



# Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING  
OF THE BRIGHTON COUNCIL HELD  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES  
OLD BEACH AT 5.40 P.M. ON TUESDAY,  
20<sup>th</sup> JANUARY 2015**

**PRESENT:** Cr Foster (Mayor); Cr Curran (Deputy Mayor); Cr Gray;  
Cr Owen; Cr Taylor and Cr Williams

**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 S Wells (Senior Planner)

## **1. CONFIRMATION OF MINUTES:**

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING  
OF 16<sup>th</sup> DECEMBER 2014.

*Cr Gray moved, Cr Taylor seconded that the Minutes of the Ordinary Council Meeting of the 16<sup>th</sup> December 2014, be confirmed.*

**CARRIED**

### VOTING RECORD

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

## **2. APPLICATIONS FOR LEAVE OF ABSENCE:**

*Cr Gray moved, Cr Owen seconded that Cr Garlick and Cr Jeffries be granted leave of absence.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

**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 reported directly to the meeting.

**RECOMMENDATION:**

That the Mayor's communications be received.

**DECISION:**

*Cr Taylor moved, Cr Curran seconded that the report be received.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Gray	
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 Gray representative.

Cr Curran advised that she attended and presented the Brighton Cup at Tattersalls Park on 11<sup>th</sup> January.

Cr Curran also attended the SWS Board Authority meeting with the Municipal Engineer.

*Cr Taylor moved, Cr Gray seconded that the report be received.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

**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 was reported that there were no workshops held since the last Council meeting.

(This includes workshop, seminar or meeting, other than a meeting that is conducted by or on behalf of the council for the councillors.)

## **7. NOTICE OF MOTION:**

*There were no notices of motion.*

## **8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA:**

In accordance with the requirements of Part 2 Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2005, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda, and
- (b) that the matter is urgent, and
- (c) that advice has been provided under Section 65 of the *Local Government Act 1993*.

## **RECOMMENDATION:**

That the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the Local Government (Meeting Procedures) Regulations 2005.

## **DECISION:**

*There were no supplementary agenda items.*

## **9. REPORTS FROM COMMITTEES:**

*There were no Committee meetings held in January*

## **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 reports on this Agenda.*

## **11. REPORTS FROM OFFICERS:**

### **11.1 ANGELIQUES SCHOOL OF DANCE – FLOORING DONATION REQUEST:**

#### **FILE REFERENCE:**

**AUTHOR:** Council Services Officer  
(Ms C Harper)

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#### **Background:**

Angeliques School of Dance was a co-lessee of Coronation Hall until January 2014. During the time they leased the building Council, upon their request purchased some dance flooring for the building to meet the dance school's needs, as the timber flooring was old and did not meet their safety needs. The cost to Council was \$5262.00.

In January 2014 Angelique's ended their lease early without notifying and providing proper notice with Council and moved their dance school to premises in Cove Hill Road, Bridgewater.

When council officers became aware of this move and the fact that Angelique's had also taken the special dance floor with them contact was made to discuss the issue. At that time Angelique's were advised to officially write to Council to request a donation of the floor to be made by Council, as it was not originally a donation for the dance school.

#### **Consultation:**

Gillian Brown (Corporate Executive), Janine Banks (Governance Manager), Angelique Phillips Angelique's School of Dance, Cathy Harper (Council Services Officer).

#### **Risk Implications:**

Nil.

### **Financial Implications:**

This donation would need to come out of the 2014/15 Grants and Donations budget and has not been allocated.

### **Other Issues:**

Angelique's currently owes Council \$2369.30 from their lease agreement and have not made any payments or come to any payment agreement with Council since moving out of Coronation Hall in January 2014; 12 months ago. Angelique's has been lodged with Tas Collection Service.

### **Assessment:**

The dance floor was purchased for all Coronation Hall users, not specifically for Angelique's School of Dance. Permission was not sought for the floor to be taken to new premises until contact was made by Council querying why it had been removed. It has taken nearly twelve months for Angelique's to officially request that the floor be donated. Angelique's advice in their email is that they have had considerable expenses as part of their move and have been fundraising to purchase a new floor at the new premises, however they would still need the flooring taken from Coronation Hall to put underneath the new floor.

Angelique's has enjoyed considerable support from Council throughout their lease and has not been active in their communications in resolving either the flooring or debt issues.

### **Options:**

1. As per the recommendation.
2. Council request Angelique's pay a different amount for the flooring.
3. Council donate the floor to Angelique's.
4. Angelique's be asked to return the flooring to Council.

