



Brighton Council

**MINUTES OF THE PARKS & RECREATION COMMITTEE MEETING
OF THE BRIGHTON COUNCIL, HELD IN THE COUNCIL CHAMBERS,
COUNCIL OFFICES, 1 TIVOLI ROAD, OLD BEACH
AT 5.17P.M. ON TUESDAY, 5 NOVEMBER 2024**

PRESENT: Cr Geard (Chairperson); Cr De La Torre; Cr Gray; Cr McMaster; Cr Murtagh; Cr Owen and Cr Whelan

IN ATTENDANCE: Cr Curran; Mr C Pearce-Rasmussen (Director Asset Services); Ms J Banks (Director, Governance & Regulatory Services); Ms G Browne (Director Corporate Services); Mrs J Blackwell (A/Director, Development Services)

1. Acknowledgement of Country

2. Apologies

All members were present.

3. Public Question Time and Deputations

There was no requirement for Public Question Time.

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.

There were no declarations of interest.

5. Business

5.1 Brighton Agricultural Show – Memorandum of Understanding

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:

Cr De La Torre moved, Cr McMaster seconded that Council adopts the MoU between Brighton Council and Brighton Agricultural Show Society with the minor changes as discussed i.e. timeframe on page 3 and backup plan on page 3 to be approved by Manager Works Services.

CARRIED

VOTING RECORD

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

5.2 Risk Assessment – Cloak Oval, Old Beach

Author: Executive Officer (M Braslin)

Authorised: Director, Corporate Services (G Browne)

Background

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

A concern was raised from 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.

However, I note that there have not been any reported incidents received by Council to the best of our knowledge.

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 of other locations.

Council have now engaged our insurance company MAV to conduct a targeted risk assessment who have given Council some recommendations to consider to reduce the risk of cricket balls breaking property or injuring a person.

The attached report 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, new Lease agreement and 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 allocated amount for a net to be erected for \$29,500 is included 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 Insurance, 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.
- Council value what the Old Beach Cricket Club does for the Community and the upgrades they have made to council facilities at Jetty Road and we take this into consideration when setting the rent amount for the new lease agreement.
- Council to consider keeping the rent the same as current rent amount with an annual CPI increase with all outgoings to be also paid by the Club.

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.
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RECOMMENDATION:

That Council approves the following:

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. Council commences looking for a suitable site in Old Beach for a new sports ground to be constructed in the future and add this to the Asset Plan.
7. Keep the rent amount at the same as the current amount with a CPI increase calculated annually plus all outgoings.

DECISION:

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

CARRIED

VOTING RECORD

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

Meeting closed: 5.35pm

Confirmed: _____
(Mayor)

Date: _____
19 November 2024