



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 5.30P.M. ON TUESDAY, 19 NOVEMBER 2024**

PRESENT: Cr Gray; Cr Curran; Cr De La Torre; Cr Geard; Cr McMaster; Cr Murtagh; Cr Owen and Cr Whelan

IN ATTENDANCE: Mr J Dryburgh (Chief Executive Officer) Mr C Pearce-Rasmussen (Director, Asset Services); Ms J Banks (Director, Governance & Regulatory Services); Ms G Browne (Director Corporate Services); Mrs J Blackwell (Acting Director, Development Services)

1. Acknowledgement of Country

2. Apologies / Applications for leave of absence

Cr Whelan moved, Cr Curran seconded that Cr G Irons be granted leave of absence due to illness.

CARRIED

VOTING RECORD

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

3. Confirmation of Minutes

3.1 Ordinary Council Meeting

The Minutes of the previous Ordinary Council Meeting held on the 15th October 2024 were submitted for confirmation.

RECOMMENDATION:

That the Minutes of the previous Ordinary Council Meeting held on 15th October 2024, be confirmed.

DECISION:

Cr Geard moved, Cr Owen seconded that the Minutes of the previous Ordinary Council Meeting held on 15th October 2024, be confirmed.

CARRIED

VOTING RECORD

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

3.2 Finance Committee Meeting

The Minutes of the Finance Committee Meeting held on the 5th November 2024 were submitted for confirmation.

RECOMMENDATION:

That the Minutes of the Finance Committee Meeting held on the 5th November 2024, be confirmed.

DECISION:

Cr De La Torre moved, Cr McMaster seconded that the Minutes of the Finance Committee Meeting held on 5th November 2024, be confirmed.

CARRIED

VOTING RECORD

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

3.3 Parks & Recreation Committee Meeting

The Minutes of the Parks & Recreation Committee Meeting held on the 5th November 2024 were submitted for confirmation.

RECOMMENDATION:

That the Minutes of the Parks & Recreation Committee Meeting held on the 5th November 2024, be confirmed.

DECISION:

Cr Geard moved, Cr McMaster seconded that the Minutes of the Parks & Recreation Committee Meeting held on 5th November 2024, be confirmed.

CARRIED

VOTING RECORD

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

3.4 Audit Panel

The Minutes of the Audit Panel Meeting held on the 13th September 2024 were submitted for confirmation.

RECOMMENDATION:

That the Minutes of the Audit Panel Meeting held on the 13th September 2024, be confirmed.

DECISION:

Cr Owen moved, Cr Curran seconded that the Minutes of the Audit Panel Meeting held on 13th September 2024, be confirmed.

CARRIED

VOTING RECORD

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

4. 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 Chief Executive Officer, in writing, the details of any interest(s) that the councillor has declared within 7 days of the declaration.

Cr Curran declared an interest in Item 12.1

5. 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.

- A Tanner addressed Council in relation to a proposed development at the St Ann’s living village.
- S Kaleski addressed Council in relation to a proposed development at the St Ann’s living village.
- D Burn addressed Council in relation to a proposed development at the St Ann’s living village.
- W Burdon addressed Council in relation to a proposed development at the St Ann’s living village.

- G Adderley addressed Council in relation to a proposed development at the St Ann’s living village.

6. Reports from Council

6.1 Mayor's Communications

The Mayor’s communications were as follows:

- 28/10 TasWater General Meeting
- 29/10 Sod Turning event – Ted Jeffries Memorial Park
- 5/11 Parks & Recreation Committee Meeting
- 5/11 Finance Committee Meeting
- 5/11 Council Workshop
- 6/11 Online Meeting with Minister McBain
- 7/11 STRWA Local Government Forum & AGM
- 12/11 Meeting with Brighton Football Club
- 13/11 STRLUS Steering Committee Meeting
- 13/11 Meeting with Anglican Diocese of Tasmania
- 15/11 St Virgils College Awards Ceremony
- 19/11 Council Meeting

RECOMMENDATION:

That the Mayor’s communications be received.

