



**Brighton
Council**

Ordinary Meeting Agenda

17 June 2025

Name:

Brighton
going places

I N D E X

Ordinary Council Meeting: 17 June 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, 17th June 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 12th day of June 2025.

A handwritten signature in black ink, appearing to read 'James Dryburgh', is written over a faint, circular, dotted watermark.

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 20th May 2025 are submitted for confirmation.

RECOMMENDATION:

That the Minutes of the previous Ordinary Council Meeting held on 20th May 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:

- 21/5 TasWaste South Board Meeting
- 1/6 Official Opening – New Bridgewater Bridge
- 3/6 Council Workshop
- 11/6 STRLUS Steering Committee Meeting
- 12/6 Meeting with Rebecca White MP
- 17/6 Citizenship Ceremony
- 17/6 CEO Performance Management Committee Meeting
- 17/6 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

- Letter from the Minister for Local Government dated 6 June 2025 regarding the Government's Priority Reform Program and future direction.

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 3rd June 2025 at 4.30pm in relation to the Draft LGBTIQ+ Consultation Report and Public Open Space and Enforcement Policy update.

Attendance: Cr Gray; Cr Curran; Cr Geard; Cr Irons; Cr McMaster, Cr Owen & Cr Whelan

Apologies: Cr De La Torre; Cr Murtagh

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:

- (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:

11. Reports from Committees

11.1 Audit Panel - 14 March 2025

The minutes of the Audit Panel meeting held on 14th March 2025 are submitted to Council for receipt and the recommendations are submitted to Council for adoption.

RECOMMENDATION:

That the Audit Panel minutes be received and the recommendations of the Audit Panel meeting held on 14th March 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.

12.1 Development Application DA 2025/048 - Signage at 40 Brighton Road, Brighton

Author: Planning Officer (D Van)
 Authorised: Manager Planning (J Blackwell)

| | |
|-------------------|---|
| Applicant: | United Petroleum Pty Ltd - Ben Baker |
| Subject Site: | 40 Brighton, Brighton Volume: 180898 – Folio 1 |
| Proposal: | Signage |
| Planning Scheme: | Tasmanian Planning Scheme - Brighton |
| Zoning: | Light Industrial Zone |
| Codes: | Bushfire prone Attenuation Area |
| Local Provisions: | Brighton Highway Services Precinct Specific Area Plan Bridgewater Quarry Specific Area Plan Brighton Industrial Hub Specific Area Plan |
| Use Class: | Not required to be categorised (Clause 6.2.6) |
| Discretions: | Clause C1.6.1 P1.1 – Design and siting of sign Clause C1.6.2 P1 – Illuminated sign Clause BRI-S4.7.1 P1 – Buildings and works within Bridgewater Quarry SAP |
| Representations: | 1 representation was received. The representor raised the following issues: <ul style="list-style-type: none"> • The proposed sign is located close to irrigation pipework associated with the Sewerage Treatment Plant. • Supplying power to the sign may be difficult if it relies on United's existing pylon sign. • Landowner's consent has not been provided. |
| Attachments | Assessment documents |
| Recommendation: | Approval with conditions |

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application DA 2025/048.

The relevant legislation is the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a planning authority to take all reasonable steps to ensure compliance with the planning scheme.

Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993* (LUPAA).

This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either:

- (1) adopt the recommendation; or
- (2) vary the recommendation by adding, modifying, or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa).

Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*.

2. SITE ASSESSMENT

The application proposes the installation of new signage at 40 Brighton Road, Brighton (the site). The site is currently developed and used as a Highway Service Centre, comprising vehicle fuel sales, servicing, and food services. Existing associated infrastructure on the site includes signage and a sewer pump station.

The site covers an area of approximately 1.359 hectares, with a primary frontage of around 180 metres along Hove Way. The eastern boundary of the site adjoins the Midland Highway. The topography is generally flat, with the site sitting at a higher elevation than the Midland Highway. To the west and south, the site adjoins vacant industrial land, consistent with the surrounding Light Industrial zoning.



Figure 1. Site Map (source: LISTMAP)

The site is zoned Light Industrial (Figure 2). It is overlaid by the Brighton Highway Services Precinct Specific Area Plan. The entire site falls within the Bushfire-Prone Areas Code overlay (Figure 3).

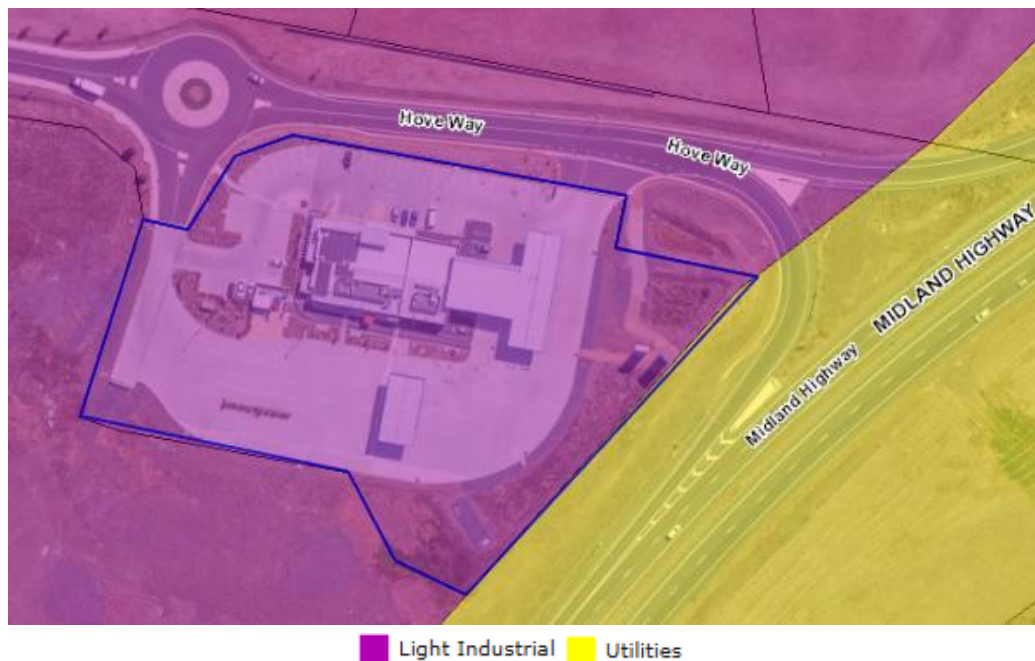


Figure 2. Zoning applied to the subject site (Source: the LISTMAP)

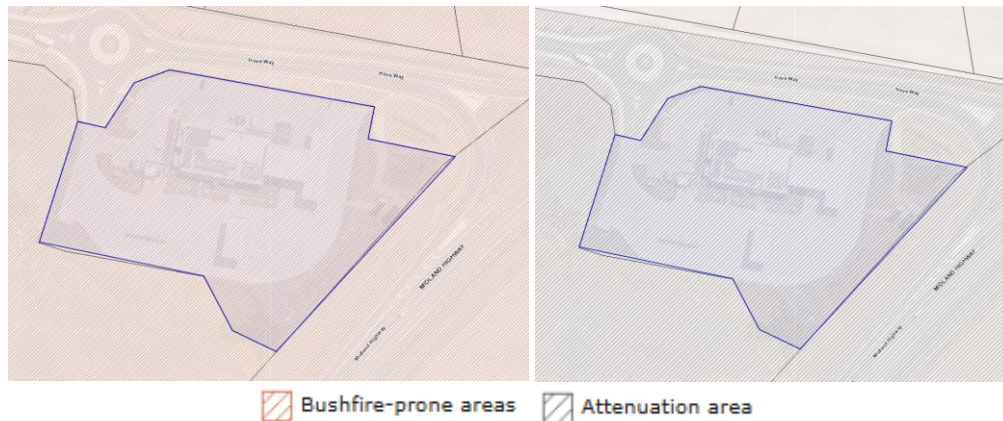


Figure 3. Planning overlay applied to the subject site (Source: the LISTMAP)

The site (Lot 1 shown in Figure 4) contains an existing in-ground wastewater treatment system located in the southeast corner. The associated irrigation area is situated to the south of Lot 2, as shown in Figure 5. Both the system and the irrigation area are identified within the easements, as illustrated in Figure 4.

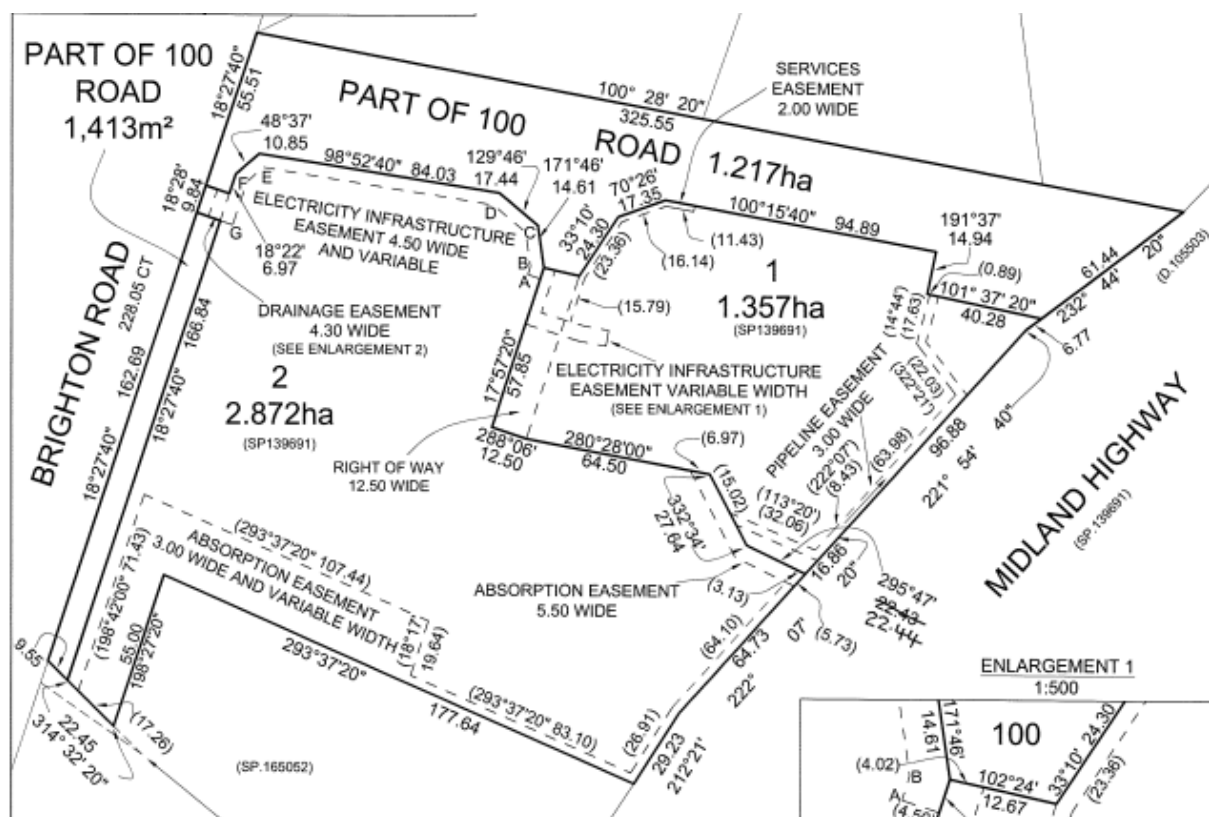


Figure 4. Excerpt from the Title's Folio Plan showing registered easement on the site



Figure 5. Location of the existing Wastewater Treatment Plant and Irrigation Area



Figure 6. View of the site's frontage from Hove Way (Source: Google, 2024)



Figure 7. View of the site from Midland Highway (Source: Google, 2024)

3. PROPOSAL

The proposal involves the installation of a new illuminated pole sign to advertise the food services available on the site. Two design options are proposed: one for drive-thru and one for non-drive-thru, distinguished by the displayed message. Both sign options share the same dimensions, with a maximum height of 6 metres, a width of 2.4 metres, and a depth of 0.35 metres (Figure 8). The sign is proposed to be located with a 10-metre setback from the Midland Highway (refer to Figure 9).

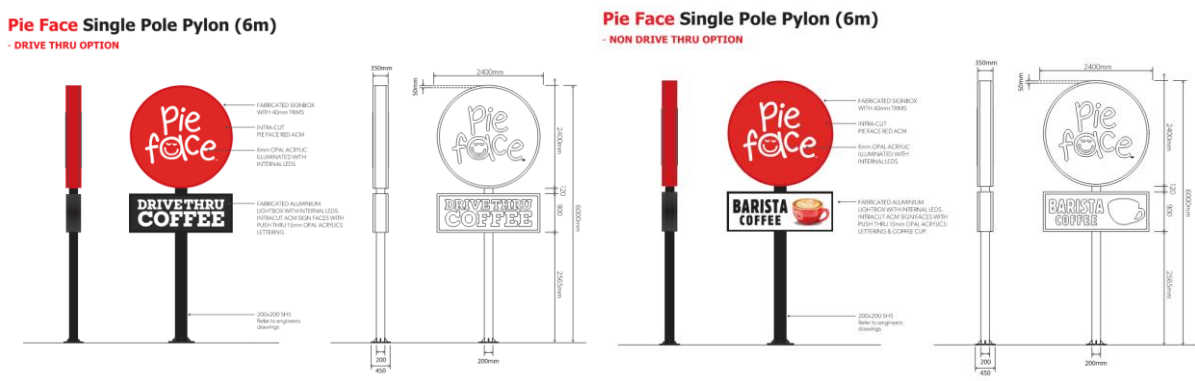


Figure 8. Proposed elevation plans (Source: the application)

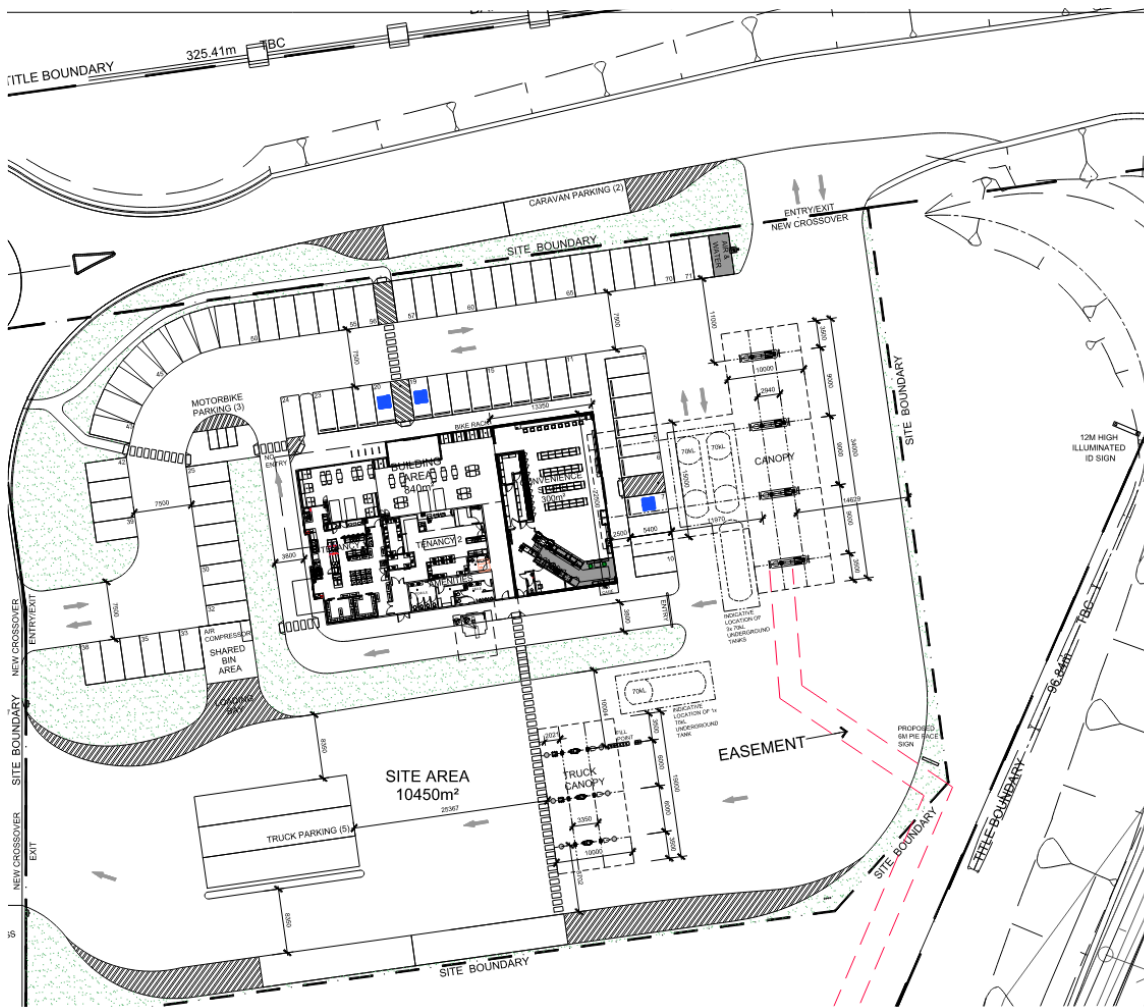


Figure 9. Proposed site plan (Source: the application)

4. PLANNING SCHEME ASSESSMENT

4.1. Applicable provisions under the planning scheme

Compliance with Applicable Standards:

5.6.1 *A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.*

5.6.2 *A standard is an applicable standard if:*

- (a) *the proposed use or development will be on a site within:*
 - (i) *a zone;*
 - (ii) *an area to which a specific area plan relates; or*
 - (iii) *an area to which a site-specific qualification applies; or*
- (b) *the proposed use or development is a use or development to which a relevant applies; and*
- (c) *the standard deals with a matter that could affect, or could be affected by, the proposed use or development.*

5.6.3 *Compliance for the purposes of subclause 5.6.1 of this planning scheme consists of complying with the Acceptable Solution or satisfying the Performance Criterion for that standard.*

5.6.4 *The planning authority may consider the relevant objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.*

Determining applications (clause 6.10.1):

6.10.1 *In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:*

- (a) *all applicable standards and requirements in this planning scheme; and*
- (b) *any representations received pursuant to and in conformity with section 57(5) of the Act,*

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

Use Class

The proposed development is for signage, which, pursuant to clause 6.2.6 of the Scheme, is not required to be categorised into a use class:

6.2.6 *Notwithstanding sub-clause 6.2.1 of this planning scheme, development which is for subdivision, a **sign**, land filling, retaining walls or coastal protection works does not need to be categorised into one of the Use Classes.*

6.7.2 *A development that is not required to be categorised under sub-clause 6.2.6 of this planning scheme and must be granted a permit if:*

- (a) *there are applicable standards that apply to the development;*
- (b) *the development complies with each applicable standard and does not rely on any Performance Criteria to comply with each applicable standard; and*
- (c) *the development is not Discretionary or Prohibited under any other provision of this planning scheme.*

6.8.1 *The planning authority has a discretion to refuse or permit a use or development if:*

- (a) *the use is within a Use Class specified in the applicable Use Table as being a use which is Discretionary;*
- (b) *the use or development relies on a Performance Criterion to demonstrate compliance with an applicable standard; or*
- (c) *it is Discretionary under any other provision of this planning scheme.*

4.2. Planning assessment

Pursuant to Clause 6.2.6 of the planning scheme, the proposed sign is not required to be categorised under any specific use class.

