



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,
20th DECEMBER 2011**

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

IN ATTENDANCE: Mr R Sanderson (General Manager); Mr G Davoren
(Deputy General Manager); Mrs J Banks (Manager
Governance & Human Services) and Mr J Dryburgh
(Senior Planner).

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING
OF 15TH NOVEMBER 2011.

*Cr Geard moved, Cr Curran seconded that the Minutes of the Ordinary Council Meeting
of the 15th November 2011, be confirmed.*

CARRIED

VOTING RECORD

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

1.2 CONFIRMATION OF MINUTES OF THE ANNUAL GENERAL MEETING OF 13TH DECEMBER 2011.

Cr Gray moved, Cr Williams seconded that the Minutes of the Annual General Meeting of the 13th December 2011, be confirmed.

CARRIED

VOTING RECORD

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

1.3 CONFIRMATION OF MINUTES OF THE FINANCIAL COMMITTEE MEETING OF 13TH DECEMBER 2011.

Cr Gray moved, Cr Garlick seconded that the Minutes of the Finance Committee Meeting of the 13th December 2011, be confirmed.

CARRIED

VOTING RECORD

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

2. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Williams moved, Cr Garlick seconded that Cr Jeffries be granted leave of absence.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	

Cr Owen
Cr Taylor
Cr Williams

3. PUBLIC QUESTION TIME AND DEPUTATIONS:

- Mr A van Emmerik and Mr S Gregory from DIER addressed Council in relation to the proposed Bridgewater Bridge.

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:-

- Nov 22 The General Manager and I met with Mr Andrew Finch Deputy Secretary, Education Department re Education Department Infrastructure in the Brighton Municipality.
- Nov 22 At the invitation of the Speaker of the House Michael Polley I had lunch at Parliament House with him and the Italian Ambassador to Australia.
- Nov 22 Chaired a meeting of the Southern Water Owner Representatives, primarily to receive the Corporations quarterly report.
- Nov 24 Addressed the Legislative Council in respect to Brighton Council's position on the Local Government Draft Bill - re rates.

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- Nov 25 Property Council Luncheon and launch at Moorilla.
- Nov 27 Attended along with other Councillors a launch by the Premier Lara Giddings of the Pontville Historic Interpretation Panel.
- Nov 28 The General Manager and I had a meeting in Hobart with the new Lord Mayor of Hobart, Damon Thomas.
- Nov 28 The General Manager and I had a meeting with the CEO of Forestry Tasmania Mr Bob Gordon.
- Nov 29 Attended a meeting of the Pontville Community Consultative Group at the Pontville detention centre.
- Nov 29 Meeting with the Lead Principal of the JRLF Mr Steve Lewis.
- Dec 05 The General Manager and I had a meeting with Cricket Tasmania officers Mike Gandy and Chris Garrett re future direction of cricket in the Brighton Municipality.
- Dec 06 Guest speaker at the Brighton School for Seniors.
- Dec 06 Meeting with Leanne Wakeralle President of the JRLF Parents Association.
- Dec 07 Dining with Friends Christmas function.
- Dec 08 Meeting with Liz Banks Deputy Secretary Department of Education re issues of concern at the JRLF.
- Dec 08 STCA Board Meeting in Hobart.
- Dec 08 Tour of the Brighton By-Pass site with Andrew Fowler, Andrew Kennedy and various Engineering companies.
- Dec 10 Brighton Council Christmas get together at Epsom House, Pontville.
- Dec 11 Brighton Cup Race meeting at Tattersall's Park.
- Dec 13 Brighton Council AGM
- Dec 13 Brighton Council Finance Committee Meeting.
- Dec 15 Statewide Owners Reps meeting on Governance issues relating to the possible move to a single corporation.
- Dec 16 Gagebrook Primary School final assembly.
- Dec 20 JRLF senior school presentations.
- Dec 20 Ordinary Council Meeting for December.

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

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

CARRIED

VOTING RECORD

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

Premier’s Physical Activity Council – Cr Owen representative.

- Cr Geard advised that he had attended the AGM and General Meeting of Cycling South.
- Cr Geard also advised that he had attended the AGM of the Southern Waste Strategy Board Authority.
- Cr Garlick advised that the LINC may be officially opened on 3rd February.
- Cr Owen advised Council on the status of the Premier’s Physical Activity Council. He also mentioned that their role was going to be reviewed.

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

CARRIED

VOTING RECORD

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

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

Correspondence and reports from the STCA; LGAT 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 MEETING – 13/12/11:

The recommendations of the Finance Committee Meeting of 13th December 2011 were submitted to Council for adoption.

Cr Gray moved, Cr Garlick seconded that the recommendations of the Finance Committee meeting of the 13th December 2011, be adopted.

CARRIED

VOTING RECORD

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

There were no Planning items for discussion.

