



**Brighton
Council**

**Parks &
Recreation
Committee
Agenda**

5 November 2024

Name:

I N D E X

Parks & Recreation Committee Meeting: 5th November 2024

NOTICE OF MEETING	3
AGENDA	4
1. Acknowledgement of Country	4
2. Apologies	4
3. Public Question Time and Deputations	4
4. Declaration of Interest	4
5. Business	5
5.1 Brighton Agricultural Show – Memorandum of Understanding	5
5.2 Risk Assessment – Cloak Oval, Old Beach	7



Brighton Council

Council Representatives: Cr P Geard (Chairperson); Cr A De La Torre (Deputy Chairperson); Cr L Gray; Cr J McMaster; Cr T Murtagh; Cr P Owen & Cr M Whelan

NOTICE OF MEETING

Dear Councillor,

Notice is hereby given that the next **Parks & Recreation Committee Meeting** will be held in the Council Chambers, Council Offices, Old Beach at **5.15 p.m.** on **Tuesday, 5th November 2024**, to discuss business as printed below.

Qualified Person Certification

I HEREBY CERTIFY that in accordance with Section 65 of the *Local Government Act 1993*, any advice, information and recommendation contained in the reports related to the Agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

Dated at Old Beach this *31st* day of *October 2024*.

A handwritten signature in black ink, appearing to read 'James Dryburgh', written in a cursive style.

James Dryburgh
CHIEF EXECUTIVE OFFICER

Being the General Manager as appointed by Brighton Council
pursuant to Section 61 of the *Local Government Act 1993*

AGENDA

Audio Recording of Meetings

An audio recording of this meeting, will be made in accordance with our Audio Recording of Council and Committee Meetings Policy 7.11. The audio recording will be available on Council's website within seven (7) business days after the meeting.

1. Acknowledgement of Country

Brighton Council acknowledges the palawa/pakana (Tasmanian Aboriginal) community as the traditional and original owners of the skies, land and water of lutruwita (Tasmania) and forward our respect to their elders both past and present.

Brighton Council acknowledges the continued connection the Tasmanian Aboriginal people still have to the skies, land and water of lutruwita that provides them with the food, medicine and craft celebrated through ceremony today.

2. Apologies

3. Public Question Time and Deputations

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.

5. Business

5.1 Brighton Agricultural Show – Memorandum of Understanding

Attachment: Draft Memorandum of Understanding (MoU)

Author: Executive Officer (M Braslin)

Authorised: Director, Corporate Services (G Browne)

Background

Council has been working with the Brighton Show to formalise an agreement in the form of a Memorandum of Understanding (MoU).

This will be beneficial for several reasons:

- It will give clarity of expectations and responsibility and commitments of both parties.
- It will ensure there is a clear understanding of what each party will contribute to in the partnership.
- It can help allocate resources effectively.
- It will formalise the Council and Brighton Agricultural Show partnership.
- It will encourage communication leading to more successful outcomes.
- It will assist when there is a change of staff at Council and also if there is a change to the Brighton Agricultural Show board/committee .

This outlines mutual expectations and responsibilities and lists items that Brighton Council are responsible for and items that the Brighton Agricultural Show are responsible for in the 8 days of the Show in early November each year.

Consultation

SMT, Mayor Gray, Cr Geard, Works Manager, Sports Grounds Foreman, Councils Community Facilities officer, WHS Officer, Brighton Agricultural Show Committee.

Risk Implications

Lack of clear legal obligation; operational confusion regarding roles and responsibilities; cost sharing; reputational risk; compliance and safety.

A formal agreement mitigates any risks by providing transparency and accountability.

Financial Implications

An MoU specifies how costs are shared between the council and the show society. Council provide some in-kind support to the event each year as detailed in the agreement.

Strategic Plan

Relates to our 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

Many families make the annual Show event a tradition, attending together year after year. This can help reinforce family and community bonds.

The Show has educational components, such as livestock displays, farming demonstrations, and sustainability workshops. These offer the community, especially urban residents, insight into agriculture and food production.

An annual show provides significant social benefits, including community engagement, cultural celebration, and educational opportunities. However, it also brings challenges such as environmental impacts, social exclusion, traffic, and potential pressure on local services. However, if managed these issues effectively can enhance the positive impact of the event on the community.

Other Issues

Nil.

Assessment

Having an MoU between the Council and the Brighton Agricultural Show can provide a structured framework for the partnership, ensuring clarity, cooperation, and mutual benefit for both parties and the community. It outlines mutual expectations and responsibilities.

The President of the Show Society has signed the Memorandum of Understanding (MoU).

Options

1. Council approves the recommendation.
2. Council does not approve the recommendation.
3. Other.

RECOMMENDATION:

That Council adopts the MoU between Brighton Council and Brighton Agricultural Show Society.

DECISION:

5.2 Risk Assessment - Cloak Oval, Old Beach

Attachment's: Risk Assessment MAV insurance, Daniel Brooks

Author: Executive Officer, (M Braslin)

Approver: Director Corporate Services, (G Browne)

Background

In 2022, Councillor Owen raised the risk of errant cricket balls at Cloak Oval Old Beach. The General Manager gave a response at the OCM on 18th October 2022, at the time some risk mitigation strategies were put in place like signage, more planting of dense foliage trees, and money in the 2024/25 budget for a net to be erected close to the children's playground area.

