



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 5.30 P.M. ON TUESDAY, 20 JUNE 2023**

1. Acknowledgement of Country

2. Attendance

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 D Allingham (Acting General Manager); Mr C Pearce-Rasmussen (Director, Asset Services); Ms J Banks (Director, Governance & Regulatory Services); Ms G Browne (Director, Corporate Services) and Mrs J Blackwell (Acting Director, Development Services)

3. Applications for Leave of Absence

All members were present.

4. Confirmation of Minutes

4.1 Ordinary Council Meeting

The Minutes of the previous Ordinary Council Meeting held on the 16th May 2023 were submitted for confirmation.

RECOMMENDATION:

That the Minutes of the previous Ordinary Council Meeting held on the 16th May 2023, be confirmed.

DECISION:

Cr De La Torre moved, Cr Murtagh seconded that the minutes be confirmed, and amendments be made to Item 12.2 and Item 15.1 ie Cr De La Torre had declared an interest in both those items; the Minutes to reflect he left the room (Item 15.1) and the voting table requires amending at Item 12.2.

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 | |

4.2 Planning Authority

The Minutes of the previous Planning Authority Meeting held on the 13th June 2023 were submitted for confirmation.

RECOMMENDATION:

That the Minutes of the Planning Authority Council Meeting held on the 13th June 2023, be confirmed.

DECISION:

Cr De La Torre 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 | |

4.3 Committees of Council - Receipt of Minutes & Endorsement of Recommendations

There were no Committee meetings held in June 2023.

5. Declaration of Interest

In accordance with the requirements of Part 2 Regulation 8 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 or conflict of interest in any item on the Agenda.

In accordance with Section 48(4) of the *Local Government Act 1993*, it is the responsibility of councillors to then notify the general manager, in writing, the details of any interest(s) that the councillor has declared within 7 days of the declaration.

Cr Owen declared an Interest in Item 13.10

Cr De La Torre declared an interest in Item 13.8

Cr McMaster declared an interest in Items 13.3 and 13.4

6. Public Question Time and Deputations

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the agenda is to make provision for public question time.

- Marco Ghedini, Inspector, Bridgewater Division, Tasmania Police
- Anthony McConnon, Project Manager, Southcentral Workforce Network (SWN)

7. Reports from Council

7.1 Mayor's Communications

The Mayor's communications were as follows:

- 18/5 Meeting with Sorell, Tasman and Clarence Councils regarding LG Reform
- 22/5 STCA Meeting
- 23/5 Citizenship Ceremony at Council Chambers
- 25/5 OLG Online session regarding L&D Framework
- 1/6 Meeting with Minister Guy Barnett
- 6/6 Council Workshop
- 13/6 Planning Authority meeting
- 13/6 Council Workshop

15/6 Meeting with John Barker & Associates

16/6 Meeting with Minister Nic Street

20/6 Ordinary Council Meeting

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

Cr Owen moved, Cr McMaster 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 | |

7.2 Reports from Council Representatives

The following verbal reports were made:-

- Cr Geard chaired the Pontville Users group meeting on 14 June 2023.
- Cr Owen requested that we place on record a thank you to Matthew Stirling from State Growth in relation to the street light on the corner of Baskerville and East Derwent Highway, Old Beach.
- Cr Irons attended the Simultaneous reading session held on 24 May at the Bridgewater Library.
- Cr Irons attended the Women's shelter fund raising event at Government House on 7 June.
- Cr Irons participated in planting trees with the Bridgewater foreshore Landcare group on 11 June
- Cr Geard in his capacity as a Brighton SES volunteer attended several property emergencies recently. He also wished to thank Council's stand-by officer who attended the Gunn Street, Bridgewater incident with the tree across the road on Saturday 17 June.

RECOMMENDATION:

That the verbal reports from Council representatives be received.

DECISION:

Cr De La Torre moved, Cr McMaster 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. Miscellaneous Correspondence

- Letter from the Minister for Planning dated 17th May 2023 regarding the Southern Tasmania Regional Land Use Strategy.
- Letter to Premier Rockliff dated 18th May 2023 regarding Brighton Regional Sports Facility as a potential High Performance Training Precinct for AFL.
- Letter from the Bureau of Meteorology dated 23rd May 2023 regarding flood warning network.
- Letter from Minister for Sport & Recreation dated 6th June 2023 regarding Pontville Regional Sports Facility.

9. Notification of Council Workshops

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

Three (3) Council workshops had been held since the last Ordinary Meeting of Council.

- A workshop was held on the 16th May 2023 at 5.00 p.m to receive an update from TasWater on various projects. Cr Gray, Cr Curran, Cr De La Torre, Cr Geard, Cr Irons, Cr McMaster, Cr Murtagh, Cr Owen and Cr Whelan were in attendance.
- A workshop was held on the 6th June 2023 at 4.30 p.m to discuss the Old Beach Zoning Review. Cr Gray, Cr Curran, Cr Geard, Cr McMaster and Cr Owen were in attendance.
- A workshop was held on the 13th June 2023 at 5.50 p.m to discuss the Local Government Review. All Councillors were in attendance.

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*.

DECISION:

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

12. Council Acting as a Planning Authority

Under the provisions of the *Land Use Planning and Approvals Act 1993* and in accordance with Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the Council will act as a planning authority in respect to those matters appearing under Item 12 on this agenda, inclusive of any supplementary items.

There were no Planning Authority items to be discussed at this meeting.

13. Reports from Officers

Cr Geard moved, Cr Murtagh seconded that Item 13.10 be brought forward and discussed.

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 | |

For the purpose of these Minutes Items will remain in numerical order.

13.1 Draft Budget 2023/24

Author: Director, Corporate Services (G Browne)

Background

The Budget (Estimates) had been prepared in accordance with the *Local Government Act 1993*. The 2023-2024 budget and Fees & Charges Register has been provided to all Councillors and a draft budget review workshop has been undertaken. The final budget has been completed in accordance with Councillor requests and is now ready to be adopted.

Consultation

Councillors, Senior Management, Senior Rates Officer, ratepayers and other stakeholders.

Risk Implications

Nil

Financial Implications

As per the budget.

Strategic Plan

Goal 3 Manage infrastructure and growth effectively.

Goal 4 Ensure a progressive, efficient and caring Council

Social Implications

Not Applicable.

Environmental or Climate Change Implications

Not Applicable.

Economic Implications

As per the budget.

Other Issues

Nil.

Assessment

The final rate increase is 6.9% for Brighton Council for all occupied properties which equals the annual CPI figure for Hobart to March 2023.

