



**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, 15 AUGUST 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 Owen and Cr Whelan

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

3. Applications for Leave of Absence

Cr Owen moved, Cr De La Torre seconded that Cr Murtagh be granted leave of absence.

CARRIED

VOTING RECORD

| In favour | Against |
|-----------|---------|
|-----------|---------|

| | |
|----------------|--|
| Cr Curran | |
| Cr De La Torre | |
| Cr Geard | |
| Cr Gray | |
| Cr Irons | |
| Cr McMaster | |
| Cr Owen | |
| Cr Whelan | |

4. Confirmation of Minutes

4.1 Ordinary Council Meeting

The Minutes of the previous Ordinary Council Meeting held on the 18th July 2023 are submitted for confirmation.

RECOMMENDATION:

That the Minutes of the previous Ordinary Council Meeting held on the 18th July 2023, be confirmed.

DECISION:

Cr Geard moved, Cr Curran seconded that the Ordinary Council Meeting minutes on the 18th July 2023 be confirmed.

CARRIED

VOTING RECORD

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

4.2 Planning Authority

There were no Planning Authority meetings held in August 2023.

4.3 Committees of Council

There were no committee meetings held in August 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 Geard declared an Interest in Item 13.1 as patron of the Poultry Club.

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.

- Ms Kareena Blackwell from Brighton and Southern Midlands Pony Club addressed Council about concerns related to where the club might be relocated to should

discussions around use of the Pontville grounds with Cricket Tasmania or AFL Tasmania progress. Concerned would not be able to cater for all users if did not have an equivalent site to move to.

7. Reports from Council

7.1 Mayor's Communications

The Mayor's communications are as follows:

| | |
|------|--|
| 20/7 | Re-opening of the Bridgewater Community House |
| 24/7 | Meeting with CEO, Homes Tasmania |
| 26/7 | LGAT General Management Committee Meeting |
| 27/7 | Premiers Local Government Council Meeting |
| 1/8 | Meeting with Cricket Tasmania |
| 1/8 | Council Workshop |
| 3/8 | Meeting with John Barker – Gagebrook rezoning |
| 4/8 | Meeting with Rebecca White MP |
| 4/8 | Local Government Board Hearing – Eastern Shore Community Catchment |
| 7/8 | Tiny Houses meeting |
| 8/8 | Meeting with TasWater CEO |
| 9/8 | Pontville Users Group Meeting |
| 15/8 | Ordinary Council Meeting |

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

Cr Owen moved, Cr De La Torre seconded that the Mayor's communications be received.

CARRIED

VOTING RECORD

| In favour | Against |
|-----------|---------|
|-----------|---------|

| | |
|----------------|--|
| Cr Curran | |
| Cr De La Torre | |
| Cr Geard | |
| Cr Gray | |
| Cr Irons | |
| Cr McMaster | |
| Cr Owen | |
| Cr Whelan | |

7.2 Reports from Council Representatives

The following verbal reports were made:-

- Cr Geard
 - Attended Pontville Users Group. Well attended and amicable meeting regarding possible future use of the grounds.

- Attended a workshop of the Fire Management Area Committee, the southern regions – looking at amalgamating fire management boundaries – Brighton would go in with Central Highlands, Southern Midlands, Clarence and Glamorgan Spring Bay Council.
- Attended Southern Emergency Management Co-ordinators meeting at Glenorchy.

RECOMMENDATION:

That the verbal reports from Council representatives be received.

DECISION:

Cr Irons moved, Cr McMaster seconded that the verbal reports from Council representatives be received.

CARRIED

VOTING RECORD

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

8. Miscellaneous Correspondence

- Letter from Donna Adams, Department of Police, Fire & Emergency Management dated 18th July 2023 regarding reform of the *Fire Service Act 1979*.
- Letter from Nic Street MP, Minister for Local Government dated 19th July 2023 regarding the Future of Local Government Review.
- Letter from Premier Jeremy Rockliff MP dated 20th July 2023 regarding reforms to the Tasmanian Land Use Planning system.
- Letter from Brighton Community Food Hub dated 4th August 2023 thanking Council for their in-kind support to the Food Hub.
- Letter from Mayor to the Minister for Health dated 8th August 2023 regarding storage space for Brighton Community Food Hub in Bridgewater.

RECOMMENDATION:

That the information be received.

DECISION:

Cr Whelan moved, Cr Geard seconded that the information be received.

CARRIED

VOTING RECORD

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

9. Notification of Council Workshops

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

One (1) Council workshop has been held since the previous Ordinary Council meeting.

A workshop was held on the 1st August 2023 at 4.45 p.m to discuss the following matters: Countrywide Hydrogen project update; High Performance training facility and Bridgewater Bridge Northern Interchange Master Plan.

Cr Gray, Cr Curran, Cr De La Torre, Cr Geard, Cr Irons, Cr McMaster, Cr Owen and Cr Whelan were in attendance.

RECOMMENDATION:

That the information be received.

DECISION:

Cr Curran moved, Cr McMaster seconded that the information be received.

CARRIED

VOTING RECORD

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

10. Notices of Motion

Cr Aaron De La Torre has submitted the following motion:

“That Council assumes an active role in promoting and disseminating official information pertinent to the Voice referendum, with the aim of educating our community to enable them to make well-informed decisions when the time to vote arrives”.

Background comments from Cr De La Torre:

The Vital Role of Council in the Voice Referendum

Local councils hold a unique and powerful position within their communities, serving as a bridge between the aspirations of communities and the policy decisions that shape our society. The upcoming Voice referendum presents an unprecedented opportunity for Council to become a positive voice for change, embodying its commitment to our core values of Community, Vision, Integrity, and Respect. By actively participating in the promotion of official information about the Voice referendum, Council can fulfill its duty to empower the community and facilitate a well-informed decision-making process.

