



Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL HELD
IN THE COUNCIL CHAMBER, COUNCIL OFFICES
OLD BEACH AT 5.30 P.M. ON TUESDAY,
21st APRIL 2015**

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

IN ATTENDANCE: Mr R Sanderson (General Manager); Mr G Davoren
(Deputy General Manager); Mrs J Banks (Governance
Manager); Mr H Macpherson (Manager Asset Services)
and Mr J Dryburgh (Manager Development Services)

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING
OF 17th MARCH 2015.

Cr Curran moved, Cr Gray seconded that the Minutes of the Ordinary Council Meeting of the 17th March 2015, be confirmed.

CARRIED

VOTING RECORD

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

1.2 CONFIRMATION OF MINUTES OF THE PLANNING AUTHORITY
MEETING OF 14th APRIL 2015.

Cr Gray moved, Cr Owen seconded that the Minutes of the Planning Authority Meeting of the 14th April 2015, be confirmed.

CARRIED

VOTING RECORD

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

2. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Geard moved, Cr Owen seconded that Cr Taylor, Cr Jeffries, Cr Williams and Cr Garlick be granted leave of absence due to illness.

CARRIED

VOTING RECORD

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

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:

- Mar 24 Interview with Olivia Hicks - Win TV
- Mar 24 Farewell Dinner for Taswater Director Sarah Merridew at the Henry Jones Art Hotel and make a presentation on behalf of Owner Councils.
- Mar 25 ANZAC Day Committee meeting
- Mar 26 Meeting in Hobart with Robert Rockefeller
- Mar 27 PCYC Golf Day at Claremont.
- Mar 29 Interview with Blair Richards - The Mercury
- Mar 30 Meeting with General Manager
- Mar 31 Interview with Dave Noonan - Heart 107.3
- Apr 09 Meeting with owners of the property at 4 Nelson Esplanade-along with Ron Sanderson, Betty Stapenell and Bill Butler.
- Apr 13 Interview with the Company contracted by Tas Medicare Local to review performance of Community Blitz.
- Apr 13 STCA Meeting in Hobart- DGM also attended.
- Apr 14 ANZAC Day Committee meeting
- Apr 14 Planning Authority meeting
- Apr 15 Accompanied James Dryburgh and Rebecca Bestic from Boral to a meeting with Chairman and CEO of Taswater.
- Apr 16 Meeting with some GM's and Council Owner reps with Taswater Chairman and CEO.
- Apr 17 Meeting with Labor Parliamentarians at Brighton Offices.
- Apr 20 Attended a meeting at Launceston City Council with GM and DGM.
- Apr 21 Ordinary Council Meeting.

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

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

CARRIED

VOTING RECORD

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

5.2 REPORTS FROM COUNCIL REPRESENTATIVES WITH OTHER ORGANISATIONS:

FILE REFERENCE: 0205-6

Southern Waste Strategy Board Joint Authority – Cr Gray representative.

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 Governance Manager 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 Agenda items.

9. REPORTS FROM COMMITTEES:

There were no Committee meetings held in April.

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 listed on this Agenda.

11. REPORTS FROM OFFICERS:

11.1 LGAT – ELECTION OF GENERAL MANAGEMENT COMMITTEE:

AUTHOR: Governance Manager
(Mrs J Banks)

Background:

The Tasmanian Electoral Commission has been requested to conduct the 2015 election of five members of the General Management Committee for a two year term, in accordance with the rules of the Local Government Association of Tasmania (LGAT).

Nominations are now invited from LGAT members and must be received by the Electoral Office by 5pm on Tuesday 19th May 2015.

Election Timetable:

Nominations open	Thursday 19 March
Nominations close	5pm Tuesday 19 May
Ballot material posted (if a ballot is required)	Friday 22 May
Close of postal ballot	10am Wednesday 8 July
Declaration of result	Wednesday 8 July

For the information of Council, the representative on the management Committee for the Council's having a population of less than 20,000 is Cr. Deirdre Flint.

Consultation:

Nil.

Risk Implications:

N/A.

Financial Implications:

N/A.

Other Issues:

Nil.

Assessment:

N/A

Options:

1. As per the recommendation.
2. That no action be taken.

RECOMMENDATION:

The matter is submitted for the direction of Council.

DECISION:

Resolved that the report be received.

11.2 DRAFT STRATEGIC ACTION PLAN – ROLE OF LOCAL GOVERNMENT PROJECT:

AUTHOR: Governance Manager
(Mrs J Banks)

Background:

In 2014, the Premier's Local Government Council (PLGC) established joint State Government and Local Government working groups to identify initiatives that would build the capacity of local government. The recommendations of the working groups have been incorporated into the draft strategic action plan.

