



# 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,  
17<sup>th</sup> DECEMBER 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 Ron Sanderson (General Manager), Mr G Davoren (Deputy General Manager); Mr J Dryburgh (Chief Operations Officer); Mr D Allingham (Manager Development Services); Mr H Macpherson (Municipal Engineer) and Mrs J Banks (Governance Manager).

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

- 1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING OF 19<sup>TH</sup> NOVEMBER 2019.

*Cr Curran moved, Cr Jeffries seconded that the Minutes of the Ordinary Council Meeting of 19<sup>th</sup> November 2019 be confirmed.*

**CARRIED**

### **VOTING RECORD**

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

1.2 CONFIRMATION OF MINUTES OF THE FINANCE COMMITTEE MEETING OF 10<sup>TH</sup> DECEMBER 2019.

*Cr Garlick moved, Cr Gray seconded that the Minutes of the Finance Committee Meeting of 10<sup>th</sup> December 2019 be confirmed.*

**CARRIED**

**VOTING RECORD**

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

1.3 CONFIRMATION OF MINUTES OF THE PLANNING AUTHORITY MEETING OF 10<sup>TH</sup> DECEMBER 2019.

*Cr Gray moved, Cr Curran seconded that the Minutes of the Planning Authority Meeting of 10<sup>th</sup> December 2019 be confirmed.*

**CARRIED**

**VOTING RECORD**

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

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

*All members were present.*

### 3. PUBLIC QUESTION TIME AND DEPUTATIONS:

- Inspector Philippa Burk of Bridgewater Police addressed Council.
- Justin Abrahams of Bridgewater PCYC addressed Council

### 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)

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The Mayor's communications were as follows:-

- |     |    |                                                                                       |
|-----|----|---------------------------------------------------------------------------------------|
| Nov | 1  | Noeline and I attended BBQ lunch at the Men's Shed to recognise Vietnam Veteran's Day |
| Nov | 7  | Meeting with GM.                                                                      |
| Nov | 8  | Microwise Board meeting.                                                              |
| Nov | 10 | Noeline and I attended the Brighton Show.                                             |
| Nov | 11 | Noeline and I attended the Brighton Primary School Remembrance Day Ceremony.          |
| Nov | 12 | Council Wise update by Ron. Ben and Scott.                                            |
| Nov | 12 | GM and I met with Council's PR company re BCN                                         |
| Nov | 13 | Taswater Owners Rep meeting in Launceston.                                            |
| Nov | 14 | Meeting with MP Madelaine Ogilvie at Parliament House.                                |
| Nov | 19 | Meeting with Education Minister Jeremy Rockliff.                                      |
| Nov | 20 | Attended the Official Opening of the Bridgewater Parklands by Senator Clare Chandler. |
| Nov | 28 | Meeting with Deputy Mayor Curran.                                                     |

Nov 28 Meeting with GM  
Dec 1 Attended the Councillors Christmas lunch.  
Dec 10 AGM and Committee meetings.  
Dec 17 Citizenship ceremony  
Dec 17 Council OCM for December.

**RECOMMENDATION:**

That the Mayor's communications 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 Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

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

*Cr Geard advised that he had assisted in the recent QLD fires.*

**DECISION:**

*Resolved that the report be 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.

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

## 7. NOTICE OF MOTION:

### 7.1 NOTICE OF MOTION – CR OWEN – FLAGPOLES:

Cr Owen had requested the following Notice of Motion:

- That council officers provide a report to Council on the costing and funding options to have a total of 3 flagpoles (2 new plus refurbish existing?) at the front of Brighton Council Offices in Old Beach to enable the flying of primarily of the Australian, Tasmanian and Aboriginal flags together or other flags as appropriate.
- That grants might be sought to defray the cost of the erection of flagpoles and purchase of flags (generally flags can be obtained FOC through local and federal MP's?).
- That if funds or means cannot be found in the current budget period, that the item be included in the 2020-2021 financial year.
- Once installed, flags to be raised and lowered on each day Council offices are open for business and/or as required for commemorative reasons or special occasions.

