



Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL, HELD IN THE COUNCIL CHAMBERS,
COUNCIL OFFICES, 1 TIVOLI ROAD, OLD BEACH
AT 5.40 P.M. ON TUESDAY,
17 JANUARY 2023**

PRESENT: Cr Gray (Mayor); Cr Curran (Deputy Mayor); Cr De La Torre; Cr Geard; Cr Irons; Cr McMaster; Cr Murtagh; Cr Owen and Cr Whelan

IN ATTENDANCE: Mr J Dryburgh (General Manager); Mr G Davoren (Deputy General Manager); Mr C Pearce-Rasmussen (Manager Asset Services); Ms J Banks (Governance Manager) and Mrs J Blackwell (Acting Manager Development Services).

1. Acknowledgement of Country

2. Confirmation of Minutes

2.1 Confirmation of minutes of the Ordinary Council meeting of 20 December 2022.

Cr Geard moved, Cr De La Torre seconded that the Minutes of the Ordinary Council meeting of 20 December 2022 be confirmed.

CARRIED

VOTING RECORD

In favour

Against

Cr Curran
Cr De La Torre
Cr Geard
Cr Gray
Cr Irons
Cr McMaster
Cr Murtagh
Cr Owen
Cr Whelan

3. Apologies and Applications for Leave of Absence

All members were present.

4. Declaration of Interest

In accordance with Part 5, Section 48 of the *Local Government Act 1993*, the Chairperson 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 Chairperson 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. Public Question Time and Deputations

- Mayor Gray presented Keep Australia Beautiful Award Certificates to Jordan River Service; Jordan River Community Shed; Waterbridge Co-op and Bonorong Wildlife Park.

6. Transfer of Agenda Items

According to regulation 8 (4) of the *Local Government Act 1993*, agenda items must be conducted in the order in which they are set out in the agenda of that meeting, unless the council by absolute majority, or the council committee by simple majority, determines otherwise.

7. Petitions

According to regulation 57 (1) of the *Local Government Act 1993*, a person may lodge a petition with a council by presenting it to a councillor or the general manager. A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.

8. Reports from Council

8.1 Mayor's Communications

The Mayor's communication were as follows:

21/12 East Derwent Primary School – Presentations.

- 09/01 Meeting with Chloe and Raelene – Changefest update and discussion – GM & Staff in attendance.
- 09/01 Meeting with General Manager to discuss 2023.
- 11/01 Meeting with Dion Lester – LGAT.
- 16/01 Meeting with General Manager.
- 17/01 Workshop – Brighton Council.
- 17/01 Ordinary Council Meeting for January.

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

8.2 Reports from Council Representatives

Cr Geard mention the on-going collaboration Brighton show and Poultry club – in regards to the damaged pens.

Cr Owen attended the JRLFSS presentation afternoon in December held at the Brighton Civic Centre.

Cr Irons attended the Herdsmans Cove Primary School and presented Council's annual prize in December, also held at the Brighton Civic Centre.

Cr De La Torre moved, Cr Murtagh seconded that the reports be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

8.3 Miscellaneous Correspondence

- Letter & Consultation Paper from the Hon Michael Ferguson MP, Minister for Infrastructure and Transport dated 4th January 2023 regarding Road Management Legislation Review.

9. Notification of Council Workshops

In accordance with the requirements of Section 8(2)(c) of the Local Government (Meeting Procedures) Regulations 2015.

There were no workshops held since the last Ordinary Council meeting.

10. Notices of Motion

There were no Notices of Motion.

11. 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*.

The General Manager advised that there were no supplementary agenda items.

12. Reports from Committees

There were no Committee meetings held in January.

13. Council Acting as a 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 13 on this agenda, inclusive of any supplementary items.

13.1 Development Application DA 2022/00234 for Buildings Demolition, Multiple Dwellings (1 existing, 3 new) & Title consolidation at 32 & 34 Andrew Street, Brighton

Author: A Perez-Roca (Planning Officer)

Authorised: D Allingham (Manager Development Services)

Applicant:	Wilson Multi
Subject Site:	32 & 34 Andrew Street, Brighton
Proposal:	Buildings Demolition, Multiple Dwellings (1 existing, 3 new) & Title Consolidation
Planning Scheme:	<i>Tasmanian Planning Scheme – Brighton</i> (the planning scheme)
Zoning:	8.0 General Residential
Codes:	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code
Local Provisions:	Nil
Use Class:	Residential (Permitted)
Discretions:	8.4.6 Privacy for all dwellings (P3)
Representations:	<p>One representation was received. The representor raised the following concerns:</p> <ul style="list-style-type: none"> • Increased residential density adversely affecting an adjoining property's value; • Loss of privacy to an adjoining property, particularly due to the siting of one of the proposed units; • Inappropriate level of car spaces to meet the needs of the proposed use; and • Adverse impacts on the safety and efficiency of the road network via increased vehicular traffic generated by the proposal.

Recommendation:	Approval with conditions
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1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the planning authority to determine development application DA 2022 / 00234.

The relevant legislation is the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a planning authority to take all reasonable steps to ensure compliance with the planning scheme.

Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of LUPAA.

This report details the reasons for the officer's recommendation. The planning authority must consider this report but is not bound to adopt the recommendation. Broadly, the planning authority can either:

- (1) adopt the recommendation, or
- (2) vary the recommendation by adding, modifying, or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa).

Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*.

2. SITE AND SURROUNDS

The site is comprised of two (2) rectangular parcels of land with frontage to Andrew Street, Brighton (see Figure 1).



Figure 1. An aerial image of the site and its immediate surrounds

The site area is calculated in the table below:

Parcel of land	Site area
32 Andrew Street	736m ²
34 Andrew Street	736m ²
32 & 34 Andrew Street (combined)	1,472m²

The site and adjoining land are zoned General Residential (see Figure 2).



Figure 2. Zoning (General Residential Zone highlighted in red)

The site is not affected by overlays or local provisions or burdened by any easements or covenants.

3. PROPOSAL

The proposal seeks planning approval to:

- (1) consolidate the parcels of land at 32 Andrew Street and 34 Andrew Street, Brighton;
- (2) demolish a brick wall, a deck, a garage and three (3) sheds; and
- (3) maintain the existing dwelling on the parcel of land at 32 Andrew Street & develop three (3) new dwellings on-site, for a total of four (4) dwellings on-site (see Figure 3).

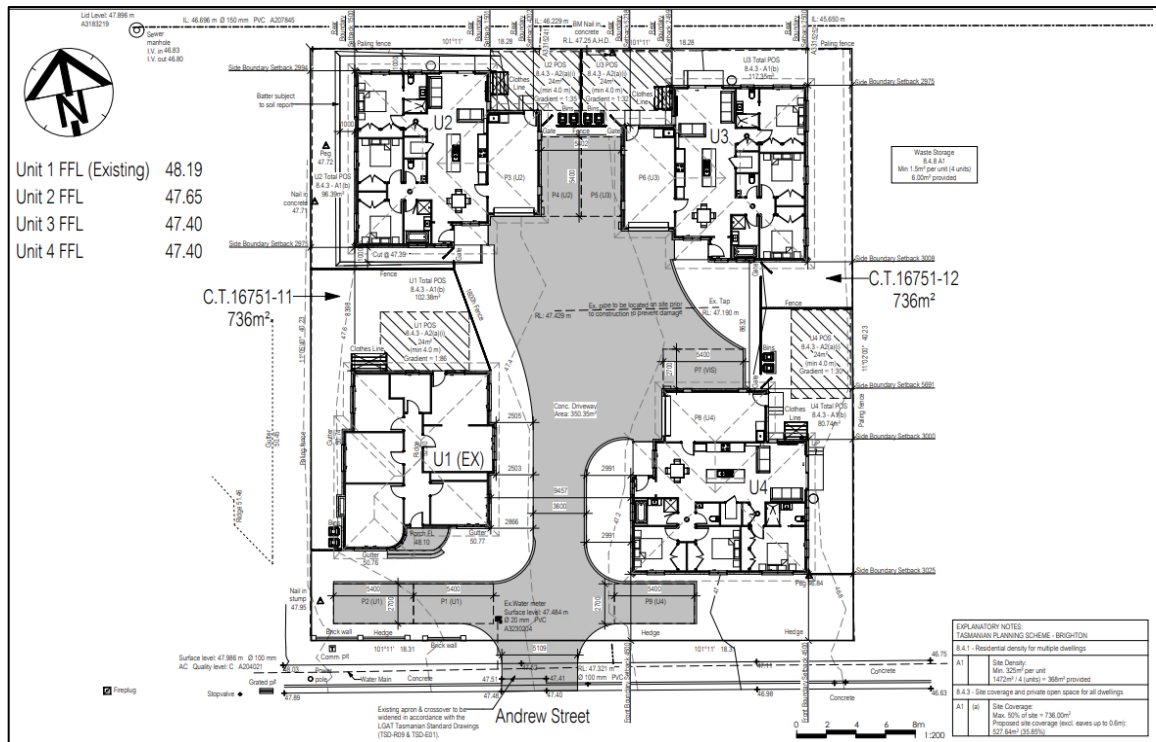


Figure 3. Proposed site plan

The total roofed area of the units is 527.64 m², for a site coverage of 36%.

