



SOUTH BURNETT
REGIONAL COUNCIL

AGENDA

Budget Committee Meeting Friday, 11 March 2022

I hereby give notice that a Meeting of the Budget Committee will be held on:

Date: Friday, 11 March 2022

Time: 9.00am

**Location: Warren Truss Chamber
45 Glendon Street
Kingaroy**

**Mark Pitt PSM
Chief Executive Officer**

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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- 1 OPENING**
- 2 LEAVE OF ABSENCE / APOLOGIES**
- 3 RECOGNITION OF TRADITIONAL OWNERS**
- 4 DECLARATION OF INTEREST**

5 BUSINESS

5.1 ADOPTION OF THE DRAFT CODE OF COMPETITIVE NEUTRALITY COMPLAINTS POLICY - STATUTORY006

File Number: IR2700047
Author: Manager Corporate Services
Authoriser: Chief Executive Officer

PRECIS

Adoption of the Draft South Burnett Regional Council Code of Competitive Neutrality Complaints Policy – Statutory006

SUMMARY

Section 48 of the *Local Government Act 2009* (Qld) advises that Council must adopt a process for resolving competitive neutrality complaints.

The aim of this process is to provide, in accordance with *Section 48* of the *Local Government Act 2009*, a means for resolving complaints by affected persons about failures of Council's local government business entities to carry out activities in a way that complies with the competitive neutrality principles applying to the activities.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Code of Competitive Neutrality Complaints Policy – Statutory006 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No change to financial or resource implications arise from this report.

LINK TO CORPORATE/OPERATIONAL PLAN

Corporate Plan 2021 - 2026	OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making. OR5 – Continue to give priority to ongoing financial sustainability and prudent budget management
Operational Plan 2021/2022	Deliver the Council Policy Governance Framework to support strategic planning and compliance with relevant legislation, policies, codes of practice and standards.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Policy review was undertaken by Corporate Services and Executive Services with the draft policy tabled for consideration at the Senior Executive Team meeting held Tuesday 8 March 2022.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

The *Local Government Act 2009* provides a regulatory framework for the adoption and enforcement of the Code of Competitive Neutrality Complaints Policy.

Human Rights Act 2019 (Qld)

Section 4(b) of the Human Rights Act 2019 requires public entities to act and make decisions in away compatible with human rights. The *Human Rights Act 2019* requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

In the decision-making process, Council is to consider the 23 human rights:	
1. Recognition and equality before the law;	13. Cultural rights—generally;
2. Right to life;	14. Cultural rights—Aboriginal peoples and Torres Strait Islander peoples;
3. Protection from torture and cruel, inhuman or degrading treatment;	15. Right to liberty and security of person;
4. Freedom from forced work;	16. Humane treatment when deprived of liberty;
5. Freedom of movement;	17. Fair hearing;
6. Freedom of thought, conscience, religion and belief;	18. Rights in criminal proceedings;
7. Freedom of expression;	19. Children in the criminal process;
8. Peaceful assembly and freedom of association;	20. Right not to be tried or punished more than once;
9. Taking part in public life;	21. Retrospective criminal laws;
10. Property rights;	22. Right to education;
11. Privacy and reputation;	23. Right to health services.
12. Protection of families and children;	

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No local law/delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.


REPORT

The *Local Government Act 2009* (Qld) provides a regulatory framework for the adoption and enforcement of a South Burnett Regional Council Code of Competitive Neutrality Complaints Policy – Statutory006.

Section 48 of the *Local Government Act 2009* advises that Council must adopt a process for resolving competitive neutrality complaints.

The aim of this process is to provide, in accordance with *Section 48* of the *Local Government Act 2009*, a means for resolving complaints by affected persons about failures of Council's local government business entities to carry out activities in a way that complies with the competitive neutrality principles applying to the activities.

ATTACHMENTS

1. **South Burnett Regional Council Code of Competitive Neutrality Complaints Policy - Statutory006** [↓](#) 



POLICY CATEGORY - NUMBER: Statutory006

POLICY OWNER: Executive Services

ECM ID: 2700047

ADOPTED:

Code of Competitive Neutrality Complaints Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate Services Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

Guide for Council received complaints under the Competitive Neutrality Complaints, in compliance with *Section 48 of the Local Government Act 2009*, Competitive neutrality complaints.

2. SCOPE

The aim of this process is to provide, in accordance with *Section 48 of the Local Government Act 2009*, a means for resolving complaints by affected persons about failures of Council's local government business entities to carry out activities in a way that complies with the competitive neutrality principles applying to the activities.

3. GENERAL INFORMATION

3.1. Preliminary Procedures

The preliminary procedure for affected persons to raise concerns about alleged failure of business activities to comply with the relevant competitive neutrality principles, and for clarifying and, if possible, resolving those concerns is:

- complainant advises Council verbally or in writing of their concerns. If the complaint is made verbally, it should be referred to the Chief Executive Officer ('CEO') if available or another senior officer and all relevant details obtained;
- Council will acknowledge receipt of the concerns in writing within 14 days and advise the person expressing the concerns that the CEO is investigating the matter;
- the CEO may refer the matter to a review officer of his/her choice or elect to personally undertake the function of the review officer;
- the CEO or review officer will seek to establish the facts relating to the concerns expressed by the person. Investigation of the matter may involve meeting with the person, collecting data, and holding further meetings;
- the CEO or review officer will develop a proposed response to the concerns and seek, within a reasonable time, the person's views on the proposed response; and
- the CEO shall make a response to the person in writing.

3.2. Advice to Applicants of the Complaints Procedure

In the case where a person has expressed concerns that have not been resolved under the preliminary process and Council becomes aware that the person proposes to make a formal

complaint about Council's business activities, Council will make the information in **Appendix A** available to the complainant to ensure that they are able to make the complaint.

3.3. How to Make a Complaint

In making a complaint, the following information should be provided in writing by the complainant and addressed to the CEO:

- details of the complainant's name and contact details such as:
 - address;
 - phone number/s;
 - fax number/s; and
 - email address.
- details about the alleged failure of the business activity to comply with the relevant competitive neutrality principles;
- details of how the complainant was adversely affected by the alleged noncompliance;
- details as to whether the complainant is, or could be, in competition with the local government business entity; and
- a statement that the complainant has made a genuine attempt to resolve his/her concerns with the local government business entity using the preliminary procedures set up by Council. The complaint process under *Division 7 Subdivision 2 Sections 45 to 55 of the Local Government Regulation 2012* should be followed by Council.

3.4. Sending Complaints to Investigation of Complaints by Referee

- formal complaints received by Council are to be directed to the CEO and acknowledged in writing within five (5) working days;
- the CEO must refer the complaint to the Queensland Productivity Commission (QPC) within five (5) working days of receipt;
- formal complaints are to be recorded, showing the date of referral of the complaint to the QPC and an outline of the complaint; and
- the relevant business activity or business unit is to be informed that a formal complaint has been received.

3.5. Record System

The record system will record the following information in regard to complaints made about the competitive neutrality of Council's business activities:

- details of the complaint process established;
- where persons express concerns about the operations of Council's business activity, the concerns and the outcome of the preliminary procedures are to be recorded;
- where persons have made a complaint to Council, details of the complaint are to be recorded;
- details of when the complaint was sent to the QPC for investigation;
- where a person has made a complaint to Council, and the QPC has determined not to investigate the complaint, the notification issued by the referee under *Section 48 of the Local Government Regulation 2012* is to be recorded;
- where a person has made a complaint to Council, and the QPC has determined to investigate the complaint, the investigation notice issued by the QPC under *Section 49 of the Local Government Regulation 2012* is to be recorded;
- handling of QPC records (e.g., data from finished investigations) is to be done in accordance with *Sections 52 and 53 of the Local Government Regulation 2012*;
- where the QPC has issued a report on the complaint under *Section 52 of the Local Government Regulation 2012*, the receipt of the report and any recommendations contained in the report are to be recorded;

- where Council has made a decision on a report by the referee, the resolution incorporating the decision, the date of the resolution and any directions to implement the decision that are given to a business activity under *Section 55 of the Local Government Regulation 2012* are to be recorded; and
- where Council has advised relevant persons of its decision, the notification issued by the local government under *Section 55 of the Local Government Regulation 2012* is to be recorded.

