



GLADSTONE
REGIONAL COUNCIL

**GENERAL MEETING NOTICE
AND AGENDA**

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

On Tuesday 4 April 2023

Commencing at 9.00am

**Leisa Dowling
CHIEF EXECUTIVE OFFICER**

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G/1. MAYORAL STATEMENT OF CURRENT ISSUES

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 21 MARCH 2023

Responsible Officer: Chief Executive Officer

Council Meeting Date: 4 April 2023

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 21 March 2023.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 21 March 2023 be confirmed.

Attachments:

1. Minutes of the General Meeting of Council held on 21 March 2023

Tabled Items:

Nil

Report Prepared by: Executive Secretary

G/3. DEPUTATIONS

G/4. OFFICERS' REPORTS

G/4.1. REVIEW OF RECORDS MANAGEMENT POLICY

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 4 April 2023

File Ref: CM28.2

Purpose:

To propose the repeal of the Records Management Policy.

Officer's Recommendation:

That Council repeal P-2014/21 Records Management Policy noting it will be replaced by a Records Management Corporate Standard.

Background:

One of the deliverables of the Records Management Operational Plan initiative is the update of the Records Management Policy.

Options, Risk and Opportunity Analysis:

Option 1 – Repeal the Policy

Under the *Public Records Act 2002*, Council must make and keep full and accurate records of its activities. Further, Council must comply with any policy, standard, or guideline made by Queensland State Archives.

The existing policy is largely operational in nature setting out information such as the benefits of recordkeeping and employee responsibilities.

It is the officer's recommendation that the policy be repealed as a corporate standard would be more appropriate in this circumstance having considered the:

- legislative obligations of Council (including Councillors and officers);
- Records Governance Policy set by Queensland State Archives; and
- intent of the existing policy being operational.

The Executive Team have endorsed the approval of the proposed Records Management Corporate Standard (Attachment 2) subject to the repeal of the policy.

This option is in line with the journey the business is on to reduce and streamline our documents to improve accessibility and understanding by our people and the community.

Option 2 – Further Policy Review

Alternatively, Councillors may seek to retain a policy. If this is preferred, an alternative recommendation could be:

That a review be undertaken on the existing Records Management Policy to align it to Council's strategic position and set the governing principles.

Communication and Consultation:

Subject matter experts from the Governance and Risk Team have contributed to the development of the proposed corporate standard. Wider consultation within our business has also been undertaken and considered in the development of the proposed corporate standard.

Legal Strategy and Policy Implications:

A variety of legislation (including the *Public Records Act 2002* and the *Local Government Act 2009*) obligates Council to make and keep full and accurate records of its activities. There is no legislative requirement for Council to adopt a policy about recordkeeping rather Council must comply with any policy, standard, or guideline made by Queensland State Archives.

In 2022, the *Public Records Act 2002* (the Act) was independently reviewed with the State Government supporting or supporting in principle all 27 recommendations made in the independent panel report. Of these 27 recommendations, recommendations 21-23 are particularly relevant to Council:

- the definition of ‘public authority’ be amended to add local government councillors;
- a definition of ‘record of a councillor’ be added in the Dictionary to exclude a record related to a councillor’s personal or party political activities; and
- consequential changes be made to the Act including to add:
 - a definition for a record of a councillor be added in the Dictionary; and
 - a record of a councillor be added to the definition of a public record.

It is anticipated the State Government will introduce legislation to Parliament to amend the Act in 2023. Further information will be provided to Councillors as it becomes available.

Financial and Resource Implications:

It is anticipated that there will be no resource or financial implications as a result of the repeal of this policy.

Summary:

Nil

Anticipated Resolution Completion Date:

Within two (2) weeks of resolution.

Attachments:

1. Existing P-2014/21 Records Management Policy;
2. Proposed CS-2023-01 Records Management Corporate Standard; and
3. Summary of Proposed Changes – Proposed Records Management Corporate Standard.

Tabled Items:

Nil

Report Prepared by: Governance Business Partner

G/4.2. RPQS 59-21 ARBORICULTURE AND ASSOCIATED SERVICES - REFRESH

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 4 April 2023

File Ref: PE1.1

Purpose:

This report seeks resolution from Council to enter into contracts with additional suppliers under previously awarded Registers of Pre-Qualified Suppliers following refresh tender processes.

Officer's Recommendation:

That Council:

1. Endorse the Tender Evaluation Panel's recommendation and appoint the following Service Provider to RPQS 59-21 Arboriculture and Associated Services:
 - a. Boyne Island Property Services Pty Ltd.

and

2. Authorise the Chief Executive Officer to enter into the relevant contract with the above service provider.

Background:

On 16 March 2021, Council resolved to enter into a Register of Pre-Qualified Suppliers (RPQS) contract with Treescap Australasia Pty Ltd following an open market tender process conducted in November/December 2020. This contract commenced on 22 March 2021 for an initial period of two years with two 2-year options and a potential maximum expiry date of 21 March 2027.