The Director of Local Government is seeking comments (by 27th April) on the draft strategic action plan that has been developed through the Role of Local Government (RoLG) Project.

The RoLG project is a collaborative project between the Tasmanian Government and Local Government. The project was established in 2012 by the PLGC to identify the capability requirements of local government. The objective of the project is to establish a clear understanding of the role and capabilities of local government, identify strengths and capability gaps, and develop actions to build a local government sector that is sustainable, efficient, effective and responsive to community needs.

Consultation:

General Manager

Risk Implications:

Nil

Financial Implications:

Nil.

Other Issues:

Council's representative on the Collaboration Working Group was Ron Sanderson.

Assessment:

The aim of the consultation is to gather feedback on the structure, contents and implementation of the Strategic Action Plan (SAP). The following questions may help guide Council's response:-

- 1) Do you support the objectives of the SAP?
- 2) Can you see any opportunities to enhance the SAP?
- 3) What are the major obstacles facing implementation of the SAP and how might they be overcome?
- 4) Do you think there are any projects that should be added to the SAP?
- 5) Do you think there are any elements of the SAP that should be removed?

At the conclusion of the consultation period, the draft strategic action plan will be amended in accordance with feedback. It will then be presented to the PLGC for endorsement at its May 2015 meeting. Implementation will commence immediately. Implementation will be overseen by a joint State Government and local government implementation committee to be established by the PLGC.

Options:

1. As per the recommendation.
 2. That could not send a response to the Director of Local Government.
-

RECOMMENDATION:

Submitted for discussion and response to the following questions:-

- 1) Do you support the objectives of the SAP?
- 2) Can you see any opportunities to enhance the SAP?
- 3) What are the major obstacles facing implementation of the SAP and how might they be overcome?
- 4) Do you think there are any projects that should be added to the SAP?
- 5) Do you think there are any elements of the SAP that should be removed?

DECISION:

Cr Geard moved, Cr Gray seconded that Council Officers advise the Director of Local Government that Council supports the draft strategic action plan as submitted.

CARRIED

VOTING RECORD

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

11.3 APPLICATION FOR KENNEL LICENCE – 32 GLEN LEA ROAD, PONTVILLE:

AUTHOR: Governance Manager
(Mrs J Banks)

Background:

Council has received an application for a new Kennel Licence at 32 Glen Lea Road, Pontville for six (6) dogs; 5 Boxers and 1 German Shepherd.

The applicant previously held a kennel licence at Tea Tree Road, Pontville for 5 Boxers.

Council Officers only have delegated authority to approve a Kennel Licence for up to five (5) dogs provided no objections have been received.

This application is for 6 dogs which is 2 above that allowable for this property under Council’s Policy 4.3. The property size is 1.15ha.



Consultation:

Animal Control Officer and applicant.

Risk Implications:

Nil

Financial Implications:

Nil.

Other Issues:

Council's Policy 4.3 states the following:-

The land area guide for up to 20 dogs is:-

1.0-2.0ha for 3-4 dogs

2.0-5.0ha for 5-7 dogs

5.0h-10.0ha for 8-10 dogs

Greater than 10 ha for 11-20 dogs.

The land in question is 1.15ha, therefore according to the Policy the maximum number of dogs on this property is 4. The applicant has applied for 6 dogs.

Assessment:

The applicant purchased Glen Lea Road back in 2014; kennel licences are not transferrable within the municipality, hence why the applicant needed to apply for a new kennel licence at this address.

The applicant didn't seek advice on whether a kennel licence would be required prior to purchasing this property. The dogs have been living on this property for some time now. All dogs are currently registered.

The applicant advertised in the Mercury on the 2nd March 2015. Council did not receive any objections.

Council's Animal Control Officer has been asked to check the property (prior to the Council Meeting) for the suitability of a Kennel Licence.

Options:

1. As per the recommendation.
2. That Council request the applicant to reduce the number of dogs to 4 as per council's Policy.
3. Not approve the Kennel Licence.

