



Post-Election Meeting of Council Agenda

***Held at Western Downs Regional Council's
Dalby Event Centre***

On Monday, 27 April 2020

Commencing at 09:30 AM

**R. A. MUSGROVE
CHIEF EXECUTIVE OFFICER**

22 April 2020

Special Meeting of Council Agenda

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Title Corporate Services Report Appointment of Deputy Mayor

Date 31 March 2020

Responsible Manager P. Greet, CUSTOMER SUPPORT AND GOVERNANCE MANAGER

Summary

The purpose of this Report is to propose the appointment of a Deputy Mayor.

Link to Corporate Plan

Strategic Priority: Active Vibrant Communities

Strategic Priority: Financial Sustainability

Strategic Priority: Great Liveability

Strategic Priority: Strong Economic Growth

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That the Mayor call for nominations for the position of Deputy Mayor.

That Council appoint a Deputy Mayor in accordance with section 175 of the *Local Government Act 2009*.

Background Information

Section 175 of the *Local Government Act 2009* requires that the Council appoint, by resolution at the Post-Election meeting, a Councillor to be Deputy Mayor.

Report

The Deputy Mayor acts for the Mayor during the absence or temporary incapacity of the Mayor or a vacancy in the office of the Mayor, or alternatively when the Mayor is unable to perform the duties of the Mayor, for example, where the Mayor has declared an interest in a matter under consideration.

The meeting may exercise some discretion on how it selects from the candidates, provided the final decision on the matter is a result of a formal resolution of Council.

The Mayor will call for nominations for the position of Deputy Mayor. Where there is more than one (1) nomination, it is proposed that the initial voting be conducted by secret exhaustive ballot followed by a formal resolution of Council.

Consultation (Internal/External)

Nil

Legal/Policy Implications (Justification if applicable)

The *Local Government Act 2009* provides:-

"165 Acting mayor

- (1) *The deputy mayor acts for the mayor during—*
 - (a) *the absence or temporary incapacity of the mayor; or*
 - (b) *a vacancy in the office of mayor.*
- (2) *If—*
 - (a) *the office of mayor is vacant and the deputy mayor is prevented, by absence or temporary incapacity, from acting as the mayor; or*
 - (b) *the mayor and deputy mayor are both prevented, by absence or temporary incapacity, from performing the role of mayor; or*
 - (c) *the offices of both the mayor and deputy mayor are vacant;*
the local government may, by resolution, appoint an acting mayor from its councillors."

"175 Post-election meetings

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

Budget/Financial Implications

The Deputy Mayor is remunerated at a higher rate than other Councillors (currently \$81,615) but does not receive additional remuneration when acting as Mayor.

Conclusion

Council is obliged to appoint a Deputy Mayor at the Post-Election meeting.

Attachments

Nil

Authored by: Karen Gillespie, GOVERNANCE COORDINATOR

Title Corporate Services Report Appointment of Councillor Portfolio Spokespersons

Date 3 April 2020

Responsible Manager P. Greet, CUSTOMER SUPPORT AND GOVERNANCE MANAGER

Summary

This Report is to seek Council's approval of representative spokesperson appointments to Councillor Portfolios.

Link to Corporate Plan

Strategic Priority: Financial Sustainability

- We are recognised as a financially intelligent and responsible Council.
- Our long term financial planning guides informed and accountable decision making.
- Our value for money culture enables us to deliver our core functions sustainably.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Effective asset management ensures that we only own and maintain assets that are utilised.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that Council:-

1. assign Portfolio Spokespersons to each Councillor Portfolio; and
2. adopt the revised Councillors as Portfolio Spokespersons - Council Policy as proposed.

Background Information

Western Downs Regional Council has assigned Councillor Portfolios since amalgamation to ensure the workload associated with effectively representing our diverse region is shared across all Councillors. The protocols associated with Councillor Portfolios are provided in the Councillors as Portfolio Spokespersons - Council Policy.

Report

The predecessor Council linked Councillor Portfolios where possible to the functional areas of Council divided into distinct portfolios. Council's current Councillors as Portfolio Spokespersons - Council Policy (the Policy) provides that at the beginning of a new term of Council, the new Council will assign each Councillor as spokesperson for one portfolio. Portfolios may be reviewed as Council deems appropriate.

As provided in the Policy, assigning Councillors as Portfolio Spokespersons ensures:

- the workload associated with being an elected member is shared across all Councillors;
- the Councillor's individual skill, knowledge and background is utilised by linking them to an area of interest;
- ratepayers can identify which Councillor to approach according to the strategic issue at hand;
- informed discussion is generated by the whole of Council;

- Councillors act as sounding boards for strategic issues and suggestions from senior officers, members of the public, and other Councillors relating to their portfolio; and
- Councillors are seen to be reporting back to the community.

While the role of spokesperson does not exclude a Councillor from taking an active interest in all Council business, it does assist the community to identify who they should approach in relation to particular strategic issues.

As outlined in the Policy, each Spokesperson is responsible for being fully informed of issues reported on within their assigned Portfolio at Council Meetings. Conducting further research may be required and Council's Acceptable Request Guidelines - Council Policy must be followed when engaging with officers.

It should be noted that the Mayor is the spokesperson for the whole of Council and therefore the primary contact for the media. Where appropriate, Portfolio Spokespersons may also act as Council media representatives and will work closely with the Executive to perform this role.

Councillor Portfolios which align with Council's organisational and function structure are:-

Portfolio	Portfolio Description
Executive (Mayor)	Disaster Management, Economic Development, Internal Audit, Communications and Marketing
Finance, Corporate Services and Business Strategy	Finance, Governance, Business Planning, Saleyards, Health Services
Works and Technical Services	Civil Works, Fleet, Quarries, Asset Management and Design
Utilities	Water, Wastewater and Gas
Strategic Communication and Council Facilities	Strategic Communication, Council Facilities (aerodromes, sporting facilities, showgrounds and PCYC etc.)
Planning, Environment and Agribusiness	Statutory Planning, Development and Compliance, Environment and Health, Waste, Rural Services and Agribusiness
Tourism, Events and Regional Promotion	Council and Community Major Events, Tourism Attraction and Regional Promotion
Community and Cultural Development	Libraries, Community Development, Cultural Development and Community Services
Recreational Spaces and Cemeteries	Parks, Gardens and Cemeteries

The Councillors as Portfolio Spokespersons - Council Policy has also been periodically reviewed, as is attached for Council's consideration and approval.

Consultation (Internal/External)

The Mayor in consultation with the Executive has established portfolios to align with Council's organisational structure and relevant functional area.

Legal/Policy Implications (Justification if applicable)

This existing Councillors as Portfolio Spokespersons - Council Policy has been periodically reviewed in accordance with the adopted Policy Framework - Council Policy to ensure organisational relativity and legislative compliance.

A marked-up version of the proposed amended policy and the policy as proposed, are attached to this Report for Council's consideration and approval.

Budget/Financial Implications

Nil

Conclusion

The allocation of Councillor portfolios and associated protocols are intended to facilitate:-

- (a) Council's engagement with the community on its strategic priorities and services; and
- (b) productive, professional and appropriate relationships within the organisation to advance the delivery of Council's strategic priorities and services.

Attachments

1. Mark Up Proposed Amendments Councillors as Portfolio Spokespersons - Council Policy
2. Councillors as Portfolio Spokespersons - Council Policy as proposed.

Authored by: K M Gillespie, GOVERNANCE COORDINATOR

Councillors as Portfolio Spokespersons - Council Policy

Effective Date	Post-Election Meeting of Council - 13 April 2016
Policy Owner	Customer Support and Governance Manager
Link to Corporate Plan	Strategic Theme 1: Effective and Inclusive Governance
Review Date	December 2019 April 2024
Related Legislation	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
Related Documents	Advice Guidelines - Council Policy Media Relations Policy - Council Policy

Policy Version	Approval Date	Adopted/Approved
1	7 May 2008	Ordinary Meeting of Council 7 May 2008
2	22 February 2012	Ordinary Meeting of Council 22 February 2012
3	18 December 2013	Ordinary Meeting of Council 18 December 2013
4	13 April 2016	Post-Election Meeting of Council 13 April 2016
5	27 April 2020	Post-Election Meeting of Council 27 April 2020

This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. **A hard copy of this electronic document is uncontrolled.**



1. PURPOSE

Set clear guidelines to define the roles and responsibilities of the Mayor and Councillors as spokespersons for the portfolios of Council.

Assigning Councillors as Portfolio Spokespersons ensures:

- ~~The the~~ workload associated with being an elected member is shared across all Councillors;
- ~~The the~~ Councillor's individual skill, knowledge and background is utilised by linking them to an area of interest;
- ~~Ratepayers the community~~ can identify which Councillor to approach according to the strategic issue at hand;
- ~~Informed-informed~~ discussion is generated by the whole of Council;
- Councillors act as sounding boards for strategic issues and suggestions from senior officers, members of the public, and other Councillors relating to their portfolio; and
- Councillors are ~~seen to be~~ reporting back to the community.

2. SCOPE

This policy applies to the Councillors of Western Downs Regional Council. However, the Mayor acts as spokesperson for the whole of Council.

3. POLICY

3.1 Background

The functional areas of Council are divided into distinct portfolios, each with strategic objectives and strategies designed to achieve long-term success for our region.

At the beginning of a new term of Council the Council will assign each Councillor as spokesperson for one portfolio. Portfolios may be reviewed as Council deems appropriate.

3.2 Policy Guidelines

The following guidelines define the role and responsibility of Councillors acting as Portfolio Spokespersons for Western Downs Regional Council.

1. This policy should be interpreted so that its purpose or objective is achieved.
2. While performing his/her role as Portfolio Spokesperson, a Councillor must act in accordance with Council's Acceptable Request Guidelines - [Council Policy](#) and section 170 of the *Local Government Act 2009* and must not direct, or attempt to direct any employee about the way in which the employee's duties are to be performed. The Mayor may give a direction to the Chief Executive Officer ~~or Senior Executive Employees~~ in accordance ~~with the local government's policies~~ [section 170\(1\) and \(2\) of the Local Government Act 2009](#).
3. In the role of Portfolio Spokesperson a Councillor must ensure he/she accurately represents the view of the whole of Council rather than their own personal view.
4. To ensure that due consideration is given to each portfolio of Council, Councillors are required to study the whole meeting agenda paying particular interest to reports contained within their assigned portfolio.
5. Councillors are responsible for being fully informed of issues reported on within their assigned portfolio at Council meetings. Conducting further research may be necessary including engaging with the community and requesting further information from Council Officers in accordance with [Advice Acceptable Request](#) Guidelines - Council Policy.
6. The Mayor acts as spokesperson for the whole of Council and is therefore Council's primary media representative. However, where appropriate Portfolio Spokespersons may also act as Council



Councillors as Portfolio Spokespersons - Council Policy

media representatives working closely with the Chief Executive Officer and/or relevant General Manager to formulate appropriate media approaches and responses. In this capacity Councillors are expected to be available where possible for media engagements.

7. Councillors will be invited to represent Council at meetings and functions held by community, industry and professional groups. Any public comment by Councillors on behalf of Council should be consistent with Council's strategic direction. If the comments are a personal view, they must be clearly expressed to represent a personal view and not the official view of Council.
8. Portfolio Spokespersons must report back to Council any feedback received from the community significant to strategic and/or future planning issues.
9. Portfolio Spokespersons must direct operational enquiries received from the community through the appropriate Council channels in accordance with [Advice - Acceptable Request](#) Guidelines - Council Policy.



Councillors as Portfolio Spokespersons - Council Policy

Schedule: Current Councillor Portfolios as adopted at Post-Election Meeting ~~13~~ 27 April ~~2016~~ 2020.

Portfolio	Portfolio Description <u>Definition</u>	Portfolio Spokesperson
Executive (Mayor)	Disaster Management, <u>Economic Development</u> , Internal Audit, Communications and Marketing.	Cr. P.M. McVeigh
Finance, and Corporate Services <u>and Business Strategy</u>	Finance, ICT, Human Resources, Customer Support and Governance, <u>Business Planning, Saleyards and Health Services.</u>	Cr. I.J. Rasmussen
Works and Technical Services	Civil Works, Fleet, Quarries, Asset Management, Design and Project Management.	Cr. G.M. Olm
Utilities	Water, Wastewater and Gas.	Cr. P.T. Saxelby
<u>Strategic Communication and</u> Council Facilities	<u>Strategic Communications</u> , Council Facilities (Aerodromes, Sporting Facilities, Showgrounds and Saleyards PCYC etc.).	Cr. R.C. Brown
Planning, and Environment <u>and Agribusiness</u>	Statutory Planning, Development and Compliance, Environment and Health, Waste, and Rural Services <u>and Agribusiness.</u>	Cr. A.N. Smith
Economic Development <u>Tourism, Events and Regional Promotion</u>	Strategic Planning, Economic Development, Tourism and Events and Health Services. <u>Council and Community Major Events, Tourism Attraction and Regional Promotion.</u>	Cr. D.E. Ashurst
Community and Cultural Development	Libraries, Community Development, Cultural Development and Community Services.	Cr. K.A. Maguire
Parks, Open Spaces and Saleyards <u>Recreational Spaces and Cemeteries</u>	Parks, Open Spaces <u>Gardens</u> and Cemeteries.	Cr. C.T. Tillman





Councillors as Portfolio Spokespersons - Council Policy

Effective Date	Post-Election Meeting of Council - 13 April 2016
Policy Owner	Customer Support and Governance Manager
Link to Corporate Plan	Strategic Theme 1: Effective and Inclusive Governance
Review Date	April 2024
Related Legislation	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
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- informed discussion is generated by the whole of Council;
- Councillors act as sounding boards for strategic issues and suggestions from senior officers, members of the public, and other Councillors relating to their portfolio; and
- Councillors are reporting back to the community.

2. SCOPE

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The functional areas of Council are divided into distinct portfolios, each with strategic objectives and strategies designed to achieve long-term success for our region.

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Councillors as Portfolio Spokespersons - Council Policy

Manager to formulate appropriate media approaches and responses. In this capacity Councillors are expected to be available where possible for media engagements.

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8. Portfolio Spokespersons must report back to Council any feedback received from the community significant to strategic and/or future planning issues.
9. Portfolio Spokespersons must direct operational enquiries received from the community through the appropriate Council channels in accordance with Acceptable Request Guidelines - Council Policy.



Councillors as Portfolio Spokespersons - Council Policy

Schedule: Current Councillor Portfolios as adopted at Post-Election Meeting 27 April 2020.

Portfolio	Portfolio Description	Portfolio Spokesperson
Executive (Mayor)	Disaster Management, Economic Development, Internal Audit, Communications and Marketing.	Cr. P.M. McVeigh
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Works and Technical Services	Civil Works, Fleet, Quarries, Asset Management, Design.	
Utilities	Water, Wastewater and Gas.	
Strategic Communication and Council Facilities	Strategic Communications, Council Facilities (Aerodromes, Sporting Facilities, Showgrounds and PCYC etc.).	
Planning, Environment and Agribusiness	Statutory Planning, Development and Compliance, Environment and Health, Waste, Rural Services and Agribusiness.	
Tourism, Events and Regional Promotion	Council and Community Major Events, Tourism Attraction and Regional Promotion.	
Community and Cultural Development	Libraries, Community Development, Cultural Development and Community Services.	
Recreational Spaces and Cemeteries	Parks, Gardens and Cemeteries.	



Title Corporate Services Report Councillor Appointment to Statutory Committees and Dalby Regional Saleyards Reference Group

Date 16 April 2020

Responsible Manager P. Greet, CUSTOMER SUPPORT AND GOVERNANCE MANAGER

Summary

This report is to provide Council an opportunity to appoint Councillors to statutory committees and the Dalby Regional Saleyards Reference Group.

Link to Corporate Plan

Strategic Priority: Financial Sustainability

- We are recognised as a financially intelligent and responsible Council.
- Our long term financial planning guides informed and accountable decision making.
- Our value for money culture enables us to deliver our core functions sustainably.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Effective asset management ensures that we only own and maintain assets that are utilised.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received, and that Council:

1. appoint the Mayor, Councillor Paul McVeigh to the role of Chairperson of the Western Downs Local Disaster Management Group;
2. appoint a Councillor as Deputy Chairperson of the Western Downs Local Disaster Management Group;
3. appoint two Councillors to the Western Downs Regional Council Audit Committee;
4. appoint two Councillors to the Wambo Shire River Improvement Trust; and
5. appoint two Councillors (with one being the Chairperson) to the Dalby Regional Saleyards Reference Group.

Background Information

1. Local Government Committee System

The *Local Government Regulation 2012* (LGR) provides a statutory instrument for the appointment of local government committees as detailed below:-

“264 Appointment of committees

- (1) A local government may—
 - (a) appoint, from its councillors, standing committees or special committees; and
 - (b) appoint advisory committees.
- (2) Two or more local governments may appoint, from their councillors, a joint standing committee.

265 Advisory committees

- (1) An advisory committee—
 - (a) must not be appointed as a standing committee; and

*(b) may include in its members persons who are not councillors.
(2) A member of an advisory committee (whether or not they are a councillor) may vote on business before the committee.”*

Standing Committees comprise of Councillors and are appointed with a continuing function and responsibility. Pursuant to the *Local Government Act 2009* (the LG Act), decision making power can be delegated to a Standing Committee.

No standing committee system operated during the previous term of Western Downs Regional Council.

Special Committees comprise of Councillors and are constituted for a specific purpose, are limited in their activities to that purpose, and are usually appointed for a limited period of time. No powers can be delegated to a Special Committee. A Special Committee should have its composition, tenure and purpose resolved by Council.

No Special Committees were in place during the previous term of Western Downs Regional Council.

Advisory Committees, which include persons who are not Councillors, may be appointed by Council to advise it on particular issues. In accordance with the Council Advisory Committees - Council Policy, a Councillor is to be appointed as Chairperson of each Council Advisory Committee. There is no power under s257 of the LG Act to delegate operative powers to an Advisory Committee, therefore Advisory Committees, as their name implies, only provide advice and recommendations. As stated in s265(2) of the LGR, all members (whether Councillors or not) have the same entitlement to participate in the business of the Advisory Committee and vote on its recommendations.

Advisory Committees should operate under a Terms of Reference approved by Council.

Statutory Committees are committees required under local government applicable legislation. The composition, quorum and often the frequency of meeting are detailed in the legislation.

The predecessor Council had a number of statutory committees in place to comply with legislation.

Committee Roles and Responsibilities

Council Committees have defined roles and responsibilities set out in a Terms of Reference. Elected members, senior Council employees and external persons appointed to the Committee discuss matters and explore all information relevant to the decision-making process.

Committee Meeting Minutes, with associated recommendations, form the basis of Reports to the Ordinary Meeting of Council, where collectively Council makes final decisions, except in the case of when a Standing Committee is given delegated authority by Council to make particular decisions without going to the Ordinary Meeting.

Council employee membership of Committees is determined by the Chief Executive Officer. Council employees do not vote on recommendations. Their role is to provide independent advice to the Committee Members and help them make a recommendation to Council.

2. Non-Statutory Committees

Steering Groups

Steering Groups are internal committees (groups) made up predominantly of staff for operational purposes. The Steering Groups may or may not have Councillor representation. As such, Steering Groups are not formal committees of Council appointed under the LG Act.

Reference Groups

Council may establish Reference Groups to provide advice on key strategic issues or projects, creating a partnership between community and Council representatives to obtain a balanced view with input from a wide cross-section of stakeholders. Reference Groups are a form of community engagement for Council.

Reference Groups are not statutory committees of Council and may have no elected member representation, however, will have Council representation through Council officers and have a charter outlining the groups objects, roles and responsibilities etc.

Council officers involved with the Reference Group Report to Council on group ideas and recommendations in accordance with Community Engagement - Council Policy.

This Report will focus on appointments to Council's Statutory Committees being the Western Downs Local Disaster Management Group, the Audit Committee and the Wambo Shire River Improvement Trust, as well as the Dalby Regional Saleyards Reference Group.

Separate reports will be brought before Council for Councillor appointment to other Committees and internal and external groups.

Report

1. Western Downs Local Disaster Management Group

The Chairperson of each Local Disaster Management Group (LDMG) must be a Mayor or Councillor appointed by Council. The Deputy Chairperson must also be appointed by Council.

A continuing Councillor who has been appointed as the Chairperson or Deputy Chairperson of the LDMG cannot act in that role until they take the new declaration of office. Where the existing LDMG Chairperson and Deputy Chairperson is not re-elected, a new Chairperson and Deputy Chairperson cannot be elected until Council can decide the appointment a new Chair and Deputy Chairperson by Council resolution.

Although the Mayor has been re-elected and has taken the Declaration of Office, it would be prudent to formalise the appointment of the Chairperson to the LDMG as soon as possible. Cr Andrew Smith was appointed Deputy Chairperson by the predecessor Council. Given the current status of the LDMG, it would also be prudent for Council to consider filling the Deputy Chairperson position.

2. Western Downs Regional Council Audit Committee

Western Downs Regional Council as a category 3 Council is required under section 105(2) of the *Local Government Act 2009* (the LG Act) to establish an audit committee.

An Audit Committee is a committee that -

- (a) monitors and reviews—
 - (i) the integrity of financial documents; and
 - (ii) the internal audit function; and
 - (iii) the effectiveness and objectivity of the local government's internal auditors; and
- (b) makes recommendations to the local government about any matters that the audit committee considers need action or improvement (section 105(4) of the LG Act).

The *Local Government Regulation 2012*, section 210 legislates the composition of the Audit Committee, with section 210(1)(b), providing specifically that one, but not more than two Councillors may be appointed by Council to the Committee.

Council is therefore requested to appoint at least one, with a maximum of two Councillors to the Audit Committee, with a separate report forthcoming to Council on the full composition, and terms of reference for the Audit Committee.

3. Wambo Shire River Improvement Trust

The Wambo Shire River Improvement Trust is a statutory body charged with the responsibility for the protection and improvement of streams and mitigation of flooding within its proclaimed area "Wambo Shire River Improvement Trust Area". Trusts are established under the *River Improvement Trust Act 1940* and are accountable to the Minister for Natural Resources, Mines and Energy.

The membership of the Trust consists of:

- a Chairperson (elected by the trust members and appointed by the Minister or if there is only 1 community member the Minister must appoint that member as chairperson);
- two representatives of, and appointed by, each local government whose local government area is included in the trust's improvement area; and
- up to 2 other members appointed by the Minister.

Council is therefore requested to appoint two (2) Councillors to the Wambo Shire River Improvement Trust, with the external members and the Chairperson appointed by the Minister to the Trust to continue in their respective appointments.

4. Dalby Regional Saleyards Reference Group

The Dalby Regional Saleyards Reference Group was established in late 2019 following a resolution by the predecessor Council to establish the Reference Group in lieu of the previous Advisory Committee.

Council is therefore requested to appoint two (2) Councillors to the Dalby Regional Saleyards Reference Group, appointing one of the Councillors as Chairperson of the Group.

Consultation (Internal/External)

Nil

Legal/Policy Implications (Justification if applicable)

1. Western Downs Local Disaster Management Group

The *Disaster Management Act 2003* provides:

33 Membership

(1) A local group consists of the persons prescribed by regulation to be members of the group.

(2) A regulation under this section may provide for—

(a) the appointment of the members of a local group; and

(b) the qualifications and experience required for a person to be a member of a local group.

34 Chairperson and deputy chairperson

(1) There is a chairperson and a deputy chairperson of a local group.

(2) The chairperson and deputy chairperson are the persons prescribed by regulation.

(3) A regulation under this section may provide for—

(a) the appointment of the chairperson and deputy chairperson of a local group; and

(b) the qualifications and experience required for a person to be the chairperson or deputy chairperson.

Further, the *Disaster Management Regulation 2014* provides: -

10 Chairperson and deputy chairperson of local groups— Act, s 34

(1) For section 34(2) of the Act, the chairperson and deputy chairperson of a local group are the persons appointed by the relevant local government for the local group to be the chairperson and deputy chairperson.

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

10A When chairperson or deputy chairperson stops holding office after 2020 local government election—Act, s 34

- (1) For section 34(2) of the Act, a person stops holding the office of chairperson or deputy chairperson of a local group on the conclusion of the local government election held on 28 March 2020 if—
- (a) before the election, the person was a councillor of a local government; and
 - (b) the person is not re-elected as a councillor of a local government at the election.

2. Western Downs Regional Council Audit Committee

The *Local Government Act 2009* provides:-

105 Auditing, including internal auditing

- (1) Each local government must establish an efficient and effective internal audit function.
- (2) Each large local government must also establish an audit committee.
- (3) A large local government is a local government that belongs to a class prescribed under a regulation.
- (4) An audit committee is a committee that—
 - (a) monitors and reviews—
 - (i) the integrity of financial documents; and
 - (ii) the internal audit function; and
 - (iii) the effectiveness and objectivity of the local government's internal auditors; and
 - (b) makes recommendations to the local government about any matters that the audit committee considers need action or improvement.

The *Local Government Regulation 2012* provides:-

210 Audit committee composition

- (1) The audit committee of a local government must—
 - (a) consist of at least 3 and no more than 6 members; and
 - (b) include—
 - (i) 1, but no more than 2, councillors appointed by the local government; and
 - (ii) at least 1 member who has significant experience and skills in financial matters.
- (2) The chief executive officer can not be a member of the audit committee but can attend meetings of the committee.
- (3) The local government must appoint 1 of the members of the audit committee as chairperson.