The existing and proposed dwellings are single-story with a hip and valley roof and have three (3) bedrooms and two (2) car parking spaces each.

One (1) visitor car parking space for the entire development is proposed.

It is proposed that parking, access ways, manoeuvring and circulation spaces be concreted.

The proposal is accompanied by a drainage plan demonstrating how stormwater, sewer and water infrastructure is to be managed.

4. TITLE CONSOLIDATION

The applicant proposes consolidating the parcels of land at 32 Andrew Street and 34 Andrew Street. These parcels of land:

- (1) will not be used for separate occupation since Multiple Dwellings (1 existing, 3 new) are proposed on them;
- (2) have been owned by the same person since 2016; and
- (3) have the qualities of a minimum lot.

Thus, it is recommended that any planning permit issued includes a condition for an adherence order in the following terms:

"Prior to the commencement of use, the lots comprising the site area must be consolidated. The cost of consolidating the titles lies solely with the developer.

The developer must pay any Titles Office lodgment fees required by the Recorder of Titles."

5. PLANNING SCHEME ASSESSMENT

Compliance with Applicable Standards:

5.6.1 *A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.*

5.6.2 *A standard is an applicable standard if:*

- (a) *the proposed use or development will be on a site within:*
 - (i) *a zone;*
 - (ii) *an area to which a specific area plan relates; or*
 - (iii) *an area to which a site-specific qualification applies; or*
- (b) *the proposed use or development is a use or development to which a relevant code applies; and*
- (c) *the standard deals with a matter that could affect, or could be affected by, the proposed use or development.*

5.6.3 *Compliance for the purposes of subclause 5.6.1 of this planning scheme consists of complying with the Acceptable Solution or satisfying the Performance Criterion for that standard.*

5.6.4 *The planning authority may consider the relevant objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.*

Determining applications (clause 6.10.1):

6.10.1 *In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:*

- (a) *all applicable standards and requirements in this planning scheme; and*
- (b) *any representations received pursuant to and in conformity with section 57(5) of the Act,*

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

Demolition

The demolition is not prohibited and is on land not affected by the Local Historic Heritage Code of the planning scheme. As such, it is assessed as part of the proposed development.

Use Class

The Use Class is categorised as Residential (Permitted).

The proposal provides for residential use and development where full infrastructure services are available.

Compliance with Performance Criteria

The proposal meets all relevant planning scheme's Acceptable Solutions except for the following:

8.4.6 A3/P3 Privacy for all dwellings (Shared driveway)

Objective:	
To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions	Performance Criteria
<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>P3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

Since a shared driveway is proposed within 1m of the windows for the living rooms for units 2 and 3 (see Figure 4), the proposal cannot meet the Acceptable Solutions in clause 8.4.6 A3(a) or (b) and relies on the Performance Criteria in clause 8.4.6 P3.

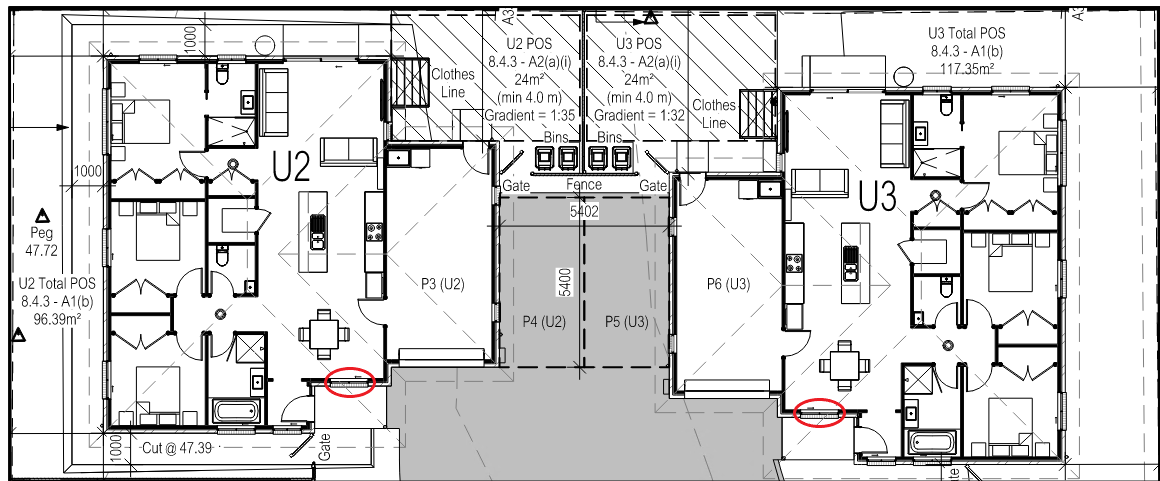


Figure 4. Proposed site plan

While the above windows are not screened, it is considered that the proposed shared driveway is designed to minimise unreasonable impact of vehicle noise and light intrusion to the living rooms for units 2 and 3. Specifically, most of the vehicle noise and light intrusion that may occur in the living room of unit 2 is likely to be caused by vehicles that pertain to that unit parking on P3 and P4, so the impact is not considered unreasonable. Likewise, most of the vehicle noise and light intrusion that may occur in the living room of unit 3 is likely to be caused by vehicles that pertain to that unit parking on P5 and P6, so the impact is not considered unreasonable. Therefore, the proposal is deemed to comply with the Performance Criteria in clause 8.4.6 P3.

6. REFERRALS

Council's Development Engineer

Council's Development Engineer was consulted regarding this proposal. That officer considers that the proposal can satisfy the applicable standards of the Parking and Sustainable Transport Code and the Road and Railway Assets Code, and that the proposal will not generate stormwater issues provided that the stormwater-related conditions on any planning permit issued be observed. Comments have been incorporated into the officer's report, where necessary.

TasWater

The application was referred to TasWater, and TasWater has issued a Submission to Planning Authority Notice (SPAN) Reference No. TWDA 2022/01844-BTN, dated 25/11/2022. A copy of the SPAN will be attached to any planning permit issued.

7. REPRESENTATIONS

One representation was received during the statutory public exhibition period between 3 and 19 December 2022.

The representor's concerns are summarised below and a planning response to these concerns is provided:

Representors' concerns	Planning Response
<p>Increased residential density adversely affecting an adjoining property's value;</p>	<p>The site is zoned General Residential. In this zone, multiple dwellings are permitted. The proposal complies with the density requirements in Clause 8.4.1 A1 of the planning scheme (i.e., each unit has a site area exceeding 325m²). The planning scheme does not regulate potential impacts on the market value of adjoining properties resulting from a development.</p>
<p>Loss of privacy to an adjoining property, particularly due to the siting of one of the proposed units;</p>	<p>The proposal does not require assessment against Clauses 8.4.6 A1/P1 or A2/P2 of the planning scheme. Thus, it is considered to provide a reasonable opportunity for privacy for dwellings on adjoining properties.</p>
<p>Inappropriate level of car spaces to meet the needs of the proposed use; and</p>	<p>The proposal complies with the number of on-site car parking spaces required by Table C2.1 of the planning scheme (i.e., 2 car parking spaces per dwelling and 1 dedicated visitor car parking space per 4 dwellings). Thus, it is considered that the proposal provides an appropriate level of car parking spaces to meet the needs of the use.</p>
<p>Adverse impacts on the safety and efficiency of the road network via increased vehicular traffic generated by the proposal.</p>	<p>It is proposed that one access serves the entire site.</p> <p>The site is likely to be accessed by vehicles up to 5.5m long only.</p> <p>Vehicle traffic to and from the site is unlikely to increase by more than the amounts in Table C3.1 of the planning scheme (i.e., 20% or 40 vehicle movements per day).</p> <p>Thus, it is considered that the proposal will not create unreasonable impacts on the safety and efficiency of the road network.</p>

8. CONCLUSION

The proposal satisfies all relevant provisions of the planning scheme. Thus, it is recommended for approval with conditions.

RECOMMENDATION:

That:

- A. Pursuant to the *Tasmanian Planning Scheme - Brighton*, Council approves application DA 2022 / 00234 for Buildings Demolition, Multiple Dwellings (1 existing, 3 new) & Title Consolidation at 32 & 34 Andrew Street, Brighton, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

General

- (1) The use or development must be carried out substantially in accordance with the application for planning approval, endorsed drawings and conditions of this permit and must not be altered or extended without the further written approval of Council.
- (2) Where a conflict between the application for planning approval, endorsed drawings and conditions of this permit, the latter prevails.
- (3) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Adhesion of Titles

- (4) Prior to the commencement of use, the lots comprising the site area must be consolidated. The cost of consolidating the titles lies solely with the developer.