RECOMMENDATION:

That Council approve the Kennel Licence for six (6) dogs i.e. 5 Boxers and 1 German Shepherd subject to the following conditions:-

- 1) *The Council is to be notified of any change in the breed.*
- 2) *No additional dogs over the age of six (6) months are to be kept on the property*

- 3) Any change in the breed of dogs may require submission of an application for a new licence.
- 4) Adequate provisions for the health, welfare and control of all dogs.
- 5) Compliance with all laws relating to public health, environmental protection and required plumbing and planning approvals for the kennel structures.
- 6) Compliance with the provisions of the Dog Control Act 2000 or any other relevant Act, including but not limited to the Animal Welfare Act 1993.
- 7) The condition of the premises shall not create a nuisance at any time.
- 8) Each dog is to be registered annually (by 31st July) and microchipped in accordance with the Dog Control Act 2000. Council to be notified of each microchip number.

DECISION:

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

CARRIED

VOTING RECORD

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

11.4 CUSTOMER SERVICE CHARTER – REVIEW:

AUTHOR: Governance Manager
(Mrs J Banks)

Background:

Section 339F of the Local Government Act 1993 states:

339F. Customer service charter

- (1) A council must adopt a customer service charter on or before 1 January 2006.
- (2) The customer service charter is to –
 - (a) specify the principles relating to services provided by the council; and
 - (b) specify a procedure for dealing with complaints relating to services provided by the council; and
 - (c) include any prescribed matter.
- (3) The general manager is to make the customer service charter available –
 - (a) for public inspection at the public office during ordinary office hours; and

(b) on the council's internet site free of charge; and

(c) for purchase at a reasonable charge.

(4) A council is to review its customer service charter at least once every 2 years.

(5) The general manager is to provide the council with a report at least once a year of the number and nature of complaints received.

Council adopted its first Customer Service Charter at its Ordinary Council meeting of 19th April 2006. It has since been reviewed.

Consultation:

Brighton Council employees.

Risk Implications:

Nil.

Financial Implications:

Nil.

Other Issues:

Nil

Assessment:

The Customer Service Charter was last reviewed in 2012.

Staff were invited to review the document and request changes. No changes were required.

Options:

1. As per the recommendation.
2. That Council amend the Customer Service Charter.
3. That Council not adopt the Customer Service Charter.

RECOMMENDATION:

That Council adopt the Customer Service Charter in accordance with Section 339F of the *Local Government Act 1993*.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Geard	

Cr Gray
Cr Owen

11.5 REVIEW OF ASSET MANAGEMENT POLICY:

AUTHOR: Municipal Engineer
(Mr H Macpherson)

Background:

Council's Asset Management Policy was adopted at the February Council meeting in 2012. The policy is now due for a review.

Consultation:

Municipal Engineer, Deputy General Manager, General Manager

Risk Implications:

Nil

Financial Implications:

Nil

Other Issues:

Nil

Assessment:

The Asset Management Policy will provide direction as to how Council, as custodians of community assets will sustainably manage current and future assets.

Options:

1. As per the recommendation.
 2. Do not adopt the Asset Management Policy
-

RECOMMENDATION:

That Council adopts the reviewed Asset Management Policy.

DECISION:

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

CARRIED

VOTING RECORD

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

11.6 SOUTHERN WASTE STRATEGY AUTHORITY (SWSA):

AUTHOR: Municipal Engineer
(Mr H Macpherson)

Background:

Refer to the attached letter from Southern Waste Strategy Authority (SWSA) and the Southern Tasmanian Councils Association (STCA) Report for background and information on the report.

Consultation:

Municipal Engineer, Deputy General Manager, General Manager

Risk Implications:

Nil

Financial Implications:

If Council was to withdraw from the SWSA it would lose its equity in the authority which currently would be approximately \$20,000.

No funding model has been developed by the STCA if additional funds are required. The SWSA funds could be used initially until a funding model is developed.

Other Issues:

SWSA have flagged a number of issues in the report that they believe need to be address prior to operations being transferred to the STCA. If operations are run in a similar manner to the SWSA under the STCA banner then most of these issues would be resolved and there would be the cost savings of already having a CEO and an existing building.

Assessment:

The southern region need to be united if it wants a waste levy introduced by the state government and all the money generated from the levy used for waste. For this reason SWSA needs to exist in some capacity.

Options:

1. As per the recommendation.
2. Wind SWSA up and return any remaining moneys to the current members.

3. Maintain SWSA as a separate legal entity and adopt a different method of operation and funding for 2015/16.
 4. Do nothing.
-

RECOMMENDATION:

Respond to SWSA that Council's preferred option is to transfer the operations of SWSA to STCA and wind SWSA up and transfer remaining moneys to STCA for use by the waste sub-committee.

DECISION:

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

CARRIED

VOTING RECORD

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

11.7 SUSTAINABILITY PROGRAM:

AUTHOR: Planning Officer
(Mr D Allingham)

Background:

There is an expansive and growing body of scientific evidence indicating that the global climate is changing and that extreme weather events and sea level rise will increase in the 21st century.

