



# 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,  
19<sup>th</sup> SEPTEMBER 2017**

**PRESENT:** Cr Foster (Mayor); Cr Curran; Cr Garlick; Cr Geard; Cr Gray; Cr Higgins; Cr Jeffries; Cr Owen.

**IN ATTENDANCE:** Mr G Davoren (Acting General Manager); Mr H Macpherson (Municipal Engineer); Mr J Dryburgh (Manager Development Services) and Mrs J Banks (Governance Manager).

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

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING OF 15<sup>TH</sup> AUGUST 2017.

*Cr Curran moved, Cr Jeffries seconded that the Minutes of the Ordinary Council Meeting of 15<sup>th</sup> August 2017 be confirmed.*

**CARRIED**

### **VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

1.2 CONFIRMATION OF MINUTES OF THE FINANCE COMMITTEE MEETING OF 12<sup>TH</sup> SEPTEMBER 2017.

*Cr Garlick moved, Cr Curran seconded that the Minutes of the Finance Committee Meeting of 12<sup>th</sup> September 2017 be confirmed.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**1.3 CONFIRMATION OF MINUTES OF THE PLANNING AUTHORITY MEETING OF 12<sup>TH</sup> SEPTEMBER 2017.**

*Cr Geard moved, Cr Higgins seconded that the Minutes of the Planning Authority Meeting of 12<sup>th</sup> September 2017 be confirmed.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

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

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

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	

Cr Jeffries  
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 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:

<b>AUTHOR:</b>	Mayor	Deputy Mayor
	(Cr T Foster)	(Cr B Curran)

The Acting Mayor and Mayor's communications were as follows:-

Acting Mayor (Cr B Curran):-

Aug 7	School council meeting at Brighton primary
Aug 10	Attended the opening of the Bowls season at Brighton Bowls Club
Aug 14	I attended the SCS meeting at Brighton council chambers
Aug 15	Ordinary Council meeting
Aug 28	I met with James and Guy Barnett to accept funding from State government for pathways project.

Mayor (Cr T Foster):

Sep 05	Briefing with James Dryburgh , Manager of Development Services.
Sep 07	Briefing with Heath Macpherson, Municipal Engineer.
Sep 07	Briefing with Greg Davoren, Acting General Manager and with Janine Banks, Governance Manager.

- Sep 07 Anti Discrimination meeting scheduled for 2.00 pm today again cancelled as complainant had to withdraw from the appointment.
- Sep 08 James Dryburgh and Cathy Harper joined me and Senator Jonathon Duniam for a tour of Councils joint Federal/ Council projects that received Federal funding through the Grant Processes.
- Sep 12 Greg, Janine, James and I met with Mike Cain (from Office of the Ombudsman) for a conversation about the role of his office.
- Sep 12 Finance Committee meeting
- Sep 12 Planning Authority meeting.
- Sep 18 Meeting with Federal Opposition Treasurer Chris Bowen. Greg and James also attended.
- Sep 19 Meeting with Tony and Ingrid Harrison.
- Sep 19 Ordinary Council meeting.

**RECOMMENDATION:**

That the Mayor’s communications be received.

**DECISION:**

*Cr Owen moved, Cr Jeffries seconded that the reports be received.*

**CARRIED**

**VOTING RECORD**

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**5.2 REPORTS FROM COUNCIL REPRESENTATIVES WITH OTHER ORGANISATIONS:**

**DECISION:**

Cr Geard advised that he recently Chaired the Brighton Senior Citizens and AGM, he also attended the Emergency Risk workshop which was attended by Council Officers Wilson, Macpherson and Harper.

Cr Gray, together with Councillors Higgins, Owen, Geard and Williams attended the forum hosted by Brian Mitchell at the Brighton Civic Centre on the 31<sup>st</sup> August 2017.

*Cr Garlick moved, Cr Owen seconded that the reports be received.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**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.

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 no workshops were held since the last Ordinary Council Meeting.

**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 Acting General Manager advised that there were no supplementary agenda items.*

**9. REPORTS FROM COMMITTEES:**

**9.1 FINANCE COMMITTEE – 12/9/17:**

The recommendations of the Finance Committee Meeting of 12<sup>th</sup> September 2017, were submitted to Council for adoption.

**DECISION:**

*Cr Curran moved, Cr Geard seconded that the recommendations of the Finance Committee meeting of 12<sup>th</sup> September 2017, be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**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.

