



Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL HELD
IN THE COUNCIL CHAMBER, COUNCIL OFFICES
OLD BEACH AT 5.35 P.M. ON TUESDAY,
18TH AUGUST 2015**

PRESENT: Cr Garlick; Cr Geard; Cr Gray (Chairperson); Cr Jeffries; Cr Owen; and Cr Williams.

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

Cr Owen moved, Cr Garlick seconded that Cr Gray be the appointed Chair in the absence of the Mayor and Deputy Mayor.

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING OF 21ST JULY 2015.

Cr Owen moved, Cr Garlick seconded that the Minutes of the Ordinary Council Meeting of 21st July 2015 be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

2. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Geard moved, Cr Williams seconded that Cr Foster, Cr Curran and Cr Taylor be granted leave of absence.

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

3. PUBLIC QUESTION TIME AND DEPUTATIONS:

- Christine Coughanowr from the Derwent Estuary Program addressed Council.
- Rebecca Lewis concerning playground equipment needing upgrade within the Bridgewater area.

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 2015*, 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 2015*.

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:-

- July 22 LGAT Annual General Meeting, Launceston.
- July 23 LGAT Conference, Launceston.
- July 24 LGAT Conference, Launceston.
- July 28 TasWater Owners Representatives meeting in Launceston.
- July 30 Funeral Service for Greg Hunt.
- July 31 Meeting with Cr Sonya Williams and Shirley Williams- re proposed book.
- July 31 As Chief Owners Representative for TasWater I had a meeting at the Moonah office with Chairman Miles Hampton and CEO Mike Brewster.
- Aug 04 TasWater Chairman, CEO and myself had a meeting with Treasurer, Mr Peter Gutwein.
- Aug 06 Ron, Heath and I had a meeting with Joe for Bullock Group.
- Aug 07 Attended a morning breakfast at Sorell with the Prime Minister.
- Aug 07 Attended a SMT meeting at Council Chambers.
- Aug 10 STCA Meeting in Hobart.
- Aug 11 Funeral Service for Mrs Elaine Taylor.

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

5.2 REPORTS FROM COUNCIL REPRESENTATIVES WITH OTHER ORGANISATIONS:

FILE REFERENCE: 0205-6

Southern Waste Strategy Board Joint Authority – Cr Gray representative.

DECISION:

No reports were received.

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 2015, it was reported that there was a workshop held at 4.45pm on 18th August 2015, on the Brighton Tomorrow Project, undertaken by the Monash University. In attendance were Councillors Garlick, Geard, Gray and Jeffries.

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 2015, 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 2015.

DECISION:

The General Manager advised that there were no supplementary agenda items.

9. REPORTS FROM COMMITTEES:

There were no Committee meetings held in August.

10. COUNCIL ACTING AS PLANNING AUTHORITY:

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, 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 SECTION 30J REPORT – CONSIDERING SUBMISSIONS SUBSEQUENT TO THE EXHIBITION OF THE BRIGHTON INTERIM PLANNING SCHEME 2015:

FILE REFERENCE:

AUTHOR: Manager Development Services
(Mr J Dryburgh)

Background:

The purpose of this report is to present a summary of the submissions made to Council during the exhibition of the Brighton Interim Planning Scheme 2015 (BIPS) for a period of six weeks. The report is made under Section 30J of the *Land Use and Planning Approvals Act 1993*.

The attached table summarises the issues raised; suggests if they are state, regional or local issues; and provides a recommended response.

If a change to BIPS is considered necessary, Council planners need to determine if this can be achieved; via the urgent amendment process with the Tasmanian Planning Commission (TPC); via the single state planning scheme process; by Council making an amendment application to the TPC; or by a private party making an amendment application to Council. Recommended responses have been provided for each issue, though some specific issues that are not considered urgent or within the scope of this process have been grouped.

There is only one matter that is considered to warrant an Urgent Amendment. This relates to the re-instatement of split zonings along section of Boyer Road and has been raised by two separate representors.

The Executive Commissioner of the TPC has suggested that the TPC will arrange a hearing of issues raised by those who made representation, in order to ensure their concerns are properly heard and understood. This report will help that process and hopefully reduce the number of issues for consideration.

The Planning Authority may wish to endorse the recommendations en masse or make certain changes.

