



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING AGENDA

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

On 4 December 2018

Commencing at 9.00am

**Leisa Dowling
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 20 NOVEMBER 2018

Responsible Officer: Chief Executive Officer

Council Meeting Date: 4 December 2018

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 20 November 2018.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 20 November 2018 be confirmed.

Attachments:

1. Minutes of the General Meeting of Council held on 20 November 2018.

Tabled Items:

Nil.

Report Prepared by: Executive Assistant

G/3. OFFICERS' REPORTS

G/3.1. OFFICE OF THE CEO

G/3.1.1. AMENDMENT TO COUNCILLOR APPOINTMENTS TO EXTERNAL ORGANISATION BOARDS/COMMITTEE'S

Responsible Officer: Chief Executive Officer

Council Meeting Date: 4 December 2018

File Ref: CM7.2

Purpose:

The purpose of this report is to seek amendments to the existing Councillor appointments to the Gladstone Area Promotion & Development Ltd (GAPDL) board and the Regional Arts Development Fund (RADF) committee.

Officer's Recommendation:

That Council:

1. Note the resignation of Cr Goodluck from the board of Gladstone Area Promotion & Development Ltd;
2. Appoint Cr _____ to the board of Gladstone Area Promotion & Development Ltd;
3. Nominate Cr _____ as chair of the Regional Arts Development Fund Committee.

Background:

Council (as a body corporate constituted under the *Local Government Act 2009*) may appoint representatives to act on its behalf when invited to be represented on boards and committees. On 19 April 2016 (following the previous Local Government election), Council appointed a number of Councillors to various boards and committees. Following the resignation of former Councillor Bush in September 2018 and the notification of Councillor Goodluck resigning from the board of Gladstone Area Promotion & Development Ltd in August 2018, it is prudent for Council to consider new nominations to these vacant positions.

Consideration:

Regional Arts Development Fund

The Regional Arts Development Fund (RADF) is a Queensland Government and Gladstone Regional Council partnership to support development of local arts and culture. RADF invites public applications on an annual basis for interested people to join the committee and Council endorse the committee's recommendation for appointments. The chairperson position of the group has become vacant following the resignation of former Cr Bush in September 2018 and accordingly, Council is now asked to appoint a Councillor to replace Cindi Bush.

Gladstone Area Promotion & Development Ltd

Council is a member of Gladstone Area Promotion & Development Ltd (GAPDL) and also "contracts" with GAPDL to provide a number of prescribed economic development and tourism services. GAPDL's constitution prescribes that one (1) of its board members is to be appointed by Gladstone Regional Council. Councillor Goodluck was appointed by Council on 7 November 2017 (viz Resolution G//17/3220) but has notified of his resignation from GAPDL board on 21 August 2018. Accordingly, Council is now asked to appoint an alternate Councillor to replace Cr Goodluck on the board of GAPDL.

Communication and Consultation (Internal/External):

Mayor & Councillors
Chief Executive Officer
General Manager Finance, Governance & Risk

Legal Environmental and Policy Implications:

Council is entitled to be represented on a number of boards and committees by virtue of constitutions, funding arrangements and other agreements.

Whilst the general legal principle is that any person appointed to an organisation has a fiduciary duty to that organisation, it is also the case that Councillors should report back to Council on the activities of that organisation (within their legal boundaries). Ideally this is done in written form, however, verbal updates to colleagues have not been uncommon in the past.

Financial and Resource Implications:

Nil.

Commentary:

Nil.

Summary:

This report is provided to enact changes to the Councillor representatives on the RADF Committee and GAPDL Board.

Anticipated Completion Date:

Notifications to the RADF Committee and GAPDL of the new nominations can occur within two weeks of Council's resolution.

Attachments:

Nil.

Tabled Items:

Nil.

Report Prepared by: Manager Governance

G/3.2. STRATEGY AND TRANSFORMATION

Nil

G/3.3.STRATEGIC ASSET PERFORMANCE

Nil

G/3.4. OPERATIONS

Nil

G/3.5. COMMUNITY DEVELOPMENT AND EVENTS

G/3.5.1. FORMATION AND APPOINTMENTS - GLADSTONE REGIONAL COUNCIL RECONCILIATION ACTION PLAN (RAP) REFERENCE GROUP

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 4 December 2018

File Ref: CR3.2, CM7.1

Purpose:

To seek formal approval to form a Reconciliation Action Plan (RAP) Reference Group and appoint members to the group.

