

## **Post-Election Meeting of Council**

***Held at Western Downs Regional Council's  
Dalby Corporate Office***

**On Tuesday, 09 April 2024**

Commencing at 8:00am

**J. Taylor  
CHIEF EXECUTIVE OFFICER**

**09 April 2024**

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## Special Meeting of Council Agenda

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1. **MEETING OPEN**
2. **OPENING PRAYER AND MINUTE SILENCE**
3. **APOLOGIES**
4. **APPOINTMENT OF DEPUTY MAYOR**
  - 4.1 Executive Services Report Appointment of Deputy Mayor Post-Election Meeting 9 April 2024 1  

The purpose of this Report is to propose the appointment of a Deputy Mayor.
5. **CONSIDERATION AND COMPOSITION OF COUNCILLOR PORTFOLIOS**
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The purpose of this Report is to appoint Councillors to relevant Councillor portfolios.
6. **APPOINTMENT OF COMMITTEE, WORKING GROUPS AND STEERING GROUPS**
  - 6.1 Executive Services Report Councillor Appointment to Statutory Committees and Reference Groups 54  

This Report is to provide Council an opportunity to appoint Councillors to statutory committees, the Dalby Regional Saleyards Reference Group and the Community Grants Assessment Reference Group.
7. **SETTING OF MEETING DATES, TIMES AND VENUES**
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The purpose of this Report is to consider Council meeting dates, times and location.
8. **MEETING CLOSURE**

**Title** **Executive Services Report Appointment of Deputy Mayor Post-Election Meeting 9 April 2024**

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**Date** 7 February 2024

**Responsible Manager** J. Taylor, CHIEF EXECUTIVE OFFICER

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### Summary

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

#### Link to Corporate Plan

*Strategic Priority: Sustainable Organisation*

*- Our people are skilled and values driven to make a real difference.*

The appointment of a Deputy Mayor at the Post-Election meeting is a requirement of the *Local Government Act 2009*.

#### Material Personal Interest/Conflict of Interest

There are no material personal interests nor conflicts of interest associated with the consideration of this matter.

#### Officer's Recommendation

That the Mayor call for nominations for the position of Deputy Mayor and should more than one (1) nomination be received for the position of Deputy Mayor:

- (1) that Council resolve to suspend standing orders for the duration of an exhaustive ballot; and
- (2) Council appoint a Deputy Mayor in accordance with section 175 of the *Local Government Act 2009*.

#### Background Information

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.

#### Report

Whilst section 175 of the *Local Government Act 2009* mandates the appointment of a Deputy Mayor at the Post-Election meeting, it and its associated regulation are silent with regard to the process and therefore Council may exercise some discretion regarding the methodology, provided the final decision on the matter is a result of a formal resolution of Council.

It is proposed that the appointment of the Deputy Mayor commence with the Mayor calling for nominations. Should there be only a single nomination, the Mayor will call for a motion proposing the election of the nominated individual and the motion will then be considered.

In the event of more than one nomination, it is proposed that the preferred nominee be selected by means of an exhaustive secret ballot, with the Chief Executive Officer and General Manager (Corporate Services) acting as Returning Officers. Once the preferred nominee has been identified, the Chief Executive Officer will inform Council. The Mayor will then call for a motion proposing the appointment of the nominee and the motion will be put. The ballot papers will be destroyed.

In accordance with Council's *Meetings - Council Policy* the provisions of the Standing Orders may be suspended by Council resolution, with any suspension specifying the application and duration of each suspension. It is proposed that Standing Orders be suspended for the secret ballot.

Consultation (Internal/External)

Consultation has occurred with the Chief Executive Officer and General Manager (Corporate Services).

Legal/Policy Implications (Justification if applicable)

Section 175 of the *Local Government Act 2009* requires that Council resolve to appoint a Deputy Mayor from its Councillors at the Post-Election meeting.

**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

Councillor remuneration is set by the Queensland Local Government Remuneration Commission. Funds have been allocated to remunerate the positions of Mayor, Deputy Mayor and Councillors in the current budget.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) requires public entities 'to act and make decisions in a way compatible with human rights'. There are no human rights implications associated with this report.

**Conclusion**

Council must appoint a Deputy Mayor at the Post-Election meeting to comply with the requirements of the *Local Government Act 2009*.

**Attachments**

Nil

**Authored by:** K Gillespie, GOVERNANCE COORDINATOR

**Title** **Executive Services Report Appointment of Councillor Portfolio Spokespersons**

**Date** 22 February 2024

**Responsible Manager** B. Bacon, GENERAL MANAGER (CORPORATE SERVICES)

### Summary

The purpose of this Report is to appoint Councillors to relevant Councillor portfolios.

#### Link to Corporate Plan

*Strategic Priority: Sustainable Organisation*

- *We focus on proactive, sustainable planning for the future.*
- *Our people are skilled and values driven to make a real difference.*
- *Our agile and responsive business model enables us to align our capacity with service delivery.*

The allocation of Councillor portfolios and associated protocols are intended to facilitate Council's engagement with the community and productive, professional, and appropriate relationships with the organisation to advance the delivery of Council's strategic priorities and services.

#### Material Personal Interest/Conflict of Interest

There are no material personal interests or conflicts of interest associated with this matter.

#### Officer's Recommendation

That Council resolves to assign Councillors as spokespersons to the following portfolios:

Portfolio	Portfolio Definition	Portfolio Spokesperson
Economic Advocacy and Investment Attraction	Regional Economic Advocacy, Regionally Significant Investment Attraction and Disaster Management	
Corporate Governance and Finance	Finance, Governance, and Internal Audit	
Works and Technical Services	Civil Works, Fleets, Quarries, Asset Management, and Design	
Utilities	Water, Wastewater, and Gas	
Council Facilities	Council Facilities (Aerodromes, Sporting Facilities, Showgrounds, and Community Buildings)	
Planning and Environment	Statutory Planning, Development and Compliance, Environment and Health, Waste and Rural Services	
Tourism and Recreational Spaces	Tourism Attraction, Major Events, Parks, Open Spaces, Gardens, and Cemeteries	

<b>Portfolio</b>	<b>Portfolio Definition</b>	<b>Portfolio Spokesperson</b>
Community and Cultural Development	Libraries, Community Development and Cultural Development	
Business Strategy and Economic Development	Business Strategy and Planning (Including Saleyards) and Economic Development	

## **Background Information**

Western Downs Regional Council has assigned Councillor portfolios since amalgamation in 2008. The current purpose of Councillor portfolios is outlined in the *Councillors as Portfolio Spokespersons - Council Policy* which is attached to this report.

At its Ordinary Meeting held 20 September 2023, the predecessor Council resolved:

*"That Council undertake a strategic workshop to:*

- (1) review existing Councillor Portfolios;*
- (2) give consideration and compare the effectiveness of portfolios and committee structures in local government governance; and*
- (3) providerecommendations to the next Council on effectiveness and suggested changes*

Council engaged Stevenson Consulting to perform a governance review of Councillor Committee Portfolio Structures. A copy of the report is attached. A Councillor workshop was subsequently held on 1 February 2024, with outcomes from the workshop detailed in the attached *Workshop Outcomes Report 1 February 2024*.

Outcomes of the Councillor workshop included:

- (1) consensus support for continuation of Councillor Portfolios, with no support for the introduction of Committees;
- (2) consensus support for continuation of the existing Portfolio allocations, that is portfolios linked to the functional (operational) areas of Council divided into distinct portfolios, with some refinement and with regard for Councillors' interest and skills; and
- (3) consensus that improvements to both the portfolio system and allocations be facilitated in a review of the existing *Councillors as Portfolio Spokespersons - Council Policy*.

A further report will come to Council following the review of the *Councillors as Portfolio Spokespersons - Council Policy* noting the outcomes of the Councillor Workshop held 1 February 2024.

## **Report**

The predecessor Council linked Councillor Portfolios, where possible, to the operational areas of Council, divided into distinct portfolios. Council's current *Councillors as Portfolio Spokespersons - Council 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 current *Councillors as Portfolio Spokespersons - Council Policy*, assigning Councillors as a portfolio spokesperson ensures:

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

- (e) *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*
- (f) *Councillors are reporting back to the community.*

Whilst the role of portfolio 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 issues.

As outlined in the policy, each spokesperson is responsible for being fully informed of issues within their assigned portfolio. Conducting further research or requesting additional information may be required and Council's *Acceptable Request Guidelines - Council Policy* must be followed when engaging with Council 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.

Proposed portfolios aligning with Council's organisational and functional structure are:-

<b>Portfolio</b>	<b>Portfolio Definition</b>
Economic Advocacy and Investment Attraction	Regional Economic Advocacy, Regionally Significant Investment Attraction and Disaster Management
Corporate Governance and Finance	Finance, Governance, and Internal Audit
Works and Technical Services	Civil Works, Fleets, Quarries, Asset Management, and Design
Utilities	Water, Wastewater, and Gas
Council Facilities	Council Facilities (Aerodromes, Sporting Facilities, Showgrounds, and Community Buildings)
Planning and Environment	Statutory Planning, Development and Compliance, Environment and Health, Waste and Rural Services
Tourism and Recreational Spaces	Tourism Attraction, Major Events, Parks, Open Spaces, Gardens, and Cemeteries
Community and Cultural Development	Libraries, Community Development and Cultural Development
Business Strategy and Economic Development	Business Strategy and Planning (Including Saleyards) and Economic Development

In accordance with Council's *Meetings - Council Policy* the provisions of the Standing Orders may be suspended by Council resolution, with any suspension specifying the application and duration of each suspension. It is proposed that Standing Orders be suspended to call for nominations for Councillor spokesperson for each portfolio and if required, conduct a secret ballot.

It is proposed that the appointment of the Councillor portfolios commence with the Mayor calling for nominations for each portfolio. In the event of more than one (1) nomination for a particular portfolio, it is proposed that the preferred nominee be selected by means of an exhaustive secret ballot, with the Chief Executive Officer and General Manager (Corporate Services) acting as Returning Officers. Once the preferred nominee has been identified, the Chief Executive Officer will inform Council. The Mayor will then call for a motion proposing the appointment of the nominees and the motion will be put. The ballot papers will be destroyed.

#### Consultation (Internal/External)

The Mayor in consultation with the Executive, has established portfolios aligned with Council's organisational structure and relevant functional areas.

#### Legal/Policy Implications (Justification if applicable)

There is no legislative requirement for Council to appoint Councillors portfolios. As previously mentioned in this report, the existing *Councillors as Portfolio Spokespersons - Council Policy* is currently under review, with proposed amendments to be brought before Council for adoption at a future Council meeting.

#### Budget/Financial Implications

There are no budget nor financial implications associated with the consideration of Councillor portfolios.

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) requires public entities 'to act and make decisions in a way compatible with human rights'. There are no human rights implications associated with this report.

#### **Conclusion**

The allocation of Councillor portfolios and associated protocols are intended to facilitate Council's engagement with the community and productive, professional, and appropriate relationships with the organisation to advance the delivery of Council's strategic priorities and services.

#### **Attachments**

1. Councillors as Portfolio Spokespersons - Council Policy
2. Stevenson Consulting Report Governance Review - Councillor Committee Portfolio Structure
3. Stevenson Consulting Workshop Outcomes Report Governance Review - Councillor Committee Portfolio Structure

**Authored by:** K. Gillespie, GOVERNANCE COORDINATOR



# Councillors as Portfolio Spokespersons - Council Policy

<b>Effective Date</b>	<i>Post-Election Meeting of Council - 27 April 2020</i>
<b>Policy Owner</b>	<i>Customer Support and Governance Manager</i>
<b>Link to Corporate Plan</b>	<i>Strong Economic Growth Active Vibrant Communities Great Liveability Financial Sustainability</i>
<b>Review Date</b>	<i>April 2024</i>
<b>Related Legislation</b>	<i>Local Government Act 2009 Local Government Regulation 2012</i>
<b>Related Documents</b>	<i>Acceptable Request Guidelines - Council Policy Media Relations Policy - Council Policy</i>

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

*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.***

# Councillors as Portfolio Spokespersons - Council Policy

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## 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 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;
- the community 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 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 in accordance with 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 Acceptable Request Guidelines - Council Policy.



# Councillors as Portfolio Spokespersons - Council Policy

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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 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 Acceptable Request Guidelines - Council Policy.



# Councillors as Portfolio Spokespersons - Council Policy

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

<b>Portfolio</b>	<b>Portfolio Definition</b>	<b>Portfolio Spokesperson</b>
Executive (Mayor)	Disaster Management, Economic Development, Internal Audit, Communications and Marketing	Cr. P.M. McVeigh
Finance, Corporate Services and Business Strategy	Finance, Governance, Business Planning, Saleyards and Health Services	Cr. I.J. Rasmussen
Works and Technical Services	Civil Works, Fleet, Quarries, Asset Management and Design	Cr. O.G. Moore
Utilities	Water, Wastewater and Gas	Cr. P.T. Saxelby
Strategic Communication and Council Facilities	Strategic Communications, Council Facilities (Aerodromes, Sporting Facilities, Showgrounds and Community Buildings).	Cr. M.J. James
Planning, Environment and Agribusiness	Statutory Planning, Development and Compliance, Environment and Health, Waste, Rural Services and Agribusiness	Cr. A.N. Smith
Tourism, Events and Regional Promotion	Council and Community Major Events, Tourism Attraction and Regional Promotion	Cr. K.A. Bourne
Community and Cultural Development	Libraries, Community Development, Cultural Development and Community Services	Cr. K.A. Maguire
Recreational Spaces and Cemeteries	Parks, Open Spaces, Gardens and Cemeteries	Cr. C.T. Tillman



# **GOVERNANCE REVIEW – COUNCILLOR COMMITTEE PORTFOLIO STRUCTURE**

**for WESTERN DOWNS  
REGIONAL COUNCIL**

## **AMENDED FINAL REPORT**

8 January 2024

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## 1 BACKGROUND

Western Downs Regional Council (Council) commissioned Stevenson Consulting to conduct a governance review of its Councillor Committee Portfolio Structure.

At its Ordinary Meeting of 20 September 2023, Council resolved:

*“That council undertake a strategic workshop to:*

- 1. review existing Councillor Portfolios*
- 2. Give consideration and compare the effectiveness of portfolios and committee structures in local government governance.*
- 3. Provide recommendations to the next Council on effectiveness and suggested changes.”<sup>1</sup>*

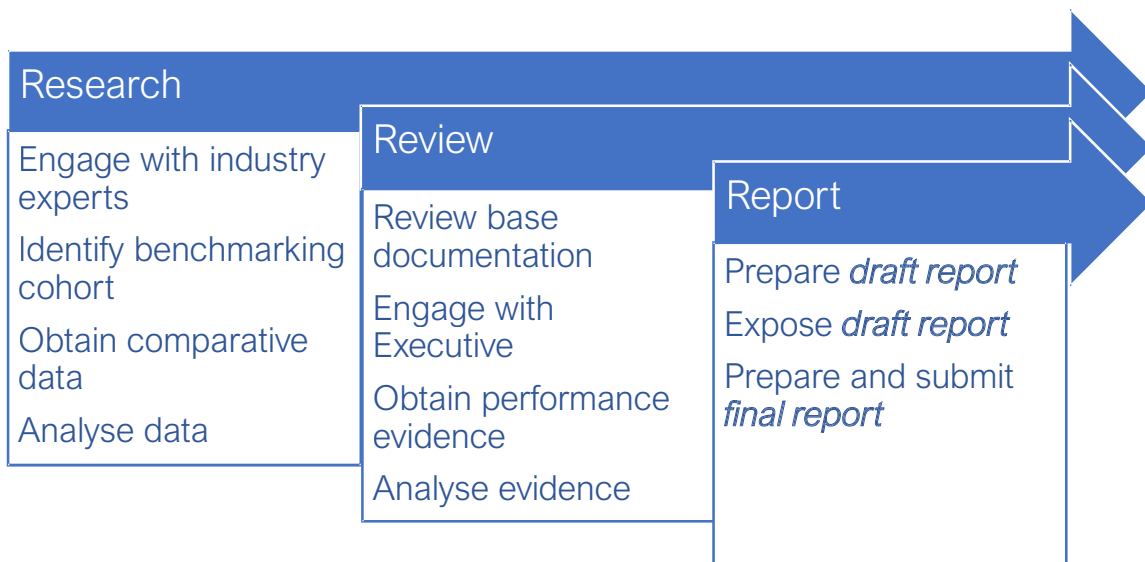
Council has advised that the purpose of this review is to enact the resolution of Council and provide councillors with an appraisal of the portfolio and committee structures.

Stevenson Consulting has concluded its assignment and submits this final report to satisfy the brief.

## 2 METHODOLOGY

### 2.1 General Approach

The general approach has been to work through three elements (illustrated as follows with deliverables in bold italics);



<sup>1</sup> Western Downs Regional Council, “Governance Review Committee and Councillor Portfolio System – Brief”, page 2



## 3.0 COUNCIL LEADERSHIP STRUCTURE MODELS

### 3.1 Statutory Provisions

The Local Government Act 2009 (the Act) and the Local Government Regulation 2012 (the Regulation) provide the statutory framework for Council decision-making.

As a foundation the Local Government Principles are applicable and are defined as follows;

*“The local government principles are—*  
*(a) transparent and effective processes, and decision-making in the public interest; and*  
*(b) sustainable development and management of assets and infrastructure, and delivery of effective services; and*  
*(c) democratic representation, social inclusion and meaningful community engagement; and*  
*(d) good governance of, and by, local government; and*  
*(e) ethical and legal behaviour of councillors, local government employees and councillor advisors.”<sup>2</sup>*

Providing Council abides by these principles it has relatively broad scope to operate in the manner that it deems appropriate.

While portfolio arrangements are not defined or regulated by the Act or the Regulation, there is quite explicit and prescriptive provisions for other forms of Council decision-making, not the least of which is the provisions relating to Council and Committee meetings.

In relation to standing committees (one of the specific subjects of this assignment) the following provisions are relevant;

#### The Act<sup>3</sup>:

##### Section 12

- Role of Councillors to participate in council meetings, policy development, and decision-making.
- Role of Mayor to lead and manage meetings of the local government.
- Role of Mayor to be a member of each standing committee of the local government

##### Section 257

- Power of Council to delegate authority to a standing committee

##### Schedule 4

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<sup>2</sup> Local Government Act 2009 Section 4

<sup>3</sup> Local Government Act 2009

- Definition that a standing committee, of a local government, means a committee of its councillors that meets to discuss the topic decided by the local government when establishing the committee.

#### The Regulation<sup>4</sup>:

##### Section 264

- Power for Council to appoint Councillors to a standing committee.

##### Chapter 8, Part 2

- Various regulations regarding the conduct of Council and committee meetings.

### 3.2 Industry Trends

Even though the legislation is silent in relation to Councillor portfolio arrangements, there is overwhelming evidence of Councils around the nation successfully establishing such a structure.

However, it is clear from policies published by many such local governments that the portfolio system is not a substitute for legislated decision-making structures.

One Council<sup>5</sup> instead describes the objectives of the portfolio system as follows;

*“The allocation of portfolios for the purpose of Council meetings is recognised as a means of developing appropriate and effective working relationships and “rules of engagement” between Councillors and the Executive Leadership Team.”*

A review of other State’s local government legislation has not discovered formal reference to a portfolio system.

However, it is noted that the then Local Government Remuneration Tribunal undertook a review of such structures in 2008 and reported as follows;

*“The Tribunal undertook a review of the internal structure of Councils across the State. This review showed that approximately 67% of Councils have adopted some form of internal structure. Of these, a committee or portfolio structure exists within approximately 54% of Councils, while approximately 13% have a combined portfolio and committee structure. The Tribunal also notes that 27% of Councils currently have no structure. However, due to the size and the demographics of the communities they serve, an internal structure may not be suitable for many of these Councils.”<sup>6</sup>*

The then Remuneration and Discipline Tribunal’s Report in 2017 report divulged further detail as follows;

*“That survey revealed that only 26 councils had adopted a committee structure of some description, 13 councils had a portfolio structure, nine councils had a*

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<sup>4</sup> Local Government Regulation 2012

<sup>5</sup> [Councillor Portfolio Roles and Responsibilities Policy \(moretonbay.qld.gov.au\)](http://www.moretonbay.qld.gov.au)

<sup>6</sup> Local Government Remuneration Tribunal Report 2008, page 12

*committee 'of the whole' or hybrid structure and 20 councils had no committee or portfolio structure. Four councils did not respond.”<sup>7</sup>*

The Tribunal confirmed;

*“Since the survey was conducted, the tribunal has continued to monitor the nature of the structures adopted by councils. Such monitoring has revealed that many councils reviewed and altered their structures following either, or both, of the quadrennial elections held in 2012 and 2016, respectively. Some councils have also altered their structures mid-term. This regular monitoring of council structures also disclosed that there has been little change to the situation revealed in the 2008 survey.”<sup>8</sup>*

From this it can be deduced that while the portfolio system has no explicit statutory basis, the custom and practice of a number of local governments in Queensland has made the portfolio system a substantive norm for many years.

### 3.3 Models

The following structural options are considered to be contemporary for local governments' leadership, decision-making and community engagement;

1. Council as primary decision-maker with delegation of some authority to the Chief Executive Officer,
2. Council as primary decision-maker with establishment of standing committees with or without delegated authority,
3. Council as primary decision-maker without standing committees and with establishment of Councillor portfolios,
4. Council as primary decision-maker with establishment of standing committees with or without delegated authority and with establishment of Councillor portfolios.

### 3.4 Model Attributes

The following table ascribes the perceived attributes of the four contemporary models against the following best practice parameters;

- Councillors and Executive Officers (internal) comfort,
- Public confidence,
- Productivity and efficiency,
- Sound decision-making.

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<sup>7</sup> Local Government Remuneration and Discipline Tribunal Report 2017, page 11

<sup>8</sup> Local Government Remuneration and Discipline Tribunal Report 2017, pages 11/12

	Council as primary decision-maker with delegation of some authority to the Chief Executive Officer	Council as primary decision-maker with establishment of standing committees with or without delegated authority and delegation of some authority to the Chief Executive Officer,	Council as primary decision-maker without standing committees and with establishment of Councillor portfolios and delegation of some authority to the Chief Executive Officer,	Council as primary decision-maker with establishment of standing committees with or without delegated authority and with establishment of Councillor portfolios and delegation of some authority to the Chief Executive Officer.
Councillors and Executive Officers (internal) comfort	Limits Councillors access to information and opportunity to influence. Constrains opportunity for relationship development between Councillors and senior officers.	Increases Councillors access to information and opportunity to influence within formal setting. Constrains opportunity for relationship development between Councillors and senior officers to the formal setting which can sometimes be adversarial.	Increases Councillors access to information and opportunity to influence within a less formal setting. Opens opportunity for relationship development between Councillors and senior officers.	Increases Councillors access to information and opportunity to influence within both formal and informal settings. Opens opportunity for relationship development between Councillors and senior officers.
Public confidence	Public access to formal decision-making can enhance perceptions of accountability but in practice only applies to small cohort who participate.	Expands public access to formal decision-making which can enhance perceptions of accountability but in practice only applies to small cohort who participate.	Expands public access to informal engagement which can enhance perceptions of inclusion but public access to formal decision-making applies to small cohort who participate.	Expands public access to informal engagement which can enhance perceptions of inclusion and expands public access to formal decision-making but in practice applies to small cohort who participate.
Productivity and efficiency	Decision-making process is most efficient.	Efficiency and productivity suffer unless delegation is afforded to standing committees.	Decision-making process is better informed and maintains optimal efficiency.	Decision-making process is better informed, but efficiency and productivity suffer unless delegation is afforded to standing committees.

Sound decision-making	Formal setting constraint ensures control but limits opportunity for better informed decision-making.	Formal setting constraint ensures control with staged deliberation through standing committees but limits opportunity for better informed decision-making.	Combination of formal and informal settings enhances potential for better informed decision-making	Combination of formal and informal settings with staged deliberation through standing committees enhances potential for better informed decision-making
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### 3.5 Success Factors

While the brief for this assignment focusses on structure of decision-making and engagement (i.e. committees and portfolios) it is important to acknowledge that success can be achieved for any structural approach with a positive combination of other factors including the effectiveness of leadership (e.g. meeting chairmanship), teamwork, development and attainment of members' skills, etc...

## 4.0 BENCHMARKING

### 4.1 Industry Advice

Advice was sought from industry experts representing the following organisations'

- Australian Local Government Association,
- Local Government Association of Queensland, and
- Local Government Managers Association (Queensland).

While the advice was considered to be helpful, it did not materially influence the benchmarking research aspects of this assignment.

### 4.2 Benchmarking Cohort

The following table summarises the considerations of potential benchmarking candidates which yielded the following approved Councils;

- Western Downs Regional Council
- Mareeba Shire Council
- Mount Isa City Council
- Central Highlands Regional Council
- Isaac Regional Council
- Livingstone Shire Council
- Lockyer Valley Regional Council
- Maranoa Regional Council
- Noosa Shire Council
- South Burnett Regional Council
- Bundaberg Regional Council

- Gladstone Regional Council
- Rockhampton Regional Council

Council	Council Type		Electoral Characteristics		Decision-making Characteristics				Recommendation
	Category	Class	Electoral	Number of Councillors	Ordinary Meeting frequency	Standing Committees	Portfolios	Briefing workshops	Yes/No
<i>Western Downs</i>	3	Resource	undivided	Mayor and 8 Councillors	monthly	no	yes	yes	Subject
Mareeba	2	Resource	undivided	Mayor and 6 Councillors	monthly	no	no		Yes
Mount Isa	2	Resource	undivided	Mayor and 6 Councillors	monthly	no	no		Yes
Somerset	2	Rural	undivided	Mayor and 6 Councillors	monthly	no	no		No
Cassowary Coast	3	Coastal	divided	Mayor and 6 Councillors	monthly	no	no		No
Central Highlands	3	Resource	undivided	Mayor and 8 Councillors	monthly	no	no	yes	Yes
Gympie	3	Rural	divided	Mayor and 8 Councillors	monthly	no	yes	yes	No
Isaac	3	Resource	divided	Mayor and 8 Councillors	monthly	yes	no	yes	Yes
Livingstone	3	Coastal	undivided	Mayor and 6 Councillors	monthly	no	yes	yes	Yes
Lockyer Valley	3	Rural	undivided	Mayor and 6 Councillors	monthly	no	yes		Yes
Maranoa	3	Resource	undivided	Mayor and 8 Councillors	twice monthly	no	no	yes	Yes
Noosa	3	Coastal	undivided	Mayor and 6 Councillors	monthly	yes	no	yes	Yes
Scenic Rim	3	Rural	divided	Mayor and 6 Councillors	twice monthly	no	no	yes	No
South Burnett	3	Rural	divided	Mayor and 6 Councillors	monthly	yes	yes		Yes
Southern Downs	3	Rural	undivided	Mayor and 8 Councillors	monthly	no	no	yes	Yes
Tablelands	3	Rural	divided	Mayor and 6 Councillors	monthly	yes	no		No
Whitsunday	3	Coastal resource	divided	Mayor and 6 Councillors	twice monthly	no	no		No
Bundaberg	4	Regional	divided	Mayor and 10 Councillors	monthly	no	yes	yes	Yes
Fraser Coast	4	Regional	divided	Mayor and 10 Councillors	monthly	no	no		No
Gladstone	4	Regional	undivided	Mayor and 8 Councillors	twice monthly	no	no		Yes
Rockhampton	4	Regional	divided	Mayor and 7 Councillors	twice monthly	yes	yes		Yes

Data sources informing the benchmarking cohort analysis were confined to each Council's website. The data collection is therefore not purported to be exhaustive.

Colour coding illustrates Council's counterparts under both electoral and decision-making characteristics.

The recommendation yielded thirteen benchmarking nominees, which were considered to comprise a fair sample for further analysis.

The adopted cohort includes two Councils operating only with standing committees, four operating only with portfolios, five operating with neither standing committees nor portfolios and two operating with both standing committees and portfolios.

### 4.3 Data Mining

Data was obtained from each of the benchmarking cohort Councils' websites.



Where data gaps were apparent an extrapolation of data was applied. The extrapolations give rise to some potential inaccuracies which are considered to be statistically immaterial.

#### 4.4 Data Set

The attached spreadsheet (Appendix A) contains the entire data set in iterations on separate worksheets as follows;

- raw data,
- extrapolated data,
- data analysis (including graphical depictions).

Embedded in the spreadsheet cell comments, hyperlinks to source documents are provided for ease of reader interpretation and further research if required.

#### 4.5 Aberrations

During data analysis it was apparent that statistically data related to both Mareeba Shire Council and Maranoa Regional Council might be outside standard deviation.

Mareeba Shire Council's data was characterised by short meetings.

Maranoa Regional Council's data was characterised by long meetings.

Despite these apparent aberrations the data for both Councils has been retained in the data set and is presented for consideration.

## 5.0 MEETINGS - KEY FINDINGS

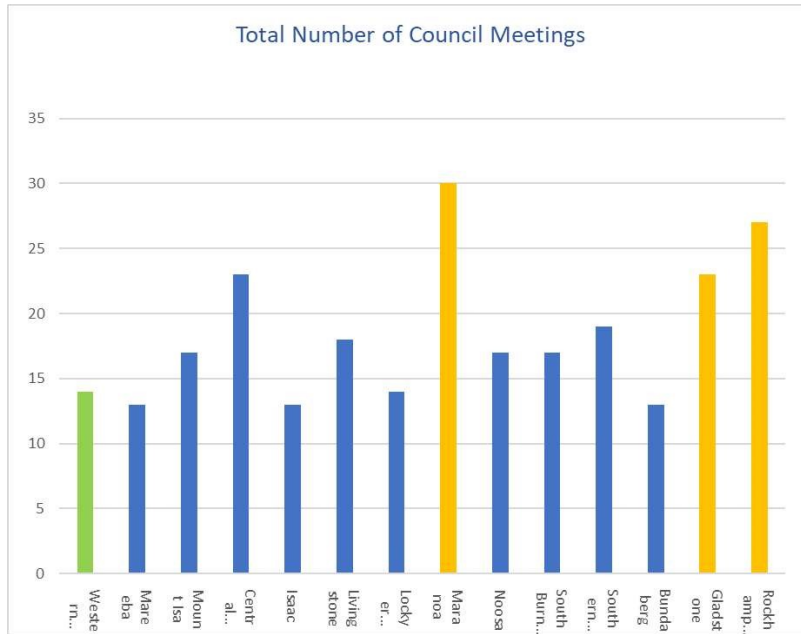
### 5.1 Parameters

Statistical analysis of the data for meetings (including Ordinary and Special Council meetings and standing committee meetings) was focussed on the following input and output parameters;

- Number of meetings,
- Meeting agenda content (particularly the volume of information),
- Meeting durations,
- Meeting attendees,
- Meeting resource consumption (attendees' time), and
- Meeting resolutions.

### 5.2 Number of Meetings

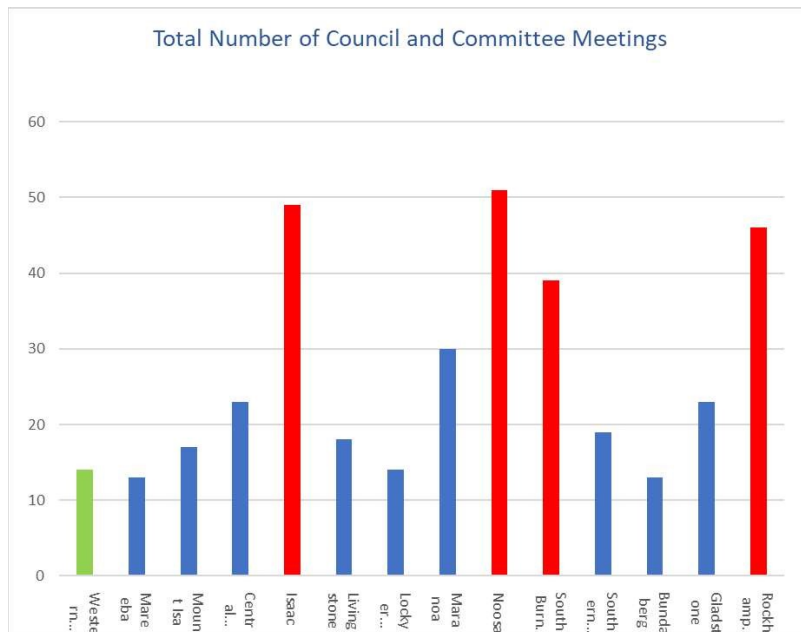
The following graph summarises the number of Council (Ordinary and Special) meetings conducted for each Council during 2023;



The orange bars represent those Councils that elect to conduct twice-monthly rather than monthly meetings.

It is clear that some Councils conduct double the number of meetings of others.

When standing committee meetings are added (for those that have them demarcated by red bars) the circumstances are exacerbated.

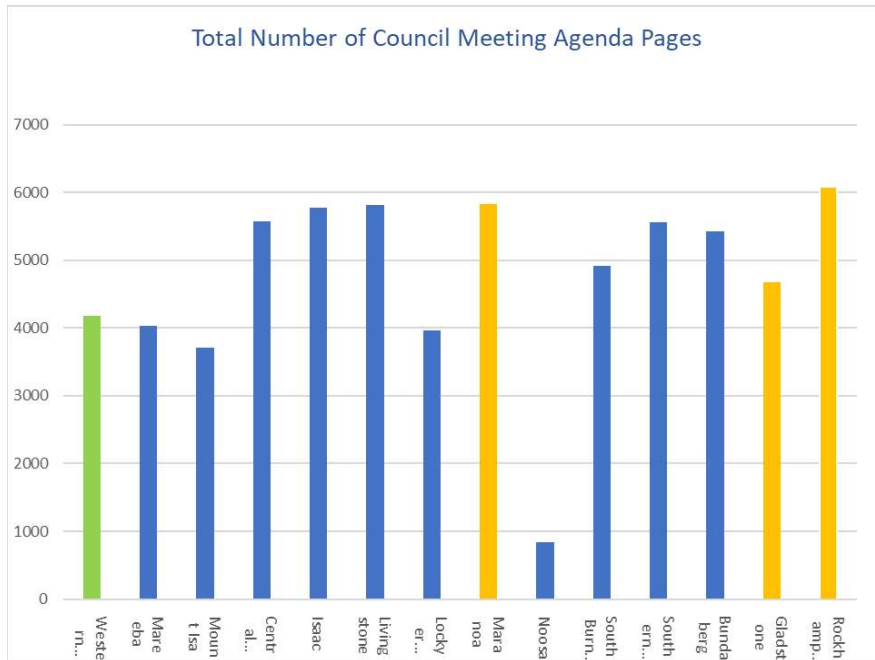


Not unexpectedly the conduct of standing committees substantially increases the number of meetings.

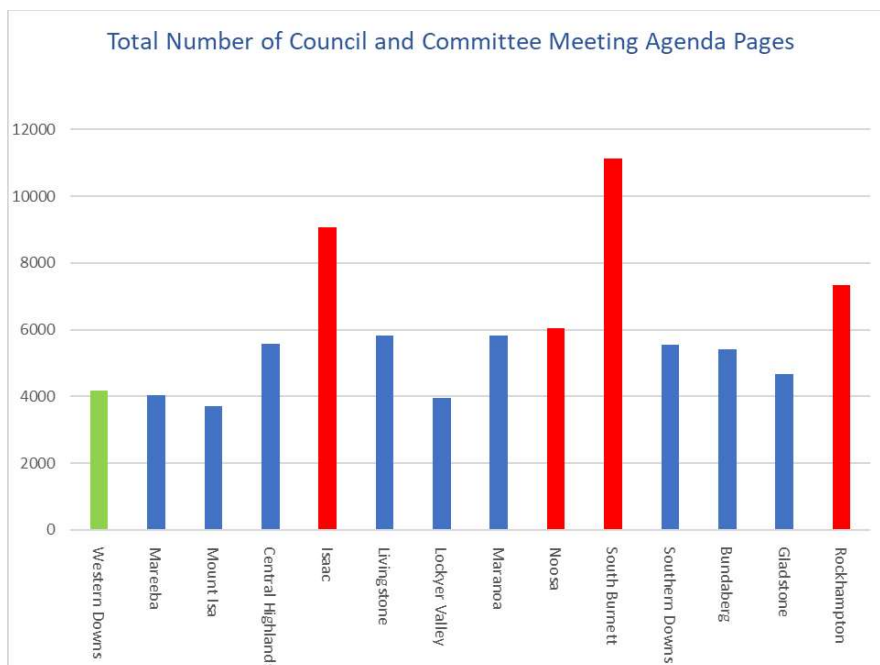


### 5.3 Meeting Agendas

The following graph summarises the total number of pages contained in agendas for Council (Ordinary and Special) meetings conducted for each Council during 2023;

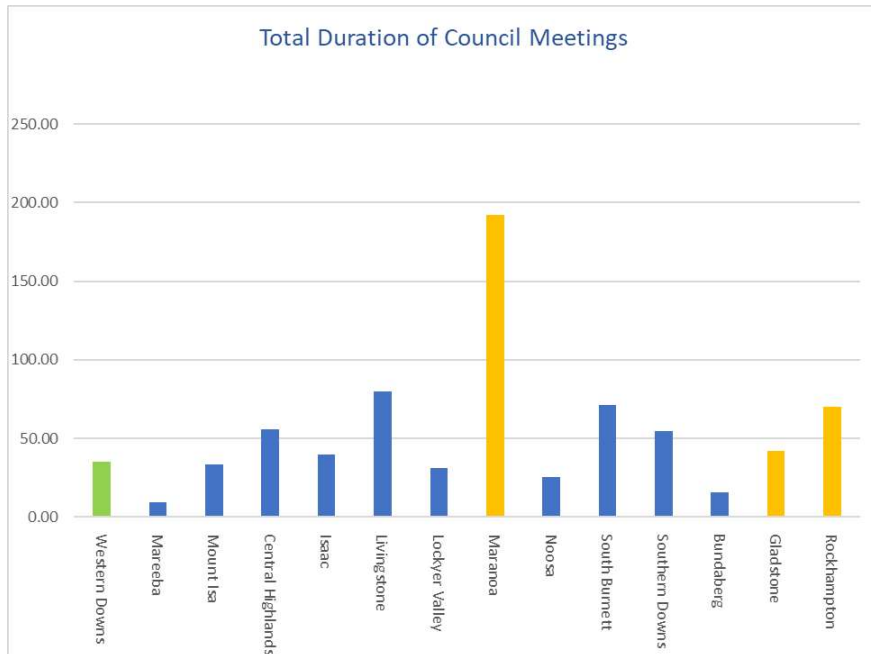


When standing committee meetings are added (for those that have them demarcated by red bars) the circumstances are exacerbated.

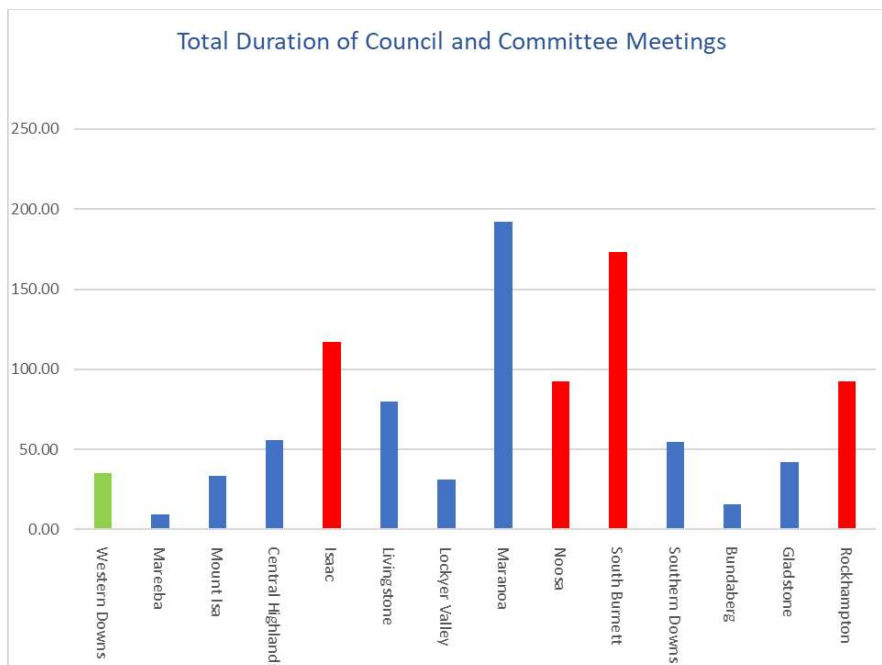


## 5.4 Meeting Durations

The following graph summarises the total number of recorded durations of Council (Ordinary and Special) meetings conducted for each Council during 2023;



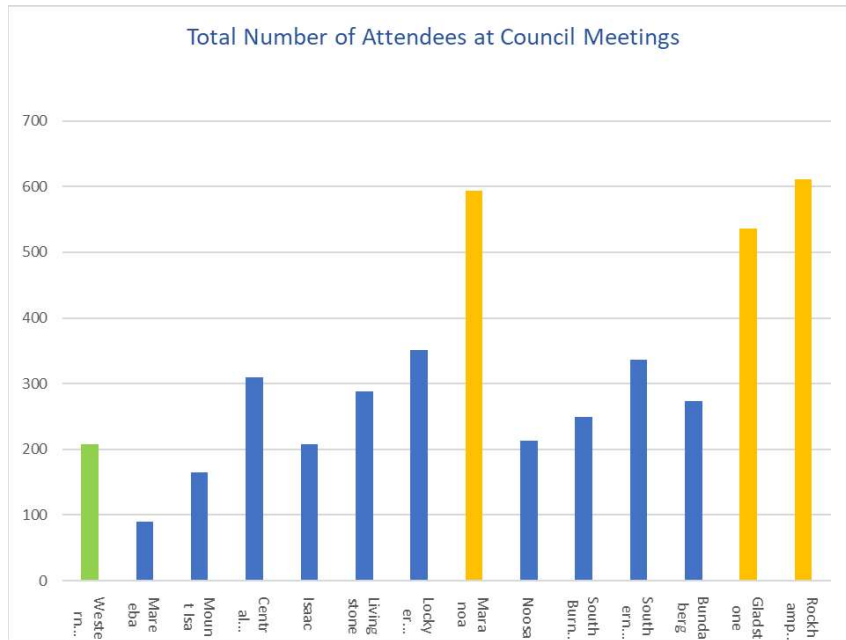
When standing committee meetings are added (for those that have them demarcated by red bars) the circumstances are exacerbated.



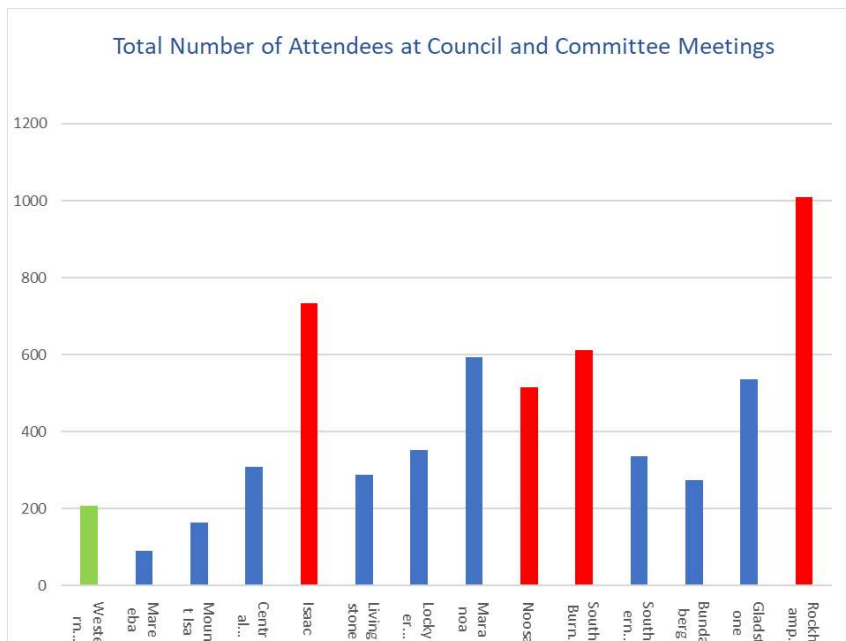
Of concern is the fact that some Councils spend more than four times that of their counterparts in meetings.

## 5.5 Meeting Attendees

The following graph summarises the total number of recorded attendees at Council (Ordinary and Special) meetings conducted for each Council during 2023;



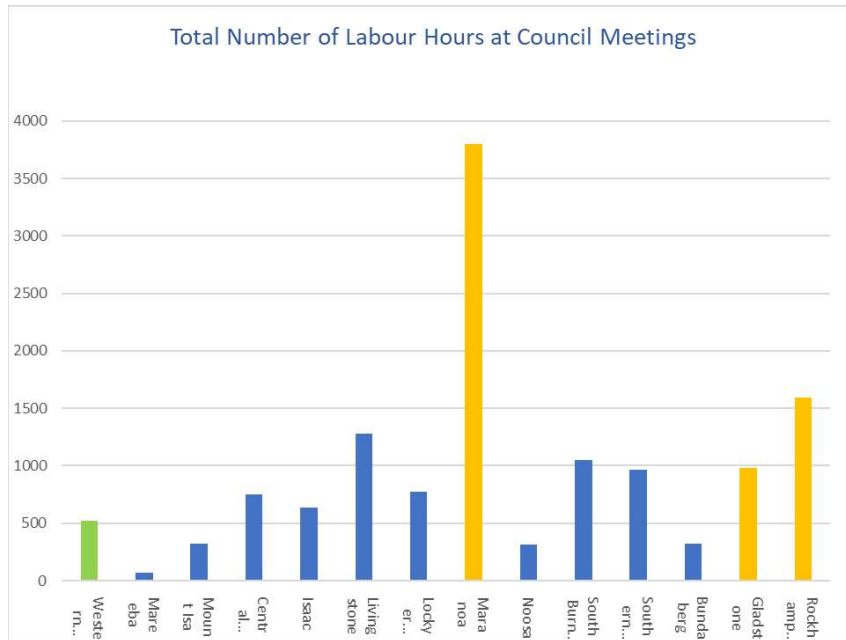
When standing committee meetings are added (for those that have them demarcated by red bars) the circumstances are exacerbated.



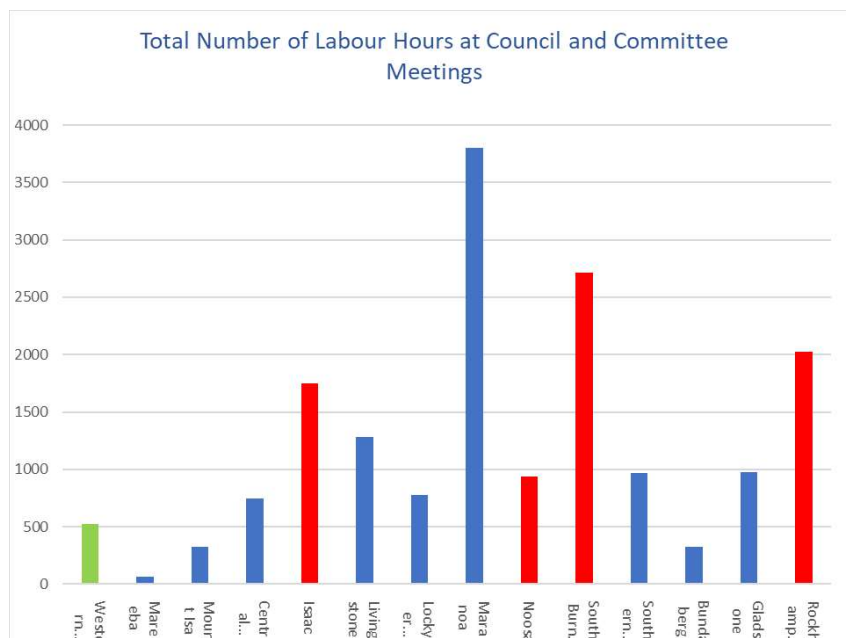
It is acknowledged that not all attendees participate in the entire meeting, however this anomaly is considered likely to be relevant to most Councils.

## 5.6 Meeting Resource Consumption

The following graph summarises the total number of calculated labour hours at Council (Ordinary and Special) meetings conducted for each Council during 2023;



When standing committee meetings are added (for those that have them demarcated by red bars) the circumstances are exacerbated.

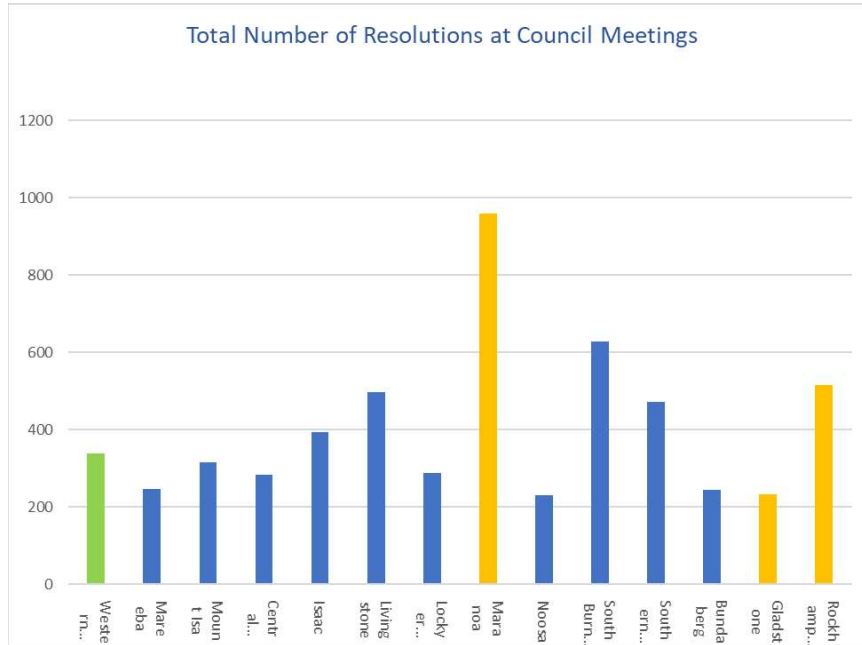


The aberration of Maranoa Regional Council is noted with its relatively long meetings.

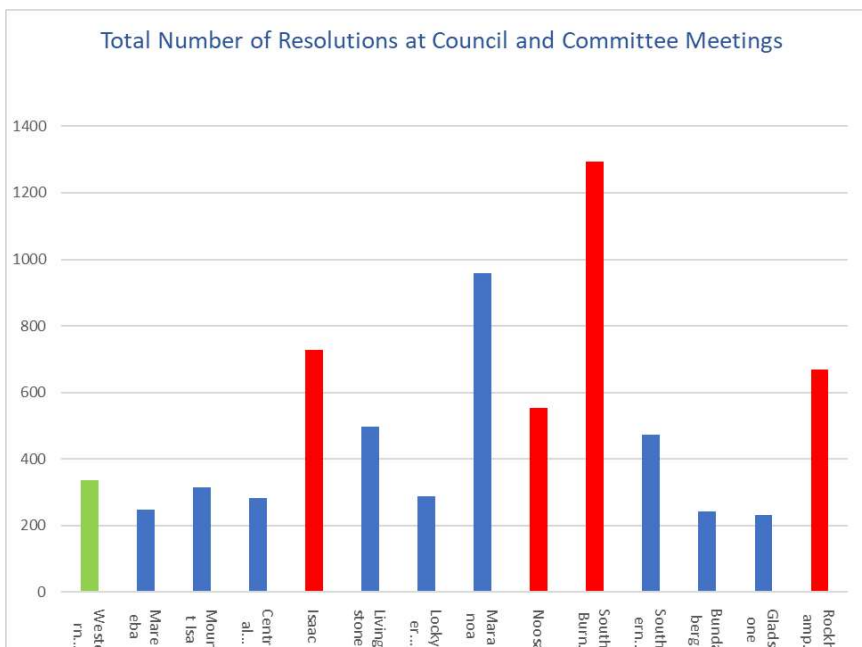
Importantly the opportunity cost of excessive resource consumption (Councillors and senior officers) might equate to tens of thousands of dollars each year (if not more).

## 5.7 Meeting Resolutions

The following graph summarises the total number of resolutions carried (including procedural resolutions) at Council (Ordinary and Special) meetings conducted for each Council during 2023;



When standing committee meetings are added (for those that have them demarcated by red bars) the circumstances are exacerbated.

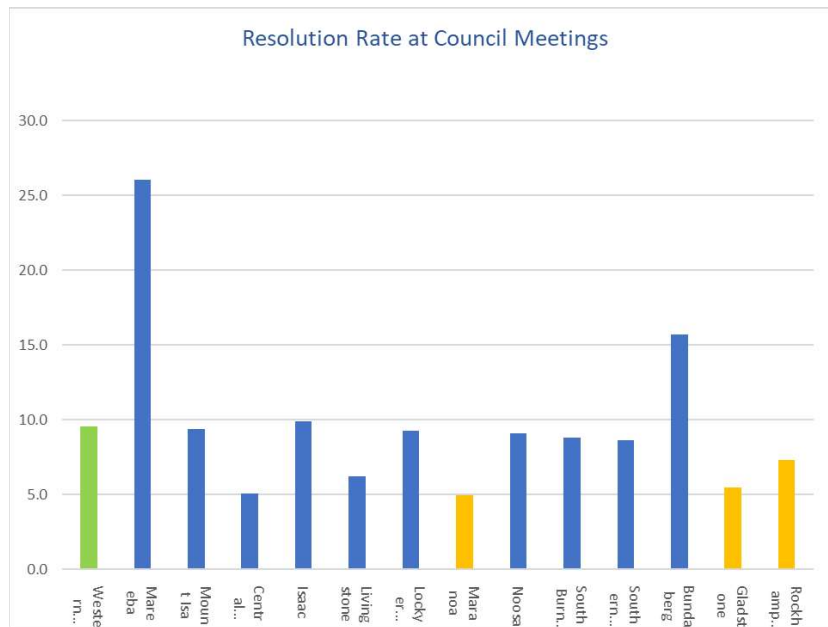


This illustrates the duplication of decision-making effort when standing committees debate and resolve the same issue without delegated authority.

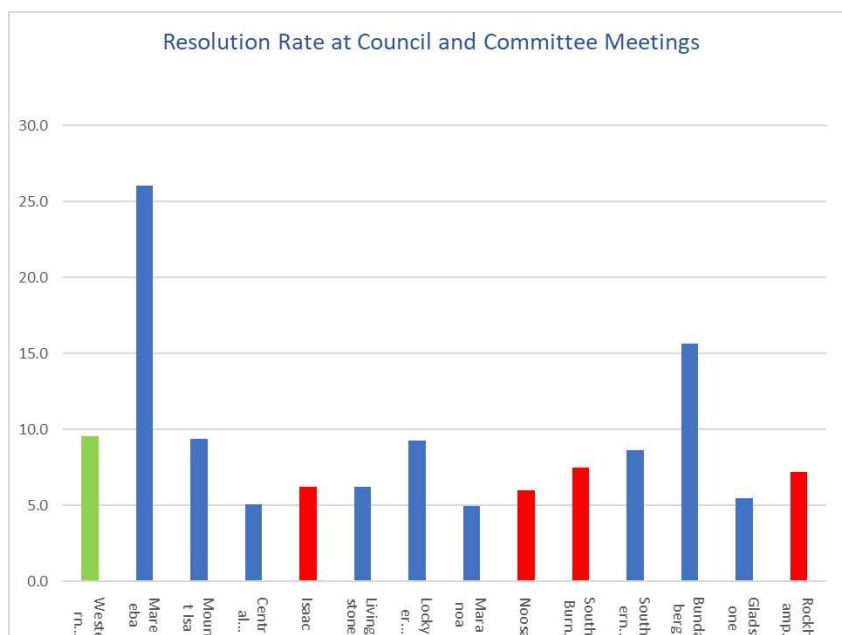
## 5.8 Performance Measures

### 5.8.1 Resolution Rate

The number of resolutions carried per hour of meeting time is a measure of the utility of each meeting as depicted in the following graph relating to at Council (Ordinary and Special) meetings conducted for each Council during 2023;

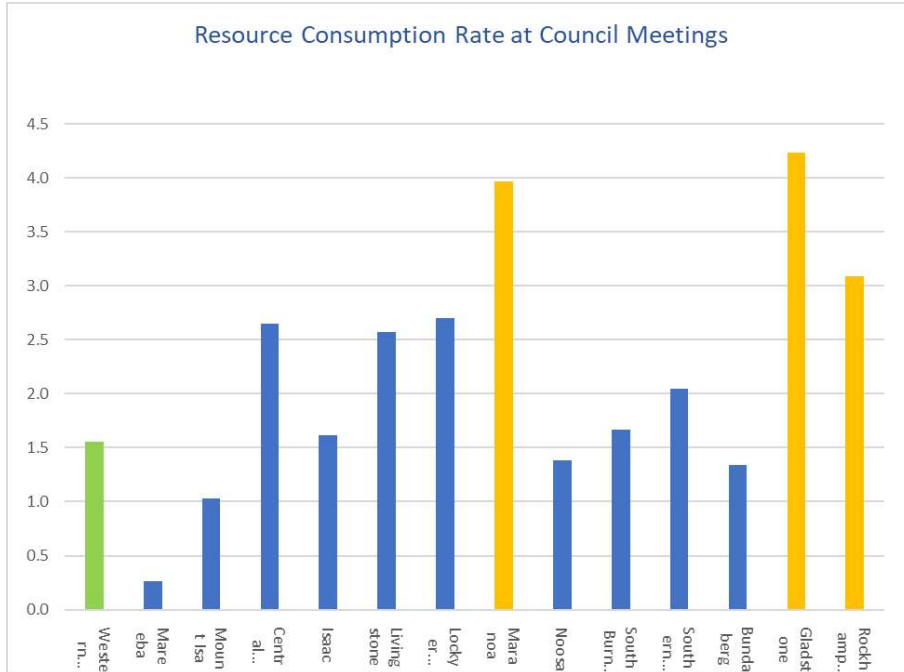


When standing committee meetings are added (for those that have them demarcated by red bars) the circumstances are clarified showing that most meetings are productive.

