



In accordance with Section 277E of the *Local Government Regulation 2012* it is not practicable for the public to attend the meeting because of health and safety reasons associated with the public health emergency involving COVID-19.

The meeting will therefore be closed to the public, with only Councillors and staff essential for the functioning of the meeting in attendance. Consistent with Council's legislative responsibilities, the minutes of Council's meeting will be made available for inspection by the public at Council's office and on its website. Further the minutes will be available for purchase upon confirmation at the next meeting.

As an additional proactive step during these difficult times, Council will also upload a video of the meeting to Council's official Facebook page.

Mayor Tyson Golder
Meeting Chairperson.

BUSINESS PAPER - Ordinary Meeting

Wednesday 22 April 2020

Roma Administration Centre

NOTICE OF MEETING

Date: 18 April 2020

Mayor:

Councillor T D Golder

Deputy Mayor:
Councillors:

Councillor G B McMullen
Councillor J R P Birkett
Councillor M C Edwards
Councillor J L Guthrie
Councillor J M Hancock
Councillor W L Ladbrook
Councillor C J O'Neil
Councillor W M Taylor

Chief Executive Officer:

Ms Julie Reitano

Executive Management:

Mr Rob Hayward (Deputy Chief Executive Officer/Director
Development, Facilities & Environmental Services)
Ms Sharon Frank (Director Corporate & Community Services)

Attached is the agenda for the **Ordinary Meeting** to be held at the Roma Administration Centre on **22 April, 2020 at 9.00AM.**

Julie Reitano
Chief Executive Officer

TABLE OF CONTENTS

| Item No | Subject | |
|----------|--|----|
| 1 | Welcome | |
| 2 | Attendances | |
| 3 | Receive and Note Minutes | |
| | Ordinary 18 March 2020 | 6 |
| | Confirmation of Minutes | |
| | Post Election Meeting 16 April 2020 | 44 |
| 4 | Declaration of Conflicts of Interest | |
| 5 | On the Table | |
| 6 | Presentations/Petitions and Deputations | |
| 7 | Consideration of notices of business | |
| 8 | Consideration of notices of motion | |
| 9 | Reception of notices of motion for next meeting | |

Reports

| | | |
|-------------|---|------------|
| 10 | Office of the CEO | |
| 10.1 | Standing Orders Policy and Meeting Procedures | 49 |
| | Prepared by: Director - Corporate & Community Services | |
| | Attachment 1: DLGRMA Template council-standing-orders..... | 54 |
| | Attachment 2: Model Meeting Procedures | 64 |
| | Attachment 3: Standing Orders Policy - Adopted 28 November 2018 (GM/11.2018/84) | 75 |
| 10.2 | Confidentiality Procedure | 99 |
| | Prepared by: Chief Executive Officer | |
| | Attachment : Template Confidentiality Procedure | 103 |
| 10.3 | Local Government Remuneration Commission Schedule - Commencing 1 July 2020..... | 109 |
| | Prepared by: Manager - Communication, Information & Administration Services | |
| | Attachment : Local government remuneration commission report 2019 | 117 |
| 10.4 | Elected Members - PAYG/Eligible Local Governing Body | 136 |
| | Prepared by: Director - Corporate & Community Services | |
| | Attachment : Extract - Taxation Administration Act 1953 - Division 446 - Local governing bodies | 141 |

| | | |
|-------------|---|------------|
| 10.5 | Councillor Superannuation..... | 145 |
| | Prepared by: Director - Corporate & Community Services | |
| | Attachment : LGIA Superannuation-for-Councillors-Info-Sheet July 2019 | 150 |

| | | |
|-------------|--|------------|
| 10.6 | Position of Chief Executive Officer | 151 |
| | Prepared by: Chief Executive Officer | |

11 Corporate & Community Services

12 Infrastructure Services

13 Development, Facilities & Environmental Services

| | | |
|-------------|---|------------|
| 13.1 | Request for Sponsorship - Roma & Family History Society Inc..... | 157 |
| | Prepared by: Support Officer - Economic & Community Development | |
| | Attachment 1: Request donation towards new photocopier - Roma & District Family History Society Inc..... | 161 |
| | Attachment 2: Action Sheet - General Meeting - 26 February 2020 - Easter in the Country Additional Support 2020 | 166 |
| 13.2 | Regional Pool Report February 2020..... | 167 |
| | Prepared by: Administration Officer - Council Buildings & Structures | |
| | Attachment 1: Denise Spencer Memorial Pool Roma February 2020 Monthly pool report | 174 |
| | Attachment 2: Injune Pool February 2020 Monthly Pool Report..... | 178 |
| | Attachment 3: Mitchell Memorial Swimming Pool - Monthly Pool Management Report February 2020 | 180 |
| | Attachment 4: Great Artesian Spa Monthly Pool Management Report 2020 | 184 |
| | Attachment 5: Surat Pool Management Report February 2020 Monthly Pool Management Report..... | 186 |
| | Attachment 6: Wallumbilla Pool Monthly Pool Management Report February 2020..... | 192 |

Status Reports

Next General Meeting

- To be held at the Roma Administration Centre on 13 May 2020.

Confidential Items

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items that it's Councillors or members consider it necessary to close the meeting.

C Confidential Items

C.1 Expressions of Interest - Agistment of Paddock - 2 Newbon Street, Roma

Classification: Closed Access

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

C.2 Expression of Interest - Agistment of Paddock - 58-62 Stephenson Street, Yuleba

Classification: Closed Access

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

C.3 COVID-19 - Leased Cafes and Car Hire Companies

Classification: Closed Access

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

C.4 Commercial Tenant - Leased Caravan Park

Classification: Closed Access

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

C.5 COVID-19 - Community Organisation Tenants

Classification: Closed Access

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

C.6 Request waive of debt recovery legal fees - Assessment 14010219

Classification: Closed Access

Local Government Regulation 2012 Section 275(d) rating concessions.

C.7 Request Waiver of Rates for 12 months for Assessments 12001186 and 12002945

Classification: Closed Access

Local Government Regulation 2012 Section 275(d) rating concessions.

C.8 Outstanding Rates and Charges Monthly Update - March 2020

Classification: Closed Access

Local Government Regulation 2012 Section 275(d) rating concessions.

- C.9 Request deferment of rates payments for six months - Assessment 14012181**
Classification: Closed Access
Local Government Regulation 2012 Section 275(d) rating concessions.
- C.10 Request Deferment of Rates Payment for Six Months - Assessments 14000384, 15012818 & 15012826**
Classification: Closed Access
Local Government Regulation 2012 Section 275(d) rating concessions.
- C.11 Request temporary relaxation of extra pedestal charges - Assessment 12000956**
Classification: Closed Access
Local Government Regulation 2012 Section 275(d) rating concessions.
- C.12 Dispute of water access infrastructure charge - Assessment 13002738**
Classification: Closed Access
Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.
- C.13 Roma Cemetery - Request to install street bollards**
Classification: Closed Access
Local Government Regulation 2012 Section 275(c) (h) the local government budget; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.
- C.14 Request for quote SCADA Upgrade Project - System Integration Consultancy**
Classification: Closed Access
Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.
- C.15 Request for reduced trading terms.**
Classification: Closed Access
Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.
- C.16 Roma Flood Mitigation Project - Stage 2 - Request for Extension of Time for Project Completion**
Classification: Closed Access
Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

C.17 Quarter 3 Report - Progress on Implementing the Corporate Plan and Operational Plan

Classification: Closed Access

Local Government Regulation 2012 Section 275(c) (h) the local government budget; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Councillor Business

14 Councillor Business

14.1 Review of report deadlines to Ordinary Meetings 194

Prepared by: Mayor

Closure

MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 18 MARCH 2020 COMMENCING AT 9.00AM

ATTENDANCE

Mayor Cr. T D Golder chaired the meeting with, Deputy Mayor Cr. J L Chambers, Cr. N H Chandler, Cr. P J Flynn, Cr. G B McMullen (until 4.19pm), Cr. W M Newman, Cr. C J O'Neil, Cr. D J Schefe, Cr. J M Stanford, Chief Executive Officer – Julie Reitano, and Minutes Officer – Kelly Rogers in attendance.

AS REQUIRED

Deputy Chief Executive Officer/Director Development, Facilities & Environmental Services – Rob Hayward, Director Corporate & Community Services – Sharon Frank, Deputy Director Infrastructure Services / Strategic Road Management – Cameron Hoffmann, Manager Facilities (Land, Buildings & Structures) – Tanya Mansfield, Manager Economic & Community Development – Ed Sims, Manager Planning & Building Development – Danielle Pearn, Manager Communication, Information & Administration Services – Dale Waldron, Lead Rates and Utilities Billing Officer/Systems Administrator – Dana Harrison, Rates & Utilities Billing Officer – Linda Acutt, Rates and Utilities Billing Officer – Catherine (Katie) Ballard, Regional Tourism Development Coordinator – Justine Miller.

WELCOME

The Mayor welcomed all present and declared the meeting open at 9.06am.

APOLOGIES

There were no apologies for the meeting.

CONFIRMATION OF MINUTES

Resolution No. GM/03.2020/41

Moved Cr Golder

Seconded Cr McMullen

That the minutes of the General Meeting held on 11 March 2020 be confirmed, incorporating the following amendment:

Item C.1 – Request for Financial Assistance From Roma Returned and Services League (RSL)

Resolution No. GM/03.2020/16 be amended to state:

That Council:

- 1. Accept the quotation for the hire, staff and set up of a sound system for the amount of \$800 for 2020 ANZAC Day in Roma.***
- 2. Draw the required funds from General Ledger 2888.2252.2001.***
- 3. Consider the installation of permanent speakers at the Roma Cenotaph through consultation with RSL Roma Sub Branch, for consideration as part of the 2020/21 budget deliberations.***
- 4. Review requirements of sound systems for all commemorative ANZAC Day Services held across the region.***

MOTION LOST

3/6

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Golder | Cr. Chambers |
| Cr. McMullen | Cr. Chandler |
| Cr. Stanford | Cr. Flynn |
| | Cr. Newman |
| | Cr. O'Neil |
| | Cr. Schefe |

Resolution No. GM/03.2020/42

Moved Cr Chambers

Seconded Cr Newman

That the minutes of the General Meeting held on 11 March 2020 be confirmed.

CARRIED

7/2

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Chambers | Cr. Golder |
| Cr. Chandler | Cr. McMullen |
| Cr. Flynn | |
| Cr. Newman | |
| Cr. O'Neil | |
| Cr. Schefe | |
| Cr. Stanford | |

DECLARATION OF CONFLICTS OF INTEREST

Cr. Chambers declared a 'Material Personal Interest' with the following item:

- C.1 – Update of Outstanding Rates – Assessment 14000459
due to the report being in reference to a matter pertaining to a family connection to her son's family.

Cr. Chambers foreshadowed that she would remove herself from discussions and decisions on this matter.

Cr. Stanford declared a 'Conflict of Interest' with the following item:

- C.1 – Update of Outstanding Rates – Assessment 14000459
due to her having an unrelated business involvement with one of the applicants under Council's consideration in this matter.

Cr. Stanford foreshadowed that she would remove herself from discussions and decisions on this matter.

Cr. Stanford declared a 'Conflict of Interest' with the following item:

- C.2 – Review of Decision: Request to waive debt recovery legal fees – Assessment 13001193 & 14005151

due to her having provided a personal reference for one of the parties in an unrelated matter for this item.

Cr. Stanford foreshadowed that she would remove herself from discussions and decisions on this matter.

ON THE TABLE

- Item L.1 – Development Permit for a Material Change of Use "Dwelling House" (domestic outbuilding) - was laid on the table at the General Meeting on 11 March 2020.
- Item LC.11 – Maranoa Liveability Study 2018 - was laid on the table at the General Meeting on 11 March 2020.

BUSINESS

CORPORATE & COMMUNITY SERVICES

Item Number: 11.1

File Number: D20/19108

SUBJECT HEADING:

REVIEW PROCUREMENT POLICY

Officer's Title:

Director - Corporate & Community Services

Executive Summary:

Maranoa Regional Council's Procurement Policy outlines the key principles and framework for procurement and contracting activities. Council is required to review its Procurement Policy annually (Section 198(3) Local Government Regulation 2012).

A copy of the Procurement Policy was attached to the officer's report for Council's consideration. It was proposed that minor changes be adopted to reference relevant legislation and applying consistent thresholds for pre-qualified supplier panels.

Resolution No. GM/03.2020/43

Moved Cr Scheffe

Seconded Cr Chandler

That Council endorse the Procurement Policy as attached to the officer's report.

The policy is accessible via the following link to the Council meeting agenda:

https://maranoa.infocouncil.biz/Open/2020/03/GM_18032020_AGN_611_AT.PDF

Cr. Golder called for a division of the vote. The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Chambers | Cr. Golder |
| Cr. Chandler | Cr. McMullen |
| Cr. Flynn | |
| Cr. Newman | |
| Cr. O'Neil | |
| Cr. Scheffe | |
| Cr. Stanford | |

CARRIED

7/2

Responsible Officer

Director - Corporate & Community Services

Item Number: 11.2 File Number: D20/21436

SUBJECT HEADING: MONTHLY FINANCIAL REPORT FOR THE MONTH OF FEBRUARY 2020

Officer's Title: Operations Manager Finance

Executive Summary:

The purpose of this report was for the Chief Executive Officer to present a monthly financial report to Council in accordance with section 204 of the Local Government Regulation 2012 for the month of February 2020 (including year to date).

| | |
|---|---------------------------|
| Resolution No. GM/03.2020/44 | |
| Moved Cr Chambers | Seconded Cr Newman |
| That Council receive and note the monthly financial report for the period ending 29 February 2020. | |
| CARRIED | 9/0 |

| | |
|----------------------------|---|
| Responsible Officer | Operations Manager Finance / Chief Executive Officer |
|----------------------------|---|

Item Number: 11.3 File Number: D20/21471

SUBJECT HEADING: INVESTMENT REPORT FOR THE MONTH OF FEBRUARY 2020

Officer's Title: Operations Manager Finance

Executive Summary:

The purpose of this report was to present to Council the Investment Report (including the Trading Limits Report) as at 29 February 2020.

| | |
|--|---------------------------------|
| Resolution No. GM/03.2020/45 | |
| Moved Cr Newman | Seconded Cr Chambers |
| That Council receive and note the Investment Report as at 29 February 2020. | |
| CARRIED | 7/2 |
| Cr. Golder called for a division of the vote. | |
| The outcomes were recorded as follows: | |
| Those in Favour of the Motion | Those Against the Motion |
| Cr. Chambers | Cr. Golder |
| Cr. Chandler | Cr. McMullen |
| Cr. Flynn | |
| Cr. Newman | |
| Cr. O'Neil | |
| Cr. Schefe | |
| Cr. Stanford | |

| | |
|----------------------------|-----------------------------------|
| Responsible Officer | Operations Manager Finance |
|----------------------------|-----------------------------------|

DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES**Item Number:** 13.1 **File Number:** D20/16482**SUBJECT HEADING:** REQUEST TO HOST OPERA EAGLE NEST - A TOUCH OF ANDREW LLOYD-WEBBER, A TASTE OF TIM RICE**Officer's Title:** Specialist - Arts & Culture**Executive Summary:**

Council has been approached by Opera Eagles Nest to perform A Touch of Andrew Lloyd-Webber, A Taste of Tim Rice at the Roma Cultural Centre Saturday 23 May 2020. They are a fully self-sufficient touring company that will provide a 90 minute concert featuring hits from 9 of the world's best loved musicals. The cost to Council for this performance is \$3,500. The proposed cost of tickets that would go on sale was \$20 per adult and \$10 concession pricing.

Resolution No. GM/03.2020/46**Moved Cr Newman****That the matter lay on the table for further consideration at a later point during the meeting.****CARRIED****9/0****Item Number:** 13.2 **File Number:** D20/21175**SUBJECT HEADING:** MATERIAL CHANGE OF USE - DWELLING HOUSE**Officer's Title:** Lead Town Planner**Executive Summary:**

Fyfe Pty Ltd C/- Out of the Woods Planning have submitted a properly made development application to Council seeking approval to construct a "Dwelling house" on the property located at 56 and 58 May Street, Wallumbilla (Lot 12 and 13 on W4091). The development application is subject to impact assessment and must be assessed against the assessment benchmarks (to the extent relevant) provided by Section 45 of the Planning Act 2016. The Development Assessment Rules set out the procedural requirements for the development assessment process.

Public notification about the application was carried out in accordance with Part 4 of the Development Assessment Rules and for a period of no less than 15 business days between 28 January, 2020 and 18 February, 2020. There were no properly made submissions received during this period.

The procedural requirements set out by the Development Assessment Rules to enable Council to make a decision on this matter have been fulfilled. The development application is generally consistent with the assessment benchmarks provided by the Planning Act 2016 and any perceived conflict with the assessment benchmarks can be addressed by way of conditions of development approval. Council assessing officers have also identified several relevant matters that support the approval of the application, including the absence of any significant impacts that result from the development.

Resolution No. GM/03.2020/47**Moved Cr Chambers****Seconded Cr McMullen****That Council approve the application for a Development Permit for a Material Change of Use for a "Dwelling house" at 56 and 58 May Street, Wallumbilla (Lot 12 and 13 on W4091) subject to the following conditions:**

Preamble

- i. The Capricorn Municipal Development Guidelines apply to this development. Refer to <http://www.cmdg.com.au/> for the Capricorn Municipal Development Guidelines (CMDG).
- ii. Refer to <http://www.maranoa.qld.gov.au/council-policies> for Council Policies.
- iii. The relevant planning scheme for this development is the Maranoa Planning Scheme 2017. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- iv. Under the Planning Scheme a "Dwelling house" means a residential use of premises involving –
 - (a) 1 dwelling for a single household and any domestic outbuildings associated with the dwelling; or
 - (b) 1 dwelling for a single household, a secondary dwelling, and any domestic outbuildings associated with either dwelling.
- v. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.
- vi. All Aboriginal Cultural Heritage in Queensland is protected under the (*Aboriginal Cultural Heritage Act 2003*) and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- vii. It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved use.
- viii. An operational works application will be required to be submitted to and approved by Council for any cut and/or filling works that exceed 50m³.
- ix. All persons involved in the operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the *Biosecurity Act 2014*.
- x. Refer to Attachment 2 – Adopted Infrastructure Charges Notice for infrastructure charges levied for the approved development.
- xi. In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved plans and documents may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

Use

1. The approved development is a Material Change of Use - “Dwelling house” as defined in the Planning Scheme and as shown on the approved plans. It does not authorise any other activity or building on the premises or the use of the approved development for any other purpose.

Compliance inspection

2. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless otherwise noted within these conditions.
3. Prior to the commencement of use the applicant shall contact Council’s Planning Department and arrange a development compliance inspection.

Approved plans and documents

4. All works and operations are to be carried out generally in accordance with the approved plan listed in the following table. Where the approved plan is in conflict with the Assessment Manager’s conditions, the Assessment Manager’s conditions shall take precedence.

| Plan/Document Number | Plan/Document Name | Date |
|----------------------------|----------------------|----------|
| 208/13 Rev F Sheet 1 of 15 | Site Plan | 11-12-19 |
| 208/13 Rev F Sheet 2 of 15 | Floor Plan | 11-12-19 |
| 208/13 Rev F Sheet 3 of 15 | Elevations | 11-12-19 |
| 208/13 Rev F Sheet 4 of 15 | Sections and Framing | 11-12-19 |

Development works

5. During the course of constructing the works, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
6. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners’ requirements and specifications and to the satisfaction of the asset owners’ representative(s).

Applicable standards

7. All works must comply with:
 - a) the development approval conditions;
 - b) any relevant provisions in the Planning Scheme and the Capricorn Municipal Development Guidelines;
 - c) any relevant Australian Standard that applies to that type of work; and
 - d) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

Amalgamation of lots

8. The lots comprising the approved development (Lot 12 and Lot 13 on W4091) must be amalgamated prior to the commencement of use.

Building materials

9. Building materials and surface finishes must be predominantly within the colour range of the local landscape to blend with the surrounding environment. The approved development is not to be constructed with reflective cladding material.

Building standards

10. The finished floor level of the approved development shall be a minimum of 1450 millimetres above the existing ground level.

Note: The existing ground level is taken to be the level of the ground prior to any works being carried out on the site.

Emergency events

11. A flood management plan shall be prepared prior to the commencement of use. The plan shall have regard to the site characteristics and include management procedures that shall be implemented in the event of a flood event. All occupiers shall be made aware of the flood management plan, its content, and the procedures that need to be followed in the case of a flood event.

Safe storage of equipment and materials

12. All stored goods with the potential to cause harm by way of floating debris or potential contamination of waterways during a flood event must be stored in flood proof containers, adequately secured or located safely at 1450mm above the existing ground level. Any goods, material or machinery with the potential to cause harm or contamination that is not located 1450mm above the existing ground level or in flood proofed containers shall be stored in such a manner to be easily accessed and relocated off-site before a flood event.

Building design

13. The building must be designed and constructed so that, in the event of a flood event, at a minimum, it:
- a) Resists collapse or significant permanent movements, resulting from:
 - i) hydrostatic action
 - ii) hydrodynamic action;
 - iii) erosion and scouring;
 - iv) wind; and
 - v) any other action; and
 - b) safeguards occupants and other people against illness and injury caused by flood water affecting the building.
14. Building materials and surface treatments under the finished floor level of the approved development must be resistant to water damage and must not include wall cavities that would collect water and sediment during a flood event.

Refuse storage

15. Waste containers must be provided on site for the exclusive use of the “Dwelling house” and must be maintained in a clean and tidy state at all times while the use continues. The waste containers shall be emptied and the waste removed from the site on a regular basis.

Access and manoeuvring

16. A vehicle crossover providing access to the approved development is to be constructed in accordance with Capricorn Municipal Design Guidelines Standard Drawing – Urban Residential Driveway CMDG-R-041A. The crossover shall be generally in the location shown on approved Site Plan 208/13 Rev F Sheet 1 of 15 dated 11-12-19.
17. The vehicle crossover must be located a minimum distance of one metre from any street signage, street lights, manholes, stormwater gully pits or other Council assets, unless otherwise specified in the applicable development standards and specifications.
18. The landowner is responsible for maintaining the vehicle crossover from the road carriageway to the property boundary. Should any damage be caused to May Street at the access location, it is the landowner’s responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner’s expense.
19. All internal vehicle access and manoeuvring areas (i.e. driveways, parking areas) are to be constructed with an all-weather surface and must be maintained throughout the duration of the approved use.

Avoiding nuisance

20. No unreasonable and sustained nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time during or after the establishment of the approved development.
21. Lighting, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.
22. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
23. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
24. All mechanical equipment (including air conditioners and the like) and rainwater tanks are to be screened from the adjoining roadway and nearby properties.

Stormwater drainage and erosion control

25. Stormwater from the roof of the approved development is to be collected internally in a rainwater tank/s with sufficient capacity to store water generated during a normal rain event. Overflow from the rainwater tank shall be directed away from adjoining properties and managed generally in accordance with the Capricorn Municipal Development Guidelines – Stormwater Drainage Design D5.
26. Post-development stormwater runoff flows from the development site are not to exceed pre-development stormwater runoff flows to adjoining properties and roads.
27. Stormwater is collected and discharged so as to:

- (a) protect the stability of buildings and the use of adjacent land;
- (b) prevent water-logging of nearby land;
- (c) protect and maintain environmental values; and
- (d) maintain access to reticulated infrastructure for maintenance and replacement purposes.

28. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after the development has been completed. All stormwater from the approved development is to be collected onsite using appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.

If there is a possibility of erosion or silt or other materials being washed off the property during the development process or after the development is completed, the developer must document and implement a management plan that prevents this from occurring.

29. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site.

30. Stockpiles of material capable of being moved by the action of running water shall be stored clear of drainage paths and be prevented from entering the road and/or drainage system.

31. Runoff from premises ensures the quality of surface water is suitable for:

- (a) the biological integrity of aquatic ecosystems;
- (b) recreational use;
- (c) supply as drinking water after minimal treatment; and
- (d) agricultural use or industrial use.

Services

32. The proposed development is to be provided with a water connection, up to and including a path cock, to Council's reticulated water supply system in accordance with the CMDG and specifically the Water Services Association of Australia (WSAA) publication WSA03-2002 Water Reticulation Code of Australia (version 2.3).

33. The approved development must be connected to an on-site sewerage treatment system adequate for the proposed use. A development permit for plumbing and drainage works must be obtained from Council for the on-site sewerage system.

34. The removal and disposal of any effluent from the site must be performed by a suitably licensed contractor.

Note: The landowner/operator is responsible for obtaining any permits required to achieve compliance with environmental laws relevant to the provision of onsite sewerage treatment and/or disposal.

35. In the event that the "Dwelling house" cannot be supplied with an adequate supply of electricity through efficient design and alternative energy technologies, a connection to the reticulated electricity network must be provided in accordance with the relevant service provider's standards and requirements.

36. If the "Dwelling house" is connected to a telecommunication service, then such works shall be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards requirements and specifications.

37. Any conflicts associated with proposed and existing services shall be forwarded by the developer to the appropriate controlling authority for approval for any proposed changes.

No cost to Council

38. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.

Latest versions

39. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the commencement of the development works, unless a regulation or law requires otherwise.

Application documentation

40. It is the developer's responsibility to ensure that all entities associated with this Development Approval have a legible copy of the Decision Notice, Approved Plans and Approved Documents bearing 'Council Approval'.

CARRIED

9/0

Responsible Officer

Lead Town Planner

Item Number:

13.3

File Number: D20/21244

SUBJECT HEADING:

REQUEST FROM RETURNED AND SERVICES LEAGUE (RSL) ROMA SUB BRANCH FOR THE INDEFINITE USE OF COUNCIL MANNEQUINS

Officer's Title:

Regional Economic Development & Events Attraction Specialist

Executive Summary:

Council received a verbal request from the RSL Roma sub-branch for the indefinite use of 4 Council owned mannequins. These mannequins will be used for a public display of war uniforms in the RSL Hall. Council currently own 12 mannequins located in the storage facility underneath Hibernian Hall.

Resolution No. GM/03.2020/48

Moved Cr O'Neil

Seconded Cr Chandler

That Council:

1. Approve the request for the indefinite use of 4 Council owned mannequins for the war uniform public display project at the RSL Hall.
2. Requires that the RSL Roma sub-branch acknowledge the contribution from Council, on signage, which will be on display in the hall.

CARRIED

9/0

Responsible Officer

Manager – Economic & Community Development

Item Number: 13.4

File Number: D20/21365

SUBJECT HEADING: COMMUNITY USE OF THE BIG RIG SCREEN VENUE

Officer's Title: Regional Tourism Development Coordinator

Executive Summary:

At its General Meeting on 11 September 2019 Council resolved to develop a Policy for Conditions of Use, and a Venue Use Application form, for Not-for-Profit Community Groups to access The Big Rig screen venue. Council already has an approved Community Halls and Rooms Conditions of Hire Policy and a Casual Hall and Room Hire Agreement that can be adjusted to incorporate The Big Rig screen venue.

Cr. Newman proposed an amendment to Point 2 of the resolution, (replacing the word 'utilise' with the word 'amend'. Cr. Chambers, as 'Mover' of the draft motion confirmed she was happy to accept the amendment.

Resolution No. GM/03.2020/49

Moved Cr Chandler

Seconded Cr Newman

That:

1. Council add The Big Rig Screen Venue to the existing Casual Hall and Room Hire Agreement.
2. Council amend the existing Community Halls & Rooms Conditions of Hire. (i.e. amending the documentation to incorporate the addition of the venue).
3. Council set the hire fee at a minimum of \$215 for the first 3 hours plus \$70 per hour for every additional hour.
4. A fully refundable bond of \$250 be paid by the hirer prior to hiring the facility.
5. The new hire fee and bond be added to Council's annual Fees and Charges.

NO VOTE TAKEN

No vote was taken on the draft motion at that time, with Mayor Golder proposing an amendment to the draft motion:

Resolution No. GM/03.2020/50

Moved Cr Golder

Seconded Cr McMullen

That:

1. Council add The Big Rig Screen Venue to the existing Casual Hall and Room Hire Agreement.
2. Council amend the existing Community Halls & Rooms Conditions of Hire. (i.e. amending the documentation to incorporate the addition of the venue)
3. Council set the hire fee at a minimum of \$215 for the first 3 hours plus \$70 per hour for every additional hour, with exception of community groups and non-for-profit groups where the fees are reduced by 50%. (i.e. \$107.50 for the first 3 hours plus \$35 for every additional hour).
4. A fully refundable bond of \$250 be paid by the hirer prior to hiring the facility.

5. The new hire fee and bond be added to Council's annual Fees and Charges.

MOTION LOST

4/5

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Flynn | Cr. Chambers |
| Cr. Golder | Cr. Chandler |
| Cr. McMullen | Cr. Newman |
| Cr. Stanford | Cr. O'Neil |
| | Cr. Schefe |

With the amendment lost, Council again considered the original draft motion:

Resolution No. GM/03.2020/51

Moved Cr Chandler

Seconded Cr Newman

That:

- 1. Council add The Big Rig Screen Venue to the existing Casual Hall and Room Hire Agreement.**
- 2. Council amend the existing Community Halls & Rooms Conditions of Hire to incorporate the addition of this venue. (i.e. amending the documentation to incorporate the addition of the venue).**
- 3. Council set the hire fee at a minimum of \$215 for the first 3 hours plus \$70 per hour for every additional hour.**
- 4. A fully refundable bond of \$250 be paid by the hirer prior to hiring the facility.**
- 5. The new hire fee and bond be added to Council's annual Fees and Charges.**

CARRIED

5/4

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Chambers | Cr. Flynn |
| Cr. Chandler | Cr. Golder |
| Cr. Newman | Cr. McMullen |
| Cr. O'Neil | Cr. Stanford |
| Cr. Schefe | |

Responsible Officer

Regional Tourism Development Coordinator

CONFIDENTIAL ITEMS

Cr. Chambers, having previously foreshadowed a 'Material Personal Interest' in the following item for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the meeting at 9.44am, taking no part in discussion or debate on the matter.

Cr. Stanford, having previously foreshadowed a 'Conflict of Interest' in the following item for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the meeting at 9.44am, taking no part in discussion or debate on the matter.

Item Number: C.1 **File Number:** D20/19987

SUBJECT HEADING: UPDATE OF OUTSTANDING RATES - ASSESSMENT 14000459

Officer's Title: Rates and Utilities Billing Officer

Executive Summary:

The purpose of this report was to provide Council with an update on the progress of debt recovery for overdue rates and charges on Assessment 14000459.

Resolution No. GM/03.2020/52

Moved Cr Newman

Seconded Cr Chandler

That Council receive and note the Officer's report as presented.

CARRIED

7/0

Responsible Officer

Rates and Utilities Billing Officer

At cessation of discussion and debate on the abovementioned item, Councillors Chambers and Stanford returned to the Chamber at 9.45am.

Cr. Stanford, having previously foreshadowed a 'Conflict of Interest' in the following item for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the meeting at 9.46am, taking no part in discussions on the matter.

Item Number: C.2 **File Number:** D20/21711

SUBJECT HEADING: REVIEW OF DECISION: REQUEST TO WAIVE DEBT RECOVERY LEGAL FEES - ASSESSMENT 13001193 & 14005151

Officer's Title: Business Planning & Performance Coordinator

Executive Summary:

A request for review of a Council decision was received in relation to a report tabled at the General Meeting on 27 November 2019. The ratepayer requested Council review its original decision (GM/11.2019/88) for the waiver of debt recovery legal fees.

At that meeting Council resolved:

That Council:

1. *Not waive the debt recovery legal fee.*
2. *Propose a hardship concession by way of a payment arrangement for the debt recovery legal fees to be paid in full by 29 February 2020 prior to the next rates being issued.*

Resolution No. GM/03.2020/53
Moved Cr Golder
Seconded Cr McMullen

That Council approve the request for waiver of the debt recovery fees for Assessment 13001193 and 14005151.

MOTION LOST

3/5

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Flynn | Cr. Chambers |
| Cr. Golder | Cr. Chandler |
| Cr. McMullen | Cr. Newman |
| | Cr. O'Neil |
| | Cr. Schefe |

Resolution No. GM/03.2020/54
Moved Cr Chambers
Seconded Cr Chandler

That Council not waive the debt recovery legal fees.

CARRIED

5/3

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Chambers | Cr. Flynn |
| Cr. Chandler | Cr. Golder |
| Cr. Newman | Cr. McMullen |
| Cr. O'Neil | |
| Cr. Schefe | |

Responsible Officer
**Business Planning & Performance
Coordinator**

At cessation of discussion and debate on the abovementioned item, Cr. Stanford returned to the Chamber at 9.48am.

Item Number:
C.3
File Number: D20/21955
SUBJECT HEADING:
REQUEST FOR REDUCED TRADING TERMS.
Officer's Title:
Manager - Procurement & Plant
Executive Summary:

Council received correspondence from a supplier, requesting a reduction in trading terms from 28 days to 14 days.

The request was tabled for Council's consideration.

Resolution No. GM/03.2020/55

Moved Cr Newman

Seconded Cr McMullen

That Council approve the requested reduction in trading terms from twenty-eight days (28) to fourteen (14) days for any invoices submitted by creditor 12470.

CARRIED

9/0

Responsible Officer

Manager - Procurement & Plant

Item Number:

C.4

File Number: D20/21860

SUBJECT HEADING:

**REQUEST FOR WAIVER OF WATER ACCESS
INFRASTRUCTURE CHARGE - ASSESSMENT 13002738**

Councillor's Title:

Cr. Tyson Golder

Executive Summary:

Council received a request for the water access infrastructure charge 25mm on rates assessment number 13002738 to be removed from the rates notice indefinitely.

Resolution No. GM/03.2020/56

Moved Cr Golder

Seconded Cr Stanford

That a report be prepared for an upcoming meeting.

CARRIED

9/0

Responsible Officer

Manager - Water, Sewerage & Gas

Item Number:

C.5

File Number: D20/22315

SUBJECT HEADING:

ROAMING DOGS IN YULEBA

Councillor's Title:

Cr. Tyson Golder

Executive Summary:

Correspondence was received through the Office of the Mayor raising concerns about roaming dogs in Yuleba.