Brighton Council is well positioned to adapt to the impacts of climate change having adopted the "Brighton Council Corporate Climate Change Adaption Plan - April 2012" which identifies climate risks and mitigation measures for the organisation.

However, one area where Brighton Council could be doing more progressive work is in climate change *prevention* by becoming a more sustainable organisation.

Councils across Tasmania and Australia have recognised that they need to actively take a leadership role in sustainability, and in climate change prevention. For example Meander Valley Council has committed to achieving greater levels of energy efficiency within their organisation and assisting communities to reduce their energy consumption. Similarly, Kingborough Council is committed to reducing its emissions and energy use and is working with its community to increase awareness of climate change issues and assist in transitioning to a low carbon lifestyle.

These Council's, and many other Tasmanian Council's, have the principles of sustainability as core values of their organisations and as a key driver to the future directions of their council areas. In contrast, Brighton Council fails to mention sustainability in its Strategic Plan or Annual Plan. Combatting and adapting to climate change is important for the future of our communities and sustainability should be embedded in Councils functions.

How can Brighton improve its sustainability record?

Council staff has identified the One Planet Living (OPL) framework as a suitable framework that could be adopted to help improve Council's sustainability record.

The OPL framework helps organisations to provide cost effective solutions to reduce environmental impacts, improve its environmental, social and economic sustainability and demonstrate commitment to sustainability in the way they work.

In 2015, One Planet Australia will launch a national sustainability program for local government in Australia – called The Program for One Planet Councils – specifically created to support and empower Australian Councils to effectively tackle the challenge that is sustainability.

Progressive Council's, such as, the Yarra City Council and City of Fremantle have already been accredited as 'One Planet Councils' through the OPL benchmark. The accreditation is awarded to regions around the world for being leaders in sustainable living.

The City of Fremantle's Sustainability Officer and the CEO of Yarra City Council have been consulted to gain a better understanding of the OLP framework. She said that they chose the OLP framework because it was the most intuitive and could be adopted internally without the need to engage consultants to produce reports that would ultimately sit on the shelf. It was also one of the few Environmental Management Systems that was more people focused rather than compliance and engineering focused.

The OPL framework is attractive to Brighton Council as it provides the structure and support to work towards improving the organisations sustainability reputation in the absence of having an appointed "Sustainability Officer".

Producing a One Planet Action Plan will help Brighton Council to:

- Reduce costs by minimizing inefficient energy use and purchasing practices;
- Respond to legislation on sustainability issues more quickly and easily;
- Enhance reputation amongst customers, suppliers and local community;
- Attract progressive staff;
- Win business from customers, clients and funders who value environmental responsibility credentials.

How does it work?

The OPL framework focuses on ten areas that comprehensively address the environmental, social and economic aspects of sustainability. The development of a One Planet Action Plan will assist in working out the best way for Council to tackle each of the following principles:

1. Zero carbon
2. Zero waste
3. Sustainable transport
4. Sustainable materials
5. Local and sustainable food
6. Sustainable water
7. Land use and wildlife
8. Culture and heritage
9. Equity and local economy
10. Health and Happiness

The One Planet Council Toolkit provides the necessary resources to prepare a One Planet Action Plan.

The OPL framework can help Brighton Council to effectively measure and benchmark their existing sustainability; create an integrated sustainability strategy and action plan; gain recognition for our achievements; and finally assist with the implementation of sustainability actions on our corporate operations and throughout the municipality.

An Action Plan can be tailored to suit Brighton Council's need. For example, Council may want to look at its internal operations prior to preparing a strategy for the whole organization and its services.

How much work is involved?

A member of staff will need to be the "sustainability" champion to help drive the program, organise workshops and prepare the Action Plan. The Planning Department is keen to push the sustainability agenda and the workload will be absorbed within the Department. Other departments will also be asked to identify a staff member to help drive actions relevant to that department. This does not need to be a senior member of staff as long as there is top-down support for the OLP Action Plan.

What does it cost?

The One Planet Council has three levels of membership, as shown in the table below:

THE PATHWAY

There is a clear pathway to joining the program and becoming formally recognised as a One Planet Council. As a collective group in 2015, The Program will help Australian Councils fast track this process, share learnings and work collaboratively.

