



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,
16th OCTOBER 2012**

PRESENT: Cr Foster (Mayor); Cr G 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); Mrs J Banks (Manager Governance & Human Services); Mr J Dryburgh (Manager Strategic Planning).

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING OF 19TH SEPTEMBER 2012.

Cr Curran moved, Cr Williams seconded that the Minutes of the Ordinary Council Meeting of the 19th September 2012, be confirmed.

CARRIED

VOTING RECORD

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

1.2 CONFIRMATION OF MINUTES OF THE FINANCE COMMITTEE MEETING OF 9TH OCTOBER 2012.

Cr Jeffries moved, Cr Garlick seconded that the Minutes of the Finance Committee Meeting of the 9th October 2012, be confirmed.

CARRIED

VOTING RECORD

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

1.2 CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE MEETING OF 9TH OCTOBER 2012.

Cr Gray moved, Cr Taylor seconded that the Minutes of the Planning Committee Meeting of the 9th October 2012, be confirmed.

CARRIED

VOTING RECORD

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

2. APPLICATIONS FOR LEAVE OF ABSENCE:

All members were present.

3. PUBLIC QUESTION TIME AND DEPUTATIONS:

There was no requirement for public 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:-.

Sep	26	LGAT General Meeting held at Brighton Civic Centre.
Sep	26	Tasmanian Water and Sewerage Corporation Owner Representatives meeting at the Brighton Civic Centre.
Oct	02	General Manager and I met with Lyons Federal member Dick Adams.
Oct	02	General Manager and I met with Theo Boukavalis.
Oct	05	Attended the Southern Midlands Council book launch of their history book " The Southern Midlands".
Oct	09	Finance Committee meeting.
Oct	09	Planning Committee Meeting.
Oct	11	Meeting with Eric Marshall from Tea Tree.
Oct	11	Meeting with Michael Hibberd - Brighton Hotel.
Oct	11	Meeting with Paul Lennon.
Oct	16	Council Meeting.

RECOMMENDATION:

That the Mayor’s communications be received.

DECISION:

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

CARRIED

VOTING RECORD

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

Cr Taylor advised he had been invited and attended the Gymnastics Centre in Bridgewater recently.

Cr Geard advised that he attended a Cycling South meeting on 3rd October.

Cr Garlick moved, Cr Gray seconded that the reports be received.

CARRIED

VOTING RECORD

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

The General Manager advised that there were no supplementary items.

9. REPORTS FROM COMMITTEES:

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 9.2 and 10. on this agenda, inclusive of any supplementary items.

9.1 FINANCE COMMITTEE MEETING – 9/10/12:

The recommendations of the Finance Committee Meeting of 9th October 2012 were submitted to Council for adoption.

Cr Garlick moved, Cr Jeffries seconded that the recommendations be adopted.

CARRIED

VOTING RECORD

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

9.2 PLANNING COMMITTEE MEETING – 9/10/12:

The recommendations of the Planning Committee Meeting of 9th October 2012 are submitted to Council for adoption.

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

CARRIED

VOTING RECORD

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

10. REPORT FROM OFFICERS – PLANNING:-

There were no Planning items listed on this Agenda.

11. REPORTS FROM OFFICERS:

11.1 BRIGHTON ARMY CAMP PARADE GROUND FENCE:

FILE REFERENCE: MIDHWY

AUTHOR: General Manager
(Mr R Sanderson)

Background:

At its ordinary meeting in December 2011 Council resolved to enter into arrangements with the owner of the old army camp ground to take transfer of the public open space between the highway and the old hospital building (the parade ground).

The owner, Simon Touma, will not transfer the land until his subdivision is completed unless council fences the parade ground to prevent the public accessing his land.

Consultation:

Mayor Foster, Simon Touma and staff.

Risk Implications:

The subdivision permit for the land requires that the parade ground be transferred to council “by Memorandum of Transfer submitted with the final plan of survey”. If this action was followed it could be up to ten years before the transfer took place

Financial Implications:

Temporary fencing is estimated to cost approximately \$8,000 with some salvage value when it is removed.

Other Issues:

Council is developing the entrance to the parade ground and is working with the RSL and Department of Defence to plan for other works to be part of the ANZAC centenary in 2014.

Assessment:

It is proposed to erect temporary fencing around the army camp parade ground to enable the land to be transferred to Council in the near future.

If the fencing is not done the owner will not transfer the land until the subdivision is completed. The land would stay vacant, undeveloped and unavailable to public access until this time.

If Council doesn't own the parade ground developments for the ANZAC centenary in 2014 will not be possible.

Options:

1. Do nothing
2. Adopt the recommendation

RECOMMENDATION:

That Council approve the temporary fencing of the army camp parade ground to enable the transfer of the land to Council.

DECISION:

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

CARRIED

VOTING RECORD

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

11.2 PROPOSED CHANGES TO LOCAL GOVERNMENT ELECTORAL ARRANGEMENTS:

FILE REFERENCE: 0037

AUTHOR: General Manager
(Mr R Sanderson)

Background:

At the Local Government Association of Tasmania Annual Conference on 13th July 2012 the Minister of Local Government, Bryan Green MP, announced his intention to consult on a number of proposed changes to local government electoral arrangements.

His proposed changes include:

- introducing opt-in compulsory voting, whereby a council may choose to make voting in local government elections compulsory within its municipal area
- introducing all-in, all-out elections every four years, with four-year terms for Mayors and Deputy Mayors
- moving to election of Deputy Mayors “around the table” rather than by popular vote
- banning dual representation, so that a person cannot in future hold a seat on council and in State Parliament at the same time.

Consultation:

None.

Risk Implications:

If there is not a majority view from councils the Minister could mandate changes that may not be the best result for councils.

Financial Implications:

There would be cost increases for compulsory voting and cost savings for all-in, all-out elections and around the table voting for Deputy Mayor.

Other Issues:

None identified that are not covered in the discussion paper.

Assessment:

The Director of Local Government has requested official council feedback on the proposed changes by Wednesday 31st October.

This should enable legislation to be considered by Parliament as early as possible if changes are required in advance of the October 2013 elections.

Options:

- 1. Do nothing
- 2. Provide feedback on the questions below.

RECOMMENDATION:

That Council provides responses and forms a separate motion for each of the following questions:

- 1. Does the Council support the introduction of council-opt-in-voting, whereby those councils that wish to do so may opt-in to making voting in council elections compulsory for all elections in their municipal area?
- 2. Does the Council support a move to all-in, all-out elections with four year terms for councillors, mayors and deputy mayors?
- 3. Does the Council support a move to around-the-table election of deputy mayors?
- 4. Does the Council support a move to prevent people, in future, from serving on Council and in State Government at the same time?

DECISION:

Recommendation 1 - Cr Gray moved, Cr Curran seconded that the status quo remain.

CARRIED

VOTING RECORD

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

Recommendation 2 - Cr Owen moved, Cr Geard seconded that Council support a move to all-in, all-out elections with four year terms for Councillors, mayors and deputy mayors?

CARRIED

VOTING RECORD

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

Cr Jeffries
Cr Owen
Cr Williams

Recommendation 3 - Cr Owen moved, Cr Taylor seconded that the status-quo remain.

CARRIED

VOTING RECORD

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

Recommendation 4 - Cr Curran moved, Cr Jeffries seconded that Council support a move to prevent people, in future, from serving on Council and in State Government at the same time.

CARRIED

VOTING RECORD

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

12. QUESTION ON NOTICE:

There were no questions on notice.

The meeting closed at 6.20 p.m.

Confirmed:

(Mayor)

Date:

_____ 20th November 2012