Councillor Owen states in relation to the above :-

*I make no apology for being a patriotic and a proud Australian. I note it would seem I have at my place one more functional flagpole than the Brighton Council has. (The flagpole rescued from the Reserve Bank of Australia building in George Street, Launceston in the early 1980's)*

*My preference in relation to this motion is to have 3 operational flagpoles in front of the Brighton Council Chambers to accommodate the official Australian, Tasmanian and Aboriginal flags: and for those flags to be flown during business hours and on special public holidays and occasions.*

*My fallback position is for 2 flag poles to accommodate the official Australian and Aboriginal flags.*

*As a matter of urgency, I would hope for support that the existing flagpole be repaired and spruced up sooner than later so that the Australian flag may be flown in the meantime?*

*I attended a Community Strengths Together function conducted by the Connected Beginnings Jordan River and Kutalayna Health at the Civic Centre last Thursday. I note that Councillor Murtagh also attended. The event had a strong indigenous focus and I believe that our Council could be more proactive in recognition of the Tasmanian Aboriginal people as the traditional and original owners. I believe the flying of the Aboriginal flag would form part of this recognition and the flying of that flag and the Torres Strait Islander flag during NAIDOC week to be appropriate.*

*I believe this project to be of more important and of greater relevance than the large monument to South African flora on a roundabout in Brighton?*

*So, in short I am asking Councillors to support the idea of having a total of 3 flagpoles in front of the Brighton Council Offices (2 additional and immediate refurbishment of the existing) and request that officers provide a report on possible options on funding from the current budget if funds permit, or inclusion in the next annual budget for 2020-2021. Would also appreciate some time estimates. Thank you.*

**That Brighton Council as soon as is practicable install suitable infrastructure from which to fly the Australian, Aboriginal and one other flag in front of council's offices, Old Beach, during business hours or on special occasions as appropriate.**

**DECISION:**

*Cr Owen moved, Cr Jeffries seconded that Brighton Council as soon as is practicable install suitable infrastructure from which to fly the Australian, Aboriginal and one other flag in front of council's offices, Old Beach, during business hours or on special occasions as appropriate.*

**CARRIED**

**VOTING RECORD**

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

**7.2 NOTICE OF MOTION – CR WHELAN – VIDEO AND AUDIO RECORDING OF MEETINGS:**

Cr Whelan haD requested the following Notice of Motion:-

That in accordance with Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015, and as from the 18<sup>th</sup> February 2020, all meetings held by Council be video and audio recorded to ensure all Councillors commit to the overarching principles of good governance and to ensure that a true and accurate record of debate and discussion is available to members of the public.

A policy for video and audio recording of meetings shall be drafted and returned to Council for adoption at the Council Meeting on 21<sup>st</sup> January 2020.

The policy shall include all Ordinary Council Meetings, all Closed Council Meetings, all Planning Authority Meetings, all Council Committee Meetings, all Annual General Meetings, any additional meetings held by Councillors or with Councillors in attendance and all meetings of Microwise Australia Pty Ltd.

The video and audio recordings of all Ordinary Council Meetings, all Planning Authority Meetings, all Council Committee Meetings, all Annual General Meetings and any additional meetings held by Councillors or with Councillors in attendance are to be made available to members of the public within 48hrs of the meeting time.

The video and audio recordings of Closed Council Meetings shall only be made available to Councillors and the General Manager unless otherwise approved by the General Manager.

The video and audio recordings of Microwise Australia Pty Ltd shall only be made available to Councillors, the General Manager and the Board Members of Microwise Australia Pty Ltd unless otherwise approved by the General Manager.

The video and audio recordings are to be permanently retained by Council.

### **Explanatory Notes**

It is essential that Council provides community access to the best means of understanding Council decision making processes and facilitates all avenues of public consultation. The recording and online publication of meetings would provide most members of the public the information they need with ease of access.

Councillors are required to comply with the provisions of the Council's Code of Conduct while performing the functions and exercising the powers of their role. By adopting the Councils Code of Conduct, councillors commit to the overarching principles of good governance by being:

*Accountable, transparent, law-abiding, responsive, equitable, participatory and inclusive, effective and efficient and consensus oriented.*

Providing good governance is one thing, however, proving it to disgruntled or concerned members of the public is not always as easy, particularly, when voting records are made public without including any record of the robust discussion that often occur prior to Councillors voting on an item or adopting a policy. The recording of meetings would allow Councillors to provide unquestionable evidence in these instances.