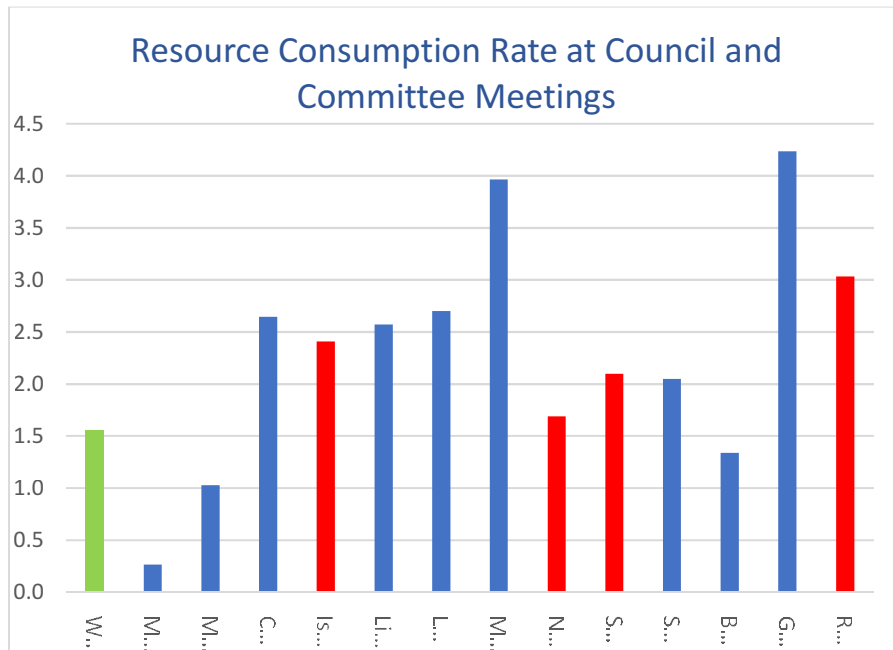


### 5.8.2 Resource Consumption Rate

The labour resources consumed to achieve each resolution is a measure of the cost of each meeting as depicted in the following graph relating to at Council (Ordinary and Special) meetings conducted for each Council during 2023;

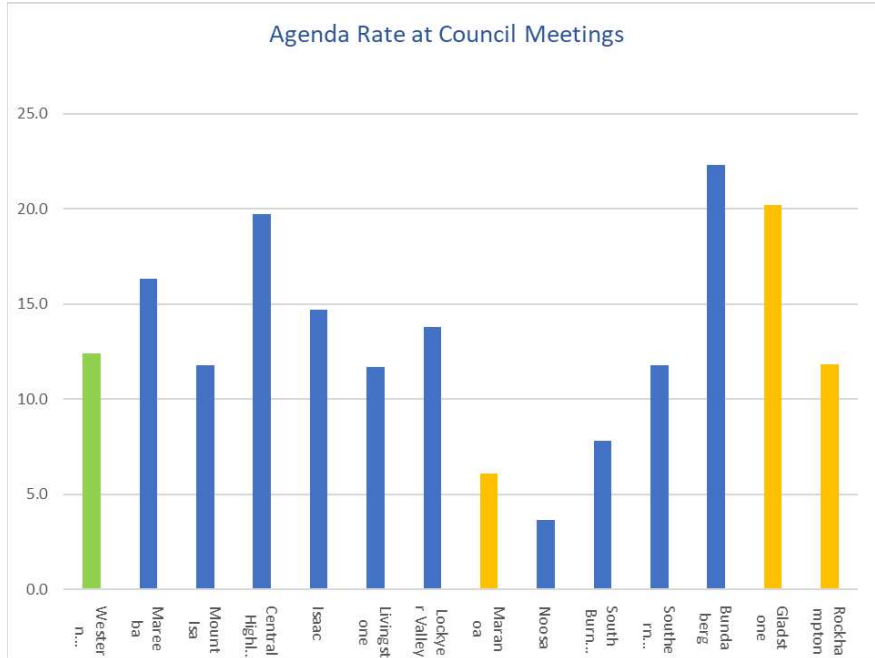


When standing committee meetings are added (for those that have them demarcated by red bars) the circumstances are clarified showing that most resolutions are costly.

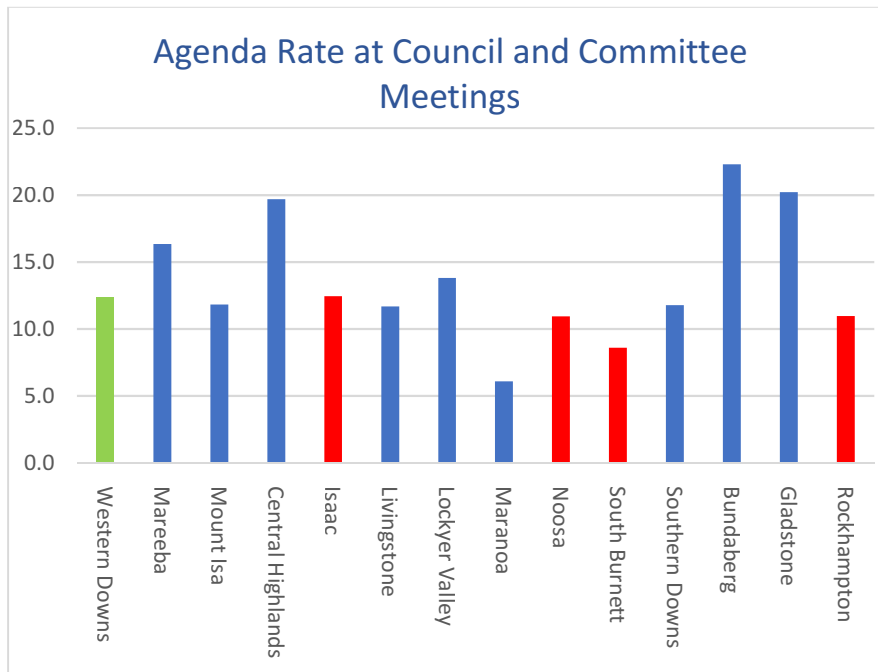


### 5.8.3 Agenda Rate

The information required to achieve each resolution is a measure of the up-front cost of each meeting as depicted in the following graph relating to at Council (Ordinary and Special) meetings conducted for each Council during 2023;



When standing committee meetings are added (for those that have them demarcated by red bars) the circumstances are clarified showing that most resolutions are costly.





#### 5.8.4 Councillor Comfort and Public Confidence

Unless the electorate is particularly hostile, public confidence in local governments' decision-making framework is relatively settled.

Often the community attitude will reflect the level of comfort displayed by the elected representatives. In this regard a contented Councillor will provide a level of assurance to the electorate.

The benchmarking exercise did reveal some Councils wherein the level of Councillor comfort is apparently not high. Minutes of meetings repeatedly reveal discontent and perhaps even underlying hostility.

As evidenced by the long duration of meetings and an inordinate number of procedural motions and motions lost, such Councils present to the community in a different light to other Councils.

#### 5.9 Committees' Scope

Those Councils that operate with standing committees opted for varying committee parameters.

Of the four Councils with standing committees only one (Noosa Shire Council) had delegated authority to its committees to make decisions.

For each of the others in effect the committee deliberations were an additional step in the decision-making process. As a result, the resource consumption (a product of the number and duration of meetings and number of attendees) is comparatively high.

While not quantified in this assignment, some of these Councils also conduct out of session briefings and workshops. In some cases, these sessions addressed the same decisions later put to committee and Council meetings.

Of course, this results in a well-informed and thoroughly considered decision in most cases, but it does come at a cost. In commercial terms the productivity and efficiency of the decision-making process is not optimal.

The following table summarises the demarcation of responsibilities covered by each standing committee.

Council	Standing Committees
Isaac Regional Council	1 Corporate, Governance and Financial Services. 2 Engineering and Infrastructure. 3 Water and Waste. 4 Planning, Environment and Community Services.
Noosa Shire Council	1 General. 2 Planning and Environment. 3 Services and Organisation.

Council	Standing Committees
South Burnett Regional Council	1 Infrastructure Environment and Compliance. 2 Liveability, Governance and Finance.
Rockhampton Regional Council	1 Communities. 2 Infrastructure.

Each Council has taken a slightly different approach to defining and allocating committee scope.

It is noted that Isaac Regional Council's committee structure directly reflects the organisational structure which creates alignment between each senior manager and his/her committee. Not unlike the portfolio concept, this provides opportunity for relationship development between senior managers and their committee members.

Most of these Councils have published Terms of Reference for their standing committees, making clear the roles, responsibilities and operating parameters.

While Isaac Regional Council and Noosa Shire Council standing committees comprise a small number of Councillors on each, Rockhampton Regional Council and South Burnett Regional Council both operate standing committees comprising all Councillors.

## 6.0 PORTFOLIOS – KEY FINDINGS

### 6.1 Parameters

Analysis of portfolio arrangements was limited by the data available.

Unlike Council and committee meetings, statistical information about portfolio Councillor activity is generally not published.

The parameters applied for benchmarking of portfolio arrangements included the following;

- Number of portfolios,
- Scope of portfolios,
- Defined functions of portfolio Councillors, and
- Terms of Reference.

Six of the benchmarked Councils operate a portfolio system as follows;

- Western Downs Regional Council,
- Livingstone Shire Council,
- Lockyer Valley Regional Council,
- South Burnett Regional Council,

- Bundaberg Regional Council, and
- Rockhampton Regional Council.

It is noted that two of these Councils (South Burnett Regional Council and Rockhampton Regional Council) also operate with standing committees.

## 6.2 Portfolios' Scope

Those Councils that operate with Councillor portfolios opted for varying portfolio parameters but all with a set for each Councillor.

Two provisions in the Act do enable delegation to an individual Councillor;

- Sec 12(5) – delegation by the Mayor to a Councillor – relevant to all Councils, and,
- Sec 257(1)(d) - delegation by the local government to a standing committee chairperson – though not relevant to Council as there are no standing committees, it is relevant to two of the other benchmarked Councils.

However, of the six Councils with portfolios none had delegated authority to portfolio Councillors to make decisions on behalf of Council.

The following table summarises the demarcation of responsibilities covered by each portfolio.

Council	Portfolios
Western Downs Regional Council	1 Executive including disaster management, economic development, internal audit, communications and marketing. 2 Finance, corporate services and business strategy. 3 Works and technical services. 4 Utilities. 5 Strategic communication and Council facilities. 6 Planning, environment and agribusiness. 7 Tourism, events and regional promotion. 8 Community and cultural development. 9 Recreational spaces and cemeteries.
Livingstone Shire Council	1 Economic development, regional advocacy and intergovernmental relations. 2 Organisational performance. 3 Planning and strategic infrastructure. 4 Transport including roads, drainage and pathways. 5 Vibrant community including tourism, events and culture. 6 Water, wastewater and the environment.
Lockyer Valley Regional Council	1 Civic leadership and advocacy. 2 Community facilities and waste. 3 Community services, environment and economic development.

Council	Portfolios
	4 Infrastructure. 5 People and business performance. 6 Planning and development. 7 Finance.
South Burnett Regional Council	1 Social and Corporate Performance, People and Culture, Communications and media, Finance, ICT. 2 Rural resilience, Parks and gardens, Property and facility management, Indigenous affairs. 3 Community, Arts, Heritage, Sport and recreation. 4 Local Disaster Management, Water and wastewater, Waste. 5 Economic development incl Industry, Agriculture, Water security, Tourism. 6 Rural services, Natural resources management, Planning, Compliance services. 7 Roads and drainage.
Bundaberg Regional Council	1 Economic development. 2 Organisational services. 3 Water and wastewater. 4 Roads and drainage. 5 Parks and gardens. 6 Waste and recycling. 7 Sport and recreation. 8 Community services. 9 Airport, COVID-19 recovery and disaster management. 10 Health, compliance and enforcement. 11 Arts, culture and events.
Rockhampton Regional Council	1 Advance Rockhampton. 2 Waste and recycling. 3 Airport. 4 Infrastructure. 5 Planning and regulation. 6 Parks sport and recreation. 7 Communities and heritage. 8 Water and environmental sustainability.

Portfolios appear sensibly to reflect each Council’s important civic responsibilities and critical business activities.

In some cases, however, there appears to be potential for portfolios to overlap each other. This is particularly relevant when portfolios are broadly described e.g. ‘infrastructure’.

Care should be given to the scoping of portfolios to manage potential demarcation uncertainties.

### 6.3 Portfolio System Objectives

The broad portfolio system objectives described in each of the Council's documents are summarised in the following table.

Council	Portfolio Objective
Western Downs Regional Council	Assigning Councillors as Portfolio Spokespersons ensures: <ul style="list-style-type: none"> <li>• the workload associated with being an elected member is shared across all Councillors;</li> <li>• the Councillor's individual skill, knowledge and background is utilised by linking them to an area of interest;</li> <li>• the community can identify which Councillor to approach according to the strategic issue at hand;</li> <li>• informed discussion is generated by the whole of Council;</li> <li>• 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</li> <li>• Councillors are reporting back to the community.<sup>9</sup></li> </ul>
Livingstone Shire Council	<ul style="list-style-type: none"> <li>• Council will be better informed by the portfolio holder who will have a more intimate understanding of the portfolio's activities and issues than Councillors generally.</li> <li>• The Portfolio Councillor will be able to speak with knowledge about their portfolio.</li> <li>• To maximise the use of Councillors' time whilst ensuring Council has at its disposal all relevant information for making decisions.</li> <li>• The Portfolio Councillor will be better able to represent and understand the topical or pending issues of the portfolio area.</li> <li>• By the Portfolio Councillors providing strategic objectives and ambitions of Council regarding issues, it will assist the Officers in understanding the preferences and direction.</li> <li>• The community can identify which Councillor to approach according to portfolio issues.<sup>10</sup></li> </ul>
Lockyer Valley Regional Council	Assigning Councillors to Portfolio areas allows: <ul style="list-style-type: none"> <li>• The workload for elected members to be shared across all Councillors,</li> <li>• A Councillor's individual knowledge, interest and background to be utilised in their portfolio area,</li> <li>• The community to identify which Councillor to approach regarding specific issues,</li> <li>• Councillors to act as sounding boards for strategic for the Corporate Leadership Team, members of the community, and other Councillors relating to their portfolio,</li> </ul>

<sup>9</sup> [ECM\\_996838\\_v11\\_Councillors as Portfolio Spokespersons - Council Policy \(wdrc.qld.gov.au\)](http://www.wdrc.qld.gov.au) page 2

<sup>10</sup> [councillor-portfolio-policy \(livingstone.qld.gov.au\)](http://www.livingstone.qld.gov.au) page 2

Council	Portfolio Objective
	<ul style="list-style-type: none"> <li>Councillors to report back to the community regarding strategic matters in their portfolio area.</li> </ul> <p>The allocation of Portfolio areas to Councillors will allow for the clear appointment of Councillors and Corporate Leadership Team members to external committees for the term of Council.<sup>11</sup></p>
South Burnett Regional Council	Council has adopted a portfolio system where each Councillor is a representative for specific portfolios that reflect the organisation structure and the strategies within Council's Corporate Plan 2018/19 to 2022/23. <sup>12</sup>
Bundaberg Regional Council	Council will be better informed by the Portfolio Councillor who will have a more intimate understanding of the portfolio's strategic activities and issues than Councillors generally. The Portfolio Councillor will be able to address the Council with their knowledge on strategic matters and projects in his/her portfolio at meetings and publicly if nominated by the Mayor. <sup>13</sup>
Rockhampton Regional Council	Council has established a portfolio system for nominated Councillors to be assigned specific responsibilities linked to the key strategic priorities of Council and the core responsibilities that it is required to discharge consistent with the local government principles contained in the Act. <sup>14</sup>

These objectives all appear to be sound.

#### 6.4 Portfolio Councillor Functions

The specific functions ascribed to each Portfolio Councillor varies between Councils and are summarised as follows.

Council	Portfolio Functions
Western Downs Regional Council	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 in accordance with section 170(1) and (2) of the Local Government Act 2009.

<sup>11</sup> [Agenda of Ordinary Council - Wednesday, 22 April 2020 \(infocouncil.biz\)](#) page 46

<sup>12</sup> [South Burnett Regional Council](#) page 46

<sup>13</sup> [councillor-portfolio-policy \(bundaberg.qld.gov.au\)](#) page 1

<sup>14</sup> [Governance Rockhampton Regional Council](#) page 2

Council	Portfolio Functions
	<p>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.</p> <p>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.</p> <p>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 Acceptable Request Guidelines - Council Policy.</p> <p>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 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.</p> <p>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.</p> <p>8. Portfolio Spokespersons must report back to Council any feedback received from the community significant to strategic and/or future planning issues.</p> <p>9. Portfolio Spokespersons must direct operational enquiries received from the community through the appropriate Council channels in accordance with Acceptable Request Guidelines - Council Policy.<sup>15</sup></p>
Livingstone Shire Council	<p>In addition to their responsibilities as a Councillor under the Local Government Act 2009, Portfolio Councillors should:</p> <ol style="list-style-type: none"> <li>1) Take a particular interest in their portfolio subject and familiarise themselves with media articles and publications about the subject matter;</li> <li>2) Represent the Council when required in relation to portfolio related matters;</li> <li>3) Participate as Council's representative on external bodies as resolved by Council on issues relevant to the portfolio;</li> </ol>

<sup>15</sup> [ECM\\_996838\\_v11\\_Councillors as Portfolio Spokespersons - Council Policy \(wdrc.qld.gov.au\)](#) pages 2-3



Council	Portfolio Functions
	<p>4) Communicate with Council’s administration through the Executive Directors /Chief Officers; and</p> <p>5) Be a key point of contact and engage with industry and community groups and associations on their portfolio matters.<sup>16</sup></p>
Lockyer Valley Regional Council	Not explicitly defined.
South Burnett Regional Council	<p>5.1 To be familiar with the Corporate Plan, in particular the goals and strategies for the activities that the Councillor’s portfolio is responsible for delivering.</p> <p>5.2 To be familiar with the Annual Operating Plan and the annual budget for income and expenditure for the projects within the Councillor’s portfolio.</p> <p>5.3 To have a sound understanding, within the Councillor’s portfolio area, of the capital projects being undertaken including the progress of actual annual capital expenditure against annual capital budget (year to date).</p> <p>5.4 To comply with the Media Relations Policy when engaging with the media.</p> <p>5.5 To act as relevant portfolio spokesperson in the Ordinary Council Meetings and Portfolio Briefings, for those agenda items falling within their allocated portfolio. In this context it is not expected that the portfolio Councillor will be a technical expert but the portfolio Councillor is expected to understand and be able to explain the strategic context of the issues and their impact on the achievement of Council’s adopted plans and the community. Councillors may provide a full brief to Council on matters in relation to their portfolio. Alternatively they may provide an introduction or an overview of the matter and then hand over to the relevant Manager, General Manager or the Chief Executive Officer (CEO).</p> <p>5.6 To request further information from Council Officers in accordance with the Acceptable Request Guidelines. Formal Community engagement activities are to be approved by the Mayor, planned and documented as per the Community Engagement Policy and Procedure.</p> <p>5.7 To liaise and communicate with the relevant Manager, General Manager or the CEO on a monthly basis to keep abreast of and to give Council’s perspective with regard to strategic issues including future planning, strategic options, current progress in completing the Operational Plan and progress with major strategic projects.</p> <p>5.8 To represent the Council on relevant and approved external committees and community forums.</p>

<sup>16</sup> [councillor-portfolio-policy \(livingstone.qld.gov.au\)](http://councillor-portfolio-policy (livingstone.qld.gov.au)) page 2



Council	Portfolio Functions
	<p>5.9 To keep the Mayor abreast of issues within the Councillor's portfolio area.</p> <p>5.10 To keep the Mayor and fellow Councillors informed regarding matters that may affect Council and/or a Councillor's divisional area.<sup>17</sup></p>
Bundaberg Regional Council	<p>5.1 Regular meetings can be held with the relevant Executive Leadership Team member to be informed on the topical issues, proposed objectives and strategies for the activities within the portfolio.</p> <p>5.2 In accordance with the provisions of the Act, Councillors:</p> <ul style="list-style-type: none"> <li>• Cannot direct employees;</li> <li>• Must abide by Council decisions; and</li> <li>• Must abide by Council policies</li> </ul> <p>5.3 Have a thorough understanding of the objectives and strategies in the Corporate Plan that relate to activities within the portfolio.</p> <p>5.4 Liaise with the community and attend meetings, forums etc as required regarding their portfolio.</p> <p>5.5 Liaise with other Portfolio Councillors relating to matters affecting their portfolio area.</p> <p>5.6 Generally, champion the advancement of Council's key priorities and decisions relevant to the portfolio area.<sup>18</sup></p>
Rockhampton Regional Council	<p>In addition to their responsibilities as a Councillor under the Act, Portfolio Councillors are required to:</p> <p>(a) Familiarise themselves with the Corporate Plan and Operational Plan, in particular the objectives, strategies, issues and activities which are relevant to their portfolio;</p> <p>(b) Liaise with other Portfolio Councillors regarding matters that may affect their respective portfolio areas;</p> <p>(c) Keep the Mayor and the relevant divisional Councillor (as appropriate) fully informed on portfolio matters;</p> <p>(d) Act as the official Council spokesperson or representative on portfolio relevant matters in accordance with this policy to ensure consistent communication and messaging on portfolio relevant matters;</p> <p>(e) Liaise with and engage with industry and community groups and associations on portfolio related matters;</p> <p>(f) Provide an elected representative's viewpoint and act as a sounding board for employees and Council on issues relating to their portfolio through participation, discussion and debate at meetings;</p>

<sup>17</sup> [South Burnett Regional Council](#) page 47

<sup>18</sup> [councillor-portfolio-policy \(bundaberg.qld.gov.au\)](http://councillor-portfolio-policy(bundaberg.qld.gov.au)) pages 2-3

Council	Portfolio Functions
	(g) Lead discussion and generally advocate for the advancement of Council's key priorities and decisions relevant to their portfolio responsibilities; and (h) Introduce reports under their relevant portfolio at meetings. <sup>19</sup>

There are similarities between each of the prescribed functions but it is noted that some Councils are more explicit in their prescription.

Some of the Terms of Reference (or policies) include limitations on the role. For example, Rockhampton Regional Council's Councillor Portfolio Policy states;

*"The role of Portfolio Councillors is subject to the following limitations:*

*(a) The Act and the framework established under this policy does not provide for formal delegated authority to a Portfolio Councillor for policy determination and operational decision-making for matters relevant to their portfolio.*

*(b) Portfolio Councillors do not hold any specific statutory or governance responsibilities related to their portfolio beyond those which they ordinarily hold as a Councillor.*

*(c) In discharging their responsibilities as Portfolio Councillors and consistent with their role under the Act and the local government principles as provided for under the Act, Councillors should maintain a focus on strategic issues relevant to their portfolio, rather than day to day operational matters.*

*(d) Portfolio Councillors do not assume any of the roles, powers and functions assigned to the Mayor under the Act unless delegated by the Mayor. This includes the portfolio responsibilities exclusively assigned to the Mayor.*

*(e) This policy does not set aside or amend the provisions contained in the following instruments:*

*(i) The Act;*

*(ii) The Local Government Regulation 2012;*

*(iii) The Code of Conduct for Councillors in Queensland; and/or*

*(iv) The Councillors Acceptable Requests Guidelines Policy.*

*(f) Where there is any inconsistency between this policy and a provision in any of the instruments detailed in paragraph 5.1.1(e) of this policy the provision of the instrument shall prevail to the extent of any inconsistency."<sup>20</sup>*

## 6.5 Performance Measurement

Unfortunately, there is little structure or documentation relating to performance measurement of the portfolio system or Portfolio Councillors.

One Council (Livingstone Shire Council) does address accountability in its Councillor Portfolio Policy as follows;

<sup>19</sup> [Governance Rockhampton Regional Council](#) pages 2-3

<sup>20</sup> [Governance Rockhampton Regional Council](#) page 3

*“The Council may periodically request the elected members to undertake both a self-assessment and a peer review of their performance in the context of their portfolio and community expectations.”<sup>21</sup>*

In relation to this benchmarking assignment, it is difficult to measure success given the lack of objective output data.

## 7.0 CURRENT ARRANGEMENTS

### 7.1 Collated Documents Review

To inform this assignment the following documents have been reviewed;

- Agendas and Minutes of Ordinary and Special Council meetings in 2023
- Councillors as Portfolio Spokespersons – Council Policy
- Meetings – Council Policy
- Councillor Briefings and Workshops – Council Policy
- Media Relations – Council Policy
- Delegation of Powers and Appointment of Authorised Persons – Council Policy
- Council Advisory Committees – Council Policy RESCINDED
- Post Election Council Meeting Agenda and Minutes (2016 and 2020)
- Audit Committee Terms of Reference
- Dalby Regional Saleyards Reference Group Terms of Reference
- Wambo Shire River Improvement Trust Terms of Reference
- Examples of media releases citing Portfolio spokespersons
- Examples of Councillor Information Session document packages

### 7.2 Comparative Performance

From the statistical meetings analysis the following can be deduced;

Parameter	Western Downs Regional Council	Average of all Councils
Council meetings – number of meetings	14	18
Council meetings – gross number of agenda pages	4176	4740
Council meetings – gross duration of meetings	35.27	54
Council meetings – gross number of attendees	208	317
Council meetings – gross labour hours	524	955

<sup>21</sup> [councillor-portfolio-policy \(livingstone.qld.gov.au\)](http://councillor-portfolio-policy(livingstone.qld.gov.au)) page 2

Parameter	Western Downs Regional Council	Average of all Councils
Council meetings – average number of agenda pages	298	271
Council meetings – average duration of meetings	2.52	2.71
Council meetings – average number of attendees	15	17
Council meetings – average labour hours	37.4	46.7
Council and Committee meetings – number of meetings	14	26
Council and Committee meetings – gross number of agenda pages	4176	5879
Council and Committee meetings – gross duration of meetings	35.27	73.15
Council and Committee meetings – gross number of attendees	208	430
Council and Committee meetings – gross labour hours	524	1230
Council and Committee meetings – average number of agenda pages	298	252
Council and Committee meetings – average duration of meetings	2.52	2.66
Council and Committee meetings – average number of attendees	15	16
Council and Committee meetings – average labour hours	37.4	45

Western Downs Regional Council can justly claim that its parameters are almost all respectably better than the average from a productivity and efficiency perspective.

Compared to other Councils Western Downs Regional Council can also assert that its method of decision-making actually saves its communities' significant cost.

In relation to its portfolio system, Western Downs Regional Council can demonstrate a contemporary approach with sound policy and practical application and has done so since amalgamation of former Councils in 2008.

With this in mind, unless there is a substantial reason to change, it is considered prudent to maintain the current system.

In the spirit of continuous improvement however, there may be opportunity for some refinements.

### 7.3 Portfolio System Enhancement Opportunities

A detailed benchmarking of “Councillors as Portfolio Spokespersons – Council Policy” has been undertaken with a number of similar policies from the following Councils.

- Bundaberg Regional Council
- Livingstone Shire Council
- Rockhampton Regional Council
- Charters Towers Regional Council, and
- Moreton Bay City Council.

The spreadsheet containing this analysis is attached to this report (Appendix B).

The spreadsheet provides opportunity for critical review of the policy with suggestions embedded in cell comments within the worksheet.

Given the benchmarking discovery of other Councils’ definitions of Portfolio Councillor roles and responsibilities, the opportunity arises for refinement.

Given the benchmarking discovery of other Councils’ allocation and demarcation of Portfolios, the opportunity arises for refinement.

### 7.4 Portfolio Allocation Improvement Opportunities

Portfolios can be allocated either with all-encompassing coverage or with prioritised select coverage.

As can be seen from the benchmarking results most other Council’s allocation of portfolios is not all-encompassing, ie Councillors are not expected to perform an overview role for every function of Council. It is the operational arm of Council that has that responsibility.