*There were no planning items listed on this Agenda.*

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

### **11.1 LOCAL GOVERNMENT SHARED SERVICES MONTHLY REPORTS:**

**AUTHOR:** Corporate Consultant  
(Mrs K Hossack)

---

#### **Background:**

When the Local Government Shared Services (LGSS) was formalised, there was an undertaking that monthly reports would be provided to member Councils. There are now fourteen (14) Councils that have joined to date.

One report is for the overall performance of the shared service agreement which is provided to all member Councils. The other report is Council specific for each member Council that is provided only to that individual Council. The second attachment is for Brighton Council's performance for the previous months.

#### **Consultation:**

General Manager

#### **Risk Implications:**

Nil

#### **Financial Implications:**

See attached reports for financial information about the Local Government Shared Services and Brighton Council.

#### **Other Issues:**

These reports provide detailed information to assist in dealing with the amalgamation program and the financial sustainability of the shared services 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 Owen moved, Cr Jeffries seconded that the report be received.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**11.2 ABANDONED SHOPPING TROLLEYS – PROPOSED BY-LAW:**

**AUTHOR:** Governance Manager  
(Mrs J Banks)

---

**Background:**

A Councillor request was received from Cr Owen to consider a By-law for abandoned shopping trolleys.

Abandoned trolleys are an issue in the Bridgewater area and Councillors would be aware that many trolleys are removed from the Jordan River periodically.

**Consultation:**

Cr Owen, Trolley Tracker, Governance Manager

**Risk Implications:**

Nil.

**Financial Implications:**

There will be an impact on Council resources for 'impounding' abandoned shopping trolleys and associated administration.

**Other Issues:**

Anyone can report an abandoned trolley to Coles supermarket by either calling 1800 TROLLEY (1800 876 553), downloading the free Trolley Collect App, filling out a form on their website or emailing [1800Trolley@coles.com.au](mailto:1800Trolley@coles.com.au) They state that reported trolleys will be collected within 24 hours.

Woolworths have a partnership with the Trolley Tracker, they also have a telephone service 1800 641 497 and/or form on their website. Advice from Trolley Trackers is that Woolworths Greenpoint use their service.



**Assessment:**

The drafting and approval of a By-law can take anywhere up to 2 years; therefore this is not a quick fix.

**Options:**

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

**RECOMMENDATION:**

Submitted for discussion.

**DECISION:**

*Cr Owen moved, Cr Gray seconded that a By-law be drafted and submitted back to Council for consideration.*

**CARRIED**

**VOTING RECORD**

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**11.3 CITIES POWER PARTNERSHIP (CCP):**

**AUTHORS:** Senior Planner  
(Mr D Allingham)

**Background:**

This Climate Council is calling on Mayors and their Councils across the nation to join the Cities Power Partnership, joining the push to transform Australia’s energy future and tackle climate change. Following its successful launch in July 2017, the CPP are opening membership for a further 35 Councils and are inviting applications in October 2017. There are no costs associated with joining the program.

Participating councils who join the partnership will have 6 months to select 5 key actions from the partnership pledge ranging from renewable energy, efficiency, transport and advocacy. Councils will receive access to a national knowledge hub and analytical tools to assist with the implementation and monitoring of emissions reductions projects. Participants will also have exclusive access to domestic and international experts, community energy groups, events and potentially exclusive access to small grants and renewable energy incentives. See attachment for more information.

The pledge options available are already in line with *Council's Strategic Plan 2015-2025* and a number of current projects. For example:

- Solar panels on the Works Depot;
- Energy audit of Council Chamber building;
- Provision of bike lanes on Brighton Road;
- Solar lighting in Bridgewater Parkland; and
- Trialling LED street lighting.

Participating in this project is likely to be of great benefit to Council and will not initially require any additional actions than what we are already doing. Currently, these types of projects are done on an ad-hoc basis through the planning and engineering department with no overarching strategy. In the absence of having a dedicated climate/sustainability officer, joining the CPP will keep Council staff focused on tackling climate change and improving energy efficiency in the future.

CPP membership will also provide opportunities to celebrate and promote our achievements through various forms of media in partnership with the Climate Council, including CPP media launches, CPP website profiling and social media and local and state press releases.

To formally participate in this project a letter from the Mayor or General Manager will be required acknowledging that Council will identify 5 pledges within 6 months of being accepted into the program and confirming willingness to be buddied with to other local councils to share knowledge.

### **Consultation:**

Manager Development Services, Asset Services Manager

### **Risk Implications:**

If Council join the CPP and fail to achieve their pledged actions there could be a negative public perception. However, given Council has already implemented, or partly implemented a number of these actions, this is an unlikely scenario.

If Council do not apply to join the CPP, Council could miss an opportunity to get recognition for being a leader in tackling climate change and promoting energy efficiency for projects it is already undertaking.

### **Financial Implications:**

The actions mentioned in the report above are already budgeted for. Any future actions may require additional funding which would need to be approved through the appropriate channels.

### **Options:**

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

**RECOMMENDATION:**

That Council apply to join the Cities Power Partnership (CPP).

**DECISION:**

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

**CARRIED**

**VOTING RECORD**

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**11.4 GRANTS UPDATE:**

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

**Background:**

This report is intended to provide a summary of successful grant applications over the past 18 months and their implications.

**Discussion:**

Since the beginning of 2016, Council’s engineering, works and planning departments have worked closely to identify a number of projects that are suitable for various grant programs and to significantly upskill with regards to the preparation of grant applications. Since this time Council has been successful in eight major grant applications. Cathy Harper in Community Services has also been successful in two significant grants for Gagebrook.

The current volume of capital projects and incoming grant revenue is unprecedented for Brighton Council. They are all projects that will make a significant difference to the community. Council staff, councillors and partners who have helped make these grants and projects happen are to be congratulated.

Importantly the projects are spread widely across the municipality. This report does not include figures for council’s in-kind contributions to these projects and it does not include projects that council is fully funding, such as the new park in Child’s Drive, Old Beach and various other infrastructure works.

Below is a summary of the eight successful grants:

***Brighton Streetscape***

Council was successful in a Building Stronger Regions Fund (BBRF) grant to complete the Brighton Streetscape upgrade. The Federal Government have committed \$800,000. The owners of the approved supermarket development have also contributed \$80,000. Council is contributing \$858,000, but has contributed far more during earlier stages of the upgrade.

***Bridgewater Parkland***

PlayStreet and Council developed a detailed master plan for the whole foreshore area of Bridgewater in consultation with the local community. Under the BBRF grant process Council has been successful in a \$430,000 grant from the Federal Government to implement Stage 1 of the Plan. Stage one includes a detailed park, landscaping, public toilets and a BBQ shelter below the LINC. Centacare Evolve have also committed \$150,000 to this project. Council are contributing \$300,000 plus approximately \$70,000 in in-kind contribution.

***Pathways & Shelters***

Under the State Government Community Infrastructure Grant round Council has been successful in a \$262,000 grant from the State Government to upgrade the pathways linking Gagebrook, Herdsmans Cove and Bridgewater. The upgrades include 3 strategically located shelters, wide concrete paths and the achievement of DDA compliant grades the entire journey. Centacare Evolve have also committed \$30,000 to this project. Council are contributing \$348,000.

***Cove Hill Bridge***

Council received \$800,000 from the Federal Government towards the replacement of the Cove Hill Bridge, which is currently under construction. Council is contributing the other \$800,000.

***Brighton Bowls Club***

Council has also received a \$400,000 commitment from the Federal Government towards the redevelopment of the Brighton Bowls Club, with Council committing a further \$430,000.

***Old Beach Jetty***

Under a MAST funding program Council has been successful in obtaining a \$168,000 grant to replace the Old Beach Jetty. Council is contributing a further \$120,000.

***Cris Fitzpatrick Park***

Under a Tasmanian Community Fund grant round Council has received \$49,000 for skate park equipment in Cris Fitzpatrick Park, which has now been installed.

Under a State Government Community Infrastructure Minor Grant Council has received \$49,000 for new play equipment for the Cris Fitzpatrick Park, which has now been installed.

**In Summary**

Council has received external funding commitments of approximately \$3.2 million over the past 18 months for eight important projects. The total investment is in excess of \$6 million. The projects combined represent major long-term improvements to important community infrastructure.

**Consultation:**

All council departments.

**Risk Implications:**

N/A.

**Financial Implications:**

A summary of financials relating to the grants is provided below.

Some of the projects represent a saving in terms of funding allocated for future years in Council’s ten-year plan. However, this obviously has an impact in terms of immediate cash flow due to the volume of project spending over the next 18 months.

<b>Summary of Grant Financials</b>				
	<b>Gov Grant Amount</b>	<b>Council Investment</b>	<b>Other Contributions</b>	
<b>Brighton Streetscape</b>	840000	852750	80000	
<b>Bridgewater Parkland</b>	430000	300000	150000	
<b>Pathways + Shelters</b>	262000	348000	30000	
<b>Cove Hill Bridge</b>	800000	800000		
<b>Brighton Bowls Club</b>	400000	430000		
<b>Old Beach Jetty</b>	168000	120000		
<b>Cris Fitzpatrick Park</b>	49000		49000	
	<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total Investment</b>
	2949000	2850750	309000	6108750

**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, and that those staff involved with the grants and project process be acknowledged and congratulated.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**11.5 SOUTH CENTRAL SUB-REGION UPDATE:**

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

---

**Background:**

This report is intended to provide a regular update on the activities of the South Central Sub-region (Brighton, Central Highlands, Derwent Valley and Southern Midlands).

As councilors are aware, in early 2016 these four councils began more formal efforts to work collaboratively as a sub-region on matters of common interest. Brighton's Manager Development Services chairs meetings of the group roughly every two months and is responsible for driving and coordinating the activities of the group. The meetings consist of the chair and the mayors and general managers of each of the four councils, with other staff or external people in attendance when required.

**Discussion:**

(See Attachment 1 – August Meeting Minutes).

Please also note Attachment 2, which is a letter to the Premier detailing the priorities projects for election funding as agreed at the August SCS meeting.

Please also note Attachment 3, which is a letter to the Deputy Premier reaffirming the potential for the school farm redevelopment and the various parties and information supporting such an investment. All members of the SCS endorsed this letter even though the project is centered in Brighton.

**Consultation:**

N/A.

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

**CARRIED**

**VOTING RECORD**

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**11.6 MONTHLY PLANNING UPDATE:**

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

**Background:**

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

**Discussion:**

**Purchase and Receipt of land:**

None.

**Projects:**

- **5+5+5 project:** See attached letter regarding the potential to extend the project beyond the end of October. (For informal discussion)

- **Greening Brighton Strategy:** The Herdsmans Cove side of the East Derwent Highway has now been planted and links up the two Lamprill Circle entrances and Gage Road. Staff are currently finalizing the planting schedule and ordering stock for the 2018 planting season.
- **Bridgewater Parkland Master Plan:** A successful Building Better Regions Funding Grant for \$430k towards a \$950k project has been confirmed. Work has begun on final planning for the project.
- **Bridgewater - Gagebrook - Herdsmans Cove pathway and shelters:** A successful Community Infrastructure Grant (State) for \$261,000 towards a \$650,000 project has been confirmed. Work to start this year.

### **Development Applications and leases on Council-owned land:**

Nothing new.

### **Council Land Subdivisions and Sales:**

- BIHC: the sale of 12 lots in Herdsmans Cove has been rejected by the Crown on the basis that it does not meet the Objectives of the BIHC Agreement. Council's Deputy General Manager to provide an update.
- Councillors endorsed a process and conditions associated with potentially transferring up to four parcels of council-owned land to Centacare Evolve to facilitate strategic residential and community development. Planning work on progressing this endorse to a formal agreement and implementation is underway.

### **Other Strategic Matters:**

- **Brighton Interim Planning Scheme & Amendments:**

**Tivoli Green Specific Area Plan** - The TPC has now accepted Council and the applicants joint submission on the substantially altered amendment. Council are awaiting a directive from the TPC to re-advertise the amendment.

**Cove Hill Road rezoning:** The TPC has refused this application. Council and the proponent have met to discuss the decision. Council's only action at this stage will be to include a full review of the Rural Living Zone within the project brief for the Structure Plan renewal later this year.

- **State Planning Scheme:** The Statewide Planning Provisions (SPP) have now been released.

Planning staff have begun to draft the Local Planning Schedules (LPS), particularly the relative simple conversions of existing Particular Purpose Zones and Specific Area Plans.

The TPC has been allocated additional funding to support Councils in preparing the LPS' and mapping. The Southern Councils have identified the following as priority funding areas:

- General GIS mapping
- Priority vegetation mapping
- Agricultural mapping



- Addressing changes to the Southern Tasmanian Regional Land Use Strategies.

The TPC are encouraging Council's to convert zones from their current status under the Interim Planning Schemes as far as practicable. There is very little scope for strategic work to be undertaken as part of the process.

Staff will look at scheduling a workshop with Councillors in the coming months to provide more detail around the preparation of the LPS and to get direction on any controversial issues that may arise.