Resolution No. GM/03.2020/57

Moved Cr Golder

Seconded Cr Chandler

That a report be prepared for an upcoming Council Meeting, and that the report include both dogs and horses.

CARRIED

9/0

Responsible Officer

Manager - Community Safety

LATE ITEM**Item Number:****L.1****File Number: D20/23424****SUBJECT HEADING:****DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE "DWELLING HOUSE" (DOMESTIC OUTBUILDING)****Officers Title:****Lead Town Planner****Executive Summary:**

Barry S Reid has submitted a development application seeking approval for a Material Change of Use for a "Dwelling house" (domestic outbuilding) at 30 William Street, Roma, being Lot 1 on RP4415 (the subject premises). The development application is subject to impact assessment and must be assessed against the assessment benchmarks (to the extent relevant) provided by Section 45 of the Planning Act 2016 and any relevant matters prescribed by regulation. The Development Assessment Rules set out the procedural requirements for the development assessment process.

Public notification about the application was carried out in accordance with Part 4 of the Development Assessment Rules and for a period of no less than 15 business days between 4th February 2020 and 25th February 2020. There were three (3) properly made submissions objecting to the proposal received during this period. Matters raised in the submissions have been fully considered by Council's assessing officers, and where appropriate, conditions of development approval have been recommended to overcome potential impacts on the submitters as a result of the development.

The procedural requirements set out by the Development Assessment Rules to enable Council to make a decision on this application have been fulfilled. The development application is generally consistent with the assessment benchmarks provided by the Planning Act 2016, or can otherwise be conditioned to achieve compliance. As part of the assessment of the application Council assessing officers have also identified a number of relevant matters that support the approval of the application, including that the proposed domestic outbuilding will be co-located and ancillary to an existing residential dwelling located at the subject premises.

This matter had been laid on the table at the General Meeting on 11 March 2020, to allow for Councillors to meet with the applicant and submitters for this application.

Discussion:

Cr. Schefe proposed an amendment to the draft motion to incorporate a condition regarding the installation of rainwater tanks and overflow arrangements as discussed with the applicant at the site meeting. Cr. McMullen advised he was happy to include this amendment, which is specified as condition 22.

Resolution No. GM/03.2020/58**Moved Cr Schefe****Seconded Cr McMullen**

That Council approve the application for a Development Permit for a Material Change of Use for a "Dwelling house" (domestic outbuilding) at the premises located at 30 William Street, Roma, being Lot 1 on RP4415, subject to the following conditions:

Preamble

- i. The Capricorn Municipal Development Guidelines apply to this development. Refer to <http://www.cmdg.com.au/> for the Capricorn Municipal Development Guidelines (CMDG).
- ii. Refer to <http://www.maranoa.qld.gov.au/council-policies> for Council Policies.

- iii. The relevant planning scheme for this development is the *Maranoa Planning Scheme 2017*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- iv. Under the Planning Scheme a "Dwelling house" means a residential use of premises involving:
 - (a) *1 dwelling for a single household and any domestic outbuildings associated with the dwelling; or*
 - (b) *1 dwelling for a single household, a secondary dwelling, and any domestic outbuildings associated with either dwelling.*
- v. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.
- vi. All Aboriginal Cultural Heritage in Queensland is protected under the (*Aboriginal Cultural Heritage Act 2003*) and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- vii. It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved use.
- viii. An operational works application will be required to be submitted to and approved by Council for any cut and/or filling works that exceed 50m³.
- ix. All persons involved in the operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the *Biosecurity Act 2014*.
- x. The development does not propose to increase the demand on any of Council's infrastructure networks and as a result a nil infrastructure charge is payable.
- xi. In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved plans and documents may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

Use

- 1. The approved development is a Material Change of Use - "Dwelling house" (domestic outbuilding) as defined in the Planning Scheme and as shown on the approved plans. It does not authorise any other activity on the premises or the use of the approved building for any other purpose.

Compliance Inspection

- 2. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless otherwise noted within these conditions.

3. Prior to the commencement of use the applicant shall contact Council's Planning Department and arrange a development compliance inspection.

Building Permit

4. A development permit for building works must be obtained prior to the commencement of works.

Approved Plans and Documents

5. All works and operations are to be carried out generally in accordance with the approved plan listed in the following table. Where the approved plan is in conflict with the Assessment Manager's conditions, the Assessment Manager's conditions shall take precedence.

| Plan/Document Number | Plan/Document Name | Date |
|----------------------|---|----------|
| | Site Plan for Proposed Shed at 30 Williams Street, Roma for B.S. Reid (as marked in Red by Council) | 27.01.20 |

Detailed Plans

6. Detailed design plans generally in accordance with the approved plan, must be submitted to and approved by Council prior to the commencement of works. The detailed design plans must include:
- Elevation plan/s showing the height, length, width and exterior appearance of the proposed outbuilding. The elevation plans must show all sides of the domestic outbuilding, orientation (i.e. north, south, east and west) and wall height and overall building height measured from the existing ground level.
 - Floor plan/s drawn to scale showing dimensions of the proposed outbuilding.

Building Height

7. The approved development must not exceed 4.584 metres in height (measured to the highest point, i.e. roof pitch) above the building pad. The height of the building pad should not exceed 300mm above existing ground level and what is reasonably required to prevent stormwater from ponding.

Note: The existing ground level is taken to be the level of the ground prior to the progression of any works on the premises.

Building Size

8. The maximum floor area of the approved "Dwelling house" (domestic outbuilding) is restricted to 120m².

Building Materials

9. Building materials and surface finishes must be predominantly within the colour range of the local landscape to blend with the surrounding environment. The approved development (including all external wall and roof sheeting) shall not be constructed with reflective cladding material.

Note: Suitable materials include Colorbond or similar.

10. The approved development shall be maintained in good repair and have no visual rust marks.

Building Setbacks

11. The approved development must meet the following minimum building setbacks:

- Side boundary setbacks shall be a minimum of 2.0m (western); and
- Rear boundary setbacks shall be a minimum of 3.0m (southern); and
- Front boundary setbacks shall be a minimum of 6.0m.

Development Works

- 12. During the course of constructing the works, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.**
- 13. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners' requirements and specifications and to the satisfaction of the asset owners' representative(s).**

Applicable Standards

- 14. All works must comply with:**
- a) the development approval conditions;
 - b) any relevant provisions in the Planning Scheme and the Capricorn Municipal Development Guidelines;
 - c) any relevant Australian Standard that applies to that type of work; and
 - d) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

Access

- 15. The landowner is responsible for providing access to the site and maintaining vehicle crossovers from the road carriageway to the property boundary. Should any damage be caused to William Street at the existing access location, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.**

Avoiding Nuisance

- 16. No unreasonable and sustained nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time during or after the establishment of the approved development.**
- 17. Lighting, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.**
- 18. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.**

19. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
20. All mechanical equipment (including air conditioners and the like) and rainwater tanks are to be screened from the adjoining roadway and nearby properties.

Stormwater Drainage and Erosion control

21. Stormwater from the roof and all impervious surfaces associated with the approved development is to be collected internally and piped to a lawful point of discharge on William Street in accordance with the Capricorn Municipal Development Guidelines – Stormwater Drainage Design D5.
22. Stormwater collected from the roof of the outbuilding is to be collected in rainwater tanks and any excess piped to the lawful point of discharge for the site in accordance with Condition 21.
23. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.
24. Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed.
25. Stormwater is collected and discharged so as to:
 - (a) protect the stability of buildings and the use of adjacent land;
 - (b) prevent water-logging of nearby land;
 - (c) protect and maintain environmental values; and
 - (d) maintain access to reticulated infrastructure for maintenance and replacement purposes.
26. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after the development has been completed. All stormwater from the approved operation is to be collected onsite using appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.
27. If there is a possibility of erosion or silt or other materials being washed off the property during the development process or after the development is completed, the developer must document and implement a management plan that prevents this from occurring.
28. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site.
29. Stockpiles of material capable of being moved by the action of running water shall be stored clear of drainage paths and be prevented from entering the road and/or drainage system.
30. Runoff from premises ensures the quality of surface water is suitable for:
 - (a) the biological integrity of aquatic ecosystems;
 - (b) recreational use;
 - (c) supply as drinking water after minimal treatment; and
 - (d) agricultural use or industrial use.
31. A gully pit shall be installed in the vicinity of the approved development to capture excess ponding on the property. Water captured in the gully pit shall be piped to the lawful point of discharge on William Street.

Flooding

Safe storage of equipment and materials

32. All stored goods with the potential to cause harm by way of floating debris or potential contamination of waterways during a flood event must be stored in flood proof containers, adequately secured or located safely above the defined flood event (DFE) level. Any goods, material or machinery with the potential to cause harm or contamination that is not located above the DFE or in flood proofed containers shall be stored in such a manner to be easily accessed and relocated off-site ahead of a minor or major flood event.

Building design

33. The building must be designed, constructed, connected and anchored so that, in the event of a flood up to the DFE (as a minimum) it:
- a) Resists flotation, collapse or significant permanent movements, resulting from:
 - i) hydrostatic action;
 - ii) hydrodynamic action;
 - iii) erosion and scouring;
 - iv) wind; and
 - v) any other action; and
 - b) safeguards occupants and other people against illness and injury caused by flood water affecting the building.
34. Building materials and surface treatments used under the DFE level must be resistant to water damage and must not include wall cavities that would collect water and sediment during a flood event.

No Cost to Council

35. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.

Latest Versions

36. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the commencement of the development works, unless a regulation or law requires otherwise.

Application Documentation

37. It is the developer's responsibility to ensure that all entities associated with this Development Approval have a legible copy of the Decision Notice, Approved Plans and Approved Documents bearing 'Council Approval'.

CARRIED

6/3

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Flynn | Cr. Chambers |
| Cr. Golder | Cr. Chandler |
| Cr. McMullen | Cr. Newman |
| Cr. O'Neil | |
| Cr. Scheffe | |
| Cr. Stanford | |

| | |
|----------------------------|--------------------------|
| Responsible Officer | Lead Town Planner |
|----------------------------|--------------------------|

COUNCIL ADJOURNED THE MEETING
 FOR RECESS FOLLOWED BY MORNING TEA AT 11.04AM

During recess a presentation, the Chief Executive Officer and Directors hosted a presentation for the Mayor and Councillors in recognition of their service on the 2016 – 2020 term of Council

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 12.02PM

LATE CONFIDENTIAL ITEMS

Item Number: LC.1 **File Number:** D20/19568

SUBJECT HEADING: REGIONAL POOL DIVING REVIEW FEEDBACK

Officer's Title: Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

At its General Meeting held on 27 November 2019, Council resolved to undertake a review of the diving restrictions at all pools across the region (Resolution No. GM/11.2019/69). The Managers of the Denise Spencer Roma Swimming Pool, Wallumbilla Pool, Surat Pool, Mitchell Pool and Injune Pool have provided feedback on the current diving restrictions at the regional pools.

Moved Cr Chambers

No Seconder

That Council liaise with the Manager of the Surat Swimming Pool in regard to allowing recreational diving, with conditions, at the Surat Swimming Pool.

NO VOTE TAKEN

No 'Seconder' was recorded for the draft motion at that time, with Cr. Newman proposing the following procedural motion:

Resolution No. GM/03.2020/59

Moved Cr Newman

That the matter lay on the table for further consideration at a later point during the meeting.

CARRIED

8/1

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Chambers | Cr. Flynn |
| Cr. Chandler | |
| Cr. Golder | |
| Cr. McMullen | |
| Cr. Newman | |
| Cr. O'Neil | |
| Cr. Scheffe | |
| Cr. Stanford | |

Item Number:

LC.2

File Number: D20/22777

SUBJECT HEADING:

REQUEST FROM PINAROO ROMA INC.

Officer's Title:

Administration Officer - Land Administration

Executive Summary:

The purpose of this report was to provide Council with further information as a result of preliminary investigations being carried out relating to the approach from Pinaroo Roma Inc. to acquire additional land for aged care purposes.

Moved Cr Newman

Seconded Cr Scheffe

That Council:

- 1. Advise Pinaroo Inc. Roma that the land described as Lot 5 on R86120 is a Reserve for Local Government Purposes, Sub Purpose Pound, and that Council infrastructure including gas, sewer and water mains are located under the site.**
- 2. Advise Pinaroo Inc. Roma that due to the nature of Council infrastructure located on the site, Council is not able to relinquish the land back to the State Government.**

NO VOTE TAKEN

Responsible Officer

Administration Officer - Land Administration

Mayor Golder proposed a draft amendment to the motion recorded as follows, both the 'Mover' and 'Seconder' indicated they were happy to accept the amendment:

Resolution No. GM/03.2020/60

Moved Cr Newman

Seconded Cr Scheffe

That Council:

- 1. Advise Pinaroo Inc. Roma that the land described as Lot 5 on R86120 is a Reserve for Local Government Purposes, Sub Purpose Pound, and that Council infrastructure including gas, sewer and water mains are located under the site.**
- 2. Advise Pinaroo Inc. Roma that due to the nature of Council infrastructure located on the site, Council is not able to relinquish the land back to the State Government.**
- 3. Discuss with Pinaroo Inc. Roma any other opportunities that may be further explored.**

CARRIED

9/0

Responsible Officer

Administration Officer - Land Administration

Item Number: LC.3 File Number: D20/21861

SUBJECT HEADING: ROMA BIG RIG CAFE - AMENDMENT OF OPENING HOURS

Officer's Title: Facility Lease Management & Housing Officer/Team Coordinator

Executive Summary:

Council received a request from the Manager of the Roma Big Rig Cafe to amend the trading hours of her business.

Resolution No. GM/03.2020/61

Moved Cr Chandler

Seconded Cr McMullen

That Council:

1. Agree to the request from the Manager of the Roma Big Rig Cafe to amend the normal trading hours of the facility.
2. Confirm that the new normal trading hours for the Roma Big Rig Café will be:
 - Monday to Friday – 5.30am – 3pm
 - Saturday 5.30am – 2pm
 - Sunday 7am – 1pm
3. Continue to monitor the current situation.

CARRIED

9/0

Responsible Officer

Facility Lease Management & Housing Officer/Team Coordinator

Item Number: LC.4 File Number: D20/23026

SUBJECT HEADING: ROMA SALEYARDS INTERPRETIVE CENTRE OPERATIONS

Officer's Title: Director - Corporate & Community Services

Executive Summary:

The purpose of this report was to consider a recommendation received on behalf of the volunteer Tour Leaders that the Roma Saleyards Interpretive Centre open at 8.00am daily (rather than 8.30am).

Resolution No. GM/03.2020/62

Moved Cr Chandler

Seconded Cr O'Neil

That the normal opening time for the Interpretive Centre be brought forward to 8am.

CARRIED

9/0

Responsible Officer

Director - Corporate & Community Services

Item Number: LC.5 **File Number:** D20/23028
SUBJECT HEADING: AUDIT COMMITTEE REPORT
Officer's Title: Director - Corporate & Community Services

Executive Summary:

The purpose of this report is for the Chief Executive Officer to present the unconfirmed minutes of the Audit Committee Meeting held on 16 March 2020, in accordance with section 211(1)(c) of the Local Government Regulation 2012, and to consider future arrangements for the Audit Committee.

Resolution No. GM/03.2020/63

Moved Cr Chambers

That the matter lay on the table for further consideration at a later point.

CARRIED

9/0

Item Number: LC.6 **File Number:** D20/22215
SUBJECT HEADING: BANKING PROCESSES FOR LOCAL GOVERNMENT
 INDUSTRY INVESTMENTS
Officer's Title: Director Corporate & Community Services

Executive Summary:

Council has adopted an Investment Policy with a contemporary approach to investments based on an assessment of market and liquidity risk within the legislative framework of the Statutory Bodies Financial Arrangements Act 1982 and the Statutory Bodies Financial Arrangements Regulations 2007.

The purpose of this report was to provide Council with information from each banking institution (with a local presence) on their process/requirements if Council was to invest funds with them.

Resolution No. GM/03.2020/64

Moved Cr O'Neil

That the matter lay on the table for further consideration at a later point during the meeting.

CARRIED

7/2

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Chandler | Cr. Chambers |
| Cr. Golder | Cr. Flynn |
| Cr. McMullen | |
| Cr. Newman | |
| Cr. O'Neil | |
| Cr. Schefe | |
| Cr. Stanford | |

Item Number: LC.7 **File Number:** D20/22935

SUBJECT HEADING: PROPOSED DEED OF GRANT OVER LOT 10 ON SP308916 BEING PART OF LOCAL GOVERNMENT RESERVE

Officer's Title: Administration Officer - Land Administration

Executive Summary:

The Department of Natural Resources, Mines and Energy forwarded an Agreement to Offer a Deed of Grant over land described as Lot 10 on SP308916, with an area of 314 square metres, being part of Local Government Reserve.

Resolution No. GM/03.2020/65

Moved Cr Scheffe

Seconded Cr Chambers

That Council:

- 1. Proceed with the purchase of land described as Lot 10 on SP308916 being the site on which the existing sewerage treatment plant in Tiffin Street, Roma, is located.**
- 2. Authorise the Chief Executive Officer, or delegate, to execute the Agreement to Offer a Deed of Grant and any other documentation relating to this purchase.**

CARRIED

9/0

Responsible Officer

Administration Officer - Land Administration

Cr. O'Neil enquired as to whether Mayor Golder had considered if he had a 'Conflict of Interest' in the following item with regard to one of the members of the Roma Aero Club being a candidate for the upcoming local government elections, for Maranoa Regional Council.

Mayor Golder declared a perceived 'Conflict of Interest' in the following item, due to one of the members of the Roma Aero Club being a Councillor candidate for Maranoa Regional Council and member of 'Unity Maranoa'.

Mayor Golder left the Chamber at 12.15pm, taking no part in discussion or debate on the matter. The Deputy Mayor took the role of 'Acting Chair' in his absence.

Item Number: LC.8 **File Number:** D20/23011

SUBJECT HEADING: ROMA AERO CLUB - LEASE AGREEMENT

Officer's Title: Administration Officer - Land Administration

Executive Summary:

A lease agreement has been negotiated with the Roma Aero Club Inc for the use of land described as Lot 3 on SP300970 and is presented for Council's endorsement.

Resolution No. GM/03.2020/66

Moved Cr McMullen

Seconded Cr O'Neil

That Council:

- 1. Enter into a lease agreement with the Roma Aero Club Incorporated for a period of ten (10) years in respect to land described as Lot 3 on SP300970.**

2. Authorise the Chief Executive Officer, or delegate, to execute the Lease Agreement and any other associated documentation.

CARRIED

8/0

Responsible Officer

Administration Officer - Land Administration

At cessation of discussion and debate on the abovementioned item, Mayor Golder returned to the Chamber at 12.16pm, assuming the Chair.

Item Number:

LC.9

File Number: D20/22620

SUBJECT HEADING:

FINALISATION ACCESS EASEMENT AGREEMENT - LOT 24 ON SP 299286

Officer's Title:

Director - Corporate & Community Services

Executive Summary:

Council agreed to urgently grant United Petroleum a right to access the land in May 2018. This report proposed the next steps to resolve the matter.

Resolution No. GM/03.2020/67

Moved Cr Newman

Seconded Cr Chambers

That Council endorse the response in regards to finalising the access easement agreement.

CARRIED

9/0

Responsible Officer

Director - Corporate & Community Services

Item Number:

LC.10

File Number: D20/22492

SUBJECT HEADING:

REVIEW OF RATING METHODOLOGY FOR RURAL >=80HA RATING CATEGORY / INCLUDING CONSIDERATION OF ASSESSMENT NO. 13016829

Officer's Title:

Lead Rates and Utilities Billing Officer/Systems Administrator

Executive Summary:

The report proposed a review of rating methodology for Rural >=80ha rating category, and sought Council's consideration of a requested review of the rates for Assessment No. 13016829, due to a large increase from the previous rating period resulting from an amalgamated valuation received from the Department of Natural Resources Mines and Energy.

Resolution No. GM/03.2020/68

Moved Cr McMullen

That the matter lay on the table for further consideration at a later point during the meeting.

CARRIED

8/1

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Chambers | Cr. Flynn |
| Cr. Chandler | |
| Cr. Golder | |
| Cr. McMullen | |
| Cr. Newman | |
| Cr. O'Neil | |
| Cr. Scheffe | |
| Cr. Stanford | |

Item Number: LC.11 File Number: D20/22899

SUBJECT HEADING: MARANOA LIVEABILITY STUDY 2018

Officer's Title: Lead Officer - Councillors' Support & Community Engagement

Executive Summary:

The report tabled the release of the Maranoa Liveability Study 2018.

Resolution No. GM/03.2020/69

Moved Cr Scheffe

Seconded Cr Newman

That Council:

1. Confirm that it is in receipt of the Maranoa Liveability Study 2018, as provided by Origin Energy and prepared by Red Sun Land Consulting.
2. Note the advice received from Origin Energy regarding release of the study in the email attached to the officer's report dated 16 March 2020.
3. With the permission of the two groups that have approached Council, request that Origin Energy forward a copy to them.
4. Refer any future requests received by Council seeking to obtain a copy of the Maranoa Liveability Study 2018 to Origin Energy.

CARRIED

9/0

| | |
|---------------------|--|
| Responsible Officer | Manager - Economic & Community Development |
|---------------------|--|

Item Number: LC.12 File Number: D20/23050

SUBJECT HEADING: ROMA SALEYARDS CLEANING SERVICES - REQUEST FOR AMENDMENT OF SERVICE AGREEMENT

Officer's Title: Manager - Procurement & Plant

Executive Summary:

Council received a request from the Commercial Director of Sharman Property Services Pty Ltd (Cleaners for Roma Saleyards) to amend the Service Agreement for changes in the annual review frequency and date for charge rates.

Resolution No. GM/03.2020/70

Moved Cr Flynn

Seconded Cr Newman

That Council:

1. **Agree to the request from the Commercial Director of Sharman Property Services to amend the annual date for review from, prior to each Service Agreement extension, to 1 July of each year.**
2. **Authorise the Chief Executive Officer (or delegate) to sign an amendment to the current Service Agreement for the requested changes.**

CARRIED

9/0

Responsible Officer

Manager - Procurement & Plant

Item Number:

LC.13

File Number: D20/23201

SUBJECT HEADING:

**INTERNAL REVIEW REQUEST NO. 4893
REQUEST FOR INCLUSION IN THE REGISTER OF PRE-QUALIFIED SUPPLIERS FOR WET HIRE OF EQUIPMENT (TENDER 20001).**

Officer's Title:

Manager - Procurement & Plant

Executive Summary:

Tender 20001 "Register of Pre-Qualified Suppliers for Wet Hire of Equipment" was advertised on the 9 August 2019 and closed on 9 September 2019.

Subsequent to the closing date and awarding of the tender, Council received correspondence from a local business requesting that Council reconsider including them and others onto the newly formed register, that they had missed-out on being included in.

Resolution No. GM/03.2020/71

Moved Cr Newman

That the matter lay on the table for further consideration at a later point during the meeting.

CARRIED

9/0

Item Number:

LC.14

File Number: D20/23427

SUBJECT HEADING:

MARANOA REGIONAL COUNCIL ARRANGEMENTS FOR COVID-19 - WORKFORCE ARRANGEMENTS AND OTHER MATTERS.

Officer's Title:

Chief Executive Officer

Executive Summary:

Given the evolving situation with the COVID-19 virus, Councillors prioritised the development of a possible policy position as an initial package to support the community during this time.

Resolution No. GM/03.2020/72**Moved Cr Chambers****That the matter lay on the table for further consideration at a later point during the meeting.****CARRIED****9/0****CONFIDENTIAL ITEMS (discussed in closed session)**

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss items LC.1, LC.5, LC.6, LC.10 and LC.13 – LC.15, which it has deemed to be of a confidential nature and specifically pertaining to the following sections:

- (a) the appointment, dismissal or discipline of employees;
- (b) industrial matters affecting employees;
- (e) contracts proposed to be made by it;
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Resolution No. GM/03.2020/73**Moved Cr O'Neil****Seconded Cr McMullen****That Council close the meeting to the public at 12.22pm.****CARRIED****9/0**

Cr. Stanford left the Chamber at 12.24pm, and returned at 12.29pm.

Cr. Flynn left the Chamber at 12.40pm, and returned at 12.50pm.

Cr. O'Neil left the Chamber at 2.59pm, and returned at 1.05pm.

**COUNCIL ADJOURNED THE MEETING
FOR LUNCH AT 1.08PM**

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 2.12PM**

Mayor Golder left the Chamber at 2.50pm, and returned at 2.52pm.

Cr. Flynn left the Chamber at 3.21pm, and returned at 3.24pm.

Cr. O'Neil left the Chamber at 3.30pm, and returned at 3.31pm.

Cr. Stanford left the Chamber at 3.31pm, and returned at 3.36pm.

Cr O'Neil left the Chamber at 3.56pm, and returned at 4.04pm.

Cr. Flynn left the Chambers during LC.14 when it was identified that Council wish to discuss whether or not e-mail correspondence from Roma Turf Club was relevant to LC.14.

Cr. Flynn is the Vice President of the Roma Turf Club.

Cr. Flynn left the Chamber at 4.13pm, and returned at 4.20pm following the discussion in relation to the Roma Turf Club.

Cr. McMullen left the Chamber at 4.19pm, and did not return for the remainder of the meeting.

Cr. Stanford left the Chamber at 4.22pm, and returned at 4.24pm.

Resolution No. GM/03.2020/74

Moved Cr O'Neil

Seconded Cr Chambers

That Council open the meeting to the public at 4.29pm.

CARRIED

8/0

Item Number:

LC.1

File Number: D20/19568

SUBJECT HEADING:

REGIONAL POOL DIVING REVIEW FEEDBACK

Officer's Title:

Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

At its General Meeting held on 27 November 2019, Council resolved to undertake a review of the diving restrictions at all pools across the region (Resolution No. GM/11.2019/69). The Managers of the Denise Spencer Roma Swimming Pool, Wallumbilla Pool, Surat Pool, Mitchell Pool and Injune Pool have provided feedback on the current diving restrictions at the regional pools.

This matter had been laid on the table earlier during the meeting, Council resumed its deliberations.

Resolution No. GM/03.2020/75

Moved Cr Newman

Seconded Cr Chambers

That Council liaise with the Manager of the Surat Swimming Pool in regard to allowing instructional diving, with conditions, at the Surat Swimming Pool.

CARRIED

8/0

Responsible Officer

Manager - Facilities (Land, Buildings & Structures)

Item Number:

LC.5

File Number: D20/23028

SUBJECT HEADING:

AUDIT COMMITTEE REPORT

Officer's Title:

Director - Corporate & Community Services

Executive Summary:

The purpose of this report is for the Chief Executive Officer to present the unconfirmed minutes of the Audit Committee Meeting held on 16 March 2020, in accordance with section 211(1)(c) of the Local Government Regulation 2012, and to consider future arrangements for a new Audit Committee.

This matter had been laid on the table earlier during the meeting, Council resumed its deliberations.

Resolution No. GM/03.2020/76
Moved Cr Chambers
Seconded Cr Chandler
That Council:

1. Receive and note the unconfirmed minutes of the Audit Committee Meeting held on 16 March 2020.
2. Undertake a review of the remuneration for external committee members.
3. Call for Expressions of Interest from the community to form a new Audit Committee.

CARRIED
8/0

| | |
|----------------------------|--|
| Responsible Officer | Director - Corporate & Community Services / Lead Officer – Elected Members & Community Engagement |
|----------------------------|--|

Item Number:
LC.6
File Number: D20/22215
SUBJECT HEADING:
**BANKING PROCESSES FOR LOCAL GOVERNMENT
INDUSTRY INVESTMENTS**
Officer's Title:
Director - Corporate & Community Services
Executive Summary:

Council has adopted an Investment Policy with a contemporary approach to investments based on an assessment of market and liquidity risk within the legislative framework of the Statutory Bodies Financial Arrangements Act 1982 and the Statutory Bodies Financial Arrangements Regulations 2007.

The purpose of this report was to provide Council with information from each banking institution (with a local presence) on their process/requirements if Council was to invest funds with them.

This matter had been laid on the table earlier during the meeting, Council resumed its deliberations.

Resolution No. GM/03.2020/77
Moved Cr Newman
Seconded Cr Chambers
That Council receive and note the information from each local banking institution.
CARRIED
8/0

| | |
|----------------------------|--|
| Responsible Officer | Director - Corporate & Community Services |
|----------------------------|--|

Item Number: LC.10 File Number: D20/22492

SUBJECT HEADING: REVIEW OF RATING METHODOLOGY FOR RURAL
 >=80HA RATING CATEGORY / REVIEW / INCLUDING
 CONSIDERATION OF ASSESSMENT NO. 13016829

Officer's Title: Lead Rates and Utilities Billing Officer/Systems
 Administrator

Executive Summary:

The report proposed a review of rating methodology for Rural >=80ha rating category, and sought Council's consideration of a request for review of rates for Assessment No. 13016829, due to a large increase from the previous rating period resulting from an amalgamated valuation received from the Department of Natural Resources Mines and Energy.

This matter had been laid on the table earlier during the meeting, Council resumed its deliberations.

Resolution No. GM/03.2020/78

Moved Cr Golder

Seconded Cr Chambers

That Council, in line with previous Council resolution GM/12.2019/43:

1. Write to the applicant advising that Council is considering these circumstances in a review of the rating methodology for the rating category Rural >=80ha to assist with future planning and budget deliberations.
2. Reimburse 50% of the increase in general rates due to the capping not being applicable in these particular circumstances for this and any landowners that are, or will be affected, for the 2019/20 financial year.
3. Write a letter to Ms. Ann Leahy – Member for Warrego, and Minister Anthony Lynham – Minister for Natural Resources, Mines and Energy highlighting the situation.

CARRIED

8/0

Responsible Officer

**Lead Rates and Utilities Billing
 Officer/Systems Administrator / Chief
 Executive Officer**

Item Number: LC.13 File Number: D20/23201

SUBJECT HEADING: INTERNAL REVIEW REQUEST NO.4893
 REQUEST FOR INCLUSION IN THE REGISTER OF PRE-
 QUALIFIED SUPPLIERS FOR WET HIRE OF EQUIPMENT
 (TENDER 20001).

Officer's Title: Manager - Procurement & Plant

Executive Summary:

Tender 20001 "Register of Pre-Qualified Suppliers for Wet Hire of Equipment" was advertised on the 9 August 2019 and closed on 9 September 2019.

Subsequent to the closing date and awarding of the tender, Council received correspondence from a local business requesting that Council reconsider including them and others onto the newly formed register, that they had missed out on being included in.

This matter had been laid on the table earlier during the meeting, Council resumed its deliberations.

Resolution No. GM/03.2020/79

Moved Cr Schefe

Seconded Cr Chandler

That Council:

1. Respond to the request from the applicant advising that the award of Tender 20001 - Register of Wet Hire of Equipment has been completed, and that the tender process does not allow late submissions to be considered subsequent to the tender award.
2. Release a tender for additional suppliers for the Register of Wet Hire of Equipment.

CARRIED

8/0

Responsible Officer

Manager - Procurement & Plant

Item Number:

LC.14

File Number: D20/23427

SUBJECT HEADING:

MARANOA REGIONAL COUNCIL ARRANGEMENTS FOR COVID-19 - WORKFORCE ARRANGEMENTS AND OTHER MATTERS.

Officer's Title:

Chief Executive Officer

Executive Summary:

Given the evolving situation with the COVID-19 virus, Councillors prioritised the development of a possible policy position as an initial package to support the community during this time.

This matter had been laid on the table earlier during the meeting, Council resumed its deliberations.

Resolution No. GM/03.2020/80

Moved Cr O'Neil

Seconded Cr Stanford

That Council:

1. Release the statement from Maranoa Regional Council as presented.
2. That Council resolve pursuant to *section 130 (7) and (8) of the Local Government Regulation 2012* to:
 - a) change the discount date and due date for payment of rates to close of business Tuesday 5th May 2020, which will be the new discount and due date day;
 - b) extend the interest instigation period of sixty (60) so that rates and charges which remain outstanding for ninety (90) days after the date of issue will incur interest.
3. Authorise the Chief Executive Officer to implement changes to Council's operations in response to updated advice from the Australian and Queensland Government, and other prudent measures that may be required in liaison with Councillors will occur during the remainder of this term of Council.
4. Authorise the Chief Executive Officer to make minor adjustments to the document following a final review, prior to its release.

CARRIED

7/1

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Chambers | Cr. Flynn |
| Cr. Chandler | |
| Cr. Golder | |
| Cr. Newman | |
| Cr. O'Neil | |
| Cr. Scheffe | |
| Cr. Stanford | |

Responsible Officer

Chief Executive Officer

LATE VERBAL ITEM

Cr. Flynn declared a 'Conflict of Interest' in the following item, due to him being Vice President of the Roma Turf Club, one of the applicants under Council's consideration in this matter.

Cr. Flynn left the Chamber at 4.43pm, taking no part in discussion or debate on the matter.

Item Number:

L.2

File Number: N/a

SUBJECT HEADING:

REQUEST FROM ROMA TURF CLUB

Officer's Title:

Chief Executive Officer

Executive Summary:

The Roma Turf Club and Roma Picnic Race Club have scheduled race meetings on 28 March 2020 and 11 April 2020. Due the increased public concern regarding COVID-19 (or coronavirus), they have taken the decision to conduct the race meetings without any spectators, following consultation with Racing Queensland.

The groups sought a reduction or waiver of rental fees and charges for Bassett Park until the situation has eased and patrons are again able to attend Bassett Park.

Resolution No. GM/03.2020/81

Moved Cr Chambers

Seconded Cr Stanford

That given the steps outlined in the letter taken by the groups to mitigate risk, Council waive the fees for use of Bassett Park for race days between March and May 2020. Power usage costs still apply during this period.

CARRIED

9/0

Responsible Officer

Manager - Economic & Community Development

At cessation of discussion and debate on the abovementioned item, Cr. Flynn returned to the Chamber at 4.44pm.

Item Number: LC.15 **File Number:** D20/23432
SUBJECT HEADING: MINOR ORGANISATIONAL STRUCTURE AMENDMENTS
Officer's Title: Director - Corporate & Community Services

Executive Summary:

Council was asked to consider minor changes to the organisational structure to allow for advertising to occur in the coming weeks.