The Voice referendum stands as a milestone in our nation’s journey towards reconciliation and meaningful Indigenous representation. By proactively disseminating accurate and unbiased information, Council can play a pivotal role in dispelling misconceptions, fostering understanding, and encouraging constructive dialogue among our residents. With a significant number of residents in our own municipality who identify as Aboriginal or Torres Strait Islander, this educatory piece goes beyond the scope of politics; it is an investment in social cohesion, trust-building, and a more equitable future.

Council’s role as a public information provider is never more crucial than during periods of decision-making that impact the collective wellbeing of our community. By taking an active stance in promoting official information about the Voice referendum, Council demonstrates its commitment to transparency and democratic values. Access to accurate and comprehensive information empowers residents to form informed opinions, transforming them from mere spectators into active participants in shaping the direction of our nation. Informed decision-making is the cornerstone of a healthy democracy, and Council’s efforts will not only enlighten voters but also contribute to the creation of a more engaged and cohesive society.

Amidst recent polling data indicating that 40% of Australians remain undecided on the matter of the Voice, Council’s robust involvement in promoting official information concerning the referendum is not just a question of civic responsibility—it embodies our dedication to community empowerment.

This motion aligns with our obligations under 4.3 of the Brighton Council Strategic Plan 2023 – 2033, to ensure strong engagements and relationships to shape the agenda and advocate for our community.

DECISION:

Cr De La Torre moved, Cr McMaster seconded that Council assumes an active role in promoting and disseminating official information pertinent to the Voice referendum, with the aim of educating our community to enable them to make well-informed decisions when the time to vote arrives.

CARRIED

VOTING RECORD

| In favour | Against |
|-----------|---------|
|-----------|---------|

| | |
|----------------|--|
| Cr Curran | |
| Cr De La Torre | |
| Cr Geard | |
| Cr Gray | |
| Cr Irons | |
| Cr McMaster | |
| Cr Owen | |
| Cr Whelan | |

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 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 agenda items.

13. Officers Reports

Please note:

- *Cr De La Torre left the meeting room at 6.03pm, Cr De La Torre returned at 6.05pm.*
- *Cr Geard left the meeting table due to a declared interest at 6.04pm and returned to the table at 6.05pm.*

13.1 Southern Tasmanian Poultry Club Grant Application

Author: Project Engineer (K Tongue)

Authorised: Director, Asset Services (C Pearce-Rasmussen)

Background

The Southern Tasmanian Poultry Club (STPC) are planning to construct a storage area south-west of the dog training area at the Brighton Showgrounds, Pontville. This will consist of two shipping containers which have been supplied to the club. The STPC applied for a Small Community Development Grant through the Community Grants Program in April 2023 to construct a pad for the containers to sit on. Following advice they had received, the grant cost was listed as \$0. Their application was then rejected as a cost value must be provided.

An estimated costing was recently provided by the Works Supervisor for construction of the pad. The combined material and labour costs came to a predicted \$1,580 (ex GST). Advice from the planning department is that a site plan will need to be drawn up and checked, but the project is classed as a No Permit Required Use.

Due to the confusion prior to submitting the grant application and its subsequent rejection, it was proposed that Council consider supplying funding for the project directly rather than through the next round of grants.

Consultation

Director, Asset Services

Risk Implications

N/A

Financial Implications

As the funding will not be provided through the Community Grants Program, a new budget item will need to be created for the project.

Strategic Plan

S1.1: Engage with and enable our community

S3.3 Community facilities are safe, accessible and meet contemporary needs

Environmental or Climate Change Implications

N/A

Other Issues

N/A

Options

1. As per the recommendation.
2. Do not approve the recommendation.

RECOMMENDATION:

That Council provide funding to the Southern Tasmanian Poultry Club for pad construction based on the provided cost estimate.

DECISION:

Cr Owen moved, Cr Whelan seconded that Council provide funding to the Southern Tasmanian Poultry Club for pad construction on the provided cost estimate.

CARRIED

VOTING RECORD

| In favour | Against |
|------------------|----------------|
|------------------|----------------|

| | |
|----------------|--|
| Cr Curran | |
| Cr De La Torre | |
| Cr Gray | |
| Cr Irons | |
| Cr McMaster | |
| Cr Owen | |
| Cr Whelan | |

13.2 Bridgewater Bridge Northern Interchange Precinct Master Plan

| | |
|-----------------------|--|
| Attachment(s): | A –Bridgewater Bridge Northern Interchange Precinct Master Plan B – SGS Supportable Floorspace Assessment |
| Author: | Planning Officer (B White) |
| Authorised: | Director Development Services (D Allingham) |

Purpose

This purpose of this report is to seek endorsement of the *Bridgewater Bridge Northern Interchange Precinct Masterplan* ('the Master Plan) and associated documents for public exhibition.

Background

The New Bridgewater Bridge Project

The New Bridgewater Bridge Project ('the Bridge Project') is a major commitment of the Greater Hobart Transport Vision within the Hobart City Deal. This deal is a ten-year shared vision between the Australian and Tasmanian Governments, and the Council's that make up 'Greater Hobart'.¹

The Bridge Project will see construction of a four-lane road bridge and connecting interchanges between Granton and Bridgewater. The project is the largest investment in a single transport project in Hobart's history. Construction on the bridge is currently underway.

The Bridge Project will result in profound changes to the urban environments on the Bridgewater side of the river within and nearby to the Bridge. This brings with it both challenges and opportunities for the Council. As well as its strategic location of the adjacent to the major highway between Hobart and Launceston, the benefits and opportunities for the Council because of the Bridge Project include:

- Changes to road layouts and improved public and active transport opportunities.
- The release and possible future re-use of surplus land no longer required for the existing road network.
- Possible use of currently non-operational rail lines subject to relevant approvals.
- Revitalizing and improving the character of the existing neighbourhood centre via best practice urban design principles, a diverse range of uses and increased retail and commercial activity.