Consultation:

Consultation has occurred between Council's Senior Planning Staff, Senior Planning Staff of other councils, some of the representors, General Manager and the Executive Commissioner of the TPC, Mr Greg Alomes.

Risk Implications:

To minimise risk, Council should ensure any significant or urgent issues with the BIPS are resolved as soon as possible.

Financial Implications:

A large amount of staff time is consumed by this Interim Planning Scheme process.

Options:

1. As per the recommendation.
 2. Council adopts a different option.
 3. Council does not adopt the recommendation.
-

RECOMMENDATION:

That Council resolve to endorse the report and associated recommendations and provide a copy to the Tasmanian Planning Commission.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

10.2 DELEGATIONS FOR PLANNING COMPLIANCE:

FILE REFERENCE:

AUTHOR: Senior Planner
(Mr S Wells)

Background:

The legislative provisions for planning compliance have recently been amended and it is appropriate to consider what delegations could be granted to Council Officers.

Broadly, the amendments provide for -

- More formal process for dealing with alleged non-compliance raised by the community, including timeframes to investigate and respond;
- The ability to issue enforcement notices and orders and to cancel permits and to prosecute if the issue is unresolved; and
- The ability to issue an infringement notice with monetary penalties.

The previous provisions were cumbersome and, at times, ineffective. The new provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA) reduce the role of the *Resource Management and Planning Appeals Tribunal* and give more direct powers to Planning Authorities. Generally, the extent of powers and the process is similar to building and environmental management legislation.

Delegations:

Current delegations for planning compliance are limited as there was little scope for officer action. Previously Council Officers would investigate and if the matter could not be resolved would have to seek an order of the Tribunal and then prosecute failure to comply with that order; all of which required solicitors.

It is not foreshadowed that current practice will change. The amendments do however provide some more teeth that, if necessary, could bring prompt and efficient resolution to issues. The practice of Council Officers is not guided by any Council Policy and none is currently sought; however Council staff seek to ensure that compliance is:-

- Outcome, rather than punitive, focused;
- Proportional to the seriousness of the offence;
- Transparent, equitable and consistent;
- In the public interest;
- Necessary in light of the available evidence;
- Follows due process; and
- Cost effective to Council.

It is considered appropriate that Council's General Manager, Manager Development Services and Senior Planner be authorised officers for planning compliance with the powers set out in Division 4B of LUPAA and have the delegated authority to:-

- Issue and serve an infringement notice (s65A);
- Issue a notice of intention to issue enforcement notice (s65B);
- Issue and serve an enforcement notice (s65C & s65D);
- Issue and serve a notice of intention to cancel a permit (s65F); and
- Issue notice and advice with respect to whether a charge, infringement notice or enforcement notice will be issued in response to the receipt of a notice of contravention or failure or likely contravention of failure received by the planning authority under s63B (s63B & s64).

Delegation is not sought in relation to powers to cancel a permit.

Consultation:

Consultation has occurred with Council’s General Manager, Manager Development Services and Council’s solicitors have briefed Council planning staff on the amendments.

Risk Implications:

There are no significant risks. The recommendation will give delegations that are equivalent to other Council Staff and are considered appropriate in light of new compliance powers.

Financial Implications:

Nil. Infringements could provide additional, but incidental, revenue to Council through use of the recommended delegations. However, compliance activity is generally at a cost to Council.

Options:

1. As per the recommendation.
2. Council adopts a different option.
3. Council does not adopt the recommendation.

RECOMMENDATION:

That Council resolve to delegate powers related to planning compliance to the General Manager, Manager Development Services and Senior Planner in accordance with this report.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

10.3 PROPOSED SUBDIVISION AND SUBSEQUENT REZONING OF 15 SUN VALLEY DRIVE, OLD BEACH:

FILE REFERENCE:

AUTHOR: Planning Officer
(Mr D Allingham)

Background:

The purpose of this report is to gain approval to proceed with a proposed subdivision and subsequent rezoning for a Council owned parcel of land at 15 Sun Valley Drive, Old Beach.

