



# Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING  
OF THE BRIGHTON COUNCIL HELD IN THE  
COUNCIL CHAMBERS, COUNCIL OFFICES, OLD BEACH  
AT 5.35 P.M. ON TUESDAY,  
15<sup>th</sup> SEPTEMBER 2020**

**PRESENT:** Cr Foster (Mayor); Cr Curran (Deputy Mayor); Cr Garlick (from 5.45pm); Cr Geard; Cr Gray; Cr Jeffries; Cr Murtagh; Cr Owen and Cr Whelan.

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

**1. ACKNOWLEDGEMENT OF COUNTRY:**

**2. CONFIRMATION OF MINUTES:**

**2.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING OF 18 AUGUST 2020:**

*Cr Curran moved, Cr Geard seconded that the Minutes of the Ordinary Council meeting of 18<sup>th</sup> August 2020 be confirmed.*

**CARRIED**

**VOTING RECORD**

**In favour                      Against**

Cr Curran  
Cr Foster  
Cr Geard  
Cr Gray  
Cr Jeffries  
Cr Murtagh  
Cr Owen  
Cr Whelan

2.2 CONFIRMATION OF MINUTES OF THE FINANCE COMMITTEE MEETING OF 8 SEPTEMBER 2020:

*Cr Gray moved, Cr Curran seconded that the Minutes of the Finance Committee meeting of 8<sup>th</sup> September 2020 be confirmed.*

**CARRIED**

**VOTING RECORD**

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

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

*There were no requests for leave of absence.*

**4. PUBLIC QUESTION TIME AND DEPUTATIONS:**

- Ms M Doherty addressed Council in relation to illegal dumping in Cobbs Hill Road, Bridgewater.

**5. 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.*

**6. REPORTS FROM COUNCILLORS:**

**6.1 MAYOR’S COMMUNICATIONS:**

**AUTHOR:** Mayor  
(Cr T Foster)

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The Mayor’s communications were as follows:

- Aug 21 The General Manager and I had a meeting with Football Tasmania (soccer). Meeting was with Chairman Bob Gordon and CEO Matt Buckley.
- Aug 27 The General Manager and I met with Minister Sarah Courtney.
- Aug 28 The General Manager and I met with Vision 2050 facilitators Leigh Arnold and Danielle O’Hara.
- Sep 07 The General Manager and I met with Minister Mark Shelton.
- Sep 08 Workshop followed by Finance Committee meeting.
- Sep 14 Meeting with Microwise CEO Ron Sanderson.
- Sep 14 SCS Meeting – introduction of Anthony McConnon.
- Sep 15 OCM.

**RECOMMENDATION:**

That the Mayor’s communications be received.

**DECISION:**

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

Cr Jeffries was unwell and left the meeting 5.40pm

Cr Garlick joined the meeting 5.45pm

## **6.2 REPORTS FROM COUNCIL REPRESENTATIVES WITH OTHER ORGANISATIONS:**

### **DECISION:**

Cr Geard chaired the meeting at the Civic Centre of sporting body representatives on the 7<sup>th</sup> September 2020.

*Cr Geard moved, Cr Gray 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 Murtagh       |                |
| Cr Owen          |                |
| Cr Whelan        |                |

## **6.3 CORRESPONDENCE FROM SOUTHERN TASMANIAN COUNCILS ASSOCIATION (STCA), LGAT, TASWATER AND JOINT AUTHORITIES:**

Correspondence and reports from the STCA, LGAT, TasWater and Joint Authorities.

## **7. 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 a workshop was held at **4.30pm on the 8<sup>th</sup> September 2020**, to discuss the potential models for managing the Brighton Regional Sports Facility at Pontville Park. Councillors in attendance were: Cr Foster (Mayor); Cr Curran (Deputy Mayor); Cr Garlick; Cr Geard; Cr Gray; Cr Murtagh; Cr Owen and Cr Whelan.

## **8. NOTICES OF MOTION:**

### **8.1 NOTICE OF MOTION – CR CURRAN – STREET NUMBERING:**

Cr Curran had requested the following Notice of Motion:

#### **Motion:**

That Council investigate the cost of painting house numbers on curbs in iridescent paint.

