



**GLADSTONE**  
REGIONAL COUNCIL

## **GENERAL MEETING AGENDA**

**TO BE HELD AT THE COUNCIL CHAMBERS - CIVIC CENTRE  
101 GOONDOON STREET, GLADSTONE**

**On 2 July 2019**

**Commencing at 9.00am**

**Mark Holmes  
ACTING CHIEF EXECUTIVE OFFICER**

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## **G/1. MAYORAL STATEMENT OF CURRENT ISSUES**

Nil.

## **G/2. CONFIRMATION OF MINUTES**

### **G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 18 JUNE 2019**

**Responsible Officer: Chief Executive Officer**

**Council Meeting Date: 2 July 2019**

**File Ref: CM7.2**

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#### **Purpose:**

Confirmation of the minutes of the General Meeting held on 18 June 2019.

#### **Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 18 June 2019 be confirmed.

#### **Attachments:**

1. Minutes of the General Meeting of Council held on 18 June 2019.

#### **Tabled Items:**

Nil.

**Report Prepared by:** Executive Secretary

## **G/3. OFFICERS' REPORTS**

### **G/3.1. OFFICER'S REPORTS**

#### **G/3.1.1. REVIEW OF RELATED PARTY DISCLOSURE POLICY**

**Responsible Officer:** General Manager Finance Governance and Risk

**Council Meeting Date:** 2 July 2019

**File Ref:** CM28.2

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#### **Purpose:**

To consider a revised Related Party Disclosure Policy for adoption.

#### **Officer's Recommendation:**

That Council:

1. Repeal P-2016-19 Related Party Disclosure Policy as attachment 1;
2. Adopt P-2019-21 Related Party Disclosure Policy as attachment 2.

#### **Background:**

From 2016/17, local governments in Queensland are required to disclose related party relationships, transactions and outstanding balances, including commitments, in their annual financial statements. A new accounting standard was introduced AASB124 *Related Party Disclosures* which governs these requirements. It is not required under the *Local Government Act 2009* that a Related Party Disclosure Policy be adopted by Local Governments however Gladstone Regional Council adopted a policy in 2016 that is now due for review and consideration.

#### **Consideration:**

Whether to adopt a policy, and its content, is completely at Council's discretion.

Related parties for most Councils are likely to include controlled entities, the Mayor, Councillors, chief executive officers (CEO), general managers, their close family members and any entities that they control or jointly control. When the requirements were first introduced at Gladstone Regional Council, the positions of Manager Contracts and Manager Procurement (now Manager Contracts and Procurement) were also considered due to their oversight responsibilities associated with Council's contracting and procurement activities. In the Policy, elected members and the positions mentioned above, are termed as Key Management Personnel (KMP).

#### **Option 1 – Endorse the Revised Draft Policy as Tabled**

This option would result in replacing the existing policy with the proposed revised policy as attached.

The proposed revision to the policy has been to align it with strategic principles and to address matters that Council needs to make decisions on (i.e. decide which positions are included as

KMP). The revised draft also offers more information to the public in relation to access to related party information and the responsibilities of KMP is more clearly stated.

#### Option 2 – Endorse the Revised Draft Policy with Amendments

This option would result in replacing the existing policy with the proposed revised policy as attached, subject to any amendments requested to be made.

#### Option 3 – Repeal and not replace the Related Party Disclosure Policy

This option would result in Gladstone Regional Council not adopting a policy for Related Party Disclosures. However, as it is not a legislative requirement to have a Related Party Disclosure Policy, Council could simply rely on educating its Councillors and staff on the requirements of the accounting standard via other means.

The risks of not having a policy include:

- The requirements of the accounting standard could ‘fall through the cracks’ resulting in Council not meeting its annual reporting requirements in relation to Related Parties
- Council could be less transparent and accountable from a public perception perspective
- There is no shared understanding from a Gladstone Regional Council perspective on which positions make up Key Management Personnel
- Council KMP and staff responsible for monitoring, reporting and disclosing Related Party relationships have no corporate guidance on their responsibilities on Related Parties.

The opportunity is having one less policy to review and maintain on a regular basis.

#### **Communication and Consultation (Internal/External):**

Internally with the Executive Team and the following officers:

- Statutory Accountant
- Team Leader Financial Operations
- Ethics Integrity and Audit Specialist

#### **Legal Environmental and Policy Implications:**

There is no legal or environmental requirement to maintain a policy for Related Party Disclosures. Adoption of a revised policy will replace the existing policy for requirements to follow however this is considered minimal as the policy streamlines the existing policy principles and clarifies KMP’s based on new position titles within the organisation.

#### **Financial and Resource Implications:**

There is no financial impact of the policy.

#### **Commentary:**

Nil.

