



**Brighton
Council**

Ordinary Meeting Agenda

18 February 2025

Name:

Brighton
going places

I N D E X

Ordinary Council Meeting: 18 February 2025

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**Brighton
Council**

NOTICE OF MEETING

Dear Councillor,

Notice is hereby given that the next **Ordinary Council Meeting** of the Brighton Council will be held at **5.30 p.m. on Tuesday, 18th February 2025**, 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 *13th* day of *February 2025*.

A handwritten signature in black ink, appearing to read 'James Dryburgh', is written over a light grey horizontal line.

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 Council Meetings

An audio recording of this Council Meeting (except for any part held in Closed Session), 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 / Applications for leave of absence

3. Confirmation of Minutes

3.1 Ordinary Council Meeting

The Minutes of the previous Ordinary Council Meeting held on the 21st January 2025 are submitted for confirmation.

RECOMMENDATION:

That the Minutes of the previous Ordinary Council Meeting held on 21st January 2025, be confirmed.

DECISION:

3.2 Planning Authority Meeting

The Minutes of the Planning Authority Meeting held on the 4th February 2025 are submitted for confirmation.

RECOMMENDATION:

That the Minutes of the Planning Authority Meeting held on 4th February 2025, be confirmed.

DECISION:

3.3 Parks & Recreation Committee

The Minutes of the Parks & Recreation Committee Meeting held on the 4th February 2025 are submitted for confirmation.

RECOMMENDATION:

That the Minutes of the Parks & Recreation Committee Meeting held on 4th February 2025, be confirmed.

DECISION:

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. 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.

6. Reports from Council

6.1 Mayor's Communications

The Mayor's communications are as follows:

- 22/1 TasWater Project Briefing
- 29/1 Online Consultation Session re Local Government Meeting and General Regulations
- 4/2 Council Workshop
- 4/2 Planning Authority Meeting
- 4/2 Parks & Recreation Committee Meeting
- 5/2 Meeting with Director, Development Services
- 12/2 TasWater Half Yearly Briefing to shareholders
- 14/2 Jordan River Community Workshed Community Consultation
- 18/2 Citizenship Ceremony
- 18/2 Council Meeting

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:**6.2 Reports from Council Representatives****RECOMMENDATION:**

That the verbal reports from Council representatives be received.

DECISION:**7. Miscellaneous Correspondence**

- Feedback to the Office of Local Government from Brighton Council dated 6th February 2025 in regard to Local Government Priority Reform Program.

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 4th February 2025 at 4.45pm to receive updates on the following issues:- Community Development update; BGH Breakers Netball; Local Government Reforms and Brighton Local Area Plan.

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

Apologies: Cr Geard (*LG Reform & Brighton Local Area Plan*).

9. Notices of Motion

Nil.

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:

- the reason it was not possible to include the matter on the agenda, and
- that the matter is urgent, and
- 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:**11. Reports from Committees****11.1 Parks & Recreation Committee - 4 February 2025**

The recommendations of the Parks & Recreation Committee held on 4th February 2025 are submitted to Council for adoption.

RECOMMENDATION:

That the recommendations of the Parks & Recreation Committee meeting held 4th February 2025 be adopted.

DECISION:

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.

Nil.

13. Petitions

13.1 Petition - Stanfield Drive Old Beach Dual Access

Attachment: Petition

A paper petition was received by Council by Mr Adrian Tanner on the 3rd February 2025 with 52 signatories.

Petition Subject:

We the electors of the Brighton Council petition the Councillors in accordance with the Local Government Act 1993; to act in their capacity as a road authority and refuse approval for a second access to St Ann's Retirement Village located at 1 Radius Drive.

Petition statement and action requested:

A recent Traffic Impact Assessment for a development at 1 Radius Drive identified that the service level of the Stanfield/East Derwent Highway intersection will deteriorate to level F. This will result in delays for residents, and we expect there to be an increase in accidents as drivers leaving the area try to merge with traffic on East Derwent Highway. Given the 80 km/hr speed limit on East Derwent Highway it is not unreasonable to expect some accidents to result in fatalities.