The budget presented for adoption in principle in May has been altered to the one that is presented for final adoption due to a formula error being found. The Governance expenditure budget was being overstated as it included the Community Development and Engagement expenditure, which was also included in the General Management expenditure. The result of this has meant a decrease in the overall deficit to \$267,623 to the \$611,123 which was adopted in principle in May.

The rating resolution is in accordance with the *Local Government Act 1993* and adopts the principles of Average Area Rates for residential properties.

Options

1. As per the recommendation.
2. Review the budget and make further changes prior to adoption.

RECOMMENDATION:

1. Approve the 2023-2024 budget as presented.
2. Approve the 2023–2024 Rate Resolution as follows:

NOTICE OF RATES AND CHARGES

1. GENERAL RATE & MINIMUM

1.1 Pursuant to Section 90 of the *Local Government Act 1993* (here referred to as the “Act”), Council hereby makes the following General Rate for all rateable land within the municipal area for the financial year commencing 1 July 2023 and ending 30 June 2024:

(a) Pursuant to Section 90(3)(c) of the Act, a General Rate of 24.0 cents in the dollar of the assessed annual value (here referred to as “AAV”) of the rateable land.

1.2 Pursuant to Section 107(1) of the Act, Council hereby varies the General Rate of 24.0 cents in the dollar (as previously made) as follows:

- (a) For land within the municipality which is used or predominantly used for commercial purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 6.590365 cents in the dollar of AAV;
- (b) For land within the municipality which is used or predominantly used for public purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 8.676577 cents in the dollar of AAV;
- (c) For land within the municipality which is used or predominantly used for industrial purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 5.189232 cents in the dollar of AAV;
- (d) For land within the municipality which is used or predominantly used for primary production purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 3.496716 cents in the dollar of AAV;
- (e) For land within the municipality which is used or predominantly used for sporting or recreation purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 20.509659 cents in the dollar of AAV;
- (f) For land within the municipality which is not used and is zoned as Agriculture within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 8.6590912 cents in the dollar of AAV;
- (g) For land within the municipality which is not used and is zoned as Business within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 12.765462 cents in the dollar of AAV;
- (h) For land within the municipality which is not used and is zoned as Community Purpose within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 18.3656317 cents in the dollar of AAV;
- (i) For land within the municipality which is not used and is zoned as Environmental Management within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 17.459545 cents in the dollar of AAV;
- (j) For land within the municipality which is not used and is zoned as General Industrial within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 5.302125 cents in the dollar of AAV;

- (k) For land within the municipality which is not used and is zoned as Light Industrial within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 8.56249 cents in the dollar of AAV;
- (l) For land within the municipality which is not used and is zoned as Open Space within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 17.973055 cents in the dollar of AAV;
- (m) For land within the municipality which is not used and is zoned as Rural Living within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 8.65904 cents in the dollar of AAV;
- (n) For land within the municipality which is not used and is zoned as Urban Mixed within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 10.896991 cents in the dollar of AAV and

1.3 Pursuant to Sections 107(2A) and 107(2B) of the Act, Council hereby sets minimum amounts payable, in respect of the general rate as varied, as follows:

- (a) For land within the municipality which is used or predominantly used for commercial purposes, the minimum amount payable in respect of the General Rate is an amount of \$1070.00;
- (b) For land within the municipality which is used or predominantly used for public purposes, the minimum amount payable in respect of the General Rate is an amount of \$694.00;
- (c) For land within the municipality which is used or predominantly used for industrial purposes, the minimum amount payable in respect of the General Rate is an amount of \$1070.00;
- (d) For land within the municipality which is used or predominantly used for primary production purposes, the minimum amount payable in respect of the General Rate is an amount of \$1070.00;
- (e) For land within the municipality which is not used and is zoned as Agriculture within the Tasmanian Planning Scheme – Brighton, the minimum amount payable in respect of the General Rate is an amount of \$442.00;
- (f) For land within the municipality which is not used and is zoned as Business within the Tasmanian Planning Scheme – Brighton, the minimum amount payable in respect of the General Rate is an amount of \$421.00;

- (g) For land within the municipality which is not used and is zoned as Community Purpose within the Tasmanian Planning Scheme - Brighton, the minimum amount payable in respect of the General Rate is an amount of \$442.00;
- (h) For land within the municipality which is not used and is zoned as General Industrial within the Tasmanian Planning Scheme - Brighton, the minimum amount payable in respect of the General Rate is an amount of \$442.00;

2. AVERAGED AREA RATE

2.1 Pursuant to Section 109A of the Act and Certificates issued to Council in accordance with Section 109H of the Act, Council hereby make the following averaged area rate (here referred to as “AAR”) for all rateable land within the municipal area for the following categories and localities for the financial year commencing 1 July 2023 and ending 30 June 2024:

- (a) In the locality of Bridgewater, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 6.500078 cents in the dollar of AAV and then an AAR is made in the amount of \$955.00;
- (b) In the locality of Brighton, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 5.538181 cents in the dollar of AAV and then an AAR is made in the amount of \$1070.00;
- (c) In the locality of Dromedary, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 5.284358 cents in the dollar of AAV and then an AAR is made in the amount of \$1070.00;
- (d) In the locality of Gagebrook, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 7.169672 cents in the dollar of AAV and then an AAR is made in the amount of \$955.00;
- (e) In the locality of Herdsmans Cove, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 6.716208 cents in the dollar of AAV and then an AAR is made in the amount of \$955.00;
- (f) In the locality of Honeywood for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 4.75147 cents in the dollar of AAV and then an AAR is made in the amount of \$1070.00;

- (g) In the locality of Old Beach for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 4.733966 cents in the dollar of AAV and then an AAR is made in the amount of \$1070.00;
- (h) In the locality of Pontville for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 4.55229 cents in the dollar of AAV and then an AAR is made in the amount of \$1070.00;
- (i) In the locality of Tea Tree for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 4.515472 cents in the dollar of AAV and then an AAR is made in the amount of \$1070.00;
- (j) In the locality of Bridgewater, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 5.223831 cents in the dollar of AAV and then an AAR is made in the amount of \$442.00;
- (k) In the locality of Brighton, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 3.498144 cents in the dollar of AAV and then an AAR is made in the amount of \$442.00;
- (l) In the locality of Dromedary, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 6.464612 cents in the dollar of AAV and then an AAR is made in the amount of \$442.00;
- (m) In the locality of Gagebrook, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 9.460153 cents in the dollar of AAV and then an AAR is made in the amount of \$442.00;
- (n) In the locality of Herdsmans Cove, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 12.92885 cents in the dollar of AAV and then an AAR is made in the amount of \$442.00;

- (o) In the locality of Honeywood, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 4.091382 cents in the dollar of AAV and then an AAR is made in the amount of \$442.00;
- (p) In the locality of Old Beach, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 2.774383 cents in the dollar of AAV and then an AAR is made in the amount of \$442.00;
- (q) In the locality of Pontville, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 5.633396 cents in the dollar of AAV and then an AAR is made in the amount of \$442.00; and
- (r) In the locality of Tea Tree, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 24.0 cents in the dollar of AAV to 3.643583 cents in the dollar of AAV and then an AAR is made in the amount of \$442.00.

3. WASTE MANAGEMENT SERVICE CHARGE

Pursuant to Section 94(1) of the Act, Council hereby make the following service charges for waste management for the financial year commencing 1 July 2023 and ending 30 June 2024

- (a) \$270.00 for each premises, tenement, flat, unit, apartment, single stratum section or portion of land set aside for separate occupation to which a regular garbage and recycling removal service is supplied by the Council.
- (b) \$75.00 for each premises, tenement, flat, unit, apartment, single stratum section or portion of land set aside for separate occupation to which a FOGO removal service is supplied by the Council.
- (c) In addition to (a) & (b) \$68.00 per bin for each premises, tenement, flat, unit, apartment, single stratum section or portion of land set aside for separate occupation to which a regular garbage and recycling and FOGO driver assist service is supplied by the Council.
- (d) In addition to (a), (b) & (c) State Government Waste Levy of \$10.00 for each premises, tenement, flat, unit, apartment, single stratum section or portion of land set aside for separate occupation to which a regular garbage and recycling removal service is supplied by the Council.

4. FIRE SERVICE RATE

Pursuant to Sections 93 & 93A of the Act, and notice received by Council in accordance with Section 81B of the *Fire Service Act 1979*, the following fire service rates apply for the financial year commencing 1 July 2023 and ending 30 June 2024:

- (a) A Separate Urban Fire Rate of 1.145831 cents in the dollar of AAV in respect of all lands in the proclaimed district with a minimum amount of \$48.00; and
- (b) A Separate Brighton Rural Fire Rate of 0.309065 cents in the dollar of AAV in respect of all lands in the proclaimed district with a minimum amount of \$48.00; and
- (c) A Separate Rural Fire Rate of 0.295384 cents in the dollar of AAV in respect of all lands in the proclaimed district with a minimum amount of \$48.00.

5. PAYMENT OF RATES & CHARGES BY INSTALMENTS

Rates and Charges must be paid by four (4) instalments – the first to be paid on or before 4 August 2023, and then by 31 October 2023, 31 January 2024 and 30 April 2024 respectively.

6. INTEREST

Pursuant to Section 128(1) (b) of the Act interest will apply to any amount of rates and charges which remain unpaid after the date on which it is to be paid. The rate for 2023/2024 is 9.85% per annum calculated on a daily basis.

DECISION:

Cr Geard moved, Cr McMaster 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 | |

13.2 Draft Annual Plan 2023/24

Author: Acting General Manager (David Allingham)

The Annual Plan 2023/24 had been prepared in accordance with Section 71 of the *Local Government Act 1993* and Council's 2023/24 budget.

The Annual Plan is presented in draft format. Once adopted by Council, it will be prepared and published in accordance with Council's style guide and to be well-presented online.

Consultation

Senior Management Team and relevant Council officers.

Risk Implications

None.

Financial Implications

The draft Annual Plan is in accordance with the 2023/24 budget.

Strategic Plan

The draft Annual Plan is in accordance with Council's Strategic Plan, in line with the following strategies:

S4.4: Ensure financial and risk sustainability

S4.2: Be well governed, providing quality service and accountability to our community

Social Implications

The Annual Plan clearly shows the key commitments for the financial year. A mid-year progress report will be presented to Council early in 2024.

The Annual Plan contains a range of social and community-focused commitments.

Environmental or Climate Change Implications

The Annual Plan includes a range of environmental and climate change commitments.

Economic Implications

The Annual Plan commitments support economic growth and development in the region.

Other Issues

Nil.

Options

1. As per the recommendation.
2. Other.

RECOMMENDATION:

That the Annual Plan 2023/24 be adopted in accordance with Section 71 of the *Local Government Act 1993* and that a copy be forwarded to the Director of Local Government and the Director of Public Health.

DECISION:

Cr Owen moved, Cr Curran 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 | |

Cr McMaster had declared an interest in the following two items and left the meeting at 6.36pm.

13.3 Grants and Donations 2023/24

Author: Director, Governance & Regulatory Services (J Banks)

Background

As Councillors are aware the annual grants program guidelines were revised and adopted by Council in February 2023.

The process of requesting grant applications for Round 1 commenced in March. A total of 20 applications were received and an additional application was received from Brighton Senior Citizens (BSC) shortly after the closing date; the BSC application was assessed along with the other 20 applications.

At the budget workshop in April the Community Development Committee assessed and awarded grant amounts.

Consultation

Community Development Officer, Director Governance & Regulatory Services, Community Development Committee.

Risk Implications

Nil

Financial Implications

The Brighton Alive budget allocation has been over expended by \$300 which will be required to be funded from the small community development budget.

Approved applications may exceed the budget allocation.

No budget allocation was provided for the Quick Response Grants which requires to be factored into the over-all budget amount of \$70,000 for the 2023-24 financial year. This equates to approximately \$4,000. Any over-spend will require Council approval.

Strategic Plan

Goal 1:

- 1.1 Engage with and enable our community
- 1.4 Encourage a sense of pride, local identify and engaging activities

Goal 4:

- 4.4 Ensure financial and risk sustainability

Social Implications

Nil.

Environmental or Climate Change Implications

Nil

Economic Implications

N/A

Other Issues

The Community Development Officer will work with the Veterans Memorial Club to define their application and will report back to the Community Development Committee on any fund allocation within the Small Community Grants budget.

Assessment

The Major Impact grant will be advertised in August as per the Grant Guidelines.

Options

1. As per the recommendation.
2. That the grant allocation amounts be changed.

RECOMMENDATION:

That the grants and donations requests as allocated by the Community Development committee be adopted for the 2023/24 financial year.

DECISION:

Cr De La Torre moved, Cr Curran 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 Murtagh | |
| Cr Owen | |
| Cr Whelan | |

13.4 Waste Transfer Station Free Access Vouchers 2023/24

Author: Manager Community Development & Engagement (A Turvey)

Background:

Each year a few service organisations have been given free access to the Waste Transfer Station (WTS) for disposal of rubbish. Those users were as follows:

- Community Corrections
- Jordan River Service Inc (Gagebrook and Bridgewater Community Houses and Jordan River Community Shed)
- St Vincent de Paul (Shop)

Council has contacted these providers to advise that a request for this service is required for the 2023/2024 financial year.

