



Agenda

Ordinary Meeting

Tuesday, 19 January 2021

Time: 9.00am
Location: Council Chambers
82 Brisbane Street
BEAUDESERT QLD 4285

Please note: In accordance with Section 277E of the *Local Government Regulation 2012*, this meeting will be closed to the public due to health and safety reasons associated with the public health emergency involving COVID-19.

An audio recording will be broadcast on Council's website.

**Scenic Rim Regional Council
Ordinary Meeting
Tuesday, 19 January 2021
Agenda**

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- 1 Opening of Meeting**
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- 5 Declarations of Interest by Members**
- 6 Update for Register of Interests**
- 7 Announcements**
- 8 Reception of Deputations by Appointment**
Nil
- 9 Confirmation of Minutes**
Ordinary Meeting - 14 December 2020
- 10 Business Arising from Previous Minutes**

11 Consideration of Business of Meeting

Executive

11.1 Potential Establishment of a Police Citizens Youth Club in Beaudesert

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Manager Community & Culture

Attachments: Nil

Executive Summary

The purpose of this report is for Council to confirm its willingness to send a letter to the Board of Police-Citizens Youth Clubs Queensland (PCYC) to offer in-principle support for the project in Beaudesert. By Council triggering this process via an in-principle support letter, it can be independently determined as to the benefits that a PCYC facility can deliver to this community.

Recommendation

That Council provide an in-principle letter of support to the Board of the Police-Citizen's Youth Clubs Queensland (PCYC) for the establishment of a PCYC facility in Beaudesert to enable the Board to commission a report on the viability, suitability and sustainability of establishing such a facility.

Previous Council Considerations / Resolutions

No previous resolution of Council.

Report / Background

The Beaudesert Chamber of Commerce established a Steering Committee to investigate the establishment of a PCYC for the Scenic Rim, located in Beaudesert.

A public meeting was held at The Centre on the 18 November 2020 by members of the Steering Committee to garner support from the wider community. Residents, business owners, sports groups and community leaders all turned up to hear the case for the establishment of a PCYC facility in Beaudesert to provide support to local youths, community members and families. The Mayor Cr Greg Christensen presented to the public meeting on behalf of Council. A number of Councillors were present.

Subsequently, the Mayor and Council Chief Executive Officer met with Mr Kel Clarke (PCYC CEO), Mr David Kassulke and Mr John Powell (Beaudesert Chamber of Commerce Steering Committee) on 8 December 2020 to develop an aligned understanding of the way forward following the raising of expectations by the Steering Committee.

As part of this meeting it was requested that Council provide the PCYC organisation with a letter expressing in-principle support for the concept for a PCYC within Beaudesert for tabling to the Board. The Board will then decide whether to commission their independent report through an assessment and consultation process with the community to assess the viability, suitability and sustainability of establishing a PCYC. It is envisaged, if approved by the Board, that this process would take between six months to two years to finalise.

By way of background, the PCYC website indicates that the Queensland Police-Citizens Youth Welfare Association was established in 1948 and now has 54 clubs throughout Queensland communities. The Police-Citizens Youth Clubs Queensland (PCYC) is an award-winning charity providing youth and community programs, services and facilities that have been established in communities of high need where PCYC programs can make a difference to the lives of residents.

Further, the website indicates that Queensland PCYC's are unique because of their special relationship and links with the Queensland Police Service (QPS). Every single one of the clubs has a Sergeant of the QPS as its Branch Manager. This encourages positive relationships in the community and fosters unique interactions and experiences between the QPS and young Queenslanders. Currently, there are more than 60 police officers working with the PCYC to manage and coordinate the operations of the Association across the state. Police officers work with support from the community to deliver a wide range of targeted and diversified programs which cater for the individual needs of their local communities. PCYC Queensland's crime prevention and youth development programs help 50,000 young Queenslanders each year to make positive life choices.

It should be noted that the PCYC Queensland organisation is a separate independent body and whilst anyone can advocate for a PCYC in their community, the PCYC organisation undertakes their own independent process using their own criteria to determine whether a community should be selected for a PCYC.

Council understands that the PCYC Queensland (or others) also deliver programs that benefit youth without the need for the establishment of a PCYC facility such as the 'Breaking the Cycle' satellite program that is delivered in Boonah as part of the Ipswich PCYC.

Budget / Financial Implications

Cost for the research and assessment stage funded by the PCYC Queensland.

Nil cost to Council for this phase of the project.

It is not possible at this stage to include any indicative budget as the process is yet to begin. At a point in the future Council may decide to make an allocation, which would be subject to budget deliberations.

Strategic Implications

Operational Plan

Theme: 7. Healthy, Engaged and Resourceful Communities

Key Area of Focus: 7.1.1 Build capacity to improve health and wellbeing in the community

Legal / Statutory Implications

Not applicable

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR51 Ineffective, inaccurate and/or inappropriate communication and relationship/stakeholder management impacting Council's ability to fulfil its strategic objectives.

SR54 Ineffectively managing the political and government departmental relationships/partnerships, resulting in Council not achieving its major strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership That Council manage their relationships with the community on projects that impact the Region	3 Moderate	Likely	High	Council manage relationships with various entities by ensuring they are engaging and communicating with the various stakeholder	Medium
Political That Council are managing their relationships with the community and government to ensure that strategic projects are delivered for the Region.	3 Moderate	Likely	High	That Council manage relationships with government and community.	Medium

Consultation

Mayor, Councillors, Chief Executive Officer, Beaudesert Chamber of Commerce Steering Committee and PCYC Queensland Chief Executive Officer. Beaudesert Chamber of Commerce held a community meeting to explore interest from the broader community in establishing a PCYC facility in Beaudesert.

Conclusion

From recent discussions, it was requested that Council send a letter to the Board of PCYC Queensland providing in-principle support to the PCYC project to enable a report to be commissioned at their cost to determine the viability, suitability and sustainability of establishing a PCYC facility in Beaudesert.

Customer & Regional Prosperity

11.2 Australian Institute for Disaster Resilience 2020 Awards

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Manager Regional Prosperity & Communications

Attachments: Nil

Executive Summary

Scenic Rim Regional Council initiative, *Scenic Rim Farm Box*, was a finalist in the National Resilient Australia Awards held in Canberra on Friday 4 December 2020, receiving a "Highly Commended" for its entry.

Recommendation

That Council:

1. Acknowledge the 'Highly Commended' award received for Scenic Rim Farm Box in the Local Government Category at the Resilient Australia Awards, and
2. Commend the Council officers involved and the team at Scenic Rim Farm Box for the initiative and its success on the national stage.

Previous Council Considerations / Resolutions

26 March 2020 at a Special Meeting, Council adopted the Scenic Rim Economic Stimulus Package: COVID-19 which included the following action:

Develop a 'Scenic Rim Providore' sales, logistics and delivery solution for the region's agri- and food producers, to help counter the impact should the cancellation of Eat Local Week and the Winter Harvest Festival occur, and open up new sales opportunities

Report / Background

The Resilient Australia Awards, now in their 21st year, celebrate initiatives that build whole of community resilience to disasters and emergencies around Australia. The Awards are sponsored by the Australian Government in partnership with the States and Territories and are managed by the Australian Institute for Disaster Resilience (AIDR).

Scenic Rim Regional Council entered the Scenic Rim Farm Box initiative into the Queensland State Awards in the 'Local Government Award' category and were successful, which then enabled them to be considered as finalists in the national award category. The judging panel ratified this potential and Council was one of five local governments in contention for the award.

Council had championed the Scenic Rim Farm Box concept, provided start-up funding and also contributed intellectual property and access to marketing assets associated with its Scenic Rim Eat Local Week movement.

The 'farm to you' home delivery service was launched to help alleviate the impacts felt by local primary producers, who lost valuable income as a result of the global pandemic. The cancellation of Scenic Rim Eat Local Week, the loss of business as supply chains and restaurants closed due to COVID-19, and the inability to operate farm gate stalls as people's ability to travel was curtailed, had all contributed to a significant impact on these producers.

Scenic Rim Farm Box had exhibited steady growth in the number of participating suppliers, offering over 240 different product lines available for purchase, and generated 18 direct casual jobs, equivalent to 10 full-time positions as well as additional indirect jobs supported by the 50+ businesses which supply produce to the operation.

At the national awards ceremony, held in Canberra, Scenic Rim Regional Council received 'highly commended' in its category (with the winner being the City of Hobart for its Resilient Hobart program).

Budget / Financial Implications

The Australian Institute for Disaster Resilience covered all cost associated with a Scenic Rim Regional Council officer's attendance in Canberra to accept the award at the national awards ceremony.

Strategic Implications

Operational Plan

Theme: 2. Sustainable and Prosperous Economy

Key Area of Focus: 2.1.1 Guide and optimise the future economic prosperity of the region

Legal / Statutory Implications

Not applicable

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR54 Ineffectively managing the political and government departmental relationships/partnerships, resulting in Council not achieving its major strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership Not capitalising on opportunities to secure recognition for worthy Council initiatives that highlight Council's role in building community resilience	2 Minor	Unlikely	Medium	Environmental scans conducted to identify award opportunities and ensure organisation prepares submissions/entries as appropriate	Low

Consultation

Not applicable.

Conclusion

Scenic Rim Regional Council received a 'Highly Commended' award at the 2020 Resilient Australia Awards for the Scenic Rim Farm Box initiative. This award is acknowledgement for the initiative and also demonstrates to the Scenic Rim community the importance of building community/business resilience.

11.3 Update 2020 Northern Rivers Joint Organisation Board Meetings

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Economic Development Officer - Business and Industry

Attachments:

1. Northern Rivers Joint Organisation Ordinary Board Meeting Minutes 7 February 2020 [↓](#) 
2. Northern Rivers Joint Organisation Ordinary Board Meeting Minutes 26 June 2020 [↓](#) 
3. Northern Rivers Joint Organisation Ordinary Board Meeting Minutes 7 August 2020 [↓](#) 
4. Northern Rivers Joint Organisation Ordinary Board Meeting Minutes 21 August 2020 [↓](#) 
5. Draft Northern Rivers Joint Organisation Ordinary Board Meeting Minutes 25 September 2020 [↓](#) 
6. Draft minutes 20 November 2020 [↓](#) 

Executive Summary

The Northern Rivers Joint Organisation (NRJO), which was formed in June 2018, is the peak representative group for the six local government areas of the Northern Rivers region in Northern NSW. It aims to address matters of regional significance through collaboration with its members and six associate members, of which Scenic Rim Regional Council is one.

In May 2020, Cr Derek Swanborough was appointed as Council's representative on the NRJO Board, replacing Cr Virginia West.

This report serves to provide copies of the business and activities of the NRJO and presents the minutes from the Ordinary Board Meetings held on 7 February 2020, 26 June 2020, 21 August 2020 and 25 September 2020 (draft) (refer to Attachments 1 - 5).

The final meeting for 2020 was held on 20 November 2020, with draft minutes being available at the time of preparing this report.

Recommendation

That:

1. Council acknowledge the Northern Rivers Joint Organisation Ordinary Board Meeting Minutes for meetings held in February, June, August, September and November 2020 (draft); and
2. Council acknowledge the activities and initiatives being undertaken by the Northern Rivers Joint Organisation as they pertain to the Scenic Rim region.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 25 May 2020 (Item 11.1) it was recommended that Cr Derek Swanborough be appointed to represent Council on the Northern Rivers Joint Organisation.

The 2019 NRJO activities were presented to Council on 18 February 2020, including:

- Meetings held on 8 February 2019, 3 May 2019 and 16 August 2019, and
- the draft minutes from the Ordinary Board Meeting held on 8 November 2019.

Report / Background

The NRJO is the peak representative group for the six local government areas of the Northern Rivers region in Northern NSW. It aims to address matters of regional significance through collaboration with its members and associate members.

The NRJO was formed on 22 June 2018 and consists of six Member Councils (Ballina Shire Council, Byron Shire Council, Kyogle Council, Lismore City Council, Richmond Valley Council and Tweed Shire Council) and six Associate Member Organisations (New South Wales Office of Local Government, New South Wales Department of Premier and Cabinet, Regional Development Australia Northern Rivers, Rous County Council, Scenic Rim Regional Council and Destination North Coast New South Wales).

The NRJO Board generally meets quarterly, however has been more frequent in recent times. Cr Derek Swanborough attends as a representative of Council, either in person or via teleconference as necessary, depending on the location and purpose of the meeting.

The organisation aims to address matters of regional significance and identifies the following five priorities:

- biodiverse natural environments
- improved community wellbeing
- a connected region
- sustainable energy, water and waste; and
- a diverse regional economy.

The majority of agenda items discussed at these meetings pertain to the business, activities and initiatives being undertaken in northern New South Wales, however Council's continued participation in the NRJO ensures that activities and initiatives being undertaken in, or relevant to, the Scenic Rim are included in discussions.

To assist Cr Swanborough, the Regional Prosperity team prepare a report on a range of activities and initiatives being undertaken by Scenic Rim Regional Council, as they pertain to the NRJO.

Following the meeting in November 2020, Cr Derek Swanborough reported that one of the NRJO members displayed interest in either becoming actively involved in Scenic Rim Eat Local Week activities (especially in municipalities on the border of the Scenic Rim region) or else learning more about how the festival is conducted. Cr Swanborough indicated he will pass on the contact details, and it was requested that Officers make contact to provide relevant information for their consideration.

Budget / Financial Implications

Council's participation in the NRJO is at an Associate Member Organisation level and does not incur any membership fees.

NRJO meetings are held at various locations across northern New South Wales, and due to the distance of some locations and COVID-19 restriction, Cr Swanborough's attendance at the

Ordinary Board Meetings is usually via teleconference. On occasion, Cr Swanborough may attend meetings in person, which will incur some travel costs.

Strategic Implications

Operational Plan

Theme: 1. Spectacular Scenery and Healthy Environment

Key Area of Focus: 1.1.2 Partner and collaborate with agencies, community groups and private landholders to provide a coordinated approach to protecting biodiversity within the region

Legal / Statutory Implications

Not applicable.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR50 Failure to manage Environmental Sustainability (including climate change) through inappropriate and/or inadequate planning and operational considerations of impacts to the natural environment.

SR51 Ineffective, inaccurate and/or inappropriate communication and relationship/stakeholder management impacting Council's ability to fulfil its strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership Not capitalising on opportunities to address matters of regional significance through collaboration with NRJO	2 Minor	Unlikely	Low	Active participation in NRJO	Low

Consultation

Cr Derek Swanborough attends the NRJO Ordinary Board Meetings, and generally provides an update to the Chief Executive Officer and, if required, to the General Manager Customer and Regional Prosperity and General Manager Asset and Environmental Sustainability, where the content is relevant to their portfolios.

Conclusion

The NRJO is the peak representative group for the six local government areas of the Northern Rivers region in Northern NSW which aims to address matters of regional significance through collaboration with its members and associate members.

This information is provided to ensure that Council is aware of the business, activities, functions and initiatives being undertaken by the NRJO Board and are informed of Council's continued collaboration with the organisation.

This report serves to provide copies of reports to Council on the meetings held during 2020, as endeavours to report back to Council as an Associate Member of the NRJO.

**MINUTES OF THE ORDINARY MEETING OF
THE NORTHERN RIVERS JOINT ORGANISATION
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CHERRY ST, BALLINA
ON FRIDAY 7 FEBRUARY 2020**

ATTENDANCE

Crs Danielle Mulholland (Chair), Isaac Smith, Katie Milne; David Wright, Simon Richardson
Anita Gambhir (Office of Local Government); Louise McMeeking (Regional NSW)
General Managers Troy Green, Vaughan MacDonald, Graham Kennett, Mark Arnold, Paul Hickey,
Michael Thurston (Destination North Coast), Tim Williamson (RDA Northern Rivers)
Cr Jim Simmons, Ashley Lindsay (Clarence Valley Council)

1. ACKNOWLEDGEMENT OF COUNTRY

In opening the meeting, the Chair provided an Acknowledgement of Country.

2. APOLOGIES

Cr Robert Mustow (Richmond Valley Council), Cr Virginia West (Scenic Rim Council), Isabel Perdriau (NRJO Executive Officer); Shelley Oldham (Lismore City Council)

3. DECLARATIONS OF INTEREST

Chair Danielle Mulholland declared an interest in item 7.8 – Blue Gas Technologies proposal

4. ADDRESS BY OFFICIAL VISITORS

A presentation on the Biodiversity Legislation Reforms Project draft report was provided by Scott Hetherington, Tweed Shire Council

Mayor Jim Simmons and Ashley Lindsay, General Manager of Clarence Valley Council provided an update of CVC activities.

5. CONFIRMATION OF MINUTES and BUSINESS ARISING

5.1 Confirmation of Minutes – NRJO Meeting 8 November 2019

07022020/1 RESOLVED

Moved: Cr Smith/ Cr Milne

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

THAT the Minutes of the Ordinary Meeting of the Northern Rivers Joint Organisation held Friday 8 November 2019 be adopted as a true and accurate record of proceedings of that meeting.

CARRIED

FOR VOTE - All Councillors voted unanimously.

6. NOTICES OF MOTION

NIL received

7. REPORTS**7.1 ASSOCIATE MEMBER REPORT - DESTINATION NORTH COAST**

07022020/2 RESOLVED

Moved: Cr Smith/ Cr Mulholland

THAT the report be received and noted.

CARRIED

FOR VOTE – All Councillors voted unanimously.

7.2 ASSOCIATE MEMBER REPORT – RDA NORTHERN RIVERS

07022020/3 RESOLVED

Moved: Cr Mulholland/ Cr Richardson

THAT the report be received and noted.

CARRIED

FOR VOTE – All Councillors voted unanimously.

7.3 ASSOCIATE MEMBER REPORT – SCENIC RIM REGIONAL COUNCIL

07022020/4 RESOLVED

Moved: Cr Milne/ Cr Smith

THAT the report be received and noted.

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.4 ASSOCIATE MEMBER REPORT – CLARENCE VALLEY COUNCIL

07022020/5 RESOLVED

Moved: Cr Mulholland/ Cr Milne

THAT the report be received and noted.

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

CARRIED**FOR VOTE** - All Councillors voted unanimously.

7.5 NEW ENGLAND JO – MINUTES OF MEETING 25 NOVEMBER 2019

07022020/6 RESOLVED**Moved: Cr Milne/ Cr Wright***THAT the report be received and noted.***CARRIED****FOR VOTE** - All Councillors voted unanimously

7.6 CHAIR'S REPORT

07022020/7 RESOLVED**Moved: Cr Mulholland/ Cr Milne***THAT the following recommendations be accepted.***RECOMMENDATION**

THAT the JOAC Agreed Definition of Financial Sustainability be received and noted:

Agreed Definition of Financial Sustainability***A definition of financial sustainability was agreed by all Joint Organisations and has been endorsed.******'A Joint Organisation will be financially sustainable over the long term when it is able to generate sufficient funds and deliver on the Strategic Regional Priorities agreed with its members and stakeholders.'*****RECOMMENDATION:**

THAT the Board receive and note the documents provided in the meeting papers relating to the Joint Organisation Advisory Committee (JOAC).

RECOMMENDATION

THAT The NSW JO Chairs' Forum Terms of Reference be endorsed for annual rotation of the Chair position and inclusion of the role of Deputy Chair.

RECOMMENDATION

THAT the Chair's report be received and noted:

CARRIED**FOR VOTE** - All Councillors voted unanimously

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

7.7 EXECUTIVE OFFICERS REPORT

07022020/8 RESOLVED

Moved: Cr Smith/ Cr Wright

THAT the following recommendations be accepted.

RECOMMENDATION

THAT the Board approve an amendment to the NRJO Charter to incorporate the position of Deputy Chair.

RECOMMENNDATION

THAT the Board receive and note the Executive officer's report

CARRIED

FOR VOTE - All Councillors voted unanimously

The Chair then called for nominations for the role of Interim Deputy Chair. Cr Smith was the only nominee

07022020/9 RESOLVED

Moved: Cr Mulholland/ Cr Milne

THAT Cr Smith be appointed as interim Deputy Chair

CARRIED

FOR VOTE - All Councillors voted unanimously

7.8 BLUE GAS TECHNOLOGIES – PROPOSAL FOR CONSIDERATION

Cr Mulholland left the room at 11.59 due to a conflict of interest. Cr Smith took the Chair.

07022020/10 RESOLVED

Moved: Cr Richardson/ Cr Wright

THAT the report be received and noted.

Cr Richardson moved an amendment:

Amendment:

THAT the NRJO acknowledge receipt of the proposal from Blue Gas technologies but decline to progress further

THAT the Board request the Executive Officer present further unsolicited proposals to GMAC for consideration prior to presentation to the Board

07022020/11

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

Moved: Cr Richardson/ Cr Milne

CARRIED

FOR VOTE - All Councillors voted unanimously.

Cr Mulholland returned to the room at 12.08 and resumed the Chair

7.9 LGNSW CLIMATE RESILIENCE WORKSHOPS

07022020/12 RESOLVED

Cr Mulholland moved an amendment

Amendment:

THAT NRJO request a full day workshop for relevant council staff with a report on the workshop to be presented to the Board when completed

Moved: Cr Mulholland/ Cr Smith

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.10 FINANCIAL REPORT

07022020/13 RESOLVED

Moved: Cr Mulholland/ Cr Wright

THAT the financial statements for the period ending 31 December 2019 be accepted

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.11 STRATEGIC REGIONAL PRIORITIES

07022020/14 RESOLVED

Cr Mulholland moved an amendment

Amendment:

THAT the NRJO re-endorse the existing regional priorities as amended

Moved: Cr Mulholland/ Cr Smith

CARRIED

FOR VOTE - All Councillors voted unanimously.

8. URGENT BUSINESS**07022020/15**

MOVED: Cr Mulholland/ K Milne

THAT the following items of urgent business be raised

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

07022020/16 RESOLVED**MOVED: Cr Mulholland/ Cr Smith**

THAT NRJO lobby the State government to have the waste levy redirected by member councils to the NRJO to pursue innovative waste projects within their footprint and to address local waste issues

CARRIED**FOR VOTE** - All Councillors voted unanimously.**07022020/17 RESOLVED****MOVED: Cr Milne/ Cr Richardson**

THAT the Board receive and note the documentation around Road Classification Review Terms of reference and request for feedback

CARRIED**FOR VOTE** - All Councillors voted unanimously.**07022020/18 RESOLVED****MOVED: Cr Smith/ Cr Milne**

THAT the Board meet every two months with workshops to be conducted around specific issues

CARRIED**FOR VOTE** - All Councillors voted unanimously.**9. CONFIDENTIAL REPORTS****10. CORRESPONDENCE**

The correspondence report was noted.

MEETING CLOSED 12.45pm

Next meeting**Joint meeting with Mid North Coast JO****25 March 2020****SYDNEY**

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

MINUTES APPROVED



Cr Danielle Mulholland

Chair

**MINUTES OF THE ORDINARY MEETING OF
THE NORTHERN RIVERS JOINT ORGANISATION
HELD VIA ZOOM
ON FRIDAY 26 JUNE 2020**

ATTENDANCE

Crs Danielle Mulholland (Chair), Isaac Smith, David Wright, Simon Richardson, Robert Mustow, Chris Cherry

Anita Gambhir (Office of Local Government); Louise McMeeking (Regional NSW)

General Managers Troy Green, Vaughan MacDonald, Graham Kennett, Mark Arnold, Paul Hickey, Shelley Oldham

Michael Thurston (Destination North Coast), Phil Rudd, Keith Williams (Rous County Council),

Isabel Perdriau, Donna McIntyre (minute taker)

1. ELECTION OF CHAIR

The meeting opened at 11.00am with Executive Officer Isabel Perdriau presiding as the Returning Officer for the election of a Chair and Deputy Chair for the NRJO.

Voting representatives for the election of Chairperson and Deputy Chairperson are the Mayors of the member councils as listed in the Proclamation.

These are:

- Cr Danielle Mulholland Mayor Kyogle Council
- Cr Robert Mustow Mayor Richmond Valley Council
- Cr Isaac Smith Mayor Lismore City Council
- Cr Simon Richardson Mayor Byron Shire Council
- Cr David Wright Mayor Ballina Shire Council
- Cr Chris Cherry Deputy Mayor Tweed Shire Council

Only one nomination for the position of Chair was received. A further call for nominations was made by the Returning Officer and no additional nominations were received. There being only one nomination, the Returning Officer declared Cr Danielle Mulholland to be elected to the role of Chair of the Northern Rivers Joint Organisation.

2. ELECTION OF DEPUTY CHAIR

Cr Danielle Mulholland nominated Cr Isaac Smith for the role of Deputy Chair. This was seconded by Cr Richardson. Cr Smith accepted the nomination. A further call for nominations was made by the Returning Officer and no additional nominations were received. There being only one nomination, the Returning Officer declared Cr Isaac Smith to be elected to the role of Deputy Chair of the Northern Rivers Joint Organisation. Cr Danielle Mulholland assumed the Chair.

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

3. ACKNOWLEDGEMENT OF COUNTRY

In opening the meeting, the Chair provided an Acknowledgement of Country.

4. APOLOGIES

Cr Katie Milne; Cr Virginia West and Cr Derek Swanborough (Scenic Rim Council), Tim Williamson (RDA Northern Rivers), Ashley Lindsay (Clarence Valley Council)

26062020/1 RESOLVED

Moved: S Richardson/I Smith

THAT the apologies tabled for the NRJO Board meeting be accepted

CARRIED

FOR VOTE - All Councillors voted unanimously.

ABSENT/DID NOT VOTE – Cr Wright

5. DECLARATIONS OF INTEREST

6. ADDRESS BY OFFICIAL VISITORS

No official address

7. CONFIRMATION OF MINUTES and BUSINESS ARISING

7.1 Confirmation of Minutes – NRJO Meeting 7 February 2020

26062020/2 RESOLVED

Moved: S Richardson/D Mulholland

THAT the Minutes of the Ordinary Meeting of the Northern Rivers Joint Organisation held Friday 7 February 2020 be adopted as a true and accurate record of proceedings of that meeting.

CARRIED

FOR VOTE - All Councillors voted unanimously.