There are applicable standards for signage development under planning scheme. Accordingly, the proposal must be assessed against these standards to determine compliance. The proposed sign complies with all relevant Acceptable Solutions of the planning scheme, with the exception of the following:

Clause C1.6.1 Design and siting of signs

| Objective: | |
|---|---|
| That: | |
| <ul style="list-style-type: none"> (a) signage is well designed and sited; and (b) signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area. | |
| Acceptable Solution | Performance Criteria |
| A1 A sign must: <ul style="list-style-type: none"> (a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and | P1.1 A sign must: <ul style="list-style-type: none"> (a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and (b) be compatible with the streetscape or landscape, having regard to: |

| | |
|---|---|
| <p>(b) meet the sign standards for the relevant sign type set out in Table C1.6,</p> <p>excluding for the following sign types, for which there is no Acceptable Solution:</p> <ul style="list-style-type: none"> (i) roof sign; (ii) sky sign; and (iii) billboard. | <ul style="list-style-type: none"> i. the size and dimensions of the sign; ii. the size and scale of the building upon which the sign is proposed; iii. the amenity of surrounding properties; iv. the repetition of messages or information; v. the number and density of signs on the site and on adjacent properties; and vi. the impact on the safe and efficient movement of vehicles and pedestrians. |
|---|---|

Planning comment: Complies with P1

The proposed sign meets the definition of a pole sign under Table C1.3 of the planning scheme, which is described as a sign supported by one or more vertical supports, independent of any building or other structure.

According to Table C1.6, a pole sign is a permitted sign type within the Light Industrial Zone. However, to be compliant, it must also:

- (a) project not more than 1.2m beyond the boundary with the footpath or road reservation;*
- (b) have no more than two faces;*
- (c) have a maximum area of 5m² for each face;*
- (d) have a maximum height above ground level of 5m; and*
- (e) have a clearance from ground level to the sign not less than 2.4m.*

The proposed sign complies with all of the above standards; however, it features an area of approximately 6.1 m² per face and a maximum height of 6 metres. Therefore, assessment against P1.1 is required.

Under P1.1, the proposed sign is considered to have an appropriate design and siting that does not contribute to visual clutter or result in a loss of visual amenity, based on the following:

- The sign is located within the Light Industrial Zone, where it is permitted.
- It is compatible with the streetscape and landscape, as it advertises an existing food service (Pie Face) within a designated Highway Services Centre Precinct.
- The sign's height of 6 metres is modest in context—approximately half the height of the existing building and signage—and its 10-metre setback from the Midland Highway ensures it is only partially visible from the highway, becoming fully visible primarily to vehicles entering from Hove Way. This ensures safe and efficient vehicle and pedestrian movement is maintained.
- It is located more than 50 metres from the existing 12-metre-high United Petroleum sign, reducing the potential for visual clutter.

- The sign is unlikely to impact the amenity of surrounding properties, as the site adjoins vacant industrial land to the west and south, and to the north across Hove Way.
- The sign displays a static message, further reducing potential distraction or visual impact.

On that basis, the proposed sign is considered to meet the objective and performance criteria of this standard.

Clause C1.6.2 Illuminated signs

| Objective: | |
|---|---|
| That: | |
| (a) illuminated signs are compatible with the streetscape; (b) the cumulative impact of illuminated signs on the character of the area is managed, including the need to avoid visual disorder or clutter of signs; and (c) any potential negative impacts of illuminated signs on road safety and pedestrian movement are minimised. | |
| Acceptable Solution | Performance Criteria |
| A1 No Acceptable Solution | P1 An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to: <ul style="list-style-type: none"> (a) the location of the sign; (b) the size of the sign; (c) the intensity of the lighting; (d) the hours of operation of the sign; (e) the purpose of the sign; (f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity; (g) the intended purpose of the changing message of the sign; (h) the percentage of the sign that is illuminated with changing messages; (i) proposed dwell time; and |

| | |
|---|--|
| | (j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device. |
| <p>Planning comment: Complies with P1</p> <p>There is no acceptable solution for this standard. Assessment against P1 is required.</p> <p>The proposed sign will be illuminated with internal LEDs to highlight the message “PIE FACE” and “DRIVETHRU COFFEE / BARISTA COFFEE.” The illumination is not expected to cause an unreasonable loss of amenity to adjacent properties or adversely affect the safety, appearance, or efficiency of the road. The sign is also considered compatible with the surrounding streetscape, having regard to the following:</p> <ul style="list-style-type: none"> (a) The sign is located within the Light Industrial Zone and the Highway Services Precinct, where such signage is anticipated and appropriate. (b) The size of the sign is reasonable. As previously assessed, due to its height of 6m and 10-metre setback from the Midland Highway, the sign will only be fully visible to visitors entering the site, minimising broader visual impact. (c) The sign is illuminated but static, with LED lighting of standard commercial intensity. It is not flashing or animated, and therefore unlikely to cause glare or distraction. (d) While specific operating hours are not stated, it is assumed the sign will be illuminated during business hours aligned with the food service operations. This is considered appropriate in the context of a highway service centre. (e) The sign is intended to advertise existing food services (Pie Face) on the site, consistent with the site's approved use and zoning. (f) The site is surrounded by vacant industrial land and is not located within a view corridor or near sensitive residential areas. There are no identified natural or visual sensitivities in the immediate vicinity. (a) The sign does not feature a changing message, further reducing the potential for distraction. (b) The proposal was referred to the Department of State Growth, the road authority for the Midland Highway, which raised no objection to the sign. <p>On that basis, the proposed sign is considered to meet the objective and performance criteria of this standard.</p> | |

Clause BRI-S4.7.1 Buildings and works within Bridgewater Quarry Specific Area Plan

| | |
|---|-----------------------------|
| Objective: | |
| That development is compatible with the operations of the Bridgewater Quarry. | |
| Acceptable Solution | Performance Criteria |
| A1 | P1 |
| No Acceptable Solution | |

| | |
|---|--|
| | <p>Buildings and works must not result in potential to interfere or conflict with quarry operations having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the quarry; including: <ul style="list-style-type: none"> (i) operational characteristics; (ii) scale and intensity; (iii) degree of hazard or pollution that may be emitted from the activity; (b) the degree of encroachment of development or use into the Bridgewater Quarry Attenuation Area; and (c) measures in the design, layout and construction of the development to eliminated, mitigate or manage effects of the quarry; and (d) any advice from the Bridgewater Quarry operator. |
| <p>Complies with P1</p> <p>There is no acceptable solution for this standard. Assessment against P1 is required.</p> <p>The proposed sign is unlikely to interfere with or conflict with existing quarry operations in the area. It is located approximately 1.4 kilometres north of the stone quarry and bitumen plant operated by Boral Construction Materials Group Ltd. The bitumen plant has an annual production capacity of 70,000 tonnes, while the quarry is permitted to process up to 588,235 cubic metres (equivalent to 1 million tonnes) of rock, ore, or minerals per year. These operations are regulated by EPA Tasmania, and potential impacts to the surrounding area include traffic, noise, dust, and vibration.</p> <p>The proposed sign is associated with an existing business on the site and is not expected to generate any additional impacts that would affect Boral's operations. The proposal was referred to Boral for comment, and no objections were received.</p> <p>On that basis, the proposed sign can comply with this standard's objective and performance criteria.</p> | |

5. REFERRALS

Development Engineer

The proposal was referred to Council's Development Engineer for assessment. The officers' comments are included in this report where applicable.

TasWater

TasWater has reviewed the proposal and confirmed that no submission is required.

Department of State Growth

The Department of State Growth has reviewed the proposal and confirmed that it has no objection.

6. REPRESENTATIONS

One (1) representation was received during the statutory public exhibition period between 21st May 2025 and 4th June 2025. The representation items are summarised in Table 1.

| Representor's concerns | Planning Response |
|--|---|
| 1. The proposed sign is located close to irrigation pipework associated with the Sewerage Treatment Plant. | <p>This matter is not a relevant planning consideration under the planning scheme. However, it was referred to Council's Senior Environmental Officer, whose feedback is summarised below:</p> <ul style="list-style-type: none"> • <i>A minimum 6-metre setback from the outer perimeter of the in-ground wastewater treatment system to the proposed sign location is recommended. This distance aligns with the figure specified in the Director's Guidelines for On-site Wastewater Systems.</i> • <i>If the proposed sign is located approximately 20 metres from the treatment unit, it is unlikely to affect any pipework. The pipework from the unit is directed toward the opposite side of the block, where the irrigation area is located.</i> <p>On this basis, it is recommended a permit condition to be included to ensure that the proposed sign does not encroach into the existing on-site wastewater treatment system.</p> |
| 2. Supplying power to the sign may be difficult if it relies on United's existing pylon sign. | The planning officer noted this concern. However, this is not relevant for planning assessment. |
| 3. Landowner's consent has not been provided. | The planning officer noted this concern. The applicant has declared that Brightonmatta Pty Ltd (as the landowner) has been notified of the intention to lodge the application in accordance with Section 52(1) of the <i>Land Use Planning and Approvals Act 1993</i> . Under this provision, landowner consent in writing is not required for a development application unless the land is Crown land or owned by a council. However, the applicant has provided to Council officers a copy of the notification dated 10 April 2025 forwarded to the land owner relating to the intention to submit a development application. |

7. CONCLUSION

The proposal for **Signage at 40 Brighton Road, Brighton** in Tasmania, satisfies the relevant provisions of the Tasmanian Planning Scheme - Brighton, and as such is recommended for approval.

RECOMMENDATION:

That pursuant to the *Tasmanian Planning Scheme - Brighton*, Council approve application DA 2025/048 for Signage at **40 Brighton Road, Brighton**, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

General

- (1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- (2) Where a conflict occurs between the application for planning approval, the endorsed drawings and conditions of this permit, the latter prevails.
- (3) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Services

- (4) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision or development. Any work required is to be specified or undertaken by the authority concerned.
- (5) The proposed sign must be located clear of any easements.
- (6) Any footings for the proposed sign must be designed and constructed such that no load is imposed on any existing underground services or infrastructure.

Signage

- (7) The approved signage is not to be flashing or otherwise intermittently illuminated.
- (8) The approved signage is to be contained within private property. Signage must not be located within Council or State Government road reservations.
- (9) The proposed signage must maintain a minimum setback of 6 metres from the outer perimeter of the in-ground wastewater treatment system. Construction works must not cause any disturbance to existing underground infrastructure on the site.

Construction Amenity

- (10) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function, and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:

- (a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - (b) The transportation of materials, goods and commodities to and from the land.
 - (c) Obstruction of any public footway or highway.
 - (d) Appearance of any building, works or materials.
- (11) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's General Manager.
- (12) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. Any works carried out in proximity to private infrastructure must be designed and constructed to ensure there is no impact on its operation.
- C. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.

DECISION:

12.2 Combined Draft Amendment to the Brighton Local Provision Schedule & Planning Permit Application - RZ 2025/01 & SA 2025/004 - 594 & 596 Tea Tree Road, Tea Tree

Author: Planning Officer (D Van)

Authorised: Manager Planning (J Blackwell)

| | |
|------------------------------|--|
| Type of report: | Report to the Planning Authority |
| Application number: | SA 2025/004 & RZ 2025/001 |
| Applicant: | <ol style="list-style-type: none"> For subdivision permit: PDA Surveyors, Engineers, & Planners (OBO Tea Tree Community Assoc. Inc.) for the subdivision application. For the draft amendment to the Brighton LPS: Brighton Council |
| Subject land and landowners: | <ol style="list-style-type: none"> 594 Tea Tree Road, Tea Tree (CT 164781/1 – PID 3205343). Owner: Tea Tree Community Association Incorporated. 596 Tea Tree Road, Tea Tree (CT 182250/1 – PID 9604056). Owner: Trent Andrew Nus. |
| Proposal: | <ol style="list-style-type: none"> Amend the Brighton Local Provisions Schedule to: <ol style="list-style-type: none"> Rezone 596 Tea Tree Road (CT164781/1) from Rural to Community Purpose; Rezone 4,401m² of 594 Tea Tree Road (CT182250/1) from Agriculture to Community Purpose; and Approve a re-organisation of boundaries (via subdivision) to add 4,401m² of 594 Tea Tree Road (CT182250/1) to 596 Tea Tree Road (CT164781/1). |
| Attachments: | <p>Attachment A: Application form</p> <p>Attachment B: Owners' consent</p> <p>Attachment C: Title documents</p> <p>Attachment D: Assessment documents</p> <p>Attachment E: Instrument of certification</p> <p>Attachment F: Draft subdivision permit</p> <p>Attachment G: Statutory Assessment of the permit application</p> <p>Attachment H: Aboriginal Heritage Tasmania - Record of advice</p> <p>Attachment I: TasWater's SPAN</p> <p>Attachment J: TasRail's response</p> |

1. EXECUTIVE SUMMARY

This report has been prepared for the Planning Authority to determine a combined permit and amendment application (the application). The application consists of two parts:

- The subdivision application was made by PDA obo Tea Tree Community Association. This is made under s.40T(1) of the *Land Use Planning and Approvals Act 1993* ('the Act').
- The draft amendment to the Brighton Local Provisions Schedule (LPS) is initiated by Brighton Council for the rezoning of the identified parcel of land. It is prepared under s.40D(b) of the Act.

Under s.40X of the Act, Council is to decide to agree whether to agree with the request made under s.40T(1) by PDA and decide under s.40D to prepare the draft amendment of the Brighton LPS to which a request under s.40T(1) relates, may consider the subdivision application at the same time as it prepares the draft amendment.

The proposed amendment does not seek to modify any overlays or local provisions that apply to the subject land and is considered to meet the requirements of LUPAA.

The proposed subdivision is considered to comply with the applicable standards of the *Tasmanian Planning Scheme – Brighton* (the planning scheme).

It is recommended that the proposed amendment be prepared and certified and the proposed subdivision be approved.

2. LEGISLATIVE AND POLICY REQUIREMENTS

This report has been prepared considering the requirements of the Act and applicable standards of the planning scheme.

Under section 40Y(4) of the Act, the planning authority must assess the application against the Tasmanian Planning Scheme as if the draft amendments to the LPS had been approved.

The report details the reasons for the officer's recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either: (1) adopt the recommendation or (2) vary the recommendation by adding, modifying, or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*.

3. FINANCIAL IMPLICATIONS

Agreement was made in Council's Finance Committee Meeting on 5 November 2024, and subsequently endorsed at Council's Ordinary Council Meeting held 19th November 2024 that Council would support the application by provide funding up to \$15,392 for expenses towards the subdivision and rezoning of the Tea Tree Community Hall, plus \$8,711 in-kind contribution for waiving Council planning fee as follows:

Financial Implications (Estimate of costs)

| | | |
|--|--|------------------------|
| PDA | - Planning and plan preparation | \$2,750 |
| | - Surveying | \$4,500 |
| GES | - Fire Assessment and report | \$2,250 |
| | - Likely outcome -1000L Fire tank at 596 | \$2,910 |
| | - Likely outcome -1000L Fire tank at 594 | \$2,910 |
| | - Gravel pads for tanks | \$ 300 |
| Council fees (in-kind) | | |
| | - Assessing subdivision | \$604 |
| | - 2 x Lot fees | \$218 (\$109 each lot) |
| | - Final Sealing Plan | \$305 |
| | - 2 x Lot fees | \$110 (\$55 per lot) |
| Planning scheme amendment fees(in-kind) | | \$7,474 |
| Advertising fees | | \$1,672 |
| TOTAL COUNCIL FEES | | \$10,383 |
| Conveyancing costs (Tierney Law) | | \$1,500 |
| Valuer costs (if required) | | \$750 |
| Stamp Duty Costs (estimate) | | \$850 |
| TOTAL ESTIMATED COSTS | | \$29,103 |
| Less Council in-kind contribution (fees) | | (\$8,711) |
| Less Tea Tree Contribution | | (\$5,000) |
| TOTAL COUNCIL CASH CONTRIBUTION | | \$15,392 |

Council will reimburse the Tea Tree Community Association up to \$15,392 for the subdivision and rezoning cost associated with the development application and creation of the title, plus \$8,711 in-kind contribution for waiving the Councils planning costs.

4. SUBJECT LAND

4.1 Identification

The subject land is shown in Figure 1.



Figure 1. Subject land (Source: THELISTMAP)

The subject land is contained within the following parcels of land:

| Property address | Title reference | Owner(s) name | Total land area | Existing zoning |
|-----------------------------|---|---|--------------------|-----------------|
| 596 Tea Tree Road, Tea Tree | Certificate of Title Volume 164781, Folio 1 | Tea Tree Community Association Incorporated | 2762m ² | Rural |
| 594 Tea Tree Road, Tea Tree | Certificate of Title Volume 182250, Folio 1 | Trent Andrew Nus | 44.36 ha | Agriculture |

4.2 Zoning, overlays and local provisions

Zoning

The subject land is zoned Rural and Agriculture. It is adjacent to a railway (Utilities Zone) to the North (see Figure 2).



Figure 2. Zoning (Source: THELISTMAP)

Overlays

A portion of the subject land is affected by Priority Vegetation Area, Landslip Hazard Area, and Waterway and Coastal Protection Area overlays, and the entirety of the subject land is affected by a Bushfire-Prone Areas Overlay.