3.6. Opportunities for the Complainant to Provide Further Information to the QPC

If, after the initial complaint is made, the complainant wishes to provide further relevant information to the QPC, they may do so. The QPC may request further information from a complainant at any time during the investigation period.

3.7. Reporting Period for QPC

The referee must provide the report to Council in accordance with the *Local Government Regulation 2012*.

4. DEFINITIONS

Not Applicable

5. LEGISLATIVE REFERENCE

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

6. RELATED DOCUMENTS

Not Applicable

7. NEXT REVIEW

As prescribed by legislation of March 2023

8. VERSION CONTROL

Version	Revision Description	Approval/Adopted Date	ECM Reference
1	Development of Policy	15 July 2020	2700047
2	Administrative change replacing Social & Corporate Performance Branch with Corporate	24 March 2021	2700047
3	Review of policy	26 May 2021	2700047
4	Review of policy		

Mark Pitt PSM

CHIEF EXECUTIVE OFFICER

Date:

APPENDIX A

INFORMATION ON HOW TO MAKE A COMPLAINT ABOUT COMPETITIVE NEUTRALITY OF A LOCAL GOVERNMENT BUSINESS ACTIVITY**How to contact Council**

Mail: The Chief Executive Officer
South Burnett Regional Council
45 Glendon Street
PO Box 336 KINGAROY Q 4610
Phone: (07) 4189 9100
Email: info@sbrc.qld.gov.au
Fax: (07) 4162 480

How to make a complaint***Requirements for complaint***

A complaint must:

- be addressed to the Chief Executive Officer;
- be in writing;
- provide sufficient detail about the alleged failure of the business activity to comply with the relevant competitive neutrality principles;
- state how a complainant was adversely affected by the alleged noncompliance;
- state whether the complainant was, or could be, in competition with Council's business entity; and
- indicate how the complainant has made a genuine attempt to resolve his/her concerns with Council's business entity using the preliminary procedures set up by Council under *Section 48 Local Government Act 2009*

Who can complain?

A complaint can only be made by a person who:

- currently is competing with the activity alleged to have a competitive advantage or
- is hindered from competing by the alleged competitive advantage of Council's business activity under *Section 48 Local Government Act 2009*.

What is a competitive advantage?

A competitive advantage is a business advantage of Council's business activity that is solely due to local government ownership. It can be financial advantage, a regulatory advantage, a procedural advantage or any other advantage.

Grounds for complaint

A complaint must be on the grounds that a Council business entity has failed to carry on its business activity in compliance with the competitive neutrality principles applying to that activity under *Section 47 of the Local Government Act 2009*.

5.2 DRAFT SOUTH BURNETT REGIONAL COUNCIL OPERATIONAL PLAN 2022/23 - EXECUTIVE SERVICES

File Number: 11 March 2022
Author: Manager Corporate Services
Authoriser: Chief Executive Officer

PRECIS

DRAFT South Burnett Regional Council Operational Plan 2022/23 – Executives Services

SUMMARY

South Burnett Regional Council ('Council') is required to adopt an Annual Operational Plan ('Plan') pursuant to *Section 174(1)* of the *Local Government Regulation 2012*, which states how Council will progress the implementation of the Corporate Plan 2021-26 during the 2022/2023 financial year.

The development of the Plan has commenced with Council identifying the most poignant and critical elements of operational delivery within the Executive Services Department for 2022/2023.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the Draft South Burnett Regional Council Operational Plan 2022/23 – Executives Services be approved for inclusion in the operational plan development process for 2022/23.

FINANCIAL AND RESOURCE IMPLICATIONS

Budget allocation will be appropriately identified through the budget development process prior to the adoption of the 2022/23 budget.

LINK TO CORPORATE/OPERATIONAL PLAN

Corporate Plan 2021 - 2026	OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making.
	OR5 – Continue to give priority to ongoing financial sustainability and prudent budget management
Operational Plan 2021/2022	Develop the 2022/2023 Annual Operational Plan

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Executive Services budget and operational activities discussed at a planning workshop held with Council on Monday 7 March 2022.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Local Government Act 2009 (Qld)

Local Government Regulation (Qld)

Human Rights Act 2019 (Qld)

Section 4(b) of the *Human Rights Act 2019* requires public entities to act and make decisions in away compatible with human rights. The *Human Rights Act 2019* requires public entities to only limit human rights in certain circumstances and after careful consideration.

The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

In the decision-making process, Council is to consider the 23 human rights:	
1. Recognition and equality before the law;	13. Cultural rights—generally;
2. Right to life;	14. Cultural rights—Aboriginal peoples and Torres Strait Islander peoples;
3. Protection from torture and cruel, inhuman or degrading treatment;	15. Right to liberty and security of person;
4. Freedom from forced work;	16. Humane treatment when deprived of liberty;
5. Freedom of movement;	17. Fair hearing;
6. Freedom of thought, conscience, religion and belief;	18. Rights in criminal proceedings;
7. Freedom of expression;	19. Children in the criminal process;
8. Peaceful assembly and freedom of association;	20. Right not to be tried or punished more than once;
9. Taking part in public life;	21. Retrospective criminal laws;
10. Property rights;	22. Right to education;
11. Privacy and reputation;	23. Right to health services.
12. Protection of families and children;	

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No immediate policy or local law delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report which will not be addressed through the budget development process prior to the adoption of the 2022/23 budget.

REPORT

South Burnett Regional Council ('Council') is required to adopt an Annual Operational Plan ('Plan') pursuant to *Section 174(1)* of the *Local Government Regulation 2012*, which states how Council will progress the implementation of the Corporate Plan 2021-26 during the 2022/2023 financial year.

The development of the Plan has commenced with Council identifying the most poignant and critical elements of operational delivery within the Executive Services Department for 2022/2023.

ATTACHMENTS

1. **DRAFT Annual Operational Plan 2022/23 - Executive Services** [↓](#) 



SOUTH BURNETT
REGIONAL COUNCIL

Executive Services
Annual Operational Plan
2022/23

- Mission:** To effectively plan, manage and deliver Council services and regulatory responsibilities to and on behalf of the organisation
- Officer Responsible:** Chief Executive Officer
- Responsibilities:** Executive Services, Strategic Planning, Media / Communications, Human Resource Management, Workplace Health and Safety, Economic / Regional Development and oversight of organisational operational matters.



DEPARTMENT: EXECUTIVE SERVICES

Mission: To effectively plan, manage and deliver Council services and regulatory responsibilities to and on behalf of the organisation

Core Activities		
Activity	Strategy/Plan Link SBRC Corporate Plan 2021-2026	Budget Source
Strengthen, maintain, and actively contribute to Local Government organisations/associations advocating Council's strategic and operational position on key issues	OR12; GR16	
Ongoing implementation of Council's Strategic Human Resource Management Plan to guide the engagement, development, management, and performance of Council's human resources	OR11; OR9; GR15	
Continued improvement, implementation, and review of Council's Workplace Health Safety ('WHS') System	OR16	
Develop, coordinate, and publish Council's Annual Report on organisational activities and compliance with legislation	OR2	
Proactive strategic delivery of media and communications	OR10	
Implementation of Council's adopted policies e.g.; Community Engagement Strategy and Policy; Regional Development Policy	OR10; GR1	
Providing administrative support service to the Elected Members to meet Council's strategic outcomes	OR12	
Promotion and operation of Council owned heritage, arts, and tourism assets	GR5	