A possible solution, that has been discussed in the past, is to construct a roundabout at the junction of Stanfield/Riviera/East Derwent Highway.

Allowing a second access onto Stanfield Drive from 1 Radius Drive will complicate or make impossible the construction of a roundabout.

The Department of State Growth are undertaking a traffic study for East Derwent Highway and we should await the outcome of this work before ruling out the option of constructing the roundabout.

Chief Executive Officer's response:

This petition complies with Section 57 of the *Local Government Act 1993* and has accordingly been tabled. In accordance with Section 58 of the Act the General Manager is to table the petition at the next ordinary meeting of the Council, enabling Council to receive it.

The key matters raised in the Petition pertain to a Development Application that was determined at Council's February Planning Authority Meeting held on the 4th February 2025.

Through that legislated and thorough assessment process council officers have considered all matters to which they are able to, provided an assessment and recommendations and the Planning Authority has made its determination – to conditionally approve the Development Application.

Council's role from here would be potential representation of its assessment and decision in any appeal processes and ultimately compliance with the planning permit. Other matters raised by residents are matter between themselves and the owner, rather than with Council.

RECOMMENDATION:

That the Petition be received.

DECISION:

14. Officers Reports

14.1 Restoration of the 'Jerry' sculpture

Attachment:	Quote - Margaret Woodward Design
Author:	Manager Community Development & Engagement (A Turvey)
Authorised:	Chief Executive Officer (J Dryburgh)

Background

The purpose of this report is to seek Council's endorsement to use the full unspent \$20,000 allocated for the Public Art Strategy in the 2024/25 budget for the restoration of the sculpture 'Jerry' (2007) by Tony Woodward. This sculpture is to be reinstalled as part of the new Bridgewater Bridge precinct.

The remaining funds (\$2,106.00) for this project would be allocated from the Promotion of the Municipality budget item.

Designer Margaret Woodward has provided a comprehensive quote for the restoration of the sculpture outlining materials, hours and work required for the restoration (refer attachment).

Consultation

Senior Management Team; Margaret Woodward Design

Risk Implications

None.

Financial Implications

\$20,000 re-allocated from the Public Art Strategy budget item & \$2106.00 from the Promotion of Municipality budget item.

Strategic Plan

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

Social Implications

Enhancing community infrastructure

Environmental or Climate Change Implications

Nil.

Other Issues

Nil.

Assessment

Designer Margaret Woodward has been approached and provided a comprehensive quote for the restoration of the sculpture *Jerry* (2007) by Tony Woodward outlining materials, hours and work required for the restoration.

Options

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

RECOMMENDATION:

That Council endorse reallocating the unspent \$20,000 from the Public Art Strategy budget item in the 2024/25 budget to restore the 'Jerry' sculpture in the new Bridgewater Bridge precinct; with the remaining funds from the Promotion of Municipality budget.

DECISION:

14.2 Review - Customer Service Charter

Attachment: Draft Customer Service Charter 2025

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

Background

Section 339F of the *Local Government Act 1993* (The Act) requires council to review its Customer Service Charter within 12 months after each ordinary election and at least every two years.

Council's Customer Service Charter was endorsed in April 2023 following the last council election and is to be reviewed at least once every 2 years

339F. Customer service charter

- (1) *A council must adopt a customer service charter on or before 1 January 2006.*
- (2) *The customer service charter is to –*
 - (a) *specify the principles relating to services provided by the council; and*
 - (b) *specify a procedure for dealing with complaints relating to services provided by the council; and*
 - (c) *include any prescribed matter.*
- (3) *The general manager is to make the customer service charter available –*
 - (a) *for public inspection at the public office during ordinary office hours; and*
 - (b) *on the council's internet site free of charge; and*
 - (c) *for purchase at a reasonable charge.*
- (4) *A council is to review its customer service charter at least once every 2 years.*
- (5) *The general manager is to provide the council with a report at least once a year of the number and nature of complaints received.*

The Charter outlines what our customers can expect from our staff and how members of the public can help us to deliver professional, reliable and consistent customer service.

