

MINUTES



DERWENT VALLEY COUNCIL

Council Meeting

Thursday, 19 January 2012

6.30pm

Court House
New Norfolk

MAYOR'S CERTIFICATION

I hereby certify that these Minutes are a true and correct record of the meeting.

MARTYN EVANS
MAYOR

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

CONTENTS

1.	CONFIRMATION OF MINUTES	4
2.	BRIEFING TO COUNCIL	5
3.	QUESTION TIME.....	5
4.	MAYOR’S COMMUNICATIONS	5
5.	NOTIFICATION OF COUNCIL WORKSHOPS	6
6.	DECLARATION OF PECUNIARY INTEREST	6
7.	COUNCIL ACTING AS A PLANNING AUTHORITY	6
8.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA.....	6
9.	MOTIONS ON NOTICE.....	6
10.	REPORTS OF OFFICERS	7
10.1	FINANCIAL REPORT.....	7
10.2	PLANNING APPLICATIONS DEALT WITH BY DELEGATION	10
10.3	S.39 REPORT: DA 164/2011: DERWENT VALLEY COUNCIL: DRAFT PLANNING SCHEME AMMENDMENT 01/2011: THE OVAL, THE AVENUE, NEW NORFOLK	13
10.4	BIODIVERSITY OFFSETS	17
10.5	POLICY REVIEW.....	22
10.6	NOMINATION OF MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR.....	25
10.7	FRIENDS OF FRESCATI COMMUNITY GARDEN SPECIAL COMMITTEE.....	29
11	COUNCILLOR QUESTIONS WITH NOTICE	32
12	COUNCILLOR QUESTIONS WITHOUT NOTICE	32
13	LEAVE OF ABSENCE	33
14	CLOSED COUNCIL MEETING	34
15	CLOSE.....	34

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

COUNCIL MEETING

HELD AT THE COURTHOUSE, NEW NORFOLK

COMMENCING AT 6:30 PM

DECISIONS

PRESENT: Mayor M Evans (Chairman),
Deputy Mayor Cr B K Lathey, Cr C Lester,
Cr T Nicholson, Cr W Shoobridge, Cr J Graham,
Cr D Bester

APOLOGIES: Cr S Shaw

OFFICERS: General Manager, Mr Stephen Mackey
Deputy General Manager, Mr Robert McCrossen
Accountant, Mr John Bradley
Regional Development Officer, Ms Jess Dallas
Natural Resource Management Officer, Mr Stephen Joyce
Planning Officer, Mr Martin McCance

1. CONFIRMATION OF MINUTES

Decision: 1/12
Date: 19/1/2012

Moved: Cr Nicholson
Seconded: Cr Shoobridge

That the minutes of the Council Annual General Meeting, Council meeting and
Closed Council meeting held on 15 December 2011 as circulated be confirmed.

CARRIED

Record of Voting

• Cr Evans	For	• Cr Nicholson	For
• Cr Lathey	For	• Cr Lester	For
• Cr Graham	For	• Cr Shoobridge	For
		• Cr Bester	For

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

2. BRIEFING TO COUNCIL

Nil

3. QUESTION TIME

Mr Maurice Lawrence Removable containers on commercial land	<p>Why have I been asked to move this container on my land? The container is not fixed and is on commercial property and is being used in a commercial venture that is registered.</p> <p><i>The Mayor advised that he did not have the information from the Building Surveyor at the moment and that he would take the question on notice and advise Mr Lawrence in writing.</i></p>
Mr Phil Bingley Road Maintenance	<p>Will Council increase the road maintenance account by 10% in the 2012/2013 budget?</p> <p><i>The Mayor advised that Council will consider this during deliberations for the budget.</i></p>

4. MAYOR'S COMMUNICATIONS

- Met with Hans from Anglicare regarding problem gambling
- Attended the soft opening of McDonalds
- Attended the New Norfolk High School, school leavers assembly
- Attended the North Hobart Construction Christmas function
- Attended the Visitor Information Centre Christmas function
- Attended the Anglers Club BBQ at the Salmon Ponds
- Attended the Fairview Primary School, school leavers assembly
- Attended a Australia Day Committee meeting
- Attended the Fairview Primary School end of year assembly
- Visited Synyard the 2011 Tidy Town's winner
- Attended a Diamond Jubilee group meeting
- Attended a Department of Infrastructure Energy and Resources (DIER) workshop regarding the Bridgewater Bridge
- Met with Deputy Mayor Cr Lathey regarding Willow Court fencing
- Attended a Committee System meeting

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

- Attended a meeting at Redlands
- Met with David Lewellyn
- Attended a Anglers Club meeting
- Attended a Australia Day meeting
- Attended a project update for Regional and Local Community Infrastructure Program (RLCLIP)

5. NOTIFICATION OF COUNCIL WORKSHOPS

Date	Purpose of Workshop
5 January 2012	A Department of Infrastructure Energy and Resources (DIER) representative spoke on the new Bridgewater Bridge. The Plan is now on display at the Council Chambers.

