



Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL HELD
IN THE COUNCIL CHAMBER, COUNCIL OFFICES
GAGEBROOK AT 5.35 P.M. ON TUESDAY,
15th FEBRUARY 2011**

PRESENT: Cr Foster (Mayor); Cr Taylor (Deputy Mayor); Cr Curran;
Cr Garlick; Cr Gray; Cr Owen and Cr Williams.

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

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING
OF 18th JANUARY 2011.

*Cr Curran moved, Cr Garlick seconded that the Minutes of the Ordinary Council Meeting
of the 18th January 2011, be confirmed.*

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

1.2 CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE MEETING OF 8th FEBRUARY 2011.

Cr Gray moved, Cr Taylor seconded that the Minutes of the Planning Committee Meeting of the 8th February 2011, be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

2. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Curran moved, Cr Williams seconded that Cr Jeffries and Cr Geard be granted leave of absence as he is working on behalf of the Brighton SES in Queensland.

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

3. PUBLIC QUESTION TIME AND DEPUTATIONS:

- Mr Gordon addressed Council in relation to Item 11.2

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:

- Jan 25 Australia Day Civic Reception – Brighton Civic Centre.
- Feb 03 Southern Water information meeting on water meters.
- Feb 03 Meeting with metropolitan Mayor's and Andrew Kemp and Bob Gozzi from Hobart Chamber of Commerce-re AFL matches at Bellerive.
- Feb 04 Meeting with General Manager, Steve Lewis from the learning federation and a representative from Colony 47- discussions re a community liaison person.
- Feb 07 General Manager, Deputy General Manager and I met with Miles Hampton Chairman of Southern Water.
- Feb 07 General Manager, Deputy General Manager and I met with Hon Michael Polley – discussion included our rating policy.
- Feb 08 Road Safety Advisory Council meeting at Civic Centre- re the lowering of speed limits in rural areas.
- Feb 08 Planning Committee meeting
- Feb 09 Water and Sewerage Owner Reps meeting in Hobart.
- Feb 10 General Manager, Deputy General Manager and I met with the member for Denison Scott Bacon re our rating policy.
- Feb 15 Ordinary Council Meeting.

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

Cr Taylor moved, Cr Garlick seconded that the report be received.

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
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.

Bridgewater Library + On-line Access Centre Advisory Committee – Cr Garlick representative.

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

Correspondence and reports from the STCA 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 no workshops were 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 PLANNING COMMITTEE MEETING – 8/2/11:

The recommendations of the Planning Committee Meeting of 8th February 2011 were submitted to Council for adoption.

Cr Gray moved, Cr Garlick seconded that Item 4.3 be dealt with separately.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

Cr Owen moved, Cr Curran seconded that Item 4.4 be dealt with separately.
CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

Cr Gray moved, Cr Williams seconded that the recommendations of the Planning Committee meeting of 8th February 2011, be adopted except Items 4.3 and 4.4.
CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

Item 4.3 was discussed.

The Manager Resource services addressed Council in relation to further amendments to be made and they were:-

- To insert *Residential – Single Dwelling* as a prohibited use in the Green Point Mixed Use Precinct at Clause 7.10.5.1.
- To insert an additional clause in the Medium Density Residential Precinct at the beginning of 7.10.10.5 - Design and Built Form -

“If a single dwelling, the Residential zone provisions of Clause 6.2.9 shall prevail over the following table.”

Cr Gray moved, Cr Taylor seconded that the recommendation with amendments be adopted.
CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

Item 4.4 was discussed.

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	Cr Owen
Cr Foster	
Cr Garlick	
Cr Gray	
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 items to be discussed.

11. REPORTS FROM OFFICERS:

11.1 MONTHLY FINANCE REPORT AS AT 31 JANUARY 2011:

FILE REFERENCE: 0103
AUTHOR: Deputy General Manager
(Mr G Davoren)

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 2010/11 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.
-

RECOMMENDATION:

That the reports be received.

DECISION:

Cr Owen moved, Cr Curran seconded that the report be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

11.2 TEA TREE HALL – REQUEST FOR FUNDING

FILE REFERENCE: 0100
AUTHOR: General Manager
(Mr R Sanderson)

Background:

The Tea Tree Community Association has submitted a request for funding to construct an extension to the Tea Tree Hall.

The request is in the form of Council committing funds in grant applications to undertake the work. The Association intends to apply for funds in the Accessibility Grant Program that closes in late February with Council committing to matching the amount sought from the grant; being an amount of \$44,000.

The Association wishes Council to commit to other grant applications in a similar manner should this accessibility grant be unsuccessful.

The proposed plan for the extension is to build a new toilet and shower block near the southern side of the hall and to cover in the area between the two buildings.

Consultation:

The author and staff met with association members at the hall.

Risk Implications:

None identified.

Financial Implications:

Funding of \$44,000 would have to be allocated in next year's budget.

Other Issues:

General community pressure in the Tea Tree area to provide council funds to a non council owned building that is maintained by the local community.

