Logan City Council Governance Framework





logan.qld.gov.au

Document Control Page

Authors

Prepared:	Name	Title	Date
	Anita White	Corporate Governance Manager (Acting)	August 2022

Document History

Version	Date	Author	Description / Reasons for Amendment
1	October 2020	Corporate Governance	Creation
2	August 2022	Corporate Governance	Review

Contents

1.	Who we	e are	1
	1.1	Council	1
	1.2	Community and City vision, purpose, goal and values	
2.	Govern	ance Framework	
	2.1 2.2	Introduction What is good governance	2
3.	The Go	vernance Framework Principles	2
4.		arent and Effective Processes, and Decision-Making in the F	
	Interest 4.1 4.2 4.3 4.4 4.5 4.6 4.7 4.8	Legislative Basis Status and Powers. Composition of Logan City Council Committee Structure Decision Making Framework Organisation Structure Beneficial Enterprises (controlled entities) Commercial Business Units.	3 5 6 6 9 10
5.	Sustain	ability, Development and Management of Assets and Infrastru	ucture,
	and Del 5.1 5.2 5.3 5.4 5.5 5.6 5.7 5.8 5.9	livery of Effective Services Planning and Council's Vision and Purpose Strategic Planning and Performance Long Term Financial Planning Long Term Asset Management Plan Annual Budget Procurement Planning Scheme Local Government Infrastructure Plan Sustainability	11 12 12 12 13 13 13 14
6.		and Legal Behaviour of Councillors and Local Gover	
	$\begin{array}{c} 6.1 \\ 6.2 \\ 6.3 \\ 6.4 \\ 6.5 \\ 6.6 \\ 6.7 \\ 6.8 \\ 6.9 \\ 6.10 \\ 6.11 \\ 6.12 \\ 6.13 \\ 6.14 \\ 6.15 \\ 6.16 \\ 6.17 \end{array}$	rees Introduction Councillors Mayor Chief Executive Officer Employees Ethical Behaviour Interface between Councillors and Local Government Employees Delegations and Authorisations Audit Register of interests Conflict of interests Related parties Public Interest Disclosure Contact with Lobbyists Complaints Management Fraud and Corruption Human Rights Act	15 15 16 17 17 18 18 19 20 20 20 20 21 21
7.		ratic Representation, Social Inclusion and Meaningful Comr	
	7.1	Customer Service Charter	
	7.2	Community Development Action Plan	
	7.3 7.4	Safe City Strategy and Action Plan Error! Bookmark not de Community Engagement	fined.

7.5	Advocacy Strategy 2021-2024	
7.6	Open Data	
Good (Governance of, and by, Local Government	
8.1	Corporate Plan	
8.2	Operational Plan	
8.3	Performance and Reporting	
8.4	Financial Management Strategy	
8.5	Risk Management Processes	
8.6	Insurance	
8.7	Policies and Management Directives	
8.8	Management of information	
8.9	Legal Services	
8.10	Compliance	
8.11	Local Laws	
8.12	Statutory Registers	

8.

1. Who we are

1.1 Council

The City of Logan is one of the largest and fastest growing cities in Australia. The essence of Logan is its people, places, heart and spirit. The city is home to more than 345,000 people from 217 different nationalities and cultures. This creates a diverse, culturally rich and multi-faceted community.

We are a progressive leader in local government and offer community services and facilities to our residents. Our vision is to be a green city full of pride, opportunity and culture.

1.2 Community and City vision, purpose, goal and values

Community vision

Logan is a thriving, forward-thinking community, building a smart future by embracing innovation, diversity and equality for all. No matter where you're from, you're welcome in Logan.

City vision

City of Logan, a green city full of pride, opportunity and culture.

Our purpose

To make a positive difference in people's lives through the quality of the services we provide.

Our corporate goal

To be an organisation where our staff pursue excellence in all that they do with high levels of personal job satisfaction.

Our values

At Logan City Council we value:

Community first –We work together to know our customers' needs so we deliver what matters and what makes a difference. We make decisions with empathy and recognise that our community's needs are at the core of every decision we make now and into the future.

Our people – We respect, care about, support and develop our people. We promote a safe workplace where people can explore opportunities, enjoy themselves and achieve high levels of personal job satisfaction.

Excellence – We create an environment where people are clear about expectations and accountable for achieving excellent outcomes. We foster enquiry, innovation and creativity with a focus on continuous improvement.

Leadership – We encourage leadership aligned to our values at all levels of the organisation. We work together to best use our skills and knowledge to pursue challenges and to deliver excellent services to our customers and our community.

Integrity – We are honest and open by saying what we believe, doing what we say and giving permission for others to do the same. We take responsibility, individually and as a team, for all that we do.

2. Governance Framework

2.1 Introduction

Logan City Council has a framework of plans, strategies, policies and procedures in place which reflect Council's compliance with its legislative obligations and provide governance assurance to all of Council's stakeholders. Together, they form the governance framework for Council.

This Governance Framework document supports Council's governance framework by providing an overarching view of the existing governance arrangements that are in place.

The Governance Framework will assist all at Council to understand the various plans, strategies, policies and procedures which contribute to the overall management of Council's governance obligations.

2.2 What is good governance

Governance can be described as the process of decision-making for an organisation and how those decisions are implemented.

Governance encompasses the system by which an organisation is controlled and operates, and the mechanisms by which it, and its people, are held to account. Ethics, risk management, compliance and administration are all elements of governance. ¹

Governance benefits everyone in Logan - Councillors, Council employees and the Logan community. It ensures accountability, consistency and transparency and supports compliance with legislative and ethical obligations. Overall, good governance will lead to improved performance by Council and better outcomes for the community.

To deliver these benefits, there needs to be clear understanding of governance roles and accountabilities. This Framework sets out the roles of Councillors and employees to allow them to carry out their duties with integrity. Good governance is characterised by being participatory, consensus oriented, accountable, transparent, responsible, effective and efficient, equitable and inclusive and following the rule of law.

3. The Governance Framework Principles

The *Local Government Act 2009* (Local Government Act) prescribes a set of principles for ensuring the system of local government is accountable, effective, efficient and sustainable. These principles establish what good governance is in a local government context.

The local government principles are:

- transparent and effective processes, and decision-making in the public interest;
- sustainable development and management of assets and infrastructure, and delivery of effective services;

¹ Governance Institute of Australia

- democratic representation, social inclusion and meaningful community engagement;
- good governance of, and by, local government; and
- ethical and legal behaviour of Councillors and local government employees.

These local government principles apply to govern the way:

- anyone who is performing a responsibility under the Local Government Act performs that responsibility (including Councillors, the Chief Executive Officer (CEO) and employees), and
- any action is taken under the Local Government Act. All actions must be consistent with the local government principles and must provide results that are consistent with the local government principles.

