



**Leadership and Governance Standing Committee Meeting**

# **MINUTES**

**Meeting held in the Central Highlands Regional Council Chambers, Emerald Office**

**Wednesday 12 October 2016**

**Commenced at 9.00am**

**CENTRAL HIGHLANDS REGIONAL COUNCIL**  
**LEADERSHIP AND GOVERNANCE STANDING COMMITTEE MEETING**

**WEDNESDAY 12 OCTOBER 2016**

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**MINUTES – LEADERSHIP AND GOVERNANCE STANDING COMMITTEE MEETING  
HELD AT 9.00AM WEDNESDAY 12 OCTOBER 2016 IN THE CENTRAL HIGHLANDS REGIONAL  
COUNCIL CHAMBERS, EMERALD OFFICE**

**PRESENT**

**Councillors**

Councillor (Crs) K. Hayes (Mayor) D. Lacey (Chair),  
Councillors (Crs) C. Brimblecombe, A. McIndoe G. Nixon and C. Rolfe

**Officers**

Chief Executive Officer S. Mason, General Manager Corporate Services J. Bradshaw, General Manager Communities B. Duke, General Manager Commercial Services M. Webster, General Manager Infrastructure and Utilities G. Joubert, General Manager Central Highlands Development Corporation S. Hobbs, Executive Manager Governance M. Uren, Senior Advisor M. Grunsell, Manager Planning and Environment P. Jeston, Coordinator Environment and Waste, Communities K. Worsley, Governance Officer M. Ryan, Coordinator Communications A. Ferris, Minute Secretary S. Tomelty

**Observers**

Cr M Daniels

**APOLOGIES**

Nil

**LEAVE OF ABSENCE**

***Resolution:***

Cr McIndoe moved and seconded by Cr Brimblecombe “That Cr Rolfe and Cr Hayes be granted leave of absence for the Leadership and Governance Standing Committee meeting on 9 November 2016.”

**LGSC 2016 / 10 / 12 / 01**

**Carried (6-0)**

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**Leadership and Governance Standing Committee Meeting: 12 September 2016**

***Resolution:***

Cr Rolfe moved and seconded by Cr Brimblecombe “That the minutes of the previous Leadership and Governance Standing Committee Meeting held on 12 September be confirmed.”

**LGSC 2016 / 10 / 12 / 02**

**Carried (6-0)**

**BUSINESS ARISING OUT OF MINUTES**

Nil

**OUTSTANDING MEETING ACTIONS**

Noted by Council

**CONFLICT OF INTEREST, PERSONAL GIFTS AND BENEFITS**

Nil

Attendance:

General Manager Central Highlands Development Corporation S. Hobbs attended the meeting at 9.09am.  
Cr Daniels attended the meeting at 9.11am.  
Co-ordinator Safety S. Schofield attended the meeting at 9.30am  
General Manager Central Highlands Development Corporation S. Hobbs left the meeting at 9.17am.

## **COMMUNITIES**

### **Waste Compliance Issues Update**

**Executive summary:**

This information report to the Governance and Leadership Committee provides an update on actions being taken at Council's Waste Management Facilities with respect to compliance towards Department of Environment and Heritage Protection's (DEHP) environmental authority conditions. Council officers are working closely with DEHP officers regarding the Council's attention to landfill improvements and a proposed statutory Notice to undertake an Environmental Evaluation of surface water impacts associated with stormwater releases from the landfill sites at Lochlees and Blackwater landfills.

Considered by Council.

Attendance:

General Manager Central Highlands Development Corporation S. Hobbs attended the meeting at 9.25am.  
General Manager Central Highlands Development Corporation S. Hobbs left the meeting at 9.30am.

## **GOVERNANCE SECTION**

### **Legislative Compliance**

**Executive summary:**

Central Highlands Regional Council is committed to the highest standards of integrity, fairness and ethical conduct, including full compliance with all relevant legal requirements. Compliance with legislation is fundamental to effective and accountable governance and management of the organisation. Failure to abide by compliance obligations can result in serious consequences due to their non-negotiable and mandatory nature. Compliance assessment must be undertaken to ensure council adequately understands and can address its current compliance risk.