To date, only Jordan River Service Inc. has responded with a request as follows:

| | |
|--|----|
| Jordan River Service – Bridgewater Centre (9), Gagebrook Centre (9), Jordan River Community Shed (12) & Helping Hands (12) | 42 |
| St. Vincent De Paul (Shop) | 0 |
| Community Corrections | 0 |

Consultation:

Director Governance & Regulatory Services, Director Asset Services, Community Corrections, Jordan River Services, St Vincent de Paul.

Risk Implications:

The free access is considered a donation as per the Community Grants program.

Financial/Budget Implications:

Usage/Cost- 2022-23 as at 15 June 2023

| Organisation | \$ Cost to date 15/6/23 |
|-----------------------|-------------------------|
| Jordan River Service | \$570.00 |
| St. Vincent De Paul | \$83.00 |
| Community Corrections | \$0.00 |
| Total | \$653.00 |

Strategic Plan:

S1.4 Support Connected Communities

Environmental or Climate Change Implications:

Waste disposal minimisation education is required to reduce the overall amount of waste going to landfill. It would appear based on usage/costs for 2022-23 that waste to landfill from voucher users has reduced compared to 2021-22 total cost of \$1,404.00.

Assessment:

For these organisations to continue many of the works assisting community members with essential services and support, ie gardening, they rely on Council support to dispose of the waste that is collected as part of their activities.

Options:

1. As per the recommendation.
2. That Council charge all users.
3. Other amounts as decided by Council.

RECOMMENDATION:

That Council provide free access for these organisations for the 2023/24 financial year; this to be funded from the 2023/24 Grants and Donations budget and recorded in the Annual Report.

| Organisation | Recommended number of vouchers |
|---------------------------|--------------------------------|
| Jordan River Service Inc. | 42 |

DECISION:

Cr Owen 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 Murtagh | |
| Cr Owen | |
| Cr Whelan | |

Cr McMaster rejoined the meeting at. 6.38pm.

13.5 Audit Panel - Independent Member

Author: Director, Corporate Services (G Browne)

Background

Council resolved at its Ordinary Council Meeting on 16th May 2023 to increase the audit panel by another independent member. This was in line with best practice and to allow meetings to proceed if the Audit Panel Chair was unable to attend. An advertisement was placed in *The Mercury* after this meeting with submissions closing on 25th May 2023.

There were five applications received for the independent member role.

Consultation

Existing Audit Panel members, Senior Staff

Risk Implications

Nil.

Financial Implications

Nil.

Strategic Plan

S4.4.4 - Ensure financial and risk sustainability.

Social Implications

Not Applicable.

Environmental or Climate Change Implications

Not Applicable.

Economic Implications

Not Applicable.

Other Issues

Nil.

Assessment

The audit panel held its first meeting under the new chair, Mr R De Santi, on the 25th May 2023, the minutes will be submitted to Council after they have been ratified at the next meeting on 11th August 2023. Following this meeting the panel met on the 6th June 2023 to discuss the five applications that were received and put forward a recommendation to Council for the additional independent member.

The role required a person to possess good business acumen and sound management and communications skills; knowledge and expertise in the areas of audit practices and financial management; knowledge of and experience in relevant industries and experience with governance processes including but not limited to risk management.

The applications received were of a high standard with a range of business expertise. It was unanimously decided that Mr D Strong was the best applicant for the position, given his current experience on Local Government Audit Panels and his finance and risk background.

Options

1. As per the recommendation.
 2. Select an alternative candidate.
-

RECOMMENDATION:

That Mr D Strong be appointed as the independent audit panel member.

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 | |

13.6 Greater Hobart Homelessness Alliance (GHHA)

Author: Director, Governance & Regulatory Services (J Banks)

Background

Correspondence has been received from Councillor Anna Reynolds, Lord Mayor, City of Hobart in regard to the Greater Hobart Homelessness Alliance (GHHA) and seeking representation from Brighton Council.

The purpose of the GHHA is to provide a forum for collaboration, information sharing and partnership between a range of housing and homelessness sector stakeholders. It is focused on improving policy, practice and service delivery to achieve better long-term outcomes for people who are experiencing homelessness or at risk of homelessness.

One (1) elected member and one (1) key staff member from Brighton are invited to nominate as representatives on the GHHA.

It is intended to nominate Council’s Community Development Officer (Kylie Murphy) to the key staff member position.

The GHHA Terms of Reference are included as an attachment which further outlines the Purpose of the Alliance, Role and Function and meeting schedule.

Consultation

Community Development

Risk Implications

Nil.

Financial Implications

None foreseen.

Strategic Plan

- 1.1 Engage with and enable our community
- 1.2 Build resilience and opportunity

Social Implications

Raise awareness of the complex issues about people who are experiencing homelessness or at risk of homelessness.

Environmental or Climate Change Implications

Nil.

Economic Implications

N/A

Other Issues

After the workshop held on the 12 June 2023, the letter from the Lord Mayor was tabled and discussed; four (4) Councillors expressed an interest in being nominated to represent Brighton on the Alliance, and they were:-

- Cr Curran
- Cr Irons
- Cr McMaster
- Cr Murtagh

Options

1. As per the recommendation.
2. Other.

RECOMMENDATION:

That Council nominate one (1) elected representative to be Brighton Council's representative on the Greater Hobart Homelessness Alliance (GHHA).

DECISION:

Cr Murtagh and Cr Master withdrew their request to be nominated.

Cr Geard moved Cr Murtagh seconded that Cr Irons be nominated as Council's representative and that Cr Curran be appointed as a proxy.

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 | |

13.7 Council & Committee Meeting Schedule and Workshop Guidelines

Author: Acting General Manager (D Allingham)

Background:

At present, Committee meetings and Planning Authority are held on the second Tuesday of every month. Council meetings are held on the third Tuesday of every month. Council workshops have been scheduled on an ad-hoc basis as required.

To provide a more consistent approach; the following change to meeting dates is proposed:-

- change the date of the Committee Meetings and Planning Authority meetings to be held on the **first Tuesday of every month** (*currently scheduled on the second Tuesday of every month*).
- schedule a Council Workshop on the **first Tuesday of every month** at approximately 5.45 pm-7.15pm following Planning Authority meetings (*currently scheduled on an ad-hoc basis*).

These proposed changes will provide a more structured approach to Council workshops and improve councillor attendance with pre-scheduled dates. It also allows additional time for council staff to work on any issues that arise from Council workshops and committees before reporting outcomes back to the next Ordinary Council Meeting.