Consultation

Senior Management Team; Executive Officer, Governance

Risk Implications

Nil.

Financial Implications

Nil

Strategic Plan

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

Nil.

Assessment

The Senior Management Team were provided with the opportunity to review the Charter prior to submission to Council. Minor amendments have been made to the Charter with a version attached with proposed changes.

Options

1. As per the recommendation.
2. That Council make further amendments to the Customer Service Charter.
3. Other.

RECOMMENDATION:

That Council adopt the Customer Service Charter in accordance with Section 339F of the *Local Government Act 1993* and make it publicly available on Council's website.

DECISION:

14.3 Council Policy Reviews

Attachment: Reviewed Policies

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

Background

A comprehensive review of all Council endorsed policies is in progress.

Below is a summary of the policies that are submitted to Council for either adoption or rescindment.

No:	Policy Name:	Comments:
1.1	Rates - Multi-Service	<ul style="list-style-type: none"> • Rescind Policy. • Consolidated into Policy 1.6 Rates & Charges. • Attached for reference.
1.3	Financial Hardship Assistance	<ul style="list-style-type: none"> • Policy reviewed. • Included in attachment with tracked changes.
1.4	Rates - Churches	<ul style="list-style-type: none"> • Rescind Policy. • Consolidated into Policy 1.6 Rates & Charges. • Attached for reference.
1.5	Pensioner Rates Remissions Application of Penalty and/or Interest	<ul style="list-style-type: none"> • Rescind Policy. • Consolidated into Policy 1.6 Rates & Charges. • Attached for reference.
1.6	Rates and Charges	<ul style="list-style-type: none"> • Policy reviewed. • Consolidates rescinded Policy 1.1, 1.4, 1.5 & 1.10 • Included in attachment with tracked changes.
1.10	Debt Collection - Rates	<ul style="list-style-type: none"> • Rescind Policy. • Consolidated into Policy 1.6 Rates & Charges. • Attached for reference.
1.11	Debt Collection - Water	<ul style="list-style-type: none"> • Rescind Policy. • Attached for reference.
2.6	Related Party Disclosures	<ul style="list-style-type: none"> • Policy reviewed. • Included in attachment with tracked changes.
6.3	Bond Policy <i>(previously named Subdivision Building Defect Liability Guarantee Policy)</i>	<ul style="list-style-type: none"> • Policy reviewed & renamed. • Consolidates Policy 6.3 and 6.4.
6.4	Subdivision Building Estate Bonds and Guarantees	<ul style="list-style-type: none"> • Rescind Policy. • Consolidated into 6.3 Bond Policy

No:	Policy Name:	Comments:
7.5	Planning Appeals	<ul style="list-style-type: none"> • Policy reviewed. • Included in attachment with tracked changes.

Policies that have been recommended to be rescinded are either outdated and no longer relevant or have been incorporated into existing policies that have been reviewed.

There will also be a range of administrative measures taken in addition to the adoption of these policies, including all policies being made publicly available on council’s website (or removed if a rescinded policy).

Consultation

SMT; Executive Officer - Governance; Executive Officer – Accounting, Senior Officer – Development Engineering.

Risk Implications

Regular review and monitoring of council policies will be undertaken to ensure compliance with relevant legislation.

Financial Implications

Not applicable.

Strategic Plan

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.