The developer must pay any Titles Office lodgment fees required by the Recorder of Titles.

Amenity

- (5) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's Manager Development Services.

Landscaping

- (6) Before the use commences, all trees and landscaping must be planted and installed in accordance with the approved landscape plan to the satisfaction of the Council's Manager Development Services. Evidence showing compliance with this condition must be submitted to, and approved by, the Council's Manager Development Services within 30 days of planting.
- (7) Replacement trees and landscaping in accordance with the approved landscape plan must be planted if any is lost. All landscaping must continue to be maintained to the satisfaction of Council.

Private Open Space

- (8) Before the use commences, the private open space for all units must be formed or constructed to the satisfaction of the Council's Manager Development Services and in accordance with the approved landscaping plan.
- (9) The private open space for each unit must be separated from other units and common areas by a paling fence no less than 1.7m in height above the natural ground level.

Services

- (10) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.
- (11) Services located under the access driveway are to be provided with trafficable covers to the requirements of the local authority and to the satisfaction of the Council's Municipal Engineer.

TasWater

- (12) The use and/or development must comply with the requirements of TasWater, as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/01844-BTN, dated 25/11/2022, as attached to this permit.

Parking and Access

- (13) At least nine (9) car parking spaces must be provided on the land at all times for the use of the development, including at least two (2) car parking spaces per dwelling and at least one (1) designated for visitor parking, in accordance with Standards Australia (2004) Australian Standard AS 2890.1 - 2004 - *Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney*.
- (14) Unless approved otherwise by the Council's Municipal Engineer, all parking, access ways, manoeuvring and circulation spaces must be provided in accordance with Standards Australia (2004); Australian Standard AS 2890.1 - 2004 - *Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney*, and include the following:
 - (a) Be constructed with a durable all-weather pavement.
 - (b) Be drained to the public stormwater system.
 - (c) Be surfaced by concrete or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.
 - (d) have a gradient in accordance with *Australian Standard AS 2890 - Parking facilities, Parts 1-6*.
 - (e) provide for vehicles to enter and exit the site in a forward direction.
 - (f) have an access width of not less than 5.5 metres for the first 7m from the road carriageway and 3m thereafter.

- (g) have an internal access width not less than 3m, with adequate manoeuvring areas to accommodate turning paths of vehicles entering and exiting parking spaces (including 0.3m clearance to any fixed object greater than 150mm in height including fences and walls).
 - (h) parking areas are to be delineated by line marking and signed in accordance with AS2890.1, clause 4.3.2.
 - (i) have a vertical clearance of not less than 2.1m above the parking surface level.
- (15) Before the use commences, the completed parking, access ways, manoeuvring and circulation spaces must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings, permit conditions and relevant standards.
- (16) All areas set-aside for parking and associated turning and access must be completed before the use commences and must continue to be maintained to the satisfaction of the Council's Municipal Engineer.

Access to Road

Advice: No works on or affecting any Council road reservation are to be commenced until the Brighton Council has issued a WORKS IN ROAD RESERVATION PERMIT. Application for the issue of the necessary works permit is to be made to the Brighton Council's Asset Services department prior to the proposed date of commencement of any works.

Stormwater

- (17) Stormwater from the proposed development must drain to the public stormwater system to the satisfaction of Council's Municipal Engineer and in accordance with the *Building Act 2016*.
- (18) Stormwater from the proposed development must be treated prior to entering the public stormwater system to achieve that the quality targets in accordance with the Tasmanian Stormwater Policy Guidance and Standards for Development dated November 2021. Water Sensitive Urban Design Principles will be in accordance with the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania, Council Policy 6.1 Stormwater Quality Control Contributions and to the satisfaction of the Council's Municipal Engineer.

Alternatively;

The developer may make a financial contribution to Brighton Council for the provision of stormwater treatment in accordance with Council Policy 6.1 Stormwater Quality Control Contributions.

Advice: A request may be made to make a partial contribution if it can be proven that the development will partially meet the WSUD principles of 45% reduction in total nitrogen and total phosphorous and 80% reduction in total suspended solids. The contribution will be based on the percentage reduction demonstrated that will be achieved by WSUD treatment options proposed to be installed.

*A copy of Council Policy 6.1 Stormwater Quality Control Contributions is available from the Brighton Council Website
<https://www.brighton.tas.gov.au/council/policies/>*

General Manager's consent is required for connection to the public stormwater system in accordance with the Urban Drainage Act. Providing the planning permit conditions are met General Managers Consent will be granted.

- (19) Where stormwater treatment is provided, the stormwater system must continue to be maintained to ensure the quality targets are maintained and water is conveyed so as not to create any nuisance to adjacent properties.
- (20) The driveway must be drained to minimise surface runoff over adjoining land in accordance with the requirements of the Municipal Engineer and in accordance with the *Building Act 2016*.

Soil and Water Management

- (21) Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences. The SWMP shall form part of this permit when approved.
- (22) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's General Manager.

Demolition Amenities

- (23) Demolition is to be undertaken in one continuous activity to minimise the impact on the community, neighbours, and pedestrians.
- (24) Demolition preparation, activities and the resulting cartage must only be carried out between the following hours, unless further approved otherwise.

Monday to Friday	7:00 a.m. to 6:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.
Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.
- (25) Public roadways or footpaths are not to be used for the storage of materials or construction equipment unless appropriately positioned, registered, or approved by Council. All loading, and unloading activities are to occur wholly within the site.
- (26) All demolition and rehabilitation works are to be carried out in such a manner as not to allow dust, airborne crystalline silica, or water to escape from the site.
- (27) Noise and vibration emissions are to be managed on site and reduced to acceptable levels.

Construction amenity

- (28) The road frontage of the development site including road, kerb and channel, footpath and nature strip, must be:
- (a) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.
 - (b) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

In the event a dilapidation report is not provided to Council prior to commencement or comprehensive enough, any damage on completion, existing or otherwise, may be deemed a result of construction activity and require replacement or repair to the satisfaction of Council's Municipal Engineer.

- (29) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Development Services:

Monday to Friday	7:00 a.m. to 6:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.
Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.

- (30) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function, and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- (a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, wastewater, waste products, grit or otherwise.
 - (b) The transportation of materials, goods, and commodities to and from the land.
 - (c) Obstruction of any public footway or highway.
 - (d) Appearance of any building works or materials.
- (31) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager Development Services.
- (32) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- (33) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Municipal Engineer.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. Please contact your private building surveyor to ascertain what approvals (if any) are required under the *Building Act 2016*.
- B. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

DECISION:

Cr De La Torre moved, Cr Whelan seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour**Against**

Cr Curran
Cr De La Torre
Cr Geard
Cr Gray
Cr Irons
Cr Owen
Cr Whelan

13.2 Combined Permit & Amendment Application: Combined Planning Scheme Amendment & Planning Permit Application - 15 Cheswick Crescent, Bridgewater - Section 40K & 42 Report

Author: B White (Planning Officer)

Authorised: J Blackwell (A/Manager Development Services)

File Reference:	RZ 2022-04 & SA 2022/ 43
Author:	Brian White
Applicant:	Brighton Council
Owner:	Brighton Council
Location:	15 Cheswick Crescent, Bridgewater
Zoning:	Inner Residential & Open Space
Planning Instrument:	Tasmanian Planning Scheme - Brighton
Date Advertised:	23 rd November 2022 to 21 st December
Representations:	Two (2)

1. Executive Summary

The report considers the exhibition period regarding a combined permit and amendment application to:

- Rezone part of 15 Cheswick Crescent, Bridgewater (CT 6706/982) from Inner Residential to Open Space;
- Update the Waterway and Coastal Areas Overlay mapping under C7.0 Natural Assets Code to reclassify the Cheswick Creek watercourse at 15 Cheswick Crescent, Bridgewater from a Class 2 to a Class 4 under Table C7.3 and remap the watercourse accordingly; and
- Subdivide 15 Cheswick Crescent, Bridgewater into two (2) lots.

The application was made by Council Officers pursuant to Section 40T of the *Land Use Planning and Approvals Act 1993* ('the Act').

Council's Planning Authority, at its meeting of the 15th November 2022 agreed to the proposed planning scheme amendment made by Brighton Council (s.38 (2)) and therefore prepared and certified the draft amendment to the LPS (s. 40F) as meeting the LPS criteria (s. 34) under the Act. The application was accompanied by a permit application which was considered concurrently to the draft amendment and was approved subject to conditions (s. 40Y).

The combined permit and amendment application was then exhibited for a period of twenty-eight (28) days (s. 40H). Two (2) representations were received from Taswater regarding the draft amendment (s. 40J) and draft permit (s. 41 (1)).