It is more effective and efficient if Councillors are assigned portfolios on a selective basis so that their oversight can be meaningful and manageable.

Select allocation can be based on a number of parameters.

A review of the benchmarking reveals that most other Council’s divide the portfolio responsibilities in very different ways.

The following are considered to be contemporary methods;

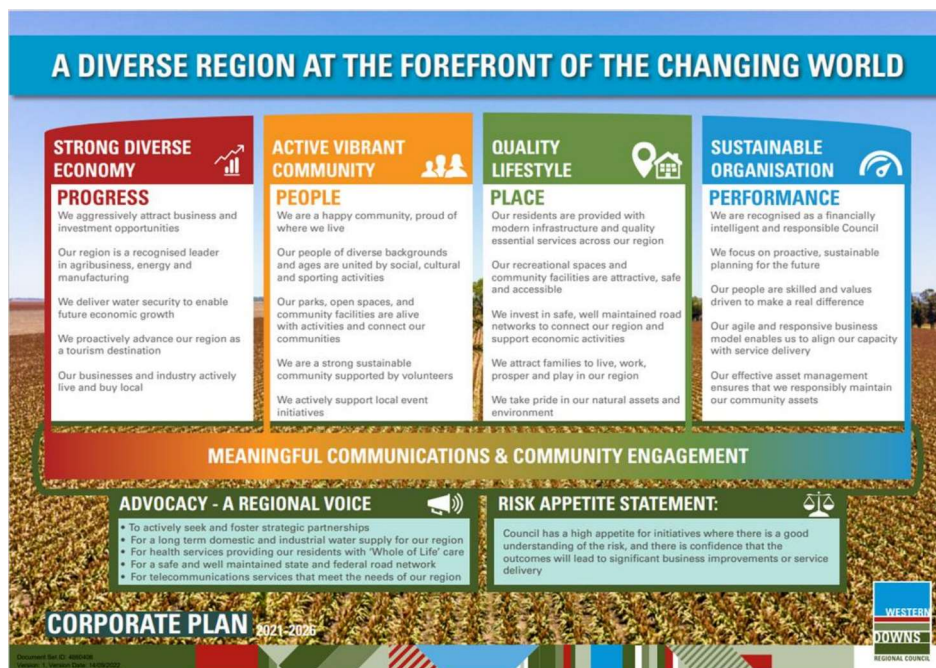
1. Strategic basis (eg reflecting the Corporate Plan),
2. Operational basis (eg reflecting organisational structure),
3. Councillors' aptitude basis (eg reflecting Councillors' skills/interests), or
4. Priorities basis (eg reflecting contemporary priorities).

It is important to have regard to the responsibilities of Councillors as defined in the Local Government Act 2009 is as follows;

*“(a) ensuring the local government—*  
*(i) discharges its responsibilities under this Act; and*  
*(ii) achieves its corporate plan; and*  
*(iii) complies with all laws that apply to local governments;*  
*(b) providing high quality leadership to the local government and the community;*  
*(c) participating in council meetings, policy development, and decision-making, for the benefit of the local government area;*  
*(d) being accountable to the community for the local government’s performance.<sup>22</sup>”*

Reference to the ‘Corporate Plan’ is considered to be most relevant to the allocation of portfolio responsibilities.

With this in mind, it is proposed that Council considers allocation of portfolios with a clear nexus to the strategic themes in the Corporate Plan illustrated as follows<sup>23</sup>;



<sup>22</sup> Section 12, Local Government Act 2009

<sup>23</sup> [Plans & Publications Western Downs Regional Council \(wdrc.qld.gov.au\)](http://Plans & Publications Western Downs Regional Council (wdrc.qld.gov.au))



Looking at the four themes and what might be considered to be the prime them of advocacy it is suggested that the following portfolio descriptions might be a useful starting point;

Prime Portfolio (possibly for Mayor);

- Advocacy – A Regional Voice

Progress Portfolios;

- Business Support and Development
- Critical Infrastructure and Major Projects

People Portfolios

- Community Services
- Community Activities

Place Portfolios

- Civil Infrastructure
- Social Infrastructure

Performance Portfolios

- Strategy and Sustainability
- Financial and Business Performance

Of course, further definition and demarcation would need to be developed but the themes appear to be suitable from community understanding and operational relevance perspectives.

In allocating the portfolios it would seem natural that Council has due regard for respective Councillors' skills and interests.

## 8.0 RECOMMENDATIONS

The following recommendations are proposed for Council's consideration;

1. That Council maintains its status quo in relation to standing committees and portfolios i.e. no standing committees and continuation of the portfolio system.
2. That Council conducts a critical review of its "Councillors as Portfolio Spokespersons – Council Policy" including the roles and responsibilities of portfolio spokespersons and the allocation and demarcation of portfolios.
3. That a workshop be facilitated in February 2024 with Councillors and senior officers to present findings of this report and to give effect to the two previous recommendations.

# **GOVERNANCE REVIEW – COUNCILLOR COMMITTEE PORTFOLIO STRUCTURE**

**for WESTERN DOWNS  
REGIONAL COUNCIL**

## **WORKSHOP OUTCOMES REPORT**

**1 February 2024**



## 1 BACKGROUND

Western Downs Regional Council (Council) commissioned Stevenson Consulting to conduct a governance review of its Councillor Committee Portfolio Structure.

At its Ordinary Meeting of 20 September 2023, Council resolved:

*“That council undertake a strategic workshop to:*

- 1. review existing Councillor Portfolios*
- 2. Give consideration and compare the effectiveness of portfolios and committee structures in local government governance.*
- 3. Provide recommendations to the next Council on effectiveness and suggested changes.”<sup>1</sup>*

Council advised that the purpose of the review was to enact the resolution of Council and provide councillors with an appraisal of the portfolio and committee structures.

Stevenson Consulting concluded its assignment and submitted a final report to satisfy the brief on 8 January 2024.

Council also requested Stevenson Consulting to present findings of the report to the Mayor, Councillors and senior officers, and to assist them collectively to prepare recommendations for the next term of Council.

This workshop was conducted in Dalby on 1 February 2024.

## WORKSHOP OUTLINE

The workshop program was as follows;

12.30pm	Session 1 – Report Findings
1.30pm	Session 2 – Structure
2.15pm	Break
2.30pm	Session 3 – Allocation
3.30pm	Session 4 – Policy
4.15pm	Close

## ATTENDEES

The following were in attendance;

- Mayor Paul McVeigh
- Deputy Mayor Andrew Smith

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<sup>1</sup> Western Downs Regional Council, “Governance Review Committee and Councillor Portfolio System – Brief”, page 2

- Cr Kylie Bourne
- Cr Kaye Maguire
- Cr George Moore (by videoconference)
- Cr Ian Rassmussen
- Cr Peter Saxelby
- Cr Carolyn Tillman
- Cr Megan James
- Jodie Taylor
- Brett Bacon
- Graeme Cook
- Karen Gillespie
- Facilitator Gary Stevenson

## SESSION 1 – REPORT FINDINGS

The General Manager Corporate Services introduced the Facilitator, Gary Stevenson and briefly provided context for the workshop.

The Facilitator presented the findings of his report referring to the attached PowerPoint presentation.

Participants asked a range of questions of the Facilitator and shared observations during and after the presentation.

## SESSION 2 – STRUCTURE

The Mayor and the Facilitator led discussion regarding the respective role of Committees and Portfolios.

With the following parameters in mind, a detailed discussion ensued;

- Councillors and Executive Officers (internal) comfort,
- Public confidence,
- Productivity and efficiency,
- Sound decision-making.

Generally, participants expressed little interest in establishing a system of Standing Committees and made observations of the apparent inefficiencies at some of the other benchmarking Councils.

Much of the discussion centred on the Council's current portfolio system and its positive and negative characteristics.

The following comments demonstrated some varying perspectives;

- current system not working well with disproportionate information and knowledge sharing, insufficient briefings and only occasional media releases,
- some inconsistency in the way that portfolios are supported by officers,
- risk of portfolios being too involved in operational matters,
- support for retention of portfolios but with some improvements,
- frequency of meetings with officers varies considerable,
- need better preparation for media engagements,
- enjoy interactions with officers,
- more guidance for staff support might address inconsistencies,
- support portfolios continuation but not committees,
- current arrangement is on the right track but don't support committees,
- some broadly described portfolios should be refined,
- officers value their portfolio Councillor engagements,
- portfolio Councillor can be advocate,
- current system is working well,
- some tweaking, structure and clarity might be appropriate,
- important for portfolio Councillors to report back to others – perhaps as part of the “Around the Grounds” sessions,
- important to maintain a strategic focus rather than operational,
- supporting staff are doing a great job but could benefit from more structure.

At the end of the session, the Facilitator observed that there appeared to be consensus support for continuation of Portfolios and no support for introduction of Committees.

The Facilitator also acknowledged the consensus desire for some improvements to the system perhaps to be embedded in Policy (to be discussed in Session 4).

There were no dissenting comments expressed regarding these observations.

## SESSION 3 – ALLOCATION

The Mayor and the Facilitator led discussion on the basis for the allocation of functional oversight for Portfolios.

The high-level options for coverage was discussed;

- All-encompassing coverage, or
- Prioritised select coverage.

The following second-level bases for allocation were also discussed;

- Strategic basis (eg reflecting the Corporate Plan),
- Operational basis (eg reflecting organisational structure),
- Councillors' aptitude basis (eg reflecting Councillors' skills/interests), or
- Priorities basis (eg reflecting contemporary priorities).

Reference was made to Council's Corporate Plan strategic themes during discussion.

The following comments were made;

- prefer select coverage over all-encompassing coverage,
- portfolios should be strategically focussed,
- portfolio descriptions need to be easily understood by communities,
- scale of the region makes it difficult to be all-encompassing,
- tour of portfolio-related facilities across region was helpful,
- need to focus on strategic rather than operational matters,
- current portfolio allocation (reflecting operational structure) is in effect all-encompassing,
- need to stay strategic,
- community members need to understand portfolio allocations,
- engagement with officers opens opportunity to speak about operational matters of importance to community,
- strategic focus is better,
- its good to have engagement across multiple GM's,
- support portfolios reflecting organisational structure but not too operational,
- existing portfolios should be more structured,
- can keep strategic whichever way portfolios are allocated,
- engagement with multiple GM's would be complicated,
- Corporate Plan themes would result in engagement with multiple GM's,
- need to understand the desired outcome and work back from there,
- should have regard for Councillors' roles and community expectations,
- its good for each Councillor to have an area of focus,
- don't want an inefficient outcome,
- current allocations are OK but just need finessing,
- reporting obligations need to be clarified,
- too much change might confuse the community,
- like Advocacy resting with the Mayor,
- current system is not broken and community understands it,
- others can rely on Councillors having an area of focus with better knowledge,
- need to make sure community reliance on portfolio Councillors does not usurp existing 'snap, send and solve' system,
- portfolios provide a 'go to' Councillor for staff,
- like the sharing of 'spokesperson role,
- Mayor should do advocacy,
- good to have Councillors with deeper knowledge of their portfolios,
- existing allocations could be improved with efficiency objectives.

At the end of the session, the Facilitator observed that there appeared to be consensus support for continuation of the existing allocations but with some refinement and with regard for Councillors interests and skills.

The Facilitator again acknowledged the potential for improvements to the system perhaps to be embedded in Policy (to be discussed in Session 4).

There were no dissenting comments expressed regarding these observations.

## SESSION 4 – POLICY

The Mayor and the Facilitator led discussion regarding potential improvements to Council's "Councillors as Portfolio Spokespersons" Policy.

Each of the following potential changes to the existing policy (as recommended by the Facilitator based on benchmarking with other Councils) were discussed.

### Policy Purpose

<p><i>"Set clear guidelines to define the roles and responsibilities of the Mayor and Councillors as spokespersons for the portfolios of Council."</i></p>	<p>Could be expanded? Is it really only just a spokesperson role, or is it research, engagement and strategic thinking etc? Also some refer to internal relationship development and others refer to community engagement - all open for consideration.</p>
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It was generally agreed that this section should be expanded but with some caution expressed regarding the following;

- need to acknowledge Councillors do not abrogate their responsibilities because one Councillor might do specific work within their portfolio,
- need to acknowledge staff are professionals paid to do research,
- can use skills and talents of Councillors though,
- other Councillors can be conduits,
- risk of "Minister for..." syndrome if a Councillor assumes the role is in some way in charge of the portfolio functions.

### Policy Scope

<p><i>"This policy applies to the Councillors of Western Downs Regional Council. However, the Mayor acts as spokesperson for the whole of Council."</i></p>	<p>If the relationship with officers was further emphasised, the policy might apply also to relevant officers.</p>
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This proposed change was supported.

### Policy Statement

<p><i>"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."</i></p>	<p>Could be expanded to emphasise Council's commitment to effective engagement, knowledge development, decision-making and teamwork.</p>
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This proposed change was supported.

Portfolio Objectives

<ul style="list-style-type: none"> <li>• <i>"the workload associated with being an elected member is shared across all Councillors;</i></li> <li>• <i>the Councillor's individual skill, knowledge and background is utilised by linking them to an area of interest;</i></li> <li>• <i>the community can identify which Councillor to approach according to the strategic issue at hand;</i></li> <li>• <i>informed discussion is generated by the whole of Council;</i></li> <li>• <i>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</i></li> <li>• <i>Councillors are reporting back to the community."</i></li> </ul>	<p>No need for change.</p>
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While there was general support for this section, the following comments were made;

- in the second dot-point the emphasis is on 'skills',
- should add 'interests' to the second dot-point,
- don't like the second dot-point,
- could include words from the Policy Purpose section,
- final dot-point doesn't belong,
- don't like 'sounding-board',
- 'sounding board' is OK,
- delete second dot-point and change fifth dot-point.

It is apparent that re-drafting of this section will be necessary.

Spokespersons

<p><i>"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 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</i></p>	<p>Important to differentiate legislated role of the Mayor and Councillors.</p>
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<i>available where possible for media engagements."</i>	
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There was support for retention of this section.

Allocation

<i>"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."</i>	Adequately described though factors to be considered in allocating portfolios could be added eg links to Corporate Plan strategic themes and interests, skills and knowledge of each Councillor.
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This proposed change was supported.

Authorities

Possible new section	Could include demarcation between governance and operational realms.
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This proposed new section was supported.

Support

Possible new section	Could include guidelines for organisational support for portfolio Councillors functions.
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This proposed new section was supported but it was acknowledged that there should be cross-referencing between this Policy and the Acceptable Request Guidelines.

Reporting

Possible new section	Could consider guidelines for portfolio Councillor reporting/informing Council meetings.
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This proposed new section was supported with the suggestion that it could be incorporated into the "Around the Grounds" session at informal briefing meetings and with the caution that reporting should not duplicate operational reporting.

Term

<i>"Four-year term"</i>	Could include reference to implications of a by-election scenario.
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This proposed change was supported.

The Mayor thanked the Facilitator and participants and closed the workshop at approximately 4.15pm.

**Title** **Executive Services Report Councillor Appointment to Statutory Committees and Reference Groups**

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**Date** 20 February 2024

**Responsible Manager** J. Taylor, CHIEF EXECUTIVE OFFICER

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### Summary

This Report is to provide Council an opportunity to appoint Councillors to statutory committees, the Dalby Regional Saleyards Reference Group and the Community Grants Assessment Reference Group.

### Link to Corporate Plan

*Strategic Priority: Sustainable Organisation*

- *We are recognised as a financially intelligent and responsible Council.*
- *We focus on proactive, sustainable planning for the future.*
- *Our people are skilled and values driven to make a real difference.*
- *Our agile and responsive business model enables us to align our capacity with service delivery.*
- *Our effective asset management ensures that we responsibly maintain our community assets.*

The allocation of Councillors to legislative committees and two reference groups enables Council to have appropriate oversight of Council's operations and engagement with relevant agencies, business, and community interests.

### Material Personal Interest/Conflict of Interest

There are no material personal interests nor conflicts of interest associated with the consideration of this matter.

### Officer's Recommendation

That Council resolve to:

- (1) appoint the Mayor to the role of Chairperson of the Western Downs Regional Council Local Disaster Management Group;
- (2) appoint a Councillor as Deputy Chairperson of the Western Downs Regional Council Local Disaster Management Group;
- (3) appoint two (2) Councillors to the Western Downs Regional Council Audit Committee;
- (4) appoint two (2) Councillors to the Wambo Shire River Improvement Trust;
- (5) appoint two (2) Councillors (one as Chairperson) to the Dalby Regional Saleyards Reference Group; and
- (6) appoint five (5) Councillors (one as Chairperson) to the Community Grants Assessment Reference Group.

### Background Information

- (1) Local Government Committee System

The *Local Government Regulation 2012* prescribes the statutory instrument for the appointment and requirements for local government committees. In summary, it provides that Council may appoint from its Councillors, standing committees, special committees, and advisory committees.



Standing committees may be comprised of Councillors only and are appointed with a continuing function and responsibility. Decision making power can be delegated to a Standing Committee. No standing committees operated during the previous term of Council.

Special committees are comprised 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 Council.

Advisory committees, which may include persons who are not Councillors, may be appointed by Council to advise it on particular issues. No powers can be delegated to an advisory committee and as the title suggests, an advisory committee's role is to provide advice and recommendations to Council. Advisory committees should operate under a terms of reference document adopted by Council. No advisory committees were in place at the end of the previous term of Council.

Chapter 8, Part 2, Division 2 of the *Local Government Regulation 2012*, does not apply to a Council audit committee or other local government committees required under legislation. The composition, quorum, and often the frequency of meetings are determined by the relevant legislation applicable to the committee and a terms of reference document adopted by Council, if applicable.

## (2) Non-Statutory Committees and Groups

Steering groups are internal committees for operational purposes, predominantly comprising staff (for example, the *Asset Management Steering Group*). The steering group may or may not have Councillor representation. Steering groups are not formal committees of Council appointed under the legislation.

Reference groups may be established by Council 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 cross-section of stakeholders. Reference groups are a form of community or stakeholder engagement for Council. Reference groups are not formal committees of Council appointed under legislation, however these usually have Councillor representation and a terms of reference document or guidelines outlining the group's objectives, roles and responsibilities, etcetera. Councillors and/or Council officers involved in a reference group may report to Council on the group's ideas and recommendations.

This Report focusses on Councillor 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* and the *Community Grants Assessment Reference Group*.

Separate reports will be brought before Council as required for Councillor appointments, as Council representatives, to other external bodies.

## Report

### 1. Western Downs Regional Council Local Disaster Management Group

The *Disaster Management Act 2003* and *Disaster Management Regulation 2014* prescribe that a local government must establish a Local Disaster Management Group and appoint a Chairperson and Deputy Chairperson. The Chairperson of the Local Disaster Management Group must be a Councillor.

The role of the Local Disaster Management Group, as detailed in section 30 of the *Disaster Management Act 2003*, is as follows:

- (a) ensure that disaster management and disaster operations in the area are consistent with the State group's strategic policy framework for disaster management for the State;
- (b) develop effective disaster management, and regularly review and assess the disaster management;
- (c) help prepare a local disaster management plan;
- (d) identify, and provide advice to the relevant district group about, support services required by the local group to facilitate disaster management and disaster operations in the area;
- (e) ensure the community is aware of ways of mitigating the adverse effects of an event, and preparing for, responding to and recovering from a disaster;

- (f) *manage disaster operations in the area under policies and procedures decided by the State group;*
- (g) *provide reports and make recommendations to the relevant district group about matters relating to disaster operations;*
- (h) *identify, and coordinate the use of, resources that may be used for disaster operations in the area;*
- (i) *establish and review communications systems in the group, and with the relevant district group and other local groups in the disaster district of the relevant district group, for use when a disaster happens;*
- (j) *ensure information about a disaster in the area is promptly given to the relevant district group;*
- (k) *perform other functions given to the group under the Disaster Management Act 2003; and*
- (l) *perform a function incidental to a function mentioned above.*

The role of the Chairperson is critical role in the Local Disaster Management Group. In addition to chairing Local Disaster Management Group meetings, the Chairperson also liaises with other key agencies, attends Queensland Government briefings and acts as the primary spokesperson for the Local Disaster Management Group during disaster events. The role of primary spokesperson is a particularly critical role to ensure that the community is informed during disaster events. The Mayor is therefore traditionally appointed as the Chairperson of the Local Disaster Management Group.

The Deputy Chairperson undertakes the role of the Chairperson when the Chairperson is not available. In practice, this normally occurs when the disaster response is occurring on a 24-hour cycle over a number of days. The Deputy Mayor has traditionally been appointed as Deputy Chairperson of the Local Disaster Management Group.

## **2. Western Downs Regional Council Audit Committee**

Section 105 of the *Local Government Act 2009* requires Western Downs Regional Council to establish an Audit Committee. An Audit Committee is a committee which:

- (a) *monitors and reviews -*
  - (i) *the integrity of financial documents; and*
  - (ii) *the internal audit function; and*
  - (iii) *the effectiveness and objectivity of Council's internal auditors; and*
- (b) *makes recommendations to Council about any matters that the Audit Committee considers need action or improvement.*

Section 210 of the *Local Government Regulation 2012* 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. The Audit Committee must consist of at least three and no more than six members, with at least one member who has significant experience and skills in financial matters.

Council is therefore required to appoint at least one ( and 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 to undertake works designed to improve the flow of water in the rivers and tributaries within the Wambo Shire River Improvement Trust Area to correct erosion and provide flood mitigation. Trusts are established under the *River Improvement Trust Act 1940* and are accountable to the Minister for Regional Development, Manufacturing and Water.

Membership of the Trust consists of:

- (a) a Chairperson, elected by the Trust members and appointed by the Minister or if there is only one (1) community member, the Minister must appoint that member as Chairperson);

- (b) two (2) representatives of, and appointed by, each local government whose local government area is included in the Trust's improvement area; and
- (c) up to two (2) other members appointed by the Minister.

Council is therefore required to appoint two Councillors to the Wambo Shire River Improvement Trust, with the external members and the Chairperson appointed by the Minister.

#### **4. Dalby Regional Saleyards Reference Group**

The Dalby Regional Saleyards Reference Group was established in late 2019 following a resolution by Council to establish the Reference Group in lieu of the previous Advisory Committee. Council is therefore requested to appoint two Councillors to the Dalby Regional Saleyards Reference Group, appointing one of the Councillors as Chairperson of the Group.

#### **5. Community Grants Assessment Reference Group**

Council has established a grants programme to provide support to community groups and individuals in recognition of the vital contribution they make to the development and community well-being of the Western Downs. Council currently has a Community Grants Assessment Reference Group which includes five (5) Councillors who assess community grant applications. At its Ordinary Meeting of 15 February 2024, Council resolved to amend the *Community Grants Policy* and associated guidelines, which will provide for a new assessment model consisting of an internal assessment panel, with subsequent reporting to Council for information. The amended *Community Grants Policy* and guidelines will be in effect from 1 July 2024.

The next community grants round will be assessed in May 2024, therefore Council should appoint five (5) Councillors to the Community Grants Assessment Reference Group to assess the one remaining round prior to the commencement of the new assessment model.

#### Consultation (Internal/External)

There has been no consultation undertaken for the preparation of this report.

#### Legal/Policy Implications (Justification if applicable)

#### **1. Western Downs Regional Council Local Disaster Management Group**

The *Disaster Management Act 2003* states:

##### 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.*

In addition, 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.*

## **2. Western Downs Regional Council Audit Committee**

The *Local Government Act 2009* states:

### *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* states:

### *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 Shire Improvement Trust Act 1940* states:

### *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.*

....

#### Budget/Financial Implications

There are no budget nor financial implications associated with the consideration of committee memberships.

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) requires public entities 'to act and make decisions in a way compatible with human rights'. There are no human rights implications associated with this report.

#### **Conclusion**

Council is requested to give consideration to the immediate appointment of Councillors to the Committees which legislation requires it to have and the Dalby Regional Saleyards and Community Grants Assessment Reference Groups.

**Attachments**

Nil

**Authored by:** K. Gillespie, GOVERNANCE COORDINATOR

**Title** **Executive Services Report Consideration Meeting Dates, Times and Location**

**Date** 22 February 2024

**Responsible Manager** J. Taylor, CHIEF EXECUTIVE OFFICER

### Summary

The purpose of this Report is to consider Council meeting dates, times and location.

#### Link to Corporate Plan

*Strategic Priority: Sustainable Organisation*

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.
- Our people are skilled and values driven to make a real difference.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Our effective asset management ensures that we responsibly maintain our community assets.

Council meetings provide an opportunity for the public to observe the consideration and debate of matters of policy, strategic organisational performance, and business strategy.

#### Material Personal Interest/Conflict of Interest

There are no material personal interests nor conflicts of interest associated with this matter.

#### Officer's Recommendation

That Council resolves, pursuant to section 256(1) of the *Local Government Regulation 2012*, to adopt the following Ordinary Council Meeting and Special (Adopt 2024-2025 Budget) Meeting dates, times, and locations:

Date (2024)	Location	Commencement Time
Ordinary Meeting Thursday 18 April	Jandowae Customer Service Centre	9:30am
Ordinary Meeting Thursday 16 May	Tara Customer Service Centre	9:30am
Ordinary Meeting Thursday 20 June	Dalby Corporate Office	9:30am
Special (Adopt 2024-2025 Budget) Meeting Thursday 20 June	Dalby Corporate Office	12:30pm
Ordinary Meeting Thursday 18 July	Chinchilla Customer Service Centre	9:30am
Ordinary Meeting Thursday 15 August	Wandoan Customer Service Centre	9:30am
Ordinary Meeting Thursday 19 September	Miles Customer Services Centre	9:30am
Ordinary Meeting Thursday 17 October	Jandowae Customer Service Centre	9:30am

Ordinary Meeting Thursday 21 November	Tara Customer Service Centre	9:30am
Ordinary Meeting Thursday 5 December	Dalby Corporate Office	9:30am

### Background Information

Section 256 (1) of the *Local Government Regulation 2012* requires that the local government must consider the days and times for holding other meetings at the post-election meeting.

### Report

In accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*, Council at its post-election meeting is required to consider the day and times of meetings, which are to be held at least once per month at one of Council's public offices.

It is proposed that Council's Ordinary Meetings be held once a month on the third Thursday of each month, commencing at 9:30am unless otherwise resolved. The meetings will be held in Council's regional public offices on a rotational basis, being Jandowae, Tara, Dalby, Chinchilla, Wandoan, and Miles. Special Meetings will be held as required, with the date, time, and venue set by Council resolution or in accordance with Council's *Meetings - Council Policy*.

The following dates are therefore proposed for Ordinary Council Meetings in 2024 and for the Special (Adopt 2024 Budget Meeting):

Date (2024)	Location	Commencement Time
Ordinary Meeting Thursday 18 April	Jandowae Customer Service Centre	9:30am
Ordinary Meeting Thursday 16 May	Tara Customer Service Centre	9:30am
Ordinary Meeting Thursday 20 June	Dalby Corporate Office	9:30am
Special (Adopt 2024-2025 Budget) Meeting Thursday 20 June	Dalby Corporate Office	12:30pm
Ordinary Meeting Thursday 18 July	Chinchilla Customer Service Centre	9:30am
Ordinary Meeting Thursday 15 August	Wandoan Customer Service Centre	9:30am
Ordinary Meeting Thursday 19 September	Miles Customer Services Centre	9:30am
Ordinary Meeting Thursday 17 October	Jandowae Customer Service Centre	9:30am
Ordinary Meeting Thursday 21 November	Tara Customer Service Centre	9:30am
Ordinary Meeting Thursday 5 December	Dalby Corporate Office	9:30am

#### Consultation (Internal/External)

There has been no consultation undertaken in association with the suggested meeting date, times, and locations.

#### Legal/Policy Implications (Justification if applicable)

Section 256(1) of the *Local Government Regulation 2012* requires that the local government must consider the days and times for holding other meetings at the post-election meeting.



Section 257 of the *Local Government Regulation 2012* requires that the local government meets at least once a month, with those meetings to be held at its public offices. However, a local government may, by resolution, fix another place for a particular meeting.

#### Budget/Financial Implications

The administration of Council meetings days is captured within the organisation's operational budgets.

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'. There are no human rights implications associated with this report.

Consideration has been given to relevant human rights, specifically the right to taking part in public life as prescribed in section 23 of the *Human Rights Act 2009*, which provides that every eligible person has the right to vote, be elected, and have access on general terms of equality to the public service and public office, including the ability of a person to participate in local government meetings.

It is considered that in observing and applying the law prescribed in the *Local Government Act 2009* and *Local Government Regulation 2012*, Council will be respecting and acting compatibly with this right and others prescribed in the Human Rights Act.

#### **Conclusion**

The consideration of days and times for Council meetings is a legislatively required matter to be considered at the post-election meeting.

#### **Attachments**

Nil

**Authored by:** K. Gillespie, GOVERNANCE COORDINATOR