

# **Agenda – Late Items**

## **Ordinary Meeting**

**Wednesday, 30 April 2025**

**Time: 9:00 am**  
**Location: Council Chambers**  
**82 Brisbane Street**  
**BEAUDESERT QLD 4285**

**Scenic Rim Regional Council**  
**Ordinary Meeting**  
**Wednesday, 30 April 2025**  
**Agenda – Late Items**

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**11 Consideration of Business of Meeting****Additional Items****11.12 Notice of Motion by Cr Amanda Hay re Councillor Complaints Register****Executive Officer:** Chief Executive Officer**Item Author:** Governance Officer**Attachments:**

1. Legal advice - King & Company Solicitors dated 23 April 2025 - Confidential
  2. Governance advice dated 22 April 2025 - Confidential
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**Councillor Portfolio / Representation**

Not applicable.

**Local Government Area Division**

This report relates to the whole Scenic Rim region.

**Executive Summary**

The Chief Executive Officer has received a written Notice of Motion from Cr Amanda Hay, advising of her intention to propose a motion regarding the publication on Council's website, in Council's Councillor Complaints Register, details pertaining to complaints about a Councillor/s that have been dismissed.

**Recommendation**

That:

1. Council refer to and consider the advice from King & Company and Council's Governance business unit, received and provided as confidential Attachments 1 and 2 to this report; and
2. Council consider Cr Amanda Hay's proposed motion, as follows:

*"That:*

*1. Upon:*

- a) receipt of a Notice from the Councillor Conduct Tribunal or the Office of the Independent Assessor, relating to a decision to dismiss a complaint about a Councillor or take no further action in relation to a complaint about a Councillor; or*

b) *a resolution of Scenic Rim Regional Council to dismiss a complaint about a Councillor which has been referred to Council by the Office of the Independent Assessor, or take no further action in relation to a complaint about a Councillor which has been referred by the Office of the Independent Assessor; and*

c) *a written request to the Chief Executive Officer from a Councillor to whom the decision/resolution relates,*

*the details of such decision/resolution, and the name of the Councillor about whom the decision/resolution was made, be recorded on Council's Councillor Conduct Register maintained for the current term of Council (ie commencing 4 April 2024), noting that the inclusion of the Councillor's name is only to occur at the Councillor's specific request. Should the Councillor elect to not have their name recorded, the details and outcome of a decision/resolution are to be included on the Register if the Councillor makes such a request.*

2. *Council's Councillor Conduct Register is to record:*

a) *a summary of the decision/resolution;*

b) *the reasons for the decision/resolution; and*

c) *the date of the decision/resolution."*

### **Previous Council Considerations / Resolutions**

Not applicable.

### **Report / Background**

On 17 April 2025, Cr Amanda Hay provided the Chief Executive Officer with written notice via email, of her intention to propose a motion, requesting (with conditions) the publication on Council's website, in Council's Councillor Complaints Register, of details relating to complaints about a Councillor/s that have been dismissed.

Given the legislative foundation of the Councillor Conduct Register, the Chief Executive Officer sought advice regarding the appropriateness of a change in the management of the Register. The advice received from Council's lawyers and Governance business unit are provided as confidential Attachments 1 and 2 to this report, for Councillors' reference.

### **Budget / Financial Implications**

Not applicable.

### **Strategic Implications**

#### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

*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:

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 Summary

Category	Explanation
Governance, Risk & Compliance	Due consideration of requests from Elected Members relating to the proposal of motions at Ordinary Meetings provides for open and transparent communication.
Lack of open and transparent communication	

**Human Rights Implications**

No human rights have been impacted by any actions recommended in this report.

**Consultation**

Cr Amanda Hay  
Chief Executive Officer  
Principal Specialist Governance and Assurance

**Conclusion**

Council is requested to review and consider the legal and governance advice received and provided as confidential Attachments 1 and 2 respectively to this report, prior to considering Cr Amanda Hay's motion.

## Options

### Option 1

That:

1. Council refer to and consider the advice from King & Company and Council's Governance business unit, received and provided as confidential Attachments 1 and 2 to this report; and
2. Council consider Cr Amanda Hay's proposed motion, as follows:

*"That:*

*1. Upon:*

- a) receipt of a Notice from the Councillor Conduct Tribunal or the Office of the Independent Assessor, relating to a decision to dismiss a complaint about a Councillor or take no further action in relation to a complaint about a Councillor; or*
- b) a resolution of Scenic Rim Regional Council to dismiss a complaint about a Councillor which has been referred to Council by the Office of the Independent Assessor, or take no further action in relation to a complaint about a Councillor which has been referred by the Office of the Independent Assessor; and*
- c) a written request to the Chief Executive Officer from a Councillor to whom the decision/resolution relates,*

*the details of such decision/resolution, and the name of the Councillor about whom the decision/resolution was made, be recorded on Council's Councillor Conduct Register maintained for the current term of Council (ie commencing 4 April 2024), noting that the inclusion of the Councillor's name is only to occur at the Councillor's specific request. Should the Councillor elect to not have their name recorded, the details and outcome of a decision/resolution are to be included on the Register if the Councillor makes such a request.*

*2. Council's Councillor Conduct Register is to record:*

- a) a summary of the decision/resolution;*
- b) the reasons for the decision/resolution; and*
- c) the date of the decision/resolution."*

### Option 2

That Council resolve not to consider Cr Amanda Hay's proposed motion regarding the publication on Council's website, in Council's Councillor Complaints Register, details pertaining to complaints about a Councillor/s that have been dismissed.

**11.13 Olympics, Sports and Recreation Advisory Committee**

**Executive Officer:** Acting General Manager Council Sustainability

**Item Author:** Principal Specialist Governance and Assurance

**Attachments:**

1. Draft Olympics, Sports and Recreation Advisory Committee Terms of Reference [↓](#) 

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**Councillor Portfolio / Representation**

Sport and Recreation - Cr Stephen Moriarty

**Local Government Area Division**

This report relates to the whole Scenic Rim region.

**Executive Summary**

This report proposes the establishment of an Olympics, Sports and Recreation Advisory Committee (the Committee) to support the Scenic Rim Regional Council in enhancing community engagement, infrastructure planning, and strategic investment in sport and recreation, particularly in the lead-up to, and legacy of the upcoming Brisbane Olympic and Paralympic Games.

The Committee will act as a key advisory body, bringing together representatives from local sporting organisations, community groups, government agencies, and industry stakeholders. It will provide informed guidance on opportunities to maximise community benefit from regional and global sporting events, improve access to recreational facilities, and support the growth of inclusive, healthy, and active lifestyles across the Scenic Rim.

The establishment of this Committee will position the Council to take a proactive and coordinated approach to shaping a vibrant and inclusive sporting future for the region while being aligned with the Council's broader social, economic, and health objectives.

**Recommendation**

That:

1. Council endorse the formation of the Olympics, Sports and Recreation Advisory Committee;
2. Council approve the attached Terms of Reference;
3. Council authorise the Chief Executive Officer to commence a process to obtain nominations for Committee members;
4. Council appoint one Councillor to serve as Chair and one Councillor as a Committee member; and
5. Council receive a future report recommending membership appointments.

**Previous Council Considerations / Resolutions**

Not applicable.

**Report / Background**

The upcoming Brisbane Olympic and Paralympic Games present significant opportunities for local councils to actively engage in strategic planning and investment in sport and recreation infrastructure. In this context, local governments are critical in facilitating grassroots participation, enhancing community well-being, and ensuring the long-term growth of sporting groups and facilities.

Creating a dedicated advisory committee aligns with Council's commitment to community health, inclusion, and active lifestyles as outlined in the current Community Plan and Sport and Recreation Strategy. It also supports Council's advocacy efforts with the Queensland and Australian governments and ensures a cohesive approach to responding to significant sporting event opportunities.