Resolution No. GM/03.2020/82

Moved Cr Chambers

Seconded Cr Newman

That Council approve the following minor changes to the organisational structure to allow for recruitment to commence:

- Retitle the position of Workplace Health & Safety Advisor to (0601) to Lead Workplace Health & Safety Advisor
- Retitle and reshape the position of Mechanic Trades Assistant (0738) to Apprentice Mechanic
- Reinstate the Management Accountant position, with funding to be sourced from within the salaries budget, and proceed with recruitment on that basis.

CARRIED

8/0

Responsible Officer

Manager - Organisational Development & Human Resources

LATE CONFIDENTIAL ITEM

Item Number: LC.16 **File Number:** D20/23458
SUBJECT HEADING: UPDATE - UNNAMED SECTION OF ROAD OFF HUMPHREYS ROAD
Officer's Title: Deputy Director Infrastructure Services/Strategic Road Management

Executive Summary:

At the Council Meeting on 11 March 2020, it was resolved that a report be prepared for an upcoming meeting regarding a section of unnamed road off Humphreys Road. Since this meeting, Council has been working with legal representatives to establish what options are available to help resolve this ongoing matter.

The following information report provided a progress update on the matter.

Resolution No. GM/03.2020/83

Moved Cr Newman

Seconded Cr O'Neil

That Council receive and note the Officer's report as presented.

CARRIED

8/0

Responsible Officer

Deputy Director Infrastructure Services/Strategic Road Management

Item Number: 13.1 **File Number:** D20/16482
SUBJECT HEADING: REQUEST TO HOST OPERA EAGLE NEST - A TOUCH OF ANDREW LLOYD-WEBBER, A TASTE OF TIM RICE
Officer's Title: Specialist - Arts & Culture

Executive Summary:

Council has been approached by Opera Eagles Nest to perform A Touch of Andrew Lloyd-Webber, A Taste of Tim Rice at the Roma Cultural Centre Saturday 23 May 2020. They are a fully self-sufficient touring company that will provide a 90 minute concert featuring hits from 9 of the world's best loved musicals. The cost to Council for this performance is \$3,500. The proposed cost of tickets that would go on sale would be \$20 per adult and \$10 concession pricing.

This matter had been laid on the table earlier during the meeting. Council received a further notification from Opera Eagles Nest that the event would not proceed given the COVID-19 (or coronavirus) pandemic, and advised they would again formally approach to re-initiate the process.

Resolution No. GM/03.2020/84

Moved Cr Chandler

Seconded Cr O'Neil

That the report be withdrawn from the agenda.

CARRIED

8/0

Responsible Officer

Specialist - Arts & Culture

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 4.50pm.

These Minutes are to be confirmed at the next Council Meeting at Roma Administration Centre.

.....
 Mayor.

.....
 Date.

.....
 Deputy Mayor.

.....
 Date.

**MINUTES OF THE POST ELECTION MEETING OF MARANOA REGIONAL COUNCIL HELD
AT ROMA ADMINISTRATION CENTRE ON 16 APRIL 2020 COMMENCING AT 10.00AM**

ATTENDANCE

Mayor Cr T D Golder chaired the meeting with, Cr J R P Birkett, Cr M C Edwards, Cr J L Guthrie, Cr J M Hancock, Cr W L Ladbrook, Cr G B McMullen, Cr C J O'Neil, Cr W M Taylor, Chief Executive Officer – Julie Reitano, Deputy Chief Executive Officer / Director Development, Facilities & Environmental Services – Rob Hayward, Director Corporate & Community Services – Sharon Frank, Deputy Director / Strategic Road Management – Cameron Hoffmann and Minutes Officer – Kelly Rogers in attendance.

WELCOME

The Mayor welcomed all present and declared the meeting open at 10.02am.

Resolution No. PE/04.2020/01

Moved Cr Golder

Seconded Cr O'Neil

That Council suspend 'Standing Orders' for the meeting to allow all Councillors to speak on all items of business, should they wish to do so.

CARRIED

9/0

BUSINESS

Item Number:

1.1

File Number: D20/31807

SUBJECT HEADING:

SETTING OF MEETING DAYS AND TIMES

Officer's Title:

Chief Executive Officer

Executive Summary:

This report was prepared for Council to consider the day and time for holding Council meetings, as required under Section 256 (1) of the Local Government Regulation 2012.

Moved Cr Golder

Seconded Cr McMullen

That Council:

- **Adopt the ordinary meeting schedule of the 2nd and 4th Wednesday of each month (excluding December and January) commencing with supper open to the public at 6.00pm, subject to COVID-19 lifting of restrictions, followed by the meeting starting at 6.30pm and finishing at 10.30pm (catering to be rotated with local food outlets in each area of the meeting to support local business or non for profit organisations).**
- **Hold Ordinary Council meetings on a rotational basis for the first meeting of each month, starting in Mitchell, Surat, Yuleba and Injune, in each area 3 times over a 12-month period and the second meeting of each month to be held in Roma, 12 times over 12 months.**
- **All meetings to be held at existing Council buildings in each area.**

NO VOTE TAKEN

No vote was taken on the draft motion at that time with Cr. McMullen proposing an amendment to the draft motion. The Mayor indicated he was happy to accept the amendment as follows:

Moved Cr Golder

Seconded Cr McMullen

That Council:

- Adopt the ordinary meeting schedule of the 2nd and 4th Wednesday of each month (excluding December and January) commencing with supper open to the public at 6.00pm, subject to COVID-19 lifting of restrictions, followed by the meeting starting at 6.30pm and finishing at 10.30pm (catering to be rotated with local food outlets in each area of the meeting to support local business or non for profit organisations).
- Hold Ordinary Council meetings on a rotational basis for the first meeting of each month, starting in Mitchell, Surat, Yuleba and Injune, in each area 3 times over a 12-month period and the second meeting of each month to be held in Roma, 12 times over 12 months.
- All meetings to be held at existing Council buildings in each area.
- Commence a three month rotational trial of meetings across the region on 10 June 2020.

NO VOTE TAKEN

No vote was taken on the amended draft motion at that time, with Cr McMullen proposing a further amendment to the draft motion. The Mayor indicated he would not accept the amendment as follows:

Moved Cr Golder

Seconded Cr McMullen

That Council:

- Adopt the ordinary meeting schedule of the 2nd and 4th Wednesday of each month (excluding December and January) commencing with supper open to the public at 6.00pm, subject to COVID-19 lifting of restrictions, followed by the meeting starting at 6.30pm and finishing at 10.30pm (catering to be rotated with local food outlets in each area of the meeting to support local business or non for profit organisations).
- Hold Ordinary Council meetings on a rotational basis for the first meeting of each month, starting in Mitchell, Surat, Yuleba and Injune, in each area 3 times over a 12-month period and the second meeting of each month to be held in Roma, 12 times over 12 months.
- All meetings to be held at existing Council buildings in each area.
- Consider a three (3) month rotational trial of meetings across the region, commencing from the meeting on 10 June 2020.

NO VOTE TAKEN

As the Mayor did not accept the abovementioned amendment, Cr McMullen requested that the initial amended motion be put, however, further discussion ensued, and at the conclusion of discussions, the following motion was put forward for Council's consideration:

Resolution No. PE/04.2020/02

Moved Cr Golder

Seconded Cr McMullen

That:

- Council adopt the initial ordinary meeting schedule of the 2nd and 4th Wednesday of each month, and for the meeting dates of 22 April 2020, 13 May 2020 and 27 May 2020, commence the meeting at 9am at Council's Roma Administration Centre.
- Council conduct a three (3) month trial on the 2nd and 4th Wednesday of each month for the months of June, July and August 2020, with the meeting commencing at 6.30pm and finishing no later than 10.30pm.
- For the trial, Council hold ordinary Council meetings on a rotational basis for the first meeting of each month, starting in Mitchell, Surat, Yuleba and Injune.
- All meetings be held at existing Council buildings in each area.
- Council foreshadow that the intention is to retain the 2nd and 4th Wednesday as the ordinary meeting schedule, it is just the time and location that may change in the future having regard to the outcome of the trial.
- A report be tabled at the ordinary meeting on 27 May 2020 in relation to the Chief Health Officer's directions in regard to COVID-19.

CARRIED

8/1

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Birkett | Cr. Hancock |
| Cr. Edwards | |
| Cr. Golder | |
| Cr. Guthrie | |
| Cr. Ladbrook | |
| Cr. McMullen | |
| Cr. O'Neil | |
| Cr. Taylor | |

| | |
|----------------------------|--|
| Responsible Officer | Chief Executive Officer / Lead Officer - Elected Members & Community Engagement |
|----------------------------|--|

Item Number: 1.2 File Number: D20/31967

SUBJECT HEADING: APPOINTMENT OF DEPUTY MAYOR

Officer's Title: Chief Executive Officer

Executive Summary:

As prescribed under Section 175 of the Local Government Act 2009, a local government must, at its first meeting after the conclusion of the quadrennial election, appoint a Deputy Mayor.

Resolution No. PE/04.2020/03

Moved Cr Golder

Seconded Cr Edwards

That Cr McMullen be appointed to the position of Deputy Mayor in accordance with the *Local Government Act 2009*, and that this be reviewed annually.

CARRIED

9/0

Responsible Officer

Chief Executive Officer

Item Number: 1.3 File Number: D20/32097

SUBJECT HEADING: LOCAL DISASTER MANAGEMENT GROUP (LDMG)
APPOINTMENT OF EXECUTIVE POSITIONS

Officer's Title: Associate to the Director / Directorate Budget & Emergency Management Coordination

Executive Summary:

This report was to update the executive positions of the LDMG (Local Disaster Management Group) and the appointment of LECC (Local Emergency Coordination Committee) Chair positions, and seek approval of the updated LDMG contacts list and to formally notify the QFES (Queensland Fire and Emergency Services) of the changes to appoint the new LDMG Chair and Deputy Chair.

Resolution No. PE/04.2020/04

Moved Cr Golder

Seconded Cr Ladbrook

That Council approve the updated Local Development Management Group (LDMG) contacts list and authorise the Mayor and Chief Executive Officer to formally notify the Queensland Fire and Emergency Services of the appointment of the following executive positions:

| Contact | Position | Email |
|----------------------|-------------------------------|--|
| Mayor Tyson Golder | LDMG Chair | mayor@maranoa.qld.gov.au |
| Cr Wendy Taylor | LDMG Deputy Chair | Wendy.Taylor@maranoa.qld.gov.au |
| Cr Julie Guthrie | LECC Chair Injune | Julie.Guthrie@maranoa.qld.gov.au |
| Cr Johanne Hancock | LECC Chair Surat | Johanne.Hancock@maranoa.qld.gov.au |
| Cr John Birkett | LECC Chair Mitchell | John.Birkett@maranoa.qld.gov.au |
| Cr Geoffrey McMullen | LECC Chair Yuleba/Wallumbilla | Geoffrey.McMullen@maranoa.qld.gov.au |

CARRIED

9/0

Responsible Officer

Associate to the Director / Directorate Budget & Emergency Management Coordination

Item Number: 1.4

File Number: D20/32175

SUBJECT HEADING:

**ELECTION OF THE LOCAL GOVERNMENT ASSOCIATION
OF QUEENSLAND'S (LGAQ) POLICY EXECUTIVE
DISTRICT REPRESENTATIVES 2020 - 2024**

Officer's Title:

**Lead Officer - Elected Members & Community
Engagement / Chief Executive Officer**

Executive Summary:

Correspondence was received from Local Government Association of Queensland (LGAQ) calling nominations for the election of District No.05 – South West representative for the LGAQ Policy Executive term 2020 - 2024.

Resolution No. PE/04.2020/05

Moved Cr Golder

Seconded Cr Guthrie

That Council:

- 1. Receive the letter as presented and attached to the officer's report.**
- 2. Not nominate anyone from Maranoa Regional Council for the LGAQ Policy Executive term 2020 – 2024 - District No. 05 – South West.**

CARRIED

7/2

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|--------------------------------------|---------------------------------|
| Cr. Birkett | Cr. Hancock |
| Cr. Edwards | Cr. O'Neil |
| Cr. Golder | |
| Cr. Guthrie | |
| Cr. Ladbroke | |
| Cr. McMullen | |
| Cr. Taylor | |

Responsible Officer

**Lead Officer - Elected Members &
Community Engagement**

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 11.42am.

These Minutes are to be confirmed at the Ordinary Meeting of Council on 22 April 2020.

.....
Mayor.

.....
Date.

OFFICER REPORT

Meeting: Ordinary 22 April 2020

Date: 18 April 2020

Item Number: 10.1

File Number: D20/33887

SUBJECT HEADING: Standing Orders Policy and Meeting Procedures

Classification: Open Access

Officer's Title: Director - Corporate & Community Services

Executive Summary:

Standing Orders Policy **GM/11.2018/84** sets out Maranoa Regional Council's existing arrangements that govern the conduct of business and proceedings at Council meetings. Council's existing policy document has incorporated the mandatory Meeting Procedures as issued by the Department of Local Government, Racing and Multicultural Affairs.

Whilst Council's existing policy references both aspects, the Department has issued two separate 'template' documents:

- ***Standing Orders for Council Meetings including Standing Committees 'Best Practice Guide'***
- ***Model Meeting Procedures***

The report provides a copy of each for Council's consideration.

Officer's Recommendation:

That Council receive the information and consider Council's policy position on Standing Orders.

Note: If Council wishes to revert to template documents, there will be two documents to be adopted:

- *Model Meeting Procedures*
- *Standing Orders for Council Meetings including Standing Committees*

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Maranoa Regional Council

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

| Acronym | Description |
|---------|--|
| DLGRMA | Department of Local Government, Racing and Multicultural Affairs |

Context:

Why is the matter coming before Council?

This matter is coming before the newly elected Council to establish their policy position on Standing Orders.

Council has an adopted Standing Orders Policy with the most recent updates occurring in November 2018 (**GM/11.2018/84**).

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

In earlier years, local governments had a meeting procedures local law. Across the state, local laws were subsequently replaced by policies.

At the commencement of the last term of Council, the Standing Orders Policy was based on the then current template policy developed by King and Company, incorporating refinements applicable to Maranoa Regional Council custom and practice.

On 8 November 2018, the Director-General circulated new meeting procedures in relation to the following items:

1. Process for dealing with unsuitable meeting conduct by a Councillor in a meeting
2. Meeting process for dealing with suspected Inappropriate Conduct which has been referred to a Local Government
3. Material Personal Interest
4. Conflict of Interest
5. Closed Meetings

The Department also issued a new document ***Standing Orders for Council Meetings including Standing Committees 'Best Practice Guide'***.

Council's Standing Orders Policy was reviewed and updated to ensure consistency with the new Meeting Procedures circulated to Councils by the Director-General on 8 November 2018; with Council adopting the updated policy on 28 November 2018 - **GM/11.2018/84**.

It is not practical to mark up the differences between the Standing Orders documents, as each were based on different templates (and have a different structure and content).

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration? (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Local Government Act 2009

150G Adopting meeting procedures

(1) A local government must either –

(a) adopt the model procedures; or

(b) prepare and adopt other procedures for the conduct of its meetings and meetings of its committees.

(2) If the local government prepares and adopts procedures under subsection (1)(b) –

(a) the procedures must not be inconsistent with the model procedures; and

(b) if there is an inconsistency, the local government is taken to have adopted the model procedures to the extent of the inconsistency.

It is important to note that the meeting procedures referred to above are not a complete set of Standing Orders. They only reference certain items.

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

Standing Orders Policy – Adopted 28 November 2018 **GM/11.2018/84**

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

- Department of Local Government, Racing and Multicultural Affairs

The Department has provided a template best practice guide for Queensland local governments to adopt as Standing Orders or as a guide to developing compliant Standing Orders for use in Council meetings.

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

Not applicable.

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$) ? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

Not applicable.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$) ? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Not applicable.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?

(Interested Parties Analysis - IS9001:2015)

Interested Party: Department of Local Government, Racing and Multicultural Affairs
Their key interest is consistency of certain items with the model procedures.

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

| Risk | Description of likelihood & consequences |
|-------------|---|
| Legislative | Both the model and current policy reflect the requirements of the <i>Local Government Act 2009</i> with respect to specific meeting procedures. |

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Option A: Standing Orders Policy GM/11.2018/84

Option B: Adopt the template Standing Orders and Model Meeting Procedures provided by the Department of Local Government, Racing and Multicultural Affairs

Option C: Prepare and adopt other Standing Orders and Meeting Procedures -
Should Council intend to prepare and adopt other procedures for the conduct of its meetings (including adapting the templates) it is recommended that Council resolve to refer the matter to a policy development workshop/briefing to work through the new documents.

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

That Council receive the information and consider Council's policy position on Standing Orders.




Link to Operational Plan Function:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.1 Elected members

Supporting Documentation:

- | | | | |
|---|---|--|-----------|
| 1 |  | DLGRMA Template council-standing-orders | D20/33886 |
| 2 |  | Model Meeting Procedures | D18/94066 |
| 3 |  | Standing Orders Policy - Adopted 28 November 2018 (GM/11.2018/84) | D18/96727 |

Report authorised by:

Chief Executive Officer

Standing Orders for Council Meetings including Standing Committees ‘Best Practice Guide’

[insert Council’s name]

Intent: To provide written rules for the orderly conduct of Council Meetings and to assist Local Governments, the Department of Local Government, Racing and Multicultural Affairs (the Department) has provided best practice standing orders that Councils can choose to adopt.

Standing Orders

- 1.1 These Standing Orders apply to all meetings of Council and any standing Committees.
- 1.2 Any provision of these Standing Orders may be suspended by resolution of any meeting of Council. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
- 1.3 Where at a Council meeting a matter arises which is not provided for in these Standing Orders, such matters shall be determined by resolution of Council upon a motion which may be put without notice but otherwise in conformity with these Standing Orders.

Procedures for Meetings of Council

Presiding Officer

- 2.1 The Mayor will preside at a meeting of Council.
- 2.2 If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.3 If both the Mayor and the Deputy Mayor, or the Mayors’ delegate, are absent or unavailable to preside, a Councillor chosen by the Councillors present at the meeting will preside at the meeting.
- 2.4 Council will choose the Chairperson for a Committee meeting. This Chairperson will normally preside over meetings of the Committee.
- 2.5 If the Chairperson of a Committee is absent or unavailable to preside, a Councillor chosen by the Councillors present will preside over the Committee meeting.

Order of Business

- 3.1 Before proceeding with the business of the meeting, the person presiding at the meeting shall undertake the acknowledgement and/or greetings deemed appropriate by the Council.
- 3.2 The order of business shall be determined by resolution of Council from time to time. The

order of business may be altered for a particular meeting where the Councillors at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.

- 3.3 Unless otherwise altered, the order of business shall be as follows:
- attendances
 - apologies and granting of leaves of absence
 - confirmation of Minutes
 - Officers Reports.
- 3.4 The minutes of a preceding meeting whether an ordinary or a special meeting, not previously confirmed shall be taken into consideration, at every ordinary meeting of Council, in order that such minutes may be confirmed and no discussion shall be permitted with respect to such minutes except with respect to their accuracy as a record of the proceedings.

Agendas

- 4.1 The Agenda may contain:
- Notice of meeting
 - Minutes of the previous meetings
 - Business arising out of previous meetings
 - Business which the Mayor wishes to have considered at that meeting without notice
 - Matters of which notice has been given
 - Committees' reports to Council referred to the meeting by the CEO
 - Officers' reports to Council referred to the meeting by the CEO
 - Deputations and delegations
 - Any other business Council determines by resolution be included in the agenda paper.
- 4.2 Business not on the Agenda or not fairly arising from the Agenda shall not be considered at any Meeting unless permission for that purpose is given by Council at such meeting. Business must be in accordance with the adopted Terms of Reference for each Committee.

Petitions

- 5.1 Any petition presented to a meeting of Council shall:
- be in legible writing or typewritten and contain a minimum of ten (10) signatures
 - include the name and contact details of the Principal Petitioner (i.e., one person who is the organiser and who will act as the key contact for the issue)
 - include the postcode of all petitioners, and
 - have the details of the specific request/matter appear on each page of the petition.
- 5.2 Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is that the petition be received; or received and referred to a committee or officer for consideration and a report to Council; or not be received because it is deemed invalid.
- 5.3 Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

Deputations

- 6.1 A deputation wishing to attend and address a meeting of Council shall apply in writing to the CEO not less than seven (7) business days before the meeting.
- 6.2 The CEO, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The CEO shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed.
- 6.3 For deputations comprising three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 6.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may finalise the deputation.
- 6.5 The Chairperson may terminate an address by a person in a deputation at any time where:
 - the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting
 - the time period allowed for a deputation has expired, or
 - the person uses insulting or offensive language or is derogatory towards Councillors or staff members.
- 6.6 The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

Motions

Motion to be moved

- 7.1 A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- 7.2 When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.
- 7.3 Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- 7.4 A motion brought before a meeting of Council in accordance with the *Local Government Act 2009* or these Standing Orders shall be received and put to the meeting by the Chairperson. The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- 7.5 The Chairperson may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.

Absence of Mover of Motion

- 8.1 Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:
- moved by another Councillor at the meeting, or
 - deferred to the next meeting.

Motion to be seconded

- 9.1 A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, with the exception of Procedural Motions.

Amendment of Motion

- 10.1 An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
- 10.2 Not more than one motion or one proposed amendment to a motion may be put before a meeting of Council at any one time.
- 10.3 Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been put.
- 10.4 Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

Speaking to motions and amendments

- 11.1 The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded.
- 11.2 The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any other Councillor who wishes to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.
- 11.3 A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.
- 11.4 A motion or amendment may be withdrawn by the mover thereof with the consent of Council, which shall be signified without debate, and a Councillor shall not speak upon such motion or amendment thereof after the mover has been granted permission by Council for its withdrawal.
- 11.5 The mover of a motion or amendment shall have the right to reply. Each Councillor shall speak no more than once to the same motion or same amendment except as a right of reply.
- 11.6 Each speaker shall be restricted to not more than five (5) minutes unless the Chairperson rules otherwise.

- 11.7 Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.
- 11.8 In accordance with Section 273 of the Local Government Regulation 2012, if a decision made at a meeting is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

Method of taking vote

- 12.1 The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection. A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative. The Chairperson shall declare the result of a vote or a division as soon as it has been determined.
- 12.2 Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by Division.
- 12.3 Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.
- 12.4 If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation.

Repealing or amending resolutions

- 13.1 A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the *Local Government Act 2009* or the Local Government Regulation 2012.
- 13.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three (3) months.

Procedural motions

- 14.1 A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move, as a procedural motion, without the need for a seconder the following motions:
- that the question/motion be now put
 - that the motion or amendment now before the meeting be adjourned
 - that the meeting proceed to the next item of business
 - that the question lie on the table
 - a point of order
 - a motion of dissent against the Chairpersons decision
 - that this report/document be tabled
 - to suspend the rule requiring that (insert requirement)
 - that the meeting stand adjourned.

- 14.2 A procedural motion, that the question be put, may be moved and where such a procedural motion is carried, the Chairperson shall immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion shall continue.
- 14.3 The procedural motion, that the motion or amendment now before the meeting be adjourned, may specify a time or date, to which the debate shall be adjourned. Where no date or time is specified:
- a further motion may be moved to specify such a time or date, or
 - the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.
- 14.4 Where a procedural motion, that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
- 14.5 A procedural motion, that the question lie on the table, shall only be moved where the Chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.
- 14.6 Any Councillor may ask the Chairperson to decide on a 'point of order' where it is believed that another Councillor:
- has failed to comply with proper procedures
 - is in contravention of the Local Government Act/Regulations, or
 - is beyond the jurisdiction power of Council.
- Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a 'point of order' is moved, consideration of the matter to which the motion was moved shall be suspended pursuant to clause 10.2. The Chairperson shall determine whether the point of order is upheld.
- Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising shall, until decided, suspend the consideration and decision of every other question.
- 14.7 A Councillor may move 'a motion of dissent' in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made. Where as a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.
- 14.8 The motion, 'that this report/document be tabled', may be used by a Councillor to introduce a report or other document to the meeting, only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.

- 14.9 A procedural motion, “to suspend the rule requiring that”, may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.
- 14.10A procedural motion, that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor’s time for speaking to the matter, and shall be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

Conduct during Meetings

- 15.1 Councillors will conduct themselves in accordance with the principles of the *Local Government Act 2009* and the standards of behavior set out in the Code of Conduct. The Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct.
- 15.2 After a meeting of Council has been formally constituted and the business commenced, a Councillor shall not enter or leave from such meeting without first notifying the Chairperson.
- 15.3 Councillors shall speak of each other during the Council meeting by their respective titles, “Mayor” or “Councillor”, and in speaking of or addressing officers shall designate them by their respective official or departmental title and shall confine their remarks to the matter then under consideration.
- 15.4 No Councillor who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson or by a Councillor.
- 15.5 When the Chairperson speaks during the process of a debate, the Councillor then speaking or offering to speak shall immediately cease speaking, and each Councillor present shall preserve strict silence so that the Chairperson may be heard without interruption.

Questions

- 16.1 A Councillor may at a Council meeting ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting. A question shall be asked categorically and without argument and no discussion shall be permitted at the meeting of Council in relation to a reply or a refusal to reply to the question. A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next Meeting.
- 16.2 A Councillor who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates.
- 16.3 The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson’s ruling be disagreed with, and if such motion be carried the Chairperson shall allow such question.

Maintenance of Good Order

Disorder

- 17.1 The Chairperson may adjourn the meeting of Council, where disorder arises at a meeting other than by a Councillor. On resumption of the meeting, the Chairperson shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed. Where such a motion is lost, the Chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

Attendance and Non-Attendance

Attendance of public and the media at meeting

- 18.1 An area shall be made available at the place where any meeting of Council is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
- 18.2 When the Council is sitting in Closed Session, the public and representatives of the media shall be excluded.
- 18.3 The resolution that Council proceed into Closed Session must specify the nature of the matters to be considered and these matters must be in accordance with Section 275 Local Government Regulation 2012. The Chairperson may direct any persons improperly present to withdraw immediately. Council must not make a resolution (other than a procedural resolution) in a closed session. Council must resolve to move out of closed session so that a resolution can be passed on the matters considered in Closed Session.

Public participation at meetings

- 19.1 A member of the public may take part in the proceeding of a meeting only when invited to do so by the Chairperson.
- 19.2 In each Meeting, time may be required to permit members of the public to address the Council on matters of public interest related to local government. The time allotted shall not exceed fifteen minutes and no more than three speakers shall be permitted to speak at any one meeting. The right of any individual to address the Council during this period shall be at the absolute discretion of Council.
- 19.3 If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
- 19.4 For any matter arising from such an address, Council may take the following actions:
- refer the matter to a committee
 - deal with the matter immediately
 - place the matter on notice for discussion at a future meeting
 - note the matter and take no further action.
- 19.5 Any person addressing the Council shall stand and act and speak with decorum and frame

any remarks in respectful and courteous language.

- 19.6 Any person who is considered by the Council or the Mayor to be unsuitably dressed may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

Version Control

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

| Release Notice | | | |
|----------------|---------------|-----------------------|---------------------|
| Version Number | Date of issue | Amendment details | Responsible officer |
| 1 | __/__/__ | Procedure drafted | |
| | __/__/__ | Procedure adopted | |
| | __/__/__ | Due date for revision | |



Model Meeting Procedures

October 2018

Working towards White Ribbon accreditation





© State of Queensland, October 2018. Published by the Department of Local Government, Racing and Multicultural Affairs, 1 William Street, Brisbane Qld 4000, Australia.



Licence: This work is licensed under the Creative Commons CC BY 4.0 Australia Licence. In essence, you are free to copy and distribute this material in any format, as long as you attribute the work to the State of Queensland (Department of Local Government, Racing and Multicultural Affairs) and indicate if any changes have been made. To view a copy of this licence, visit <http://creativecommons.org/licenses/by/4.0/>.

Attribution: The State of Queensland, Department of Local Government, Racing and Multicultural Affairs.

The Queensland Government supports and encourages the dissemination and exchange of information. However, copyright protects this publication. The State of Queensland has no objection to this material being reproduced, made available online or electronically but only if it is recognised as the owner of the copyright and this material remains unaltered.



The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone the Queensland Department of Local Government, Racing and Multicultural Affairs on 13 QGOV (13 74 68).

Disclaimer: While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is general and does not take into account individual circumstances or situations. Where appropriate, independent legal advice should be sought.

An electronic copy of this report is available on the Department of Local Government, Racing and Multicultural Affairs' website at www.dlgrma.qld.gov.au.



Contents

| | |
|---|----------|
| Purpose of the Meeting Procedures..... | 4 |
| Background..... | 4 |
| Application | 4 |
| Processes | 5 |
| 1. Process for dealing with unsuitable meeting conduct by a Councillor in a meeting | 5 |
| 2. Meeting process for dealing with suspected Inappropriate Conduct which has been referred to a Local Government | 6 |
| 3. Material Personal Interest | 7 |
| 4. Conflict of Interest..... | 8 |
| 5. Closed Meetings | 10 |



Purpose of the Meeting Procedures

The purpose of the Model Meeting Procedures is to set out certain procedures to ensure the Local Government principles are reflected in the conduct of Local Government meetings and Local Government committee meetings.

It is not intended that the Model Meeting Procedures would deal with all aspects of meeting conduct but only those required to strengthen public confidence in Local Government to deal with the conduct of Councillors in meetings.

Background

In particular, as required under section 150F of the *Local Government Act 2009* (LGA) this document sets out:

- the process for how a Chairperson of a Local Government meeting may deal with instances of unsuitable meeting conduct by Councillors.
- the process for how suspected inappropriate conduct of a Councillor referred to the local government by the Independent Assessor (the Assessor) is to be dealt with at a Local Government meeting.

Application

A Local Government must either adopt the Model Meeting Procedures or prepare and adopt other procedures for the conduct of its meetings and meetings of its committees that are consistent with the Model Meeting Procedures.

If a Local Government chooses to continue using existing standing orders, the Council must review the existing standing orders to ensure that they are consistent with the requirements of the Model Meeting Procedures. To assist Local Governments, the Department of Local Government, Racing and Multicultural Affairs (the Department) has published best practice standing orders that Councils can choose to adopt¹.

A Local Government must conduct its meetings in a manner that is consistent with either the Model Meeting Procedures or its own procedures.

¹ Section 150G of the LGA



Processes

1. Process for dealing with unsuitable meeting conduct by a Councillor in a meeting

When dealing with an instance of unsuitable conduct by a Councillor in a meeting, the following procedures must be followed:

- 1.1 The Chairperson must decide whether or not unsuitable meeting conduct has been displayed by a Councillor.
- 1.2 If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature, refer to 1.7 for the steps to be taken.
- 1.3 If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
 - 1.3.1 Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
 - 1.3.2 Apologising for their conduct
 - 1.3.3 Withdrawing their comments.
- 1.4 If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- 1.5 If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- 1.6 If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- 1.7 If the Councillor still continues to fail to comply with the Chairperson's request for remedial actions, the Chairperson may make one or more of the orders below:
 - 1.7.1 an order reprimanding the Councillor for the conduct
 - 1.7.2 an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.²
- 1.8 If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting by an appropriate officer. The meeting must be adjourned whilst the Councillor is being removed.³
- 1.9 Following the completion of the meeting, the Chairperson must ensure:
 - 1.9.1 details of any order issued is recorded in the minutes of the meeting⁴
 - 1.9.2 if it is the third (3rd) or more order within a 12-month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting,

² Section 150I(2) of the LGA.

³ Section 150I(2)(c) of the LGA.

⁴ Section 150I(3) of the LGA.



these matters are to be dealt with at the next meeting of the Local Government and treated as inappropriate conduct pursuant to the LGA⁵

- 1.9.3 the Local Government's Chief Executive Officer is advised to ensure details of any order made must be updated in the Local Governments Councillor Conduct Register pursuant to the LGA.

Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 1.1, 1.7 and 1.8 above.

2. Meeting process for dealing with suspected Inappropriate Conduct which has been referred to a Local Government

Pursuant to section 150AF of the LGA, after receiving a referral by the Independent Assessor or under paragraph 1.9.2 of this document of an instance of suspected inappropriate conduct, the Local Government must complete an investigation into the alleged conduct.

After the completion of the investigation, the Local Government must decide whether the Councillor has engaged in inappropriate conduct in a Council meeting, unless it has delegated responsibility for this decision under section 257 of the LGA.

When dealing with an instance of suspected inappropriate conduct which has been referred to a Local Government by the Independent Assessor, the Local Government must:

- 2.1 Be consistent with the Local Government principle of transparent and accountable decision making in the public interest, by dealing with suspected inappropriate conduct in an open meeting of the Council. Where the complainant or other parties may be adversely affected due to the nature of the complaint, the Council may resolve to go into closed session under section 275 of the *Local Government Regulation 2012* (the LGR).
- 2.2 When deliberating on the issue the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public. Should the complainant be a Councillor, that Councillor must inform the meeting of a personal interest and follow the conflict of interest procedures in Section 4.
- 2.3 The Local Government should then debate the issue and decide whether the accused Councillor engaged in inappropriate conduct.
- 2.4 If the Local Government decides that the subject Councillor has engaged in inappropriate conduct, the Local Government is then required to decide what penalty or penalties from the following orders, if any, to impose on the subject Councillor:
 - 2.4.1 an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct
 - 2.4.2 an order reprimanding the Councillor for the conduct
 - 2.4.3 an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
 - 2.4.4 an order that the Councillor be excluded from a stated Local Government meeting
 - 2.4.5 an order that the Councillor is removed, or must resign, from a position representing

⁵ Section 150J of the LGA.



the Local Government, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing the Local Government on a State board or committee

- 2.4.6 an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
- 2.4.7 an order that the Councillor reimburse the Local Government for all or some of the costs arising from the Councillor's inappropriate conduct.
- 2.5 When making an order, the Local Government can take into consideration any previous inappropriate conduct of the Councillor, and any allegation made in the investigation that was admitted, or not challenged and that the Local Government is reasonably satisfied is true.
- 2.6 The subject Councillor and where relevant the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made.
- 2.7 The Local Government must ensure the meeting minutes reflect the resolution made.