This is a report required by section 40K and 42 of the Act to be submitted to the Commission in relation to the representations received during advertising.

It is considered that the representation to the draft amendment does not raise matters that warrant its modification.

It is considered that the representation relating to the draft permit contains merit and that the draft permit ought to be modified to consider the representation and include reference to the Taswater SPAN. (s. 42). A modified draft permit containing reference to the SPAN is therefore provided as Attachment B.

2. The Representations and Response

Representation 1 - Taswater SPAN
<p>TasWater have provided a SPAN pursuant to section 56P (1) of the <i>Water and Sewerage Industry Act 2008</i> during the advertising period. This submission is considered to be a representation regarding the draft permit.</p> <p>The representation is provided as attachment A to this report.</p>
Section 42K (b) and (c) Response
<p>It is considered that the representation contains merit, and that the Taswater SPAN must form part of an amended draft permit. Condition 2 will be inserted into the draft permit as follows:</p> <p><i>(2) The development must meet all required conditions of approval specified by Tas Water Submission to Planning Authority Notice TWDA 2022/01884-BTN, dated 25/11/2022.</i></p> <p>The amended draft permit containing this condition is provided as Attachment B to this report.</p>
Representation 2 - Taswater advice on amendment
<p>Taswater have provided a submission pursuant to section 56S (2) of the <i>Water and Sewerage Industry Act 2008</i> stating that they have no objections and have no formal comments for the Tasmanian Planning Commission in relation to this matter, and do not require to be notified of nor attend any subsequent hearings.</p> <p>The representation is provided as attachment A to this report.</p>
Section 40K Response
<p>The submission does not impact on the draft amendment. The draft amendment therefore is still considered to meet the LPS criteria.</p>

3. Conclusion

The representation from TasWater regarding the draft permit has merit. The draft permit should be modified to include reference to the SPAN as detailed in this report.

It is recommended that the Planning Authority approves the amended draft permit and that this report and the relevant attachments are forwarded to the Tasmanian Planning Commission for determination.

Options:

- a) To adopt the recommendation; or
- b) To adopt an alternative recommendation satisfying the provisions of section 40K and 42 of the Act, with a full statement of reasons as determined by Council.

RECOMMENDATION:

It is recommended that Council resolves to:

- a) Pursuant to section 40K(1) of the *Land Use Planning and Approvals Act 1993*, advise the Tasmania Planning Commission that one (1) representation was received during the exhibition of draft amendment RZ 2022-04 that related to the draft amendment.
- b) Pursuant to section 42(a) of the *Land Use Planning and Approvals Act 1993*, advise the Tasmania Planning Commission that one representation was received during the exhibition of the draft amendment RZ 2022-04 and permit application DA 2022/43 that related to the permit application.
- c) Pursuant to section 40K (2)(a) and 42(a) of the *Land Use Planning and Approvals Act 1993*, provide to the Tasmanian Planning Commission a copy of the representations that were received during the advertising of draft amendment RZ 2022-01 and draft permit SA 2022/ 43.
- d) Pursuant to section 40K (2)(c) of the *Land Use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that the representations received during advertising do not warrant modifications to draft amendment RZ 2022-04 as detailed in this report.
- e) Pursuant to section 42 (b) and (c) of the *Land Use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that the representations received during advertising warrant modifications to draft permit DA 2022/ 43 as detailed in this report.
- f) Pursuant to Section 40K and Section 42 of the *Land Use Planning and Approvals Act 1993*, provide this report and the relevant attachments regarding draft amendment RZ 2022-01 and DA 2022/ 43 to the Tasmanian Planning Commission.

DECISION:

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

CARRIED

VOTING RECORD

In favour

Cr Curran
Cr De La Torre
Cr Geard

Against

Cr Gray
Cr Irons
Cr Owen
Cr Whelan

14. Reports from Officers

14.1 Annual Plan 2022-23 - Progress Update

Author: General Manager (J Dryburgh)

Background

Every year Council prepares an Annual Plan. The Annual Plan is a requirement under the *Local Government Act 1993*. It must align closely with the budget.

The purpose of this report is to provide a mid-year update on Council's progress against the actions within the Annual Plan for 2022-23.

Consultation

Senior Management Team and relevant staff.

Risk Implications

None.

Financial Implications

This report is not a budget review. It is a summary of progress against the Annual Plan but it does also give an indication of how council is tracking against many key items in the budget.

Strategic Plan

The Annual Plan was prepared consistent with Council's Strategic Plan.

Providing a mid-year update on the progress of the Annual Plan furthers Goal 4 of the Strategic Plan to 'ensure a stable organisation' especially with regard to:

S4.1: Ensure Financial & Risk Sustainability

S4.2: Be well-governed

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

Social Implications

The Annual Plan includes a range of actions focussing on social outcomes.

Environmental or Climate Change Implications

The Annual Plan includes a range of actions focussing on environmental issues and opportunities.

Economic Implications

A range of actions within the Annual Plan have economic implications.

Other Issues

Nil.

Assessment

The Key Focus Areas and Summary of Strategies and Initiatives for 2022/2023 are listed below, with comments in italics provided below each action.

I. **Strengthen Our Communities**

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

- Support the Hobart Gymnastics Association's ongoing presence in Bridgewater by collaborating to try to ensure long and successful operation.

Council staff have been in consultation with the Chair of the HGA board about consideration of a long-term plan for the club. This has included looking into alternative sites and potential external funding models. Ideas in this space are also contingent on the broader vision by Gymnastics Australia for infrastructure across the south of the state.

Council has undertaken some minor repairs to the roof of the building due to leaks experienced in heavy rain.

- Undertake an internal review of Council's Open Space Strategy 2012.

An internal review of the Open Space Strategy 2012 is underway and is on track to be completed this calendar year. The outcome will include updated maps showing the current extent of open space in the area, its status and a gap analysis identifying open space needs.

- Complete a Community Infrastructure Needs Analysis and identify priority actions for future years.

The Draft Brighton Social Infrastructure Plan was endorsed by Council for community consultation in December 2022. Consultation will take place from late January to early March 2023 with the Plan on track to be completed this financial year.

- Continue Council's support for the Brighton Care Collective and PCYC.

The Brighton Care Collective was wound up in late 2022. This was instigated by the Collective itself due to the project losing momentum and its original purpose.

Council has continued supporting the PCYC, including financially. There has been increased communication between Council and the PCYC now that Council is more heavily invested in community development.

- **Lobby for and facilitate greater investments in local health services and long-term solutions to the current lack of General Practitioners and other medical services in the region.**

Council's Mayor and General Manager have repeatedly lobbied on this issue with both major parties and at the State and Federal level at every opportunity. An election promise was made by Labor late in the Federal election campaign, which is now being honoured for \$1.5 million to support the establishment of a new GP clinic in Brighton on land currently owned by Council. Council is currently in negotiations to determine the terms of the grant and the best way to ensure it leads to a new GP clinic and additional health services for the area.

Council officers have also had discussions with other health providers, such as dentistry, Aboriginal health and allied health, to try to ensure ongoing and increased services in the area.

- **Lobby and build relationships for a more holistic approach to public and affordable housing projects that have greater consideration and investment in design, quality, integration with surrounding infrastructure, community building and harmony and with a clear eye on the long-term legacy of single and collective projects.**

Council staff continue to engage with Centacare Evolve Housing (CEH) as the key public and affordable housing provider in the municipality. Improvements in design quality and community building remain challenging given CEH's budget constraints and their new contract to deliver housing with a lesser focus on community building. Council officers will engage with the newly formed "Homes Tasmania" in early 2023 in the hope of positively influencing their approach. They have recently purchased land in Brighton.

- **Support community to improve how services and supports are connected and promoted throughout the municipality.**

Reviewed Brighton Alive network through a survey asking participants how we can make the most of this network.

Engaging with community services and social work students to engage with health services and access to care.

Commenced the Safeguarding Brighton Volunteering Strategy.

Playing a back of house role to support the grass roots Brighton Food Hub initiative to ensure its sustainability as it meets a significant community need.

- **Assist the community to prepare for the changing climate, with a key focus on overland flooding, coastal hazards and bushfire hazard management.**

Staff are preparing a planning scheme overlay for overland flooding to assist and educate the community. The layers will soon be ready for publication on Council's website and for submission of the planning scheme amendment.

A coastal hazards risk assessment has commenced.

Council continues to monitor bushfire hazard management through abatement notices and through involvement with the relevant bodies.

Council has lobbied for improved mobile phone coverage for the region, especially the Tea Tree and Pontville blackspots.

2 Create Housing/Employment/Play/Education (Liveability)

- **Lobby Government and build relationships with a range of partners to ensure better educational and wellbeing outcomes for our community.**

Healthy Focus grant \$100k to develop a youth documentary applied for, results in June.