The proposal to change Planning Authority meetings to the first Tuesday of each month (as opposed to the second Tuesday) also allows Council additional time to spread out planning decisions and speed up approval timeframes with Planning matters.

Updated Workshop Guidelines have also been developed to provide a framework for the orderly and proper conduct of Councillor Workshops and aims to increase transparency around Council's decision-making process in line with the principles of good governance (See Attachment A).

Consultation:

Councillors, Senior Management Team

Risk Implications:

Nil.

Financial Implications:

Nil.

Other Issues:

N/A

Assessment:

N/A

Options:

1. As per the recommendation.
 2. Other.
-

RECOMMENDATION:

That Committee and Planning Authority Meetings be held on the first Tuesday of every month followed by a Council workshop (if required). Noting that Ordinary Council meetings remain to be held on the third Tuesday of every month commencing at 5.30pm.

That the Council Workshop Guidelines be endorsed.

DECISION:

Cr Whelan moved, Cr De La Torre 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 | |

Cr De La Torre had declared an interest in the following item and left the meeting at 6.45pm.

13.8 Seniors Week Event – Free Hire of Brighton Civic Centre

Author: Manager Community Development & Engagement (A Turvey)

Background:

Seniors Week celebrates older Tasmanians and recognises the contributions seniors make to our communities. It's a week of events for older people, all over Tasmania that is run by COTA Tasmania from 16-22 October 2023.

Brighton Council has been approached to support a Seniors Week event for 2023. Keith Potger, of Seekers fame, regularly holds concerts each year for Seniors Week and has offered to hold one in our area. It is understood he held a concert at the Civic Centre many years ago for Seniors Week and would like to do one this year.

The concert would be held in the Civic Centre Main Hall & Theatrette on **Tuesday 17 October from 2.30pm to 3.40pm.**

The concert is titled '*Up Close and Personal with Keith Potger*' and runs for 70 minutes.

Tickets are at a greatly reduced price of just \$20 each. Keith Potger's management supply PA, front of house and ticketing.

Brighton Council's support would be to provide free venue hire for the concert in order to keep the ticket price to a minimum and Council would be acknowledged as the major sponsor.

The event would be registered with COTA and be a part of the official program for Seniors Week, which has proved to be quite an effective marketing tool and would bring in attendees from our broader sub-region. Twenty-five thousand printed guides are distributed across Tasmania and an electronic guide will be available on our website.

The venue would be required from 12pm to 4pm.

Seniors Week is coordinated by COTA Tasmania and made possible with the support of the Tasmanian Government.

Consultation:

Director Governance & Regulatory Services, Admin & Facilities Management Officer.

Risk Implications

Nil.

Financial Implications

The loss of income would be \$552 if a full waiver of venue hire is granted.

Strategic Plan

Goal 1: Inspire a proud community that enjoys a comfortable life at every age.

Social Implications

Seniors Week events allow people in the community to connect and enjoy a form of activity or entertainment that may not normally be readily available or accessible to them.

Economic Implications

The ticket price would need to incorporate the venue hire fee if it was not waived.

Other Issues

Nil.

Assessment

Brighton Council has not been directly involved in supporting a Seniors Week event for some years and this provides an opportunity for Council to be involved and contribute to an event for our older demographic, that fits with our 2050 Vision and goals of 'A comfortable life at every age.'

Options

1. As per the recommendation.
2. Council does not approve the waiver of venue hire fees.

RECOMMENDATION:

Council approves a full fee waiver on the fees for the hire of the Civic Centre Main Hall & Theatre on **Tuesday 17 October 2023** from 12pm to 4pm for the COTA Seniors Week event: *'Up Close and Personal with Keith Potger'*.

DECISION:

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

CARRIED

VOTING RECORD

| <u>In favour</u> | <u>Against</u> |
|------------------|----------------|
| Cr Curran | |
| Cr Geard | |
| Cr Gray | |
| Cr Irons | |
| Cr McMaster | |
| Cr Murtagh | |
| Cr Owen | |
| Cr Whelan | |

Cr De La Torre rejoined the meeting at 6.47pm.

13.9 Delegations - Change of Titles

Author: Director, Governance & Regulatory Services (J Banks)

Background:

Legislation enables Council to delegate some of its functions to assist in the smooth and efficient running of Council affairs.

In order for Council to make a valid delegation, legislation requires:

- a. Council must have authority from legislation to delegate the Function
- b. The legislation must allow Council to delegate the Function to the Delegate
- c. Council must resolve to make the delegation
- d. Council must resolve to seal an Instrument of Delegation

In addition, Council may resolve to allow the delegate to sub-delegate the Function.

Due to the recent organisational review and change of Officer titles Council's Instrument of Delegations should reflect those change in titles.

Consultation

General Manager, Director Governance & Regulatory Services

Risk Implications

Council may incur legal costs if demonstrated that Council's delegations are invalid.

Financial Implications

None unless delegations are deemed invalid and action is taken against Council.

Strategic Plan

S4.2: Be well-governed.

Social Implications

None identified.

Environmental or Climate Change Implications

None identified.

Economic Implications

None identified.

Other Issues

Nil

Assessment

A council, in writing, may delegate with or without conditions to the General Manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (subject to restrictions).

The General Manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993*.

If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the *Acts Interpretation Act 1931*.

If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the *Acts Interpretation Act 1931*.

A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the *Acts Interpretation Act 1931*.

Options

1. As per the recommendation.
2. Change the recommendation.
3. Do nothing.

RECOMMENDATION:

That Delegations previously adopted by Council and the Planning Authority be amended to reflect the organisational review change to Officer titles. e.g. Governance Manager to Director, Governance & Regulatory Services etc.

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 McMaster | |
| Cr Murtagh | |
| Cr Owen | |
| Cr Whelan | |

Cr Owen had declared an interest in the following item and left the meeting at 6.14pm.

13.10 Old Beach Zoning Review Report - Community Consultation

Author: Senior Strategic Planner (B White)

Authorised: Acting Director Development Services (J Blackwell)

Background

The Old Beach Zoning Review Project ('the Project') is the result of recommendations within the Brighton Structure Plan 2018 ('BSP') and the strategic location of the two (2) study precincts within the Urban Growth Boundary ('UGB') of the Southern Tasmanian Regional Land Use Strategy ('STRLUS').

The Project's initial report, which identified several possible growth options for Old Beach, was endorsed by Council at its ordinary council meeting on 20th December 2022 for public consultation for a period of four (4) weeks.

The purpose of this report is to consider the submissions received during the consultation period for the *Old Beach Zoning Review Report* and to seek Council's endorsement of ERA's final report.

Consultation

The Old Beach Zoning Review Report (the Report) was exhibited on Council's website between the 23 January – 24 February 2023. Submissions were able to be made via a link to the 'Survey Monkey' website. Council Offices also received submissions via post, email and in person. Several submissions were received after the 24th of February.

Council Officers posted letters to all landowner/ tenants of properties within the study area and adjoining streets informing them the consultation was occurring and how to make submissions. An article was also published in the Brighton Community News.

A total of 87 submissions were received.

Precinct A

Twenty-seven (27) responses were received from properties in Precinct A. Four were supportive of the recommendation in the report. The remaining 23 were opposed.

Precinct B

Sixteen (16) responses were received from properties in Precinct B. All were opposed to the recommendations.

Other Areas

None of the submissions received from outside of the study area were supportive of the recommendations.

Feedback from Relevant Agencies

Table 1 Relevant Agency and Council Comments

| Agency | Comment |
|----------------------------------|---|
| Department of State Growth (DSG) | DSG have recommended that no rezoning occurs until the East Derwent Highway Network Study and the Outer Hobart Supply and Demand project are completed. |
| Clarence Council (CC) | Clarence Council have no objections to the report. |

| | |
|-----------------------------|---|
| TasWater | Taswater have indicated that their recommendations and comments have been included in the report. |
| TasNetworks | Tasnetworks have no further comments to make. |
| Tasmania Fire Service (TFS) | <p>TFS have no significant concerns with the proposed recommendations.</p> <p>TFS state that the densification and transition to a more urbanised environment of the area may result in an overall reduced bushfire risk locally due to the need for clearance of vegetation for future subdivision and dwelling development which will reduce fuel loads. The TFS are of the view that bushfire requirements ultimately may impact on overall lot yield that is realistically achievable and that clearance of vegetation will be necessary.</p> |

Summary of Concerns Raised

Three key issues were raised in submissions:

- Natural Values/ wildlife/ climate change - 38%
- Infrastructure/ traffic/ road layout/ services –41%
- Character of area/ privacy/ scenic qualities – 29%

Other less prominent issues were:

- Survey results not reflected in recommendation/issues with methodology – 15%
- Crime and social impacts – 9%
- No reasons given – 11%.

A further breakdown of issues per area and ERA’s and Council Officers’ response to key concerns raised in the submissions is provided in the following sections.

Table 2 Breakdown of Submission Received

| Key Topics | | | | | | | | |
|-------------------------------|--------------------|--------------------|---|----------------------|--------------------------------|----------------------------|--------------------------------------|------------|
| Precincts/ Location | Total Responses | Natural Values/ | Infrastructure/ traffic/ road layout/ Services | Character of area | Crime and social impacts | issues with methodology | No reasons given for objection | Supportive |
| Precinct A | 27 | 11 | 10 | 11 | 2 | 2 | 4 | 4 |
| Precinct B | 16 | 9 | 6 | 9 | 2 | 5 | 1 | 0 |
| Adjoining | 9 | 4 | 3 | 3 | 1 | 2 | 0 | 0 |
| Nearby | 19 | 5 | 13 | 6 | 3 | 1 | 3 | 0 |
| Greater than 1km | 2 | 1 | 1 | 3 | 0 | 0 | 0 | 0 |
| Not Provided | 7 | 2 | 2 | 1 | 0 | 0 | 2 | 1 |
| State Agencies/ Council | 5 | 0 | 1 | 1 | 0 | 1 | 0 | 0 |
| St Annes | 2 | 0 | 0 | 0 | 0 | 2 | 0 | 0 |
| Totals | 87 | 32 | 36 | 34 | 8 | 13 | 10 | 5 |

Table 3 ERA Response to Key Issues Raised in Submissions

| Issues | ERA Response |
|---|--|
| Natural Values | |
| <ul style="list-style-type: none"> • Concerns that the precincts and the area along Clarries Creek provide a wildlife corridor between the river and the Meehan Ranges. • Issues regarding impact on riparian habitat along Clarries Creek. • Issues regarding climate change adaptation/ mitigation caused by loss of vegetation. Urban heat islands were mentioned. • Concerns the proposal was at odds with Council's 2050 vision regarding climate change mitigation/ adaptation and retaining natural values. • Natural hazards not taken into account. | <p>In response to the submissions raised regarding natural values, ERA have updated their recommendation to emphasise that, prior to any rezoning to General Residential occurring beyond the Future Urban zone, a detailed natural values assessment be undertaken of all land within the precincts which is informed by the key issues raised in submissions. This would include an investigation of matters including wildlife corridors, threatened and non-threatened flora and fauna species, Clarrie's Creek, climate change and general ecological values.</p> <p>ERA further recommend that the findings of this report be then used to inform the future vision and pattern of development of the area via the master planning/ structure planning process and the creation of a specific area plan.</p> <p>ERA consider that no significant changes are required to their initial recommended growth scenario and zoning recommendation. The key reasons cited for this include: the sites are located within the Greater Hobart Urban Growth Boundary of the Southern Tasmanian Regional Land Use Strategy which is land identified for urban/ residential rezoning and development, the current demand for housing both in the Brighton Municipality and Greater Hobart, and that the land is currently not well covered in planning overlays that deal with threatened and non-threatened fauna and fauna species. However, ERA have recognised that part of the scope of the natural values report will be to possibly identify areas where the natural assets code of the should either be applied or removed.</p> |

| Infrastructure | |
|--|--|
| Issues | ERA Response |
| <ul style="list-style-type: none"> • Most submissions in this topic were concerned that the existing road infrastructure within the precincts and the East Derwent Highway (EDH) are already at capacity and that more housing would make the situation worse. • Increased traffic not appropriate • Safety of key intersections onto the EDH. • Concerns that the required upgrades to infrastructure such as sewer, water and road upgrades would be cost prohibitive which would result in landowners paying high contributions. • Concerns with a lack of public transport. • Already a lack of social infrastructure and retail/commercial services in Old Beach which would be made worse with more housing. • Already a lack of open space in the area. • Objections to proposed road layout. | <p>ERA considers that, in response to concerns regarding future infrastructure required to accommodate further growth in the precincts, that an infrastructure assessment and assessment of the internal roads within the precincts be undertaken prior to any rezoning to General Residential. Council Officers agree that issues raised regarding the particulars of the infrastructure required for future growth can be addressed via a future report which guides the future application of the General Residential Zone and an accompanying masterplan.</p> <p>Issues were raised with the cost and feasibility of the upgrades and how may end up having to pay for these upgrades. These are matters that will come out of the master planning process and in deliberations with the state agencies and providers. Nonetheless, ERA have outlined in their exhibited report and in their final update that Council should consider a development contributions scheme for upgrades to infrastructure such as upgrades to roads, footpaths, stormwater infrastructure etc. TasWater and TasNetworks have both indicated that they may contribute to future upgrades.</p> <p>Concerns have been raised with the indicative road layout. However, this road layout was simply an indication that a new road layout may be possible within the precincts. This road layout is not intended to be a final future layout. Any future road layout within the precincts would form part of a future master planning process.</p> <p>Regarding increases in traffic, the Traffic Assessment prepared by Hubble Traffic acknowledges the limited capacity of the East Derwent Highway between the Bowen Bridge and Old Beach to accommodate additional traffic in excess to what has been approved within the Tivoli Green Estate. However, the report opined that, subject to upgrades to several intersections along the highway, it could accommodate 580</p> |

