



Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL HELD
IN THE COUNCIL CHAMBER, COUNCIL OFFICES
GAGEBROOK AT 5.30 P.M. ON TUESDAY,
19th JULY 2011**

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

IN ATTENDANCE: Mr R Sanderson (General Manager); Mr G Davoren (Deputy General Manager); Mr H Macpherson (Municipal Engineer), Mr J Dryburgh (Senior Planner) and Ms L Rudd (Leader - Community Development).

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING OF 21st JUNE 2011.

Cr Geard moved, Cr Williams seconded that the Minutes of the Ordinary Council Meeting of the 21st June 2011, be confirmed.

CARRIED

VOTING RECORD

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

1.2 CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE OF 12th July 2011.

Cr Curran moved, Cr Garlick seconded that the Minutes of the Ordinary Council Meeting of the 21st June 2011, be confirmed.

CARRIED

VOTING RECORD

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

2. APPLICATIONS FOR LEAVE OF ABSENCE:

All members were present.

3. PUBLIC QUESTION TIME AND DEPUTATIONS:

- Lisa Rudd gave an overview of her position, role and process to date.

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:-

- JUN 23 Meeting at Council with DGM and Stan Kane re Microwise.
- JUN 24 Roy Maloy day for walk MONA to ABC in City to raise awareness of "Best you can Be " Scholarships with Able Australia and Australian Drug Foundation.
BBQ for 25 kids from JRLF at MONA.
- JUN 27 GM and I had a meeting with BPSM Architects and the Director of Infrastructure Capital Works DIAC Con O'Rourke and the Project Officer Infrastructure Capital Works DIAC Anthony De Marco to look at the plans for the Pontville Centre.
- JUN 29 Meeting at the Pontville site with DIAC Officers and Defence Personnel to go over plans for the Centre.
- JUL 02 Reception at Civic Centre for the Football Federation Tasmania hosts and visiting Korean Under 12 National football team and delegates and Derwent United Soccer Club
- JUL 06 Further discussions with DIAC on Community Consultation meetings.
- JUL 06 Brighton Civic Centre - Public Meeting re new Bridgewater bridge.
- JUL 07 GM and I met with Jude Munro AO and David Hunn to discuss the structure of Local Government in Southern Tasmania.
Jude Munro AO, Saul Eslake and Stephen Haines have been appointed by the STCA to do the Study which received Federal Funding.
- JUL 11 GM and I attended a meeting at Rebecca White's office in Bridgewater to look at the options and issues in relation to Brighton Doctors.
Also attending was Dick Adams, Dee Alty , Jen Butler and Peter Barns the CEO of Health Recruitment Plus.
- JUL 11 Gagebrook Campus of the Jordan River Learning Federation for official opening of the BER funded new buildings.

- JUL 11 Meeting with Robert Rockefeller and Steve Lewis Lead Principal at JRLF. Issues of concern with kids and also to look at the ongoing works at the School.
- JUL 12 Attended the 10th birthday celebrations at the Online Centre, Bridgewater.
- JUL 12 Planning Committee Meeting.
- JUL 13 Southern Water Owners Reps (Foster,Bury,Edgell) meeting with CEO Mike Paine and Chairman Miles Hampton.
- JUL 13 In my capacity as Chairman of the Statewide Owner Reps for Water and Sewerage I met with the Chairman Miles Hampton to discuss issues as a result of the Government extending the timeframe for the Select Committee to report to the Government on their findings until 30th April,2012.
- JUL 18 Meeting in Hobart of the Southern Water Owners.
- JUL 19 JRLF Strategic Partners meeting at the Civic Centre.
- JUL 19 Ordinary Meeting of Council

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
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, Hobart Principal Cycling Network workshop, Pontville Users Group – Cr Geard representative.

- Cr Geard advised that he had attended the following:-
 - SWSA Board Meeting at Kingborough.
 - Cycling South workshop; and
 - Pontville Users group meeting.

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

- Cr Garlick advised that the Bridgewater Library + On-line Access Centre celebrated its 10 Birthday recently.

Cr Taylor moved, Cr Owen seconded that the reports be received.

CARRIED

VOTING RECORD

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

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 is 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 items.

9. REPORTS FROM COMMITTEES:

9.1 PLANNING COMMITTEE MEETING – 12/7/11:

The recommendations of the Planning Committee Meeting of 12th July 2011 were submitted to Council for adoption.

Cr Gray moved, Cr Garlick seconded that the recommendations of the Planning Committee be adopted.

CARRIED

VOTING RECORD

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

10.1 INVESTIGATION OF A HERITAGE LANDSCAPE PRECINCT AT MANGALORE/PONTVILLE, FOR INCLUSION WITHIN THE NEXT PLANNING SCHEME:

FILE REFERENCE: 0689

AUTHOR Senior Planner
(Mr J Dryburgh)

ISSUE:

Progressing of a combined approach with Southern Midlands Council to investigate the creation of a heritage landscape precinct potentially extending into the Brighton municipality, at Mangalore / Pontville.

BACKGROUND:

Over the past few years Council has progressed and completed the *Joint Land Use Planning Initiative* with its partner Councils in the subregion; Southern Midlands, Central Highlands and Derwent Valley. Stage 2 of the JLUPI project included the *Heritage Management Plan*, (HMP), which was endorsed by Council earlier this year.

The HMP provides a range of recommended actions, including some relating to the investigation of proposed new or expanded heritage precincts within future planning schemes.

At Mangalore it is recommended that a 'Shene-based' heritage precinct be investigated:

A precinct covering the “Shene” property and its surrounds.

This area could be added as an extension to the Mangalore Heritage Precinct.

The “Shene” property is of high heritage significance and its landscape setting has long been recognised as having heritage value. A number of submissions were made seeking a precinct to be defined, covering land between Ballyhooly Road and Tea Tree Road, possibly linking to the Pontville Heritage Precinct.

The SMC has supported a precinct including “Shene”, but further discussions should include Brighton Council and landowners on the definition and management of this precinct. However, any precinct boundary needs to be considered as part of the current route planning for the Bagdad Bypass. More detailed investigations need to be carried out before a final recommendation is made.

The JLUPI Bagdad-Mangalore Structure Plan also made a similar recommendation and included an indicative heritage area on the map with the following notation:

Establish heritage precinct based around “Shene” (boundary to be determined).

DISCUSSION:

In order to progress the above, a meeting between Southern Midlands and Brighton Council representatives was held at Shene on 30 June 2011. The owners of the Shene property as well as professional heritage architect Graeme Corney were also present.

It was generally agreed that a reasonably strong case would appear to exist for the establishment of a heritage landscape precinct in the area. Aside from the recommendations of the abovementioned studies, it was noted that the case is bolstered by the nearby Heritage Mile Precinct within Southern Midlands and the Pontville Village Overlay within Brighton, as well as a series of heritage homesteads on the valley floor in both municipalities where the rural setting remains largely as it has been since colonial times. The influence of pre-colonial Aboriginal occupation was also acknowledged to continue to be evident in the landscape.

The recommendation to both Councils arising from the meeting was that:

1. Both Councils agree to jointly progress the investigation of a new heritage landscape precinct in the Mangalore/Pontville area.
2. The intention, if such a precinct were ultimately defined and agreed, is to include it within the new planning schemes currently being drafted as part of the Southern Regional Planning Project.
3. The joint investigation process should involve:
 - The establishment of a joint Southern Midlands Council – Brighton Council working group, which should include relevant Council officers and at least one elected member from each Council.
 - An investigative phase in which professional heritage landscape advice is sought, a draft precinct spatially defined and key values described.

This process should also involve key stakeholders, including potentially impacted landowners and others with a strong interest in the land, as determined by the working group.

- A broad community consultation phase.
 - An analysis of community submissions by the working group, which would then prepare a final draft to be put to each Council for formal consideration.
4. The broad extent of the 'heritage landscape investigation area' is:
- In Southern Midlands:
 - North to the vicinity of Ballyhooly Road.
 - East to the line of the new highway bypass.
 - West to the Heritage Mile Precinct.
 - South to the municipal border with Brighton.
 - In Brighton:
 - North to the municipal border with Southern Midlands.
 - East to the foot of the eastern hills.
 - West to the Pontville Heritage Precinct.
 - South to the vicinity of 'Maiden Erleigh' and 'Strathallan'.

(Noting that the final precinct boundaries may be well within these bounds).