Community Safety Grant \$35k to run the Full Gear Program. Unsuccessful.

Healthy start grant \$5k to activate Brighton Youth Action Group – successful.

Communities for Children youth grant \$180k for a potential youth officer shared over sub-region – applied for.

- **Construct off lead area for dogs at the Ted Jeffries Memorial Park in Brighton.**

Final planning and design work for the full \$3.3 million upgrade to this park and recreation facilities is well underway. The timing of this project has been contingent on Federal funding and the confirmation of funding within the October budget. The off-lead dog area is intended to be one of the first actions once construction begins and should still be completed within the financial year.

- **Continue to progress master planning for the South Brighton Precinct, incorporating the new Brighton High School design and development.**

The South Brighton Master Plan has now been finalised following several rounds of community consultation and amendments based on community feedback. A draft planning scheme amendment, which provides the planning framework to implement the Master Plan, was initiated by Council in December 2022 with public exhibition commencing in late January 2023.

Following public exhibition, Council will workshop the submissions and consider making any changes to the draft planning scheme amendment before submitting it to the Tasmanian Planning Commission to hold public hearings and make a final determination.

- **Investigate rezoning for infill development around Sorell Street and Samuel Street Bridgewater.**

Initial land-owner consultation around this idea has been undertaken. Options for progressing a rezoning are now being discussed with key landowners.

- **Finalise the Old Beach Zoning Review and commence implementing its recommendations.**

The draft Old Beach Zoning Review report was endorsed by Council for community consultation in December 2022. Consultation will take place from late January to early February 2023 and the report is on track to be completed this financial year.

- **Investigate other rezoning opportunities within the Urban Growth Boundary.**

There are minimal opportunities for rezoning land within the existing Urban Growth Boundary other than land that is already zoned Future Urban and the land that is already being looked at in South Brighton and Old Beach.

Council officers are working with the other southern councils and the State Planning Office to try to progress the renewal of the Southern Tasmania Regional Land Use Strategy (STRLUS) and to establish a system for considering more short-term amendment to the Urban Growth Boundary.

- **Lobby for and prepare grant applications for external funding for community infrastructure projects within Council's 10 Year Infrastructure Plan.**

Council had several major grant applications under relevant grant programs, which were aligned to our 10 Year Plan. Council was successful with major funding for Cris Fitzpatrick Park and Ted Jeffries/Seymour Street.

Unfortunately, after extensive work and waiting almost a year for a decision, the major grant application under the Building Better Regions Fund for Andrew Street and the Brighton Town Square was unsuccessful due to the newly elected Federal Government abolishing the entire grant round.

Once Council endorse a new 10 Year Plan later this financial year, officers will assess which projects are the priorities and are most likely to meet relevant grant guidelines and ensure they are each grant ready for when funding opportunities arise.

- **Continue the smooth and successful running of the 'Regional Jobs Hub' (Southcentral Workforce Network) on behalf of the region and support its ongoing expansion of services and programs.**

The Southcentral Workforce Network (SWN) continued to go from strength to strength, hugely surpassing its initial targets. The team has now expanded to five staff and the number and range of programs now managed by 'the Hub' has also grown significantly. It is a real success story and has become a well-known and important part of our region's economic, education and employment system.

- Continue and enhance cultural, social, environmental and educative partnerships, activities and events, including for youth, including with MONA, BigArt, Vibrance, Libraries Tasmania, Volunteering Tasmania, Landcare, PCYC and Brighton Care Collective.

Covered in other sections.

- Investigate mechanisms to minimize negative social and infrastructure impacts created by large numbers of multiple dwelling developments in close proximity, including the potential for more equitable infrastructure and open space charges for unit developments.

A draft planning scheme amendment is being prepared for the Burrows Avenue area to improve planning outcomes in the area. This is likely to be workshopped with Council in early 2023. Officers have been researching and collaborating with relevant agencies to consider models for more equitable infrastructure contributions.

Provide Public Facilities/Amenities

- Continue investigating options for council's waste management system and transfer station operations, with a focus on improving sustainability, benefits to the community and financial outcomes.

Council has progressed the rationalisation of surplus land adjoining the waste transfer station. Council has also been active in the establishment of the new regional waste body for the south.

Council officers have been involved in the establishment of the new container deposit scheme, including identifying suitable locations locally.

Improvements and monitoring of council's FOGO service continue as does council's waste education program.

The State Waste Strategy has recently been released and council is tracking how the Local Government Review may influence future waste management.

- Continue Council's waste and sustainability education program and its support for overall waste management in the area.

Council has been active in the waste and sustainability education program and has recently been recognised as follows:

- *Nominated as a finalist at the recent LGAT Awards for Excellence for the "Building an environment and climate change program".*
- *Celebrated being Runner-up Tasmanian Tidy Town as part of this years Keep Australia Beautiful Awards in King Island.*
- *Won the Community Spirit and Inclusiveness, Community Health and Wellbeing Award and the 5-20,000ppl Council award.*

- Complete the construction of a new public toilet block at the Stage 2 Bridgewater parkland development.

TasWater is establishing their connections in January. Construction should commence soon and be complete by the end of April.

- Continue working with all key stakeholders to develop Pontville Park into a first class regional sporting, recreation and community facility in line with the site master plan.

Council continues to work with the multiple users of Pontville Park and support the activities there that collectively serve a large number in the community. Council had its first stall at the Brighton Show this year, which was a great opportunity for community members to engage with Council.

- Construct a pump track in Bridgewater.

Council officers are still investigating the best options for the cost-effective development of a pump track in Bridgewater.

- Plan, design and undertake community consultation for an additional section of gravel walkway along the Old Bach Foreshore from Morrisby Road to Blackstone Drive.

Initial work on planning and design is scheduled to commence in early 2023.

- Commence Stage 1 of Cris Fitzpatrick Park in accordance with the Master Plan and in collaboration with project partners.

Council's footpath upgraded have been completed.

Concept design for Stage 1 is being completed with detailed design and tender expected to be completed in early 2023. Stage 1 is expected to be constructed this calendar year.

- Complete planning and design work and commence construction of a neighbourhood park in Herdsmans Cove.

Detailed design is being finalised for tender. Construction is likely to begin early 2023.

- Continue implementing actions from Council's Public Art Strategy.

Three spaces have been activated throughout the municipality including the Gagebrook Community Centre, Cris Fitz public toilets and a feature community 'paint by numbers' piece that is going to be hung inside the Civic Centre.

We also planning to have the Tas Water structure next to the Jordan River painted by June 2023.

Bighart will also commence their work in JRLF SS this year with an additional \$30k granted to them to continue their successful work from last year.

- Pursue the development of a town square in Brighton.

Planning permits have been issued for the supermarket and town square development. Unfortunately the grant round that Council provided a submission for the town square was scrapped by the new Federal Government. Council will look to coordinate the development of the town square with the construction of the IGA development.

1/4 Support Connected Communities

- Continue ongoing roll out of new disabled access kerb ramps and continue improving disability access and aged friendly community infrastructure more generally.

Council officers are engaging with relevant consultants for to conduct a full audit. A proposal for this work will come to Council.

- Construct sections of walkway to link Gagebrook to the East Derwent Highway pathways in conjunction with the Cris Fitzpatrick redevelopment.

Council has completed this work. There is a small section not completed yet, which is the responsibility of Centacare and will be completed as part of their residential development currently under construction.

- Continue to support Brighton Alive administration and coordination.

Brighton has continued supporting Brighton Alive and is in the process of expanding this support having now reviewed the network through a survey asking participants how we can make the most of this network.

- Continue to progress Council's Reconciliation Action Plan.

Council has continued progressing its Reconciliation Action Plan.

- Commence the drafting of a Community Engagement Strategy.

Council officers have begun drafting a community engagement strategy, a draft of which is scheduled to be workshopped with Councillors in February or March.

- Continue the publication of the Brighton Community News and provision of information via Council's website and social media platforms.

Council has continued the publication of the BCN, with six issues a year. Council continues to get positive feedback that the BCN is valued and that the new style is much more reader friendly and engaging.

Council remains active in the provision of information to the community via various platforms.

6 Build a Resilient Community and Environmentally Sustainable Future

- Continue implementing the Greening Brighton Strategy, including Council's ongoing tree planting program.

Street trees have been planted along Eddington Street thanks to a generous contribution from the Material Institute. Street trees have also been planted along the East Derwent Highway near the Midland Highway roundabout. The main focus for the rest of the calendar year will be implementing the gateway plantings for the Industrial Hub.

- Develop strategic partnerships with environmental and social organisations to enhance environmental management outcomes and build greater community engagement in local environmental and social activities.

Council continue to strengthen partnerships with organisations such as Derwent Estuary Program, Landcare, Material Institute and the Derwent Catchment Group.