Concerns have also been raised by the Old Beach Cricket club through Mayor Gray in 2023, regarding the use of the Old Beach Community Hall for the Referendum voting at the same time a second-grade cricket game was scheduled to play. Increasing the overall number of cars and people around the cricket ground and in turn, increasing the likelihood of an incident of a cricket ball injuring property or a person.

After further research we have identified the Cricket Oval does not meet the requirements as per the Cricket Australia - Guidance Note 1 Playing Field (Updated Nov 23) for playing senior men's cricket with the current boundary (Pitch to boundary line is 46 metres). There is a playground 68 metres from the pitch, and a community centre that is hired by casual users nearby. There have been no reported incidents received by Council to the best of our knowledge about any injuries due to errant balls being hit.

Council have had a meeting with Cricket Tasmania to advise of the issues and they are prepared to work with Council and the rostering of men's grade cricket at Old Beach oval. Unfortunately, they have not yet been able to offer us information regarding similar issues and remedies at other locations.

Council engaged our insurance company MAV to conduct a targeted risk assessment at Cloak Oval. MAV provided Council some recommendations to consider reducing risk of cricket balls damaging property and causing injury.

The report attached is based on findings from the site assessment, physical dimensions of the site and distances measured from the cricket pitch to specific points of interest within the broader reserve.

Council met with the Old Beach cricket club to discuss the Risk Report and the new nets to be installed.

Consultation

Senior Management Team, WHS Officer, Works Manager, Works Facilitator, Council Community Facilities officer, MAV Insurance.

Risk Implications

Using this consequence table along with Council's Risk Matrix, the assessment of the overall risk of errant balls from the ground is as follows:

Risk Description	Likelihood	Consequence	Risk Rating
Risk of Errant balls entering the playground and causing injuries to users.	Possible	Major	High
Risk of Errant balls entering the neighbouring residential property and causing injuries to residents/visitors.	Possible	Major	High
Risk of Errant balls leaving the overall property and causing injuries to persons.	Unlikely	Major	Moderate
Risk of Errant balls damaging property inside the reserve.	Likely	Minor	Moderate
Risk of Errant balls damaging property outside the reserve.	Possible	Minor	Moderate

Financial Implications

An allocation for a net to be erected of \$29,500 is in the 2024/25 Budget.

Strategic Plan

Relates to our 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

Cricket can aid in the integration of newcomers to a community. By participating in or attending local matches, they can build social networks and feel more connected to their new community.

For young people, cricket can be a constructive outlet for their energy, offering structured activity and a sense of purpose. It helps in developing discipline, teamwork, and leadership skills. Regular exercise and participation in sports are linked to lower rates of obesity, mental health issues, and overall well-being.

Other Issues

Nil.

Assessment

The report details that 'The likelihood of cricket balls landing outside the property boundaries has been assessed as Possible' using Council's own Risk Management Policy. This can then be combined with the consequence scale to assess the overall risk associated with such errant balls.

As previously detailed in the background of the MAV report, there are two possible consequences associated with errant balls, the first being 'The relatively minor consequence of property being damaged (i.e. a broken window, damaged roof tiles or damage to vehicles), the second being the much rarer but more significant consequence should a person be hit.'

It is recommended by MAV, that if Council wish to allow tenant clubs/users to continue to play cricket at the current level (Open Age Community Club), consideration be given to the following mitigation measures:

- Installation of netting barriers adjacent to the playground as indicated in Items 2.2 and 3.3 of the report
- This will result in the reduction of errant balls causing personal injuries in these two key locations from Possible, to at least Unlikely (depending on the height of the barrier netting installed).
- Additionally, it is recommended that Council ensure all barriers are subject to regular documented inspection and repair when necessary. Such inspections should be integrated into Council's existing proactive inspection program for sports reserves.
- Further reduction in Likelihood of errant balls in other areas of the reserve (e.g. the car park and club rooms) will require either the installation of extremely extensive, long barriers, or a reduction in the level of cricket played at the ground.

Further to the MAV recommendations Council Recommends:

- Minimise the use of the Old Beach Community Hall during men's grade cricket games.
- Not approve T20 type cricket matches at Old Beach but rather at Weily Park oval.
- Long term Council will need to look for a new venue for a new oval in the Old Beach area, this will be considered in the Lennox Park masterplan.
- Council value what the Old Beach Cricket club does for the Community and the upgrades you have made to councils facilities at Jetty Road and we take this into consideration when setting the rent amount for the new lease agreement.

Options

1. Council approves the MAV report recommendations.
2. Council does not approve the MAV insurance recommendations.
3. Council approve further recommendations.
4. Council does not approve further recommendations
5. Other

RECOMMENDATION:

MAV insurance recommendations:

1. Installation of netting barriers adjacent to the playground.
2. Council ensures all barriers are subject to regular documented inspections and repair when necessary.
3. a reduction in the level of cricket played at the ground.

Further recommendations:

4. Council minimises the casual hire of the Old Beach Community Centre whilst open men's grade cricket is being played at Cloak Oval Old Beach.
5. Council do not allow T20 type cricket matches at Old Beach but rather at Weily Park oval.
6. Review the future usage of Cloak oval in conjunction with the Lennox Park Masterplan 2024/25 budget item.

DECISION: