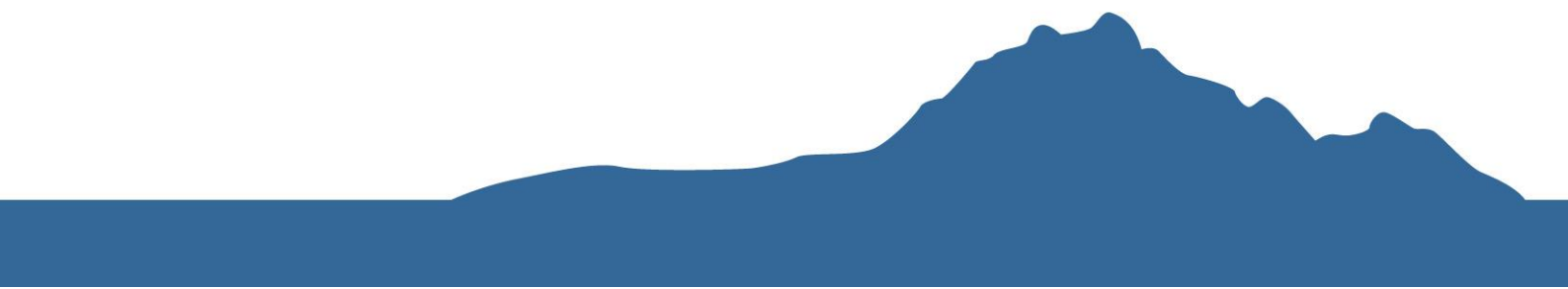




Agenda  
Ordinary Council Meeting  
21<sup>st</sup> January 2016



## CERTIFICATION

"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

1. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation, and;
2. Where any advice is given directly to Council by a person who does not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Note: S65(1) of the *Local Government Act 1993* requires the General Manager to ensure that any advice, information or recommendation given to the Council (or a Council Committee) is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. S65(2) forbids Council from deciding any matter which requires the advice of a qualified person without considering that advice."

Dated this 15<sup>th</sup> day of January 2016.



Raoul Harper  
**GENERAL MANAGER**

## FLINDERS COUNCIL ORDINARY MEETING

### AGENDA

**DATE:** Thursday 21<sup>st</sup> January 2016  
**VENUE:** Furneaux Arts and Entertainment Centre, Whitemark  
**COMMENCING:** 1.00 pm

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#### PRESENT

Mayor Carol Cox  
Deputy Mayor Marc Cobham  
Cr Chris Rhodes  
Cr Peter Rhodes  
Cr Ken Stockton  
Cr David Williams  
Cr Gerald Willis

#### APOLOGIES

Nil

#### STAFF IN ATTENDANCE

Raoul Harper - General Manager  
Loz Moraitis - Service Coordinator  
Sophie Pitchford - Corporate Services Manager  
Jacci Viney - Development Services Coordinator  
Vicki Warden - Executive Officer

#### CONFIRMATION OF MINUTES

That the Minutes from the Ordinary Council Meeting held on the 17<sup>th</sup> December 2016 be confirmed.

#### PUBLIC QUESTION TIME

*In accordance with Section 31 (1) of the Local Government (Meeting Procedures) Regulations 2015 and the Flinders Council Policy the following procedures be adhered to at public question time:-*

*It is the policy of the Flinders Council to allow a 'Question Time' at Ordinary Council Meetings, during which members of the public may ask questions of the Council relating to Flinders Council matters.*

*The basis on which questions may be asked is:*

- 1. All questions will be addressed through the Chair (being the Mayor in normal circumstances) who will answer them as she/he sees fit. Under no circumstances will members of the gallery be permitted to address or*

*question either elected members or officers of the Council. The Chair may delegate answers to the appropriate Councillor or staff member if appropriate.*

- 2. Persons addressing the Chair must pay the respect due to that office. Failure to do so may mean their address is terminated without notice.*
- 3. Where the answer cannot be provided immediately, it will be provided in writing within 14 days and tabled at the following Ordinary Council Meeting.*
- 4. All questioners are encouraged to register their intent to question with the General Manager before the meeting. Preference will be given to those who have so registered.*
- 5. Question time shall not extend longer than 30 minutes and may be divided into two 15 minute sessions.*
- 6. The actual timing of the session(s) is to be immediately after the opening of the meeting and advertised with the notice of meeting.*

#### **LATE AGENDA ITEMS**

Nil

#### **DECLARATION OF PECUNIARY INTEREST**

*In accordance with Part 2 Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.*

*Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.*

#### **LEAVE OF ABSENCE**

Nil

#### **PETITIONS**

Nil

#### **WORKSHOPS & INFORMATION FORUMS**

No workshops were held during the reporting period.

#### **PUBLIC MEETINGS**

Nil

#### **COUNCILLOR'S QUESTIONS ON NOTICE**

Nil

#### **COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

*Regulation 29 of the Local Government (Meeting Procedures) Regulations 2015 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question. The Chairperson must not permit any debate of a Question without Notice or its answer.*

#### **PUBLICATIONS/REPORTS TABLED FOR COUNCIL INFORMATION**

Nil

#### **REPORTS TO BE RECEIVED**

No reports were received during the reporting period.

#### **COUNCILLORS' REPORTS**

No Councillor reports were received during the reporting period.

## MAYOR'S REPORT:

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Mayor C Cox
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	Nil

## REPORT:

### APPOINTMENTS:

11.12.15	Big Band –Croon night
13.12.15	Big Band afternoon at RSL & Sports Club
15.12.15	Met with Furneaux Freight (at Bridport)
15.12.15	TNT Champions of Tourism awards night
16.12.15	Met with the Hon Michael Ferguson MP
16.12.15	Flinders Island District High School (FIDHS)End of Year Assembly
17.12.15	Met with the Hon Michelle O'Byrne MP and the Federal Candidate for Bass Ross Hart
17.12.15	Council Meeting
18.12.15	Music Students end of year recital
18.12.15	Council Christmas Party
20.12.15	Community Christmas Carols
04.01.16	Met with G Smith & B Meagher re Fishermen lost at Sea Memorial and rubbish bins on the wharf
09.01.16	Emita Sports

### Furneaux Freight

I visited the Furneaux Freight depot in Bridport. Furneaux Freight has provided a terrific service to the Island in supporting farmers to move livestock off the Island quickly and efficiently as market destinations allowed. The continuing dry weather has prompted a very much increased movement of livestock and I wish to recognise and thank Furneaux Freight for providing the many extra sailings enabling the farmers to reduce on-farm livestock numbers. Discussion was held over a range of topics including the Council's freezer/chiller containers, the application of the Tasmanian Freight Equalisation Scheme and how it applies to livestock shipped in containers versus livestock shipped on the hoof.

### Croon

What a great experience and enjoyable weekend. Thank you to all who brought this magical entertainment to Flinders and the Community that supported it. \$5,000 donated to the Royal Flying Doctor Service as well is an absolutely amazing feat, confirming the generosity of this small community.

### **TNT Champions of Tourism Award**

I congratulate the Tourism and Business industry members on Flinders for their commitment and service to island visitors. The Furneaux Group is strongly reliant on tourism as its second economic driver behind agriculture and to have the quality of service and enthusiasm of our local participants in the industry recognised on a regional level is exciting. In this growing industry we have many strong and valuable contributors promoting Flinders and providing visitors with positive experiences in a friendly and welcoming manner. To have two award recipients over three categories just proves the quality of our growing industry. Congratulations Jo Youl (Most Dynamic Newbie) and Annie Wilkens (Best Northern Welcome and Personality of the Year) - you do the Island proud.

### **FIDHS End of Year Assembly**

What an entertaining evening. Thank you to the students, teachers and support staff for showing us how talented you all are. Congratulations to all students who received awards and to the majority who did not. The best rewards come in knowing that you have participated in learning to your best ability.

### **TasPorts**

Council received a complaint about the removal of rubbish bins from the Wharf at Lady Barron, after which I raised the issue with the local TasPorts staff. Brendan will be contacting Council about his thoughts on how the provision of rubbish bins can be improved for users, whilst reducing the issues that prompted the removal.