Service providers appointed to this RPQS support Council's ad hoc arboriculture requirements consisting of (but not limited to):

- Tree pruning;
- Tree removal;
- Stump grinding;
- Severe weather response;
- Proactive street tree pruning;
- Vegetation clearing;
- Street tree planting;
- Tree root maintenance;
- Tree assessment and reporting;
- Soil treatment;
- Tree relocation;
- Coconut Palm De-nutting and other Palm Work; and
- Other specialist tree services.

These works are unplanned requirements, such as those resulting from projects, storms or additional servicing requirements prompted by growth, tree health or customer service requests.

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Following recent review of the contract performance by the Parks Program Delivery team in line with considering extension of the contract into the second 2-year term, it was determined that a refresh in accordance with the terms of the tender would be conducted to enhance Council's access to these services.

Options, Risk and Opportunity Analysis:

Council may refresh the register of pre-qualified suppliers at any time during the contract term by issuing a new Invitation to Tender based on the same evaluation criteria as this ITT, seeking offers from suppliers wishing to be added to the register. Suppliers already on the register are not required to resubmit.

On 14 January 2023, Council released an Invitation to Tender ('ITT') to the open market via VendorPanel, in accordance with the tender process requirements set out in section 228 of the Local Government Regulation 2012.

The tender closed on 14 February 2023 with one conforming submission received from Boyne Island Property Services Pty Ltd. The offer was evaluated by a panel of subject matter experts based on the same evaluation criteria as disclosed in the initial 2020 ITT which included:

Objective Evaluation Criteria	Weighting
Offer demonstrates understanding of the scope and GRC's requirements	20%
Proposed resourcing addresses all aspects of the scope and GRC's requirements	10%
Nominated past projects performed meet GRC's experience requirements	20%
Proposed Key Personnel have the qualifications and experience required by GRC	25%
Price	15%
Local Content	10%

*Please note, these criteria were set prior to adoption of the current Procurement Policy which requires 15% Local Content.

The submission from Boyne Island Property Services Pty Ltd was assessed by the panel as meeting Council's requirements.

Communication and Consultation:

N/A

Legal Strategy and Policy Implications:

Council sought offers via VendorPanel in accordance with the Local Government Regulation 2012, Local Government Act 2009 and Council's Procurement Policy P-2021-01.

Council's endorsement of this tender award is in accordance with the Register of Delegations - Exercise of Statutory Powers and Financial Delegation Register.

Financial and Resource Implications:

Appointment to an RPQS is based on a schedule of rates, it does not commit financial resources. Engagements with service providers under this arrangement will be exempt from tender or quote requirements in accordance with s232 of the Local Government Regulation 2012, however will be subject to the Sound Contracting Principles and Register of Delegations - Exercise of Statutory Powers and Financial Delegation Register.

Summary:

N/A

Anticipated Resolution Completion Date:

The contract will be awarded in April 2023.

Attachments:

1. CONFIDENTIAL RPQS 59-21 Offer Evaluation Report

Tabled Items:

Nil

Report Prepared by: Manager Contracts and Procurement

G/4.3. RPQS 83-21 TRADE SERVICES (BUILDING) - REFRESH

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 4 April 2023

File Ref: PE1.1

Purpose:

This report seeks resolution from Council to enter into contracts with additional suppliers under previously awarded Registers of Pre-Qualified Suppliers following refresh tender processes.

Officer's Recommendation:

That Council:

1. Endorse the Tender Evaluation Panel's recommendation and appoint the following Service Providers to RQPS 83-21 Trade Services (Building):
 - a. Harst Group Pty Ltd;
 - b. Loftus Contracting Pty Ltd;
 - c. RoadPak Industries Pty Ltd; and
 - d. Simmons Civil Pty Ltd.

and

2. Authorise the Chief Executive Officer to enter into the relevant contracts with the above service providers.

Background:

On 19 January 2021, Council resolved to enter into a Register of Pre-Qualified Suppliers (RPQS) contract with:

- Built Right Pty Ltd as Trustee for the Jasbell Trust trading as Wellsted Constructions;
- Youngs Building Contractors (Gladstone Pty Ltd);
- Brett Kurtz T/as Kurtz Plant Hire and Excavations;
- T&C Services Pty Ltd trading as Programmed Industrial Maintenance;
- Paul Marsmen trading as Priority Painters;
- FiXiT Computers Pty Ltd ATF Danchris Family Trust T/A Andersens Carpets – Gladstone; and
- Linked Constructions Pty Ltd.

Following an open market tender process conducted in September to November 2020. This contract commenced on 1 February 2021 for an initial period of 2 years with three 1-year options and a potential maximum expiry date of 31 January 2026.

Service providers appointed to this RPQS support Council's ad hoc repairs, maintenance and minor works as directed by GRC, examples of which include (but are not limited to):

- Building Works;
- Carpentry;
- General labour;
- Plastering; and
- Painting.

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Following recent review of the contract performance by the Operational Support Services team in line with considering extension of the contract into the second term, it was determined that a refresh in accordance with the terms of the tender would be conducted to enhance Council's access to these services.

