

ACCEPTABLE REQUESTS GUIDELINES

Intent This policy sets out the guidelines for requests for advice or information by Councillors to local government employees to assist Councillors to carry out their responsibilities under the Local Government Act 2009 (the Act).

Scope The Act requires that Council adopts Acceptable Request Guidelines about the way in which Councillors may ask local government employees for advice to help them carry out their responsibilities under the Act.

This policy provides guidance about:

- the way in which a Councillor may ask a local government employee for advice to help the Councillor carry out his or her responsibilities under the Act;
- reasonable limits on requests that a Councillor may make;
- requests from Councillors to use council resources (not specifically covered by other policies);
- requests from Councillors to access Council properties and worksites that are not typically accessible to unauthorised employees or members of the public, such as depots, construction areas/sites, confined areas etc; and
- giving directions to local government staff.

A Councillor may not request information that is:

- not compliant with these guidelines;
- information which is a public interest disclosure under the *Public Interest Disclosure Act 2010* (Qld);
- personal information under the *Information Privacy Act 2009* (Qld);
- the employment records of a Council employee;
- a record of the Office of the Independent Assessor or Councillor Conduct Tribunal to the extent it is not publicly available information;
- subject to legal professional privilege;
- Confidential information under the *Crime and Corruption Act 2001* (Qld).

PROVISIONS

Councillors are able to access advice or information from local government employees to assist them to carry out their responsibilities under the Act. A Councillor may also, subject to any limits prescribed under a regulation, ask the Chief Executive Officer (CEO) to provide information relating to the local government that they have access to.

Guidelines for Councillors:

1. Requests for information or advice to carry out Councillors' responsibilities under the Act must be directed to the Chief Executive Officer or those officers listed in Appendix 1.,.
2. In requesting advice or information, Councillors must not attempt to direct or pressure employees in relation to how their duties are performed or seek to influence recommendations the employee should make. The Mayor may direct the CEO in accordance with s170 of the Act.
3. Requests for advice or information must be made in a professional manner and with respect, in line with the Councillor's Code of Conduct. Wherever practical, Councillors are encouraged to obtain information themselves from publicly available sources.

4. Requests can not involve an unreasonable use of a Council employee's time having regard to the resources available to Council.
5. Requests outside of normal Council operating hours must be limited to either the CEO, a Director or the acting Media Coordinator.
6. Councillors must be mindful to operate with a high level of caution in maintaining clear separation between their Councillor role and anything that could be perceived as campaigning or electioneering activity. Interactions with Council staff must relate to the undertaking of Council duties.

Guidelines for Officers / Employees:

1. Requests from Councillors for advice or information are to be responded to as soon as reasonably possible, or in a timeframe not exceeding ten (10) working days of receipt of the request. If the request involves a complicated issue; requires significant time or resources to research; or necessitates a report to Council, the officer will respectfully inform the Councillor and the relevant Executive Manager / Director who will escalate the reason for the delay to the CEO. If the CEO believes that is not practicable to respond to the Councillor's request within 10 working days, they must advise of that belief and the reasons for the belief within 10 business days and then comply within 20 business days after receiving the request.
2. If a Councillor asks for advice or information outside of these guidelines or attempts to direct or influence an employee about the way in which his or her duties are to be performed, the employee must report this in a timely manner to their Director or the CEO. It is important to note that a request has no effect if it does not comply with these guidelines, unless the request is made by a Mayor, or Councillor making a request that relates to their role as a Council chair.
3. Further, employees should keep a record of advice, access or information provided to Councillors as they would in advising or assisting a member of the public or another authority. This is to be recorded in Council's record management system.

Other types of requests:

1. **Access to or use of a council resource:** Should a Councillor request access to or use of a council resource (not specifically covered by other policies) for the benefit of a community group, such must be authorised by resolution of Council or made as a request in writing to the relevant Director or the CEO.
2. **Access to Council properties, administration buildings or depot facilities:** Access to Council facilities where staff offices are located, and those properties that are not typically accessible to unauthorised employees or members of the public, such as depots, construction areas/sites, confined areas etc., access must be authorised by resolution of Council or via an approval from the relevant Director or the CEO. In obtaining access, the Councillor will comply with all site specific worksite health and safety requirements, including but not limited to, the use of any necessary personal protective equipment, inductions and any lawful directions given.
3. **Suppliers and Contractors:** Councillors do not have the authority to directly engage with suppliers or contractors to Council, including the incurring of expenditure.
4. **Administrative assistance:** See addendum guide to identify the appropriate officer/employee for administrative assistance. Requests for administrative assistance must be in line with the *Administrative Support Staff Guidelines General Policy*.

Councillor Use of Information

A Councillor must only use information or advice obtained from a Council employee in good faith (used for a proper purpose) and must not use the information or advice in contravention of section 171 of the LGA.

Roles and Responsibilities

This policy applies to the Councillors and employees of the Cairns Regional Council. With regard to the application of these guidelines to the Mayor, section 12(4) of the Act is noted wherein the Mayor is given extra local government responsibilities.

Complaints and non-compliance

A complaint by an officer/employee about a Councillor failing to comply with these guidelines should be referred to the Office of the Independent Assessor and dealt with in accordance with legislation.

A complaint by a Councillor about an officer/employee failing to comply with these guidelines should be referred to the person to whom the officer reports. The Councillor may also notify the Mayor.

Where a Councillor repeatedly operates outside of these guidelines, the CEO retains the right to require that all future requests for advice or information, by that Councillor be made in writing to the relevant Director and/or CEO.

Definitions

Councillor (of a local government) includes the Mayor, noting section 12(4) of the Act.

Officer/employee includes all employees of the Cairns Regional Council, regardless of their employment status or type, for example, permanent, maximum-term, casual, full/part time, those with employment contracts or agency casuals.

CEO is the Chief Executive Officer of the Council as prescribed by the Local Government Act 2009.

Related legislation, policies and guides

Local Government Act 2009

Administrative Support Staff Guidelines General Policy #6846286

Expenses Reimbursement and Support for Elected Representatives General Policy #1952691

Acceptable Request Guidelines Councillor Aid

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This policy is to remain in force until otherwise determined by Council.

Directorate responsible for Review: Office of the CEO

ORIGINALLY ADOPTED: 29 November 2018

CURRENT ADOPTION: 28 August 2024

DUE FOR REVISION: 28 August 2028

REVOKED/SUPERSEDED:



**John Andrejic
A/CHIEF EXECUTIVE OFFICER**

Appendix 1 - Employees from whom Councillors can request information or advice

Position Name	Subject Area	Complexity (within subject area)
Economic Development and Advocacy		
Director – Economic Development and Advocacy	Matters relating to economic development, major and economic events and advocacy	Any
Program Leader Economic Development	Matters relating to economic development	Any
Program Leader Advocacy	Matters relating to advocacy	Any
Program Leader – Major Events	Matters relation to major and economic events	Any
Lifestyle & Community		
Director Lifestyle and Community	Matters relating to public spaces, community facilities, creative venues, community wellbeing, animal management and regulated parking.	Any
Executive Manager Creative Life	Tanks Arts Centre, Cairns Performing Arts Centre and Munro Martin Parklands Precinct, Ticketlink, Cairns Gallery Precinct, Libraries, Cultural Facilities and Venues (including School of Arts Building), Pioneer Cemetery and Lone Gravesites	Any
Creative Director	Major festivals	Technical Only
Creative Placemaking & Strategy Manager	Arts and cultural grants programs	Technical Only
Marketing, Communication & Ticketing Manager	All matters relating to Ticketlink	Technical Only
Precinct Manager	All matters relating to CPAC and the Tanks	Technical Only

Position Name	Subject Area	Complexity (within subject area)
Library Manager	All matters relating to Libraries	Technical Only
Executive Manager Community Life	Community Resilience inclusive of Community Partnerships, Community Support including City Safe / CCTV, Regulated Parking & Animal Management, Natural Asset Management including Green Space Our Place Volunteer Program	Any
Coordinator Community Development	Community development	Technical Only
Coordinator Community Safety	Community safety	Technical Only
Coordinator Natural Assets	Natural Asset Management	Technical Only
Business Systems and Wildlife Management Officer	Systems and wildlife management	Technical Only
Team Leader Community Safety and Security	CitySafeProgram, Contracted CCTV and Security Patrol Officers, Mobile CCTV trailer	Technical Only
Team Leader Community Partnerships	Community partnerships	Technical Only
Team Leader Community Development	Community development	Technical Only
Executive Manager Community Spaces	Venues (Esplanade, Barlow Park, Botanic Gardens), Parks and Open Space Maintenance (Horticulture, Arboriculture, Embellishments, Playgrounds etc), Beaches and Foreshores, Tracks and Trails, Active Transport (new), , Sport & Recreation, Community Facilities (Park Bookings, Community Halls, Swimming Pools, Leisure Centres, Caravan Parks and Camping Grounds), Clubs & Associations and Cemeteries	Any
Coordinator City Venues	City venue	Technical Only