| | |
|--|---|
| | <p>additional lots before significant upgrades were required (such as the duplication of the lanes).</p> <p>Regarding public transport, this would be a matter for future discussion with the State Government.</p> <p>In terms of access to retail services and social infrastructure in the Old Beach area, a market assessment would inform the preparation of a future masterplan which would consider whether additional business zoned land is required within the precincts. Areas of open space and future linkages would form part of the master planning process.</p> |
| <i>Character of Area/ Privacy/ Scenic qualities</i> | |
| Issues | ERA Response |
| <ul style="list-style-type: none"> • Most submissions in this topic were concerned with the impact of the proposed recommendation on their current enjoyment, amenity and their peaceful, semi-rural lifestyle. • Concerns with the loss of character and privacy due to more housing. • Comments that the report doesn't consider the value of the precincts as a buffer and point of difference between higher density areas. | <p>ERA have recommended that a landscape assessment is prepared prior to any rezoning to General Residential. The assessment would include identifying significant trees for protection and an assessment of scenic values in the study area. ERA state that this would provide greater clarity for residents and decisionmakers regarding the developability of land and would be used to inform the masterplan.</p> <p>As well as the recommended landscape study, ERA's subdivision guidelines also include references to respecting and positively contributing to the existing and future character of Old Beach.</p> <p>Whilst it is recognised the character of the area will change because of a future rezoning to General Residential, the location of the precincts within the Urban Growth boundary means that these areas should be prioritised for future residential growth to meet demand for housing in the Old Beach area. It is considered that a future masterplan can assist in maintaining some of those key characteristics that people enjoy about living in the precinct whilst allowing those who wish to develop to do so.</p> |

| <i>Methodology and consultation findings</i> | |
|--|--|
| Issues | ERA Comment |
| <ul style="list-style-type: none"> • Concerns with the lot yield methodology. • Concerns that community concerns have not been considered. • Queries as to why the low-density zone or maintaining the rural living zone where not considered. • Queries as to why some lots were excluded. • Issues with the delays in the report being finalised. | <p>ERA have undertaken an independent analysis of whether the precincts can accommodate future growth which is supported by a traffic assessment.</p> <p>The analysis was based around a 'lot yield analysis' which was explained by ERA (p. 64) as follows:</p> <p><i>An assessment was undertaken of all sites individually to calculate the likely potential development yield. The assessment involved a review of the site's opportunities and constraints in the context of the development requirements of the Tasmanian Planning Scheme – Brighton Local Provisions Schedule. Typical constraints that were considered included planning scheme overlays... threatened species/vegetation, topography, scenic values, access to transportation options, and the absence or presence of infrastructure/ services. Typical opportunities included the ability to consolidate adjoining development sites, and the capacity for subdivision or development of multiple dwellings afforded by the relevant planning scheme zone requirements.</i></p> <p>The lot yield analysis found that six (6) lots should be 'excluded' from the analysis. However, the lots would still be considered in a future masterplan. They were only excluded for the purposes of a desktop assessment to get an approximate idea of how many lots could theoretically be possible at an approximate size of 500m².</p> <p>It is also noted that members of the public will not be forced to develop. Involvement in the master planning process would be voluntary, as would subdividing land.</p> |

Should the Council decide to rezone the land to Future Urban, members of the public can make representations and can then attend hearings of the Tasmanian Planning Commission.

Section 4 of the ERA report (p. 59 & 60) addresses the suitability of the low-density zone and rural living, as follows:

The Low-Density Residential zone is only appropriate for land that is not capable of being connected to reticulated infrastructure services and is affected by significant environmental constraints that limit development. This is not the case for the study area. Accordingly, this zoning is not considered appropriate.

It is not appropriate to retain the current rural living zone given the land is earmarked for future residential development and is within the UGB. The land is also capable of being connected to services and appears to have limited natural values.

The report (p.58) addresses the suitability of the General Residential Zone:

The General Residential zone would be the most appropriate zoning for the study area, providing properties within it are connected to a reticulated water supply service and a reticulated sewerage system. There are minimal constraints that impact the land's development potential. This zoning would also allow for more efficient use of existing infrastructure and servicing in the area.

The Future Urban Zone is considered appropriate as an interim zone while the master planning process is undertaken for the reasons outlined by ERA (p. 61):

The Future Urban zone should be applied to the Precincts to ensure that the future development of the area is not compromised. This ensures that further structure or master planning for the precincts can be prepared before they are released for urban development.

| | |
|---|---|
| | <p>Regarding the delay in the report being released, this was due to workloads of the consultant and significant discussions occurring between the project team and the Department of State Growth around the future of the East Derwent Highway.</p> |
| <p>Social/ Crime Issues</p> | |
| <ul style="list-style-type: none"> Increased housing will lead to increased crime rates. | <p>ERA have included matters in their 'subdivision guidelines' which address how future a future masterplan can incorporate urban design principles such as safety through design.</p> |

Council Officer Assessment

Precinct A

Council Officers agree with ERA that the location of Precinct A within the UGB, and in a serviceable location, means that Council should consider restructuring the area to meet housing demand in the Brighton municipality and in Greater Hobart. It is considered that the issues raised in submissions received by respondents in Precinct A can be managed via a future master planning process and will guide the future development of the area via a master planning project. It is considered that issues such as natural values, scenic qualities and infrastructure provision must be investigated prior to any rezoning to General Residential.

Precinct A, particularly the land on the northern side of Myna Park Road, appears to be less constrained for future development than Precinct B. Council Officers therefore agree that Council endorses the ERA recommendation regarding Precinct A.