Officer's Recommendation:

That Council:

1. Approve the formation of a Reconciliation Action Plan Reference Group; and
2. Approve the attached Terms of Reference, noting that the group will review, and may make minor amendments to its contents in the spirit of collaboration, at the inaugural meeting of the Reconciliation Action Plan Reference Group; and
3. Nominate and appoint Councillor _____ and Councillor _____ to the Reconciliation Action Plan Reference Group; and
4. Nominate and appoint Councillor _____ as a Chairperson of the Reconciliation Action Plan Reference Group noting that the group will also nominate a Co-Chairperson for the Reconciliation Action Plan Reference Group; and
5. Council appoint the following persons to Gladstone Regional Councils inaugural Reconciliation Action Plan Reference Group:
 - Belynda Waugh
 - Marilyn Smith
 - Annette Rutherford
 - Patricia Coleman
 - Joyce Pinel
 - Bettina Nissen

Background:

At the General Meeting on 1st May 2018 Council endorsed the 2018 – 2019 Reflect Reconciliation Action Plan and its registration with Reconciliation Australia as a commitment to reconciliation. This commitment will create lasting and meaningful relationships, encourage respect and promote sustainable opportunities for Aboriginal and Torres Strait Islander Australians within the Gladstone Region.

The Reconciliation Action Plan process includes four types of Reconciliation Action Plans, each offering a different level of engagement and support. In developing our first Reconciliation Action Plan - Reflect, the Gladstone Regional Council is committed to strengthening existing relationships

to ensure it is well positioned to implement effective and mutually beneficial initiatives as part of future RAP's.

Next year Council will develop its second RAP – Innovate, focused on promoting relationships and develop respect with each other, while providing opportunities to grow over a two-year period. Following the delivery of the Innovate RAP, Council has the opportunity to develop a Stretch RAP over 3 years, and finally an Elevate RAP.

Consideration:

When considering the recommendation to form a Reconciliation Action Plan Reference Group it is worth noting on the 4th September 2018 Council adopted the 2018/19 Operational Plan. Within the plan Council's 'Connect' strategic goal is stated as 'Engaged, involved and proud communities', containing a commitment to have 'A Reconciliation Action Plan that meets community expectations' by 2023.

By forming a Reconciliation Action Plan Reference Group, Council has the opportunity to engage the community members and align its strategic goals and deliverables to the values set by Council on 3rd July 2018, specifically:

- Community, we care about each other and our environment and we recognise community is at the core of our business',
- Ethical, we operate with transparency openness and accountability at the fore.
- Inclusive, we create and value diversity and we actively demonstrate our commitment to equality and diversity.

It is recommended that Council approve the formation of a Reconciliation Action Plan Reference Group as a reference group to the Council and working group to establish Council's future Reconciliation Action Plans.

Communication and Consultation (Internal/External):

Communication has taken place utilising a variety of mediums to source Expressions of Interest from the community. Initially e-mail correspondence was distributed amongst the community, advising of the potential opportunity to join a Reconciliation Action Plan Reference Group and outlining the Expression of Interest process.

In addition to email correspondence, two social media posts were published, one on the 9 September 2018 and another on the 13 September 2018.

A public notice seeking Expressions of Interest was published in the Gladstone Observer on the 15 September 2018.

An information drop in session was held in the afternoon/evening of the 11 September 2018, where the community could attend to find out more about the recruitment process. During the session community members suggested hosting another information drop in session in the morning to engage a broader range of community members, which was held on the 17 September 2018.

Six (6) nominations were received to participate on the RAP Reference Group from the Gladstone region community which were reviewed and accepted by Council officers. The six (6) representatives bring a diverse skill set to the group including arts and culture, education, training and project management.

It is planned that at the inaugural Reconciliation Action Plan Reference Group meeting, consultation will take place with members in relation to the Groups Terms of Reference (ToR). This

will provide members with the opportunity to make minor changes to the Terms of Reference taking into consideration that the amendments should not change the intent of the ToR.

Consultation on the Terms of Reference is a clear demonstration of collaboration and will set the tone for how Council will work with the Reference Group.

Internal consultation has occurred with the Manager Governance to ensure the group is constructed appropriately.

Legal Environmental and Policy Implications:

Nil.

Financial and Resource Implications:

There is currently no dedicated budget line associated with the Reconciliation Action Plan Reference Group, however staffing resource is available from Councils Reconciliation Action Plan Officer.

Commentary:

Nil.

Summary:

Nil.

Anticipated Completion Date:

30 December 2018

Attachments:

1. Reconciliation Action Plan Reference Group Terms of Reference

Tabled Items:

Nil.

Report Prepared by: Community Engagement Specialist and Reconciliation Action Plan Officer

G/3.5.2. GLADSTONE REGION YOUTH COUNCIL

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 4 December 2018

File Ref: CR 8.3

Purpose:

For Council to appoint membership of local young people representatives to the Gladstone Region Youth Council for 2019.

Officer's Recommendation:

That Council:

1. Endorse the Youth Council Advisory Committee membership to contain eleven (11) members for 2019; and
2. Appoint eleven (11) young people to the Gladstone Region Youth Council for 2019 as nominated below:
 - a. Brooke Assman
 - b. Kylie Fleming
 - c. Nikita Korableff
 - d. Eden Graham
 - e. Penny Hoffman
 - f. Mitchell Porteous
 - g. Sidney Stuart
 - h. Salvador Zuniga Aguirre
 - i. Tyrone Fernandes
 - j. Werner Bierman
 - k. Sarah Chadwick

Background:

On 4 March 2014, Council established (by resolution G/14/1915) the Gladstone Region Youth Council as a formal advisory committee under ss. 264 –265 of the *Local Government Regulations 2012* to enable opportunities for youth leadership, youth development and management. A charter for the Youth Council was adopted and is attached to this report. This charter was re-affirmed by Council at its General Meeting held 19 April 2016 (viz resolution G/16/2781).

Public invitation for Youth Council is called annually (via local press, social media, youth networks and schools) and open for a period of four (4) weeks. Existing members are encouraged to re-apply for a second term to act as mentors for new members. Applications closed 9 November 2018 for the 2019 Youth Council.

Eleven (11) applications were received, seven (7) from Gladstone, two (2) from Tannum Sands and (1) application each from Calliope and Euleilah. Of the 11 applications, 1 is from an existing Youth Council member.

In accordance with the Youth Council charter, applications are assessed by a review panel comprising of Mayor (or Proxy), Manager Community Engagement and Partnerships (formerly

Manager Community Wellbeing) and Community Development Officer – Youth to make recommendations to Council.

Consideration:

The review panel considered all applications received and resolved to recommend the appointment of all eleven (11) nominations to allow a broader representation of localities in the region.

Consistent with the Youth Council charter, appointed members will elect a Chairperson and Deputy Chair.

The term of the Youth Council membership is from February to November 2019.

Appointed Youth Council members will be invited to a ‘meet and greet’ gathering, Thursday 24 January 2019 as initial introductions to the Youth Council.

A formal meeting is scheduled for Monday 4 February 2019 for the appointed members to meet with Councillors and the Executive Management Team.

As part of Council’s Operational Plan, Community Development Officer – Youth will be developing a strategy to enhance the connectivity and visibility of the Youth Council to the broader organisation, its planning and projects.

Communication and Consultation (Internal/External):

Internal

- General Manager Community Development and Events
- Manager Engagement and Partnerships
- Community Development Officer – Youth
- Brands and Communication Officers

External

- Youth Interagency Network
- Rosebery Queensland
- National Job Link

Legal Environmental and Policy Implications:

The *Local Government Regulation 2012* governs the establishment and management of formal advisory committees to Council.

Financial and Resource Implications:

Administrative and secretarial cost for the Youth Council will be absorbed as part of the existing operational budget of the Engagement and Partnership.

Commentary:

The formation of the Gladstone Region Youth Council is a vehicle to strengthen Council’s ability to engage and understand youth development issues for the Gladstone region.

Youth Council also provides a wonderful opportunity for young people to participate in community development matters under a structured framework and offer an insight into the machinery of local government.

Summary:

Nil.

Anticipated Completion Date:

End December 2018 to formally advise successful applicants.

Attachments:

1. Gladstone Region Youth Council Terms of Reference

Tabled Items:

Nil.

Report Prepared by: Community Development Officer – Youth

G/3.6. CUSTOMER EXPERIENCE

Nil

G/3.7. PEOPLE CULTURE AND SAFETY

Nil

G/3.8. FINANCE GOVERNANCE AND RISK

G/3.8.1. AMENDMENT TO COUNCILLOR CODE OF CONDUCT AND OTHER COUNCILLOR RELATED POLICIES

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 4 December 2018

File Ref: CM28.2

Purpose:

The purpose of this report is to provide Councillors with revisions to existing and new Councillor Code of Conduct and related policies for adoption.

Officer's Recommendation:

That Council:

1. Repeal P-2016-02 – Councillor Conduct Code Policy; and
2. Adopt P-2018-07 – Councillor Code of Conduct Policy; and
3. Repeal P-2016-01 – Conduct of Council Meetings Policy; and
4. Adopt P-2018-27 – Council Meetings Procedures Policy; and
5. Adopt P-2018-32 – Councillor Acceptable Request Guidelines Policy; and
6. Adopt P-2018-35 – Councillor Complaints Investigation Policy; and
7. Repeal P-2018-06 – Development Interaction Protocol Policy; and
8. Adopt P-2018-36 – Councillor Interaction Protocol Policy – Lobbyists, Developers & Tenderers; and
9. In accordance with section 257(1) of the *Local Government Act 2009*, delegate to the Mayor and Chief Executive Officer the powers contained in section 150DL and 150DU of the *Local Government Act 2009*.

Background:

The State Government introduced new legislative amendments to the *Local Government Act 2009* and *Local Government Regulation 2012* with some provisions not due to commence until 3 December 2018. As part of these changes, a new Councillor Code of Conduct was developed by the State Government that all Councillors must comply with. In addition, Model Meeting Procedures, Model Standing Orders and a proposed Investigation Policy has been developed for local governments to either adopt or incorporate into existing policies.

Accordingly, a review of existing policies has occurred with draft revisions or new policies developed to align the Councillor related policies to the requirements set and proposed by the State Government.

In addition, two new sections of the *Local Government Act 2009* include the ability for local governments to request the Councillor Conduct Tribunal to investigate suspected inappropriate conduct of a Councillor and to pay costs associated with the investigation. It is suggested these powers be delegated to the Mayor and Chief Executive Officer.

Consideration:

Existing policies proposed to be repealed:

- P-2016-02 – Councillor Conduct Code
- P-2016-01 – Conduct of Council Meetings Policy
- P-2018-06 – Development Interaction Protocol Policy

New / revised policies proposed to be adopted at 4 December 2018 General Meeting:

- Draft – P-2018-07 – Councillor Code of Conduct Policy
- Draft – P-2018-27 – Council Meetings Procedures Policy
- Draft – P-2018-32 – Councillor Acceptable Request Guidelines Policy
- Draft – P-2018-35 – Councillor Complaints Investigation Policy
- Draft – P-2018-36 – Councillor Interaction Protocol Policy – Lobbyists, Developers & Tenderers

A summary of proposed revisions / new policies is listed below. Marked up versions of the proposed changes to existing policies are also attached for reference.

Councillor Code of Conduct

- Streamlined to only include new state government code of conduct as an attachment.
- Removed acceptable request guidelines and lobbyists/developer interaction into separate policies.
- Removed listing each policy and corporate standard that applies to Councillors as new code of conduct requires compliance with *all* Council policies and procedures.
- It is noted that the new code of conduct is less detailed than Councils existing code of conduct however these requirements are captured in other Council policies that Councillors are to comply with (i.e. Vehicles, Credit card use, Records)

Councillor Acceptable Request Guidelines

- Transferred from existing Code of Conduct booklet for Councillors into a new policy
- Revised table of nominated contact officers based on new structure and position titles

Council Meeting Procedure Policy

- Amendments proposed to align with draft Meeting Procedures and Standing Orders produced by State Government (attached for reference) including:
 - Mover only required for procedural motions (i.e. no seconder)
 - Additional procedural motions included
 - Items for closed session is not considered a procedural motion (results in same process as existing with a mover and seconder)
 - Specific requirements for Deputations to Council to form part of a Local Government meeting – this will result in changes to current Deputations being held on a Monday
 - Requirements around petitions
- Minor amendments proposed to align with Council's current operational practices (i.e. two weeks notification for agenda reports, reference to existing templates provided to Councillors)
- Rearranged headings and sub-headings for alignment with consolidation into existing policy.

Councillor Complaint Investigation Policy

- New policy based on Investigation Policy produced by State Government.
- Mayor is identified as investigator unless requests alternate investigator through President of Councillor Conduct Tribunal
- Council responsible for costs of investigations however dependent on outcome, may request Councillor to contribute or pay full costs if complaint substantiated

Councillor Interaction Protocol Policy – Lobbyists, Developers & Tenderers

- Transferred information from existing Code of Conduct booklet and incorporated within existing Developer Interaction Protocol Policy.
- Revised and clarified process for interactions 'before' formal lodgement of relevant applications / submissions.

