



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,
15th JANUARY 2019**

PRESENT: Cr Foster (Mayor); Cr Curran (Deputy Mayor); Cr Garlick; Cr Geard; Cr Gray; Cr Jeffries; Cr Murtagh; Cr Owen and Cr Whelan.

IN ATTENDANCE: Mr R Sanderson (General Manager); Mr D Allingham (Acting Manager Development Services); Mr C Pearce-Rasmussen (Project Engineer) and Mrs J Banks (Governance Manager)

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING OF 18th DECEMBER 2018.

Cr Jeffries moved, Cr Curran seconded that the Minutes of the Ordinary Council Meeting of 18th December 2018 be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

2. APPLICATIONS FOR LEAVE OF ABSENCE:

All members were present.

3. PUBLIC QUESTION TIME AND DEPUTATIONS:

There was no requirement for public question time as there were no members in the public gallery.

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:

AUTHOR: Mayor
(Cr T Foster)

The Mayor reported directly to the meeting

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	

Cr Geard
Cr Gray
Cr Jeffries
Cr Murtagh
Cr Owen
Cr Whelan

5.2 REPORTS FROM COUNCIL REPRESENTATIVES WITH OTHER ORGANISATIONS:

There were no reports from Councillors.

DECISION:

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 Section 8(2)(c) of the Local Government (Meeting Procedures) Regulations 2015, it is reported that there were no workshops held since the last 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 General Manager advised that there were no supplementary agenda items.

9. REPORTS FROM COMMITTEES:

There were no Committee meetings held in December.

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 11 on this agenda, inclusive of any supplementary items.

There were no planning items listed on the 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
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RECOMMENDATION:

That the reports be received.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

11.2 AFTER-HOURS CALL-OUTS:

AUTHOR: Governance Manager
(Mrs J Banks)

Background:

The following is an extract from a 'Closed council' report in June 2012:-

Council had provided residents with an after-hours emergency service for many years. Prior to 2009 the after-hours call-out Roster was compiled of employees from our water and sewer sections, who were later transferred to Southern Water. Those water and sewer employees on the Roster did not undertake animal control calls because this was managed by the Animal Control Officers on a rotational basis.

In July 2009 with the transfer of water and sewer employees to Southern Water, the two Animal Control Officers became Councils on-call Officers and they dealt with all emergency requests after-hours. The majority of call-outs are able to be dealt with over the telephone except animal control requests. i.e. collection of stray dogs etc.

In March 2012, due to staff resources a decision by Management was made not to undertake stray dog calls after-hours except in the case of a dog attack.

Since March, there have only been 2 dogs restrained by residents on a weekend and these were collected Monday; and only 1 call during the week day where a dog was restrained overnight. From 1st July 2011 to 1st March 2012 there were 37 dogs impounded on weekends; this does not include dogs that had 'disappeared' when the Stand-by officer attended a call-out to collect a stray in a street. The figure for weeknights collections of any stray is difficult to establish. Since March there has been 1 dog impounded on a weekend which was during an incident at Pontville over Easter.

Since that change i.e. March 2012 to 2019 there have been less than a handful of complaints or repercussions since Management's decision in March 2012. The latest being last week which has resulted in this matter being submitted to Council.

Consultation:

General Manager, Mayor, Governance Manager, Glenorchy, Clarence, Hobart Council, Derwent Valley and Southern Midlands Councils.

Risk Implications:

Stray animals not collected after-hours.

Financial Implications:

As per Council's Enterprise Agreement an employee on-call is entitled to an on-call allowance. Physically attending a call-out attracts over-time, vehicle costs and penalty rates as per the Agreement.

Other Issues:

Not all employees on the stand-by roster are comfortable dealing with dogs.

Dangerous dog call-outs have generally been handled by the Governance Manager, Works Supervisor or Reserves Foreman. However, the recently appointed Animal Control/Compliance Officer has been included on the roster, but it would be unreasonable for him to be on-call 24/7 for out of hours stray dogs.

Council Officers do not have remote access to PropertyWise to be able to access currently registered/microchipped dogs, so any dog collected would be taken to the Hobart Dogs Home.

As with any stray dog collected and taken to the Hobart Dogs Home, there are fees for reclaiming a dog i.e. \$75 reclaim fee, daily dogs home fee of \$30, registration & microchipping (if applicable) and then if the dog is reclaimed by the owner there is a Dog at Large fine applicable @ \$163 which is issued by Council.

Assessment:

The following were provided by the various neighbouring Councils:-

- Glenorchy Council only collect dogs that have attacked, are secured, and are still in the area or can be identified to a property.
- Clarence Council collect strays if they are secured.
- Derwent Valley Council don't collect dogs after-hours.
- Southern Midlands Council request resident to restrain dog until next working day.
- Hobart Council do not collect strays unless it's a dog attack.

Council has an after-hours call centre who monitor and screen our calls, they are not Council employees, despite what is posted on social media. The Call Centre were advised back in 2012 that Council no longer collect stray dogs, unless there has been an attack or the Police need to contact Council.

It is recommended that stray dogs not be collected after-hours except in the event of a dog attack.

Options:

1. As per the recommendation.
2. That Council collect restrained stray dogs after-hours.

RECOMMENDATION:

That stray dogs not be collected after-hours, except in the case of dog attacks.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	Cr Jeffries
Cr Foster	Cr Murtagh
Cr Garlick	Cr Owen
Cr Geard	
Cr Gray	
Cr Whelan	

11.3 REVIEW OF TASMANIA'S LOCAL GOVERNMENT LEGISLATION FRAMEWORK:

AUTHOR: General Manager
(Mr R Sanderson)

Background:

In June 2018 the Minister for Local Government announced a major review of the Local Government Act. This act has been in place for 25 years with multiple amendments being made over that time.

The first step of the review is a Discussion Paper that includes a series of brief fact sheets that provide contextual information about the governance and operations of councils in Tasmania.

The Discussion Paper has been released to the public seeking submissions about the review. Submissions close on 1st March 2019.

A Directions Paper will be released in June 2019 for public consultation with a Draft Bill to be released in May 2020.

Public consultation forums will be held around the state throughout the review, which will provide an opportunity for members of the community to participate in the process, provide feedback and ask any questions.

Consultation:

None

Risk Implications:

None

Financial Implications:

None identified

Other Issues:

None identified

Assessment:

Councillors may want to make submissions about the contents of the Discussion Paper.

There will be numerous opportunities to have input into the review over coming months. It might be appropriate to wait until the Directions Paper is released to consider council’s input.

Options:

- 1. As per the recommendation
- 2. Do nothing

RECOMMENDATION:

That the report be noted and staff keep councillors apprised of developments through the stages of the review.

DECISION:

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

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

12. QUESTION ON NOTICE:

There were no questions on notice.

The meeting closed 5.50pm.

Confirmed: _____
(Mayor)

Date: _____
19th February 2019