11. REPORTS FROM OFFICERS:

11.1 FARROW PLACE, BRIDGEWATER – INSTALLATION OF ROAD HUMPS:

FILE REFERENCE: FARROW
AUTHOR: Municipal Engineer
(Mr H Macpherson)

Background:

Council has received a number of ongoing complaints regarding hoons using the cul-de-sac head at Farrow Place, Bridgewater to do burnouts. Many children live in the street and it is adjacent to a park so residents are concerned about the risk to the children and have asked if it is possible for Council to address the issue.

Council has been asked to install a road hump in the cul-de-sac head to try and prevent the hooning in this street.

Consultation:

Municipal Engineer, Senior Technical Officer, Project Engineer, Residents, Council Services Officer, Senior Traffic Engineer DIER.

Risk Implications:

It may not work and may have to be removed.

Hoons may be encouraged to do burnouts on the humps however it is considered the design will make this difficult.

If the road hump did work there will be an expectation that Council will install them in all cul-des-sac where hooning is an issue.

Financial Implications:

Cost of installing the humps out of asphalt would be in the order of \$2000 . By using asphalt the cost will be minimal and the humps will be able to be removed if necessary.

If the road hump did work there will be an expectation that Council will install them in all cul-des-sac where hooning is an issue which could end up being a significant cost.

Other Issues:

DIER made the following comments regarding the use of speed humps in cul-de-sac heads:

- *DIER traffic officers have together considered the idea and counsel against it.*
- *We think it is unlikely to solve the problem as hooning activity has been experienced at other locations with road humps. Burn-outs on the road hump itself are a favourite for a minor few.*
- *It is technically challenging to design a road hump in a turning area without creating a hazard but with great care it may be possible.*

- *If the turning area includes driveway crossovers it will also be difficult to design.*
- *Gaining adjacent resident support for a novel treatment may be challenging.*

However, if Council wish to tackle all these challenges and trial such a treatment then I have no objection subject to 'due process'.

Council Officers consider the issue worth trying to address and have designed a road hump accordingly to address the above issues.

The design is a low cross shape in the centre of the cul-de-sac, this minimises issues with driveways and will hopefully be difficult to do burnouts on in this configuration.

Residents have been letter dropped and the proposal has been advertised, we had no response from advertising and a number of positive responses from the residents following the letter drop.

Assessment:

It is worth trialling this solution to address the issue.

Options:

1. As per the recommendation.
2. Do nothing.

RECOMMENDATION:

Install the cross-shaped road hump in the cul-de-sac head of Farrow Place, Bridgewater.

DECISION:

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

CARRIED

VOTING RECORD

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

11.2 SOUTHERN TASMANIAN POULTRY CLUB ALTERATION TO STORAGE SPACE SIZE IN AGREEMENT:

FILE REFERENCE: MIDHWY/236 & 916

AUTHOR: Council Services Officer
(Mrs C Harper)

Background:

The Southern Tasmanian Poultry Club entered into an agreement with Council in 2007, part of which included the allocation of 7 metres of space to be used for storage of their movable pens. Since entering into this agreement they have had to increase the number of pens they use for shows and have found that 7 metres of space is insufficient to store the pens.

The Club has written to Council to request that the amount of space be increased to 10 metres to accommodate the increased number of pens required due to the Club's growth.

Consultation:

Tina Moate (Southern Tasmanian Poultry Club Inc.), Maureen Reece (Brighton Agricultural Society), Janine Banks (Manager Governance & Human Services), Cathy Harper (Council Services Officer).

Risk Implications:

None identified.

Financial Implications:

None identified.

Other Issues:

Nil.

Assessment:

The addition of 3 metres to the storage requirements of the Poultry Club would have minimal impact on other users of the shed. The extra space is required to safely store the extra pens and ensure that required access and egress paths remain clear in the building, as per Essential Health and Safety requirements.

Options:

1. As per the recommendation.
2. Not increase the designated storage space.
3. Council alter the storage space to another amount.

RECOMMENDATION:

That Council allow the alteration to the agreement to define 10 metres of storage space for the poultry pens. All other conditions of the current arrangement to remain the same.

DECISION:

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

CARRIED

VOTING RECORD

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

**11.3 BRIDGEWATER AND FRIENDS COUNTRY MUSIC CLUB
LEASE – PONTVILLE HALL:**

FILE REFERENCE: MIDHWY/236

AUTHOR: Council Services Officer
(Mrs C Harper)

Background:

The Bridgewater and Friends Country Music Club (B&FCMC), have written to request that Council enter into a lease agreement for the hire of Pontville Hall on Sunday evenings.

The B&FCMC contacted Council following recent events surrounding their usage of Coronation Hall in Bridgewater which resulted in them unanimously voting to seek an alternative venue.

The B&FCMC have been operating for seventeen years and enjoy a healthy membership with often 70 or more people attending the Sunday night events. Since being moved from the old Bridgewater Community Centre to Coronation Hall they have felt vulnerable and that the security of the club is threatened due to insecure accommodation. They are seeking a lease agreement to ensure continuity for the club in a secure arrangement.

Consultation:

Glenda Miller (Secretary, B&FCMC), Lorraine Kent (B&FCMC), Janine Banks (Manager Governance & Human Services), Bill Arnol (Brighton Market), Cathy Harper (Council Services Officer).