The site is a 1,336 square metre vacant open space lot as shown in Figure 1 below. The Old Beach Foreshore Trail (the "Foreshore Trail") currently passes through the south of the site. A boom gate prevents vehicle access to the site, but pedestrian access is currently possible to the Foreshore Trail. The land is currently zoned Open Space under the *Brighton Interim Planning Scheme 2015* ("BIPS"). The following overlays also apply to the land:-

- E11.0 - Waterway & Coastal Protection Code
- E15.0 - Inundation Prone Areas (Low) Code
- E16.0 - Coastal Erosion Hazard Areas Code

Other than the portion of the lot containing the Foreshore Trail, the lot is considered to have little value as an Open Space lot, particularly because there are alternative accesses to the Foreshore Trail from the Old Beach Jetty approximately 230m to the north west and from Sun Valley Road via a public walkway approximately 130m to the east of the subject site (See Figure 3).

It is proposed to subdivide the land to create a separate lot for the area containing the Foreshore Trail (Balance Lot in attached subdivision plan) with the intention of rezoning Lot 1 to General Residential to facilitate Council selling it. It is essential that the subdivision proceed for the land to be rezoned to ensure that the Foreshore Trail remains in public ownership. The subdivision application will be a discretionary application.

The subsequent rezoning of Lot 1 to General Residential is likely to be more complicated than the subdivision as the overlays that apply to the land are very prescriptive in how the land is to be developed for residential purposes. The rezoning application will need to adequately demonstrate that the land can be safely developed even though it is subject to inundation and coastal erosion. Specialist reports may be required to demonstrate this.

Planning Staff were initially going to propose a combined rezoning and subdivision application, however subdivision of residential land subject to the Coastal Erosion Hazard Area is prohibited, whereas residential development is discretionary. It is also reasonable that the subdivision occur regardless of a rezoning to contain the foreshore track in the larger coastal title.



Figure 1: An aerial photograph of the subject area. The Foreshore Trail is clearly shown cutting through the south of the site.



Figure 2: Zoning map of the subject area. The dark green areas are zoned Open Space and the red area is zoned General Residential.



Figure 3: An aerial photograph of the subject area showing alternative access points to the Foreshore Trail.

Consultation:

Consultation has occurred between Council’s Senior Planning Staff and Senior Engineering Staff.

Risk Implications:

The land is subject to inundation and erosion which may impact future residential development. However, the BIPS has development controls to mitigate this risk.

There may be community objection about the loss of public open space and future development on the foreshore.

The subdivision and/or subsequent rezoning may be refused by the Tasmanian Planning Commission which would mean that staff resources had been wasted.

Financial Implications:

Staff resources for the preparation of the subdivision application and rezoning application.

Potential planning and land titles fees.

Independent consultant reports (if needed for rezoning application)

Options:

1. As per the recommendation.
2. Council adopts a different option.
3. Council does not adopt the recommendation.

RECOMMENDATION:

That Council resolve to proceed with the subdivision application and subsequent Planning Scheme amendment to rezone the proposed Lot 1 of 15 Sun Valley Drive, Old Beach from Open Space to General Residential.

DECISION:

Cr Owen moved, Cr Geard seconded that the recommendation not be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

11. REPORTS FROM OFFICERS:

**11.1 MYRIAD RESEARCH RESIDENTIAL SURVEY – MERGER
OPTIONS OUTCOMES FOR DEVELOPMENT SERVICES
DEPARTMENT:**

FILE REFERENCE:

AUTHOR: Planning Officer
(Mr David Allingham)

Background:

The survey was completed by 404 residents across all areas of the Brighton LGA. A range of questions were asked, however this report focuses on two questions which asked what Brighton Council do well and what needs improving. 134 responses related to planning matters that need improvement and 135 to what Council do well. For the purposes of this report results for Brighton and Pontville have been consolidated.

Whilst answers that did not relate to the planning department have been filtered out of this report, it should be noted that a large percentage of responses related to the need for improvements of roads and verge maintenance/litter and that Council had good community programs, rates and finances.

Brighton LGA

Across the LGA, residents were generally happy with parks, sporting facilities and entertainment for youth. The improved streetscaping in Brighton and Bridgewater has also been well received, including the new Andrew Street roundabout. There were also a number of general comments about the improvements to community image. The Civic Centre was also frequently mentioned positively as were the provision of walking trails. A number of people thought that Council engaged well with the community.

Despite respondents being happy with parks and entertainment for youth, these items also received the most comments as things that Council could improve on. The need for more shops and services for a growing population was third. Improvements to bus services and stopping motorbikes using laneways were also frequently mentioned. Completion of the Brighton streetscaping work was also seen as a priority despite it being something that Councils were seen to be doing well. More community engagement/consultation would also be welcomed and some respondents thought that building and planning processes need to be improved.