ABSENT/DID NOT VOTE – Cr Wright

8. NOTICES OF MOTION

NIL received

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

9. REPORTS

9.1 ASSOCIATE MEMBER REPORT - DESTINATION NORTH COAST

26062020/3 RESOLVED

Moved: I Smith/R Mustow

THAT the report from Destination North Coast be noted.

CARRIED

FOR VOTE – All Councillors voted unanimously.

ABSENT/DID NOT VOTE – Cr Wright

9.2 ASSOCIATE MEMBER REPORT – RDA NORTHERN RIVERS

26062020/4 RESOLVED

Moved: S Richardson/D Mulholland

THAT the report from RDA Northern Rivers be noted.

CARRIED

FOR VOTE – All Councillors voted unanimously.

ABSENT/DID NOT VOTE – Cr Wright

9.3 ASSOCIATE MEMBER REPORT – SCENIC RIM REGIONAL COUNCIL

26062020/5 RESOLVED

Moved: R Mustow/S Richardson

THAT the report from Scenic Rim regional Council be noted.

CARRIED

FOR VOTE - All Councillors voted unanimously.

ABSENT/DID NOT VOTE – Cr Wright

Cr David Wright joined the meeting at 11:17am

9.4 ASSOCIATE MEMBER REPORT – ROUS COUNTY COUNCIL

26062020/6 RESOLVED

Moved: R Mustow/I Smith

THAT the Northern Rivers Joint organisation;

- 1. Receive and note the report*
- 2. Recognise the proposed Future Water Project 2060 Integrated Water Cycle Management Plan as a regionally significant initiative in order to support Rous County Council's efforts to secure State and Federal Government funding assistance.*

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

CARRIED

FOR VOTE - All Councillors voted unanimously

9.5 CHAIR AND EXECUTIVE OFFICER REPORT

26062020/7 RESOLVED

Moved: D Mulholland/S Richardson

THAT,

I. the NRJO does not support a financial contribution for a secretariat to the Chairs network.

II. should the Minister for Local Government and/or the NSW Office of Local Government be prepared to fund the provision of a secretariat, it would have the NRJO's support.

CARRIED

FOR VOTE - All Councillors voted unanimously

26062020/8 RESOLVED

Moved: S Richardson/R Mustow

THAT the existing service agreement between NRJO and RDA NR is renewed until 31 December 2020.

CARRIED

FOR VOTE - All Councillors voted unanimously

26062020/9 RESOLVED

Moved: R Mustow/I Smith

THAT the Chair and Executive Officer's report be received and noted

CARRIED

FOR VOTE - All Councillors voted unanimously

9.6 NORTH COAST WASTE PROJECT UPDATE

Nil

9.7 JO CAPACITY BUILDING FUND

26062020/10 RESOLVED

Moved: D Wright/R Mustow

THAT the report be received and noted

CARRIED

FOR VOTE - All Councillors voted unanimously.

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

9.8 FINANCIAL REPORT

26062020/11 RESOLVED

Moved: C Cherry/S Richardson

THAT the financial statements for the period ending 31 May 2020 be accepted

CARRIED

FOR VOTE - All Councillors voted unanimously.

10. URGENT BUSINESS

26062020/12 RESOLVED

Moved: D Mulholland/I Smith

THAT the Board moved into closed session to consider an urgent report from the Chair in relation to the Executive Officer role.

CARRIED

FOR VOTE - All Councillors voted unanimously.

The Board went into closed session at 11:25am

26062020/15 RESOLVED

Moved: D Wright/I Smith

THAT the Board move out of closed session and into open session.

CARRIED

FOR VOTE - All Councillors voted unanimously.

Open session resumed at 11:31am and the following resolutions from closed session were recorded;

26062020/13 RESOLVED

Moved: D Wright/I Smith

THAT the Board receive and note a verbal report from the Chair on the Executive Officer recruitment and note that the selection panel will remain as per last resolution and will consist of Cr Mulholland (Chair), Cr Smith (Deputy Chair) and Cr Mustow, with any other member of the NRJO Board able to attend as an observer.

CARRIED

FOR VOTE - All Councillors voted unanimously.

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

26062020/14 RESOLVED

Moved: D Mulholland/ D Wright

THAT Graham Kennett be appointed as interim Executive Officer without remuneration until the position is filled.

CARRIED

FOR VOTE - All Councillors voted unanimously.

11. CONFIDENTIAL REPORTS

Nil

12. CORRESPONDENCE

26062020/16 RESOLVED

Moved: R Mustow/I Smith

THAT the correspondence report be noted

CARRIED

FOR VOTE - All Councillors voted unanimously.

MEETING CLOSED 11.33am

NEXT MEETING

21 AUGUST 2020

TWEED SHIRE COUNCIL

Minutes approved



Cr Danielle Mulholland

Chair

**MINUTES OF THE EXTRAORDINARY MEETING OF
THE NORTHERN RIVERS JOINT ORGANISATION
HELD VIA ZOOM
ON FRIDAY 7 AUGUST 2020**

ATTENDANCE

Crs Danielle Mulholland (Chair), David Wright, Simon Richardson, Robert Mustow, Katie Milne

General Managers Troy Green, Graham Kennett (also as Acting NRJO Executive Officer), Mark Arnold, Paul Hickey, Shelley Oldham

Mark Anderson (Local Government NSW Management Solutions)

1. OPENING

The Chair opened the meeting at 11:00am

2. ACKNOWLEDGEMENT OF COUNTRY

In opening the meeting, the Chair provided an Acknowledgement of Country.

3. APOLOGIES

Cr Isaac Smith

07082020/1 RESOLVED

Moved: R Mustow/D Wright

THAT the apologies tabled for the NRJO Board meeting be accepted

CARRIED

FOR VOTE - All Councillors voted unanimously.

4. DECLARATIONS OF INTEREST

Cr Mullholland and Graham Kennett both declared an interest in Item 5.1 due to a relationship with one of the applicants.

5. REPORTS

5.1 Executive Officer Recruitment

07082020/2 RESOLVED

Moved: D Wright/S Richardson

That the Board considers the confidential reports listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

Executive Officer Recruitment

This matter is considered to be confidential under Section 10A(2) – a of the Local Government Act, and that the Board is satisfied that discussion of this matter in an open meeting would, on balance, be contrary

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

to the public interest as the information to be received, discussed or considered in relation to this agenda item includes personnel matters concerning particular individuals (other than councillors).

CARRIED

FOR VOTE - All Councillors voted unanimously.

Cr Mullholland and Graham Kennett left the meeting at 11:04am by being moved into the Zoom "lobby". Cr Mustow took the Chair.

07082020/4 RESOLVED

Moved: D Wright/S Richardson

THAT the Board move out of closed session and into open session.

CARRIED

FOR VOTE - All Councillors voted unanimously.

ABSENT/DID NOT VOTE – Cr Mulholland

Open session resumed and Cr Mullholland and Graham Kennett joined the meeting at 11:27am and Cr Mulholland took the Chair.

The following resolutions from closed session were read out by the Chair;

07082020/3 RESOLVED

Moved: R Mustow/S Richardson

- 1. That the Board accepts the recommendation of the Selection Committee of the whole and resolves to appoint the successful candidate to the position of Executive Officer subject to the negotiation of a contract;*
- 2. That, if those negotiations prove unsuccessful, the Board resolves to conduct a second round of interviews with the three runners up as indicated by the three Selection Committee members.*

CARRIED

FOR VOTE – Crs R Mustow, S Richardson, and D Wright

AGAINST VOTE – Cr K Milne

ABSENT/DID NOT VOTE – Cr Mulholland

There being no further business, the Chair declared the meeting closed at 11:30am.

**MINUTES OF THE ORDINARY MEETING OF
THE NORTHERN RIVERS JOINT ORGANISATION**

HELD via zoom

ON FRIDAY 21 AUGUST 2020

ATTENDANCE

Crs Danielle Mulholland (Chair), Katie Milne; David Wright, Simon Richardson, Robert Mustow, Darlene Cook

Anita Gambhir (Office of Local Government); Louise McMeeking (Regional NSW)

General Managers Troy Green, Vaughan MacDonald, Graham Kennett, Mark Arnold, Paul Hickey, Shelley Oldhan

Michael Thurston (Destination North Coast), Tim Williamson (RDA Northern Rivers), Phil Rudd (Rous County Council)

Nicole Reeve, Donna McIntyre (minute taker)

1. ACKNOWLEDGEMENT OF COUNTRY

In opening the meeting, the Chair provided an Acknowledgement of Country.

2. APOLOGIES

Apologies have been received from Cr Isaac Smith

19082020/1 RESOLVED

Moved:

THAT the apologies be noted

3. DECLARATIONS OF INTEREST

4. ADDRESS BY OFFICIAL VISITORS

A presentation on the Northern Rivers NSW Brand was provided by Simon Stahl, Chair of the Branding Committee

19082020/2 RESOLVED

MOVED:

THAT the NRJO enter into a formal Memorandum of Understanding with Northern Rivers Together in relation to the Northern Rivers Brand

THAT the Chair be authorised to sign the MOU on behalf of the NRJO

CARRIED

FOR VOTE - All Councillors voted unanimously.

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

5. CONFIRMATION OF MINUTES and BUSINESS ARISING

5.1 CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF THE NORTHERN RIVERS JOINT ORGANISATION HELD 26 JUNE 2020

19082020/2 RESOLVED

MOVED:

THAT the Minutes of the Ordinary Meeting of the Northern Rivers Joint Organisation held Friday 26 June 2020 be adopted as a true and accurate record of proceedings of that meeting.

CARRIED

FOR VOTE - All Councillors voted unanimously.

5.2 CONFIRMATION OF MINUTES OF THE EXTRAORDINARY MEETING OF THE NORTHERN RIVERS JOINT ORGANISATION HELD 7 AUGUST 2020

19082020/3 RESOLVED

MOVED:

THAT the Minutes of the Extraordinary Meeting of the Northern Rivers Joint Organisation held Friday 7 August 2020 be adopted as a true and accurate record of proceedings of that meeting

CARRIED

FOR VOTE - All Councillors voted unanimously.

6. NOTICES OF MOTION

NIL received

7. REPORTS

7.1 ASSOCIATE MEMBER REPORT - DESTINATION NORTH COAST

19082020/4 RESOLVED

MOVED:

THAT the report from Destination North Coast be received and noted.

CARRIED

FOR VOTE – All Councillors voted unanimously.

7.2 ASSOCIATE MEMBER REPORT – RDA NORTHERN RIVERS

19082020/5 RESOLVED

MOVED: *THAT the report from RDA Northern Rivers be received and noted.*

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19 August 2020

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

CARRIED

FOR VOTE – All Councillors voted unanimously.

7.3 ASSOCIATE MEMBER REPORT – SCENIC RIM REGIONAL COUNCIL

19082020/6 RESOLVED

MOVED: *THAT the report from Scenic Rim Regional Council be received and noted.*

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.4 NCLLS PROPOSED BUSHFIRE STIMULUS PROJECTS - PEST AND WEED MANAGEMENT

19082020/7 RESOLVED

MOVED: *THAT the report from the Joint Pest and Weed Management Committee be noted and that the Executive Officer be authorised to endorse the project plan once finalised.*

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.5 CHAIR'S REPORT

19082020/8 RESOLVED

MOVED: THAT the Board receive and note the Chair's report

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.6 EXECUTIVE OFFICER'S REPORT

19082020/9 RESOLVED

MOVED: THAT the Board receive and note the Executive Officer's report

CARRIED

FOR VOTE - All Councillors voted unanimously

7.7 BANKING

19082020/10 RESOLVED

MOVED:

- *That the Board nominates Executive Officer Nicole Reeve as a "Beneficial Owner" of the Joint Organisation bank accounts.*
- *That two of following three signatories be required to sign and approve payments: The Chair, the Executive Officer and the General Manager of the Council to which the Chair belongs*

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

- *That the Board approve a Visa debit card to be issued to Nicole Reeve. This card will be attached to an individual Everyday account under the Northern Rivers Joint Organisation main account. This account will be 'one to sign' only. A limit of \$2000 will apply to this card.*

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.8 2020-2021 BUDGET

19082020/11 RESOLVED

MOVED: *THAT THE Board adopt the 2020-2021 budget as tabled*

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.9 FINANCIAL REPORTS

19082020/12 RESOLVED

MOVED: *THAT THE Board accept the financial reports for period ending 31 July 2020*

CARRIED

FOR VOTE - All Councillors voted unanimously.

8. URGENT BUSINESS

19082020/13 RESOLVED

MOVED:

CARRIED

FOR VOTE - All Councillors voted unanimously.

QLD – NSW Border

Members of the NRJO and other relevant stakeholders have participated in Zoom updates with the NSW Cross Border Commissioner relating to the QLD – NSW Border restrictions and associated regional impacts.

Action: Board to discuss potential courses of action by the NRJO in relation to the on-going border restrictions.

9. CONFIDENTIAL REPORTS**10. CORRESPONDENCE**

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

19082020/14 RESOLVED

MOVED : *THAT the correspondence report be received and noted*

CARRIED

FOR VOTE - All Councillors voted unanimously.

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MEETING CLOSED 12.45pm

Next meeting

25 September 2020

Byron Shire Council

Mullumbimby

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

MINUTES APPROVED



Cr Danielle Mulholland

Chair

**MINUTES OF THE ORDINARY MEETING OF
THE NORTHERN RIVERS JOINT ORGANISATION**

HELD via zoom

ON FRIDAY 25 SEPTEMBER 2020

ATTENDANCE

Crs Danielle Mulholland (Chair), Isaac Smith, David Wright, Simon Richardson, Robert Mustow, Chris Cherry

General Managers Troy Green, Graham Kennett, Mark Arnold, Paul Hickey, Graeme Towers (LCC)

Michael Thurston (Destination North Coast), Phil Rudd, (Rous County Council), Ashley Lindsay (Clarence Valley Council)

Nicole Reeve Donna McIntyre (minute taker)

1. ACKNOWLEDGEMENT OF COUNTRY

In opening the meeting, the Chair provided an Acknowledgement of Country.

2. APOLOGIES

Apologies have been received from Cr Derek Swanborough (Scenic Rim Regional Council), Cr Jim Simmons (Clarence Valley Council); Tim Williamson (RDA Northern Rivers); Anita Gambhir (Office of Local Government); Louise McMeeking (Dept of Regional NSW); Shelley Oldham (Lismore City Council), Vaughan MacDonald (Richmond Valley Council)

3. DECLARATIONS OF INTEREST

4. ADDRESS BY OFFICIAL VISITORS

5. CONFIRMATION OF MINUTES and BUSINESS ARISING

5.1 CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF THE NORTHERN RIVERS JOINT ORGANISATION HELD 21 AUGUST 2020

25092020/1 RESOLVED

MOVED: R Mustow/D Wright

THAT the Minutes of the Ordinary Meeting of the Northern Rivers Joint Organisation held Friday 21 August 2020 be adopted as a true and accurate record of proceedings of that meeting.

CARRIED

FOR VOTE - All Councillors voted unanimously.

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

6. NOTICES OF MOTION

NIL received

7. REPORTS**7.1 MAYORAL ELECTIONS**

25092020/2: RESOLVED

MOVED: D Wright/I Smith

THAT the Board congratulate Cr Danielle Mulholland on her re-election as Mayor of Kyogle Council and her continuing role as Chair of the Northern Rivers Joint Organisation and welcome Cr John Byrne as the alternate delegate from Kyogle Council

THAT the Board welcome Cr Neil Marks as Deputy Mayor of Lismore Council and the alternate delegate to the NRJO

THAT the Board welcome Cr Chris Cherry, newly appointed Mayor of Tweed Shire Council to the Board of the Northern Rivers Joint Organisation and Deputy Mayor Reece Byrnes as the alternate member.

THAT the Board thank Cr Katie Milne for her contribution to the Board since its inception

THAT the Board welcome and send letters of acknowledgement to Cr Sharon Cadwallader as Deputy Mayor of Ballina Shire Council; Cr Steve Morrissey as Deputy Mayor of Richmond Valley Council and Cr Michael Lyon as Deputy Mayor of Byron Shire Council

CARRIED

FOR VOTE – All Councillors voted unanimously.

7.2 ASSOCIATE MEMBER REPORT - DESTINATION NORTH COAST**25092020/3 RESOLVED**

MOVED:

THAT the report from Destination North Coast be received and noted.

CARRIED

FOR VOTE – All Councillors voted unanimously.

7.3 ASSOCIATE MEMBER REPORT – RDA NORTHERN RIVERS**25092020/4 RESOLVED**

MOVED: S Richardson/R Mustow

THAT the report from RDA Northern Rivers be received and noted.

CARRIED

FOR VOTE – All Councillors voted unanimously.

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

7.4 ASSOCIATE MEMBER REPORT – CLARENCE VALLEY COUNCIL

25092020/5 RESOLVED

MOVED: C Cherry/R Mustow

THAT the report from Clarence Valley Regional Council be received and noted.

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.5 ASSOCIATE MEMBER REPORT – SCENIC RIM REGIONAL COUNCIL

25092020/6 RESOLVED

MOVED: R Mustow/D Mulholland

THAT the report from Scenic Rim Regional Council be received and noted.

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.6 EXECUTIVE OFFICER'S REPORT

25092020/7 RESOLVED

MOVED: D Mulholland/C Cherry

THAT the Board receive and note the amended Executive Officer's report noting change of date and location of Northern Rivers NSW Brand MOU signing to now coincide with the Board meeting 20 November 2020 at Richmond Valley Council

CARRIED

FOR VOTE - All Councillors voted unanimously

7.7 FINANCIAL REPORTS

25092020/8 RESOLVED

MOVED: D Wright/R Mustow

THAT THE Board accept the financial reports for period ending 31 August 2020

CARRIED

FOR VOTE - All Councillors voted unanimously.

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

8. URGENT BUSINESS

NIL RECEIVED

9. CONFIDENTIAL REPORTS

NIL RECEIVED

10. CORRESPONDENCE

25092020/9 RESOLVED

MOVED : D Wright/I Smith

THAT the correspondence report be received and noted

CARRIED

FOR VOTE - All Councillors voted unanimously.

MEETING CLOSED 11.19am

Next meeting

20 November 2020

Richmond Valley Council

Casino

MINUTES APPROVED

Cr Danielle Mulholland

Chair

**MINUTES OF THE ORDINARY MEETING OF
THE NORTHERN RIVERS JOINT ORGANISATION
HELD AT RICHMOND VALLEY COUNCIL
ON FRIDAY 20 NOVEMBER 2020**

ATTENDANCE

Crs Danielle Mulholland (Chair), Isaac Smith, David Wright, Simon Richardson, Robert Mustow, Chris Cherry

General Managers Graham Kennett, Mark Arnold, Paul Hickey, Vaughan Macdonald,

Cr Derek Swanborough (Scenic Rim Regional Council, Michael Thurston (Destination North Coast), Tim Williamson (RDA Northern Rivers), Anita Gambhir (via telephone)

Nicole Reeve Donna McIntyre (minute taker)

1. ACKNOWLEDGEMENT OF COUNTRY

In opening the meeting, the Chair provided an Acknowledgement of Country.

2. APOLOGIES

Apologies have been received from Cr Virginia West (Scenic Rim Regional Council), Cr Jim Simmons and Ashley Lindsay (Clarence Valley Council); Louise McMeeking (Dept of Regional NSW); Shelley Oldham (Lismore City Council), Troy Green (Tweed Shire Council)

20112020/1 RESOLVED

MOVED: D Mulholland/S Richardson

THAT the apologies for the meeting being held 20 November 2020 be noted.

CARRIED

FOR VOTE - All Councillors voted unanimously.

3. DECLARATIONS OF INTEREST

NIL

4. ADDRESS BY OFFICIAL VISITORS

5. CONFIRMATION OF MINUTES and BUSINESS ARISING

5.1 CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF THE NORTHERN RIVERS JOINT ORGANISATION HELD 25 SEPTEMBER 2020

201120/02 RESOLVED

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

MOVED: I Smith/D Wright

THAT the Minutes of the Ordinary Meeting of the Northern Rivers Joint Organisation held Friday 29 September 2020 be adopted as a true and accurate record of proceedings of that meeting.

CARRIED

FOR VOTE - All Councillors voted unanimously.

6. NOTICES OF MOTION

NIL received

7. REPORTS**7.1 ASSOCIATE MEMBER REPORT - DESTINATION NORTH COAST**

20112020/3 RESOLVED

MOVED: S Richardson/D Wright

THAT the report from Destination North Coast be received and noted.

CARRIED

FOR VOTE – All Councillors voted unanimously.

7.2 ASSOCIATE MEMBER REPORT – RDA NORTHERN RIVERS

20112020/4 RESOLVED

MOVED: I Smith/ C Cherry

THAT the report from RDA Northern Rivers be received and noted.

CARRIED

FOR VOTE – All Councillors voted unanimously.

7.3 ASSOCIATE MEMBER REPORT – SCENIC RIM REGIONAL COUNCIL

20112020/5 RESOLVED

MOVED: C Cherry/I Smith

THAT the report from Scenic Rim Regional Council be received and noted.

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.4 EXECUTIVE OFFICER'S REPORT

20112020/6 RESOLVED

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

MOVED: D Wright/R Mustow

THAT the Executive Officer's report be received and noted.

CARRIED

FOR VOTE - All Councillors voted unanimously

7.5 FINANCIAL REPORTS

20112020/7 RESOLVED

MOVED: R Mustow/C Cherry

THAT THE Board accept the financial reports for period ending 31 October 2020

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.6 AUDITED FINANCIAL STATEMENTS

20112020/8 RESOLVED

MOVED: R Mustow/I Smith

THAT the 2019-2020 general purpose financial statements presented to members be accepted and the Chair and nominated voting representative sign the statement as attached

CARRIED

FOR VOTE - All Councillors voted unanimously.

7.7 PROPOSED MEETING DATES 2021

20112020/9 RESOLVED

Cr Mulholland moved an amendment:

THAT Board meetings be held via Zoom every three months and a face-to-face workshop relevant to the Strategic Regional Priorities be held in the alternate months.

MOVED: D Mulholland/C Cherry

Date	Venue
Friday 12 February	Board meeting via Zoom
Friday 26 March	Workshop - Lismore City Council
Friday 7 May	Board meeting via Zoom
Friday 18 June	Workshop – Tweed Shire Council
Friday 30 July	Board meeting via Zoom
Friday 24 September	Workshop – Kyogle Council
Friday 12 November	Board meeting via Zoom
Friday 10 December	Workshop – Ballina Shire Council

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

CARRIED

FOR VOTE - All Councillors voted unanimously.

8. URGENT BUSINESS

NIL RECEIVED

9. CONFIDENTIAL REPORTS

Disclosure of Interest forms were circulated to the Board via confidential email. Cr Mulholland noted an amendment required to her tabled documentation to include the stipend received as Chair of NRJO

20112020/10 RESOLVED

MOVED: C Cherry/D Wright

THAT the Board agree to publish the Disclosure of Pecuniary Interest forms

CARRIED

FOR VOTE - All Councillors voted unanimously.

10. CORRESPONDENCE

20112020/11 RESOLVED

MOVED : I Smith/R Mustow

THAT the correspondence report be received and noted

CARRIED

FOR VOTE - All Councillors voted unanimously.

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MEETING CLOSED 12.23pm

Next meeting

12 February 2021

Via ZOOM

MINUTES APPROVED

MINUTES OF THE ORDINARY MEETING OF NORTHERN RIVERS JOINT ORGANISATION

Cr Danielle Mulholland

Chair

DRAFT

11.4 Request for Waiver of Infrastructure Charges Beaudesert RSL Sub Branch Inc

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Manager Planning and Development

Attachments:

1. RAL19/028 Infrastructure Charge Development Permit Approval for Reconfiguration of a Lot [↓](#) 
2. Amalgamation 3 into 1 [↓](#) 
3. Report of RSL Volunteer Hours [↓](#) 

Executive Summary

The President of Beaudesert RSL Sub-Branch Inc has requested that Council waive infrastructure charges applied when a one into two subdivision was approved. An Infrastructure Charges Notice (ICN) was issued and is to be paid prior to plan sealing. The applicant sought representation on the ICN charges for its application based on their not-for-profit status and the previous amalgamation of lots.

The effect of the sub-division is to separate the Sub-Branch from the Beaudesert RSL Services Club Inc, which conducts the licenced premises and function rooms.

The Adopted Infrastructure Charge Resolution (AICR) provides for a waiver where the not-for-profit organisation is located on Council controlled land, which does not apply in this case. While the AICR also excludes organisations with liquor or gaming licences, the Sub-Branch points out that this function is carried out by a different entity as a tenant of the property. The Sub-Branch itself conducts member support, charitable and community works.

The request is considered reasonable as it is consistent with the intent of Councils policies in supporting not for profit groups through waiving of infrastructure charges.

Recommendation

That:

1. Council agree to waive infrastructure charges associated with RAL19/028;
2. Council's decision be given effect via an Infrastructure Agreement; and
3. Urban Utilities be advised accordingly of Council's action.

Previous Council Considerations / Resolutions

TP/10293 - A development approval was granted by the former Beaudesert Shire Council on 6 March 1979 for a Service Club Organisation and Society (Community Services Use). This approval facilitated the development of the Beaudesert RSL Club.

TP/1360 - Subsequent to this, approval was granted in 2001 for a combined Material Change of Use and Reconfiguration facilitating an expansion of the RSL and an amalgamation of the subject lots. Refer Attachment 2 for amalgamation on three into one lot.

On 8 August 2008, Council issued a Decision Notice approving a Development Permit for Material Change of Use for an intensification of the existing (Hotel/Club) RSL to facilitate an additional two storey extension, additional car parking and to demolish the existing sub-branch building.

On 28 October 2008, Council issued a Negotiated Decision Notice approving the development while amending approved plans and condition 10 regarding operating hours (Council Ref. # 020-030-002148). This approval did not eventuate within the extended currency period and subsequently lapsed.

On 26 March 2018, Council received a Request for a Change Application (minor change) under s78 of the *Planning Act 2016* (Act) to amend Condition b) i) of an existing development approval to include additional plans.

MCU18/050 - A Development Permit was approved for material change of use for a minor change to existing development approval on 4 June 2018, to construct a soldier accommodation building for display purposes only.

The land is currently developed for commercial purposes. Other improvements to the land include a dwelling house and a shed used for the display and storage of war related items and equipment.

RAL19/028 - 28 August 2019, an application was made for Reconfiguration of a Lot 1 into 2.

A Development Permit Approval for Reconfiguration of a Lot (one into two) was issued 8 November 2019.

Report / Background

In accordance with the Adopted Infrastructure Charges Resolution which applies for Reconfiguration of a Lot, an ICN was issued when the subdivision was approved. The effect of the subdivision would separate the Sub-Branch from the Services Club. No additional activities or structures were proposed.

The ICN was issued 8 November 2019 for an amount of \$14,661.00 plus indexation. Urban Utilities would separately issue an ICN for the same amount. The amount represents the base charge for a new lot.

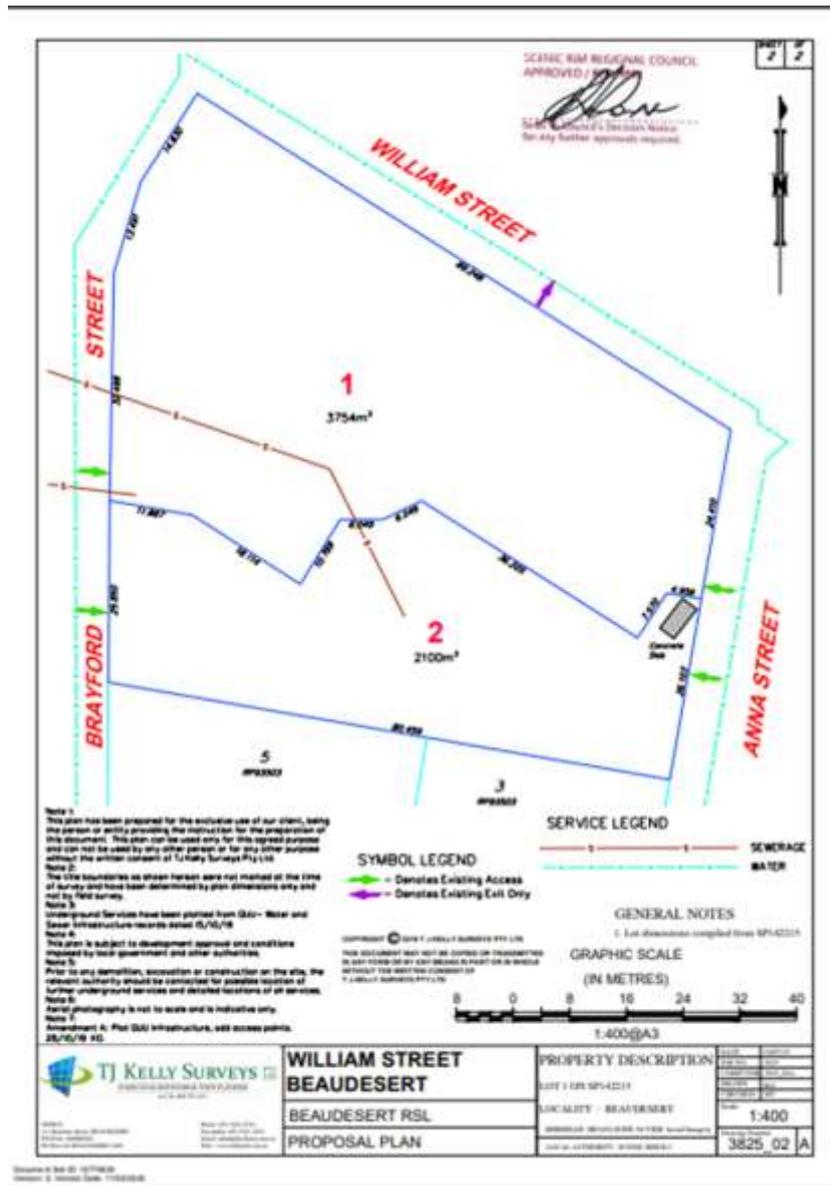


Figure 1 - Proposed Subdivision RAL19/028



Figure 2 - Aerial View

Subsequently, representations were made by the applicant seeking clarification and to waive the infrastructure charges as levied.

The infrastructure charges for this one into two lot reconfiguring a lot approval had been calculated and applied in accordance with Council's Version 10 AICR.

Subsequently, an appeal was lodged by the applicant seeking to waive the ICN under "not for profit status". The Beaudesert RSL Sub Branch Inc submitted further documentation in support of the appeal with a "not for profit status" document, and requesting consideration be given to the submitted information in order to waive the ICN charges.

The Beaudesert RSL Sub-Branch Inc provided the following reasons to be further considered as "not for profit" organisation:

Differentiating between the Beaudesert RSL Services Club and our association the Beaudesert RSL Sub-Branch is difficult to explain. Our Sub-Branch only cares for and looks after Veterans who have served their Country and family members, the Services Club is a licensed facility from which we glean no financial benefit. Historically the Sub-Branch purchased the old Post Office for a Veteran facility, however in time, a separate business was started as the community expanded and the Sub-Branch purchased a separate building for their Sub-Branch. The Services Club was formed for members mostly social and not Veterans and this is a business run by a Board for members who do not have to be Veterans. We receive a monthly rental from the Club which enables us to function as the Sub-Branch and look after our Veterans and their family members. We have the liberty to rescind the RSL name from the Club any time, however within the Beaudesert Community historically, the difference between us is difficult to explain.

In consideration of the request, the following matters are relevant:

1. The amalgamation of three lots into the current single lot occurred prior to the current infrastructure charge laws. Hence no credits apply as might occur today.
2. The Sub-Branch itself does not operate a liquor or gaming operation.
3. Funds raised through rental of the services club is used for member services and support.

Favourable consideration of this request is supported due to the activities of the Sub-Branch supporting its members and the community more generally.

Budget / Financial Implications

Acceding to this request would result in a loss of \$14,661 in infrastructure charge collection, however, no additional demand in infrastructure will occur as a result of the development approval.

Strategic Implications

Operational Plan

Theme: 5. Vibrant Towns and Villages

Key Area of Focus: 4.1.1 Maintain a clear and comprehensive planning vision for the region

Legal / Statutory Implications

Not applicable.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR43 Inadequate or ineffective planning, delivery and maintenance of infrastructure resulting in risk to public and staff safety and potential financial implications.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Infrastructure, Assets & Service Delivery Loss of infrastructure income	1 Insignificant	Unlikely	Low	No additional demand on infrastructure will occur as a result of the development approval	Low
Reputation, Community & Civic Leadership Not acceding to request may be viewed as a lack of support for the community services provided by the organisation.	2 Minor	Possible	Low	Assess the request on balance between community support and Councils ability to provide infrastructure.	Low

Consultation

Not applicable.

Conclusion

The request can be supported given that the Sub-Branch can use the funds to continue their community services. The subdivision does not involve any further demand on infrastructure, however merely seeks to separate the two uses on the site.



INFRASTRUCTURE CHARGES NOTICE

(Community Purposes, Stormwater & Transport)
Planning Act 2016 Section 121

This infrastructure charges notice is levied by Scenic Rim Regional Council.

This notice does not include the infrastructure charge payable for Water Supply and Sewerage networks levied by the Central SEQ Distributor-Retailer Authority trading as Queensland Urban Utilities in a separate charge infrastructure notice.

This infrastructure charge is calculated in accordance with the Adopted Infrastructure Charges Resolution (Version No. 10) (which took effect on 1 July 2019) and the *Planning Act 2016*.

To (Form 1 Applicant): Beaudesert RSL Sub-Branch Inc.
CC (Land Owner): Trustees RSL of Australia Beaudesert Sub-Branch
CC (Consultant): TJ Kelly Surveys Pty Ltd

Date of Issue: 8 November 2019
Application No: RAL19/028

Application Type: Development Permit Approval for Reconfiguring of a Lot - 1 into 2

Note: This Infrastructure Charges Notice may be given to the applicant and/or the owner depending upon the type of application.

Property Details

The land to which the infrastructure charge applies

Site Address: 23-25 William Street BEAUDESERT QLD 4285

Property Description: Lot 1 SP 142215

The current total amount payable

****Total infrastructure charge (with deduction for offset where applicable):**
\$14,661.00

Development Application RAL19/028

Details of Infrastructure Charge Calculation

Total Infrastructure Charge = Proposed Demand – Credit for Existing Use (if applicable to the Development Application) – Offset (if applicable).

Proposed Demand

Use	No. of units	Unit of Measure	Charge Rate	Amount
Residential	2	allotments	\$14,661.00	\$29,322.00
Total				\$29,322.00

Existing Credit

Use	No. of units	Unit of Measure	Charge Rate	Amount
Residential	1	allotments	\$14,661.00	\$14,661.00
Total				\$14,661.00

Offset

Infrastructure	Timing	Cost
Not Applicable		\$0.00
Total		\$0.00

Total Charge	=	Proposed Demand	-	Existing Credit	-	Offset
	=	\$29,322.00		\$14,661.00		- 0.00
	=	\$14,661.00				

Enquiries	Enquiries regarding this Adopted Infrastructure Charges Notice should be directed to Narendra Singh on 07 5540 5111.
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Development Application RAL19/028

IMPORTANT INFORMATION

Payment	This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to Scenic Rim Regional Council and crossed "Not Negotiable". Change cannot be given on cheque payments. Payees will be liable for any dishonour fees.
Infrastructure Charges Taken To Be A Rate	An infrastructure charge fixed by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the <i>Local Government Act 2009</i> . This means: <ul style="list-style-type: none"> a) Charges may be recovered by court action for debt; b) Charges may be recovered from the person for the time being owning the relevant land, regardless of who was the owner or other person upon whom the charges was imposed; c) Interest is payable on overdue charges; and d) If charges are unpaid for three (3) years, the land can be sold to recover the outstanding charges.
Automatic increase provision	The infrastructure charge is subject to automatic increases. The amount of the infrastructure charge is to be escalated in accordance with the ABS PPI Construction Index – Queensland Roads and Bridges (on a three (3) year moving average) from the date of the notice to the payment date.
Payment date of the infrastructure charge	The infrastructure charge is payable in accordance with the timing stated in section 122 of the <i>Planning Act 2016</i> depending on the type of development application. In this instance, the infrastructure charge is payable: <ul style="list-style-type: none"> • reconfiguring a lot - before approval of the survey plan (plan for the reconfiguration)
Payment Liability	Under Section 119 (12 (c)) of the <i>Planning Act 2016</i> , a charge (levied charge) under an infrastructure charges notice: <ul style="list-style-type: none"> (a) is payable by the applicant; and (b) attaches to the premises;
Payment of any applicable refund	The refund will be paid in accordance with the terms of a written agreement between the entity entitled to the refund and the Scenic Rim Regional Council.

Development Application RAL19/028

Making a Payment	<p>Payment is to be made to Scenic Rim Regional Council 82 Brisbane Street, Beaudesert and may be made at any of Council's Customer Service Centres.</p> <p>Before paying the infrastructure charge you must request the infrastructure charge payable at the time of payment to consider escalation from the date of the notice to the payment date.</p> <p>This request must be made by email to mail@scenicrim.qld.gov.au.</p>
Goods and Services Tax	<p>The Federal Government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in this infrastructure charges notice.</p>
Offset/refund	<p>Any offset or refund shown in this notice has been calculated in accordance with the method identified in the charges resolution.</p>
Trunk Infrastructure Networks	<p>If offset and refund amounts are applicable, trunk infrastructure networks include Community Purposes, Stormwater and Transport</p>
Rights of Appeal	<p><u>Appeals about particular charges for infrastructure</u></p> <p>A person who has been given, and is dissatisfied with an Infrastructure Charges Notice or Negotiated Infrastructure Charges Notice has, under s229(1) and Schedule 1 of the <i>Planning Act 2016</i>, the right to lodge an appeal to the Planning and Environment Court or a Development Tribunal.</p> <p>The timeframes for starting an appeal in the Planning and Environment Court or Tribunal are set out in s.229(3) of the <i>Planning Act 2016</i>.</p> <p>Section 229(6) and Schedule 1 of the <i>Planning Act 2016</i> states the grounds for appealing an Infrastructure Charges Notice or Negotiated Infrastructure Charges Notice.</p>

VOLUNTEER HOURS TOTALS				PAID EMPLOYEES		
2020				2020		
Department	HOURS	Klms	CLIENTS	Department	EMPLOYMENT	HOURS
Sub Branch	2713	22297.2		Office Manager	Full time	30 p/w
Transport	3596.5	110669	1133	Transport Co-ordinator	Part-time	16 p/w
Museum	454	552.4				
Women's Aux	383.5	2533				
Cadets	66	780				
TOTAL	7213	136831.6	1133			

SUB BRANCH

Name	HOURS	Klms
Errol Guilfoyle	94.25	556
Brett McCreadie	20	300
Brian Buckby	43	707
Carol Castles	1003	1876
Graham Bird	20	442.8
Janice Heit	34	178
Jay Collins	142	1600
Jon Forbe-Smith	231.75	3840
Kevin Bullock	110.25	426
Les Allen	12	78
Noel Parker	715.5	10979
Peter Higgins	46.25	329
Samantha Morgan	22	303.4
Wayne Oldmeadow	219	682
TOTAL	2713	22297.2

TRANSPORT

Name	Hours	Klms	Clients
Barbi McCann	57.5	2064	13
Bob Richardson	175.5	6343	56
Cheryl Oldmeadow	131.5	302	1
Cheryle Hancox	167	5988	67
David Miller	218.75	6650	73
Don Hewett	158	5085	59
Glenda Hewett	6.5	141	2
Frank Kimpton	69.25	3174	34
Jill Oliphant	36.75	687	4
Julie Ferguson	387.75	13362	127
Katy Morton	11.75	82	0
Kevin Howell	122.25	3125	38
Kym Rooks	297	8963	100
Laurel Fechner	80	680	0
Mark Hodgson	149.75	4973	55
Maurice McCauley	147.25	4547	55
Paul Connor	101.5	3430	26
Paul Sheffield	106.5	4008	31
Phil Hyam	8	171	4
Richard (Rick) Elliot	248	8160	85
Russell Brown	488.5	14430	162
Stephen O'Connor	198.75	6737	77
Tara Hawking	30.5	926	6
Wayne Oldmeadow	198.25	6641	58
TOTALS	3596.5	110669	1133

MUSEUM

Name	Hours	Klms
Errol Guilfoyle	30	50
John Middendorp	115	123.2
Kevin Bullock	62	214
Merv Antcliff	20	6
Phillip Johns	40	12
Rodney Mead	80	24
Victoria Middendorp	107	123.2
TOTALS	454	552.4

Citizens Aux

Name	HOURS	Klms
Joanne Heit	84.5	468
Royal Mahoney	71.5	144
Jennene Monteath	4	5
Sandra Byrnes	39	50
Moya Jackson	14	7
Jan Nesbit	25	14
Bev Knight	36	50
Bev Stephan	45	574
Avis Battle	64.5	1221
TOTAL	383.5	2533

BEAUDESERT RSL SUB BRANCH ANNUAL WELLBEING REPORT 2020

The ongoing activities of this Sub Branch are inclusive of a host of volunteer activities, wellbeing agendas for individual clients and the community of the Scenic Rim District.

During 2020 a collective of agendas of attendance for the following:

- **Wellbeing of clients** through the advocacy of the PAWS unit which has three volunteer members as follows, 1 ATDP trained and qualified at level 2, 1 ATDP trained at level 1. This is inclusive of one member who is TIP level 3.
The total of volunteer hours in attending to Veterans DVA claims and administration for this period amounts to: 440 hours.
- **In attending to our Veteran community**, we have conducted a variety of programs for Veteran and member inclusivity, these are as follows.
 1. Veteran's Health and Welfare Breakfast. 12 members x 4 hours= 48 hours.
 2. Discussion group for isolated and home bound Veterans. 3 members x 24 hours=72 hours.
 3. Home visitations, 4 members x 50 hours= 200 hours.
 4. Aged Care facility visitations, 4 members x 25 hours= 100 hours.
 5. Attendance at Poppy Services for deceased Veterans and families. These sad affairs have been attended by a host of members from this Sub Branch and collation of hours and numbers we regard as not in keeping with statistics found wanting by anyone. We do not agree that funerals are for statistics. Attended 3 funerals with up to 30 members attending FOR the Veteran and their respective families. 30 members x 3 funerals @ 3 hours equates to 270 hours attending to Veterans funerals.
 6. Our 'home assistance' is attended to by the donation of a wheel chair, 1 wheely walker . These are available to any member of the Veteran community and the community of the Scenic Rim as and when required.
 7. Phone calls to Veterans during the year attending to their wellbeing and personal needs based on discussion with volunteer members equates to 4 members @ 5 calls per week, 25 calls on average 10 minutes each= 4 hours.
 8. We have put in place a system of 'Welfare assistance bags' that contain personal hygiene items and clothes washing items. We purchase goods for these bags and hold 6 in store and replenish, as necessary. To date for this period we have handed over 16 bags for Veterans in need.
 9. The Scenic Rim is a large area for our volunteers to cater to and through the purchase of a Kia Carnival vehicle we have been able to visit, transport and deliver assistance to our Veteran and families. The total hours of use for this vehicle in the operation and delivery of wellbeing for 2020, is 1500 klms. Due to the COVID-19 The various roles volunteers undertake in the use of this vehicle range from, transport to and from funerals, RSL memorial functions, commemoration days, Veteran bbq's for isolated members, transport to and from meetings, training days, home visitations, aged care facilities, hospital visits, pick up of family members for hospital and aged

care visitations. The members using this vehicle on RSL wellbeing business are 4 members. The hours of use are detailed in the log book entries available from the Administration Manager of the Sub Branch.

10. Functions held for Veterans after commemoration days number 4 to date. These informal gathering of Veterans enable discussion on wellbeing needs, DVA requirements and news, RSL business for Veterans, personal needs of Veterans, Veterans family activities and information, training and development for Veterans. These functions are generally held at the Services Club and are funded by the Sub Branch. The costings for these are available from the Administration Manager Beaudesert RSL Sub Branch as the PAWS do not engage in the financials of the Sub Branch.
11. The PAWS section of the Sub Branch works with the Women's Auxiliary in promotion of the RSL and Veteran's needs. Without the ongoing work of these volunteer family members, this Sub Branch would find it hard to have the reach it has in the Scenic Rim District and beyond. The PAWS unit of 3 volunteers regularly meet with the Women's Auxiliary to engage activities to involve the community. Functions held by the Auxiliary are, Hoy on a monthly basis with up to 25 community members attending from the aged care facilities of Wongaburra, Star Gardens, Beaudesert Hospital, Beaucare, St Vincent de Paul Society, the local Christian churches and other community groups. Raffles held at the Services club on a weekly basis. Commemoration day functions and hosting meals, morning teas, raffles for the community. Badge and Poppy sales across the District. [the financials for these efforts are available from the Women's Auxiliary, also the hours involved by their members].
 - **Overseas Veterans.** Preparation, handling, assignment and postage of Christmas cards to overseas Veterans was taken on by the Women's Auxiliary. The number of volunteers was 4, the volunteer hours were 18 and the weight of cards presented to the Beaudesert Australia Post was 14kg of cards. Total hours by 4 volunteers, 72 hours.
 - **News Letter.** This Sub Branch has for many years informed the Veteran community, members and other Districts by way of a regular monthly newsletter. This exercise informs members and others of the ongoing work of the Sub Branch, PAWS, Women's Auxiliary, Museum and events forthcoming etc. The audience for this is 178 members and is sent to State RSL, SED and other Districts, our Regional Council, other interested organisations and other as interest is shown. This has been a conduit for our PAWS team in advising members of their respective DVA claims entitlements etc. It has provided a service to our members of activities they are enjoined to participate in and the delivery of current news etc.
 - **Bus Trips, events.** Over the years, the Sub Branch has with the assistance of the Women's Auxiliary, DVA, local traders support and donations been able to provide transport to venues of interest to the Veteran community to allow for members to

relax, converse and participate in a cultural and historical event. Such trips are further planned for the new year as these engage members who at times have become 'house bound'.

- **Our Christmas** luncheon for 2020 was attended to by 57 members and partners, including our Women's Auxiliary, our volunteer drivers and our board members. This was held at RSL Services Club in early December 2020 and was very warmly applauded by those attending.
- **Sub Branch** General meetings are held throughout the year and the 3 programmed meetings were attended by minor numbers of members owing to their other commitments. Our regular Sub Branch meetings held every month have been attended by our board and records of these are held by our Administration manager and are distributed to our SED board and State office.
- **Visitations** to other Sub branches and Districts. This Sub Branch has for many years assisted other Districts in the holding and performance of their respective Sub Branch AGM's, notably Boonah and Greenbank RSL Sub Branches. Our board members have been invited to attend Sub Branch meetings at Kooralbyn, Boonah, Greenbank. Our visitations are primarily to these venues to foster good will, social engagement of members in PAWS operations and advice.
- **Volunteer Drivers.** This Sub Branch has for the year been grateful in the services of volunteer drivers who transport hundreds of patients to and from medical, hospital appointments. The number of volunteer drivers is 17 and the hours for the year 3596.5, with 1133 clients and 110,669 klm's travelled. Their roles are various and their attention to detail is profound.
- **Schools Visitations.** For many years the primary and secondary schools in the Scenic Rim District have been of foremost attention to this Sub Branch. Every year without fail members in pairs and groups of 6-10 have attended 11 of the schools in our area. Total volunteers attending 10 plus, hours involved including travel time in excess of 8 giving us around 80 hours of volunteer's activities for primary and secondary school children. Our RSL is represented at the annual ANZAC School Services by schools in our District and also invited to , Jimboomba State School and, Flagstone College and Primary school. Our RSL Sub Branch volunteers together with Military involvement from Canungra Army is generally around 25 and the amount of time involved in travel and presentations 3 hours per school. Total hours 75 hours on the days before ANZAC Day. At the conclusion of these formal activities, it has been the tradition of the Sub Branch to ask the Military contingent to luncheon with those volunteers who have assisted in the day's activities. This has been of benefit to all as a social outlet that assists members in involving themselves in community activities.

- **Memorial/Cenotaph/Plaques.** This Sub Branch attends to the preservation and overall maintenance of several Military memorials, major cenotaph in Beaudesert and memorial plaques and a significant gated memorial in Rathdowney village. Several schools in our District have memorial plaques placed within their school environs and these are regularly attended to by students and Sub Branch members. The upkeep of these is significant in progressing the ANZAC spirit in our school's community. The Beaudesert Cenotaph is attended to by the Scenic Rim Regional Council with assistance from the Sub branch as requested. The flag pole used for ceremonial activities in our township is also attended by Council and the Sub Branch. Further to this is the resplendent set of memorial Gates in the Village of Rathdowney Queensland. These Memorial Gates were refurbished by volunteer Sub Branch member with the assistance of the Rathdowney community and donations and a grant for the Federal/State governments. These Memorial Gates stand proudly and represent the craftsmanship of those involved in their renewal and construction.
- **Cadet Group.** The Jimboomba Cadets perform an active role for Beaudesert RSL Sub Branch. The numbers of cadets attending the 6 formal parades are 24 and our contribution to the Jimboomba Cadets is \$1250 per year. We also have supplied uniforms, military items to assist in their respective presentation to the public and advice. Several of our members are heavily involved in the training of this group. We engage the cadets for major formal parades and rely on their presence in the execution of our ANZAC services and Remembrance Day services, Vietnam Veterans Day, Peacekeepers Day, National Servicemen's Day, Reserve Forces, Kapyong, VE Day, Korea, these to name a few.
- **Collective Hours.** This Sub Branch has 178 members from which only 15 offer their services to the Sub Branch. The 17 who do put their hands up have multiple tasking as a dividing line between them and their respective roles.

The dividing line is where home takes precedence over all activities with the Sub Branch coming in a graceful second. Members are invited to come on board and assist the Sub Branch, yet time, age, other responsibilities are to the fore. Those who do put in the time and effort for the Sub Branch do so out of respect, allegiance and duty to the League and for their own self fulfillment and satisfaction. There are no rewards in volunteering other than knowing a job is done for the many, for the few. If hours, statistics, numbers, dollars are to be counted as warranted for the furtherance of the League, then we certainly missed the boat. This Sub Branch relies on the few the further the many. Would that all our 178 members were of calibre to take on a volunteer role, we would stand tall and proud in keeping true to the original intent of the RSL.

11.5 Endorsement of the Planning Assumptions in the Draft Urban Utilities Water Netserv Plan

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Principal Specialist Strategic Planning

Attachments: Nil

Executive Summary

Council is in receipt of a confidential draft major amendment to the Urban Utilities Water Netserv Plan 2020 (Part A). Urban Utilities is formally seeking Council's endorsement that the draft amended Water Netserv Plan, incorporating the proposed changes, remains consistent with the planning assumptions contained in the current Scenic Rim Local Government Infrastructure Plan (LGIP) dated 20 June 2018, which is part of the Scenic Rim Planning Scheme.

The draft amended Netserv Plan remains confidential until it is released for public consultation and Council's role at this stage is limited to confirming that the draft plan is consistent with the planning assumptions for the region. Once the plan commences formal public consultation anticipated to occur early 2021, Council will have the opportunity to review the proposed changes and make a formal submission.

Upon review of the proposed changes, it is concluded that no changes or amendments have been made to the Water Netserv Plan planning assumptions or the planned density assumptions. As such, the amended Water Netserv Plan 2020 remains consistent with Council's LGIP.

Recommendation

That Council endorse the amended Draft Urban Utilities Water Netserv Plan 2020 as being consistent with the planning assumptions identified in the current Scenic Rim Planning Scheme pursuant to Section 99BR(1)(c)(i) of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*.

Previous Council Considerations / Resolutions

Not applicable.

Report / Background

The *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* (the SEQ Water Act) requires Urban Utilities as a SEQ distributor-retailer to prepare and review a Water Netserv Plan every five years. Urban Utilities' new Water Netserv Plan came into effect on 1 July 2020.

The Water Netserv Plan outlines plans for providing safe and reliable drinking water and wastewater services to communities in the local government areas (LGAs) of Scenic Rim Regional Council, Brisbane City Council, Ipswich City Council, Lockyer Valley Regional Council and Somerset Regional Council.

A Water Netserv Plan provides for water and wastewater provision in a distributor-retailer's geographic area over a 20-year timeframe. It integrates land use planning undertaken by each shareholder Council and then plans for water and wastewater infrastructure. The Water Netserv Plan is required to be consistent with the Queensland Government's *South-East Queensland Regional Plan 2017* (SEQ Regional Plan) and the planning assumptions outlined in the LGIP of each participating local government. The planning assumptions are critical as they identify projected population and employment growth together with the type, scale, location and timing of existing and future development. The planning assumptions are then converted into demand for the water and wastewater infrastructure networks.

The Water Netserv Plan comprises two parts - Part A which contains information for customers and Part B which is an internal document for use within Urban Utilities and is not released to the public. Key components of Part A include a policy on how new connections may be made to the Urban Utilities water supply and wastewater networks and how existing connections may be altered or disconnected – the Connections Policy, the local government planning assumptions, the schedule of capital works intended to support forecasted growth and the infrastructure charges schedule.

It should also be noted that the Urban Utilities Water Netserv Plan includes a series of maps providing information on drinking water and wastewater existing and future connection areas as well as existing and future trunk infrastructure within Council's Priority Infrastructure Areas (PIAs). The connection area identifies the area in which Urban Utilities guarantees to provide connections to its water service or wastewater service if the connection complies with the relevant connection criteria. The future connection area identifies the area prioritised for the provision of trunk infrastructure to service the existing and assumed future urban development up to 2031.

Amendments under the SEQ Water Act

The Water Netserv Plan can be updated as necessary at any time over the life of the plan. There are three amendment types: administrative, minor and major. Urban Utilities is currently proposing a major amendment to the Water Netserv Plan 2020. To make a major amendment, in accordance with Section 99BR(1)(c)(i) of the SEQ Water Act, Urban Utilities must seek endorsement from each participating local government that the draft Water Netserv Plan remains consistent with the planning assumptions in their LGIP.

Upon receipt of endorsement from the five shareholder Councils, the Water Netserv Plan will progress to a 20-day public notification phase. It is noted that Council will have the right to lodge a public submission during this public notification period.

Council's role at this stage is only to endorse that the Draft Water Netserv Plan remains consistent with its planning for future growth specified in the LGIP and the draft plan remains confidential at this point.

For the purpose of complying with Section 99BR(1)(c)(i) of the SEQ Water Act, Council officers have reviewed the planning assumptions contained within the draft plan to confirm that it is consistent with the planning assumptions contained in Council's LGIP.

Budget / Financial Implications

Nil.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Regions

Key Area of Focus: 4.1.1 Maintain a clear and comprehensive planning vision for the region

Legal / Statutory Implications

It is a requirement of Section 99BR(1)(c)(i) of the SEQ Water Act for Council to endorse the amended Draft Urban Utilities Water Netserv Plan 2020 as being consistent with the planning assumptions of the planning scheme, prior to proceeding to public consultation.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR59 Non-compliance with legislation and/or procurement policies and procedures resulting in successful claim against Council beyond limit insured for.

SR54 Ineffectively managing the political and government departmental relationships/partnerships, resulting in Council not achieving its major strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Infrastructure, Assets & Service Delivery Failure to ensure consistency of infrastructure plans affecting the local government area.	4 Major	Possible	Medium	Ensure ongoing liaison with Urban Utilities continues to remain up to date with any changes in plans for water and wastewater infrastructure.	Low
Governance, Risk & Compliance Failure to comply with legislative processes to adopt statutory plans for infrastructure for which Council is a stakeholder.	2 Minor	Possible	Medium	Ensure ongoing liaison with Urban Utilities to ensure statutory requirements including timeframes are met for the endorsement of planning assumptions in amendments to Netserv Plans.	Low

Consultation

Council's Strategic Planning officers discussed the process of amending the Water Netserv Plan and the requirement for Council to endorse the planning assumptions at a project meeting in September 2020 with UU officers.

Conclusion

In response to correspondence from Urban Utilities and the requirements of the SEQ Water Act, Council can endorse the amended Draft Urban Utilities Water Netserv Plan 2020 as being consistent with the planning assumptions identified in the current Scenic Rim Local Government Infrastructure Plan dated 20 June 2018.

Once the plan commences formal public consultation, Council will have the opportunity to review the proposed changes and make a formal submission.

Asset & Environmental Sustainability**11.6 Petition - Speed Bump on Christie Street, Canungra****Executive Officer:** General Manager Asset and Environmental Sustainability**Item Author:** General Manager Asset and Environmental Sustainability**Attachments:** Nil

Executive Summary

Council is to consider its position in response to the petition tabled at the Ordinary held on 26 October 2020, to remove the speed bump on Christie Street, Canungra.

Recommendation

That Council thank and respond to the petitioner advising that the crossing was installed on a state-controlled road, by the Department of Transport and Main Roads and as such Council is not in a position to accede to their request.

Previous Council Considerations / Resolutions

At the Ordinary Meeting on 26 October 2020, Item 12.1, it was resolved that the petition to remove the speed bump on Christie Street, Canungra be received and a report be brought back to Council in due course.

Report / Background

A petition was presented to Council at its Ordinary Meeting of 26 October 2020, seeking the removal of the speed hump on Christie Street, Canungra, stating that the installation of the raised pedestrian crossing on the main street of Canungra has been a failure which has created congestion and pollution issues (air and noise).

The petition was addressed to the Department of Transport and Main Roads, Jon Krause MP, State Member for Scenic Rim, and Cr Virginia West, Divisional Councillor.

Christie Street, also known as Beaudesert-Nerang Road, is a state-controlled road, under the jurisdiction of the Department of Transport and Main Roads; with the 'wombat' crossing installed by the Department mid-2020. A 'wombat' crossing is the affectionate name given to a pedestrian (zebra) crossing that is placed on a flat top road hump.

As the crossing was installed on a state-controlled road, by the Department of Transport and Main Roads, the removal of the crossing is considered a state matter to be addressed by the Department of Transport and Main Roads and/or the State Member for Beaudesert, Jon Krause MP.

Budget / Financial Implications

Nil.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Regions

Key Area of Focus: 6.1.3 Ensure accessibility of Council-controlled infrastructure networks, while enhancing resilience

Legal / Statutory Implications

Not applicable.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR51 Ineffective, inaccurate and/or inappropriate communication and relationship/stakeholder management impacting Council's ability to fulfil its strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership Adverse impact to community expectations due to poor relationship/stakeholder management.	2 Minor	Likely	Medium	Communication	Low

Consultation

The installation of the 'wombat' crossing has previously been raised with the Department of Transport and Main Roads at an officer level through the Traffic Advisory Committee and Speed Management Advisory Committee meeting, in September 2020.

Conclusion

The Department of Transport and Main Roads is responsible for the installation of the 'wombat' crossing on Christie Street, Canungra.

11.7 Long Road Extension, Tamborine Mountain - Easement Access to Residential Properties

Executive Officer: General Manager Asset and Environmental Sustainability

Item Author: Manager Resources & Sustainability

Attachments:

1. Locality Map - Long Road extension, Tamborine Mountain [↓](#) 
2. Properties with access easement provisions over the Long Road extension to Esme Street, Tamborine Mountain [↓](#) 
3. Access provisions associated with Lot 33 on SP107087 (1C Esme Street, Tamborine Mountain) [↓](#) 

Executive Summary

Council has been approached by the owner of several properties adjoining the Long Road extension situated on Tamborine Mountain. The Long Road extension is a series of Council owned properties designated for a future east-west link across Tamborine Mountain. The property owner wishes to construct a driveway to provide access to five properties situated at the northern end of the Long Road extension. The proposal will activate existing access easement rights over the Council owned properties. Permission is also requested for Council to approve use of Lot 33 on SP107087 for access in lieu of an existing access easement over an adjoining privately owned property.

Recommendation

That:

1. Council, as landowner of Lot 33 on SP107087, consent to access easements over Lot 33 on SP107087 in favour of Lot 223 and Lot 224 on SP112575, Lot 212, Lot 213 and Lot 214 on SP149168;
2. Council, as landowner, endorse construction of a driveway (per Driveway Detail Plan 20-145-SK101 (Rev A) within Lot 33 on SP107087, Lot 215 on SP149168 and Lot 220 SP112575;
3. Council, as landowner of Lot 33 on SP107087, Lot 215 on SP149168 and Lot 220 SP112575, consent to the lodgement of a development application for access easements over Lot 33 on SP107087, Lot 215 on SP149168 and Lot 220 SP112575 in favour of Lot 223 and Lot 224 on SP112575, Lot 212, Lot 213 and Lot 214 on SP149168;
4. Council acknowledge the existence of any constructed easement access is constructed and exists in a way it does not hinder any future development of the Council owned lots.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 11 May 2020 (Item 8.1), it was resolved that:

1. Council receive the deputation in absentia;
2. The request for funding of the opening of the Long Road extension in stages be referred for further consideration by Council; and
3. Advice be provided to the correspondent as to the action taken

At the Ordinary Meeting held on 9 December 2019 (Item 13.5), it was resolved that:

1. Council acknowledge that the application for funding under the Queensland Disaster Resilience Fund for a Regional Resilience Assessment and Prioritisation Study, that would provide a methodology and assessment tool to assist in the prioritisation of asset needs during natural disaster events such as a southern extension to Long Road, has yet to be approved;
2. Council continue to pursue funding for a Regional Resilience Assessment and Prioritisation Study that would provide a methodology and assessment tool to assist in the prioritisation of asset needs during natural disaster events, such as a southern extension to Long Road;
3. Council acknowledge the State Government's in-principle support for co-funding an extension of Long Road on the basis that Council substantiates the following:
 - The project is proposed by Council as part of contingency planning for a natural disaster event;
 - An assessment would need to be made on the likelihood and frequency of the relevant sections of Main Western Road being cut by a natural disaster event; and
 - It would need to be reasonably demonstrated that during natural disaster events affecting the area, the upgraded Long Road would be able to provide a trafficable alternate route to Main Western Road.

Report / Background

During the mid-1990s concern was raised that only a single road (being Main Western Road), linked the northern and southern residential communities of Tamborine Mountain. Potential existed for Main Western Road to be temporarily closed as a result of:

- Bushfires on the western escarpment (along which Main Western Road traverses);
- Traffic accidents; and
- Storm damage (ie. fallen trees across the road).

Council commenced actions to establish a second road corridor between Normandie Court and Esme Street. By the mid-2000s, all necessary land actions had been completed and the 'Long Road extension' had been secured. 1,100 metres in length, the Long Road extension is made up of five properties owned by Council in freehold (refer Attachment 1).

Properties adjoining the Long Road extension are provided access by means of easement provisions through to either Main Western Road or Esme Street.

The Council-owned corridor of land is currently deemed private property with access permitted to the authorised property owners, their visitors and emergency services only. Limited maintenance is performed by Council.

To date little use has been made of the northern end of the Long Road extension for private property access. The adjoining private properties have been held under the same ownership and comprised part of a larger land holding of twelve properties extending through to Main Western Road.

Council has recently been approached by a developer who has purchased this large land holding. The developer now wishes to on-sell the twelve properties individually. This action will trigger use of the northern half of the Long Road extension for access by five of the properties. The subject properties include: Lot 223 and Lot 224 on SP112575 and Lot 212, Lot 213 and Lot 214 on SP149168 (refer Attachment 2). To this end, Council has been provided with an overall plan of the proposed driveway construction within the Long Road extension to service each of the properties (refer Attachment 3). The driveway is proposed to be three metres in width and approximately 450 metres in length. Council's Development Assessment and Engineering Section have reviewed the proposed driveway design and provided consent for its construction as shown.

On Council's request, sufficient room has been allowed on the western side of the Long Road extension to allow for the later provision of a community walkway/cycleway.

Valid access easement provisions already exist for the above private properties which allow them to traverse the northern half of the Long Road extension. As such, Council cannot legally refuse access.

The existing access easement documentation is brief and non-specific (the easement conditions are included as Attachment 4). New access easement documentation will be drafted to include for items such as the maintenance of the proposed driveway remaining vested with each of the private properties serviced by it. Similar provision will be included to ensure emergency service access along the Long Road extension is maintained.

Acquisition of Lot 33 on SP107087 was a longer process than Council originally envisaged. To provide contiguous access to the subject properties, Easement A on SP112575 was created to provide access over Lot 221 on SP112575 instead (refer Attachment 5). Although the developer is within their rights to make use of this easement, they have expressed a preference to relinquish the existing easement rights for access over Lot 33 on SP107087, as this would avoid the need to clear a substantial stand of mature trees.

The driveway as proposed would instead merge with the alignment of the existing gravel driveway access utilised by Lot 31 and Lot 32 on SP107087, (both of which have easement rights over Lot 33 on SP107087 for this purpose).

In-principle agreement has been provided by Council for the developer to utilise Lot 33 on SP107087 for access. New easement documentation will be prepared following the same considerations mentioned above. It is also proposed to extinguish Easement A on SP112575. Council, as the land owner of Lot 33 on SP107087 is required to formally consent to both the provisions of new access easements burdening Lot 33 on SP107087 and a development application for the same.

Council has reviewed the option to establish a minimum standard rural access road in lieu of the proposed driveway formation. Upon review, a driveway remained a more robust, viable option at present whilst allowing Council the latitude for planning of walking/ cycling opportunities, if not vehicular access, along the whole Long Road extension at a future date.

Budget / Financial Implications

Costs associated with the extinguishment of existing access easements and the preparation and registration of new access easements will be borne by the developer.

Driveway construction costs will be borne by the developer.

Driveway to be maintained by the private property owners utilising the driveway.

Council may be required to provide operational budget to improve current maintenance actions along the Long Road extension in the vicinity of the driveway.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Regions

Key Area of Focus: 6.1.2 Develop a sustainable program of local, higher order infrastructure necessary to support population and economic growth

Legal / Statutory Implications

Existing access easement provisions allow Indigo to proceed with development of the Long Road extension for access purposes. New easement provisions (if actioned) will reflect the same.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR41 Inadequate or lack of appropriately defined service Levels in place resulting in failure to deliver or meet appropriate expectations of stakeholders.

SR52 Ineffective and/or unrealistic strategic plans which are not appropriately scoped or resourced, resulting in missed opportunities, re-work, failure to deliver objectives and loss of confidence by community.

Risk Assessment

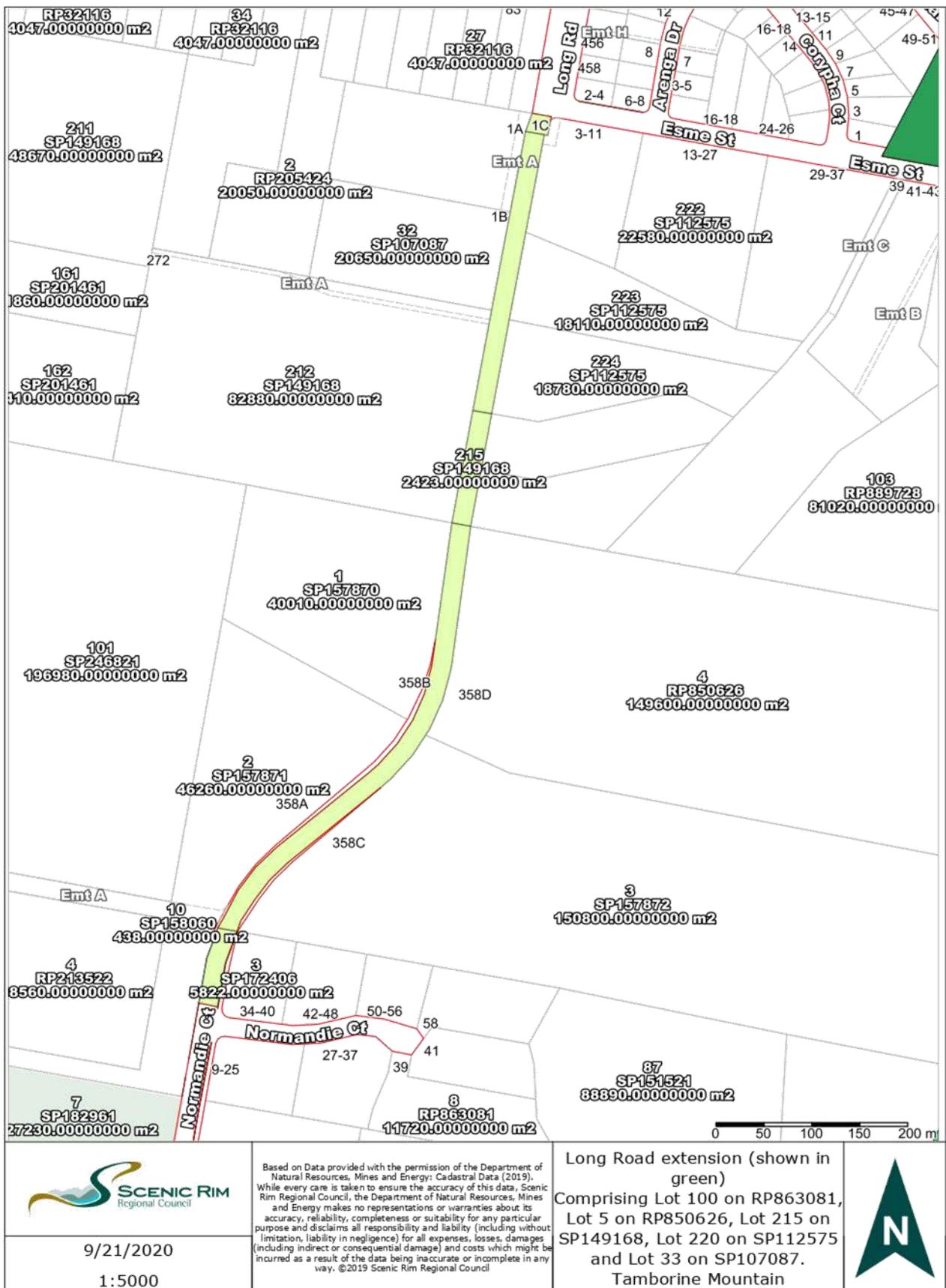
Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial/Economic Adverse risk to the community due to inadequate or lack of appropriately defined Service Levels in place resulting in failure to deliver or meet appropriate expectations of stakeholders	4 Major	Almost certain	Extreme	Council holds a definitive position regarding use of Long Road extension for pedestrian activities	Medium
Financial/Economic Adverse risk to the community due to ineffective and/or unrealistic strategic plans which aren't appropriately scoped or resources, resulting in missed opportunities, re-work, failure to deliver objectives and loss of confidence by the community	4 Major	Likely	High	Executive Team focus on Strategic Planning; service level framework	Low

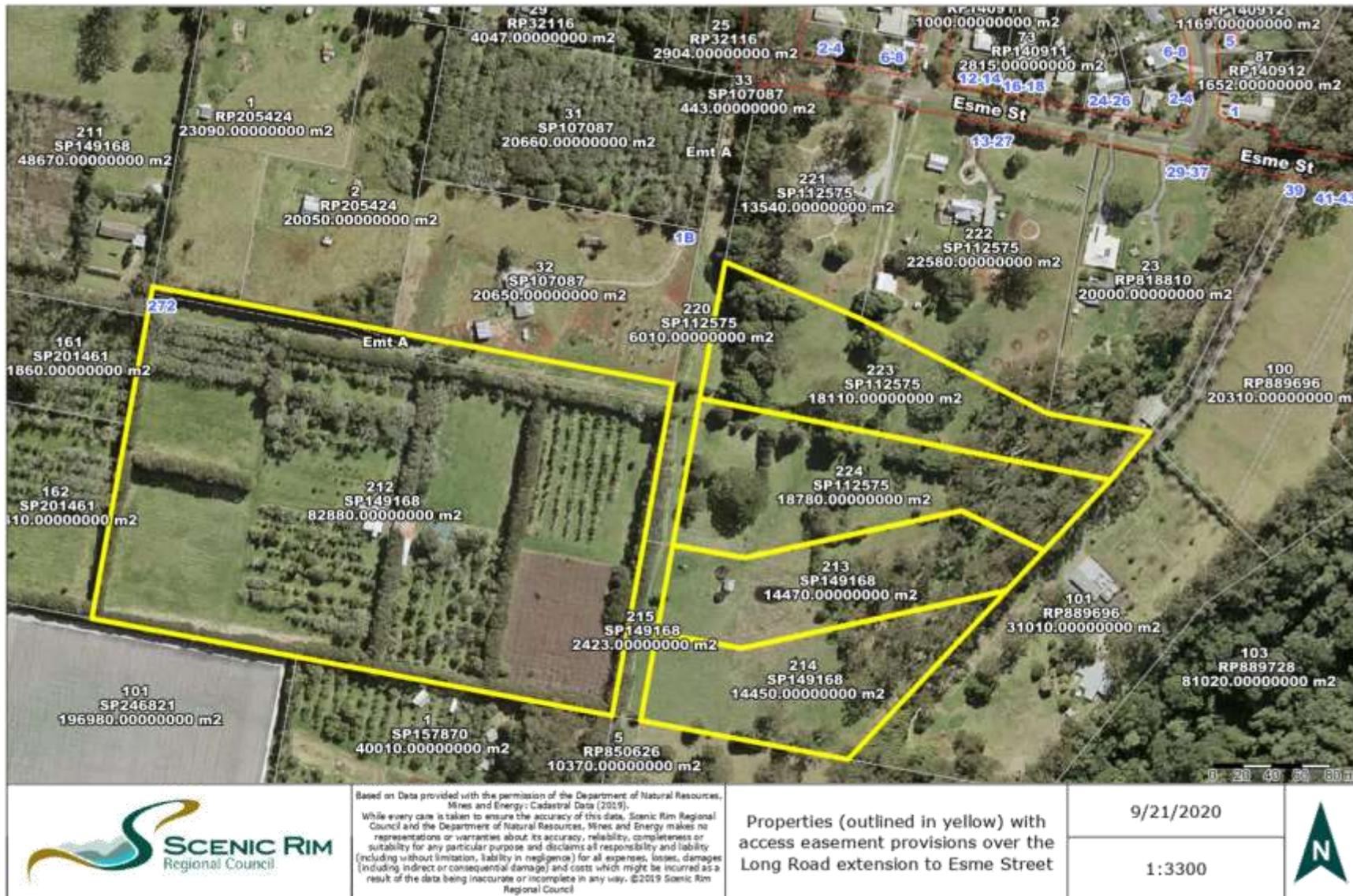
Consultation

TJ Kelly Surveys Pty Ltd, acting on behalf of the developer as well as members of the development group have undertaken a series of meetings with Council Officers representing Planning and Development, Capital Works and Asset Management and Property Management.

Conclusion

The five properties identified as Lot 223 and Lot 224 on SP112575 and Lot 212, Lot 213 and Lot 214 on SP149168 are legally entitled to use the Long Road extension for access onto Esme Street. The developer has in good faith advised Council of their intention to construct a driveway along the Long Road extension to service the five properties. Council is provided with the opportunity to improve the current easement terms and conditions associated with access of the Long Road extension by the five properties and also resolve a legacy issue regarding Lot 33 on SP107087.



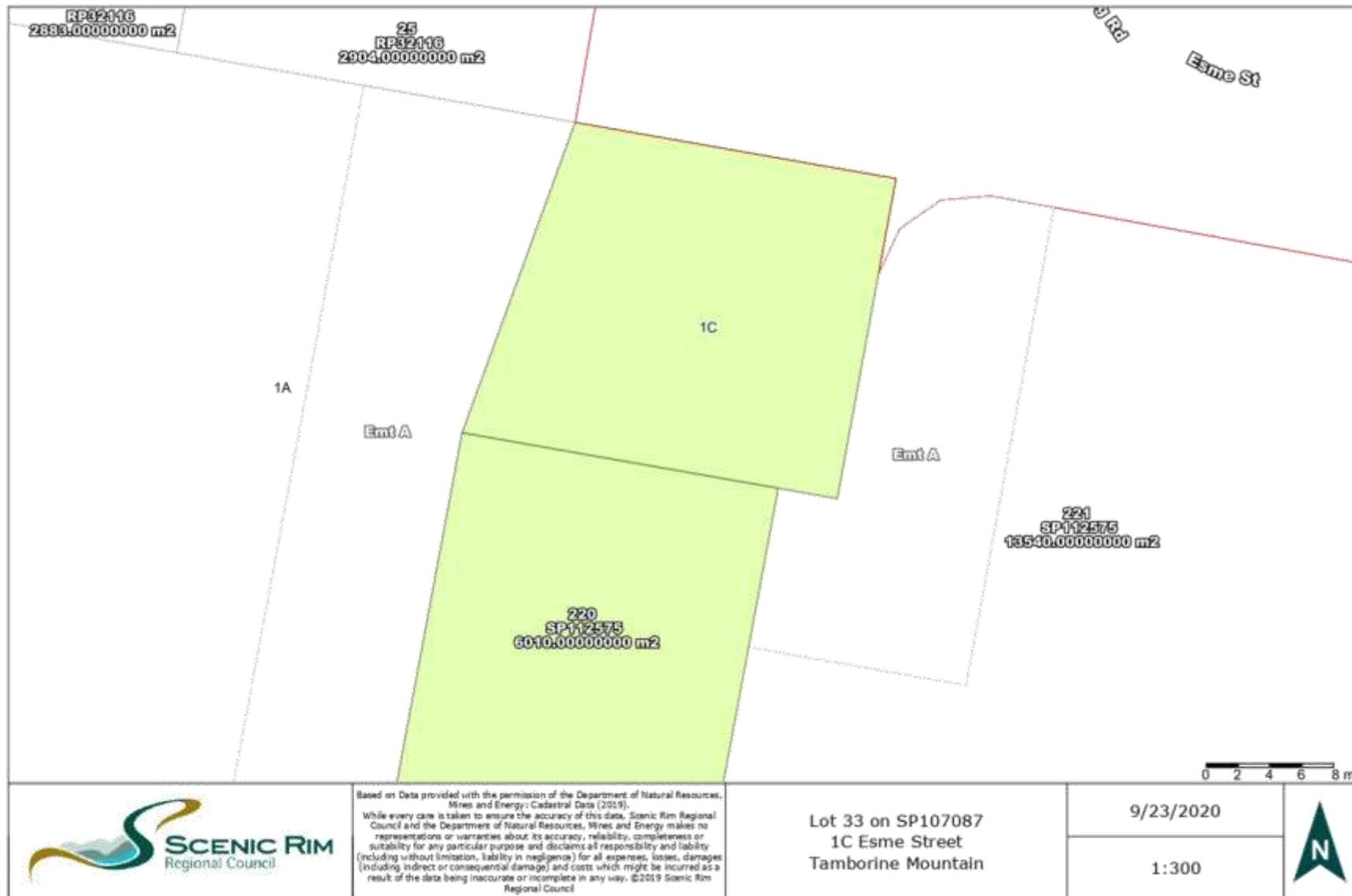


Based on Data provided with the permission of the Department of Natural Resources, Mines and Energy; Cadastral Data (2019).
 While every care is taken to ensure the accuracy of this data, Scenic Rim Regional Council and the Department of Natural Resources, Mines and Energy makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which might be incurred as a result of the data being inaccurate or incomplete in any way. ©2019 Scenic Rim Regional Council

Properties (outlined in yellow) with access easement provisions over the Long Road extension to Esme Street

9/21/2020
 1:3300





Council Sustainability

11.8 Council Monthly Financial Report for December 2020

Executive Officer: General Manager Council Sustainability

Item Author: Coordinator Financial Management

Attachments:

1. Financial Performance and Position Progress Report - December 2020 [↓](#) 

Executive Summary

This report seeks Council's endorsement of the monthly financial report for December 2020.