At council's Leadership and Governance Standing Committee meeting of 27 July 2016, a resolution was passed requiring the governance department to provide the Leadership and Governance Standing Committee with a status report on Council's statutory compliance including environmental compliance. This report is provided to outline council's current compliance status and detail further upcoming works and presentations that will be occurring.

Considered by Council.

Attendance:

Co-ordinator Safety S. Schofield left the meeting at 10.10am.  
Manager Planning and Environment P. Jeston left the meeting at 10.10am.  
Co-ordinator Environment and Waste Communities K. Worsley left the meeting at 10.10am  
Governance Officer M. Ryan left the meeting at 10.10am.  
General Manager Central Highlands Development Corporation S. Hobbs attended the meeting at 10.10am

## **Operational Plan Review**

### **Adjournment**

Meeting adjourned for morning tea at 10.43am

Meeting resumed at 11.00am

Executive Assistant (Mayor and Councillors) M Wills attended the meeting at 11.00am

General Manager Communities B. Duke left the meeting at 11.16am

General Manager Communities B. Duke returned to the meeting at 11.18am

## **Operational Plan Review**

### **Executive summary:**

The Leadership and Governance Standing Committee, at its meeting on 10 August 2016, requested a review of the outstanding 2015/16 operational plan activities that have not been achieved nor carried over. Additionally the Committee requested a review of the 2016/17 Operational Plan to ensure that all activities are adequately resourced and achievable.

The purpose of this report is to provide the opportunity for the Leadership and Governance Standing Committee to scrutinise the recommendations and comments made by the Executive Leadership Team on the 2015/16 outstanding operational plan activities and the quantum of the 2016/17 operational plan activities with a view to making a recommendation to the General Council Meeting on 25 October 2016.

### **Resolution:**

Cr Rolfe moved and seconded by Cr Nixon “That the Leadership and Governance Standing Committee makes the following decisions in relation to the 2015/2016 operational plan activities that were not completed and not captured in the 2016/2017 Operational Plan as per Appendix A (attached).

That the Executive Leadership Team will scrutinise the 2016/17 Operational Plan Review and provide a recommendation to Council.”

**LGSC 2016 / 10 / 12 / 03**

**Carried (6-0)**

### **Attendance**

General Manager Commercial Services M Webster left the meeting at 11.38am.

Cr Daniels left the meeting at 11.38 and did not return

## **GENERAL BUSINESS**

*(Verbal matters raised by Councillors either as a question, acknowledgement and or additional follow-up by officers)*

Nil

## **CLOSED SESSION**

### **Into Closed Session**

#### ***Resolution***

Cr Nixon moved and seconded by Cr Rolfe “That Council close its meeting to the public in accordance with Section 275 (1)(h) of the Local Government Regulation 2012 and that Council staff involved in the closed discussions remain in the room.”

**LGSC 2016 / 10 / 12 / 04**

**Carried (6-0)**

The meeting was closed at 11.38am

#### ***Attendance***

General Manager Community Services B. Duke, Governance Officer M. Ryan, Governance Coordinator L. Fry, General Manager Infrastructure and Utilities G. Joubert, Coordinator Communications A. Ferris left the meeting at 11.40am

### **Native Title Update - October 2016**

#### **Out of Closed Session**

#### ***Resolution:***

Cr Rolfe moved and seconded by Cr Brimblecombe “That the meeting now be re-opened to the public.”

**LGSC 2016 / 10 / 12 / 05**

**Carried (6-0)**

The meeting was opened at 11.51am

### **Native Title Update - October 2016**

#### **Executive summary**

To ensure Council is provided with regular status updates on Native Title Claims and Determinations within the Central Highlands Regional Council area, a monthly update will be provided to the Leadership and Governance Standing Committee.

