



# NOTICE OF MEETING & AGENDA

## Post Election Meeting Meeting

**Tuesday 9 April 2024**

Roma Administration Centre

### NOTICE OF MEETING

Date: 4 April 2024

Mayor: Councillor W M Taylor

Councillors: Councillor J R P Birkett  
Councillor M K Brumpton  
Councillor A K Davis  
Councillor P J Flynn  
Councillor J M Hancock  
Councillor C J O'Neil  
Councillor J R Vincent  
Councillor B R Seawright

Chief Executive Officer: Edwina Marks

Attached is the agenda for the **Ordinary Meeting** to be held at the Roma Administration Centre on **9 April, 2024 at 11.00AM.**

Edwina Marks  
Chief Executive Officer

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## **OFFICER REPORT**

**Meeting:** Post Election Meeting 9 April 2024

**Date:** 22 March 2024

**Item Number:** 3.1

**File Number:** D24/27781

**SUBJECT HEADING:** Appointment of the Deputy Mayor

**Classification:** Open Access

**Officer's Title:** Chief Executive Officer

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### **Executive Summary:**

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

### **Officer's Recommendation:**

That Council appoint Cr <insert name> to the position of Deputy Mayor for the period of (time) in accordance with S175 of the *Local government Act 2009*.

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### **Context (Why is the matter coming before Council?):**

The appointment of a deputy mayor is one of two decisions that must be made by the new Council at the post-election meeting.

### **Background (Including any previous Council decisions):**

Following the conclusion of the quadrennial local government election, the deputy mayor appointment must be determined at Council's post-election meeting in accordance with legislation.

### **Options Considered:**

Appointment of Deputy Mayor, with the nomination and determination at council's discretion.

### **Recommendation:**

That the position of Deputy Mayor be filled by a Councillor with prior local government experience for the 2024 – 2028 term of Council.

**Risks:**

Risk	Description of likelihood & consequences
Appointment of an inexperienced Deputy Mayor	The mayor has the responsibilities of all councillors and extra responsibilities under <i>the Local Government Act 2009</i> . It may be difficult for a councillor who is new to the role of councillor to also undertake additional responsibilities in the absence or temporary incapacity of the mayor.
Short term filling of the position of Deputy Mayor	Appointment of a deputy mayor for a shorter period of time than the term duration (eg annually) may negatively impact the continuity and stability of leadership should the deputy mayor be called upon in the mayor's absence.

**Policy and Legislative Compliance:**

**175 Post-election meetings**

*(1) A local government must hold a meeting within 14 days after—*

- (a) the conclusion of each quadrennial election; and*
- (b) the conclusion of a fresh election of its councillors.*

*(2) The local government must, by resolution, appoint a deputy mayor from its councillors (other than the mayor)—*

- (a) at that meeting; and*
- (b) at the first meeting after the office of the councillor who is the deputy mayor becomes vacant.*

The role of the Deputy Mayor is detailed in section 165:

**165 Acting mayor**

*(1) The deputy mayor acts for the mayor during—*

- (a) the absence or temporary incapacity of the mayor; or*
- (b) a vacancy in the office of mayor.*

**Budget / Funding (Current and future):**

The 2023/24 budget accommodates funding for the role of deputy mayor.

**Timelines / Deadlines:**

The appointment must occur at the post-election meeting.

**Consultation (Internal / External):**

N/a

**Strategic Asset Management Implications:**

*(If applicable, outline changes to whole of life costs and / or level of service)*

N/a

**Acronyms:**

N/a

**Addition to Operational or Corporate Plan:**

Plan Description	Yes / No
Operational	No
Corporate	No<Provide details>

**Link to Corporate Plan:**

Corporate Plan 2024 - 2028

Corporate Plan Pillar 4: Accountability

4.5 Good governance framework

**Supporting Documentation:**

Nil

## **OFFICER REPORT**

**Meeting:** Post Election Meeting 9 April 2024

**Date:** 22 March 2024

**Item Number:** 3.2

**File Number:** D24/27800

**SUBJECT HEADING:** Setting of Meeting Days and Times

**Classification:** Open Access

**Officer's Title:** Chief Executive Officer

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### **Executive Summary:**

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

### **Officer's Recommendation:**

That Council:

1. Hold the next ordinary meeting <insert date>.
2. After its first ordinary meeting, and for the remainder of 2024, Council hold its ordinary meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month (excluding December with a single meeting to be held on the 2<sup>nd</sup> Wednesday of the month).
3. Hold the next ordinary meeting and all ordinary meetings at Council's Roma Administration, commencing at 9am.
4. Review how it wishes to undertake additional strategy briefings and workshops, and the associated timing at a future meeting.
5. Review its community engagement framework and forums at a future meeting.
6. Further investigate the implications and opportunities in consideration of introducing monthly ordinary meetings prior to the end of 2024.

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### **Context (Why is the matter coming before Council?):**

The report seeks to establish when Council will hold its first ordinary meeting and the new Council's policy position on meeting frequency, time and location.

**Background (Including any previous Council decisions):**

Following is a summary of past arrangements for Maranoa Regional Council-

Ordinary Meetings

*Meeting Frequency –*

Since commencement of the 2008 term of Maranoa Regional Council, until close of the Council term in March 2024, Council has held its Council meetings on the second and fourth Wednesday of each month, commencing at 9.00am.

This frequency was adopted by the former terms of Council on the basis that:

- It provided an opportunity for consideration of matters in a timely manner (i.e. fortnightly decisions rather than monthly decisions);
- Given the volume of information that was coming before Council for consideration, it spread the workload across two meetings
- The frequency had been communicated extensively and was therefore well known internally (by Council staff), by business, key external parties, and the general community;
- Mid-week business hour meetings provided ready access to the authors of the Council reports and the management team.  
(This enabled Councillors to ask questions / seek clarification on agenda reports prior to voting on the matters).
- Officers could aim to prepare the draft minutes in the same week as the meeting, and urgent matters could be addressed in the business days that followed the meeting.

*Meeting Locations –*

Term 2008 – 2012

Meetings were held on a rotational basis around the region with the first meeting of the month held in Roma, and the second meeting of the month rotated around the region to the outlying towns of – Mitchell, Surat, Injune and Yuleba (where Council maintained a Customer Service access point for the local surrounding community).

This response of Council was strongly influenced by the amalgamation of the former shires to form one region and to:

- demonstrate Council's ongoing commitment to all of the region's towns by providing an 'on the ground' Councillor presence in all communities; and
- the opportunity for community members to meet with the Councillors during those rotations to discuss key issues and matters of interest locally.

#### Term 2012 – 2016 and 2016 - 2020

All Council meetings were held at its Roma Administration Centre, on the basis that the rotational meetings during the former term saw minimal community attendance at the meetings, or requests from residents to meet with the Councillors. At that time, it also presented challenges in relation to availability of report authors on all agenda items, as it involved significant numbers travelling. Further, anticipating timeframes for availability of those officers by telephone would have been difficult.

During this term Council implemented a range of alternative community engagement forums across the region to better seek community input on key matters and provide increased opportunities for the community to access the Councillors.

Council initiated 'Out & About' forums, attended local town meetings, hosted project specific engagement sessions, and provided representation to community committees and Council initiated advisory committees.

This approach also rationalised travel distances and times for Councillors, officers and guests of Council from outside the region by meeting in Roma. Roma is centrally located within the region and has direct access to the Roma Airport for travelling guests of Council.

#### Term 2020 – 2024

In October 2020 Council introduced a 4-month trial of rotational meetings, with the first meeting of the month being held rotationally in the locations of Mitchell, Surat, Yuleba and Injune. Two of those meetings commenced at 6.30pm and two commenced at 12pm.

At the end of the trial Council reviewed the outcomes, and in April 2021 introduced a Spring/Summer series of rotational meetings in the same towns for the first meeting of the month. The commencement time was amended to a 9am start for all meetings for the remainder of the term.

These alternative Spring/Summer series was introduced on the basis that-

- Starting a meeting at lunch time effectively meant a lost morning of productivity.
- As some parts of the meetings were conducted outside of normal business hours, reporting officers were not available to answer technical questions, which at times led to reports being laid on the table, leading to delayed decisions.
- Night meetings meant that participants at the meeting were traveling at late hours and arriving home very late at night. In some instances, meetings had to be adjourned and carried over to the next day.
- Use of pool vehicles meant that multiple employees / Councillors were exposed to risks when travelling at night.
- Fatigue, given the lateness of meetings potentially led to poor decision making.



- Meeting venues in the smaller towns were also moved from town halls where possible to Council administration centres with funds invested to upgrade administration centres as town halls were not 'fit for purpose' to conduct meetings with the recording equipment required.

Community attendance at the meetings and at 'Councillor Catch Up's, on meeting days in the smaller communities remained low (generally less than 10 residents in attendance at each location. That said, Council re-visited the viability of meetings being held across the region. It also demonstrated that the community welcomes and values fact to face, two-way communication with Councillors, particularly in the small communities during the dedicated but brief community catch ups at morning tea and lunch time.

It is recommended that Council review its community engagement framework at a future meeting to enhance and plan for these engagement opportunities to achieve far more value through two-way engagements with Councillors and residents.

Of note, Council introduced recording of meetings during this term and made available on Council's website / YouTube. This approach has been embraced by the community and staff. For the community, individuals can choose a preferred time and location to view the meetings, as well as select items of Interest. For staff it has enabled them to review the discussion and decision of Council, providing insight on all matters considered formally by Council.

The introduction and use of Microsoft Teams has also enabled reporting officers to attend meetings virtually, without the need for traveling lengthy distances to participate in meetings to answer questions.

With the introduce technology advances, it is recommended that all ordinary meetings be held at Council's Roma Administration Centre.

What meeting arrangements are in place at other local government areas?

A review of meeting schedules for all B2 category councils (As categories by the Local Government Remuneration Commission), was undertaken at the close of the 2020 – 2024 term. This identified the following meeting arrangements for council areas below-

Council	Frequency	Timing	Start time	Location
Maranoa Regional Council	Fortnightly	2 <sup>nd</sup> and 4 <sup>th</sup> Wednesday of the month	9am	Rotational summer season only
Cassowary Coast Regional Council	Monthly	Last Thursday of the month	9am	Non-rotational
Charters Towers Regional Council	Monthly	Third Wednesday of the month	9am	Non-rotational
Gympie Regional Council	Monthly	Last Wednesday of the month	9am	Non-rotational
Livingstone Shire Council	Monthly	Third Tuesday of the month	9am	Non-rotational
Mareeba Shire Council	Monthly	Third Wednesday of	9am	Non-rotational

**Maranoa Regional Council**

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		the month		
Mount Isa City Council	Monthly	Last Wednesday of the month	9am	Non-rotational
Scenic Rim Regional Council	Fortnightly	2 <sup>nd</sup> and 4 <sup>th</sup> Tuesday of the month	9am	Non-rotational
Somerset Regional Council	Fortnightly	2 <sup>nd</sup> and 4 <sup>th</sup> Wednesday of the month	9am	Non-rotational
South Burnett Regional Council	Monthly	Last Wednesday of the month	9am	Non-rotational
Southern Downs Regional Council	Monthly	First Wednesday of the month	9am	Rotational
Tablelands Regional Council	Monthly	4 <sup>th</sup> Thursday of the month	9am	Non-rotational

In summary, the key findings for Council's in this category are-

- An ordinary meeting start time of 9.00am is a consistent standard.
- Most councils do not rotate ordinary meetings across their respective shire/region.
- Most councils hold monthly ordinary meetings.

Council may wish to consider holding ordinary meetings on a monthly basis, potentially on the last Wednesday of each month. It is recommended the implementation of such a change be further investigated towards the end of 2024 to identify potential implications and arrangements required to successfully implement such a change if desired.

#### Councillor Briefings / Workshops

During the former four (4) terms of Council, Council briefings / workshops have been held with Councillors. Councillor workshops or 'briefing sessions' are non-decision making forums convened by Councillors, the Chief Executive Officer and, as directed by the Chief Executive Officer other Council officers.

The informal workshops create an opportunity for Councillors and officers to discuss matters of proposed policy or other strategic 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. Given that some of the issues requiring Council decisions are often complex or highly technical in nature, the informal setting provides a greater opportunity for Councillors to receive detailed briefings and be able to ask questions in a more relaxed forum. Workshops can also include presentations by visiting guests / consultants depending on the matters under consideration.

During the 2008 – 2012 term, following the amalgamation process, these were held on an 'as needs' basis.

During the 2012 – 2016 term, workshops were held on the Tuesday prior to the Council meeting, and on the Wednesday in the 'off meeting' weeks (1<sup>st</sup> and 3<sup>rd</sup> Wednesday of the month). Additional workshops were also held from time to time on an 'as needs' basis (e.g. for budget deliberations).

During the 2016 – 2020 term, the format was changed slightly for the Tuesday prior to the Council meeting and renamed Agenda Familiarisation Workshops, with a Policy Development Workshop generally in the off meeting weeks. Ordinarily once a fortnight, time was set aside for Councillors to also discuss upcoming diary appointments on the Tuesday. The Agenda Familiarisation Workshops, in summary, provided the opportunity for Councillors to ask questions regarding confidential agenda items and consider any related detailed briefings and presentations by visiting guests / consultants.

During the 2020 – 2024 term, Council adjusted the format again slightly to hold what was known as Councillor Briefings on the Tuesday prior to each Ordinary Meeting (generally the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month). Flexibility was also built in to allow for adjustment of the days when agreed.

It is recommended that Council review its strategic briefing / workshop arrangements and policy at an upcoming meeting.

**Options Considered:**

Option 1 – Fortnightly Ordinary Meetings in line with historical approach

Option 2 – Monthly Ordinary Meetings

**Recommendation:**

That Council consider and resolve the days and times for holding its Council meetings as required under *Section 256 (1) of the Local Government Regulation 2012*.

Fortnightly ordinary meetings have been recommended for the remainder of 2024 in line with Council’s historical approach, however, Council may wish to consider an alternative frequency or day of meeting. A 9am meeting commencement time is recommended, with all meetings to be held at the Roma Administration Centre.

**Risks:**

Risk	Description of likelihood & consequences
Mitigated by compliance with legislation	Legislation requires that: <ul style="list-style-type: none"> <li>• local government must consider at a post-election meeting the day and time for holding other meetings.</li> <li>• local government must meet at least once in each month.</li> </ul> However, the Minister may, after written application by a local government, vary the requirement under subsection (1) for the local government

**Policy and Legislative Compliance:**

Local Government Act 2009-

**175 Post-election meetings**

- (1) A local government must hold a meeting within 14 days after—
  - (a) the conclusion of each quadrennial election; and
  - (b) the conclusion of a fresh election of its councillors.
- (2) The local government must, by resolution, appoint a deputy mayor from its councillors (other than the mayor)—
  - (a) at that meeting; and
  - (b) at the first meeting after the office of the councillor who is the deputy mayor becomes vacant.

Section 256 of the Local Government Regulation 2012 states that:

**256 Agenda of post-election meetings**

- (1) The matters a local government must consider at a post-election meeting include the day and time for holding other meetings.
- (2) A **post-election meeting** is the meeting mentioned in section 175(1) of the Act.

**Budget / Funding (Current and future):**

The budget has been prepared having regard to the current Council meeting rotations and is review annually.

**Timelines / Deadlines:**

Legislation requires that the setting of meeting dates must be considered at its post-election meeting within 14 days after the conclusion of the quadrennial election.

**Consultation (Internal / External):**

Lead Officer – Elected Members & Community Engagement

**Strategic Asset Management Implications:**

*(If applicable, outline changes to whole of life costs and / or level of service)*

N/a

**Acronyms:**

N/a

**Addition to Operational or Corporate Plan:**

Plan Description	Yes / No
Operational	No
Corporate	No

**Link to Corporate Plan:**

Corporate Plan 2024 - 2028  
Corporate Plan Pillar 4: Accountability  
4.5 Good governance framework

**Supporting Documentation:**

Nil

**OFFICER REPORT**

**Meeting:** Post Election Meeting 9 April 2024

**Date:** 4 April 2024

**Item Number:** 3.3

**File Number:** D24/30884

**SUBJECT HEADING:** Maranoa Local Disaster Management Group (LDMG) - Appointment of Executive Positions

**Classification:** Open Access

**Officer's Title:** Emergency Management Coordinator

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**Executive Summary:**

Following the March 2024 Local Government Elections, this report seeks Council's consideration in relation to the appointment of executive positions to the Maranoa Local Disaster Management Group and Local Emergency Coordination Committees. The report confirms the intent to formally notify Queensland Police Service of the changes to Local Disaster Management Group and Local Emergency Coordination Committee appointments.

**Officer's Recommendation:**

That Council:

1. Consider the following appointments to the Local Disaster Management Group as required by the *Disaster Management Act 2003*;

Position	Nominated Representative
LDMG Chair	
LDMG Deputy Chair	

2. Nominate the following Councillors as Chair of the respective Local Emergency Coordination Committees (LECC):

Position	Nominated Representative
LECC Chair Bungil	
LECC Chair Warroo	
LECC Chair Booringa	
LECC Chair Bendemere	

3. Nominate the change of officers as the following:

LDMG Coordinator	Cameron Hoffman Dep Dir Strategic Roads
LDMG Delegate Co-ordinator	Seamus Batstone Dir of Engineering

- 4.
  5. Authorise the Chief Executive Officer (or delegate) to formally notify the Queensland Police Service and District Disaster Coordinator of the above appointments to the Maranoa Local Disaster Management Group.
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**Context (Why is the matter coming before Council?):**

The *Disaster Management Act 2003* requires Council to establish a Local Disaster Management Group (LDMG). The LDMG plays a critical role in the response to disasters and emergency situations, so it is imperative that new elected members are appointed to this group as soon as possible.

Appointments to the LDMG are a matter for Council consideration, and therefore this report seeks Council's approval to formally accept the appointment of executive members of the LDMG.

**Background (Including any previous Council decisions):**

The *Disaster Management Act 2003* and the *Disaster Management Regulation 2014* forms the legislative basis for disaster management within all levels of government and Queensland's disaster management arrangements.

Local level capability is recognised as the frontline for disaster management, primarily due to the benefits of localised knowledge and networks.

As per Section 4A(c) of the Act, Local Governments are primarily responsible for managing events in their local government areas (LGAs) and this is provided through their Local Disaster Management Group (LDMG).

The *Disaster Management Act 2003* requires Council to establish a Local Disaster Management Group (LDMG) – and as part of this, includes the appointment of a Chair and Deputy Chair to the group.

Section 34 of the *Disaster Management Act 2003* and Section 9 of the *Disaster Management Regulation 2014* provides prescriptive requirements around the appointment of these roles.

*(1) The chairperson and deputy chairperson of a local group are the persons appointed by the relevant local government for the local group to be the chairperson and deputy chairperson.*

*(2) The chairperson must be a Councillor of a local government.*

Whilst not an explicit requirement, it should be noted that traditionally, both at Maranoa and across the State, the Chair of the LDMG has been the Mayor of the Local Government. This approach aligns with the recommendation presented to Council at the end of this report.

In addition to the Chair and Deputy Chair appointments, Maranoa's Disaster Management Structure has local lead disaster groups known as Local Emergency Coordination Committees. These provide the first line of local defence and response in the event of a disaster.

These committees are chaired by an elected Councillor of the Local Government. Traditionally, these appointments are for Councillors who are typically located, and

have a good understanding and knowledge of the local community. The recommendation presented to Council aligns itself with this traditional approach taken to LECC Chair appointments.

*As outlined in Part 3 of the recommendation*, it is practice to update the State with all the key position holders as they change – so this is acknowledging that this step is planned to be undertaken once the appointments are formalised through resolution.

**Options Considered:**

The Disaster Management Act and Regulations simply requires the position of LDMG Chair to be filled by a Councillor of the Local Government. Any combination of Councillor(s) could be appointed to the roles outlined in this report.

Given the legislative requirement around the topic, the option of not nominating a representative for the positions outlined in this report was not considered.

**Recommendation:**

The below recommendation outlines possible Councillors for the positions that require a Council representative to be nominated. These recommendations considered elements such as:

- Previous training and experience in Local Disaster Management;
- Geographical location; and
- Understanding and knowledge of local community;

Notwithstanding the above (and below), the appointments are ultimately a matter for Council’s consideration and can consist of any combination of elected Councillors.

It is recommended that Council:

1. Consider the following appointments to the Local Disaster Management Group as required by the Disaster Management Act 2003;

<b>Position</b>	<b>Nominated Representative</b>
LDMG Chair	Cr Wendy Taylor (Mayor)
LDMG Deputy Chair	Cr Cameron O’Neil

2. Nominate the following Councillors as Chair of the respective Local Emergency Coordination Committees (LECC):

<b>Position</b>	<b>Nominated Representative</b>
LECC Chair Bungil	Cr Jane Vincent
LECC Chair Warroo	Cr Joh Hancock
LECC Chair Booringa	Cr John Birkett
LECC Chair Bendemere	Cr Brendan Seawright

3. Authorise the Chief Executive Officer (or delegate) to formally notify the Queensland Police Service and District Disaster Coordinator of the above appointments to the Maranoa Local Disaster Management Group.

**Risks:**

Risk	Description of likelihood & consequences
Failure to Nominate	<p>Failure to nominate will result in the positions of the LDMG and LECC being vacant.</p> <p>The LDMG plays a critical role in the response to disasters and emergency situations, so it is imperative that new elected members are appointed to this group as soon as possible.</p> <p>The recommendation drafted aims to satisfy the requirement of the <i>Disaster Management Act 2003</i> and formalise the appointments in a timely manner at the post-election meeting planned for 09 April 2024.</p>
Skills and Training	<p>The nominated representatives will require additional training for their nominated role. Council officers are currently working with the Emergency Management arm of the Queensland Police Service to undertake this training in the coming months.</p>

**Policy and Legislative Compliance:**

Several key legislative requirements of the *Disaster Management Act 2003* have been outlined in the Background of this report.

Further details regarding the requirements to establish, and the functions of a Local Government Disaster Management Group have been outlined below.

**Division 3                      Local government disaster management groups**

**Subdivision 1                Establishment and functions**

**29            Establishment**

A local government must establish a Local Disaster Management Group (a *local group*) for the local government's area.



### 30 Functions

A local group has the following functions for its area—

- (a) to ensure that disaster management and disaster operations in the area are consistent with the State group's strategic policy framework for disaster management for the State;
- (b) to develop effective disaster management, and regularly review and assess the disaster management;
- (c) to help the local government for its area to prepare a local disaster management plan;
- (d) to identify, and provide advice to the relevant district group about, support services required by the local group to facilitate disaster management and disaster operations in the area;
- (e) to ensure the community is aware of ways of mitigating the adverse effects of an event, and preparing for, responding to and recovering from a disaster;
- (f) to manage disaster operations in the area under policies and procedures decided by the State group;
- (g) to provide reports and make recommendations to the relevant district group about matters relating to disaster operations;
- (h) to identify, and coordinate the use of, resources that may be used for disaster operations in the area;
- (i) to establish and review communications systems in the group, and with the relevant district group and other local groups in the disaster district of the relevant district group, for use when a disaster happens;
- (j) to ensure information about a disaster in the area is promptly given to the relevant district group;
- (k) to perform other functions given to the group under this Act;
- (l) to perform a function incidental to a function mentioned in paragraphs (a) to (k).

#### **Budget / Funding (*Current and future*):**

N/A - The proposed appointments do not represent any additional financial impact as these positions will be funded from the existing elected Councillors of the Local Government budget.

#### **Timelines / Deadlines:**

As soon as possible, failure to nominate will result in the positions of the LDMG and LECC being vacant in a disaster or emergency situation.

**Consultation (Internal / External):**

Local Disaster Coordinator – Edwina Marks  
 Deputy Local Disaster Coordinator – Cameron Hoffmann  
 Emergency Management Coordinator – Gemma Lines

**Strategic Asset Management Implications:**

*(If applicable, outline changes to whole of life costs and / or level of service)*

N/A

**Acronyms:**

Acronym	Description
LDMG	Local Disaster Management Group
LECC	Local Emergency Coordination Committee
QFES	Queensland Fire and Emergency Services
QPS	Queensland Police Service
QDMA	Queensland Disaster Management Arrangements

**Addition to Operational or Corporate Plan:**

Plan Description	Yes / No
Operational	N/A – the report is not seeking to amend the current Operational Plan (2023-24)
Corporate	N/A – the report is not seeking to amend the current Corporate Plan (2023-2028)

**Link to Corporate Plan:**

Corporate Plan 2024 - 2028  
 Corporate Plan Pillar 5: Inclusivity  
 5.14 Disaster resilience and preparedness

**Supporting Documentation:**

Nil

**Report authorised by:**

Chief Executive Officer

**OFFICER REPORT**

**Meeting:** Post Election Meeting 9 April 2024

**Date:** 22 March 2024

**Item Number:** 3.4

**File Number:** D24/27770

**SUBJECT HEADING:** Committee Representation | Advocacy and Audit Committee

**Classification:** Open Access

**Officer's Title:** Lead Officer - Elected Members & Community Engagement

**Executive Summary:**

Council is asked to consider initial elected member representation on key external advocacy committees and Council's Audit Committee.

**Officer's Recommendation:**

That Council:

1. Endorse representation for the 2024 – 2028 term of Council to advocate on behalf of Maranoa Regional Council as follows:

<b>Committee/Organisation</b>	<b>Representative/s</b>
South West Queensland Regional Organisations of Councils	Position of Mayor + Deputy Mayor
South West Queensland Water and Sewerage Alliance	Position of Mayor + Deputy Mayor
South West Regional Roads & Transport Group	Position of Mayor and/or Deputy Mayor and/or Councillor <Name>
Darling Downs and South West Queensland Council of Mayors	Position of Mayor
Central Queensland Regional Water Assessment – Stakeholder Advisory Group	Position of Mayor

2. Endorse Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as the Councillor representatives on the Maranoa Regional Council Audit Committee.
3. Consider representation on all other committees at a future meeting.

**Context (Why is the matter coming before Council?):**

For Council to consider elected member representation on key advocacy committees and Council's statutory Audit Committee for the 2024 – 2028 term of Council.

**Background (Including any previous Council decisions):**

**South West Queensland Regional Organisation of Council's (SWQROC) including SWQWSA and SWRTTG**

The South West Queensland Regional Organisation of Councils Inc. (SWQROC) was established in 2020, bringing together the South West Local Government Association (SWLGA) and South West Regional Economic Development (SWRED).

SWQROC leads member councils' involvement in the [Western Queensland Alliance of Councils](#). The WQAC brings together the 24 councils of Western Queensland to advocate for and address common issues and opportunities.

The SWQROC Management Committee comprises the Mayor of each member council plus one other elected member as determined by each individual Council. Historically the Deputy Mayor has been the additional representative and has attended the SWRRTG meetings.

SWQROC represents the interests and priorities of six local governments of the South West Queensland region, including:

- Balonne Shire Council
- Bulloo Shire Council
- Maranoa Regional Council
- Shire of Murweh
- Paroo Shire Council
- Quilpie Shire Council

The SWQROC Board holds face to face rotational and virtual meetings throughout the year, in addition to other advocacy opportunities including delegations and meetings with state and federal representatives.

The SWQROC Board meetings, SWQWSA and SWRRTG meetings are generally held over a 2-day period for at each sitting.

A copy of the 2024 SWQROC Board Meeting Schedule is attached for review.

**South West Queensland Water and Sewerage Alliance**

SWQWSA take a leadership and advocacy role in the safe, secure and sustainable urban water and waste water services of the local government areas of the SWQWSA member Councils.

The SWQWSA is responsible for assisting the participating Councils to achieve the following functions:

- i) Strategic planning.

- ii) Regional advocacy and inter-government relations
- iii) Promoting the region with State and Federal Agencies
- iv) Technical knowledge sharing
- v) Joint procurement initiatives
- vi) Skill Development

The SWQWSA Local Government membership comprises:

- Balonne Shire Council (BaSC)
- Buloo Shire Council (BuSC)
- Maranoa Regional Council (MRC)
- Murweh Shire Council (MSC)
- Paroo Shire Council (PSC)
- Quilpie Shire Council (QSC)

Non-local government membership comprises of:

- Department of Regional Development, Manufacturing and Water (RDMW)
- Qld Water Directorate (QWD)
- Institute of Public Works Engineering Australia Qld Division Inc. (IPWEAQ)
- Local Government Association of Qld (LGAQ)

### **South West Regional Roads and Transport Group (SWRRTG)**

South West Regional Roads and Transport Group is a cooperative governance arrangement between the Local Government Association of Queensland (LGAQ), on behalf of local governments, and the Department of Transport and Main Roads (TMR), to invest in and regionally manage the Queensland road and transport network.

It was established in 2002 to create a more collaborative and coordinated approach to road management and investment, aligns with the *Partners in Government Agreement 2015* between LGAQ and the Queensland Government and operates under a Memorandum of Agreement (MoA).

The SWRRTG group comprises:

- Maranoa Regional Council
- Quilpie Shire Council
- Bulloo Shire Council
- Murweh Shire Council
- Balonne Shire Council

RRTGs are formed through voluntary collaboration between councils that align regionally and within the local TMR District or Districts.

RRTG members include local government elected representatives and TMR District Directors. Generally, RRTGs will have multi-council membership and align with TMR District boundaries where possible.

Group members include elected local government representatives and TMR District Directors.

### **Darling Downs and South West Queensland Council of Mayors**

The Darling Downs & South West Queensland Council of Mayors (DDSWQ-COM) was formed in October 2015 with the purpose of advocating collectively to achieve priority for the communities' infrastructure and development needs for member Council's.

The DDSWQ-COM is made up of ten (10) Queensland Councils including:

- Balonne Shire Council
- Bulloo Shire Council
- Goondiwindi Regional Council
- Maranoa Regional Council
- Murweh Shire Council
- Paroo Shire Council
- Quilpie Shire Council
- Southern Downs Regional Council
- Toowoomba Regional Council
- Western Downs Regional Council

The Mayor for each member Council has been the nominated representative on this committee. The group meets either virtually or in person, generally on a quarterly and 'as needs' basis.

### **Central Queensland Regional Water Assessment – Stakeholder Advisory Group**

The Minister for Regional Development and Manufacturing and Minister for Water, along with the Honourable Tanya Plibersek MP Federal Minister for the Environment and Water, recently announced the Central Queensland Regional Water Assessment (RWA). The State is administering the RWA on behalf of the Queensland and Australian government and extended invitations for participation in a Stakeholder Advisory Group (SAG) to support this important work. The SAG is not a decision-making body and invited Mayors or Councillors and senior officials from relevant organisations on the SAG.

The previous term of Council considered representation on this newly formed committee at its ordinary meeting on 14 February 2024 and resolved:

#### **That Council:**

1. **Endorse the position of Mayor as the nomination for Councils representative on the Stakeholder Advisory Group for the term of the Central Queensland RWA lifecycle (2 to 2.5 years) to provide input and feedback into the assessment and to be updated on progress.**
2. **Endorse the Mayor to attend the meeting on 21 February in Rockhampton noting this is not a decision making meeting.**

3. Acknowledge that the nominee position may be updated during the new Council term at Councils discretion.

Council is asked to consider representation of each of these committees.

### **Maranoa Regional Council – Audit Committee**

Council has an established an Audit Committee in accordance with section 105 of the *Local Government Act 2009*. The main purpose of the Committee is to provide an oversight function to Council in the effective performance of its responsibilities related to draft financial statements, internal audit and risk management as prescribed under the Local Government Act 2009, the Local Government Regulation 2012 and other relevant legislation, standards and requirements.

Membership of the committee comprises two (2) Councillors and two (2) external members, appointed by Council. Council appoints one of the external members of the Audit Committee as Chairperson.

Key points contained in the Audit Committee Terms of Reference regarding Councillor membership are as follows-

- *Councillors will be appointed to the Committee for the term of the Council unless otherwise removed by a resolution of Council or acceptance of a resignation.*
- *A Councillor's membership of the Committee will automatically expire concurrent with the end of their term on council. Councillors are eligible for re-appointment by Council upon being re-elected.*

The current committee terms of reference are also attached to this report.

Traditionally, the Mayor has held one of the positions on the audit committee and the second has been held by a Councillor has been one with background in and/or strong interest in matters under the remit of this committee. Cr Mark Edwards was the second representative for the former term of Council.

Council asked to endorse the Councillor representatives on the Audit Committee.

### **Options Considered:**

Option 1 – Endorse membership and representation.

Option 2 – Not endorse membership on advocacy committees (not recommended as outlined in 'Risks', and the Audit committee membership is a legislative requirement).

Option 3 – Delay the decision if Council would like more time to consider representation. The matter could be laid on the table until a future meeting considering future meeting dates for each of the committees.

**Recommendation:**

That Council maintain its membership on each of the advocacy committees and endorse representation on each committee and endorse representation on the Audit Committee in accordance with legislation.

**Risks:**

Risk	Description of likelihood & consequences
Not participating in key advocacy committees	If Council is not represented on these key advocacy committees' opportunities to progress and highlight key priorities and challenges for the Maranoa and broader South West Queensland Councils could be diminished or missed.
Mitigated by compliance with legislation	Appointment of 2 Councillor representatives on the Audit Committee satisfies the legislative requirements.

**Policy and Legislative Compliance:**

Legislation regarding a local government Audit Committee-

**Local Government Act 2009**

**105 Auditing, including internal auditing**

(1) Each local government must establish an efficient and effective internal audit function.

(2) Each large local government must also establish an audit committee.

(3) A **large local government** is a local government that belongs to a class prescribed under a regulation.

(4) An **audit committee** is a committee that -

(a) monitors and reviews -

(i) the integrity of financial documents; and

(ii) the internal audit function; and

(iii) the effectiveness and objectivity of the local government's internal auditors; and

(b) makes recommendations to the local government about any matters that the audit committee considers need action or improvement.

**Local Government Regulation 2012**

**Prescribed class for large local government—Act, s 105**

For the Act, section 105(3), definition large local government, a large local government is a local government belonging to a remuneration category of 3 or a higher number mentioned in the remuneration schedule.

Note—



*Under section 105(2) of the Act, a large local government is required to establish an audit committee.*

The *Local Government Regulation 2012* outlines specific responsibilities of Council's Audit Committee, as follows:

**Local Government Regulation 2012**  
**211 Audit committee meetings**

*(1) The audit committee of a local government must—*

*(a) meet at least twice each financial year; and*

*(b) review each of the following matters—*

*(i) the internal audit plan for the internal audit for the current financial year;*

*(ii) the internal audit progress report for the internal audit for the preceding financial year including the recommendations in the report and the actions to which the recommendations relate;*

*(iii) a draft of the local government's financial statements for the preceding financial year before the statements are certified and given to the auditor-general under section 212;*

*(iv) the auditor-general's audit report and auditor-general's observation report about the local government's financial statements for the preceding financial year; and*

*(c) as soon as practicable after a meeting of the committee, give the local government a written report about the matters reviewed at the meeting and the committee's recommendations about the matters.*

*(2) At a meeting of the audit committee—*

*(a) a quorum is at least half the number of members of the committee; and*

*Examples—*

*1 If the committee consists of 4 members, a quorum is 2.*

*2 If the committee consists of 5 members, a quorum is 3.*

*(b) either—*

*(i) the chairperson presides; or*

*(ii) if the chairperson is absent, the member chosen by the members present as chairperson for the meeting presides.*

*(3) The audit committee may, for performing its functions under subsection (1)(b), seek information or advice from the person who has carried out the internal audit.*

*(4) The chief executive officer must present the report mentioned in subsection (1)(c) at the next meeting of the local government.*

Travel and associated costs are in accordance with the Expenses Reimbursement Policy (Councillors).

**Budget / Funding (Current and future):**

SWQROC member councils contribute a membership fee annually. For the 2023/24 financial year this fee was \$53,000.

DDSWQ-COM member councils contribute a membership fee annually. For the 2023/24 financial year this fee was \$2,570.79.

From time-to-time member Councils of SWQROC and DDSWQ-COM are asked to commit additional funds for projects and initiatives, which are in turn formally considered by Council.

SWQWSA member councils contribute by way of cost sharing on collaborative projects. Each member council has an opportunity to opt in or opt out for projects presented. Funding of a Regional Coordinator is paid out of the QWRAP bid pool funding amount and member councils would need to approve any additional regional coordinator costs which are shared equally by the SWQWSA local government members.

SWRRTG member councils do not pay a membership fee. The Department of Transport & Main Roads fund a coordinator role for the group.

Central Queensland Region RWA SAG – a funding commitment has not yet been requested.

Costs associated with attendance at meetings are budgeted for as part of the current financial year.

**Timelines / Deadlines:**

- Next SWRRTG and SWQWSA - 29 and 30 April 2024
- Next SWQROC – to be confirmed
- Next DDSWQ-COM – Tentatively 16 & 17 May 2024
- Next Central Queensland Region RWA SAG – to be confirmed
- Next Audit Committee Meeting – 10 June 2024

**Consultation (Internal / External):**

Chief Executive Officer  
Director Corporate Services  
Executive Management Officer Governance and Legal Services – Toowoomba  
Regional Council  
SWQWSA Coordinator

**Strategic Asset Management Implications:**

*(If applicable, outline changes to whole of life costs and / or level of service)*

N/a

**Acronyms:**

Acronym	Description
SWQROC	South West Queensland Regional Organisations of Councils
SWQWSA	South West Queensland Water and Sewerage Alliance
SWRTTG	South West Regional Roads & Transport Group
DDSWQ-COM	Darling Downs and South West Queensland Council of Mayors
Central Queensland Region RWA SAG	Central Queensland Regional Water Assessment – Stakeholder Advisory Group

**Addition to Operational or Corporate Plan:**

Plan Description	Yes / No
Operational	No
Corporate	No

**Link to Corporate Plan:**

Corporate Plan 2024 - 2028  
 Corporate Plan Pillar 4: Accountability  
 4.4 Collaborative governance

**Supporting Documentation:**

- |   |   |           |
|---|---|-----------|
| 1 | <a href="#">SWQROC 2024 Board Meetings Schedule</a>   | D24/27244 |
| 2 | <a href="#">Council Policy - Audit Committee Terms of Reference - Adopted 25 January 2023 - OM/01.2023/11</a> | P23/2     |

**Report authorised by:**

Chief Executive Officer



## Board Meetings 2024

Month	Day	Format	Location	Details
JANUARY	No meeting scheduled			Holiday period Note: Many members attending launch of Cunnamulla Hot Springs Opening on 17 January.
FEBRUARY	Thu 1 & Fri 2 Start 12:00 noon Finish 10:30am	F2F	St George	
MARCH	No meeting scheduled			Local government elections 16 March
APRIL	Mon 29 & Tue 30 Start 12:00 noon Finish 12:00 noon	F2F	Quilpie	Plus mtgs of SWRRTG and SWQWSA on Tuesday
MAY	Dates TBC No SWQROC meeting, rather individual Council Visits / Briefings	F2F	Various	Given newly elected councils, opportunity to provide a SWQROC workshop / briefing / presentation at council meeting – onboarding exercise.
JUNE	Thu 27 & Fri 28 Start 12:00 noon Finish 10:30am	F2F	Cunnamulla	Including EOFY budget discussions
JULY	No meeting scheduled			Noting: ALGA NGA & ACLG – 3rd – 5th @ Canberra LGAQ ROC Assembly: 10th – 12th @ Karumba
AUGUST	Thu 8 & Fri 9 Start 12:00 noon Finish 12:00 noon	F2F	Thargomindah	Plus mtgs of SWRRTG and SWQWSA on Friday
SEPTEMBER	Thu 26 & Fri 27 Start 12:00 noon Finish 1:00pm	F2F	Romo	Thurs 26th: State Election – Meet the Candidates Forum (aligned with WGAC), plus SWQROC AGM on Fri 27: SWQROC Mtg
OCTOBER	No meeting scheduled			Noting: LGAQ Annual Conference: 21-23 @ Brisbane Queensland State Government Election: 26th
NOVEMBER	Mon 4 & Tue 5 Start 12:00 noon Finish 10:00am	F2F	Charleville	
DECEMBER	Thu 5 & Fri 6 Start 9:00am Finish 1:00pm	F2F	St George	Plus mtgs of SWRRTG and SWQWSA on Friday

\* Virtual mtgs with key Ministers / Opposition Members leading into State Government election



## COUNCIL POLICY



Document Control	
Policy Title	Audit Committee Terms of Reference
Policy Number	P23/2
Function	Corporate Services
Responsible Position	Corporate Services Director
Supersedes	Audit Committee Terms of Reference (2020)
Review Date	January 2026

Version	Date Endorsed at ELT Briefing	Council Meeting Date (Date of Adoption / Review)	Resolution Number
1		25 January 2023	OM/01.2023/11
2			

#### What is an Audit Committee?

An Audit Committee is an advisory committee of council, established in accordance with the *Local Government Act 2009* and *Local Government Regulation 2012* to:

- (a) Monitor and review –
  - The integrity of financial documents, and
  - The internal audit function, and
  - The effectiveness and objectivity of the local government's external auditors; and
- (b) Make recommendations to council about any matters that the Audit Committee considers need action or improvement.

The objective of the Audit Committee is to promote good corporate governance through the provision of independent assurance, oversight and advice to council and the chief executive officer on matters relating to fraud and corruption control, risk management, internal control, governance, compliance, audit, financial statement preparation and financial reporting.

#### How will the Audit Committee help councillors to undertake their legislative role?

The Audit Committee will provide oversight, monitoring, review, and advisory activities in the following areas:

- Risk management
- Internal controls
- Financial reporting
- Performance management framework
- Internal audit function
- External audit function
- Legislative and regulatory compliance

The operations of the Audit Committee do not diminish the statutory duties and responsibilities imposed on councillors under the *Local Government Act 2009* and the *Local Government Regulation 2012*.

## COUNCIL POLICY



### Other Responsibilities of the Committee include:

#### External Audit

- Monitor or review council's compliance with legislation regarding financial reporting; and
- Review the draft general purpose financial statement and financial sustainability statement
- Review the audited financial statements prior to approval by council with focus on the external auditor's audit report, including any external audit comments related to significant changes in accounting policies and procedures, departure from accounting standards or major audit adjustments.
- Review of management response to external auditor's recommendation and extent of implementation (assessing the policies and procedures adopted by management to address these matters).
- Review other reports e.g., briefing papers.

#### Internal Audit

- Review through internal audit, the adequacy of the internal control structure and systems, including information technology security and control.
- Oversee the internal audit functions to enhance council's governance, internal control systems and processes.
- Ensure that adequate resources are allocated for the efficient and effective performance of internal audit functions.
- Review the internal audit progress report, the significant internal audit recommendations and monitor management's response and corresponding implementation.
- Monitor the extent of external auditor's reliance on internal audit work to facilitate completeness of audit coverage and maximization of resources
- Assess and monitor the effectiveness, independence, and objectivity of internal audit.

Pursuant to section 211(1)(b) of the *Local Government Regulation 2012*, the Audit Committee must review each of the following matters:

- (a) The internal audit plan for the internal audit for the current financial year,
- (b) The internal audit progress report for the internal audit for the preceding financial year including the recommendations in the report and the actions to which the recommendations relate,
- (c) A draft of the local government's financial statements for the preceding financial year before the statements are certified and given to the auditor-general under section 212 of the *Local Government Regulation 2012*, and
- (d) The auditor-general's audit report and auditor-general's observation report about the local government's financial statements for the preceding financial year.

Further, pursuant to section 211(3) of the *Local Government Regulation 2012* the Audit Committee may, for performing its functions under subsection 211(1)(b), seek information or advice from the person who has carried out the internal audit.

### Duties and Responsibilities

#### Audit Committee Member

- Contribute to the assessment and improvement of council's governance processes, including its systems of internal control, risk management and internal audit activities,
- Prepare for, attend, and contribute as appropriate to audit committee meetings,
- Review key areas of risk to council including internal controls, external reporting and compliance requirements, governance, and probity,
- Review the activities of external and internal audit and provide guidance and direction as required,

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- Be proactive in respect to any matters that would compromise the objectivity or independence of the internal audit function,
- Refrain from making any public comment or issuing any information in any form, concerning matters of the Audit Committee or matters of interest to the committee,
- Raise any issues related to a conflict of interest with the chair as soon as possible,
- Not disclose, make improper use, or take advantage of any restricted information that they may have access to as a member of the committee,
- Act in an ethical manner in consideration of issues and the provision of advice to council, and
- Act in accordance with these Terms of Reference.

### Chairperson

In addition to the duties and responsibilities as an audit committee member, the audit committee chairperson shall:

- Provide leadership and direction to the Audit Committee including providing meeting structure, professionalism, and efficiency,
- Encourage the participation of other members,
- Ensure effective communication between the Audit Committee, chief executive officer, executive management team, internal and external auditors, and
- Ensure the independence and objectivity of the Audit Committee and internal audit functions are maintained.

### Committee Composition

The membership of the committee will comprise of two (2) Councillors and two (2) external members, appointed by Council. Council will appoint one of the external members of the Audit Committee as Chairperson.