The recording of meetings would assist in the preparation of complete and accurate minutes.

The recording of meetings would provide greater security of open meetings for both Councillors and staff.

**DECISION:**

*Cr Whelan moved, Cr Murtagh seconded Council staff to investigate and provide costings*

**CARRIED**

**VOTING RECORD**

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

**7.3 NOTICE OF MOTION – CR WHELAN – FREE WASTE COLLECTION/DISPOSAL:**

Cr Whelan has requested the following Notice of Motion:-

That this Council provide the residents of the Municipality of Brighton with free access to the Brighton Council Waste Transfer Station at Bridgewater, to dispose of household and garden waste, annually, during the first weekend of February.

**Explanatory Notes**

Waste management and the issues surrounding it are discussed by this council at most meetings. I think we can all agree that reducing the impacts of our waste generation and increasing the recycling and sustainable treatment of our waste is of significant importance and is something we already do reasonably well, but like most things, there’s always room for improvement.

As a Councillor, one of the biggest complaints I hear is that a “trip the tip” is just too expensive. I’ve always tried to support the Council and explain to our residents that the fees charged at the waste transfer station are not charged in order to generate an income for Council but to simply recover some of the costs incurred by Council in correctly managing our waste. Rubbish dumped on our roadsides and in bushland is one of the other regular complaints I receive.

These two issues alone, tell me that we as a Council are failing in our efforts to provide an adequate and affordable waste management service to our residents, particularly given the amount of lower income, underemployed and unemployed residents within our municipality.



Personally, I'd like to see an increased focus on the need for people to generate less waste altogether, however this is something that won't happen overnight, it's something that will only happen through ongoing education and consumer actions... which I believe is something our future generations will be better at this than us.

Council provide a free hard and green waste collection twice a year in June and December. Whilst this is a great service offered to our residents, it is only offered to the residents who already have kerbside waste collection.

A free waste disposal weekend following the busy December and January festive season would allow residents to dispose of the additional waste accumulated during this time.

It would also allow residents the opportunity to tidy their properties at a time when many residents take time off work and the weather usually permits garden maintenance.

Residents would be more likely to undertake these tidy ups knowing they can freely dispose of their waste.

Notification of the free waste weekend could be provided to residents on their Rates Notice, on the Councils Facebook page and in the Mercury Newspaper.

The cost of this proposal is hard to estimate without knowing how many residents would participate and how much waste the residents would have to dispose of, however, the cost would be offset by the cost of collecting rubbish that is regularly dumped on the roadside and in bushland, particularly following the festive season. In addition to this, any garden maintenance undertaken will help reduce the bushfire risk, particularly on those rural properties that don't have a waste collection service.

The free waste disposal weekend would be limited to residents only with their waste contained in their car, ute or box trailer.

The free disposal of waste would not include mattresses, tyres, fridges and freezers; however, these could be disposed of at the same time and charged at the usual rate.

If this motion is supported by Councillors, I would also propose that the free hard and green waste collection that is currently offered in December, be moved back to October to better space the dates. I have also had feedback from a number of residents that have said they haven't been able to utilise the free collection service in December because this time of the year is just so busy for them, particularly those with children.

The dates proposed are;

Free Waste Weekend - Saturday and Sunday 2<sup>nd</sup> and 3<sup>rd</sup> February 2020

Free Waste Collection - Tuesday 4<sup>th</sup> June 2020

Free Waste Collection - Tuesday 1<sup>st</sup> October 2020

**DECISION:**

Cr Whelan moved, Cr Murtagh seconded that this Council provide the residents of the Municipality of Brighton with free access to the Brighton Council Waste Transfer Station at Bridgewater, to dispose of household and garden waste, annually, during the first weekend of February.

**MOTION LOST**

**VOTING RECORD**

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

*Cr Gray moved, Cr Owen seconded that a report and costings be provided as part of the Consultants Brief.*

**CARRIED**

**VOTING RECORD**

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

**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 recommendations from the Finance meeting to be adopted by Council.*

**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 matters listed on the Agenda.*

**11. REPORTS FROM OFFICERS:**

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

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

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**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 Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

## **11.2 BRIGHTON SOCIO-ECONOMIC PROFILE & OPPORTUNITY ASSESSMENT – FINAL REPORT:**

**AUTHOR:** Chief Operations Officer  
(Mr J Dryburgh)

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### **Background:**

Councillors were advised early in 2019 that senior economic development staff from Hobart, Clarence, Glenorchy, Kingborough and Brighton had jointly commissioned a study into the socio-economic profile of greater Hobart, and specifically each municipal area.