Position Name	Subject Area	Complexity (within subject area)
Coordinator Community Business	Community business	Technical Only
Coordinator Community Strategy	Community strategy	Technical Only
Coordinator Parks and Open Spaces	Parks and open spaces	Technical Only
Business Improvement and Engagement Officer	Business improvement and engagement	Technical Only
Finance & Business Support		
Chief Financial Officer	Finance, Procurement and Payables, Information Services and Shared Services Policy and Operational issues.	Any
Executive Manager Revenue and Business Support	Shared Service operations inclusive of, Rating and Revenue collections.	Any
Executive Manager Procurement & Payables	Procurement, Accounts Payable, Contracts and Stores Operations	Any
Executive Manager Information & Technology Services	IT Matters and Help Desk	Any
Executive Manager Finance	Financial reporting and performance, Budget, Treasury, Taxation and Asset Accounting.	Any
Planning Growth & Sustainability		
Director Planning, Growth and Sustainability	Planning and Environment Policy and Operational Issues including Regulatory Services	Any
Directorate Project Officer	Planning and Environment Policy and Operational Issues including Regulatory Services	Technical Only

Position Name	Subject Area	Complexity (within subject area)
Executive Manager Development and Planning	Development Applications, Town Planning matters, Development Incentives, Structure Planning and Engineering	Any
Coordinator Development Services (Engineering)	Development Approvals Unit –Engineering Approvals	Any
Coordinator Development Services (Planning)	Development Approvals Unit – Planning Approvals	Any
Executive Manager Licensing and Compliance	Matters relating to Public Health Compliance, Permit Compliance, Local Laws Compliance, Property Services, Planning, Building & Engineering Compliance	Any
Coordinator Local Laws, Compliance & Appeals	Local Laws Compliance	Technical Only
Coordinator Property and Environmental Health	Property Services & Public Health Compliance	Technical Only
Executive Manager Growth and Sustainability	CairnsPlan Amendments, Strategic Planning, Sustainability , Cities for Climate Protection/Sustainability, Population/Demographics, State of Environment Reporting, Liveability Reporting	Any
Coordinator Strategic Planning	Strategic planning matters	Any
Coordinator Sustainability	Sustainability , Cities for Climate Protection/Sustainability,	Technical Only
City Architect	Architectural, urban, sustainable and landscape design	Technical Only
Ecofiesta Project Officer	All matters relating to Ecofiesta	Technical Only
People & Organisational Performance		
Director People and Organisational Performance	Human Resources, Governance, Workplace Health & Safety, Learning and Organisational Development, Service Quality Policy, Operational Issues, Legal matters, Records, Payroll and Customer Service.	Any

Position Name	Subject Area	Complexity (within subject area)
Local Disaster Coordinator	Disaster Management	Technical Only
Executive Manager Strategic Communications and Engagement	Media & Public Relations, Civic & other Receptions Events co- ordination, Marketing/Promotion, Council Merchandising, Invitations, Literature, Publications	Any
Coordinator Events Delivery	Civic & other Receptions Events co- ordination, Invitations	Any
Media Coordinator	Media & Public Relations	Any
Coordinator Marketing and Communications	Marketing/Promotion, Council Merchandising, Invitations, Literature, Publications	Any
CBD Place Manager	CBD place	Technical Only
Digital Media Officer	Digital media	Technical Only
Executive Manager Wellbeing Health & Safety	Workplace Health & Safety	Any
Coordinator Safety Operations	Workplace Health & Safety	Technical Only
Executive Manager Organisational Performance	Operations inclusive of Customer Service, Payroll, Governance, Records and Human Resources.	Any
Coordinator Customer Service	Customer Service	Technical only
Coordinator Governance	Governance	Technical only
Coordinator Human Resources	Human Resources	Technical only