Communication and Consultation (Internal/External):

Consultation has occurred internally with the Chief Executive Officer and General Managers. A review of external documents developed by the State Government has occurred with relevant information incorporated into the draft policies proposed.

Legal Environmental and Policy Implications:

Council is required to adopt and comply with Queensland State Government Code of Conduct.

Advice from the Department of Local Government, Racing and Multicultural Affairs is that Council may adopt their own meeting procedures and standing orders but these must be consistent with the model documents developed by the state.

A new Investigation Policy for Councillor complaints alleging inappropriate conduct is required to be adopted that is considered with the Investigation Policy developed by the state.

Financial and Resource Implications:

Costs associated with adoption of these policies is anticipated to be met by existing operational budgets.

Commentary:

Nil.

Summary:

A comprehensive review of existing Councillor specific policies has occurred to ensure these policies incorporate and adopt requirements mandated by the State Government. The policies when adopted will set the standard of behaviour and provide guidelines to Councillors on their responsibilities in the community and with Council employees.

Anticipated Completion Date:

Within one month of resolution.

Attachments:

1. Current P-2016-02 – Councillor Conduct Code Policy
2. Draft – P-2018-07 – Councillor Code of Conduct Policy
3. Marked Up Version - Draft – P-2018-07 – Councillor Code of Conduct Policy
4. Current P-2016-01 – Conduct of Council Meetings Policy
5. Draft – P-2018-27 – Council Meetings Procedures Policy
6. Marked Up Version - Draft – P-2018-27 – Council Meetings Procedures Policy
7. Draft – P-2018-32 – Councillor Acceptable Request Guidelines Policy
8. Draft – P-2018-35 – Councillor Complainants Investigation Policy
9. Current P-2018-06 – Development Interaction Protocol Policy
10. Draft – P-2018-36 – Councillor Interaction Protocol Policy – Lobbyists, Developers & Tenderers

Tabled Items:

Nil.

Report Prepared by: Manager Governance

G/3.8.2. REVIEW OF BUSINESS IMPROVEMENT COMMITTEE POLICY AND ETHICS INTEGRITY AND AUDIT POLICY

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 4 December 2018

File Ref: CM28.2

Purpose:

To present a revised Business Improvement Committee Policy and an Ethics Integrity and Audit Policy (formerly Business Improvement Function Policy) for Council's consideration.

Officer's Recommendation:

That Council:

1. Repeal P-2015-08 – Business Improvement Committee Policy; and
2. Adopt P-2018-28 – Business Improvement Committee Policy;
3. Repeal P-2016-30 – Business Improvement Function Policy; and
4. Adopt P-2018-29 – Ethics Integrity and Audit Policy.

Background:

The current Business Improvement Committee Policy and Business Improvement Function Policy are generally reviewed together. The Business Improvement Committee Policy defines the responsibilities of Council's Business Improvement Committee whilst the Business Improvement Function Policy (now titled Ethics Integrity and Audit Policy) defines the activities that fall within the scope of Business Improvement function (now Ethics Integrity and Audit function).

The Business Improvement Committee Policy is overdue for review with the due date being the 7 April 2018. It is also timely that these policies be reviewed given the changes to the organisational structure and the broader scope of audit which now includes the ethics and integrity functions of Council.

The Business Improvement Committee has the responsibility of providing guidance to Council in the review of these policies and the following feedback was provided by the Committee on the 27 June 2018:

5.5 REVIEW OF BUSINESS IMPROVEMENT POLICIES

The Business Improvement Committee Policy requires review, the due date was 7 April. The Business Improvement Function Policy is due November 2019. It would be preferable to align the review of these two documents. Feedback on the policies was sought from the Committee.

Jenelle MacGregor –the Business Improvement Committee Policy she felt the words “Fraud Control” should be expanded to be “Fraud and Corruption Control”.

ACTION ITEM:

No.	Item to be Actioned	By Whom	By When
5.5.1	<ul style="list-style-type: none"> • Change the wording of “Fraud Control” to “Fraud and Corruption Control”; • Update the document footers to reflect the correct name of the Chief Executive Officer. 	Governance Advisor	Prior to Next BIC Meeting 12.09.2018

Business Improvement Policy Item 6.4 Membership – Councillor Appointments – the Policy states a rotation of representatives with a mixture of new and experienced Councillors where practical. Cr Goodluck asked when do we reassess if there should be a rotation of members on the committee and stated we need to be mindful of timeframes, using the review of the Policy is not a reliable or timely trigger.