Options

1. As per the recommendation.
2. Other.

RECOMMENDATION:

That Council

1. **adopt** the following policies:
 - 1.3 Financial Hardship Assistance

1.6 Rates and Charges

2.6 Related Party Disclosures

6.3 Bond Policy

7.5 Planning Appeals

2. **rescind** the following policies:

1.1 Rates Multi-Service

1.4 Rates - Churches

1.5 Pensioner Rates Remissions Application of Penalty and/or Interest

1.10 Debt Collection - Rates

1.11 Debt Collection – Water

6.4 Subdivision Building Estate Bonds and Guarantees

DECISION:

14.4 Master Plan Project - Pontville Park Precinct

Author: Chief Executive Officer (J Dryburgh)

Background

The purpose of this report is to seek Council's endorsement for the commencement of a Master Planning project for the Pontville Park Precinct this financial year.

The project would aim to engage experienced consultants to provide expert guidance and support during the master planning process as well as undertaking thorough consultation with stakeholders, including local residents and facility user groups, to gather input and feedback through the various project stages.

A Master Plan for this site would establish a clear vision that is created and approved through a collaborative and consultative process.

Consultation

Senior Management Team

Risk Implications

None.

Financial Implications

This project is currently not budgeted for and can only proceed if the budget position allows for the allocation of required funds.

Strategic Plan

1.1 engage with and enable our community

1.3 ensure attractive local areas that provide social, recreational and economic opportunities

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

4.1 be big picture, long-term and evidence-based in our thinking

Social Implications

Enhancing community facilities; improving social infrastructure and increasing community engagement.

Environmental or Climate Change Implications

Nil.

Economic Implications

Other Issues

Nil.

Assessment

Ensuring suitably qualified consultants are selected along with the availability of staff to manage and oversee the project will also need to be assessed to ensure the project is implemented successfully.

Options

1. As per the recommendation.
 2. Council not approve the project until it is an approved project in a future budget.
 3. Other.
-

RECOMMENDATION:

That Council endorse the commencement of a Master Planning Project for the Pontville Park Precinct subject to:-

- a) Council's budget position;
- b) staff capacity to manage the project; and
- c) securing suitably qualified consultants.

DECISION:

14.5 Urban Precincts & Partnerships Grant Scheme - Committee for Greater Hobart

Author: Chief Executive Officer (J Dryburgh)

Background

The Committee for Greater Hobart have approached Council seeking to partner on a grant application under the Federal Government's Urban Precincts and Partnerships grant scheme. The Committee for Greater Hobart are seeking to assist with transformational planning and investment across Greater Hobart and want to demonstrate real-life scenarios in which this can occur. They have reviewed potential opportunities for this across the metropolitan area of Hobart (the six urban council areas) and have determined that their preferred project is centred around the Bridgewater Bridge Precinct and the waterfront and growth area around it.

As Councillors are aware, there is a need to bring together separate pieces of strategic work in the area and to further consider what planning scheme provisions are appropriate and what the key pieces of enabling infrastructure might be.

Under the proposal, the Committee for Greater Hobart would be the applicant, but Brighton Council and the State Government would be partners (the Committee for Greater Hobart intend to seek formal support from the State Government). Indeed, under the grant terms, the State Government has to be the recipient and administrator of funds.

Council staff have explained that we have severe resource constraints at present due to high growth and strategic activity, and due to recent successes with other grants for a range of strategic projects. Under the proposal, GHD (as a member of the Committee for Greater Hobart) would undertake to prepare the grant application pro-bono, with some support from Council and the grant proposal is to include funding for adequate additional resources for council to participate fully in the project.

Council officers see this proposal as a novel approach and a unique opportunity, one that is worth pursuing. As previously discussed with Councillors, there is a need to ensure a collaborative approach with the State Government to ensure the precinct around the new bridge is well master planned so that Brighton and Tasmania can fully realise the community and economic benefits of the structural changes in the area. This type of partnered approach could be a vehicle to help achieve this.