- **HT/Centacare Land Master plan:** A suite of Development Applications are expected during 2017.
  - Sixteen units at 2 Green Point Road have been approved and a Stage 1 Building Permit for slabs and framing has been issued.
  - The application at 20 Gunn St for 29 dwellings has been revised due to the alignment of the "new" Bridgewater Bridge and has now been reduced to 28 dwellings.
  - A DA for 52 multiple dwelling units has been received for Gage Road and is currently on "hold" for further information.
- **NDIS projects:** Nothing new.
- **Highway Services Precinct:** DA has been lodged and is currently on hold for further information.

#### **Development Services Professional Services:**

Council continues to provide planning services to Tasman Council again with Richard Cuskelly being the primary planning officer undertaking one day per week for them, which is going well.

Council provides full planning services for Derwent Valley.

Manager DS charges occasional hours to Council's Sub-region partners for specific projects.

#### **Statutory update (August 2017):**

For the past month (See Attachment).

DA's received for 2017 (currently 225) are likely to exceed the 234 received in by the end of September. Planning staff are currently managing 68 live applications.

#### **Appeals:**

- 720 Boyer Road – quarry. A Consent Memorandum was submitted to RMPAT in July. RMPAT reconvened a panel to consider the Consent Memorandum and directed that Council make further submissions which are to be filed by the end of August.

#### **Enforcements:**

- 117 Stonefield Road – Horse Training Track – The owner has now complied with all requirements of the Environmental Management Plan

- 21 Greenbanks Road – A DA was submitted for shipping container distribution following a complaint. A representation was received on the basis the information was deficient.
- 

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

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

## 11.7 CODE OF CONDUCT PANEL DETERMINATION REPORT – CR KEITH HIGGINS:

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

---

### Background:

The purpose of this report is to table a copy of a Code of Conduct Panel Determination Report in accordance with Section 28ZK(5) of the *Local Government Act 1993*, in response to a complaint lodged by Ms Janine Banks against Cr Keith Higgins.

The Code of Conduct Panel has determined the following sanction in accordance with Section 28ZI (2).

1. Cr Higgins be reprimanded for his actions in alleging Ms Janine Banks had called him a stalker when in fact Ms Banks had asked him a direct question..
2. Cr Higgins is required to apologise to Ms Janine Banks in writing by the 4<sup>th</sup> September 2017, retracting his allegation that she had called him a stalker.

### Other Issues:

Cr Higgins did not apologise in writing to Ms Janine Banks by the 4<sup>th</sup> September 2017.

Under section 28ZM(4) of the Act, the General Manager is to notify the Director of Local Government if a councillor fails to comply with a sanction [that imposes an apology be delivered] within the period specified in the determination report.

The Acting General Manager has notified the Director of Local Government of the failure to comply with the sanction. The Director is now required under the Act to deal with it as a complaint under his powers under the Act.

### Options:

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

### RECOMMENDATION:

That Council receive the Code of Conduct Determination Report in accordance with the requirements of Section 28ZK(5) of the *Local Government Act 1993*, and note that the matter is now with the Director of Local Government to deal with.

### DECISION:

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

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**12. CLOSED MEETING:**

Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matter is listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015, Section 15(2)(f).

*Cr Jeffries moved, Cr Curran seconded that Council resolve in to Closed Council.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Higgins	
Cr Jeffries	
Cr Owen	

**12.1 CONFIRMATION OF MINUTES OF THE CLOSED PORTION OF THE ORDINARY COUNCIL MEETING OF 15<sup>th</sup> AUGUST 2017.**

**DECISION:**

*Cr Gray moved, Cr Geard seconded that the minutes of the closed portion of the Ordinary Council Meeting of 15<sup>th</sup> August 2017, be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	

Cr Gray  
Cr Higgins  
Cr Jeffries  
Cr Owen

*Cr Higgins left the meeting at approximately 6.40pm*

The Governance Manager addressed Councillors in relation to a conversation she had had with an officer from Equal Opportunity Tasmania on 15<sup>th</sup> September 2017, regarding a proposed draft agreement in relation to a Conciliation meeting to be held on the 22<sup>nd</sup> September 2017, which involved Brighton Council.

*Cr Gray moved, Cr Geard seconded that Council resolve out of Committee and that the recommendations made while in Committee be ratified.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Owen	

**13. QUESTIONS ON NOTICE:**

*There were no questions on notice.*

Meeting closed 7.00pm

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

Date: \_\_\_\_\_  
17<sup>th</sup> October 2017