The study was intended to look into economic opportunities and to identify competitive strengths and disadvantages in each of the areas.

The study is useful to councils in a number of ways: better understanding the area; better targeting of economic development opportunities; improved grant applications; strategic planning, and other areas.

### **Consultation:**

Consultation has occurred between Council's General Manager, Manager Development Services, COO, senior staff at the other four councils and councillors.

### **Risk Implications:**

None.

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

The cost for Brighton was approximately \$10,000, which was an adjusted share relative to our smaller population. This has been paid for from the "Strategic Projects" budget item across this and the previous financial years.

### **Strategic Plan:**

The project furthers most of the strategies within Council's Strategic Plan, such as:

*S1.1: Understand/Improve Health and Wellbeing*

*S1.2: Create Housing/ Employment/Play/ Education (Liveability)*

*S1.4: Support Connected Communities*

*S1.5: Build a resilient community and environmentally sustainable future*

*S2.1: A focus on Agriculture /Horticulture/ Aquaculture – (Food)*

*S2.2: Education/Capability Build*

*S2.3: Support further development of a 'business & logistics hub'*

*S3.1: Support 30% Growth Target*

*S3.2: Implement Strategic Asset Management Plan (Existing and New)*

*S3.3: Enabling Infrastructure*

S4.1: Ensure Financial & Risk Sustainability

S4.3: A shaping agenda facilitated through strong engagements

S4.4: Long-term thinking & evidence-based

**Social Implications:**

As shown with reference to the Strategic Plan above, the study enables council to better understand its community and to better pursue opportunities for it.

**Environmental or Climate Change Implications:**

The study provides further evidence that Brighton is well-placed to pursue some of the economic and employment opportunities that are likely to be presented by action on climate change and a transitioning economy.

**Economic Implications:**

The report will assist council in ensuring an effective and evidence-based approach to pursuing economic opportunities for the area.

**Other Issues:**

Nil

**Options:**

1. As per the recommendation.
2. Council does not receive the Assessment

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**RECOMMENDATION:**

That Council receive the Brighton Socio-Economic Profile and Opportunity Assessment.

**DECISION:**

*Cr Geard moved, Cr Murtagh 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 Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

## 11.3 HEADWORKS – WATER & SEWER INFRASTRUCTURE:

**AUTHOR:** Chief Operations Officer  
(Mr J Dryburgh)

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### **Background:**

The issues caused by the removal of a headworks system for Tas Water some years ago have created some issues in Brighton. Ironically, the removal of headworks was meant to further stimulate development, but in some local cases it has had the opposite effect.

A clear local example is in south Brighton where there are a number of property owners within a clear urban growth area who cannot develop due to the initial cost of the required sewer pump station.

Council's COO met with the general managers of Clarence and Sorell to discuss this issue as these councils have experienced similar issues. Subsequently, council's COO drafted the attached letter to be sent on behalf of the STCA to the President of LGAT.

### **Consultation:**

Consultation has occurred between Council's COO, SMT and the GMs of Clarence and Sorell.

### **Risk Implications:**

None.

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

Nil.

### **Strategic Plan:**

The suggested review is in line with several of the strategies within Council's Strategic Plan, such as:

*S1.1: Understand/Improve Health and Wellbeing*

*S1.2: Create Housing/ Employment/Play/ Education (Liveability)*

*S1.4: Support Connected Communities*

*S1.5: Build a resilient community and environmentally sustainable future*

*S3.1: Support 30% Growth Target*

*S3.2: Implement Strategic Asset Management Plan (Existing and New)*

*S3.3: Enabling Infrastructure*

*S4.3: A shaping agenda facilitated through strong engagements*

*S4.4: Long-term thinking & evidence-based*

**Social Implications:**

Causing difficulties in planning for and effectively managing growth have many impacts on communities, including sub-standard services, lack of access, inefficiency, disconnected communities, economic inequities amongst others.