**Reason:**

Should this be a requisite for new developers to provide? The reason behind this motion is that Cr Curran recently took on a new Meals on Wheels run and had great difficulty finding house numbers. Cr Curran’s thinking is that if she had trouble in daylight how do emergency services find house numbers at night or in inclement weather? Most of the areas found to be lacking numbers were in older well-established areas.

**DECISION:**

*Cr Curran moved, Cr Murtagh seconded that Council investigate the cost of painting house numbers on curbs in iridescent paint.*

**CARRIED**

**VOTING RECORD**

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

**9. 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 items.*

## 10. REPORTS FROM COMMITTEES:

### 10.1 FINANCE COMMITTEE MEETING – 8<sup>th</sup> SEPTEMBER 2020:

The recommendations of the Finance Committee Meeting of 8<sup>th</sup> September 2020 were submitted to Council for adoption.

#### DECISION:

*Cr Gray moved, Cr Curran seconded that the recommendations of the Finance Committee meeting be adopted.*

**CARRIED**

#### VOTING RECORD

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

## 11. 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 reports for the September Ordinary Council Meeting.*

## 12. REPORTS FROM OFFICERS:

## **12.1 TASWATER OWNERS' REPRESENTATIVE – RESIGNATION MAYOR FOSTER:**

**AUTHOR:** General Manager  
(Mr J Dryburgh)

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### **Background:**

The TasWater Owners' Representatives Group (ORG) comprises one representative from each of the 30 members. The Board of TasWater is accountable to the Owners' Representatives Group. The functions, duties and responsibilities for the Owners' Representatives Group are outlined in the Corporation's Constitution and the Shareholders' Letter of Expectations.

Owners determine that the Board should comprise a Chairman and six non-executive directors.

Mayor Foster is Council's representative on the ORG with Deputy Mayor Curran as Council's alternative representative. It is important that council are represented well on the ORG and maintain a good relationship with TasWater. TasWater provides an essential service to the community, is an important component of managing growth and amenity and the 'dividend' from TasWater is a significant share of council revenue.

Mayor Foster has given his notice to resign as Council's representative on the ORG, effective immediately.

### **Consultation:**

General Manager, Mayor, Governance Manager, Deputy Mayor.

### **Risk Implications:**

It is important council's interests are well represented.

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

Nil

### **Strategic Plan:**

S3.1 – Support 30% growth target

S3.2 – Implement strategic Asset Management Plan

S3.3 – Enabling infrastructure

### **Social Implications:**

Nil.

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

Nil.

**Economic Implications:**

Nil.

**Other Issues:**

Within the scope of the Constitution, the role of the collective ORG is to:

- Make and implement decisions on behalf of owner councils within the scope of the Constitution and this Charter.
- Recruit, select and appoint directors to TasWater's Board, and set their terms, through the ORG's Board Selection Committee.
- Approve a remuneration framework for the Board.
- Adopt, amend or rescind the annual Corporate Plan or Shareholders' Letter of Expectations.
- Adopt TasWater's annual report, appoint the auditor and declare dividends (based on the Board's recommendation).
- Vote on resolutions at general meetings.
- Respond to the Board's requests for input into policy or procedural matters.
- Provide formal liaison between member councils and the Board.
- Monitor the performance of the Board against the approved Shareholders' Letter of Expectations and the Corporate Plan.
- Ensure member councils are kept informed about TasWater's performance and other relevant matters in a timely manner, and distribute formal perform.

**Options:**

1. As per the recommendation.
2. The Council does not nominate a TasWater Owners' Representative.

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**RECOMMENDATION:**

That Council seek nominations and appoint a Councillor as Brighton Council's representative on the Owners' Representative Group.

**DECISION:**

*Cr Geard moved, Cr Murtagh seconded that Cr Gray be appointed as Brighton's representative on the TasWater Owner's Representative Group.*

**CARRIED**



**VOTING RECORD**

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

**12.2 NAIDOC WEEK 2020 – SCHOOL INITIATIVE COMPETITIONS:**

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

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**Background:**

Koori Kids is a community organisation that engages young people across Tasmania in a range of school initiatives to promote education and awareness of Aboriginal and Torres Strait Islander culture. Each year Koori Kids conducts the NAIDOC Week School Initiative Competitions for school aged children. This is broken up into primary and secondary school categories being; colouring-in, short story writing and creative essay writing. Koori Kids is seeking support from Council and request consideration of Council to be an associate partner with a \$450 donation towards the program.

