



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING MINUTES

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

On 15 October 2019

Commencing at 9.00am

**Mark Holmes
ACTING CHIEF EXECUTIVE OFFICER**

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Elected Members

Councillor C A Trevor
Councillor G G Churchill
Councillor R A Hansen
Councillor P J Masters
Councillor D V O'Grady
Councillor P J Sobhanian

Officers

Mr M Holmes (Acting Chief Executive Officer)
Ms L Hendrick (Executive Assistant)
Mrs J Rossow
Mrs B Saunders

G/0.3.2. APOLOGIES AND LEAVE OF ABSENCE

That Council note apologies for Mayor Matt Burnett, Councillor Kahn Goodluck and Councillor Natalia Muszkat due to their attendance at the Local Government Association of Queensland Annual Conference in Cairns, QLD as previously approved.

G/0.3.3. MESSAGES OF CONDOLENCE

Nil.

G/0.3.4. DECLARATION OF INTERESTS

Nil.

G/1. MAYORAL STATEMENT OF CURRENT ISSUES

Nil.

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 1 OCTOBER 2019

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 1 October 2019.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 1 October 2019 be confirmed.

G/19 /3949 Council Resolution:

Moved Cr Sobhanian
Seconded Cr Churchill

That the Officer's Recommendation be adopted, with an amendment to page 3 of the Media Policy, to state 'recommended' instead of word 'encouraged' where minutes reflected 'are encouraged to' instead of 'must' in paragraph 2 of section 6.1.

CARRIED

G/3. OFFICERS' REPORTS

G/3.1. OFFICER'S REPORTS

G/3.1.1. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDING 25 SEPTEMBER 2019

File Ref: FM15.1

Purpose:

This report seeks Council adoption of the Monthly Financial Statements for the 2019-20 year to date, for the period ended 25 September 2019.

Officer's Recommendation:

That Council adopt the Monthly Financial Statements attached to this report for the 2019-20 year to date, for the period ended 25 September 2019 as required under Section 204 Local Government Regulation 2012.

G/19 /3950 Council Resolution:

Moved Cr Hansen
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

CARRIED

G/3.1.2. PROPOSED AMENDMENTS TO LOCAL LAWS - GATES & GRIDS

File Ref: LE3.1

Purpose:

The purpose of this report is to recommend Council to make changes to its local laws with respect to Gates and Grids following Council's resolution to change its position on Gates and Grids at the General Meeting held 21 May 2019.

Officer's Recommendation:

That Council resolves:

- a) to propose to make *Alteration or Improvement to Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019*;
- b) to propose to make *Carrying out Works on a Road or Interfering with a Road or its Operation (Amendment) Subordinate Local Law (No. 1) 2019*;
- c) to propose to make *Local Government Controlled Areas, Facilities and Roads (Amendment) Subordinate Local Law (No. 1) 2019*;
- d) to propose to make *Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019*.

G/19 /3951 Council Resolution:

Moved Cr Masters
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

CARRIED

G/3.1.3. REVISED UNIFORM AND PERSONAL PROTECTIVE EQUIPMENT POLICY

File Ref: CM28.2

Purpose:

This report presents a revised Uniform and Personal Protective Equipment (PPE) Policy for Council's consideration.

Officer's Recommendation:

That Council:

1. Repeal existing P-2015/25 Corporate Uniform Policy; and
2. Adopt revised P-2019-20 Uniform and Personal Protective Equipment Policy, **attached as Addendum 1.**

G/19 /3952 Council Resolution:

Moved Cr Masters
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

CARRIED

G/3.1.4. NEW BODY WORN CAMERA POLICY

File Ref: CM28.2

Purpose:

This report presents a proposed new Body Worn Camera Policy for Council's consideration.

Officer's Recommendation:

That Council adopt the proposed P-2019-25 Body Worn Camera Policy as tabled, **attached as Addendum 2.**

G/19 /3953 Council Resolution:

Moved Cr Churchill
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

CARRIED

G/4. DEPUTATIONS

Nil.

G/5. COUNCILLORS REPORT

Nil.

G/6. URGENT BUSINESS

AMENDMENT OF ANIMAL MICROCHIP FEE

File Ref: FM6.1

Purpose:

The purpose of this report is to seek an amendment to the fee listed in the 2019/2020 Register of Fees and Charges – Animal Microchip Program Fee from \$10.20 to \$10.00.

Officer's Recommendation:

That Council endorse the amendment of the 2019/2020 Register of Fees and Charges to reflect the Animal Microchip Program Fee as \$10.00.