LEVELS	KEY ACTIVITIES	KEY RESOURCES	COSTS	KEY SUPPORT	OUTCOMES
OPEN SOURCE	Ability to explore application of One Planet Living within council for FREE.	Start-Up Pack - International Targets - Toolkit + Templates	FREE	No Formal Support	Allows council to 'test the water' and determine if One Planet Living works for them.
LEVEL 1. MEMBERSHIP	Become a member of the One Planet Network – ability to directly influence the Program.	As Above PLUS: - Assessment Framework - Technical Guidance - Program Guidance	From \$1,250 **	Formal inclusion in the One Planet Network and associated events.	Specials on key products and services, plus involvement in broader network – learn directly from experts and other members.
LEVEL 2. NATIONAL CERTIFICATION	Submission of completed Assessment Framework for National Certification.	As Above PLUS: - Access to 'National Petal Logo' to promote and celebrate council's achievement	From \$1,250 **	Access to expert support to prepare assessment. *At additional cost.	National Recognition of council against One Planet Councils Assessment Framework and Standard.
LEVEL 3. INTERNATIONAL ENDORSEMENT	Submission of completed sustainability Strategy and Action Plan for International Endorsement.	As Above PLUS: - Access to 'International Planet with Heart Logo' to promote and celebrate council's achievement	From \$1,250 **	Access to expert support to prepare action plan and strategy. *At additional cost.	International Recognition of One Planet Action Plan and One Planet Strategy, as a One Planet Council.
THE PROGRAM (2015)	Series of facilitated workshops and ongoing strategic support. Guidance on the steps to becoming a One Planet Council.	Dedicated team of experts guide council throughout the 12 months of the accelerated program.	From \$2,500 **	Strategic assistance in completing a formal assessment, plus guidance on preparation of action plan and strategy.	Council is positioned to achieve National Certification and a foundation is established for International Endorsement

** Subject to size of each Australian Council

Source: One Planet Living Website 2015 (<http://oneplanetliving.org.au/one-planet-councils/>)

It was recommended by the City of Fremantle’s Sustainability Officer to get Level 1 Membership as a first step. This will give Council access to the Assessment Framework and support from OLP and will allow Council to “test the water” at a relatively low cost. It was also recommended that an officer undertake the 1 day OLP “Sustainability Integrators” training in Melbourne which costs \$500.

Consultation:

James Dryburgh (Manager Development Services), Ron Sanderson (General Manager), Vijaya Vaidyanath (CEO Yarra City Council) Melanie Bainbridge (Sustainability (Strategic) Officer, City of Fremantle), Ed Cotter (OLP).

Financial Implications:

The initial cost to sign up to a Level 1 membership is \$1,250, plus it is recommended that a staff member undertake the \$500 training course in Melbourne. Yarra City has also invited Brighton to visit for training and advice from their successful implementation team (free of charge).

Time will need to be allocated for a staff member to develop and implement an OLP Action Plan.

Implementation of the Action Plan is also likely to generate some further expenditure, for example solar panel installations, energy audits etc.

Other Issues:

Undertaking a sustainability program in the absence of a dedicated sustainability officer potentially puts pressure on the resourcing of one or more departments, but as a small council this will simply need to be managed. If successful for Brighton, this may be something we could assist other councils with under our professional services system.

Risk:

There are no significant risks in trialling the program. There are risks involved (financial, reputational, IP, etc) in allowing council to slip behind on sustainability issues - Brighton strives to be a leader in all areas of local government.

Assessment:

Councils across Australia have an important leadership role to play in sustainability to ensure that our communities are healthy and liveable in the future. Brighton Council shouldn't fall behind other Councils in the area of sustainability and climate change prevention.

The OLP Framework has been identified as a suitable framework for Brighton Council to adopt to benchmark and improve its sustainability record. The OLP framework is considered to be low-cost, intuitive and most easily adapted to the needs of Council. A Level 1 OLP Membership and training for one staff member is considered to be the most appropriate starting point.

Options:

1. As per the recommendation.
 2. Not pursue the One Living Planet Framework
-

RECOMMENDATION:

That Council become a member of the One Living Planet Framework and pursue accreditation.

DECISION:

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

CARRIED

VOTING RECORD

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

11.8 APPOINTMENT OF OWNERS' REPRESENTATIVES FOR TASWATER:

FILE REFERENCE:

AUTHOR: General Manager
(Mr R Sanderson)

Background:

In July 2012 Council resolved to appoint Mayor Foster as its owner representative for TasWater. Councillor Gray was appointed as the Acting Owner's representative for this position.

This appointment was valid for a three year period which ends in July 2015.

TasWater has requested that council appoint a representative for the new term.