DECISION:

Cr Curran 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 McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

6.2 Reports from Council Representatives

- Cr Geard advised that he recently attended a meeting with the Brighton Football club and Karana netball association in relation to suggested netball courts at Pontville Park. Cr Gray and Cr Curran had also attended a meeting with the two clubs re netball.
- Cr Geard recently attended an Emergency Management Co-ordinators meeting.
- Cr Geard attended the opening of the new fire station at Marrawah.
- Cr Owen attended the LGAT Health & Wellbeing forum.
- Cr Owen attended the Derwent Catchment Program AGM.

- Cr Owen also attended the Variety concert at the Brighton Civic Centre on the weekend.

RECOMMENDATION:

That the verbal reports from Council representatives be received.

DECISION:

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

7. Miscellaneous Correspondence

- Letter of Appreciation, Certificate of Appreciation and Event Summary from Uniting dated 23rd October 2024 in regard to an event held at the Civic Centre.
- Letter from the Premier dated 15th October 2024 in regard to the *Tell Someone* campaign.
- Letter from John Wood dated 11th October 2024 in regard to the naming of the new Bridgewater Bridge (& response from Mayor L Gray dated 25th October 2024).
- Letter from DPAC dated 30th October 2024 regarding Tasmanian Youth Justice Facility at Pontville.
- Letter to the Minister for Planning dated 11th November 2024 regarding Brighton’s submission on the Draft LUPA Amendment (Development Assessment Panels) Bill.

8. 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 5th November 2024 at 5.45 pm to discuss the Development Assessment Panel framework.

Attendance: Cr Gray; Cr Curran; Cr De La Torre, Cr Geard, Cr Irons; Cr McMaster, Cr Murtagh, Cr Owen & Cr Whelan

Apologies: Nil.

9. Notices of Motion

There were no Notices of Motion.

10. 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 Chief Executive Officer 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 Chief Executive Officer in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

DECISION:

The Chief Executive Officer reported that there were no supplementary agenda items.

11. Reports from Committees

11.1 Finance Committee - 5 November 2024

The recommendations of the Finance Committee held on 5th November 2024 were submitted to Council for adoption.

RECOMMENDATION:

That the recommendations of the Finance Committee held on 5th November 2024 be adopted.

DECISION:

Cr Curran moved, Cr McMaster seconded that the recommendations of the Finance Committee held on 5th November 2024 be adopted.

CARRIED

VOTING RECORD

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

11.2 Parks & Recreation Committee - 5 November 2024

The recommendations of the Parks & Recreation Committee held on 5th November 2024 were submitted to Council for adoption.

RECOMMENDATION:

That the recommendations of the Parks & Recreation Committee held on 5th November 2024 be adopted.

DECISION:

Cr Geard moved, Cr De La Torre seconded that the recommendations of the Parks & Recreation Committee held on the 5th November 2024 be adopted.

CARRIED

VOTING RECORD

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

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.

Cr Curran had declared an interest in the following item and left the meeting at 6.20pm.

12.1 Draft Amendment to the Brighton Local Provisions Schedule to remove 168 Brighton Road, Brighton from BRI-Table C6.1 (Local Heritage Places) – RZ 2024/001 – Section 40K Report

Author: Planning Officer (D Van)

Authorised: Acting Director Development Services (J Blackwell)

Type of Report:	Section 40K of <i>Land Use Planning and Approvals Act 1993</i>
File Reference:	RZ 2024-001
Applicant:	Rohan Targett obo Torelo Pty Ltd
Owner/s:	Torelo Pty Ltd
Location:	168 Brighton Road, Brighton TAS 7030 (CT 11271/3)
Proposal:	Amend the BRI-Table C6.1 (Local Heritage Places) to: a) Remove the cottage at 168 Brighton Road, Brighton (BRI-C6.1.23) from listing BRI-C6.1. b) Amend the Local heritage place overlay.
Planning Instrument:	Tasmanian Planning Scheme - Brighton
Date Advertised:	29 April to 27 May 2024

Representations:	Two (2)
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1. Executive Summary

This report considers the submissions made during the exhibition period regarding a draft amendment pursuant to s.37 of the *Land Use Planning and Approvals Act 1993* (the Act) for the land at 168 Brighton Road, Brighton (CT11271/3, the Site) by amending the Brighton Local Provisions Schedule (LPS) to:

- a) Remove the cottage at 168 Brighton Road, Brighton (BRI-C6.1.23) from listing BRI-C6.1.
- b) Amend the Local Heritage Place overlay.