Recommendation

That Council endorse the Monthly Financial Report for December 2020.

Previous Council Considerations / Resolutions

Financial reports are presented to Council on a monthly basis.

Report / Background

The Council monthly financial report provides information on Council's actual to budget performance. The graphical representation of key performance indicators provides key summary financial information.

Budget / Financial Implications

The indicator for Net Operating Surplus/(Deficit) is ahead of budgeted expectations by > 10 percent.

The indicator for Operating Income is within 10 percent of budgeted expectations.

The indicator for Operating Expenses is within 10 percent of budgeted expectations.

The indicator for Capital Expenses is below budgeted expectations by > 10 percent.

The indicator for Cash is ahead of budgeted expectations by > 10 percent.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: 3.1.2 Provide streamlined and practical regulatory services that deliver improved access for the community

Legal / Statutory Implications

Section 204 of the *Local Government Regulation 2012* requires the Chief Executive Officer to present a financial report to Council on a monthly basis.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report

SR47 Inadequate or lack of an appropriate Financial Management Framework (including systems, policies, procedures and controls) in place to adequately minimise risk of fraudulent action and to maximise financial sustainability.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial and Economic Inaccurate or untimely management reporting	Major	Likely	High	Actual performance is reported against budget on a monthly basis to the Executive Team and Council	Low
Financial and Economic Failure to develop and implement procedures to manage cash and investments	Catastrophic	Almost certain	Extreme	Monthly investment report is provided to the Executive Team and Council that reports actual performance against investment limits	Low
Financial and Economic Failure to manage outstanding debtors	Moderate	Almost certain	High	Monthly debtors report is provided to the Executive Team and Council including chart showing total outstanding debtors and debtors greater than 90 days overdue	Low

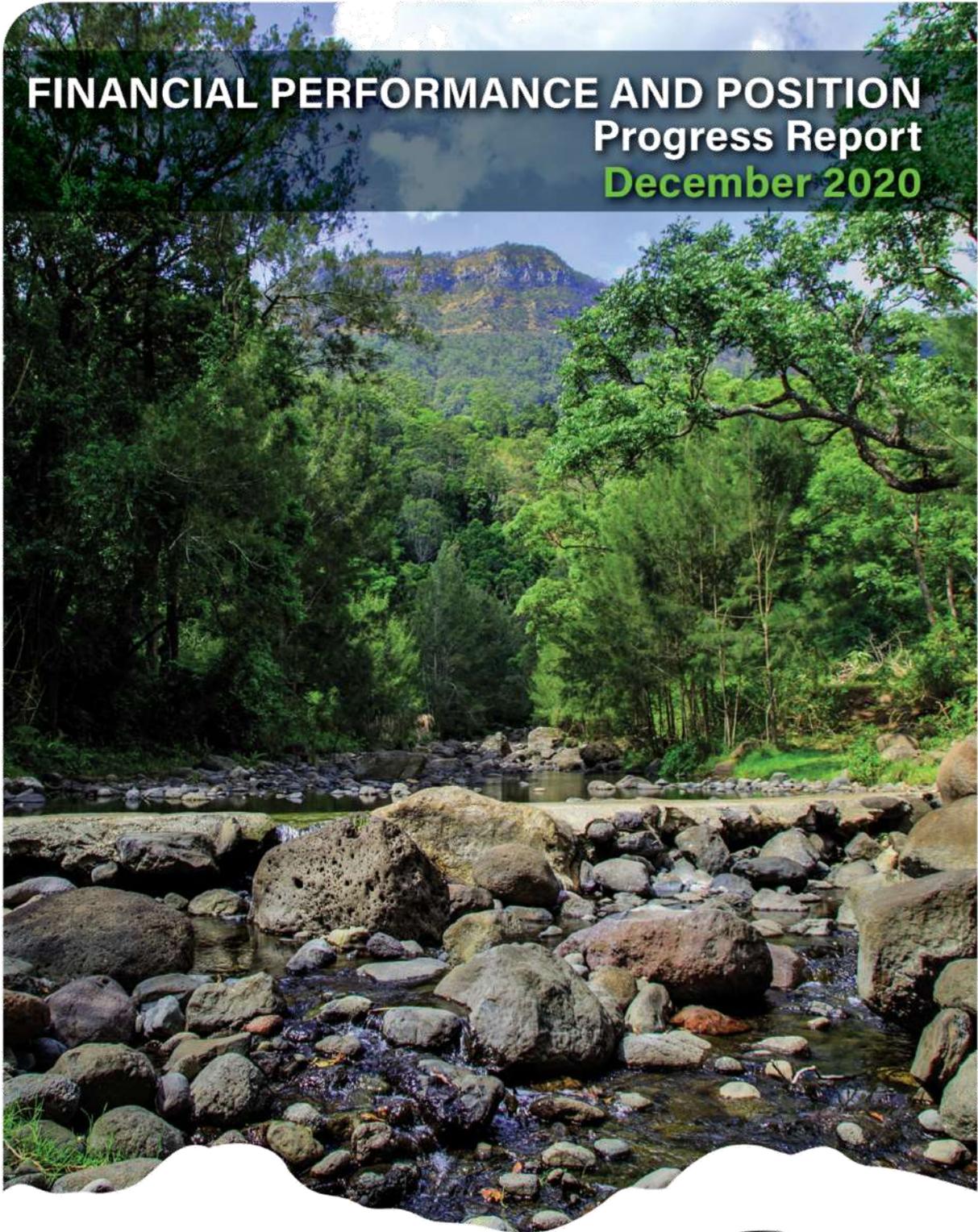
Consultation

Executive and Management Teams have reviewed the actual to budget performance for their relevant portfolios.

Conclusion

The monthly financial report provides information on the actual to budget position at financial statement level.

FINANCIAL PERFORMANCE AND POSITION Progress Report December 2020



scenicrim.qld.gov.au

CSPR/2020.0004



Executive Summary

Councils net operating surplus to the end of December is \$4.411 million ahead of budgeted expectations. This is due to operating expenditure being \$3.817 million below budget and revenue being higher than budget by \$0.594 million.

Within Revenue: Fees and charges are higher than expectations largely due to increased revenue from plumbing certification, animal management licences and other building and property related fees. Operating grants are higher than budget due to timing with receipt of funding for the Tourism Recovery Program.

Within Operating Expenditure: Employee expenses are below budget due to staff vacancies (offset partially by a lower allocation to capital) and timing with training and conference expenditure. Materials and services are lower than budget due to lower maintenance and operations costs and other materials and services (largely expenditure for grant funded programs and internal fleet recoveries).

Capital revenue is higher than budgeted expectations due largely to timing with receipt of building Our Regions grant funding \$820 thousand and higher than anticipated revenue from infrastructure charges \$1.16 million; offset by lower receipts due to timing for Transport and Main Road's Transport Infrastructure Development Scheme \$360 thousand and Australian Government's Roads To Recovery \$545 thousand.

With respect to the Statement of Financial Position, the cash balance is higher than budgeted expectations due to a combination of better than budgeted net surplus, lower capital expenditure and movement in payables and receivables.

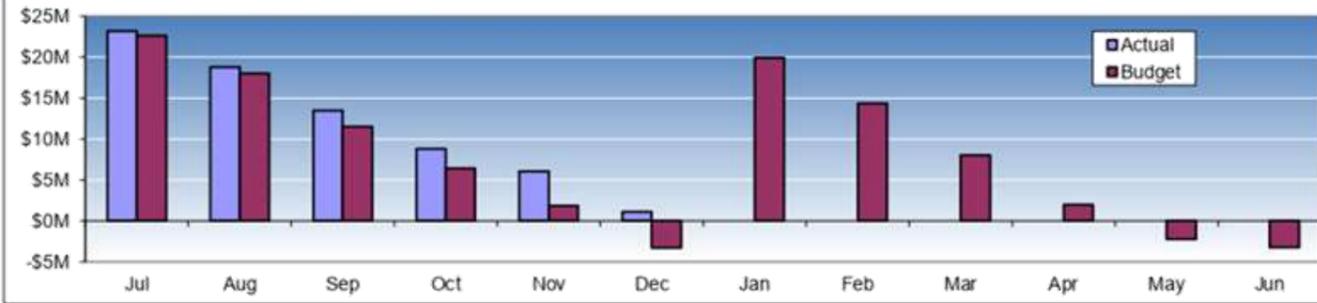
Investment returns are lower than budget with the Reserve Bank of Australia cash rate at 0.10% at the end of November. Councils weighted average return on cash investments for November was 0.56%.

Other Outstanding Debtors amount to \$2.5 million of which Recoverable Works represents \$2.1 million.



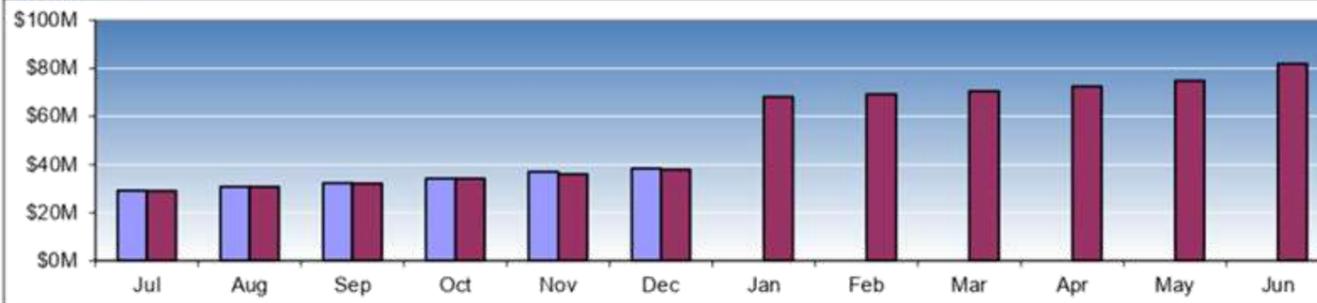
1. KEY PERFORMANCE INDICATORS

Net operating surplus / (deficit)



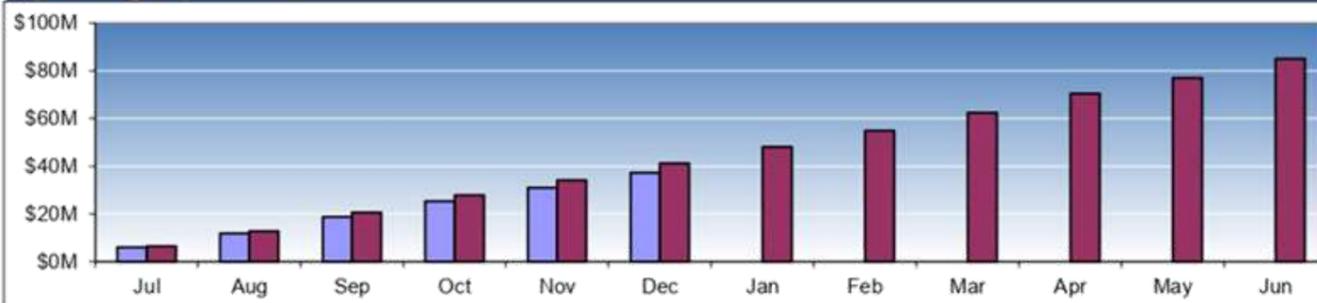
Ahead of budgeted expectations by > 10%
Var. = \$4.4M / -133.6%

Operating income



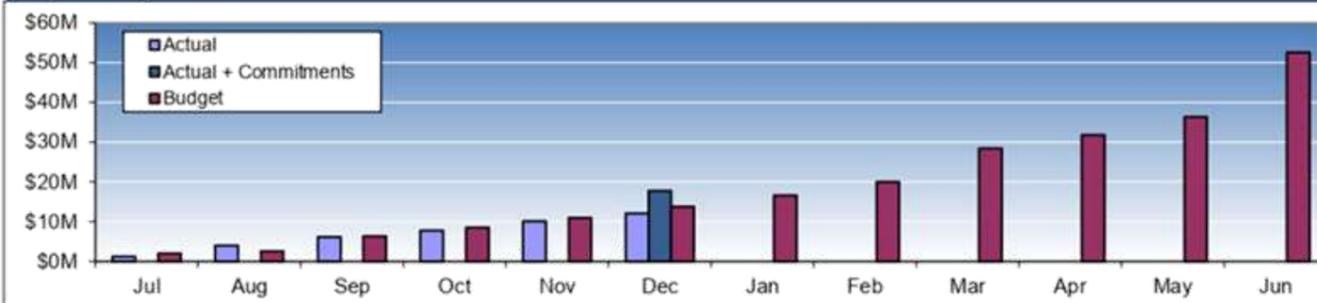
Within 10% of budgeted expectations
Var. = \$0.6M / 1.6%

Operating expenses



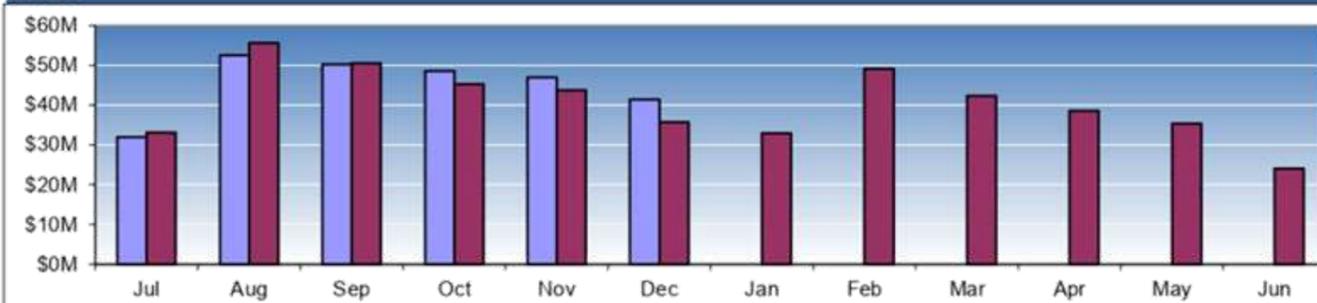
Within 10% of budgeted expectations
Var. = \$-3.8M / -9.3%

Capital expenses



Behind budgeted expectations by > 10%
Var. = \$-1.7M / -12.7%

Cash



Ahead of budgeted expectations by > 10%
Var. = \$5.7M / 15.9%

Legend:

- Negative Variance > 20%
- Within tolerance
- Negative Variance > 10%
- Positive Variance > 10%



2. STATEMENT OF COMPREHENSIVE INCOME

STATEMENT OF COMPREHENSIVE INCOME		For the Period Ending 31-Dec-2020				
		Annual	Annual	YTD	YTD	YTD
		Original	Revised	Revised	Actual \$000	Variance
		Budget	Budget	Budget		\$000
		\$000	\$000	\$000		
Operating revenue						
Rates and utility charges	Note 1	\$57,436	\$57,166	\$28,436	\$28,432	(\$4)
Discounts and pensioner remissions		(\$1,763)	(\$1,803)	(\$922)	(\$932)	(\$11)
Fees and charges	Note 2	\$4,818	\$5,033	\$2,593	\$2,855	\$262
Interest received		\$1,593	\$1,190	\$496	\$511	\$15
Recoverable works		\$4,614	\$4,704	\$2,211	\$2,246	\$35
Grants, subsidies, contributions and donations		\$6,899	\$8,638	\$2,668	\$2,965	\$297
Share of profit from associates		\$1,889	\$1,889	\$0	\$0	\$0
Other revenues	Note 3	\$4,943	\$5,035	\$2,369	\$2,368	(\$0)
Total Operating revenue		\$80,429	\$81,853	\$37,851	\$38,445	\$594
Operating expenditure						
Employee expenses		\$37,692	\$37,836	\$18,408	\$16,949	\$1,459
Employee expenses allocated to capital		(\$5,506)	(\$5,505)	(\$2,943)	(\$2,161)	(\$782)
Net operating employee expenses		\$32,186	\$32,331	\$15,466	\$14,788	\$678
Materials and services	Note 4	\$31,399	\$34,498	\$16,482	\$13,315	\$3,166
Finance costs		\$1,278	\$1,278	\$639	\$641	(\$2)
Depreciation and amortisation		\$16,993	\$16,993	\$8,566	\$8,591	(\$25)
Total Operating expenditure		\$81,856	\$85,099	\$41,152	\$37,335	\$3,817
NET OPERATING SURPLUS / (DEFICIT)		(\$1,428)	(\$3,247)	(\$3,302)	\$1,109	\$4,411
Capital revenue						
Capital grants, subsidies, contributions and donations		\$13,016	\$26,611	\$11,325	\$12,427	\$1,102
Total capital revenue		\$13,016	\$26,611	\$11,325	\$12,427	\$1,102
NET SURPLUS / (DEFICIT)		\$11,588	\$23,364	\$8,024	\$13,537	\$5,513



3. STATEMENT OF FINANCIAL POSITION

STATEMENT OF FINANCIAL POSITION

As at 31-Dec-2020

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Current assets					
Cash and Investments	\$26,098	\$24,044	\$35,786	\$41,474	\$5,688
Receivables	\$5,600	\$5,600	\$4,772	\$5,253	\$481
Inventories	\$900	\$900	\$900	\$1,103	\$203
Other Current Assets	\$690	\$690	\$0	\$0	\$0
Total current assets	\$33,288	\$31,234	\$41,458	\$47,830	\$6,372
Non-current assets					
Receivables	\$14,676	\$14,676	\$14,676	\$14,676	\$0
Other Financial Assets	\$36,887	\$36,892	\$36,660	\$36,660	\$0
Property, Plant and Equipment and Intangibles	\$948,097	\$938,427	\$891,138	\$889,266	(\$1,872)
Total non-current assets	\$999,660	\$989,995	\$942,474	\$940,602	(\$1,872)
TOTAL ASSETS	\$1,032,948	\$1,021,229	\$983,931	\$988,432	\$4,501
Current liability					
Trade and Other Payables	\$4,500	\$4,500	\$1,500	\$1,386	\$114
Borrowings	\$2,270	\$2,270	\$0	\$0	\$0
Provisions	\$10,400	\$10,400	\$10,400	\$9,382	\$1,018
Other Current Liabilities	\$0	\$0	\$0	\$191	(\$191)
Total current liability	\$17,170	\$17,170	\$11,900	\$10,958	(\$942)
Non-current liability					
Borrowings	\$28,692	\$28,667	\$30,503	\$30,509	(\$6)
Provisions	\$1,841	\$4,219	\$4,219	\$4,218	\$1
Total non-current liability	\$30,533	\$32,886	\$34,722	\$34,727	\$5
TOTAL LIABILITIES	\$47,703	\$50,056	\$46,622	\$45,685	(\$937)
NET ASSETS	\$985,245	\$971,173	\$937,310	\$942,747	\$5,437



NOTE 1 - RATES AND UTILITY CHARGES ANALYSIS
For the Period Ending 31-Dec-2020

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Rates and utility charges					
General Rates	\$43,489	\$43,219	\$21,475	\$21,487	\$12
Separate Charge Community Infrastructure	\$6,974	\$6,974	\$3,487	\$3,486	(\$1)
Waste Disposal Charge	\$445	\$445	\$223	\$220	(\$2)
Waste Collection Charge	\$6,528	\$6,528	\$3,252	\$3,239	(\$13)
Total rates and utility charges	\$57,436	\$57,166	\$28,436	\$28,432	(\$4)

NOTE 2 - FEES AND CHARGES ANALYSIS
For the Period Ending 31-Dec-2020

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Fees and charges					
Development Assessment	\$837	\$837	\$419	\$390	(\$29)
Plumbing Certification	\$706	\$706	\$369	\$549	\$180
Building Certification	\$459	\$459	\$229	\$278	\$48
Other Building and Property Related Revenue	\$526	\$526	\$270	\$350	\$80
Refuse Tipping Fees	\$1,099	\$1,099	\$549	\$483	(\$67)
Animal Management Licences	\$242	\$242	\$121	\$204	\$83
Food Licences	\$188	\$188	\$167	\$170	\$3
Cemetery Fees	\$278	\$278	\$109	\$109	\$0
Moogerah Caravan Park Fees	\$350	\$550	\$275	\$259	(\$16)
Other Fees and Charges	\$133	\$148	\$84	\$63	(\$21)
Total fees and charges	\$4,818	\$5,033	\$2,593	\$2,855	\$262

NOTE 3 - OTHER REVENUES ANALYSIS
For the Period Ending 31-Dec-2020

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Other revenues					
Waste Charges for LCC Dumping at Central Landfill	\$1,600	\$1,600	\$800	\$876	\$76
Domestic Waste Levy - State Reimbursement	\$1,398	\$1,398	\$699	\$641	(\$58)
Tax Equivalents - Urban Utilities	\$694	\$694	\$289	\$411	\$122
Other	\$1,251	\$1,344	\$581	\$440	(\$141)
Total other revenues	\$4,943	\$5,035	\$2,369	\$2,368	(\$0)



NOTE 4 - MATERIALS AND SERVICES ANALYSIS
For the Period Ending 31-Dec-2020

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Materials and services					
Economic Development	\$828	\$1,247	\$461	\$135	(\$326)
Grant Exp-Drought Communities Programms	\$0	\$430	\$0	\$0	\$0
Grants	\$265	\$308	\$164	\$153	(\$12)
Grant-Tourism Recovery Program - Stage 2	\$0	\$1,325	\$663	\$262	(\$401)
Insurance	\$436	\$436	\$433	\$499	\$66
IT Systems Maintenance	\$2,123	\$2,228	\$1,587	\$1,655	\$68
Legal Expenses	\$793	\$893	\$487	\$367	(\$120)
Office Expenditure	\$583	\$519	\$257	\$200	(\$58)
Recoverable Works	\$1,986	\$1,986	\$990	\$1,147	\$157
Subscriptions	\$291	\$296	\$234	\$183	(\$50)
Waste Collection Contract	\$2,978	\$2,978	\$1,241	\$1,288	\$47
Maintenance and Operations	\$18,917	\$19,167	\$9,201	\$8,133	(\$1,067)
Transfer Station Operations	\$695	\$695	\$307	\$130	(\$176)
Other Material and Services *	\$1,503	\$1,989	\$458	(\$836)	(\$1,294)
Total materials and services	\$31,399	\$34,498	\$16,482	\$13,315	(\$3,166)

* Includes internal fleet recoveries

5. CAPITAL EXPENDITURE

CAPITAL EXPENDITURE						
For the Period Ending 31-Dec-2020						
	Commitm ents \$000	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Council Wide Transactions	\$0	\$1,089	\$0	\$0	\$0	\$0
Information Services and Technology	\$0	\$0	\$0	\$0	\$12	\$12
Libraries	\$107	\$258	\$317	\$129	\$107	(\$22)
Cultural Services	\$75	\$194	\$242	\$0	\$50	\$50
Facilities Maintenance	\$583	\$786	\$4,345	\$599	\$520	(\$79)
Parks and Landscape Maintenance	\$69	\$345	\$563	\$245	\$220	(\$25)
Waste Landfill - Central	\$49	\$131	\$685	\$0	\$52	\$52
Property Management	\$40	\$1,500	\$2,000	\$1,500	\$1,374	(\$126)
Waste Transfer Stations	\$5	\$125	\$258	\$10	\$10	(\$0)
Vibrant and Active Towns and Villages	\$1,761	\$1,566	\$13,549	\$2,033	\$2,281	\$249
Road Maintenance	\$27	\$345	\$345	\$173	\$26	(\$146)
Capital Works	\$331	\$3,638	\$13,094	\$4,610	\$4,404	(\$205)
Structures and Drainage	\$417	\$5,521	\$8,351	\$1,943	\$1,499	(\$445)
Fleet Management	\$2,038	\$3,131	\$5,422	\$1,266	\$723	(\$543)
Grant-Bushfire Recovery Exceptional Assistance Pack	\$0	\$676	\$676	\$0	\$22	\$22
Grant-Building Drought Resilience in the Scenic Rim	\$143	\$0	\$385	\$0	\$0	\$0
Reseals	\$42	\$3,129	\$3,129	\$1,300	\$757	(\$543)
Total capital expenditure	\$5,686	\$22,434	\$53,361	\$13,807	\$12,058	(\$1,749)



6. INVESTMENTS

INVESTMENTS

As at 31-Dec-2020

INVESTMENTS HELD BY COUNCIL

Financial Institution	Type	Principal \$'000	Interest Rate	Maturity Date	Days to Maturity	S&P Short Term Rating
Queensland Treasury Corporation	On Call	\$35,891	0.89%	30/11/2020	0	A1+
Bendigo & Adelaide Bank - Can	Term Depo	\$1,000	0.80%	3/02/2021	65	A2
Bendigo & Adelaide Bank - Kal	Term Depo	\$1,000	0.50%	16/08/2021	259	A2
Bendigo - Beaudesert/Canungra	Term Depo	\$3,000	0.90%	10/03/2021	100	A2
Queensland Country Bank Ltd	Term Depo	\$2,000	0.90%	13/04/2021	134	A2