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### **RECOMMENDATION:**

Council request Angelique's to purchase the flooring for a nominal sum of \$1000.00.

### **DECISION:**

*Cr Taylor moved, Cr Curran seconded that Option 4 be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

**11.2 UPDATE ON THE 2014 BRIGHTON DRAFT INTERIM PLANNING SCHEME:**

**FILE REFERENCE:**

**AUTHOR:** Manager Development Services  
(Mr J Dryburgh)

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**Background:**

The purpose of this report is to further update Councillors on the status of the draft interim planning scheme for Brighton.

As advised informally during the December Ordinary Council Meeting, the compliance report produced by a committee within the TPC for the purposes of advising the Planning Minister what to accept and what not to accept within Brighton's draft interim planning scheme raises some serious concerns. The primary issue is that little regard has been given to council's structure planning and local area planning work, meaning many of the recommendations within those documents are not recommended for acceptance by the TPC to the Minister.

As such, a letter has been sent to the Minister for Planning and Local Government detailing council's concerns, copies of the Brighton Structure Plan and Brighton Town Centre Local Area Plan and legal advice demonstrating why the respective matters in the draft planning scheme are consistent with the Regional Strategy and the Act (the two key tests for legal compliance of the scheme).

**Consultation:**

Extensive consultation has occurred between council's senior planning staff, TPC staff (particularly the Executive Commissioner Greg Alomes) and the planning staff and General Managers of several other councils.

**Risk Implications:**

There is significant risk to council if the concerns outlined in the attached letter and legal advice are not addressed adequately by the Minister. In effect, it would mean that council's investment in appropriate structure planning would be ineffectual due to external decision-making, and at the very least, the benefits of this investment would be further delayed.

**Financial Implications:**

In addition to significant internal resources being used, there have been minor legal costs. These have been reduced due to shared resourcing with Tasman and Glamorgan Spring Bay Councils, who have similar issues.

**Options:**

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

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**RECOMMENDATION:**

That Council receive the report.

**DECISION:**

*Cr Gray moved, Cr Williams seconded that the report be received.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

**11.3 MONTHLY FINANCE REPORT AS AT 31 DECEMBER 2014:**

**FILE REFERENCE:** 0103

**AUTHOR:** Deputy General Manager  
(Mr G Davoren)

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**Background:**

The finance reports were submitted for consideration.

They comprised the summarised financial position and revenue and expenses of the Council for the first six months of the 2014/15 financial year.

**Consultation:**

Nil

**Risk Implications:**

Nil

**Financial Implications:**

Not Applicable

**Other Issues:**

Nil

**Assessment:**

Nil

**Options:**

1. As per the recommendation.
2. Not receive the reports.

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**RECOMMENDATION:**

That the reports be received.

**DECISION:**

*Cr Curran moved, Cr Williams seconded that the report be received.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

## **11.4 COMMON SERVICES JOINT VENTURE AGREEMENT:**

### **FILE REFERENCE:**

**AUTHOR:** General Manager  
(Mr R Sanderson)

### **Background:**

For some years, a number of southern Tasmanian Councils have been providing and receiving common/professional services, on a commercial basis. The exchange of common services has ensured that these Councils have maintained the ability to meet ever increasing legislative requirements and enabled them to continue to provide essential services to communities.

Brighton Council took the initiative in 2007 in providing services (largely land use planning) to other councils. Since that time the number of services and councils involved have increased to a point where Brighton is recognised as the Tasmanian leader in resource sharing.

Councils are now looking to develop what to date have been ad hoc arrangements into a formal framework. This process commenced with a workshop of council staff from four councils in 2013, but was delayed by the local government elections. Subsequently, a number of discussions and workshops have been conducted and it is now proposed to develop the current arrangements further through a managed joint venture of Councils. This will see functions undertaken by different Councils and administered by a Common Services Model. It will operate initially as a group of Councils with no central administration, but with limited organisational management, where functions are undertaken by different Councils and administered by individual Councils.

The overriding objective is to formalise and develop the Common Services Model to provide maximum cost efficiencies, high quality service and long term sustainability for participating Councils.

It will provide participants with the ability and resources to enable quality equitable service provision to their residents and visitors, as well as generate economic efficiencies and increased viability to Common Service Model participants and the Region. It will enable participants to meet legislative requirements, increase consistency of processes between municipalities and develop the reputation and professionalisation of the Common Services Model by capitalising on opportunities to build strong professional relationships and expand networks that will ensure the continual development and success of the 'Model'.