Council's Planning Authority, at its meeting on 16th April 2024, agreed to initiate the proposed draft amendment made by Rohan Targett under s.38(2) of the *Land Use Planning and Approvals Act 1993* (the Act) and, therefore prepared and certified the draft amendment to the LPS (s.40F) as meeting the LPS criteria (s.34) under the Act.

The amendment application was then exhibited for a period of twenty-eight (28) days, in requirements of s.40H.

This is a report required by s.40K to be submitted to the Commission in relation to the two (2) representations received during and after the exhibition period.

It is considered that the representations to the draft amendment do not warrant any modification to the proposed amendment.

2. Legislative requirements

In accordance with s.40H the planning authority must exhibit the draft amendment RZ 2024-001 for twenty-eight (28) days.

Comments: The draft amendment was on public exhibition from 29th April until 27th May 2024.

Following exhibition, the planning authority must consider any representations and provide a report to the Commission within 35 days [s40K(1)].

Comments: There were four extensions of time granted by the Tasmanian Planning Commission to allow the planning authority to prepare and submit the s.40K report. The extension also allows the applicant to provide a response and a revised Heritage Significant Assessment to representation in relation to the draft amendment. The current extension is until 30 November 2024.

The report must include [s.40K(2)]:

- (a) a copy of each representation, including any agreed to be accepted after the end of the exhibition period;
- (b) the planning authority's views on the merit of each representation;
- (c) a recommendation as to whether the draft amendment should be modified to take into account the representation and the effect on the LPS as a whole in implementing the recommendation; and
- (d) a statement as to whether the planning authority is satisfied that the draft amendment meets the LPS criteria; and
- (e) any other recommendations in relation to the draft amendment.

Comments:

- (a) a copy of each representation was attached with this report.
- (b) a planning authority's response on merit was included in this report.

- (c) a recommendation on the draft amendment should not be modified after taking into account the representation and the effect on the LPS have been included in this report.
- (d) a statement was included in the conclusion of this report.

The Representations and Response

A total of two (2) submissions were received: one (1) during the public exhibition period and the other (1) shortly after the public exhibition period expired.

Under s.40K(2), the report on representation must contain a copy of each representation made in relation to the draft amendment RZ 2024-001 before and after the end of the exhibition period.

A summary of the concerns raised in Representation 2 has been provided to the applicant for comment. The applicant has provided a response, which is included in Attachment C.

Below is a summary of the two representations received and the assessing officer’s response on the merit of each representation as required by s.40K(2)(c) of the Act.

No.	Submission	Response on merit
Representation 1 – TasWater (Attachment A)		
1.	TasWater does not object to the draft amendment to the Brighton Local Provisions Schedule and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.	Noted. No response required.
Representation 2 – Heritage Tasmania (Attachment B)		
2.	<p>A Heritage Significance Assessment report should be produced to:</p> <ul style="list-style-type: none"> - address each of the Local Historic Heritage Code significance criteria providing justification as to why the site would not reach the threshold for local listing; - provide a historical overview/background (local history), architectural value of the site (creative or technical achievement, class of building, aesthetic characteristics); and - give more reasons on why reduction in original heritage fabric (i.e. removal of fireplaces and skirting boards) could reduce the heritage value of the site. 	<p>A Heritage Significance Assessment has been provided to the request.</p> <p>Section C6.3.1 of the Local Historic Heritage Code of the Tasmanian Planning Scheme sets out definitions of Local Historic Heritage Significance in relation to a local heritage place. It means:</p> <ul style="list-style-type: none"> (a) <i>its role in, representation of, or potential for contributing to the understanding of: (i) local history, (ii) creative or technical achievements; (iii) a class of building or place; or (iv) aesthetic characteristics; or</i> (b) <i>its association with: (i) a particular community or cultural group for social or spiritual reasons; or (ii) the life or works of a person, or group of persons, of importance to the locality or region, as identified in the relevant list in the relevant Local Provisions Schedule, or in a report prepared by a suitably qualified person, if not identified in the relevant list.</i> <p>Comments to the Local Historic Heritage Significance criteria:</p> <p>Regarding criterion (a)(i), there was no local historic</p>

importance to the local community, supported by lifetime events of the site (refer to section 3 of the Heritage Significance Assessment report).

Regarding criteria (a)(ii)(iii) and (iv), according to the report, the construction technique and material of the cottage were standard for the mid to late nineteenth century. There was nothing unusual or innovative about the place. The outside look of the cottage still can demonstrate its original c1880s form, however, there were some alterations to the place such as veranda, chimney, downpipes, decking, doors, ceiling, and cornices which do not contribute to the heritage values of the cottage.

The class of place is categorised as Victorian Georgian. According to the report, the author cited *A Pictorial Guide to Identifying Australian Architecture* that describes characteristics of Victorian Georgian Architecture. Original joinery (doors, architraves, skirtings etc) and fireplaces are normally considered to be heritage fabric of higher value as they best demonstrate the history of the place. This cottage has lost almost all of that joinery and the fireplace(s).

Surrounding land is held variously in private ownership and in Brighton Council ownership (road lot). Adjacent to the subject site (southern end) is the new IGA development and the post office and Brighton Pharmacy (northern end). The existing surrounding environment is an outlier in a modern commercial precinct of Brighton.

With the loss of original joinery and the surrounding local context of streetscape, the cottage does not meet these criteria to be listed as Local Historic Heritage Significance.



Figure 1. The cottage at 168 Brighton Road viewed from Brighton Road (Google, 2024)

Regarding criteria (b)(i) and (ii), there is no strong evidence showing the community's interest in the heritage value of the site. Given no relevant list in Brighton LPS, the revised Heritage Significance Assessment report as prepared by a suitably qualified person has demonstrated these criteria are not met

		<p>with the supports of the archival history of the place written by a historian David Young.</p> <p>Based on the evaluation, it is concluded that the site does not meet the criteria for Local Historic Heritage Significance under the Local Historic Heritage Code of the Tasmanian Planning Scheme. Therefore, no modification to the draft amendment is required.</p>
<p>3.</p>	<p>Requesting more justifications on residence's relocation between 1979 and 2002 as the primary reason for delisting and uses Article 9 of the Burra Charter as support for reduction in significance as the residence was only moved slightly within the allotment, meaning the residence remains within its historical context (i.e. its original allotment).</p> <p>The report notes that heritage practitioner Brad Williams gave evidence that the cottage was relocated from nearer the street frontage back towards the centre of the allotment to make way for the construction widening of the Midlands Highway. The supplied report makes the assumption that the reason for the relocation was not for roadworks, but for property owner preference, however the supplied report does not provide evidence for this assumption.</p>	<p>According to the revised Heritage Significance Assessment report and archival research, the cottage was relocated away from the road for the widening of Midland Highway in c.1966.</p> <p>The report refers to Article 9 of the Burra Charter document endorsed by Australia ICOMOS in 1979 to emphasise the importance of physical/historical location in relation to the cultural significance of a place.</p> <p>According to the report, the relocation of the cottage is a contributing factor, but not the primary reason for the proposed delisting of the site.</p> <p>On that basis, the justification included in the revised Heritage Significance Assessment report is sufficient. Therefore, no modification to the draft amendment is required.</p>
<p>4.</p>	<p>It is suggested undertaking an independent assessment of the property (by a suitably qualified Heritage Consultant) following the Heritage Tasmania or a similar guide to address each criterion with evidence as to why the site does not reach the threshold for significance, to ensure best heritage outcomes.</p>	<p>The Heritage Significance Assessment was done by Graeme Corney. Mr Corney is a suitably qualified Heritage Consultant. His name is listed on a Heritage Services Directory on Heritage Tasmania's website with information as "<i>Graeme Corney is an architect who specialises in heritage projects. He has extensive knowledge of Tasmania's heritage buildings built up from working in this industry for nearly 30 years. His skills include technical knowledge of building problems such as rising damp, conservation planning, building repairs, adaptations and extensions.</i>".</p> <p>The revised Heritage Significance Assessment report sufficiently addressed each criterion threshold for local heritage significance with evidence.</p> <p>On that basis, no modification to the draft amendment is required.</p>