Projects/New Activities				
Activity	Strategy/Plan Link	Start Date	Finish Date	Budget Source
Council advocacy for mental health and suicide prevention programme working with community stakeholders and government	IN13; EC11			
Advocate for specialist and community health services to maintain current services at a minimum	IN13			
Development, adoption and commence implementation of the SBRC Regional Development Action Plan	GR1			
Develop an investment ready road map aligning Council priorities to State and Federal government's objectives	GR2			
Develop a 25-year economic roadmap for water infrastructure	GR12; GR13			
Advocate for regional water security developing projects and seeking external funding	GR13			
Engage key stakeholders conducting advocacy activities to build regional economic diversification in energy transformation, encouraging responsible investment in renewable energy	OR5			
Develop an employee value proposition linking to Council's Strategic Human Resource Management Plan for positive retention outcomes	OR11			
Engagement in energy policy and advocacy for transition of economies impacted by State and Commonwealth policies	EN5; GR14			
Partnership with industry led tourism and economic development organisations	GR6			
GR16: Support the development of an agricultural land and product asset mapping programme - Right Area? GR4 - Community	GR16			

Develop town and village community plans / key priority lists	EC9			
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DRAFT

5.3 DRAFT 2022/2023 BUDGET - EXECUTIVE

File Number: 11032022

Author: Manager Finance & Sustainability

Authoriser: Chief Executive Officer

PRECIS

Draft 2022/2023 Budget - Executive

SUMMARY

Under the *Local Government Regulations 2012* section 169, Council must prepare an annual budget each year. The information detailed in this report is for discussion and potential inclusion in the 2022/2023 annual budget.

OFFICER'S RECOMMENDATION

That the Committee receive the proposed 2022-2023 draft budget for the Executive Department and provide guidance for inclusion in the continued preparation of the full South Burnett Regional Council 2022-2023 annual budget.

BACKGROUND

Executive Services is comprised of the Office of the CEO, Economic Development, Visitor Information Centres, People and Culture, Council owned Museums and Art Galleries. The attached report provides an overview of the proposed 2022-2023 budgets for these areas.

It is important to note that Employee On-costs and a number of line items in the Human Resources business unit will be brought back to the committee, at a future date, so as to provide updated figures for the 2022-2023 budget. This is because new year calculations are not usually performed until drafts for all areas have been finalised and exact salary predictions are known. Internal Plant charges are also being reviewed and will be presented in a future workshop to show any adjustments to what has been already seen by the Committee.

Electricity costs for all areas will have budgets moved to the Properties business unit and the subscription costs associated with the Local Government Association of Queensland which had previously been budgeted for under Corporate has been moved to Executive Services.

Overall, the department has tried to absorb the CPI increase of 3.5% where possible.

ATTACHMENTS

1. Executive Draft - 22/23 Budget [↓](#) 

2022/2023 - Comprehensive Income Statement - Executive

	21/22 YTD Actuals	21/22 Original Budget	22/23 Managers Proposed Budget	\$ Variance	Comments
REVENUE					
Recurrent Revenue					
Fees & Charges	-	6,500	1,553	(4,947)	
Interest Received	-	-	-	-	
Other Income	141,283	117,700	127,000	9,300	
Rental Income	31	-	-	-	
Grants, Subsidies, Contributions & Donations	453,366	150,000	177,000	27,000	
Total Recurrent Revenue	594,681	274,200	305,553	31,352	
EXPENSES					
Recurrent Expenses					
Donations	25,073	12,001	31,601	19,600	1.25% EBA increase; Grants Audit Officer budget moved from Infrastructure to Executive;
Employee Benefits	2,130,792	1,501,963	1,754,471	252,508	Youth Mental Health Officer for 3 months - offset by grant
Finance Costs	-	-	-	-	
Materials	524,388	750,477	918,950	168,473	\$135k for memberships - budget usually in Corporate however decision was made to move to Executive
Plant	74,110	78,812	83,812	5,000	
Services	76,892	82,000	44,500	(37,500)	
Total Recurrent Expenses	2,831,255	2,425,253	2,833,334	408,081	
OPERATING SURPLUS/(DEFICIT)	(2,236,574)	(2,151,053)	(2,527,782)	(376,729)	

6 CONFIDENTIAL SECTION

7 CLOSURE OF MEETING