Risk Implications:

Council would be tied to a lease agreement.

Financial Implications:

Council's policy for groups that contribute to the health and wellbeing for the community would apply, providing the B&FCMC with a 50% discount on hire fees. This equates to a value of \$1286.00 at current schedule of fees and charges for 2011/12 financial year.

Other Issues:

The B&FCMC would be the only long term user of Pontville Hall with a lease agreement in place, the other long term hirer's of the facility (many of whom have been hiring the facility for many years), may also approach Council for a lease agreement rather than the current hire agreements.

Assessment:

The Country Music Club are requesting a lease so they feel more secure in their use and access to a building for their weekly events. This is understandable given the sub-letting arrangements since moving from the old Community Centre to Coronation Hall, which have caused them to feel insecure of their future, not only due to availability of the building but also for the charges involved.

The conditions on which they are hiring Pontville Hall are that of normal long term hirer's with the added benefit of secure storage being provided on site for their musical equipment at no charge and also leaving a fridge turned on for their supplies. The Club has a break from events from mid-December through to the end of January when they do not require the use of the hall on the Sunday evening.

Leases normally require the lessee to contribute to infrastructure charges, building maintenance, cleaning, supply of power, phone and the supply hygiene products. In this instance the Club will not be responsible for any of these, other than the normal "leave it as you find it" conditions on cleanliness.

At this point in time there are two Sunday evenings each year that the hall is not available for use by the Music Club, the weekend of the Brighton Show and the second Sunday in December, when it is used for the twilight market. Part of the agreement can include negotiation with the club if the hall was required for rare events on a Sunday evening with a minimum of 28 days' notice being given to them.

The other long term hirers of the facility are on hire agreements only and have been for many years without cause for concern. These include the Girl Guides, GKR Karate and Chris Cousens Karate. The Country Music Club can feel confident that Council will be happy for them to consider the hall their "home" for the long term and this could be confirmed officially.

Options:

1. As per the recommendation.
2. Council enter into a five year lease agreement for the use of Pontville Hall with the Country Music Club, with noted exceptions of Brighton Show, Twilight Market and other bookings with a minimum of 28 days' notice.
3. Council agree to some other hire agreement with the Club.

RECOMMENDATION:

That Council enter into a long term hire arrangement with the Bridgewater and Friends Country Music Club for the use of Pontville Hall on Sunday evenings throughout the year (excluding mid-December through to end of January), except for Brighton Agricultural Show weekend and the second Sunday in December, which is the twilight market.

Any other unusual bookings that are required on a Sunday evening would only be approved in consultation with the Club and a minimum of 28 days' notice would be given by Council. The hire agreement would be reviewed each year as per normal procedure with other long term hirers.

DECISION:

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

CARRIED

VOTING RECORD

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

11.4 LEASE ARRANGEMENTS – COUNCIL BUILDINGS:

FILE REFERENCE:

AUTHOR: Manager Governance & Human Services
(Mrs J Banks)

Background:

Councillors may recall at the last Council meeting a request was made in relation to what lease arrangements were in place for the various groups/organisations utilising Councils buildings.

The Table included with this Agenda provides information on:-

- Length of lease
- Rent
- Building maintenance
- Service charges i.e. Aurora, Gas, Telstra, Southern Water
- Security
- Rubbish removal
- Cleaning

Consultation:

Council Services Officer and Manager Governance & Human Services.

Risk Implications:

Nil.

Financial Implications:

Nil.

Other Issues:

Nil.

Assessment:

Presented as requested by Council.

Options:

1. As per the recommendation.
 2. That the report not be received.
-

RECOMMENDATION:

For information only.

DECISION:

Cr Gray moved, Cr Garlick seconded that the report be noted.

CARRIED

VOTING RECORD

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

11.5 APPOINTMENT OF OWNERS' REPRESENTATIVES FOR SOUTHERN WATER:

FILE REFERENCE:

AUTHOR: General Manager
(Mr R Sanderson)

The General Manager addressed Council in relation to this matter.

RECOMMENDATION:

That the report of the General Manager be received and that Council in relation to the appointment of Owners' Representatives for Southern Water:

- (a) agrees that new Owners' Representative appointments for a three year term be deferred until 1 July 2012;
- (b) agrees to the reappointment of the existing Owners' Representatives for a six month period commencing 1 January 2012.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Gray	

Cr Geard
Cr Owen
Cr Taylor
Cr Williams

11.6 MICROWISE - UPDATE REPORT:

FILE REFERENCE: 0838-3

AUTHOR: General Manager
(Mr R Sanderson)

The General Manager and Deputy General Manager provided an update on the progress of Microwise at the Council meeting.

Options:

1. As per the recommendation.
 2. Not receive the report.
-

RECOMMENDATION:

That the report be received.

DECISION:

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

CARRIED

VOTING RECORD

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

12. QUESTION ON NOTICE:

There were no questions on notice.

Meeting closed: 7.00 pm

Confirmed:

(Mayor)

Date:

17th January 2012