The following report provides updates in relation to the following Native Title Claims:

1. Barada Barna People – QUD380/2008
2. Barada Kabalbara Yetimarala #1 – QUD383/2013
3. Bidjara People #6 – QUD216/2008
4. Bidjara People #7 – QUD644/2012
5. Gaangalu Nation People – QUD400/2012
6. Gungarri People #4
7. Iman People #2 – QUD6162/1998
8. Wadja People – QUD422/2012
9. Wangan & Jangalingou People – QUD85/2004
10. Western Kangoulu - QUD229/2013

The report also covers the local government implications of a recent Indigenous Cultural Heritage Review and Native Title Compensation Decision and the review of Aboriginal Cultural Heritage Duty of Care Guidelines.

Considered by Council.

## **CLOSURE OF MEETING**

There being no further business, the Chair closed the meeting at 11.52am

CONFIRMED

CHAIR

DATE

Appendix A:

Major Initiatives and Key Operational Activities	Key Activity We Will Deliver	How We Will Measure Our Performance	Responsible Department	Update / Comments on unlinked activity from 4th Qt	Update/Comment as at September 2016	2015/2016 Carry over activities recommendation	Confirmed as per resolution number LGSC 2016/10/12/03	Agreed Action
2015/16 Activities Not Completed								
1.3.3	Continue to hold general Council meetings outside of Emerald	Community Reference Group Action Plans integrated into CHRC Strategic Planning	General Manager - Communities	Still developmental work with CRGs and hence Action Plans behind target - this will be a 2016-17 carry over project	DELETE - policy direction of Council	Captured in the adopted 2016/2017 Operational Plan (1.1.1 / Governance) (5.1.1/Communities)	Agreement to remove from Operational Plan	<i>For clarity, the "Key activity" is captured in 1.1.1 Governance and the "How we will measure our performance" is captured in 5.1.1 Communities.</i>
2.1.1	Secure alternative options for Urban Water Supply	Preferred option for water supply to Capella prepared and presented to Council Strategy session	General Manager - Infrastructure and Utilities	Recommended options study for Capella after funding application unsuccessful.		Manage outside of the 2016/2017 Operational Plan	Agreement to remove from Operational Plan	This activity is a Capex project - which will be managed outside of the Operational Plan and reported on in the Capex report.
2.2.1	Implement civic pride and identity strategies across the region for high traffic areas	Service level plan introduced and monitored	General Manager - Communities	Project on hold due to staff disruptions and competing priorities - looking at rebadging for 2016-17 as part of overall asset management plans for Dept.	DELETE - incorporated into asset management plans and deliverables	Captured in the adopted 2016/2017 Operational Plan	Agreement to include in 2016/2017 Operational Plan	This activity is to be absorbed in Activity 1.1.2 (Liveability Strategy) within the 2016/2017 Operational Plan.
2.2.3	Enhance and Improve Town Entrances and Street Scapes to Promote Civic Pride and Aesthetic Appeal in all Regional Towns	Duringa and Bluff town entrances budget allocation for completion	General Manager - Communities	Budget allocation adjusted - now postponed until 2017-18 financial year.	Listed for completion in 2017-18	N/A	Agreement to include in 2016/2017 Operational Plan	This activity is to be absorbed in Activity 1.1.2 (Liveability Strategy) within the 2016/2017 Operational Plan.
2.4.5	Collaborate with Resource Industry to improve roads in tenement areas prior to field development	Funding commitments secured to capital improvements on roads affected by Coal Seam Gas, Drilling and Exploration	General Manager - Infrastructure and Utilities	Infrastructure Agreements issues still to be resolved to the satisfaction of both parties.		Manage outside of the 2016/2017 Operational Plan	Agreement to include in 2016/2017 Operational Plan	Activity is to be included in the 2016/2017 Operational Plan with the performance measure redefined to provide clarity.
2.5.2	Meet environmental outcomes for critical assets and community infrastructure demands	Prepare Scoping Study, Finalisation of Study and presentation to Council Prepare Scoping Study on Waste Water Facilities	General Manager - Infrastructure and Utilities	Black Gully Detailed Design completion expected in August 16. Blackwater irrigation design completion expected in late July.		Captured in the adopted 2016/2017 Operational Plan (4.3.5)	Agreement to include in 2016/2017 Operational Plan	Specifics of Black Gully project have been documented in 4.3.5 in the 2016/2017 Operational Plan. The overall activity - "Meet environmental outcomes for critical assets and community infrastructure demands" (and its intent) are required to be included as well.
4.4.1	Identify Mitigation Strategies for CHRC Essential Assets	Mitigation options identified and presented to Council.	General Manager - Infrastructure and Utilities	Deferred to 2016/17	Request to amend this activity to include a project scope as part of the 2016/17 Operational Plan. The measure of performance would be to have the project scope completed and the target date of June 2017.  Council essential assets are identified under the Disaster Management Act as Water, Sewer and Electricity  Include the project fully in the 2017/18 Operational Plan and Budget.  The activities for the 2017/18 year would be: (1) Identify Essential Assets (Water, Sewer and Electricity) at risk of flood and power outage.	Amend the 2016/2017 Operational Plan to include this activity.	Agreement to include in 2016/2017 Operational Plan	To be included in the 2016/2017 Operational Plan.



