.
- Nov 12 GM and I had a meeting with CT officials.
- Nov 12 Meeting with Senior Staff re future use DIER Building.
- Nov 12 Finance Committee Meeting.
- Nov 13 ABC Breakfast program.
- Nov 13 Taswater First Quarter briefing to Owners.
- Nov 19 White Ribbon Function at Mona.
- Nov 19 Council Ordinary Meeting.
- Nov 19 Sesquicentenary civic reception.
- Nov 19 Dinner with Speaker of the House Michael Polley at Parliament House.

RECOMMENDATION:

That the Mayor’s communications be received.

DECISION:

Cr Jeffries moved, Cr Williams seconded that the report be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Jeffries	
Cr Taylor	
Cr Williams	

5.2 REPORTS FROM COUNCIL REPRESENTATIVES WITH OTHER ORGANISATIONS:

FILE REFERENCE: 0205-6

Southern Waste Strategy Board Joint Authority – Cr Geard representative.

Cr Geard recently attended AGM of Cycling South.

Cr Jeffries moved, Cr Williams seconded that the reports be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Jeffries	
Cr Taylor	
Cr Williams	

5.3 CORRESPONDENCE FROM SOUTHERN TASMANIAN COUNCILS ASSOCIATION (STCA), LGAT, TASWATER AND JOINT AUTHORITIES:

Correspondence and reports from the STCA, LGAT, Taswater and Joint Authorities e.g. Southern Waste Authority are received periodically by Council.

If any Councillor wishes to view documents received contact should either be made with the Manager Governance and Human Services or General Manager.

6. NOTIFICATION OF COUNCIL WORKSHOPS:

In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2005, it was reported that there were no workshops held since the last Council meeting.

(This includes workshop, seminar or meeting, other than a meeting that is conducted by or on behalf of the council for the councillors.)

7. NOTICE OF MOTION:

There were no notices of motion.

8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA:

In accordance with the requirements of Part 2 Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2005, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda, and
- (b) that the matter is urgent, and
- (c) that advice has been provided under Section 65 of the *Local Government Act 1993*.

RECOMMENDATION:

That the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the Local Government (Meeting Procedures) Regulations 2005.

DECISION:

There were no supplementary agenda items.

9. REPORTS FROM COMMITTEES:

9.1 FINANCE COMMITTEE – 12/11/13:

The recommendations of the Finance Committee Meeting of 12th November 2013 were submitted to Council for adoption.

Cr Geard moved, Cr Garlick seconded that the recommendations of the Finance Committee Meeting of the 12th November 2013, be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	

Cr Garlick
Cr Geard
Cr Jeffries
Cr Taylor
Cr Williams

10. COUNCIL ACTING AS PLANNING AUTHORITY:

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2005, the intention of the Council to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted. In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under Item 10. on this agenda, inclusive of any supplementary items.

There were no planning reports for this agenda.

11. REPORTS FROM OFFICERS:

11.1 JORDAN RIVER LEARNING FEDERATION – SCHOOL FARM:

FILE REFERENCE:

AUTHOR: Municipal Engineer
(Mr H Macpherson)

Background:

A letter has been received from the Jordan River Learning Federation requesting on behalf of the School Farm that a tip pass be provided for four tip trips per year.

Consultation:

Municipal Engineer, General Manager, Deputy General Manager

Risk Implications:

By allowing the School farm access potentially there will be an expectation that other school should get free access.

It is not known what volumes of waste will be disposed of.

Financial Implications:

The volume of materials is unknown but based on the gate fees the cost to Council could be anywhere from \$32 for 4 x trailer loads up to \$212 for 4 x 5m³ loads.

Other Issues:

We do allow free access to not for profit organisations but the School Farm is part of the Jordan River Learning Federation that is funded by the Department of Education. The waste that they want to dispose of is from donations that are made to the school farm that cannot be reused or recycled.

Assessment:

Even though the request is for only 4 loads the expectation would be that this would be ongoing from year to year. As the waste that they want to dispose of is from donations it would be better for the school farm to police the donations so that they are not ending up with other people waste, hence not requiring to dispose of the waste.

Options:

1. As per the recommendation.
2. That Council approve a tip pass for 4 visits per year.

RECOMMENDATION:

That Council do not provide a tip pass.

DECISION:

Cr Taylor moved, Cr Geard seconded that Option 2 be adopted and that the passes be only for the JRLF "Friends of the Farm".

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Jeffries	
Cr Taylor	
Cr Williams	

11.2 2013-14 ANNUAL PLAN:

FILE REFERENCE:

AUTHOR: General Manager
(Mr R Sanderson)

Background:

The Annual Plan for 2013/14 had been prepared in accordance with Section 71 of the *Local Government Act 1993*, and Council's draft budget.

Consultation:

Senior Management Team

Risk Implications:

Nil

Financial Implications:

In accordance with the adopted budget.

Other Issues:

N/A

Assessment:

Council is required under the *Local Government Act* to adopt an Annual Plan on an annual basis.

Options:

1. As per the recommendation.
 2. That Council not adopt the 2013/14 Annual Plan
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RECOMMENDATION:

That the 2013/14 Annual Plan be adopted in accordance with Section 71 of the *Local Government Act 1993*, and that a copy be forwarded to the Director of Local Government and Director of Public Health.

DECISION:

Cr Geard moved, Cr Curran seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	

Cr Geard
Cr Jeffries
Cr Taylor
Cr Williams

11.3 REVIEW OF COUNCILLOR NUMBERS:

FILE REFERENCE: 583

AUTHOR: General Manager
(Mr R Sanderson)

Background:

The Minister for Local Government has provided Council with the report by the Local Government Board following its review of councillor numbers for several Tasmanian councils. Copies of this report have been made available to councillors.

The Board has recommended that there be no change to the number of councillors elected to the Brighton Council.

The minister has invited Council to make a submission to him on the report.

Consultation:

Mayor Foster

Risk Implications:

None identified

Financial Implications:

No material implications.

Other Issues:

None identified

Assessment:

The Local Government Board conducted a workshop with councillors at which it was proposed that the number of councillors be reduced from nine to eight.

Councillors preferred an odd number of councillors; being either seven or to stay with the existing number of nine. If the only alternative number put forward by the Board is to have eight councillors, it is recommended that Council stay with nine councillors.

It is proposed that Council advise the minister that it accepts the recommendation of the Local Government Board to have no change to the number of electors to the Brighton Council.

Options:

1. Do nothing
2. Adopt the recommendation
3. Make a submission to reduce the number of councillors to seven

RECOMMENDATION:

That Council advise the minister that it accepts the recommendation of the Local Government Board to have no change to the number of Councillors elected to the Brighton Council.

DECISION:

Cr Geard moved, Cr Jeffries seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Jeffries	
Cr Taylor	
Cr Williams	

12. QUESTION ON NOTICE:

There were no questions on notice.

The meeting closed at 1.35 pm.

Confirmed:

(Mayor)

Date:

_____ 17th December 2013