The grant focuses on master planning, being under Stream 1:

- ***Stream One: Precinct development and planning***
 - *Project funding of between \$500,000 to \$5 million is available to activate partnerships and deliver an investment-ready precinct plan.*

However, it is considered that the successful completion of a Stream 1 project would ensure that the precinct is very well placed for Stream 2 funding, in which major funding (up to \$50 million) is available for developing the precinct. This would clearly be an incredible opportunity for both Council and the State Government.

- ***Stream Two: Precinct delivery***
 - *Project funding of \$5 million to \$50 million is available to help deliver one or more elements of a precinct. This could include enabling public infrastructure (roads, pathways, underground infrastructure), open spaces between elements, or a particular building/s that is the catalyst for, or complements, other investment within a precinct.*

Consultation

SMT, Committee for Greater Hobart, Strategic Planner

Risk Implications

The only risks are considered minor. These relate to the normal risk around a partnership being more complex to manage than a project run independently. However, with this particular project it is essential that the State Government are a partner given they are the major land and asset owner in the precinct.

The other risk is managing expectations, given recommendations through a master planning process may not be able to be funded in the short term. However, this issue should not inhibit long-term strategic planning.

Financial Implications

No direct financial contribution is to be made by Council, but there will be some staff time applied to the grant application process. Co-funding is not a requirement of the grant.

Strategic Plan

3.2 infrastructure development and service delivery are guided by strategic planning to cater for the needs of a growing and changing population

4.1 be big picture, long-term and evidence-based in our thinking

Social Implications

This precinct is extremely important for the entire Brighton community and for the image of our region beyond our boundaries. It is critical we do what we can to ensure its future is well thought out and mechanisms put in place to steer its development accordingly.

Environmental or Climate Change Implications

Sound master planning enables better local environmental outcomes and should lead to more efficient communities that produce lower emissions.

Economic Implications

The precinct around the new bridge is considered to be a significant economic opportunity for Brighton and the wider region. This opportunity will only be optimised with the development of a clear vision that can then be implemented.

Other Issues

Nil.

Assessment

Council officers believe the opportunity to partner with the Committee and State Government on this grant should be pursued.

Options

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

RECOMMENDATION:

That Council endorse officers to assist the Committee for Greater Hobart to prepare a grant application for master planning around the Bridgewater Bridge Precinct under the Federal Government's Urban Precincts and Partnerships grant scheme and for Council to be a partner in the application.

DECISION:

14.6 Annual Plan 2024/25 - Progress Update

Attachment: 2024-25 Annual Plan Progress Update

Author: Chief Executive Officer (J Dryburgh)

Background

Each year, the Council formulates an Annual Plan as mandated by the *Local Government Act 1993*. This plan must be closely aligned with the budget.

The purpose of this report is to provide an update on Council's progress against the actions within the Annual Plan for 2024/25.

Consultation

Senior Management Team and relevant staff.

Risk Implications

None.

Financial Implications

This report is not a budget review. It is a summary of progress against the Annual Plan but it does also give an indication of how council is tracking against many key items in the budget.

Strategic Plan

The Annual Plan was prepared consistent with Council's Strategic Plan.

Providing a mid-year update on the progress of the Annual Plan furthers Goal 4 of the Strategic Plan to 'ensure a stable organisation' especially with regard to:

S4.1: Be big picture, long-term and evidence based in our thinking

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

S4.4: Ensure Financial & Risk Sustainability

Social Implications

The Annual Plan includes a range of actions focussing on social outcomes.

Environmental or Climate Change Implications

The Annual Plan includes a range of actions focussing on environmental issues and opportunities.

Economic Implications

A range of actions in the Annual Plan have economic implications.

Other Issues

Nil.

Assessment

The Key Focus Areas and Summary of Strategies and Initiatives for 2024/25 are provided in the attachment with a status and comments section provided beside each action.

RECOMMENDATION:

That the 2024/25 Annual Plan Progress update be received.

DECISION:

15. Questions on Notice

There are no Questions on Notice for the February meeting.