					(2) Mitigation options report completed.			
4.4.2	Investigate Self-Funding Option for Insurance Cover for Flooding Events	Options paper presented to Council	General Manager - Infrastructure and Utilities	In-depth discussion to take place with managers and new insurance provider to identify potential areas for self-insurance.		Manage outside of the 2016/2017 Operational Plan	Agreement to include in 2016/2017 Operational Plan	To be included in 4.4.4 in the 2016/2017 Operational Plan and noted that this body of work is being investigated by the Flood Mitigation Officer - Dana Gludze. The context of the activity is to include the work being undertaken by the Insurance Council of Australia and what flood insurance affordability schemes are being considered in other areas.
4.4.5	Develop 5 Year Strategy for Disaster Preparedness	Strategy Implemented	General Manager - Infrastructure and Utilities	Disaster Management guidelines and parameters are governed by the Disaster Management Act. Compliance is regulated under the Act.	Complete as regulated by legislation.	N/A	Agreement to remove from Operational Plan	This activity is not consistent with legislative requirements. Plans are updated as required and are to be considered business as usual and therefore not required in the Operational Plan.
6.1.02	Investigate Options for Future Use of CHRC Saleyards Including Location and Function.	Report to Council on Future Activities and Location of CHRC Saleyards.	General Manager - Commercial Services	No Further action in this quarter - consideration also needs to occur in regard to location of proposed meatworks. Expected completion March 2017	Consideration also needs to occur in regard to location of proposed meatworks.	Manage outside of the 2016/2017 Operational Plan	Agreement to include in 2016/2017 Operational Plan	Activity is to be included as an additional deliverable in 2016/2017 Operational Plan. It is suggested that it could be included in 6.1.7 (financial sustainability) however the strategy is to be articulated better.
6.1.05	Shepton Quarry – Development application lodged and approved	Application lodged and development permit obtained	General Manager - Commercial Services	Development Application in Information Response Stage of the IDAS timeframes. GBA (Council's Consultants) are preparing the Traffic Impact Assessment Report which will inform the Information Responses to CHRC as the assessment manager and State Assessment and Referral Agency (SARA) as the referral agency. Expected completion June 2017.	IDAS processes will determine timeframes. Application currently at information request stage. Will then require public notification and decision assessment. Anticipated finalisation of the development application by the end of the 2016/17 Financial Year.	Manage outside of the 2016/2017 Operational Plan	Agreement to remove from Operational Plan	The activity is currently progressing through the development application process and a report will be provided to council for a decision.
6.2.1	Efficient Initiation and Management of Tendering Process.	Contract register incorporated into Councils Record Management System.	General Manager - Corporate Services	Integration with records management systems is ongoing and should be complete in first quarter 2016/17	Integration with the records management system is complete. Full development of Contract Management Options is included with the new corporate software application.	N/A	Agreement to include in 2016/2017 Operational Plan	Activity to be included in 6.2.10 - "Review and update Council's suite of contract documents for procurement arrangements" as an additional performance measure.

