



# Brighton Council

MINUTES OF THE **FINANCE COMMITTEE MEETING**  
OF THE BRIGHTON COUNCIL HELD  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES  
OLD BEACH AT 5.15 P.M. ON TUESDAY,  
12<sup>TH</sup> NOVEMBER, 2019

**PRESENT:** Cr Foster (Chairperson); Cr Curran (Deputy Chairperson); Cr Garlick; Cr Jeffries and Cr Owen.

**IN ATTENDANCE:** Cr Whelan; Mrs G Browne (Corporate Executive); Mr G Davoren (Deputy General Manager); Mr J Dryburgh (Chief Operations Officer) and Mrs J Banks (Governance Manager).

## 1. APOLOGIES:

*It was noted that Cr Gray had tendered his apologies.*

## 2. QUESTION TIME & DEPUTATIONS:

*As there were no-one in the gallery there was no requirement for question time.*

## 3. 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.*

## 4. BUSINESS:

### 4.1 740 TEA TREE ROAD, TEA TREE - OWNERSHIP:

**AUTHOR:** Corporate Executive  
(Ms G Browne)

#### **Background:**

In May 2011 Council received notification from the Lands Title Office that 744 Tea Tree Road, Tea Tree (now 740) had been transferred in ownership from Barwick to Nus. Mr Nus purchased the property for \$14,000 and has paid rates and maintained the property since that time.

Mr Nus has recently contacted Council in order to obtain a right of way and to undertake a boundary adjustment on 740 Tea Tree Road. When Council officers investigated this matter, they found various issues.

There are two parcels of privately-owned land, zoned as public recreation space, situated on Tea Tree Road those being 740 Tea Tree Road, 45803/100 (Nus) and Lot 101 Tea Tree Road, 45803/101 (Barwick). Records show that these parcels should have been transferred into Brighton Council's name back in 1986 as a public open space contribution for the Vineyard Drive subdivision. This transfer was never done. As a result, 740 Tea Tree Road was sold to Nus in 2011 and Lot 101 Tea Tree Road is still in Barwick's name.

There is also a parcel of land that is in the name of Tonks but is listed as a privately-owned subdivision road that has never been constructed. This parcel leads to the road barrier on Tea Tree Road.

Council has obtained legal advice to ascertain who is the legal owner of the land given that the land should have been transferred in 1986. By providing the subdivision notes and permits it is clear the lots in question were offered as a public open space contribution. Council's advice is to write to both Barwick's representative and to Mr Nus and request them to transfer the land into Council's name or failing that to initiate action through the Supreme Court to force a transfer.

Having advised Mr Nus of the issue he was not happy about this decision and has asked that Council consider his position on the facts that he purchased the property in good faith and is an innocent victim in these findings. He has asked that Council consider a 10% contribution based on the most recent valuation in order for him to keep the land.

Staff have looked at both lots in question and can see no immediate use of the land for any infrastructure or community purposes. Council needs to determine whether the land should be transferred by Barwick and Nus back to Council and sold at market rate or whether they are retained by the current owners.

**Consultation:**

Deputy General Manager, Municipal Engineer, Senior Planner and Corporate Executive.

**Risk Implications:**

Nil.

**Financial Implications:**

The cost of pursuing this issue may cost more than what the land is worth.

**Assessment:**

N/A

**Other Issues:**

N/A

**Options:**

1. As per the recommendation.
2. To write to both Barwick’s representative and Mr Nus for the land to be transferred to Council, and failing this instigate action through the Supreme Court.
3. To leave ownership of the land as is.

**RECOMMENDATION:**

As identified on the map:-

1. to pursue a transfer of the Barwick and Tonks land to Council.
2. Accept the \$2,500 offer made by Mr Nus to retain the Nus land in his name.

**DECISION**

*Cr Curran moved, Cr Jeffries seconded that the recommendation be adopted with an amendment to No. 2 with the removal of the offer of \$2,500 by Mr Nus i.e. Mr Nus to retain the land in his name.*

**CARRIED**

**VOTING RECORD**

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

## **4.2 DONATION – BRIGHTON BOWLS AND COMMUNITY CLUB:**

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

---

### **Background:**

Council provided a part contribution of \$400,000 towards the improved facilities at the Brighton Bowls and Community Club during the 17/18 financial year. Council agreed at its June 2018 Ordinary Council meeting “that Council maintain the current general rate under the current valuation for the financial year ending 2018-19”. Council subsequently remitted \$1,531.87 from the club rates for the same year.

The club has again written to Council requesting a rate exemption on the building.

### **Consultation:**

Ross Howard met with Ron Sanderson, Tony Foster and Greg Davoren.

### **Risk Implications:**

Nil

### **Financial/Budget Implications:**

Rate relief is considered a donation. This donation was not considered during the budgetary process.

### **Strategic Plan:**

Not Applicable

### **Social Implications:**

Not Applicable

### **Environmental or Climate Change Implications:**

Not Applicable

### **Economic Implications:**

Not Applicable

### **Issues:**

Nil

### **Assessment:**

The Brighton Bowls and Community Club expect that the community will take advantage of their new facility and will contribute to the operating costs through hiring fees. The club also expects that some uses will be gratis to the community

It does need to be recognised that the club is paying for the energy and water usage costs to service the toilets that are available at certain times for public use so a contribution from Council would be appropriate.

**Options:**

1. As per the recommendation.
  2. To not provide any financial support to the Brighton Bowls and Community Club.
- 

**RECOMMENDATION:**

To provide an annual reoccurring donation to the Brighton Bowls and Community Club of \$1,000 each year from the donation budget for the purpose of contribution towards the provision of toilet facilities made available for public use.

