



Confirmed Minutes
Ordinary Council Meeting
21st January 2016



FLINDERS COUNCIL ORDINARY MEETING

CONFIRMED MINUTES

DATE: Thursday 21st January 2016
VENUE: Furneaux Arts and Entertainment Centre, Whitemark
COMMENCING: 1.00 pm

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 | 1.00 – 2.10pm |
| Lauren Moraitis | - Service Coordinator | 1.00 – 1.15pm |
| Sophie Pitchford | - Corporate Services Manager | 1.00 – 2.10pm |
| Jacci Viney | - Development Services Coordinator | 1.00 – 1.08pm |
| Vicki Warden | - Executive Officer | 1.00 – 2.10pm |

CONFIRMATION OF MINUTES

01.01.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr K Stockton
That the Minutes from the Ordinary Council Meeting held on the 17th December 2015 be confirmed.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

PUBLIC QUESTION TIME

Question 1: Deputy Mayor M Cobham on behalf of Bill LaGrue

What measures are being taken or proposed to resolve dog management issues in the Whitemark area? Despite this issue being raised on numerous occasions, nothing has changed.

Mayor's Response:

Bill has been advised that if he witnesses an infringement, to report it to staff immediately as dogs have to be caught in the act for anything to be done. During the first quarter of this financial year, a number of dog infringements were issued.

Question 2: Deputy Mayor M Cobham on behalf of John Holloway

Can the issue of the Badger Corner boat launching facility be included in the upcoming budget deliberations for 2016-2017? The existing facility is deteriorating and is used by a considerable number of boat users.

Mayor's Response:

The facility in question is not a Council asset. It can be included in the upcoming budget deliberations but there is no guarantee that any action will be taken.

Question 3: Deputy Mayor M Cobham on behalf of John Holloway

At the upcoming budget discussions for 2016 – 2017, can serious consideration be given to implementing a more equitable imposition of waste management fees? i.e. Commercial users with large amounts of waste don't pay a proportionally larger fee, whilst residents who own more than one property, even if it is vacant land (not able to be combined for rating purposes) pay for each title although the vacant land generates no waste.

Mayor's Response:

Waste management fees will be discussed during budget deliberations.

Question 4: Deputy Mayor M Cobham on behalf of John Holloway

Whilst the new waste transfer station at Lady Barron is a good initiative, there are considerable limitations regarding its use. Can Council review the site and address the following issues?

- More education needed to inform/educate the general public
- Larger vehicle turning circle – not enough room when more than one vehicle on site
- Not enough skip bins, especially during peak season times.

Mayor's Response:

An education process for the Lady Barron Transfer Station is under development. The other points raised were taken on notice.

LATE AGENDA ITEMS

Nil

DECLARATION OF PECUNIARY INTEREST

Nil

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

Question 1: Mayor Carol Cox

It was once a practice of the Council to require land within town areas to be cleaned up for the summer - reminders and then abatement notices. I have been asked why this process isn't still undertaken given that there are still titles that need cleaning up in areas like Killiecrankie and Lady Barron?

General Manager's Response:

The question was taken on notice.

Question 2: Deputy Mayor Marc Cobham

Several people have raised the issue of the need for more skip bins at the Whitemark Tip during peak season times i.e. December / January as they are being used a lot and not emptied enough. Can more waste skips be left at the Whitemark Tip during holiday time?

Mayor's Response:

The question was taken on notice.

Note: Waste management is on the 4th February Councillor Workshop agenda for discussion.

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:

| | |
|--------------------------|--------------------|
| ACTION | Information |
| PROPONENT | Mayor C Cox |
| FILE REFERENCE | COU/0600 |
| ASSOCIATED PAPERS | 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 |

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| 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 Wi-Fi hotspots in Tasmania |

CORRESPONDENCE OUT:

| DATE | WHO | SUBJECT |
|-------------|------------------------|--|
| 21.12.15 | G Smith, TasPorts | Rubbish bins at Lady Barron wharf |
| 10.01.16 | Governor of Tasmania's | Confirmation of Council support for 2016 visit |

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| | office | |
| 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:

02.01.2016 Moved: Cr G Willis **Seconded:** Cr P Rhodes

That the Mayor's report be received.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

A. DEVELOPMENT SERVICES AND PLANNING APPLICATIONS

Item A1: Development Application Report

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|--------------------------|---|
| ACTION | Information |
| PROPONENT | Council Officer |
| OFFICER | Development Services Coordinator |
| FILE REFERENCE | DSV/0300 |
| ASSOCIATED PAPERS | <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 received by the Planning Department for the month of October as per the Council motion 249.09.2015, passed at the 24th 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:

03.01.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr K Stockton
That Council receives the Development Applications Report for December 2015.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

B. CORPORATE SERVICES

Item B1: Investment Policy

| | |
|--------------------------|--|
| ACTION | Decision |
| PROPONENT | Council Officer |
| OFFICER | Sophie Pitchford, Corporate Services Manager |
| FILE REFERENCE | FIN/0501, ADM/0900 |
| ASSOCIATED PAPERS | <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 st May 2009 | 170.05.09 |
| 18 th December 2014 | 952.12.2014 |
| Councillor Workshops | 10 th September and 11 th November 2015 |
| 24 th 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:

04.01.2016 Moved: Cr D Williams **Seconded:** Deputy Mayor M Cobham
That Council adopts the Investment Policy as tabled at the Council Meeting and dated 21st January 2016.

CARRIED (6-1)

For: Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Against: Mayor Carol Cox

Item B2: Code of Tender and Contracts Policy

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|--------------------------|--|
| ACTION | Decision |
| PROPONENT | Council Officer |
| OFFICER | Sophie Pitchford, Corporate Services Manager |
| FILE REFERENCE | WOR/0300, ADM/0900 |
| ASSOCIATED PAPERS | <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:

16th July 2009 263.07.09
Councillor Workshop 10th September, 8th October and 11th November 2015
24th 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:

05.01.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr K Stockton
That Council adopts the Code of Tender and Contracts Policy as tabled at the Council Meeting and dated 21st January 2016.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

C. GOVERNANCE

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

| | |
|--------------------------|---|
| ACTION | Decision |
| PROPONENT | Council Officer |
| OFFICER | Lauren Moraitis, Services Coordinator |
| FILE REFERENCE | GOV/0300 |
| ASSOCIATED PAPERS | <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:

24th 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.

2. 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:

06.01.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr D Williams

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.

2. 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.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Item C2: Council Policy Manual Policy

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|--------------------------|--|
| ACTION | Decision |
| PROPONENT | Council Officer |
| OFFICER | Raoul Harper, General Manager |
| FILE REFERENCE | ADM/0600 |
| ASSOCIATED PAPERS | <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 th June 1994 | 123.06.94 |
| 13 th December 2001 | 301.12.01 |
| 23 rd September 2010 | 281.09.10 |
| 15 th November 2012 | 342.11.12 |
| 24 th 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:

07.01.2016 Moved: Cr G Willis Seconded: Cr P Rhodes

That Council discusses the item under Section 22 (9) of the Local Government (Meeting Procedures).

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

08.01.2016 Moved: Cr G Willis **Seconded:** Deputy Mayor M Cobham
That Council adopts the Council Policy Manual Policy as tabled at the Council Meeting and dated 21st January 2016.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Note: The Mayor will respond in writing to the proponent to inform her of Council's decision.

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

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

INTRODUCTION:

Flinders Council has been a member organisation of the Tasmanian Economic Regulator's Customer Consultative Committee (the OCCC) since the 1st 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:

10th March 2005

22nd 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:

09.01.2016 Moved: Cr P Rhodes **Seconded:** Cr D Williams

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.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

10.01.2016 Moved: Cr G Willis **Seconded:** Cr K Stockton

Council confirms Cr Peter Rhodes as its representative on the Tasmanian Economic Regulator's Customer Consultative Committee for a period of three years.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Item C4: Council's 2nd Quarterly Report

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

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

DECISION:

11.01.2016 Moved: Deputy Mayor M Cobham **Seconded:** Cr P Rhodes
That the Council's 2nd Quarterly Report (October - December 2015) be received and accepted by Council.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Item C5: Councillor Resolution Report

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|--------------------------|---|
| ACTION | Information |
| PROPONENT | Council Officer |
| OFFICER | Raoul Harper, General Manager |
| FILE REFERENCE | COU/0600 |
| ASSOCIATED PAPERS | <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:

12.01.2016 Moved: Cr G Willis **Seconded:** Cr D Williams

That the Councillor Resolution Report January 2016 be noted.

CARRIED UNANIMOUSLY (7-0)

For: Mayor Carol Cox, Deputy Mayor Marc Cobham, Cr Chris Rhodes, Cr Peter Rhodes, Cr Ken Stockton, Cr David Williams and Cr Gerald Willis.

Meeting Closed 2.10pm