G/19 /3954 Council Resolution:

Moved Cr O'Grady
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

CARRIED

G/7. NOTICE OF MOTION

File Ref: CM7.2

Purpose:

Present a Notice of Motion in support and acknowledgment of the Australian Baha'i community and celebration of the Bicentenary of the Bab.

Councillor's Recommendation:

That Council receive the motion in support and acknowledgment of the Australian Baha'i community and celebration of the Bicentenary of the Bab.

G/19 /3955 Council Resolution:

Moved Cr Sobhanian
Seconded Cr Trevor

That the Officer's Recommendation be adopted.

CARRIED

G/8. CONFIDENTIAL ITEMS

Nil.

There being no further business the Deputy Mayor formally closed the meeting.

THE MEETING CLOSED AT 10.17 am

CERTIFICATION

I hereby confirm that I have read the minutes and they are a true and correct record of the proceedings of the meeting.
I certify that these 23 pages form the official copy of Gladstone Regional Council General Meeting Minutes of the 15 October 2019.

.....
Deputy Mayor Chris Trevor

...../...../.....
Date

ATTACHMENTS

ADDENDUM 1



Gladstone Regional Council

Council Policy

Title	UNIFORM AND PPE
Policy Number	P-2019-20
Business Unit/s	PEOPLE, CULTURE AND SAFETY
Date of Adoption	
Resolution Number	
Review Date	
Date Repealed	

1.0 PURPOSE:

This policy establishes the strategic principles on the business's corporate uniform which aims to promote unity as one team, present a recognisable image to the community and protect our people whilst carrying out their duties.

2.0 SCOPE:

This policy applies to all people issued with a uniform and/or personal protective equipment.

3.0 RELATED LEGISLATION:

Local Government Act 2009
Local Government Regulations 2012
Work Health and Safety Act 2011
Work Health and Safety Regulation 2011

4.0 RELATED DOCUMENTS:

Uniform and PPE Corporate Standard
Personal Protective Equipment (PPE) Catalogue
Risk Assessment Form
Uniform Catalogue
Uniform Order Form

5.0 DEFINITIONS:

To assist in the interpretation of this policy the following definitions apply:

Uniform means an item of clothing that has been approved by the Chief Executive Officer to promote unity as one team and a recognisable image to the community.

Personal protective equipment (PPE) means an item of clothing or equipment designed to be worn by someone to protect them from the risk of injury or illness (i.e. hi-vis clothing, steel cap footwear, ear plugs, safety glasses, face shields, gloves, etc)

6.0 POLICY STATEMENT:

6.1 Wearing the Uniform and PPE at Gladstone Regional Council

A uniform forms part of the business's broader branding strategy and is an important element of our image. The uniform is also an important investment in the health and safety of our people as some clothing serves as PPE for those working in conditions where specific clothing or equipment reduces the risk of injury or illness.

Wearing the corporate uniform and PPE is compulsory at Gladstone Regional Council unless an exemption applies under Council's Corporate Standard. The clothing appropriate to the work environment and duties must be worn.

6.2 Uniform colours

Council has adopted the following colours for its uniform and PPE clothing items:

Item	Colour
Tops (excluding polo shirts)	<ul style="list-style-type: none"> • White • Navy blue • Black • Stone or Chambray (if duties include outdoor field work where high visibility PPE is not a requirement eg. Local Laws) • High-visibility colours for PPE as identified by a risk assessment
Polo Shirts	<ul style="list-style-type: none"> • Black • White • Blue
Dresses	<ul style="list-style-type: none"> • Black or charcoal
Skirts	<ul style="list-style-type: none"> • Black or charcoal
Pants	<ul style="list-style-type: none"> • Black or charcoal • Navy for PPE • Jeans for PPE • Other colours for PPE as identified by a risk assessment
Jackets, Vests cardigans and pullovers	<ul style="list-style-type: none"> • Black or charcoal • High-visibility colours as identified by a risk assessment

6.3 Uniform and PPE allocations

6.3.1 Employee allocations

Employees are entitled to one top + one bottom per day worked during a work week + one jacket, vest, cardigan or pullover allocation at the business's expense.

For example, an employee who works five days per week will be entitled to five tops + five bottoms + one jacket, vest, cardigan or pullover.

Additional allocations may be approved where employees are regularly required to work additional days in the week e.g. those employees who may be called out on weekends to perform urgent work or scheduled overtime. Alternatively, additional uniforms can be purchased and branded at the employee's expense.

Employees who work in a combination of environments or activities are entitled to obtain a combination of uniform and PPE items reflective of the proportion of time spent in the respective environments.