The Koori Kids 2020 School Initiatives program is coordinated in partnership with the Department of Education, Department of Health and Department of Premier and Cabinet.

As Council is currently in the process of developing a *Reflect* Reconciliation Action Plan (RAP), this program fits well with key deliverables required in the RAP, including raising awareness and sharing information about the meaning of NAIDOC Week and supporting/promoting external NAIDOC week events in our local area.

**Consultation:**

General Manager, Governance Manager, Executive Officer.

**Risk Implications:**

Not applicable.

**Financial Implications:**

Koori Kids has provided a proposal and draft entry forms for the 2020 initiatives. The contribution sought is \$450 to be utilised towards the costs for printing and distribution of information packs, posters and entry forms to schools across Brighton Council's Local Government Area.

| Item         | Description               | Cost     |
|--------------|---------------------------|----------|
| Printing     | Entry forms (LGA Schools) | \$325.00 |
| Distribution | Postage and delivery      | \$125.00 |

### **Strategic Plan:**

An initiative such as this supports Council's 2019-29 Strategic Plan as follows:

Goal 1 - Strengthen our Communities

S1.4 - Support Connected Communities

S1.5 - Build a Resilient Community

### **Social Implications:**

Improved relationships between Council and the Aboriginal community, and the organisations which operate in our municipality.

These initiatives are designed to educate all students on cultural diversity and involve a whole of community approach in the spirit of reconciliation and bringing us 'all together as one community'.

Each year at some of the winning schools, Koori Kids host some 'Healthy Lifestyle Clinics' with visiting celebrity sports persons. The aim of these clinics is to encourage an active lifestyle; including nutrition, sportsmanship and skill development. All students participating are provided a t-shirt, water bottle and ball.

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

The initiatives will enable participants to explore concepts linking environmental; and social/cultural issues and foster harmony in the community.

### **Economic Implications:**

Not applicable.

### **Other Issues:**

Not applicable.

### **Assessment:**

This cross cultural initiative has been operating very successfully since 2001 and is aligned with NAIDOC Week, celebrated normally in July each year but November in 2020 due to COVID-19. Hundreds of entries are received each year from schools within Councils LGA, and the success of the program is due in part to the support of councils and partner organisations.

Council is acknowledged through logo inclusion as an associate partner on information packs sent to schools throughout Council's LGA. If there is a winner school from within Council's LGA, an invitation for the Mayor and or a representative is invited to attend the school, along with Executive Director, NAIDOC Week Initiatives and other dignitaries to make special presentation of the NAIDOC Medal of Excellence and the student's prize. A media release for the winning school is prepared in consultation with Council's media officer. Council is also forwarded a final report on the program.

The NAIDOC Week School Initiatives is a great fit with the development of Council's Reconciliation Action Plan (RAP), which includes raising awareness of NAIDOC week and promoting external events for NAIDOC week in our local area.

The NAIDOC Week School Initiatives is the only activity throughout NAIDOC Week that provides students with an educational component to NAIDOC Week and Indigenous culture and heritage. Our research and statistics confirm that schools are participating in the initiatives in increased volumes.

**Options:**

1. As per the recommendation.
2. That Council not contribute to NAIDOC Week 2020 - School Initiative Competitions in our area.

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**RECOMMENDATION:**

That Council contribute \$450 to the Koori Kids NAIDOC Week 2020 School Initiatives program to be utilised towards the costs for printing and distribution of information packs, posters and entry forms to schools across Brighton Council's Local Government Area.

**DECISION:**

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

*Cr Curran moved, Cr Garlick 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 Murtagh       |                |
| Cr Owen          |                |
| Cr Whelan        |                |

**13. 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.

*These items were to be considered in closed session in accordance with Meeting Procedures Regulation 15(2)(b) and 15(2)(c) respectively.*

**13.1 RETAIL SERVICES BOND:**

**13.2 MICROWISE QUARTERLY UPDATE:**

*Cr Whelan moved, Cr Garlick seconded that Council resolve out of closed Council and the decisions made while in closed Council be adopted.*  
**CARRIED**

**VOTING RECORD**

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

## 14. QUESTIONS ON NOTICE:

*There were no Questions on Notice.*

The meeting closed 6.10pm

Confirmed:

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

Date:

\_\_\_\_\_  
20<sup>th</sup> October 2020