The memorial to "Fishermen Lost at Sea" which was removed during the port upgrade is being reinstated in the landscaped area just north of the freight pickup shed.

### **Community Christmas Carols**

Thank you to the all who made this event happen, giving this small community a chance to come together and celebrate the spirit of Christmas.

### **Emita Sports Day**

Congratulations to the volunteers who last weekend put on one of the best Emita Sports Days I can remember! The Sports Ground was so packed that people needed to park on the roadside - something a long term resident and attendee had not recalled happening before. The Games were a highlight with many local and visiting families combining in enjoying the fun.

### **Community**

In this report I have recognised the input of individuals and groups, and without taking away from their contributions to island activities, there are so many more community members and businesses who support and give to community events and activities and I would like to thank each and every one of you. May

2016 be a year that we can look back on with pride, having confronted our challenges, supported our friends and found joy in the simple things in life of which the islands abound.

#### CORRESPONDENCE IN:

DATE	WHO	SUBJECT
11.12.15	Australian Local Government Association (ALGA)	ALGA news 11 December 2015
11.12.15	J Hamilton, UTAS	Presentation on Isolated Power Systems Forum, King Island – uploaded to UTAS website
11.12.15	Minister for Planning & Local Government	<i>Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme) Act 2015</i> passed. Draft State Planning Provisions available for planning authorities to comment by late January 2016, prior to public consultation planned for February 2016
14.12.15	S McDonald, nbn	nbn Broadband Satellite Data Boost – Media release
14.12.15	Commander Brett Smith	Invite to Christmas Morning tea 22/12 (apology sent)
14.12.15	ALGA	National State of the Assets, Roads and Community Infrastructure Report 2015
14.12.15	P Dakin, Department of Premier and Cabinet (DPaC)	Christmas drinks with M Ferguson MP
15.12.15	K Stephenson, Local Government Association of Tasmania (LGAT)	LGAT submission to State Budget process
15.12.15	G Palmer, LGAT	Expression of Interest for Professional Development – Governance Essential for Local Government – The role of the Council & Councillor
16.12.15	R Carrick, Bendigo Bank	Financial return in relation to community investment in local bank
16.12.15	TasWater	New TasWater Board appointed – Media Release
16.12.15	J O'Dell	Weeds of Flinders Island 2013
18.12.15	D Lovegrove	Submission to Council Policy change
18.12.15	Minister for Planning & Local Government	Auditor General's report tabled and Council's consistently returning an underlying deficit and remuneration related disclosure requirements
22.12.15	Northern Tasmania Development	Elected members update
22.12.15	Minister for Education & Training	Re Online Access Centres



22.12.15	TasWater	Funding for Water & Sewerage Upgrades
22.12.15	Tourism Tasmania	End of Year Message
23.12.15	Minister for Education & Training	Thank you for continued work, support & commitment and highlights of 2015
23.12.15	Department of Communication & the Arts	Local Council participation in the Mobile Blackspot Program
23.12.15	Hydro Tasmania	Flinders Hub Project Community Update
23.12.15	TasWater	Water & Sewerage Upgrade funding
23.12.15	F Madigan, LGAT	LGAT General Meeting – request for discussion topics
23.12.15	Minister for Planning and Local Government	Draft State Planning Provisions
23.12.15	Mental Health and Alcohol Drug Directorate	National Ice Action Strategy
23.12.15	Community Member	Dogs roaming Whitemark
23.12.15	Deputy Premier	Online Access Centres clarification of changes
07.01.16	Keep Australia Beautiful	Sustainable Communities Tasmania; Newsletter 2015
07.01.16	Satellite Television & Radio Australia Pty Ltd	New television channels, Council's with re-transmission sites may need to upgrade
08.01.16	National Australia Day Council	Citizen of the Year Awards – consider nominations for 2017
08.01.16	TasWater	Declaration of Stage 1 Water Restriction
11.01.16	Brighton Council	Use of Poker Machines in Tasmania
11.01.16	Department of Communication & the Arts	Acknowledgement of Mobile Blackspot Nomination
12.01.15	Premier, Will Hodgman	Invitation to the Premier's Australia Day Address 2016
12.01.15	Tasmanian Young Achiever Awards	Nominate now
13.01.15	K Stephenson, LGAT	LGAT Breakfast forums
13.01.15	CEO, Rural Alive & Well	A New Year for Rural Alive & Well
13.01.15	A Nikolic MP	Stronger Communities Program – Round 2 Expressions of Interest
13.01.15	Auditor General	Determination of Audit Fees for Year Ending June 2016
13.01.15	Acting Secretary, Department of State Growth	Tasmanian Government & Telstra free wifi hotspots in Tasmania

