

# Late Agenda

## Ordinary Meeting

**Thursday, 17 October 2013**

**commencing at 9.00am**

**Council Chambers, 1 Omrah Avenue, Caloundra**



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**7 REPORTS DIRECT TO COUNCIL****7.5 EXECUTIVE OFFICE****7.5.2 COUNCILLOR PORTFOLIO SYSTEM AND PROTOCOLS – SUNSHINE COAST COUNCIL 2014**

<b>File No:</b>	<b>Statutory Meetings</b>	
<b>Author:</b>	<b>Chief Executive Officer Executive Office</b>	
<b>Appendices:</b>	<b>App A - Portfolio System and Protocols – Sunshine Coast Council 1 January 2014 .....</b>	<b>8</b>

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**PURPOSE**

This report proposes that the adopted Sunshine Coast Council Councillor Portfolio System and Protocols be amended in response to the de-amalgamation of the former Noosa Shire Council.

**EXECUTIVE SUMMARY**

Council has an established portfolio system whereby nominated Councillors are assigned responsibility for key strategic focus area of Council. The portfolio system design and allocation, is a foundation for developing appropriate relationships within the organisation for key strategies or focus areas.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Councillor Portfolio System and Protocols – Sunshine Coast Council 2014” and
- (b) adopt the Portfolio System and Protocols – Sunshine Coast Council 1 January 2014 (Appendix A).

**FINANCE AND RESOURCING**

The financial implications of the portfolio system and associated protocols are able to be accommodated from existing operational budgets and within existing administrative arrangements.

**CORPORATE PLAN**

**Corporate Plan Theme:** *Great governance*

**Emerging Priority:** 8.1 - Ethical, accountable and transparent decision-making

**Strategy:** 8.1.1 - Develop and implement a governance framework that provides transparent and accountable processes and enhances council’s reputation

**Corporate Plan Theme: *Great Governance*****Emerging Priority:** 8.2 - Effective business management**Strategy:** 8.2.3 - Implement a business approach that focuses on maximising opportunities, managing risks and improving quality of service**CONSULTATION**

The Councillor portfolio System and Protocol has been amended on the basis of Mayor and Councillor discussions and accordingly, modifications have been made to the previous portfolio documentation for the 2012 Sunshine Coast Council.

**Community Engagement**

There has been no community engagement required for the development of the portfolio areas and protocol to date.

**PROPOSAL**

Council has discussed the amendment of the Portfolio system as part of the changes that need to be made in light of de-amalgamation. The system provides for nominated Councillors to be assigned specific advocacy responsibilities for key strategic focus areas of the Council.

The proposed changes to the Councillor Portfolio System and Protocols are:

- Councillor Christian Dickson – Regional Planning Portfolio
- Councillor Jenny McKay – Environment Portfolio (in addition to the Community Programs Portfolio)
- Councillor Chris Thompson – Corporate Planning Portfolio (in addition to the Finance and Water Portfolio)

In addition to the above re-assigned responsibilities, Section 4.0 of the Councillor Portfolio System and Protocols has been updated to include reference to the 'Councillors Acceptable Requests Guidelines' which has replaced the previous protocols prescribed by the Chief Executive Officer.

**Legal**

The Portfolio system in no way overrides or impinges on the requirements of the *Local Government Act 2009* (the Act) that requires corporate decisions on policies and resources to be reached at properly constituted Council meetings, nor does it conflict with any provision of the Councillor's Code of Conduct.

The proposed amended portfolio system, whilst inferring informal influence, must not eventuate in a portfolio Councillor assuming any of the roles normally prescribed to the Mayor per the Act.

**Policy**

The proposed portfolio system does not override the Councillors Acceptable Requests Guidelines in relation to communication between Councillors and Council staff as required by the Act. The Councillors Acceptable Request Guidelines sets out the guidelines for requests for assistance, advice or information by councilors to local government employees to assist councilors to carry out their responsibilities under the Act.

**Risk**

Adoption of the amended protocol will enable continuation of a structured strategic approach to securing opportunities within Council's identified priority areas.

Formal adoption of the amended Councillor Portfolio system and protocols provides transparency and accountability for this operational arrangement for Council and confirms Councillors' commitment to a structured approach to strategic areas.

**Previous Council Resolution****Council Resolution** (OM12/75)

**Moved: Councillor T Dwyer**

**Seconded: Councillor J O'Pray**

*That Council:*

- (a) *receive and note the report titled "Councillor Portfolio System and Protocols – Sunshine Coast Council 2012", and*
- (b) *adopt the Portfolio System and Protocols – Sunshine Coast Council 2012 (Appendix A) as amended.*

**Related Documentation**

Councillor Code of Conduct

Councillors Acceptable Request Guidelines

**Critical Dates**

Noosa Shire Council will commence on 1 January 2014. It is preferred to have adjustments made to the Portfolio System and Protocols as early as possible to assure a smooth transition for the continuing Council.

**Implementation**

Should Council accept the recommendation of this report, the portfolio system and protocols will be applicable from 1 January 2014.

## Councillor Portfolio System and Protocols Sunshine Coast Council 2014

### 1.0 Introduction

Council has agreed to the establishment of a Portfolio system as part of its corporate decision making structure. This system provides for nominated Councillors to be assigned specific responsibilities for a key strategic focus area of the Council.

This document provides details of the Portfolio system and the associated operating protocols.

### 2.0 Rationale for System

The system design and allocation of portfolios is recognised as a means of developing appropriate relationships within the organisation on key strategies or focus areas.

### 3.0 Portfolio Designations and Allocations

Portfolio	Portfolio Definition	Designated Councillor
Economic Development	Key centres; Economic development support and investment attraction; Significant events; International relations; Regional Development and Advocacy	Mayor Mark Jamieson
	<b>Sectors</b> <b>New and Emerging Industries</b> (Clean Technology; Aviation; Resources; Communication Technology) <b>Tourism, Sport and Major Events</b> <b>Health &amp; Medical Precinct and Education</b>	<b>Sector Lead</b> Cr Stephen Robinson  Cr Jason O'Pray Cr Peter Cox
Finance and Water	Budget; Long term financial plan; State Water Reforms; Unitywater; Business Units performance	Cr Chris Thompson
Environment	Policy development; waterways and biodiversity; climate change	Cr Jenny McKay
Corporate Planning	Community and Corporate Plan (including review); key indicators	Cr Chris Thompson
Regional Projects	Key region-making projects > \$50m; focus on scoping and strategy for funding	Cr Tim Dwyer
Service Delivery	Setting of appropriate levels and standards for Council's works and services, appropriate levels of customer service and monitoring of customer/community satisfaction levels.	Cr Ted Hungerford



Portfolio	Portfolio Definition	Designated Councillor
Community Programs	Social capital; health and well being programs	Cr Jenny McKay
Transport Strategy	Strategic positioning; transport corridors, modal shift, planning	Cr Rick Baberowski
Regional Planning	Planning Scheme; Structure Plans; major development centres; statutory planning; development services	Cr Christian Dickson
Place Management and Delivery	Place design; capital works and infrastructure planning/delivery	Cr Greg Rogerson

Where an issue impacts on more than one portfolio area, the relevant portfolio Councillors and Executive Director(s) will work collaboratively to determine the appropriate approach.

#### 4.0 Powers & Authorities

- The Portfolio system provides no formal delegated authority to the Portfolio Councillor. It provides, however, the Councillor with an opportunity to develop and maintain a heightened level of knowledge and leadership across the region in a specified field.
- The Portfolio system in no way overrides or impinges on the requirements of the *Local Government Act 2009* (the Act) that requires corporate decisions on policies and resources to be reached at properly constituted Council meetings.
- The Portfolio system cannot conflict with any of the provisions of the Councillor's Code of Conduct especially in relation to the provisions of the Act preventing Councillors from giving directions to staff on how they shall undertake their duties.
- The Portfolio system whilst inferring informal influence must not eventuate in a portfolio Councillor assuming any of the roles normally prescribed to the Mayor (as per the *Local Government Act 2009*).

The portfolio system does not override the Councillors Acceptable Requests Guidelines in relation to communication between Councillors and Council staff as required by the Act.