Total investments		\$42,891				
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Cash in bank accounts	On Call	\$836	1.25%	31/12/2020	0	A1+
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Total cash		\$836				
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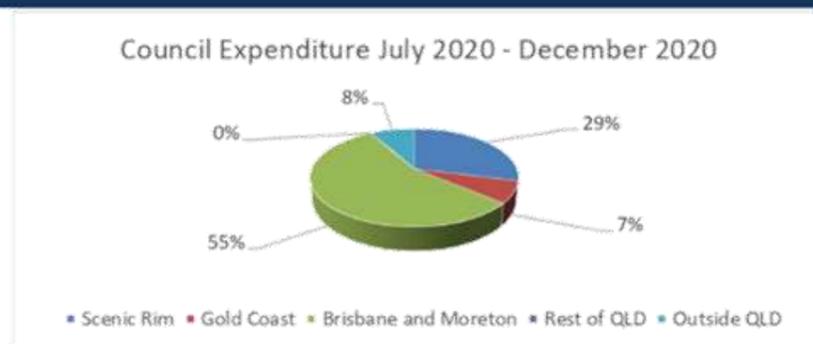
TOTAL CASH AND INVESTMENTS		\$43,727	Varies from Statement of Financial Position due to cash in Trust and reconciling items.			
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INVESTMENT INTEREST RATE PERFORMANCE

Weighted Average Interest Rate	0.89%
Target Interest Rate (average QTC overnight cash rate)	0.10%
Investment Policy Adhered to?	Yes

7. ADDITIONAL INFORMATION

COUNCIL EXPENDITURE BY LOCATION



	Scenic Rim \$M	Gold Coast \$M	Brisbane / Moreton \$M	Rest of QLD \$M	Outside QLD \$M	Total \$M
Council Expenditure 01 July 2016 to 30 June 2020	\$78.6	\$23.3	\$140.8	\$1.2	\$26.0	\$269.9
Council Expenditure 01 July 2020 to 31-Dec-2020	\$9.0	\$2.2	\$17.2	\$0.1	\$2.5	\$31.0

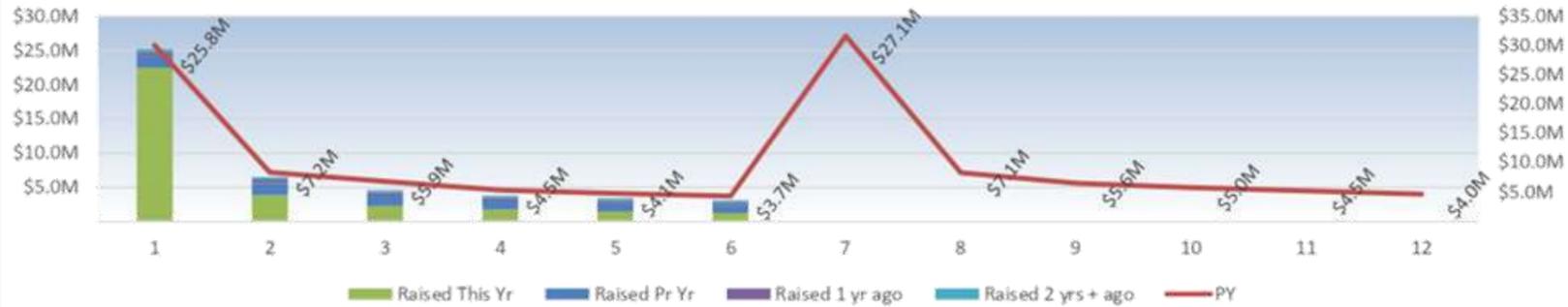
HARDSHIP APPLICATIONS

	Financial	COVID	Drought	Bushfires
2019-2020 Applications Approved	12	0	17	2
2020-2021 Current Month				
Applications Sent (excludes direct download from website)	0	1	0	0
Applications Received	1	0	0	0
Applications Approved	0	0	0	0
Applications Currently Under Review	3	0	0	6
Applications Ineligible / Withdrawn	0	0	0	0



8. DEBTORS

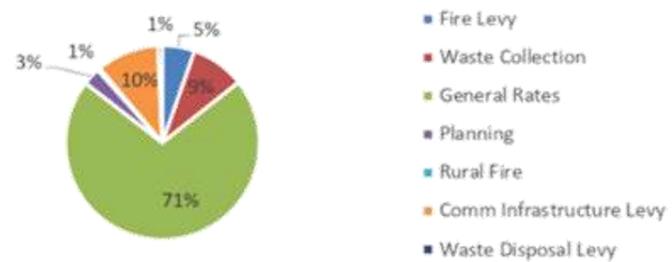
OUTSTANDING RATES DEBTORS



Ageing of Rates Debtors



Rates Debtors by Category



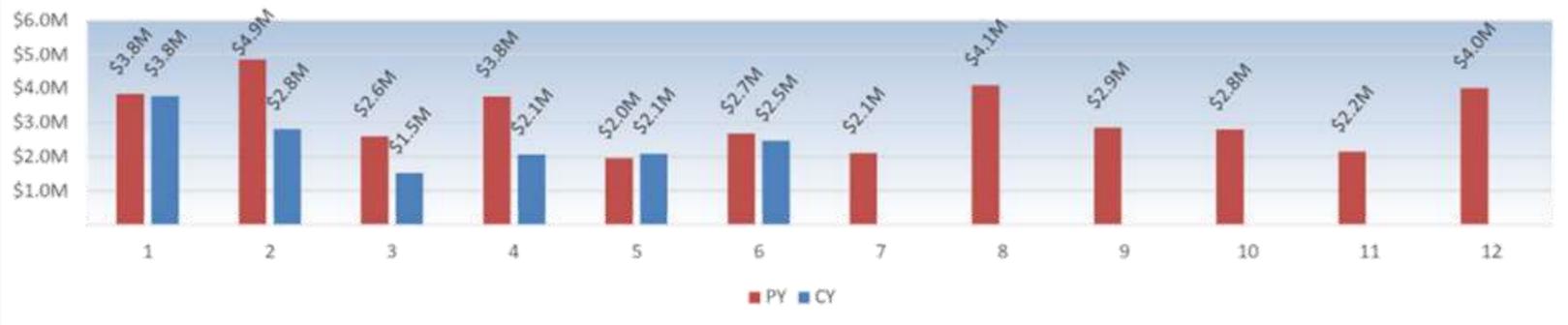
Outstanding Rates Debtors by Category

	As at 31-Dec-2020		As at 31-Dec-2019	
	Total Levy \$'000	Current Levy \$'000	Total Levy \$'000	Current Levy \$'000
Emergency Management Levy	\$191	\$80	\$202	\$105
Garbage Utility Charges	\$319	\$140	\$286	\$150
General Rates	\$2,533	\$993	\$458*	(\$520)**
Infrastructure Charges	\$104	\$0	\$163	\$163
Rural Fire	\$15	\$7	\$16	\$8
Community Infrastructure Charge	\$370	\$162	\$330	\$163
Waste Disposal Utility Charges	\$26	\$10	\$28	\$15
Total rates debtors outstanding	\$3,558	\$1,392	\$1,483	\$84

* General Rates total in Total Levy Arrears Dec 2019 includes \$2.202M in prepayments offsetting totals

** General Rates total in Total Current Levy Arrears Dec 2019 includes \$1.842M in prepayments offsetting totals

OUTSTANDING OTHER DEBTORS



Example: Recoverable Works, Interest Receivable, Tipping Fees, etc.

Outstanding Other Debtors by Category



11.9 Standing Orders Policy and Procedures

Executive Officer: General Manager Council Sustainability

Item Author: Governance Officer

Attachments:

1. Standing Orders Policy (as adopted 27 May 2019) [↓](#) 
2. Standing Orders Procedure (as approved by the CEO on 27 May 2019) [↓](#) 
3. Revised Standing Orders Policy [↓](#) 
4. Revised Standing Orders Procedure [↓](#) 
5. Revised Standing Orders Procedure - Administration and Conduct [↓](#) 

Executive Summary

On 12 October 2020, the *Local Government Legislation (Integrity) Amendment Regulation 2020* and the *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020* became operational. Changes to the *Local Government Regulations 2012* (the Regulations) affect the way Ordinary Meetings are conducted by removing the entire part of the Regulations dealing with meetings and inserting a revised part. This change in the Regulations directly affects the process associated with Ordinary Meetings.

The proposed set of documents hereinafter referred to as the Standing Orders suite of documents, is comprised of a Policy and two Procedures connected to Ordinary Meetings.

Recommendation

That:

1. Council note the legislative requirement to adopt certain meetings procedures;
2. Council rescind the current Council Policy - Standing Orders;
3. Council adopt the revised Council Policy - Standing Orders;
4. Council adopt the Council Procedure Standing Orders;
5. Council adopt the Council Procedure Standing Orders - Administration and Conduct; and
6. Council note that the current Standing Order Procedure dated 27 May 2019 will be formally rescinded by the Chief Executive Officer.

Previous Council Considerations / Resolutions

The suite of documents connected to Standing Orders have been reviewed on a number of occasions since 2008. The two most recent reviews took place on 18 December 2018, at which time most of the Departmental Model Standing Orders were adopted and on 27 May 2019. The Standing Orders were substantially amended on 27 May 2019, when the suite of documents was reviewed to reflect the decision of Council, at the time, to dispense with Committee Meetings.

Report / Background

Pursuant to section 150F of the *Local Government Act 2009* (LGA), Council is required to adopt certain meeting procedures as determined by the Chief Executive of the Department of State Development, Infrastructure, Local Government and Planning (the Department). These are Model Meeting Procedures which are reflected in the Standing Orders Procedures - Conduct and Administration.

Following the changes to the legislation the Department published updated Best Practice Standing Orders which are reflected as much as possible in the Standing Orders Procedures.

Wherever there is a deviation from the best practice standing orders the deviation is the result of the following:

1. Council does not have a committee structure so reference to committees has again been removed from the Standing Orders.
2. A review of the recordings of recent meetings indicates that there has been a common process of Councillors' discussing the content of reports that are presented to Ordinary Meetings prior to proposing any motion and the commencement of formal debate. This process has been formalised at clause 7 of the proposed Standing Orders Procedure. This process is not contained in the best practice Standing Orders and reflects the needs of this organisation.
3. Other changes to the Standing Orders serve to arrange the information in a functional system.

The Standing Orders Procedure is concerned with the mechanics of Ordinary Meetings and all extraneous matters not directly related to the mechanics of an Ordinary Meeting have been removed from the proposed Standing Orders Procedure.

Matters that relate to behaviour standards, inappropriate conduct as well as methods to deal with Prescribed Conflicts of Interest and Declarable Conflicts of Interest have been provided for in a separate procedure entitled Standing Orders - Administration and Conduct Procedure. This document is informed by the Model Meeting Procedures which are required to be adopted pursuant to section 150F of the LGA.

Ninety percent of the content of this proposed Procedure (Administration and Conduct) is prescribed and must be adopted by a Local Council pursuant to the LGA. The balance of this content is to enhance the flow of information and the logical organisation of matters that have been removed from the Standing Orders.

The overall aim of this suite of documents is to simplify the regulatory environment for Councillors in the conduct of Ordinary meetings and to ensure legislative compliance. On this occasion no tracked changes documents have been published, because there have been very substantial changes resulting in a document almost entirely made up of tracked changes. This would render the tracking unusable as a means to identify changes between the existing Standing Orders suite of documents and the proposed documents.

It is noted from the recordings that a process is followed in Ordinary Meetings that appears to have been adopted by usage rather than as a formal requirement. It appears that in determining a suitable motion connected to a matter being considered by the Ordinary Meeting the presenting General Manager is asked to consent to Councillor proposed changes to the recommendation.

This process is not catered for in the current Standing Orders and has not been included in the proposed Standing Orders as Councillors are not required to seek such consent. Indeed, deferring to the person introducing the subject matter for the formulation of a motion, does not aid a Councillor in the discharge of their duties. The Councillor proposing to move a motion may move any motion suitable to the subject matter.

Amending a motion is an entitlement of any Councillor during the course of conducting a meeting until such time as the voting members have reached consensus and the motion is seconded. This process is in the current Standing Orders and replicated in the Proposed Standing Orders.

Noteworthy Changes

Council was one of a few councils that maintained a placeholder in the agenda entitled "Miscellaneous Business". General research into the place of 'Miscellaneous Business' or 'General Business' as an agenda item suggests that a placeholder on an agenda entitled 'Miscellaneous Business' may give the impression that some business that ought to be published is dealt with without notice because there is a desire to withhold timely information. This appears to be contrary to the Local Government Principles of transparency and does not correlate to the changes to the Regulations.

One of the reasons advanced in the general research in support of the removal of this agenda placeholder is that this agenda placeholder is available to be used as a means to raise new business, meaning that Councillors are not able to consider whether they have a prescribed or declarable conflict of interest in relation to the matter to be debated.

The new conflict arrangements require Councillors to be aware of their own conflicts and additionally require them to report if they have a reasonable suspicion that another Councillor has a conflict of interest under the Standing Order - Administration and Conduct Procedure and it would be difficult for a Councillor to pay attention to this responsibility. It is for this reason that the Department recommends that councils do not maintain an agenda item entitled miscellaneous business.

It is understood there is no appetite for re-naming the current placeholder "Late Items" or something similar as it might lead to non-compliance with corporate deadlines which are part of the system. This placeholder would be appropriately titled "Supplementary Items" which are appropriately described and dealt with by way of the supplementary agenda process. This title would not give the impression that this placeholder in the agenda can be used for any matter that is not appropriately notified to the Councillors and the members of the public in a supplementary agenda.

The writer understands that petitions and votes of thanks may be dealt with as part of miscellaneous business and it is suggested that votes of thanks could be appropriately dealt with under the placeholder for Announcements.

Petitions might be most suitably dealt with by renaming the agenda item connected with deputations to Deputations/Petitions, on the basis that both are concerned with submissions by members of the public. Any presentation of petitions will therefore have a specific placeholder in the order of business. It is noted that notwithstanding there is an acknowledgment of petitions as part of ordinary Council business, any petition tabled must meet the minimum criteria outlined in the Policy in order for Council to formally consider the matter.

Adding petitions to the placeholder of Deputations does not mean that petitioners are able to present a petition personally, unless their request has been properly assessed as a deputation. A divisional Councillor would not be precluded from presenting a petition or a number of petitions at this point in the ordinary proceedings.

The ability of the Mayor to address the meeting via a Mayoral Minute has been retained in the proposed Standing Orders. Mayoral Minutes are not part of the best practice Standing Orders or the Model Meeting Procedures but reflect the needs of this organisation.

Budget / Financial Implications

Not applicable.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: 3.1.2 Provide streamlined and practical regulatory services that deliver improved access for the community

Legal / Statutory Implications

Local Government Legislation (Integrity) Amendment Regulation 2020 and the Local Government Legislation (Integrity) Amendment Act 2020 became operational on 12 October 2020. The changes in the proposed amended meeting documents reflects the amendments to the Act and the Regulations. If the documents are not updated there is a risk that Council may fail to comply with the legislation.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Legal Compliance and Liability Failing to update in compliance with amended legislation.	Major	Possible	Low	To the extent that Council's policies are incompatible with the Act the, requirements under the Act overrule the Policy to the extent of the inconsistency.	Low
Reputation Failing to be up to date with changes in legislation and consequent incompatibility of Policy with Legislation may tarnish the reputation of Council.	Moderate	Possible	Low	To the extent that Council's policies are incompatible with the Act the, requirements under the Act overrule the Policy to the extent of the inconsistency.	Low

Consultation

The Principal Advisor from the Department of State Development, Infrastructure, Local Government and Planning has been consulted, enquiring to the publication of updated Model Standing Orders. Updated Model Standing Orders have been published on or about 9 October 2020 and all Model Standing Orders have been incorporated in the proposed documents.

The Business Support Officer, Office of the Mayor and CEO, has been extensively consulted to ascertain the system requirements connected to building and publishing agendas and the placeholder in the order of business for an Ordinary Meeting. The advice received is reflected in the attached documents.

Following the notion to have it lay on the table an opportunity was utilised at an Councillor and Executive Workshop to undertake a further review of the documentation with Councillors and Staff members. This was undertaken at the Councillor and Executive Workshop held on 15 December 2020.

Conclusion

The entire suite of documents connected with both formal and informal meetings has been reviewed with a view to updating and consolidating the policies and procedures to more closely align with the Council's processes and procedures.

Some categories of information have been moved out of the Standing Orders on the basis that those identified categories are not commonly encountered and leaving them out leads to a more concise document as an everyday reference tool.

All the information previously in the meetings suite of documents is still contained in the proposed new suite of documents, but it has been arranged in a manner that has grouped related information in the same document.



COUNCIL POLICY (CM03.01CP) STANDING ORDERS

OBJECTIVES

The objectives of this Policy are to support the statutory meeting provisions of the *Local Government Act 2009* and *Local Government Regulation 2012* and provide a framework to ensure that all meetings of Council are conducted in an efficient, effective, fair and transparent manner to facilitate appropriate contributions from elected members in a way that supports the highest standards of democratic governance.

POLICY STATEMENT

Council is committed to:

1. Conducting its meetings in accordance with the principles of the *Local Government Act 2009* to ensure an accountable, effective, efficient and sustainable system of local government;
2. Councillors performing their responsibilities as required under the *Local Government Act 2009*; and
3. Providing meeting processes that support effective contributions from elected members, staff and residents in the best interest of the community.

DEFINITIONS

Nil.

Policy Reference Number: CM03.01CP
Portfolio: Customer and Regional Prosperity
Branch: Governance

Approval Date: 27 May 2019
Review Date: 27 May 2024
File References: 13/08/001; 04/15/004
Page 1 of 2

RELATED DOCUMENTS

1. Standing *Local Government Act 2009*;
2. *Local Government Regulation 2012*;
3. Standing Orders Procedure CM03.01PR;
4. Meetings and Other Forums Policy CM03.07CP;
5. Meetings and Other Forums Guideline CM03.07GL.01; and
6. Meetings and Other Forums Procedure CM03.07PR.01.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2013-2018, in particular Theme - Open and Responsive Government.

Approved By:

SCENIC RIM REGIONAL COUNCIL

Version Information

Version No.	Date	Key Changes
1	8/4/2008	Post Election Meeting 8 April 2008 Item 5.4 New Policy adopted.
2	28/10/2008	Corporate and Community Services Committee 21 October 2008 Item 1.4 Recognition of the establishment of Standing Committees and the adoption of the Meetings and Other Forums Policy.
3	23/2/2010	Corporate and Community Services Committee 16 February 2010 Item 1.5 Amendment to allow a procedural motion that a question be put, enabling a meeting to come to a decision when the debate might otherwise be ongoing.
4	22/11/2011	Corporate and Community Services Committee 15 November 2011 Item 1.3 References to legislation and local laws updated.
5	26/6/2012	Corporate and Community Services Committee 19 June 2012 Item 1.2 Subsections 41 "Public participation at meetings" and 44 "Public participation at committee meetings" were deleted.
6	30/4/2013	Corporate and Community Services Committee 23 April 2013 Item 1.1 References to Local Government (Operations) Regulation 2010 amended to reflect the Regulations being superseded. Order of Business section updated. Various sectional headings amended to better portray their relevance.
7	22/10/2014	Corporate and Community Services Committee 15 October 2014 Item 1.3 Policy renewed for 3 years with superficial updates to policy header.
8	18/12/2017	Corporate and Community Services Committee 11/12/2017 Item No. 3.2 Policy reproduced in new policy format. Objectives and Policy Statement updated. References to "days" changed to "business days" in sections 6, 9 and 15. Section 40 is amended to read that Councillors must officially record their attendance at meetings.
9	27/5/2019	Ordinary Meeting Policy amended to reflect Council's decision to disband Standing Committees from 1 July 2019 and relevant information incorporated into new Procedure.

Policy Reference Number: CM03.01CP
Portfolio: Customer and Regional Prosperity
Branch: Governance

Approval Date: 27 May 2019
Review Date: 27 May 2024
File References: 13/08/001; 04/15/004
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STANDING ORDERS (CM03.01PR)

OBJECTIVES

This Procedure supplements the statutory requirements by providing standard processes to be observed at Council Meetings.

SCOPE

This Procedure applies to Councillors and Council officers involved in Council meetings.

ACTIONS

Part 1 Meeting Times and Agendas

Time of meetings of the local government

1. Times of Ordinary Meetings

- 1.1. The local government may, by resolution, fix dates and times for its Ordinary Meetings.¹
- 1.2. 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.
- 1.3. 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.

2. Special Meetings

- 2.1. The Chief Executive Officer must call a Special Meeting of the local government if:
 - 2.1.1. the Special Meeting is required by a resolution of the local government; or
 - 2.1.2. a written request for the Special Meeting is lodged with the Chief Executive Officer under paragraph 2.2.

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*.

- 2.2. A written request for a Special Meeting² of the local government must:
 - 2.2.1. be signed by the Mayor or three or more Councillors; and
 - 2.2.2. specify the business to be conducted at the Special Meeting; and
 - 2.2.3. propose a day and time for the holding of the Special Meeting.

Agendas for meetings of the local government

3. Agendas for Meetings

- 3.1. 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
- 3.2. The agenda for a meeting must include:
 - 3.2.1. items required under the *Local Government Act 2009* to be included on the agenda; and
 - 3.2.2. items required under these Procedures to be included on the agenda; and
 - 3.2.3. items that are by resolution of the local government to be included on the agenda; and
 - 3.2.4. each item for which inclusion on the agenda is requested by a Councillor.
- 3.3. A Councillor who wants an item of business included on the agenda for a particular meeting must give written notice of the nature of the business to the Chief Executive Officer at least two business days before the notice of meeting is given.

Part 2 Standing Orders

Application of Standing Orders

4. Application

- 4.1. The Standing Orders in Part 2 provides rules for the conduct of Council meetings (other than the Post-Election Meeting).
- 4.2. The Standing Orders shall apply to a Post-Election Meeting of Council as far as practicable.
- 4.3. Any provision of the Standing Orders may be suspended by resolution of Council.
- 4.4. A separate resolution is required for a suspension of a standing order.

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*.

- 4.5. A resolution to suspend a standing order must specify the application and duration of the suspension.
- 4.6. Where a matter arises at a Council Meeting 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.

Procedures for Meetings

5. Order of Business

- 5.1. The order of business must be determined by resolution from time to time.
- 5.2. The order of business may be altered for a particular meeting where the Councillors at the meeting pass a motion to that effect.
- 5.3. A motion to alter the order of business may be moved without notice.
- 5.4. Unless otherwise altered pursuant to subparagraph 5.2, the order of business will be:

Ordinary Meetings:

Declaration of Opening
 Attendance
 Apologies
 Prayers
 Declarations of Interest by Members
 Announcements
 Reception of Deputations by Appointment
 Confirmation of Minutes
 Business Arising from Previous Minutes
 Consideration of Business of Meeting
 Confidential Matters
 Miscellaneous Business

Special Meetings:

Declaration of Opening
 Attendance
 Apologies
 Declarations of Interest by Members
 Consideration of Business of Meeting

- 5.5. The minutes⁴ of a preceding 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.

⁴ See section 272 (Minutes) of the *Local Government Regulation 2012*.

5.6. Admission of deputations, invitees and visitors shall be at the discretion of either of:

5.6.1. the Mayor; or

5.6.2. Council.

5.7. The time for receipt of petitions shall be at the discretion of Council.

6. Preparation of Agendas

6.1. The Chief Executive Officer must prepare or have prepared a meeting agenda for each meeting.

6.2. The agenda must, where practicable, be made available to Councillors three business days prior to the meeting.

6.3. A meeting agenda shall include, but not be limited to:

6.3.1. matters requiring attention from a previous meeting; and

6.3.2. officers' reports.

7. Petitions

7.1. Any petition presented to a meeting of the local government must be in legible writing or typewritten and contain a minimum of 10 signatures.

7.2. A petition may be presented to a meeting by a Councillor who, before presenting the petition, must, as far as practicable, become acquainted with the subject matter of the petition.

7.3. On presenting a petition to a meeting, a Councillor must:

7.3.1. state the nature of the petition; and

7.3.2. read the petition.

7.4. Where a Councillor presents a petition to a meeting, no debate on or in relation to the petition shall be allowed, and the only motion which may be moved is that:

7.4.1. the petition be received and consideration stand as an order of the day for:

(a) the meeting; or

(b) a future meeting; or

7.4.2. the petition be received and referred to the Chief Executive Officer for consideration and a report to the local government; or

7.4.3. the petition not be received.

8. Deputations

- 8.1. A deputation wishing to attend and address a meeting must do so by appointment with the Chief Executive Officer.
- 8.2. The Chief Executive Officer must notify the Mayor who must determine whether the deputation may be heard.
- 8.3. The Chief Executive Officer must inform the deputation of the determination.
- 8.4. Where it has been determined that the deputation may be heard, a convenient time must be arranged for that purpose, and a time period allowed.
- 8.5. For deputations comprising three or more persons, only two persons may be heard unless the local government determines otherwise.
- 8.6. A deputation must be given an adequate opportunity to explain the purpose of the deputation.
- 8.7. The Chair of a meeting may terminate an address by a person in a deputation at any time if:
 - 8.7.1. the Chair has allotted a specific period of time for a person's address and the period of time has elapsed; or
 - 8.7.2. the Chair is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting; or
 - 8.7.3. the person uses insulting or offensive language.

Motions

9. Motions

- 9.1. 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 Chair.
- 9.2. The Chair 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.
- 9.3. The Chair 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 Chair may put the motion to the vote without discussion.
- 9.4. An item on the meeting agenda must not be removed from the agenda where a Councillor at the meeting objects to its being removed.
- 9.5. 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.

10. Absence of a 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.

11. Motion to be seconded

11.1. 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.

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

11.3. Notwithstanding subparagraph 11.1, a Councillor who moves a motion or an amendment to a motion may, with the permission of the Chair, speak in support of the motion or amendment before it is seconded.

12. Amendment of motion

12.1. An amendment to a motion must:

12.1.1. Be in terms which retain the identity of the motion; and

12.1.2. Not negative the motion.

12.2. Not more than one motion or one proposed amendment to a motion may be put before a meeting at any one time.

12.3. 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.