**CORRESPONDENCE OUT:**

<b>DATE</b>	<b>WHO</b>	<b>SUBJECT</b>
21.12.15	G Smith, TasPorts	Rubbish bins at Lady Barron wharf
10.01.16	Governor of Tasmania's office	Confirmation of Council support for 2016 visit
11.01.16	R Carrick, Bendigo Bank	Response to email
11.01.16	Flinders Island Community Noticeboard II	Notice of Mobile Blackspot Funding and need to nominate local blackspots
11.01.16	Department of Communication & the Arts	Blackspot nomination form completed
11.01.16	Community member	Dogs roaming in Whitemark
12.01.06	Order of Australia	Response to information request (CONFIDENTIAL)
13.01.16	Flinders Island Community Noticeboard II	Temporary removal of port-a-loo from Killiecrankie foreshore

**VOTING REQUIREMENTS:**

Simple Majority

**RECOMMENDATION:**

That the Mayor's report be received.

**DECISION:**

## OPERATIONAL BUSINESS OF COUNCIL

### A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

**Item A1:** Development Application Report  
**File No:** DSV/0300  
*Annexure 1:* *Planner's Information Report – December 2015*

### B. CORPORATE SERVICES

**Item B1:** Investment Policy  
**File No:** FIN/0501, ADM/0900  
*Annexure 2:* *Investment Policy*

**Item B2:** Code of Tender and Contracts Policy  
**File No:** WOR/0300, ADM/0900  
*Annexure 3:* *Code of Tender and Contracts Policy*

### C. GOVERNANCE

**Item C1:** Local Government Association of Tasmania Policy Suite Stage 1  
– Operational Behavioral Policies  
**File No:** ADM/0900  
*Annexure 4:* *Policies to rescind*  
*Annexure 5:* *LGAT Policies and Procedures*

**Item C2:** Council Policy Manual Policy  
**File No:** ADM/0600  
*Annexure 6:* *Submission – D Lovegrove*  
*Annexure 7:* *REVISED DRAFT Council Policy Manual Policy*

**Item C3:** Tasmanian Economic Regulator's Customer Consultative  
Committee - Representation  
**File No:** CSV/1403  
*Annexure 8:* *Letter from Tasmanian Economic Regulator 23<sup>rd</sup> December  
2015*

**Item C4:** Council's 2<sup>nd</sup> Quarterly Report  
**File No:** COU/0600  
*Annexure 9:* *Council's 2<sup>nd</sup> Quarterly Report (October – December 2015)*

**Item C5:** Councillor Resolution Report  
**File No:** GOV/0300  
*Annexure 10:* *Councillor Resolution Report December 2016*

**Meeting Closed**

## A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

### Item A1: Development Application Report

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Development Services Coordinator
<b>FILE REFERENCE</b>	DSV/0300
<b>ASSOCIATED PAPERS</b>	<i>Annexure 1: Planner's Information Report - December 2015</i>

#### **INTRODUCTION:**

The purpose of this report is to provide Councillors with an update of the applications which have been dealt with by the Planning Department for the month of October as per the Council motion 249.09.2015, passed at the 24<sup>th</sup> September 2015 Council Meeting.

Council has requested that the planning consultancy service (West Tamar Council) provide this detail to Council on a monthly basis.

#### **PREVIOUS COUNCIL CONSIDERATION:**

Some items may have been considered at meetings of Council while the remainder have been approved under delegation by the General Manager.