Assessment:

The Tea Tree hall and tennis court are the only recreational facilities in the Tea Tree area. These are owned and maintained by the local community; the hall being built in 1912. The call on council for maintaining these facilities has been minimal. Council gave the association \$1,000 per year for the three years from 2003/4 to 2005/6, nothing for the next three years, \$6,000 last year and nothing this year.

The community is planning to celebrate the centenary of the hall in June 2012 and hopes to have the extension completed by that time.

Staff has seen the conceptual plans for the proposed extension and confirm that they are in keeping with the design and architecture of the existing hall and would enhance the existing facility. The cost estimate of \$93,500 is appropriate for a building of this size.

The new building would replace an old toilet block which is too small and does not comply with disabled access requirements.

Details of the proposal are contained in the attached letter.

Options:

1. As per the recommendation
2. Commit to funding a different amount
3. Do not commit to the requested funding

RECOMMENDATION:

That Council commits to allocate \$44,000 in its budget for next year and to commit these funds as part of grant applications for the extension to the Tea Tree Community Hall.

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 Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

11.3 DRAFT STRATEGIC PLAN 2011-2021:

FILE REFERENCE: 0620
AUTHOR: General Manager
(Mr R Sanderson)

Background:

At its ordinary meeting on 18th January 2011 Council resolved

That Council adopt the proposed updated strategic plan as a draft and invite public submissions in respect of this draft.

At the time of preparing the agenda only one submission was received by email and the contents are copied below.

Ordinary Council Meeting

15/2/11

To whom it may concern,

My submission mainly deals with the planning scheme of the Brighton council and the councils vision for the future planning in the municipality.

My main concerns are the restrictions being put on landholders in certain areas by the "Landscape and Skyline Protection Schemes" in the Brighton Municipality. Of particular interest and puzzlement to me and many others is the fact that if a person own anything less than 99.9 hectares of property, it is impossible to divide it in any way, except through boundary adjustment, which not always suits. The council and powers that be have left all responsibility for land in these protection areas with the landholder, whilst taking away all their rights. I understand that you cannot let things go on uncontrolled in these areas, but for instance, my mother has been virtually fighting the council for years, wanting to cut off aprox. 30 acres on her 120 acre property, simply because she is over 70 years old, and cant upkeep it anymore. In theory, she cant even sell a bigger part of the property and continue living in the house that she and her husband built around 50 years ago, all because of the councils stupid planning scheme. I am sure she is not the only one with a similar gripe in the municipality.

Going by the strategic plan and planning schemes it would appear that the council wants everyone living in either the Bridgewater or Brighton precincts. To me the phrase " practical and effective land use strategies" is absolute rubbish when you look at the definition of the "Landscape and Skyline Protection Zones" when at least 50 percent of the zone is in gullies and has only scrubby rubbish bush on it.

The land use strategy of "providing a long term approach that produces sustainable and measurable economic , environmental (built and green) and social benefits for the municipal area and the region" also seems to be a redundant phrase. By letting people do things and to do things with there land also provides the municipality with measurable economic benefits. By the way, we are not talking about building nuclear reactors or the sort in "Landscape and Skyline Protection Areras" either. By letting new people have the chance to be able to own parts of these areas you are promoting so called green areas. There are many other processes such as covenants etc that can be applied to these areas, not just the dogged attitude of NO WAY...no one can use that area we have declared.

In closing, the Brighton Council appears to have no thought for the older landholders, many of whoms families were the original landholders in the area, such as my mother. People with this sort of history in the municipality should be consulted and revered in the municipality. Bear in mind, a lot of these people live in the council protected areas. They have become too old to look after their entire properties, but still want to see out their days in maybe what could be called their properties "original" homestead.

In closing, I am hearing a lot of bad talk about the councils by laws, and planning scheme, a lot of which have been formulated by what the older people in the community call "johnny come latelys' " , with no idea of rural values and emotions that the Brighton Municipality was originally built on.

Thanking You,

Craig Frost

Clark- Stewart Rd

Dromedary. ph 0448830650

Consultation:

Submissions were requested in notices published in the Mercury newspaper. The deadline for submissions was 11th February. Any submissions received after the agenda was sent out were presented at the meeting.

Risk Implications:

None.

Financial Implications:

None.

Other Issues:

None identified.

Assessment:

The one submission deals predominantly with land use planning issues. A response will be sent that address Mr Frost’s concerns in these areas. The general comments that relate to the strategic plan are noted but are not considered to be of sufficient merit to make a change to the draft strategic plan.

Options:

- 1. As per the recommendation
- 2. Modify the draft strategic plan

RECOMMENDATION:

That Council adopt the draft strategic plan as its strategic plan for the period 2011 to 2021.

DECISION:

Cr Gray moved, Cr Williams seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

12. QUESTION ON NOTICE:

There were no questions on notice.

Meeting closed: 6.10 pm

Confirmed:

(Mayor)

Date:

15th March 2011