3. Modifications to the draft amendment

The site is within the General Business Zone Local Area Objective BRI-15.3 of Brighton LPS. The BRI-15.3 sets out objectives as *“To develop the Brighton town centre as a Rural Services Centre for the surrounding region and encourage consolidation of the town centre and provide a mix of uses including retail, commercial, administrative and community services that complement this function and provide for the needs of the local community.”* Considering the effect of the draft amendment RZ 2024-001 and the LPS to which it relates, the planning authority is of the opinion that the proposal accords with the current Brighton LPS, given the removal of constraints to developments will allow for a range of mixed-use opportunities.

As demonstrated above, based on assessments of the representations above, no modifications to the draft amendment RZ 2024-001 are required.

4. Conclusion

Two (2) representations were received during the public exhibition period for the draft amendment RZ 2024-001, which have been considered in this report. The proposed draft amendment still meets the LPS criteria as required by s.40K(2)(d) of the Act and does not require any modification (s.40K (2)(c)).

5. Options:

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

RECOMMENDATION:

It is recommended that Council resolves that:

- a) Pursuant to section 40K(1) of the *Land Use Planning and Approvals Act 1993*, provide the Tasmania Planning Commission with a copy of this report.
- b) Pursuant to section 40K (2)(a)(b) of the *Land Use Planning and Approvals Act 1993*, provide to the Tasmanian Planning Commission a copy of each of the 2 representations that were received during and after the advertising of draft amendment RZ 2024-01.
- c) Pursuant to section 40K (2)(c) of the *Land Use Planning and Approvals Act 1993* advise the Tasmanian Planning Commission that the representations received during advertising do not warrant a modification to draft amendment RZ 2024-001 as detailed in this report

DECISION:

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

CARRIED

VOTING RECORD

In favour	Against
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Owen	
Cr Whelan	

Cr Curran rejoined the meeting at 6.23pm.

13. Officers Reports

13.1 Nominations - Tasmanian Animal Welfare Advisory Committee (AWAC)

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

Background

LGAT are seeking nominations from local government elected representatives for appointment to the Tasmanian Animal Welfare Advisory Committee (AWAC).

The AWAC is established under Part 6 of the *Animal Welfare Act 1993* (the Act) and LGAT is required to nominate a representative to the AWAC (section 39(1)(e)).

The functions of the AWAC are to:

- Provide advice to the Minister on matters referred to the Committee by the Minister and any matters relating to animal welfare including standards and guidelines;
- Advise the Minister on any changes to animal welfare legislation;
- Identify and develop educational strategies for animal welfare; and
- Any other functions as determined by the Minister and the Act.

The Animal Welfare Advisory Committee consists of 13 persons, including representatives of specified organisations and representatives from the community who are appointed by the Minister for Primary Industries and Water.

An information package is attached which includes additional information regarding the committee, including sitting fees and meeting frequency. Nominations are to be received by close of business on the 25th November 2024.

Consultation:

SMT

Risk Implications:

Nil.

Financial Implications:

Members appointed to the AWAC receive a sitting fee in accordance with the Tasmanian Government Board Fee Policy.

Strategic Plan

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

Not applicable.

Environmental or Climate Change Implications

Not applicable.

Economic Implications

Not applicable.

Options

1. That Council evaluates potential elected members for the Tasmanian Animal Welfare Advisory Committee and puts forward a nomination for consideration by LGAT.

2. Council do not put forward a nomination for the Tasmanian Animal Welfare Advisory Committee.
3. Other.

RECOMMENDATION:

That Council nominate a Councillor for consideration by LGAT to join the Tasmanian Animal Welfare Advisory Committee.

DECISION:

Cr Owen moved, Cr De La Torre seconded that Option 2 be adopted.

CARRIED

VOTING RECORD

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

13.2 Naming Roads and Streets - Renaming Lewis Court, Old Beach

Author: Development Services Officer (K Clifton)

Authorised: Acting Director Development Services (J Blackwell)

Background

The purpose of this report is to seek endorsement for the re-naming of ‘Lewis Court’ within the Tivoli Green subdivision in accordance with the *Place Names Act 2020* (the Act). The name ‘Lewis Court’ was previously endorsed by Council in 2005, but due to further development the road type no longer conforms with the requirements of 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 change to ‘Lewis Court’ is as follows:

- Lewis Drive

Consultation

Consultation has been undertaken with the landowners by way of a mailout. These have been hand delivered to resident’s mailboxes where possible or posted via Australia Post (1 letter). At the time of writing this report, no feedback has been received from residents.

Risk Implications

There is a risk that the proposed road name does not conform with the Guidelines and that the proposed name will be referred back to Council. Council staff have considered the Guidelines and confirm that the proposed road name meets 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 renaming this road, Council is providing a safe and accessible environment for the community in keeping with its vision and core values. Likewise, it ensures street names continue to conform to the Act and Guidelines.

Options

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

RECOMMENDATION:

It is recommended that Council endorse the re-naming of Lewis Court, Old Beach to Lewis Drive, Old Beach.

DECISION:

Cr Owen moved, Cr De La Torre seconded that Council endorse the re-naming of Lewis Court, Old Beach to Lewis Drive, Old Beach.

CARRIED

VOTING RECORD

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

13.3 Complete Set of Financial Statements 2023/24

Author: Director Corporate Services (G Browne)

Background

In accordance with Section 84(4) of the *Local Government Act 1993*, the complete set of Financial Statements for the year ending 2023/24 is formally submitted to Council for consideration.

The Tasmanian Audit Office has given its opinion that the Financial Report of Brighton Council and its subsidiaries presents fairly, in all material respects, the Council's financial position as at 30 June 2024, and of its financial performance and its cash flows for the year then ended. The report is in accordance with the *Local Government Act 1993* and Australian Accounting Standards.

The Financial Statements have again been passed without any qualifications by the Tasmanian Audit Office. The Tasmanian Audit Office is responsible for the report to be completed in accordance with section 84(3) of the *Local Government Act 1993*.

The report format also complies with the Australian Equivalent to International Reporting Standards (AIFRS). A summary has been provided below.

Highlights of the General Purpose Financial Report include:

Consolidated Statement of Comprehensive Income (P/L)

- Unqualified Audit Opinion by the Tasmanian Audit Office for Brighton Council.
- Recurrent Income of \$21,140,330 up slightly from \$21,046,433 last financial year. The decrease in grant income of \$1,265,721 was offset by an increase in rates and charges of \$1,211,791 and an increase in investment income and commercial activities.
- Total Income \$24,013,950. This includes capital income of \$2,873,620 added to the recurrent income which incorporates capital grant revenue of \$2,839,419 and profit on sale of plant and equipment of \$34,201. Total income decreased from the 22/23 by \$1,672,097, this being predominately due to no subdivision contributions were received by developers.
- Other Comprehensive Income that contributed to our overall comprehensive result was \$65,195,852. This included a net asset revaluation increment of \$62,567,811 for Brighton Council Assets and a net asset revaluation increment of \$2,628,041 on equity invested assets being our share of TasWater.
- Total expense from continuing operations was \$20,364,421 which was an increase from \$18,772,072 in the 22/23 financial year. The increase in expenditure was dominated by higher maintenance and material costs and also an increase in wages from years of not being able to recruit higher skilled applicants to fill vacant positions. Depreciation expenditure of \$4,144,328 has also increased from \$3,966,580 due to Council's spend on capital investments from a number of grants over the past few years.
- A positive net result for the year again from continuing operations of \$3,649,529 compared to \$6,913,975 in the previous year. The previous year included non-monetary assets of \$2,908,922 compared with nil in the current year and also profit on sale of \$403,247 compared to the current year of \$34,201. Even with the removal all capital income, Brighton Council would have had a successful financial result with a surplus of \$810,110.
- Other commercial activities included Professional Service which in the previous and current financial year council employees undertook road works in relation to the Elderslie Road Roundabout for the Department of Education. Council is also experiencing full capacity of Council owned buildings which has resulted in an increase in rental income from \$234,824 in 22/23 to \$321,784 in the 23/24 year.