Other personal protective clothing and equipment will be allocated as determined by a risk assessment for the work to be performed such as hat, sunglasses, overalls, etc.

6.3.2 Other allocations

Councillors, volunteers and other representatives of the business may be issued with branded uniform item/s for purposes including but not limited to:

- assisting with a specific event where it is beneficial for the person to be easily identified as a business representative (i.e. volunteers at Ecofest, Friends of the Library, etc);
- students representing the region in any capacity;
- employees engaged in a representative capacity where casual attire is expected or is appropriate for wear;
- corporate attire for Councillors for representative and official duties; and
- venue specific uniform items for volunteers such as Friends of the Theatre.

6.3.3 Free-dress days

The Chief Executive Officer has discretion to nominate days when it is not compulsory to wear a uniform e.g. State of Origin, charity fundraising days. The wearing of PPE will remain compulsory on these days unless a risk assessment determines otherwise.

7.0 ATTACHMENTS:

Nil.

8.0 REVIEW MECHANISM:

This policy will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or the CEO; or
3. Three years from date of adoption.

TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	8 May 2008		Formerly Policy P-3.04.01
Amendment 1	20 May 2008		Formerly Policy P-3.04.01
Amendment 2	31 July 2008		Formerly Policy P-3.04.01

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Amendment 3	19 November 2013	G/13/1786	
Amendment 4	18 August 2015	G/15/2516	Formerly Policy P-2013/22
Amendment 5			Formerly Policy P-2015/25

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LEISA DOWLING
CHIEF EXECUTIVE OFFICER

DRAFT

ADDENDUM 2**Gladstone Regional Council****Council Policy**

Title	BODY WORN CAMERA
Policy Number	P-2019-25
Business Unit/s	FINANCE GOVERNANCE AND RISK CUSTOMER RELATIONS
Date of Adoption	
Resolution Number	
Review Date	
Date Repealed	

1.0 PURPOSE:

The purpose of this policy is to outline the principles relating to the use of body worn cameras (BWCs) and the management of the recorded data.

2.0 SCOPE:

This policy applies to all employees or other individuals engaged by Council who use or manage the operations of body worn cameras (BWCs) or other digital recording devices. This policy does not apply to the administration and operation of fixed CCTV systems.

3.0 RELATED LEGISLATION:

- *Information Privacy Act 2009 (QLD)*
- *Right to Information Act 2009 (QLD)*
- *Public Records Act 2002 (QLD)*
- *Invasion of Privacy Act 1971 (QLD)*
- *Local Government Act 2009 (QLD)*

4.0 RELATED DOCUMENTS:

- Code of Conduct Policy
- Records Management Policy
- Compliance and Enforcement Policy
- Compliance and Enforcement Investigation and Evidence Collection Corporate Standard
- GRC Factsheet – Use of Video and Listening Devices – Do's and Don't's
- Guideline Information Privacy Act 2009, Camera Surveillance and Privacy, Office of the Information Commissioner – accessed 30 August 2019
https://www.oic.qld.gov.au/_data/assets/pdf_file/0010/28099/guideline-camera-surveillance-and-privacy.pdf
- Prevention in Focus, Body worn cameras – their role in complaint resolution, November 2018, Crime and Corruption Commission Queensland – Accessed 30 August 2019
<http://www.ccc.qld.gov.au/research-and-publications>

GRC ECM Subject Index: File Reference:- CM28.1

- Queensland Government Website, Surveillance Records, accessed 2 September 2019, <https://www.forgov.qld.gov.au/surveillance-records>

5.0 DEFINITIONS:

To assist in interpretation of this policy the following definitions apply:

BWC means Body Worn Camera.

Incident means

- an engagement with a member of the public which in the opinion of the officer is, or may become, confrontational
- an officer being approached by a member of the public in a manner perceived as aggressive or threatening
- the officer is witnessing behaviour that they consider constitutes an offence as prescribed by Council's Local Laws or other applicable legislation
- any instance in which the officer feels they may be required to substantiate their actions or decisions, or manner of interaction with a member of the public in an investigation.

6.0 POLICY STATEMENT:

6.1 Principles

Council authorises the use of BWCs in circumstances where officers are responsible for engaging with individuals or entities for the purpose of compliance and enforcement activities. The use of these devices is intended to:

- Assist in the lawful collection of evidence for actual or suspected breaches of legislation, including Council local laws
- Maintain and improve community safety
- Mitigate identified risks to the health, safety and welfare of Council officers in the execution of their duties
- Provide a record of the interaction between an officer and a potential complainant in situations that may result in an allegation of inappropriate behaviour or other complaint
- Assist in the investigation of allegations of inappropriate conduct by officers
- Assist in circumstances where officers consider an interaction may develop into an Incident.