- Develop a corporate energy action plan, identifying opportunities for Council to further reduce emissions and save on its energy bills.

A draft Energy Action Plan is currently being prepared, which includes going through and doing basic energy audits on key buildings and assets. The draft plan will be provided to Council in early 2023.

- Update the flood-prone hazards overlay in the planning scheme based on modelling from catchment management plans.

Stormwater Catchment Management Plans for the urban areas of the municipality were endorsed by Council in late 2022. Council staff have begun preparing online mapping to create a planning overlay so that the information is more accessible and landowners can make better development decisions. The planning scheme amendment will hopefully be approved this calendar year.

- Begin transitioning Council's vehicle fleet to electric vehicles.

Council has ordered its first electric vehicle to be included in the fleet.

- Continue to report on Council's corporate greenhouse gas emissions and continue taking actions to reduce emissions towards Council's target of 30% reduction by 2030 on 2021 levels and to zero by 2040.

Council's emissions reduced by 73% (based on 2021 levels), exceeding the existing corporate greenhouse gas emissions interim target of a 30% reduction by 2030. The rapid fall in emissions was unexpected and is largely a result better than predicted use of the FOGO services and of Brighton's landfill waste now being sent to the Copping facility, managed by Southern Waste Solutions, that captures, flares methane gas, and generates electricity from biogas, which lowers greenhouse gas emissions from landfill waste significantly.

The corporate emissions target will be revised in early 2023.

- Investigate coastal hazard impacts and building resilience through the Brighton Derwent River Foreshore Coastal Hazards Project.

The Brighton Derwent Foreshore Coastal Hazards Project commenced in late 2022 with an inception meeting with the appointed consultants. A Project commencement presentation was provided to Council in November and initial information gathering has commenced. The project is expected to be completed this calendar year.

2. Create 2-3 Hubs for our Connector Satellite City

2.1 A focus on Agriculture/Horticulture/Aquaculture (Food) Wellbeing

- Implement new Weed Management Strategy.

Council's new Weed Management Strategy has been implemented and our reserve team now work to this Strategy. This is resulting in a more strategic and long-term approach to managing weeds in the area.

- Prepare a Natural Resource Management Strategy.

A draft Natural Resource Management Strategy is being finalised for consideration by Council.

- Continue to assist with the promotion of MONA's 24 carrot program and the School Farm to increase food production learning in local schools.

Council has been active in many activities that involve collaboration with this program. Most recently, supporting a Tasmanian Community Fund grant application for a commercial kitchen and social enterprise café at the Eddington Street facility, which Council lease to MONA/Material Institute for a growing range of community functions in addition to the 24 Carrot program.

- Develop a farm to plate and plate to farm Waste Wise campaign to increase awareness of food miles and FOGO options.

This work has been part of the ongoing WasteWise program led by Gwen Harper on behalf of Council and involving other council officers at times. It continues to be warmly received by our local schools and appears to provide broader benefits throughout the community.

- Work with the agriculture community to increase biodiversity and climate resilience in private land management.

The Derwent Catchment Program will be running sessions with rural land-owners this financial year as part of their agreed work for Council.

22 Education/Capability Build

- Continue to support MONA's community development work, including at Bond Place and Eddington Street.

Council recently supported a successful Tasmanian Community Fund grant application for a commercial kitchen and social enterprise café at the Eddington Street facility, which Council lease to MONA/Material Institute for a growing range of community functions in addition to the 24 Carrot program.

Council is working with the Material Institute to coordinate the Cris Fitzpatrick Park redevelopment with their outdoor classroom development in Bond Place. Construction is expected to be complete this year.

- Continue to work with the Department of Education on the development of the new Brighton High School precinct and investment in the School Farm.

The School Farm project has been completed.

A planning permit has been issued for the Brighton High School and a building permit application was received in early January 2023.

Council will begin the Elderslie Road upgrades in January, with preparatory works followed by full works beginning in February. The stormwater tender for this project also closes in January.

- Continue to support schools through collaboration and engagement, including with Council's waste and sustainability education programs.

Waste and sustainability education programs have included:

- *Creating Christmas trees out of waste material with Gagebrook Primary School and East Derwent Primary School, resulting in hundreds of bottle caps being recycled into art pieces.*
- *A series of FOGO awareness raising activities with high school students at the Jordan River farm and local primary schools.*
- *Developing stronger relationship with schools including the launch of the BYAG which aims to engage young people aged 12 – 24 to ensure they have a seat at the decision-making table.*

23 Support further development of a Business and Logistics Hub

- Continue implementing the priority actions from the Brighton Industrial Estate Brand & Place Strategy, including entry signage and associated landscaping.

The planning scheme amendment required for the landmark entrance signage has been approved. Construction and installation of the signage is likely to be completed this financial year.

Work on the Landscape Entrance Framework is proceeding. Licenses and maintenance arrangements with State Growth are still being negotiated.

Work on a concept plan for a “town square” at the truck rest stop will commence in early 2023.

- Engage with current and potential local businesses and employers to better understand and assist with identified issues and opportunities.

Council representatives continue to have regular communication and work constructively with a range of current and potential local businesses.

- Investigate opportunities for circular economy and renewable energy investment within the Brighton Hub area.

Staff have assisted in the preparation of a circular economy study that focuses on the opportunities in the Brighton Industrial Hub that is being prepared for the Office of the Coordinator General (OCG). Officers are still awaiting the draft study from the OCG. It will be presented to Council once received.

3. Drive Infrastructure Development

3 Support 30% Growth Target

- Pursue grant funding for strategic capital projects.

In addition to the earlier comments regarding funding for Seymour Street, Cris Fitzpatrick Park and a local park in Herdsmans Cove, funding has also been committed from the Federal Government towards a new GP clinic in Brighton.

Council officers have also been active in pursuing funding opportunities for an expanded CCTV network and a program of upgrading bus stops to make them DDA compliant.

Funding priorities will be reviewed once the new 10 Year Plan is endorsed.

- Optimise use of council land for community benefit and long-term council sustainability, including exploring potential sales and purchases.

Council have pursued the rationalisation of surplus land at the waste transfer station. The GP clinic also involves the utilisation of surplus council land.

Several EOLs and discussions are also active regarding potential sale or lease of other council sites.

Some sites are being considered for sale for residential development, which are likely to come to Council for consideration in the first half of 2023.

- Pursue the review of the Southern Tasmanian Regional Land Use Strategy and changes to the Urban Growth Boundary to support fair, efficient and sustainable growth of the region.

Council staff have been strongly advocating for a review of the Southern Tasmanian Regional Land Use Strategy and providing input into a number of papers that will inform the review, including a submission on the Tasmanian Planning Policies.

Brighton are likely to lead the coordination of a State-funded 'regional planning coordinator' position for the Southern Region to coordinate the remaining background work for the STRLUS update and the initial preparation of the STRLUS itself.

- Engage with all levels of government and with the Greater Hobart Committee to help realise the opportunities for Brighton within a regional context.

Brighton continues to be proactive at a regional level, leading its sub-regional group, administering the STCA and engaging regularly with the City Deal group and LGAT.

- Advocate for improved public and active transport, including ferry infrastructure and services.

Brighton has advocated strongly for improved public transport, especially recently with regards to ferries and park and ride facilities as part of the Bridgewater Bridge project.

State Growth is undertaking background work to inform a Derwent River Masterplan, which will consider sites within our municipality. Part of this work includes:

- *guidelines for wharf location decision-making, both for reservation of potential sites and threshold triggers for infrastructure and service establishment;*
 - *provide advice on ferry routes and frequency;*
 - *provide advice on fleet size and type;*
 - *principles upon which decisions regarding infrastructure spending should be based.*
- Commence the Outer Hobart Residential Demand and Supply Study in partnership with other Councils and the State Government.

Brighton Council is project managing the Study on behalf of a number of southern councils. The study will inform the Southern Tasmanian Regional Land Use Strategy.

- Commence the Bridgewater Bridge North Interchange Master Plan in partnership with State Government to ensure the necessary infrastructure is provided and opportunities are realised.

Work on the Bridgewater Bridge North Interchange Master Plan has already commenced. Over 40 stakeholder attended a pre-design workshop in October. A second workshop will be held in early 2023 to review the draft Master Plan. Council is working closely with the bridge to try to ensure the best possible outcomes locally for this major project.

32 Implement Strategic Asset Management Plan (Existing and New)

- Reconstruct sections of Baskerville Road, Andrew Street, Albion Road, Elderslie Road, Munday Street, and Station Street.

Munday and Station Street: works are complete.

Elderslie Road: work begins this month.

Albion Road: first section is complete, with the final section due for completion this financial year.

Baskerville Road: has stalled due to disagreement with some landowners regarding transfer of land for road-widening.

Andrew Street: has been on hold pending the outcome of a major grant application that has recently been scrapped. This project will now be considered as part of the 10 Year Plan and next financial year budget process to consider Council's preferred staging process.