4. Transparent and Effective Processes, and Decision-Making

in the Public Interest

4.1 Legislative Basis

The Local Government Act provides for:

- the way in which a local government is constituted and the nature and extent of its responsibilities and powers; and
- a system of local government in Queensland that is accountable, effective, efficient and sustainable.²

Section 8 of the Local Government Act establishes Logan City Council as a local government, being the elected body that is responsible for the good rule and government of the part of Queensland that is the Logan City Council local government area. The way Council is constituted, and the nature and extent of its functions and powers, comes from the Local Government Act and other Acts of the State of Queensland.

In addition to the Local Government Act and *Local Government Regulation 2012*, Council is governed by a broader regulatory framework including:

- Local Government Electoral Act 2011;
- Auditor General Act 2009;
- Statutory Bodies Financial Arrangements Act 1982;
- *Financial Accountability Act 2009* and Financial Management and Performance Standard;
- Crime and Corruption Act 2001;
- Public Interest Disclosure Act 2010;
- Public Sector Ethics Act 1994;

² Local Government Act 2009, section 3.

- the Code of Conduct for Councillors in Queensland;
- the Code of Conduct for Councillor Advisors in Queensland;
- the Code of Conduct for Logan City Council Staff;
- Right to Information Act 2009;
- Information Privacy Act 2009;
- Public Records Act 2002; and
- Human Rights Act 2019.

Council must ensure that it discharges its functions and exercises its powers in accordance with these Acts.

Council ensures that it acts only in accordance with the powers prescribed in its regulatory framework through its adoption of local laws, policies and procedures that ensure efficient and effective decision-making, performance, and the discharge of responsibilities. Council has a hierarchy of documents relied on by Council to ensure good governance. This is discussed in section 8.

4.2 Status and Powers

The Local Government Act provides that Council is a body corporate, may sue and be sued, may enter into contracts, and may do anything that is necessary or convenient for performing its responsibilities.

However, the exercise of these powers is subject to section 9 of the Local Government Act, which provides, relevantly:

- (a) a local government has the power to do anything that is necessary or convenient for the good rule and local government of its local government area;
- (b) a local government can only do something that the State can validly do;
- (c) a local government may take account of Aboriginal tradition and Island custom;
- (d) a local government may exercise its powers:
 - (i) inside the local government area; or
 - (ii) outside the local government area:
 - A. with the written approval of the Minister; or
 - B. in accordance with its powers to conduct joint government activities.

Council must always therefore ensure that it acts within its statutory powers.

Council is responsible for the good rule and government of its local government area. Logan is one of the largest and fastest growing cities in Australia. Council provides more than 90 programs and services to the community. In general terms, its core functions relate to:

- (a) roads;
- (b) water and drainage;

- (c) sewerage;
- (d) community recreation;
- (e) public buildings;
- (f) environmental health;
- (g) waste and recycling management; and
- (h) libraries.

Council is also responsible for a range of regulatory functions for its local government area, including:

- (i) planning and land use;
- (j) building and construction;
- (k) environmental protection and management including vegetation management;
- (I) waste and recycling management;
- (m) public health and safety;
- (n) food safety;
- (o) animal management;
- (p) licensing;
- (q) advertising signs;
- (r) footpath dining;
- (s) control of foreshores, malls, parks and public spaces; and
- (t) parking.

The nature of these functions is such that Council plays an important role in community governance, and its decisions, actions and services impact directly on residents in its local government area.

This community focus is reflected in Council's core values.

4.3 Composition of Logan City Council

Logan City Council comprises 13 Councillors, including the Mayor.

Council's local government area is divided into 12 divisions, each of which is represented by an elected member (a Councillor). The Mayor is elected for the local government area as a whole, rather than as representative of a particular Division. Councillors must serve the overall public interest of the whole local government area when performing a responsibility.

It is the Council as a whole who is responsible for a local government's decision-making at its Council meetings.

Details of the divisional boundaries are available at https://www.logan.qld.gov.au/divisions.

4.4 Committee Structure

Logan City Council has established several Committees:

- (a) City Infrastructure Committee;
- (b) City Planning, Economic Development and Environment Committee;
- (c) City Governance Committee; and
- (d) City Lifestyle Committee.

These subject-matter focussed Committees are established as Standing Committees and all Councillors (including the Mayor) sit on each of the Committees.

Council has also established one Special Committee, the Procurement and Appropriations Special Committee. The membership of the Special Committee consists of six Councillors.

Upon establishment of the Committees, Council adopts terms of reference that clearly identify the specific purpose, objectives and responsibilities of each Committee.

In general terms, the purpose of the Committees is to consider complex issues associated with the Committee's subject matter focus and make recommendations to Council for a decision at an ordinary meeting. This ensures the more efficient conduct of Ordinary Meetings of Council.

The Standing or Special Committees do not have any decision-making powers.

Council is also supported by an Audit and Risk Committee. This Committee is established as an advisory committee to satisfy the requirement under the Local Government Act that each large local government must have an audit committee. This committee operates under a charter, which outlines that the Committee consist of independent members and Councillors, consistent with the requirements of the *Local Government Regulation 2012*.

4.5 Decision Making Framework

Decision-making generally

Council may exercise its powers by either:

- (a) making a resolution of Council at an Ordinary Meeting or a Special Meeting of Council; or
- (b) to the extent permitted by law, by delegation.

Other than in respect of delegated powers (refer to section 6.8 below) Council adopts a process for decision-making where:

- (c) Council officers prepare a report on the matter for consideration by the relevant subject matter Committee. The current cycle for Committee meetings is every four (4) weeks;
- (d) the Committee considers the matter in detail and makes recommendations for consideration at an Ordinary Meeting of Council. It is also open to the Committee to require additional information to enable effective consideration of the matter prior to making its recommendations to Council. The current cycle for Council meetings is every four (4) weeks; and

(e) Council decides on the matter by resolution at its Ordinary Meeting (or, in more limited circumstances, at a Special Meeting), having regard to the recommendations.

Councillors' key function as elected members for the Logan community is their participation in the decision-making process for Council. Councillors are required to decide matters in accordance with the local government principles, and in accordance with their responsibilities as representatives for the community, as prescribed in the Local Government Act and as set out in Council's <u>Decision Making Framework</u>.

Decisions required will generally fall into two categories:

(f) Strategic decisions - broad policy, commercial, contractual and political decisions that have general application, made within or outside of a legislative framework.

Examples include:

- strategic policies or programs;
- a strategic plan;
- a sister city partnership;
- delivery of the planning scheme;
- setting annual budgets and rates; and
- making or amending local laws.
- (g) Administrative decisions a decision that affects the rights and interests of a person or business within Logan, in an individual way, made within a legislative framework.

Examples include:

- approval or refusal of a development permit;
- approval or refusal of a license or permit;
- approval or refusal of a lease for a sporting club.