12.4. 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.

12.5. A Councillor who proposes or seconds a motion must not propose or second an amendment to the motion.

13. Speaking to motions and amendments

13.1. Subject to subparagraph 11.2, the mover of an amendment to a motion must read the amendment and state that the amendment is so moved, and:

13.1.1. may only speak in support of the amendment before it is seconded with the permission of the Chair; and

13.1.2. may speak in support of the amendment after it is seconded.

13.2. A Councillor may request further information from the Chair before or after the motion or the amendment to the motion is seconded.

- 13.3. 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 alternatively against and in favour of the motion or amendment, unless the Chair in his or her discretion rules otherwise.
- 13.4. The mover of a motion has the right of reply.
- 13.5. The mover of an amendment to a motion has no right of reply.
- 13.6. Each Councillor must speak not more than once to the same motion or the same amendment except as a right of reply unless the Chair in his or her discretion rules otherwise.
- 13.7. Each speaker is restricted to not more than five minutes unless the Chair in his or her discretion rules otherwise.
- 13.8. Where two or more Councillors attempt to speak at the same time, the Chair is to determine who is entitled to priority.

14. Method of taking vote⁵

- 14.1. Before any matter is put to the vote, the Chair may direct that the motion or amendment be read again by the Chief Executive Officer.
- 14.2. The Chair 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.
- 14.3. The local government must vote by a show of hands or as otherwise directed by the Chair.
- 14.4. Any Councillor may call for a division or a question in relation to the taking of a vote immediately following the Chair declaring the result of the vote.
- 14.5. If a division is taken, the Chief Executive Officer must record:
 - 14.5.1. the names of the Councillors voting in the affirmative; and
 - 14.5.2. the names of the Councillors voting in the negative.
- 14.6. The Chair must declare the result of a vote or a division as soon as it has been determined.
- 14.7. Councillors may request that their names and how they voted be recorded in the minutes for voting other than by division.

⁵ See sections 260 and 270 (Procedure at meetings) of the *Local Government Regulation 2012*.

15. Repealing or amending resolutions

- 15.1. 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 *Local Government Regulation 2012*.⁶
- 15.2. 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 three months after the date on which the relevant motion was defeated.
- 15.3. 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 three months.
- 15.4. 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 three months previous, the previous resolution is amended or repealed to the extent that it is inconsistent with the later resolution.

16. 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*):

- 16.1. that the question/motion be now put to the vote; or
- 16.2. that the motion and amendment now before the meeting be adjourned; or
- 16.3. that the meeting proceed to the next item of business; or
- 16.4. that the question/motion lie on the table; or
- 16.5. a point of order; or
- 16.6. a motion of dissent against a point of order; or
- 16.7. that a report or document be tabled; or
- 16.8. to suspend the rule requiring that ...; or
- 16.9. that the meeting stand adjourned.

17. Motion that the question be put

- 17.1. 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.
- 17.2. Where a motion under subparagraph 17.1 is carried, the Chair must immediately put the motion or amendment before the meeting to the vote.
- 17.3. Where a procedural motion under subparagraph 17.1 is lost, debate on the motion or amendment before the meeting must continue.

⁶ See section 262 (Repeal or amendment of resolutions) of the *Local Government Regulation 2012*.

18. Motion that debate be adjourned

- 18.1. 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.
- 18.2. A motion under subparagraph 18.1 must not adjourn debate on a matter the subject of a motion for more than two months after the date of the procedural motion.

19. Motion to proceed to next item of business

- 19.1. 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.
- 19.2. 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.

20. Motion that the motion lie on the table

- 20.1. A procedural motion that a motion or question lie on the table can only be moved where the Chair 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.
- 20.2. Where a motion under subparagraph 20.1 is passed, the local government must proceed with the next matter on the agenda.
- 20.3. Where a motion under subparagraph 20.1 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.

21. Points of order

- 21.1. A Councillor may ask the Chair to decide a point of order where it is believed that another Councillor:
- 21.1.1. has failed to comply with proper procedures; or
 - 21.1.2. or is in contravention of the Standing Orders or the Act⁷; or
 - 21.1.3. is beyond the jurisdictional power of the local government.
- 21.2. A point of order cannot be used as a means of contradicting a statement made by a Councillor speaking about a matter.
- 21.3. Where a point of order is raised, consideration of the matter about which the Councillor was speaking may be suspended subject to subparagraph 4.3.
- 21.4. The chair must determine whether the point of order is upheld.
- 21.5. 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.

⁷ See Chapter 6, Part 2, Division 6 (Conduct and performance of councillors) of the *Local Government Act 2009*.

21.6. 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.

22. Motion of dissent

22.1. A Councillor may move a motion of dissent in relation to a ruling of the Chair on a point of order.

22.2. Where a motion is moved under subparagraph 22.1, further consideration of any matter must be suspended until after a ruling is made on the motion of dissent.

22.3. Where a motion of dissent is carried:

22.3.1. the matter to which the ruling of the Chair was made must proceed as though that ruling had not been made; and

22.3.2. where, as a result of a ruling of the Chair 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.

23. 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.

24. Motion to suspend requirements of a rule

24.1. 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.

24.2. A motion under subparagraph 24.1 must specify the duration of the suspension.

25. Motion that meeting stands adjourned⁸

25.1. 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.

25.2. A motion under subparagraph 25.1 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.

Mayoral Minute

26. Mayoral Minute

26.1. 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.

⁸ See section 261 (Adjournment of meetings) of the *Local Government Regulation 2012*.

- 26.2. The Mayor must deliver a copy of the Mayoral Minute for a meeting of the local government to the Chief Executive Officer.
- 26.3. The Mayoral Minute shall, when introduced, take precedence over all business before, or to come before, the meeting of the local government.
- 26.4. The motion comprising the Mayoral Minute may be put by the Mayor:
 - 26.4.1. to the meeting of the local government without being seconded; and
 - 26.4.2. at any stage of the meeting of the local government considered appropriate by the Mayor.
- 26.5. If the motion comprising the Mayoral Minute is passed by the local government, the Mayoral Minute becomes a resolution of the local government.

Conduct during Meetings

27. Conduct during meetings

- 27.1. 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 Chair.
- 27.2. A Councillor must address the Chair while:
 - 27.2.1. moving any motion or amendment; or
 - 27.2.2. seconding any motion or amendment; or
 - 27.2.3. taking part in any discussion; or
 - 27.2.4. placing or replying to any question; or
 - 27.2.5. addressing the local government for any other purpose.
- 27.3. Councillors must address each other during a meeting by their respective titles, "mayor" or "councillor", and in speaking of or addressing officers must:
 - 27.3.1. designate them by their respective official or departmental title; and
 - 27.3.2. confine their remarks to the matter then under consideration.
- 27.4. Councillors must remain seated and silent while a vote is being taken except when calling for a division.
- 27.5. A Councillor must not make personal reflections on or impute improper motives to another Councillor or any officer of the local government.
- 27.6. A Councillor must not interrupt another Councillor who is speaking except upon a point of order being raised either by the Chair or the Councillor.
- 27.7. If the Chair 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 Chair may be heard without interruption.

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Questions**28. Questions**

- 28.1. 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.
- 28.2. 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.
- 28.3. A Councillor or officer who is asked a question may request that the question be taken on notice for the next meeting.
- 28.4. 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.
- 28.5. The Chair may disallow a question which he or she considers is inconsistent with good order.
- 28.6. A Councillor may move a motion that a ruling of the Chair under subparagraph 28.5 be disagreed with, and if such motion is carried, the Chair must allow the question.

Disorder and business**29. Disorder**

- 29.1. 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*.
- 29.2. On resumption of the meeting, the Chair must move a motion, which shall be put without debate, to determine whether the meeting shall proceed.
- 29.3. Where a motion under subparagraph 29.2 is lost, the Chair must declare the meeting closed, and any outstanding matters must be referred to a future meeting.

30. Business of objectionable nature

At a meeting, if the Chair 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 Chair or the Councillor may declare on a point of order, that the matter not be considered further.

Attendance and non-attendance**31. Attendance of public and media at meetings**

- 31.1. 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.
- 31.2. 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.
- 31.3. Each Councillor present at a meeting of the local government must officially record their attendance. Attendance sheets for each meeting will be prepared for the Mayor and Councillors to sign. All prior requests for a leave of absence from meetings and requests for leave under exceptional circumstances, must be made in writing to the Mayor. In the case of the Mayor requesting a leave of absence or leave under exceptional circumstances, the request must be made in writing to the Deputy Mayor or the CEO. All absences will be recorded in the Minutes of the relevant meeting.

Procedure not provided for**32. 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.

DEFINITIONS

Act means the *Local Government Act 2009*.

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

later resolution see subparagraph 15(4).

Mayoral Minute see subparagraph 26(1).

original motion see subparagraph 12(4).

other motion see subparagraph 12(4).

post-election meeting see section 175 of the Act.

previous minutes see subparagraph 5(5).

previous resolution see subparagraph 15(4).

procedural motion see paragraph 16.

relevant motion see subparagraph 15(2).

Standing Orders see Parts 1 and 2 inclusive.

RELATED DOCUMENTS

1. *Local Government Act 2009*;
2. *Local Government Regulation 2012*;
3. Standing Orders Policy CM03.01CP;
4. Meetings and Other Forums Policy CM03.07CP;
5. Meetings and Other Forums GuidelineCM03.07GL.01;
6. Meetings and Other Forums Procedure CM03.07PR.01.

This Procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - Open and Responsive Government.

Approved By:

Jon Gibbons
CHIEF EXECUTIVE OFFICER
 27 May 2019

Version Information

Version No.	Date	Key Changes
1	27/5/2019	New Procedure - Relevant information transferred from Standing Orders Policy CM03.01CP.

Procedure Reference Number: CM03.01PR
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Business Unit: Governance

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COUNCIL POLICY - STANDING ORDERS

OBJECTIVES

The objectives of this Policy are to support the statutory meeting provisions of the *Local Government Act 2009* and *Local Government Regulation 2012* and provide a framework to ensure that all meetings of Council are conducted in an efficient, effective, fair and transparent manner to facilitate appropriate contributions from elected members in a way that supports the highest standards of democratic governance.

PURPOSE

This Policy provides the written rules to create a framework for the orderly conduct of Council Ordinary Meetings. It addresses the legislative requirements as outlined in the *Local Government Act 2009* and provides for all processes required to ensure Ordinary Meetings of Council are conducted in a predictable, transparent and orderly manner.

In acknowledgement of the important role of members of the public and in acknowledging Council's customer focus a process to enable direct participation by way of petitions, deputations and public question time is incorporated into Council's Standing Orders and meetings procedures.

Provisions are made to enable Council Ordinary Meetings to be made accessible via live stream to afford members of the public the ability to listen to the local government process, debate and decision making as they happen.

Council is committed to:

1. Conducting its meetings in accordance with the principles of the *Local Government Act 2009* to ensure an accountable, effective, efficient and sustainable system of local government;
2. Councillors performing their responsibilities as required under the *Local Government Act 2009*; and
3. Providing meeting processes that support effective contributions from elected members, staff and residents in the best interest of the community.

In accordance with Section 150F of the *Local Government Act 2009* related to this Policy are the Council Procedures for Standing Orders and Standing Orders - Administration and Conduct, which adopt as far as appropriate for the Scenic Rim Regional Council the best practice model Standing Orders as published by the Department of State Development, Infrastructure, Local Government and

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Planning¹. The Standing Orders Policy is supplemented by two Procedures, which will govern the way in which Ordinary Meetings of Council are planned, prepared and conducted.

CONSIDERATION OF HUMAN RIGHTS UNDER *HUMAN RIGHTS ACT 2019*

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the articulated human rights, determines that the human right participation in public life may be limited but only to the extent that is reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedoms.

The right to participate in public life by members of the public is limited pursuant to the procedures associated with this Policy to the extent necessary to allow all Councillors to be informed of the context and content of matters for their consideration by requiring appropriate notice periods and requiring the speaker of a deputation to limit any verbal submission to a specified time frame. In addition, the right to participate in public life has been limited by requiring members of the public who are invited to participate in a meeting to act in a manner suitable for the occasion.

COMPLIANCE, MONITORING AND REVIEW

Overall responsibility for the maintenance of this Policy is vested in Governance who is responsible to ensure that this Policy:

- Aligns with relevant legislation, and Departmental Model Procedures;
- Is implemented and monitored and reflects the changing policy environment, and emerging issues are identified as they arise; and
- Is reviewed to evaluate its continuing compliance with Departmental directives as produced from time to time.

¹ As changed from time to time with the Administrative Arrangements by the State Government.

DEFINITIONS

Act means *Local Government Act 2009*.

Departmental Model Procedures means the model procedures defined in s150F of the *Local Government Act 2009* as amended from time to time by the Department of Local Government, Racing and Multicultural Affairs.

Ordinary Meeting (including Special Meetings) means a local government meeting as defined in the *Local Government Act 2009* Schedule 4 or a Special Meeting as defined in s254C(4) .

Regulation means *Local Government Regulation 2012* as amended from time to time.

RELATED LEGISLATION AND DOCUMENTS

1. *Local Government Act 2009*;
2. *Local Government Regulation 2012*;
3. *Evidence Act 1977*;
4. Standing Orders Procedure;
5. Standing Orders - Administration and Conduct Procedure;
6. Meetings and Other Forums Policy
7. Meetings and Other Forums Procedure- Administration and Participation;
8. Acceptable Requests Policy; and
9. Acceptable Requests Procedure.

APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Council
Administrator	Principal Specialist Governance and Assurance
Next Review Date	3 years, unless legislative changes require earlier review

Approval and Amendment History	Details
Original Approval Authority and Date	08/04/2008
Amendment Authority and Date	28/10/2008, 23/10/2008, 23/02/2010,22/11/2011 ,26/06/2012, 30/04/2013, 22/10/2014, 18/12/2017, 27/05/2019, 19/01/2021.
Notes	This updated Policy incorporates Human Rights Considerations into the Council Ordinary Meetings processes and acknowledges legislative updates.

Approved By:

SCENIC RIM REGIONAL COUNCIL
Adopted: 19 January 2021

Policy Reference Number: CM03.01CP
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Version Information

Version No.	Date	Key Changes
1	8/4/2008	Post-election Meeting 8 April 2008 Item 5.4 New Policy adopted.
2	28/10/2008	Corporate and Community Services Committee 21 October 2008 Item 1.4 Recognition of the establishment of Standing Committees and the adoption of the Meetings and Other Forums Policy.
3	23/2/2010	Corporate and Community Services Committee 16 February 2010 Item 1.5 Amendment to allow a procedural motion that a question be put, enabling a meeting to come to a decision when the debate might otherwise be ongoing.
4	22/11/2011	Corporate and Community Services Committee 15 November 2011 Item 1.3 References to legislation and local laws updated.
5	26/6/2012	Corporate and Community Services Committee 19 June 2012 Item 1.2 Subsections 41 "Public participation at meetings" and 44 "Public participation at committee meetings" were deleted.
6	30/4/2013	Corporate and Community Services Committee 23 April 2013 Item 1.1 References to Local Government (Operations) Regulation 2010 amended to reflect the Regulations being superseded. Order of Business section updated. Various sectional headings amended to better portray their relevance.
7	22/10/2014	Corporate and Community Services Committee 15 October 2014 Item 1.3 Policy renewed for 3 years with superficial updates to policy header.
8	18/12/2017	Corporate and Community Services Committee 11/12/2017 Item No. 3.2 Policy reproduced in new policy format. Objectives and Policy Statement updated. References to "days" changed to "business days" in sections 6, 9 and 15. Section 40 is amended to read that Councillors must officially record their attendance at meetings.
9	27/5/2019	Ordinary Meeting Policy amended to reflect Council's decision to disband Standing Committees from 1 July 2019 and relevant information incorporated into new Procedure.
10	19/01/2021	Updates to include Human Rights considerations, update to incorporate legislative changes to the <i>Local Government Act 2009</i> and <i>Local Government Regulations 2012</i>

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STANDING ORDERS

OBJECTIVES

The objectives of this Procedure are to provide a firm procedural structure to ensure formal Council meetings are predictable and provide the opportunity to engage in the process of formal Council decision making from a fully informed position. This Procedure applies to all Ordinary Meetings which are required to be held under s257 of the *Local Government Regulation 2012*. The Procedure is designed to ensure that the people of the Scenic Rim are ably represented by their Councillors by promoting informed and structured decision-making during the course of participating in Ordinary Meetings.

The Procedure Actions outlined in this Procedure are designed to:

1. Provide for the orderly conduct of meetings in providing a clear and concise structure to debating and voting on matters before Council for a decision;
2. Provide for the orderly conduct of meetings by defining the powers and authority in managing the meetings for the Chairperson of the Meeting; and
3. Promote transparency by limiting opportunities to raise matters without due notice to the public.

SCOPE

This Procedure applies to all participants in the submissions, planning, organising and participation in Ordinary Meetings of Council.

PROCEDURE ACTIONS

Standing Orders

1. Application

- 1.1. These Standing Orders apply to all Ordinary Meetings of Council.
- 1.2. Any provision of these Standing Orders may be suspended by resolution of any meeting of Council except those sections that are mandatory under the Model Meeting Procedures. A separate resolution is required for any such suspension and must specify the application and duration of the suspension.

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- 1.3. Where a matter arises at a Council Meeting which is not provided for in the Standing Orders, the matter may be determined by resolution upon a procedural motion which may be put without notice, but otherwise in conformity with the Standing Orders.

Procedures for Meetings of Council

2. Presiding Officer

- 2.1. The Mayor will preside at a meeting of Council and shall be known as the Chairperson of the meeting.
- 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.

3. Notice of Meetings and agendas for Councillors

- 3.1. Notice of each Ordinary Meeting or adjourned Ordinary Meeting will be given two days before the day of the meeting¹. Organisational representatives will aim to give four or more days' notice before the day of the meeting to assist Councillors in their preparation.
- 3.2. The agenda and any associated reports must be published on Council's website by 5:00pm the next business day² (following the notice provided to the Councillors) and all efforts will be made to publish the agenda and associated reports to the public immediately following release to the Councillors (excluding confidential reports).

4. Order of Business

- 4.1. 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.
- 4.2. 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.
- 4.3. Unless otherwise altered, the order of business in an Ordinary Meeting shall be as follows:
 - Declaration of Opening
 - Attendance and the granting of leaves of absence
 - Apologies
 - Prayers
 - Declarations of Prescribed or Declarable Conflict of Interest by Members³

¹ See s254D *Local Government Regulation 2012*

² See s254C(1)(b) *Local Government Regulation 2012*

³ Meetings and other Forums Procedure - Administration and Conduct

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- Announcements / Mayoral Minutes
- Reception of Deputations by Appointment / Presentation of Petitions
- Confirmation of Minutes
- Business Arising from Previous Minutes
- Consideration of Business of Meeting
- Confidential Matters

4.4. Unless otherwise altered the order of business for a Special Meeting shall be as follows:

- Declaration of Opening
- Attendance and granting of leaves of absence
- Apologies
- Declarations of Prescribed or Declarable Conflict of Interests by Members
- Consideration of the Business of the Special Meeting

4.5. The Minutes of a preceding meeting, whether an Ordinary or a Special Meeting, not previously confirmed will 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 proceedings⁴.

5. Petitions

5.1. Any petition presented to a meeting of Council will:

- be in legible writing or typewritten and contain a minimum of ten (10) signatures;
- include the name and contact details of the Principal Petitioner ie (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 an 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.

6. Deputations

6.1. A deputation wishing to attend and address a meeting of Council shall apply in writing to the Chief Executive Officer not less than seven business days before the meeting.

6.2. The Chief Executive Officer, on receiving an application for a deputation, shall notify the Chairperson who shall determine whether the deputation may be heard. The Chief Executive Officer 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

⁴ See s245F(4) *Local Government Regulation 2012*

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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 Chief Executive Officer is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

7. Reporting a suspected Conflict of Interest

- 7.1. If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that Councillor is participating in a decision on that matter, the Councillor must immediately inform the Chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.
- 7.2. The Chairperson should ask the relevant Councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the Councillor must follow the relevant procedures connected with the declaration in accordance with the requirements as set out in the Standing Order Procedure - Administration and Conduct.
- 7.3. If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 7.4. The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have a prescribed or declarable conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures as set out in the Standing Order Procedure – Administration and Conduct.
- 7.5. If the Councillors cannot reach a majority decision then they are taken to have determined that the Councillor has a declarable conflict of interest.

8. Loss of Quorum

- 8.1. In the event where one or more Councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, Council must resolve to:
 - 8.1.1. delegate the consideration and decision on the matter⁵;

⁵ See s257 of the *Local Government Act 2009*

- 8.1.2. defer the matter to a later meeting;
- 8.1.3. not decide the matter and take no further action in relation to the matter.
- 8.2. Council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 8.3. If the matter cannot be delegated under an Act, Council 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.

9. Recording Prescribed and declarable conflicts of interest

- 9.1. When a Councillor informs a meeting that they or another Councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all of the relevant details of how the conflict of interest was dealt with, being:
 - 9.1.1. the name of any Councillor and any other Councillor who may have a prescribed or declarable conflict of interest;
 - 9.1.2. the particulars of the prescribed or declarable conflict of interest provided by the Councillor;
 - 9.1.3. the actions taken by a Councillor after informing the meeting that they have, or they reasonably suspect another Councillor has a prescribed or declarable conflict of interest;
 - 9.1.4. any decision then made by the eligible Councillors;
 - 9.1.5. whether the Councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval;
 - 9.1.6. the Council's decision on what actions the Councillor with a declarable conflict of interest must take and the reasons for the decision;
 - 9.1.7. the name of each Councillor who voted on the matter and how each voted;
 - 9.1.8. if the Councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a Councillor's personal interest by someone other than the Councillor, the name of each Councillor who voted in relation to whether the Councillor has a declarable conflict of interest, and how each of the Councillors voted; and
 - 9.1.9. where a decision has been made under section 10 in the Standing Order Procedure - Administration and Conduct, the minutes must include the decision and reasons for the decision, and the name of each eligible Councillor who voted and how each eligible Councillor voted.

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10. Teleconferencing meetings

10.1. If a Councillor wishes to be absent from a Council meeting place during a meeting, the Councillor must apply to the Chairperson to participate by teleconference, at least three business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The Chairperson may allow a Councillor to participate in a Council meeting by teleconference.

10.2. A Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

Note: Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.

10.3. In order for Councils to manage the safety rules during the COVID-19 pandemic, changes have been added to the *Local Government Regulation 2012* that will expire in June 2021⁶. This provision in these Standing Orders also expire. These provisions allow the Council:

10.3.1. the option to conduct the entire Council meeting via phone, teleconference or video conference;

10.3.2. where possible, that they must provide streaming or other facilities so that the public can observe or hear the meeting as it is happening, at one of the Council's public offices or on the Council's website;

10.3.3. Chairperson the option to close the meeting on health and safety grounds to protect participants or observers from risk of exposure to COVID-19.

Motions

11. Pre-Motion Clarification

11.1. As part of an Ordinary Meeting any topic or report may be introduced by the content expert or a General Manager.

11.2. Upon the introduction of a report or topic for consideration, Councillors may seek clarifying information connected to the topic prior to considering any motion.

11.3. The Chairperson will facilitate the seeking of further clarifications in a fair and respectful manner so as to explore all clarifying questions concerning the report and any attachments.

⁶ See s277F *Local Government Regulation 2012*

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12. Moving a Motion

- 12.1. A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- 12.2. 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.
- 12.3. Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- 12.4. 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.
- 12.5. 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.
- 12.6. The Chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.

13. Absence of Mover of Motion

- 13.1. 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.

14. Motion to be Seconded

- 14.1. 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.

15. Amendment of a Motion

- 15.1. An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and does not contradict the motion.
- 15.2. Not more than one motion or one proposed amendment to a motion may be put before a meeting of Council at any one time.
- 15.3. 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.
- 15.4. Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

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15.5. A Councillor who proposes or seconds a motion must not propose or second an amendment to the motion.

16. Speaking to Motions or Amendments

16.1. 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.

16.2. A Councillor may make a request to the Chairperson for further information before the motion or amendment is seconded. The request for further information must be received prior to the seconding of the motion and the Chairperson must ask if any Councillors have a request for information.

16.3. The Chairperson will ask for the motion to be seconded and the process outlined at clause 20.4 - 20.8 shall commence where relevant.

16.4. 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 and then alternatively who wishes to speak for or against the motion and facilitates the debate. The Chairperson will ensure that all Councillors who wish to speak have had the opportunity.

16.5. 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.

16.6. 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.

16.7. Each speaker shall be restricted to not more than five minutes unless the Chairperson rules otherwise.

16.8. Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority. 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 advice⁷:

16.8.1. if the decision relates to entering a contract the total value of which is more than the greater:

- (a) \$200,000 excluding GST; or
- (b) 1% of the local government net rate and utility charge as stated in the audited financial statements included in the most recently adopted annual report; or

16.8.2. If the decision is inconsistent with a Council Policy or the approach ordinarily followed for such decisions.

⁷ See s254H *Local Government Regulation 2012*

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17. Questions

- 17.1. 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 after the matter has become subject to a motion. 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.
- 17.2. 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.
- 17.3. 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.

18. Method of taking a vote

- 18.1. All votes are open to each Councillor, each matter that requires a vote is to be decided by majority of the Councillors present and if all votes are even the Chairperson has the deciding vote⁸.
- 18.2. 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 who is present and entitled to vote and fails to vote is taken to have voted in the negative⁹. The Chairperson shall declare the result of the vote.
- 18.3. 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.
- 18.4. 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.
- 18.5. Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.
- 18.6. If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation or collectively.

19. Repealing or Amending a Resolution

- 19.1. 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*¹⁰.

⁸ See s254E *Local Government Regulation 2012*

⁹ See s25E(c) *Local Government Regulation 2012*

¹⁰ See s262 *Local Government Regulation 2012*

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- 19.2. 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 months.

20. Procedural Motions

- 20.1. 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 matter be deferred to a future meeting
 - 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.
- 20.2. 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.
- 20.3. 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.
- 20.4. 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.
- 20.5. 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.
- 20.6. 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 Standing Orders, Local Government Act¹¹/Regulation; or
 - is beyond the jurisdiction power of Council.