Figure 3. Waterway and Coastal Protection Area Overlay (left image) and Bushfire-Prone Areas Overlay (right image) (Source: THELISTMAP)

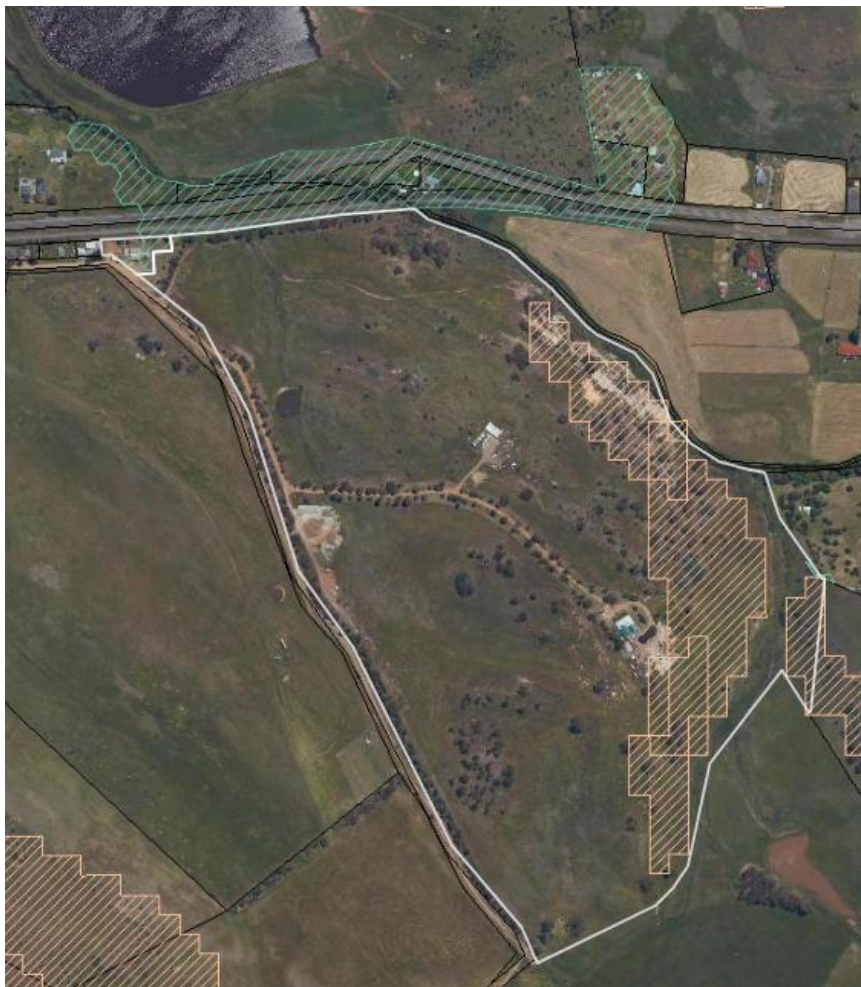


Figure 4. Priority Vegetation Area Overlay and Landslip Hazard Area (Source: THELISTMAP)

4.3 Existing use and development

| | Use Class | Existing development |
|-------------------|--------------------------------------|--|
| 596 Tea Tree Road | Community Meeting and Entertainment | Community Hall and associated developments |
| 594 Tea Tree Road | Resource Development and Residential | Single dwelling and outbuildings |

4.4 Natural and cultural values

There is no threatened species on the site. There is a watercourse and a dam on 594 Tea Tree Road Hand priority vegetation overlay in a small part to the east of the Tea Tree Community Hall.

The subject land is identified as Agriculture Land which is modified land. No vegetation clearance is proposed.

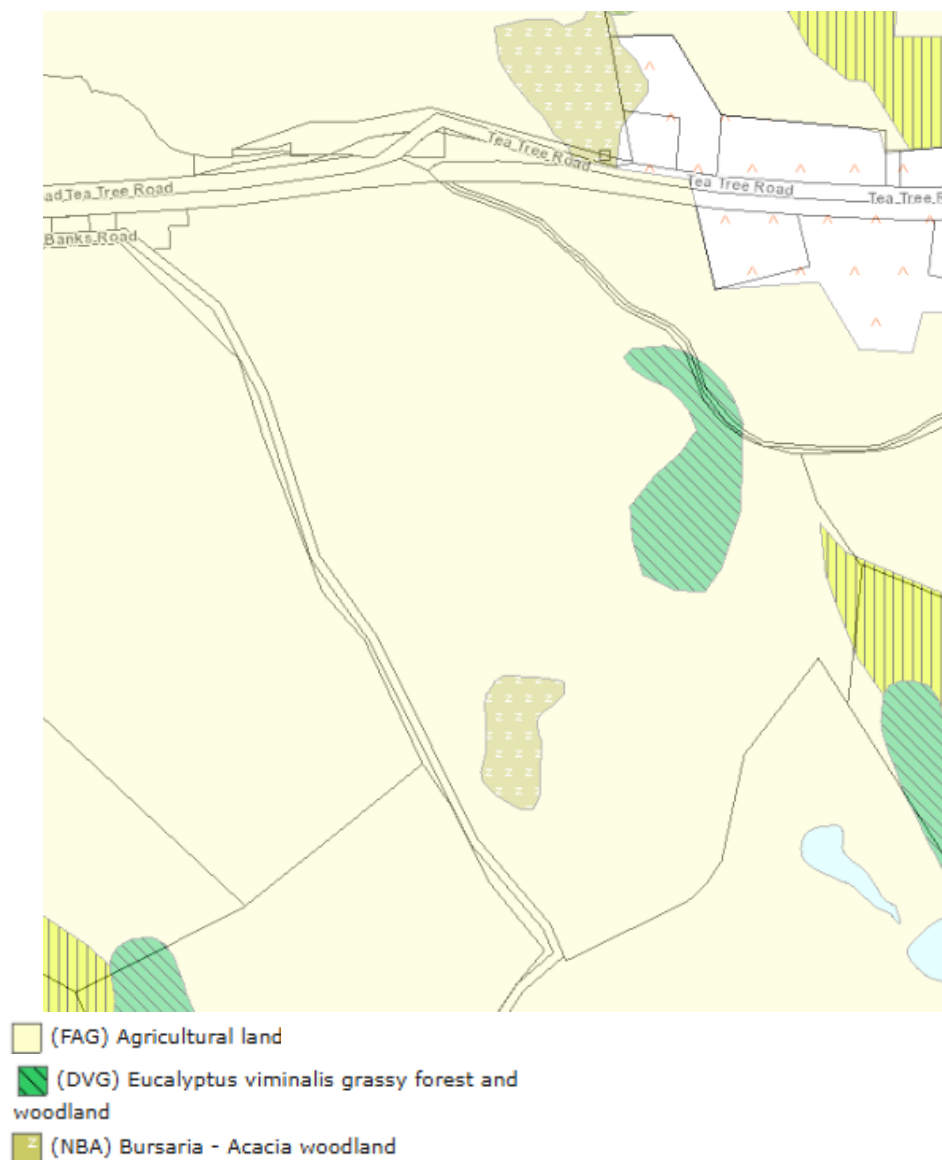


Figure 5. TASVEG 4.0 (Source: THELISTMAP)

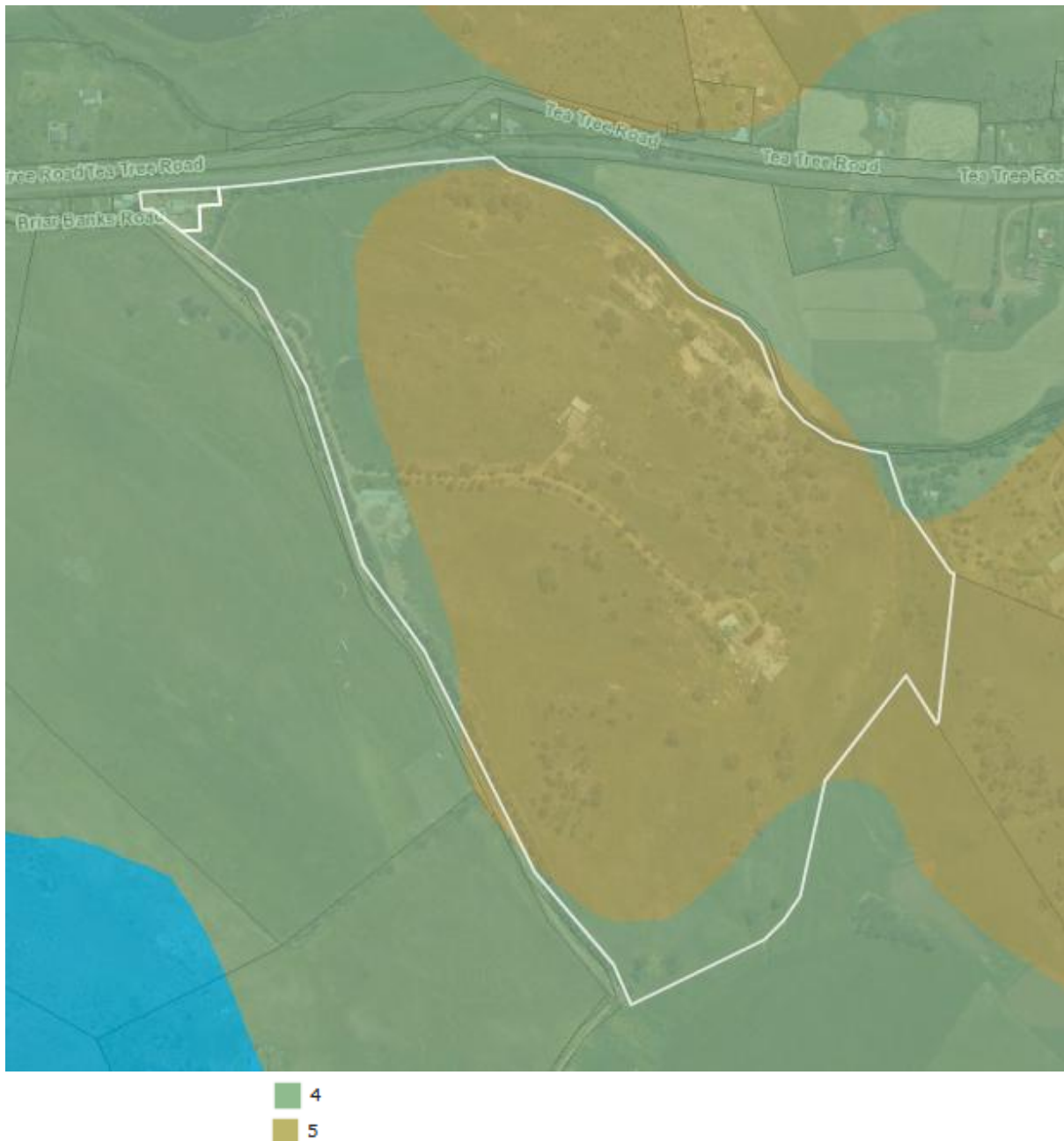


Figure 6. Land Capability (Source: THELISTMAP)

The subject site has land capability identified as Class 4 and Class 5. The definitions of Class 4 and Class 5 Land are provided below:

- *Class 4 Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation.¹*
- *Class 5 land is unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The land may have slight to moderate limitations for pastoral use. The effects*

¹ Grose C.J. (Ed) 1999, Land Capability Handbook. Guidelines for the Classification of Agricultural Land in Tasmania. Second Edition, Department of Primary Industries, Water and Environment, Tasmania, Australia

of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.²

Aboriginal Heritage Desktop Review application has been made to the Aboriginal Heritage Tasmania (AHT). AHT has confirmed that, as no ground disturbance is proposed as part of the current application, no further Aboriginal heritage assessment is required at this stage.

4.5 Covenants, easements and infrastructure

Covenants

No covenants apply to the subject land.

Easements

CT182250/1 is burdened by a 10-metre-wide Right of Way in favour of CT182126/1, as shown on Plan of Survey 182126.

4.6 Services

The Tea Tree Community Hall (596 Tea Tree Road) is serviced by reticulated water only. 594 Tea Tree Road does not have reticulated water and sewer connections. Both properties are serviced by onsite wastewater systems.

596 and 594 Tea Tree Road are serviced by TasNetworks and connected to the NBN network.

Discharge of stormwater runoff from buildings and parking areas on both properties currently occurs through infiltration into the surrounding naturally permeable soil.

4.7 Natural hazards

Given that the entirety of the subject land is affected by a Bushfire-Prone Areas, the proposed subdivision is accompanied by a Bushfire Hazard Management Report. The report concludes that the proposal would achieve and is likely to maintain a tolerable level of residual bushfire risk, provided that the recommendations made in the report and associated Bushfire Hazard Management Plan are implemented.

5. THE APPLICATION

The application seeks to amend the Brighton Local Provisions Schedule to rezone the site, as shown in Figure 8. It also seeks approval for a re-organisation of boundaries (via subdivision) to add 4,401m² of 594 Tea Tree Road (CT182250/1) to 596 Tea Tree Road (CT164781/1), as shown in Figures 7 and 9.

The application is supported by a bushfire hazard management report and bushfire hazard management plan, prepared by a bushfire practitioner (contained within [Attachment D](#)).

² Grose C.J. (Ed) 1999, Land Capability Handbook. Guidelines for the Classification of Agricultural Land in Tasmania. Second Edition, Department of Primary Industries, Water and Environment, Tasmania, Australia

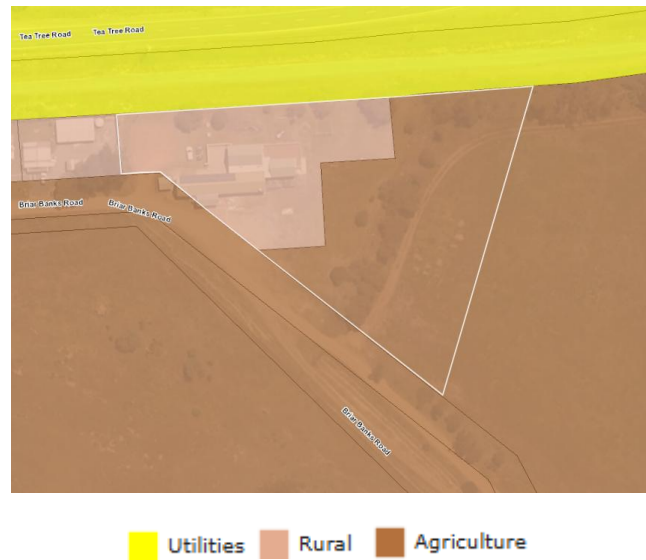


Figure 7. Current zoning of the site. White line indicates new boundary for the Tea Tree Community Hall