6. DECLARATION OF PECUNIARY INTEREST

Nil

7. COUNCIL ACTING AS A PLANNING AUTHORITY

In accordance with the Local Government (Meeting Procedures) Regulations 2005, notice is given that Council intends to act as a planning authority under the Land Use Planning and Approvals Act 1993 to consider the following items:

- 10.3 S.39 REPORT: DA 164/2011: DERWENT VALLEY COUNCIL: DRAFT PLANNING SCHEME AMMENDMENT 01/2011: THE OVAL, THE AVENUE, NEW NORFOLK

8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

Nil

9. MOTIONS ON NOTICE

Nil

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

10. REPORTS OF OFFICERS

10.1 FINANCIAL REPORT

Report To: Council

Author: Accountant

Qualified Officer: Accountant

Introduction and Purpose

The Financial Report for the month ended 31 December 2011 is attached separately.

Strategic Plan

Objective FIN – iv To improve community understanding of Council's financial management and finances.

Discussion

Council's Summary of Operations is attached separately for consideration and details the operating results of Council for the 6 month period ended 31 December 2011.

The Summary of Operations reflects all of Council's activities as budgeted for in the 2011/2012 year. It therefore includes both recurrent income and expenditure, together with Council's Capital Works and Plant Replacement Program. The statement compares our annual budget targets with our year-to-date actual performance.

The expected year-to-date activity is 50% of total annual budget. As at 31 December 2011, Council's overall net operating position is in line with budget expectations.

Program variations in income received or expenditure incurred to date will arise due to factors such as seasonal timing and the programming of major works.

Variations from budget in each of Council's activities are monitored and where necessary, corrective action takes place to ensure that as far as possible, Council's operations remain within overall budget parameters for the year.

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Additional information included in this and subsequent reports is as follows:

- Summary of Cash Position for the year ended 30 June 2011.
This summary details Council's bank balance as at month's end for the financial year 2010/2011.
- Summary of Cash Position for the period ended 31 December 2011.
This summary details Council's cash position as at 31 December 2011. Details of Council's cash position as at 31 December 2010 is also included for comparison purposes.
- Comparison of Cash Positions for 2010/2011 and 2011/2012.
This summary details Council's cash position to the corresponding period of the previous year.
- Summary of Rates Collection for the period ended 31 December 2011.
This summary details Council's summary of rates collections for the period ended 31 December 2011. Details of Council's rates collections as at 31 December 2010 are also included for comparison purposes.
- Comparison of Rates Collections for 2010/2011 and 2011/2012.
This summary details Council's rates collections to the corresponding period of the previous year.
- Summary of Loan Borrowings for the period ended 31 December 2011.
This summary details Council's loan indebtedness as at 31 December 2011. Details of Council's loan indebtedness in comparison to rates revenue for the previous 11 years are also included for comparison purposes.

Consultations That Have Taken Place

(a) The Community

Not Applicable

(b) Experts

Not Applicable

(c) Stakeholders

Not Applicable

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Proposed Community Consultation, Public Relations and Media Issues

Not Applicable

Budget/Financial Issues

Not Applicable

Policy Implications

Not Applicable

Decision

Decision: 2/2012

Date: 19/1/12

File: 737

Moved: Cr Shoobridge

Seconded: Cr Lathey

That the Financial Report for the period 1 July 2011 to 31 December 2011 be noted and received.

CARRIED

Record of Voting

• Cr Evans	For	• Cr Nicholson	For
• Cr Lathey	For	• Cr Lester	For
• Cr Graham	For	• Cr Shoobridge	For
		• Cr Bester	For

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

10.2 PLANNING APPLICATIONS DEALT WITH BY DELEGATION

Report To: Council

Author: Planning Officer

Qualified Officer: Planning Officer

Introduction and Purpose

Applications for planning approval are received and dealt with by the Planning Officer in accordance with Council's delegation. The following report summarises the planning permits issued under delegation during the previous month.

Strategic Plan

IS2 To maintain high standards in the provision of all Council services in line with community needs, Council's policies and regulatory requirements.

Discussion

The following applications for planning approval have been determined under delegation by the Planning Officer during the previous month:

LOCALITY	DA	PROPOSAL	DECISION
111 Glebe Road, New Norfolk	147/2011	3 lot subdivision	Approved
161 Cockerills Road, Boyer	156/2011	Boundary Adjustment	Approved
611 Gordon River Road, Glenora	155/2011	1 lot subdivision	Approved
1253 Collins Cap Road, Molesworth	159/2011	Dwelling	Approved
309 Lyell Highway, Granton	165/2011	1 lot subdivision	Refused
10 South Crescent, Maydena	166/2011	Addition to dwelling	Approved
64 Lower Road, New Norfolk	167/2011	Carport	Approved
130/164 Glen Dhu Road, Molesworth	158/2011	Boundary Adjustment	Approved
104 Wyre Forest Road, Molesworth	163/2011	Additions to dwelling	Approved
175 Haney Road, Lachlan	161/2011	Single Dwelling	Approved

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

In addition, the following applications for planning approval were dealt with by Council at its last meeting.