6.2.3	Develop Strategic Plant Replacement Program	Strategy Adopted by Council	General Manager - Corporate Services	The revised schedule did not meet budget requirements, and although consultation has been completed, more critical decisions are required on overall utilisation, before replacement program are finalised. While strategy has been applied, there remains unanswered questions on the disposal of items.	This will be included in outcome number 6.2.7 on fleet utilisation and efficiencies.	Captured in the adopted 2016/2017 Operational Plan	Agreement to include in 2016/2017 Operational Plan	Activity is to be included as an additional performance measure under 6.2.9 in the 2016/2017 Operational Plan.
6.2.5	Manage potential Fraud and Corruption exposure across the region	Establish Fraud and Corruption Framework	Executive Manager - Governance	Behind schedule due to meeting changes. June Audit Committee meeting has now been rescheduled to August. Framework is ready and will be presented at this meeting.	Near finalisation - Business as usual to completion. Not recommended that this is included in the 2016-17 Operational Plan. Completion is captured within the internal audit actions matrix and minutes to ensure completion	Manage outside of the 2016/2017 Operational Plan	Agreement to remove from Operational Plan	Activity is captured in the Audit Committee matrix and is currently in the finalisation stage.
6.2.7	Undertake annual review of Governance Framework to ensure public accountability, transparency and conformance with policies and legislation	Establishment of Ethics Framework	Executive Manager - Governance	Framework was placed on hold to await the completion of the Fraud and Corruption Framework.	Recommended that this is not included in the 2016-17 Operational Plan. The activity is captured as an individual performance objective in the Executive Manager Governance Performance Agreement for delivery by 31.12.16 and subsequently in Coordinator Governance individual performance deliverables	Manage outside of the 2016/2017 Operational Plan	Agreement to remove from Operational Plan	Activity is captured in the performance agreement for the Executive Manager Governance. Draft document is complete.
6.2.7	Undertake annual review of Governance Framework to ensure public accountability, transparency and conformance with policies and legislation	Roll out Implementation and Education of Ethics Framework	Executive Manager - Governance	Completion of the Framework has been stalled due to staff turnover. Target reviewed for completion date of December 2016.	Recommended that this is not included in the 2016-17 Operational Plan. The activity is captured as an individual performance objective in the Executive Manager Governance Performance Agreement for delivery by 31.12.16 and subsequently in Coordinator Governance individual performance deliverables	Manage outside of the 2016/2017 Operational Plan	Agreement to remove from Operational Plan	Activity will be completed in conjunction with the code of conduct training (od). This education will be combined and delivered simultaneously.
7.2.1	Ensure Council policies reflect best practice and meet legislative compliance	All policies reviewed and recommended policy framework adopted	Executive Manager - Governance	Completion of policy review delayed due to staff secondment. Process has recommenced with expected completion of September 2016.	The external portion of expert review of the policies has been completed together with a review of the adopted Council Policy Framework. The reviewed policies are now with policy owners for finalising before presentation through ELT and necessary transition through policy framework for finalisation. The remainder of the process is a business as usual function and it is recommended that this is not included in the 2016-2017 Operational Plan	Manage outside of the 2016/2017 Operational Plan	Agreement to remove from Operational Plan	This activity relates to business as usual. Currently all reviewed documents are back with the policy owners and will continue through the process to finalisation.

7.2.3	Through the Corporate Services Business Improvement Team, improve the efficiency and effectiveness of business processes delivered to the organisation	Number of Business Improvement initiatives implemented	General Manager - Corporate Services	This concept of business improvement is not reflective of the outcomes being achieved and limits improvements to being interpreted as technology change. While this will be a key part it is not the sole measure of effectiveness. After undertaking a significant review of the ICT strategic plan and priorities - there has been a realignment to focus on how better solutions can be achieved through a new corporate system. This has driven a change in approach and this key activity is to be withdrawn as defunct, and is to be closed out as finalised.	This item is complete and ongoing improvements will be incorporated in the new corporate software.	N/A	Agreement to include in 2016/2017 Operational Plan	Activity is to be included in 7.2.8 as an additional performance measure as this activity is somewhat broader than the activities currently incorporated in 7.2.8. The strategy should be articulated to incorporate and focus on effectiveness.
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