Consultation:

None

Risk Implications:

None.

Financial Implications:

None

Other Issues:

None identified

Assessment:

While not mandatory, member councils have appointed mayors as their representative.

Options:

1. Do nothing
2. Adopt the recommendation

RECOMMENDATION:

That Council nominate a Representative and an Acting Owner's representative as its owners' representative for TasWater.

DECISION:

Cr Geard moved, Cr Owen seconded that the Mayor be nominated as Council's Owner representative and that Cr Gray be the Acting Owner's representative.

CARRIED

VOTING RECORD

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

11.9 PROPOSED STRATEGIC PLAN 2015-2025:

AUTHOR: General Manager
(Mr R Sanderson)

Background:

The Local Government Act 1993 requires that councils review its strategic plan at least every four years. Many focus areas of the existing plan, Strategic Plan 2011-2021, have been substantially progressed and Brighton has been undergoing major population and business growth.

This plan was reviewed at a workshop on 10th March 2015 by councillors and senior staff. The revised plan is attached.

Consultation:

Councillors and senior staff.

Risk Implications:

None.

Financial Implications:

None

Other Issues:

With the new four term for councillors this is an opportune time to review the strategic plan. Also, with all councillors being re-elected for the third election in a row, there is a common understanding of the issues facing the community.

Assessment:

The proposed strategic plan will be made available to the public on Council's website and published in the Brighton Community News with submissions invited from the community in the Brighton municipal area.

Options:

1. Adopt the recommendation.
2. Adopt a changed plan

RECOMMENDATION:

That Council invite submissions from the public for the proposed Strategic Plan 2015-2025.

DECISION:

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

CARRIED

VOTING RECORD

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

11.10 LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015:

AUTHOR: General Manager
(Mr R Sanderson)

Background:

The current meeting procedures regulations are due to expire on 22nd June 2015 and are required to be remade by that date. The State Local Government Division has provided the LGAT with the opportunity to comment on the attached draft meeting procedures regulations by 7th May 2015. In order to meet this deadline the LGAT has requested that councils provide feedback to it by 5th May.

The attached draft regulations reflect earlier proposed amendments and the Local Government Division is seeking further input on two topical issues:

- *the scope and reasons specified in the regulations for which a council can enter into closed session in council meetings and committee meetings (e.g. commercial-in-confidence matters, and personnel, industrial or security matters); and*
- *whether there should be express limitations on a chairperson’s power to adjourn a council meeting (noting that the use of the power to adjourn under regulation 13 must be reasonable, in good faith, and having regard to proper purpose).*

Consultation:

None

Risk Implications:

None.

Financial Implications:

None

Other Issues:

None identified

Assessment:

The attached draft regulations have resulted from consultation with the LGAT since May 2014 and generally contain minor amendments to the current regulations.

The two topical issues that have been raised for discussion by the Local Government Division have resulted from media assertions about closed meetings at Hobart City Council and the Glenorchy City Council Mayor abandoning a council meeting not being followed by the other aldermen.

The issue of closed meetings is considered in Item 8 in the attached consultation paper. The draft regulation 15 is largely the same as the existing regulation with only minor amendments.

The issue of the adjournment of meetings is considered in Item 7 in the attached consultation paper. The draft regulation 13 is largely the same as the existing regulation with only minor amendments.

Brighton Council has not had concerns with either of the two issues raised by the Local Government Division. It is proposed that Council prefers to adopt the regulations dealing with these issues as shown in the attached draft regulations.

It is also suggested that regulations should not be changed just because of two isolated matters as opposed to industry wide concerns.

Options:

1. Do nothing
2. Advise the LGAT that Council has no comment.
3. Adopt a different response to the two issues.
4. Adopt the recommendation

RECOMMENDATION:

That Council advise the LGAT that it supports the Draft Local Government (Meeting Procedures) Regulations 2015 with no amendments.

DECISION:

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

CARRIED

VOTING RECORD

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

11.11 VOLUNTARY AMALGAMATION PROGRAM:

AUTHOR: General Manager
(Mr R Sanderson)

Background:

Voluntary Amalgamation Process

In November 2014 the Minister for Local Government announced his intention to encourage all councils to commence a process of investigating voluntary amalgamations. In his letter of 26 November 2014 (see attached) the Minister referred to feasibility studies into mergers and stated the following principles that must be met before he would consider an amalgamation proposal. Amalgamations must:

- be in the interest of rate payers;
- improve the level of services for communities;
- preserve and maintain local representation; and
- ensure that the financial status of the entities is strengthened.