LOCALITY	DA	PROPOSAL	DECISION
Nil			

SUMMARY

Number of permits issued by delegation in December	10
Total number of permits issued in December	10

COMPARISON

Number of permits issued by delegation in previous month	16
Total number of permits issued in previous month	16

APPLICATIONS CURRENTLY WITH THE TRIBUNAL:

Nil

Consultations That Have Taken Place

(a) The Community

Not applicable

(b) Experts

Not applicable

(c) Stakeholders

Not applicable

Proposed Community Consultation, Public Relations and Media Issues

Not applicable

Budget/Financial Issues

Not applicable

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Policy Implications

Not applicable

Decision

Decision: 3/2012

Date: 19/1/2012

File: 0851

Moved: Cr Shoobridge

Seconded: Cr Lathey

That Council receives and notes the information on planning permits issued by delegation during the previous month.

CARRIED

Record of Voting

• Cr Evans	For	• Cr Nicholson	For
• Cr Lathey	For	• Cr Lester	For
• Cr Graham	For	• Cr Shoobridge	For
		• Cr Bester	For

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

**10.3 S.39 REPORT: DA 164/2011: DERWENT VALLEY COUNCIL:
DRAFT PLANNING SCHEME AMMENDMENT 01/2011: THE OVAL,
THE AVENUE, NEW NORFOLK**

Report To: Council

Author: Planning Officer

Qualified Officer: Planning Officer

File Reference: DA 164/2011

Report Summary:

The purpose of this report is for Council to consider a request for an amendment of the New Norfolk Planning Scheme 1993 (the "Scheme") pursuant to Section 33 of the *Land Use Planning and Approvals Act 1993* ("the Act") to Amend Figure One (a) - Cultural Heritage, of Part 9 of the New Norfolk Planning Scheme 1993, to exclude part of the land described in folio of the register Volume 135107 Folio 55 as shown in Figure 1 below.

REPORT IN DETAIL

Proposal

On the 28th November 2011, Derwent Valley Council considered and certified an S.33 draft amendment of the property known as The Oval located in The Avenue, New Norfolk. The intent of the draft planning scheme amendment (01/2011) is to amend Figure One (a) - Cultural Heritage of Part 9 of the Scheme to remove the Cultural Heritage overlay from a portion (1.75ha) of the site while leaving the remaining balance of 4.208ha unaffected (see Fig. 1. below).

Background

In 2010 the subject land underwent a subdivision at which time the portion of land to be removed from Figure One (a) – Cultural Heritage of Part 9 of the Scheme was subdivided from the Balance lot as per Figure 1 below. To date new titles have not been issued. The original Certificate of Title for the parcel of land is CT 135107/55.

On the 28th November 2011, Council agreed to initiate the draft amendment 01/2011 to the Scheme and acting as a Planning Authority, certified the draft amendment pursuant to Section 35 of the Act.

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

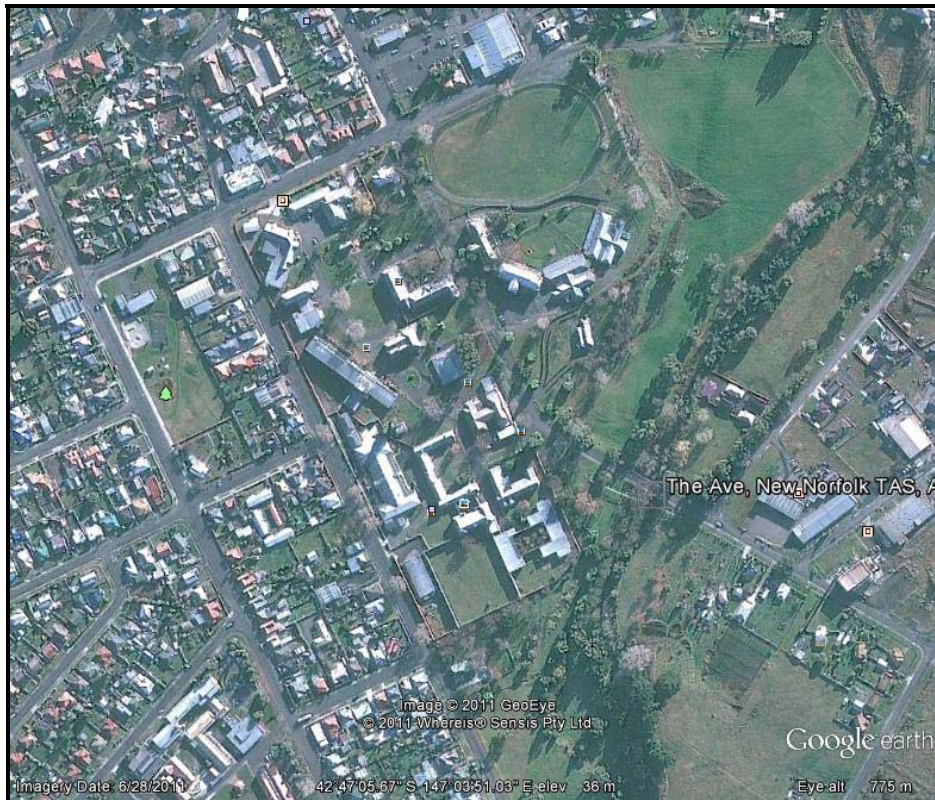


Fig. 2. Aerial photograph of the subject site and surrounds. Source: Google Earth, image dated 28 June 2011, retrieved 4 January 2012

Notification

The draft amendment was exhibited in accordance with S.38 of the Act and S.6 of the *Land Use Planning and Approvals Regulations (2004)* from Wednesday 30th November 2011 until 5.00 pm on Thursday, 22nd December 2011. Newspaper advertisements were placed in the Mercury Newspaper on the Wednesday 30th November 2011 and Saturday 10th December 2011.

Other Issues

Section 39(2) of the Act provides that a planning authority (Council) must, within 35 days after the public notification period has closed, forward to the Tasmanian Planning Commission (TPC) a report addressing any representations received to a draft planning scheme amendment whether representations are received or not.

The report is required to provide a statement on each representation and such recommendations in relation to the draft amendment and combined planning permit as the authority considers necessary, or state that no representations were received.

No representations were received during the advertising period.

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Planning Assessment

The TPC is required to ensure that the draft planning scheme amendment meets the requirements of the Resource Management and Planning System (the RMPS) and State Policies. These objectives were addressed in the original report titled “Willow Court and Royal Derwent Hospital Special Development Zone – Amendment to Site Areas within the Zone” authored by Mr. John Wadsley, Planning and Heritage Consultant dated October 2011.

No representations were received in accordance with S.39(2) of the Act during the public exhibition period and therefore no changes are recommended to the application.

Decision

Decision: 4/2012
Date: 19/1/2012
File: DA 164/2011

Moved: Cr Nicholson
Seconded: Cr Lester

That in accordance with Section 39(2) of the Land Use Planning and Approvals Act 1993, Council as Planning Authority resolves to forward to the Tasmanian Planning Commission a copy of this report stating that no representations were received following the exhibition of draft amendment 01/2011 and as a consequence no modifications to the draft amendment are considered necessary.

CARRIED

Record of Voting

- | | | | |
|-------------|---------|-----------------|---------|
| • Cr Evans | For | • Cr Nicholson | For |
| • Cr Lathey | For | • Cr Lester | For |
| • Cr Graham | Against | • Cr Shoobridge | For |
| | | • Cr Bester | Against |

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

10.4 BIODIVERSITY OFFSETS

Report To: Council
Author: Steven Joyce (NRM Officer)
Qualified Officer: Steven Joyce (NRM Officer)

Introduction and Purpose

The Southern Tasmanian Councils Authority (STCA) formed a working group that represents each of the southern councils. This working group provides support and guidance towards the development of Biodiversity offsets guidelines for Southern Tasmanian Councils. I was asked to part of this group by Council.

Strategic Plan

- IS7 To develop a means of relaying information from Council to the residents of the municipality*
- En1 To manage and, where required, protect the municipality's natural environment and resources.*
- En4 To support and encourage landcare-type activities.*

Background

Biodiversity offsets are an emerging planning tool used in environmental impact assessment and management in Australia. They are one form of mitigation for the potential impacts of a proposed development on natural values, when alternatives and options to avoid have been exhausted. Offsets contribute to the conservation of natural values outside the development footprint.

Two recent examples are provided to highlight the use of biodiversity offsets in local government within Tasmania

The proposed Kingborough By-pass requires the removal of 4.37 ha of Eucalyptus ovata (Black Gum Forest) foraging habitat for the listed threatened species Swift Parrot (Lathamus discolor). Eucalyptus ovata forest and woodland is a state listed threatened native vegetation community. The proposal has strong benefits to the community and the economy, but it impacts upon this threatened species. A permit for the By-pass was granted by Kingborough Council to the proponent (DIER) on the basis that the impact of the loss 4.37 hectares be offset (by means of a perpetual covenant under the Nature Conservation Act 2002 protecting an area of 12 hectares of

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Eucalyptus ovata forest and woodland (TASVEG Code DOV) within the core eastern habitat of the Swift Parrot and within the boundaries of the south east bioregion.

A recently approved planning application in the Hobart municipality will lead to the clearing of 1 ha of Blue Gum (Eucalyptus globulus) dry forest, a threatened vegetation community listed under the Nature Conservation Act. As a consequence of the clearing of this vegetation, a Forest Practices Plan has been prepared and will be certified in accordance with the a legal Deed of Agreement requiring offset options to compensate for the clearing of the blue gum forest. Hobart City Council will be requiring a financial contribution that will be directed towards the acquisition of other similar bushland areas to enhance Hobart's bushland reserve network. However, calculating the size of the contribution in the absence of consistent offset guidelines has been difficult.

Whilst one-off vegetation and habitat losses that occur through large scale activities such as forestry can be offset under existing policies at a State Government level, offsets are currently applied in an ad-hoc manner within Local Government in Tasmania as there is no mechanism to mitigate biodiversity losses at this level of government. Over time Local Government planning approvals are leading to significant incremental loss of threatened native vegetation and threatened species habitat. Therefore, there is an increasing need to put in place a tool that will assist in mitigating these impacts. Such a tool would have the benefit of providing consistent provisions for developers in addressing biodiversity impacts when preparing development applications.