¹ <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/hobart/files/hobart-city-deal.pdf>

- Providing opportunities for an increase in diverse residential typologies and densities to meet future dwelling demand.
- Investigate increasing the densities of nearby Rural Living areas.
- Improve recreational opportunities along and nearby to the waterfront including play spaces and pedestrian connections.
- Improve the ecological values along the waterfront and in the precinct broadly.
- Opportunities to provide increased provision of social infrastructure.
- Realise a co-created identity for this part of the timtumili minanya (River Derwent) Bridgewater, via a 'Designing with Country' process, bringing Indigenous knowledge and thinkers into the process and consulting deeply with local Indigenous Communities.
- Possible innovative re-use of the previous Bridge Structure and acknowledging and celebrating the area's recent history.
- Opportunity to highlight the pride and character of the Bridgewater community.

Council and the Department of State Growth have engaged Realm Consultants ('Realm') to prepare the Masterplan of the area in response to these challenges and opportunities.

Essentially, the key task for the Masterplan is to set out a community led vision, key principles, and subsequent future actions for the renewal of the Bridgewater waterfront area and surrounds in a best practice manner which ultimately benefits the community.

The Masterplan is provided in Appendix A.

Vision

A vision for the Bridgewater Waterfront has been developed following the community workshops and consultation, as follows:

- a) *A community precinct that supports the liveability and prosperity of Bridgewater. The Masterplan will build on the delivery of the new bridge. It will harness investment towards the creation of a thriving waterfront precinct that is an accessible, vibrant, and diverse network of spaces and places.*
- b) *The precinct will support a variety of uses, including a commercial centre, community facilities, adaptive light industrial uses, and a growing residential population.*
- c) *Accessible green spaces, cultural resources, and recreational amenities will stitch the precinct together. These facilities will serve multiple functions for the community and the environment. Including, the protection of the foreshore ecosystems, increased access to the water, safe places to walk and cycle, and access to public transport.*

- d) *Increased walking, cycling and public transport connections will better connect the precinct to the surrounding areas. It will also help realise the potential of Bridgewater as a place of recreation and high amenity. The revitalisation of the precinct will talk to its rich past, and future potential while fostering a strong connection to Country.*

The Master Plan is a high-level visionary document that re-imagines the precinct as a place where the community can thrive. To realise the identified vision, the Masterplan is guided by six over-arching principles:

- a) *Celebrating the water's edge*
- b) *Connecting thriving open spaces for people and nature*
- c) *Encouraging safe movement and transport access*
- d) *Revealing the Bridgewater community cultural stories*
- e) *Designing a distinctive public realm that harnesses the local character*
- f) *Supporting and generating a mixed-use centre.*

These guiding principles set the intent for implementing a mixed-use development area, new open space, enhanced water access, reconfigured streets, a new transport interchange and a range of community amenities.

The Master plan has been organised into the following separable layers:

- *Land Use*
- *Movement and Access*
- *Public Realm*
- *Green Space*
- *Water, and*
- *Community*

Specific actions have been recommended under each of these layers.

The SGS Report

As part of the Masterplan, SGS Economics have been engaged to produce a brief – ‘Supportable Floorspace Assessment’ (‘the Assessment’) which is provided as Appendix B.

The Assessment included an analysis of the amount of retail and social infrastructure floor space needed within the Master Plan area as a result of the likely increase in dwellings in the precinct. It also considered the role of the centre in terms of the Activity Centre Hierarchy within the Southern Tasmanian Regional Land Use Strategy.

The Assessment concluded that there will be an increase in demand for both retail floorspace and community infrastructure floor space.

Approval for Use of Non- Operational Railway Line

Future use of the non-operational railway line within the Master Plan area will be subject to approval of both houses of the Tasmanian Parliament under the provisions of the *Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016*.

The Rural Living Zoned Land

Whilst this area has not specifically been identified in the study area, it was recommended to be investigated for rezoning in the Brighton Structure Plan to higher densities. More dwellings in this area will help to activate the revitalised master plan area and drive commercial and retail investment and activity.

Engagement with Traditional Owners

Realm have committed to imagining and realising a vision for the future of Bridgewater together with the palawa community. The Masterplan establishes a commitment to collaborating with Aboriginal people as we imagine and realise new places that hold space for these stories, connect with ancient landscapes, and allow Aboriginal people to realise their aspirations and continued connection with Country.

Consultation

- *Stakeholder Workshops*

Two (2) separate 'Stakeholder Design Workshops' were facilitated by Realm in preparing the Masterplan. The Workshops were attended by a variety of stakeholders and a wide range of feedback which has fed back into the Masterplan. Further details can be found at page 11 of the report in Attachment A.

- *Department of State Growth*
- *TasRail*
- *Bridgewater Bridge Project Team*
- *Senior Management Team*

Risk implications

There are multiple landowners in the area, including government entities, which increase the complexity of implementing the Master Plan. This risk is being managed through early engagement with relevant stakeholders.

Further, some of the proposed Actions in the Master Plan are aspirational and may not be possible to implement without the support of other entities (e.g. public ferries). However, the Master Plan is a good advocacy tool and represents the community's desires.

In regard to the land use actions, there is a risk that some landowners within the study area may also not be willing to develop their properties at higher residential densities (for example) and/or that the Tasmanian Planning Commission refuses the recommended rezonings recommended by the Master Plan. This risk will be mitigated through extensive community consultation.

Financial Implications

Many actions will require investment from Council and implementation will likely also rely heavily on grants funding. These actions will need to be considered in Council's budget processes.