It is proposed that Council establish an Olympics, Sports and Recreation Advisory Committee comprised of key stakeholders and subject matter experts to provide strategic advice and recommendations to Council.

The Committee will:

- Advise on opportunities arising from the Olympic and Paralympic Games and other major sporting events;
- Support Council's planning and development of inclusive and accessible sporting and recreational infrastructure;
- Promote increased participation in sport and recreation at all levels;
- Assist in identifying funding and partnership opportunities;
- Foster collaboration between Council, local clubs, schools, regional sports bodies, and government agencies;
- Advocate for equity in access to sport and recreational activities across the community.

A Terms of Reference (TOR) has been developed to guide the operation of the Committee. The TOR outline the Committee's purpose, functions, membership structure, meeting frequency, quorum, reporting protocols, and processes.

Meetings will be held quarterly or as required, with minutes and recommendations reported to Council. As outlined in the TOR, the Committee structure and membership will comprise of two Councillors, two Council officers and eight community members.

**Budget / Financial Implications**

There are minimal financial implications associated with the establishment of the Committee. Administrative support will be provided through existing Council resources. Any future budget considerations related to sport and recreation initiatives will be brought to Council separately for approval.



## Strategic Implications

### *Operational Plan*

Theme: 7. Healthy, Engaged and Resourceful Communities

Key Area of Focus: Strengthened community engagement and partnerships that improve shared expectation and commitment

### *Legal / Statutory Implications*

Advisory Committees are established pursuant to section 265 of the *Local Government Regulation 2012*.

## 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 Summary

Category	Explanation
Reputation, Community & Civic Leadership  Failure to adequately engage with the community on significant issues.	Advisory Committees enhance community engagement and foster improved working relationships within the community. The committees harness the knowledge of the individual committee members on strategic topics of Council and provide advice for Council to consider when making decisions. A robust Terms of Reference and transparent appointment process will ensure the committee operates effectively and aligns with Council's governance standards. Conflicts of interest will be managed in accordance with Council's Code of Conduct and statutory obligations.

## Human Rights Implications

No human rights have been impacted by any actions recommended in this report.

## Consultation

Previous and current Councillor groups

**Conclusion**

The establishment of an Olympics, Sports and Recreation Advisory Committee represents a proactive step toward enhancing Council's role in shaping a legacy of community wellbeing, inclusivity, and sporting opportunity. It will provide a vital platform for local voices, expert advice, and strategic collaboration as the region prepares for the opportunities presented by upcoming major sporting events.

**Options**

That:

1. Council endorse the formation of the Olympics, Sports and Recreation Advisory Committee;
2. Council approve the attached Terms of Reference;
3. Council authorise the Chief Executive Officer to commence a process to obtain nominations for Committee members;
4. Council appoint one Councillor to serve as Chair and one Councillor as a Committee member; and
5. Council receive a future report recommending membership appointments.

**Option 2**

That Council decide not to introduce the Olympics, Sports and Recreation Advisory Committee.

**Option 3**

That Council require further amendments to the Terms of Reference for the Olympics, Sports and Recreation Advisory Committee.



# OLYMPICS, SPORTS AND RECREATION ADVISORY COMMITTEE

## TERMS OF REFERENCE

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Document Control			
Version	Date	Author	Reviewer
		Name	Name
1.01	30/04/2025	PSGA	

## Olympics, Sports and Recreation Advisory Committee

### Purpose

The Olympic, Sports and Recreation Advisory Committee ("the Committee") is established by the Scenic Rim Regional Council to provide strategic advice, guidance and community perspective on opportunities relating to the Brisbane 2032 Olympic and Paralympic Games, as well as the broader development of sport and recreation initiatives across the region. The Committee aims to ensure community inclusion, health and well-being through enhanced sporting opportunities, active lifestyles and the effective use of Council resources.

As with all advisory committees, the Olympic, Sports and Recreation Advisory Committee has a purely strategic focus. The Committee should focus on issues and opportunities that are relevant across the entire region. The Committee should provide specialist advice to Council as an input into decisions that impact region-wide Council policy.

### Objectives

The objectives of the Committee are to:

- Advise Council on opportunities to leverage the Brisbane 2032 Olympic and Paralympic Games.
- Support the development and enhancement of local sport and recreation infrastructure.
- Encourage community participation in sport, physical activity and recreational programs.
- Provide input into relevant policies, strategic plans and funding priorities.
- Promote inclusiveness, accessibility and regional representation in sport and recreation.
- Facilitate collaboration between Council, community groups, sporting organisations, and both Queensland and Australian Government agencies.
- Ensure assets are managed and used to meet the needs of the community and provide for current and future generations;
- Foster the development of connected and effective community groups.

### Scope

The Committee will:

- Provide non-binding recommendations to Council on sport, recreation and Olympic-related initiatives.
- Contribute to the development of Council strategic documents.
- Assist with identifying regional priorities for investment, grant applications and advocacy.
- Review proposals, community feedback and performance indicators where relevant.

The Committee does not have decision-making powers and shall act in an advisory capacity only.

## Membership

The Committee will consist of the following membership structure:

- Two Councillors of Scenic Rim Regional Council.
- Director and Manager of Scenic Rim Regional Council as appointed by the CEO.
- Representatives from local sporting clubs and associations.
- Representatives from education, youth and Indigenous communities.
- Representatives from Queensland sport and recreation bodies (as applicable).
- Representatives from community members with relevant experience or interest in sport and recreation.

A maximum of eight (8) representatives from service providers/agencies, the community or organisations as described above will be on the Committee along with Councillors and Council staff.

## Applications

The CEO is responsible for seeking nominations and recommending suitable members for consideration of Council.. Applications will be assessed based upon their interest, knowledge and expertise relating to:

- Olympic and Commonwealth Games experience;
- Leisure, sporting and health and fitness trends;
- Sporting and leisure infrastructure;
- Community capacity building, particularly the importance of volunteerism;
- Sporting and leisure networks;
- A working knowledge of sport and leisure within the Scenic Rim; and
- The provision of sport and leisure within a Local Government context.

Committee members will be appointed by Council resolution.

## Term of Membership

Members on the Committee will be appointed for a maximum term of two years. After each term, pending Council approval, new Committee members will be appointed via the aforementioned process.

## Councillors

Council will appoint Councillor representation annually.

The role of Councillors is to participate in the meetings, listen to community and stakeholder views and keep the Council informed, through reports on committees by Councillors at Council meetings, on issues of community interest being considered at meetings.

## Council Officers

Council officers will be nominated to support the committee by the Chief Executive Officer as required to provide advice and administrative support to the committee.

**Roles and Responsibilities:**

Committee members shall-

- Attend and actively participate in meetings.
- Represent the interests and views of their stakeholder groups.
- Review meeting documents and prepare feedback in advance.
- Declare any conflicts of interest.

**Meetings****Decision Making and Voting Rights**

As this is an advisory committee any recommendations will generally be developed through consensus. Where a matter cannot be agreed, the differing opinions should be clearly expressed in the minutes of the meeting.

The Committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

**Scheduling**

The Committee is expected to meet four times per year however the frequency, times and places for each meeting can be decided by the Committee.

**Quorum**

A quorum will consist of a majority of Committee members or, if the number of members is even, one-half of the number of members.

Professional or industry representatives unable to attend a committee meeting may nominate a proxy or alternate member from the organisation they represent. The substitute must be part of the organisation/group's Executive Committee. Any proxy attendance should be notified to Council's nominated officer at least 24 hours before the meeting. It is expected that the appointed professional or industry representative will be provided with an appropriate briefing on the committee's purpose and objectives, as well as relevant meeting notes, to enable the proxy representative to participate actively and contribute to the meeting.

The Committee may invite observers to meetings from time to time. This is at the discretion of the committee.

Guests may also be invited to attend and participate in meetings; this would generally be for a specific purpose and/or specified period of time. This is at the discretion of the committee.

Meetings may be held in-person or virtually.

**Chair**

The Chairperson shall be a Councillor appointed by Council. The Chairperson will preside over meetings, facilitate discussion and ensure orderly conduct. If the Chairperson is not present at a meeting, the Committee members present may appoint a chairperson for that meeting.

## Secretariat

Administration support will be provided by the Councillor Support team and other officers as decided by the CEO.

## Agendas and Minutes

Agendas and Minutes must be prepared for each meeting of the Committee. The Agenda must be provided to members of the Committee at least five business days before the meeting is scheduled to take place.

The Chairperson must arrange for minutes of each meeting of the committee to be kept.

The Minutes of a Committee meeting must:

- Contain details of the recommendations made;
- Be clearly expressed;
- Be self-explanatory; and
- In relation to recommendations recorded in the minutes, incorporate relevant reports or a summary of the relevant reports considered in the decision-making process.

Draft Minutes must be:

- a) Submitted to the Committee Chairperson for confirmation within seven days of the meeting;
- b) Distributed to all Committee Members following confirmation from the Chairperson and within 14 days of the meeting; and
- c) Submitted to the next meeting of the Committee for formal endorsement.

The Chairperson must approve minutes before being published or distributed and then formally endorsed at the subsequent meeting.

Agendas and Minutes of the Committee will be made available on Council's intranet unless confidential.

Agendas and meeting notes are not required to be made available to the public.

## Reporting Meeting Outcomes

Minutes of each meeting will be provided to all Councillors of the Scenic Rim Regional Council and Executive Officers. A report of each Committee meeting is to be presented to a Council Ordinary Meeting. An annual report of the Committee activities will be presented to the Council by 30 June.

## Conflict of Interest and Confidentiality

The *Local Government Act 2009* identifies direct and indirect conflicts of interest that require disclosure as and when they arise. Members of the Committee must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as members of the Olympics, Sports and Recreation Advisory Committee.

Any matter deemed by a member to represent a Conflict of Interest will be reported to the Chairperson and CEO either prior to a meeting or before the specific item is discussed and dealt with in line with the Act and any relevant Council policies or guidelines.



It is intended that the Committee will be a forum for discussing proposed strategies and actions that may impact the Scenic Rim community and conflicts of interests will be managed to ensure the trust and integrity of the Committee is maintained.

It is envisaged that on occasion, members will be provided with confidential information that is not available in the public realm. It will be critical that committee members are seen as a group that can be trusted with confidential information.

The Committee's ability to fulfil its purpose will be severely hampered if trust is undermined in any way. Given the level of confidentiality associated with some of the information provided to members, any discussion with non-committee members is limited to information already available to the public.

Confidential discussion of the Committee will not be disclosed without the Chair's prior approval.

### **Principles**

Committee members should be guided by these principles:

- Be inclusive, open-minded and respectful of everyone's perspective
- Put personal agendas aside and provide advice for the greater good of the diverse Scenic Rim community
- Challenging and exploring are an integral part of what we do and how we operate
- Represent the interests of the community and provide valuable input to the committee
- Actively participate and engage in the work of the committee
- Be punctual, well prepared, timely with responses
- Be realistic about what we can achieve
- Have a strong focus on strategic outcomes

### **Review**

- The Terms of Reference will be reviewed every two years or as required by Council.
- Changes to the Terms of Reference must be endorsed by Council resolution.

## 12 Confidential Matters

### 12.2 Chief Executive Officer Performance Review and Remuneration Review [Closed s.254J(3)(b)]

**Executive Officer:** Manager Human Resources /  
Acting General Manager People and Strategy

**Item Author:** Manager Human Resources /  
Acting General Manager People and Strategy

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This report is **CONFIDENTIAL** in accordance with Section 254J(3)(b) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following:

- (b) industrial matters affecting employees.