ACTION ITEM:

<i>No.</i>	<i>Item to be Actioned</i>	<i>By Whom</i>	<i>By When</i>
5.5.2	<i>Make “review of Councillor appointments/ memberships” a standard Agenda Item</i>	<i>Governance Advisor</i>	<i>Next BIC Agenda 29.08.2018</i>

Councillors will note that the Business Improvement Committee (which includes representatives from external audit and the Queensland Audit Office) were generally satisfied with the existing policies, providing only minimum comment on the proposed review.

Given the broader scope of internal audit, it was suggested by the Executive Team on 13 August 2018 that the Business Improvement Function Policy be changed to reflect this broader scope of responsibilities.

The Ethics Integrity and Audit Policy has been authored by Council’s Ethics Integrity and Audit Specialist and changes to the Business Improvement Committee Policy have been jointly authored by the Governance Advisor and Manager Governance.

Consideration:

Attached to this report are the two proposed revised Policies with a marked up version of each also attached showing tracked changes for Council’s consideration.

Should Council elect not to adopt the revised policies as tabled, alternative considerations and associated resolutions may include:

Amend the draft revised policies with any changes Council may wish to make.

The resolution associated with this option could be framed as follows:

That Council

1. *Repeal P-2015-08 Business Improvement Committee Policy; and*
2. *Adopt proposed P-2018-28 Business Improvement Committee Policy, subject to the following changes:*
 - i. insert change/amendment;*
 - ii. Insert change/amendment.*
3. *Repeal P-2016-30 Business Improvement Function Policy; and*
4. *Adopt P-2018-29 Ethics Integrity and Audit Policy, subject to the following changes:*
 - i. insert change/amendment;*
 - ii. Insert change/amendment.*

Request further information or research be carried out.

The resolution associated with this option to be framed as follows:

That Council let the matter lay on the table pending further information and research to be brought back to a future meeting of Council.

Communication and Consultation (Internal/External):

Business Improvement Committee

Executive Team
Manager Governance
Ethics Integrity and Audit Specialist
Representative of External Audit
Representative from the Queensland Audit Office

Legal Environmental and Policy Implications:

Council is required under the *Local Government Act 2009* and the *Local Government Regulation 2012* to have an Audit Committee. The policies provide direction on establishing the Committee and its membership; and defines the Committee's role and scope of responsibilities. The Ethics Integrity and Audit Policy defines Council's expectations and standards in relation to this aspect of Council's operations.

Financial and Resource Implications:

Council has funding in its budget to implement the requirements of the revised policies.

Commentary:

Not applicable

Summary:

Not applicable

Anticipated Completion Date:

4 December 2018

Attachments:

1. Draft - P-2018-28 Business Improvement Committee Policy
2. Draft - P-2018-29 - Ethics Integrity and Audit Policy
3. Marked Up Version – Draft - P-2018-28 Business Improvement Committee Policy
4. Marked Up Version - Draft - P-2018-29 - Ethics Integrity and Audit Policy

Tabled Items:

Nil.

Report Prepared by: Governance Advisor

G/3.8.3. NAMING OF INFRASTRUCTURE ASSETS POLICY

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 4 December 2018

File Ref: CM28.2

Purpose:

To present a revised Naming of Infrastructure Assets Policy for Council's consideration.

Officer's Recommendation:

That Council:

1. Repeal P-2015-13 – Naming of Infrastructure Assets Policy;
2. Adopt P-2018-09 – Naming of Infrastructure Assets Policy.

Background:

The Naming of Infrastructure Assets Policy was due for review in May 2018. A review has occurred with changes proposed to the existing policy to ensure it maintains the strategic intent and guiding principles with the administration proposed to be captured in an operational Corporate Standard.

Attachments 1 provides a copy of the proposed revised policy with the changes to the current policy highlighted via track changes in the marked up version of the revised policy provided as Attachment 2. The existing policy in its current format is provided in Attachment 3 for reference.

Consideration:

The current policy has been redrafted into a policy and corporate standard as the current policy provides both Council's strategic position and governing principles as well as the administrative application of the policy.

The most noteworthy change from the current policy position to the proposed draft is that under the current policy, all naming requests are considered and resolved by Council.

