



**Brighton
Council**

**Annual General
Meeting
Agenda**

3rd December 2024

Name:



Brighton Council

ANNUAL GENERAL MEETING

The Annual General Meeting of the Brighton Council will be held in the Council Chambers, Council Offices, 1 Tivoli Road, Old Beach at 5.00 pm on Tuesday, 3rd December 2024.

Audio Recording of Council Meetings

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

1. Acknowledgement of Country

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

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

2. Attendance

3. Apologies

4. Confirmation of previous minutes of the Annual General Meeting

RECOMMENDATION:

That the Minutes of the Annual General Meeting held on the 5th December 2023, be confirmed.

DECISION:

5. Presentation of the 2023/2024 Annual Report

An Annual Report for the year ended 30th June 2024 has been prepared in accordance with Section 72 of the *Local Government Act 1993*. This includes the financial statements and audit opinion.

Electors were invited to make written submissions in relation to the annual report with submissions closing on the 26th November 2024. One (1) submission was received and is attached.

The Annual Report may be viewed on Council's website:
<https://www.brighton.tas.gov.au/council/council-strategy-and-plans/>

RECOMMENDATION:

That the 2023/2024 Annual Report be received.

DECISION:

6. Other Business

7. Close

ANNUAL REPORT SUBMISSION

26/11/2024

Mr James Dryburgh
Chief Executive Officer
Brighton Council
James.dryburgh@brighton.tas.gov.au

Dear James,

Re: Your call for submissions on the DRAFT 2023/24 Brighton Council Annual Report

For the last 30+ years of the *Local Government Act 1993*, Brighton Council has never 100% fully complied with the all the requirements, therefore once again this year the 2023/24 Brighton Council Annual Report cannot be accepted and or endorsed at the Annual General Meeting (AGM).

I will provide just one (1) example because, the figures around the expenditure for vehicles of *Key Personnel* (Senior Executives) is all, simply false & misleading, see the *attached*.

Furthermore why has Gillian Browne as Acting CEO of Brighton Council signed the Certification of the Financial Report? It should be you James since your now back as CEO. In the interests of best governance why hasn't Greg Davoren as Deputy General Manager of Brighton Council and also as a Certified Practising Accountant also signed off on it? after all Mr Davoren a F (Fellow)-CPA is the one who does each year's audit via excel spreadsheet to and from the Auditor-General's office. Mr Davoren has been at Brighton Council now for around 27 years, we put him through UTAS at rate-payers expense and not once has he ever signed off any of the Certification of any of the Annual Report's for the last 27 year's, why?

How ever after 30+ years how disappointing it is, that you have chosen not to even list the names of *Key Personnel* why is this such a secret?. Why does Brighton Council have serious problems real ongoing issues with *Accountbaility? Transparanecy? Probidity? and Open Disclosures?*.

Just look at the amount of *Review's* that Ombudsman Tasmania has accepted because you have failed in your duties as the *Principal Officer of the RTI Act 2009* at Brighton Council James especially involving the monies you, Greg Davoren, Mayor Leigh Gray and others at Brighton Council have received from council's own for profit money making businesses being:

1. Microwise Australia Pty Ltd, and the
2. Brighton Industrial Housing Corporation.

Your ongoing need for power and greed knows no boundaries, and the fact alone that none of the Senior Executives/Key Personnel are not paying their own fair share of Fringe Benefits Tax (FBT) to the ATO speaks for it-self. Tax Evasion is a very serious crime, and as per all your Annual Report's state James, Brighton Council is NOT-EXEMPT from paying FBT Tax.

All Brighton Council Vehicles should therefore be marked clearly as Brighton Council vehicles and the proper logbooks kept in-line with the ATO law & legislation. I have still been refused all this information via the RTI Act 2009.

No One Is Above The Law James. All you Senior Executives/Key Management Personnel need to be paying FBT Tax to the ATO and Reporting on it.

I'd also like to take this opportunity to remind all Councillor's that you all SWORE an OATH, and you cannot pass a resolution when once again another Brighton Council Annual Report is not 100% fully compliant with the *Local Government Act 1993* (as amended), Australian Accounting Standards, and other authoritative pronouncements issued by the Australian Accounting Standards Board and also in-line with the latest and best Governance standards for Local Government.

For those of you that also hold the office of a Justice of the Peace (JP), this also applies to you more so than anyone else.

Yours sincerely,



Damien Matcham

Cc

The Hon. Kerry Vincent, Minister for Local Government

COUNCIL RESPONSE TO SUBMISSION:

The Tasmanian Audit Office's 'Independent Auditor's Report' (pages 42-45 of the 2023/24 Annual Report) concludes that Council's financial report:

- (a) Presents fairly, in all material respects, Council's financial position as at 30 June 2024 and its financial performance and its cash flows for the year then ended; and
- (b) is in accordance with the *Local Government Act 1993* and Australian Accounting Standards.

In response to your question about the Certification of the Financial Report, it is correct procedure for the Acting General Manager to approve and sign off on the report in the absence of the General Manager.

In response to your question about why Greg Davoren, the Deputy General Manager of Brighton Council and a Certified Practising Accountant did not also sign off on the report – Greg Davoren has not been a council employee since July 2023.

In response to your question about why Council has not listed the names of Key Personnel, please note that, in accordance with Section 72(4) of the *Local Government Act 1993*, Council is required to list the number of employees (not their names) based on total remuneration. This includes salary, employer contributions to employee superannuation, the value of motor vehicles provided, and the value of other allowances or benefits paid. Refer to page 88 (Note 9.1(ii)) for a detailed listing of remuneration paid to key management personnel for the years 2023 and 2024. This reporting is consistent with other councils and is the approach supported by both our Independent Audit Panel and the Tasmanian Audit Office.

It should also be noted that the Draft 2023/24 Annual Report was submitted to the Tasmanian Audit Office for review prior to publication. The Audit Office reviewed the complete Annual Report on the 15th November 2024, and did not identify any issues.