Suburbs

Brighton/Pontville

29.5% of all survey respondents were from Brighton, and 77 respondents mentioned planning related matters that Council do well. Parks and sporting facilities were seen as the best thing Council do for the Brighton area, followed by the Brighton streetscaping, the new roundabout and community image.

Entertainment for youth was also frequently mentioned and the upgrades to Remembrance Park and the Army Barracks were also specifically mentioned. Walking trails and Council's community consultation/engagement were also seen as positives.

44 respondents mentioned things that Council need to improve on. At the top of the list was the need to finish the Brighton streetscaping. More shops and services, a bigger supermarket and improved bus services in the area were seen as top priorities. More entertainment for youth and more parks were also mentioned.

Some respondents thought that there were too many units in Brighton and that the surrounding agricultural land needed to be protected from further subdivision.

Old Beach

22% of all survey respondents were from Old Beach, and 18 respondents mentioned planning related matters that Council do well. Sporting facilities were seen as the best thing that Council provided, followed by youth activities and parks. Community image was also mentioned.

34 respondents mentioned things that Council need to improve on, with parks being the top concern. The lack of shops and services in the area was also of concern. Upgrading of the foreshore and more walking trails for dogs and cyclists was also seen as needing improvement. The need for a dog park was also specifically mentioned. Some residents thought that Council funds were all being directed to Brighton.

Bridgewater

21.8% of all survey respondents were from Bridgewater, and 17 respondents mentioned planning related matters that Council do well. Entertainment for youth was seen as the top item and the PCYC was specifically mentioned. The local parks and Civic Centre were also popular. The streetscaping around Green Point Plaza and Neighbourhood House also received more than one mention.

32 respondents mentioned things that Council need to improve on, with parks and entertainment for youth clearly being the top concerns. A local swimming pool would also be welcomed and some respondents thought that local services needed to be promoted better.

Gagebrook

8.7% of all survey respondents were from Gagebrook, and 16 respondents mentioned planning related matters that Council do well. The top response was clearly entertainment for youth and the Civic Centre and streetscaping around Green point Plaza were the other top responses.

22 respondents mentioned things that Council need to improve on, with more parks the top response. This was closely followed by the need for Council to take action on motorbikes being used through laneways and motorbike noise. More entertainment for youth was also seen as a priority.

Other Areas

Approximately 18% of all survey respondents were grouped as "other areas", which includes fairly even representation from, Herdsmans Cove, Honeywood, Dromedary and Tea Tree. Six (6) respondents mentioned planning related matters that Council do well. The most popular item was Remembrance Park, followed by sporting facilities and the Brighton streetscaping.

Only three (3) respondents mentioned things that Council need to improve and these were entertainment for youth and more shops and services.

Discussion

Across the LGA there were even responses for things that Council did well and that Council needed to improve on when it comes to planning relating matters. A lot of positive comments came from the Brighton/Pontville area, with some suggesting that Council has focused a lot of its resources in this area.

Overall parks and entertainment for youth were seen as things that Council did well, but more parks and youth activities were seen as a priority for Bridgewater, Gagebrook and Old Beach.

Capital works projects such as streetscaping, roundabout, Remembrance Park and the Civic Centre which lift the community image were well received across all suburbs.

The lack of shops and services through Brighton and Old Beach was also identified as an issue.

Motorbike hooning is clearly an important issue for the Gagebrook community. This is useful information for Council staff in order to improve Council's service for the community in a range of areas.

Consultation:

Consultation has occurred between Council's Development Services Staff.

Risk Implications:

None

Financial Implications:

None

Options:

1. As per the recommendation.
2. Council adopts a different option
3. Council does not adopt the recommendation.

RECOMMENDATION:

That Council resolve to receive the report.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	

Cr Gray
Cr Jeffries
Cr Owen
Cr Williams

11.2 COMMON SERVICES JOINT VENTURE MONTHLY REPORTS: FILE REFERENCE:

AUTHOR: Manager Professional Services
(Mr G Boyd)

Background:

When the Common Services Joint Venture was formalised there was an undertaking that monthly reports would be provided to member councils. There are seven councils that have joined to date.

One report is for the overall performance of the joint venture which is provided to all member councils. The other report is council specific for each member council that is provided only to that council. The second attachment is for Brighton Council's performance for the month of July.