**Core participating Councils (to be confirmed):** Glamorgan Spring Bay, Sorell, Tasman, Southern Midlands, Glenorchy City and Brighton.

**Prospective participating Councils:** Central Highlands, Derwent Valley, Huon Valley and Flinders.

Under this model representatives of participating Councils will meet to identify workload and assign tasks from within their Councils and participating Councils would agree rates, etc. and draw up agreements.

A Joint Venture Agreement has been drafted with the core group of participating Councils expected to formally sign and commit to the agreement in February 2015. A business plan, management structure, marketing and strategic communication strategies are also being developed.

### **Joint Venture Management**

The Common Services Joint Venture Model is unique. It will be administered by a committee comprising a representative of each participating Council, a Chairman, Manager and Chief Administrator. The committee will report regularly to the Mayors of participating Councils. It will not employ any staff directly, but the Manager and Chief Administrator will charge Councils for the time spent on administering particular services and operations. Hourly rates for services will be determined based on the seniority of the employee delivering the service.

Savings for Councils is a key. Therefore, the pricing strategy must deliver similar cost savings to both Councils providing services and Councils receiving services.

The Common Services Model gives small, under-resourced councils the ability to provide a high level of professional services to their ratepayers at an affordable cost. Councils who are unable to attract professional staff or hire suitable employees on a full-time or permanent basis have the opportunity to limit their exposure to financial risk while delivering a high level of service to the community.

Councils do not lose their autonomy, but rather will have access to the all the skills and experience within all the Councils under agreed joint venture arrangements, enabling them to better use their autonomy. Councils only pay for the services they use and their ability to sustainably provide services for ratepayers will be enhanced. Any participating Council can be a provider as well as user of services.

### **Examples of Common Services**

- Animal Control
- Asset Management
- Building Permit Authority
- Corporate Finance / Management
- Development Engineering
- Environmental Health
- Governance
- Information Technology
- Operational Works Planning
- Pay Services
- Planning
- Plumbing Permit Authority
- Rates
- Records Management

- Technical Design and Investigation

In the past financial year, some 4500 hours of common services were provided and exchanged between Councils. This resulted in cost savings of approximately \$660,000. With the formalisation of the Common Services Model and the commitment of Councils to the Joint Venture, an increase in amount of common services hours is expected, along with significant additional savings. It is projected that 6000 hours of common services hours could be completed this calendar year, leading to increased savings in the order of \$800,000 - \$880,000.

In his letter to Mayors of 26 November advising of the February 11 meeting, the Minister for Local Government Peter Gutwein stated that any local government reform must:

- Be in the interest of ratepayers;
- Improve the level of services for the communities;
- Preserve and maintain local representation; and
- Ensure that the financial status of the entities is strengthened.

By any fair and reasonable measure, the Tasmanian Common Services Model Joint Venture is the least costly, most flexible and best-placed option to meet all of these requirements.

### **Consultation:**

Senior Management Team and General Managers from Glamorgan Spring Bay, Sorell, Tasman, Southern Midlands and Glenorchy Councils.

### **Risk Implications:**

If a formal agreement is not signed the proponents of council amalgamations will push the point that resource sharing is ad hoc and lacks real commitment.

### **Financial Implications:**

It is anticipated that the level of services provided by Brighton and services received from other councils would increase; resulting in more revenue and cost savings.

### **Other Issues:**

The joint venture would increase cooperation and collaboration among participating councils in areas other than just service provision.

### **Assessment:**

Basically the joint venture is the formalisation of what Brighton is doing already. It brings together the experience and practices learned over many years of operation.

The joint venture will not only enhance the current provision of services but provide a formal vehicle to expand the business.

As Brighton has been the leader in this area it is important for it to be part of the joint venture. It is recommended that Brighton Council commit to the signing of the Shared Service Agreement, a draft of which was attached.

Comments have been received from most participating councils and it is anticipated that there will be little or no changes from this draft.

**Options:**

1. Do nothing
2. Adopt the recommendation

**RECOMMENDATION:**

That Council authorise the General Manager to sign the Shared Services Agreement and engage in the new joint venture as outlined above and in the agreement.

**DECISION:**

*Cr Owen moved, Cr Curran seconded that the recommendation be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Gray	
Cr Owen	
Cr Taylor	
Cr Williams	

**12. QUESTION ON NOTICE:**

*There were no questions on notice.*

The meeting closed at 6.25 pm.

Confirmed: \_\_\_\_\_  
(Mayor)

Date: \_\_\_\_\_  
17<sup>th</sup> February 2015