#### **Summary:**

The original Policy drafted in 2016 is quite extensive and reproduces much of the content in the Australian Standard and in the documents produced by the Department of Local Government to assist in educating people on the requirements. Whilst this approach may have been useful at the initial introduction of the requirements, it is suggested that the Policy be condensed into a single strategic level policy which sets Council’s position in relation to policy responsibilities, reporting and

access given that there are alternative avenues for training and educating Councillors and staff on the specifics of the standard's requirements.

**Anticipated Resolution Completion Date:**

Within one month of resolution.

**Attachments:**

1. Current P-2016-19 Related Party Disclosure Policy
2. Proposed P-2019-21 Related Party Disclosure Policy
3. P-2019-21 Related Party Disclosure Policy – tracked changes

**Tabled Items:**

Nil.

**Report Prepared by:** Manager Governance.

## **G/3.1.2. REPEAL OF DISCIPLINARY POLICY**

**Responsible Officer: General Manager Finance, Governance and Risk**

**Council Meeting Date: 2 July 2019**

**File Ref: CM28.1**

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### **Purpose:**

For Council to consider repealing P-2014-4 Disciplinary Policy.

### **Officer's Recommendation:**

That Council repeal P-2014-4 Disciplinary Policy.

### **Background:**

A comprehensive review of People and Culture policies is occurring in line with Council's Corporate Plan Strategic Goal 3: Our people, Our Values and Strategic Goal 4: Ethical and Responsible Government. As part of this review, consideration was given to documents in the current suite that were superfluous due to current legislation.

The current Disciplinary Policy is due for review and upon review, has been recommended to be repealed.

### **Consideration:**

#### Option 1 – Council repeal P-2014-4 Disciplinary Policy

It is recommended to repeal P-2014-04 Disciplinary Policy as all legislative power regarding disciplinary action is conferred on the Chief Executive Officer (CEO). It is not considered appropriate for Council to determine the policy position on disciplinary matters when legislation clearly articulates this is the responsibility of the CEO.

#### Option 2 – Council keep the Disciplinary Policy and review in line with review period.

If Council wish to continue with a Disciplinary Policy, direction would be sought as to the intent and principles for inclusion in the revised policy. An alternative resolution could be:

*That Council revise P-2014-4 Disciplinary Policy to include \_\_\_\_\_;*

### **Communication and Consultation (Internal/External):**

The proposal to repeal the Disciplinary Policy has been endorsed by the Executive Team.

### **Legal Environmental and Policy Implications:**

Legislation was reviewed regarding disciplinary action, with the main points outlined below.

In accordance with current legislation:

1. Section 278 of the *Local Government Regulation 2012* stipulates when and what type of disciplinary action a CEO may take;
2. Section 280 of the *Local Government Regulation 2012* stipulates the disciplinary outcomes;



3. Section 282 of the *Local Government Regulation 2012* stipulates the CEO can suspend an employee.

As the legislation outlines the types of disciplinary actions and outcomes, a Council endorsed Disciplinary Policy is considered of no purpose.

**Financial and Resource Implications:**

None of the options presented to Council will incur any additional costs for implementation.

**Commentary:**

A Disciplinary Action Corporate Standard has been developed and endorsed for implementation pending repeal of the Disciplinary Policy by Council. The development of this corporate standard has been undertaken collaboratively by the Governance Team and People Services Team with consultation undertaken with our people and their representatives.

**Summary:**

Nil.

**Anticipated Resolution Completion Date:**

Implemented within one month of resolution.

**Attachments:**

1. P-2014-4 Disciplinary Policy

**Tabled Items:**

Nil.

**Report Prepared by:** Policy Officer.

## **G/4. DEPUTATIONS**

### **G/4.1. DEPUTATIONS**

Nil.

## **G/5. COUNCILLORS REPORT**

Nil.

## **G/6. URGENT BUSINESS**

Nil.

## **G/7. NOTICE OF MOTION**

Nil.

## **G/8. CONFIDENTIAL ITEMS**

### **G/8.1. CONSIDERATION OF OPTIONS FOR CALLIOPE WASTE WATER TREATMENT PLANT EFFLUENT**

**Responsible Officer: General Manager Strategic Asset Performance**

**Council Meeting Date: 2 July 2019**

**File Ref: CP2.1**

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#### **Reason for Confidentiality:**

This report is **CONFIDENTIAL** in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

- (e) contracts proposed to be made by it.

## **G/8.2. PSA 169-19 TYRES AND ASSOCIATED SERVICES AWARD**

**Responsible Officer: General Manager Operations**

**Council Meeting Date: 2 July 2019**

**File Ref: PE1.19**

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### **Reason for Confidentiality:**

This report is **CONFIDENTIAL** in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

- (e) contracts proposed to be made by it.

## **G/8.3. RUSSELL BICKFORD CONSULTING - SOLE SUPPLIER**

**Responsible Officer: General Manager Operations**

**Council Meeting Date: 2 July 2019**

**File Ref: PE1.1**

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### **Reason for Confidentiality:**

This report is **CONFIDENTIAL** in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

(e) contracts proposed to be made by it.



**ATTACHMENTS**