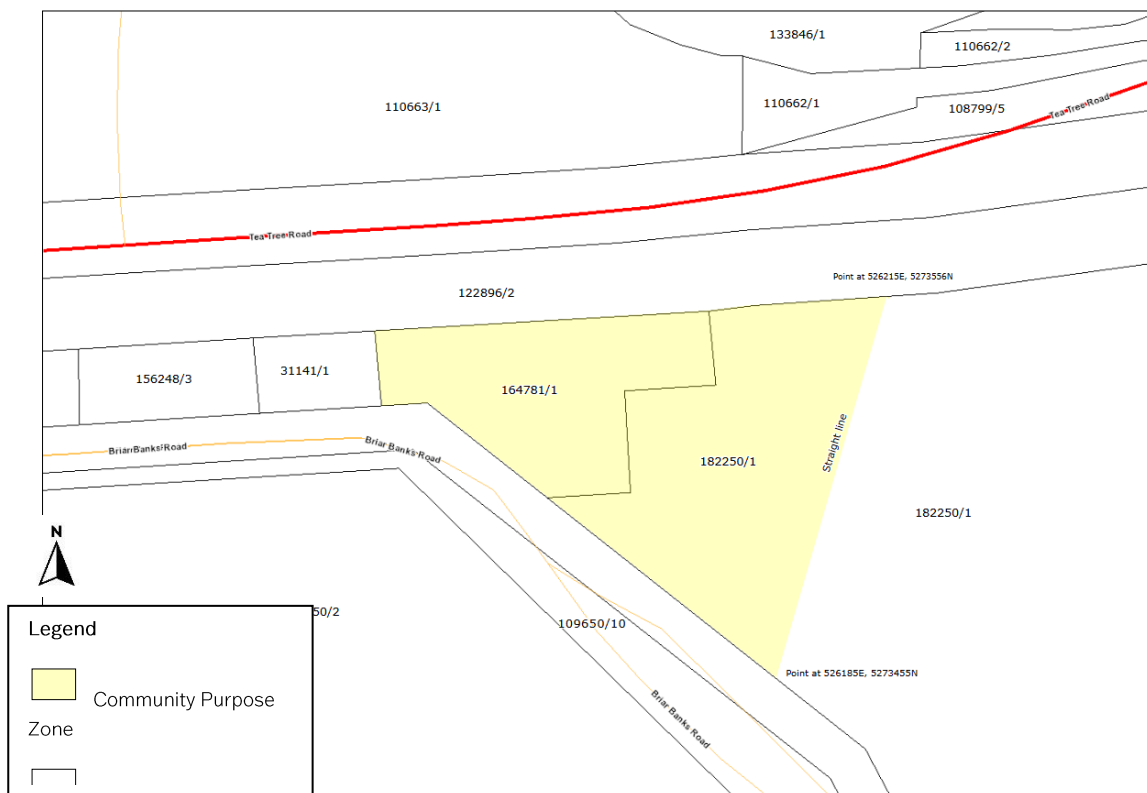


Figure 8. Proposed rezoning of the site

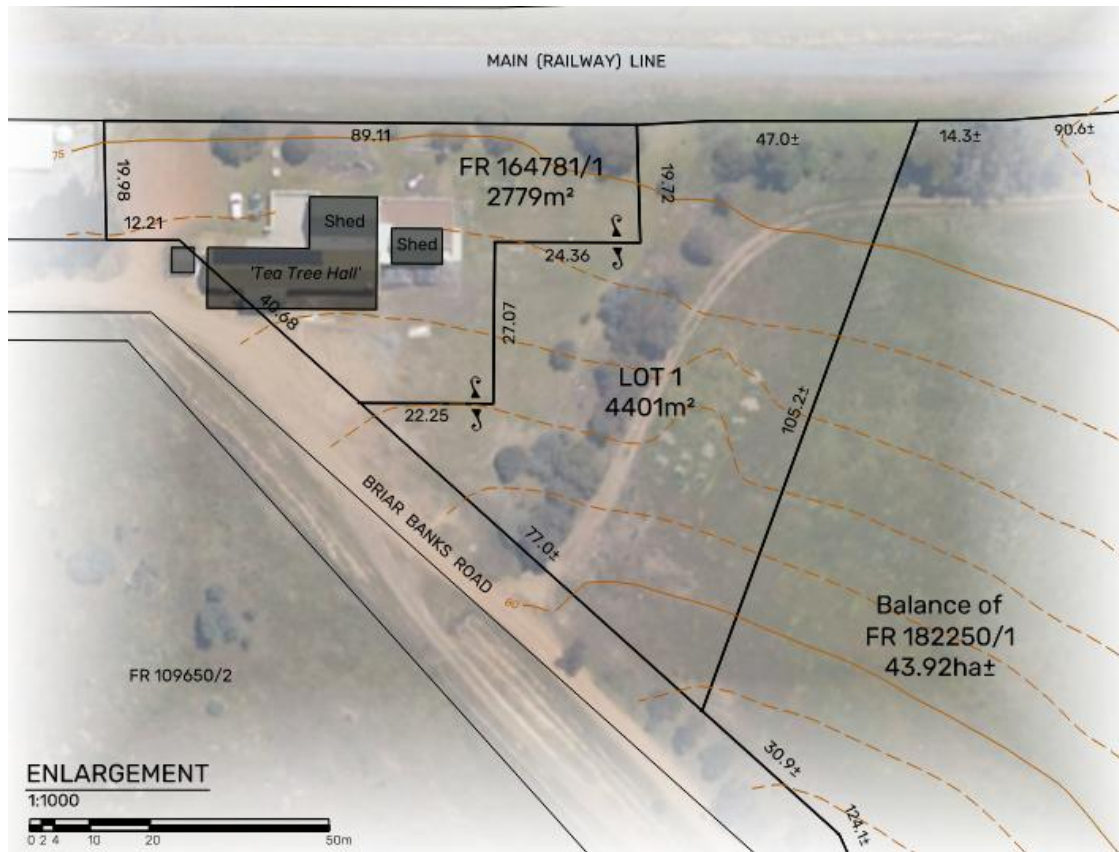


Figure 9. Proposed subdivision

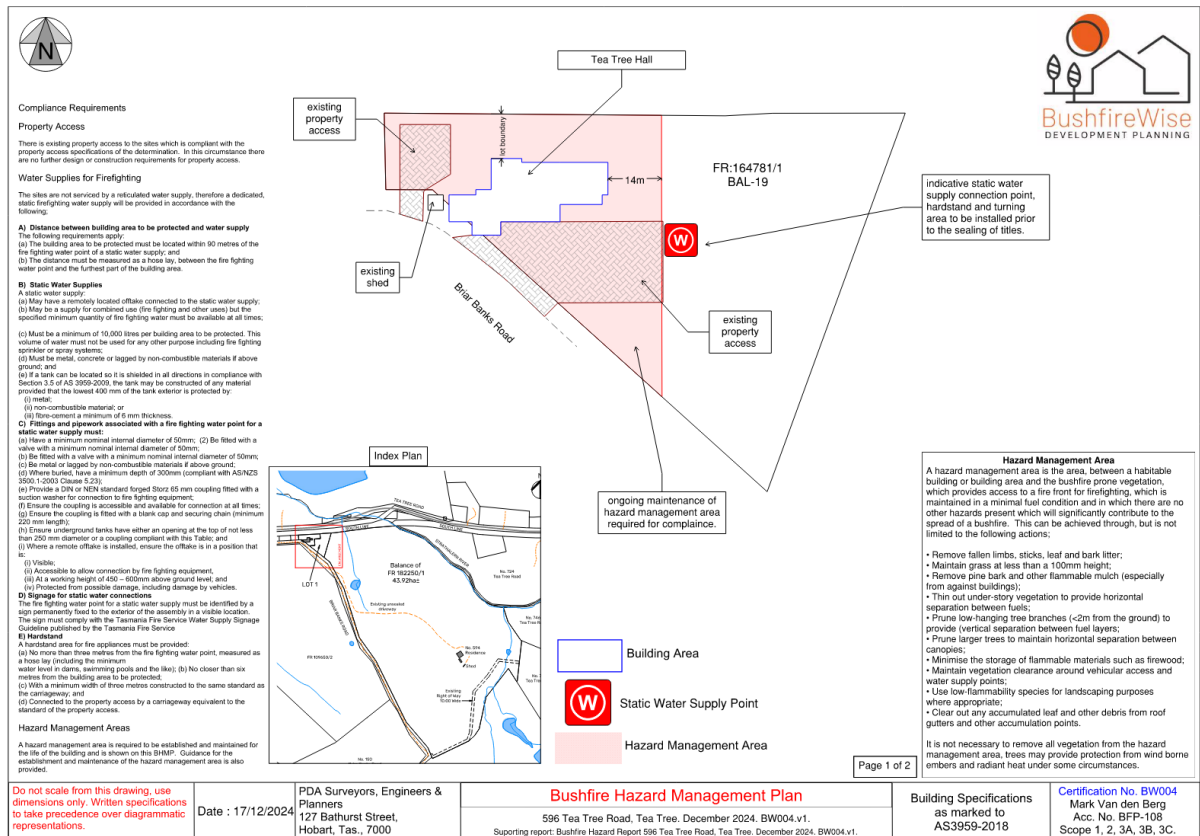


Figure 10. Bushfire Hazard Management Plan for the Tea Tree Community Hall (596 Tea Tree)

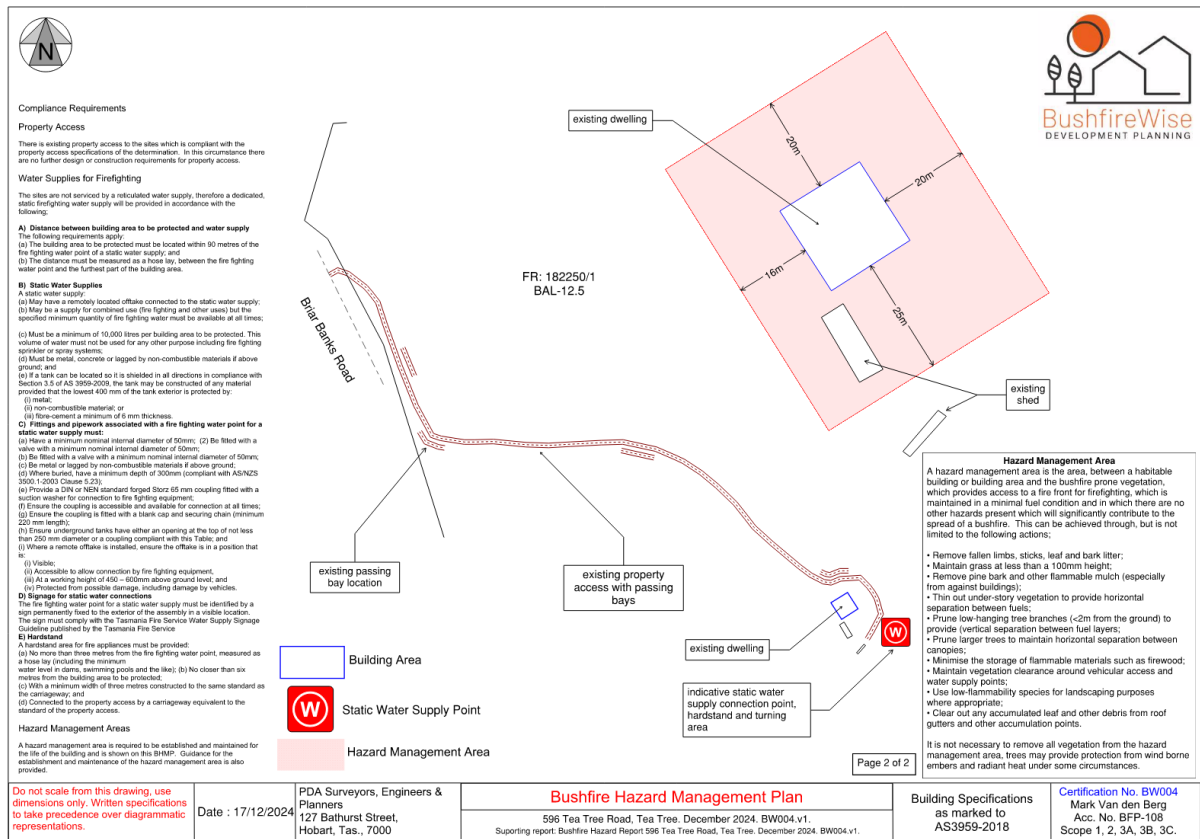
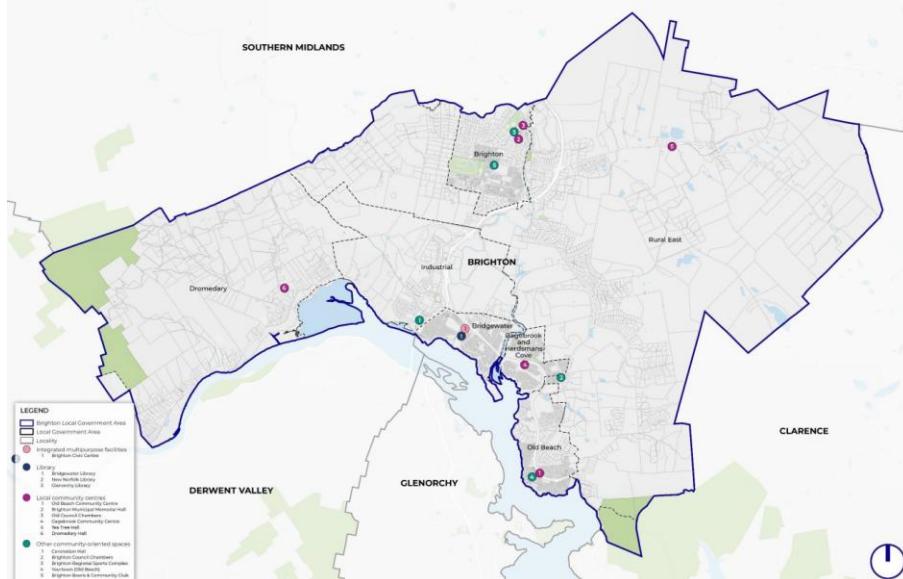


Figure 11. Bushfire Hazard Management for 594 Tea Tree

6. DRAFT AMENDMENT ASSESSMENT

6.1 Rationale

Brighton Social Infrastructure Plan³ states that Community facilities are well-provided in Brighton LGA, relative to population size. There were no identified benchmarked gaps in community facilities to 2042 for Brighton LGA. However, the quality of halls is varying – with some in need of upgrading due to age and quality.



³ Ethos Urban, 2023, Brighton Social Infrastructure Plan, Report prepared for Brighton Council.

Figure 11. General Community Facilities in Brighton Municipality (Source: Ethos Urban, 2023)

It is considered that 596 Tea Tree Road and 4,401 sqm of adjoining land at 594 Tea Tree Road could be consolidated to form a new lot for the Tea Tree Community. The newly created lot from the boundary adjustment would have a split zoning of Rural and Agriculture under the Tasmanian Planning Scheme - Brighton, which is not ideal for the future expansion of activities as the Community Meeting and Entertainment use class is prohibited within the Agricultural Zone. The community hall is also being use as a fire brigade.

Under the Brighton Structure Plan 2018, there is lack of public event spaces especially in the agricultural areas of Tea Tree and the Southern Midlands. As recommended in Strategy 25 of the Brighton Structure Plan 2018, Council and local businesses should investigate options for a public market within this area ⁴. There is no suitable zoning and existing facilities within this area to allow Community Meeting and Entertainment use to happen. Therefore, Tea Tree Community Hall with its history and existing facilities would be a suitable place for future public market.

To support the long-term use of the site, it is recommended rezoning the land to Community Purpose, with the subdivision and rezoning to be processed as a combined application.

6.3 Planning scheme implications

The planning scheme establishes purpose statements for achieving sustainable use and development of land, which must be examined in light of the proposed amendment. These purpose statements are complemented by application guidelines under section 8A of LUPAA (see the table below).

| Zone | Purpose statements & application guidelines | | Response |
|------------------|---|--|---|
| Agriculture Zone | Purpose statements | <p><i>21.1.1 To provide for the use or development of land for agricultural use.</i></p> <p><i>21.1.2 To protect land for the use or development of agricultural use by minimising:</i></p> <ul style="list-style-type: none"> <i>(a) conflict with or interference from non-agricultural uses;</i> <i>(b) non-agricultural use or development that precludes the return of the land to agricultural use; and</i> <i>(c) use of land for non-agricultural use in irrigation districts.</i> <p><i>21.1.3 To provide for use or development that supports the use of the land for agricultural use.</i></p> | <p>The newly created Lot 1 has not been used for agricultural purposes. Historically, the site has functioned as a Community Hall, providing a venue for Community Meeting and Entertainment activities serving the Tea Tree area. The existing septic tank for the Hall is currently located in this lot. Additionally, the eastern portion of Lot 1 has been utilised as an access point and internal driveway for the adjoining property at 594 Tea Tree Road.</p> <p>Given the ongoing use of the site for community purposes are not being met. As such, it is considered more appropriate for the land to be rezoned to the Community Purpose Zone, which better aligns with the existing and intended use of the site.</p> |
| | Application guidelines | <i>AZ 6 Land identified in the 'Land Potentially Suitable for Agriculture Zone'</i> | An Agricultural Assessment and Compliance Report (AACR) has been |

⁴ Echelon Planning, 2018, Brighton Structure Plan, Report prepared for Brighton Council.

| | | | |
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| | | <p><i>layer may be considered for alternate zoning if:</i></p> <ul style="list-style-type: none"> <i>(a) local or regional strategic analysis has identified or justifies the need for an alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;</i> <i>(b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;</i> <i>(c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;</i> <i>(d) for the identification, provision or protection of strategically important uses that require an alternate zone; or</i> <i>(e) it can be demonstrated that:</i> <ul style="list-style-type: none"> <i>(i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;</i> <i>(ii) there are significant constraints to agricultural use occurring on the land; or</i> <i>(iii) the Agriculture Zone is otherwise not appropriate for the land.</i> | <p>submitted in support of the application. According to the AACR, the land capability assessment confirms that the site is consistent with Land Capability Class 4se for both 596 Tea Tree Road and the western portion of 594 Tea Tree Road.</p> <p>In accordance with Guideline AZ6, the proposed rezoning of Lot 1 from the Agriculture Zone to the Community Purpose Zone is considered appropriate for the following reasons:</p> <ul style="list-style-type: none"> o The Brighton Structure Plan and Brighton Infrastructure Plan identify a need for better community spaces in Tea Tree. Rezoning to the Community Purpose Zone will better support the ongoing use of the hall and aligns with local strategic planning objectives. o The proposal will have no impact on existing natural or cultural values. o The land has limited agricultural potential due to its capability classification and lot size, as outlined in the AACR. |
| 20. Rural Zone | Purpose statements | <p>20.1.1 To provide for a range of use or development in a rural location:</p> <ul style="list-style-type: none"> (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics; (b) that requires a rural location for operational reasons; (c) is compatible with agricultural use if occurring on agricultural land; (d) minimises adverse impacts on | <p>596 Tea Tree Road has been used for community meetings and entertainment. As this use is classified as discretionary within the Rural Zone, any future development or expansion of the hall would face uncertainty due to its discretionary use status.</p> <p>Furthermore, the ongoing use of the hall does not align well with the purpose of the Rural Zone, which is</p> |

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| | | <p>surrounding uses.</p> <p>20.1.2 To minimise conversion of agricultural land for non-agricultural use.</p> <p>20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements</p> | <p>primarily intended to support agricultural and rural activities.</p> <p>Therefore, rezoning the site to the Community Purpose Zone is considered more appropriate, as it better reflects the existing and intended use of the land.</p> |
| | Application guidelines | <p><i>RZ 1 The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.</i></p> <p><i>RZ 2 The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.</i></p> <p><i>RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:</i></p> <ul style="list-style-type: none"> <i>(a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;</i> <i>(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;</i> <i>(c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;</i> <i>(d) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or</i> <i>(e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.</i> | <p>In accordance with the criteria outlined in RZ1, RZ2, and RZ3, the application of the Rural Zone to the land at 596 Tea Tree Road is not appropriate for the following reasons:</p> <ul style="list-style-type: none"> - Agricultural Limitations: As detailed in the submitted Agricultural Assessment and Capability Report (AACR), the land is constrained in its agricultural potential due to both its limited size and its land capability classification. - Mapping Constraints: According to LISTmap data, the property is identified as being potentially constrained for inclusion in the Land Potentially Suitable for Agriculture Zone, further supporting its unsuitability for Rural zoning. - Lack of Environmental or Landscape Values: There are no identified environmental, landscape, or other natural values on the site that would necessitate the application of the Rural Zone. |
| Community Purpose | Purpose statements | <p>27.1.1 To provide for key community facilities and services including health,</p> | <p>The proposed rezoning of the Tea Tree Community Hall site from the</p> |

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| | | <p>educational, government, cultural and social facilities.</p> <p>27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure.</p> | <p>Rural and Agriculture Zones to the Community Purpose Zone is consistent with the purpose statements of the Community Purpose Zone and is strategically justified for the following reasons:</p> <ul style="list-style-type: none">- Alignment with Zone Purpose: The Community Purpose Zone is intended to accommodate key community facilities and services. Rezoning the Hall to this zone will formally recognise its existing and ongoing role as a central community asset in Tea Tree.- Support for Social Infrastructure: The rezoning will enable more flexible and adaptable use of the site for a range of community and social infrastructure purposes, supporting the evolving needs of the local population.- Consistency with Strategic Planning: This change aligns with local strategic planning objectives that seek to strengthen community hubs and improve access to services and facilities in rural settlements like Tea Tree. |
| Application guidelines | <p>CPZ 1 The Community Purpose Zone should be applied to land that provides, or is intended to provide, for key community facilities and services, including:</p> <ul style="list-style-type: none">(a) schools, tertiary institutions or other education facilities;(b) medical centres, hospital services or other care-based facilities;(c) emergency services facilities; or(d) large community halls, places of worship or other key community or cultural facilities. <p>CPZ 2 Some community facilities and services may be zoned the same as the surrounding zone, such as a residential or business zone, if the zone is appropriate for the nature or scale of the intended use, such as a small scale place of worship, public hall, community centre or neighbourhood centre.</p> <p>Note: Major community facilities and services, such as tertiary educational facilities and hospital services, with unique characteristics may be more appropriately located within a Particular Purpose Zone.</p> | <p>The proposed rezoning of the Tea Tree Community Hall to the Community Purpose Zone satisfies the intent of CPZ1 and CPZ2 for the following reasons:</p> <ul style="list-style-type: none">- Established Community Role: The Tea Tree Community Hall has long served as a key community facility, providing a venue for local events, gatherings, and services that support social cohesion and community wellbeing.- Inappropriate Existing Zoning: The Rural and Agriculture Zones are not suitable for the ongoing use or future development of the Hall. These zones do not adequately support the operational needs or strategic potential of a community facility of this nature.- Support for Future Growth: Rezoning to the Community Purpose Zone will ensure the site is appropriately designated to support future upgrades, expansion, or diversification of community services in line with local needs and strategic planning | |

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| | | | objectives. |
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6.3 Legislative and policy implications

LUPAA requirements

Section 34(2) of LUPAA requires that a draft amendment to a Local Provisions Schedule in Tasmania meets the following criteria:

(a) *Contains all the provisions that the SPPs specify must be contained in an LPS.*

Response: The proposed amendment is for rezoning land without modifications to the code development controls that apply to it. The proposed amendment uses a zone from the suite of zones available under the SPPs (i.e. Community Purpose Zone). If certified, all the provisions of the Community Purpose Zone will apply to this land within the new title for the Tea Tree Community Hall with any other relevant code development controls and local provisions.

(b) *Is in accordance with section 32.*

Response: The proposed draft amendment is for rezoning of land in the Brighton municipality, as identified in the instrument of certification, which has been prepared in accordance with section 32 of LUPAA. The draft amendment:

- specifies the municipal area to which its provisions apply; and
- contains a provision that the SPPs require to be included in an LPS; and
- contains a map that provides for the spatial application of the SPPs to land; and
- does not contain a provision that is inconsistent with a provision of section 11 or 12 ; and
- does not designate land as being reserved for public purposes; and
- does not override a provision of the SPPs; and
- does not modify, in relation to a part of the municipal area, the application of a provision of the SPPs; and
- does not contain a provision that the SPPs specify must not be contained in an LPS.