3. Material Personal Interest

Councillors are ultimately responsible for informing of a material personal interest on matters to be discussed at a Council or committee meeting. When dealing with a material personal interest, Councillors must abide by the following procedures:

- 3.1 A Councillor with a material personal interest must inform the meeting of the Local Government of their material personal interest and set out the nature of the interest, including:
 - 3.1.1 The name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting
 - 3.1.2 How a person or other entity stands to gain the benefit or suffer the loss
 - 3.1.3 If the person or other entity who stands to gain the benefit or suffer the loss is not the Councillor – the nature of the Councillor's relationship to the person or entity.
- 3.2 The Councillor must then leave the place of the meeting and stay away while the matter is being discussed and voted on unless the subject Councillor has Ministerial approval to participate in the matter. The Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way.
- 3.3 Once the Councillor has left the area where the meeting is being conducted, the Local Government can continue discussing and deciding on the matter at hand.
- 3.4 If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a material personal interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion.
- 3.5 The Chairperson then should ask the Councillor with the suspected material personal interest whether they do in fact have a material personal interest. If that is the case, the Councillor must follow the above procedures from item 3.1.
- 3.6 In the event the majority of Councillors inform a meeting of a material personal interest regarding a matter:



- 3.6.1 the Local Government must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA; or
- 3.6.2 if the matter cannot be delegated under section 257 of the LGA, the Local Government should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.
- 3.7 Where a Councillor informs a meeting of a material personal interest in a matter, the Chairperson must ensure the minutes of the meeting (to be posted on the Council's website) record:
 - 3.7.1 The name of the Councillor who has a material personal interest in the matter
 - 3.7.2 The material personal interest, including the particulars mentioned by the Councillor regarding the material personal interest
 - 3.7.3 Whether the Councillor participated in the meeting, or was present during the meeting, under an approval granted by the Minister for Local Government.

4. Conflict of Interest

Councillors are ultimately responsible for informing of any personal interest where they have a real or perceived conflict of interest on matters to be discussed at Council or committee meetings (other than ordinary business matters). When dealing with a conflict of interest, Councillors must abide by the following procedures:

- 4.1 A Councillor with a real or perceived conflict of interest must inform the meeting of the Local Government of their personal interest and set out the nature of the interest, including:
 - 4.1.1 The nature of the interest
 - 4.1.2 If the Councillor's personal interest arises because of the Councillor's relationship with, or receipt of a gift or benefit from, another person:
 - 4.1.2.i the name of the other person
 - 4.1.2.ii the nature of the relationship or value and date of receipt of the gift or benefit received, and
 - 4.1.2.iii the nature of the other person's interests in the matter.
- 4.2 The subject Councillor may themselves elect to leave the meeting while the matter is being discussed and voted on due to a perceived conflict of interest or conflict of interest. If the Councillor does not leave the meeting, they may advise the other Councillors why they believe they are able to act in the public interest while remaining in the meeting. This could include prior advice from the Integrity Commissioner on the personal interest.
- 4.3 The other Councillors entitled to vote at the meeting must then decide whether the subject Councillor has a conflict of interest (including a perceived conflict of interest) in the matter due to their personal interest. A Councillor who has declared a personal interest in relation to a matter, must not vote under section 175E(4) as to whether another Councillor may stay in the meeting.
- 4.4 If the other Councillors decide there is no conflict of interest or a perceived conflict of interest, the subject Councillor may remain in the meeting and the meeting may continue.
- 4.5 If the other Councillors decide there is a conflict of interest they must then decide whether



- the subject Councillor must leave the meeting while the matter is being discussed and voted on or can participate in the meeting in relation to the matter including voting on the matter. If the Councillor must leave the place of the meeting the Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way
- 4.6 When deciding whether a Councillor may stay in a meeting and vote following the decision of a conflict of interest, the other Councillors must consider significant variables including, but not limited to:
 - 4.6.1 The size or significance of the benefit the subject Councillor stands to receive or benefit
 - 4.6.2 The benefit the subject Councillor stands to receive versus the benefit the community stands to receive from the potential decision
 - 4.6.3 The closeness of any relationship the subject Councillor may have with a given person or group.
 - 4.7 In making the decision under 4.6, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
 - 4.8 If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a real or perceived conflict of interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion.
 - 4.9 The Chairperson then should ask the Councillor with the suspected conflict of interest to inform the meeting of any personal interest they have in the matter and follow the above procedures from item 4.1.
 - 4.10 In the event the majority of Councillors inform of a personal interest in a matter:
 - 4.10.1 the Local Government must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA, or
 - 4.10.2 if the matter cannot be delegated under the section 257 of the LGA, the Local Government should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.
 - 4.11 Where a Councillor informs a meeting of a personal interest in a matter, the Chairperson must ensure the minutes of the meeting (to be posted on the Council's website) record:
 - 4.11.1 The name of the Councillor who has declared the conflict of interest
 - 4.11.2 The nature of the personal interest, as described by the Councillor
 - 4.11.3 The decisions made under 4.3 and 4.5 above
 - 4.11.4 Whether the Councillor participated in the meeting under an approval by the Minister
 - 4.11.5 If the Councillor voted on the matter, how they voted
 - 4.11.6 How the majority of Councillors voted on the matter.



5. Closed Meetings

Local Government and standing committees may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss any of the following matters:

- Appointment, dismissal or discipline of employees
- Industrial matters affecting employees
- Local Government's budget
- Rating concessions or contracts proposed to be made by the Local Government or starting or defending legal proceedings involving the Local Government
- Any action to be taken by the Local Government under the *Planning Act 2016* (PA), including applications made to it under the PA
- Business for which a public discussion would be likely to prejudice the interests of the Local Government or someone else or enable a person to gain a financial advantage.

A Local Government or committee must not make a resolution (other than procedural) in a closed session meeting. If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation.

- 5.1 To take an issue into a closed session, the Local Government must first pass a resolution to do so.
- 5.2 In the interests of accountability and transparency, the Local Government must specify the nature of the matter to be discussed and the reasoning of the Councillors for going into closed session.
- 5.3 If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session and name the topic to be discussed and a brief explanation of why it is deemed necessary to take the issue into closed session.
- 5.4 The minutes of a Local Government must detail the matter discussed and reasoning for discussing the matter in closed session. The Local Government must also ensure that it complies with the statutory obligations associated with recording of passed resolutions.

Department of Local Government, Racing and Multicultural Affairs
PO Box 15009, City East, Queensland 4002
tel 13 QGOV (13 74 68)
www.dlgrma.qld.gov.au

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

**Contents**

| | | |
|---------------|--|----------|
| Part 1 | Preliminary..... | 3 |
| | 1 Background | 3 |
| | 2 Object..... | 3 |
| | 3 Definitions—the dictionary | 3 |
| Part 2 | Meetings of the local government | 3 |
| | Division 1 Time of meetings of the local government..... | 3 |
| | 4 Times of ordinary meetings..... | 3 |
| | 5 Special meetings..... | 3 |
| | Division 2 Agenda for meetings of the local government..... | 4 |
| | 6 Agenda for meeting..... | 4 |
| | Division 3 Quorum | 4 |
| | 7 Quorum | 4 |
| | Division 4 Not applicable/Intentionally deleted..... | 4 |
| | Division 5 Not applicable/Intentionally deleted..... | 4 |
| | Division 6 Standing orders..... | 5 |
| | 8 Standing orders..... | 5 |
| Part 3 | Standing orders..... | 5 |
| | Division 1 Application of standing orders | 5 |
| | 9 Application | 5 |
| | Division 2 Procedures for meetings of the local government..... | 5 |
| | 10 Order of business..... | 5 |
| | 11 Meeting agenda | 6 |
| | 12 Meeting minutes..... | 7 |
| | 13 Petitions | 7 |
| | 14 Deputations | 7 |
| | Division 3 Motions..... | 8 |
| | 15 Motions..... | 8 |
| | 16 Absence of mover of motion | 8 |
| | 17 Motion to be seconded..... | 8 |
| | 18 Amendment of motion..... | 9 |
| | 19 Speaking to motions and amendments | 9 |
| | 20 Method of taking vote..... | 10 |
| | 21 Repealing or amending resolutions | 10 |



POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

| | | |
|--------------------|--|-----------|
| 22 | Procedural motions | 11 |
| 23 | Motion that the question be put | 11 |
| 24 | Motion that debate be adjourned | 11 |
| 25 | Motion to proceed to next item of business | 11 |
| 26 | Motion that the motion lie on the table | 12 |
| 27 | Points of order..... | 12 |
| 28 | Motion of dissent..... | 12 |
| 29 | Motion that a report be tabled | 13 |
| 30 | Motion to suspend requirements of a rule | 13 |
| 31 | Motion that meeting stands adjourned..... | 13 |
| Division 4 | Mayoral minute | 13 |
| 32 | Mayoral minute | 13 |
| Division 5 | Conduct during meetings..... | 14 |
| 33 | Conduct during meetings | 14 |
| Division 6 | Questions..... | 14 |
| 34 | Questions | 14 |
| Division 7 | Disorder and business | 15 |
| 35 | Disorder..... | 15 |
| 36 | Business of objectionable nature | 15 |
| Division 8 | Attendance and non-attendance | 15 |
| 37 | Attendance of public and media at meetings | 15 |
| 38 | Public participation at meetings | 16 |
| Division 9 | Advisory Committees | 16 |
| 39 | Minutes by advisory committees..... | 16 |
| 40 | Attendance at advisory committee meetings | 16 |
| Division 10 | Process for dealing with unsuitable meeting conduct by a Councillor in a meeting | 17 |
| Division 11 | Meeting process for dealing with suspected Inappropriate Conduct which has been referred to a Local Government..... | 18 |
| Division 12 | Material Personal Interest | 19 |
| Division 13 | Conflict of Interest | 21 |
| Division 14 | Closed Meetings..... | 22 |
| Division 15 | Procedure not provided for..... | 23 |
| 47 | Procedure not provided for | 23 |
| Schedule A | Dictionary..... | 24 |

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

**Part 1 Preliminary****1 Background**

Chapter 8 part 2 of the *Local Government Regulation 2012* provides core requirements for the conduct of meetings of the local government and the committees of the local government.

2 Object

These standing orders supplement the statutory requirements by providing standard processes to be observed at such meetings. In accordance with this policy, these standing orders may be suspended at any time by resolution.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in these standing orders.

Part 2 Meetings of the local government**Division 1 Time of meetings of the local government****4 Times of ordinary meetings**

(1) The local government may, by resolution, fix dates and times for its ordinary meetings¹.

(2) If there is no resolution fixing the date and time for an ordinary meeting, the chief executive officer must fix the date and time for the meeting.

(3) Before the Chief Executive Officer fixes the date and time for an ordinary meeting, the Chief Executive Officer must, if practicable, consult with the mayor about the proposed date and time for the meeting.

5 Special meetings

(1) The Chief Executive Officer must call a special meeting of the local government if—

(a) the special meeting is required by a resolution of the local government; or

(b) a written request for the special meeting is lodged with the Chief Executive Officer under subsection (2).

¹ See section 257 (Frequency and place of meetings) of the *Local Government Regulation 2012* and section 175 (Post-election meetings) of the *Local Government Act 2009*.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84



- (2) A request for a special meeting² of the local government must—
- (a) be approved by the mayor or 3 or more councillors; and
 - (b) specify the business to be conducted at the special meeting; and
 - (c) propose a day and time for the holding of the special meeting.

Division 2 Agenda for meetings of the local government

6 Agenda for meeting

- (1) A list of the items to be discussed at a meeting of the local government must be available for inspection at the time the agenda for the meeting is made available to councillors.³
- (2) The agenda for a meeting must include—
- (a) items required under the Act or a local law to be included on the agenda; and
 - (b) items required under these standing orders to be included on the agenda; and
 - (c) items that are by resolution of the local government to be included on the agenda; and
 - (d) each item whose inclusion on the agenda is requested by a councillor.
- (3) A councillor who wants an item of business (Request for an Agenda Report) included on the agenda for a particular meeting must give written notice to the Chief Executive Officer by the Thursday evening (for Council Meetings) before the notice of meeting is given (Friday).

Division 3 Quorum

7 Quorum

A quorum for meetings of Council is a majority of its councillors (i.e. 5 / 9)⁴.

Division 4 Not applicable/Intentionally deleted

Division 5 Not applicable/Intentionally deleted

² See section 258 (Notice of meetings) of the *Local Government Regulation 2012*.

³ See section 277 (Public notice of meetings) of the *Local Government Regulation 2012*.

⁴ See section 259 (1) (Quorum at meetings) of the *Local Government Regulation 2012*.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

**Division 6 Standing orders****8 Standing orders**

The standing orders which regulate the conduct of meetings of the local government include the provisions set out in part 3.

Part 3 Standing orders**Division 1 Application of standing orders****9 Application**

- (1) The standing orders in part 3 provide rules for the conduct of meetings of the local government (other than a post-election meeting)
- (2) The standing orders shall apply to a post-election meeting of the local government as far as practicable.
- (3) Any provision of the standing orders may be suspended by resolution of a meeting of the local government.
- (4) A separate resolution is required for a suspension of a standing order.
- (5) A resolution to suspend a standing order must specify the application and duration of the suspension.
- (6) Where a matter arises at a meeting of the local government which is not provided for in the standing orders, the matter may be determined by resolution upon a motion which may be put without notice, but otherwise in conformity with the standing orders.

Division 2 Procedures for meetings of the local government**10 Order of business**

- (1) The order of business must be determined by resolution of the local government from time to time.
- (2) The order of business may be altered for a particular meeting where the councillors at the meeting pass a motion to that effect.
- (3) A motion to alter the order of business may be moved without notice.
- (4) Unless otherwise altered pursuant to subsection (2), the order of business will be—
 - (a) for ordinary meetings—
 - Attendances
 - Apologies and granting of leaves of absence
 - Confirmation of Minutes
 - Declaration of Conflicts of Interest
 - Notices of Motion to repeal or amend resolutions
 - Consideration of reports by Directorate
 - Information Reports (no decision required).

POLICY: **STANDING ORDERS**

Adopted 28 November 2018 – GM/11.2018/84



- Officer Reports (for decision).
- Councillors' Requests for Agenda Reports.
- Petition Reports (tabling a petition for Council's noting).
- Miscellaneous Business;
- (b) for special meetings
 - Attendance;
 - Apologies;
 - Reception of Deputations by Appointment/Presentations/ Petitions;
 - Reception and Consideration of Officers' Reports.

(5) The minutes⁵ of the previous meeting (**previous minutes**) not previously confirmed may be taken into consideration as the first business of an ordinary meeting, in order that the previous minutes may be confirmed and no discussion shall be permitted with respect to the previous minutes except with respect of the accuracy of the previous minutes as a record of the proceedings.

(6) Admission of deputations, invitees and visitors shall be at the discretion of either of—

- (a) the mayor; or
- (b) the local government.

11 Meeting agenda

- (1) The chief executive officer must prepare or have prepared a meeting agenda for each meeting.
- (2) The agenda must, where practicable, be made available to councillors 2 days prior to the meeting.
- (3) A meeting agenda shall include, but not be limited to—
 - (a) matters requiring attention from a previous meeting;
 - (b) officer and information reports;
 - (c) councillors' requests for agenda reports;
 - (d) any other business the local government determines should be included in the meeting agenda.

⁵ See section 272 (Minutes) of the *Local Government Regulation 2012*.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

**12 Meeting minutes**

- (1) The minutes of each meeting must include—
 - (a) the names of Councillors or committee members present at the meeting;
 - (b) the names of Councillors moving and seconding a motion and the outcome of that motion;
 - (c) Any disclosure of material personal interest or conflict of interest (Refer also: Division 13)
 - (d) Reasons for decisions required under section 273 of the *Local Government Regulation 2012*
- (2) At each meeting, the minutes of the previous meeting must be—
 - (a) confirmed by the Councillors or committee members present; and
 - (b) signed by the person presiding at the later meeting within 10 days after the end of the meeting.
- (3) A copy of the minutes of each meeting—
 - (a) must be available for inspection by the public, at Council's customer service centres and on its website, within 10 days after the end of the meeting; andwhen the minutes have been confirmed—must be available for purchase at Council's customer service centres.

13 Petitions

- (1) Any petition presented to a meeting of the local government must be in accordance with Petition Guidelines.

14 Deputations

- (1) A deputation wishing to attend and address a meeting must do so in writing, addressed to the Chief Executive Officer.
- (2) The Chief Executive Officer must notify the mayor who must determine an appropriate meeting time and place when the deputation may be heard. In some instances the deputation may be at a Council workshop or other forum; in other instances at a Council meeting.
- (3) The Chief Executive Officer or delegate must inform the deputation of the determination.
- (4) Where it has been determined that the deputation may be heard, a convenient time and place must be arranged for that purpose, and a time period allowed.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84



(5) For deputations comprising 3 or more persons, only 2 persons may be heard unless the local government determines otherwise.

(6) A deputation must be given an adequate opportunity to explain the purpose of the deputation.

(7) The chairperson of a meeting may terminate an address by a person in a deputation at any time if—

(a) the chairperson has allotted a specific period of time for a person's address and the period of time has elapsed; or

(b) the chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the councillors at the meeting; or

(c) the person uses insulting or offensive language.

Division 3 Motions**15 Motions**

(1) A motion brought before a meeting in accordance with the Act or the standing orders may be received and put to the meeting by the chairperson.

(2) The chairperson may require a motion or an amendment to a motion to be stated in full or recorded in writing before permitting it to be received.

(3) The chairperson may call the notices of motion in the order in which they appear on the meeting agenda, and where no objection is taken to a motion being taken as a formal motion, the chairperson may put the motion to the vote without discussion.

(4) An item on the meeting agenda must not be removed from the agenda where a councillor at the meeting objects to its being removed.

(5) When a motion has been moved and seconded, it becomes subject to the control of the local government and must not be withdrawn without the consent of both the mover and the seconder.

16 Absence of mover of motion

Where a councillor who has given notice of a motion is absent from the meeting at which the motion is to be considered, the motion may be moved by another councillor at the meeting, or deferred to the next meeting.

17 Motion to be seconded

(1) A motion or an amendment to a motion must not be debated at a meeting of the local government unless or until the motion or the amendment is seconded, with the exception of a procedural motion.

(2) A motion or an amendment to a motion (other than a procedural motion) that is not seconded, lapses for want of a seconder.

(3) Notwithstanding subsection (1), a councillor who moves a motion or an amendment to a motion may, with the permission of the chairperson, speak in support of the motion or amendment before it is seconded.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

**18 Amendment of motion**

- (1) An amendment to a motion must—
 - (a) be in terms which retain the identity of the motion; and
 - (b) not negative the motion.
- (2) Not more than 1 motion or 1 proposed amendment to a motion may be put before a meeting at any one time.
- (3) Where an amendment to a motion is before a meeting, no other amendment to the motion can be considered until after the first amendment has been put.
- (4) Where a motion (the **original motion**) is amended by another motion (the **other motion**), the original motion must not be put as a subsequent motion to amend the other motion.
- (5) In the case of minor refinements to an **original motion** or **other motion**, the matter can proceed to a vote with the approval of the mover and seconder.

19 Speaking to motions and amendments

- (1) Subject to section 20(2), the mover of an amendment to a motion must read the amendment and state that the amendment is so moved, and—
 - (a) may only speak in support of the amendment before it is seconded with the permission of the chairperson; and
 - (b) may speak in support of the amendment after it is seconded.
- (2) A councillor may request further information from the chairperson before or after the motion or the amendment to the motion is seconded.
- (3) Following the seconding of a motion or an amendment of a motion, the first speaker must be in favour of the motion or the amendment and each subsequent speaker, including the chairperson, alternating between against and in favour of the motion or amendment as available, until all Councillors who wish to speak have had the opportunity.
- (4) The mover of a motion has the right of reply.
- (5) The mover of an amendment to a motion has no right of reply.
- (6) Each councillor must speak not more than once to the same motion or the same amendment except as a right of reply unless the chairperson in his or her discretion rules otherwise.
- (7) Each speaker is restricted to not more than 5 minutes unless the chairperson in his or her discretion rules otherwise.
- (8) Where 2 or more councillors attempt to speak at the same time, the chairperson is to determine who is entitled to priority.

POLICY: **STANDING ORDERS**

Adopted 28 November 2018 – GM/11.2018/84

**20 Method of taking vote⁶**

- (1) Before any matter is put to the vote, the chairperson may direct that the motion or amendment be read again by the Chief Executive Officer or Minutes Officer.
- (2) The chairperson must, in taking the vote on a motion or an amendment, put the question, first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote.
- (3) The local government must vote by a show of hands or as otherwise directed by the chairperson.
- (4) Any councillor may call for a division or a question in relation to the taking of a vote immediately following the chairperson declaring the result of the vote.
- (5) If a division is taken, the Chief Executive Officer or Minutes Officer must record—
 - (a) the names of the councillors voting in the affirmative; and
 - (b) the names of the councillors voting in the negative.
- (to be clear, any second clarifying vote undertaken to confirm how Councillors voted on the motion where a 'division' is called need not be recorded as a second resolution for the same item in minutes).
- (6) The chairperson must declare the result of a vote or a division as soon as it has been determined.
- (7) Councillors may request that their names and how they voted be recorded in the minutes for voting other than by division.

21 Repealing or amending resolutions

- (1) A resolution of the local government must not be repealed or amended unless notice of motion is given in accordance with the requirements of the Act.⁷
- (2) Where a motion (a **relevant motion**) to repeal or amend a resolution is defeated, a motion to the same, or like effect, must not be moved until at least 3 months after the date on which the relevant motion was defeated.
- (3) Councillors present at the meeting at which a relevant motion is put may defer consideration of the relevant motion, however, consideration of the relevant motion must not be deferred for more than 3 months.
- (4) Where a resolution (a **later resolution**) of the local government relates to a matter the subject of a previous resolution (a **previous resolution**) passed more than 3 months previous, the previous resolution is amended or repealed to the extent that it is inconsistent with the later resolution.

⁶ See section 260 (Procedure at meetings) of the *Local Government Regulation 2012*.

⁷ See section 262 (Repeal or amendment of resolutions) of the *Local Government Regulation 2012*.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

**22 Procedural motions**

At a meeting, a councillor may, during the debate of a matter at the meeting and without the need for a seconder, move a motion (each a ***procedural motion***)—

- (a) that the question/motion be now put to the vote; or
- (b) that the motion and amendment now before the meeting be adjourned; or
- (c) that the meeting proceed to the next item of business; or
- (d) that the question/motion lie on the table; or
- (e) a point of order; or
- (f) a motion of dissent against a point of order; or
- (g) that a report or document be tabled; or
- (h) to suspend the rule requiring that ...; or
- (i) that the meeting stand adjourned.

23 Motion that the question be put

(1) A procedural motion that the question be put about a matter before a meeting, may be moved when a councillor believes that there has been sufficient debate about the matter at the meeting.

(2) Where a motion under subsection (1) is carried, the chairperson must immediately put the motion or amendment before the meeting to the vote.

(3) Where a procedural motion under subsection (1) is lost, debate on the motion or amendment before the meeting must continue.

24 Motion that debate be adjourned

(1) A procedural motion that another motion or an amendment before a meeting be adjourned, may specify a time and date, to which the debate is to be adjourned.

(2) A motion under subsection (1) must not adjourn debate on a matter the subject of a motion for more than 2 months after the date of the procedural motion.

25 Motion to proceed to next item of business

(1) Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter the subject of the motion must cease.

(2) However, debate on the matter the subject of the motion may be considered again on the giving of notice in accordance with the standing orders.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

26 Motion that the motion lie on the table

- (1) A procedural motion that a motion or question lie on the table can only be moved where the chairperson or a councillor requires additional information on the matter before the meeting (or the result of some other action of the local government or a person is required) before the matter may be concluded at the meeting.
- (2) Where a motion under subsection (1) is passed, the local government must proceed with the next matter on the agenda.
- (3) Where a motion under subsection (1) is passed, another procedural motion that the matter be taken from the table may be moved at the meeting at which the first procedural motion was carried or at a later meeting.

27 Points of order

- (1) A councillor may ask the chairperson to decide a point of order where it is believed that another councillor—
 - (a) has failed to comply with proper procedures; or
 - (b) is in contravention of these standing orders or the Act⁸; or
 - (c) is beyond the jurisdictional power of the local government.
- (2) A point of order cannot be used as a means of contradicting a statement made by a councillor speaking about a matter.
- (3) Where a point of order is raised, consideration of the matter about which the councillor was speaking may be suspended subject to section 13(3).
- (4) The chairperson must determine whether the point of order is upheld.
- (5) Upon a point of order arising during the process of a debate, the councillor raising the point of order may speak to the point of order.
- (6) Despite anything to the contrary in the standing orders, a point of order arising at any time must, until decided, suspend the consideration of every other motion or matter.

28 Motion of dissent

- (1) A councillor may move a motion of dissent in relation to a ruling of the chairperson on a point of order.
- (2) Where a motion is moved under subsection (1), further consideration of any matter must be suspended until after a ruling is made on the motion of dissent.
- (3) Where a motion of dissent is carried—
 - (a) the matter to which the ruling of the chairperson was made must proceed as though that ruling had not been made; and

⁸ See chapter 6, part 2, division 6 (Conduct and performance of councillors) of the *Local Government Act 2009*.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84



(b) where, as a result of a ruling of the chairperson on a point of order, a matter was discharged as out of order — the matter must be restored to the meeting agenda and be dealt with in the normal course of business.

29 Motion that a report be tabled

A motion that a report or document be tabled may be used by a councillor to introduce a report or other document to a meeting.

30 Motion to suspend requirements of a rule

(1) A procedural motion to suspend the requirements of a rule may be made by a councillor in order to permit some action that otherwise would be prevented by the standing orders.

(2) A motion under subsection (1) must specify the duration of the suspension.

31 Motion that meeting stands adjourned⁹

(1) A procedural motion that a meeting stands adjourned may be moved by a councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a councillor's time for speaking to the matter, and must be put without debate.

(2) A motion under subsection (1) must specify the time for the resumption of the meeting and on the resumption of the meeting the local government must continue with the business before the meeting at the point where it was discontinued on the adjournment.

Division 4 Mayoral minute**32 Mayoral minute**

(1) The mayor may direct the attention of the local government at a meeting of the local government to a matter or subject not on the agenda by a minute (a **mayoral minute**) signed by the mayor.

(2) The mayor must deliver a copy of the mayoral minute for a meeting of the local government to the Chief Executive Officer.

(3) The mayoral minute shall, when introduced, take precedence over all business before, or to come before, the meeting of the local government.

(4) The motion comprising the mayoral minute may be put by the mayor—

(a) to the meeting of the local government without being seconded; and

(b) at any stage of the meeting of the local government considered appropriate by the mayor.

⁹ See section 261 (Adjournment of meetings) of the *Local Government Regulation 2012*.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84



(5) If the motion comprising the mayoral minute is passed by the local government, the mayoral minute becomes a resolution of the local government.

Division 5 Conduct during meetings**33 Conduct during meetings**

- (1) After a meeting of the local government has been formally constituted and the business commenced, a councillor must not enter or leave the meeting without first notifying the chairperson.
- (2) A councillor must address the chairperson while—
 - (a) moving any motion or amendment; or
 - (b) seconding any motion or amendment; or
 - (c) taking part in any discussion; or
 - (d) placing or replying to any question; or
 - (e) addressing the local government for any other purpose.
- (3) Councillors must confine their remarks to the matter then under consideration.
- (4) Councillors must remain seated and silent while a vote is being taken except when calling for a division.
- (5) A councillor must not make personal reflections on or impute improper motives to another councillor or any officer of the local government.
- (6) A councillor must not interrupt another councillor who is speaking except upon a point of order being raised either by the chairperson or the councillor.
- (7) If the chairperson intervenes during the process of a debate, any councillor then speaking or offering to speak, and each councillor present, must preserve strict silence so that the chairperson may be heard without interruption.

Division 6 Questions**34 Questions**

- (1) At a meeting a councillor may ask a question for reply by another councillor or an officer of the local government regarding any matter under consideration at the meeting. To remove any doubt, this can occur prior to a Mover of the motion being called.
- (2) A question must be asked categorically and without argument and discussion is not permitted at the meeting in relation to the reply or the refusal to reply to the question.
- (3) A councillor or officer who is asked a question may request that the question be taken on notice for later in the meeting or the next meeting.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84



(4) A councillor who asks a question at a meeting, whether or not upon notice, is deemed not to have spoken to the debate of the motion to which the question relates.

(5) The chairperson may disallow a question which he or she considers is inconsistent with good order.

(6) A councillor may move a motion that a ruling of the chairperson under subsection (5) be disagreed with, and if such motion is carried, the chairperson must allow the question.

Division 7 Disorder and business**35 Disorder**

(1) Where disorder arises at a meeting, the meeting may be adjourned in accordance with section 261 (Adjournment of meetings) of the *Local Government Regulation 2012*.

(2) On resumption of the meeting, the chairperson must move a motion, which shall be put without debate, to determine whether the meeting shall proceed.

(3) Where a motion under subsection (2) is lost, the chairperson must declare the meeting closed, and any outstanding matters must be referred to a future meeting.

36 Business of objectionable nature

At a meeting, if the chairperson or a councillor considers that a matter or motion before the meeting is of an objectionable nature or outside the powers of the local government, the chairperson or the councillor may declare on a point of order, that the matter not be considered further.

Division 8 Attendance and non-attendance**37 Attendance of public and media at meetings**

(1) An area must be made available at the place where a meeting is to take place for members of the public and representatives of the media to attend the meeting and as many people as can reasonably be accommodated in the area must be permitted to attend the meeting.

(2) If the local government resolves that a meeting be closed to the public, the public and representatives of the media must be excluded from the meeting (Refer also Clause 45 and 46).

(3) Each councillor present at a meeting of the local government must sign his or her name in a book to be kept for that purpose by the Chief Executive Officer.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

**38 Public participation at meetings**

- (1) The chairperson may invite a member of the public to take part in the proceedings of a meeting.
- (2) Except when invited to do so by the chairperson pursuant to subsection (1), a member of the public must not take or attempt to take part in the proceedings of a meeting.
- (3) During debate on a motion, the chairperson may invite submissions, comments or questions from members of the public.
- (4) If any submission or comment of a member of the public is irrelevant, offensive or unduly long, the chairperson may require the member of the public to cease making the submission or comment.
- (5) For any matter arising from a submission or comment from a member of the public, the local government may—
 - (a) refer the matter to an advisory committee; or
 - (b) deal with the matter immediately; or
 - (c) place the matter on notice for discussion at a future meeting; or
 - (d) note the matter and take no further action.
- (6) Any person invited to address a meeting must—
 - (a) stand, act and speak with decorum; and
 - (b) frame any remarks in respectful and courteous language.
- (7) If a person is considered by the local government, mayor or chairperson to be unsuitably dressed, the person may be directed to immediately withdraw from the meeting.
- (8) Failure to comply with a direction under subsection (7) may be considered an act of disorder.

Division 9 Advisory Committees**39 Minutes by advisory committees**

- (1) All advisory committee minutes must be submitted to a meeting of the local government through the Chief Executive Officer or a delegate of the Chief Executive Officer.
- (2) If the advisory committee makes distinct recommendations, the local government may make a separate decision on each recommendation.

40 Attendance at advisory committee meetings

- (1) Any councillor may attend a meeting of an advisory committee and may address the committee in accordance with the procedures established by the chairperson of the committee.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84


**Division 10 Process for dealing with unsuitable meeting
conduct by a Councillor in a meeting**
**41 When dealing with an instance of unsuitable conduct by a Councillor in a
meeting, the following procedures must be followed:**

- (1) The Chairperson must decide whether or not unsuitable meeting conduct has been displayed by a Councillor.
- (2) If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature, refer to (7) for the steps to be taken.
- (3) If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
 - (a) Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
 - (b) Apologising for their conduct
 - (c) Withdrawing their comments.
- (4) If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- (5) If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- (6) If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- (7) If the Councillor still continues to fail to comply with the Chairperson's request for remedial actions, the Chairperson may make one or more of the orders below:
 - (a) an order reprimanding the Councillor for the conduct
 - (b) an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.¹⁰
- (8) If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting by an appropriate officer. The meeting must be adjourned whilst the Councillor is being removed.¹¹
- (9) Following the completion of the meeting, the Chairperson must ensure:
 - (a) details of any order issued is recorded in the minutes of the meeting¹²

¹⁰ Section 150I(2) of the LGA.¹¹ Section 150I(2)(c) of the LGA.¹² Section 150I(3) of the LGA.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84



(b) if it is the third (3rd) or more order within a 12-month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting, these matters are to be dealt with at the next meeting of the Local Government and treated as inappropriate conduct pursuant to the LGA¹³

(c) the Local Government's Chief Executive Officer is advised to ensure details of any order made must be updated in the Local Governments Councillor Conduct Register pursuant to the LGA.

Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts (1), (7) and (8) above.

Division 11 Meeting process for dealing with suspected Inappropriate Conduct which has been referred to a Local Government

Pursuant to section 150AF of the LGA, after receiving a referral by the Independent Assessor or under paragraph Division 10, section 41 (9)(b) of an instance of suspected inappropriate conduct, the Local Government must complete an investigation into the alleged conduct.

After the completion of the investigation, the Local Government must decide whether the Councillor has engaged in inappropriate conduct in a Council meeting, unless it has delegated responsibility for this decision under section 257 of the LGA.

42 When dealing with an instance of suspected inappropriate conduct which has been referred to a Local Government by the Independent Assessor, the Local Government must:

(1) Be consistent with the Local Government principle of transparent and accountable decision making in the public interest, by dealing with suspected inappropriate conduct in an open meeting of the Council. Where the complainant or other parties may be adversely affected due to the nature of the complaint, the Council may resolve to go into closed session under section 275 of the *Local Government Regulation 2012* (the LGR).

(2) When deliberating on the issue the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public. Should the complainant be a Councillor, that Councillor must inform the meeting of a personal interest and follow the conflict of interest procedures in Division 13.

(3) The Local Government should then debate the issue and decide whether the accused Councillor engaged in inappropriate conduct.

(4) If the Local Government decides that the subject Councillor has engaged in inappropriate conduct, the Local Government is then required to decide what penalty or penalties from the following orders, if any, to impose on the

¹³ Section 150J of the LGA.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84



subject Councillor:

- (a) an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct
 - (b) an order reprimanding the Councillor for the conduct
 - (c) an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
 - (d) an order that the Councillor be excluded from a stated Local Government meeting
 - (e) an order that the Councillor is removed, or must resign, from a position representing the Local Government, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing the Local Government on a State board or committee
 - (f) an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
 - (g) an order that the Councillor reimburse the Local Government for all or some of the costs arising from the Councillor's inappropriate conduct.
- (5) When making an order, the Local Government can take into consideration any previous inappropriate conduct of the Councillor, and any allegation made in the investigation that was admitted, or not challenged and that the Local Government is reasonably satisfied is true.
- (6) The subject Councillor and where relevant the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made.
- (7) The Local Government must ensure the meeting minutes reflect the resolution made.

Division 12 Material Personal Interest

43 Councillors are ultimately responsible for informing of a material personal interest on matters to be discussed at a Council or committee meeting. When dealing with a material personal interest, Councillors must abide by the following procedures:

- (1) A Councillor with a material personal interest must inform the meeting of the Local Government of their material personal interest and set out the nature of the interest, including:
- (a) The name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting
 - (b) How a person or other entity stands to gain the benefit or suffer the loss
 - (c) If the person or other entity who stands to gain the benefit or suffer

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84



the loss is not the Councillor – the nature of the Councillor's relationship to the person or entity.

(2) The Councillor must then leave the place of the meeting and stay away while the matter is being discussed and voted on unless the subject Councillor has Ministerial approval to participate in the matter. The Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way.

(3) Once the Councillor has left the area where the meeting is being conducted, the Local Government can continue discussing and deciding on the matter at hand.

(4) If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a material personal interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion.

(5) The Chairperson then should ask the Councillor with the suspected material personal interest whether they do in fact have a material personal interest. If that is the case, the Councillor must follow the above procedures from item 43 (1).

(6) In the event the majority of Councillors inform a meeting of a material personal interest regarding a matter:

(a) the Local Government must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA; or

(b) if the matter cannot be delegated under section 257 of the LGA, the Local Government should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.

(7) Where a Councillor informs a meeting of a material personal interest in a matter, the Chairperson must ensure the minutes of the meeting (to be posted on the Council's website) record:

(a) The name of the Councillor who has a material personal interest in the matter

(b) The material personal interest, including the particulars mentioned by the Councillor regarding the material personal interest

(c) Whether the Councillor participated in the meeting, or was present during the meeting, under an approval granted by the Minister for Local Government.

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

**Division 13 Conflict of Interest**

44 Councillors are ultimately responsible for informing of any personal interest where they have a real or perceived conflict of interest on matters to be discussed at Council or committee meetings (other than ordinary business matters). When dealing with a conflict of interest, Councillors must abide by the following procedures:

(1) A Councillor with a real or perceived conflict of interest must inform the meeting of the Local Government of their personal interest and set out the nature of the interest, including:

- (a) The nature of the interest
- (b) If the Councillor's personal interest arises because of the Councillor's relationship with, or receipt of a gift or benefit from, another person:
 - (i) the name of the other person
 - (ii) the nature of the relationship or value and date of receipt of the gift or benefit received, and
 - (iii) the nature of the other person's interests in the matter.

(2) The subject Councillor may themselves elect to leave the meeting while the matter is being discussed and voted on due to a perceived conflict of interest or conflict of interest. If the Councillor does not leave the meeting, they may advise the other Councillors why they believe they are able to act in the public interest while remaining in the meeting. This could include prior advice from the Integrity Commissioner on the personal interest.

(3) The other Councillors entitled to vote at the meeting must then decide whether the subject Councillor has a conflict of interest (including a perceived conflict of interest) in the matter due to their personal interest. A Councillor who has declared a personal interest in relation to a matter, must not vote under section 175E(4) as to whether another Councillor may stay in the meeting.

(4) If the other Councillors decide there is no conflict of interest or a perceived conflict of interest, the subject Councillor may remain in the meeting and the meeting may continue.

(5) If the other Councillors decide there is a conflict of interest they must then decide whether the subject Councillor must leave the meeting while the matter is being discussed and voted on or can participate in the meeting in relation to the matter including voting on the matter. If the Councillor must leave the place of the meeting the Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way

(6) When deciding whether a Councillor may stay in a meeting and vote following the decision of a conflict of interest, the other Councillors must consider significant variables including, but not limited to:

- (a) The size or significance of the benefit the subject Councillor stands to receive or benefit

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84



- (b) The benefit the subject Councillor stands to receive versus the benefit the community stands to receive from the potential decision
- (c) The closeness of any relationship the subject Councillor may have with a given person or group.
- (7) In making the decision under 44 (6), it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- (8) If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a real or perceived conflict of interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion.
- (9) The Chairperson then should ask the Councillor with the suspected conflict of interest to inform the meeting of any personal interest they have in the matter and follow the above procedures from item 44 (1).
- (10) In the event the majority of Councillors inform of a personal interest in a matter:
 - (a) the Local Government must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA, or
 - (b) if the matter cannot be delegated under the section 257 of the LGA, the Local Government should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.
- (11) Where a Councillor informs a meeting of a personal interest in a matter, the Chairperson must ensure the minutes of the meeting (to be posted on the Council's website) record:
 - (a) The name of the Councillor who has declared the conflict of interest
 - (b) The nature of the personal interest, as described by the Councillor
 - (c) The decisions made under 44 (3) and 44 (5) above
 - (d) Whether the Councillor participated in the meeting under an approval by the Minister
 - (e) If the Councillor voted on the matter, how they voted
 - (f) How the majority of Councillors voted on the matter.

Division 14 Closed Meetings

- 45 Local Government and standing committees may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss any of the following matters:**
- Appointment, dismissal or discipline of employees
 - Industrial matters affecting employees

POLICY: STANDING ORDERS

Adopted 28 November 2018 – GM/11.2018/84

- Local Government's budget
- Rating concessions or contracts proposed to be made by the Local Government or starting or defending legal proceedings involving the Local Government
- Any action to be taken by the Local Government under the *Planning Act 2016* (PA), including applications made to it under the PA
- Business for which a public discussion would be likely to prejudice the interests of the Local Government or someone else or enable a person to gain a financial advantage.

46 A Local Government or committee must not make a resolution (other than procedural) in a closed session meeting. If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation.

(1) To take an issue into a closed session, the Local Government must first pass a resolution to do so.

(2) In the interests of accountability and transparency, the Local Government must specify the nature of the matter to be discussed and the reasoning of the Councillors for going into closed session.

(3) If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session and name the topic to be discussed and a brief explanation of why it is deemed necessary to take the issue into closed session.

(4) The minutes of a Local Government must detail the matter discussed and reasoning for discussing the matter in closed session. The Local Government must also ensure that it complies with the statutory obligations associated with recording of passed resolutions.

Division 15 Procedure not provided for

47 Procedure not provided for

If an appropriate or adequate method of dealing with a matter is not provided for in the standing orders, the method of dealing with the matter may be determined by resolution of the local government upon a motion which may be put without notice in conformity with the standing orders.

POLICY: **STANDING ORDERS**

Adopted 28 November 2018 – GM/11.2018/84

**Schedule A Dictionary**

section 3

Act means the Local Government Act 2009.

Chief Executive Officer means the Chief Executive Officer of the local government.

committee means a committee of the local government appointed under section 264 of the *Local Government Regulation 2012*.

later resolution see section 24(4).

mayoral minute see section 35(1).

original motion see section 21(4).

other motion see section 21(4).

post-election meeting see section 175 of the Act.

previous minutes see section 14(5).

previous resolution see section 24(4).

procedural motion see section 25.

relevant motion see section 24(2).

standing orders see parts 1 to 3 inclusive.

OFFICER REPORT

Meeting: Ordinary 22 April 2020

Date: 18 April 2020

Item Number: 10.2

File Number: D20/33882

SUBJECT HEADING: Confidentiality Procedure

Classification: Open Access

Officer's Title: Chief Executive Officer

Executive Summary:

With the commencement of the new Council (2020-2024) and the inclusion of newly elected Councillors and Mayor, the confidentiality procedure is tabled for Council's information and adoption.

Officer's Recommendation:

That the procedure be:

1. Received and contents noted.
2. Adopted for use during the Council term 2020 – 2024.
3. Placed under the policy section of Council's website with the title "Maranoa Regional Council Confidentiality Procedure".

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Councillors

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

| Acronym | Description |
|---------|-------------|
| Nil | Nil |

Context:

Why is the matter coming before Council?

This procedure provides guidance to councillors in complying with section 171(3) of the *Local Government Act 2009* ("LGA") regarding the proper handling of confidential information. The procedure aims to assist Council in determining what might be considered confidential information and how this information should be handled.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

Council's most recent consideration of a Confidentiality procedure was at the first meeting of the last term on 13 April 2016.

Since that time, the Template Confidentiality Procedure has been updated by King and Company at the request of the Local Government Association of Queensland. It will form part of the "Councillor Handbook & Good Governance Guide".

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under

consideration? (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Local Government Act 2009

171 Use of information by councillors

(1) A person who is, or has been, a councillor must not use information that was acquired as a councillor to—

(a) gain, directly or indirectly, a financial advantage for the person or someone else;
or

(b) cause detriment to the local government.

Maximum penalty—100 penalty units or 2 years imprisonment.

(2) Subsection (1) does not apply to information that is lawfully available to the public.

(3) A councillor must not release information that the councillor knows, or should reasonably know, is information that is confidential to the local government.

Note—

Contravention of subsection (3) is misconduct that could result in disciplinary action being taken against a councillor. See [sections 150L\(1\)\(c\)\(iv\), 150AQ and 150AR](#).

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

Once adopted this will apply to Maranoa Regional Council and its councillors.

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

King and Company

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

Not applicable.

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

Not applicable.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Not applicable.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns? (Interested Parties Analysis - IS9001:2015)

Not

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

| Risk | Description of likelihood & consequences |
|--|---|
| Contravention of section 171(3) is misconduct that could result in disciplinary action being taken against a councillor. See sections 150L(1)(c)(iv), 150AQ and 150AR. | The template procedure provides guidance to Councillors in complying with the relevant section of the <i>Local Government Act 2009</i> regarding the proper handling of confidential information. |

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

The Template sought and received from King and Company has been incorporated in the report without any amendments. Therefore no additional advice is needed.

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy?

If so, for what reason?

That the procedure be:

1. Received and contents noted.
2. Adopted for use during the Council term 2020 – 2024.
3. Placed under the policy section of Council's website with the title *Maranoa Regional Council Confidentiality Procedure*.

Link to Operational Plan Function:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.1 Elected members

Supporting Documentation:

1  Template Confidentiality Procedure

D20/33883



Report authorised by:

Chief Executive Officer

Template Confidentiality Procedure

| | |
|--------------|--|
| | Standard Regional Council |
| Title | Confidentiality Procedure |
| Purpose | This procedure provides guidance to councillors in complying with section 171(3) of the <i>Local Government Act 2009</i> ("LGA") regarding the proper handling of confidential information. The procedure aims to assist Council in determining what might be considered confidential information and how this information should be handled. |
| Introduction | <p>It is accepted that councillors will be in receipt of confidential information that may or may not be part of a formal council meeting. councillors must use council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.</p> <p>This procedure aims to support councillors in balancing the right and duty to inform the public and consult with constituents about council business with the interest council has in preventing disclosure of confidential information.</p> <p>This procedure does not override an individual councillor's statutory obligations in respect of the use of information, nor does it override council's obligations under the LGA or any other legislation or subordinate legislation to disclose or publish information where this is required by law.</p> |
| Scope | <p>This procedure applies to confidential information held by council and councillors.</p> <p>Legislative and policy context Section 171(3) of the LGA sets out provisions relating to the release of confidential information by councillors. It states:</p> <p style="padding-left: 40px;">A councillor must not release information that the councillor knows, or should reasonably know, is information that is confidential to the local government.</p> <p><i>Note—</i></p> <p style="padding-left: 40px;">A contravention of subsection (3) is misconduct that could result in disciplinary action being taken against a councillor. See sections 150L(1)(c)(iv), 150AQ and 150AR.</p> |
| Definitions | <p>'councillor briefing sessions' are non-decision-making forums convened by councillors, the CEO and, as directed by the CEO, other Council officers that create an opportunity for councillors and officers to discuss matters of proposed policy or other strategic or community sensitive issues, as well as providing a forum for councillors to be made aware of issues of significance to the organisation and/or to the community.</p> <p>'Information' comes in any number of forms including letters, reports/documents, facsimiles, attachments, tapes, emails, electronic media, and/or other forms of information including discussions during meetings.</p> |

| | |
|---------------------------------|--|
| Policy Statement | <p>Council operates in an environment of public accountability in which it seeks to inform the public of issues under consideration and the nature of decisions made by Council and its committees. Therefore, information should ordinarily be released to the public unless there are compelling reasons which indicate that this is not in the public interest.</p> <p>At the same time, council is conscious of the need to handle council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.</p> <p>It is accepted that councillors will be in receipt of confidential information that may or may not be part of a formal council meeting. It is council's 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.</p> <p>Whilst endeavouring in the interests of public accountability to limit the number of matters which are considered in confidential sessions, council acknowledges that it is appropriate to consider certain matters in closed meetings.</p> |
| Responsibilities of councillors | <p>Councillors must be aware of their responsibilities and will:</p> <ul style="list-style-type: none"> • exercise due care when handling or using information acquired in their role as a councillor; • acknowledge that there will be information that must be treated as confidential because to release it would reduce public trust and confidence in the integrity of the council; • acknowledge that disclosure of confidential information constitutes a breach of the LGA; • if uncertain, presume information is confidential, and seek advice from the CEO prior to any release of it; • undertake not to disclose, and to use their best endeavours to prevent disclosure of, confidential information to any person or organisation, specifically: <ul style="list-style-type: none"> ○ avoid discussing confidential council information with family, friends and business associates; and ○ ensure documents containing confidential information are properly safeguarded at all times – including materials stored at private or business residences. |

| | |
|--------------------------|--|
| Confidential Information | <p>The following types of information shall be deemed to be confidential to council unless or until council resolves contrary to, in a particular instance:</p> <ul style="list-style-type: none"> • Commercial in confidence information — including where the release of information would affect a third party's competitive advantage; this is particularly relevant in a competitive tender situation. • Information derived from government departments or ministers that has been classified as confidential. • Information of a personal nature or about personal affairs, for example the personal details of councillors or council staff. • Information relating to a property disposal or acquisition process where release of the information may prejudice Council (see also section 171(1) of the LGA). • Financial and legal analysis where the disclosure of that information may compromise council or someone else. • Information that could result in action being taken against council for defamation. • Information involving legal advice to council or a legal issue or a matter before the courts. • Information that is expressly given to councillors in confidence. • Information examined or discussed at councillor briefing sessions, unless the CEO declares that such information (or part thereof) is not confidential. • Information about: <ol style="list-style-type: none"> 1. the appointment, dismissal or discipline of employees 2. industrial matters affecting employees 3. the council's budget 4. rating concessions 5. contracts proposed to be made by council 6. starting or defending legal proceedings involving council 7. any action to be taken by the local government under the Planning Act 2016, including deciding applications made to it under that Act <p>It is acknowledged that some of the above classes of information may need to be disclosed from time to time for legal proceedings or in accordance with the <i>Right to Information Act 2009</i>.</p> <p>Nevertheless, this procedure deems that as a minimum:</p> <ul style="list-style-type: none"> • The CEO may make a declaration that information concerning a specific matter is to be treated as confidential to council, and the information will remain confidential unless or until council resolves to the contrary. • An item on a Council or committee meeting agenda – and the information contained in the documentation or supporting material – that is declared confidential by the CEO is to remain confidential unless or until council or the committee resolves to the contrary. • If the mayor or a councillor in a meeting asks that a matter be treated as confidential, council will formally resolve as to whether all information concerning the matter is confidential. • If a meeting of a committee resolves that an item – and the information contained in the documentation or supporting material – is to be confidential it remains confidential unless or until council resolves to the contrary. |
|--------------------------|--|

- | | |
|--|--|
| | <ul style="list-style-type: none">• If council exercises its powers under section 275 of the <i>Local Government Regulation 2012</i> to close its meeting to members of the public, all information in relation to the matters discussed during that closed meeting or the closed portion of the meeting is confidential, unless and until the council resolves to the contrary.• Confidential information shall be clearly identified as confidential.• Any information of a type deemed to be confidential is to be presumed by councillors to be confidential to council and must not be released without seeking advice from the CEO.• If a councillor has any doubt as to whether council considers information to be confidential, the councillor is to act on the assumption that council does so intend until the doubt is resolved at a subsequent meeting of council. |
|--|--|

| | |
|---|---|
| Consideration of Confidential Material – Council Meetings | <p>The following procedures will apply to the preparation of an agenda and material for consideration at meetings of the council:</p> <ol style="list-style-type: none"> 1. If it is considered by the chief executive officer (CEO) that the council should consider a matter in a closed meeting, the CEO will clearly indicate such recommendation on the agenda. 2. The CEO will make a declaration that all information contained in the documentation and associated material is information confidential to the council. 3. The CEO will ensure that the documentation and material is clearly marked as confidential. 4. The reason for the recommendation will be set out in the material. <p>The following procedures will apply to a recommendation by the CEO that a matter be considered in a closed meeting:</p> <ol style="list-style-type: none"> 1. Council will consider the recommendation in open session unless to do so would result in the public release of the information concerning the matter. 2. Council shall determine by resolution whether the matter is confidential or not for the purposes of declaring that a meeting should be a closed one. 3. Upon moving that an issue be dealt with in a closed meeting, the mover must clearly state the reason for the motion. 4. Council will resolve that: <ol style="list-style-type: none"> a. the matter is to be considered in a closed meeting, and all information relating to that matter is confidential to council, or b. the matter will be considered in open session. <p>Information considered at a closed meeting of council shall remain confidential unless or until council resolves otherwise.</p> |
| Release of Confidential Information | <p>Any release of confidential information for any purpose to any person or organisation (other than those who are entitled to the information, such as other councillors or council staff) is a breach of section 171(3) of the LGA. Release includes:</p> <ul style="list-style-type: none"> • orally telling any person about the information or any part of the information providing the original or a copy of documentation or any part of the documentation that is marked confidential • paraphrasing – putting into your own words – any confidential information and providing that in writing or orally. |
| Breach of this Procedure | <p>A person may make a complaint about a breach by a councillor of section 171(3) by giving notice of the complaint to the Office of the Independent Assessor ("OIA"). A breach of section 171(3) is "misconduct" (see the definition of "misconduct" in section 150L of the LGA).</p> <p>Thereafter the OIA must investigate the councillor's conduct and, if the assessor is reasonably satisfied the councillor's conduct is misconduct, make an application to the Councillor Conduct Tribunal about the conduct (see sections 150T and 150W of the LGA).</p> <p>If the Councillor Conduct Tribunal decides that a councillor has breached section 171(3), section 150AR identifies orders or recommendations that may be made.</p> |

| | |
|------------------------------------|---|
| Acknowledgements | <p>This procedure is largely based on pages 11-15 (inclusive) of “Handling confidential information: Guidelines and policy for local governments”, jointly published by the (former) Crime and Misconduct Commission and the (former) Department of Local Government Sport and Recreation – accessed on 21 July 2010 at: -</p> <p>http://www.dlgp.qld.gov.au/resources/guideline/localgovernment/guidelines-procedure-confidential-nfo.pdf</p> |
| Resolution or Council Meeting Date | |
| | <p>Note: Prepared by King & Company, Solicitors – August 2010 and endorsed by LGAQ Executive 30 August 2010 Latest revision by King & Company Solicitors on 2 April 2020.</p> |

OFFICER REPORT

Meeting: Ordinary 22 April 2020

Date: 17 April 2020

Item Number: 10.3

File Number: D20/33876

SUBJECT HEADING: Local Government Remuneration Commission
Schedule - Commencing 1 July 2020

Classification: Open Access

Officer's Title: Manager - Communication, Information &
Administration Services

Executive Summary:

On 29 November 2019, the Local Government Remuneration Commission concluded its review of remuneration for Mayors, Deputy Mayors and Councillors of Local Governments as required by Chapter 8, Part 1, Division 1 of the *Local Government Regulation 2012*.

This report formally tables a copy of the Commission's remuneration determination.

Officer's Recommendation:

That Council note the findings of the Local Government Remuneration Commission's review.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Mayor and Councillors

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

| Acronym | Description |
|---------|---|
| LG Reg | <i>Local Government Regulation 2012</i> |

Context:

Why is the matter coming before Council?

On 29 November 2019, the Local Government Remuneration Commission ('the Commission') concluded its review of remuneration for Mayors, Deputy Mayors and Councillors of Local Governments as required by Chapter 8, Part 1, Division 1 of the *Local Government Regulation 2012* ('LG Reg').

As a result, the Commission decided to increase remuneration levels for Mayors, Deputy Mayors and Councillors by 2% from 1 July 2020.

Remuneration Schedule

As required by section 244 of the LG Reg, the Commission has prepared a Remuneration Schedule to apply from 1 July 2020.

The Commission has set the remuneration level for a Category 3 Council as follows:

| | |
|--------------|---------------------|
| Mayor | \$133,196 per annum |
| Deputy Mayor | \$ 83,247 per annum |
| Councillors | \$ 70,759 per annum |

Varying the maximum remuneration payable

Section 247(1) of the LG Reg legislates that *a local government must pay remuneration to each councillor of the local government.*

As set out in section 247(2), (3), (4) and (6), of the LG Reg, Council is able to decide, by resolution, that the maximum amount is not payable to a Councillor. The amount of remuneration decided must not be more than the maximum amount payable to a Councillor stated within the Remuneration Schedule set by the Commission (subject to section 248 of the LG Reg).

If Council decides that the maximum amount is not payable to a Councillor from 1 July 2020, the resolution must be made prior to this date.

In addition, as per section 247(5), the amount of remuneration for each Councillor, other than a Mayor or Deputy Mayor, must be the same.

While Council is not required to formally adopt the Commission's review findings and remuneration schedule, Councillors may wish to discuss this matter in line with the above legislative considerations.

A copy of the applicable legislation referenced in this report is provided below in full for information (refer Legislation section of report).

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

A copy of the Commission's report is attached to this report.

This report formalises Council's review of the Commission's determination applicable from 1 July 2020.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration? (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

***Local Government Regulation 2012
Chapter 8, Part 1, Division 1***

240 What div 1 is about

This division states the processes of the remuneration commission in deciding the remuneration that is payable to councillors.

241 Establishing categories of local governments

- (1) The remuneration commission must establish categories of local governments for this part.*
- (2) The purpose of establishing categories of local governments is to enable the remuneration commission to decide the maximum amounts of remuneration that are payable to mayors and other councillors in each of the categories.*

242 Criteria for establishing categories

In establishing categories of local governments, the remuneration commission -

- (a) must have regard to the following criteria -*
 - (i) the size, and geographical and environmental terrain, of local government areas;*
 - (ii) the population of local government areas, including the areas' demographics, the spread of population serviced by the local governments and the extent of the services the local governments provide; and*
- (b) may have regard to other matters the remuneration commission considers relevant to the effectiveness, efficiency and sustainability of local governments.*

243 Deciding and reviewing categories to which local governments belong

- (1) The remuneration commission must, for each local government, decide the category of local government to which the local government belongs.*

(2) When making a decision about a local government under subsection (1), the remuneration commission must have regard to the criteria it used for establishing categories of local governments.

(3) The remuneration commission must, once during each local government term -

(a) review the categories of local governments established under section 241; and

(b) ensure the review is completed before 1 December of the year before the year in which the next quadrennial election is to be held.

(4) For subsection (3), a local government term is the period between a quadrennial election and the next quadrennial election.

(5) After reviewing the categories, the remuneration commission must—

(a) decide whether to amend the established categories; and

(b) if any established category of local government is amended, again decide the categories of any local governments affected by the amendment.

244 Deciding maximum amounts of remuneration

(1) The remuneration commission must, before 1 December of each year, and for each category of local government, decide the maximum amount of remuneration payable from 1 July of the following year to a councillor, mayor or deputy mayor of a local government in each category.

(2) The remuneration may include, or may separately provide for, remuneration for the duties a councillor may be required to perform if the councillor is appointed to a committee, or as chairperson or deputy chairperson of a committee, of a local government.

(3) The remuneration can not include—

(a) any amount for expenses to be paid or facilities to be provided to a councillor of a local government under its expenses reimbursement policy; or

(b) any contribution a local government makes for a councillor to a voluntary superannuation scheme for councillors established or taken part in by the local government under section 226 of the Act.

(4) However, the remuneration may include an additional amount for councillors who are over 75 years paid in lieu of the contributions mentioned in subsection (3)(b).

246 Remuneration schedule

- (1) The remuneration commission must prepare a remuneration schedule after the remuneration commission makes a decision about maximum amounts of remuneration under section 244.*
- (2) A remuneration schedule must state—*
 - (a) the date from which the schedule applies; and*
 - (b) the category of each local government decided under section 243; and*
 - (c) the maximum amount of remuneration payable to the mayors, deputy mayors and other councillors for each category of local government decided under section 244.*
- (3) After preparing a remuneration schedule, the remuneration commission must -*
 - (a) within 14 days, prepare a report about the remuneration schedule and give a copy of the report and the remuneration schedule to the Minister; and*
 - (b) publish the remuneration schedule in the gazette.*
- (4) A remuneration schedule continues in effect until a new remuneration schedule applies.*

247 Remuneration payable to councillors

- (1) A local government must pay remuneration to each councillor of the local government.*
- (2) The maximum amount of remuneration payable to a councillor under the remuneration schedule must be paid to the councillor, unless the local government, by resolution, decides the maximum amount is not payable to the councillor.*
- (3) In a resolution made under subsection (2), the local government must also decide the amount of remuneration payable to the councillor.*
- (4) The amount of remuneration decided under subsection (3) for each councillor must not be more than the maximum amount of remuneration payable to the councillor under the remuneration schedule.*
- (5) The amount of remuneration for each councillor, other than a mayor or deputy mayor, must be the same.*

(6) *The local government must make a resolution under subsection (2), for the remuneration payable from 1 July of a particular year, before 1 July of that year.*

(7) *Subsections (4) and (5) are subject to section 248.*

248 Submission to vary remuneration in exceptional circumstances

(1) *This section applies if a local government considers that, having regard to exceptional circumstances, a councillor of its local government is entitled to an amount of remuneration that is more than the maximum amount of remuneration payable to the councillor under the remuneration schedule.*

(2) *The local government may make a submission to the remuneration commission for approval to pay the councillor an amount of remuneration of more than the maximum amount (a higher amount).*

(3) *The remuneration commission may, but is not required to, consider the submission.*

(4) *If the remuneration commission is satisfied that, having regard to the exceptional circumstances, the councillor is entitled to be paid any higher amount, the remuneration commission may approve payment of that amount.*

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

Council has previously received and noted the reports. Remuneration has been paid consistent with the Tribunal / Commission's report.

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Nil

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

Nil

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$) ? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

Nil – the current (budgeted) Councillor remuneration rates are as per the Local Government Remuneration Commission Schedule.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$) ? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Local Government Remuneration Commission Schedule – Category 3:
(applicable 1 July 2020)

| | |
|--------------|---------------------|
| Mayor | \$133,196 per annum |
| Deputy Mayor | \$83,247 per annum |
| Councillors | \$70,759 per annum |

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?
(Interested Parties Analysis - IS9001:2015)

Elected Members

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

| Risk | Description of likelihood & consequences |
|------|--|
| Nil | |

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

That Council note the findings of the Local Government Remuneration Commission's review, and consider whether the maximum amount set out in the Remuneration Schedule is not payable to a Councillor (in line with the legislation).

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy?

If so, for what reason?

That Council note the findings of the Local Government Remuneration Commission's review.

Link to Corporate Plan:


Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.1 Elected members

2.3.1 Provide timely, accurate and complete financial information for: - Council to make decisions; - Reports to the community and other stakeholders about Council's budgets and financial activities; - Financial returns and claims.

Supporting Documentation:

1  Local government remuneration commission report 2019 D20/33879



Report authorised by:

Director - Corporate & Community Services

Local Government
Remuneration Commission
Annual Report 2019



© State of Queensland, December 2019. Published by the Department of Local Government, Racing and Multicultural Affairs, 1 William Street, Brisbane Qld 4000, Australia.



Licence: This work is licensed under the Creative Commons CC BY 4.0 Australia Licence. In essence, you are free to copy and distribute this material in any format, as long as you attribute the work to the State of Queensland (Department of Local Government, Racing and Multicultural Affairs) and indicate if any changes have been made. To view a copy of this licence, visit <http://creativecommons.org/licenses/by/4.0/>.

Attribution: The State of Queensland, Department of Local Government, Racing and Multicultural Affairs.

The Queensland Government supports and encourages the dissemination and exchange of information. However, copyright protects this publication. The State of Queensland has no objection to this material being reproduced, made available online or electronically but only if it is recognised as the owner of the copyright and this material remains unaltered.



The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone the Queensland Department of Local Government, Racing and Multicultural Affairs on 13 QGOV (13 74 68).

Disclaimer: While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is general and does not take into account individual circumstances or situations. Where appropriate, independent legal advice should be sought.

An electronic copy of this report is available on the Department of Local Government, Racing and Multicultural Affairs' website at www.dlgrma.qld.gov.au.

Local Government Remuneration Commission

29 November 2019

The Honourable Stirling Hinchliffe MP
Minister for Local Government, Racing and Multicultural Affairs
1 William Street
Brisbane QLD 4000

Dear Minister

On 29 November 2019, the Local Government Remuneration Commission (Commission) concluded its review of the categories of local governments and the assignment of local governments to categories. In addition, the Commission determined the levels of remuneration for mayors, deputy mayors and councillors of Queensland local governments (excluding Brisbane City Council) as required by section 177(c) of the *Local Government Act 2009* and Chapter 8, Division 1 of the *Local Government Regulation 2012*.

Our determinations on these matters, together with the Remuneration Schedule to apply from 1 July 2020 are included in the enclosed Report, which we commend to you.

Yours sincerely



Robert (Bob) Abbot
Chair Commissioner

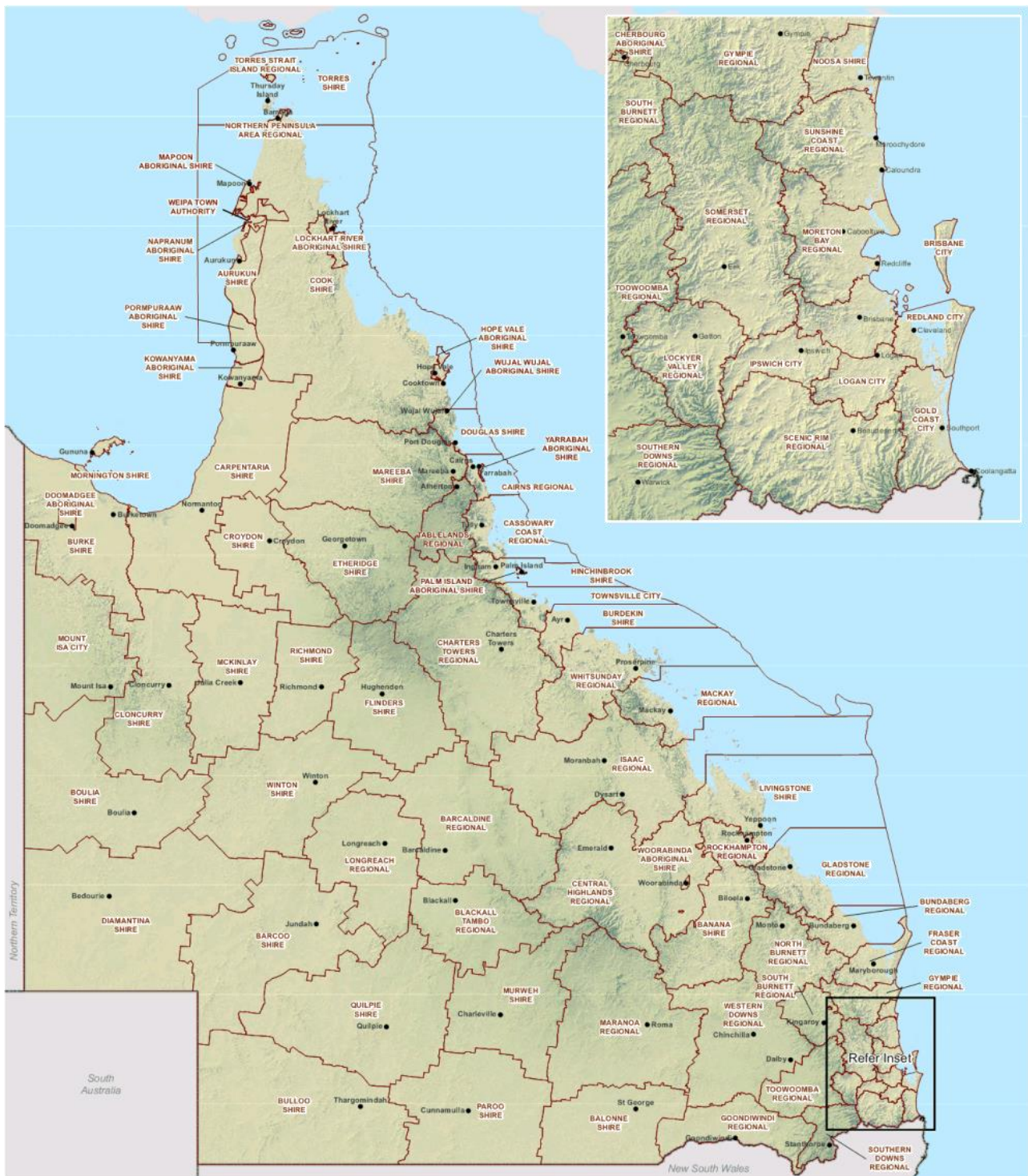


Andrea Ranson
Commissioner



Reimen Hii
Commissioner

Department of Local Government, Racing and Multicultural Affairs



Legend

- Population Centres
- LGA Boundary

0 50 100 150 200 250
Kilometres
Map created at: A3
Coordinate System: GCS GDA 1994
Datum: GDA 1994
Units: Degree

2019 Local Government
Area Boundaries

Map produced by the Department of State Development,
Manufacturing, Infrastructure and Planning
Spatial Services Unit, 28/02/2019



**Queensland
Government**

Table of contents

| | |
|---|----|
| 2019 Report at a glance | 6 |
| 1. The Commission | 8 |
| Formation and composition | 8 |
| Mr. Robert (Bob) Abbot | 8 |
| Ms. Andrea Ranson | 8 |
| Mr. Reimen Hii | 8 |
| The Former Local Government Remuneration and Discipline Tribunal | 10 |
| 2. Remuneration determination | 10 |
| Remuneration determination for councillors | 10 |
| Methodology | 10 |
| Matters not included in the remuneration schedule | 10 |
| Pro rata payment | 11 |
| Remuneration schedule to apply from 1 July 2020 | 12 |
| 3. Determination of Categories pursuant to s. 177 of the Act | 14 |
| Determination | 14 |
| Matters raised with the Commission during the remuneration review program | 14 |
| Meetings and deputations | 15 |
| Table – Summary of 2019 Submissions | 15 |
| 4. Other activities of the Commission | 18 |
| 5. Commission's future priorities | 19 |

2019 Report at a glance

The Commission has reviewed the current categories and decided not to make any change in this current review. The Commission will undertake a comprehensive category review within the first 12 months following the quadrennial local government elections in March 2020.

The Commission has decided to increase the maximum remuneration levels for mayors, deputy mayors and councillors by two per cent from 1 July 2020.

In making its determination, the Commission considered the following:

- Increases in the Consumer Price Index (CPI) for the financial year ended 30 June 2019 (percentage change from previous financial year)¹
 - Weighted average of the eight capital cities: +1.6 per cent
 - Brisbane: +1.6 per cent.
- Increases in CPI for the year ended September 2019 (percentage change from corresponding quarter of previous year)²
 - Weighted average of the eight capital cities: +1.7 per cent
 - Brisbane: +1.9 per cent.
- Increases in the Wage Price Index (WPI) for the financial year ended 30 June 2019³
 - Australia & Queensland (All Industries): +2.3 per cent
 - Australia & Queensland (Public Sector): +2.5 per cent.
- The Commission considered Brisbane City Council's Independent Councillor Remuneration Tribunal (ICRT) remuneration determination a potentially relevant factor, however, the ICRT reviews and resets Brisbane City councillor remuneration arrangements every five (5) years. The last increase was in 2017, at which time the ICRT accorded a two per cent increase to salaries effective 1 July 2018. In its 20 November 2019 Report, the Tribunal did not issue a determination which provided a percentage increase to salaries.
- Decision of the Salaries and Allowances Tribunal of Western Australia determination dated 9 April 2019:
 - one per cent increase.
- Decision of the New South Wales Local Government Remuneration Tribunal Determination and Annual Report dated 15 April 2019:
 - 2.5 per cent increase.

¹ Source: Australian Bureau of Statistics 6401.0 - Consumer Price Index, Australia, Jun 2019; 'Summary', 'Selected Tables – Capital Cities', '2 All Groups CPI, Percentage changes', 'Percentage Change (from Previous Financial Year)'

² Source: Australian Bureau of Statistics 6401.0 - Consumer Price Index, Australia, Sep 2019; 'Summary', 'Selected Tables – Capital Cities', '2 All Groups CPI, Percentage changes', 'Percentage Change (from Corresponding Quarter of Previous Year)'

³ Source: ABS 6345.0 - Wage Price Index, Australia, Jun 2019 - All WPI series: Original (Financial Year Index Numbers for year ended June quarter)

- Decision of the Victorian Minister for Local Government:
 - two per cent increase as at 1 December 2018. It is noted the 1 December 2019 Victorian decision was unavailable at the date of determination.

In making its decision the Commission also had regard to anecdotal reports and submissions received about:

- financial pressures on councils and sustainability of their communities
- recent level of impact of natural disasters
- increased requirement for community support
- councils' role in economic development and local infrastructure
- needs of resident and non-resident populations
- increasing pressure to deliver innovative solutions
- unique qualities and complexities of diverse communities
- potential impact of government reforms, such as changes to legislation arising from the Crime and Corruption Commission's report 'Operation Belcarra: A blueprint for integrity and addressing corruption risk in local government'.

1. The Commission

Formation and composition

The Local Government Remuneration Commission (Commission) is an independent entity established under the *Local Government Act 2009* (Act). On 1 October 2019, His Excellency the Governor, acting by and with the advice of the Executive Council, approved three new appointees to the Commission for a term of four years. This is the first report of the new Commission, and the thirteenth report including the reports of the former Local Government Remuneration and Discipline Tribunal and the Local Government Remuneration Tribunal.

The current Chair and Commissioners of the Commission are:

Mr. Robert (Bob) Abbot

Chair

Mr. Abbot has extensive experience in the local government sector with 32 years as an elected councillor and mayor. Mr. Abbot has experience working at State and National local government organizations and has held board and panel positions, including Deputy Chair of the South East Queensland Council of Mayors, Director of the Local Government Association of Queensland (LGAQ), and Director of the Australian Local Government Association. Mr. Abbot has been a mentor for newly elected mayors on behalf of the LGAQ, with a particular focus on mentoring Queensland Indigenous mayors.

Ms. Andrea Ranson

Commissioner

Ms. Ranson has extensive experience in Law and Business, including public and private sector governance and supply chain industry. Ms. Ranson practiced as a senior lawyer and brings substantial experience in civil, commercial and industrial law, equal opportunity, ethics and justice. Ms. Ranson is a Nationally Accredited Mediator currently working with the Queensland Civil and Administrative Tribunal (QCAT), and a Dispute Resolution Panel Member with the Department of Justice. Ms. Ranson is also currently a Director appointed to the Board of North Queensland Bulk Ports Corporation and is a member of the Corporate Governance & Planning Committee and Audit & Financial Risk Management Committee of that Board. Ms. Ranson holds a Master of Laws, Bachelor of Laws (Honours), and Bachelor of Arts. She is also a Graduate of the AICD (GAICD) and Fellow of the Governance Institute of Australia (FGIA). Ms. Ranson has significant understanding of regional Queensland, industry sectors and stakeholder engagement. Ms. Ranson brings her business acumen, legal skill, and passion for regional communities to the role.

Mr. Reimen Hii

Commissioner

Mr. Hii is a barrister and nationally accredited mediator. He also works as a mediator with QCAT. He holds a Bachelor of Laws and Bachelor of Arts Degree and is a practicing lawyer, with extensive knowledge in public administration and community affairs, and a particular interest in civil and commercial law. Mr. Hii is experienced in professional discipline matters, including investigations, public administration, corporate and public governance, public sector ethics and finance. Mr. Hii has a culturally and linguistically diverse background and experience working with diverse communities.

Mr. Abbot, Ms. Ranson and Mr. Hii are honoured to present this inaugural 2019 report of the newly formed Commission. The Commission is committed to undertaking its duties with diligence, skill, independence and transparency over the next four years.



The Local Government Remuneration Commission

From left: Mr Reimen Hii, Ms Andrea Ranson and Mr. Robert (Bob) Abbot

Remuneration Responsibilities

Chapter 6, Part 3 of the Act, proclaimed into force on 3 December 2018, established the Local Government Remuneration Commission to assume the remuneration functions of the former Local Government Remuneration and Discipline Tribunal which ceased to exist on 3 December 2018.

Section 177 of the Act provides the functions of the Commission are:

- to establish the categories of local governments, and
- to decide the category to which each local government belongs, and
- to decide the maximum amount of remuneration payable to the councillors in each of the categories, and
- another function related to the remuneration of councillors if directed, in writing, by the Minister.

Chapter 8, Part 1, Division 1 of the Local Government Regulation 2012 (Regulation) sets out the processes of the Commission in deciding the remuneration that is payable to councillors.

The Regulation requires the Commission to review the categories of local governments once every four years, in the year prior to each quadrennial election, to determine whether the categories and the assignment of local governments to those categories require amendment.

After determining the categories of local governments, the Regulation also requires the Commission to decide annually, before 1 December each year, the maximum amount of remuneration to be paid to mayors, deputy mayors and councillors in each category from 1 July of the following year.

In addition, section 248 of the Regulation allows a local government to make a submission to the Commission to vary the remuneration for a councillor, or councillors, to a level higher than that stated in the remuneration schedule where the local government considers exceptional circumstances apply. The Commission may, but is not required to, consider any such submission. If the Commission is satisfied that exceptional circumstances exist, the Commission may approve payment of a higher amount of remuneration.

The Former Local Government Remuneration and Discipline Tribunal

The Commission acknowledges the substantive contribution of the 2007-2018 former Tribunal/s to develop the local government remuneration schedule and category system.

The key milestones of the 2007 and subsequent Tribunals has been well documented and comprehensive history around decision making and rationale can be found in each of the 2007-2018 Tribunal Reports.

The Commission will, as stated in this report, undertake a comprehensive category review within the first 12 months following the quadrennial local government elections in March 2020. It is expected that during this review, the Commission will reference historic decision making and reasoning in relation to issues as appropriate.

2. Remuneration determination

Remuneration determination for councillors

As required by section 246 of the Regulation the Commission has prepared a remuneration schedule for the 2020-2021 financial year, applicable from 1 July 2020 (the Schedule), which appears below.

Arrangements have been made to publish the Schedule in the Queensland Government Gazette and for this report to be printed and presented to the Minister for Local Government.

Methodology

The Commission had regard to the matters in section 244 and 247 (2), (5) of the Regulation in determining the Schedule. The Commission also noted and had regard to the matters listed on page 2 of this Report to determine the appropriate maximum remuneration in each category of local government.

The Commission notes it did not receive any specific submissions from councils in relation to setting the remuneration schedule for the 2020-2021 financial year and has continued to adopt a conservative approach to setting remuneration levels.

Matters not included in the remuneration schedule

Section 244(3) of the Regulation states that the remuneration cannot include:

- any amount for expenses to be paid or facilities to be provided to councillors under a council's expenses reimbursement policy; or
- any contribution a local government may make to a voluntary superannuation scheme for councillors.

During the 2019 consultation period, Barcaldine Regional Council sought clarification of the role of the Commission to direct payment of compulsory superannuation payments to councillors.

The Commission notes section 244(3) of the Regulation states the remuneration decided by the Commission cannot include “voluntary superannuation scheme for councillors”. In this regard, the Commission has determined that it has no power to direct matters relating to the structure, payment or otherwise of voluntary schemes, including salary sacrifice or other salary packaging.

Page 11 of the 2018 Tribunal Report considered the issue of superannuation, commenting:

“Accordingly, the level of superannuation payments made to a councillor is a matter to be determined by each individual council having regard to the relevant Commonwealth legislation and section 226 of the Act, as is the issue of whether a councillor may salary sacrifice such contributions”.

The Commission notes there is precedent where Queensland local governments have paid superannuation to councillors. While this may be the case, the Commission notes the payment of compulsory or voluntary superannuation payments to councillors falls outside of its statutory functions and the Commission is unable to make a determination to direct council in relation to superannuation.

The Commission has informed Barcaldine Regional Council of this determination.

Pro rata payment

Should an elected representative hold a councillor position for only part of a financial year, she or he is only entitled to remuneration to reflect the portion of the year served.

Remuneration schedule to apply from 1 July 2020

| Category | Local governments assigned to categories | Remuneration determined (from 1 July 2020) | | |
|-----------------------------------|---|---|--------------|------------|
| | | (\$ per annum; see Note 1) | | |
| | | Mayor | Deputy mayor | Councillor |
| Category 1 (see Note 2) | Aurukun Shire Council Balonne Shire Council Banana Shire Council Barcaldine Regional Council Barcoo Shire Council Blackall-Tambo Regional Council Boulia Shire Council Bulloo Shire Council Burdekin Shire Council Burke Shire Council Carpentaria Shire Council Charters Towers Regional Council Cherbourg Aboriginal Shire Council Cloncurry Shire Council Cook Shire Council Croydon Shire Council Diamantina Shire Council Doomadgee Aboriginal Shire Council Douglas Shire Council Etheridge Shire Council Flinders Shire Council Goondiwindi Regional Council Hinchinbrook Shire Council Hope Vale Aboriginal Shire Council Kowanyama Aboriginal Shire Council Lockhart River Aboriginal Shire Council Longreach Regional Council Mapoon Aboriginal Shire Council McKinlay Shire Council Mornington Shire Council Murweh Shire Council Napranum Aboriginal Shire Council North Burnett Regional Council Northern Peninsula Area Regional Council Palm Island Aboriginal Shire Council Paroo Shire Council Pormpuraaw Aboriginal Shire Council Quilpie Shire Council Richmond Shire Council Torres Shire Council Torres Strait Island Regional Council Winton Shire Council Woorabinda Aboriginal Shire Council Wujal Wujal Aboriginal Shire Council Yarrabah Aboriginal Shire Council | \$108,222 | \$62,435 | \$54,110 |
| Category 2 | Mareeba Shire Council Mount Isa City Council Somerset Regional Council | \$124,869 | \$74,923 | \$62,435 |

| | | | | |
|-------------------|--|-----------|-----------|-----------|
| Category 3 | Cassowary Coast Regional Council Central Highlands Regional Council Gympie Regional Council Isaac Regional Council Livingstone Shire Council Lockyer Valley Regional Council Maranoa Regional Council Noosa Shire Council Scenic Rim Regional Council South Burnett Regional Council Southern Downs Regional Council Tablelands Regional Council Western Downs Regional Council Whitsunday Regional Council | \$133,196 | \$83,247 | \$70,759 |
| Category 4 | Bundaberg Regional Council Fraser Coast Regional Council Gladstone Regional Council Rockhampton Regional Council | \$158,168 | \$104,059 | \$91,571 |
| Category 5 | Cairns Regional Council Mackay Regional Council Redland City Council Toowoomba Regional Council | \$183,143 | \$124,869 | \$108,222 |
| Category 6 | Ipswich City Council Townsville City Council | \$208,117 | \$141,520 | \$124,869 |
| Category 7 | Logan City Council Moreton Bay Regional Council Sunshine Coast Regional Council | \$233,091 | \$161,499 | \$141,520 |
| Category 8 | Gold Coast City Council | \$258,066 | \$178,981 | \$154,006 |

Notes to the remuneration schedule

In its 2014 report the then Tribunal explained the rationale behind the adoption of a system of remuneration which comprised a base payment (of two thirds of the annual remuneration) and a monthly payment based upon attendance at, and participation in, the 12 mandated council meetings.

Note 1 The monetary amounts shown are the per annum figures to apply from 1 July 2020. If an elected representative only serves for part of a full year (that is, 1 July to 30 June) they are only entitled to a pro rata payment to reflect the portion of the year served.

Note 2 For councillors in Category 1 councils, a base payment of \$36,073.28 is payable for the 12 months commencing on 1 July 2020. A meeting fee of \$1,503.06 per calendar month (or fortnightly equivalent) is payable for attendance at, and participation in, scheduled meetings of council subject to certification by the mayor and/or chief executive officer of the council. Mayors and deputy mayors in category 1 councils are to receive the full annual remuneration level shown.

3. Determination of Categories pursuant to s. 177 of the Act

As noted above, Chapter 8, Part 1, Division 1 of the Regulation sets out the processes which the Commission is required to observe in deciding the remuneration that is payable to councillors.

Section 241 of the Regulation states the Commission must establish categories of local governments to enable the Commission to decide the maximum amounts of remuneration that are payable to mayors and other councillors in each of the categories.

Determination

The Commission has reviewed the current categories and decided not to make any change in this current review. The Commission will undertake a comprehensive category review within the first 12 months following the quadrennial local government elections in March 2020.

In reaching this decision, the Commission has carefully considered all nine (9) submissions received by it (set out below) during the review period.

The former Tribunal also reported two outstanding determinations to be considered by the newly formed Commission in 2019:

1. Isaac Regional Council (page 11-12, 2018 Tribunal Report) – council requested that the former Tribunal consider the current remuneration of mayors of councils in Category 3 to ensure it reflected full time hours for the mayor. The submission proposed that in order to achieve this, existing Category 3 councils be divided into two new categories, namely Category 3A and 3B.

Determination: *The Commission notes a further submission was made by council during the 2019 deputation review period which largely reflected the submission made to the former Tribunal. The Commission has determined not to make any changes in this current review. The Commission will undertake a comprehensive review within the first 12 months following the quadrennial local government elections in 2020.*

2. Moreton Bay Regional Council (page 12, 2018 Tribunal Report) - oral submission from Moreton Bay Regional Council requesting the Tribunal to establish a process for allowances and expenditure for councillor's similar to that of Queensland MPs.

Determination: *The Commission did not receive any further submission during the 2019 consultation period from Moreton Bay Regional Council (about this or any other matter). The Commission has determined not to make any changes in this current review and has further determined on the basis of the information available to it that the submission falls outside of its statutory remit.*

Matters raised with the Commission during the remuneration review program

A summary table of submissions made to the Commission during the review period and the Commission's determination is provided below.

Meetings and deputations

Local governments were provided with the opportunity to meet with the Commission at the 123rd Annual Conference of the LGAQ at the Cairns Convention Centre on Tuesday 15 October 2019. Commissioners were also available to engage with councils at the LGAQ Conference from Monday 14 October 2019 to Wednesday 16 October 2019 inclusive.

Oral submissions were received by the Commission in the form of deputations during this period. Written submissions were further received by the Commission on or before the due date for submissions on 28 October 2019.

In making its determination, the Commission had regard to the submissions it received, together with the matters on page 2 (summary) of this report.

Key points raised with the Commission during the 2019 review period included increasing demands on council in relation to sustainability, industry and innovation, potential recognition of differential councillor workload, structuring the payment of meeting fees and superannuation.

Table – Summary of 2019 Submissions

| 1 | Date Received | Oral – LGAQ Annual Conference 15 October 2019 Written – 1 October 2019 |
|----------|------------------------------|--|
| | Received from | Boulia Shire Council; Mayor Eric (Rick) Britton; Deputy Mayor Rebecka (Beck) Britton |
| | Summary of submission | Currently Category 1 The council wished to affect a change in the remuneration to councillors (this does not affect the mayor or deputy mayor). Submitted that there is a need to review Meeting Fees to ensure performance. CEO stated that the submission “while unusual, it is supported by councillors who are happy to adopt the proposal that councillors are only paid if they attend a Meeting and not otherwise”. Council identified disparity in workloads amongst councillors, with some councillors agreeing that they are limited in time/ability to attend all meetings and agreeing they should not be paid. |
| | Determination | The Commission considers it cannot approve the request for differential remuneration as submitted by council as s247 (5) of the Regulation provides that the amount of remuneration for each councillor (other than a mayor or deputy mayor) must be the same. |
| 2 | Date Received | Oral – LGAQ Annual Conference 15 October 2019 |
| | Received from | Flinders Shire Council; Mayor Jane McNamara; Cr Arthur (Bill) Bode; CEO Daryl Buckingham |
| | Summary of submission | Currently Category 1 General discussion regarding financial sustainability and community expectations around maximum remuneration of councillors. Submission that remuneration be reviewed every 4 years instead of annually. |

| | | |
|----------|------------------------------|---|
| | Determination | s. 244(1) of the Regulation requires that the Commission must review and decide on remuneration rates before 1 December each year. |
| 3 | Date Received | Oral – LGAQ Annual Conference 15 October 2019 Written – 28 October 2019 |
| | Received from | Central Highlands Council; Deputy Mayor Gail Godwin-Smith; CEO Scott Mason |
| | Summary of submission | Currently Category 3 Requested new category be considered between Category 3 and 4 by inserting Category 3(a) and Category 3(b). Council submitted that it does not consider it can justify being within Category 4 but that it can be differentiated from Category 3. The following factors were relied upon in council's submission: (a) geographic > 50,000 square km's; (b) population > 30,000 (c) diversity in population centers (d) significant industry diversity and engagement Council identified that similar challenges facing both Central Highlands and Isaac Regional Council supported the creation of two new categories. Key issues raised in support of council's submission included increased (and significant) demand particularly around the resource and agricultural sectors, infrastructure growth, innovation and regional sustainability. Discussed issues relating to resident and non-resident population demands creating additional workload and whether councillors could properly be considered as 'part-time' given increasing community and industry expectations for council regarding regional sustainability. |
| | Determination | The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories. |
| 4 | Date Received | Oral – LGAQ Annual Conference 15 October 2019 Written – 24 October 2018 and 28 October 2019 |
| | Received from | Isaac Regional Council; Deputy Mayor Kelly Vea Vea, Mary-Anne Uren, Senior Advisor Submission stated to relate to increased remuneration for mayor only. |
| | Summary of submission | Requested new category be considered between Category 3 and 4 by inserting Category 3(a) and Category 3(b). Council submitted that it does not consider it can justify being within Category 4 but that it can be differentiated from Category 3 and identified the following key issues in support of council's submission: (a) geographic > 50,000 square km's (b) population > 30,000 (c) diversity in population centers (d) significant industry diversity and engagement. Council identified similar challenges facing Central Highlands Council. In relation to Isaac Regional Council, council submitted that in the 2018-2019 financial year, the mayor of Isaac attended 496 meetings inside the local government area, and 50 meetings outside of the local government area, travelling a total of 32,651km. Council further submitted that it has 26 operating mines in the local government area with significant (increasing) workload arising from both the resource and agricultural sectors |

| | | |
|---|------------------------------|---|
| | Determination | <p>including increased expectations around stakeholder engagement and regional sustainability. Council identified increased community expectations regarding procurement and employment, and community expectations for engagement and support across a range of issues including drought.</p> <p>The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories.</p> |
| 5 | Date Received | <p>Oral – LGAQ Annual Conference 15 October 2019</p> <p>Written – 29 October 2019</p> |
| | Received from | Sunshine Coast Regional Council; Deputy Mayor Tim Dwyer; CEO Michael Whittaker; Chief of Staff Craig Matheson |
| | Summary of submission | <p>Current Category 7</p> <p>Noted that Commission Chair, Mr. Bob Abbot, was a former mayor of the Sunshine Coast Regional Council from 2008-2012. Chair declared that he had no conflict of interest or material personal interest and remained in the room.</p> <p>Commissioners Ranson and Hii determined that given the declaration from the Chair, and in the absence of any actual or perceived material personal interest of the Chair, that it was appropriate for the Chair to remain to receive the deputation and deliberate.</p> <p>Council submitted that it was supportive of the current category system and that it wished to remain in Category 7.</p> |
| | Determination | The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories. |
| 6 | Date Received | Oral – LGAQ Annual Conference 15 October 2019 |
| | Received from | Barcaldine Regional Council; Mayor Rob Chandler |
| | Summary of submission | <p>Category 1</p> <p>Submission that the Commission consider superannuation for councillors, particularly the mayor.</p> |
| | Determination | The payment of compulsory or voluntary superannuation payments to councillors falls outside the Commission's statutory functions. |
| 7 | Date Received | Written – 24 October 2019 |
| | Received from | Western Downs Regional Council |
| | Summary of submission | Submission that satisfied with current category system and wished to remain at Category 3. |
| | Determination | The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories. |

| | | |
|---|------------------------------|--|
| 8 | Date Received | Written – 25 October 2019 |
| | Received from | Toowoomba Regional Council |
| | Summary of submission | Submission to elevate council from current Category 5 to Category 6. Currently in the same category as Cairns, Mackay, Redland, however, Toowoomba submitted that it is more appropriately benchmarked on a variety of measures, with those in Category 6, specifically Ipswich and Townsville. |
| | Determination | The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories. |
| 9 | Date Received | Oral submission Referred from Previous Commission – 2018 Report |
| | Received from | Moreton Bay Regional Council |
| | Summary of submission | In its final report, the former Tribunal referred the submission to the newly formed Commission. The submission argued that there was a lack of consistency between the levels of government (Queensland Members of Parliament and local government councillors) which can be seen, for example, in community events where councillors are required to pay to attend events themselves, while state MPs may pay for it out of their allowance. |
| | Determination | The Commission did not receive any further submission during the 2019 consultation period and notes that this request is outside of its remit. |

4. Other activities of the Commission

Exceptional circumstances carried over from the former Local Government Remuneration and Discipline Tribunal:

On 1 November 2018, following the suspension of the then Mayor of Doomadgee Aboriginal Shire Council, the council sought approval to vary the remuneration of the acting mayor (Councillor Jason Ned) until the end of the elected members term or until the mayor is either removed from office or the suspension concludes. The request was made prior to the formation of the current Commission. The former Tribunal wrote to council seeking clarifying information and carried this matter over for determination by the newly formed Commission.

Following receipt of the confirmed minutes from the council showing the resolution, the Commission considered and approved the request to increase the remuneration and back pay Cr Jason Ned.

The Commission has advised Doomadgee Aboriginal Shire Council of this decision.

5. Commission's future priorities

The Commission will invite further consultation and submissions from councils in the first year of the elected term for councillors following the 2020 local government elections. The purpose will be to ascertain whether any change following a further comprehensive category review may be warranted in that year, rather than waiting until the next quadrennial review due on 1 December 2023.

Further information about the Commission and/or the Councillor Conduct Tribunal can be located at www.dlgrma.qld.gov.au

Local Government Remuneration Commission
PO Box 15009
City East Qld 4002

1 William Street
Brisbane Qld 4000

email LGRcenquiries@dlgrma.qld.gov.au
phone 07 3452 6735

www.dlgrma.qld.gov.au

OFFICER REPORT**Meeting:** Ordinary 22 April 2020**Date:** 18 April 2020**Item Number:** 10.4**File Number:** D20/33884**SUBJECT HEADING:** Elected Members - PAYG/Eligible Local Governing Body**Classification:** Open Access**Officer's Title:** Director - Corporate & Community Services**Executive Summary:**

Councillors are not regarded as employees for taxation purposes. However, under section 446-5 of the *Tax Administration Act 1953* (TAA), Council may resolve to be an 'eligible local governing body' meaning that Councillors will be regarded as employees for the purpose of Pay As You Go withholding. This would also result in Councillors being treated as employees for superannuation and a wide range of other taxation purposes.

Officer's Recommendation:

That Council not be considered as an Eligible Local Governing Body under the Tax Administration Act 1953 for taxation purposes.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Elected Members 2020-24 Term

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

| Acronym | Description |
|---------|------------------------------------|
| TAA | <i>Tax Administration Act 1953</i> |

Context:

Why is the matter coming before Council?

Under section 446-5 of the *Tax Administration Act 1953* (TAA), Council may resolve to be an 'eligible local governing body' meaning that Councillors will be regarded as employees and Council would therefore be required to deduct income tax at the appropriate rate.

This matter is coming before the newly elected Council for consideration.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

Councillors are not regarded as employees for taxation purposes. This means a Council is not obliged to deduct income tax from Councillor remuneration paid.

Under section 446-5 of the *Tax Administration Act 1953* (TAA), Council may resolve to be an 'eligible local governing body'. By resolving to be an 'eligible local governing body' all Councillors would be regarded as employees and Council would therefore be required to deduct income tax at the appropriate rate.

The resolution also affects the operations of other provisions of the TAA and particular provisions of the *Fringe Benefits Tax Assessment Act 1986*, *Income Tax Rates Act 1986* and *Child Support (Registration and Collection) Act 1988* and *A New Tax System (Goods and Services Tax) Act 1999*.

Furthermore, for the purposes of the *Superannuation Guarantee Charge (Administration) Act 1992*, Council would then be required to make the minimum mandatory employer contributions and individual Councillors would therefore not have the ability to claim any tax deduction in respect of personal superannuation contributions (unless their Council income is less than 10% of their total income).

For the resolution to be successful it must be unanimous; meaning that all Councillors must vote in favour of the resolution.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration?

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Taxation Administration Act 1953

Chapter 5 Administration

Part 5-45 Application of taxation laws to certain entities

Division 446—Local governing bodies

Guide to Division

446-1 What this Division is about

A local governing body can resolve that its members are subject to Pay As You Go withholding. This also results in the members being treated as employees for a wide range of other taxation purposes.

Table of sections

Operative provisions

446-5 Requirements for unanimous resolutions by local governing bodies

When section applies

*(1) This section applies to the following unanimous resolutions made by a *local governing body:*

(a) a resolution that the remuneration of members of the body be subject to withholding under Part 2-5 (about Pay As You Go withholding);

(b) a resolution cancelling a resolution covered by paragraph (a).

When resolution takes effect

(2) The resolution must specify a day as the day on which the resolution takes effect. The specified day must be within the 28-day period beginning on the day after the day on which the resolution was made.

Resolution not affected by change in membership of body

*(3) The resolution continues in force in spite of a change in the membership of the *local governing body.*

Commissioner to be notified of resolution

*(4) The *local governing body must give written notice of the resolution to the Commissioner within 7 days after the resolution was made.*

Eligible local governing bodies to be notified in Gazette

(5) If the Commissioner is notified of the resolution, the Commissioner must cause to be published in the Gazette a notice setting out:

*(a) the name of the *local governing body; and*

(b) the day on which the resolution takes effect.

When resolution applies for purposes of affected provisions

Refer to table in Attachment.

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

N/A

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Nil

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

N/A

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

No budget implications where Council resolves not to be considered an Eligible Local Governing Body.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

No budget implications where Council resolves not to be considered an Eligible Local Governing Body.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?

(Interested Parties Analysis - IS9001:2015)

Not Applicable

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

| Risk | Description of likelihood & consequences |
|---|---|
| Councillors are not regarded as employees | Consequence: By resolving to be considered an Eligible Local Government Body, elected members would be treated as employees for PAYG withholding and a wide range of other taxation purposes. |

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

The officer recommends that Council resolve not to be considered an Eligible Local Governing Body under the *Tax Administration Act 1953*.

Recommendation:

What is the 'draft decision' based on the advice to Council?

That Council not be considered an Eligible Local Governing Body under the *Tax Administration Act 1953* for taxation purposes.

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

No

Link to Operational Plan Function:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.1 Elected members

Supporting Documentation:



1 Extract - Taxation Administration Act 1953 - Division 446 D20/33704



- Local governing bodies

Report authorised by:

Chief Executive Officer

Collection and recovery of income tax and other liabilities **Schedule 1**
 Administration **Chapter 5**
 Application of taxation laws to certain entities **Part 5-45**

Section 446-1

Division 446—Local governing bodies

Guide to Division

446-1 What this Division is about

A local governing body can resolve that its members are subject to Pay As You Go withholding. This also results in the members being treated as employees for a wide range of other taxation purposes.

Table of sections

Operative provisions

446-5 Requirements for unanimous resolutions by local governing bodies

Operative provisions

446-5 Requirements for unanimous resolutions by local governing bodies

When section applies

- (1) This section applies to the following unanimous resolutions made by a *local governing body:
 - (a) a resolution that the remuneration of members of the body be subject to withholding under Part 2-5 (about Pay As You Go withholding);
 - (b) a resolution cancelling a resolution covered by paragraph (a).

When resolution takes effect

- (2) The resolution must specify a day as the day on which the resolution takes effect. The specified day must be within the

*For definition, see section 995-1 of the *Income Tax Assessment Act 1997*.

Schedule 1 Collection and recovery of income tax and other liabilities**Chapter 5** Administration**Part 5-45** Application of taxation laws to certain entities**Section 446-5**

28-day period beginning on the day after the day on which the resolution was made.

Resolution not affected by change in membership of body

- (3) The resolution continues in force in spite of a change in the membership of the *local governing body.

Commissioner to be notified of resolution

- (4) The *local governing body must give written notice of the resolution to the Commissioner within 7 days after the resolution was made.

Eligible local governing bodies to be notified in Gazette

- (5) If the Commissioner is notified of the resolution, the Commissioner must cause to be published in the *Gazette* a notice setting out:
- (a) the name of the *local governing body; and
 - (b) the day on which the resolution takes effect.

When resolution applies for purposes of affected provisions

- (6) This table sets out when the resolution applies for the purposes of particular provisions whose operation it affects.

| When the resolution applies | | |
|------------------------------------|--|--|
| Item | If the resolution affects the operation of ... | the resolution applies to ... |
| 1 | section 12-45 | amounts that become payable after the day on which the resolution takes effect |
| 2 | Subdivision AB of Division 17 of Part III of the <i>Income Tax Assessment Act 1936</i> (about tax offset for lump sum payments in arrears) | *ordinary income *derived, and amounts that become *statutory income, after the day on which the resolution takes effect |

*For definition, see section 995-1 of the *Income Tax Assessment Act 1997*.

Collection and recovery of income tax and other liabilities **Schedule 1**
Administration **Chapter 5**
Application of taxation laws to certain entities **Part 5-45**

Section 446-5

| When the resolution applies | | |
|-----------------------------|--|---|
| Item | If the resolution affects the operation of ... | the resolution applies to ... |
| 3 | sections 26-30 and 34-5 of the <i>Income Tax Assessment Act 1997</i> (about deductions for relatives' travel expenses and non-compulsory uniforms) | expenditure incurred after the day on which the resolution takes effect |
| 4 | Divisions 28 and 900 of the <i>Income Tax Assessment Act 1997</i> (about car expenses and substantiation) | expenses incurred after the day on which the resolution takes effect |
| 5 | section 130-80 of the <i>Income Tax Assessment Act 1997</i> (about capital gains tax and employee share trusts) | *shares and rights to which a beneficiary becomes absolutely entitled after the day on which the resolution takes effect |
| 6 | provisions of the <i>Fringe Benefits Tax Assessment Act 1986</i> relating to assessments | <p>(a) in the case of a loan benefit within the meaning of the <i>Fringe Benefits Tax Assessment Act 1986</i>—a loan made after the day on which the resolution takes effect;</p> <p>(b) in the case of a housing benefit within the meaning of that Act—the subsistence, after the day on which the resolution takes effect, of the housing right concerned;</p> <p>(c) in the case of a residual benefit within the meaning of that Act that is *provided during a period—so much of the period as occurs after the day on which the resolution takes effect;</p> <p>(d) any other *fringe benefit provided after the day on which the resolution takes effect.</p> |

*For definition, see section 995-1 of the *Income Tax Assessment Act 1997*.

Taxation Administration Act 1953

541

Compilation No. 166

Compilation date: 24/03/2020

Registered: 02/04/2020

Schedule 1 Collection and recovery of income tax and other liabilities**Chapter 5** Administration**Part 5-45** Application of taxation laws to certain entities

Section 446-5

| When the resolution applies | | |
|-----------------------------|---|--|
| Item | If the resolution affects the operation of ... | the resolution applies to ... |
| 7 | Division 4 of Part II of the <i>Income Tax Rates Act 1986</i> (about pro-rating the tax-free threshold) | amounts that become assessable income after the day on which the resolution takes effect |
| 8 | the provisions of the <i>Child Support (Registration and Collection) Act 1988</i> | *ordinary income *derived, and amounts that become *statutory income, after the day on which the resolution takes effect |
| 9 | section 9-20 of the *GST Act (about the meaning of <i>enterprise</i>) | activities, or series of activities, done after the day on which the resolution takes effect |
| 10 | Division 111 of the *GST Act (about reimbursement of employees) | reimbursements made after the day on which the resolution takes effect |

*For definition, see section 995-1 of the *Income Tax Assessment Act 1997*.

OFFICER REPORT

Meeting: Ordinary 22 April 2020

Date: 17 April 2020

Item Number: 10.5

File Number: D20/33805

SUBJECT HEADING: Councillor Superannuation

Classification: Open Access

Officer's Title: Director - Corporate & Community Services

Executive Summary:

This report is to consider the provision of superannuation benefits for Councillors.

Officer's Recommendation:

That Council:

1. Take part in a superannuation scheme for its Councillors.
2. Pay contributions proportionate to contributions paid by Council to the Local Government Superannuation Scheme for its standard permanent employees on behalf of each Councillor.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Elected Members

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

| Acronym | Description |
|---------|-------------|
| Nil | |

Context:

Why is the matter coming before Council?

The report seeks to establish the new Council's policy position on Councillor superannuation contributions.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

Council may resolve to make superannuation contributions for its Councillors to an approved fund under section 226 of the *Local Government Act 2009*.

Superannuation contributions for Councillors can be made to LGIA Super or to any other superannuation fund that complies with the Commonwealth Super Act. The Council contributions must not be more than the proportion of salary paid by Council to the Local Government Superannuation Scheme (LGIA Super) for its standard permanent employees - currently 12%.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration?

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Local Government Act 2009

226 Super scheme for councillors

(1) *A local government (other than the Brisbane City Council) may, for its councillors*

–

(a) establish and amend a superannuation scheme; or

(b) take part in a superannuation scheme.

Note - For a similar power of the Brisbane City Council, see the City of Brisbane Act 2010, section 210.

(2) *If it does so, the local government may pay an amount from its operating fund to the superannuation scheme as a contribution for its councillors.*

(3) *However, the local government must not make contributions to the superannuation scheme –*

(a) of more than the proportion of a salary that is payable by the local government for its standard permanent employees under this part; or

(b) for a person who is no longer a councillor.

(4) *A councillor of the local government may enter into an arrangement with the local government under which –*

(a) the councillor agrees to forgo a percentage or amount of the remuneration that the councillor is entitled to as a councillor; and

(b) the local government agrees to contribute the percentage or amount to the superannuation scheme for the councillor.

(5) A superannuation scheme is a superannuation scheme that complies with the Commonwealth Super Act.

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

N/A

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

LGIA Information Sheet – Superannuation for Councillors

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

N/A

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

12% based on current remuneration levels (prorata)

Mayor \$3,013.48

Deputy Mayor \$1,883.42

Councillor \$1,600.89

The cost for elected members based on 12% of current remuneration for the new term of Council to 30 June 2020 is \$16,103.13.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Estimate:

12% based on current remuneration levels:

Mayor \$ 15,670.08

Deputy Mayor \$ 9,793.80

Councillor \$ 8,324.64

The total annual cost for elected members based on 12% of current remuneration is \$83,736.36.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?

(Interested Parties Analysis - IS9001:2015)

N/A

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

| Risk | Description of likelihood & consequences |
|-------------|---|
| Legislative | The recommendation is in accordance with the provisions of section 226 of the <i>Local Government Act 2009</i> for Councillors' superannuation contributions. |

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

That Council consider taking part in a superannuation scheme for its Councillors in accordance with section 226 of the *Local Government Act 2009*.

Recommendation:

What is the 'draft decision' based on the advice to Council?

That Council:

1. Take part in a superannuation scheme for its Councillors.
2. Pay contributions proportionate to contributions paid by Council to the Local Government Superannuation Scheme for its standard permanent employees on behalf of each Councillor.

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

No

Link to Operational Plan Function:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.1 Elected members

Supporting Documentation:



LGIA Superannuation-for-Councillors-Info-Sheet July
2019

D20/33709

Report authorised by:
Chief Executive Officer

Info sheet

July 2019



SUPERANNUATION FOR COUNCILLORS

This info sheet reflects LGIAsuper's understanding of provisions of the Local Government Act 2009 and tax law. It does not apply to Brisbane City Council councillors or any other LGIAsuper member.

Do councils pay superannuation for their councillors?

Councillors are not generally regarded as employees for taxation and superannuation purposes. This means a council is generally not obliged to pay superannuation contributions for councillors.

However, where a council resolves unanimously to be an 'eligible local governing body' under the *Taxation Administration Act* councillors are regarded as employees and superannuation guarantee contributions (9.5% of ordinary time earnings) must be paid. If a council has not resolved to be an eligible local governing body, it is up to the council to decide whether it will make super contributions for the councillor. A maximum contribution rate of 12% applies (see section 226 of the *Local Government Act 2009* for details).

Under advice from the Australian Taxation Office dated 13 August 2007, councillors may enter into agreements with councils to sacrifice their remuneration into super. Such contributions are treated the same way as employer contributions. This means they are taxed at 15% and count toward the concessional contributions cap.

Tax deduction for personal contributions

Everyone under age 65 and those aged 65 to 74 who satisfy the work test can claim a tax deduction for their personal contributions. If you are between 65 and 74 and your total super balance is below \$300,000 you can contribute voluntary contributions (once only) from the end of the financial year in which you last met the work test. Personal contributions are made

from after-tax money and can be paid as a lump sum or as a regular contribution. When claimed as a tax deduction they will count towards the concessional contributions cap and will be taxed at 15%. For more information visit our website or give us a call. Our *Tax deduction for personal contributions info sheet* has more information.

Salary sacrifice arrangements

Under section 226(4) of the *Local Government Act 2009*, councillors can salary sacrifice part of councillor remuneration in pre-tax superannuation contributions. These salary sacrifice contributions are treated as employer contributions from the council.

For a salary sacrifice arrangement to be effective for taxation purposes, it must take the form of a written agreement that relates only to prospective earnings. If the agreement attempts to include income earned prior to the date of the agreement, it will be treated as ineffective and the income will be taxed as ordinary earnings.

Seek professional help

We recommend councils seek professional help when determining the best strategies for superannuation and councillors.

Any questions?

We're here to help. Our trusted and reliable team can work with you to grow your savings and plan a strong financial future. Call us on **1800 444 396** or visit our website at **lgiasuper.com.au**.

OFFICER REPORT

Meeting: Ordinary 22 April 2020

Date: 17 April 2020

Item Number: 10.6

File Number: D20/33696

SUBJECT HEADING: Position of Chief Executive Officer

Classification: Open Access

Officer's Title: Chief Executive Officer

Executive Summary:

With the commencement of the new term of Council, this report provides the opportunity for Council to consider the Chief Executive Officer position.

Officer's Recommendation:

That the new term of Council formally consider its position in relation to the continuation of the current officer's contract of employment.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Chief Executive Officer

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

| Acronym | Description |
|---------|-------------------------|
| CEO | Chief Executive Officer |

Context:

Why is the matter coming before Council?

A meeting was initiated with the report's author (CEO) by the Mayor and Deputy Mayor on the afternoon of 16 April 2020. As a consequence of that meeting the following report has been prepared to provide the opportunity for Council to formally consider the Chief Executive Officer position.

The CEO role is different to that of Councillors, with Councillors being the elected representatives, leaders and collective decision makers for the community. It is the elected Council of the day that sets the direction, priorities and policies for and on behalf of the community, rather than the CEO and employees.

Similar to the role of Town Clerk in the earlier years, the CEO is the administrative head of the employees, and not a political position. The blue print for the organisation is clearly set by the elected Council.

Historically, the position also played a key role in passing on (across multiple Council terms), the cumulative experiences, learnings and knowledge of Council operations and what had gone before.

When I (CEO) commenced in August 2012, approximately 4 years after amalgamation, Maranoa Regional Council had already had:

- 2 CEOs; and
- Multiple interim or acting CEOs on multiple occasions.

At that time Council was still trying to bring 5 organisations together as one. This was on top of:

- major flood restoration efforts after 4 significant flood events in 3 years; and
- acceleration of activity resulting from the resource sector.

This was then followed by the fall in activity after the boom and an extended period of drought.

Given the decision to amalgamate was not the Council's, there was a continuing importance placed by Council on retaining services in local communities, while still leveraging the strength that comes when the region works together as one.

With the challenges faced in Council's formative years, it had been a particularly unsettling time for the organisation not having continuity of leadership for its employees and the day to day local government operations.

For the two successive terms of Council there have also been significant changes in the composition of the Council (with the majority of the Councillors being new to the role of Councillor and new to the local government environment).

- 2016-2020 – At the start of the term, there were **5** new Councillors – Cr Golder (Mayor), Cr Robyn Bryant, Cr Puddy Chandler, Cr Geoff McMullen and Cr Janelle Stanford.
- 2020-2024 – At the start of this term, there are **6** new Councillors – Cr John Birkett, Cr Mark Edwards, Cr Julie Guthrie, Cr Johanne Hancock, Cr George Ladbrook and Cr Wendy Taylor.

With a large number of new Councillors comes new ideas, but also a significant loss of local government knowledge and experience. It takes time to build an understanding of the inherent complexities of today's local government environment, and how much of what we do is governed and influenced by other tiers of government.

In addition to the many new faces around the Council table, Maranoa Regional Council, like many others across the globe, are now facing a health and economic crisis, which is impacting every part of our operations.

It would be especially difficult to navigate (organisationally and personally), if there is uncertainty also about the future of the CEO position.

It is recognised that many prospective candidates across the last two elections will not have had any first hand knowledge of me as a person or my work experience, qualifications or work ethic. Many opinions in the community may have even been formed solely from rumours or misinformation.

Irrespective though of how the views have been formed, it is imperative that Council have the opportunity to consider how it wishes to proceed with the role. This will provide the organisation with clear leadership at this critical time.

As the Council and the community may understand, it is difficult to make decisions when the future is uncertain, both from a professional and personal perspective.

There is no doubt that my first term with Council was challenging from day 1 because of the enormity of the tasks that lay ahead.

The second term was challenging for different reasons, and the future will no doubt bring with it a new set of challenges.

I know that there are currently already rumours that I have resigned, however that is not my intent. Having started in local government approximately 3 decades ago, I have worked with many mayors and councillors, and I hope to continue to do so in the years to come.

However, for the benefit of the organisation as a whole, and for me personally, it is requested that certainty be provided at the earliest opportunity.

It is requested therefore that the new term of Council formally consider at this meeting its position in relation to the continuation of my current contract of employment.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

The current contract is due to run through to 1 March 2022, however there is a clause that was included in the contract that enables the contract to be terminated for any reason (other than for matters related to performance or conduct) with a notice period or the equivalent payment in lieu thereof.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration? (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Once appointed, the conditions of employment are governed by an employment contract.

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

Not applicable.

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

- King and Company – report reviewed and confirmed that Council's legal options are **Option 1** and **Option 2** as detailed in the Recommendation.
- Mayor and Deputy Mayor – in agreeance with the report coming to the first meeting of Council.

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

Not applicable.

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

The normal salaries and wages budget incorporates the annual remuneration package for the position. Provisions for payment of accrued leave entitlements would be no different to any other employees upon completion of their time with Council.

If Council elects to terminate the contract, the financial implications would be dependent on the arrangements Council decides to make for an Acting Chief Executive Officer while the recruitment is underway – i.e. whether that would be an existing employee on higher duties or an additional temporary employee.

In any event there is some flexibility in the budget for the Executive Leadership Team, with one position currently vacant.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

This will be a matter for Council. The writer cannot provide comment on Council's plans for the position or the broader Executive Leadership Team.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns? (Interested Parties Analysis - IS9001:2015)

Not applicable.

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

The following table summarises possible risks with a change in the position.

| Risk | Description of likelihood & consequences |
|---|--|
| Loss of corporate knowledge | Having commenced in the role on 23 August 2012, this would be an inevitable outcome after more than 7 years in the role. |
| Lead time for attraction, recruitment, induction and settling in of a new CEO | This may be a consideration in the current environment, unless the new term of Council already has an alternative individual in mind for the position. |
| Increased workload for existing employees in the short term | <p>To mitigate this risk, Council may need to consider its expectations for reforms in the short term as Council will already be entering its busiest time of the year (Budget) with a further reduced number of executive staff (i.e. if filled by an existing employee on higher duties).</p> <p>The effect will be greater as the position of CEO has project managed the Annual Operational Plan preparation for the 12 month period. For the past 3 years in particular, the position of CEO has also assisted with budget preparation tasks (given the writer's finance background) and its integration with the Operational Plan in particular.</p> |

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

No additional advice is provided in this instance, as it is a matter for the new term of Council. However, it is requested that in the event of early termination of the contract that this take effect at close of business on Tuesday 5 May 2020.

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does this recommendation suggest a decision contrary to an existing Council policy?

If so, for what reason?

That the new term of Council formally consider its position in relation to the continuation of my current contract of employment.

Option 1 (Employment to continue)

That Council continue the employment of the Chief Executive Officer, in accordance with the terms of her Contract of Employment.

Option 2 (Employment to conclude)

That:

1. In accordance with Clause 11.1.6(b) of the Chief Executive Officer's Contract of Employment:
 - a) Council terminate the Contract, with effect from the close of business on Tuesday 5 May 2020; and
 - b) There be payment in lieu of notice; and
2. Council delegate to the Mayor the power to give effect to this decision, in accordance with the terms of the Contract, on the Council's behalf.

Link to Operational Plan Function:

Corporate Plan 2018-2023

Strategic Priority 5: Managing our operations well

5.4 Human resources and leadership

Supporting Documentation:

Nil

Report authorised by:

Chief Executive Officer

OFFICER REPORT

Meeting: Ordinary 22 April 2020

Date: 20 March 2020

Item Number: 13.1

File Number: D20/24417

SUBJECT HEADING: Request for Sponsorship - Roma & Family History Society Inc

Classification: Open Access

Officer's Title: Support Officer - Economic & Community Development

Executive Summary:

The Roma & District Family History Society Inc have approached Council seeking sponsorship of \$5 000 to enable purchase a new photocopier. This will allow the Roma & District Family History Society Inc to continue to printing locally published books, correspondence, pamphlets, and scanning and printing of photos.

They have been successful in obtaining sponsorship from the Santos grants program for \$2 000 to go towards purchasing a photocopier which is quoted to cost \$7 000.

Officer's Recommendation:

That Council:

1. Approve the request from the Roma and District Family History Society Inc
 2. Provide financial support at the requested cost of \$5,000 (GST exc) to be allocated to the Council's sponsorship budget GL 2887.2249.2001.
 3. Request the Roma and District Family History Society Inc reflect Council's contribution.
-

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Roma & District Family History Society Inc.

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

| Acronym | Description |
|---------|-------------|
| NIL | NIL |

Context:

Why is the matter coming before Council?

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

The Roma & District Family History Society Inc. have approached Council seeking sponsorship of \$5 000 to enable them to purchase a new photocopier with the quoted cost of \$7 000. The Roma & District Family History Society Inc have obtained sponsorship from Santos for \$2 000 to go towards purchase of a new photocopier.

This purchase will enable the Roma & District Family History Society Inc. to continue to print locally published books, correspondence, pamphlets, and scanning and printing of photos.

The compilation, printing and sale of the book, all locally researched by members of the Roma & District Family History Society Inc. is the main source of income for the Society, realising a new photocopier is essential to their organisations sustainability.

Council Resolution GM/02.2020/120 resolved that the remainder of the sponsorship budget be allocated to Easter in the Country in 2020. Due to the COVID-19 outbreak this annual festival has been cancelled leaving budget available to be potentially used for this purpose.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration? (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

n/a

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision? What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

n/a

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

n/a

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

The funding received from Santos was received mid-2019.

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$) ? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

\$5 000 which has been requested from Roma & District Family History Society Inc has not been included in this year's budget. The current balance of the sponsorship budget GL 2887.2249.2001 is \$5 276. If Council approves this request, the Sponsorship budget will be expended for the remainder 2019/20 financial year. With the current situation of COVID -19, future sponsorship request to Council will be minimised.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$) ? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

N/A

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns? (Interested Parties Analysis - IS9001:2015)

N/A

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

| Risk | Description of likelihood & consequences |
|---------------------------|---|
| Not approving the request | The Roma & District Family History Society Inc may lose potential revenue to sustain general operations for their organisation. |

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy?

If so, for what reason?

That Council:

1. Approve the request from the Roma and District Family History Society Inc
2. Provide financial support at the requested cost of \$5,000 (GST exc) to be allocated to the Council's sponsorship budget GL 2887.2249.2001.
3. Request the Roma and District Family History Society Inc reflect Council's contribution.

Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.12 Local development and events

4.10.5 Identify and implement approved Council or joint projects to preserve our heritage and local history for current and future generations, identifying opportunities to secure external funding and support.

Supporting Documentation:

- | | | |
|---|---|-----------|
|  | Request donation towards new photocopier - Roma & | D20/21554 |
|  | District Family History Society Inc | |
|  | Action Sheet - General Meeting - 26 February 2020 - | D20/17650 |
|  | Easter in the Country Additional Support 2020 | |

Report authorised by:

Deputy Chief Executive Officer/Director - Development, Facilities & Environmental Services

Roma & District Family History Society Inc
PO Box 877
Roma QLD 4455



07/03/2020

Ms Julie Reitano CEO
Maranoa Regional Council
PO Box 42
Mitchell Q 4465



Dear Ms Reitano

We are writing requesting a donation of \$5000 to go towards a new photocopier. Our current photocopier is about six years old and is currently out of contract with Downs Office Supplies. The machine is starting to have costly problems. The total cost of a new Toshiba Photocopier to meet our needs is just over \$7000 (see attached quote). We are going to contribute any cost arising over \$7000 from our own funds.

We have applied and been successful in obtaining a \$2000 grant through Santos. We have also applied to David Littleproud Stronger Communities Programme for the remaining funds, but were unsuccessful.

We are currently re-printing our books as supplies are low. Easter in the Country and Roma Show are on during the next couple of months. Our display this year is "Member Weddings Through the Generations" which will be showcased during both events. We need a good supply of books to sell during this period.

Compiling, printing and selling books researched by our members on history in the Maranoa Regional Council area is our main source of income so a reliable photocopier is essential.

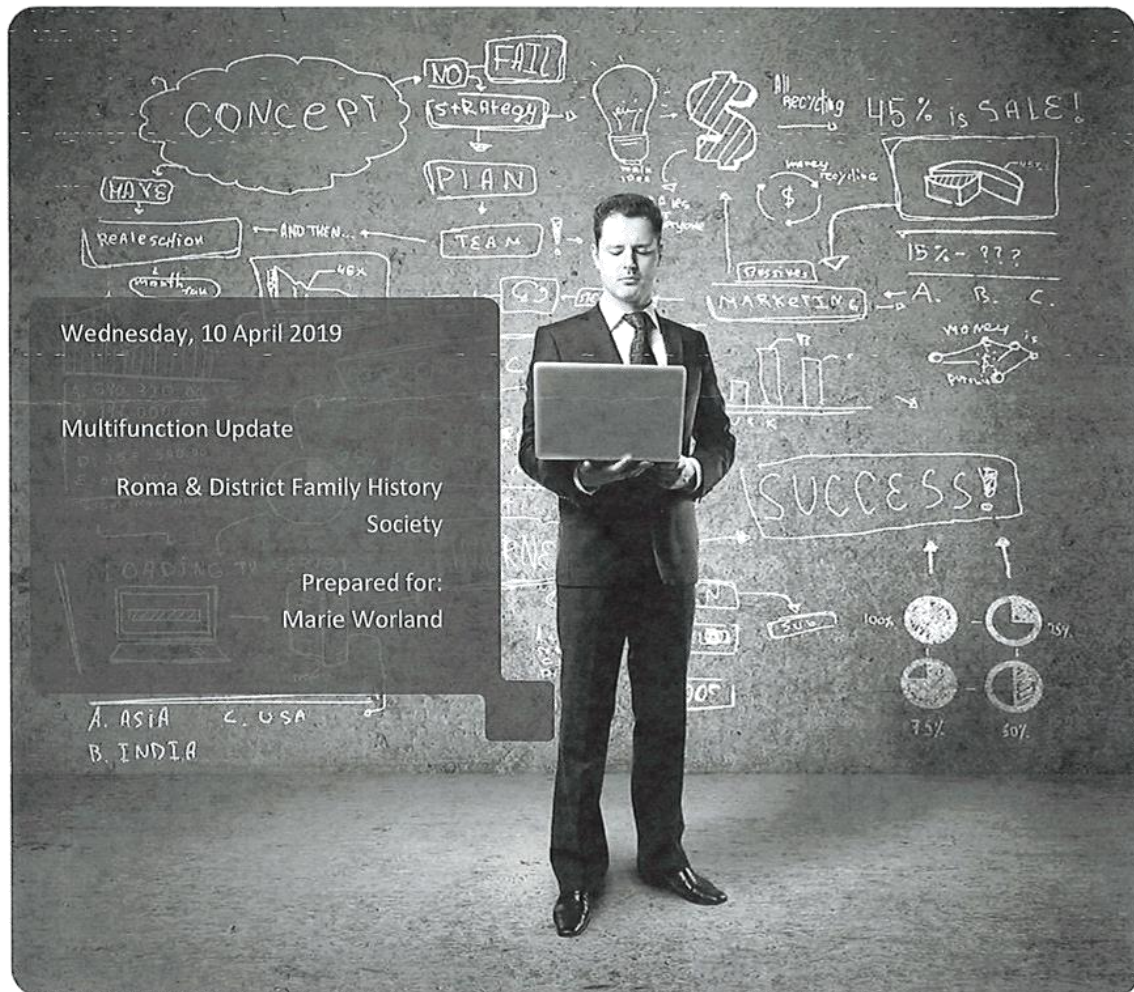
Our photocopier is used on a weekly basis printing correspondence, pamphlets, scanning and printing photos. We gather local research and copy articles from a variety of sources to add to our files. We also offer a research service to families who want to research their family who lived in our area and we need to copy all this information to post to them.

All in all, we rely on our photocopier and we are in great trouble if ours breaks down.

Yours sincerely

Megan Palmer, Secretary

Roma and District Family History Society Inc
17 McDowall Street (PO Box 877)
Roma Qld 4455
Email: romahistorysoc@hotmail.com
Facebook: <https://www.facebook.com/RomaHistoryLodge/>
Phone: (07) 4622 7322
Opening Hours: Tues & Thurs 9 – 12pm; Sat 2 – 5pm
Other times by prior appointment



PREPARED BY
 Name: Dan Genrich
 Job Title: Senior Account Manager - Print & Document Solutions
 Mobile: 0435 879 171
 Email: daniel.genrich@doe.com.au
 Downs Office Equipment & Supplies
 203 James Street Toowoomba Qld 4350

2 e-STUDIO2505AC/3005AC/3505AC/4505AC/5005AC

CONNECT. INTEGRATE. SIMPLIFY.

Technology for every office, delivering advanced functionality, ease of use and peace of mind. Every industry has unique workflow needs. Toshiba has developed customisable MFPs to make your job easier. Intuitive and smartly integrated, our products simplify complex tasks and give you control while providing the reliability Toshiba is known for.

Toshiba's latest series delivers on our promise of Together Information – our commitment to collaborate with clients in order to provide tailored, cost-effective solutions to meet specific print, document management and content needs while helping you to meet your green objectives.

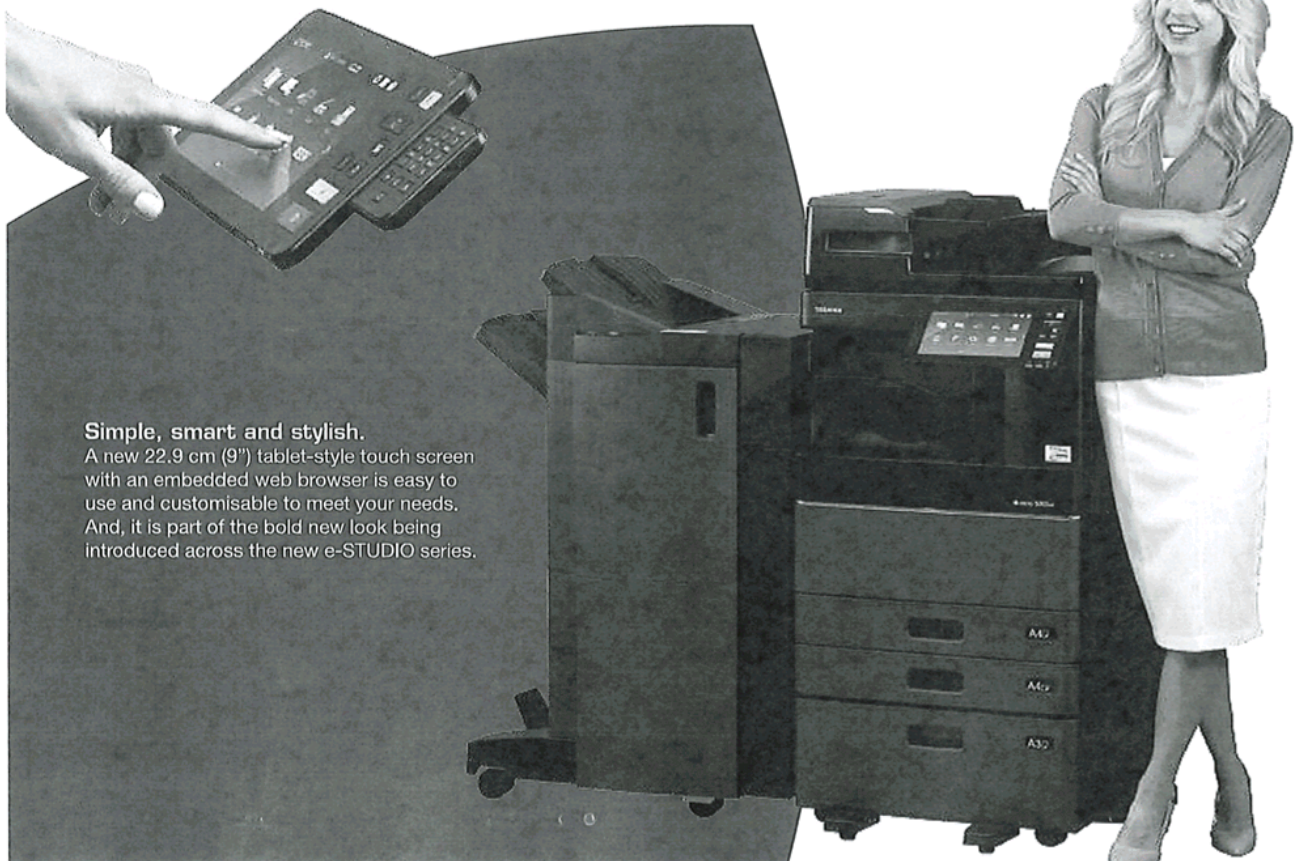
Colour commands attention. Technology makes it possible.

It's important that an MFP is powerful, reliable, and efficient. Combine this with brilliant colours and you have even more ways to make your documents impactful.

- > Advanced Toshiba e-BRIDGE Next controller technology for high-quality document output in colour and monochrome with a resolution of up to 1,200 dpi x 1,200 dpi
- > RGB substitution allows accurate colours with office applications
- > Auto-calibration ensures consistency of colour across small and large print jobs

Simple, smart and stylish.

A new 22.9 cm (9") tablet-style touch screen with an embedded web browser is easy to use and customisable to meet your needs. And, it is part of the bold new look being introduced across the new e-STUDIO series.





Colour Multifunction Device – Toshiba e-STUDIO3515AC

- ✓ Up to 35 pages per minute A4 in b/w and colour
- ✓ Single Pass Document Scanner
- ✓ 4-trays
- ✓ 9" Colour WVGA Touch Screen Tilting Display
- ✓ Standard Automatic Duplex Unit (60-256 gsm)
- ✓ Scan to File, E-mail, e-Filing, WS Scan, USB, Scan Preview



TOSHIBA TECHNOLOGY NEVER LOOKED BETTER.

Keeping medium to large workgroups in mind, the e-STUDIO5005ac series is easily integrated, customisable and solutions ready, with its open platform architecture.

Flexible integration with third-party solutions applications, an embedded web browser brings the workflow to one location, at your fingertips.

Option A: 60-Month Managed Print /Service Agreement

| 1x Toshiba 3515 AC | |
|-----------------------|----------------------|
| Investment per Month | \$129.54 ex GST |
| Included Print/Copies | 2,000 mono per month |
| Mono Print | 0.8 cents ex GST |
| Colour Print | 8.0 cents ex GST |

Option B: Outright Purchase including 60-Month Service Agreement

| 1x Toshiba 3515 AC | |
|---------------------|-------------------|
| Outright Investment | \$6,399.25 ex GST |
| Mono Print | 0.8 cents ex GST |
| Colour Print | 8.0 cents ex GST |

- ✓ 13 Service Technicians with 2hr response time – **Local Roma Based Service Technician**
- ✓ Supply, installation and life time training on devices
- ✓ All labour, maintenance & parts for servicing
- ✓ DOE complete suite for remote meter reading & Toner delivery automation to your door
- ✓ Local Service, Local Account Services.

TOSHIBA TECHNOLOGY NEVER LOOKED BETTER.

Keeping medium to large workgroups in mind, the e-STUDIO5005Ac series is easily integrated, customisable and solutions ready, with its open platform architecture.

Flexible integration with third-party solutions applications, an embedded web browser brings the workflow to one location, at your fingertips.

Toshiba's exclusive e-BRIDGE Print & Capture application enables you to use your mobile device to take advantage of the broad feature set of our MFPs — whether in the office or on the go.

The universal driver provides fast and easy connectivity and works on all Toshiba e-BRIDGE Next models. You can choose from a variety of time-saving, function-adding plug-ins that enable productivity from the driver. For instance:

- > Job Point
Quickly split up large jobs with up to 10 Toshiba MFPs
- > Job Replicator
Use multi-part form replacement (3 prints)
- > Job Separator
Perform batch printing easily using any Microsoft Office programme
- > Job Build
Conveniently print different document types all together as a single job

Tight Security

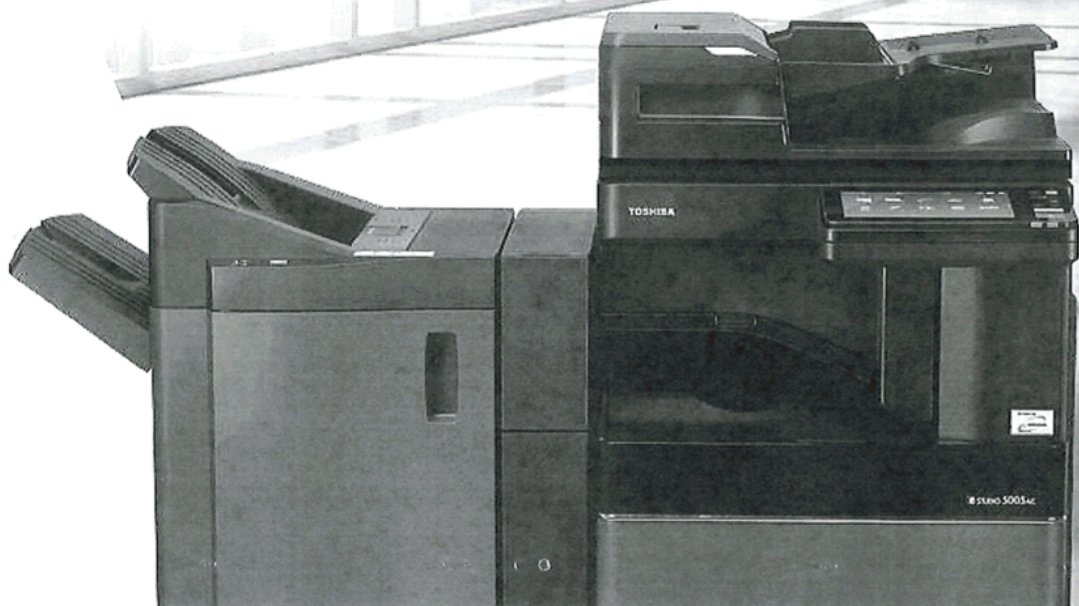
Along with all of the new and innovative Toshiba technologies, we keep the security of your business top of mind.

- > The self-encrypting Toshiba Secure HDD provides top level security
- > By adding optional security functions the systems become compliant with IEEE2600.1 and meet the EAL3 Common Criteria requirements.
- > IPsec is available to securely encrypt data sent to and from the MFP

Environmental Protection

Innovation that is truly innovative makes certain that our environment is part of the equation, which is precisely what we do here at Toshiba.

- > RoHS compliant; use of recycled plastics and a low-power Super Sleep Mode to save resources
- > Being ENERGY STAR Tier 2 compliant means the systems meet the latest, most stringent environmental requirements



FOR ACTION

GENERAL

26/02/2020

TO: Regional Tourism Development Coordinator (Miller, Justine)

Subject: Easter in the Country Additional Support 2020
Target Date: 9/03/2020
Notes:
File Reference

Resolution No. GM/02.2020/120

Moved Cr O'Neil

Seconded Cr Schefe

That Council:

1. Provide Easter in the Country Committee an additional \$6,945 (including GST) to enable them to hire a commercial kitchen for Tucker Under The Stars being held at the Roma Saleyards on Thursday 9 April 2020.
2. Transfer \$6,945 from Work Order 14482.2537.2001 - Support to Regional Events to General Ledger 2887.2249.2001 – Sponsorship, to enable all sponsorship for Easter in the Country to be allocated from a central Work Order number.