Under the draft policy, it is proposed that the following be resolved by Council:

- Applications to utilise a name from the Approved Place Names Register for the naming of *major* infrastructure assets;
- Naming of *new major* infrastructure assets as part of developments;
- Applications to *rename* a *major* infrastructure asset; and
- Applications to *remove* a name from the Approved Place Names Register.

It should be noted that it is proposed that only applications that comply with the policy will be progressed to Council for resolution.

Consequently, the balance of items proposed to be delegated to officers to manage and assess are:

- Applications to add a name to the Approved Place Names Register;
- Applications to utilise a name from the Approved Place Names Register for the naming of *minor* infrastructure assets;

- Naming of *new minor* infrastructure assets as part of developments (i.e. as part of the Operational Works application); and
- Applications to *rename* a *minor* infrastructure asset.

For clarity, a **major** infrastructure asset is an arterial or distributor road (under Council's Road Hierarchy Policy), regional or district park (under Council's adopted Parks Hierarchy), bridge, sports facility, building, reservoir, water or wastewater treatment plant, or lookout.

A **minor** infrastructure asset is a collector street/road or local street/road (under Council's Road Hierarchy Policy), or a local or reserve park (under Council's adopted Park Hierarchy).

Attachment 4 provides full definitions of roads and parks under the hierarchy documents.

The policy also addresses an action required under the Reconciliation Action Plan (May 2018 - May 2019) in relation to "7. Raise internal understanding of Aboriginal and Torres Strait Islander cultural protocols."; specifically, "develop a policy to name identified public places using traditional names of PCCC peoples".

Under the draft policy where the source of the proposed name is indigenous, it is proposed that consultation with and written permission must be obtained from the Port Curtis Coral Coast Trust Limited (PCCC) or prescribed entity.

Communication and Consultation (Internal/External):

- Executive Team;
- Manager Asset Governance;
- Reconciliation Action Plan Officer;
- Manager Parks Program Delivery.

Legal Environmental and Policy Implications:

The following legislation is related to this policy and corporate standard:

- *Local Government Act 2009*;
- *Local Government Regulation 2012*;
- *Place Names Act 1994*;
- *Gladstone Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*;
- *Gladstone Regional Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.

Under section 60 of the *Local Government Act 2009*, Council has control of all roads in its local government area, except for State-controlled roads and public thoroughfare easements. This control includes being able to approve the naming and numbering of private roads, and name and number of other roads.

Financial and Resource Implications:

It is expected that little to no resource or financial implications will be incurred by Council under the draft policy as applications regarding the naming of infrastructure assets are currently received and assessed by Council.

Commentary:

Nil.

Summary:

Nil.

Anticipated Completion Date:

Within one month of Council resolution.

Attachments:

1. Draft P-2018-09 Naming of Infrastructure Assets Policy;
2. Draft P-2018-09 Naming of Infrastructure Assets Policy (Tracked Changes version);
3. Current P-2015-13 – Naming of Infrastructure Assets Policy;
4. Definitions of roads and parks under adopted hierarchy documents.

Tabled Items:

Nil.

Report Prepared by: Manager Governance

G/3.8.4. REVIEW OF COMPLAINTS MANAGEMENT POLICY AND CORPORATE STANDARD

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 4 December 2018

File Ref: CM28.2 and CM29.2

Purpose:

To present a revised Complaint Management Policy and Complaint Management Process Corporate Standard for Council's consideration.

Officer's Recommendation:

That Council:

1. Repeal P-2016-25 Administrative Action Complaint Management Policy; and
2. Repeal CS-07-2016 Administrative Action Complaint Management Corporate Standard; and
3. Adopt P-2018-25 Complaint Management Policy; and
4. Adopt CS-11-2018 Complaint Management Process Corporate Standard.

Background:

Under section 268 of the *Local Government Act 2009* and the section 306 of the *Local Government Regulation 2012* Council is required to adopt a process for managing Administrative Action Complaints. In addition, Council has obligations under the *Crime and Corruption Act 2001* and the *Public Interest Disclosure Act 2010* to manage other types of complaints and public reporting associated with potential wrongdoing by public officials.

To date Council has had a policy and corporate standard that specifically deals with Administrative Action Complaints and separate policies required under legislation for managing public interest disclosures.

As a result of the organisational redesign and changes to the Council's customer service operating model, management considered that it would be appropriate to have one set of documents (policy and corporate standard) that sets out all of Council's responsibilities in relation to complaint management. As a result, officers have re-written the Administrative Action Complaint Policy and Administrative Action Complaint Management Corporate Standard to incorporate all the relevant provisions and obligations in relation to all types of complaints.