Precinct B

Council Officers agree with ERA that Precinct B has the policy settings to be considered for future residential growth. However, at this time, there is clearly not the community appetite to make the changes recommended in ERA's report. It is therefore considered that the matters raised during submissions warrant Council to consider leaving Precinct B zoned as is for the time being.

More than half the submissions received by people in precinct B were regarding impacts on natural values, lack of infrastructure and loss of character due to further residential growth. Precinct B also appears more constrained for development due to the potential presence of both threatened and non-threatened flora and fauna species which is shown by the extent of the natural asset code mapping that applies within the precinct.

Summary

It is considered that Precinct A should be zoned in accordance with Option 2 as per ERA’s recommendation. Precinct A appears less constrained for development and more likely to be able to be further subdivided in accordance with a future masterplan. However, having regard to the submissions received during exhibition, at this stage Precinct B should remain zoned Rural Living as per Option 1.

ERA have made recommendations as to the next steps in the project. Council Officers have adjusted these based on Precinct B remaining being zoned Rural Living.

Table 4 Recommended Next Steps

| Action | Description |
|---------------------------|---|
| Short Term Actions | |
| Community Engagement | Engagement with the local community regarding next steps in project. |
| Further studies | In response to the top three issues raised during the public exhibition period, ERA recommend that a natural values report, infrastructure and services assessment and a landscape assessment prior to any rezoning of Precinct A to the General Residential Zone. |
| Planning Scheme Amendment | <p>It is recommended that Brighton Council apply for a planning scheme amendment to include the following:</p> <ul style="list-style-type: none"> • Precinct A to be rezoned to the Future Urban zone • Removal of the Urban Rural Interface SAP currently applying to Precinct A • Support the extension of the UGB to include the entirety of Precinct A <p>By applying the Future Urban Zone, it will protect the land from being developed in a way that might not comply with any future master plan that is to be prepared for the study area.</p> |

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| Road Upgrades | The road upgrades identified by Hubble Traffic should be undertaken to support residential growth. If for some reason they cannot be completed at this point, then a commitment should be made to the upgrades occurring in a suitable timeframe that will mitigate traffic congestion |
| Medium Term Actions | |
| Preparation of a master plan | <p>A master plan should be developed by Council for Precinct A. This would include and address the following:</p> <ul style="list-style-type: none"> • A detailed road and pathway layout for the precinct • Infrastructure assessment • Natural values assessment • Landscape assessment, including identifying significant trees for protection and an assessment of scenic values • Subdivision guidelines. <p>The master plan would then be incorporated into the planning scheme in the form of an SAP via the planning scheme amendment process.</p> |
| Planning scheme amendment | Once the abovementioned actions are complete or substantially commenced, including the required road upgrades, it is recommended that the 25 lots (or 31.2 ha) that have been identified in part of Precinct A be rezoned to the General Residential zone (refer to accompanying maps); with the change in planning controls including key features of the master plan such as the road layout, in the form of a SAP. |
| Development contributions requirement | It is recommended that Council explore the options of introducing development contribution requirements for subdivision applications within the precincts and part of future planning scheme amendments to facilitate improved community infrastructure and facilities. |
| Long Term actions | |
| Planning scheme amendment (option 3) | Any rezoning that increases the additional residential lots for both Precincts past 580 is expected to increase highway commuter traffic demand to a volume that exceeds available lane capacity. This would cause an unacceptable reduction in traffic performance for highway |

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| | <p>users, with junctions having insufficient traffic capacity to provide a suitable level of performance.</p> <p>Upgrades to East Derwent Highway would therefore need to be established with Infrastructure Tasmania prior to or concurrently with any rezoning application that facilitates increased number of dwellings. Once road and infrastructure upgrades have been completed or are nearing completion to a point that the authorities deem satisfactory, both Precincts A and B could be rezoned to General Residential, with the master plan forming part of the change in planning controls through the application of a SAP</p> |
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Risk Implications

Council has engaged the local community in the Old Beach Zoning review throughout and their comments have been considered in the final report.

Financial Implications

Should ERA's recommendation be endorsed, future implications include the cost of preparing a Master Plan for the area and supporting reports.

Strategic plan

This project aligns with the following strategies:

- S1.2: Create housing/employment/play/education;
- S1.3: Provide public facilities/amenities;
- S1.4: Support connected communities;
- S1.5: Build a resilient Social and environmentally sustainable future;

Social implications

Rezoning the area to facilitate greater densities is likely to upset some members of the community due to their preference for the lower density character in the area.

However, this needs to be weighed up against the broader policy settings that support consolidation of land within the urban growth boundary. Rezoning of the land is also likely to improve infrastructure in the area through provision of footpaths, open space and walking trails and possibly some community and commercial services.

It is likely to take some years before any land is master planned and zoned General Residential and it is important that the community is kept informed and engaged throughout the next steps.

Economic implications

Any future rezoning of the land is likely to stimulate building and construction growth in the area.

Environmental or climate change implications

As noted in the recommended next steps, it is critical that natural and scenic values are properly evaluated before rezoning the land to General Residential. Good subdivision design and consolidation of land can reduce the impact of climate change, particularly when considered against urban sprawl outside the urban growth boundary.

Assessment

The Old Beach Zoning Review Project report has assessed whether two (2) existing rural residential precincts in Old Beach have the necessary conditions to accommodate future growth at urban densities.

ERA and Council Officers have considered the submissions received during exhibition of the draft report. ERA maintain that Option 2 is the preferred change scenario as per their original recommendation.

Council officers consider that Option 2 can deliver much needed housing supply into the municipality in a sought-after location in a manner that can, as far as possible, maintain the existing character of the area. However, there is no community appetite at the current time for significant change to the zoning in Precinct B.

Therefore, Precinct B should be retained under the existing Rural Living Zone for the time being.

Options

1. As per the recommendation; or
2. Do not endorse the Old Beach Zoning Review report and associated documents.
3. Other.

RECOMMENDATION:

It is recommended that Council:

- a) Endorse the Old Beach Zoning Review report and associated documents regarding Precinct A.
- b) Do not endorse the Old Beach Zoning Review report and associated documents regarding Precinct B. Rather, Precinct B should remain zoned Rural Living as per Option 1.

- c) Direct Council Officers to undertake further community consultation.
- d) Direct Council Officers to prepare a planning scheme amendment for Precinct A to be rezoned to Future Urban.

DECISION:

Cr Irons moved, Cr Curran 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 Whelan | |

Cr Owen rejoined the meeting at 6.31pm.

14. Questions on Notice

There were no Questions on Notice for the June meeting.

Meeting closed: 6.48 pm

Confirmed: _____
(Mayor)

Date: 18 July 2023