(c) *Further the objectives set out in Schedule 1.*

Response: The proposed amendment furthers the objectives of the Resource Management and Planning System of Tasmania for the reasons outlined in the table below:

| Objective | Response |
|---|--|
| Part 1 | |
| (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity. | The proposed amendment contributes to further this objective by facilitating more effective and efficient use of land with limited ecological value. |
| (b) to provide for the fair, orderly and sustainable use and development of air, | The proposed amendment contributes to further this objective by facilitating a more justifiable and |

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| land and water. | <p>methodically arranged use of land.</p> <p>Rezoning is consistent with the purpose statement and application guidelines for the Community Purpose Zone and will not create any detrimental impacts or conflicts of land uses on adjoining land.</p> <p>Impacts on adjacent land from future permitted and discretionary uses within the Community Purpose Zone can be managed via the applicable planning scheme zoning, code and local provisions' development controls.</p> <p>The Tea Tree Community Hall is serviced by reticulated water and able to maintain the reliability of the existing onsite wastewater system. No other impacts are foreseen.</p> |
| (c) to encourage public involvement in resource management and planning. | The proposed amendment contributes to further this objective in that the public will be notified and provided with an opportunity to make representations and be heard. |
| (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c). | The proposed amendment contributes to further this objective by opening a spectrum of possibilities for Tea Tree Community Hall to be more effectively and efficiently used, facilitating community entertainment and meeting uses in accordance with the objectives in paragraphs (a) to (c). |
| (e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State. | The proposed amendment contributes to further this objective by fostering a dialogue between governmental and non-governmental actors about the desired future for the Tea Tree Community Hall. |
| Part 2 | |
| (a) to require sound strategic planning and co-ordinated action by State and local government. | All relevant agencies and State authorities will be notified. |
| (b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land. | <p>The proposed amendment is considered to be consistent with the planning scheme and other planning instruments.</p> <p>If certified, it will form part of the Brighton Local Provisions Schedule that currently regulates the use and development of land in the Brighton municipality.</p> |
| (c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land. | <p>The subject land has limited ecological value and, for the most part. No vegetation is proposed to be cleared. No proposed amendment to remove other overlays currently appear on the site.</p> <p>Impacts on land from any new future use or development on the site can be managed via the</p> |

| | |
|--|--|
| | applicable planning scheme zoning, code and local provisions' development controls. |
| (d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels. | The proposed amendment is considered to be consistent with the State legislation and policies and the <i>Southern Tasmania Regional Land Use Strategy 2010-2035</i> (STRLUS). Moreover, the draft amendment is in accordance with Council plans, policies and strategies. |
| (e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals. | The proposal is for a combined permit and amendment application, which entails a consolidated and more efficient planning approval process. |
| (f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation. | The bigger lot with suitable zoning of Community Purpose Zone for the Tea Tree Community Zone will promote better opportunities for Tasmanians and visitors to be facilitated by the efficient uses of the Hall. |
| (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value. | The subject land is not listed on the State Heritage Register or affected by the Local Historic Heritage Code of the planning scheme. Existing building will be kept and maintained for the community purpose. |
| (h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community. | The proposal was referred to TasWater under section 56O of the <i>Water and Sewerage Industry Act 2008</i> . TasWater's SPAN is included in Attachment I . No public infrastructure will be affected by the proposal. |
| (i) to provide a planning framework which fully considers land capability. | The land capability has been fully considered in this process, provided in the Agricultural Assessment and Compliance Report. |

(d) Is consistent with each State policy.

Response: The proposed amendment is consistent with the State Policies, as discussed in the table below:

| Policy | Response |
|---|--|
| <i>Tasmanian State Coastal Policy 1996</i> | |
| The <i>Tasmanian State Coastal Policy 1996</i> applies to land within 1km of the high-water mark. | <i>The subject site is not within 1km of the high-water mark.</i> |
| <i>State Policy on the Protection of Agricultural Land 2009</i> | |
| The subject land has potential for agricultural use. Objective of this Policy is: | Compliance with the relevant agricultural land policy has been considered as part of this assessment. According to the submitted Agricultural Assessment and Compliance Report, the |

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| <p><i>To enable the sustainable development of agriculture by minimising:</i></p> <ul style="list-style-type: none"> <i>(a) conflict with or interference from other land uses; and</i> <i>(b) non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.</i> <p>Principles for the implementation of this policy through planning schemes and other relevant planning Instruments:</p> <ol style="list-style-type: none"> 1. Agricultural land is a valuable resource and its use for the sustainable development of agriculture should not be unreasonably confined or restrained by non-agricultural use or development. 2. Use or development of prime agricultural land should not result in unnecessary conversion to non-agricultural use or agricultural use not dependent on the soil as the growth medium. 3. Use or development, other than residential, of prime agricultural land that is directly associated with, and a subservient part of, an agricultural use of that land is consistent with this Policy. 4. The development of utilities, extractive industries and controlled environment agriculture on prime agricultural land may be allowed, having regard to criteria, including the following: <ul style="list-style-type: none"> (a) minimising the amount of land alienated; (b) minimising negative impacts on the surrounding environment; and (c) ensuring the particular location is reasonably required for operational efficiency. | <p>proposed draft amendment will not result in any conflict with, or interference to, existing agricultural activities on adjoining land.</p> <p>The subject land is not identified as prime agricultural land.</p> <p>The portion of 594 Tea Tree Road proposed to be subdivided (Lot 1) and rezoned to the Community Purpose Zone is currently used as a car parking area for the Tea Tree Community Hall at 596 Tea Tree Road.</p> <p>The assessment concludes that the proposed amendment and subdivision will not adversely impact the current or future agricultural use of the remaining land at 594 Tea Tree Road.</p> <p>On this basis, the draft amendment is considered to be consistent with the objectives of the agricultural land policy.</p> |
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| 5. Residential use of agricultural land is consistent with this Policy where it is required as part of an agricultural use or where it does not unreasonably convert agricultural land and does not confine or restrain agricultural use on or in the vicinity of that land. | |
| State Policy on Water Quality Management 1997 | |
| This Policy applies to all surface waters, including coastal waters, and groundwaters, other than: (i) privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public; or (ii) waters in any tank, pipe or cistern. | The proposed draft amendment is not impacted by this policy |
| National Environmental Protection Measures | |
| The National Environment Protection Measures (NEPMs) are statutory instruments that specify national standards for a variety of environmental issues and are relevant to the more detailed planning stage. | The application does not create any conflict to the NEPMs on variety of environmental matters as prescribed by the <i>National Environment Protection Council Act 1994</i> (Commonwealth), including air quality, fresh water quality, noise emission, contaminated sites, hazardous waste, and re-use and recycling material. |

da. Satisfies the relevant criteria in relation to the TPPs.

There are currently no Tasmanian Planning Policies in effect.

(e) As far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates.

Response: The STRLUS (amended on 17 May 2023) outlines strategic directions (SD) and regional planning policies to support the vision for Southern Tasmania and guide land use planning and decision making.

The proposed amendment aligns with the following SD:

SD1: Adopting a more integrated approach to planning and infrastructure;

SD8: Supporting strong and healthy communities;

SD10: Creating livable communities.

The regional planning policies that are relevant to the amendment are addressed in the table below:

| Managing Risks and Hazards | |
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| Policy | Response |
| <p>MRH 1.1 - Provide for the management and mitigation of bushfire risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by the identification and protection (in perpetuity) of buffer distances or through the design and layout of lots</p> <p>MRH 1.2 - Ensure subdivision road layout designs provide for safe exit points in areas subject to bushfire hazard.</p> | <p>The Bushfire Hazard Management Plan and report submitted in support the proposal. The extension of the boundary for the existing buildings of the community hall will better provide more space for implementing the Bushfire Hazard Management Plan.</p> <p>The community hall is also used for local fire brigade. The draft amendment will provide further support community practices in bushfire hazard management delivering within the appropriate zoning.</p> |
| Cultural Values | |
| Policy | Response |
| <p><i>CV 1 - Recognise, retain and protect Aboriginal heritage values within the region for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.</i></p> <p><i>CV 1.3 - Avoid the allocation of land use growth opportunities in areas where Aboriginal cultural heritage values are known to exist.</i></p> | <p>A Heritage Desktop Review application was submitted to Aboriginal Heritage Tasmania on 12/02/2025 to understand any Aboriginal heritage values within the development area.</p> <p>A response was received on 24/02/2025 demonstrating no objection from the AHT.</p> |
| Social Infrastructure | |
| Policy | Response |
| <p><i>SI 1 - Provide high quality social and community facilities to meet the education, health and care needs of the community and facilitate healthy, happy and productive lives.</i></p> <p><i>SI 1.3 - Provide social infrastructure that is well located and accessible in relation to residential development, public transport services, employment and education opportunities.</i></p> <p><i>SI 1.5 - Provide multi-purpose, flexible and adaptable social infrastructure that can respond to changing and emerging community needs over time.</i></p> | <p>The draft amendment aligns with policies of Social Infrastructure.</p> <p>The draft amendment will provide more appropriate zoning which allows for high quality social and community facilities to occur on the land. It will promote multi-purpose use to respond to emerging community needs over time.</p> <p>The Tea Tree Community Hall is located on an internal road, accessed from Tea Tree Road, which is a major road. The Community Hall is located on the outskirts of Tea Tree, approximately 1km from the "village" and is considered well located for a rural area.</p> |
| Productive Resources | |
| Policy | Response |
| <p><i>PR 2.5 - Provide flexibility for commercial</i></p> | <p>The Tea Tree Community Hall, located at 596</p> |

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| <p><i>and tourism uses provided that long-term agricultural potential is not lost and it does not further fetter surrounding agricultural land.</i></p> | <p>Tea Tree Road, is actively used for a range of community events, including weddings and birthday celebrations. It is managed by a local committee, with proceeds reinvested into the community.</p> <p>The proposed draft amendment will facilitate an expansion of community-related activities by aligning the zoning with the existing and intended use through the application of the Community Purpose Zone.</p> <p>As outlined in the submitted Agricultural Assessment and Compliance Report, the amendment will not further fetter the use of surrounding agricultural land. The proposal is therefore considered to be consistent with the strategic intent of both community development and agricultural land protection.</p> |
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(f) Has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates.

Response:

The proposed amendment has regard to the *Brighton Council Strategic Plan 2023-2033* and is consistent with the following strategies contained in this plan:

- 1.1 - Engage with and enable our community*
- 1.2 - Build resilience and opportunity*
- 1.3 - Ensure attractive local areas that provide social, recreational and economic opportunities*
- 3.3 - Community facilities are safe, accessible and meet contemporary needs*
- 3.4 - Advocate and facilitate Investment In our region*
- 4.3 - Ensure strong engagements and relationships to shape the agenda and advocate for our community*

The proposed amendment aligns with the *Brighton Structure Plan 2018* and provides opportunities to achieve Strategy 25 - Host Festivals and Pop-up exhibitions for Tea Tree area. It also aligns with Priority Actions set out in *Brighton Social Infrastructure Plan 2023*, including:

Action 6 - Increase opportunities for the community to participate in cultural and creative activities

Action RE01 - Opportunities to increase local cultural practice through programs with vineyards and 'public-facing' rural-commercial to encourage events and cultural creation – as well as stimulate the local economy. Consider partnership with rural community organisations to drive funding for events in the region and identify opportunities to consolidate and promote existing cultural offerings.

The proposed amendment does not conflict with other Council plans, policies and strategies. It will further promote *Brighton Council's 2050 Vision*.

(g) As far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates.

Response: The proposed amendment is for rezoning land that has sufficiently setback from other municipal areas, so it is unlikely to conflict with the LPSs that apply to these areas.

(h) Has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.

Response: The subject land is not affected by the gas pipeline, so the proposed amendment does not trigger any issues of gas pipeline safety.

7. PERMIT APPLICATION ASSESSMENT

The proposed reorganisation of boundaries (via subdivision) seeks to add 4,401m² of 594 Tea Tree Road (CT182250/1) to 596 Tea Tree Road (CT164781/1).

The application is assessed against the Tasmanian Planning Scheme – Brighton as if the draft amendment to the LPS for the rezoning to Community Purpose Zone had been approved, pursuant to section 40Y(4) of the Act. A full assessment against the applicable standards of the planning scheme is provided in [Attachment G](#).

The following Performance Criteria are triggered for assessment:

- 21.5.1 P1 for Lot Design within Agriculture Zone
- 27.5.1 P1 for Lot Design within Community Purpose Zone
- 27.5.2 P2 and P3 for Services within Community Purpose Zone

| Agriculture Zone |
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| <p>The purpose of the Agriculture Zone is:</p> <p>21.1.1 To provide for the use or development of land for agricultural use.</p> <p>21.1.2 To protect land for the use or development of agricultural use by minimising:</p> <ul style="list-style-type: none"> (a) conflict with or interference from non-agricultural uses; (b) non-agricultural use or development that precludes the return of the land to agricultural use; and (c) use of land for non-agricultural use in irrigation districts. <p>21.1.3 To provide for use or development that supports the use of the land for agricultural use.</p> |
| <p>Response:</p> <p>The proposed subdivision meets the purpose of Agricultural Zone by minimising conflict with or</p> |

interference from non-agricultural uses. Utilisation of the Community Hall will promote the amenities in the area. It complies with the zone purpose.

21.5.1 Lot Design

Objective:

To provide for subdivision that:

- (a) relates to public use, irrigation infrastructure or Utilities; and
- (b) protects the long-term productive capacity of agricultural land.

Response:

The proposed subdivision relates to an increase in the useable area of the only Community Hall in Tea Tree. The subdivision will not impact the long-term productive capacity of agricultural land on 594 Tea Tree as only a small proportion of land is to be transferred to the Tea Tree Community Hall. It complies with this objective.

| Acceptable Solution | Performance Criteria |
|--|--|
| <p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities or irrigation infrastructure; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone. | <p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) provide for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> (i) not materially diminishing the agricultural productivity of the land; (ii) the capacity of the new lots for productive agricultural use; (iii) any topographical constraints to agricultural use; and (iv) current irrigation practices and the potential for irrigation; (b) be for the reorganisation of lot boundaries that satisfies all of the following: <ul style="list-style-type: none"> (i) provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> a. not materially diminishing the agricultural productivity of the land; b. the capacity of the new lots for productive agricultural use; c. any topographical constraints to |

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| | <p>agricultural use; and</p> <p>d. current irrigation practices and the potential for irrigation;</p> <p>(ii) all new lots must be not less than 1ha in area;</p> <p>(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;</p> <p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; an</p> <p>(v) it does not create any additional lots; or</p> <p>(c) be for the excision of a use or development existing at the effective date that satisfies all of the following:</p> <p>(i) the balance lot provides for the operation of an agricultural use, having regard to:</p> <p>a. not materially diminishing the agricultural productivity of the land;</p> <p>b. the capacity of the balance lot for productive agricultural use;</p> <p>c. any topographical constraints to agricultural use; and</p> <p>d. current irrigation practices and the potential for irrigation;</p> <p>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</p> <p>(iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and</p> <p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.</p> |
| <p>Response:</p> <p>The proposal does not comply with A1. Assessment against P1 is required.</p> | |

The proposed subdivision involves the reorganisation of lot boundaries to excise land to be zoned Community Purpose from land zoned Agriculture. The proposal satisfies P1(b) for the following reasons:

(i) the proposed Lot 2 will retain an area of 43.92 hectares within the Agriculture Zone. According to the Agricultural Assessment and Compliance Report, this lot is capable of maintaining its current and potential agricultural productivity. The subdivision will not introduce any topographical constraints that would limit agricultural use. Furthermore, the land is not located within a declared irrigation scheme, so the proposed changes will not result in the loss of agricultural land suitable for irrigation.

(ii) the subdivision will result in two lots: Lot 1 (0.44 hectares) and Lot 2 (43.4 hectares). Although Lot 1 is less than 1 hectare, it falls within the Community Purpose Zone, and therefore the 1-hectare minimum lot size under this zone provision does not apply.

(iii) the existing buildings at 594 Tea Tree Road comply with the setback requirements outlined in clauses 21.4.2 A1 and A2

(iv) there will be no changes to the existing vehicular access arrangements. Both proposed lots will maintain sufficient road frontage to support their intended uses.

(v) no additional lot is created.

On that basis, the proposed subdivision can comply with this standard's objective and performance criteria.

Community Purpose Zone

The purpose of the Community Purpose Zone is:

27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.

27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure.

Response:

The proposed subdivision meets the purpose of Community Purpose Zone by encouraging multipurpose, flexible and adaptable social infrastructure for the Community Hall. It also provides better opportunities for the Community Hall to extend its facilities in the future. It complies with the zone purpose.

27.5.1 Lot Design

Objective:

That each lot:

- (a) has an area and dimensions appropriate for use and development in the zone; and
- (b) is provided with appropriate access to a road.

Response:

The proposed subdivision relates to increasing the area of the only Community Hall in Tea Tree for its

| future development. It is provided with appropriate access to the road. It complies with this objective. | |
|---|---|
| Acceptable Solution | Performance Criteria |
| <p>A1</p> <p>Each lot, or lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have an area of not less than 600m² and: <ul style="list-style-type: none"> (i) be able to contain a minimum area of 10m x 15m, with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 27.4.2 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 27.4.2 A1 and A2; (iii) be required for public use by the Crown, a council or a State authority; (iv) be required for the provision of Utilities; or (v) be for the consolidation of a lot with another lot provided each lot is within the same zone. | <p>P1</p> <p>Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the relevant requirements for development of buildings on the lots; (b) existing buildings and the location of intended buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area. |
| <p>Response:</p> <p>The proposed lot 1 has 7,180 sqm in land area. However, the existing building is not totally within the boundary. Therefore, it does not comply with the acceptable solution. Assessment against P1 is required.</p> <p>Lot 1 has sufficient usable area and dimensions suitable for its intended use.</p> <ul style="list-style-type: none"> (a) future development can able to comply with acceptable solutions required for 5m frontage setback. (b) the existing building was built in 1912⁵ and has been used continuously since then. It has an existing use right under s.12 of the Act. Any future development for new building will be subjected to relevant standards including setback requirements. | |

⁵ Tea Tree Community Hall, n.d., History, accessed 19 February 2025, <Link: <https://teatreecommunity.com/history/>>.

- (c) the site is generally flat which does not impose any constraints for future development.
- (d) bushfire is the only natural hazard identified on the site. The hazard is manageable with the support of the bushfire hazard management plan.
- (e) there is sufficient private open space for the intended use.
- (f) there are three properties to the west. They all have minimum setback to the front. The building at 592 Tea Tree Road was built in 1935 and the building at 590 Tea Tree was built in 1977⁶. The proposed subdivision does not change the pattern of development in the area.

On that basis, the proposed subdivision complies with this performance criteria.

27.5.2 Services

Objective: That the subdivision of land provides services for the future use and development of the land means as defined in the Act.

Response:

The proposed subdivision relates to increase the area of the only Community Hall in Tea Tree for their future developments. It is provided with appropriate access to the road. It complies with this objective.

| Acceptable Solution | Performance Criteria |
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| <p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p> | <p>P2</p> <p>Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p> |
| <p>Response:</p> <p>There is no reticulated sewerage system available for connection. Assessment against P2 is required.</p> <p>The new lot will continue to utilise the existing on-site wastewater treatment system. The expansion of land area for the Tea Tree Community Hall will provide more opportunity for the land to able to contain an appropriate system in case of future development.</p> <p>On that basis, the proposal complies with this standard.</p> | |
| <p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p> | <p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development</p> |

⁶ TheLIST, Premium Property Report for 592 Tea Tree Road and 590 Tea Tree Road.