Consultation:

General Manager

Risk Implications:

Nil

Financial Implications:

See attached reports for financial information about the Common Services Joint Venture and Brighton Council.

Other Issues:

These reports provide detailed information to assist in dealing with the amalgamation program and the financial sustainability of the joint venture and individual councils.

Assessment:

The reports provide updates of proposed actions and collaborations which will build the overall capability and outputs of the group.

Options:

1. Adopt the recommendation.
 2. Do nothing.
-

RECOMMENDATION:

That the reports be received.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

11.3 MONTHLY PLANNING UPDATE:

FILE REFERENCE:

AUTHOR: Manager Development Services
(Mr J Dryburgh)

Background:

This report is intended to provide a monthly summary of planning matters for Council.

Discussion:

Brighton Industrial and Housing Corporation (BIHC):

- Several houses complete in Paice Street.

Purchase and Receipt of Land: Nothing to report.

Projects:

- The first stage of works under the 5+5+5 project is complete and has been very successful. Stage 2 is going well.
- The Brighton Tomorrow Report was presented via a Workshop prior to this Meeting. It is recommended that planners and engineers discuss key projects and present a report to council on the best projects to consider for further investigation, detailed design and costing.
- Investigations regarding facilitating the users of the Pontville Chambers and the Brighton Playgroup within the old hospital building are progressing with a report due to Council in September.

Development Applications and Leases on Council-Owned Land:

Nothing new to report.

Council Land Subdivisions and Sales:

See subdivision report for 15 Sun Valley Drive, Old Beach, within the Agenda.

Other Strategic Matters:

- **Brighton Draft Interim Planning Scheme:** The draft interim planning scheme is up and running. The submission period has now closed. A report summarizing the issues raised in the submissions and associated recommendations is included in this month's agenda.
- **Potential HT Land Master Plan:** A consultant team has been engaged by Centacare, who under their agreement with Housing Tasmania need to complete a master plan within the next 12 months or so. The consultant team will be meeting with council planning staff in late August.

Planning Professional Services:

This past month has continued as extremely busy with significant additional work for other councils undertaken in relation to interim planning schemes for all five councils. Glamorgan's Interim scheme has now been declared and Tasman is expected next week, at which point Brighton will be undertaking all planning work for Tasman. Brighton is discussing stronger resource sharing opportunities with Southern Midlands and Sorell Councils at the moment.

Other Matters: None

Statutory Update (July 2015):

For the past month (See Attachment).

Enforcements:

Nothing to report.

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 receives the report.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

**11.4 NATIONAL LOCAL GOVERNMENT ASSOCIATIONS
FINANCIAL ASSISTANCE GRANTS CAMPAIGN:**

FILE REFERENCE: 0063

AUTHOR: General Manager
(Mr R Sanderson)

Background:

The Commonwealth Government has frozen the indexation of financial assistance grants to councils for three years. At the recent LGAT conference the Vice President of the ALGA implored all councils to join the national campaign by passing a resolution on the matter. Nationwide the frozen portion of FAG amounts in real terms to more than \$300M per year being taken out of communities during the three years and almost \$1Billion over the budget out years.

Councils are requested to pass a resolution acknowledging the importance of FAGs to the delivery of services and making representations to federal representatives to explain the impact of the decision to freeze indexation.

Consultation:

LGAT and the Deputy General Manager.

Risk Implications:

None

Financial Implications:

If this freezing of indexation is dropped there would be significant financial benefit to Brighton Council.

Other Issues:

Brighton Council revenue has been savaged by many factors such as frozen water dividends, loss of head works, falling interest rates and managing to stay with CPI increases while other levels of government make it harder with increased demands and regulation.

Assessment:

Many Tasmanian Councils have already passed the requested resolution and others are now doing so. This is a very serious issue to all Australian Councils as any loss of funding directly affects the level of services delivered to local communities.

This financial year Brighton Council the FAG is \$1,597,068. The three year freeze on indexation will result in an estimated \$123,000 funding being lost to the Brighton Community and of course much more over future years. It is therefore appropriate that Brighton Council join the national campaign regarding the indexation of FAGs.