Strategic Plan

This Master Plan is in keeping with Council's values, goals and strategies to create a thriving place with opportunities for all as provided in the Brighton Council Strategy 2023-2033 including:

- 1.1 Engage with and enable our community.
- 1.2 Build resilience and opportunity.
- 1.3 Ensure attractive local areas that provide social, recreational and economic opportunities.
- 1.4 Encourage a sense of pride, local identity and engaging activities.
- 2.2 Encourage respect and enjoyment of the natural environment.
- 3.3 Community facilities are safe, accessible and meet contemporary needs.
- 3.4 Advocate and facilitate investment in our region.
- 4.1 Be big picture, long term and evidence-based in our thinking.
- 4.3 Ensure strong engagements and relationships to shape the agenda and advocate for our community.

Social implications

The actions within the Masterplan will improve this part of Bridgewater for the benefit of the community. Improved recreational opportunities, a distinctive public realm and improved social and community infrastructure have obvious potential social benefits.

Economic implications

The Masterplan has the potential to stimulate economic activity and attract private investment within the municipality. The Masterplan provides a revitalised and re-imagined neighbourhood centre with additional retail and commercial offerings and increased housing.

Environmental or climate change implications

The Masterplan has a genuine focus on protecting and enhancing the estuary and foreshore ecology for the benefit of people and wildlife.

Other Issues

Nil

Assessment

The Masterplan project has been undertaken in a consultative manner with a range of stakeholders and offers an ambitious vision and identifies actions for the future renewal of the area. It is noted that Council Officers are currently liaising with the Government for support to use the non-operational railway line as per the recommendations of the Masterplan.

Council Officer therefore recommend that Council resolves to exhibit the Master Plan for public consultation.

Options

1. As per the recommendation; or
2. Other.

RECOMMENDATION:

It is recommended that Council:

- a) Endorses the Bridgewater Bridge Northern Interchange Precinct Masterplan and associated SGS's Supportable Floorspace Assessment for public exhibition for a period of one (1) month.
- b) Directs Council Officers to exhibit the documents accordingly.

DECISION:

Cr De La Torre moved, Cr McMaster seconded that Council endorse the Bridgewater Bridge Northern Interchange Precinct Masterplan and associated SGS's Supportable Floorspace Assessment for public exhibition for a period of one (1) month; and directs Council Officers to exhibit the documents accordingly.

CARRIED

VOTING RECORD

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

13.3 Naming Roads & Streets - Lukaarlia Drive cul-de-sac (Lot 1 Greenbanks Road), Bridgewater

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|--------------------|---|
| Attachment: | Cul-de-sac Street View Plan |
| Author: | Development Services Officer (K Clifton) |
| Authorised: | Director Development Services (D Allingham) |

Background

The purpose of this report is to seek endorsement for the naming of new roads in Lukaarlia Drive, Bridgewater in accordance with the *Place Names Act 2020* (the Act).

In 2020, the Act was introduced to provide for contemporary Governance arrangements for the place naming process and clarity in the responsibility for the naming of roads and streets.

Under the Act, local councils are the naming authority for roads and streets.

The Tasmanian Place Naming Guidelines (the Guidelines) are provided for under the Act and are to be used by all naming authorities to assist in the selection of a conforming name, as well as providing the public and community with the principals that apply to the selection of a name.

Section 7.11 of the Guidelines states: "Road and street name proposals should be endorsed by the elected council members".

The proposed road names for the Lukaarlia Drive cul-de-sac (Permit SA2020/050) are listed below (refer to Attachment 1):

- Bevel Close
- Ballast Court

By choosing a name that reflects the industrial nature of the immediate area, Council is showing support of the development and growth required for an ever-changing population.

Consultation

No consultation has been undertaken as the proposal is to name new roads that do not currently have any landowners other than the developer.

Risk Implications

There is a risk that the proposed road names do not conform with the Guidelines and that the proposed names will be referred back to Council. Council staff have considered the Guidelines and confirm that the proposed roads meet the requirements.

Financial Implications

Nil

Strategic Plan

- 1.4 Encourages a sense of pride and engaging in local activities.
- 3.3 Community facilities are safe and meet contemporary needs.

Social Implications

Nil

Environmental or Climate Change Implications

Nil

Economic Implications

Nil

Other Issues

Nil

Assessment

By naming this cul-de-sac, Council is providing a safe and accessible environment for the community in keeping with its vision and core values. The proposed road names meet the requirements of the Guidelines and should be endorsed.

Options

- 1. As per the recommendation.
- 2. Endorse the road names with amendments.
- 3. Other.

RECOMMENDATION:

It is recommended that Council endorse the road name for the Lukaarlia Drive cul-de-sac as Bevel Close.

DECISION:

Cr Curran moved, Cr Geard seconded that Council endorse the road name for the Lukaarlia Drive cul-de-sac as Bevel Close.

CARRIED

VOTING RECORD

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

13.4 Naming Roads & Streets - 3 Racecourse Road, Brighton

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|--------------------|---|
| Attachment: | 3 Racecourse Road Street Map |
| Author: | Development Services Officer (K Clifton) |
| Authorised: | Director Development Services (D Allingham) |

Background

The purpose of this report is to seek endorsement for the naming of new roads in Racecourse Road, Brighton in accordance with the *Place Names Act 2020*. The names have been supplied by the developer for consideration.

In 2020, the *Place Names Act 2020* (the Act) was introduced to provide for contemporary Governance arrangements for the place naming process and clarity in the responsibility for the naming of roads and streets.

Under the Act, local councils are the naming authority for roads and streets.

The Tasmanian Place Naming Guidelines (the Guidelines) are provided for under the Act and are to be used by all naming authorities to assist in the selection of a conforming name, as well as providing the public and community with the principals that apply to the selection of a name.

Section 7.11 of the Guideline states: "Road and street name proposals should be endorsed by the elected council members".