In his letter of 19 February 2015 (see attached) the Minister asked councils to advise him of their willingness to explore the option of voluntary amalgamations and/or shared service models. If councils wish to explore a shared services option he preferred that they examine the amalgamation option at the same time in order to see which option delivers optimum outcomes for the community.

A media release from the Minister on 24 March 2015 states “during April and May councils will be able to also further consult their ratepayers because we know from experience in other jurisdictions that successful amalgamations are those that have council and community support.”

The Minister offered councils financial support to undertake modelling and feasibility studies. The Local Government Division is preparing terms of reference for these studies.

On 30 April 2015 the LGAT is holding a general meeting on the issue of voluntary amalgamations and strategic shared services.

Glenorchy City Council has adopted a set of guiding principles and will have consultation in May 2015 with its community and other Councils, LGAT and STCA. The council will advise the Minister of the results of the consultations in July 2015.

Brighton Council has received a letter from Clarence City Council (see attached) which was sent to their neighbouring municipalities inviting them to participate in a feasibility study to explore the option of voluntary mergers and/or shared services.

Brighton Council has not received any correspondence regarding the voluntary amalgamation process from any other council.

1997 Amalgamation Survey

In the late 1990's the State Government moved to amalgamate many of the 29 councils with Brighton to be a part of a Greater Hobart Urban Council. In June 1997 Council undertook a telephone survey of its residents to seek their views on such a merger. (See the attached research report.) The results were very clear with the preferred option to stay as we are followed by being part of a greater rural council. Being part of a greater urban council was the least favoured option.

The sample sizes for the suburbs was based on the ABS census figures for 1991:

- Bridgewater = 41.6%
- Gagebrook = 28.4%
- Old Beach = 4.0%
- Brighton = 22.0%
- Rural = 4.0%

The population of the suburbs have changed considerably since then which will be reflected in sample sizes for a new survey.

Munro Report

With the assistance provided by a Commonwealth grant under the Local Government Reform Fund the STCA undertook a review of structures for local governance and service delivery in Southern Tasmania. A report of the independent panel released its report in October 2011. This report became known as the "Munro Report" after the chair of the panel, ex Brisbane CEO, Jude Munro.

The first recommendation of the Munro Report was;

That the present cities of Hobart, Glenorchy and urban Clarence (with Richmond and surrounds moving into the Sorell Council area), the urban part of Kingborough excluding the Channel and Bruny Island (which would be incorporated into Huon Valley) be merged with Brighton to form a single council, to be named the City of Greater Hobart.

Council held a workshop in February 2012 to determine future options for Brighton in light of the debate surrounding the recommendations of the Munro Report. The scope for the workshop was to explore the opportunities and options facing Brighton in the future with or without amalgamation.

The agreed preferred option for Brighton was:

No amalgamation and expanded shared services with other councils plus membership of a Metropolitan Council Association plus membership of a re-invigorated STCA.

The next preferred option was for Brighton to:

Amalgamate with Southern Midlands, Derwent Valley and Central Highlands Councils.

Council formally adopted these preferred options at its 20 March 2012 Ordinary Council Meeting.

Resident Survey – Merger Options

It is proposed to conduct a survey of Brighton Council residents in relation to a range of merger options and other associated issues to assist Council's consideration of the State Government's voluntary amalgamations program.

The expected outcomes of the survey are:

- A statistically valid measure of community view in relation to potential council merger options (including the status quo) and other related aspects which will directly inform Council's planning and response to the State Government's voluntary amalgamation program, including the undertaking of relevant feasibility studies.
- A timely indicator of Council performance and identified areas for improvement.
- A respondent resource for accessing in the event that further research is commissioned in relation to the voluntary amalgamations program.
- A positive PR exercise for Council by way of a well-designed consultation with the local community on a topic that is centrally important for the future of the Brighton Municipality and its residents.

The proposed timeline for the survey (week commencing):

20 April	review and project commissioning
27 April	finalise project design
4 May	interview briefing and commence survey
11 May	complete interviews
18 May	data entry and analysis
25 May	client reporting

Proposed Brighton Council Actions

Approval is requested at this meeting to undertake the following:

- Send a letter to the Minister outlining Council's approach to the voluntary amalgamation process (as follows).
- Conduct a survey to determine the wishes of the community regarding the voluntary amalgamation program. The survey will be conducted in late April, early May with results available in mid-late May.
- Conduct internal studies to compare Brighton Council with its expanding shared services to a stand-alone council with no shared services.
- Determine future actions based on the results of the community survey. This can hopefully be considered at Council's May meeting; if not, a special meeting can be held.