- Reseal sections of Fouche Ave, Serenity Drive, Summerville Place & Landermere Drive.

Fouche Avenue: quotes are presently being assessed.

Summerville Place: now being resealed under warranty.

Landermere Drive: on schedule to be completed by end of April.

Serenity Drive: on schedule to be completed this financial year.

- Upgrade and seal the Derwent Street intersection.

These works have been completed.

- Formalise the overland flow path from Downie Street to Andrew Street to the Jordan River to improve stormwater and reduce flooding risk in the area.

This work has been completed. This project appears to have been a success, with the system working well and flooding/flooding risk having been significantly reduced.

33 Enabling Infrastructure

- Upgrade the Bowls Club & Community Carpark.

This work is part of ongoing negotiations with the Federal Government regarding their funding grant towards the new GP clinic for Brighton. Preparatory work has been done with regarding to design and services, but a final timeline is not yet resolved.

- Collaborate with Government to ensure best possible outcomes for the Bridgewater Bridge Project.

Council staff continue to work closely with the Bridgewater Bridge Project Team to advocate for improved outcomes for the local community.

- Upgrade path network to increase accessibility from Gagebrook through to Bridgewater.

This work is complete other than a small section that will be constructed by Centacare as part of its residential development adjacent.

- Continued footpath network development, with specific attention to age and disability access improvements.

In addition to the new footpath linking Gagebrook, Herdsmans Cove and Bridgewater, and the new section near Polonia Bridge, all footpaths have been inspected, with a list of replacements prepared for commencement of work likely in late February. Most of this year's replacements will be in the Herdsmans Cove area.

- Continued upgrade and development of community park facilities.

Major upgrades are scheduled for Herdsmans Cove, Brighton (Seymour Street) and Gagebrook (Cris Fitzpatrick) parks. The toilets are also scheduled to improve our waterfront park in Bridgewater.

4. Ensure a Stable Organisation**4 Ensure Financial & Risk Sustainability**

- Keep budget processes and general rate increases in line with Long Term Financial and Asset Management plans and strategies.

A new Stormwater Asset management Plan has been drafted, with the Roads one and a renewed Strategy underway. These will come to Council for endorsement in the first quarter of 2023.

The process of renewing Councils 10 Year Plan and Long-Term Financial Plan are also well underway.

The draft budget and recommended rate increases will be aligned to these critical documents.

- Closely monitor the economic and social impacts of external circumstances and events, including COVID-19.

This activity is ongoing.

- Ensure integrated and active risk management.

An increased focus in this area has been implemented and it has been a key consideration in an internal organisational review that is currently underway. Council regularly review and update all key documents and processes within its risk management system. Roles and resourcing in this area are likely to be more clearly defined in the coming months.

42 Be Well-Governed

- Continue succession planning for all key positions and prepare an organizational structure for predicted future growth in community service and infrastructure needs.

This work is well underway. It is expected to be complete in March/April.

- Investigate and plan for potential Council Chambers renovation and expansion.

Initial work on options has been completed. It is important that council consider the long-term needs due to growth.

- Review and renew Council's Strategic Plan after the election of a new Council.

The Strategic Plan has been renewed and now aligns properly to Council's 2050 Vision and Council's contemporary situation. It will be workshopped with Council in January, with the intention that it be endorsed for public exhibition in February and finalised soon after.

- Review and ensure commitment to Council's 10 Year Infrastructure Plan and Long-Term Financial Plan.

This work is well underway with Council workshops scheduled during the first quarter of 2023.

- Continue professional services/shared services provision where beneficial to Council, to enhance experience, best practice and operational efficiency.

Brighton continues to undertake a modest amount of professional services for other councils, mainly in the areas of plumbing inspections, development engineering and the hire of the Flocon.

43 A Shaping Agenda facilitated through Strong Engagements

- Promote educational and workforce development with government and regional councils.

The Southcentral Workforce Network (SWN) continued to go from strength to strength, hugely surpassing its initial targets. The team has now expanded to five staff and the number and range of programs now managed by 'the Hub' has also grown significantly. It is a real success story and has become a well-known and important part of our region's economic, education and employment system.

- **Pursue partnerships with other organisations.**

In addition to various ongoing partnerships, this year has seen the signing of a new partnership with Volunteering Tasmania to create a 'safeguarding volunteering strategy' for Brighton over the course of 2023.

Council has also assisted the Brighton Food Hub to flourish, providing an important service to the community.

Officers are reviewing Council's community grants program and will present options for improving this program to Council in early 2023.

Council have worked closely with the Bridgewater Bridge team, including on the joint consultation and master planning project.

Council have worked with the State Planning Office to coordinate regional planning projects and have received funding for local planning studies.

Council continues to administer the Southern Tasmanian Councils Association and the South Central Sub-region, with Mayor Gray chairing this group. Council also run the Southcentral Workforce Network (SWN) on behalf of the sub-region and State Government.

Productive ongoing partnerships continue with Derwent Catchment Project, Derwent Estuary Program, LandCare, MONA/Material Institute, and the Tasmanian Community Fund.

- **Ensure regular dialogue with representatives of all tiers of government on matters relevant to Brighton.**

Council's Mayor, General Manager and relevant senior staff are in regular dialogue with representatives of all tiers of government on a range of matters relevant to Brighton.

44 Long-term Thinking & Evidence Based Strategies

- **Continue implementing council's key strategies.**

All Council's key strategies continue to be actively followed and implemented. Importantly, a number of these are currently being reviewed in line with a new four-year election cycle.

Some new key strategies are also underway to ensure Council is as proactive, contemporary and long-term thinking as possible. These include the Community Engagement Strategy, the Community Infrastructure Plan, Volunteering Strategy and a range of strategic planning initiatives.

- Prepare master plans for key project areas and grant opportunities for the next 10 years, in line with Council's 10 Year Infrastructure Plan.

Additional work will commence in this area once the new 10 Year Plan has been endorsed and subject to appropriate funding in the 2023-24 budget.

- Continue implementing 2050 Vision.

The 2050 Vision continues to guide Council activities at the high level. It has been particularly useful in grant submissions and in our growing community development activities. It was also positively referenced within the latest report from the Future of Local Government Review Board.

The Vision has been further embedded by ensuring the draft new Strategic Plan incorporates all 36 vision statements and that new draft values better align with detailed feedback from staff and the community.

5. Public Health

Council will:

- Conduct monthly immunisation clinics, annual school immunisations and promote the needs for immunisation.

Council has continued successfully fulfilling this role despite the complexities posed by COVID-19.

- Ensure proper provision of on-site effluent disposal in compliance with relevant standards.

Council continues to satisfy this ongoing action.

- Undertake routine inspection of places of public assembly, food premises, public health risk activities and water carters to ensure compliance with relevant legislation.

Routine inspections have been carried out to assist compliance with relevant legislation.

- Promptly investigate environmental health complaints.

All environmental health complaints have been promptly investigated and addressed.

- Where applicable maintain an effective analysis program for food in accordance with the Department of Health South Regional Food Sampling Program and recreational waters for the Derwent Estuary Program and general complaints.

All analysis programs have been maintained.

- Comply with COVID-19 guidelines and Public Health advice.

Council has complied with all COVID-19 guidelines and Public Health advice and ensured compliance at its facilities and events, as well as implementing some of its own additional procedures, policies and guidelines to maximise the safety of staff and the community and to ensure business continuity.

6. Risk Management

Council will:

- Continue to keep risk exposure to a minimum by helping reduce injuries and potential loss. Management practices will involve identifying risks, analysing and treating by taking appropriate action.

An increased focus in this area has been implemented and it has been a key consideration in an internal organisational review that is currently underway. Council regularly review and update all key documents and processes within its risk management system. Roles and resourcing in this area are likely to be more clearly defined in the coming months.

- Continue to be proactive in inspections and reviews of roads, footpaths, written agreements with clubs/user groups, building & financial services, town planning and recreation functions.

Council introduced the use of iAuditor for Field Services staff this year, which now ensures detailed electronic records of all inspections and associated actions. Several agreements with clubs, groups and external organisations have been renewed to ensure greater clarity and better governance.

- Educate community groups on importance and activities involved with risk management.

This has occurred via the actions listed above and with a number of interactions in the community development and events space.

- Integrate climate change risks into key strategic documentation.

This progress is an ongoing one and continues to progress well, with recent flood mapping and inundation work incorporating climate change scenarios, as well as a greater integration between council's procurement, projects and fleet management with its goals for mitigating and adapting to the impacts of climate change.

Options

1. As per the recommendation.
2. Do not receive the report.

RECOMMENDATION:

That Council receive the mid-year Annual Plan 2022-23 Progress Update.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

14.2 Review of Audio Recording of Council & Planning Authority Meetings Policy

Author: Governance Manager (J Banks)

Background:

In May 2021, Council developed and adopted the Audio Recordings of Council & Planning Authority Meetings Policy (Policy 7.11).