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| | <p>of the land, having regard to:</p> <ul style="list-style-type: none"> (a) the size of the lot; (b) topography of the site; (c) soil conditions; (d) any existing buildings on the site; (e) any area of the site covered by impervious surfaces; and (f) any watercourse on the land. |
| <p>Response:</p> <p>There is no public stormwater system available for connection. Assessment against P2 is required.</p> <p>The topography of the site is generally flat with minimum impervious surfaces.</p> <p>The new lot will continue to utilise the existing on-site stormwater drainage. The expansion of land area for the Tea Tree Community Hall will provide more opportunity for the land to be able to contain all stormwater within its boundary.</p> <p>On that basis, the proposal complies with this standard.</p> | |

The proposal has been referred to TasWater and TasRail for comments. TasRail has no objections on the proposal ([Attachment J](#)). TasWater has issued a Submission to Planning Authority Notice advising that no conditions are required and that it has no formal comments on the application ([Attachment I](#)).

Conclusively, the proposed subdivision complies with all applicable standards under the Tasmanian Planning Scheme – Brighton as if the draft amendment to the Brighton LPS had been approved for the rezoning.

8. CONCLUSION

The proposed amendment meets the requirements of LUPAA. Thus, it is recommended that it be prepared and certified.

Subject to the approval of the proposed amendment, the proposed subdivision is considered to comply with the applicable standards of the planning scheme as if the draft amendment to the Brighton LPS had been approved for the rezoning. Thus, it is recommended that it be approved.

RECOMMENDATION:

- A. That, in accordance with Section 40D(b) of LUPAA, Council agrees to prepare draft amendment RZ2025/01 to the Brighton Local Provisions Schedule, as shown in Attachment E;

- B. That, in accordance with Section 40F(3) of LUPAA, Council by instrument in writing affixed with the common seal of the planning authority, certifies that draft amendment RZ2025/01 meets the requirements of LUPAA, as shown in Attachment E;
- C. That, in accordance with Section 40F(4) of LUPAA, Council directs that a copy of the draft amendment and the instrument of certification are provided to the Tasmanian Planning Commission within seven (7) days;
- C. That, in accordance with Sections 40W(1) and 40X of LUPAA, Council agrees to the request made under Section 40T(1) to amend the Brighton Local Provisions Schedule and consider an application for the planning permit concurrently;
- D. That, in accordance with Section 40(Y) of LUPAA, Council approves planning permit SA2025/004, subject to the conditions provided in the draft permit shown in Attachment F;
- E. That, in accordance with Section 40Y(6) of LUPAA, Council directs that the relevant permit material relating to the permit application is provided to the Tasmanian Planning Commission within seven (7) days;
- F. That, in accordance with Section 40FA(1) of LUPAA, Council directs that a copy of the draft amendment be provided to any relevant agencies or State authorities the Planning Authority considers may have an interest in the draft amendment; and
- G. That in accordance with Section 40G and Section 40Z of LUPAA, Council directs that draft amendment RZ2025/01 and draft planning permit SA2025/004 be placed on public exhibition accordingly.

DECISION:

13. Petitions

Nil.

14. Officers Reports

14.1 Fee waiver request for Civic Centre - HIPPY Brighton - NAIDOC Event 2025

Attachment: Email & letter from HIPPY Brighton Team Leader – 4 June 2025

Author: Manager Community Development (A Turvey)

Authorised: Director Corporate Services (G Browne)

Background

Council has been contacted by the Brighton HIPPY Program with a request to waive Civic Centre fees for a 2025 NAIDOC Week event to be held for families here in our Local Government Area.

HIPPY, or the Home Interaction Program for Parents and Youngsters, is a free, two-year home-based early childhood learning and parenting program for children aged 3 years, and is run by 54 Reasons. It empowers parents to be their child's first teacher by providing them with fun, engaging activities and resources to support their child's learning and development. Specifically, HIPPY Brighton is a program delivered by trained tutors who work with families in the Brighton area to introduce reading, play, and educational activities for 15 minutes per day.

The HIPPY program in Brighton has a strong Aboriginal focus and would like to hold a celebration of Aboriginal culture as part of the important NAIDOC week celebrations.

NAIDOC week is a very important week for community to come together to celebrate Aboriginal culture in a culturally safe way that is place based and accessible.

HIPPY would love to hold an event at the Civic Centre to allow families who have no transport options to be able to attend, with public transport being available right near the Civic Centre.

The plan is to welcome Sid Williams and Nadia Currie from the Secretariat of National Aboriginal and Islander Child Care (SNAICC) – a national voice for our children, who will be doing community consultations around the HIPPY program.

The date is to be confirmed based on the availability of the Civic Centre but the preferred date for the event is **Tuesday 1 July** based on the availability of the SNAICC personnel.

9am to 11am – Time for the team to set up cultural activities and spaces for local ACCOs and ACCHOs to set up displays and activities.

11am to 1pm – Event to take place – displays from organizations, yarning circles and cultural experiences.

1pm to 4pm – Time for reflections, community consultations and cleaning up of the space.

HIPPY Brighton have expressed that they have very limited budget for the event but want to make the event as accessible as possible for local families by holding it in this central location.

Consultation

Facilities Management Officer, Director Corporate Services.

Risk Implications

The hire of the whole Civic Centre reduces availability for other paid bookings. Waiving fees can set a precedent for other community-based groups to request similar concessions.

Financial Implications

HIPPY Brighton is requesting the Council to waive the \$488 hire fee for the day for the Main Hall.

Strategic Plan

This request aligns with Councils Strategic Goals:

Goal 1.1 – Engage with and enable our community

Goal 1.2 – Build resilience and opportunity.

Goal 1.3 – Ensure attractive local areas that provide social, recreational, and economic opportunity.

Goal 1.4 – Encourage a sense of pride, local identity, and engaging activities.

Social Implications

NAIDOC week is a very important week for members of the Brighton community to come together to celebrate Aboriginal culture in a culturally safe way that is place based and accessible. HIPPY is looking to hold this event at the Civic Centre to allow families who have no transport options to be able to attend, with public transport being available right near the Civic Centre.

Environmental or Climate Change Implications

Nil.

Economic Implications

Nil.

Other Issues

Nil

Assessment

The opportunity to have a NAIDOC event for our local families, which coincides with a visit from SNAICC is one that should be supported. The ability for HIPPY to utilise the Civic Centre space for this event and make it accessible for as many families as possible is a worthwhile activity for Council to support and help make possible.

Options

1. As per the recommendation.
2. Refuse to waive hire fees and apply only a 50% discount as typically granted to similar groups.
3. Not waive the fees.

RECOMMENDATION:

That Council approves a hire fee waiver of \$488 for the HIPPY NAIDOC event for 2025 at the Civic Centre.

This waiver of fees is to be recorded as a donation in Council's Annual Report in accordance with Section 77 of the *Local Government Act 1993*.

DECISION:

14.2 Request for Donation - Reptile Rescue Inc.

| | |
|-------------|--|
| Attachment: | Letter to all Tasmanian Councils – June 2025 |
| Author: | Manager Community Development (A Turvey) |
| Authorised: | Chief Executive Officer (J Dryburgh) |

Background

All Councils in Tasmania have received a letter from Reptile Rescue Incorporated requesting donations from local government to assist with maintaining the service they provide.

Reptile Rescue Inc. is a Tasmanian charity established in 1999 and provides statewide snake removal services through a network of trained, independent rangers.

As a non-profit organisation, the donation is requested to assist with costs related to phone services, liability insurance and ranger expenses.

The service is a voluntary service that operates 24/7 with eighty (80) volunteer rangers who provide the service at their own expense, with client payments going directly to the rangers for fuel costs.

There are a range of regional/rural councils in Tasmania who do donate annually and list the Reptile Rescue information on contact details on their website.

For example, Southern Midlands Council appear to make an annual donation and have the following information on their website:

Council does not offer any services relating to the capturing and removal of any snakes or reptiles. However, should you require any assistance relating to snake/reptile capturing, collection and relocation please contact the Reptile Rescue by calling 0499 116 690. In the case of calling Reptile Rescue and relocating a snake/reptile a fee will apply.

Consultation

Senior Management Team.

Risk Implications

Donating to and/or recommending a service that is fully volunteer based and for which Council has no in-depth understanding of workplace safety, levels of training for rangers etc. Councils rely on overall reputation and word of mouth in respect to the organisation and service.

Financial Implications

A quick review of donations made by other councils indicate typical donations from local government to be between \$500-\$1000.

Strategic Plan

This request aligns with Councils Strategic Goals:

Goal 1.1 – Engage with and enable our community.

Goal 2.2 – Encourage respect and enjoyment of the natural environment.

Social Implications

Nil.

Environmental or Climate Change Implications

The promotion of and referral to a reptile rescue service can ensure that snakes and other reptiles are not destroyed or harmed when residents come across them and the community is able to seek assistance with relocation.

Economic Implications

Nil.

Other Issues

Nil.

Assessment

By all accounts Reptile Rescue Inc. – Tasmania is a credible animal rescue service for reptiles operating across all local government areas in the state. Providing a small donation in support of the service would no doubt assist in their endeavours to protect the safety and well being of these ‘misunderstood’ creatures.

Options

1. As per recommendation.
2. Other.

RECOMMENDATION:

That Council approves a donation of \$500 to Reptile Rescue Inc. – Tasmania from the grants and donation budget and promotes the service on Council’s website, and at relevant times of year, promotes the service on Council’s social media channels.

This is to be recorded as a donation in Council’s Annual Report in accordance with Section 77 of the *Local Government Act 1993*.

DECISION:

14.3 Draft Brighton Council Community Engagement Strategy

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|-------------|--|
| Attachment: | Draft Brighton Council Community Engagement Strategy - June 2025 |
| Author: | Manager Community Development & Engagement (A Turvey) |
| Authorised: | Chief Executive Officer (J Dryburgh) |

Background

Brighton Council is committed to hearing from our community about issues that affect them. Council does this in planned ways throughout the year, such as Brighton Alive meetings, Brighton Youth Action Group (BYAG), pop-ups, ongoing relationships that allow regular conversations with community groups, reference groups and individuals, 'kitchen table' conversations, and our ['Have Your Say'](#) page on Council's website.

Council also acknowledges that it's important for the community to hear from us. Council is committed to keeping the community informed on Council decisions, news, opportunities to be involved and how we are delivering the projects and infrastructure that supports our communities. We do this through Council's website, social media, posters, flyers and the Brighton Community News (BCN).

Brighton Council recognises that our community has a right to be meaningfully engaged in decisions which affect them. We are committed to seeking out and facilitating that engagement.

In making informed decisions, we take account of the views, needs, and aspirations of our community. Where relevant we collaborate directly with community and allow community to lead. We balance that with expert advice, budgetary needs and legislative requirements.

To formalise this commitment and as outlined in Council's Annual Plan 2025-2026, Council is developing a Community Engagement Strategy.

Legislative Requirements

The Tasmanian Government is currently formulating a new Local Government Act and the proposed Reform Directions have been communicated as follows:

#17 – All Councils will develop and adopt a community engagement strategy. The Community Engagement Strategy will inform how councils will engage, involves, consult and inform their communities on plans, projects and policies. Councils will be required to follow their Community Engagement Strategy when engaging communities on their Strategic Plan in determining their service delivery priorities and when setting their budget (including rating decisions).

#18 – Removing prescriptive consultation requirements

Councils will have broadened capacity to engage with their communities in accordance with their Community Engagement Strategy. Wherever possible, prescriptive requirements to provide reports and information in a specified way, such as by post, will be removed. Some specific consultation requirements will be maintained where necessary to protect the rights of the community and councils.

This report presents to Council a draft Community Engagement Strategy for Council's consideration and to commence a process of community feedback on the draft Community Engagement Strategy.

Consultation

CEO, Senior Management Team, Executive Officer – Governance, Community Development Officer.

Risk Implications

A formal strategy can lead to a very prescriptive and less organic way of engaging, working with and communicating with all members of our community.

Financial Implications

Budget considerations for projects should always allow for community engagement activities.

Strategic Plan

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

- 1.1 Engage with and enable our community.
- 1.2 Build resilience and opportunity.

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

- 4.1 Be big picture, long term and evidence based in our thinking.
- 4.2 Be well governed, providing quality service and accountability to our community.
- 4.3 Ensure strong relationships and engagements to shape the agenda and advocate for our community.

Social Implications

Our community is diverse. Their varied skills, experience and knowledge play a key role in shaping the future of Brighton. Effective and meaningful engagement builds positive relationships with our community and leads to better decision-making. In making informed decisions, we take account of the views, needs, and aspirations of our community. We balance that with expert advice, budgetary needs and legislative requirements.

Environmental or Climate Change Implications

A Community Engagement Strategy serves to inform, educate and involve community in matters related to climate change and waste management.

Economic Implications

Give community members a better understanding of the economic implications of Council's decision and the economic environment in which Tasmanian councils are operating.

Other Issues

Nil.

Assessment

This draft of the Brighton Council Community Engagement Strategy marks the beginning of the process for receiving feedback from community on how we engage as a Council into the future and will allow us to meet the new legislative requirements for Tasmanian councils to have a Community Engagement Strategy.

Options

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

RECOMMENDATION:

That Council endorses the release of the DRAFT Brighton Council Community Engagement Strategy – June 2025 for community feedback and input.

DECISION:

14.4 LGBTIQA+ Community Consultation Report

| | |
|-------------|---|
| Attachment: | LGBTIQA+ Community Consultation Report- May 2025 |
| Author: | Manager Community Development & Engagement (A Turvey) |
| Authorised: | Chief Executive Officer (J Dryburgh) |

Background

In 2023 Council was approached by community members, including individuals with lived experience of discrimination in our community, asking Council to take more of a leadership role in showing support for a more inclusive and diverse community. This included a request to fly a pride flag at Council's main buildings i.e. Civic Centre and Council Offices.

Subsequently, Mr Rodney Croome from Equality Tasmania was invited to brief Council in December 2023 on suggested approaches that Council could take in responding to these requests and possibly taking a broader approach to understanding the needs of our LGBTIQA+ community, their experiences of living in the Brighton area and promoting an inclusive community as a Council.

During this briefing it was highlighted that local government plays a key role in promoting inclusion because it is close to the community and provides key community services.

This is why a number of Tasmanian municipalities have taken action to ensure their community, services and workplaces are inclusive. Examples included:

- **Kingborough Council:** consulting with the community, developing an Action Plan, flying pride flags, conducting LGBTIQA+ inclusion workshops for staff.
- **City of Hobart:** consulting with the LGBTIQA+ community, developing an LGBTIQA+ commitment, flying pride flags, conducting workshops.
- **City of Launceston:** developing an LGBTIQA+ community consultation process and flag-flying policy.
- **Derwent, Huon and Meander Valley Councils:** flying pride flags.

It was agreed after this briefing that in order to ascertain the experience of specifically LGBTIQA+ people living in our community, Council conduct a consultation project with a view to potentially developing an LGBTIQA+ Action Plan based on these findings.

It was recommended that Council work with Dr Ruby Grant from La Trobe University who was involved in conducting the "Telling Us the Story" report, the largest-ever survey of LGBTIQA+ Tasmanians. It was commissioned by the State Government and conducted by the University of Tasmania in 2022.

Dr Ruby Grant prepared a community consultation proposal for Brighton Council and in June 2024 Council agreed to fund the consultation to understand the experiences specifically of our LGBTIQA+ community in the Brighton municipality.

Between October 2024 and February 2025, Council surveyed LGBTIQA+ people, their families, friends, and allies who live, work, and visit the Brighton area to hear how Brighton can be more safe, welcoming and inclusive for all. The survey was designed in consultation with community members and was promoted widely through local and state-wide print and social media.

A total of 51 individuals completed the survey. This included people of all ages (14+) who live, work, visit, and go to school in the Brighton area. We heard from a mix of LGBTIQ+ community members, as well as non-LGBTIQ+ people who are parents, family members, and those working with LGBTIQ+ people in Brighton.

In a Council workshop on 3 June 2025, Councillors were presented with the findings by Dr Grant. The full report is attached for reference. There are seven key actions contained within the recommendations of the report that participants identified and felt would best support LGBTIQ+ people, their families, and friends in the Brighton area.

The top three priorities were:

1. LGBTIQ+ Inclusion Training for Brighton Council Staff and Elected Members

Many participants emphasised the need for local government representatives to receive training on LGBTIQ+ inclusion to foster a more welcoming and supportive community.

2. Public All-Gender Toilets

Accessible, gender-inclusive public facilities were seen as an important step toward making public spaces safer and more inclusive for transgender, non-binary, and gender-diverse residents and visitors to the area.

3. More visible signs of LGBTIQ+ Inclusion at local venues and businesses

Participants wanted more visible signs of inclusion in public spaces (e.g. flying the pride flag in public spaces, ally/pronoun badges for staff, rainbow tick/accreditation for businesses) and access to LGBTIQ+ services (e.g. unisex toilets).

The next step is to make the LGBTIQ+ Community Consultation Report available for whole of community's information and feedback.

Consultation

CEO, Senior Management Team, Councillors, LGBTIQ+ Community in Brighton LGA.

Risk Implications

Nil.

Financial Implications

Minimal/unknown at this stage.

Strategic Plan

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

- 1.1 Engage with and enable our community.
- 1.2 Build resilience and opportunity.

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

- 4.3 Ensure strong relationships and engagements to shape the agenda and advocate for our community.

Social Implications

This engagement with community is a path towards Council providing a leadership role in assisting the LGBTIQ+ community in feeling safe, being heard and represented in all areas of life in Brighton and in particular that the LGBTIQ+ community feel seen and valued.

Environmental or Climate Change Implications

Nil.

Economic Implications

N/A

Other Issues

Nil.

Assessment

Most LGBTIQ+ participants included in the consultation felt welcome in Brighton, but concerns about safety and inclusion persist, particularly for trans and non-binary residents. Key priorities identified were LGBTIQ+ training for council staff, introduction of public all-gender toilets, and greater visibility of inclusion. It is important to communicate these findings and recommendations to the community as a whole for feedback and before some of these simple actions are potentially implemented by Council, including revisiting the flag policy considered by Council in 2023, keeping in mind it has not been the experience of other councils in Tasmania that flying the Pride flag prompts a range of other requests for different flags to be flown.

Options

1. As per the recommendation.
2. Other.

RECOMMENDATION:

That Council approves the LGBTIQ+ Community Consultation Report (May 2025) to be made publicly available and invites community feedback on the recommendations and suggested actions contained within the report.