#### **OFFICER'S REPORT:**

Refer to Annexure 1 - Planner's Information Report - December 2016, provided by West Tamar Council.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **OFFICER'S RECOMMENDATION:**

That Council receives the Development Applications Report for December 2015.

#### **DECISION:**

## B. CORPORATE SERVICES

### Item B1: Investment Policy

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Sophie Pitchford, Corporate Services Manager
<b>FILE REFERENCE</b>	FIN/0501, ADM/0900
<b>ASSOCIATED PAPERS</b>	<i>Annexure 2: Investment Policy</i>

#### **INTRODUCTION:**

Council's Policy Manual is an important document of Council as it provides direction to Staff, Management and Councillors. Many of the policies are required by, or relate to, legislation and in most instances help manage Council's exposure to risk.

#### **PREVIOUS COUNCIL CONSIDERATION:**

21 <sup>st</sup> May 2009	170.05.09
18 <sup>th</sup> December 2014	952.12.2014
Councillor Workshops	10 <sup>th</sup> September and 11 <sup>th</sup> November 2015
24 <sup>th</sup> November 2015	314.11.2015

#### **OFFICER'S REPORT:**

The Investment Policy has been reviewed and updated to reflect changes in legislation and work practices.

The key short-coming identified in the Investment Policy was the inability to consider all asset classes. Asset allocation and diversification are central to the goal of achieving superior long-term, risk-weighted returns. The simple reason for this is that markets do not remain constant and certain asset classes will perform better than others, depending on the prevailing market conditions. The ability to strategically and tactically move from one asset class to another is critical to maintaining the appropriate balance between risk management and investment returns.

The revised Investment Policy will allow Council to invest uncommitted funds in an 'all-weather' portfolio; one that can deliver a smooth return in most market conditions and through various market cycles.

Council resolved to adopt the Investment Policy at the November 2015 Ordinary Meeting of Council and allowed it to lay on the table for 28 days for public comment. No submissions were received during the public consultation period.

**STATUTORY REQUIREMENT:**

*Trustee Amendment (Investment Powers) Act 1997*

**POLICY/STRATEGIC IMPLICATIONS:**

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.9 Maintain Council's Policy Manual and Instrument of Delegation.

**RISK/LIABILITY:**

Adoption of this policy and ensuring that Management, Staff and Councillors are aware of and follow this policy will help to reduce Council's exposure to risk in this area.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council adopts the Investment Policy.

**DECISION:**

**Item B2: Code of Tender and Contracts Policy**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Sophie Pitchford, Corporate Services Manager
<b>FILE REFERENCE</b>	WOR/0300, ADM/0900
<b>ASSOCIATED PAPERS</b>	<i>Annexure 3: Code of Tender and Contracts Policy</i>

**INTRODUCTION:**

Council's Policy Manual is an important document of Council as it provides direction to Staff, Management and Councillors. Many of the policies are required by, or relate to, legislation and in most instances help manage Council's exposure to risk.

**PREVIOUS COUNCIL CONSIDERATION:**

16<sup>th</sup> July 2009                      263.07.09  
Councillor Workshop      10<sup>th</sup> September, 8<sup>th</sup> October and 11<sup>th</sup> November 2015  
24<sup>th</sup> November 2015      312.11.2015

**OFFICER'S REPORT:**

The Code of Tender and Contracts Policy has been reviewed and updated to reflect changes in legislation and work practices for Councillors' consideration.

The code aims to achieve the purchasing principles of:

- *open and effective competition;*
- *value for money;*
- *enhancement of the capabilities of local business and industry; and*
- *ethical behaviour and fair dealing.*

Council resolved to adopt the Code of Tender and Contracts Policy at the November 2015 Ordinary Meeting of Council and allowed it to lay on the table for 28 days for public comment. No submissions were received during the public consultation period.

**STATUTORY REQUIREMENT:**

*Local Government Act 1993*  
Local Government (General) Regulations 2015

**POLICY/STRATEGIC IMPLICATIONS:**

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

#### 4.3.9 Maintain Council's Policy Manual and Instrument of Delegation.

**RISK/LIABILITY:**

Adoption of this policy and ensuring that Management, Staff and Councillors are aware of and follow this policy will help to reduce Council's exposure to risk in this area.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council adopts the Code of Tender and Contracts Policy.