Consolidated Statement of Financial Position (Balance Sheet)

All our key economic indicators are in sound shape. The following balance sheet statistics provide an excellent overall picture of our financial position at year end.

Every Financial Management Indicator sought by the Auditor General is either within the Auditor General's preferred range or exceeds the identified benchmark for the year ending June 2024.

- Our current assets are 233% of our current liabilities. The benchmark recognised by the Auditor General is >100%.
- Our asset sustainability ratio for the year was 151% against a benchmark of 100%.
- Our underlying surplus is a positive \$1,326,000. The benchmark recognised by the Auditor General is 0.
- Our underlying surplus ratio is a positive 6%. The benchmark recognised by the Auditor General is 0.
- Our Net financial Liabilities are inside the Auditor General's benchmark range.
- Our asset consumption ratios are all above 60%. The Auditor general does not provide a benchmark for this ratio.
- Our Asset renewal funding ratio is 100%. The benchmark recognised by the Auditor General is 90% - 100%.
- Our asset sustainability ratio is 151%. The benchmark recognised by the Auditor General is 100%.
- Our total assets have increased from \$236,845,491 to \$304,356,079. The main contribution from property and infrastructure revaluation totalling \$62,567,811.
- Our total liabilities have decreased from \$5,744,348 to \$4,992,265. This decrease is predominately due to revenue being recognised for projects being completed in the 23/24 year that had grants paid in advance.
- Our total equity has increased from \$230,381,143 to \$299,226,525 during the financial year. This equity increase reflects the comments provided that relate to the movement in total assets and total liabilities.
- Our total cash and investments held at the end of the year decreased significantly from \$12,771,223 to \$3,971,836. This is due to the construction of the medical centre in Brighton and the settlement not occurring until 30th September 2024.

In summary, the report outlines a strong position for the key financial management ratios of Brighton Council.

I thank Councillors for their support and long term financial vision to place Brighton Council in such a strong financial position.

Consultation:

Tasmanian Audit Office

Risk Implications:

Nil

Financial/Budget Implications:

As stated.

Strategic Plan:

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

S4.4: - Ensure financial and risk sustainability.

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

Social Implications:

Not Applicable

Environmental or Climate Change Implications:

Not Applicable

Economic Implications:

Not Applicable

Other Issues:

Not applicable

Options:

1. As per the recommendation.
2. That Council not receive the report.

RECOMMENDATION:

That the Financial Statements for 2023/24 be received.

DECISION:

Cr De La Torre moved, Cr Geard seconded that the Financial Statements for 2023/24 be received.

CARRIED

VOTING RECORD

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

13.4 2A Eddington Street, Bridgewater - Material Institute Lease

Author: Executive Officer (M Braslin)

Authorised: Director Corporate Services (G Browne)

Background

The Material Institute has written to Council seeking a long-term lease.

Material Institute is the current leaseholder of the Council owned property at 2A Eddington Street, Bridgewater. The lease renewal was due in August 2024 for a further three (3) years however as per the attached submission, Material Institute would like a 5+5+5 year lease.

During the past five years they have made substantial investments in the site including capital infrastructure with the new Beauty lab estimated at \$500,000 and the new commercial kitchen approximately valued at \$1.1 million. As well as general maintenance, replacement of the eastern boundary fence, installation of a security camera system, high-speed Wi-Fi access and upgrades to the internal parking areas and driveway – not to mention the food garden and its positive contribution within the community.