Audio Recordings of Council meetings, Special Council Meetings, Annual General Meetings and Planning Authority meetings Policy was implemented in July 2021. Audio Recordings do not apply to other meetings of Council e.g Council committees or workshops.

In line with Council’s policy framework, this policy is to be reviewed after a Council election.

Audio recordings of meetings as per the *Local Government (Meeting Procedures) Regulations 2015* includes:

33. *Audio recordings of meetings*

- 1) *A council may determine that an audio recording is to be made of any meeting or part of a meeting.*
- 2) *If the council so determines, the audio recording of a meeting or part of a meeting that is not closed to the public is to be –*
 - (a) *retained by the council for at least 6 months; and*
 - (b) *made available free of charge for listening on written request by any person.*
- 3) *If after the minutes of a meeting have been confirmed as a true record a discrepancy between the minutes and an audio recording of that meeting or part of that meeting is noticed, the council, at the next appropriate meeting, is to review the audio recording and either confirm that the minutes are a true record or amend the minutes to reflect the audio recording and then confirm the minutes as amended to be a true record.*
- 4) *A council may determine any other procedures relating to the audio recording*

Audio recording of meetings serves to improve perceptions of transparency given the accessibility to hear Council debate and decisions via an audio recording without needing to be physically present at a meeting. For these reasons, it is now common practice across many councils in Tasmania to digitally audio record council meetings.

Consultation:

General Manager; Senior Management Team

Risk Implications:

Nil.

Financial Implications:

Nil.

Other Issues:

N/A

Assessment:

N/A

Options:

1. As per the recommendation.
2. That the Policy not be approved.

RECOMMENDATION:

That the Audio Recordings of Council and Planning Authority Meetings Policy be approved; noting no significant amendments are required.

DECISION:

Cr Whelan moved, Cr Murtagh seconded that the recommendation be adopted with the inclusion of retaining the recordings for 12 months on Council's website and all future records be archived internally in accordance with the Archives Act.

CARRIED**VOTING RECORD**

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

14.3 Remove "Addendum 1 - South Brighton Urban Growth Area" from Policy 1.7 - Key Infrastructure Investments & Defined Infrastructure Charges

Author: D Allingham (Manager Development Services)

Purpose

This purpose of this report is for Council to endorse the removal of "Addendum 1 - South Brighton Urban Growth Area" from "Policy 1.7 Key Infrastructure Investments and Defined Infrastructure Charges".

Background

In August 2017, Council approved a \$200,000 contribution to the building of a sewer pump station in the Dylan Street area, Brighton, if it was built as part of the development of a highway services precinct at 40 Brighton Road.

Subsequently, Council approved "Policy 1.7 Key Infrastructure Investments and Defined Infrastructure Charges" (the Infrastructure Policy) so that council can recoup this contribution via infrastructure contributions at the time of future creation of lots or dwelling approvals. The Policy is structured so that any new proposal would require an addendum to the policy to be approved by Council, such as Addendum 1 – South Brighton Urban Growth Area (Attachment 1).

For various reasons, the developer of the highway services precinct decided to proceed with an on-site wastewater system rather than a sewer pump station and the \$200,000 was no longer required. Addendum 1 is now obsolete and should be removed.

The sewer pump station is still required to support future growth in South Brighton, however this will likely be through an alternative funding model which may or may not include a Council contribution. There is nothing stopping Council creating new addendums to the Infrastructure Policy in the future if required.

Consultation

Senior Management Team

Risk implications

The development that triggered the creation of Addendum 1 has now been completed without a sewer pump station and the \$200K has never been spent. Significant work has been done on the South Brighton Master Plan and the Brighton High School since Addendum 1 was approved in 2018 and the funding of a new sewer pump station lacks certainty.

If Addendum 1 is not removed Council could be asked to contribute to a sewer pump station under the Policy when it no longer intends to.

Financial Implications

Nil. The \$200,000 was not budgeted and has not been spent.

Strategic plan

This removal of Addendum 1 aligns with the following strategies:

- S4.1: Ensure Financial & Risk Sustainability
- S4.2: Be well-governed

Social implications

Nil

Economic implications

A sewer pump station in the South Brighton area would stimulate the economy, but the arrangement under which Addendum 1 was created is no longer fit for purpose.

Environmental or climate change implications

Nil

Other Issues

Nil

Assessment

Addendum 1 was created for Council to recoup \$200K that was to be used to fund a sewer pump station in the South Brighton area that would facilitate development of the highway services precinct and future residential growth. Since Addendum 1 was created in 2018, the sewer pump station has never been constructed and the \$200K was not spent. Addendum 1 is now obsolete and should be removed.

Options

1. As per the recommendation; or
 2. Council does not endorse the removal of Addendum 1; or
 3. Other.
-

RECOMMENDATION:

It is recommended that Council endorses the removal of "Addendum 1 - South Brighton Urban Growth Area" from "Policy 1.7 Key Infrastructure Investments and Defined Infrastructure Charges".

DECISION:

Resolved that this item be held over until the February Ordinary Council meeting.

14.4 Quilters Easter Showcase - Free use or discounted rate for the Civic Centre

Author: Admin Officer (I Singh)

Approved: Governance Manager (J Banks)

Background

Mrs Harvey has written to Council seeking support to use the Civic Centre. This group of volunteers have previously run this event 'Quilters Easter Showcase' on the Saturday before Easter in the Civic Centre. This is a social event for people around the State; is open to the general public and all participants are welcome.

The entry fee will be \$5/per person and a fundraiser will be held. A large amount of the proceeds will be donated to a local community group; previously they have donated to the School Farm and Men's Shed. Mrs Harvey has contacted the Council seeking support for use of the Civic Centre on 1st April 2023 at a discounted rate or to waive the hire fee and the casual hirer insurance fee. The Quilters Easter Show case is run by volunteers as they are not an incorporated organisation.

Consultation

Mrs P Harvey (Quilters Showcase Organiser), Governance Manager

Risk Implications

Nil

Financial Implications

Fees that would have been applicable will need to be recognised as a donation from Council. The day rate for Civic Centre is \$794 and casual hire insurance is \$32, totalling \$826. Groups like this would ordinarily be granted a 50% discount on the hire fee i.e. \$413.

Social Implications

Providing a facility for the showcase and fundraising for this group will contribute to building positivity and community connection.

Assessment

The Quilters showcase has been held in the municipality for many years. Their purpose is to provide social gathering opportunities and activities for members of all ages of the community. The club only keeps enough funds to cover costs and sustain themselves, all raised proceeds are donated to a local group in the municipality. This show case provides support and encourages the establishment and activities for quilting groups.

Allowing free use of the Civic Centre will reduce the groups ongoing financial viability and increase the donation proceeds.

Options

1. As per the recommendation.
2. Council approves 50% discount but the Club pays the casual hirer public liability insurance i.e. \$32.
3. Council approves free use of the Civic Centre with insurance coverage.

RECOMMENDATION:

Council approves a 50% discount of the Civic Centre for one day on 1st of April 2023 and waives the \$32 casual hirer public liability insurance coverage fee as required.

This discount to be recorded in Council's annual report as a donation.

DECISION:

Cr De La Torre moved, Cr Irons seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

15. Questions on Notice

There were no Questions on Notice for the January meeting.

Cr De La Torre moved, Cr Owen seconded that Council resolve into Closed council.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

16. Closed Meeting

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

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 items was considered in closed session in accordance with Meeting Procedures Regulation 15(2)(f) & 15(2)(d).

16.1 Sale of Surplus Land

RECOMMENDATION:

Council resolves to sell Lot 1 Viola Crescent, Gagebrook, at market price to Centacare Evolve Housing, subject to the condition that any portions of this land to be retained for public use be transferred back to Council.

The profit on sale will be set aside for reserve expenditure of a capital nature.

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	

Cr Geard
 Cr Gray
 Cr Irons
 Cr McMaster
 Cr Murtagh
 Cr Owen
 Cr Whelan

16.2 GP Clinic, Brighton

16.3 Authorisation to Move Out of Closed Session and Release of Information to the Public

RECOMMENDATION:

That the Council:

- (i) Having met and dealt with its business formally moves out of Closed Session; and
- (ii) Resolves to report that it has determined the following:

DECISION:

Item Number	Matter	Outcome
16.1	Sale of Surplus Land	Recommendation and decision to be made public.
16.2	GP Clinic, Brighton	Decision not to be released until the General Manager informs the Councillors otherwise.

Cr Irons moved, Cr Curran seconded that Council resolve out of Closed Council and the decisions made while in Closed Council be ratified.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

Meeting closed: 7.45pm

Confirmed:

(Mayor)

Date:

_____ 21 February 2023 _____