CARRIED

6/1

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

| Those in Favour of the Motion | Those Against the Motion |
|-------------------------------|--------------------------|
| Cr. Chambers | Cr. McMullen |
| Cr. Chandler | |
| Cr. Golder | |
| Cr. O'Neil | |
| Cr. Schefe | |
| Cr. Stanford | |

This action sheet has been automatically produced by Executive Services using **InfoCouncil**, the agenda and minutes database.

Please complete all subsequent notes in relation to this action in InfoCouncil.

INFORMATION REPORT

Meeting: Ordinary 22 April 2020

Date: 1 April 2020

Item Number: 13.2

File Number: D20/28239

SUBJECT HEADING: Regional Pool Report February 2020

Classification: Open Access

Officer's Title: Administration Officer - Council Buildings & Structures

Executive Summary:

Across the region, Council maintains five swimming pool complexes and the Great Artesian Spa complex.

Contractors operate the pools under Management Agreements, and provide monthly reports to Council identifying attendance, pool temperatures, chemical levels, maintenance issues and consumables.

Reports presented for the Month of February 2020 include Injune Pool, Wallumbilla Pool, Surat Pool, Mitchell Pool, Roma Pool and The Great Artesian Spa.

Officer's Recommendation:

That Council receive the Regional Swimming Pool reports for the Injune Pool, Wallumbilla Pool, Surat Pool, Mitchell Pool, Roma Pool and The Great Artesian Spa for the month of February 2020.

Background:

Due to the risk and nature of public pools, this report is presented to Council to keep Councillors informed of any ongoing issues with our regional pools as reported by Pool contractors

Body of Report:

| | | |
|------------------|--------------------|--|
| Roma Pool | Consumables | Ordered 4/03/2020 |
| | First Aid | Order form ERISK 4/3/2020 |
| | Maintenance | Decommissioning of the old LTS pool – Capital works project. Update – funds allocated at December General Council Meeting. Quotations closed on 16 March 2020. |

| | | |
|----------------------------|--------------------|--|
| | | <p>Successful quotation was accepted for the price of \$18,800 including GST.</p> <p>Works will happen while the pool is closed.</p> |
| Roma Pool continued | Maintenance | <p>Non slip coating in both bathrooms is flaking. Waiting on outcome of Roma Pool Feasibility and Upgrade report and future budget allocation.</p> |
| | Maintenance | <p>Request for wall to be taken out between the last toilet and shower cubicle to allow larger cubicle for mobility impaired access. Contacted builder to provide costing and to see if this proposed work is possible. Works are possible, costing would be approximately \$2,000.00 per bathroom. Future budget consideration.</p> |
| | Maintenance | <p>Matting is lifting in the water play park</p> |
| | Maintenance | <p>Servicing of water play park filters</p> |
| | Maintenance | <p>Signage around the pool edge is breaking leaving sharp edges</p> |
| | Maintenance | <p>Push mower won't start. Update - Defect logged to have it repaired with Plant</p> |
| | Maintenance | <p>Wheelie bin broken. Update - Replaced wheelie bin.</p> |
| | Maintenance | <p>Empty chlorine pod need to be stored.</p> |
| | Maintenance | <p>Interior of the pool office painted.</p> |
| | Maintenance | <p>Request for new benches – Investigate the condition of existing benches and costing to be obtained if required.</p> |
| | Consumables | <p>Ordered 3/3/2020.</p> |

| | | |
|----------------------|--------------------|--|
| Injune Pool | | |
| | First Aid | None required. |
| | Maintenance | Water is pooling in both change rooms. Floor is sinking causing the drain to be higher than the floor level. Proposed budget considerations for capital works program. |
| | Maintenance | Request for hot water showers to be installed at the pool. Proposed budget consideration for capital works program. |
| Mitchell Pool | Consumables | Ordered 1/04/2020 |
| | First Aid | None Required. |
| | Maintenance | No diving signs have been installed. |
| | Maintenance | <p>New tap on eastern side of pool yard – Requested quote from Council plumber. Plumbers have provided an estimate of \$3,000-\$3,500 as it requires vac truck and backhoe, a roll of polly pipe and fitting plus their time, also truckloads of loam to back fill.</p> <p>Complicated process due to all the existing pipework and power for the pool and spa on that side of the complex. Request on hold.</p> |
| | Maintenance | New concrete path to chemical shed – Budget consideration |
| | Maintenance | Top dressing of the lawn, consideration to be given in off season. |
| | Maintenance | Old pool pump to be removed. Asked Town and Surrounds to remove in January, reminder sent. |
| | Consumables | Ordered 6/3/2020. |

| | | |
|---------------------------|--------------------|--|
| Great Artesian Spa | | |
| | First Aid | None Required |
| | Maintenance | Light needing repair in the hall kitchen. Engaged contractor to repair 3/2/2020. |
| | Maintenance | Yellow matting lifting at the end of the ramp from the spa deck to pools. Council's Minor Building Projects and Inspections Officer will inspect and organise to be resealed. |
| | Maintenance | Pulley wheel on the lap pull machine is broken, Photo sent to supplier for replacement part. |
| Surat Pool | Consumables | None Required |
| | First Aid | None Required |
| | Maintenance | Possible broken pipe in the suction line between the skimmer box and filters. Council Plumbers have attended, bled air from filtration system. Further investigation required. |
| | Maintenance | Leaking seal on sand filter. Repairs to be carried out as part of the capital upgrade. |
| | Maintenance | Wading pool valve on filter leaking while backwashing. Part of capital upgrade on wading pool. |
| | Maintenance | Wading pool opening and closing valve needs replacing. Part of capital upgrade on wading pool. |
| | Maintenance | Wading pool drainpipe replacement. Part of capital upgrade on wading pool. |
| | Maintenance | Rust coming through the wall on the 25m pool. Requires fibre glassing to coping tile to prevent further decay of pool. This |

| | | |
|-----------------------------|--------------------|---|
| | | will require future capital upgrade. Under investigation. |
| Surat Pool continued | Maintenance | Pool blankets are falling apart require replacement. Requested quotes. Budget consideration. |
| | Safety | Concrete BBQ area. Future budget consideration. |
| | Safety | First aid room. Future budget consideration. |
| | Safety | Additional drainage required in the recreational oval behind the pool to prevent water entering the pool grounds. Funds included in 2019/20 budget to undertake drainage works. |
| | Maintenance | Possible broken pipe in the suction line between the skimmer box and filters. Council Plumbers have attended, bled air from filtration system. Further investigation required. |
| | Maintenance | Leaking seal on sand filter. Repairs to be carried out as part of the capital upgrade. |
| | Maintenance | Wading pool valve on filter leaking while backwashing. Part of capital upgrade on wading pool. |
| | Maintenance | Wading pool opening and closing valve needs replacing. Part of capital upgrade on wading pool. |
| | Maintenance | Wading pool drainpipe replacement. Part of capital upgrade on wading pool. |

| | | |
|-----------------------------|--------------------|---|
| Surat Pool continued | Maintenance | Rust coming through the wall on the 25m pool. Requires fibre glassing to coping tile to prevent further decay of pool. This will require future capital upgrade. Under investigation. |
| Wallumbilla Pool | Consumables | Order through the School 6/3/2020 |
| | First Aid | None required. |
| | Maintenance | Water leak outside the fence on the footpath. CRM sent to Council plumbers to repair leak. |
| | Maintenance | Gutter cleaning reported to the Wallumbilla School for action. |
| | Maintenance | Tap handle on pop up sprinklers broken. Referred to school for repair. |
| | Maintenance | Tap handle broken in the green box that works the sprinkler. Referred to the school for repair. |
| | Maintenance | Removal of topsoil that is contaminated and top dressing to establish lawns. Referred to the school for consideration. |
| | Maintenance | Air conditioning of kiosk. Referred to the school for consideration. |
| | Maintenance | Additional lighting required for night use of the pool. Referred to the school for consideration. |
| | Request | Contractor has requested the purchase of a thermal pool blanket to help hold the heat in the pool overnight. Referred to the school for budget consideration. |

| | | |
|-----------------------------------|----------------|--|
| Wallumbilla Pool continued | Request | Pool Hoist for older patrons and disabled entry to the pool as no steps only a ladder access to the pool. Referred to the school for budget consideration. |
|-----------------------------------|----------------|--|

Link to Operational Plan Function:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.10 Facilities

Supporting Documentation:

| | | |
|---|--|-----------|
| 1  | Denise Spencer Memorial Pool Roma February 2020 | D20/18571 |
| 2  | Monthly pool report | |
| 2  | Injune Pool February 2020 Monthly Pool Report | D20/20280 |
| 3  | Mitchell Memorial Swimming Pool - Monthly Pool | D20/27770 |
| 3  | Management Report February 2020 | |
| 4  | Great Artesian Spa Monthly Pool Management Report | D20/19997 |
| 4  | 2020 | |
| 5  | Surat Pool Management Report February 2020 Monthly | D20/19980 |
| 5  | Pool Management Report | |
| 6  | Wallumbilla Pool Monthly Pool Management Report | D20/19977 |
| 6  | February 2020 | |

Report authorised by:

Council Buildings & Structures Maintenance Officer / Team Coordination

Manager - Facilities (Land, Buildings & Structures)

Deputy Chief Executive Officer/Director - Development, Facilities & Environmental Services

Maranoa Regional Council
Monthly Pool Management Report
For the Month of February 2020

Pool Name – Denise Spencer Memorial Pool

1. Pool Entries

| | General Entry | School Group | Swimming Club | Learn to Swim | SEASON PASS |
|----------|---------------|--------------|---------------|---------------|-------------|
| Adult | 403 | 15 | 45 | 12 | 152 |
| Children | 894 | 375 | 79 | 1023 | 102 |
| Seniors | 75 | | | | |

Comments:

Additional Programs

- 28 Training Clinics
- 46 patrons for Water Aerobics
- 123 Squad Entries

18 Vital Health with Tom – Vital health used to use the facility once a week with free lane hire. Now they can do up to 7 times a week including once on Saturday and twice on Sunday. This can be an issue as they had not spoken to me about it and would just have people show up. The only documentation I have is for a group session for Tuesday morning. Saturdays I run programs and there are often birthday parties. Sundays is family time and maybe parties. In the middle of it all I may have someone with a physical impairment being instructed on rehabilitation exercise.

Sign in folders for individual groups on front counter for more accurate figures this season. Club nights every family must sign in and out. All school groups, Allied health and vital health will do the same. Season Pass holders still sign in as they enter the pool and hourly head counts continue.

2. Pool Chemical Log

| Averages | Chlorine PPM | PH | Total Alkalinity | Calcium |
|----------|--------------|-----|------------------|---------|
| Week 1 | 2.0-3.0 | 7.7 | 117 | 120 |
| Week 2 | 2.0-3.0 | 7.7 | 118 | 10 |
| Week 3 | 3-4 | 7.7 | 103 | 10 |
| Week 4 | 4.0-6.0 | 7.7 | 107 | 60 |

Comments: 4.75 empty 10 kg chlorine drums of calcium added to pool throughout month. 1.5 granular cL2 added to pool throughout month.

542 000 litres of water added to fill balance tank. Filters bleed twice daily.

Chemical order:

1500 Litres Bulk Chlorine

5 litre bottles Acid

20 litre bottles acid

Version 3. 03/06/15 Maranoa Regional Council

20 litre bottles of chlorine

6 x Boxes DPD 1 and 3 Tablets

6 x Boxes Phenol Red

3. Pool Temperature

| | Daily Average |
|--------|---------------|
| Week 1 | 28 |
| Week 2 | 28 |
| Week 3 | 28 |
| Week 4 | 28 |

Comments:-

First Aid Kit Check/ Oxygen Resuscitation Kit - Replacement Supplies Required (please list):-

Saline

Eye pad

Band aides

4. Consumables

Items required eg. Toilet paper, hand towel, soap (please list): - Blu Lazer and a tap for it

5. Maintenance Issues (please list): -

Decommissioned above ground pool is still to be removed.

Could we take the wall out between the shower and the end toilet in both bathrooms and have one door into the larger cubicle, so we have better access for our learners with disabilities and our elderly.

Bunding for chlorine in water park shed needs to be about 50cm shorter. Way too high to lift a 20-litre drum of chemical.

Matting is lifting on wet park and paint is peeling of squirt holes.

Filters in Wet park need serviced. I can't recall them being serviced since installation. 50m filters weren't serviced last year either.

Long tile signage around pool edge is lifting and snapping off leaving sharp edges.

Push mower won't start.

Gurney does not go. Could council please supply a hedge trimmer for the guys to do the hedges? Not clippers, the hedges are too long.

One of the wheelie bin lids is hanging by one side.

Empty chlorine pod needs removed from 50m pump shed yard.

Is it okay for me to organise quotes to have the interior of the office painted and new benches installed?

7. Safety Issues (Please list)

8. Safety Issues Resolved

Version 3. 03/06/15 Maranoa Regional Council

9. Incidents (please ensure all incidents are reported to council the same day they occur on council's incident form)

As this is a public facility where water is involved could we put a sign at entry saying, "All floor surfaces can become slippery when wet. Keep children under 5 years within arm's reach at all time and walk with caution." Also, I probably need to change some signage, No bombing, no Manus, No back flips, no front flips and no helicopters. Feedback from patrons.

10. Issues with unruly patrons etc (Drunk, abusive, violation of pool rules)

A staff member was sworn at and abused by a parent attending a child's birthday party. Her children had been part of a group of kids from the party who removed the dive block covers and did as many silly jumps off the blocks as the staff member was approaching. They ran and dived after their first warning. They pushed each other. The lifeguard accompanied one of these 10+ year old lads to talk with the parent (Sue) where Sue swore and abused the child and said they would leave. The lifeguard walked off and Sue proceeded to undress and walked towards the deep end. Just over halfway up the pool she ran and dove into the pool over a no diving sign. Her and the boys then stayed in the deep water looking at us for a response and eventually left of their own accord. We have many witnesses including a teacher to this display of inappropriate behaviour by an "actively supervising adult". Hence with the new GSPO I will be putting a supervision risk assessment together showing that children 12 and under must be actively supervised by an adult of 16 years or older.

I understand a complaint was made against me. Every time children are unsupervised at the facility and continue to push the boundaries it takes away from us actively supervising the entire venue and therefore doing our job.

If a parent was at the venue actively supervising the said children, she would have seen me continually ask the children not to run and dive, not to push, and to follow the pool rules. If the children do not have the skills to read council signage nor to understand the verbal warnings given by entrant staff or lifeguards on duty

CRIMINAL CODE 1899 - SECT 364A

Leaving a child under 12 unattended

364A Leaving a child under 12 unattended

(1) A person who, having the lawful care or charge of a child under 12 years, leaves the child for an unreasonable time without making reasonable provision for the supervision and care of the child during that time commits a misdemeanour.

Penalty—

Maximum penalty—3 years imprisonment.

(2) Whether the time is unreasonable depends on all the relevant circumstances.

Aquatic facilities can be a dangerous environment. There is the risk of drowning but also of permanent disability. It is also an area where possible predators could lurk.

Guaranteed each year in Australia there will be at least two court cases where someone will have gained a permanent disability from diving in a public pool.

<https://www.royallifesaving.com.au/>

https://www.royallifesaving.com.au/data/assets/pdf_file/0007/3967/11.-Public-Pool-Safety.pdf

11. Any other issues that should be reported to council

I am now an Australian Coach. A legend in my own lunch box but nevertheless a little bit excited. Redlands Special Olympians will be coming out to do a coaching clinic during our winter terms and I am organising for Jade Edmestone to also visit. I will be asking for the swimming Queensland Inclusion team to run a clinic in Roma for our learners with disabilities and our indigenous population.

Name & Signature of Pool Manager

Signed: Stacey Robertson

Date: 01/03/2020

Maranoa Regional Council
Monthly Pool Management Report
For the Month of February 2020
Pool Name – Injune Swimming Pool

1. Pool Entries

| | General Entry | School Group | Swimming Club | Learn to Swim | Other |
|----------|---------------|--------------|---------------|---------------|-------|
| Adult | 312 | 54 | 42 | | |
| Children | 336 | 87 | 71 | 87 | |

Comments Injune State School held their annual swimming carnival, Injune Swimming Club have started squad training.

Pool Chemical Log

| Averages | Chlorine PPM | PH | Total Alkalinity | Calcium |
|----------|--------------|-----|------------------|---------|
| Week 1 | 2.4 | 7.8 | 78 | 140 |
| Week 2 | 2.7 | 7.7 | 83 | 150 |
| Week 3 | 2.5 | 7.9 | 91 | 150 |
| Week 4 | 2.2 | 7.8 | 84 | 160 |

Comments:

2. Pool Temperature

| | Daily Average |
|--------|---------------|
| Week 1 | 30.1 |
| Week 2 | 30.6 |
| Week 3 | 30.8 |
| Week 4 | 28.2 |

Comments:-

3. First Aid Kit Check/ Oxygen Resuscitation Kit - replacement Supplies Required (please list):-**4. Consumables Items required eg. Toilet paper, hand towel, soap (please list):**

6 bags Bicarb Soda

Pallet hydrochloric acid

Back wash: 3 gate valve taps & 3 lever taps need to be replaced

Safety Issues (Please list) Issues with unruly patrons ect (Drunk, abusive, violation of pool rules

Water is pooling in the change rooms creating a slippery surface, the floor drains need to be lowered.

6. Safety Issues Resolved incidents (please ensure all incidents are reported to council the same day they occur on council's incident form**7. Any other issues that should be reported to council**

Hot showers required to recover children's body temperature after swim lessons and improve use of the pool.

Name & Signature of Pool Manager

Signed:- _K. Wolski_____

Date : 8/3/20

Maranoa Regional Council
Monthly Pool Management Report
For the Month of February 2020.

Pool Name – Mitchell Memorial Swimming Pool

1. Pool Entries

| | General Entry | Average per day pool is open | School Group | Swimming Club | Learn to Swim | Other |
|----------------------------|---------------|------------------------------|--|---------------|---------------|-------|
| Adult | 38 | 1.52 | N/A | N/A | N/A | N/A |
| Children | 76 | 3.04 | MSS-511 StPats-140 Mungallala-21 Dunkeld-17 | N/A | N/A | N/A |
| Family (2Adults&2Children) | 7 | | N/A | N/A | N/A | N/A |

Comments:-

Pool Chemical Log

| Averages | Chlorine PPM | PH | Total Alkalinity | Calcium |
|----------|--------------|------|------------------|---------|
| Week 1 | 1.46 | 7.56 | 71 | 40 |
| Week 2 | 1.14 | 7.71 | 130 | 90 |
| Week 3 | 2.05 | 7.73 | 130 | 90 |
| Week 4 | 1.74 | 7.61 | 130 | 100 |

Comments:-

2. Pool Temperature

| | Daily Average |
|--------|---------------|
| Week 1 | 28.0 |
| Week 2 | 28.1 |
| Week 3 | 27.5 |
| Week 4 | 26.0 |

Comments:-

3. First Aid Kit Check/ Oxygen Resuscitation Kit - Replacement Supplies Required (please list):-

4. Consumables

Items required eg. Toilet paper, hand towel, soap (please list)

5. Maintenance Issues (please list):**February**

- 1 x Pallet 5ltr Acid
- 1 x Pallet Powdered Chlorine

January

- 3 x Hazchem Signs

October

- 2 x No Diving 1.4m Signs (ones at pool have turned black due to heat).
- Is it possible to get a cement path from the new chemical shed to the cement surrounding the pool to assist with carting chemicals from the new chemical shed to the pool pump shed and unloading from the pallet as the forklift cannot get close enough to the new chemical shed.
- Tap be installed on the Eastern side of the pool for watering.
- Put steps in place to top dress the pool yard when the pool closes for the season (April 2020)

August

- Old pump needs to be removed from pump shed.

6. Safety Issues (Please list)

7. Safety Issues Resolved

8. Incidents (please ensure all incidents are reported to council the same day they occur on council's incident form)

9. Issues with unruly patrons ect (Drunk, abusive, violation of pool rules)

Version 3. 03/06/15 Maranoa Regional Council

11. Any other issues that should be reported to Council

Name & Signature of Pool Manager

Signed:- Katrina Mansfield

Date :- 10th March 2020

Maranoa Regional Council
Monthly Pool Management Report
For the Month of February 2020

Pool Name – Great Artesian Spa

1. Pool Entries

| | General Entry | School Group | Swimming Club | Learn to Swim | Other |
|----------|----------------------|--------------|---------------|---------------|-------|
| Adult | 429 | | | | 341 |
| Children | Combined with adults | | | | |

Comments:-

Friday Morning Tea – 0, Sunday Breakfast – 33

2. Gymnasium Use :

Comments:

Gym – 191, Yoga – 38, Vital Health – 32

3. Cold Pool Chemical Log

| Averages | Chlorine PPM | PH | Total Alkalinity | Calcium |
|----------|--------------|------|------------------|---------|
| Week 1 | 4.8 | 7.0 | 1.3AF | 1.9CF |
| Week 2 | 4.1 | 7.4 | 1.4AF | 1.9CF |
| Week 3 | 4.24 | 7.47 | 1.7AF | 1.6CF |
| Week 4 | 4.48 | 7.28 | 1.5AF | 1.4CF |

Comments:-

4. Hot Pool Chemical Log

| Averages | Chlorine PPM | PH | Total Alkalinity | Calcium |
|----------|--------------|------|------------------|---------|
| Week 1 | 3.2 | 7.5 | 1.3AF | 1.5CF |
| Week 2 | 2.6 | 7.3 | 1.4AF | 1.3CF |
| Week 3 | 3.05 | 7.2 | 1.6AF | 1.5CF |
| Week 4 | 3.85 | 7.73 | 2.0AF | 0CF |

Comments: -

Calcium Chloride has been added into both spa pools to bring the Calcium Hardness levels up.

5. Cold Pool Temperature

| | Daily Average |
|--------|---------------|
| Week 1 | 30 |
| Week 2 | 30 |
| Week 3 | 30.3 |
| Week 4 | 32.2 |

Comments:-

6. Hot Pool Temperature

| | Daily Average |
|--------|---------------|
| Week 1 | 40 |
| Week 2 | 38 |
| Week 3 | 40.2 |
| Week 4 | 40.2 |

Comments:-

7. First Aid Kit Check

Replacement Supplies Required (please list): -

No Items Required

8. Consumables

Items required eg. Toilet paper, hand towel, soap (please list):-

½ Pallet 20L Liquid Chlorine Drums, 4 x bags/tubs Maxi Chlor Stabilised Chlorine (Granular), 4 boxes
DPD No 1 Tablets, 3 boxes Phenol Red (PH) tablets, Cleaning consumables order (see attached)

9. Maintenance Issues (please list):-

10. Any other Issues Requiring Reporting

Name & Signature of Pool Manager

Signed:-



Jeffrey Watson

Date : 05/03/2020

Maranoa Regional Council

SURAT POOL MANAGEMENT REPORT

Month of February 2020.

- Pool Entries

| | General Entry | Schools | Race Night | Squad | Learn to Swim | Aqua Ducks | Total |
|----------|---------------|---------|------------|-------|---------------|------------|-------|
| Adult | 40 | 0 | 0 | - | - | 8 | 48 |
| Children | 55 | 0 | 0 | 24 | 50 | - | 129 |
| Total | | | | | | | 177 |

Comments:

- Pool Chemical Log

| 25m Pool | Averages | Chl PPM | PH | T/A | CaH | Temp | TDS | SI |
|-------------|----------|---------|------|-----|-----|------|------|------|
| | Week 1 | 3 | 7.80 | 65 | 150 | 29° | 1900 | -0.1 |
| | Week 2 | 3. | 7.90 | 85 | 160 | 30° | 1900 | 0.1 |
| | Week 3 | 2.5 | 7.90 | 80 | 160 | 28° | 1900 | 0.1 |
| | Week 4 | 2.5 | 7.80 | 90 | 170 | 29° | 1900 | 0.1 |
| | Week 5 | | | | | | | |
| Wading Pool | Averages | Chl PPM | PH | T/A | CaH | Temp | | |
| | Week 1 | | | | | | | |
| | Week 2 | | | | | | | |
| | Week 3 | | | | | | | |
| | Week 4 | | | | | | | |

Comments:- Water Clarity is good.

Wading pool is empty waiting to be fixed.

- First Aid Kit Check/ Oxygen Resuscitation Kit - Replacement Supplies Required (please list):-
None required
- Consumables - Items required *e.g. Toilet paper, hand towel, soap* (please list):-
None required
Cleaning Products
None required
Chemicals
None required

Maintenance Issues (please list): -**New Issues**

- I think there is a broken pipe in the suction line between the skimmer boxes and the filtration shed. Further investigation needs to be done. First reported 3/12/19

Ongoing Maintenance Issues

- Pool blankets are falling apart
- Tiles on pool ledge have popped off (email sent to Facilities 1/12/19 with photo)
- Main circulation pump is corroded. *Update 4/2/2020 Jamie will put spare pump on in off season and recondition one that's there as my spare.*
- Sharp point on handrail. A patron came across it on 1/12/17 and notified me. (have put putty over it)
- Wading pool – opening and closing valve needs replacing.
- Wading pool - valve on the filter leaks after doing a backwash.
- Wading Pool – drainpipe will need to be replaced in the off season.
- Rust coming through in 25m pool – *pictured below.*
- Handrail on ladder located deep end West side is rusted out.
- There are holes and gaps appearing around the concourse. Some have been there a long time and have been checked and cleared however I think it's time to have them rechecked as there are new holes appearing. Note: I rang Rob Hayward on the 28/11/18 to explain how the concourse has sagged taking photos of it doesn't really show how bad it has gotten.

Safety Issues (Please list)**New Issues**

- Need new evacuation signs, weather damaged.

Ongoing Safety Issues

- HAZMAT Chem Alert needs to be updated at your end, I have gone through and updated mine and will attach a separate document to this email for you to cross reference. Also, fire evacuations need updating and putting a site plan in the HAZMAT box putting the 'YOU ARE HERE' from the HAZMAT box on Robert street. (have photos below)
- Shade/ shelter area as identified in the audit. Surat Pool has no shelter for patrons to stand under when it rains.
- HEALTH HAZZARD in October 2017 I had problems with the ladies amenities blocking and have discovered that the septic and storm water is all connected. I had faeces coming up in the change room and overflowing in the BBQ area. I have moved the BBQ outside the fenced area until we can make the BBQ area hygienic again. I have suggested concreting the area that way if the drain trap (DT) overflows again we can wash the area down with sanitiser. Emailed Facilities 26/10/17.
- Mosquito breeding ground at the back gate every time it rains as there is no drainage between the Rec oval and the pool. *Picture below.*
- First aid room. Identified in the audit.

Safety and Maintenance Issues Resolved this month

- Whipper snipper fixed.

- Incidents (please ensure all incidents are reported to council the same day they occur on council's incident form)

None to report

- Issues with unruly patrons ect (Drunk, abusive, violation of pool rules)

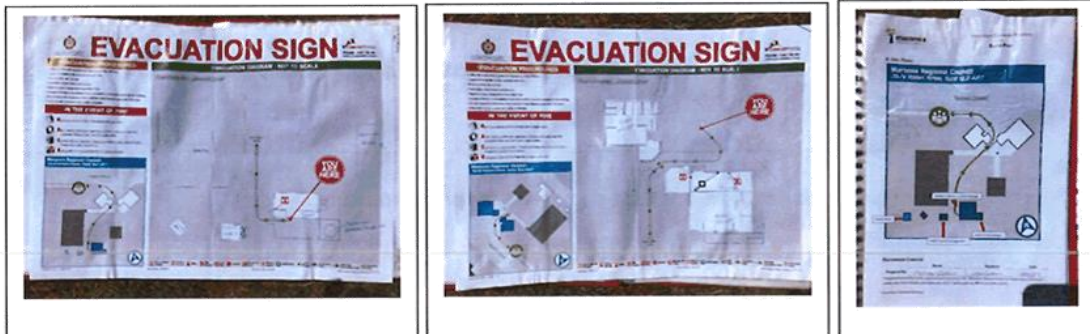
None to report

- Any other issues or notifications that should be reported to council

Investigation into the Surat Pool filtration system.

Photos

- Evacuation signs



Tiles on 25m pool ledge have popped. 1/12/19

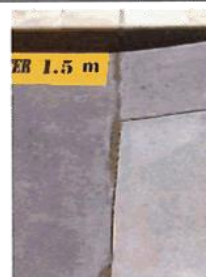


Leaking seal on Sand filter.



Rust coming through at the shallow end of 25m pool

Below - Gaps in concourse



Hand rail rusted out.



Mosquito breeding ground

Off Season Jobs

- Wading Pool – drain pipe will need to be replaced in the off season. April 2018
- Pest control - to spray all buildings and sheds. Sprayed May 2017
- Service mowers, whipper snipper, blower – 1 x ride on, 1 x push mower, 1 x whipper snipper, 1 x blower
- Service dosing pumps – August is a good time to do this. Last serviced 19/09/2017


Wish List

- Covered area for shelter and shade. There is a small area at the entrance of the facility that people can take shelter if it rains. (Patrick measured this up when he was here)
- Tables and chairs for the sheltered area
- Office/first aid room – on Ros Waldron's pool visit (26/10/17) we spoke about my lack of room and how much I am cramming into a small space. I have previously had in my monthly reports about turning the front room (adjacent the kiosk, though the wall of picture 3) into an office. If we can put a double door through that wall it can be a first aid and office combined ticking off on issues brought up in our audit.
When Ricky Jones was here measuring up the amenities I asked if he could look at the possibility of doing this. Firstly, he said it could be done, secondly he said that the brick wall is a load bearing wall and that there will need to be electrical work done as in rerouting wiring and split system air conditioner.



Name & Signature of Pool Manager

Name:- Mel Sutton – Outback Swim School - Manager Surat Pool

Signed:- 

M N SUTTON

Date : 03.03.2020

Maranoa Regional Council
WALLUMBILLA POOL MANAGEMENT REPORT
For the Month of February 2020.

1. Pool Entries

| | General Entry | Schools | Race Night | Squad | Learn to Swim | AquaFit | Total |
|----------|---------------|---------|------------|-------|---------------|--------------|------------|
| Adult | 72 | 0 | 0 | 0 | 0 | 0 | 72 |
| Children | 111 | 0 | 0 | 0 | 40 | 0 | 111 |
| | | | | | | Total | 183 |

Comments: I do not know the numbers for school swimming.

2. Pool Chemical Log

| Averages | Chl PPM | PH | T/A | CaH | Temp | TDS | SI |
|----------|---------|------|-----|-----|-------|-----|-------|
| Week 1 | 2 - 4 | 7.70 | 110 | 130 | 28° | 4.9 | -0.4 |
| Week 2 | 2 - 4 | 7.80 | 95 | 115 | 28° | 4.8 | -0.3 |
| Week 3 | 2 - 4 | 7.85 | 120 | 100 | 27.5° | 4.8 | -0.25 |
| Week 4 | 2 - 4 | 7.80 | 80 | 120 | 27° | 4.4 | -0.4 |

Comments:- Water clarity is great.

3. First Aid Kit Check/ Oxygen Resuscitation Kit - Replacement Supplies Required (please list):-

None required

4. Consumables - Items required e.g. Toilet paper, hand towel, soap (please list):-

A pallet of pool salt

½ a pallet of Hydrochloric Acid – 20L drums

Cleaning Products

None required

Chemicals

1 x Sodium thiosulphate - *Ordered last month have not received*

5. Maintenance request (please list):-**New maintenance requests**

Water leak under ground near tap along front fence – *being repaired*

maintenance requests

- The gutters on roof are full of leaves and sticks from gum trees.
- Under roof insulation and lining for kiosk. On hot days it is cooler outside the kiosk than in it. I have been asking since I have taken on the pool for something to be done. I have told my staff not to stand in there for too long or not to treat first aid casualties in there as they will get heat stroke. It is that hot in there the lollies melt, please make this a priority.

Ongoing maintenance requests

Tap handle for pop up sprinkler (at deep end) is broken. Reported 8/11/19

Tap for pop up sprinkler with green lid on northern side behind shade structure is frozen. Reported 8/11/19

Removal of trees – there are gum trees around the pool that create a huge mess daily and the flowers are hard to get rid of as they float on top of the water. Replant other trees like bottle trees.

Top dressing to establish grass. Is there a grant that could help with this?

7. Safety Issues (Please list)

- Pool hoist as there is no steps for older people to enter the water. This was also identified by a patron as their friend couldn't come to the pool as she couldn't enter or exit the pool.
- Extra lighting for night use (photo below)

8. Safety Issues Resolved

NA

9. Incidents (please ensure all incidents are reported to council the same day they occur on council's incident form)

None to report

10. Issues with unruly patrons etc (Drunk, abusive, violation of pool rules)

No

11. Any other issues that should be reported to council

Could we please get blankets for the pool? Up until now we haven't been able to do to many lessons at the pool due to the water being so cold.

Photos

- Needs more lighting for night use.

**Off Season Jobs**

- Pest control - to spray all buildings and sheds.
- Service mowers, whipper snipper, blower – 1 x ride on, 1 x push mower, 1 x whipper snipper
- Service dosing pumps

Name & Signature of Pool ManagerSigned:- M N SUTTONDate : 03.02.2020

COUNCILLOR REQUEST FOR AN AGENDA REPORT

Meeting: Ordinary 22 April 2020

Date: 18 April 2020

Item Number: 16.1

File Number: D20/33881

SUBJECT HEADING: Review of report deadlines to Ordinary Meetings

Classification: Open Access

Officer's Title: Mayor

Executive Summary:

Proposal to review the deadline for reports to ordinary meetings.

Councillor's Recommendation:

That a report be prepared for the ordinary meeting on 13 May 2020.

Details of Requested Agenda Report:

At the post election meeting regarding the setting of meeting days and times I brought forward a proposal that all agenda items from May 2020 onwards be ready two weeks before ordinary meetings.

I would like for this proposal to be further investigated, and a report prepared for the ordinary meeting on 13 May 2020, which considers the potential implications to internal processes to achieve an earlier deadline for reports to future ordinary meetings.

I'm happy for a staged implementation to occur, for example, one (1) week earlier initially for reports.

Supporting Documentation:

Nil