The external committee members shall have relevant tertiary qualifications and are current members of a professional body in Australia, with experience in accounting, audit, or another relevant area.

Council can at any time appoint a stand-in or replacement councillor member to the Audit Committee. A proxy is not permitted if an external member is unable to attend meetings.

Whilst not committee members, the chief executive officer, director corporate services and internal auditor are required to attend meetings as permanent attendees with no voting rights.

The committee may invite other council officers or council's external auditors to attend meetings as necessary.

### Tenure of the Committee

The Audit Committee is established for the term of the current council, unless dissolved earlier by council resolution.

### Terms of Membership

Councillors will be appointed to the committee for the term of the council unless otherwise removed by a resolution of council or acceptance of a resignation. A councillor seeking to resign from the committee must provide a written request to the council. In the event of a councillor resigning his/her position on the committee, the council will nominate a councillor to fill the vacant position.

A councillor's membership of the committee will automatically expire concurrent with the end of their term on council. Councillors are eligible for reappointment by council upon being re-elected.

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External members are generally appointed for the term of the current council, unless otherwise removed by a resolution of council or acceptance of a resignation. A councillor seeking to resign from the committee must provide a written request to the council. In the event of a councillor resigning his/her position on the committee, the council will nominate a councillor to fill the vacant position.

A councillor's membership of the committee will automatically expire concurrent with the end of their term on council. Councillors are eligible for re-appointment by council upon being re-elected.

External members are generally appointed for the term of the current council, unless otherwise removed by a resolution of council or acceptance of a resignation. An external committee member may, by notice in writing addressed to the council, resign his/her office as a member.

Council may remove a member from the committee if a member is unable or unwilling to operate within these Terms of Reference and any relevant policy, procedure or guidelines of Maranoa Regional Council.

External members' membership will expire at the expiry of the council term. The new council will invite expressions of interest for membership of the Audit Committee at which a former external member can re-apply.

Remuneration will be paid to each external member as determined by council.

If any member of the committee is absent for three (3) consecutive meetings without having obtained a leave of absence from the committee, the member's continued membership of that committee will be referred to the council for determination.

### **Administrative Support**

The chief executive officer shall provide administrative resources to the committee.

The executive services officer will be responsible for:

- Preparation and distribution of the agenda and any attachments and other material to the committee, within 5 days prior to the scheduled meeting; and
- Preparation of a written report about matters reviewed at the meeting and the committee's recommendations about the matters, as required. Pursuant to section 272(7) of the *Local Government Regulation 2012*, the Audit Committee is exempted from the requirement to keep formal minutes of its proceedings as the function of the Audit Committee is to advise or recommend only.

The Audit Committee may request additional resources to be allocated by the council, subject to agreement with and satisfaction of the chief executive officer, that the resources are reasonable, available and will be applied to tasks designed to achieve a specified objective. All such requests will be appropriately recorded and recommended in the committee report.

### **Quorum**

In accordance with section 211(2) of the *Local Government Regulation 2012*, a quorum will be at least half of the number of members, of which one must be an external member of the committee.

### **Meeting Procedures**

Unless otherwise provided in these Terms of Reference, the Audit Committee will adopt meeting procedures in accordance with section 270 of the *Local Government Regulation 2012*.

### **Voting**



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In accordance with section 270 of the *Local Government Regulation 2012*:

- Voting at a meeting must be open and questions decided by the majority of the votes of the members present, however if the votes are equal, the member presiding (chairperson) has the casting vote.
- Each member of the Audit Committee present has a vote on each question to be decided.
- If a member fails to vote, the member is taken to have voted in the negative.

### Other

Non-members may, with the permission of the chair, address the Audit Committee on any item of business listed on the agenda however, a non-member will not vote on any matter at an audit committee meeting.

### Frequency of Meetings

Audit committee meetings shall be held at a minimum two times in each financial year. The date, time and venue of the meeting will be set by the chief executive officer in consultation with the committee chairperson.

As an indicative guide, the meetings should be arranged to coincide with relevant council deadlines e.g. to coincide with the requirement for the Audit Committee to review the draft financial statements.

The committee shall recommend to council if additional meetings are required in order to fulfil their duties.

### Reporting

The Audit Committee shall submit a summary of its activities for inclusion in the council's annual report.

### Attendance

In accordance with the 'Code of Conduct for Councillors in Queensland', councillors will attend and participate meaningfully in all committee meetings to assist them in fulfilling their roles other than in exceptional circumstances and/or where prior leave is given.

Council will include records of attendance at audit committees (both whole and part) through its annual report each year.

### Teleconferencing

Where practical or necessary, councillors or employees participating in a committee meeting may be via the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in discussions as they happen.

Those participating in a committee meeting via teleconference must ensure they are in a place that maintains the confidentiality of the committee meeting discussions, without others present – where applicable in accordance with the confidentiality procedure.

### Conflicts of Interest & Material Personal Interests

Section 175A to section 175J (inclusive) of the *Local Government Act 2009* apply with respect to councillors' obligations at formal meetings of council (including any of its committees) – refer attachment A for all sections.

Specific reference is made to section 175I which relevantly states:

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- (1) This section applies to a councillor who has a material personal interest, real conflict of interest or perceived conflict of interest in a matter, other than an ordinary business matter.
- (2) The councillor must not influence, or attempt to influence, another councillor to vote on the matter in a particular way at a meeting of the local government or any of its committees. Maximum penalty – 200 penalty units or 2 years imprisonment.
- (3) The councillor must not influence, or attempt to influence, a local government employee or a contractor of the local government who is authorised to decide or otherwise deal with the matter to do so in a particular way. Maximum penalty – 200 penalty units or 2 years imprisonment.

To avoid being in breach of either subsection (2) or (3) of section 175I, if a councillor is aware that they have a conflict of interest or material personal interest in an item to be discussed at a standing committee, that councillor will declare that interest to all persons present and then deal with the interest by leaving the briefing whilst that particular item is discussed.

A member has a conflict of interest in an issue if there is a conflict between the member's private interest and the public interest that may lead to advice or a recommendation that is contrary to the public interest. Audit committee members shall absent themselves from meetings when a conflict of interest agenda item is raised. The member will remain absent from the meeting until the agenda item has been appropriately addressed by the committee.

Council officers must abide by council's code of conduct and disclosures in relation to conflicts of interest (conflicts of interest, gifts and benefits and prescribed personal interests).

**Modification of Terms of Reference**

The Terms of Reference may be amended from time to time by resolution at a council meeting.

**Related Documents**

Confidentiality Procedure – Template adopted by Maranoa Regional Council – 22 April 2020 (OM/04.2020/06) applies to committee meetings.