Options:

1. Adopt the recommendation.
2. Do nothing.

RECOMMENDATION:

That Council:-

1. Acknowledges the importance of Federal Funding through the Financial Assistance Grants Program for the continued delivery of councils services and infrastructure;
2. Acknowledges that it will receive \$1,597,068 in 2015-16; and
3. Will ensure that this Federal Funding is appropriately identified as Commonwealth Grant Funding in Council publications, including Annual Reports.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

11.5 PROPOSED ACCESS ADVISORY COMMITTEE:

FILE REFERENCE: 0803

AUTHOR: General Manager
(Mr R Sanderson)

Background:

The Mayor has received a request from a disabled Brighton resident, Donna Campbell, to create a Council Disability Advisory Committee.

She advised that she and other disabled residents have encountered access problems within the Municipality and such a committee could address these issues.

Council previously had an Access Advisory Committee starting in December 1997 which operated until 2004 with varying degrees of success. The attachments show the Committee's membership, terms of reference and minutes of its first meeting.

Consultation:

Mayor and Deputy Mayor.

Risk Implications:

None.

Financial Implications:

None

Other Issues:

Council should be proactive in addressing disability access issues, particularly now that a resident has raised concerns about access problems in the Municipality.

Assessment:

While the former Access Advisory Committee had limited success, the request from Donna Campbell is a catalyst to revisit the matter of disability access issues in the municipality.

Section 24 of the *Local Government Act 1993* states:

24. Special Committees

(1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.

(2) A special committee consists of such persons appointed by the council as the council thinks appropriate.

(3) The council is to determine the procedures relating to meetings of a special committee.

It is proposed to create a new special committee, namely the Access Advisory Committee as follows:-

- Advertise in the Brighton Community News for committee members;
- Draft Terms of Reference be developed; and
- Recommendations prepared for Council adoption for the operation and membership of the committee.

Options:

1. Adopt the recommendation.
 2. Do nothing.
-

RECOMMENDATION:

That Council establish an Access Advisory Committee as a Special Committee of Council as specified in Section 24 of the *Local Government Act 1993*.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

**11.6 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT)
– ELECTION OF PRESIDENT:**

FILE REFERENCE: 0068

AUTHOR: General Manager
(Mr R Sanderson)

Background:

Nominations for the Local Government Association of Tasmania (LGAT) election of President closed on 30th July 2015. Ballot material has been received from the Tasmanian Electoral Commission with the following nominations for President:-

- Cheryl ARNOL – Glamorgan Spring Bay Council
- Doug CHIPMAN – Clarence City Council
- Daryl QUILLIAM – Circular Head Council
- Michael TUCKER – Break O’Day Council

The close of the postal ballot and declaration of result will take place on Tuesday, 8th September 2015.

Consultation:

N/A

Risk Implications:

None

Financial Implications:

None

Other Issues:

N/A

Assessment:

Nil

Options:

1. That the Ballot material not be completed and returned to the Tasmanian Electoral Commission.
2. Adopt the recommendation.

RECOMMENDATION:

That the Ballot material received from the Tasmanian Electoral Commission be completed and returned to the Commission.

DECISION:

Cr Owen moved, Cr Jeffries seconded that the recommendation be adopted, with Mayor Daryl Quilliam as preferred candidate.

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

11.7 PROPOSED “FACES OF BRIGHTON” PUBLICATION:

FILE REFERENCE: 0244

AUTHOR: General Manager
(Mr R Sanderson)

Background:

At a recent Brighton Alive meeting, member Sonya Williams suggested that a book similar to “Faces of Glenorchy” be published for the Brighton Municipality.

The LINC advised that it does not have the resources to publish such a book.

Cr Williams then approached Council’s Services Officer, Cathy Harper, and Mayor Foster suggesting that Council should become involved in a project to produce a “Faces of Brighton” booklet.

Consultation:

Mayor Foster and Cathy Harper.

Risk Implications:

None

Financial Implications:

To be determined.

Other Issues:

N/A

Assessment:

Councillor Williams will report to the meeting.

Options:

1. Adopt the recommendation.
 2. Do nothing.
-

RECOMMENDATION:

That the report be received.

DECISION:

Mrs Shirley Williams addressed Council concerning this item.

Cr Garlick moved, Cr Jeffries seconded that Council receive the report

CARRIED

VOTING RECORD

In favour	Against
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Williams	

12. QUESTIONS ON NOTICE:

There were no questions on notice.

Meeting closed at 6.45 pm.

Confirmed:

(Mayor)

Date:

15th September 2015