1. Project History

The need for a consistent set of guidelines for applying biodiversity offsets became apparent from the experience of several Councils in the southern Tasmanian region when making provision for biodiversity offsets in permit conditions. Kingborough Council was the first of the southern councils to produce a draft biodiversity offsets policy with the aim of providing some consistency in the use of biodiversity offsets as planning tool. In the development of that policy, Kingborough Council recognised that to be effective, biodiversity offsets needed to developed and applied beyond their municipal boundaries.

A Biodiversity Offsets Working Group (BOWG) was then formed with membership from a number of southern council's natural resource management and planning officers. The Group made an application to the Australian Government for funding under a 'Caring for Country' grant round to assist in the development of Biodiversity Offset Guidelines. That application was unfortunately not successful.

When the Kingston By-pass was proposed, the proponent agreed that as part of the offset package for clearing 4.37 hectares of Black Gum forest, \$40,000 would be allocated towards the Biodiversity Offsets Guidelines Project. This money was provided to Kingborough Council through the conditions of the planning permit. Kingborough Council agreed to provide that funding to the STCA for the purposes of administering the project to develop the Biodiversity Offsets Guidelines.

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

2. Project Governance

A Working Group comprised of representatives of the twelve southern Council and chaired by David Hunn, Joint CEO of the Southern Tasmanian Councils Authority, manages the Biodiversity Offset Guidelines Project through the Southern Tasmanian Councils Authority. The Project Manager who is responsible for reporting to the Working Group undertakes day to day management of the project.

A Technical Reference Group that is comprised of representatives from the following organisations, also assists the Working Group and the Project Manager:

- The Forest Practices Authority;
- The Nature and Conservation Branch, Department of Primary Industries, Water and Environment;
- NRM South;
- The Tasmanian Land Conservancy; and
- The Department of Primary Industries, Water and Environment.

3. Project Tasks

A Consultant will prepare a comprehensive document outlining guidelines for the use of biodiversity offsets in a manner that will enable their use by planners, developers and the public, as well as suitably qualified persons. Specifically:

- Develop an overarching set of principles for the use of biodiversity offsets with particular relevance for use in Local Government.
- Prepare a set of guidelines for biodiversity offsets, in a manner that will enable their use by planners, applicants and developers that identifies:
 - The appropriate instances for the use of biodiversity offsets, including when a loss can not be offset;
 - Who planners, developers and applicants should seek advice from pre-application on the basis of the level of assessment (Level 1, Level 2 & Level 3);
 - A set of assessment ‘criteria’ to determine whether a proposed offset is appropriate to deliver the environmental outcomes sought for differing environmental values;
 - A set of ‘offset rules’ to guide applicants and developers in determining the appropriate scope and size of offset packages required to meet the environmental outcome sought for differing environmental values;
 - An outline of various implementation tools (taking into account the analysis of existing legal mechanisms) for example Part 5 Agreements, Conservation Covenants, cash in lieu
- The guidelines will need to include examples of existing assessment frameworks for ecological significance (metrics) and a recommendation of which will be the most appropriate for use at the Local Government level.

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

4. Outcomes

It is essential that the outcomes from this project provide the necessary guidance to Council staff and applicants in the use of biodiversity offsets through the development assessment process.

5. Output

A single document that constitutes the 'Guidelines for the Use of Biodiversity Offsets' being prepared by Pitt and Sherry

6. Discussion

The Offsets guidelines are now ready to be released for public consultation and this report seeks approval from Council for the STCA to release them for the consultation. To start the public consultation there will be a public notice placed in the Mercury. At the same time there will be page setup on the STCA website and could Council put a notice on their website. Letters to each key stakeholder will be sent out by the project officer so that they arrive the day the consultation starts.

An electronic copy of the report will be available from the STCA & Council's websites.

A hard copy plus a display poster will be prepared for each Council to put in their customer service area.

Comments should be provided, either via email or post (The STCA will set up an email address), but if people wish to submit to Council I can forward them to the STCA.

All responses will be collated and a report will be prepared by the project manager, firstly to the working group to get agreement on changes to the document – the project manager will also consult with the technical reference group on the changes. Once the changes are made this will be sent as the final report with a consultation report through to STCA Board for their approval before it is then sent back to individual Councils (through Working Group members) to seek formal endorsement.

The timeframe for consultation will be to start end of Feb/early March and go for 6 weeks. At this stage the likely commencement date will be 5 March 2012.

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Consultations That Have Taken Place

(a) The Community

Nil to date.

(b) Experts

NRM Officer.

(c) Stakeholders

Derwent Valley Councillors and members of the Derwent Valley community.

Proposed Community Consultation, Public Relations and Media Issues

As per report.

Budget/Financial Issues

Nil

Policy Implications

Improved biodiversity management.