Consultation:

Senior staff and Myriad Research.

Risk Implications:

If no action is taken the government may force Council to participate in studies that might not be in the best interest of Brighton ratepayers.

Financial Implications:

The cost of community survey(s) and internal modelling and research.

The cost of the initial survey will be \$10,800.

Other Issues:

None identified.

Assessment:

Glenorchy considers that it is necessary to involve the community from the outset in responding to the Minister's local government reform process. Their guiding principles will help to assess the compatibility of potential partners in the reform process.

In June 2013 council staff from four councils proposed to develop the current arrangements further through a managed joint venture of Councils with functions undertaken by different Councils and administered by a Common Services Model.

A joint venture agreement was developed in January 2015 and has been formally adopted by 7 Southern Councils with Glamorgan Spring Bay Council voting against joining and Derwent Valley Council yet to consider joining. There has been interest from other Tasmanian councils and councils in the Northern Territory.

As of the end of March, 16 councils had advised the Minister that they would like to investigate strategic resource sharing and 8 councils are interested in investigating both voluntary amalgamations and resource sharing.

In April three northern councils, Meander Valley, Northern Midlands and West Tamar Councils, are considering a formal approach to a resource sharing agreement, snubbing approaches for merger discussions with Launceston City Council.

Council's existing preferred option is for no amalgamation and it has not received any real request from neighbouring councils to undertake joint feasibility studies. Accordingly, the proposed actions as outlined above is considered to be the most appropriate way of dealing with the Minister's request for councils to advise him of their willingness to explore the option of voluntary amalgamations and/or shared service models.

This proposal also aligns with the Minister's statement that "during April and May councils will be able to also further consult their ratepayers because we know from experience in other jurisdictions that successful amalgamations are those that have council and community support."

Options:

1. Do nothing
2. Adopt the recommendation

3. Adopt a different course of action

RECOMMENDATION:

That Council approve the proposed approach to the voluntary amalgamation program as outlined above.

DECISION:

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

CARRIED

VOTING RECORD

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

11.12 MONTHLY PLANNING UPDATE:

AUTHORS: Manager Development Services
(Mr J Dryburgh)

Background:

This report is intended to provide a monthly summary of planning matters for Council. The report is considered 'In Committee' because it will at times include matters that should not be public, such as land and development values and enforcement issues.

Discussion:

Brighton Industrial and Housing Corporation (BIHC):

- Construction is well-progressed in Paice Street.

Purchase and Receipt of land:

Council now officially has title to the old hospital building at the former army camp in Brighton. The first stage of works under the 5+5+5 project are due to commence on the 21st April.

Development Applications and leases on Council-owned land:

Application for stormwater detention in Old Beach appealed.

Council Land Subdivisions and Sales:

Staff are investigating development options for Lot 100 Child's Drive, Old Beach.

Other Strategic Matters:

- **Brighton Draft Interim Planning Scheme:** The draft interim planning scheme has been amended in accordance with the final directions from the Minister. We were advised by the TPC the draft IPS would be declared and become operational on the 15th April, this has now changed and they have not yet provided another date. They are having issues inputting the HCC and BC schemes into the content management system.
- **Single Statewide Planning Scheme:** See Attachment 2

Planning Professional Services:

This past month has been extremely busy with significant additional work for other councils undertaken in relation to interim planning schemes, and strategic planning work for Glamorgan Spring Bay Council.

Brighton's planning professional services have now been engaged formally by Derwent Valley Council. This is both day to day statutory planning, strategic planning and dealing with the new interim scheme. This means Brighton planners are now managing 5 interim planning schemes (Brighton, Central Highlands, Derwent Valley, Glamorgan Spring Bay and Tasman).

Revenue from planning professional services is tracking well above budget.

Other matters: None

Statutory update (February 2015):

Development applications and associated planning fees continue to track above budget. For the past month (See Attachment).

Enforcements:

22 Churinga Waters - Council staff are in the process of ensuring all permit conditions (including those negotiated via Tribunal mediation) are being completed satisfactorily.

Consultation:

All council departments.

Risk Implications:

N/A.

Financial Implications:

N/A.

Options:

1. As per the recommendation.
 2. Council does not adopt the recommendation.
-

RECOMMENDATION:

That Council receive the report.

DECISION:

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

CARRIED

VOTING RECORD

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

12. QUESTION ON NOTICE:

There were no questions on notice.

Meeting closed at 6.25pm

Confirmed:

(Mayor)

Date:

19th May 2015