Councillors will be aware that as a result of the recent Belcarra Report, the State Government has proposed changes to legislation that will see the implementation of a new Independent Assessors Office from the 3 December 2018 to assess and coordinate complaints relating to Councillors. The revised Policy and Corporate Standard makes provision for these new legislative changes and therefore the presentation of these documents for adoption was held over to this meeting after the legislative changes came into effect.

The main changes from the existing Policy and Corporate Standard to the proposed new versions:

- Provision is made for identifying all forms of complaints and not just Administrative Action Complaints;
- The new policy and corporate standard references and directs customers and staff towards other policies and corporate standards that must be considered in managing different types of complaints (Public Interest Disclosures, petitions, complaints involving the Chief Executive Officer, Unreasonable Customer Conduct, etc);
- Alignment of the complaints process to Council's new customer service operating model;
- Alignment of the complaints process for elected members to the State Government's new legislative requirements involving referral to the Independent Assessors Office;
- Ensures that complaints involving potential corrupt conduct or public interest disclosures are considered and managed in accordance with relevant legislative and policy requirements.

Generally only Council Policies are public facing documents, however under the provisions of section 268 of the *Local Government Act 2009* and section 306 of the *Local Government Regulation 2012* Council must adopt a policy and make the associated process for managing complaints (corporate standard) publicly available.

Consideration:

Attached to this report is the proposed revised Policy and Corporate Standard for Council's consideration, and if accepted, for formal adoption.

Should Council elect not to adopt the revised policy and corporate standard as tabled, alternative considerations and the associated resolutions may include:

Alternative Option – Adopt Policy & Corporate Standard with amendments

Amend the draft revised policy and corporate standard with any changes Council may wish to make. The resolution associated with this option is suggested to be framed as follows:

That Council:

- 1. Repeal P-2016-25 Administrative Action Complaint Management Policy; and*
- 2. Repeal CS-07-2016 Administrative Action Complaint Management Corporate Standard; and*
- 3. Adopt P-2018-25 Complaint Management Policy, subject to the following changes:*
 - i. insert change/amendment;*
 - ii. insert change/amendment; and*
- 4. Adopt CS-11-2018 Complaint Management Process Corporate Standard, subject to the following changes:*
 - i. insert change/amendment;*
 - ii. insert change/amendment.*

Alternative Option – Deferred matter for further information / research to be conducted

Request further information or research be carried out. The resolution associated with this option is suggested to be framed as follows:

That Council let the matter lay on the table pending further information and research to be brought back to a future meeting of Council.

Communication and Consultation (Internal/External):

Executive Team

Governance Section
Customer Service Team Leaders & Lead Human Resources
Leaders
Process Improvement Leader
Subject Matters Experts from across the organisation
Executive Assistants (EAs) to General Managers

Legal Environmental and Policy Implications:

Council is legally required to report on Administrative Action Complaints and to make its Administrative Action Complaint Process publicly available. It is proposed that the Complaint Management Policy and Complaint Management Process Corporate Standard will be the framework for managing all complaints lodged with Council and will be publicly available on Council's website, or in hardcopy on request.

Financial and Resource Implications:

Implementation will be funded within Council's existing 2018/19 operational budget.

Commentary:

Not applicable

Summary:

Not applicable

Anticipated Completion Date:

Implemented within two (2) weeks of resolution.

Attachments:

1. Draft P-2018-25 - Complaint Management Policy
2. Draft CS-11-2018 - Complaint Management Process Corporate Standard
3. P-2016-25 - Administrative Action Complaint Management Policy
4. CS-07-2016 - Administrative Action Complaint Management Corporate Standard

Tabled Items:

Nil.

Report Prepared by: Governance Advisor / Manager Governance

G/4. COUNCILLORS REPORT

Nil.

G/5. URGENT BUSINESS

Nil.

G/6. NOTICE OF MOTION

Nil.

G/7. CONFIDENTIAL ITEMS

G/7.1. STINGER NET BARNEY POINT

Responsible Officer: General Manager Operations

Council Meeting Date: 4 December 2018

File Ref: CM8.7

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/7.2. CONFIDENTIAL COMMERCIAL INVESTMENT

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 4 December 2018

File Ref: CC10.4

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: -

- (h) other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage.

ATTACHMENTS