**DECISION:**

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

**CARRIED**

**VOTING RECORD**

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

**4.3 BRIGHTON FOOTBALL CLUB ON FIELD SUPPORT:**

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

---

**Background:**

This year was an embarrassment for the Brighton Football Club as it could only muster an SFL men's reserves and women's team. However, they are planning to field five teams in 2020.

They have appointed Byron Howard as senior coach who has brought new life into the club with his extensive contacts and local knowledge. They have already signed significant numbers of players.

They want to build a family club and provide opportunities for our youth.

The club has asked Council to provide seed funding to help get Brighton back on track. The funds are for on field items, not for salaries or player payments. They have requested the following:

**SENIORS**

30	JUMPERS	\$1,320.00
	WHITE	
30	SHORTS	\$825.00
30	BLUE SHORTS	\$825.00
30	SOCKS	\$264.00
9	FOOTBALLS	\$1,008.00

**RESERVES**

30	JUMPERS	\$1,320.00
	WHITE	
30	SHORTS	\$825.00
30	BLUE SHORTS	\$825.00
30	SOCKS	\$264.00
9	FOOTBALLS	\$1,008.00

**COLTS**

30	JUMPERS	\$1,320.00
	WHITE	
30	SHORTS	\$825.00
30	BLUE SHORTS	\$825.00
30	SOCKS	\$264.00
9	FOOTBALLS	\$1,008.00
30	BOOTS	\$2,700.00

**WOMENS**

30	JUMPERS	\$1,320.00
	WHITE	
30	SHORTS	\$825.00
30	BLUE SHORTS	\$825.00

*Finance Committee Meeting*

12/11/19

30	SOCKS	\$264.00
9	FOOTBALLS	\$810.00

**GIRLS  
U17**

30	JUMPERS	\$1,320.00
	WHITE	
30	SHORTS	\$825.00
30	BLUE SHORTS	\$825.00
30	SOCKS	\$264.00
9	FOOTBALLS	\$810.00
30	BOOTS	\$2,700.00
		\$26,214.00

**Consultation:**

Byron Howard met with the Mayor, Cr Gray, the author, James Dryburgh and Heath Macpherson to discuss the club’s plans.

**Risk Implications:**

Without such assistance the club may not be able to field this number of clubs.

**Financial/Budget Implications:**

This would be an unbudgeted donation. Council has the capacity to provide the requested \$26,214.

**Strategic Plan:**

Goal 1 of the Plan is “Strengthen our Communities”

**Social Implications:**

Brighton’s youth currently have little opportunity to participate in Austrian Rules Football. This is a team sport that can take youth on a pathway with their local club through to adulthood. This program of the Brighton Football Club would provide such a pathway.

**Environmental or Climate Change Implications:**

None

**Economic Implications:**

None

**Other Issues:**

It is a shame that a municipality of Brighton's size has such a poor football program. If a small place like Dodges Ferry can field strong teams, why can't Brighton.

Council is building a new sports centre at Pontville and won't have decent football teams to use it if the club doesn't succeed.

**Assessment:**

The infrastructure at Pontville is an excellent asset for the community. Since 1993 this has been Council's primary sporting facility. With the new sports centre it has reached another level, a true regional centre.

Years ago, the Brighton Football Club was very successful. In recent times things have deteriorated to the point where this year not even being able to field a senior side.

This is a once off request to enable the club to expand quickly with both male and female teams.

With Byron Howard's long association with the Bridgewater PCYC the Brighton football teams offer a pathway for the entire municipality.

The new Brighton high school will retain more students in the municipality that can join the local football program rather than those in Glenorchy and Hobart.

The football club has asked for assistance in providing essential equipment for a new group of teams, clothing, footballs and boots for the youth.

It is important that Council support its community in participating in a regional league and put Brighton on an equal footing with rival towns.

**Options:**

1. As per the recommendation.
2. Grant a different amount of funding.
3. Provide no funding.

---

**RECOMMENDATION:**

That Council provide grant funds of \$26,214 by the Brighton Football Club to support its fielding five teams in the 2020 SFL season.

This amount to be shown as a Grant in Council's Annual Report.

**DECISION:**

*Cr Jeffries moved, Cr Curran seconded that Council provides a grant of \$15,000 to the Brighton Football Club to support it fielding 5 teams in the 2020 SFL Season.*



*The amount to be show as a grant in Council's Annual Report.*

*The grant is provided under the expectation that the Club will provide a report at the end of the season to demonstrate how the funding supported individuals from disadvantaged backgrounds.*

**CARRIED**

**VOTING RECORD**

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

**4.4 MONTHLY FINANCE REPORT AS AT 31 OCTOBER 2019:**

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

---

**Background:**

The finance reports were submitted for consideration.

They comprised the summarised financial position and revenue and expenses of the Council for the first four months of the 2019/20 financial year.

**Consultation:**

Nil

**Risk Implications:**

Nil

**Financial/Budget Implications:**

Not Applicable

**Strategic Plan:**

Not Applicable

**Social Implications:**

Not Applicable

**Environmental or Climate Change Implications:**

Not Applicable

**Economic Implications:**

Not Applicable

**Other Issues:**

Nil

**Assessment:**

Nil

**Options:**

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

---

**RECOMMENDATION:**

That the reports be received.

**DECISION:**

*Cr Jeffries 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 Jeffries	
Cr Owen	

The meeting closed at 6.00 pm.

Confirmed:

\_\_\_\_\_  
(Mayor)

Date:

\_\_\_\_\_  
19<sup>th</sup> November 2019