**DECISION:**



## C. GOVERNANCE

### Item C1: Local Government Association of Tasmania Policy Suite Stage 1 – Operational Behavioral Policies

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Lauren Moraitis, Services Coordinator
<b>FILE REFERENCE</b>	GOV/0300
<b>ASSOCIATED PAPERS</b>	<i>Annexure 4: Policies to rescind</i> <i>Annexure 5: LGAT Policies and procedures</i>

#### **INTRODUCTION:**

The Local Government Association of Tasmania (LGAT) has engaged legal experts to provide a suite of best practice policies and procedures for Tasmanian Councils. One of the aims and benefits of developing and adopting the policy suite is to support consistent and best practice policies across local Tasmanian Councils.

#### **PREVIOUS COUNCIL CONSIDERATION:**

24<sup>th</sup> November 2015      31.11.2015

#### **OFFICER'S REPORT:**

Councils have a legal duty to take all reasonable steps to provide a safe workplace including one that is free from bullying, discrimination, harassment, victimisation and other inappropriate workplace behaviour. LGAT promotes workplace practices that treat all persons with dignity, courtesy and respect, and all policies and procedures have been developed based on current case law and regulations.

The aim of the LGAT Policy Suite is to assist Councils with:

- a) continuous compliance with their legal obligations arising out of workplace behaviours;
- b) best practices for understanding and applying expected standards of workplace behaviour in a constantly changing environment; and
- c) effectively dealing with expected standards of workplace behaviours.

Some of the benefits of adopting the LGAT Policy Suite are that the Policy Suite:

- a) has been prepared to ensure that Council complies with legal requirements;
- b) provides very clear instructions for employees so that they can fully understand their obligations as an employee of Council;
- c) provides for a system of review so that we can continually update the suite in accordance with issues we identify or best practice;

- d) is set out in the same way using the same definitions so that once we get used to using this format they will be easy to use; and
- e) it is currently adopted by Hobart City Council and Northern Midlands Council and likely to be adopted across the State by other Councils and will therefore become industry standard and best practice.

Council resolved to rescind 12 policies and adopt the Local Government Association of Tasmania Policy Suite – Stage 1 of 12 policies and procedures at the November 2015 Ordinary Meeting of Council. These were allowed to lay on the table for 28 days for public comment. No submissions were received during the public consultation period.

#### **STATUTORY REQUIREMENT:**

All laws in connection with the carrying out of work or the Workplace including:

- *Age Discrimination Act 2004*(Cth)
- *Anti-Discrimination Act 1998*(TAS)
- *Australian Human Rights Commission Act 1986*(Cth)
- *Disability Discrimination Act 1992*(Cth)
- *Fair Work Act 2009*(Cth)
- *Local Government Act 1993*(TAS)
- *Racial Discrimination Act 1975*(Cth)
- *Sex Discrimination Act 1984*(Cth)
- *Work Health & Safety Act 2012*(TAS)
- *Workers Rehabilitation & Compensation Act 1988*(TAS)

#### **POLICY/STRATEGIC IMPLICATIONS:**

4. Strategic, Efficient and Effective Organisation – Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.9 Maintain Council’s Policy Manual and Instrument of Delegation.

4.4 Drive continuous improvement through a focus on customer service, community engagement, efficient systems and processes, innovation, capacity building and workforce development.

4.4.4 Compliance with the requirements of the Work Health and Safety Act 2012. A safe working environment where staff, volunteers and contractors understand safety issues, are supported and take individual responsibility for safety.

#### **BUDGET AND FINANCIAL IMPLICATIONS:**

Nil

#### **RISK/LIABILITY:**

High

The *Workplace Health and Safety Act 2012* now enforces workplaces to show due diligence for workers and others who should be given the highest level of protection against harm to their health, safety and welfare from hazards and risks arising from work, as is **reasonably practicable**. The LGAT Policy Suite has been developed based on current laws and regulations, and case law to ensure that Councils comply with legal requirements.

All reasonable steps must be taken to ensure that policies and procedures are kept up to date with current legislative requirements, reviewed on a regular basis and implemented to employees with sufficient training provided. If this requirement is not met, Council is left exposed to vicarious liability and the possibility of being sued.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **OFFICER'S RECOMMENDATION:**

1. That Flinders Council rescinds the following existing Council Behavioral Policies:

- a) W2 Personal Protective Equipment Policy;
- b) W5 Smoke Free Environment Policy;
- c) W6 Staff – Sun Protection Policy;
- d) W7 Workplace Health and Safety Policy;
- e) HR8 Equal Employment Opportunity Policy;
- f) HR5 Employee Personal Development Appraisal Policy;
- g) HR12 Staff Development Policy;
- h) HR1 Antidiscrimination, Harassment and Bullying Policy;
- i) HR11 Staff Code of Conduct Policy;
- j) HR3 Disciplinary Policy;
- k) W3 Rehabilitation Policy; and
- l) HR2 Computer and Telephone Usage Policy.

That Council adopts the following Local Government Association of Tasmania Policy Suite – Stage 1 – Operational Behavioral Policies:

- a) Code of Conduct;
- b) Performance Management Policy;
- c) Performance Management Procedure;
- d) Fitness for Work Policy;
- e) Fitness for Work Procedure;
- f) Discipline Policy;
- g) Discipline Procedure;
- h) Communication Policy;
- i) Work Health and Safety Policy;
- j) Issues Resolution Policy;
- k) Issues Resolution Procedure; and

l) Workplace Behaviour Policy.

**DECISION:**

## Item C2: Council Policy Manual Policy

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	ADM/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 6: Submission – D Lovegrove Annexure 7: REVISED DRAFT Council Policy Manual Policy</i>

### **INTRODUCTION:**

Council's Policy Manual is an important document of Council as it provides direction to Staff, Management and Councillors. Many of the policies are required by, or relate to, legislation and in most instances help manage Council's exposure to risk.

### **PREVIOUS COUNCIL CONSIDERATION:**

14 <sup>th</sup> June 1994	123.06.94
13 <sup>th</sup> December 2001	301.12.01
23 <sup>rd</sup> September 2010	281.09.10
15 <sup>th</sup> November 2012	342.11.12
24 <sup>th</sup> November 2015	317.11.2015

### **OFFICER'S REPORT:**

The Council Policy Manual Policy, last reviewed in November 2012, has been reviewed by staff and a revised policy was presented for Council consideration in November 2015.

The main revision to the policy is the removal of the requirement for policies that have been considered at ordinary meetings of Council to be advertised in the Island News, to lay on the table for a period of not less than 28 days for public comment and then to be subsequently reconsidered by Council. This requirement results in a substantial amount of additional work for staff and Councillors and cost to Council, the value of which is questionable when considering that in the past four years only one submission has been received on a policy during the public consultation period.

Council resolved to adopt the Council Policy Manual Policy at the November 2015 Ordinary Meeting of Council and allowed it to lay on the table for 28 days for public comment. One submission was received during the public consultation period (Annexure 6) requesting that Council maintain a process by which community members can continue to have input into Council policies.

By advertising in Island News and on Council's website that a proposed change to a policy will be printed in the upcoming Council Meeting Agenda and that

community members can direct their comments on the proposed changes to the Mayor, Councillors or General Manager, community consideration and input into policy changes or development can be maintained and the efficiencies sought still delivered.

A further recommended change is to bring the Policy Manual review period in line with the new four-year election cycle.

The additional proposed changes have been highlighted in the revised draft Council Policy Manual Policy (Annexure 7) for Council consideration.

**STATUTORY REQUIREMENT:**

*Local Government Act 1993*

Local Government (General) Regulations 2015

**POLICY/STRATEGIC IMPLICATIONS:**

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.3 Ensure Council meets its statutory obligations and manages corporate and community risk.

4.3.9 Maintain Council's Policy Manual and Instrument of Delegation.

**RISK/LIABILITY:**

The changes proposed to the policy will not expose Council to added risk or liability. Revising processes that do not add value supports staff and Councillors to be more productive which in turn allows tasks and actions to be completed more efficiently.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That Council adopts the Council Policy Manual Policy.

**DECISION:**

**Item C3: Tasmanian Economic Regulator's Customer Consultative Committee - Representation**

<b>ACTION</b>	<b>Decision</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	CSV/1403
<b>ASSOCIATED PAPERS</b>	<i>Annexure 8: Letter from Tasmanian Economic Regulator 23<sup>rd</sup> December 2015</i>

**INTRODUCTION:**

Flinders Council has been a member organisation of the Tasmanian Economic Regulator's Customer Consultative Committee (the OCCC) since the 1<sup>st</sup> of May 2007. The Office of the Tasmanian Energy Regulator has requested advice as to whether Council wishes to seek reappointment to the OCCC for a further three years and if so who will be Council's representative.

**PREVIOUS COUNCIL CONSIDERATION:**

10<sup>th</sup> March 2005

22<sup>nd</sup> April 2010      108.04.10

**OFFICER'S REPORT:**

The Tasmanian Economic Regulator's Customer Consultative Committee plays an important part in the regulatory frameworks for electricity, natural gas and the water and sewerage sectors and provides advice to the regulator on issues that are important to customers from the perspective of the member organisations.

Flinders Council is a current member organisation of the Tasmanian Economic Regulator's Customer Consultative Committee, with appointment for a 3 year period until 30 April 2016. The Office of the Tasmanian Energy Regulator seeks advice as to whether Flinders Council would like to continue to have representation on the OCCC for the next three years.

The Treasurer and/or the Minister are responsible for appointing organisations to serve as members of the OCCC under the *Electricity Supply Industry Act 1995*, the *Water and Sewerage Industry Act 2008* and/or the *Gas Act 2000*. Once member organisation's intentions are known, ministerial appointment will be sought.

The Council is responsible for nominating the specific person to represent the organisation at the committee meetings. The General Manager has been the nominated person to date and is willing to continue in such a role if required.

**STATUTORY REQUIREMENT:**

Nil

**POLICY/STRATEGIC IMPLICATIONS:**

4. Strategic, Efficient and Effective Organisation - Responding to risks and opportunities.

4.1 Remain actively engaged with internal and external stakeholders providing regional leadership.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Travel expenses to attend meetings in Hobart.

**RISK/LIABILITY:**

Low

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

1. That Council seeks re-appointment as a member organisation of the Tasmanian Economic Regulator's Customer Consultative Committee (the OCCC) for a period of three years.
2. Council confirms the General Manager as its representative on the Tasmanian Economic Regulator's Customer Consultative Committee for a period of three years.

**DECISION:**



Item C4: Council's 2<sup>nd</sup> Quarterly Report

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 9: Council's 2<sup>nd</sup> Quarterly Report (October - December 2015)</i>

**INTRODUCTION:**

The purpose of this report is to provide Councillors with an update of the various actions taken by the whole of Council for the second quarter of the financial year.

**PREVIOUS COUNCIL CONSIDERATION:**

Previously provided as a departmental monthly report then departmental quarterly reports.

**OFFICER'S REPORT:**

Please read Annexure 9 – Council's 2<sup>nd</sup> Quarterly Report (October - December 2015).

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Council's 2<sup>nd</sup> Quarterly Report (October - December 2015) be received and accepted by Council.

**DECISION:**

**Item C5: Councillor Resolution Report**

<b>ACTION</b>	<b>Information</b>
<b>PROPONENT</b>	Council Officer
<b>OFFICER</b>	Raoul Harper, General Manager
<b>FILE REFERENCE</b>	COU/0600
<b>ASSOCIATED PAPERS</b>	<i>Annexure 10: Councillor Resolution Report January 2016</i>

**INTRODUCTION:**

This report identifies the actions taken and actual costs associated with implementing resolutions passed by elected members up to January 2016.

**PREVIOUS COUNCIL CONSIDERATION:**

The report is presented on a monthly basis.

**OFFICER'S REPORT:**

Please read Annexure 10 – Councillor Resolution Report January 2016.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER'S RECOMMENDATION:**

That the Councillor Resolution Report January 2016 be noted.

**DECISION:**

**Meeting Closed**