Decision

Decision: 5/2012

Date: 19/1/2012

File: 309

Moved: Cr Graham

Seconded: Cr Shoobridge

That Council approves the release of the "Guidelines for the Use of Biodiversity Offsets" by the Southern Tasmania Council Authority for public consultation.

CARRIED

Record of Voting

• Cr Evans	For	• Cr Nicholson	For
• Cr Lathey	For	• Cr Lester	For
• Cr Graham	For	• Cr Shoobridge	For
		• Cr Bester	For

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

10.5 POLICY REVIEW

Report To: Council

Author: Deputy General Manager

Qualified Officers: Deputy General Manager

Introduction and Purpose

The purpose of this report is for Council to establish a committee of councillors to review the following policies.

Councillor Code of Conduct

Customer Service Charter

Complaints Management Policy and Procedures

Councillor Allowances, Entitlements and Expenses

Malbina Lawn Cemetery

Community Recognition

Strategic Plan

IS2 To maintain high standards in the provision of all Council services in line with community needs, Council's policies and regulatory requirements.

Discussion

Councillor Code of Conduct

Council is required under the *Local Government Act 1993* to review its code relating to the conduct of councillors within 12 months of an ordinary election.

The Councillor Code of Conduct is a statement of the standard of behaviour that Councillors have agreed should be demonstrated, and which the community can expect to be demonstrated, when they are carrying out their roles and functions.

Customer Service Charter

Council is required under the *Local Government Act 1993* to review its Customer Service Charter every two (2) years.

This policy has been developed to comply with Section 339F of the *Local Government Act 1993* which requires a Council to adopt a Customer Service Charter

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Complaints Management Policy and Procedures

This policy supports the Customer Service Charter which details to customers Council's customer service standards and the complaints process from a customer's perspective.

Councillor Allowances, Entitlements and Expenses

This policy has been developed in line with legislative provisions for the payment of allowances, entitlements and expenses to councillors.

The policy is to ensure that councillors are reimbursed for reasonable expenses legitimately incurred in performing the role of councillor and to clarify the nature of councillor allowances and entitlements.

Malbina Lawn Cemetery

This policy was developed to enable the Malbina Lawn Cemetery to be maintained in an efficient manner, and in doing so, striking a balance between cost imperatives and allowing sufficient flexibility to accommodate individual preferences relating to the placement of tributes.

Community Recognition

The purpose of this policy is to guide Council when considering the recognition of individuals or organisations for community service.

Copies of the above policies are included in the *Attachments Documents*. The Deputy General Manager will coordinate the review process with the provision of administrative support and guidance.

Consultations That Have Taken Place

(a) The Community

The policies were previously developed with public input.

(b) Experts

Nil

(c) Stakeholders

Nil

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Proposed Community Consultation, Public Relations and Media Issues

Public comment will be sought with the review of the policies.

Budget/Financial Issues

Nil

Policy Implications

The policies are due for review either by legislative requirement or it is timely to do so. Following the review process the policies will be put before Council for consideration and adoption.

Decision

Decision: 6/2012

Date: 19/1/2012

File: 126

Moved: Cr Bester

Seconded: Cr Graham

That a committee consisting of councillors Bester, Shoobridge, Nicholson and Evans and the Deputy General Manager be established to review the following policies of Council:

Councillor Code of Conduct

Customer Service Charter

Complaints Management Policy and Procedures

Councillor Allowances, Entitlements and Expenses

Malbina Lawn Cemetery

Community Recognition

CARRIED

Record of Voting

• Cr Evans	For	• Cr Nicholson	For
• Cr Lathey	For	• Cr Lester	For
• Cr Graham	For	• Cr Shoobridge	For
		• Cr Bester	For

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

**10.6 NOMINATION OF MUNICIPAL EMERGENCY MANAGEMENT
COORDINATOR AND DEPUTY MUNICIPAL EMERGENCY
MANAGEMENT COORDINATOR**

Report To: Council
Author: General Manager
Qualified Officer: General Manager

Introduction and Purpose

A letter has been received from the Regional Manager, South of the State Emergency Service asking Council to re-nominate a Municipal Emergency Management Coordinator (Municipal Coordinator) and Deputy Municipal Emergency Management (Deputy Municipal Coordinator) for the Derwent Valley municipality. The nominations are to comply with the provisions of the Emergency Management Act 2006.

Strategic Plan

En1 To manage, and, where required, protect the municipality's natural environment and resources.

Discussion

In 2002, the Minister for Police and Public Safety appointed the Deputy General Manager, Robert McCrossen as Municipal Coordinator. The appointment was renewed for a further three year period in 2007. In accordance with the Emergency Management Act 2006, Council must re-nominate a Municipal Coordinator and Deputy Municipal Coordinator.