The proposed road names for 3 Racecourse Road (Permit SA2018/00043) are listed below:

- Chips Lane (nickname of the developer's father)
- Pamela Place (The developer's mother)

The Developer at 3 Racecourse Road, Brighton has taken a keen interest in the street naming process, and has provided the following background information on his chosen road names:

'My father Gordon grew up in the Brighton district and had a long association with the area. Mum and Dad purchased this parcel of land in 1975 with the hope of developing it. Sadly, my father passed in 2009 without achieving their dream. After his passing, the land was passed onto me to process the development. Both my parents have had a long association with the Brighton community, being residents since 1985. Chips was my father's nickname, due to his resemblance to Chips Rafferty, the Australian Actor. Pamela is my mother's name.'

Consultation

No consultation has been undertaken as the proposal is to name new roads that do not currently have any landowners other than the developer.

Risk Implications

There is a risk that the proposed road names do not conform with the Guidelines and that the proposed names will be referred back to Council. Council staff have considered the Guidelines and confirm that the proposed roads meet the requirements.

Financial Implications

Nil

Strategic Plan

1.4 Encourages a sense of pride and engaging in local activities.

3.3 Community facilities are safe and meet contemporary needs.

Social Implications

Nil

Environmental or Climate Change Implications

Nil

Economic Implications

Nil

Other Issues

Nil

Assessment

Significant consultation has been undertaken with the developer, who is adamant that his family's dream of finalising the development of the site is reflected in the proposed street names.

Council officers have some concern that the link to the developer's father through the naming of a street after "Chips" may come across as too informal and casual. However, the name has a strong local history which can add to the storytelling and local character of the area.

Given that the proposed road names meet the requirements of the Guidelines and have passed a pre-check completed by Placenames Tasmania, the names are put to Council for endorsement.

Options

1. As per the recommendation.
2. Endorse the road names with amendments.
3. Other.

RECOMMENDATION:

It is recommended that Council endorse the road names for 3 Racecourse Road, Brighton.

DECISION:

Cr De La Torre moved, Cr Geard seconded that Council endorse the road names for 3 Racecourse Road, Brighton, using Chips Way and Pamela Place.

CARRIED

VOTING RECORD

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

13.5 Brighton Transport Hub - Truck Stop Upgrades/Brighton Town Square Concept Plan

Attachment(s): A – Brighton Transport Hub - Truck Stop Upgrades/ Town Square Concept Plan

B – Targeted Stakeholder Feedback and Site Identify

Author: Planning Officer (B White)

Authorised: Director Development Services (D Allingham)

Purpose

This purpose of this report is for Council to endorse the Brighton Transport Hub - Truck Stop Upgrades / Town Square Concept Plan (the Concept Plan’), and associated documents, prepared by Play Street, for public exhibition.

Background

Improving the identity, appearance, and functionality of the Brighton Industrial Estate (the ‘Hub’) is a key commitment of Council and has been recommended as key action within the previous strategic planning documents endorsed by Council.

There is currently a ‘truck stop’ in the Hub but it presents minimal facilities for workers and visitors to utilise. This project aims to vastly improve this area to better suit their needs and to improve the appearance of the Hub.

Brighton Industrial Estate Brand & Place Strategy

The Brighton Industrial Estate Brand & Place Strategy (‘the Strategy’) sets a new vision and pathway, supported by practical actions, to reposition the Brighton Industrial Estate as an attractive prospect for future investors and support growth.

The Strategy recommends that Council create a ‘town centre’ within the Hub which will create a space for workers and visitors to recreate and provide opportunities for food trucks and other social and community events. The town centre also would serve as an upgrade to the existing truck stop.

A key theme that arose out of the consultation phase of the Strategy was that the Hub was not inviting and lacked public spaces for workers and visitors to relax and to meet for social events.

It is intended that this project will address these strategies.

Brighton Structure Plan

Strategy five (5) of the Brighton Structure Plan is to: “Improve the presentation of the Brighton Transport Hub and Industrial Estate”. The project will implement that strategy.

The Concept Plan

Brighton Council has engaged Play Street to prepare concept plan for a currently vacant site on the corner of Strong Street and Glenstone Road, adjacent to the existing truck stop.

The subject site is shown in Figure one (1) below. The site is currently owned by the Crown.



Figure 1 The Town Square location (Source: TheList)

The brief to the consultant was to prepare a concept plan for a new town square which implemented the recommendations of the beforementioned strategies and provides a space which is visually appealing, inviting, easily identifiable, and functional for workers and visitors to recreate. It was also emphasised that the space should enable future locations for food vans and social/ ephemeral events where workers can connect and that pedestrian linkages to the existing truck stop were necessary.

The concept plan has now been prepared by Play Street and is provided as Attachment A.

Consultation

Brighton Council Officers requested that Play Street undertake targeted consultation with nearby businesses to the site regarding the project. The consultation feedback is summarised in Attachment B and was fed into the concept design. The summary also includes the site priorities based on the feedback and a 'site identify' page. Overall, the consultation was successful, and businesses were highly engaged in the project.

All relevant State Agencies have been made aware of the project and have provided input into the preliminary design phase. These agencies will have another opportunity to comment via the formal consultation process. It is noted that the land is currently owned by the State Government and there are a variety of service easements transgressing the site which have added some challenges to the design.

Risk implications

The site is currently owned by the Crown and there is a risk that Council may not be able to secure the land for the proposal. However, the Crown have provided in-principle support for the project and are open to working through an appropriate mechanism for the project to proceed.

Lodgment and approval of a development application will be required to change the use of the site to 'passive recreation', and for any development not exempt under the planning scheme. This adds risk in that the application, if discretionary, and if approved by Council, could face potential planning appeals. The risk of this occurring is minor given the prior engagement with nearby businesses and State Agencies.

The Hub Town Square Project does not currently have a budget allocation and there is a risk that Council raise expectations that the Project is likely to be delivered in the short-term. Preparing Concept or Master Plans is not uncommon and has proved very successful for obtaining grant funding in the past (e.g. Ted Jeffries Memorial Park upgrades, Cris Fitzpatrick Park and Bridgewater Parklands, etc.) and community expectations can be managed through good communication.