DECISION:

14.5 Request for Reduction of Ground Hire Fees - Tasmanian Nepalese Cricket Association

| | |
|-------------|---|
| Attachment: | Email from Tasmanian Nepalese Cricket Association |
| Author: | Admin & Facilities Management Officer (I Singh) |
| Authorised: | Director Corporate Services (G Browne) |

Background

Mr Kamal Bhandari, President of the Tasmanian Nepalese Cricket Association (TNCA), a not-for-profit community sporting organisation, has written to Council requesting a discount on the hire fees for Weily Park Oval for the 2024–2025 cricket season.

This request follows a similar submission made in 2023, where Council approved a 50% discount on ground hire fees. The TNCA has again advised that their financial position has been significantly impacted due to a range of community-driven sporting and engagement activities delivered over the past 12 months. These initiatives were beneficial to the local, multicultural and wider community. This has stretched the Association's limited financial resources, reducing their capacity to pay the full hire fee.

TNCA's mission is to use cricket as a vehicle to foster community engagement, promote health and wellbeing, and strengthen multicultural connections, particularly among Tasmania's Nepalese population.

Consultation

Kamal Bhandari, Director Corporate Services

Risk Implications

- Approving the fee reduction may set a precedent, leading to more community groups seeking similar concessions.
- There is a risk of perceived inequity among user groups paying full fees who do not request concessions, potentially raising fairness concerns.

Financial Implications

The outstanding invoice of ground hire fees is \$2990. Any remittance of this would reduce the ground hire revenue amount for the year.

Strategic Plan

Goal 1.1 - Engage with and enable our community

Goal 1.3 – Ensure attractive local areas that provide social, recreational and economic opportunities.

Goal 1.4 – Encourage a sense of pride, local identity and engaging activities.

Social Implications

The Tasmanian Nepalese Cricket Association ensures cricket remains inclusive and accessible to the entire community. Their programs promote multicultural engagement by uniting people

of all ages, genders, and backgrounds, strengthening social connections and fostering a sense of belonging.

Through community events, TNCA also cultivates leadership and volunteer skills. Supporting TNCA directly supports Brighton Council's aim to build a welcoming, connected community through inclusive sporting opportunities.

Environmental or Climate Change Implications

Nil

Economic Implications

Nil

Other Issues

Considering the variety and scale of programs TNCA delivers, along with their diverse income sources, it is reasonable to expect that essential expenses such as ground hire fees are planned and budgeted well in advance. Furthermore, requests for fee reductions should be submitted prior to confirming bookings, rather than after the season concludes and invoices are issued. This approach ensures that fee reductions are part of proactive planning, rather than reactive or last-minute considerations.

Assessment

TNCA has demonstrated responsible, community-focused program delivery along with financial transparency. Granting a fee reduction would recognise the organisation's increasing contribution to community life and support the continued growth of accessible sport and recreation. Ongoing collaboration with the Tasmanian Nepalese Cricket Association provides Brighton Council with a valuable opportunity to strengthen ties with the growing Nepalese community in Southern Tasmania and to support the Association's leadership in multicultural sports development.

Options

1. As per the recommendation.
2. Refuse to Reduce hire fees
3. Other options to be discussed, such as give 25% reduction in fees

RECOMMENDATION:

That Council endorse a 50% reduction in fees to the Tasmanian Nepalese Cricket Association.

The reduction of ground hire fees is to be recorded as a donation in Council's Annual Report in accordance with Section 77 of the *Local Government Act 1993*.

DECISION:

14.6 Request for waiver of Hall Hire fees - Old Beach Probus Club

| | |
|--------------------|--|
| Attachment: | Letter from the Secretary, Old Beach Probus Club |
| Author: | Admin & Facilities Management Officer (I Singh) |
| Authorised: | Director Corporate Services (G Browne) |

Background

Old Beach Probus Club was established in July 2024. Since this time, the club has provided a platform for retired and semi-retired members of the local community to engage socially, intellectually, and culturally.

Recognising the club's value to the local community, Brighton Council supported its establishment in 2024 by waiving the monthly hall hire fees for a 12-month period. This support allowed the club to focus on growing its membership, building momentum, and delivering its community-focused programming without the financial burden of venue hire costs.

Entirely volunteer-run, the Club now boasts 28 active members and continues to grow. Monthly meetings are held at the Old Beach Community Hall on the third Friday of each month, where members participate in guest speaker sessions, morning tea, and social discussion.

As a not-for-profit organisation, run entirely by volunteers and funded through member contributions and donations, Secretary Mr Robert Shaw has formally requested that Brighton Council continue to waive the current hire fee of \$23 per hour (total \$69 per meeting with a 50% discount) for its monthly use of the Old Beach Community Hall.

Consultation

Director Corporate Services

Risk Implications

- The permanent booking of the hall for three hours each month could reduce the availability for other paid bookings.
- Waiving fees could set a precedent for other community-based groups to request similar concessions.

Financial Implications

The club requests the Council waive the hire fees for three hours per month. Over a period of 12 months, the total cost would amount to \$828.

Strategic Plan

This request aligns with Councils Strategic Goals: -

Goal 1.1 – Engage with and enable our community

Goal 1.3 – Ensure attractive local areas that provide social, recreational, and economic opportunity.

Goal 1.4 – Encourage a sense of pride, local identity, and engaging activities.

Social Implications

The Old Beach Probus Club plays an important role in promoting social inclusion and community wellbeing. Its programs create opportunities for older residents to connect, participate, and feel a sense of purpose and belonging within their local community.

Ongoing support for the club will help strengthen community connections by providing retired and semi-retired individuals with regular access to social interaction, intellectual engagement, and cultural activities.

Environmental or Climate Change Implications

N/A

Economic Implications

N/A

Other Issues

Nil.

Assessment

The club has successfully established itself and continues to demonstrate a positive impact on its target audience — older residents, a key demographic within the municipality. Extending Council's support will enable the Old Beach Probus Club to maintain its momentum, expand its membership, and remain accessible to all, regardless of financial capacity. This aligns strongly with Council's strategic goals of fostering social inclusion and supporting community wellbeing.

Options

1. As per the recommendation.
2. Refuse to waive hire fees and apply only a 50% discount.
3. Other options to be discussed, such as show ongoing support via permanent fee waiver contingent on the club continuing to operate from the Old Beach Community Hall and providing an annual financial statement demonstrating that it lacks the capacity to meet hire fee obligations.

RECOMMENDATION:

That Council waive the hire fees for the Old Beach Community Hall for the Old Beach Probus Club for a 12-month period to support their continued growth and contribution to community wellbeing. This arrangement is to be reviewed at the end of the 12-month period.

The waiver of hire fees is to be recorded as a donation in Council's Annual Report in accordance with Section 77 of the *Local Government Act 1993*.

DECISION:

14.7 Request for waiver of fees - The Veteran Car Club of Australia (Tasmania) Inc

| | |
|--------------------|---|
| Attachment: | Letter from the Veteran Car Club |
| Author: | Admin & Facilities Management Officer (I Singh) |
| Authorised: | Director Corporate Services (G Browne) |

Background

The Veteran Car Club of Australia (Tasmania) Inc. – Southern Section has been hosting its Annual Charity Car Show and Swap Meet at Cloak Oval, Old Beach since 2012. In 2017, Brighton Council granted a five-year fee waiver for the use of this venue, which has allowed the Club to continue delivering this popular community event each February.

The event has developed a strong reputation as one of the best cars shows in southern Tasmania. It attracts large numbers of car enthusiasts, collectors, car clubs, swap meet vendors, and members of the public from across the region. The event not only showcases veteran and vintage vehicles but also strengthens community ties and delivers significant charitable outcomes. Over the 12 years they have donated over \$45,000 to charity with the main recipient over the past three years being The Hobart City Mission.

With the initial five-year agreement having concluded, the Veteran Car Club is now requesting a further period of free use of Cloak Oval to ensure the event remains within the Brighton municipality.

Consultation

Director Corporate Services

Risk Implications

- Regular booking of the venue may limit availability for other potential users.
- Reducing fees could set a precedent for other community-based groups to request similar concessions.

Financial Implications

The club is requesting a waiver in hire fees for one day per year. The estimated cost for the next 5 years would be \$1,495 not inclusive of the CPI rate increase.

Strategic Plan

This request aligns with Councils Strategic Goals: -

Goal 1.1 – Engage with and enable our community

Goal 1.3 – Ensure attractive local areas that provide social, recreational, and economic opportunity.

Goal 1.4 – Encourage a sense of pride, local identity, and engaging activities.

Social Implications

The Annual Charity Car Show and Swap Meet is a well-attended community event that strengthens local pride, fosters intergenerational engagement, and provides a fun, inclusive environment for families, hobbyists, and collectors.

Environmental or Climate Change Implications

Minimal. The Club is committed to working with Council to manage waste and environmental impacts from the event.

Economic Implications

The event contributes positively to the local economy through tourism, food and beverage sales, and associated retail activity. Participation by Rotary Brighton ensures that local fundraising benefits remain within the municipality.

Other Issues

Nil.

Assessment

The Annual Charity Car Show and Swap Meet has consistently proven to be a successful and beneficial community event. Continued support from Brighton Council through a venue fee waiver will allow the Veteran Car Club to maintain the event's quality, scale, and charitable outcomes.

Options

1. As per the recommendation.
2. Refuse to Reduce hire fees and apply only a 50% discount.
3. Other options to be discussed, such as waiving fees for a shorter period such as 3 years.

RECOMMENDATION:

That Council waive the hire fee for the next five (5) years for continued annual use of Cloak Oval, Old Beach by the Veteran Car Club of Australia (Tasmania) Inc. – Southern Section for their one day annual event.

The waiver of fees is to be recorded as a donation in Council's Annual Report in accordance with Section 77 of the *Local Government Act 1993*.

DECISION:

14.8 Request for waiver of fees - Jordan River Community Theatre Group

Author: Director Corporate Services (G Browne)

Background

The Jordan River Community Theatre Group was founded in 2024 under the direction of John Adkins, an actor, playwright, artistic director and mentor. The group held its first production in November 2024 at the Brighton Civic Centre, which drew an audience of over 80 people.

The Jordan River Community Theatre has grown into a supportive and fun-loving community, and rehearses every Monday evening for two hours at Pontville Hall.

The Theatre Group is the perfect example of the initiatives that the Brighton Public Art strategy is trying to develop within the municipality in that the productions are supporting local artists, cultural experts and creatives in the development of new skills and new work.

As the group is not a registered entity it is just a group of like minded people coming together in order to put on production that will be shown to the public, there is no income received. The group is requesting that their fees are waived for the hire of Pontville Hall.

Consultation

Manager Community Development & Engagement

Risk Implications

Nil

Financial Implications

The financial implication are that the hall is able to be hired out to a fee paying hirer. Fees that would be foregone would be \$90 for the two hours per week. If the hall is used for the full year it would be \$4680.

Strategic Plan

Goal 1.1 - Engage with and enable our community

Goal 1.3 – Ensure attractive local areas that provide social, recreational and economic opportunities.

Goal 1.4 – Encourage a sense of pride, local identity and engaging activities.

Social Implications

By providing the space for this community group to rehearse, it not only fulfils our public art strategy but it also provides a fun environment for all members of the public to come and learn a new skill or be part of an inclusive group.

Environmental or Climate Change Implications

Nil

Economic Implications

Nil

Other Issues

Nil

Assessment

Council has a policy in relation to a 50% discount on Council building hire fees for groups within the community that are not for profit that can prove that the hire of the building is for the benefit of Brighton residents.

Given that this community group is volunteer based and not formally registered there is no income to pay the hire fees. This group is providing an outlet for those that are culturally focused being able to present a variety of productions to the community and bringing alive our art strategy.

Options

1. As per the recommendation.
2. Not approve the recommendation.

RECOMMENDATION:

That Council waives the hall hire for The Jordan River Community Theatre Group for the 2025/26 financial year and backdates this to when they commenced rehearsals at Pontville Hall.

The waiver of fees is to be recorded as a donation in Council's Annual Report in accordance with Section 77 of the *Local Government Act 1993*.

DECISION:

14.9 Brighton Open Space Strategy 2025

| | |
|-------------|--|
| Attachment: | A – Engagement Strategy B - Brighton Open Space Strategy 2025 |
| Author: | Manager Planning (J Blackwell) |
| Authorised: | Director Development Services (A Woodward) |

Purpose

To note the outcomes of community engagement and endorse the Brighton Open Space Strategy 2025 (OSS 2025) as amended.

Background

Following Council's endorsement to proceed to community engagement at its March 2025 meeting, the OSS 2025 prepared by Form Planning and Projects was publicly exhibited for comment, in an endeavour to understand:

- How our community uses Brighton's open spaces;
- What our community values about Brighton's open spaces;
- How accessible Brighton's open spaces are;
- What our community wants to see more of and what are their priorities.
- Whether the draft OSS reflected the community's views.

Consultation

Consultation relating to the OSS 2025 occurred between 7 April to 27 April 2025. An extensive variety of methods were used during this time to understand the community's views and are summarised as follows:

- Face to face engagement sessions
- Have your say website
- Survey
- Social Pinpoint Mapping
- Email submissions
- Corflute Posters at key green open spaces across Brighton
- Social Media posts
- Key Stakeholder letters
- Brighton Alive Newsletter

Participation and results relating to the community engagement are detailed in Form Planning and Projects' Engagement Strategy included in [Attachment A](#).

The feedback received during the consultation period has identified that the community values Brighton's quality open spaces and that continual improvement of our open spaces is important for Brighton's residents. Ongoing expansion and protection of open spaces and incorporating

sustainability initiatives such as increased tree planting and shade using native species is also welcomed.

The benefits of open spaces were also identified in the feedback, relating to mental wellbeing and social cohesion, as well as providing a free activity to do with family.

The feedback received accorded generally with the draft OSS 2025. There were some issues raised which require some minor changes to the strategy, as follows:

| Action | Change | Rationale |
|--|--|--|
| BPO4 Continue to deliver the Ted Jeffries Memorial Park Master Plan prioritising the upgrade and extension of the existing playground. | Update from a Medium Priority to a Short to Medium Priority for Brighton | There was clear community feedback that the existing playground is heavily used but looked tired and needs an upgrade. |
| NEW Continue to maintain the foreshore walking trail and enhance with landscaping, shelters and seating. Consider kayaking launching locations. Monitor impacts from coastal inundation and erosion. | New Medium Priority action for Old Beach. | The Old Beach Foreshore trails are heavily used, and some additional infrastructure would be proportionate to its use. |
| NEW Formalise walking trails along the East Derwent Highway and investigate suitable locations for safe pedestrian crossings, particularly near Old Beach Road and Clives Avenue . | New Medium Priority Action for Old Beach. | The East Derwent Highway was recognised as a barrier and community feedback included the need to improve trails and crossing along the East Derwent Highway. |
| BP09 Ensure future open space areas, including walking trails, identified in the South Brighton Development Precinct are acquired and developed commensurate with release of land. | Maintain as an ongoing opportunity for Brighton, but add “including walking trails” to Action. | Walking trails and loops in the South of Brighton were identified as a gap. |
| LGA 09 Crime Prevention through Environmental Design (CPTED) | Update from Ongoing action to Short term action. | Safety was a key theme from community feedback. |
| LGA 11 Relationships and Partnerships. | Add a reference to “getting the necessary approvals”. | A number of key stakeholders identified that some actions required approvals from the Crown, TasRail, etc. to be able to implement actions. |

| | | |
|---|--|---|
| LGA 14 Maintenance Guidelines | Update from a Medium Priority to Short term priority for LGA-Wide Actions | Maintenance and cleanliness were identified as key issues from community feedback. |
| Document improvement | Include a list of the properties relating to each “open space number” for each suburb. | Allows the reader to easily identify each open space without having to refer to the Appendix. |

The changes recommended above have been included in the revised Open Space Strategy as per [Attachment B](#).

Risk Implications

There is a risk that the community, in reading the OSS 2025, will think that the actions recommended in the OSS 2025 will be immediately implemented, resulting in expectations that may not be met. This potential misconception is addressed through specifying ‘Short’, ‘Medium’ and ‘Long Term’ actions in the OSS 2025.

Financial Implications

Addressing the actions in the OSS 2025 will result in financial costs for implementation. Each action will need to be considered in conjunction with Council’s Long Term Asset Management Plan, and annual budget. Some actions will be dependent on external grant funding in order to be achieved.

Strategic Plan

The OSS 2025 accords with the Brighton Council Strategy 2023-2033 as follows:

- 1.1 Ensure attractive local areas that provide social, recreational and economic opportunities.
- 1.2 Encourage a sense of pride, local identity and engaging activities
- 2.2 Encourage respect and enjoyment of the natural environment
- 2.4 Ensure strategic planning and management of assets has a long term sustainability and evidence-based approach
- 3.3 Community facilities are safe, accessible and meet contemporary need
- 4.1 Be big picture, long-term and evidence-based in our thinking

Social Implications

Strategic consideration of council’s open space network and ongoing maintenance will play a significant role in increasing the community’s physical and mental health by reducing stress, promoting physical activity and fostering social interaction.

Assessment

Brighton’s existing open spaces feature a network of trails, parks, playgrounds, sporting facilities and the Derwent and Jordan river foreshores throughout the municipality. The OSS 2025 provides the strategic framework to guide the planning and management of open spaces in Brighton’s urban areas over the next ten years and beyond. The strategy incorporates principles that aim to continuously improve the quality, accessibility, safety and sustainability of Brighton’s open space network, in turn providing benefits to the community and

environment. Quality open spaces encourage social connection, improves mental health and promotes a healthy lifestyle.

Extensive engagement with residents shows that the open spaces that have been created throughout the municipality are valued and that the amount of open space available is appreciated, with many residents visiting often. Requests for additional tracks, upgraded playgrounds and play equipment were raised, as were maintenance and safety concerns at some parks. Actions in relation to these matters where appropriate, have been incorporated within the revised OSS 2025.

Options

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

RECOMMENDATION:

That Council:

- A. Note the Engagement Summary; and
- B. Endorse the Brighton Open Space Strategy 2025.

DECISION:

14.10 Policy Review - Public Open Space Policy

Attachment: Policy 6.6 Public Open Space (*tracked changes version & clean copy*)

Author: Director Development Services (A Woodward)

Background

A review of the Public Open Space Policy has been conducted, and the draft was presented to Councillors during a Council Workshop on 3 June 2025.

This policy is required to:

- Ensure that adequate provision is made for quality public open space in the municipality.
- Establish clear guidelines to assist Council in determining when provision of public open space will be sought and when the payment of a cash in lieu contribution required will be sought, from subdivision applications.
- Establish a consistent method of determining the value of cash in lieu contributions when they are required; and
- Provide a framework to determine how monies derived from cash in lieu contributions should be held and disposed of within the Municipality.

Key changes made to the policy during the review period included:

- Providing clear criteria around assessment of proposed open space parcels.
- Outlining clear criteria for when contributions are taken in lieu of land.
- Value of land changed from 'unimproved' to 'improved' to reflect decisions made by Tribunal cases.
- Amendment to include '*not more than 3 months prior to the date of lodgement of the Final Plan of Survey for sealing*'.
- Clarity on how funds are handled and managed.

Consultation

Councillors; SMT

Risk Implications

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

Financial Implications

Not applicable.