#### 5.0 Strategic Focus

The portfolio designations have been selected for their strategic importance to the Council and the community of the Sunshine Coast.

As prescribed in the Act, the Councillors' endeavours, interest and influence should be focused more at the strategic level of issues of their portfolio, rather than the day to day operational matters that fall under the domain of the administration.

Specific objectives and key indicators for each portfolio over the term of the council are to be identified and reported under this protocol and where appropriate considered by Council for inclusion in any scheduled Corporate Plan review.

## 6.0 Obligations

- (i) In support of commitments to inclusive teamwork and co-operation between elected and staff members, the portfolio holders are encouraged to establish clear, open and regular communication with their aligned Executive Directors and key staff.

Equally, the Executive Directors and Managers are required to recognise the role formally allocated to the portfolio holders by the Council and to offer high levels of engagement and support in a very practical and open manner.

- (ii) To maximise the effectiveness of the portfolio systems each Councillor has an obligation to undertake such steps as necessary to gain a heightened knowledge and understanding on the principal issues of the portfolio.

Equally, the Executive Directors are to provide practical opportunities and assistance to enable portfolio holders to gain increased knowledge and experience in the specific portfolio area.

## 7.0 Portfolio Councillor Role

In relation to the ambit of the respective portfolios, designated Councillors have responsibilities to:

- (i) be a key point of contact and to engage with industry and community groups and associations.
- (ii) represent and advocate Council's policy and corporate positions where called upon at forums, conferences and to other levels of government.
- (iii) ensure consistent communication and messaging to media agencies and the community as a whole.
- (iv) participate and where appropriate, lead any Council working groups or meetings formed in relation to the relevant portfolio issues.
- (v) provide guidance and direction to the Council and the organisation through participation, discussion and debate at Council and Committee meetings.
- (vi) provide an elected viewpoint and to act as a sounding board for Executive Directors and key staff on issues relating to the portfolio.
- (vii) generally champion the advancement of Council's key priorities and decisions relevant to the portfolio area.

## 8.0 Communication

The Portfolio Councillor will typically be the principal Council spokesperson on regional issues falling under the ambit of the portfolio, noting the Mayor's prerogative to comment on and take precedence at his discretion and through discussion with the portfolio councillor.

If the Mayor is not available to comment on an issue and/or project that is of a regional nature, the Deputy Mayor will be the spokesperson for the media;

Where a portfolio-related issue or project has a divisional focus, the portfolio councillor will assist and work with the divisional councillor, with the divisional councillor being the lead spokesperson.

In fulfilling this spokesperson's role the portfolio holder shall be cognisant of the roles, obligations and responsibilities of the Mayor, other portfolios that may share the spokesperson role due to the nature of the project, the role of any Standing Committee Chair (if relevant) under which the portfolio may fall, and the Divisional Councillor.

If the Mayor and Deputy Mayor are not available to comment on a regional issue and/or project the relevant Divisional Councillor and CEO (or delegate) will be the spokespersons for the media;

As a general rule the portfolio holder would assume precedence over any Committee Chair (if relevant).

Note: Non- Portfolio Communications

All media releases that refer to divisional issues will of course defer to the divisional councillor as spokesperson. The Divisional councillor may, at his or her discretion, refer these to the CEO or his delegate.

## 9.0 Notes

Intergovernmental Relations and Advocacy are a core responsibility for the Mayor

The Mayor is typically the spokesperson on regional issues, which include but are not necessarily limited to:

- Matters of emergency eg. floods, fires, cyclones
- Major reputation management
- State and/or Federal Government matters and relationships
- Opening of major facilities
- Initiatives and projects of major regional significance
- Region wide planning matters
- Major regional events
- Major regional promotions
- National and international charity appeals
- General social commentary or industry-related matters.



**10 CONFIDENTIAL SESSION**

**10.1 REGIONAL STRATEGY AND PLANNING**

**10.1.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PLANNING APPEAL - MAROOCHYDORE**

**File No: MCU07/0097 & LEG-479**

**Author: Manager Development Services  
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This report is confidential in accordance with section 275 (f) of the *Local Government Regulation 2012* as it contains information relating to starting or defending legal proceedings involving the local government.

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