Meetings – Ordinary Council

The Ordinary Council meeting is the formal decision-making authority for Council. It provides overall direction and leadership on all matters referred to it by Council's standing committees. It is also responsible for:

- (h) receiving reports or recommendations from Council's Standing Committees;
- (i) considering the reports and recommendations of the Standing Committees;
- (j) formulation and adoption of Council resolutions; and
- (k) reception of other matters as reported by the CEO or appropriately delegated officer.

Council adopts a terms of reference - Ordinary Council Terms of Reference.

All Councillors attend Ordinary Council meetings.

In accordance with the requirements under the Local Government Act and the local government principles, all meetings are generally open to the public. Ordinary Council meetings are also live streamed to the public and video recordings are available on Council's website.

All decisions are recorded in the minutes for the meetings.

Meetings- City Infrastructure Committee

The City Infrastructure Committee provides direction and leadership in the areas of roads construction and maintenance, road infrastructure delivery and planning, and water business, infrastructure and operations.

Council adopts a terms of reference - <u>City Infrastructure Committee Terms of Reference</u>.

All Councillors attend meetings. Meetings are audio-recorded and livestreamed, and recordings are available on Council's website.

All recommendations are recorded in the minutes for the meetings.

Meetings- City Planning, Economic Development and Environment Committee

The City Planning, Economic Development and Environment Committee provides direction and leadership in the areas of development assessment, economic development and strategy, health environment and waste and city transformation.

Council adopts a terms of reference - <u>City Planning, Economic Development and</u> Environment Committee Terms of Reference.

All Councillors attend meetings. Meetings are audio-recorded and livestreamed, and recordings are available on Council's website.

All recommendations are recorded in the minutes for the meetings.

Meetings- City Lifestyle Committee

The City Lifestyle Committee provides direction and leadership in the areas of city standards and animal care, libraries and creative industries, sport, leisure and facilities, parks, customer experience, community engagement, community services, media, marketing and events.

Council adopts a terms of reference - <u>City Lifestyle Committee Terms of</u> <u>Reference</u>.

All Councillors attend meetings. Meetings are audio-recorded and livestreamed, and recordings are available on Council's website.

All recommendations are recorded in the minutes for the meetings.

Meetings- City Governance Committee

The City Governance Committee provides direction and leadership in the areas of council administration, finance, corporate governance, people and culture, plant fleet services, information services, and advocacy and in respect of the operations of the Portfolio Management Office and Office of the City Solicitor.

Council adopts a terms of reference - <u>City Governance Committee Terms of</u> <u>Reference</u>.

All Councillors attend meetings. Meetings are audio-recorded and live-streamed, and recordings are available on Council's website.

All recommendations are recorded in the minutes for the meetings.

Meetings- Procurement and Appropriations Special Committee

The Procurement and Appropriations Special Committee provides support, advice and guidance on Council's procurement and appropriation activities.

Council adopts a terms of reference - <u>Procurement and Appropriations Special</u> <u>Committee Terms of Reference</u> - Six (6) Councillors attend meetings. Meetings are audio-recorded and live-streamed, and recordings are available to the public upon request.

All recommendations are recorded in the minutes for the meetings and are reported to Ordinary Council.

Meetings- Audit and Risk Committee

The Audit and Risk Committee monitors and reviews the integrity of Council's financial documents, the internal audit function and the effectiveness and objectivity of Council's internal auditors. In addition, the Committee assists the local government by monitoring and reviewing the risk management function and internal control systems and providing and independent and objective forum to promote transparency, accountability and ethical behaviour and culture.

The Committee makes recommendations about any matters that the Committee considers need action or improvement to Ordinary Council, through the City Governance Committee.

The Audit and Risk Committee has an adopted charter - <u>Audit and Risk</u> <u>Committee Charter</u>.

The Committee Charter requires that the committee comprise at least 3 and no more than 6 members. This includes no more than 2 Councillors and up to 4 independent members. Appropriate Council staff can attend and observe meetings, if invited to do so by the Committee.

Minutes are taken for the meeting and recommendations are reported to the City Governance Committee.

Representation on External Committees

Councillors may be appointed to represent Council on external committees and organisations. Their role is to be a conduit between Council and the community.

Appointments to external committees are adopted by Council.

4.6 Organisation Structure

Council's local government employees are led by its CEO and Executive Leadership Team (ELT) who are, in general terms, responsible for implementing the Council's decisions. Save for delegated decision-making responsibilities as set out in the Council's Instruments of Delegation, Council's CEO and the ELT are not responsible for making Council decisions.

The ELT is responsible for overseeing the performance of the organisation and for delivering the outcomes expected by Council as expressed in Logan City Council's Corporate Plan and Operational plan.

A diagram depicting Council's structure and the relationship between Council's CEO and ELT and other employees is located on Council's website - <u>Organisational Structure</u>.

The organisational structure is reviewed and updated from time to time to ensure that the organisation is in a position to respond effectively to changing corporate priorities.

4.7 Beneficial Enterprises (controlled entities)

Council has one beneficial enterprise being Invest Logan Pty Ltd (investLogan).

The Company was established to invest in strategic projects in the City of Logan that will not only deliver an investment return to the city but will also act as a catalyst for further investment. investLogan is committed to not only delivering strong financial returns for the people of Logan, but also significant social, environmental, and economic benefits.

investLogan is led by a board of non-executive directors who are independent from Council. The success of investLogan is dependent on and aligned to the vision, expectations, and support of Council as the shareholder.

Council has a Service Level Agreement with investLogan which identifies agreed operating principles.

Work is currently progressing to strengthen the internal control framework between Council and investLogan including clarifying roles and responsibilities, strengthening the induction for directors of the board and investLogan's financial reporting obligations and identifying investLogan's long term strategic objectives.

4.8 Commercial Business Units

Logan City Council operations two commercial business units – Logan Water and Logan Waste and Recycling Program.

Logan Water is responsible for providing safe, reliable, and efficient drinking water supply and wastewater services to customers in the City of Logan. As a wholly owned and operated business of Council, Logan Water strives to strike a balance between being a public utility and being a commercial business focused on effective customer service and value for money. Logan Water has a Statement of Commercial Intent which clearly articulates the expectations of stakeholders and defines the agreed commercial outcomes.

The Waste and Recycling Program provides waste and recycling services that are safe, reliable, connected, affordable and financially sustainable. This helps create a healthy and green city.

The nature and extent of the services provided by the Waste & Recycling Program is to:

- provide a waste and recycling collection service to the community;
- provide a network of waste disposal and recycling facilities across the city;
- operate a landfill at Browns Plains;
- attract sale of waste disposal services to the commercial sector; and
- manage former landfill sites.

4.9 Portfolio Management Office

Council has established a Portfolio Management Office (PMO) which looks to provide an enterprise wide approach to the identification, prioritisation and successful delivery of a portfolio of initiatives and projects that are aligned with Council's strategic and operational priorities. The two key purposes of the PMO are:

- the execution of strategy and;
- the delivery of results and change.

5. Sustainability, Development and Management of Assets and Infrastructure, and Delivery of Effective Services

5.1 Planning and Council's Vision and Purpose

The Mayor is responsible for leading, managing and providing strategic direction to the CEO in order to achieve the high quality administration of the Council. The Mayor is supported by Councillors who must participate in policy development for the benefit of the local government area.

It is then for the CEO and local government employees to implement the Council's policies and priorities in a way that promotes effective, efficient, and economical management of public resources, sustainability, excellence in service delivery and continual improvement.

Council's strategic planning framework sets the benchmark for all of the activities that Council undertakes.

The planning framework starts with Council's vision and purpose:

City Vision: City of Logan: a green city full of pride, opportunity, and culture.

Our Purpose: To make a positive difference in people's lives through the quality of the services we provide.

5.2 Strategic Planning and Performance

Council relies on its Strategic Planning and Performance Management Framework to achieve its Vision and Purpose, and to drive performance of the organisation by providing processes for strategic planning and performance management. It ensures that its employees have a clear sense of purpose in the work that they do, by articulating the long-term vision of the City. This is vital to ensure that Logan City remains sustainable for current and future generations. Strategic planning ensures that all key stakeholders are aware of, and have a say in, the development of the local government area.

The diagram below sets out at a high level the Strategic Planning and Performance Management Framework at Council.

Strategic Planning and Performance Management Framework

The Stategic Planning and Performance Management Remewark connects our community's value forme City of Cage with our narrows. The Statements height an detroit the plane and transagement and to develop to detroit the the state of the statement of the postilise to determine what to dis and when to defend the visco. Understanding the Narework will assist our Mayor and Councilian in making stategic decision.

Our city vision

a green city full of pride, opportunity and culture.



5.3 Long Term Financial Planning

Section 169 of the Local Government Regulation requires that the long-term financial forecast must cover a period of at least 10 years and include the relevant financial sustainability ratios, including asset sustainability ratio and net financial liabilities ratio.

To meet its legislative obligation, Council has in place a long-term financial strategy and financial plan. Both support the long-term plans of Council.

5.4 Long Term Asset Management Plan

It is a requirement of section 104(5)(a)(ii) of the Local Government Act for a local government to develop a long term asset management plan and that this be adopted by Council.

The Logan City Council Total Assets Management Plan 2021/22 (TAMP) is Council's long term asset management plan and sets out the context in which Council:

- manages its assets;
- provides a snapshot of its assets;
- monitors asset performance and expenditure; and
- addresses the challenges Council faces to achieve a sustainable future.

The plan is a requirement under the Local Government Act and Regulation and operates for a period of no less than 10 years.

On an annual basis, Council reviews its TAMP and a suite of Assets and Services Management Plans (ASMPs) for each class of asset. The TAMP is a summary plan which draws from information contained in the ASMPs and provides a whole of Council snapshot

of asset sustainability. The ASMPs are more detailed documents which articulate whole of asset lifecycle issues, levels of service, how demand will be met and continuous improvement strategies.

The TAMP also has strong links to Council's Long Term Financial Plan and is a key input into the annual budget process. In many ways, the information contained in the TAMP and the supporting ASMPs, is the business case which justifies Council's decision to allocate resources to asset management. In addition to this, the TAMP also plays a vital role in operationalising those strategies which aim to manage growth and demand in a more sustainable manner.

The document describes in detail the broader asset management framework which operates across the Council to ensure Council's long-term sustainability.

5.5 Annual Budget

In accordance with the requirements under the Local Government Act and Local Government Regulation, Council adopts its budget on an annual basis. The budget must be consistent with Council's Corporate Plan and Operational Plan.

5.6 **Procurement**

In accordance with the Local Government Act, Council applies the following principles in its procurement processes:

- value for money;
- open and effective competition;
- the development of competitive local business and industry;
- environmental protection; and
- ethical behaviour and fair dealing.

The Local Government Regulation gives local governments two different frameworks to undertake procurement functions – default and strategic. Local Governments must operate under one of these models.

Council currently operates under the strategic procurement model. This model enables the delivery of a fully bespoke procurement function that reflects the complexity and requirements of Council's procurement activities. The strategic model adopts a risk-based approach to procurement, enabling Council to tailor its thresholds, policies, procedures and requirements to meet its individual needs.

To highlight the importance of supporting local businesses within Logan City, Council has a Local Buy Policy. In addition, Council has adopted a Social Procurement Policy.

5.7 Planning Scheme

Council's Planning Scheme was adopted in 2015 and sets out Council's intention for future development for the next 15 years. The Planning Scheme seeks to advance state and regional strategies, including state planning policies and the Regional Plan, through more detailed local responses and taking into account the local context. It helps Council manage population growth, plan for a sustainable future, and guide the way land is used and developed in Logan.

The Planning Scheme applies to all premises, roads, internal waterways, local government tidal areas and interrelates with the surrounding local government areas. It is regularly reviewed to ensure it appropriately responses to the changing needs of the community.

The Planning Scheme does not apply to the priority development areas of Yarrabilba and Greater Flagstone. These development areas are managed by Economic Development Queensland.

Council is preparing a new planning scheme for the City of Logan: Logan Plan 2025. This major program of work will help us better manage our city's growth, protect our environment, improve design outcomes, manage natural hazards, and create opportunities for jobs and prosperity.

5.8 Local Government Infrastructure Plan

The *Planning Act 2016* requires that all Councils have a Local Government Infrastructure Plan (LGIP) as part of their planning scheme. The LGIP is the outcome of integrating land use planning with long term infrastructure planning, to identify the trunk infrastructure required to support the intended urban development pattern of the city. It therefore shows the trunk infrastructure Council intends to provide within the next 15 years and informs Council's Long Term Financial Planning and the Long Term Asset Management Plan.

The purpose of an LGIP is to:

- integrate infrastructure planning with the land use planning identified in the planning scheme;
- provide transparency regarding a local government's intentions to provide trunk infrastructure;
- enable a local government to establish the cost of infrastructure provision to assist its long-term financial planning;
- ensure that trunk infrastructure is planned and provided in an efficient and orderly manner; and
- provide a basis for the imposition of conditions about infrastructure on development approvals.

The LGIP is a city-wide plan, excluding the Priority Development Areas (PDAs) of Yarrabilba and Flagstone. Most of the trunk infrastructure identified in the LGIP serves the Priority Infrastructure Area (PIA) which is the part of the city planned to accommodate at least the next 10 years of growth.

The main source of LGIP funding is income from infrastructure charges levied in accordance with Council's Charges Resolution. One of the key requirements set by the State government is that the LGIP must be affordable.

5.9 Sustainability

Council has adopted a Sustainability Policy and Framework to embed the application of Principles of Sustainability into Council's decision making and activities in a manner where environmental, community, economic and governance responsibilities are equally considered as part of decision making and activities.

This is a whole-of-Council Policy that requires Council and its employees to consider Principles of Sustainability in their decisions and activities across all areas of Council business. Council is committed to applying the Principles of Sustainability to all of its decision making. Specifically, Council will meet this commitment by considering the Principles of Sustainability in:

- delivery of core services;
- the development of its strategic documents;
- capital investment and infrastructure projects;

- City planning and development;
- use of resources including gas, electricity, water, fuel, and construction materials;
- its procurement practices;
- encouraging, training, and supporting staff in adopting sustainable principles and practices to achieve sustainable behaviour change in the workplace; and
- development of short- and long-term projects, actions, and indicators.

6. Ethical and Legal Behaviour of Councillors and Local Government Employees

6.1 Introduction

It is the aim of Council to ensure that all decisions and actions are legal, ethical, and impartial in line with the local government principles in section 4 the Local Government Act, the responsibilities of Councillors in section 12 of that Act and the responsibilities of employees in section 13 of that Act.

6.2 Councillors

Councillors (other than the Mayor) are appointed as the representative for a particular Division within the Logan local government area. However, Councillors are responsible for representing the current and future interests of all residents of the local government area.

The particular responsibilities of Councillors are prescribed by section 12 of the Local Government Act. Councillors must:

- (a) ensure Council:
 - (i) discharges its responsibilities under the Local Government Act;
 - (ii) achieves its Corporate Plan; and
 - (iii) complies with all laws that apply to local governments;
- (b) provide high level quality leadership to Council and the community;
- (c) participate in council meetings, policy development and decision-making, for the benefit of the local government area;
- (d) be accountable to the community for Council 's performance.

Immediately following election, Councillors are provided with training and resources to ensure that legislative and other obligations are understood and that they are able to effectively discharge of their responsibilities.

Additional ongoing training and professional development is provided to and offered to Councillors during their term.

6.3 Mayor

In addition to the responsibilities that apply to Councillors generally, section 12(4) of the Local Government Act prescribes that, in addition to their role as a Councillor, the Mayor is responsible for:

(a) leading and managing meetings of Council at which the Mayor is the chairperson, including managing the conduct of participants at the meetings;

- (b) leading, managing and providing strategic direction to the CEO in order to achieve the high quality administration of Council;
- (c) directing the CEO;
- (d) conducting a performance appraisal of the CEO, at least annually, in the way that is decided by Council;
- (e) ensuring that Council promptly provides the Minister for Local Government with the information about Council, that is requested by the Minister for Local Government;
- (f) being a member of each standing committee of Council; and
- (g) representing Council at ceremonial or civic functions.

6.4 Chief Executive Officer

Section 13(3) of the Local Government Act provides that the CEO (in addition to those responsibilities for local government employees set out below) is responsible for:

- (a) managing Council in a way that promotes:
 - (i) the effective, efficient, sustainable and economical management of public resources;
 - (ii) excellence in service delivery; and
 - (iii) continual improvement;
- (b) managing the other local government employees through management practices that:
 - (i) promote equal employment opportunities; and
 - (ii) are responsive to Council 's policies and priorities;
- (c) establishing and implementing goals and practices in accordance with the policies and priorities of Council;
- (d) establishing and implementing practices about access and equity to ensure that members of the community have access to:
 - (i) local government programs; and
 - (ii) appropriate avenues for reviewing local government decisions;
- (e) the safe custody of:
 - (i) all records about the proceedings, accounts or transactions of Council or its committees; and
 - (ii) all documents owned or held by Council;
- (f) complying with requests from Councillors under section 170A of the Local Government Act:
 - (i) for advice to assist the Councillor carry out his or her role as a Councillor; or

(ii) for information, that Council has access to, relating to Council.

6.5 Employees

Under section 13(2) of the Local Government Act, employees are responsible for:

- (a) implementing the policies and priorities of Council in a way that promotes:
 - (i) the effective, efficient, sustainable and economical management of public resources;
 - (ii) excellence in service delivery; and
 - (iii) continual improvement;
- (b) carrying out their duties in a way that ensures Council:
 - (i) discharges its responsibilities under the Local Government Act;
 - (ii) complies with all laws that apply to local governments; and
 - (iii) achieves its Corporate Plan;
- (c) providing sound and impartial advice to Council;
- (d) carrying out their duties impartially and with integrity;
- (e) ensuring the employee's personal conduct does not reflect adversely on the reputation of Council;
- (f) improving all aspects of the employee's work performance;
- (g) observing all laws relating to their employment;
- (h) observing the ethics principles under the *Public Sector Ethics Act* 1994, section 4;
- (i) complying with a code of conduct under the *Public Sector Ethics Act* 1994.

6.6 Ethical Behaviour

(a) Code of Conduct for Staff

In accordance with the requirements of the *Public Sector Ethics Act* 1994, Council has adopted a <u>Code of Conduct For Logan City Council staff</u>.

The Code's purpose is to provide common guiding principles and standards of conduct and behaviour for all staff, which enhance Council's public image and business reputation. As well as helping each of us in our employment, the Code is a public statement of how we conduct our business and how we treat our customers, business partners and colleagues.

The Code is underpinned by our corporate values of Community First, Our People, Excellence, Leadership and Integrity, the principles set out in the Local Government Act and the principles and values set out in the *Public Sector Ethics Act 1994*.

(b) Councillor Code of Conduct

The Local Government Act states that the Minister must make a Code of

Conduct for Councillors in Queensland which sets out the standards of behaviour for Councillors and Mayors in performing their functions. The Code of Conduct makes all Councillors aware of their obligations around the three Rs – responsibilities, respect and reputation to ensure that:

- Councillors carry out responsibilities conscientiously and in the best interests of the Council and the community;
- Councillors treat people in a reasonable, just, respectful, and nondiscriminatory way; and
- Councillors' conduct does not reflect adversely on the reputation of the Council.

All Councillors declare that they will abide by the Code of Conduct for Councillors in Queensland when they are elected.

6.7 Interface between Councillors and Local Government Employees

Council has in place Acceptable Request Guidelines to manage the interface between Councillors and Council Employees to ensure that the local government interests are paramount.

The processes:

- (a) provide for the way in which a Councillor may ask a Council employee for advice or information to help the Councillor carry out his/her responsibilities under the Local Government Act;
- (b) set reasonable limits on requests made by Councillors;
- (c) provide clarity on Councillor's access to Council employees; and
- (d) assist Councillors in carrying out their responsibilities as elected representatives in an open and transparent manner.

6.8 Delegations and Authorisations

Chapter 7, Part 5 of the Local Government Act includes provisions in respect of the delegation of statutory powers and functions conferred on Council, the Mayor, and the CEO. Those powers and functions can be delegated as follows:

- Council may delegate powers to the Mayor, CEO, a Standing Committee, the chairperson of a Standing Committee or another local government for the purposes of a joint government activity.
- The Mayor may delegate their powers to another Councillor.
- The CEO may delegate their powers to an appropriately qualified employee or contractor of Council.

These delegations may include conditions and limitations on the delegated power and there are some powers that cannot be delegated. A delegation from Council to the CEO must be reviewed annually by Council.

In accordance with the requirements under the Local Government Act, Council keeps a delegation register, which is available for inspection by the public.

Council also has a framework of authorisations, to ensure that effective decision-making can occur. These authorisations provide for decision-making not specifically related to statutory obligations.

6.9 Audit

Council has an audit function to provide independent advice and assurance to Council, the CEO, directors and managers that policies, systems, and operational procedures meet set standards of effectiveness, efficiency, and propriety within all functional areas of the Council as determined by the annual audit plan.

(a) Audit and Risk Committee

The purpose of Council's Audit and Risk Committee is to:

- monitor and review the integrity of financial documents, the internal audit function and the effectiveness and objectivity of Council's internal auditors; and
- make recommendations to Council about any matters that the Committee considers needs action or improvement.

The Committee has a role in assisting Council and the CEO to discharge their responsibilities by monitoring and reviewing internal control systems and providing independent advice to promote transparency, accountability and ethical behaviour and culture.

(b) Internal Audit

As an integral part of its strategy to achieve continual improvement and in accordance with section 207 of the Local Government Regulation, Council undertakes the functions of internal audit. The internal audit function is delivered through a co-sourced arrangement, with Council collaborating with an internal audit service provider to deliver the endorsed annual internal audit plan. The objectivity of the internal audit function and its effectiveness is subject to monitoring and review by the Audit and Risk Committee.

(c) External Audit

Council's financial statements are subject to audit by the Queensland Audit Office each year in compliance with the *Financial Accountability Act 2009* and the Financial and Performance Management Standard 2019.

The Queensland Audit Office provides an audit opinion annually on the accuracy and reliability of Council's financial statements, provide Council with insights on its financial performance, risk, and internal controls as well as the efficiency, effectiveness, and economy of the delivery of Council's services.

6.10 Register of interests

As required under the *Local Government Act 2009*, all Councillors, the CEO and senior executive officers must complete a register of interests. The register of interests allows potential conflicts of interest to be identified.

Councillors' registers of interest are available on Council's website and must be updated with any changes within 30 days. Councillors must also update their register of interests within 30 days of the end of the financial year.

6.11 Conflict of interests

Councillors must declare conflicts of interests at Council and Committee meetings to ensure transparency, accountability, and integrity. Any declaration will be noted in the minutes. It is a standing item on every Council and Committee agenda.

Councillors are reminded at every meeting of their obligations to declare any conflicts of interest.

The Council Code of Conduct for Logan City Council Staff requires all Council employees to declare any conflicts of interest. Council also provides mandatory training on the Code of Conduct for employees.

Conflicts of interest are also identified as part of Council's procurement and recruitment processes, which requires evaluation panel members to declare any conflicts of interest.

6.12 Related parties

To provide a framework for governing related-party transactions, reporting related-party transactions, balances, and commitments to achieve the level of disclosures required by the Australian Accounting Standard AASB 124 Related party disclosures, Council has a Related Parties Transactions and Disclosure Policy. The Policy sets out the steps to be taken to ensure compliance with the Australian Accounting Standard.

6.13 Public Interest Disclosure

A public interest disclosure (PID) is a report of a suspected wrongdoing or danger. Individuals who make a PID are protected from reprisals for reporting the wrongdoing.

Council is committed to fostering an ethical, transparent culture. In pursuit of this, Council values the disclosure of information about suspected wrongdoing in the public sector so that it can be properly assessed and, if necessary, appropriately investigated. Council will provide support to any employee, public officer or other person who makes a disclosure about matters in the public interest. Council's Public Interest Disclosure Policy outlines and supports this commitment.

6.14 Contact with Lobbyists

Council's policy and procedure as to how Councillors and Council employees should deal with lobbyists assists with better decision-making where lobbyists have contacted Council.

Council's Contact with Lobbyists Policy provides ethical guidance to Councillors and Council employees when dealing with lobbyists, to ensure that all contact is properly recorded and occurs in accordance with the requirements of the *Integrity Act 2009*.

6.15 Complaints Management

Council is committed to delivering quality customer service and communicating effectively with our community. Despite our best efforts, people may not be happy with an administrative action of Council and may make an administrative action complaint.

Council acknowledges complaints about the administrative actions of Council as a form of feedback from the community and endeavours to respond to all complaints in a fair, efficient, and transparent manner and use them as a means to improve our services, systems, procedures, and policies.

This is set out in Council's Administrative Action Complaints Policy.

Section 268(2) of the Local Government Act defines an "administrative action complaint" as a complaint about an administrative action of Council made by an affected person.

An affected person is someone who is affected by the administrative action. An administrative action of Council includes a decision or failure to make a decision, a failure to provide a written statement of reasons for a decision, an act or failure to do an act, the formulation of a proposal or intention, or the making of a recommendation.

6.16 Fraud and Corruption

Fraud and corruption have the potential to cause significant financial, reputational, and service delivery harm to Council. These forms of wrongdoing also have a potential to diminish or destroy community confidence in Council.

Logan City Council has zero-tolerance towards fraud and corruption, with all incidents regarded as serious. Everyone in Council is responsible and accountable for managing the risk of potential fraud and corruption

Council is committed to effectively preventing, detecting and responding to incidents of fraud and corruption.

Council has in place a Fraud and Corruption Policy to support these outcomes.

6.17 Human Rights Act

Council has a statutory obligation to consider human rights in all decision-making. Council has in place a Human Rights Policy to support these outcomes. Council will work to protect and promote human rights, held build a culture that respects and promotes human rights and promote a dialogue about the nature, meaning and scope of human rights. In practice that means that all individuals should be treated with dignity and respect.

6.18 Work Health and Safety

Council has a primary duty of care under the *Work Health and Safety Act 2011* (Qld) to ensure the health and safety of workers, so far as is reasonably practicable. Council has in place a Health Safety and Wellbeing Management System which defines the principles by which we conduct our operations to protect and get the best outcomes possible for the health, safety, and wellbeing of our employees and our community.

7. Democratic Representation, Social Inclusion and Meaningful Community Engagement

7.1 Customer Service Charter

The Council's Customer Service Charter and Key Service Standards outline Council's:

- (a) commitment to providing quality service that is professional, efficient, and effective, and
- (b) service standards and timeframes to respond to customer enquiries.

7.2 Community Development Action Plan

Council has developed a two-year action plan to guide the priorities and activities of our community development program. This plan was developed after Council approached the community of Logan about:

- what is strong in their community;
- what they want for their community;

- what we can do to create the community they want; and
- what Council's role might be,

to allow Council to learn more about the strengths and aspirations of the Logan community. As a result of the consultation, the Inside Out Plan was developed. It is available on Council's website and will be reviewed every two years.

7.3 Community Engagement

The voice of the community is important at Council and Council wants to engage with its community on significant Council projects. An important part of development of the most recent Corporate Plan was engagement with the community to create a Community Vision for the City of Logan. That Community Vision was adopted as:

"Logan is a thriving, forward-thinking community, building a smart future by embracing innovation, diversity and equality for all. No matter where you're from, you're welcome in Logan."

7.4 Advocacy Strategy 2021-2024

The City of Logan Advocacy Strategy 2021-2024 is designed to provide a framework for Council to plan and deliver advocacy activities and to progress identified priorities that will contribute to the Corporate Plan.

7.5 Open Data

The Logan City Council <u>Open Data portal</u> has been developed to provide an easy to use site for the purpose of sharing and reusing of public data. The main purpose of the portal is to encourage the community to use, share and reuse information that is publicly available and held by Council from time to time.

8. Good Governance of, and by, Local Government

8.1 Corporate Plan

The Logan City Corporate Plan 2021 - 2026 is the key strategic plan for the City as it translates the community's needs and expectations into priorities. Adoption of a 5 year Corporate Plan for each period of 5 years is a requirement under the Local Government Act and Local Government Regulation. Council relies on community consultation to ensure alignment with the local government principles, and in particular to ensure democratic representation, social inclusion and meaningful community engagement. The current Corporate Plan was adopted by Council on 21 June 2021 - <u>Corporate Plan 2021-2026</u>.

The plan identifies the elected representatives new long term City Vision and the priorities for Council to 2026.

The diagram below represents the strategic planning and performance management framework used by Council and illustrates where the Corporate Plan fits within that framework:



The Corporate Plan provides the focus for how we will invest in infrastructure and guides how we prioritise and deliver programs and services in the short, medium, and long term. The Corporate Plan spans 5 financial years and strongly influences how Council makes decisions about the annual budget and annual operational plan in that time

The Corporate Plan identifies seven focus areas which are:

- (a) maintaining current levels of service;
- (b) proud city;
- (c) environment;
- (d) healthy connected community;
- (e) economy and growth;
- (f) infrastructure; and
- (g) high performing organisation.

For each focus area, the Corporate Plan identifies clear priorities and supporting strategies. This provides clear direction to the Council for determining and implementing operational projects in support of the priorities and a mechanism for monitoring and reporting on delivery. This aligns with the key requirements for good governance - performance and accountability.

8.2 Operational Plan

Each year Council undertakes an important business planning process to fine-tune annual work commitments, ensuring there is a right mix of city-wide enhancements with ongoing city-wide maintenance requirements. This work is formalised in an annual Operational Plan.

The Operational Plan is the document that helps Council deliver on its Corporate Plan through prioritisation of activities for the year ahead. It translates the priorities and services into measurable actions for the financial year.

The requirement for an Operational Plan is prescribed by the Local Government Act with the plan typically adopted at the same time Council adopts its budget for a financial year. Council is required to discharge its responsibilities in a way that is consistent with the Operational Plan.

The Operational Plan identifies the key projects identified for the financial year, aligned with the Corporate Plan focus areas, and gives specific responsibility for delivery to a Council branch.

This approach ensures that council employees are in a position to carry out their duties in a way that ensures Council achieves its Corporate Plan.

8.3 **Performance and Reporting**

(a) Annual Report

In accordance with the Local Government Act and Local Government Regulation, Council must prepare and adopt an annual report within 1 month after the day the auditor-general gives the auditor-general's report about Council's financial statements for the financial year.

The annual report details Council's performance in meeting the strategic priorities outlined in its Corporate Plan and details Council's long term financial planning.

The Annual Report is key to demonstrating Council's commitment to accountability. The objectives of the annual report include to:

- (i) communicate our vision and commitments to the community;
- (ii) report on our performance in delivering the Corporate Plan's priorities and other key achievements by our organisation;
- (iii) demonstrate our ability to lead with confidence and deliver on our promises;
- (iv) demonstrate our commitment to accountable and transparent governance; and
- (v) build confidence and satisfaction in the partnerships that are being created with community groups, local authorities, and industry leaders through key projects.

The Annual Report includes:

- (vi) Council's general purpose financial statements; and
- (vii) a community financial report that contains a summary and analysis of Council's financial performance and position for the next financial year.

Council makes the Annual Report available on for inspection by the public and on its website.

(b) Quarterly Performance Report

In accordance with the requirements under the Local Government Regulation, Council's CEO presents a report of Council's progress towards implementing the Annual Operation Plan at regular intervals of not more than 3 months.

8.4 Financial Management Strategy

Council has in place a financial management strategy which ensures prudent, long-term financial forecasting. The strategy measures actual revenue and expenditure trends over time to guide decisions about resource allocation. This helps ensure services are provided efficiently and effectively and are being managed to meet our community's current and future needs.

8.5 Risk Management Processes

(a) Enterprise Risk Management

Council acknowledges that its risk management system is fundamental to achieving strategic and operational objectives and serves as the methodology underpinning its system of governance. All Councillors, the CEO, directors, senior managers and employees of Council are responsible and accountable for the management of risks and opportunities.

Council has adopted a Compliance and Risk Management Framework to provide guidance on how to apply consistent and comprehensive risk management and compliance obligations across the broad range of Council's operations.

The risk management process is linked to objectives at all levels of Council and takes account of opportunities as well as threats.

(b) Local Disaster Management Plan

Council's Local Disaster Management Plan outlines how to prevent, prepare for, respond to, and recover from a disaster or emergency. The plan makes sure Council develop strategies that will reduce the impact of a disaster – including natural disasters or disasters caused by people. The plan considers all types of disasters, including disasters that disrupt essential services or involve an attack against the state.

Local Disaster Management Group

The Local Disaster Management Group is responsible for disaster management in Logan.

The group helps the community to:

- (i) reduce the potential damaging effects of a disaster
- (ii) prepare to manage the effects of a disaster
- (iii) respond to and recover from a disaster or emergency.

The Local Disaster Management Group includes representatives from:

- (iv) Logan City Council
- (v) Department of Communities, Housing and Digital Economy
- (vi) Department of Transport and Main Roads
- (vii) Energex
- (viii) Queensland Ambulance Service

- (ix) Queensland Fire and Emergency Services
- (x) Queensland Health
- (xi) Queensland Police Service
- (xii) State Emergency Service
- (xiii) Red Cross.

All-Hazards Risk Assessment Report

The All-Hazards Risk Assessment Report identifies areas of risk in the Council area. It also describes how Council can improve planning for hazards such as:

- (xiv) severe weather (severe storm, tropical cyclone, east coast low)
- (xv) earthquake
- (xvi) bushfire (both rural and urban)
- (xvii) heatwave
- (xviii) major urban accident (urban/industrial fire or hazardous material event)
- (xix) biosecurity or health event
- (xx) terrorism
- (xxi) flash flooding from severe thunderstorm.