Financial Implications

The consultant brief was to prepare the concept plan based on a budget of \$300K. This will need to be factored into future budgets. The Concept Plan will likely prove useful for attracting grant funding and there may be possibilities for contributions from Government agencies given the proximity to the heavy vehicle rest stop.

Strategic plan

This project furthers Council's Strategic Plan with a key focus on the following strategies:

- 1.3 - Ensure attractive local areas that provide social, recreational and economic opportunities
- 1.4 - Encourage a sense of pride, local identity and engaging activities
- 2.4 - Ensure strategic planning and management of assets has a long term-sustainability and evidence-based approach
- 3.2 - Infrastructure development and service delivery are guided by strategic planning to cater for the needs of a growing and changing population
- 3.3 - Community facilities are safe, accessible and meet contemporary needs
- 4.3 - Ensure strong engagements and relationships to shape the agenda and advocate for our community

Social implications

The Concept Plan shows a proposal which will improve the appearance of this part of the Hub for the benefit of the community. It will provide workers and visitors to the Hub with a space to socialise and help foster an improved place via best practice landscape architecture and place making principles.

Economic implications

The Masterplan has the potential to stimulate economic activity and attract private investment to the Hub by improving its appearance and the enjoyment of workers and visitors.

Environmental or climate change implications

The Concept Plan will provide landscaping which will benefit people and wildlife.

Other Issues

Nil

Assessment

The Concept Plan has been undertaken consultative manner with a range of stakeholders and is to implement the recommendations of the Brighton Industrial Estate Brand & Place Strategy and the Brighton Structure Plan.

Council Officer therefore recommend that Council resolves to exhibit the Concept Plan for public consultation.

Options

1. As per the recommendation; or
2. Other.

RECOMMENDATION:

It is recommended that Council:

- a) Endorses the Brighton Transport Hub - Truck Stop Upgrades / Town Square Concept Plan and Targeted Stakeholder Feedback and Site Identity for public consultation; and
- b) Directs Council Officers to exhibit the documents accordingly.

DECISION:

Cr De La Torre moved, Cr Curran seconded that Council endorse the Brighton Transport Hub – Truck Stop Upgrades / Town Square Concept Plan and Targeted Stakeholder Feedback and Site Identity for public consultation; and directs Council Officers to exhibit the documents accordingly.

CARRIED

VOTING RECORD

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

13.6 Review of Brighton Council's Australia Day Citizen of the Year Awards

Author: Community Development Officer (K Murphy)

Authorised: Manager Community Development & Engagement (A Turvey)

Background

The Brighton Council Australia Day Citizen of the Year Awards are held just prior to Australia Day, 26th January and are intrinsically linked to Australia Day through the National Australia Day Council and its awards system and branding. The awards are currently presented to individuals or groups for their outstanding contributions to our community. The categories include:

- Citizen of the Year Award
- Young Citizen Award (up to 25 years of age by 26 January)
- Community Event of the Year Award
- Volunteer of the Year Award

Currently, there is a growing argument across Tasmania and Australia collectively for changing the awards to community awards and not holding these awards on or near Australia Day as part of the Australia Day celebrations.

The main reason for Council to consider these changes is so that our municipality can celebrate these community awards in their own right and they are not tied to the current politics of 'change the date' for Australia Day. It is about creating an awards program that is more inclusive, that potentially generates more interest and nominations and is a more successful event and celebration of everyone in our community. It is an important step in confirming our commitment as a Council to reconciliation.

It should be noted that this year, the Mayor shared the below message to community on the Brighton Council Facebook page.

25 January 2023

A MESSAGE FROM THE MAYOR- On the eve of 26 January, I feel it is important for me to explain what Brighton Council will be doing with regards citizenship ceremonies and our Citizen of the Year Awards on a day that is considered 'Invasion Day' by many in our community. Previously councils were banned from holding citizenship ceremonies at this time of year, should they not be on 26 January. This was thankfully reversed by the Federal Government just last month, allowing councils to make a choice as to when the citizenship ceremonies are held. The decision has resulted in councils across lutruwita and Australia reconsidering their position on this.

Across Tasmania there are five councils who have recently made the decision not to hold the awards on or near Australia Day and changed the name of their awards from Australia Day Citizen of the Year Awards to Community Awards, not connected to Australia Day.

These community awards are now being held at different times throughout the year, including during National Volunteer Week (held in May).

The Tasmanian councils who have moved forward with changing the awards to Community Recognition Awards or Community Awards are Huon Valley, Launceston, Glenorchy, Hobart and Kingborough. There are a number of other councils who are also in the process of moving from holding and calling the awards Australian Day Citizen of the Year Awards.

This report does not aim to consider or discuss the official date of Australia Day.

Consultation

SMT, Manager Community Development & Engagement, Community Development Manager Derwent Valley Council, Community Development Manager Huon Valley Council, Reconciliation Tasmania.

Risk Implications

Dissatisfaction among members of the community who believe the awards should be linked to what is still officially recognised as Australia's national day.

Conversely, not changing the awards risks continuing to alienate a large proportion of our population who increasingly experience or recognise Australia Day as a day of mourning or invasion for First Nations people.

Financial Implications

Not Applicable.

Strategic Plan

Goal 1: Inspire a proud community that enjoys a comfortable life at every age- 1.1, 1.4.

Goal 4: Ensure a progressive, efficient, and caring Council- 4.3

Social Implications

This change will support our vision of *"creating a thriving place with opportunities for all"*. Shifting the focus to local community recognition and away from Australia Day, displays a strong sense of inclusivity and belonging. It promotes a culture of caring, support, and cooperation, which can lead to increased civic engagement and displays that we are very aware of the changes in community understanding of our history as a nation.

Renaming the awards would reflect a growing emphasis on inclusivity, diversity, and acknowledging the contributions of all Australians, irrespective of their background.

Environmental or Climate Change Implications

Not Applicable.