**Environmental or Climate Change Implications:**

The current lack of a headworks systems makes it more difficult to achieve orderly, efficient and sustainable developments.

**Economic Implications:**

As discussed in the letter, the current lack of a headworks system can in many cases stifle sound strategic development, making growth more difficult to attain and manage. The current approach can also create inequities whereby ‘first movers’ pay an unfair share of infrastructure costs that then benefit subsequent developers.

**Other Issues:**

Nil

**Options:**

1. As per the recommendation.
2. Council does not receive the Assessment

**RECOMMENDATION:**

That Council receive the STCA’s letter to the LGAT President regarding a review of the present approach to headworks for sewer and water infrastructure.

**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 Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	



## 11.4 ZEPHYR ENERGY DEVELOPMENT - MOU:

**AUTHOR:** Chief Operations Officer  
(Mr J Dryburgh)

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### **Background:**

Council's Chief Operations Officer (COO) has been working with Zephyr and associated organisations for most of 2019. The initial contact came from council's Development Services department investigating potential sites for a solar farm. Initial feasibility work has been done, including consultation with some key stakeholders such as key local industries. The opportunities for local renewables projects and hydrogen production appear to be promising.

In addition, the state government has recently released its hydrogen strategy, which aligns well with opportunities in Brighton. The state government are receiving initial expressions of interest in January. Zephyr intend to make a submission and reference their strong collaboration with council to date and its proposed continuance.

As such, Zephyr are seeking to formalise their collaboration with council to progress the feasibility of renewables projects and hydrogen production in Brighton. It is suggested that the best way to do this at this early stage is by establishing an MOU. The MOU can clearly show the intent and aspirations of both parties whilst limiting the level of commitment to an extent that suits a council and their necessary risk profile.

Proposed contents of MOU:

- Sharing of contacts and networks, and facilitating meetings with these and other relevant stakeholders.
- Work collaboratively on investigating the feasibility of local renewables projects and hydrogen production, contributing staff resources where appropriate and where there is capacity to do so.
- Treating commercially sensitive information confidentially until such time as both parties mutually agree otherwise.

### **Consultation:**

Consultation has occurred between Council's COO, Zephyr CEO, SMT.

### **Risk Implications:**

No significant decisions will be made (such as those relating to non-budgeted financial commitments, public announcements or major commitments) without separate approval from Council. As such, there are no major financial, reputational or other risks at this feasibility stage.

## **Financial/Budget Implications:**

There are no financial implications other than minor amounts within the existing budget, such as some staff time.

## **Strategic Plan:**

The suggested review is in line with several of the goals and strategies within Council's Strategic Plan, such as:

*S1.2: Create Housing/ Employment/Play/ Education (Liveability)*

*S1.4: Support Connected Communities*

*S1.5: Build a resilient community and environmentally sustainable future*

*Goal 2: Create 2-3 hubs for our Connector Satellite City*

*S2.3: Support further development of a 'business & logistics hub'*

*Goal 3: Drive Infrastructure Development*

*S3.1: Support 30% Growth Target*

*S3.2: Implement Strategic Asset Management Plan (Existing and New)*

*S3.3: Enabling Infrastructure*

*S4.3: A shaping agenda facilitated through strong engagements*

*S4.4: Long-term thinking & evidence-based*

## **Social Implications:**

The proposed project would clearly create significant local economic, employment and training opportunities. Council's COO has already facilitated a meeting with Skills Tasmania and the Federal Department of Jobs regarding projects such as this in Brighton and using it as an opportunity to upskill a workforce for this and future projects around the state.

There have also been discussions with Catholic Care about the ability to establish a 'virtual power plant' of many local small-scale solar installations that could create long term fixed price cheaper power to some of the municipality's most financially vulnerable.

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

The potential project and the proposed MOU fit neatly within council's Climate Change & Resilience Strategy, particularly within the section dealing with opportunities. Whilst the proposal clearly contributes towards a low carbon economy, helping to transition towards a 'green fleet' and contributing to Tasmania's renewable energy mix, it also potentially opens opportunities for cheaper residential and industrial power and additional potential export of power interstate.