For more information, refer to the <u>All-Hazards Risk Assessment report (PDF 797</u> KB).

Local Disaster Management Recovery Plan

Council's Local Disaster Management Recovery Plan outlines the actions will be taken to recover from disasters in Logan. The plan is supported by subplans, risk reports and other documents to support the Plan. Community information and warnings, evacuation and recovery are some of the subplans in place.

For more information, refer to the Logan City Local Disaster Management Recovery Plan.

8.6 Insurance

Council maintains appropriate insurance policies for its operations including for:

- (a) public, products and professional liability
- (b) cyber
- (c) industrialised special risks
- (d) motor vehicle and motor trade

- (e) crime, fraud, and loss
- (f) controlled contract works for damage and liability
- (g) marine and marine hull
- (h) travel
- (i) personal accident (including for voluntary workers)
- (j) museum and galleries
- (k) event

Council's policies provide indemnity for claims against both Councillors and employees for loss or damage suffered when performing their Councillor and employee responsibilities respectively.

8.7 Policies and Management Directives

In support of its regulatory framework and strategic planning framework, Council maintains a range of policies, management directives, procedures, and guidelines. The purpose of these documents is to facilitate the effective and consistent decision-making, delivery, and performance, in accordance with the local government principles.

All Councillors and local government employees (as applicable) must comply with the policies and management directives.

The documents form a hierarchy, and each document lower in the hierarchy must be consistent with the documents higher in the hierarchy. The following diagram depicts the order of precedence for documents in Council's document hierarchy.





(a) Policies

Polices are statements that set out the principles for what Council will do and why in respect of a particular matter. Policies fall into two categories:

- Statutory policies which the Local Government Act and Regulation require Council to adopt; and
- Strategic policies which outline Council's adopted position in respect of key subject areas.

Policies are adopted with the community in mind, to provide transparency around Council decision-making on a wide range of matters. As a result, policies must be adopted by Council and may only be amended by resolution of Council.

Policies are reviewed regularly, to ensure that they continue to reflect community expectations.

All policies adopted by Council must be included on Council's corporate register and are made available for public inspection and published on Council's website.

Some policies may be supported by a procedure, to provide additional detail to the community regarding the application of the policy.

(b) Management Directives

Management Directives are approved by ELT and outline the organisation's expectations on particular matters. They are generally not guided by legislation and relate to the efficient operation of the organisation.

Management directives are reviewed every 3 years.

All approved Management Directives must be included on Council's corporate register.

(c) Processes and Procedures

Functional areas across Council will develop and implement processes and procedures to outline day to day activities. Council has endorsed a technology solution to assist with the centralisation of processes and procedures. Processes and procedures are generally approved either by the branch manager or program leader.

8.8 Management of information

(a) Policy

Council is committed to good governance for record keeping ensuring information and records are managing in accordance with relevant legislation, policies and guidelines and the *Public Records Act 2002*.

Council has an Information and Records Management Policy in place which ensures mandatory compliance with relevant legislation, policies, and guidelines, including the *Public Records Act 2002*.

(b) Access to information

There are a number of ways that documents or information held by Council can be accessed.

(i) Publication scheme

Consistent with Council's obligations under the *Right to Information Act 2009, a* publication scheme is maintained on the Council website which gives a complete overview of the organisation and describes its relationship with the Logan community. The information published includes:

- About us (Who we are and what we do);
- Our services (The services we offer);
- Our finances (What we spend and how we spend it);
- Our priorities (What our priorities are and how we are doing);
- Our decisions (How we make decisions);
- Our policies (Our policies and procedures);
- Our lists (Lists and registers);
- Other registers available for inspection; and
- Complaints about our publication scheme.
- (ii) Administrative access

The administrative access scheme is designed to proactively give people access to certain types of information, without the need for a formal application under the *Right to Information Act 2009* and *Information Privacy Act 2009*. Anyone can ask for copies of documents under the administrative access scheme. The request will then be assessed. Council has adopted an Administrative Access to Information Policy to support this.

(iii) Right to Information and Information Privacy applications

The Right to Information Act 2009 (RTI Act) and Information Privacy Act 2009 (IP Act) came into effect on 1 July 2009. Both Acts give an individual the right to apply for access to documents held by Government agencies, which includes Council.

Council promotes the release of information through the application of the RTI Act. This Act allows customers to access documents and information that is not their own.

Details of certain RTI requests that have been made since 2009 can be located on Council's Disclosure Log, which is located on our website.

Council has in place an Information Privacy Policy which sets out Council's position in relation to the management of personal information as required by the IP Act and confidential information as required by the Local Government Act. The policy applies to all personal and confidential information that is collected, stored, used, or disclosed by Council.

(c) Confidentiality

Council is obliged to meet its statutory obligations, including the Local Government Act, the RTI Act and the *Public Interest Disclosure Act 2010*, which identifies that certain information must be treated as confidential and may be exempt from public disclosure.

Councillors and Council employees in receipt of confidential information acquired during the normal conduct of their duties with Council have a responsibility to ensure that such information is treated confidentially, so as not to harm, prejudice or compromise the interests of Council or any individual or organisation or enable any individual or organisation to gain a financial advantage.

8.9 Legal Services

As part of the 2022/23 budget process, Council has supported the appointment of a City Solicitor. Council also has in place a panel of external legal service providers. Legal advice is able to be obtained through those arrangements to ensure that Council delivers its operations in a way that enhances the community's confidence in the services that we deliver.

8.10 Compliance

Council has adopted a Compliance and Risk Management Framework which is designed to help Councillors, employees, and contractors to achieve our strategic and operational goals for compliance and risk management. Council is also implementing an effective, organisational wide compliance management system that will enable Council to demonstrate its commitment to compliance with laws, legislative requirements, industry codes and practice and set standards for good governance and practice.

8.11 Local Laws

In addition to its policies and management directives, Council relies on its statutory powers to make local laws to regulate a broad range of issues in its community including but not limited to:

- Libraries;
- Animal management;
- Parks, jetties, and boat ramps;
- Smoke free places;
- Parking;
- Waste and recycling management;
- Licensing;
- Public health;
- Roads;
- Council property and other public places;
- On-site sewerage facilities operation and servicing;
- Cemeteries; and
- the administration, implementation and enforcement of the local laws and subordinate local laws.

Council adopts its local laws in accordance with the requirements of the Local Government Act and regularly reviews its local laws to ensure that they respond effectively to the specific needs of the community.

A list of local laws together with associated fact sheets is available on the Council website.

8.12 Statutory Registers

Consistent with its obligations under the Local Government Act, Council maintains a number of registers available for inspection by the public including:

- Registers of interest;
- Local laws;
- Policies;
- Delegations;
- Councillor conduct;
- Environmental authorities register; and
- Family cemeteries register.