¹¹ See Chapter 6 part 2 Division 6 Conduct and Performance of Councillors- *Local Government Act 2009*

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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. 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.

- 20.7. 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.
- 20.8. 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.
- 20.9. 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.
- 20.10. A 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.

21. Conduct during Meetings

- 21.1. Councillors will conduct themselves in accordance with the principles of the *Local Government Act 2009*¹² and the standards of behaviour set out in the Code of Conduct. The Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct. See also Council Procedure Standing Orders - Administration and Conduct.
- 21.2. 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.

¹² See Chapter 5A part 1 Division 1

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- 21.3. 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.
- 21.4. No Councillor who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson or by a Councillor.
- 21.5. 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.

22. Closed Council Meetings

The Chief Executive Officer has the responsibility of preparing the confidential sub-agenda for an Ordinary Meeting. The confidential sub-agenda will indicate which items are to be considered in open and closed session, however, this is a recommendation and the final decision of what is handled in closed session is determined by the Council at the Meeting.

- 22.1. Council may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss any of the following matters¹³:
- a. the appointment, dismissal or discipline of employees; or
 - b. industrial matters affecting employees; or
 - c. the local government's budget; or
 - d. rating concessions; or
 - e. legal advice obtained by the local government or legal proceedings involving the local government
 - f. matters that may directly affect the health and safety of an individual or group of individuals
 - g. negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;
 - h. negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*; or
 - i. a matter the local government is required to keep confidential under a law or formal arrangement with the Commonwealth or a State¹⁴.

The resolution that a meeting be closed must specify the nature of the matters to be considered while the meeting is closed.

- 22.2. A Council meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.
- 22.3. Further the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and the Council must:

¹³ See s254J(1) *Local Government Regulation 2012*

¹⁴ See s254J(3) (a)-(i) *Local Government Regulation 2012*

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- 22.3.1. Delegate the matter;
 - 22.3.2. Decide by resolution to defer to a later meeting;
 - 22.3.3. Decide by resolution to take no further action on the matter.
- 22.4. 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 while in the closed meeting. To take a matter into a closed session Council must abide by the following:
- 22.4.1. Pass a resolution to close the meeting;
 - 22.4.2. The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered;
 - 22.4.3. If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated;
 - 22.4.4. Not make a resolution while in a closed meeting (other than a procedural resolution).
- 22.5. If there are a series of matters on the Agenda to be dealt with in closed session the agenda will reflect:
- 22.5.1. matters expected to be discussed in open session; and
 - 22.5.2. matters expected to be discussed in closed session; and
 - 22.5.3. the Chairperson will call for a resolution to close the meeting and exclude the public prior to commencing a closed session.
- 22.6. The meeting will only be closed for the purposes of discussion between Councillors. Following the discussion of the closed item/s the Chairperson will call for a resolution to return into open session:
- 22.6.1. Each matter identified for resolution during closed session will be tabled and the Chairperson will call for a motion to adopt each of the identified resolutions as discussed during the closed session.
 - 22.6.2. Council has the option to make any reports or material prepared about the matter available to members of the public by resolving that a confidential report considered in closed meeting be published with the minutes of the meeting.
 - 22.6.3. Council shall make a resolution to either release reports to the public or maintain confidentiality over the information and must do so on each occasion a resolution has been made as a result of consideration of matters in a closed meeting. When resolving to keep reports confidential, Councillors must define a time for release that is reasonable in all the circumstances having regard to the content.

22.6.4. Council must not make a resolution (other than procedural) in a closed session. If a closed session includes attendance by audio¹⁵ or audio visual link¹⁶, the Councillor/s attending by audio or audio visual link must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

22.7. To take a matter into a closed session, Council must abide by the following:

22.7.1. Pass a resolution to close the meeting.

22.7.2. The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered.

22.7.3. If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated.

22.7.4. Not make a resolution while in a closed meeting (other than a procedural resolution).

Maintenance of Good Order

23. Disorder

23.1. 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

24. Attendance of public

24.1. 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.

24.1.1. Members of the public and representatives of the media are not permitted to make recordings or live streams of the Council meeting.

24.1.2. Members of the public and representatives of the media are not permitted to take photos or other visual recordings of the Council meeting.

¹⁵ See s277AA Local Government Regulation 2012, Evidence Act 1977, s39C

¹⁶ See s277AA Local Government Regulation 2012, Evidence Act 1977 Schedule 3

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- 24.1.3. Members of the public and representatives of the media are expected to be suitably attired in recognition of the dignity of the chamber.
- 24.2. When Council is sitting in Closed Session, the public and representatives of the media shall be excluded.
- 24.3. The Chairperson may direct any persons improperly present to withdraw immediately.

25. Public Participation at meetings

- 25.1. A member of the public may take part in the proceeding of a meeting only when invited to do so by the Chairperson.
- 25.2. 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.
- 25.3. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
- 25.4. For any matter arising from such an address, Council may take the following actions:
- refer the matter to an officer to prepare a report in response;
 - deal with the matter immediately;
 - place the matter on notice for discussion at a future meeting; or
 - note the matter and take no further action.
- 25.5. Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.
- 25.6. 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.

Mayoral Minute

26. Mayoral Minute

- 26.1. The Mayor may direct the attention of the Councillors at a meeting of the Council to a matter or subject not on the agenda by a minute (a Mayoral Minute) signed by the Mayor.
- 26.2. The Mayor must deliver a copy of the Mayoral Minute for a meeting of Council to the Chief Executive Officer.
- 26.3. The Mayoral Minute shall, when introduced, take precedence over all business before, or to come before, the meeting of Council.
- 26.4. The motion comprising the Mayoral Minute will be put by the Mayor:
- (a) to the meeting of Council without being seconded; and
 - (b) at the time set aside for Announcements and Mayoral Minute as part of the ordinary agenda as outlined in clause 4.3 above.

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26.5. If the motion comprising the Mayoral Minute is passed by Council, the Mayoral Minute becomes a resolution of Council.

Procedure not provided for

27. 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 Council upon a motion which may be put without notice in conformity with the Standing Orders.

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DEFINITIONS

Act means the *Local Government Act 2009*.

Chief Executive Officer (CEO) means the Chief Executive Officer of the local government as appointed from time to time.

Council means the assembled Councillors who are authorised to make decisions by resolution.

Councillors means the Mayor and the Divisional Representatives of the Scenic Rim.

Debate means a formal dialogue between participants on a particular motion in a public meeting in which opposing arguments are put forward and which ends in a formal vote.

Local Government means the Council and has been used when direct quotes from the legislation have been replicated.

Minute means the proper record prepared to reflect the process of the Ordinary Meeting and as outlined at s254F of the *Local Government Regulation 2012*.

Ordinary Meeting (including Special Meetings) means a local government meeting as defined in the *Local Government Act 2009* Schedule 4 or a Special Meeting as defined in s254C(4).

Post-election meeting means the first meeting held after a quadrennial Local Government Election s175 of the *Local Government Act 2009*.

Pre Motion Clarification means the action or process of seeking information or refining the content of a report including any attachments, that is before Council in order to clarify the substantive matter before Council for resolution.

Previous Minutes means the Minutes connected to the meeting preceding the meeting at which the minutes are considered.

Quorum means the majority of the members, unless there is an even number of Councillors then half of the numbers.

Regulation means *Local Government Regulation 2012* as amended from time to time.

Resolution means a resolution made by the elected representatives of Council in accordance with these Standing Orders.

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RELATED DOCUMENTS

1. *Local Government Act 2009*
2. *Local Government Regulation 2012;*
3. *Evidence Act 1977;*
4. Standing Orders Policy;
5. Standing Orders - Administration and Conduct Procedure;
6. Meetings and Other Forums Policy;
7. Meetings and Other Forums - Administration and Participation Procedure;
8. Acceptable Requests Policy; and
9. Acceptable Requests Procedure.

This Procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme – Open and Responsive Government.

APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Council
Administrator	Principal Specialist, Governance and Assurance
Next Review Date	3 years, unless further legislative changes require earlier review

Approval and Amendment History	Details
Original Approval Authority and Date	Council Procedure to complement and Support Standing Orders Council Policy. 27/05/2019
Amendment Authority and Date	Council adopted 19 January 2021
Notes	Simplification of the Standing Orders and changes as a result of Amendments to the Regulations

Adopted By:

SCENIC RIM REGIONAL COUNCIL
Adopted: 19 January 2021

Version Information

Version No.	Date	Key Changes
1	27/05/2019	New Procedure- Relevant information transferred from Standing Orders Policy CM03.01CP
2	19/01/2021	Simplification of the Standing Orders and review as result of amendments to Regulation; Updated to Council Procedure.

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STANDING ORDERS - ADMINISTRATION AND CONDUCT

OBJECTIVES

This Procedure supports Councillors in performing their duties as elected officials. It is designed to enhance the flow of information and allow Councillors to be provided with timely information in anticipation of attending Ordinary Meetings. This Procedure is designed to reflect the requirements of the legislation and to outline formal timeframes within which information will be provided to Councillors and to members of the Public.

The objectives of this Procedure are:

1. To provide for specific timeframes within which Councillors will be provided with information to enable informed debate;
2. To promote transparency by providing agendas and supporting documents to the public in a timely manner;
3. To provide the process for managing meeting conduct, including dealing with unsuitable meeting conduct by a Councillor in a meeting; and
4. To provide the process for managing conflicts of interest for Councillors.

SCOPE

This Procedure applies to all participants in the submissions, planning, organising and participating in Ordinary Meetings of Council.

PROCEDURE ACTIONS

ADMINISTRATION

1. Times of Ordinary Meetings

Council may, by resolution, fix dates and times for its Ordinary Meetings¹. 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. Before the Chief Executive Officer fixes the date and time for an Ordinary Meeting, the Chief Executive Officer must, if practicable:

¹ See s254B *Local Government Regulation 2012* and s175 (post- election meeting) *Local Government Act 2009*

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- a. consult with the Mayor about the proposed date and time for the meeting;
- b. set a meeting date and time; and
- c. inform all Councillors of the meeting date and time.

2. Arrangements for Special Meetings

Special Meetings of Council may be called by resolution of Council or by special request and the Chief Executive Officer will set a meeting time and date for the special meeting following the process outlined at section 1 above. Arrangements for a special meeting will be made by the Chief Executive Officer in the following circumstances.

- 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; or
- c. if it is required to comply with a legislative requirement.

2.1. A written request for a Special Meeting of the Council must:

- a. be signed by the Mayor or three or more Councillors; and
- b. specify the business to be conducted at the Special Meeting; and
- c. delivered to the Chief Executive Officer.

Agendas for meetings of the local government

3. Agendas for Meetings

- 3.1. Each Ordinary meeting of a Council shall be planned and coordinated in accordance with the Order of Business as outlined in the Standing Orders Procedure. For each Ordinary meeting an Agenda is to be prepared which must at minimum address the following:
 - a. Items required under the *Local Government Act 2009*²;
 - b. Items required under these Procedures or the Standing Orders Procedure to be included in the agenda;
 - c. Items that are by resolution of the Council to be included in the agenda; and
 - d. Each item which has been requested to be included by a Councillor by providing notice:
 - i. in writing at least 5 business days before the meeting;
 - ii. containing sufficient information of the nature of the business;
 - iii. to the Chief Executive Officer.
- 3.2. Business not on the agenda, or not fairly arising from the agenda, will not be considered at any Council meeting unless permission for that purpose is given by the Councillors at the meeting.
- 3.3. The agenda and any associated reports must be published on Council's website by 5:00pm the next business day (following the notice provided to the Councillors) and all efforts will be made to publish the agenda and associated reports to the public immediately following release to the Councillors (excluding confidential reports).
- 3.4. Matters on the agenda that will require the meeting to be in a closed session will be clearly identified including the reasons why the session will be closed.

² Such as declarations of Prescribed or Declarable conflicts of interest

4. Attendance

Attendance sheets for each Ordinary Meeting will be prepared for the Mayor and Councillors to sign. All prior requests for a leave of absence from Ordinary Meetings and requests for leave under exceptional circumstances, must be made in writing to the Mayor. In the case of the Mayor requesting a leave of absence or leave under exceptional circumstances, the request must be made in writing to the Deputy Mayor or the Chief Executive Officer. All absences will be recorded in the Minutes of the relevant Ordinary Meeting.

5. Ordinary Meeting Papers

5.1 Background

In accordance with the provisions of the *Local Government Act 2009* and Council's Standing Orders Policy, the Chief Executive Officer is required to prepare a meeting agenda for each meeting of Council. The Chief Executive Officer is responsible for organising the presentation of agendas and reporting to Council.

This does not affect the right of Council to discuss or deal with, at any meeting, items arising after the agenda for the meeting is made available to Councillors³.

5.2 Meeting Notice

Council is committed to informed decision-making and community engagement as part of an open and accountable system of government. Every endeavour will be made to ensure the community is appropriately informed of the matters coming before Council for consideration⁴.

Notice of each Council Ordinary meeting will be given to each Councillor four days before the meeting and if not four days before, at minimum two days before the date of the meeting⁵. The Agenda will be made available to the public by 5:00pm on the business day following the notice⁶. Any accompanying reports will be made publicly available on the website either:

- a. If the report is made available with the notice, by 5:00pm on the business day following the notice to the Councillors; or
- b. If the report does not accompany the notice, then as soon as practicable after the report is provided.

Some items on the agenda may be recommended to be discussed in closed session⁷. The detail of these items may be confidential and may not be made publicly available except under Right to Information provisions.

On occasion, it may be necessary for Council to consider late items of business that may not have been included in the Agenda for that meeting. All efforts will be made to provide as much notice as possible to Council and the community. Late items will be the exception and not the norm. Late items will be added to the Agenda at the discretion of the Chief Executive Officer and will only be considered where there is a pressing

³ See s254D *Local Government Regulation 2012*

⁴ See s254D *Local Government Regulation 2012*

⁵ See s254C *Local Government Regulation 2012*

⁶ See s254D(a) *Local Government Regulation 2012*

⁷ See s254J of the *Local Government Regulation 2012*

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deadline that requires the matter to be referred to Council for determination prior to the next scheduled meeting.

5.3 Meeting Minutes

In accordance with the Regulation, Minutes⁸ from an Ordinary Meeting will be available for inspection at Council's public offices within 10 days after the end of the meeting. These unconfirmed Minutes will also be placed on Council's website at that time but will be noted as being unconfirmed.

Minutes of an Ordinary Meeting will be confirmed at the next Ordinary Meeting, at which time they will be made available for viewing and/or purchase from Council's public offices. Photocopying charges for confirmed Minutes will apply, based on the relevant charges as detailed in Council's current Register of Fees and Charges plus actual postage charges if applicable.

When the Ordinary Minutes are confirmed, Council's website will be updated and any reference to the Minutes being unconfirmed will be removed.

CONDUCT

6. Meeting Conduct

6.1. The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a Council meeting and contravenes a behavioural standard of the code of conduct for Councillors. When dealing with an instance of unsuitable conduct by a Councillor in a meeting, the following procedures must be followed:

6.1.1. The Chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.

6.1.2. If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson may 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, or another warning is unwarranted proceed to clause to 6.1.7 for the steps to be taken.

6.1.3. 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:

(a) Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;

(b) Apologising for their conduct;

(c) Withdrawing their comments.

6.1.4. If the Councillor complies with the Chairperson's request for remedial action, no further action is required.

⁸ See s254F *Local Government Regulation 2012*

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- 6.1.5. 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 could result in an order being issued.
- 6.1.6. If the Councillor complies with the Chairperson's warning and request for remedial action no further action is required.
- 6.1.7. If the Councillor continues to fail to comply with the Chairperson's request for remedial action, or the Chairperson decided a warning was not appropriate under 6.1.3 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 meeting⁹;
 - (c) the Chief Executive Officer is advised to ensure details of any order made must be updated in Council's Councillor Conduct Register pursuant to the *Local Government Act 2009*.
- 6.1.8. Any Councillor aggrieved with any order issued by the Chairperson can move a motion of dissent for parts 6.1.1, 6.1.7 and 6.1.9.
- 6.1.9. 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. The meeting must be adjourned whilst the Councillor is being removed¹⁰.
- 6.1.10. Following the completion of the meeting, the Chairperson must ensure:
- (a) details of any order issued is recorded in the minutes of the meeting¹¹;
 - (b) if it is the third or more order within a 12 month period made against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are to be dealt with at the next Ordinary meeting and treated as inappropriate conduct¹²;
 - (c) The Chief Executive Officer is advised to ensure details of any order made must be updated in Council's Councillor Conduct Register pursuant to the *Local Government Act 2009*.
- 6.1.11. Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for paragraph 6.1.1, 6.1.7 and 6.1.8 above.

Note: Chairpersons of a meeting are carrying out a statutory responsibility under the *Local Government Act 2009* to manage and lead the meeting. As such, where a Chairperson behaves inappropriately in a meeting, this involves a breach of the trust placed in them as the Chairperson of the meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent Assessor (OIA) to be dealt with. However, breaches of trust

⁹ See s150(2) *Local Government Act 2009*

¹⁰ See s150(2)(c) *Local Government Act 2009*

¹¹ See s150(3) *Local Government Act 2009*

¹² See s150K *Local Government Act 2009*

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don't arise because Councillors disagree with the Chairperson's decision or ruling during the meeting.

7. Meeting process for dealing with suspected inappropriate conduct which has been referred to Council by the Independent Assessor

After receiving a referral by the Independent Assessor or under subparagraph 6.1.10(b) of this document of an instance of suspected inappropriate conduct, Council must complete an investigation into the alleged conduct¹³.

In either case, Council must complete an investigation into the alleged conduct:

- consistent with any recommendations from the IA; and
- consistent with the Council's Investigation Policy; or
- in another way decided by resolution of Council.

After the completion of the investigation, Council must decide in a Council meeting, whether the Councillor has engaged in inappropriate conduct in a Council meeting, unless it has delegated responsibility for this decision¹⁴.

When dealing with an instance of suspected inappropriate conduct which has been referred to Council by the Independent Assessor:

- 7.1. Council must 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. However, 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 session¹⁵.
- 7.2. The subject Councillor has a declarable conflict of interest in the matter and is permitted by the Council to remain in the meeting during the debate about whether the Councillor engaged in the inappropriate conduct and answer questions put to the subject Councillor through the Chairperson to assist the other Councillors in making a decision. The permission to remain in the meeting for the debate is on the condition that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the councillor is found to have committed inappropriate conduct.
- 7.3. Should the complainant be a Councillor, that Councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 9 of this document. If the complainant Councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other councillors must decide how to deal with the conflict of interest under section 9. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.

¹³ See Chapter 5A, Division 5 *Local Government Act 2009*

¹⁴ See s257 *Local Government Act 2009*

¹⁵ See s254J *Local Government Regulations 2012*

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- 7.4. Council must debate the issue and decide whether the subject Councillor engaged in inappropriate conduct. If the council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the *Local Government Act 2009* or deferred to another date when a quorum will be present.
- 7.5. If a decision is reached that the subject Councillor has engaged in inappropriate conduct, then the Councillors must decide what penalty or penalties from the orders detailed in 7.6, if any, to impose on the Councillor. In deciding what penalty to impose, Council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that Council is reasonably satisfied is true.
- 7.6. Council may order that no action be taken against the Councillor or make one or more of the following:
 - 7.6.1. an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct;
 - 7.6.2. an order reprimanding the Councillor for the conduct;
 - 7.6.3. an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense;
 - 7.6.4. an order that the Councillor be excluded from a stated Council meeting;
 - 7.6.5. an order that the Councillor is removed, or must resign, from a position representing Council, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing Council on a State board or committee;
 - 7.6.6. an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct;
 - 7.6.7. an order that the Councillor reimburse Council for all or some of the costs arising from the Councillor's inappropriate conduct.
- 7.7. A local government may not make an order under 7.6.3; 7.6.4; 7.6.5; 7.6.6 in relation to a person who is no longer a Councillor.
- 7.8. 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, and the Chairperson must advise them of the details of the decision.
- 7.9. The Chairperson must ensure the meeting minutes reflect the resolution made.

8. Prescribed Conflict of Interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a Council meeting, (other than ordinary business matters). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

- 8.1. A Councillor who has notified the Chief Executive Officer of a prescribed conflict of interest in a matter to be discussed in a Council meeting must also give notice during the meeting.
- 8.2. A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a Council meeting must immediately inform the meeting of the conflict of interest.

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- 8.3. When notifying the meeting of a prescribed conflict of interest, the following details must, at a minimum, be provided:
- 8.3.1. If it arises because of a gift loan or contract, the value of the gift loan or contract;
 - 8.3.2. If it arises because of an application or submission, the subject of the application or submission;
 - 8.3.3. The name of any entity, other than the councillor, that has an interest in the matter;
 - 8.3.4. The nature of the Councillor's relationship with the entity that has an interest in a matter;
 - 8.3.5. Details of the Councillor's and any other entity's interest in the matter.
- 8.4. The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter.
- 8.5. Once the councillor has left the area where the meeting is being conducted, Council can continue discussing and deciding on the matter at hand.

9. Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at Council meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes under section 150EW of the *Local Government Act 2009* applies.

When dealing with a declarable conflict of interest, Councillors must abide by the following procedures:

- 9.1. A Councillor who has notified the Chief Executive Officer of a declarable conflict of interest in a matter to be discussed at a Council meeting must also give notice during the meeting.
- 9.2. A Councillor who first becomes aware of a declarable conflict of interest in a matter during a Council meeting must inform the meeting of the conflict of interest.
- 9.3. When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following minimum details must be provided :
 - 9.3.1. The nature of the declarable conflict of interest;
 - 9.3.2. If it arises because of the Councillor's relationship with a related party:
 - i. the name of the related party to the councillor;
 - ii. the nature of the relationship of the related party to the councillor;

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- iii. the nature of the related party's interest in the matter;
 - iv. the value of the gift or loan and the date of the gift or loan was made.
- 9.4. After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- 9.5. If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
- 9.6. If the other Councillors at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The Councillor must comply with any decision or condition imposed by the non-conflicted Councillors.
- 9.7. In deciding on whether a Councillor may participate in a decision about a matter in which the Councillor has a declarable conflict of interest, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the meeting¹⁶.
- 9.8. The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the Chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- 9.9. When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the circumstances of the matter including, but not limited to:
- 9.9.1. How does the inclusion of the Councillor in the deliberation affect the public trust;
 - 9.9.2. How close or remote is the Councillor's relationship to the related party;
 - 9.9.3. If the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received;
 - 9.9.4. Will the benefit or detriment which the subject Councillor or their related party stands to receive from the decision have a major or minor impact on them;
 - 9.9.5. How does the benefit or detriment the subject Councillor stands to receive compare to others in the community;

¹⁶ See s150ET *Local Government Act 2009*

- 9.9.6. How does this compare with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting;
- 9.9.7. Whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- 9.10. If the non-conflicted Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- 9.11. A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the Councillor for participating in the decision, and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a Council meeting about the same matter e.g. briefing sessions or workshops.
- 9.12. In making the decision under 9.6 and 9.9, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 9.13. A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

Reporting a suspected Conflict of Interest

10. Participating in decision Making

The Prescribed Conflict of Interest Regime and the Declarable Conflict of interest Regime are related to participating in decision making. A decision that requires consideration of declaring a Prescribed Conflict of Interest or a Declarable Conflict of Interest is a decision with the following characteristics:

- 10.1. The Councillor is wholly or partly responsible for making the decision – considering or discussing the matter to which the decision relates before the decision is made;
- 10.2. Considering, discussing or voting on the decision in an ordinary meeting.
- 10.3. Considering or making the decision under:
- a. An Act; or
 - b. A delegation; or
 - c. Another authority
- 10.4. Councillors may not directly influence, attempt to influence or discuss the matter with another person who is participating in the decision in relation to a matter to be decided by Council if the Councillor has a Prescribed or Declarable conflict of interest¹⁷.

¹⁷ See s150EZ *Local Government Act 2009*

DEFINITIONS

Act means *Local Government Act 2009*.

Close Associate means :

- (a) a spouse;
- (b) a parent, child or sibling;
- (c) a partner in a partnership;
- (d) an employer, other than a government entity;
- (e) an entity, other than a government entity, for which the Councillor is an executive officer or board member; and
- (f) an entity in which the Councillor, or any of the above other people, has an interest, other than an interest of less than 5% in a listed corporation.

Eligible Councillor means Councillors who are in a meeting making a decision on a matter in which one or more councillors have given notice that they have a Declarable Conflict of Interest, who do not have a Declarable Conflict of Interest.

Independent Assessor means the Office of the Independent Assessor as provided for under Part 5 Division 1 starting at s150C of the *Local Government Act 2009*.

Ordinary Meeting (including Special Meetings) means a local government meeting as defined in the *Local Government Act 2009* Schedule 4 or a Special Meeting as defined in s254C(4).

Regulations means *Local Government Regulation 2012* as amended from time to time.

Related Party includes close associates, any person with a close personal relationship, in-laws, or an entity in which the Councillor or one of the related parties has an interest.

Relevant term means the Councillor's current term.

Unsuitable Conduct is the conduct described in s150H of the *Local Government Act 2009*.

RELATED DOCUMENTS

1. *Local Government Act 2009*;
2. *Local Government Regulations 2012*;
3. *Evidence Act 1977*;
4. Standing Orders Policy;
5. Standing Orders Procedure;
6. Meetings and Other Forums Policy;
7. Meetings and Other Forums – Administration and Participation Procedure;
8. Acceptable Requests Policy; and
9. Acceptable Requests Procedure.

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This Procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - Open and Transparent Government

APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Council
Administrator	Principal Specialist Governance and Assurance
Next Review Date	3 years
Approval and Amendment History	Details
Original Approval Authority and Date	This Procedure is new arising from a review of Council Meetings and other Forums and Standing Orders-
Amendment Authority and Date	Council 19 January 2021
Notes	This procedure is one of a number of Policies and Procedures adopted to provide standard processes for Councillors in the conduct of their public duties.

Adopted By:

SCENIC RIM REGIONAL COUNCIL
Date: 19 January 2021

Version Information

Version No.	Date	Key Changes
1	19/01/2021	Newly implemented

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12 Miscellaneous Business

13 Confidential Matters

Nil