6.2 Responsibilities

6.2.1 Officers issued with a BWC

Responsibilities include:

- Only using the device whilst on duty.
- Ensuring that when a BWC is in use that it is positioned in a prominent location on the officer's body, uniform, or clothing, so that it can be seen by those individuals the officer is engaging with and worn in a manner that maximises the camera's ability to capture video footage and audio of the interaction and/or activity.

- Restrict recording to areas and persons necessary in order to obtain evidence and intelligence relevant to the duties or incident and attempt to minimise collateral intrusion to those not involved.
- At the Officers discretion, inform the individual (or group) that the BWC is switched on and recording. There may be occasions when informing an individual or group of recording activity may have potential to escalate the incident or put the officer in danger. In these circumstances, the information should not be provided, however, the officer may be required to justify the decision if asked to do so.
- Record uninterrupted prior to the start of an interaction or incident until the conclusion of the interaction or incident. The officer should continue recording for a short period after to clearly demonstrate that the matter has concluded. However, the nature of some interactions or incidents may make it necessary for the officer to consider the rationale for continuing to record throughout the entire period.
- At the Officers discretion, audio record only (no vision) where there is potential for the inside of an individual's home or motor vehicle to be captured to minimise the impacts on an individual's privacy.
- As far as practicable, ensure that children and minors aren't captured on video footage.
- Refrain from recording private conversations where the officer is not a party to the conversation.
- If questioned, confirm with the enquirer that they are subject to recording and be prepared to answer questions on the security of the data.
- Operating the device in accordance with training provided and ensuring the BWC is secure whilst in the officer's possession.
- Storing and managing the data collected in accordance with the business's requirements.
- Reporting the loss, damage or theft of a device.

6.2.2 Leaders

Responsibilities include:

- Ensuring those issued with BWCs are instructed on correct use, operation, storage of the device & data collected and the legal implications of using the BWC.
- Making arrangements for the secure storage of BWC devices when not in use.
- Ensuring that Officers secure the data collected in accordance with requirements.
- Authorising the release of BWC data to law enforcement agencies.
- Investigating the loss or theft of any BWC to minimise damage, especially in respect to the loss of any third party's personal information.

- Liaising with the Records team and Strategic Information, Communication and Technology regarding the storage, classification, retention and destruction of BWC data.

6.2.3 Records Team

Responsibilities include:

- Working with leaders in the storage, classification, retention and destruction of BWC data.
- Processing applications for access to BWC data under the *Information Privacy Act 2009* and *Right to Information Act 2009*.

6.3 Data Management

Any BWC data must not be deleted from the BWC by an officer in the field.

Any recordings which have been made must be downloaded from the BWC for storage in the approved business system as soon as practicable, and subsequently deleted from the relevant BWC.

All data will initially be classified as 'non-evidential' and stored for a period of 90 days, before being permanently deleted. In doing so the business reduces the personal information it holds and minimises the likelihood of misuse, unauthorised access, modification or disclosure.

If a recording is to be used as part of any internal or external investigation or it relates to the issue of any form of compliance document or penalty notice, the relevant recording will be retained in accordance with the Queensland State Archives Retention and Disposal Schedules and subsequently managed in accordance with Council's Records Management Policy.

BWC recordings will, upon request, be made accessible as soon as practicable to the Queensland Police Service and/or other law enforcement agencies, if it is deemed reasonably necessary for a law enforcement activity. In such circumstances, the relevant records will be retained for one year after the recording is sent to the relevant law enforcement agency.

Any member of the public who has been identified as being recorded by a BWC may request access to the recording. Where the person requesting the recording is the only person recorded, Council will release it administratively. Where there is more than one individual recorded, individuals may apply for the recording under the provisions of the *Information Privacy Act 2009* or *Right to Information Act 2009* to ensure that all parties rights to privacy are considered.

6.4 Approval to use BWCs

The following positions are authorised to approve the use of BWC devices:

- Chief Executive Officer
- General Managers
- Manager Governance

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- Manager Biosecurity and Environmental Health
- Manager Development Services
- Local Laws Team Leader.

7.0 ATTACHMENTS:

Nil

8.0 REVIEW MECHANISM:

This policy will be reviewed when any of the following occur:

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Amendment 2			
Amendment 3			

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LEISA DOWLING
CHIEF EXECUTIVE OFFICER