3. Wambo Shire River Improvement Trust

The *River Improvement Trust Act 1940* provides:-

5 Membership of trust

- (1) Unless a trust's membership is provided for under a regulation under subsection (1A), the trust's membership is made up of—
 - (a) 2 councillors of each constituent local government for the trust's river improvement area, appointed by the local government; and
 - (b) up to 3 persons appointed by the Minister.
- (1A) A trust's membership may be made up of the members, up to the number as stated in a regulation, who are appointed by the Governor in Council and who—
 - (a) must include 1 or more councillors, as stated in the regulation, of each constituent local government for the trust, nominated by the constituent local government; and
 - (b) may include—
 - (i) persons nominated by other entities stated in the regulation as being entities entitled to nominate members for the trust; and
 - (ii) persons nominated by the Minister.
- (1B) The regulation under subsection (1A)—
 - (a) may provide that the members of the trust are to be known as directors or another term stated in the regulation; and
 - (b) if there are 2 or more constituent local governments for the trust—is not required to state the same number of councillors for nomination by each local government.

(2) Despite subsection (1), if the Minister considers it appropriate, each constituent local government for a trust whose membership is provided for in subsection (1) may appoint 1 councillor as a member of the trust, in addition to the councillors appointed under subsection (1)(a).

(3) Each person appointed by a local government under subsection (1)(a) or (2) holds office for the term, of no more than 4 years, decided by the local government.

(4) Each person appointed by the Minister under subsection (1)(b) holds office for the term, of no more than 4 years, decided by the Minister.

(4A) Each person appointed by the Governor in Council under subsection (1A) holds office for the term, of no more than 4 years, decided by the Governor in Council.

(5) Despite subsections (3), (4) and (4A) and section 5A(6), if a person completes the person's term of office as a member of a trust, the person continues to hold office as a member until the person's successor is appointed.

(6) This section is subject to divisions 2 and 4.

(7) In this section—

constituent local government, for a trust, means a local government whose local government area or part of the area is included in the river improvement area for which the trust is constituted.

5A Appointment of members to vacancies

(1) If the office of a member of a trust appointed by a local government under section 5(1)(a) or (2) becomes vacant, the local government must appoint another of its councillors to the office within 30 days after the vacancy.

(2) If a local government does not appoint a councillor to a vacant office under subsection (1), the Minister may give the local government a written notice requiring it to appoint a councillor to the office within a reasonable period of at least 7 days.

(3) If the local government does not comply with the notice, the Minister may appoint a person, whether or not a councillor of the local government, to the vacant office.

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Budget/Financial Implications

Nil

Conclusion

Council are requested to give consideration to the immediate appointment of Councillors to the committees required by legislation and to the Dalby Regional Saleyards Reference Group due to the current nature of the facility operations.

Attachments

Nil

Authored by: K. Gillespie, GOVERNANCE COORDINATOR

Title **Executive Services Report Setting Meeting Dates, Times and Venues for 2020-2024 Term of Council**

Date 12 April 2020

Responsible Manager R. Musgrove, CHIEF EXECUTIVE OFFICER

Summary

The purpose of this Report is to enable Council to consider the day and time for the holding of Council Meetings.

Link to Corporate Plan

Strategic Priority: Active Vibrant Communities

- We are a region without boundaries, united in community pride.
- Our community members are the loudest advocates for what's great about our region.
- Our social, cultural and sporting events are supported locally and achieve regional participation.
- Our parks, open spaces, and community facilities are well utilised and connect people regionally.
- A recognised culture of volunteerism is active throughout our communities.

Strategic Priority: Financial Sustainability

- We are recognised as a financially intelligent and responsible Council.
- Our long term financial planning guides informed and accountable decision making.
- Our value for money culture enables us to deliver our core functions sustainably.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Effective asset management ensures that we only own and maintain assets that are utilised.

Strategic Priority: Great Liveability

- Our residents enjoy convenience of modern infrastructure and quality essential services.
- Valued recreational spaces, sporting and community facilities are provided regionally.
- A safe and well maintained road network connects our region.
- Our region remains an affordable place for families to live, work, prosper and play.
- We're recognised as one of the safest regions in Queensland.

Strategic Priority: Strong Economic Growth

- There is a confidence in our strong and diverse economy.
- We're open for business and offer investment opportunities that are right for our region.
- We optimise our tourism opportunities, unique experiences and major events.
- Business and industry in our region live local and buy local.
- Our region is a recognised leader in energy, including clean, green renewable energies.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that the Council hold Ordinary Meetings:-

- (a) From 1 May 2020:-
 - a. On the third Wednesday of the month commencing at 9.30AM;
 - b. The venue for the meeting will be set on a rotational basis in Dalby, Chinchilla, Jandowae, Miles, Tara and Wandoan;

- c. The following schedule of meeting dates for the period from 1 May 2020 to 31 December 2020, be confirmed:-

Wednesday, 20 May 2020 - Ordinary Meeting - Tara Soldiers Memorial Hall
Wednesday, 17 June 2020 - Ordinary Meeting - Chinchilla Cultural Centre
Wednesday, 22 July 2020 - Ordinary Meeting - Dalby Events Centre
Wednesday, 19 August 2020 - Ordinary Meeting - Wandoan Cultural Centre
Wednesday, 23 September 2020 - Ordinary Meeting - Chinchilla Customer Service Centre
Wednesday, 21 October 2020 - Ordinary Meeting - Jandowae Customer Service Centre
Wednesday, 18 November 2020 - Ordinary Meeting - Tara Customer Service Centre
Wednesday, 9 December 2020 - Ordinary Meeting - Miles Leichhardt Hall

Background Information

Section 175 of the *Local Government Act 2009* (LG Act) states:-

"175 Post-election meetings

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

The *Local Government Regulation 2012* (LGR) states:-

"256 Agenda of post-election meetings

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

257 Frequency and place of meetings

- (1) *A local government must meet at least once in each month.*
(2) *However, the Minister may, after written application by a local government, vary the requirement under subsection (1) for the local government.*
(3) *All meetings of a local government are to be held -*
(a) *at 1 of the local government's public offices; or*
(b) *for a particular meeting - at another place fixed by the local government, by resolution, for the meeting."*

Report

The Council must set the day and time for Ordinary Meetings at the Post-Election Meeting. Council must meet at least once in each month.

Once the standard day and time is set, Council may, by resolution, as required, vary the day, time and venue of such meetings.

Public notification of Ordinary Meetings is required.

Ordinary Meeting

The former Council held its Ordinary Meetings on the third Wednesday of each month. The venue for each meeting held on a rotational basis at the Dalby, Chinchilla, Jandowae, Miles, Tara and Wandoan Customer Service Centres.

Meeting times were as follows:-

09:00 AM	Arrive - Morning Tea
09:30 AM	Commence Meeting
10:30 AM to 11:00 AM	Delegations/Public Question Time
11:00 AM	Morning Tea
11:10 AM	Return from Morning Tea
12:30 PM	Adjourn Meeting for Lunch
01:00 PM	Reconvene Meeting
03:00 PM	Afternoon Tea
03:10 PM	Return from Afternoon Tea
05:00 PM	Close Meeting (Scheduled)

Meeting procedure and order of business are as per the Meetings - Council Policy.

The previous Council did not maintain a formal Standing Committee structure, preferring instead to hold Councillor Information Sessions and Portfolio Strategy Group Meetings as required. These meetings were scheduled following the Planning and Pre-Agenda Meetings held prior to each Council Meeting.

Planning and Pre-Agenda Meetings are held on the Monday immediately preceding the Ordinary Meeting of Council.

Additionally, Council maintains a number of internal advisory committees formed under Section 265 of the LGR, as well as Steering Groups and Reference Groups in order to support specific functions.

Councillors are each assigned Portfolios aligned with Council's functional areas to support the decision making process.

A separate Report on Councillor Committee Representation and Councillor Portfolios has been prepared for Council's consideration.

It is proposed that Council Meetings continue under the format of the previous Council where Council Meetings are held:-

1. Once per month;
2. Scheduled for the third Wednesday of each month;
3. Meeting to commence at 9.30AM;
4. Delegations/Public Question Time to commence at 10.30AM;
5. Pre-Agenda Meeting to be held on the third Monday of each month commencing at 9.30AM; and
6. Councillor Information/Strategy Sessions held, if required, on the first Monday and Wednesday of the month to commence at 9.30AM.

Consultation (Internal/External)

Chief Executive Officer
General Manager (Corporate Services)
Governance

Legal/Policy Implications (Justification if applicable)

Meetings - Council Policy

Budget/Financial Implications

Nil.

Conclusion

The LG Act requires Council to set the day and time for Council meetings. It is recommended that Ordinary Meetings continue in the same format as the previous Council.

It should be noted that proposed meeting dates are subject to change due to clashes with conferences/forums (e.g. Local Government Association of Queensland (LGAQ)) which the majority of Councillors may wish to attend.

Attachments

Nil

Authored by: Jayne Weier, SENIOR EXECUTIVE OFFICER