The following is a position function for the Municipal Emergency Management Co-ordinator:

Functions and powers of Municipal Coordinators

A Municipal Coordinator has the following functions in respect of the municipal area for which he or she is the Municipal Coordinator:

- (a) to assist and advise the Municipal Chairperson and the relevant council on all matters with respect to emergency management in the municipal area or combined area;

Derwent Valley Council
Council Meeting Minutes
19 January 2012

- (b) if the Regional Controller requires it, to assist and advise the Regional Controller on matters with respect to emergency management in the municipal area;
- (c) prior to, during or subsequent to the occurrence of an emergency in the municipal area, to ensure that –
 - (i) the resources of the relevant council are coordinated and used as required in accordance with the Municipal Emergency Management Plan; and
 - (ii) his or her instructions and decisions and the instructions and decisions of the Municipal Committee, Municipal Chairperson and Regional Controller are transmitted to, and adequately carried out by, the bodies and other persons to whom they are directed or relate;
- (d) to consider whether any powers or declarations under this Act need to be used or made for the purposes of emergency management in respect of an emergency in the municipal area and, if so, to advise the Regional Controller of that need;
- (e) if the Municipal Coordinator considers that resources of another municipal area are necessary to make better provision for emergency management in the municipal area, to request those resources;
- (f) to assist the Unit Managers of the municipal volunteer SES units with the supply and coordination of equipment and facilities provided by the council and the maintenance of such equipment and facilities;
- (g) other functions in respect of emergency management imposed by the Regional Committee or the Regional Controller;
- (h) other functions imposed by this or any other Act;
- (i) prescribed functions.

A Municipal Coordinator has the following powers:

- (a) to utilise the resources of the municipal volunteer SES units in support of statutory services for emergency purposes within the municipal area;
- (b) to advise the council and councillors in the municipal area in respect of the facilities required for effective operation of the municipal volunteer SES units;
- (c) powers determined by the Regional Controller by notice provided to the Municipal Coordinator;
- (d) prescribed powers;
- (e) the power to do all other things necessary or convenient to perform his or her functions.

As mentioned, Mr McCrossen has been the appointed Municipal Coordinator since 2002 and has gained vast experience in emergency management. His continuation in the role is supported.

Council has not in the past nominated a Deputy Municipal Coordinator however the Emergency Management Act 2006 requires an appointment for this role.

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Role of the Deputy Municipal Coordinator:

The Deputy Municipal Coordinator for a municipal area may act in the office of Municipal Coordinator if –

- (a) the Municipal Coordinator is absent from Tasmania or from duty as Municipal Coordinator; or
- (b) the Municipal Coordinator is otherwise unable to perform the functions of the office of Municipal Emergency Management Coordinator; or
- (c) the Municipal Coordinator has died, resigned or been removed from office and a new Municipal Coordinator has not been appointed.

While the Deputy Municipal Coordinator is acting in the office of Municipal Emergency Management Coordinator, he or she is taken to be the Municipal Coordinator

Mr David Bradford, Council's Environmental Health Officer (EHO) has expressed an interest in being appointed to the role of Deputy Municipal Coordinator. Mr Bradford has an understanding of emergency management procedures and of a council's role and responsibilities in rebuilding communities following an emergency event. His appointment to this role is supported.

Consultations That Have Taken Place

(a) The Community

Not applicable

(b) Experts

Council's corporate management team supports the nomination of the Deputy General Manager and Environmental Health Officer as Municipal Coordinator and Deputy Municipal Coordinator.

(c) Stakeholders

State Emergency Service and Minister for Police and Emergency Services.

Proposed Community Consultation, Public Relations and Media Issues

Nil

Budget/Financial Issues

This is the continuation of an existing responsibility and function of Council.

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Policy Implications

The roles are statutory positions appointed under the Emergency Management Act 2006.

Decision

Decision: 7/2012

Date: 19/01/12

File: 619

Moved: Cr Shoobridge

Seconded: Cr Lathey

- 1 That Council nominates Mr Robert McCrossen as its Municipal Emergency Management Coordinator (Municipal Coordinator) and Mr David Bradford as its Deputy Municipal Emergency Management Coordinator (Deputy Municipal Coordinator).
- 2 That the appointments be for a three (3) year period.

CARRIED

Record of Voting

• Cr Evans	For	• Cr Nicholson	For
• Cr Lathey	For	• Cr Lester	For
• Cr Graham	For	• Cr Shoobridge	For
		• Cr Bester	For

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

10.7 FRIENDS OF FRESCATI COMMUNITY GARDEN SPECIAL COMMITTEE

Report To: Council

Author: General Manager

Qualified Officer: General Manager

Introduction and Purpose

The purpose of this report is to obtain approval from Council to extend the membership of the Friends of Frescati Community Garden Special Committee.

Strategic Plan

- S1 To make our people feel worthwhile by building greater self-reliance and self worth in our community.*
- S2 To recognise the worth of all people, regardless of age, gender and race in providing opportunities to be part of a vibrant community.*
- En1 To manage and, where required, protect the municipality's natural environment and resources.*
- En4 To support and encourage landcare-type activities.*

Discussion

There has been much debate on the issue of being able to cover volunteers who wish to help this committee when they have working bees. After much debate it was agreed that the best option would be to extend the membership of the Committee.