Position Name	Subject Area	Complexity (within subject area)
Coordinator Organisational Development	Learning and Development	Technical only
Coordinator Payroll	Payroll	Technical only
Cairns Infrastructure & Assets		
Director Cairns Infrastructure and Assets	All matter relating to Council Infrastructure & Assets	Any
Coordinator Business Improvement	Commercial fee for service opportunities, or strategic partnerships, government grant programs	Technical only
Team Leader Engagement	Community engagement	Technical only
Associate Director Service Delivery	Matters relating to the service delivery aspects of Utility services, Resource Recovery, Works / Construction.	Any
Executive Manager Works	Capital works construction of Council's roads, drainage, parks and foreshore assets and Business unit issues, business operations, Transport, Natural Area Management, Drainage & Parks Maintenance Operations. Street Litter Collection, Public Conveniences -Cleaning	Any
Construction Coordinator	Delivery of construction services	Technical Only
Construction Engineer / Coordinator (RPEQ)	Delivery of construction services	Technical Only
Coordinator Maintenance South	Manage the district's maintenance, capital and natural asset service delivery functions	Technical Only
Coordinator maintenance North	Manage the district's maintenance, capital and natural asset service delivery functions	Technical Only

Position Name	Subject Area	Complexity (within subject area)
Executive Manager Utility Services	Cairns Water Operations issues, Wastewater Operations, sewer blocks, sewer overflows, Water Operations, main breaks, leaks, water pressure, meter repairs	Any
Process and Treatment Coordinator	wastewater headworks and treatment and collection systems	Technical only
Wastewater Services Coordinator	wastewater headworks and treatment and collection systems	Technical only
Water Services Coordinator	Water network distribution systems including rural water intakes	Technical only
Utility Services Optimisation Manager	Utility services optimisation	Technical only
Executive Manager Resource Recovery	Waste Disposal, Transfer Stations, Domestic Waste Collections	Any
Resource Recovery Strategy Coordinator	Resource Recovery Strategy	Technical only
Resource Recovery Coordinator	Waste Disposal, Transfer Stations, Domestic Waste Collections	Technical only
Business and Contracts Coordinator	Business and contracts	Technical only
Executive Manager Business Performance & Compliance	Compliance reporting, regulatory reporting, strategic planning, business development and improvement, education and training. Environmental issues related to Council's Operations	Any
Laboratory Manager	Laboratory Services	Technical only
Team Leader Plumbing and Trade Waste	Plumbing and trade waste	Technical only

Position Name	Subject Area	Complexity (within subject area)
Executive Manager Asset Services	Electrical Maintenance, Facilities and Buildings maintenance, Design & Survey, CCTV / Communications, Standards and street lighting issues,	Any
Associate Director Engineering Services	Matter relating to strategic asset planning, asset condition assessment, asset design, development and delivery of the annual capital works program for Council and Project Management.	Any
Electrical Maintenance Coordinator	Electrical maintenance	Technical only
Coordinator Building and Facilities Management	Manage and coordinate the efficient operations Building, Engineering and Maintenance Services across Council's BFM portfolio.	Technical only
Coordinator Fleet Management	Fleet Assets, Fleet Logistics, and Fleet Mechanical teams	Technical only
Mechanical Maintenance Coordinator	Mechanical services across Council's BFM portfolio	Technical only
Senior Infrastructure Planning Technical Officer	Infrastructure planning	Technical only
Executive Manager Major Projects	Oversee Cairns Water Security Strategy & Resource Recovery 2030	Any
Community & Stakeholder Engagement Major Projects	Community and stakeholder engagement for major projects only	Technical only
Principal Project Manager	Major projects water security	Technical only
Senior Project Manager	Smart water meters	Technical only
Executive Manager Strategic Asset Management & Planning	Strategic Infrastructure Planning (Transport, Drainage, Parks and Foreshores); Emergency Planning; Capital Works Programming; Asset Management; Risk Management; and Works Investigations Development	Any

Position Name	Subject Area	Complexity (within subject area)
	Capital Works program, Strategic Infrastructure Planning and Asset Management Plans,	
Coordinator Program Management	Program management	Technical only
Senior Engineer Development	Development	Technical only
Coordinator Strategic Asset Management & Planning Transport	Asset management and planning transport	Technical only
Coordinator Strategic Asset Management & Planning WaRR	Asset management and planning WaRR	Technical only
Senior Engineer – Stormwater and Waterways	Stormwater and waterways	Technical only
Executive Manager Project Management Office	Development and implementation of the 10-year Capital Works program and associated annual works program	Any
Coordinator Design and Survey Services	Design and survey service	Technical only
Coordinator Pre-Construction	Delivery of construction services	Technical Only
Coordinator Program Delivery	Program delivery	Technical only
Coordinator Project Construction	Delivery of construction services	Technical Only