If such a project eventually got up, there would be myriad opportunities for lowering the environmental footprint of council itself and the entire municipality whilst providing stimulus for new industries locally.

**Economic Implications:**

Tasmania is extremely well-positioned to benefit from the growing need for renewable power, both domestically and interstate. Tasmania’s strength with renewable energy capability also help to make it a potential leader in the production of hydrogen, for both domestic and export markets. Brighton has a competitive advantage for both due to the substation and the proximity to the rail head, freight hub and industrial estate.

**Other Issues:**

Nil

**Options:**

1. As per the recommendation.
2. Other.

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**RECOMMENDATION:**

That Council receive the letter from Zephyr Energy Development and authorise the General Manager to establish an MOU between Council and Zephyr in accordance with the proposed terms set out in this report.

**DECISION:**

*Cr Gray moved, Cr Curran 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 Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

## **11.5 PARTICIPATION IN THE NATIONAL REDRESS SCHEME:**

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

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### **Background:**

At the July LGAT General Meeting members resolved to join the National Redress Scheme with the State Government as a “State Institution” with support from the Tasmanian Department of Justice administrative arrangements undertaken by the Child Abuse Royal Commission Response Unit.

The Government has sent the attached Memorandum of Understanding to all Tasmanian councils for their endorsement.

The State Government is not able to progress the declaration until all local councils have sent in their signed MOUs.

### **Consultation:**

LGAT and council general managers.

### **Risk Implications:**

If Council does not sign the MOU it would not be supported by the State Government if a case of sexual abuse is made against it from the past. It would also leave other councils without assistance from the State.

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

There is no cost for local government to join the Scheme or administer a response to the Scheme. However, the Scheme operates on a “responsible entity pays” basis for the monetary payment. Only those councils who receive a claim via the Scheme are liable for that claim.

### **Strategic Plan:**

Strengthen our Communities/Support Connected Communities

### **Social Implications:**

The MOU is an important step in recognising and alleviating the impact of past institutional child sex abuse.

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

None.

### **Economic Implications:**

None.

**Other Issues:**

It is important that Council join with other councils in supporting the LGAT members decision to sign the MOU.

**Assessment:**

The MOU provides the following benefits:

- A clear mechanism to provide redress for any child sexual abuse that has occurred within Council's jurisdiction in the past, which may reduce potential civil litigation against Council.
- Local government claims will be received like claims against any other Tasmanian Government Agency and the processing, coordination and management of claims will be supported and coordinated by the Department of Justice.
- The Tasmanian Government will underwrite the redress liability for local government as calculated by the Scheme Operator for individual claims for payment by local government in arrears.

**Options:**

1. As per the recommendation.
2. Don't sign the Memorandum of Understanding

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**RECOMMENDATION:**

That Council sign the Memorandum of Understanding on the participation of local councils in the National Redress Scheme for Institutional Child Sexual Abuse.

**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 Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

**11.6 MICROWISE - UPDATE REPORT:**

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

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The General Manager and Deputy General Manager provided an update on the progress of Microwise at the Council meeting.

**Options:**

1. As per the recommendation.
  2. Not receive the report.
- 

**RECOMMENDATION:**

That the report be received.

**DECISION:**

*Cr Geard 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 Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

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

**CARRIED**

**VOTING RECORD**

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

## 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 matters are listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

*This item was to be considered in closed session in accordance with Meeting Procedures Regulation 15(2)(h).*

### 12.1 APPLICATION FOR LEAVE OF ABSENCE:

*This item was to be considered in closed session in accordance with Meeting Procedures Regulation 15(2)(g).*

### 12.2 APPOINTMENT OF ACTING DEPUTY MAYOR:

*This item was to be considered in closed session in accordance with Meeting Procedures Regulation 15(2)(a).*

### 12.3 GENERAL MANAGER:

*Cr Curran moved, Cr Jeffries seconded that Council resolve out of closed council and that the recommendations made whilst in Closed Council be ratified.*

**CARRIED**

#### VOTING RECORD

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

Ron Sanderson rejoined the meeting.

**13. QUESTION ON NOTICE:**

*There were no questions on notice.*

Meeting closed 7.05pm

Confirmed:

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

Date:

\_\_\_\_\_  
21<sup>st</sup> January 2020