As a registered charity, Material Institute is committed to a future where all children, young people and their families in Lutruwita are healthy, thriving and able to achieve their full potential.

As the proposal details:

The extended lease term will provide several key benefits:

- **Long-Term Planning and Sustainability:** A stable lease arrangement will enable us to plan effectively for the future, ensuring the sustainability of our programs and initiatives.
- **Maximising Community Impact:** With the security of a longer lease, we can continue to develop and expand services that directly benefit the community, including educational programs, vocational training, and social enterprises.
- **Strengthening Partnerships:** An extended lease will solidify our relationships with funding providers and stakeholders, demonstrating a mutual commitment to long-term community development.

We believe that this extension aligns with the Council's objectives of supporting local charities and enhancing community services. Our ongoing projects not only enrich the lives of residents but also contribute positively to the local economy and social fabric.

Due to the term of the lease exceeding 5 years Council must act in accordance with section 178 of the *Local Government Act 1993*.

178. Sale, exchange and disposal of public land

(1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.

(2) Public land that is leased for any period by a council remains public land during that period.

(3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.

(4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to—

(a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and

(ab) display a copy of the notice on any boundary of the public land that abuts a highway; and

(b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.

(5) If the general manager does not receive any objection under subsection (4) and an appeal is not made under section 178A, the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under subsection (4).

(6) The council must —

(a) consider any objection lodged; and

(b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of —

(i) that decision; and

(ii) the right to appeal against that decision under section 178A.

(7) The council must not decide to take any action under this section if —

(a) any objection lodged under this section is being considered; or

(b) an appeal made under section 178A has not yet been determined; or

(c) the Appeal Tribunal has made a determination under section 178B(b) or (c).

Consultation

Senior Management Team, Council Community Facilities Officer.

Risk Implications

Possible business failure or realignment. Possible vandalism of Council assets if left vacant.

Financial Implications

Lease amount is set in accordance with the new Community leasing policy. The lessee will be responsible for the upkeep and maintenance of the property as well as all outgoings reducing the financial burden on Council.

Cost to Council of Advertising in accordance with section 178 (4) of the *Local Government Act 1993* is estimated at \$1,200.

Strategic Plan

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

1.1 Engage with and enable our community.

Social Implications

As the Brighton Municipality continues to grow so does the need for community engagement services. It's important that when the opportunity arises to increase secure community engagement long term within the municipality that Council supports this.

Environmental or Climate Change Implications

No significant climate or environmental-related issues. Any tenant will be required to engage in activities to promote sustainable living behaviours.

Economic Implications

Long-term leases can support sustainable community development and economic resilience. This long-term lease to the Material Institute will have a positive impact on the Brighton Community. It is important for the Brighton Council to find occupants to lease and utilise our properties.

Other Issues

Nil.

Assessment

Material Institutes Vision is: *healthy, beautiful and resilient communities where children, young people and their families achieve their full potential.*

The Material Institute team runs community events, social enterprises and food education programs at community hubs and schools across the state. A long-term lease agreement can assist in securing grant funding to develop the space for the use of the local community.

Long-term lease agreements offer a range of benefits that enhance financial stability, reduce operational maintenance burdens, and foster strong relationships between Council and lessees. By providing security and predictability, these agreements support strategic planning, investment in property improvements, and overall economic and community development.

Options

1. As per the recommendation.
2. Do not adopt the report for a long term lease.

RECOMMENDATION:

That Council approve the Material Institute to lease Councils property at 2A Eddington Street, Bridgewater for 5+5+5 years in accordance with the Community leasing policy.

DECISION:

Cr Curran moved, Cr Whelan seconded that Council approve the Material Institute to lease Councils property at 2A Eddington Street, Bridgewater for 5+5+5 years in accordance with the Community Leasing Policy.

CARRIED

VOTING RECORD

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

14. Questions on Notice

There were no Questions on Notice for the November meeting.

Meeting closed: 6.40pm

Confirmed: _____
(Mayor)

Date: 17 December 2024