To this end the committee has again provide a list of names of a people who have shown a willingness to volunteer on the Willow Court Site with Friends of Frescati Community Garden. These are as follows:

1. Jann Wakefield
2. William Triffitt

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

The *Local Government Act 1993* states as follows in regard to Special Committees of Council:

- 24 (1) a council may establish, on such terms and for such purposes as it thinks fit, special committees
- 24 (2) a special committee consists of such persons appointed by the council as the council thinks appropriate.
- 24 (3) the council is to determine the procedures relating to meetings of a special committee.

When approval was granted by Council for the establishment of this special committee the following clause was included in the terms of reference.

1. Membership

- The Executive Committee will comprise: the President, the Secretary, the treasurer and the Council Representative.
- The AGM of the Group will be held at a date to be set each year by the committee.
- A list of members is to be submitted to Council for approval and for insurance purposes on an Annual basis.

Although the last dot point states that “a list of members is to be submitted to Council for approval and for insurance purposes on an annual basis” I do not think this would preclude Council from approving an increase in the membership for this volunteer group.

Consultations That Have Taken Place

(a) The Community

Not Applicable

(b) Experts

Not Applicable

(c) Stakeholders

Friends of Frescati Community Garden Special Committee

Proposed Community Consultation, Public Relations and Media Issues

Not Applicable

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Budget/Financial Issues

Council does not have a budget allocation

Policy Implications

Council has a policy for the operation of special committees and this will be amended to include the Friends of Frescati Community Garden Special Committee.

1. Jann Wakefield
2. William Triffitt

Decision

Decision: 8/2012
Date: 19/1/2012
File: 210.3

Moved: Cr Graham
Seconded: Cr Lester

That Council approve the appointment of the following on the Friends of Frescati Community Garden Special Committee:

1. Jann Wakefield
2. William Triffitt

CARRIED

Record of Voting			
• Cr Evans	For	• Cr Nicholson	For
• Cr Lathey	For	• Cr Lester	For
• Cr Graham	For	• Cr Shoobridge	For
		• Cr Bester	For

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

11 COUNCILLOR QUESTIONS WITH NOTICE

Date: 19/1/2012

File: 199

12 COUNCILLOR QUESTIONS WITHOUT NOTICE

Date: 19/1/2012

File: 200

Cr Shoobridge	<p>Is there any information on Land Use Planning training for Councillors?</p> <p><i>The Mayor advised that he would let Councillors know as soon as he received information. He would enquire with the Local Government Association of Tasmania.</i></p>
Cr Bester	<p>Mr Mayor, I was in the minority last year when this Council rejected a proposal for a men's shed and women's shed to be established at the former business enterprise centre. At what meeting did this Council subsequently decide it would support a community shed being established at the same location?</p> <p><i>The Mayor advised that he would have to check this.</i></p> <p>Mr Mayor, I was once again in the minority last year when this Council rejected a proposal to have aged pensioners living at the former business enterprise centre. Did I miss the Council meeting where it was decided to have backpackers living there?</p> <p><i>The Mayor advised that there was no decision of Council and approval had been made by Council staff.</i></p> <p>Mr Mayor, why have you not seen fit to brief Councillors on the accommodating of fruit pickers at the Council's education park?</p> <p><i>The Mayor advised that he had spoken to some growers about accommodation shortage. He did not consult with councillors as he saw it more relevant to provide the needed accommodation.</i></p>

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

Cr Bester	<p>Mr Mayor, do you believe it is appropriate for this Council to go into business in opposition to accommodation providers?</p> <p><i>The Mayor advised that the demand for the accommodation was greater than what was available.</i></p> <p>Mr Mayor, at last month's meeting I requested an update of the Willow Court financials. This was done within days and I received my copy in the first mail after Christmas. Would you please thank the Accountant for his prompt attention to this matter?</p> <p><i>The Mayor thanked the accountant Mr Bradley for his promptness.</i></p> <p>Mr Mayor, will you provide an update on your search for a tunnel beneath Burnett St?</p> <p><i>The Mayor provided Councillors with an update on his research into the tunnels.</i></p>
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13 LEAVE OF ABSENCE

Date: 19/1/2012

File: 196

Nil

**Derwent Valley Council
Council Meeting Minutes
19 January 2012**

14 CLOSED COUNCIL MEETING

Decision: 9/2012

Date: 19/1/2012

File: 196

Moved: Cr Shoobridge

Seconded: Cr Lester

That pursuant to the Local Government (Meeting Procedures) Regulations 2005, the meeting be closed to the public in order to discuss the following:

- 1.1 DERWENT VALLEY COUNCIL - TREE REMOVAL – NORTH CIRCLE CEMETERY, SECOND AVENUE, NEW NORFOLK
- 1.2 WILLOW COURT ROADS
- 1.3 WILLOW COURT SECURITY FENCING
- 1.4 INSTALLATION OF SECURITY FENCE BETWEEN THE WILLOW COURT BARRACKS AND THE ADMINISTRATION BUILDING

CARRIED

Record of Voting			
• Cr Evans	For	• Cr Nicholson	For
• Cr Lathey	For	• Cr Lester	For
• Cr Graham	For	• Cr Shoobridge	For
		• Cr Bester	Against

15 CLOSE

There being no further business the meeting was declared closed at 9.50pm.