Options, Risk and Opportunity Analysis:

Council may refresh the register of pre-qualified suppliers at any time during the contract term by issuing a new Invitation to Tender based on the same evaluation criteria as this ITT, seeking offers from suppliers wishing to be added to the register. Suppliers already on the register are not required to resubmit.

On 21 January 2023, Council released an Invitation to Tender ('ITT') to the open market via VendorPanel, in accordance with the tender process requirements set out in section 228 of the Local Government Regulation 2012.

The tender closed on 28 February 2023 with conforming submissions received from:

- Harst Group Pty Ltd;
- Loftus Contracting Pty Ltd;
- RoadPak Industries Pty Ltd; and
- Simmons Civil Pty Ltd.

The offers were evaluated by a panel of subject matter experts based on the same evaluation criteria as disclosed in the initial 2020 ITT which included:

Objective Evaluation Criteria	Weighting
Offer demonstrates understanding of the scope and GRC's requirements	10%
Proposed resourcing addresses all aspects of the scope and GRC's requirements	10%
Nominated trade references meet GRC's experience requirements	20%
Proposed Key Personnel have the qualifications and experience required by GRC	20%
Price	30%
Local Content	10%

*Please note, these criteria were set prior to adoption of the current Procurement Policy which requires 15% Local Content.

All submissions were assessed by the panel as meeting Council's requirements.

Communication and Consultation:

N/A

Legal Strategy and Policy Implications:

Council sought offers via VendorPanel in accordance with the Local Government Regulation 2012, Local Government Act 2009 and Council's Procurement Policy P-2021-01.

Council's endorsement of this tender award is in accordance with the Register of Delegations - Exercise of Statutory Powers and Financial Delegation Register.

Financial and Resource Implications:

Appointment to an RPQS is based on a schedule of rates, it does not commit financial resources. Engagements with service providers under this arrangement will be exempt from tender or quote requirements in accordance with s232 of the Local Government Regulation 2012, however will be subject to the Sound Contracting Principles and Register of Delegations - Exercise of Statutory Powers and Financial Delegation Register.

Summary:

N/A

Anticipated Resolution Completion Date:

The contracts will be awarded in April 2023.

Attachments:

1. CONFIDENTIAL RPQS 83-21 Offer Evaluation Report

Tabled Items:

Nil

Report Prepared by: Manager Contracts and Procurement

G/4.4. COUNCILLOR ATTENDANCE AT THE 2023 DEVELOPING NORTHERN AUSTRALIA CONFERENCE

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 4 April 2023

File Ref: CM6.1

Purpose:

To seek approval for Councillor Branthwaite's attendance at the 2023 Developing Northern Australia Conference

Officer's Recommendation:

That Council approve Councillor Darryl Branthwaite's attendance at the 2023 Developing Northern Australia Conference in Darwin, Northern Territory.

Background:

The Developing Northern Australia Conference focuses core issues, policies, solutions and outcomes for Northern Australia. Attendees typically include representatives from all levels of government, small business, large industry, research, investment, infrastructure and service delivery with a focus on working together for a stronger, healthier, more cohesive Northern Australia.

The 2023 Developing Northern Australia Conference is to be held on 24 – 26 July in Darwin, Northern Territory.

Options, Risk and Opportunity Analysis:

The proposed conference offers an opportunity for Council to enhance knowledge, learn about new practices, network with regional and interstate colleagues, and to represent the interests of and seek opportunities for the Gladstone Region.

It is the officer's recommendation that Council approve Councillor Darryl Branthwaite's attendance at the 2023 Developing Northern Australia Conference.

Council may choose to nominate additional councillors to attend the conference however the Officer's Recommendation is consistent with the 2022/23 Operating Budget as adopted by Council.

Council may also decide to nominate an alternate councillor or resolve that a councillor should not attend the Developing Northern Australia Conference on behalf of Council.

Communication and Consultation:

Councillors were initially consulted during the preparation of the 2022/23 Operating Budget. Councillor Branthwaite has expressed an interest in attending the conference and is available to attend on behalf of Council.

Legal Strategy and Policy Implications:

In accordance with Council’s *Councillor Expenses Reimbursement and Provision of Facilities Policy P-2021-18*, where a councillor seeks reimbursement for attendance at a conference that was held outside of Queensland, the attendance must be supported by a resolution of Council.

Section 6.1.2 of Council’s *Council Meetings Procedures Policy P-2020-19* provides that a leave of absence is automatically granted to a Councillor where Council passes a formal resolution for a Councillor to attend a conference or the Councillor is nominated to represent Council at another event.

Financial and Resource Implications:

The table below is a summary of the estimated costs associated with the proposed attendance which is within the 2022/23 Operating Budget.

Expense Item	Associated Cost
Registration	\$1,322
Flights	\$1,591
Accommodation	\$2,100
TOTAL	\$5,013

Summary:

N/A

Anticipated Resolution Completion Date:

26 July 2023

Attachments:

N/A

Tabled Items:

Nil

Report Prepared by: Manager Governance and Risk

G/5. COUNCILLORS REPORT

G/6. URGENT BUSINESS

G/7. NOTICE OF MOTION

G/8. CONFIDENTIAL ITEMS