The meeting also noted the following:

- The proposed heritage precinct must not delay the progression of the Bagdad Bypass, which must be accommodated within the future planning schemes.
- The process cannot influence the progression of the current Detention Centre project, which is on Commonwealth land and therefore immune from State and Local Government planning and heritage laws.
- In addition to the abovementioned community consultation process, any new heritage precinct included in the new draft planning schemes will also be subject to a number of other community consultation processes associated with the development and approval of the planning schemes.
- As part of the Tasmanian Irrigation Development Board's investigation of the proposed expansion of the South East Irrigation Scheme, almost the entire 'heritage landscape investigation area' has been identified as having good soils and potentially irrigable. It is therefore likely to be zoned *Significant Agriculture* in the new planning schemes and incorporated into a future declared Irrigation District. This means its current use for agricultural purposes will very likely be strongly protected into the future, regardless of whether a heritage landscape precinct exists. In other words; the land not

likely to have development potential for anything other than that associated with agriculture.

In terms of financial resources, the project would largely be undertaken in-house by Council officers. A clear financial impact would be the engagement of a heritage consultant to provide the abovementioned professional advice. It is noted, however, that some of the key landowners involved have offered to provide funding assistance for this purpose.

Any substantive funding required from Council would need to be identified at an early stage by the working group and subsequently requested from Council from a related budget line.

RECOMMENDATION

That Council:

1. Agree to jointly progress the investigation of a new heritage landscape precinct in the Mangalore/Pontville area with Brighton Council.
2. Include the precinct within the new draft planning scheme currently being developed as part of the Southern Regional Planning Project, if such a precinct is ultimately defined and agreed.
3. Commence an investigation process involving:
 - The establishment of a joint Southern Midlands Council – Brighton Council working group, which is to include relevant Council officers and at least one elected member from each Council, (*refer part 5, below*).
 - An investigative phase in which professional heritage landscape advice is sought, a draft precinct spatially defined and key values described. This process should also involve key stakeholders, including potentially impacted landowners and others with a key interest in the land, as determined by the working group.
 - A broad community consultation phase.
 - An analysis of community submissions by the working group, which would then prepare a final draft to be put to each Council for formal consideration.
4. The broad extent of the ‘heritage landscape investigation area’ is to include the following:
 - In Southern Midlands:
 - North to the vicinity of Ballyhooly Road
 - East to the line of the new Highway bypass
 - West to the Heritage Mile Precinct
 - South to the municipal border with Brighton
 - In Brighton:

- North to the municipal border with Southern Midlands
- East to the line of the foot of the eastern hills
- West to the Pontville Heritage Precinct
- South to the vicinity of Maiden Erleigh and Strathallan

(Noting that the final precinct boundaries may be well within these bounds).

5. Appoint a Councillor as Brighton's elected member representative on the working group.

DECISION

Cr Geard moved, Cr Taylor seconded that the recommendation be adopted and that Cr Gray be appointed as Brighton's elected representative on the working group.

CARRIED

VOTING RECORD

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

11. REPORTS FROM OFFICERS:

11.1 REQUEST FOR FINANCIAL ASSISTANCE – PETE'S COMMUNITY WORKSHED:

FILE REFERENCE: 0653

AUTHOR: Council Services Officer
(Mrs C Harper)

Background:

Pete's Community Workshed has operated in the municipality for ten years providing a venue for community members to access equipment to construct a variety of products whilst providing an opportunity to participate in community and social activities for a large cross section of the community.

Previously the Workshed has been able to access funds from the State Government which assisted in funding the ongoing running costs, which they expected to receive again this year; however these funds have not been forthcoming this year.

They have contacted Council to request an amount of \$5000 to enable them to keep the centre viable until such time as they can access other funding which they are expecting. Their financial situation is grave and these funds are urgently required or they will have to close the facility.

Consultation:

John Waters (Pete's Shed), Ron Sanderson (General Manager), Janine Banks (Manager Governance & Human Services), Cathy Harper (Council Services Officer).

Risk Implications:

May set a precedent to other groups to request grants outside of Council's annual grants and donations process.

Financial Implications:

This is an unbudgeted item; the \$5,000 will need to come from the grants and donations budget.

The Workshed currently receives financial support from Council in the form of a rent free building.

Other Issues:

Pete's shed is currently leased to the Jordan River Services.

Assessment:

N/A

Options:

1. As per the recommendation.
2. Council grant a different amount of funding.
3. That no funding be provided.

RECOMMENDATION:

That Council grant \$5,000 to Pete's Workshop from the 2011/12 Grants budget as requested to enable the Workshed to remain open; grant to be recorded in Council's Annual Report.

DECISION:

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

CARRIED

VOTING RECORD

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

12. QUESTION ON NOTICE:

There were no questions on notice.

Meeting closed: 6.35 pm

Confirmed:

(Mayor)

Date:

16th August 2011