Economic Implications

Not Applicable.

Other Issues

Nil.

Assessment

Nil.

Options

1. As per the recommendation.
2. Do not accept the recommendation.
3. Other.

RECOMMENDATION:

That Brighton Council resolves to:

1. Change the Brighton Council Australia Day Citizen of the Year Awards to Brighton Council Community Awards.
2. Hold the Brighton Council Community Awards during National Volunteer Week, which takes place in May of each year rather than on or near Australia Day.
3. That the existing categories for the awards be reviewed on the basis of the renaming to Brighton Council Community Awards to be held during National Volunteer Week.

DECISION:

Cr De La Torre moved, Cr Curran seconded that Council:

1. *Changes the Brighton Council Australia Day Citizen of the Year Awards to Brighton Council Community Awards; and*
2. *Holds the Brighton Council Community Awards during National Volunteer Week which takes place in May of each year.*
3. *That the existing categories for the awards be reviewed on the basis of the renaming to Brighton Council Community Awards to be held during National Volunteer Week.*

CARRIED

VOTING RECORD

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

13.7 Representative - Derwent Catchment Program

Author: Acting General Manager (J Banks)

Background

The Derwent Catchment Program are holding their Annual General Meeting and Dinner on Friday, 1st September at 5.00 p.m at Derwent Estate.

The AGM agenda includes an item regarding the management of the group/Executive as follows:

The Management of the Group shall be vested in a committee of elected officers known as the “Executive”.

The Executive will be made up of:

- (i) President
- (ii) Vice-President
- (iii) Treasurer
- (iv) Secretary
- v) up to 3 general executive committee members
- vi) A representative of each council as a non-voting member**

The Derwent Catchment Project evolved from the Upper Derwent Landcare Group, which was established in 2002. The group is run by a local board who are largely producers in the Derwent region.

The Derwent Catchment Project team delivers evidence-based practical on-ground programs that clearly reflect the core issues and management required to address sustainability and land degradation in the catchment. Their aim is to provide a link between environmental sustainability and practical management and production-based systems.

The program is co-funded by Central Highlands Council, Brighton Council and Derwent Valley Council.

Consultation

Acting General Manager

Risk Implications

Nil.

Financial Implications

Nil.

Strategic Plan

Goal 2.2 Encourage respect and enjoyment of the natural environment

Goal 2.3: Demonstrate strong environmental stewardship and leadership

Social Implications

Nil.

Environmental or Climate Change Implications

Nil.

Economic Implications

Nil.

Other Issues

Nil.

Assessment

Nil.

Options:

1. As per the recommendation.
2. Other.

RECOMMENDATION:

That Council nominate a representative as a non-voting member to the Derwent Catchment Program.

DECISION:

Cr Whelan moved, Cr Curran seconded that Cr Owen be appointed as Council's non-voting member to the Derwent Catchment Program.

CARRIED

VOTING RECORD

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

13.8 Delegations:

Author: Acting General Manager (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.

There have been amendments to the *Food Act 2003*, *Public Health Act 1997*, *Environmental Management & Pollution Control Act 1994* (EMCA) and *Litter Act 2007*. The Director Development Services is also responsible for Environmental Health; previously it was the Governance Manager, therefore the delegations need to reflect these changes.

Consultation

Director, Development 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

Goal 4:

4.2: Be well-governed, providing quality service and accountability to our community.

Social Implications

Nil.

Environmental or Climate Change Implications

Nil.

Economic Implications

Nil.

Other Issues

Reference to the Environmental Health Officer in the Instrument of Delegations has been included as the need arises when the Senior Environmental Health Officer is on leave and Council needs to engage an environmental health officer, thereby the delegations will be relevant as they will still apply to an environmental health officer.

Assessment

A council may appoint a person to be an authorised officer for the purposes of this Act: S.100(2) of the *Food Act 2003*.

A council may appoint an employee of the council to be a council officer for the purposes of this Act: s.21 of EMPCA.

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. That Council not adopt the Instrument of Delegation.

RECOMMENDATION:

That Council resolve to delegate the following functions and powers to the General Manager in accordance with Section 22 of the *Local Government Act 1993*; and that the General Manager sub-delegate functions and powers in accordance with Section 64 of the *Local Government Act 1993*, and if at any time the General Manager is unable to act, Council delegates the Function to the person acting as the General Manager at the time.

Food Act 2003

| | | |
|----|------------------------------------|---|
| 1. | S.33 - Making of order | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 2. | S.34(2) Nature of order | |
| 3. | S.50(2) - Forfeiture of item | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 4. | S.52(1) - Return of forfeited item | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |

| | | |
|-----|---|---|
| 5. | S.53(2)(3)(4) - Compensation to be paid in certain circumstances | |
| 6. | S.55 - Enforcement agency entitled to answer application | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 7. | S.68(2)(3) - Compensation | |
| 8. | S.83H - Priority classification system and frequency of auditing | |
| 9. | S.87(1)(5)(6)(7) - Registration of food business | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 10. | S.89(3)(5) - Renewal of registration | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 11. | S.91 - Variation of conditions, or suspension or cancellation, of registration of food businesses | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 12. | S.94 - Register of food businesses to be maintained | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 13. | S.97 - Functions of Councils | |
| 14. | S.98(4) - Power of Director of Public Health to order Council to perform functions | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 15. | S.100(1) - Reports by Councils | |
| 16. | S.100(2) - Reports by Councils | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 17. | s.101(2) - Appointment of authorised officers | |
| 18. | S.102 - Certificates of Authority | |
| 19. | S.104(1) - Institution of Proceedings | |
| 20. | S.118 - Infringement notices | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |

Public Health Act 1997

| | | |
|-----|--|---|
| 1. | S.11(1)(2) – Appointment of officers | |
| 2. | S.31 – Certificate of authority to an authorised officer. | |
| 3. | S.32(1)(2) – Production of records | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 4. | S.33(a)(b) – Production of things | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 5. | S.34(a)(b) – Production of licence | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 6. | S.35 – Photographs, sketches, measurements and recordings | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 7. | S.36(1)(2) – Information requirements | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 8. | S.57 – Council immunisation programs | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 9. | S.77(1)(3) - Grant or refuse Licence (for a place of assembly) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 10. | S.78 - Issue of Licence (for a place of assembly) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 11. | S.81(4) - Renewal of Licence (for a place of assembly) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 12. | S.82 - Variation of Licence (for a place of assembly) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |

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| 13. | S.83 - Cancellation of Licence (for a place of assembly) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 14. | S.84(2) - Overcrowding | |
| 15. | S.87 - Closure Order | |
| 16. | S.88 - Service of Closure Order | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 17. | S.89 - Revocation of Closure Order | |
| 18. | S.92(1)(4)(6) - Rectification Notice | |
| 19. | S.97 - Grant or refusal of registration of premises | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 20. | S.98 - Issue of certificate of registration of premises | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 21. | S.101 - Renewal of registration of premises | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 22. | S.102 - Variation of registration of premises | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 23. | S.103 - Cancellation of registration of premises | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 24. | S.106 - Grant or refusal of licence (to carry out any public health risk activity) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 25. | S.107 - Issue of licence (to carry out any public health risk activity) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 26. | S.110 - Renewal of Licence (to carry out any public health risk activity) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |

| | | |
|-----|---|---|
| 27. | S.111 - Variation of Licence (to carry out any public health risk activity) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 28. | S.112 - Cancellation of Licence (to carry out any public health risk activity) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 29. | S.115 - Grant of refusal of registration of regulated system | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 30. | S.116 - Issue of certificate of registration (of a regulated system) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 31. | S.119(1)(3) - Notice to comply with direction | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 32. | S.121 - Renewal of registration (of any regulated system) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 33. | S.122 - Variation of registration (of any regulated system) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 34. | S.123 - Cancellation of registration (of any regulated system) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 35. | S.129(1) - Orders relating to water quality | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 36. | S.130(1)(3) – Monitoring and review (of the quality of water within the municipal area) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 37. | S.131 – Samples | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 38. | S.135 - Grant or refusal of registration (as a supplier of water) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |

| | | |
|---------|---|---|
| | | Services; Senior Environmental Health Officer and Environmental Health Officer |
| 39. | S.136 - Issue of certificate of registration (as a supplier of water) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 40. | S.136AA – Renewal of registration (as a supplier of water) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 41. | S.136B - Variation of registration (as a supplier of water) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 42. 33. | S.136C - Cancellation of registration | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 43. | S.136H – Issue of certificate of registration (as a water carrier) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 44. | S.136I – Renewal of Registration (of water carrier) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 45. | S136K – Variation of registration (of water carrier) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 46. | S136L – Cancellation of registration (of water carrier) | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 47. | S144 – Registers kept by Councils | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 48. | S148(1) – Requirement for information | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 49. | S152(1) – Costs incurred in exercising powers | |
| 50. | S158(1) – Proceedings | |

| | | |
|-----|--|---|
| 51. | S169(1) – Infringement notices | Sub-delegation required to Director Development Services; Director Asset Services; Senior Environmental Health Officer and Environmental Health Officer |
| 52. | S190(1)(3)(4) – Sale or disposal of forfeited things | |
| 53. | S191(3) – Return of and access to seized things | |
| 54. | S192(1) – Sale or disposal of seized things | |

Environmental Management & Pollution Control Act 1994

| | | |
|----|--|-----------------------------------|
| 1. | S.21 – Council Officers. | Sub-delegate to Council Officers. |
| 2. | S.22(1A) – Registers of environmental management and enforcement instruments | Sub-delegate to Council Officers. |
| 3. | S.23(1)(2) – Trade Secrets | Sub-delegate to Council Officers. |
| 4. | S.47(1) – Action on non-compliance with environmental protection notice | Sub-delegate to Council Officers. |
| 5. | S.47(3)(4) – Action on non-compliance with environment protection notice | Sub-delegate to Council Officers. |
| 6. | S.48(1) - Civil Enforcement Proceedings | Sub-delegate to Council Officers. |
| 7. | S.64 – Recovery of technical costs associated with prosecutions | Sub-delegate to Council Officers. |
| 8. | S.94(3) – Provisions relating to seizure | Sub-delegate to Council Officers. |
| 9. | S.103 – Fees imposed by councils | Sub-delegate to Council Officers |

Litter Act 2007

| | | |
|----|---|-----------------------------------|
| 1. | S.8 - Power of councils to appoint employees as authorised officers | Sub-delegate to Council Officers. |
|----|---|-----------------------------------|

| | | |
|----|--|-----------------------------------|
| 2. | S.38 – Recovery of costs arising from litter abatement notices | Sub-delegate to Council Officers. |
|----|--|-----------------------------------|

The Delegations are made on the following conditions:

- The Delegation is subject to the conditions or restrictions (if any) outlined in the table above.
- The Delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve.
- The Delegation is subject to the Council's by-laws or the provisions of any Act.
- That the general Instruments of Delegation in relation to the Acts listed above be signed and sealed by Council.

DECISION:

Cr Whelan moved, Cr Curran seconded that Council resolve to delegate the following functions and powers to the General Manager in accordance with Section 22 of the Local Government Act 1993; and that the General Manager sub-delegate functions and powers in accordance with Section 64 of the Local Government Act 1993, and if at any time the General Manager is unable to act, Council delegates the Function to the person acting as the General Manager at the time.

INSERT TABLE ABOVE

CARRIED

VOTING RECORD

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

14. Questions on Notice

There were no Questions on Notice for the August meeting.

Meeting closed: 6.20 pm

Confirmed: _____
(Mayor)

Date: 19 September 2023