Strategic Plan

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

S3.2: infrastructure development and service delivery are guided by strategic planning to cater for the need of a growing and changing population

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 adopt the Public Open Space Policy (Policy 6.6).

DECISION:

14.11 New Policy - Enforcement Policy

Attachment: Draft Policy 7.2 Enforcement

Author: Director Development Services (A Woodward)

Background

A new Enforcement Policy has been developed with the draft presented to Councillors during a Council Workshop on 3 June 2025.

This new policy has been developed to:

- Provide staff and customers a clear and consistent approach to compliance and assist in understanding the process of enforcement.
- Ensure that we are transparent and actions are proportionate to the offence.
- This is a recommendation from the process of Board of Inquiry into other Council's.

This policy is based on templates used by various agencies in Australia, including the Ombudsman. It incorporates principles of enforcement, authorisations, decision-making processes, enforcement options, and guidelines for disclosure and confidentiality.

Consultation

Councillors; SMT

Risk Implications

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

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 adopt the Enforcement Policy (Policy 7.2).

DECISION:

14.12 Policy Review - Fraud Control and Corruption Policy 1.8

Attachment: Policy 1.8 (*current policy & proposed draft policy*)

Author: Director Corporate Services (G Browne)

Background

A significant review of Council's Fraud Control and Corruption Policy has been undertaken by the Audit Panel and Senior staff.

Council aims to act in the best interests of the community by aligning with its core value of integrity. Council is committed to the prevention, deterrence and detection of fraud and corruption by raising awareness and having effective processes and procedures in place to report and investigate incidents that may arise.

The Fraud Control and Corruption Policy covers guidelines and responsibilities regarding appropriate actions that must be followed to increase the awareness of, and, for the investigation of fraud. Management of the risk of exposure is an important area to monitor and the Council needs to be assured that appropriate and transparent procedures are in place.

Consultation

Audit Panel, Senior Management

Risk Implications

Regular review and monitoring of council policies will be undertaken to ensure compliance with relevant legislation and advice. Councillors are responsible for ensuring that Council acknowledges fraud and corruption as a serious risk and has an awareness of Council's fraud and corruption exposures.

Financial Implications

Not applicable.

Strategic Plan

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

S4.4: Ensure financial and risk sustainability.

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 adopt the Fraud Control and Corruption Policy (Policy 1.8).

DECISION:

14.13 Policy Review - Councillor Expenses, Entitlements & Professional Development

Attachment: Policy 2.2 (*tracked changes version & clean copy*)

Author: Chief Executive Officer (J Dryburgh)

Background

This policy was reviewed and endorsed at the Ordinary Council Meeting on 21st January 2025. Since this time, all Tasmanian Councils have received advice from the Office of Local Government following a Supreme Court ruling regarding the payment of legal expenses by a Tasmanian Council.

The Court determined that a Council is not permitted to cover the legal expenses related to a case for the personal benefit of a councillor or an employee. Under Section 28ZN of the *Local Government Act 1993*, it is also a requirement that legal costs associated with Code of Conduct complaints must be borne by the councillor involved.

In response to the advice received, a new section concerning 'Legal Expenses' has been added to the policy (refer Section 1.3).

Consultation

Senior Management; Executive Officer - Governance

Risk Implications

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

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 adopt the Councillor Expenses, Entitlements & Professional Development Policy (Policy 2.2)

DECISION:

14.14 Budget 2025/2026

Attachment: Draft Budget 2025/2026
Author: Director Corporate Services (G Browne)

Background

The Budget (Estimates) has been prepared in accordance with the *Local Government Act 1993*. The 2025-2026 Budget and Fees & Charges Register has been provided to all Councillors and a draft budget review workshop has been undertaken. The final budget has been completed in accordance with Councillor requests and is now ready to be adopted.

Consultation

Councillors, Senior Management, Senior Rates Officer, ratepayers and other stakeholders.

Risk Implications

Nil.

Financial Implications

As per the budget.

Strategic Plan

Goal 3 : Manage Infrastructure and growth effectively

Goal 4.4: Ensure Financial & Risk Sustainability

Social Implications

Considered within the budget.

Environmental or Climate Change Implications

Considered within the budget.

Economic Implications

Considered within the budget.

Other Issues

Nil.

Assessment

Council has been fortunate to receive substantial grant funding for various projects around the municipality over the past few years. This grant funding has meant that many projects have been brought forward that would not have come to fruition for several years, it also means that Council is required to maintain these new infrastructure assets, which results in an increase in operational costs.

Operational costs especially in relation to materials and services that are used to provide ratepayers with the daily functions of waste collection, road works and streetscaping to name

a few have continued to increase. Due to the continual renewal and new capital expenditure Ratepayers are also expecting a higher level of service provision which unfortunately needs to be paid for through rates and charges, for Council to remain financially sustainable in the future. The Brighton Council's 2025-2026 rate increase will be the same as the previous year at 8.5% for all residential occupied properties. This equates to a total increase to residential occupied properties of \$99 per year.

The Rating Resolution is in line with the *Local Government Act 1993* and adopts the principles of Average Area Rating for residential rating.

Options

1. As per the recommendation.
2. Review the budget and make further changes prior to adoption in principle.

RECOMMENDATION:

1. That the 2025-2026 budget be adopted.
2. Approve the 2025-2026 Rating Resolution as follows:
 1. **GENERAL RATE & MINIMUM**
 - 1.1 Pursuant to Section 90 of the *Local Government Act* 1993 (here referred to as the “**Act**”), Council hereby makes the following General Rate for all rateable land within the municipal area for the financial year commencing 1 July 2025 and ending 30 June 2026:
 - (a) Pursuant to Section 90(3)(c) of the Act, a General Rate of 26.0 cents in the dollar of the assessed annual value (here referred to as “**AAV**”) of the rateable land.
 - 1.2 Pursuant to Section 107(1) of the Act, Council hereby varies the General Rate of 26.0 cents in the dollar (as previously made) as follows:
 - (a) For land within the municipality which is used or predominantly used for commercial purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 7.758971 cents in the dollar of AAV;
 - (b) For land within the municipality which is used or predominantly used for public purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 10.219041 cents in the dollar of AAV;
 - (c) For land within the municipality which is used or predominantly used for industrial purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 6.191451 cents in the dollar of AAV;
 - (d) For land within the municipality which is used or predominantly used for primary production purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 4.116701 cents in the dollar of AAV;

- (e) For land within the municipality which is used or predominantly used for sporting or recreation purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 22.253977 cents in the dollar of AAV;
- (f) For land within the municipality which is not used and is zoned as Agriculture within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 9.395113 cents in the dollar of AAV;
- (g) For land within the municipality which is not used and is zoned as Business within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 15.029261 cents in the dollar of AAV;
- (h) For land within the municipality which is not used and is zoned as Community Purpose within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 19.92671 cents in the dollar of AAV;
- (i) For land within the municipality which is not used and is zoned as Environmental Management within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 21.621818 cents in the dollar of AAV;
- (j) For land within the municipality which is not used and is zoned as General Industrial within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 6.193691 cents in the dollar of AAV;
- (k) For land within the municipality which is not used and is zoned as Light Industrial within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 10.080971 cents in the dollar of AAV;
- (l) For land within the municipality which is not used and is zoned as Open Space within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 21.160285 cents in the dollar of AAV;
- (m) For land within the municipality which is not used and is zoned as Rural Living within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 9.395058 cents in the dollar of AAV;
- (n) For land within the municipality which is not used and is zoned as Urban Mixed within the Tasmanian Planning Scheme - Brighton, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 12.640208 cents in the dollar of AAV and

1.3 Pursuant to Sections 107(2A) and 107(2B) of the Act, Council hereby sets minimum amounts payable, in respect of the general rate as varied, as follows:

- (a) For land within the municipality which is used or predominantly used for commercial purposes, the minimum amount payable in respect of the General Rate is an amount of \$1260.00;
- (b) For land within the municipality which is used or predominantly used for public purposes, the minimum amount payable in respect of the General Rate is an amount of \$818.00;
- (c) For land within the municipality which is used or predominantly used for industrial purposes, the minimum amount payable in respect of the General Rate is an amount of \$1260.00;
- (d) For land within the municipality which is used or predominantly used for primary production purposes, the minimum amount payable in respect of the General Rate is an amount of \$1260.00;
- (e) For land within the municipality which is not used and is zoned as Agriculture within the Tasmanian Planning Scheme – Brighton, the minimum amount payable in respect of the General Rate is an amount of \$580.00;
- (f) For land within the municipality which is not used and is zoned as Business within the Tasmanian Planning Scheme – Brighton, the minimum amount payable in respect of the General Rate is an amount of \$580.00;
- (g) For land within the municipality which is not used and is zoned as Community Purpose within the Tasmanian Planning Scheme - Brighton, the minimum amount payable in respect of the General Rate is an amount of \$580.00;
- (h) For land within the municipality which is not used and is zoned as General Industrial within the Tasmanian Planning Scheme - Brighton, the minimum amount payable in respect of the General Rate is an amount of \$580.00;
- (i) For land within the municipality which is not used and is zoned as Light Industrial within the Tasmanian Planning Scheme - Brighton, the minimum amount payable in respect of the General Rate is an amount of \$580.00;
- (j) For land within the municipality which is not used and is zoned as Residential within the Tasmanian Planning Scheme - Brighton, the minimum amount payable in respect of the General Rate is an amount of \$580.00;
- (k) For land within the municipality which is not used and is zoned as Rural Living within the Tasmanian Planning Scheme - Brighton, the minimum amount payable in respect of the General Rate is an amount of \$580.00;

2. AVERAGED AREA RATE

- 2.1 Pursuant to Section 109A of the Act and Certificates issued to Council in accordance with Section 109H of the Act, Council hereby make the following averaged area rate (here referred to as “AAR”) for all rateable land within the municipal area for the following categories and localities for the financial year commencing 1 July 2025 and ending 30 June 2026:

- (a) In the locality of Bridgewater, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 7.486873 cents in the dollar of AAV and then an AAR is made in the amount of \$1145.00;
- (b) In the locality of Brighton, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 6.277961 cents in the dollar of AAV and then an AAR is made in the amount of \$1260.00;
- (c) In the locality of Dromedary, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 5.958752 cents in the dollar of AAV and then an AAR is made in the amount of \$1260.00;
- (d) In the locality of Gagebrook, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 8.365609 cents in the dollar of AAV and then an AAR is made in the amount of \$1145.00;
- (e) In the locality of Herdsmans Cove, for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 7.756173 cents in the dollar of AAV and then an AAR is made in the amount of \$1145.00;
- (f) In the locality of Honeywood for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 5.376569 cents in the dollar of AAV and then an AAR is made in the amount of \$1260.00;
- (g) In the locality of Old Beach for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 5.379772 cents in the dollar of AAV and then an AAR is made in the amount of \$1260.00;
- (h) In the locality of Pontville for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 5.138922 cents in the dollar of AAV and then an AAR is made in the amount of \$1260.00;
- (i) In the locality of Tea Tree for rateable land that is used, or predominantly used, for residential purposes, the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 5.147740 cents in the dollar of AAV and then an AAR is made in the amount of \$1260.00;
- (j) In the locality of Bridgewater, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 5.212631 cents in the dollar of AAV and then an AAR is made in the amount of \$580.00;

- (k) In the locality of Brighton, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 4.293701 cents in the dollar of AAV and then an AAR is made in the amount of \$580.00;
- (l) In the locality of Dromedary, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 6.770242 cents in the dollar of AAV and then an AAR is made in the amount of \$580.00;
- (m) In the locality of Gagebrook, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 8.678923 cents in the dollar of AAV and then an AAR is made in the amount of \$580.00;
- (n) In the locality of Herdsmans Cove, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 14.712099 cents in the dollar of AAV and then an AAR is made in the amount of \$580.00;
- (o) In the locality of Honeywood, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 4.102999 cents in the dollar of AAV and then an AAR is made in the amount of \$580.00;
- (p) In the locality of Old Beach, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 3.361516 cents in the dollar of AAV and then an AAR is made in the amount of \$580.00;
- (q) In the locality of Pontville, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 7.216623 cents in the dollar of AAV and then an AAR is made in the amount of \$580.00; and
- (r) In the locality of Tea Tree, for rateable land that may be classified as being both used, or predominantly used, for residential purposes **and** non-use land [i.e. vacant residential], the General Rate is varied by decreasing the amount of 26.0 cents in the dollar of AAV to 3.445408 cents in the dollar of AAV and then an AAR is made in the amount of \$580.00.

3. WASTE MANAGEMENT SERVICE CHARGE

Pursuant to Section 94(1) of the Act, Council hereby make the following service charges for waste management for the financial year commencing 1 July 2025 and ending 30 June 2026

- (a) \$315.00 for each premises, tenement, flat, unit, apartment, single stratum section or portion of land set aside for separate occupation to which a regular garbage and recycling removal service is supplied by the Council.
- (b) \$82.00 for each premises, tenement, flat, unit, apartment, single stratum section or portion of land set aside for separate occupation to which a FOGO removal service is supplied by the Council.
- (c) In addition to (a) & (b) \$75.00 per bin for each premises, tenement, flat, unit, apartment, single stratum section or portion of land set aside for separate occupation to which a regular garbage and recycling and FOGO driver assist service is supplied by the Council.
- (d) In addition to (a), (b) & (c) State Government Waste Levy of \$30.00 for each premises, tenement, flat, unit, apartment, single stratum section or portion of land set aside for separate occupation to which a regular garbage and recycling removal service is supplied by the Council.

4. FIRE SERVICE RATE

Pursuant to Sections 93 & 93A of the Act, and notice received by Council in accordance with Section 81B of the *Fire Service Act 1979*, the following fire service rates apply for the financial year commencing 1 July 2025 and ending 30 June 2026:

- (a) A Separate Urban Fire Rate of 1.133034 cents in the dollar of AAV in respect of all lands in the proclaimed district with a minimum amount of \$50.00; and
- (b) A Separate Brighton Rural Fire Rate of 0.301895 cents in the dollar of AAV in respect of all lands in the proclaimed district with a minimum amount of \$50.00; and
- (c) A Separate Rural Fire Rate of 0.284049 cents in the dollar of AAV in respect of all lands in the proclaimed district with a minimum amount of \$50.00.

5. PAYMENT OF RATES & CHARGES BY INSTALMENTS

Rates and Charges must be paid by four (4) instalments – the first to be paid on or before 8 August 2025, and then by 31 October 2025, 30 January 2026 and 30 April 2026 respectively.

6. INTEREST

Pursuant to Section 128(1) (b) of the Act interest will apply to any amount of rates and charges which remain unpaid after the date on which it is to be paid. The rate for 2025/2026 is 10.30% per annum calculated on a daily basis.

DECISION:

14.15 Annual Plan 2025/2026

Attachment: Draft 2025/2026 Annual Plan
Author: Chief Executive Officer (J Dryburgh)

Background

The Annual Plan 2025/26 has been prepared in accordance with Section 71 of the *Local Government Act 1993* and Council's 2025/26 budget.

The Annual Plan highlights key focus areas and strategies for 2025/26, aligning with our Strategic Plan.

The Annual Plan is currently presented in draft format for Council's review and consideration. Once adopted, it will be made publicly available on Council's website.

Consultation

Senior Management Team and relevant Council officers.

Risk Implications

None.

Financial Implications

The draft Annual Plan directly reflects the 2025/26 budget, which is already approved in principle.

Strategic Plan

The draft Annual Plan is in accordance with Council's Strategic Plan, in line with the following strategies:

S4.4: Ensure financial and risk sustainability

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

Social Implications

The Annual Plan clearly shows the key commitments for the financial year. A mid-year progress report will be presented to Council early in 2026.

The Annual Plan contains a range of social and community-focused commitments.

Economic Implications

The Annual Plan commitments support economic growth and development in the region.

Environmental or Climate Change Implications

The Annual Plan includes a range of environmental and climate change commitments.

Other Issues

Nil.

Assessment

The Annual Plan aligns with Council's Strategic Plan and will provide a range of ongoing, long-term benefits for our community.

Options

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

RECOMMENDATION:

That Council adopt the Annual Plan 2025/26 in accordance with Section 71 of the *Local Government Act 1993* and that a copy be forwarded to the Director of Local Government and the Director of Public Health in accordance with Section 71(3) of the Act.

DECISION:

14.16 Election of President and General Management Committee – Local Government Association of Tasmania

Attachment: Candidate Statements - LGAT President

Author: Chief Executive Officer (J Dryburgh)

Background

Nominations for the Local Government Association of Tasmania (LGAT) election of the President and General Management Committee (GMC) have now closed.

Each member Council is entitled to one vote for the position of President and for the General Management Committee as per Rule 20(j) of the LGAT Rules:

each member shall have one vote for both population categories within its electoral district.

As a Southern District Council, Brighton has been provided with three (3) ballot papers

- One (1) for President of LGAT
- One (1) for General Management Committee Member for Southern District (population less than 20,000)
- One (1) for General Management Committee Member for Southern Electoral District (population more than 20,000)

The following candidates have been nominated for the positions below:-

Election of President:-

- Cheryl FULLER – Central Coast
- Tim MARKS - Glenorchy
- Mick TUCKER – Break O'Day

Election of GMC Member (*Southern Electoral District (less than 20,000)*)

- Michelle DRACOU LIS – Derwent Valley
- Leigh GRAY – Brighton

Election of GMC Member (*Southern Electoral District - more than 20,000*)

- Richard JAMES - Clarence
- Tim MARKS - Glenorchy
- Paula WRIEDT - Kingborough

Consultation:

N/A

Risk Implications:

Nil.

Financial Implications:

Nil.

Strategic Plan:

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

Social Implications:

Nil

Environmental or Climate Change Implications:

N/A

Economic Implications:

N/A

Other Issues:

N/A

Assessment:

The sealed and signed ballot paper envelope is to be received by the Tasmanian Electoral Commission by 10am on Monday, 14th July 2025.

Options:

1. As per the recommendation.
2. Other.

RECOMMENDATION:

That the ballot papers for the positions of Local Government Association President and General Management Committee members be completed, signed and returned to the Tasmanian Electoral Commission by the 14th July 2025.

DECISION:

15. Questions on Notice

There are no Questions on Notice for the June meeting.

16. Closed Meeting

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* provides that Council may consider certain sensitive matters in Closed Meeting.

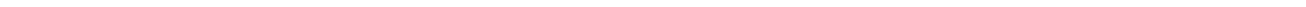
Matters are listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

RECOMMENDATION:

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session and the meeting be closed to members of the public to deal with the following items:

| <u>Item:</u> | <u>Closed under:</u> |
|--|----------------------|
| 16.1 – Cove Hill Road Stormwater Project | 15(2)(b) |

DECISION:





Authorisation to Move Out of Closed Session & Release of Information to the Public**RECOMMENDATION:**

That Council, having met and dealt with its business formally moves out of Closed Session and resolves to report that it has determined the following:

| Agenda item | Matter | Outcome |
|-------------|-----------------------------------|---------|
| 16.1 | Cove Hill Road Stormwater Project | |

DECISION: