



AGENDA

Executive and Finance & Corporate Standing Committee Meeting Wednesday, 21 September 2022

I hereby give notice that a Meeting of the Executive and Finance & Corporate Standing Committee will be held on:

Date: Wednesday, 21 September 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 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 MINUTES OF THE EXECUTIVE AND FINANCE & CORPORATE STANDING COMMITTEE MEETING HELD ON 10 AUGUST 2022

File Number: 21/9/2022

Author: Executive Assistant

Authoriser: Chief Executive Officer

OFFICER'S RECOMMENDATION

That the Minutes of the Executive and Finance & Corporate Standing Committee Meeting held on 10 August 2022 be received.

ATTACHMENTS

- 1. Minutes of the Executive and Finance & Corporate Standing Committee Meeting held on 10 August 2022**



MINUTES

Executive and Finance & Corporate Standing Committee Meeting Wednesday, 10 August 2022

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**MINUTES OF SOUTH BURNETT REGIONAL COUNCIL
EXECUTIVE AND FINANCE & CORPORATE STANDING COMMITTEE MEETING
HELD AT THE WARREN TRUSS CHAMBER, 45 GLENDON STREET, KINGAROY
ON WEDNESDAY, 10 AUGUST 2022 AT 1.30PM**

PRESENT:**Councillors:**

Cr Brett Otto (Mayor), Cr Jane Erkens, Cr Danita Potter, Cr Kirstie Schumacher, Cr Kathy Duff, Cr Scott Henschen

Council Officers:

Mark Pitt (Chief Executive Officer), Susan Jarvis (General Manager Finance & Corporate), Tim Low (Acting General Manager Infrastructure), Peter O'May (General Manager Liveability), Carolyn Knudsen (Manager Corporate Services), Kerri Anderson (Manager Finance and Sustainability), Joanne Newbery (Communications Officer), Jennifer Pointon (Manager Community and Lifestyle), Bree Hunt (Executive Assistant)

1 OPENING

The Mayor opened the meeting and welcomed all attendees

2 LEAVE OF ABSENCE / APOLOGIES**APOLOGY**

COMMITTEE RESOLUTION 2022/18

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That the apology received from Cr Jones be accepted and leave of absence granted.

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

3 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**4 DECLARATION OF INTEREST**

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**5.1 MINUTES OF THE EXECUTIVE AND FINANCE & CORPORATE STANDING COMMITTEE MEETING HELD ON 13 JULY 2022**

COMMITTEE RESOLUTION 2022/19

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

That the Minutes of the Executive and Finance & Corporate Standing Committee Meeting held on 13 July 2022 be received.

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0**6 BUSINESS ARISING****7 GENERAL BUSINESS****8 PORTFOLIO - CORPORATE SERVICES, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE & ICT****Attendance:**

At 3:46pm, Manager Facilities and Parks Leanne Petersen left the meeting.

8.1 CORPORATE, GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE & SUSTAINABILITY AND ICT & FLEET PORTFOLIO

COMMITTEE RESOLUTION 2022/20

Moved: Cr Brett Otto

Seconded: Cr Kathy Duff

That Mayor Otto's Corporate Governance & Strategy; People & Culture; Communications/Media; Finance & Sustainability and ICT & Fleet Portfolio Report to Council be received.

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

8.2 ASSIGNMENT OF COUNCILLOR PORTFOLIO REPRESENTATION

COMMITTEE RESOLUTION 2022/21

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That the committee recommend to Council:

That the following Councillor portfolios be assigned:

<i>Portfolio</i>	<i>Portfolio Councillor</i>
<i>Corporate Governance & Strategy People & Culture Communications/ Media Finance ICT Advocacy and Community Relations 2032 Olympics</i>	<i>Mayor Brett Otto</i>
<i>Rural Resilience and Disaster Recovery Parks & Gardens Property & Facility Management First Nations Affairs Compliance</i>	<i>Cr Kathy Duff</i>
<i>Community and Liveability</i> <ul style="list-style-type: none"> • <i>Health</i> • <i>Youth</i> • <i>Senior citizens</i> <i>Arts Heritage Local Disaster Management Waste and Recycling</i>	<i>Cr Danita Potter</i>
<i>Tourism Sport & Recreation Commercial Services</i>	<i>Cr Jane Erkens</i>
<i>Regional Development</i> <ul style="list-style-type: none"> • <i>Industry</i> • <i>Agriculture</i> • <i>Water security</i> • <i>Energy and circular economy</i> <i>Planning Housing</i>	<i>Cr Kirstie Schumacher</i>
<i>Rural Services Natural Resource Management Agriculture Industry Development Environment</i>	<i>Cr Scott Henschen</i>
<i>Roads & Drainage Water Wastewater Plant and Fleet</i>	<i>Cr Gavin Jones</i>

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

8.3 RESTRICTED CASH PRELIMINARY RECONCILIATION

COMMITTEE RESOLUTION 2022/22

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That the preliminary cash reconciliation including predicted restricted cash levels be noted for information

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0**8.4 PURCHASE OF FIELD UNIFORMS 12MTH AGREEMENT**

COMMITTEE RESOLUTION 2022/23

Moved: Cr Kathy Duff

Seconded: Cr Jane Erkens

That the Committee recommend to Council:

That Council approve the recommendation to establish a 12-month supply arrangement for Hi-Visibility Field Uniforms with the Uniform Zone.

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0**8.5 INVENTORY WRITE - OFF**

COMMITTEE RESOLUTION 2022/24

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That the Committee recommend to Council:

That Council approve the write off of pre-consumed inventory that remains on record due to a change in practices and budget responsibilities.

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

8.6 ELECTRICITY SAVINGS REALISED THROUGH CHANGE IN TARIFF

COMMITTEE RESOLUTION 2022/25

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

That the report be received for information.

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott HenschenAgainst: Nil**CARRIED 6/0****9 PORTFOLIO - REGIONAL DEVELOPMENT****Attendance:**

At 4:08pm, Communications Officer Joanne Newbery left the meeting.

9.1 REGIONAL DEVELOPMENT PORTFOLIO REPORT

COMMITTEE RESOLUTION 2022/26

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

That Cr Schumacher's Regional Development Portfolio Report to Council be received for information.

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott HenschenAgainst: Nil**CARRIED 6/0****9.2 REGIONAL DEVELOPMENT AND TOURISM MONTHLY UPDATE**

COMMITTEE RESOLUTION 2022/27

Moved: Cr Jane Erkens

Seconded: Cr Scott Henschen

That the Regional Development and Tourism monthly update for July 2022 be received for information.

In Favour: Crs Brett Otto, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott HenschenAgainst: Nil**CARRIED 6/0**

10 CONFIDENTIAL SECTION

11 CLOSURE OF MEETING

The Meeting closed at 4:14pm.

The minutes of this meeting were confirmed at the Executive and Finance & Corporate Standing Committee Meeting held on 21 September 2022.

.....
CHAIRPERSON

5.2 MINUTES OF THE CORPORATE RISK & AUDIT ADVISORY COMMITTEE MEETING HELD ON 12 SEPTEMBER 2022

File Number: 21-Sept-2022
Author: Coordinator Corporate
Authoriser: Chief Executive Officer

OFFICER'S RECOMMENDATION

That the Minutes of the Corporate Risk & Audit Advisory Committee Meeting held on 12 September 2022 be received.

ATTACHMENTS

- 1. Minutes of the Corporate Risk & Audit Advisory Committee Meeting held on 12 September 2022**



MINUTES

Corporate Risk & Audit Advisory Committee Meeting

Monday, 12 September 2022

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7.5	South Burnett Regional Council Corporate Risk Register and Treatment Plan 2021/2022 - final update.....	5
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**MINUTES OF SOUTH BURNETT REGIONAL COUNCIL
CORPORATE RISK & AUDIT ADVISORY COMMITTEE MEETING
HELD AT THE WARREN TRUSS CHAMBER, 45 GLENDON STREET, KINGAROY
ON MONDAY, 12 SEPTEMBER 2022 AT 9.30 AM**

PRESENT:**Members:**

Mayor Brett Otto (Mayor), Cr Kirstie Schumacher, Independent Member George Hampouris, Independent Member Peter van der Eijk, Independent Member JP O'Kennedy

In Attendance:

Peter O'May (Acting Chief Executive Officer), Susan Jarvis (General Manager Finance & Corporate), Ged Brennan (Contract Engineer Infrastructure), Jillian Richards (Audit Partner, KPMG), Ryan Lindwall (Manager, KPMG), Dale Hassell (Senior Manager, QAO), Tracy Townsend (Manager Audit and Assurance Services, Pacifica Pty Ltd), Kerri Anderson (Manager Finance & Sustainability), Sanju Augustine (Senior Grants Audit Officer) Karen Searle (Coordinator Corporate)

1 OPENING

The meeting was declared open at 9.34 am.

2 WELCOME

Mayor welcomed all present and offered condolences to the royal family on the passing of Her Majesty The Queen, Queen Elizabeth II and acknowledged the proclamation of the ascension of His Majesty The King, King Charles III.

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 DEPUTATION / PETITIONS

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**5.1 MINUTES OF THE CORPORATE RISK & AUDIT ADVISORY COMMITTEE MEETING HELD ON 9 JUNE 2022**

COMMITTEE RESOLUTION CRAAC/2022/34

Moved: Independent Member Peter van der Eijk

Seconded: Cr Kirstie Schumacher

That the Minutes of the Corporate Risk & Audit Advisory Committee Meeting held on 9 June 2022 be received and the recommendations therein be adopted.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

6 BUSINESS ARISING**7 GENERAL BUSINESS****7.1 QUEENSLAND AUDIT OFFICE - BRIEFING PAPER**

COMMITTEE RESOLUTION CRAAC/2022/35

Moved: Independent Member Peter van der Eijk
Seconded: Independent Member George Hampouris

That the Corporate Risk and Audit Advisory Committee 'receive' the Queensland Audit Office – Briefing Paper as at 1 September 2022.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

7.2 INTERNAL AUDIT PLAN FOR 2022-2023

COMMITTEE RESOLUTION CRAAC/2022/36

Moved: Independent Member Peter van der Eijk
Seconded: Independent Member JP O'Kennedy

That the Corporate Risk and Audit Advisory Committee 'receive' for information the Internal Audits planned for 2022-2023 as per Council's endorsed 3-Year Internal Audit Plan 2020/2023.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

7.3 INTERNAL AUDIT PROGRESS REPORT - 31 AUGUST 2022

COMMITTEE RESOLUTION CRAAC/2022/37

Moved: Independent Member Peter van der Eijk
Seconded: Independent Member JP O'Kennedy

That the Corporate Risk and Audit Advisory Committee 'receives' the Internal Audit Progress Report to 31 August 2022.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

7.4 STATUS ON IMPLEMENTATION OF INTERNAL AUDIT RECOMMENDATIONS AS AT 5 SEPTEMBER 2022

COMMITTEE RESOLUTION CRAAC/2022/38

Moved: Independent Member Peter van der Eijk
Seconded: Independent Member George Hampouris

That the Corporate Risk & Audit Advisory Committee 'receives' the Status on Implementation of Internal Audit Recommendations as at 5 September 2022.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

7.4.1 INTERNAL AUDIT RECOMMENDATIONS REPORT

COMMITTEE RESOLUTION CRAAC/2022/39

Moved: Independent Member Peter van der Eijk
Seconded: Independent Member JP O'Kennedy

That the Corporate Risk and Audit Advisory Committee recommends that the Executive Leadership Team bring a report to the next meeting with updated due dates subject to available resources on implementation of outstanding recommendations of internal audit and that such be included on the KPI's for the Chief Executive Officer with the intention of finalising all recommendations prior to the internal audit plan for 2022-2023 being actioned.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

7.5 SOUTH BURNETT REGIONAL COUNCIL CORPORATE RISK REGISTER AND TREATMENT PLAN 2021/2022 - FINAL UPDATE

COMMITTEE RESOLUTION CRAAC/2022/40

Moved: Independent Member Peter van der Eijk
Seconded: Cr Kirstie Schumacher

That the Committee 'receive' the South Burnett Regional Council Corporate Risk Registers and Treatment Plans 2021/2022 – 6-monthly update – 1 January to 30 June 2022.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

7.6 SOUTH BURNETT REGIONAL COUNCIL CORPORATE RISK REGISTER AND TREATMENT PLAN 2022/23 (COMBINED)

COMMITTEE RESOLUTION CRAAC/2022/41

Moved: Independent Member Peter van der Eijk

Seconded: Independent Member JP O'Kennedy

That the South Burnett Regional Council Corporate Risk and Audit Advisory Committee 'receive' the Corporate Risk Register and Treatment Plan 2022/23 as presented.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

Attendance: Jillian Richards left the meeting at 10.47 am.

7.7 SOUTH BURNETT REGIONAL COUNCIL EMPLOYEE LEAVE LIABILITY REPORT AS AT 26 AUGUST 2022

COMMITTEE RESOLUTION CRAAC/2022/42

Moved: Independent Member Peter van der Eijk

Seconded: Cr Kirstie Schumacher

That the Corporate Risk and Audit Advisory Committee 'receives' the South Burnett Regional Council Employee Leave Liability Report as of 26 August 2022.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

ADJOURN MORNING TEA

COMMITTEE RESOLUTION CRAAC/2022/43

Moved: Mayor Brett Otto

Seconded: Independent Member Peter van der Eijk

That the meeting adjourn for morning tea at 10.57 am.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

RESUME MEETING

COMMITTEE RESOLUTION CRAAC/2022/44

Moved: Mayor Brett Otto

Seconded: Independent Member Peter van der Eijk

That the meeting resume at 11.21 am.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

**7.8 SOUTH BURNETT REGIONAL COUNCIL WORKPLACE HEALTH & SAFETY UPDATE
- SEPTEMBER 2022 AND 2021/2022 ANNUAL REPORT**

COMMITTEE RESOLUTION CRAAC/2022/45

Moved: Independent Member Peter van der Eijk

Seconded: Cr Kirstie Schumacher

That the Corporate Risk and Audit Advisory Committee 'receives' the Workplace Health and Safety 1 July 2022 to 31 August 2022 and 2021/2022 Annual Report.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

7.9 KINGAROY TRANSFORMATION PROJECT UPDATE

COMMITTEE RESOLUTION CRAAC/2022/46

Moved: Independent Member Peter van der Eijk

Seconded: Independent Member JP O'Kennedy

That the Corporate Risk and Audit Advisory Committee 'receives' the Kingaroy Transformation Project Update – August 2022 for information.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

7.9.1 KINGAROY TRANSFORMATION PROJECT REVIEW

COMMITTEE RESOLUTION CRAAC/2022/47

Moved: Independent Member Peter van der Eijk
Seconded: Independent Member George Hampouris

That the Corporate Risk and Audit Advisory Committee recommend a review of hours and costs of engineering staff on the Kingaroy Transformation Project in relation to training and compliance with AASB116.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

7.10 CYBER SECURITY REPORT FOR MONTH OF AUGUST 2022

COMMITTEE RESOLUTION CRAAC/2022/48

Moved: Independent Member Peter van der Eijk
Seconded: Independent Member JP O'Kennedy

That the Corporate Risk and Audit Advisory Committee 'receives' Cyber Security reports for month of August 2022.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

I, Cr Kirstie Schumacher inform this meeting that I have a declarable conflict of interest in relation to Item 7.1.

The nature of my interest is as follows:

This declarable conflict of interest arises due to myself being a current board member of the South Burnett Community Hospital Foundation.

At 12.02 pm, Cr Kirstie Schumacher left the meeting.

MOTION

COMMITTEE RESOLUTION CRAAC/2022/49

Moved: Mayor Brett Otto
Seconded: Independent Member Peter van der Eijk

That Cr Schumacher remain in the meeting to discuss the Financial Statements of the South Burnett Community Hospital Foundation.

In Favour: Crs Brett Otto, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 4/0

At 12.03 pm, Cr Kirstie Schumacher returned to the meeting.

7.1 DRAFT 2021/22 SOUTH BURNETT REGIONAL COUNCIL FINANCIAL STATEMENTS

COMMITTEE RESOLUTION CRAAC/2022/50

Moved: Independent Member Peter van der Eijk
Seconded: Cr Kirstie Schumacher

That the Corporate Risk and Audit Advisory Committee 'receives' the Draft 2021/22 South Burnett Regional Council Financial Statements.

In Favour: Crs Brett Otto, Kirstie Schumacher, George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

MOTION

COMMITTEE RESOLUTION CRAAC/2022/51

Moved: Independent Member Peter van der Eijk
Seconded: Cr Kirstie Schumacher

That the Corporate Risk and Audit Advisory Committee recommend that Council requests clear instructions on any proposed advance payment of the Federal Assistance Grants in 2022/2023 financial year from the Queensland Local Government Grants Commission and seek a resolution to Council to support a budget revision of the 2022/2023 budget with the objective not to overstate the budget.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

MOTION

COMMITTEE RESOLUTION CRAAC/2022/52

Moved: Independent Member JP O'Kennedy
Seconded: Independent Member George Hampouris

That the Corporate Risk and Audit Advisory Committee recommend that supply chain risk be included on the Corporate Risk Registers and both the Risk Registers and Capital Works Project delivery be reported on quarterly.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

MOTION

COMMITTEE RESOLUTION CRAAC/2022/53

Moved: Cr Kirstie Schumacher

Seconded: Independent Member Peter van der Eijk

That the Corporate Risk and Audit Advisory Committee recommend to Council that they recommence budget standing committee meetings to actively consider the risks to Council's overall financial performance in particular the delivery and supply risks that may impact its capital works program and end of year financial result and to review the first quarter results.

In Favour: Crs Brett Otto, Kirstie Schumacher, Independent Members George Hampouris, Peter van der Eijk and JP O'Kennedy

Against: Nil

CARRIED 5/0

8 CLOSURE OF MEETING

The Meeting closed at 12.57 pm.

The minutes of this meeting were confirmed at the Corporate Risk & Audit Advisory Committee held on 6 October 2022.

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CHAIRPERSON

6 BUSINESS ARISING

7 GENERAL BUSINESS

8 PORTFOLIO - CORPORATE GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATIONS & MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION & ADVOCACY AND 2032 OLYMPICS

8.1 CORPORATE, GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION & ADVOCACY AND 2032 OLYMPICS PORTFOLIO

File Number: 21/9/2022

Author: Mayor

Authoriser: Chief Executive Officer

PRECIS

Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics Portfolio

SUMMARY

Mayor Otto presented his Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics Portfolio Report to Council.

OFFICER'S RECOMMENDATION

That Mayor Otto's Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics Portfolio Report to Council be received.

Corporate, Governance & Strategy:

Council will celebrate International Access to Information Day on 28 September 2022. This year's theme is 'Artificial intelligence, e-governance and access to information'.

This day raises awareness of every individual's right of access to government-held information; and the public sector's responsibility to release information if it is in the public interest to do so. Individuals and governments from around the world can support this fundamental human right and promote open, democratic societies where citizens are empowered and participate in government.

The right to access information is recognised by Article 19 of the Universal Declaration of Human Rights (1948) and Article 19 of the International Covenant on Civil and Political Rights which state: 'Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers'.

International Access to Information Day was formally recognised by the UNESCO General Conference in 2015 and was first officially held in 2016.

The Office of the Information Commissioner website has many useful resources available in relation to Artificial Intelligence, e-governance and access to information.

During the month, Council will actively promote internally the responsibilities of Council staff and deliver targeted messaging with themed displays in our Customer Services Centre.

People & Culture: Rural Management Challenge

South Burnett Regional Council will host the 2022 Southern Queensland Local Government Managers (LGMA) Rural Management Challenge on the 4 and 5 October 2022.

Council is pleased to have entered two teams to compete in the challenge of the fast-paced day of time driven, real life simulation tasks and scenarios that the teams work together to compete against other Local Government teams from across Southern Queensland.

The LGMA has long supported the learning and development of local government officers to achieve greater outcomes for regional communities and we look forward to hosting this year's event.

Manager and Coordinator Training

The Executive Leadership Team is pleased to provide Senior Officers of Council the opportunity to develop their leadership skills in the coming months.

Council, in partnership with the LGMA have developed a series of six workshops over three months to support the development opportunities and skills of managers, coordinators and senior officers within Council in this well-regarded development program.

Communications/Media:

In August 2022, the Media and Communications team progressed the following:

- Media Releases x 42
- Media enquiries (via the Media email) x 8
- Social Media:
 - Facebook: 106 Posts
 - Instagram: 79 Posts
- Enews x 1
- Printed advertising x 5
- Radio Advertising
- Graphic design x 39

A list of all media release/enquiries and statistics for August 2022 is available as an attachment to this report.

Finance & Sustainability:

At the end of August 2022, Council held \$54.011 million in cash and cash equivalents with \$45.786 million sitting with Queensland Treasury Corporation (QTC).

The annual QTC Long Term Forecast report has been completed and submitted. The draft Financial Statements have been completed and are with the Auditors for verification.

The half yearly Rate Notices were issued on 19 August 2022 and the original discount period end date has been extended by a day to 23 September 2022 due to the public holiday for the National Day of Mourning of Her Majesty the Queen.

BACKGROUND

Nil

ATTACHMENTS

1. **Response - Waste Climate Adaption Strategy - Letter to Premier - 15 July 2022** [↓](#) 
2. **Correspondence from Premier - 16 August 2022** [↓](#) 
3. **Monthly Media Report - August 2022** [↓](#) 



Mayor Brett Otto

(07) 4189 9155
(07) 4162 4806
mayor@sbrc.qld.gov.au
www.southburnett.qld.gov.au



SOUTH BURNETT
REGIONAL COUNCIL

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PO Box 336
Kingaroy QLD 4610
1300 789 279 or (07) 4189 9100
(07) 4162 4806
info@sbrc.qld.gov.au
www.southburnett.qld.gov.au

OFFICE OF THE MAYOR

ECM ID: 2928961 BO:LO

15 July 2022

ThePremier@premiers.qld.gov.au

Dear Premier

Thank you

Mayor Otto would like to sincerely thank you and acknowledge your tremendous leadership in relation to identifying the needs and health measures of the South Burnett Regional Community.

The approved funding under the Queensland Government's 2022 Local Government Grants and Subsidies Program (2022-24 LGGSP) and the release of a new plan to ban harmful single use plastics including disposable coffee cups and lids has been very welcoming.

It is absolutely paramount that in a time like the present a strong working relationship between all Governments is required, and if there is anything that the South Burnett Regional Council can assist with, please do not hesitate to make contact.

These projects are now possible because of your support, they will create jobs, increase the liveability for our community and boost the regional economy.

Thank you again for your assistance in this space it has been greatly appreciated.

Yours faithfully



Brett Otto
MAYOR

Customer Service Centres

Blackbutt 69 Hart Street
Kingaroy 45 Glendon Street
Nanango 48 Drayton Street

Murgon 42 Stephens Street West
Wondai Cnr Scott & Mackenzie Streets



Premier of Queensland
Minister for the Olympics



Brisbane 2032
Olympic and Paralympic
Games Host
Queensland



For reply please quote: *EPP/JP – TF/22/12479 – DOC/22/131203*
Your reference: *2928961 BO:LO*

16 AUG 2022

Councillor Brett Otto
Mayor
South Burnett Regional Council
mayor@sbrc.qld.gov.au

1 William Street Brisbane
PO Box 15185 City East
Queensland 4002 Australia
Telephone +61 7 3719 7000
Email ThePremier@premiers.qld.gov.au
Website www.thepremier.qld.gov.au

Dear Councillor Otto *Brett*

Thank you for your letter.

First, I acknowledge the further recent severe weather event that has affected your region. Any loss of life is a tragedy, and the ongoing impacts of extreme weather on the community, particularly our farmers, affects everyone. This year has certainly tested the strong Queensland spirit, and my thoughts are with you all.

My Government is committed to supporting the economic powerhouses that are our regions, such as the South Burnett, and I am pleased the approved funding under the 2022–2024 Local Government Grants and Subsidies Program will continue to support local jobs and the South Burnett regional economy.

The recently announced 2022–23 Budget further acknowledges the integral role our regions play in a strong Queensland economy, with significant investments across the Wide Bay and Burnett. As part of the Budget, my Government has invested \$85.1 million in the Southern Renewable Energy Zone battery project near Tarong Power Station to provide energy storage capacity, supporting local jobs in the South Burnett community.

Our plan to reduce harmful single use plastics over the next five years will continue to protect our world-class natural environment here in Queensland, and I am pleased to have supported the \$1.1 million upgrade of visitor facilities at Bunya Mountains National Park in the Budget, to allow even more Queenslanders to enjoy the natural beauty of the South Burnett.

I look forward to continuing our strong working relationship.

Yours sincerely


**ANNASTACIA PALASZCZUK MP
PREMIER OF QUEENSLAND
MINISTER FOR THE OLYMPICS**

Media Releases – 2022: 42

1. 048. Media Release 2-08-2022 - Wondai Industrial Estate Stage II002. Media Release 01-07-2022 - Nominations Open for Botanical Advisory Committee
2. 049. Media Release 2-08-2022 - Call for Water Projects BBRWA
3. 050. Public Notice 2-08-2022 - Water Meter Replacement Proston
4. 051. Public Notice 2-08-2022 - Hospital Entrance Kingaroy change
5. 052. Public Notice 2-08-2022 - Mattress Disposal Fee
6. 053. Public Notice 2-08-2022 - Rail Trail Update Murgon area
7. 054. Public Notice 2-08-2022 - Mental Health Funding Expressions of Interest
8. 055. Media Release 04-08-2022 - South Burnett Wins National Road Safety Award
9. 056. Media Release 04-08-2022 - Visits to Public Gallery encouraged
10. 057. Public Notice 04-08-2022 - Final Asphalt Works KTP
11. 058. Public Notice 04-08-2022 - Show Holiday Reminder Monday
12. 059. Public Notice 04-08-2022 - BaconFest Closures
13. 060. Public Notice 04-08-2022 - Notice of Works Kingaroy
14. 061. Public Notice 05-08-2022 - Festival of the Dams Postponed
15. 062. Public Notice 05-08-2022 - BaconFest - Helicopter Noise Advance Notice and Customer Service Closure
16. 063. Public Notice 05-08-2022 - Tingoorra Hall Public Consultation
17. 064. Public Notice 09-08-2022 - Nominations open for Ringsfield House Advisory Committee
18. 065. Media Release 09-08-2022 - Tender FAQs
19. 066. Media Release 09-08-2022 - Qld Training Awards
20. 067. Public Notice 11-08-2022 - Couchman Rd works Kingaroy
21. 068. Public Notice 11-08-2022 - Waste Transfer Facilities Temporary Closures
22. 069. Public Notice 11-08-2022 - Wild animal control program
23. 070. Media Release 11-08-2022 - South Burnett Health Services
24. 071. Public Notice 12-08-2022 - Notice of Works - Temporary Road Closure – Wattlegrove Road, Wattle Grove
25. 072. Public Notice 12-08-2022 - Notice of Works - Elbow Road Merlwood Sunnynook
26. 073. Media Release 15-08-2022 - Best Practice Volunteer Engagement – Kingaroy Workshop
27. 074. Media Release 16-08-2022 - Recovery and Resilience Plan
28. 075. Media Release 17-08-2022 Disaster Recovery Funding Arrangements
29. 076. Public Notice 18-08-2022 Memorial Park Draft Designs
30. 077. Media Release 18-08-2022 Brown St Nanango
31. 078. Public Notice 18-08-2022 Aquatic Centre Upgrade
32. 079. Public Notice 18-08-22 Ringsfield House Picnics
33. 080. Public Notice 23-08-2022 - Blackbutt CBD Linkage to Rail Trail
34. 081. Public Notice 23-08-2022 Dingo Ck Playground Closed
35. 082. Public Notice 23-08-2022 Rates Notice Issued
36. 083. Public Notice 25-08-2022 Kingaroy Airport Lighting Tender
37. 084. Public Notice 25-08-2022 Tractor tender
38. 085. Public Notice 25-08-2022 Durong Fuel Cell
39. 086. Media Release 25-08-22 Australia Day award nominations now open
40. 087. Public Notice 29-08-2022 - Mondure Crossing Road Closure
41. 088. Media Release 30-08-2022 Job and Skills Summit
42. 089. Public Notice 30-08-2022 Volunteer grants open

Media Releases 22-23						
2022	Jul	Aug	Sep	Oct	Nov	Dec
	47	42				
2023	Jan	Feb	Mar	Apr	May	Jun

Media enquiries (received to the 'Media' email, excludes phone and other emails): 23

- 01-08-2022 - Win News – Requesting an interview in relation to the South Burnett Koala Land Restoration Carbon Project
- 04-08-2022 – Burnett Today – Requesting a wrap up from each Councillor who attended the LGAQ Bush Council Convention.
- 04-08-2022 – Burnett Today – Requesting Council's thoughts on the South Burnett/Kingaroy community possibly welcoming in a refugee family.
- 09-08-2022 – ABC Southern Queensland – Requesting information on the homeless forum.
- 10-08-2022 – ABC Southern Queensland – Requesting interview in relation to drug busts in the region
- 15-08-2022 – ABC Southern Queensland – Requesting interview in relation to the volunteer shortage in the community
- 17-08-2022 – SouthBurnett.com – Request comment from the Mayor in relation to Brown Street Nanango
- 18-08-2022 – Burnett Today – Requesting response to Deb Frecklington's Letter in relation to Safety Upgrades needed following flood tragedy

Media Enquiries 22-23						
2022	Jul	Aug	Sep	Oct	Nov	Dec
	23	8				
2023	Jan	Feb	Mar	Apr	May	Jun

Social media: South Burnett Regional Council

Facebook

@southburnettregion: 106 posts

Most engaged post:

16-08-2022 – Council's Parks and Gardens team has been busy – 18,718 reached, 4,412 engagements, 690 reactions, 119 comments, 48 shares

Followers: 9690

Page reach: 40,049 (+53.5% from July 2022)

Instagram: 79 posts

Most engaged post:

25-08-2022 – High Tea – Saturday 10 September – 9 likes, 1 comment, 302 reached, 0 engagements, 0 shares

Followers: 1087 (+8 from July 2022)

Page reach: 717 (+ 5.3% change from July 2022)

Social media posts – all platforms						
2022	Jul	Aug	Sep	Oct	Nov	Dec
	Facebook: 77 Instagram: 59	Facebook: 106 Instagram: 79	Facebook: Instagram:	Facebook: Instagram:	Facebook: Instagram:	Facebook: Instagram:
2023	Jan	Feb	Mar	Apr	May	Jun
	Facebook: Instagram:	Facebook: Instagram:	Facebook: Instagram:	Facebook: Instagram:	Facebook: Instagram:	Facebook: Instagram:

Enews

- Council progressed 1 Enews during August

Printed advertising

- Council progressed two full page ads (Page 4) in the South Burnett Today published on 4 and 18 August 2022
- Council progressed 2 Public Notices in South Burnett Today
 - Found 1 Sow & 10 piglets
 - Invitation to Offer 1 Sow & 10 piglets
- Council progressed one Murgon Moments ad in August for South Burnett Libraries

Graphic design – August 2022:

- Website Banners x 2 – Ringsfield House Advisory Committee, Australia Day Award Nominations now open
- Social media graphic – Public Notices x 34
- Flyers x 2 – Ringsfield House, Soil Lab
- Sign x 1 – Dingo Creek Playground closed

8.2 ESTABLISHMENT OF COUNCIL STANDING COMMITTEES AND TERMS OF REFERENCE

File Number: 21-09-2022

Author: Executive Assistant

Authoriser: Chief Executive Officer

PRECIS

The *Local Government Regulation 2012* gives direction and guidance on committees. It remains a matter for each Local Government to decide whether or not it wishes to appoint committees. Under the Regulation, committees are allowed but are not mandatory.

SUMMARY

The *Local Government Act 2009* and *Local Government Regulation 2012* allows Council to appoint Standing Committees. The Chief Executive Officer to review the current three (3) Standing Committees of Council regarding the following points:

- Determination of number of Council Committee and structure;
- Appointment of members to the Committees; and
- Determination of the Committee Chairperson;

OFFICER'S RECOMMENDATION

That the Committee recommends to Council that:

1. South Burnett Regional Council adopt the following Standing Committee structure for each of the Standing Committees pursuant to s264 of *the Local Government Regulation 2012*:

Standing Committee	Meeting Date	Members	Chair/Deputy Chair
Infrastructure, Environment and Compliance	First Wednesday of each month	All Councillors	Mayor/Deputy Mayor
Liveability, Governance and Finance	Second Wednesday of each month	All Councillors	Mayor/Deputy Mayor

2. Portfolio Matters to be discussed at each Standing Committee:

Infrastructure, Environment and Compliance Standing Committee

- *Infrastructure Planning*
 - *Works (Construction & Maintenance);*
 - *Water & Wastewater;*
 - *Plant and Fleet*
- *Natural Resource Management*
 - *Rural Services including Agricultural Innovation*
 - *Compliance*
 - *Environment Health*
- *Rural Resilience and Disaster Recovery*
 - *Parks & Gardens*
 - *Property & Facility Management*
 - *First Nations Affairs*
- *Community Development,*

- *Disaster Management*
- *Waste and Recycling Management*

Liveability, Governance and Finance Standing Committee

- *Corporate Governance & Strategy*
 - *People & Culture*
 - *Communications & Media*
 - *Finance & Sustainability*
 - *ICT & Business Systems*
 - *Community Representation and Advocacy*
 - *2032 Olympics*
- *Community Development,*
 - *Health, Youth, Senior citizens*
 - *Arts & Heritage*
 - *Library Services*
- *Tourism & VICs*
 - *Sport & Recreation*
 - *Commercial Enterprises including Saleyards, Dams, Aerodromes, Cemeteries*
- *Regional Development*
 - *Industry, Agriculture, Water security, Energy and circular economy*
 - *Development Services including Planning, Building, Plumbing*
 - *Community & Social Housing*

3. Amend the following Terms of Reference to reflect the changed structure and number of Standing Committees:

- Infrastructure Standing Committee
- Executive & Community Standing Committee
- Finance & Corporate Standing Committee

FINANCIAL AND RESOURCE IMPLICATIONS

There are no known extra financial implications for Council. The reduction to two (2) committees will allow for the third Wednesday of each month to be available for other Councillor related activities and for preparation of the Ordinary meeting agenda in a timelier manner.

LINK TO CORPORATE/OPERATIONAL PLAN

OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Discussions have taken place with Councillors and Senior Management.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Local Government Act 2009; Local Government Regulation 2012

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

Council sets by resolution its meeting structure

ASSET MANAGEMENT IMPLICATIONS

Not applicable.

REPORT

The following was adopted at the 24 August 2022 Ordinary Meeting:

10.2.1 COUNCIL STANDING COMMITTEES REVIEW

RESOLUTION 2022/88

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That a report be brought to the September Executive and Finance & Corporate Standing Committee to review the Terms of Reference of Council Standing Committees, Conduct of Council & Committee Meetings Policy and consider the options of two standing committees in comparison to the current three.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 5/0

With the recent change to portfolio structures and responsibilities, it is opportune to revisit the role and number of the Standing Committees. The range of functions allocated to committees and their method of operation can vary widely. Under a typical committee structure, much of the detailed work relating to functions has been carried out within the committees, with recommendations then being submitted to meetings of the Local Government for final adoption unless the committee is appropriately delegated to deal with a matter before it. While it is the Council's resolution, which gives the decisions their legal operation, often there is little time for detailed consideration to occur at the general Council meeting.

In addition to Part 2 of the Conduct of Council & Committee Meetings Policy, section 3.34 states that the "function of a committee is to consider, report upon and make recommendations to the Council in respect of matters comprised within or related to the business with which that committee is charged by the Council." When the sections are read together, it is clear that when Council, by resolution, establishes a committee, it also needs to identify what business each committee will be charged with undertaking (i.e., its "Terms of Reference").

A delegation of authority to act if can be considered for a Standing Committee. If a formal delegation is not made the committee only has the power only to recommend a course of action to Council.

Standing Committees allow for Councillors to specialise functions of Council and can utilise the knowledge and skills they may bring to the Council.

Committees conduct much of the investigative and detailed work leading towards a recommendation to Council to enable an informed decision to be made.

The names used and functions allocated to committees vary widely throughout Queensland. Some of the more common heads of function which are allocated to separate committees include works, water supply and sewerage (wastewater), finance and corporate administration, planning and development, environment, economic development and health and community services for example.

Committees are typically appointed for the term of the Local Government, although it is possible for the membership of committees to be changed by resolution at any time.

Given the Standing Committees have operated for this term of Council, a review is timely.

The Conduct of Council & Committee Meetings Policy has been circulated for consultation which closed on 15 September with Councillors and Snr Staff and due to timeframes for agendas will be subject to a separate report to the October meeting cycle.

ATTACHMENTS

1. **Infrastructure Standing Committee Terms of Reference** [↓](#) 
2. **Finance & Corporate Standing Committee Terms of Reference** [↓](#) 
3. **Executive & Community Standing Committee Terms of Reference** [↓](#) 



POLICY CATEGORY - NUMBER: Statutory - 025

POLICY OWNER: Executive Services

ECM ID: 2728634

ADOPTED: 14 October 2020

Infrastructure Standing Committee Terms of Reference

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 Social & Corporate Performance Branch. A hard copy of this electronic document is considered uncontrolled.

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1. POLICY STATEMENT

The Infrastructure Standing Committee has been established as a Standing Committee in accordance with **section 264** of the *Local Government Regulation 2012* ("LOGR12"). Its purpose is to provide strategic direction and leadership on matters detailed in the Committee's Roles and Responsibilities. The Committee will conduct much of the investigative and detailed work leading to a recommendation to Council to enable an informed decision to be made.

2. SCOPE

The Infrastructure Standing Committee considers and advises Council in relation to strategy and policy for the Business Services and Finance services and functions of Council.

The objectives of the Committee are to:

1. Provide a forum to enable complex or strategic issues to be discussed at length;
2. Provide an opportunity to the community and business representatives to address and make submissions for Council's consideration;
3. Receive and consider officer's reports in order to provide a recommended course of action to Council to determine matters outlined in the roles and responsibilities of the Committee.

The Infrastructure Standing Committee has the power only to recommend a course of action to Council.

Council may by resolution, delegate authority to the Infrastructure Standing Committee to decide matters.

Delegations of authority may be specific to an individual matter or in general terms to provide lasting authority to determine nominated issues. Such delegations must be in accordance **with Council's delegations process** and be included in Council's Delegation Register.

The role of the Infrastructure Standing Committee is to consider matters within the defined scope and to provide recommendations and advice to Council.

The Committee shall have a primary role in considering the long-term strategic direction of Council's Infrastructure services and functions and provide a monitoring role on the whole of Council financial,

asset and performance management.

The Committee is charged with considering matters relating to the Services and Functions in line with **Appendix 1** of Council's Acceptable Requests Guidelines Policy.

Council business referred to above will include such business as:

- Development of goals and strategies for Council's Corporate Plan, Operational Plan, Business Plans and Performance Management Plans;
- Quarterly review of Council 's Business Services and Finance services and functions progress and achievement towards Council's Corporate Plan, Operational Plan, Business Plans and Performance Management Plans;
- Development of the annual budget for Council's Business Services and Finance services and functions;
- Quarterly review of the annual budget for Council's Business Services and Finance services and functions;
- Monthly review of Council 's Business Services and Finance services and functions financial reports; and
- To report to Council on a regular basis on the operations of Council's Business Services and Finance services and functions.

3. GENERAL INFORMATION

3.1. Membership

Membership of the Committee is in accordance with the resolution passed at the General Meeting of Council held on 14 October 2020, being 6 Councillors and the Mayor. The General Manager Infrastructure and Chief Executive Officer will also attend as advisers to the Committee.

3.2. Term of Membership

Councillors will be appointed to the Committee for the term of the Council unless otherwise removed by a resolution of Council or acceptance of a resignation.

3.3. Replacing Vacating Members

In the event of a Councillor resigning his/her position on the Committee, the Council will nominate a Councillor to fill the vacant position.

3.4. Appointment of Chairperson

The Chairperson will be appointed by council in accordance with **section 267** of the *LOGR12*.

If the local government does not appoint a Chairperson for a committee, the committee may appoint one (1) of its members as Chairperson. If the Chairperson is not present at a meeting, the members present may appoint a Chairperson for the meeting.

3.5. Role of Chairperson

The Chairperson becomes the spokesperson on behalf of council in discussing matters relating to the Infrastructure Standing Committee with the community. The Chairperson will preside at meetings and conduct the meeting in accordance with Council's adopted policy Conduct of Council & Committee Policy

3.6. Role of Committee Members

The role of a Committee Member is to consider and make recommendations on matters relating to Council achieving the goals for Council's Infrastructure services and functions, as outlined in Council's Community and Corporate Plan, and considering the implementation of policies relating to Council's Corporate functions, while serving the overall public interest of the whole local government area.

3.7. Meetings

All meetings of the Committee shall be open to the public unless resolved by the Committee to be closed to the public for the purpose of discussing a matter deemed to be confidential in terms of **section 275** of the *LOGR12*.

Infrastructure Standing Committee must be in accordance with Council's adopted Conduct of Council & Committee Meetings Policy – Part 2 Standing Committees.

3.8. Quorum

A quorum for decision-making will consist of half the number of members of the Infrastructure Standing Committee plus one. Council staff members in attendance are not counted in the determination of a quorum.

3.9. Voting

Decision making of the Infrastructure Standing Committee will be by majority vote.

The Chairperson has a casting vote.

If a member present fails to vote, the member is taken to have voted in the negative.

3.10. Frequency and Location

Meetings of the Infrastructure Standing Committee will be held in accordance with an adopted schedule of meetings, at a location advised. A schedule of meetings is to be forwarded to Council at least twice per annum, for adoption detailing dates and times for these meetings.

Additional / Extraordinary meetings of the Committee may be called, at the discretion of the Chairperson, as required.

3.11. Meeting Agenda

The agenda for this Committee will be distributed in accordance with *section 258 (Notice of meetings)* of the *LOGR12*. Council aims to distribute the Committee agenda at least three (3) clear business days prior to the meeting date.

3.12. Reporting

The Committee will keep minutes of its proceedings in accordance with **section 272** of the *LOGR12*.

3.13. Council Staff

The Infrastructure Standing Committee will be resourced by officers of the Infrastructure Department as agreed by the Chief Executive Officer.

Council employees can attend committee meetings to present reports, answer questions and provide guidance to the Committee. They are not committee members and will not vote on any recommendations before the Infrastructure Standing Committee.

4. DEFINITIONS

Council Employee – a person employed by Council who performs work, under the direction and control of Council, on an ongoing basis with an ongoing expectation of work entitled to superannuation contributions paid by Council.

5. LEGISLATIVE REFERENCE

The Infrastructure Standing Committee has been established as an Advisory Committee in accordance with **Section 264** of the *Local Government Regulation 2012*.

6. RELATED DOCUMENTS

If there is a dispute regarding meeting procedure or the conduct of an individual, the Chairperson will refer to the SBRC Conduct of Council and Committee Meetings Policy – Statutory-017.

Attendance by relevant staff from other Departments of Council may be requested by the Committee

Chairperson the SBRC Acceptable Request Guidelines Policy – Statutory-004.

7. NEXT REVIEW

As prescribed by legislation or every two (2) years – June 2022.

8. VERSION CONTROL

Version	Revision Description	Approval/Adopted Date	ECM Reference
1	New Terms of Reference	14 October 2020	2728634

Mark Pitt PSM

CHIEF EXECUTIVE OFFICER

Date:



POLICY CATEGORY - NUMBER: Statutory - 027
POLICY OWNER: Social & Corporate Performance

ECM ID: 2728633
ADOPTED: 14 October 2020

Finance & Corporate Standing Committee Terms of Reference

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 Social & Corporate Performance Branch. **A hard copy of this electronic document is considered uncontrolled.**

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1. POLICY STATEMENT

The Finance and Corporate Standing Committee has been established as a Standing Committee in accordance with **section 264** of the *Local Government Regulation 2012* ("LOGR12"). Its purpose is to provide strategic direction and leadership on matters detailed in the Committee's Roles and Responsibilities. The Committee will conduct much of the investigative and detailed work leading to a recommendation to Council to enable an informed decision to be made.

2. SCOPE

The Finance and Corporate Standing Committee considers and advises Council in relation to strategy and policy for the Business Services and Finance services and functions of Council.

The objectives of the Committee are to:

1. Provide a forum to enable complex or strategic issues to be discussed at length;
2. Provide an opportunity to the Finance and Corporate and business representatives to address and make submissions for Council's consideration;
3. Receive and consider officer's reports in order to provide a recommended course of action to Council to determine matters outlined in the roles and responsibilities of the Committee.

The Finance and Corporate Standing Committee has the power only to recommend a course of action to Council.

Council may by resolution, delegate authority to the Finance and Corporate Standing Committee to decide matters.

Delegations of authority may be specific to an individual matter or in general terms to provide lasting authority to determine nominated issues. Such delegations must be in accordance **with Council's delegations process** and be included in Council's Delegation Register.

The role of the Finance and Corporate Standing Committee is to consider matters within the defined scope and to provide recommendations and advice to Council.

The Committee shall have a primary role in considering the long-term strategic direction of Council's

Finance and Corporate services and functions and provide a monitoring role on the whole of Council financial, asset and performance management.

The Committee is charged with considering matters relating to the Services and Functions in line with **Appendix 1** of Council's Acceptable Requests Guidelines Policy.

Council business referred to above will include such business as:

- Development of goals and strategies for Council's Corporate Plan, Operational Plan, Business Plans and Performance Management Plans;
- Quarterly review of Council 's Business Services and Finance services and functions progress and achievement towards Council's Corporate Plan, Operational Plan, Business Plans and Performance Management Plans;
- Development of the annual budget for Council's Business Services and Finance services and functions;
- Quarterly review of the annual budget for Council's Business Services and Finance services and functions;
- Monthly review of Council 's Business Services and Finance services and functions financial reports; and
- To report to Council on a regular basis on the operations of Council's Business Services and Finance services and functions.

3. GENERAL INFORMATION

3.1. Membership

Membership of the Committee is in accordance with the resolution passed at the General Meeting of Council held on 14 October 2020, being 6 Councillors and the Mayor. The General Manager Finance and Corporate and Chief Executive Officer will also attend as advisers to the Committee.

3.2. Term of Membership

Councillors will be appointed to the Committee for the term of the Council unless otherwise removed by a resolution of Council or acceptance of a resignation.

3.3. Replacing Vacating Members

In the event of a Councillor resigning his/her position on the Committee, the Council will nominate a Councillor to fill the vacant position.

3.4. Appointment of Chairperson

The Chairperson will be appointed by Council in accordance with **section 267** of the *LOGR12*.

If the local government does not appoint a Chairperson for a committee, the committee may appoint one (1) of its members as Chairperson. If the Chairperson is not present at a meeting, the members present may appoint a Chairperson for the meeting.

3.5. Role of Chairperson

The Chairperson becomes the spokesperson on behalf of Council in discussing matters relating to the Finance and Corporate Standing Committee with the community. The Chairperson will preside at meetings and conduct the meeting in accordance with Council's adopted Conduct of Council & Committee Policy.

3.6. Role of Committee Members

The role of a Committee Member is to consider and make recommendations on matters relating to Council achieving the goals for Council's Finance and Corporate services and functions, as outlined in Council 's Finance and Corporate and Corporate Plan and considering the implementation of policies relating to Council's Corporate functions, while serving the overall public interest of the whole local government area.

3.7. Meetings

All meetings of the Committee shall be open to the public unless resolved by the Committee to be closed to the public for the purpose of discussing a matter deemed to be confidential in terms of **section 275** of the *LOGR12*.

Finance and Corporate Standing Committee must be in accordance with Council's adopted Conduct of Council & Committee Meetings Policy – Part 2 Standing Committees.

3.8. Quorum

A quorum for decision-making will consist of half the number of members of the Finance & Corporate Standing Committee plus one. Council staff members in attendance are not counted in the determination of a quorum.

3.9. Voting

Decision making of the Finance and Corporate Standing Committee will be by majority vote.

The Chairperson has a casting vote.

If a member present fails to vote, the member is taken to have voted in the negative.

3.10. Frequency and Location

Meetings of the Finance and Corporate Standing Committee will be held monthly, at a location advised. A schedule of meetings is to be forwarded to Council at least twice per annum, for adoption detailing dates and times for these meetings.

Additional / Extraordinary meetings of the Committee may be called, at the discretion of the Chairperson, as required.

3.11. Meeting Agenda

The agenda for this Committee will be distributed in accordance with *section 258 (Notice of meetings)* of the *LOGR12*. Council aims to distribute the Committee agenda at least three (3) clear business days prior to the meeting date.

3.12. Reporting

The Committee will keep minutes of its proceedings in accordance with **section 272** of the *LOGR12*.

3.13. Council Staff

The Finance and Corporate Standing Committee will be resourced by officers of the Finance and Corporate Department as agreed by the Chief Executive Officer.

Council employees can attend committee meetings to present reports, answer questions and provide guidance to the Committee. They are not committee members and will not vote on any recommendations before the Finance and Corporate Standing Committee.

4. DEFINITIONS

Council Employee – a person employed by Council who performs work, under the direction and control of Council, on an ongoing basis with an ongoing expectation of work entitled to superannuation contributions paid by Council.

5. LEGISLATIVE REFERENCE

The Finance and Corporate Standing Committee has been established as an Advisory Committee in accordance with **Section 264** of the *Local Government Regulation 2012*.

6. RELATED DOCUMENTS

If there is a dispute regarding meeting procedure or the conduct of an individual, the Chairperson will refer to the SBRC Conduct of Council and Committee Meetings Policy – Statutory-017.

Attendance by relevant staff from other Departments of Council may be requested by the Committee

Chairperson the SBRC Acceptable Request Guidelines Policy – Statutory-004.

7. NEXT REVIEW

As prescribed by legislation or every two (2) years – June 2022.

8. VERSION CONTROL

Version	Revision Description	Approval/Adopted Date	ECM Reference
1	New Terms of Reference	14 October 2020	2728633

Mark Pitt PSM

CHIEF EXECUTIVE OFFICER

Date:



POLICY CATEGORY - NUMBER: Statutory - 026
POLICY OWNER: Social & Corporate Performance

ECM ID: 2728632
ADOPTED: 14 October 2020

Executive & Community Standing Committee Terms of Reference

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 Social & Corporate Performance Branch. **A hard copy of this electronic document is considered uncontrolled.**

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1. POLICY STATEMENT

The Executive & Community Standing Committee has been established as a Standing Committee in accordance with **section 264** of the *Local Government Regulation 2012* ("LOGR12"). Its purpose is to provide strategic direction and leadership on matters detailed in the Committee's Roles and Responsibilities. The Committee will conduct much of the investigative and detailed work leading to a recommendation to Council to enable an informed decision to be made.

2. SCOPE

The Executive & Community Standing Committee considers and advises Council in relation to strategy and policy for the Business Services and Finance services and functions of Council.

The objectives of the Committee are to:

1. Provide a forum to enable complex or strategic issues to be discussed at length;
2. Provide an opportunity to the community and business representatives to address and make submissions for Council's consideration;
3. Receive and consider officer's reports in order to provide a recommended course of action to Council to determine matters outlined in the roles and responsibilities of the Committee.

The Executive & Community Standing Committee has the power only to recommend a course of action to Council.

Council may by resolution, delegate authority to the Community Standing Committee to decide matters.

Delegations of authority may be specific to an individual matter or in general terms to provide lasting authority to determine nominated issues. Such delegations must be in accordance **with Council's delegations process** and be included in Council's Delegation Register.

The role of the Executive & Community Standing Committee is to consider matters within the defined scope and to provide recommendations and advice to Council.

The Committee shall have a primary role in considering the long-term strategic direction of Council's Community services and functions and provide a monitoring role on the whole of Council financial, asset and performance management.

The Committee is charged with considering matters relating to the Services and Functions in line with **Appendix 1** of Council's Acceptable Requests Guidelines Policy.

Council business referred to above will include such business as:

- Development of goals and strategies for Council's Corporate Plan, Operational Plan, Business Plans and Performance Management Plans;
- Quarterly review of Council 's Business Services and Finance services and functions progress and achievement towards Council's Corporate Plan, Operational Plan, Business Plans and Performance Management Plans;
- Development of the annual budget for Council's Business Services and Finance services and functions;
- Quarterly review of the annual budget for Council's Business Services and Finance services and functions;
- Monthly review of Council 's Business Services and Finance services and functions financial reports; and
- To report to Council on a regular basis on the operations of Council's Business Services and Finance services and functions.

3. GENERAL INFORMATION

3.1. Membership

Membership of the Committee is in accordance with the resolution passed at the General Meeting of Council held 14 October being 6 Councillors and the Mayor. The General Manager Community and Chief Executive Officer will also attend as advisers to the Committee.

3.2. Term of Membership

Councillors will be appointed to the Committee for the term of the Council unless otherwise removed by a resolution of Council or acceptance of a resignation.

3.3. Replacing Vacating Members

In the event of a Councillor resigning his/her position on the Committee, the Council will nominate a Councillor to fill the vacant position.

3.4. Appointment of Chairperson

The Chairperson will be appointed by council in accordance with **section 267** of the LOGR12.

If the local government does not appoint a Chairperson for a committee, the committee may appoint one (1) of its members as Chairperson. If the Chairperson is not present at a meeting, the members present may appoint a Chairperson for the meeting.

3.5. Role of Chairperson

The Chairperson becomes the spokesperson on behalf of Council in discussing matters relating to the Community Standing Committee with the community. The Chairperson will preside at meetings and conduct the meeting in accordance with Council's adopted Conduct of Council & Committee Policy.

3.6. Role of Committee Members

The role of a Committee Member is to consider and make recommendations on matters relating to Council achieving the goals for Council's Community services and functions, as outlined in Council's Community and Corporate Plan, and considering the implementation of policies relating to Council's Corporate functions, while serving the overall public interest of the whole local government area.

3.7. Meetings

All meetings of the Committee shall be open to the public unless resolved by the Committee to be closed to the public for the purpose of discussing a matter deemed to be confidential in terms of **section 275** of the *LOGR12*.

Executive & Community Standing Committee must be in accordance with Council's adopted Conduct of Council & Committee Meetings Policy – Part 2 Standing Committees.

3.8. Quorum

A quorum for decision-making will consist of half the number of members of the Executive & Community Standing Committee plus one. Council staff members in attendance are not counted in the determination of a quorum.

3.9. Voting

Decision making of the Executive & Community Standing Committee will be by majority vote.

The Chairperson has a casting vote.

If a member present fails to vote, the member is taken to have voted in the negative.

3.10. Frequency and Location

Meetings of the Executive & Community Standing Committee will be held in accordance with an adopted schedule of meetings, at a location advised. A schedule of meetings is to be forwarded to Council at least twice per annum, for adoption detailing dates and times for these meetings.

Additional / Extraordinary meetings of the Committee may be called, at the discretion of the Chairperson, as required.

3.11. Meeting Agenda

The agenda for this Committee will be distributed in accordance with *section 258 (Notice of meetings)* of the *LOGR12*. Council aims to distribute the Committee agenda at least three (3) clear business days prior to the meeting date.

3.12. Reporting

The Committee will keep minutes of its proceedings in accordance with *section 272* of the *LOGR12*.

3.13. Council Staff

The Executive & Community Standing Committee will be resourced by officers of the Executive & Community Department as agreed by the Chief Executive Officer.

Council employees can attend committee meetings to present reports, answer questions and provide guidance to the Committee. They are not committee members and will not vote on any recommendations before the Executive & Community Standing Committee.

4. DEFINITIONS

Council Employee – a person employed by Council who performs work, under the direction and control of Council, on an ongoing basis with an ongoing expectation of work entitled to superannuation contributions paid by Council.

5. LEGISLATIVE REFERENCE

The Executive & Community Standing Committee has been established as an Advisory Committee in accordance with **section 264** of the *Local Government Regulation 2012*.

6. RELATED DOCUMENTS

If there is a dispute regarding meeting procedure or the conduct of an individual, the Chairperson will refer to the SBRC Conduct of Council and Committee Meetings Policy – Statutory-017.

Attendance by relevant staff from other Departments of Council may be requested by the Committee

Chairperson the SBRC Acceptable Request Guidelines Policy – Statutory-004.

7. NEXT REVIEW

As prescribed by legislation or every two (2) years – June 2022.

8. VERSION CONTROL

Version	Revision Description	Approval/Adopted Date	ECM Reference
1	New Terms of Reference	14 October 2020	2728632

Mark Pitt PSM

CHIEF EXECUTIVE OFFICER

Date:

8.3 2022 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

File Number: 21/9/2022

Author: Executive Assistant

Authoriser: Chief Executive Officer

PRECIS

Staff and elected members have been invited to register for the 2022 National Local Roads and Transport Congress, to be held in Hobart from 2-3 November.

SUMMARY

This year's event will focus on how local government can address Australia's transport productivity challenges and the road safety crisis on our local roads, while building sustainable and resilient infrastructure.

The event will examine national heavy vehicle access reforms in the pipeline and the opportunities and challenges they will present for Councils. With increased EV adoption also on the national agenda, it will be deep dived into what Councils can do to help prepare and transition to a lower emissions future.

The 2022 Congress is an opportunity to engage with and work through these issues with national experts and local Councils from across the country.



OFFICER'S RECOMMENDATION

That report be received.

BACKGROUND

Nil

ATTACHMENTS

1. 2022 National Local Roads and Transport Congress Invite [↓](#) 
2. Provisional Program [↓](#) 

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Please forward on to the CEO/General Manager

Dear CEO/General Manager

I am pleased to invite you, your staff and elected members to register for the **2022 National Local Roads and Transport Congress**, to be held in Hobart from 2-3 November.

This is a crucial period in the transport and infrastructure space, with our new federal government facing budgetary challenges while also looking for opportunities to boost economic productivity.

This year's event will focus on how local government can address Australia's transport productivity challenges and the road safety crisis on our local roads, while building sustainable and resilient infrastructure.

We will also examine national heavy vehicle access reforms in the pipeline and the opportunities and challenges they will present for councils. With increased EV adoption also on the national agenda, we will deep dive into what councils can do to help prepare and transition to a lower emissions future.

The 2022 Congress is a critical opportunity to engage with and work through these issues with national experts and local councils from across the country.

You can view the **draft program** and **register to attend** the event through our website.

I hope to see you and your colleagues in Hobart this November.

Matt Pinnegar

ALGA CEO

20 National Local Roads and 22 Transport Congress

Wrest Point, Tasmania
2 - 3 November 2022

PROVISIONAL PROGRAM

Event Time - (UTC+10:00) Canberra, Melbourne, S... ▼

Tuesday, November 1, 2022

3:00 PM - 5:00 PM	Registration		
5:00 PM - 7:00 PM	Welcome Reception & Exhibition Opening		

Wednesday, November 2, 2022

8:00 AM - 9:00 AM	Registration Arrival Tea and Coffee		
9:00 AM - 9:05 AM	Opening Ceremony		
9:05 AM - 9:10 AM	Welcome to Country		
9:10 AM - 9:20 AM	ALGA President Opening Address Cr Linda Scott, President, Australian Local Government Association		
9:20 AM - 9:50 AM	Federal Minister Address The Hon. Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government (invited)		
9:50 AM - 10:20 AM	WEDNESDAY MORNING TEA		
10:20 AM - 11:50 AM	Keynote: SGS Productivity Report Panel: Balancing productivity with council budgets Marcus Spiller, Principal & Partner, SGS Economics & Planning		
11:50 AM - 12:50 PM	WEDNESDAY LUNCH		
12:50 PM - 1:50 PM	Keynote: State of the Assets Steve Verity, Principal Advisor, IPWEA		
1:50 PM - 2:40 PM	Panel: How can councils get the best bang for their buck in the current economy?		
2:40 PM - 3:10 PM	WEDNESDAY AFTERNOON TEA		
3:10 PM - 4:10 PM	Keynote: National Road Safety Strategy and Local Government Gabby O'Neill, Head of National Office of Road Safety		
4:10 PM - 4:40 PM	Special Project - Women in Road Safety Dr Diane Spencer-Scarr		

4:40 PM - 4:45 PM	ALGA President closing remarks Cr Linda Scott, President, Australian Local Government Association
7:00 PM - 11:00 PM	Congress Dinner Presentation by: Michael Ferguson, Tasmania Minister for Infrastructure and Transport

Thursday, November 3, 2022

8:00 AM - 9:00 AM	Registration Arrival Tea & Coffee		
9:00 AM - 9:30 AM	Shadow Minister Address Senator the Hon Bridget McKenzie, Shadow Minister for Infrastructure, Transport and Regional Development (invited)		
9:30 AM - 10:15 AM	Keynote: How Councils can Prepare for an EV Future Scott Nargar, Senior Manager Future Mobility and Government Relations, Hyundai		
10:15 AM - 11:00 AM	Keynote: Shifting from Megaprojects to Maintenance <i>Session sponsored by Austroads</i> Marion Terrill, Transport and Cities Program Director, Grattan Institute		
11:00 AM - 11:30 AM	THURSDAY MORNING TEA		
Concurrent Session #1 11:30 AM - 12:30 PM	Road Safety Stream: The Economic Value of Investing in Road Safety on Local Roads Assoc. Prof. Jeremy Wooley, Director Centre for Automotive Safety Research	Sustainability Stream - Infrastructure Sustainability for Councils in the Age of Climate Change Ainsley Simpson - CEO Infrastructure Sustainability Council	Productivity Stream - Keynote: Boosting National Productivity by Expanding Tasmania's HVAMS Simon Buxton, Manager Network Access, Department of State Growth
12:30 PM - 1:30 PM	THURSDAY LUNCH		
Concurrent Session #2 1:30 PM - 2:45 PM	Road Safety - Council Case Study Panel: What can councils do to improve road safety outcomes now?	Sustainability - Council Case Studies ARRB Keynote: Using Recycled Materials in Roads and other Infrastructure	Productivity - Farm Gate and SPECS - An Interim Step Towards HVAMS Scott Greenow, Director Freight Operations, Transport for NSW Panel - How can Councils and the HV Industry Partner on Boosting Productivity?
2:45 PM - 3:15 PM	THURSDAY AFTERNOON TEA		
3:15 PM - 4:45 PM	Department of Infrastructure, Transport, Regional Development, Communications and the Arts Update		
4:45 PM - 4:50 PM	Closing Remarks Cr Linda Scott, President, Australian Local Government Association		
5:30 PM - 10:00 PM	Hobart Showcase Tour & Dinner Optional tour of local distilleries and breweries including a casual dinner.		

Friday, November 4, 2022

8:30 AM - 10:30 AM	Technical Tour
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8.4 CHRISTMAS CLOSEDOWN**File Number:** 21/09/2022**Author:** Manager People and Culture**Authoriser:** General Manager Liveability**PRECIS**

Discussion regarding proposed Christmas Closedown for 2022/23.

SUMMARY

It is proposed to hold this year's South Burnett Regional Council's Christmas function in Kingaroy on Friday, 16 December 2022.

It is open to all Council employees and all employees are encouraged to attend. It is requested that employees are not rostered to take RDO's on this Friday so they can attend the Christmas function. Employees who do not attend the Christmas function must remain at work until usual closing times as the function is deemed to be part of Council business.

The Liveability Department propose to close Council's Libraries and the Finance and Corporate Department propose to close Customer Service Centres, from lunchtime Friday, 16 December 2022 for staff to attend the Christmas Function. Council Offices will open Monday, 19 December 2022 at 8.30am and close at 12 noon on Friday 23 December 2022 and re-open on Tuesday 3 January 2023.

Parks staff will be required to work during this period with the exception of Public Holidays.

It is also proposed to close other Council branches over the Christmas period from 12:00pm Friday, 16 January 2022 and re-open on Tuesday, 3 January 2023 with on-call and emergency staff to be rostered on over this period. Outdoor staff (apart from Parks) will operate on skeleton staffing arrangements until Friday 6 January 2023.

The operating hours for the region's Visitor Information Centres over the Christmas / New Year period are outlined below:-

Kingaroy Visitor Information Centre <i>(Accredited)</i>	Hours: Mon-Fri 9:00am to 4:00pm Sat-Sun 9:00am to 1:00pm Closed - Christmas Day, Boxing Day & subsequent public holiday, New Year's Day
Murgon Visitor Information Centre <i>(Accredited)</i>	Hours: Mon-Fri 9:00am to 2:00pm Sat 9:00am to 1:00pm Closed - Christmas Day, Boxing Day & subsequent public holiday, New Year's Day
Nanango Visitor Information Centre <i>(Accredited)</i>	Hours: Mon-Fri 9:00am to 4:00pm Sat - Sun 9:00am to 1:00pm Closed - Christmas Day, Boxing Day & subsequent public holiday, New Year's Day
Wondai Visitor Information Centre <i>(Accredited)</i>	Hours: Mon-Fri 9:00am to 2:00pm Sat - Sun 9:00am to 1:00pm Closed - Christmas Day, Boxing Day & subsequent public holiday, New Year's Day

OFFICER'S RECOMMENDATION

That the Committee recommends to Council that:

1. Council closes administration offices, depots and library facilities on Friday, 16 December 2022 at the following times for the purpose of allowing Council employees to attend the staff Christmas function:
 - Blackbutt – 11:30am
 - Kingaroy – 12:30pm
 - Murgon – 11:15am
 - Nanango – 11:45am
 - Proston – 11:15am
 - Wondai – 12:00pm
2. Council will generally be closed from midday Friday 23 December 2022 and re-open on Tuesday 3 January 2023.
3. Key skeleton staff are rostered on to undertake on-call and emergency work where required during the Christmas Closedown period.
4. Parks staff will be required to work as advised through the Christmas period with the exception of Public Holidays.
5. Operational/Field staff will operate on a skeleton staff arrangement from Friday 16 December 2022 to Friday 6 January 2023.
6. Council will advise employees to use leave accrued leave entitlements (e.g. annual leave, TOIL, RDO's) during this period with TOIL and RDO's being used in the first instance.

BACKGROUND**Communication/Consultation (Internal/External)**

Advice of Christmas Closedown will be provided to the relevant Unions by People and Culture.

People and Culture will advise employees of the closedown via newsletter, email, intranet and notices in depots etc.

Council will notify the community of the changes to opening times in local newspaper, on Council's website, social media and possibly via radio announcements.

Notices will also be placed in the Customer Service offices and locations in the weeks prior to the closedown.

ATTACHMENTS

Nil

8.5 CORPORATE RISK AND AUDIT ADVISORY COMMITTEE RECOMMENDATIONS

File Number: 12/09/2022

Author: Coordinator Corporate

Authoriser: Chief Executive Officer

PRECIS

Corporate Risk and Audit Advisory Committee Recommendations

SUMMARY

Corporate Risk and Audit Advisory Committee Recommendations

OFFICER'S RECOMMENDATION *(Recommend Separate Resolutions)*

That the Committee recommends to Council that:

1. The Executive Leadership Team bring a report to the next Corporate Risk and Audit Advisory Committee with updated due dates subject to available resources on implementation of outstanding recommendations of internal audit and that such be included on the KPI's for the Chief Executive Officer with the intention of finalising all recommendations prior to the internal audit plan for 2022-2023 being actioned.
2. A review of hours and costs of engineering staff on the Kingaroy Transformation Project in relation to training and compliance with AASB116.
3. Clear instructions on any proposed advanced payment of the Federal Assistance Grants in 2022/2023 be sought from the Queensland Local Government Grants Commission and support a budget revision of the 2022/2023 budget with the objective not to overstate the budget.; and
4. Supply chain risk be included on the Corporate Risk Registers and both the Risk Registers and Capital Works Project delivery be reported on quarterly.
5. Budget Standing Committee meetings recommence, to actively consider the risk to Council's overall financial performance in particular the delivery and supply risks that may impact on the capital works program and end of year financial result and to review the first quarter results.

BACKGROUND

At the Corporate Risk and Audit Advisory Committee Meeting held on 12 September 2022, the committee has provided a number of recommendations regarding the improvement of internal control systems and corporate risk management in accordance with the Corporate Risk and Audit Advisory Committee Policy.

The Corporate Risk and Audit Advisory Committee discussed the following items and has made the following recommendations:

- That the Executive Leadership Team bring a report to the next Corporate Risk and Audit Advisory Committee with updated due dates subject to available resources on implementation of outstanding recommendations of internal audit and that such be included on the KPI's for the Chief Executive Officer with the intention of finalising all recommendations prior to the internal audit plan for 2022-2023 being actioned;
- That a review of hours and costs of engineering staff on the Kingaroy Transformation Project in relation to training and compliance with AASB116;

- That Council requests clear instructions on any proposed advanced payment of the Federal Assistance Grants in 2022/2023 financial year from the Queensland Local Government Grants Commission and seek a resolution to Council to support a budget revision of the 2022/2023 budget with the objective not to overstate the budget;
- That supply change risk be included on the Corporate Risk Registers and both the Risk Registers and Capital Works Project delivery be reported on quarterly;
- That Council recommence budget standing committee meetings to actively consider the risk to Council's overall financial performance in particular the delivery and supply risks that may impact its capital works program and end of year financial result and to review the first quarter results.

ATTACHMENTS

Nil

8.6 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL RATE COLLECTION POLICY - STATUTORY041

File Number: IR2792107

Author: General Manager Finance and Corporate

Authoriser: General Manager Liveability

PRECIS

Adoption of the South Burnett Regional Council Rate Collection Policy – Statutory041.

SUMMARY

This policy outlines the principles, processes and guidelines that South Burnett Regional Council ('Council') staff and/or external agencies use when dealing with ratepayers, their financial or personal representatives and mortgagees in the prompt follow up and timely collection of rates and charges that have not been paid by the due date on a rate notice ('overdue rates or charges').

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Rate Collection Policy - Statutory041 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual 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
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The draft policy was reviewed by General Manager Finance & Corporate and Manager Finance & Sustainability, supported by Corporate, Governance & Strategy, then presented at the Executive Leadership Team Meeting held on 23 August 2022 for endorsement to the Executive and Finance & Corporate Standing Committee. Feedback received supported the suggested changes.

For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Australian Competition and Consumer Commission Debt Collection Guidelines

Information Privacy Act 2009 (Qld)

Local Authorities Revenue Management Association Queensland Sale of Land Best Practice Guide

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (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 Act 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 direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

This policy guides the administrative processes that are used for the collection of overdue rates and charges. It also assists Council staff, Councillors, ratepayers, and other stakeholders to understand the actions that Council will undertake and the consequences for non-payment of rates and charges, or for not promptly addressing overdue rates and charges.

ATTACHMENTS

1. **South Burnett Regional Council Rate Collection Policy - Statutory041** [↓](#) 



POLICY CATEGORY - NUMBER: Statutory041

POLICY OWNER: Finance & Sustainability

ECM ID: 2792107

ADOPTED:

Rate Collection 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, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

This policy outlines the principles, processes and guidelines that South Burnett Regional Council ('Council') staff and/or external agencies use when dealing with ratepayers, **property owners**, their financial or personal representatives and mortgagees in the prompt follow up and timely collection of rates and charges that have not been paid by the due date on a rate notice (**'overdue rates or charges'**).

2. SCOPE

This policy applies to the recovery of overdue rates or charges. It has been developed in association with the *Local Government Act 2009* and *Local Government Regulation 2012*, and Council's Revenue Policy. The following is an extract from Council's Revenue Policy and reaffirms Council's commitment to the following principles:

Council will exercise its rate recovery powers to reduce the overall rate burden on ratepayers. It will be guided by the principles of:

- **Transparency** – by making clear the obligations of ratepayers and the processes used by Council in assisting them meet their financial obligations;
- **Simplicity** – by making the processes used to recover outstanding rates and charges clear, simple to administer and cost effective;
- **Capacity to Pay** – by determining appropriate arrangements for different sectors of the community;
- **Equity** – by providing the same treatment for ratepayers with similar circumstances; and
- **Flexibility** – by responding where necessary to changes in the local economy.

3. GENERAL INFORMATION

This policy guides the administrative processes that are used for the collection of overdue rates and charges. It also assists Council staff, Councillors, ratepayers, and other stakeholders **to understand the actions that Council will undertake and the consequences for non-payment of rates and charges**, or for not promptly addressing overdue rates **and charges**.

Council requires payment of **levied** rates and charges within a specified period, and it is Council's policy to diligently pursue the collection of overdue rates and charges. The non-payment of rates and charges by some ratepayers places an unfair burden on other ratepayers who do meet their obligations in full.

However, when Council is pursuing the collection of overdue rates and or charges, Council will consider the individual circumstances, or the financial hardships faced by relevant ratepayers.

To cater for this, Council has established balanced administrative processes that allow for some flexibility in ratepayer payment options including granting a concession in the form of payment by regular approved instalments. At the same time, These processes include a variety of options, including legal action through an external debt collection specialist, that allow the effective recovery of overdue rates and charges, depending on the level of resistance experienced. At the most severe level, this will include the sale of land by public auction in accordance with the relevant legislative requirements.

3.1. Recovery Action

3.1.1. Summary of Initial and Advanced Recovery Actions

The following actions will be used in the collection of overdue rates and charges:

Action	Timing (Not earlier than)	Action Type	Severity	Response Time	Recovery Suspended	Authority Level to undertake action
Initial Recovery Action						
1	10-14/14-21 days after becoming overdue the due date (expiration of discount period)	First Reminder Notice	Low	14 days	If overdue rates and charges rates are paid in full, or ratepayer enters and maintains a Council approved payment arrangement	Manager Finance & Sustainability
2	21-28 days after the due date (expiration of discount period)	Final Reminder Notice	Low	14 days	If rates are paid in full or ratepayer maintains a Council approved payment arrangement	Manager Finance & Sustainability
Advanced Recovery Action						
Debt Recovery stages 23 to 56 will only apply to debts over \$800.00 (refer to Clause 3.4):						
2	30/28-35 days after becoming overdue the due date (expiration of discount period)	Letter of Demand issued by Debt Collection Specialist	Medium	14 days	If overdue rates and charges rates are paid in full, or ratepayer enters and maintains a Council approved payment arrangement through Debt Collection Specialist	Manager Finance & Sustainability
3	50 days after the due date (expiration of discount period) becoming overdue	Statement of Claim issued served by the Debt Collection Specialist	Medium	28 days	If overdue rates and charges are paid in full, or ratepayer enters and maintains a Council approved payment arrangement through Debt Collection Specialist	Manager Finance & Sustainability
4	78 days after becoming overdue the due date (expiration of discount period)	Pre-Judgment Warning Letter issued by Debt Recovery Specialist	Medium	7 days	If overdue rates and charges are paid in full, or ratepayer enters and maintains a Council approved payment arrangement through Debt Collection Specialist	Manager Finance & Sustainability
5	85 days after becoming overdue the due date (expiration of discount period)	Judgment granted by the Court and Warning Letter by Debt Recovery Specialist	Medium	7 days	If overdue rates and charges are paid in full, or ratepayer enters and maintains a Council approved payment arrangement through Debt Collection	Manager Finance & Sustainability

Action	Timing (Not earlier than)	Action Type	Severity	Response Time	Recovery Suspended	Authority Level to undertake action
					Specialist	
7	92 days after the due date (expiration of discount period)	Enforcement Warrant Sale and Seizure of Property by Debt Recovery Specialist	High	Subject to circumstances	If rates are paid in full or ratepayer maintains a Council approved payment arrangement through Debt Collection Specialist	Council
7	3 years after becoming of overdue, rates and charges or 1 year for vacant or commercial use land and judgment obtained for the overdue rates and charges, or 3 months for mining claims land	Possible Sale of Land Warning Letter issued by Council	High	Subject to circumstances	If overdue rates and charges rates are paid in full, or ratepayer enters and maintains a Council approved payment arrangement	Manager Finance & Sustainability
8	3 years after becoming overdue or 1 year for vacant or commercial use land and judgment obtained for the overdue rates and charges, or 3 months for mining claims	Notice of Intention to Sell issued by Council	High	Subject to circumstances	If overdue rates and charges rates are paid in full	Council
9	3 years after becoming overdue rates and charges or 1 year for vacant commercial use land and judgment obtained for the overdue rates and charges, or 3 months for mining claims	Auction – Sale of Land for overdue rates and charges	High	In accordance with Local Government Regulation 2012	If overdue rates and charges rates are paid in full	Council

3.1.2. Deferment of Recovery Actions

The recovery action detailed in clause 3.1.1 ~~steps shown above~~ may be deferred for the following reasons:

- deceased estates in probate; bankruptcy liquidations;
- receivership/administration;
- property sale where an unconditional contract has been signed and has been provided to Council;
- approved hardship under Council's Financial Hardship Policy; or
- special circumstances.

3.2. Payment Arrangements

Council will not pursue or escalate recovery action against a ratepayer property owner who has applied to Council for, and is granted, a concession including relevantly, an approved payment arrangement with Council, where the payment arrangement is current, and the ratepayer adheres to the agreed repayment schedule.

If a payment arrangement is not maintained within the agreed terms, the ratepayer will be offered an opportunity to bring the payment arrangement up-to-date, or to make a revised payment arrangement. Failure to maintain an appropriate payment arrangement in accordance with its terms will result in the outstanding rates and charges becoming overdue, and Council taking the escalation of the recovery action against the ratepayer.

Council reserves the right to renegotiate or terminate a payment arrangement for breach by the ratepayer, or if the ratepayer notifies Council circumstances change where the debt will not be paid within the required timeframe.

Where a ratepayer under a payment arrangement has defaulted on a payment on two (2) consecutive occasions, (i.e., 2 weekly, or 2 fortnightly or 2 monthly payments are missed) and the ratepayer has not responded to requests to bring the payment arrangement up-to-date, Council has the right to terminate the payment arrangement; refuse to approve any further payment arrangement and escalate the recovery action. Council will consider reinstating the payment arrangement in exceptional circumstances on a case-by-case basis.

If a ratepayer has a history of defaulted or cancelled terminated payment arrangements Council has the right to refuse any further payment arrangement applications and to escalate the recovery action against the ratepayer.

The recovery action contemplated will involve Council sending the debt to Council's debt recovery specialist for the commencement of legal action. In this circumstance, before initiating recovery action, Council will notify the ratepayer that it is undertaking this recovery action.

3.2.1. Application for a Formal Payment Arrangement and Standard Term Payment Commitment:

An application for a payment arrangement must be made in writing ('Application to Pay Rates by Instalments') by or on behalf of a ratepayer to Council and are approved by the Manager Finance & Sustainability or delegated officer. The standard term payment commitment under a payment arrangement is:

- **for debts less than \$2,500** – payments must be of a sufficient amount and frequency to clear the outstanding debt over a period of no longer than twelve (12) months; or
- **for debts greater than \$2,500** – payments must be of a sufficient amount and frequency to clear the outstanding debt over a period of no longer than two (2) years.

3.2.2. Application for a Non-Standard Payment Arrangement – Outside of Standard Term Payment Commitment:

Council may consider an application for a payment arrangement which falls outside the terms outlined in clause 3.2.1, in cases of genuine hardship, or extenuating or special circumstances (for example, long-term illness or unemployment).

These requests must be made in writing and are approved by the Coordinator Governance. All reasonable requests will be considered and recommended for approval, only when the payment proposal has been assessed by the Coordinator Governance as being financially sustainable. This means that the proposed repayment amount, although outside the normal terms and conditions as per Clause 3.2.1, will be sufficient to clear the debt within a reasonable timeframe (e.g., the payment term may be extended to a maximum of two (2) years, but payment must include all arrears of rates and future rates that have not yet been issued).

Ratepayers experiencing genuine financial hardship must complete the appropriate application form and submit the necessary paperwork in accordance with Council's Financial Hardship Policy.

If Council approves a financial hardship application, property owners may receive additional flexibility in payment options and payment arrangements as detailed in Council's Financial Hardship Policy.

3.2.3. Periodic Payments Not Representing a Formal Payment Arrangement

Requests for arrangements that are assessed as being unsustainable as per Clause 3.2.2 will not be approved. Instead, these property owners will be granted a three (3) month period whereby further debt recovery action will be suspended, to allow sufficient time for financial advice to be obtained in relation to their options.

During this period, reasonable attempts must be made by the property owner to make periodic payments to their rate accounts and failure to do so will result in an escalation of recovery actions. At the end of this three (3) month period, the property owner must either pay the outstanding debt in full or enter into a payment arrangement in accordance with the terms and conditions outlined in Clause 3.1. Failure to do either of these actions will result in the escalation of recovery actions. (e.g., debt sent to external debt collection specialist for commencement of legal action).

3.3. Interest

In accordance with *Section 133 of the Local Government Regulation 2012*, Council will apply interest at the % rate decided by Council, by resolution, at its budget meeting for shown in the relevant financial year that includes the day to which the decision relates revenue statement (as calculated and amended annually), compounding daily on all overdue rates and charges, from the date on which the rates and charges became overdue until payment is made in full.

Importantly, interest charges will not apply to rates and charges under a payment arrangement as defined in Clause 3.2, provided those regular payments are made in accordance with the agreed and approved payment schedule. However, the rates and charges will become overdue, and interest will accrue on the overdue rates and charges, if a payment under a payment arrangement is not paid by the due date for payment under the arrangement, subject to clause 3.2.

If Council recovers overdue rates and charges pursuant to a judgment by default, the interest is calculated at the interest rate decided under *Section 133 of the Local Government Regulation 2012* for interest that accrues up to the date of judgment, and for interest that accrues after the judgment date at the interest rate specified in a practice direction for *Section 59(3) of the Civil Proceedings Act 2011*.

If Council recovers overdue rates and charges pursuant to a judgment by the court, the interest is calculated on the interest rate decided under *Local Government Regulation 2012 section 133* for interest that accrues up to the date of judgment, and for interest that accrues after the judgment date at the interest rate specified in a practice direction for the *Civil Proceedings Act 2011 section 59(3)*, unless the court, at its discretion, otherwise orders.

3.4. Criteria for the Implementation of Legal Action

Council has set a threshold for the referral of overdue rates and charges debts for legal action of \$800.00.

As per Clause 3.1, debts equal to, or greater than, this threshold will initially be referred for legal debt recovery no earlier than 28 days after the levied rates and charges become overdue (that is, after the due date for payment of the levied rates and charges stated in the associated rate notice) expiration of the discount period, with the first stage in the legal process being the issue of a letter of demand (step 2 at Clause 3.1).

3.4.1. Debts equal to, or greater than, \$800.00

Legal debt recovery action will only be initiated where:

- the balance of overdue rates and charges is equal to, or greater than, \$800.00; and
- either:
 - there is no approved payment arrangement, as per clause 3.2, is in place; or
 - if there is an approved payment arrangement in place, Council terminates the payment arrangement due to breach by the ratepayer.

All legal debt recovery action is administered by Council's approved external debt collection specialist and the relevant information (including the ratepayer's and, if applicable, their representative's personal information) in relation to the referred debt is supplied by Council to its

debt collection specialist. Legal charges incurred are charged against the individual rate assessment and recovered in full by Council.

If Council institutes court proceedings against a ratepayer to recover overdue rates and charges as a debt, and the court orders the ratepayer to pay Council's legal costs in addition to the overdue rates and charges, the ratepayer will also be required to pay Council's court ordered legal costs.

If Council institutes legal proceedings against a ratepayer to recover overdue rates and charges as a debt and the ratepayer seeks to settle the proceeding, Council may impose as a settlement condition that it agrees to discontinue the proceeding in consideration of the ratepayer paying to Council the overdue rates and charges and Council's legal costs incurred to date, in full or pursuant to a payment arrangement.

3.4.2. Debts less than \$800.00

Debts under \$800.00 are not referred to the external debt collection specialist for legal recovery action. The recovery process for these debts is as per step 1 of the table at Clause 3.1, which is the issuing of a reminder notice. ~~The first step is the issuing of a reminder notice and then at step 2, Council issues a second Final Reminder Notice.~~ There will be no further escalation of legal recovery action while the debt remains under the \$800.00 threshold, ~~except in~~ ~~However, legal action may be instigated in~~ circumstances where the debt remains outstanding for a period of at least 12 months and the ratepayer either has not entered, or having entered has not maintained, an approved payment arrangement with Council (as per clause 3.2) ~~has not been entered into.~~

3.5. Criteria for Taking Action to Sell Land for Overdue Rates

In accordance with *Chapter 4, Part 12, Division 3* of the *Local Government Regulation 2012*, Council has the ability to instigate sale proceedings where overdue rates or charges remain outstanding beyond set periods of time, and the liability to pay the overdue rates or charges is not the subject of court proceedings.

The set periods are, as applicable, at least:

- generally – three (3) years; or
- if the rates or charges were levied on vacant land or land used only for commercial purposes, and Council has obtained judgment for the overdue rates or charges – one (1) year; or
- If the rates or charges were levied on a mining claim – three (3) months.

usually one (1) year for vacant land and three (3) years for all other land. Refer to the table within Clause 3.1, specifically steps 8, 9 and 10 of the debt recovery actions (Clause 3.1).

4. DEFINITIONS

Council means the South Burnett Regional Council.

Council employee means a person employed by Council who performs work, under the direction and control of Council, on an ongoing basis with an ongoing expectation of work entitled to superannuation contributions paid by Council.

Councillor means Councillor, of a local government, includes the Mayor.

Rates and charges are defined in the *Local Government Regulation 2012* as including differential general rates, minimum general rate levies, separate rates and charges, special rates and charges, utility charges and accrued interest on outstanding balances.

Overdue rates or charges are defined in *Section 132* the *Local Government Regulation 2012* and includes:

- if Council takes the ratepayer to court to recover rates or charges and the court orders the ratepayer to pay Council's costs, the costs; and
- the interest if interest is payable, on the rates or charges, or costs.

5. LEGISLATIVE REFERENCE

Australian Competition and Consumer Commission Debt Collection Guidelines
Information Privacy Act 2009 (Qld)

Local Authorities Revenue Management Association Queensland Sale of Land Best Practice Guide
Local Government Act 2009 (Qld)
Local Government Regulation 2012 (Qld)

6. RELATED DOCUMENTS

South Burnett Regional Council Revenue Policy – Statutory005
 South Burnett Regional Council Revenue Statement
 South Burnett Regional Council Financial Hardship Policy – Statutory012

7. NEXT REVIEW

As prescribed by legislation or **September 2024**

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of policy	11 November 2009	1906499
2	Review of policy	15 June 2015	1959080
3	Review of policy – Resolution 2021/376	26 May 2021	2792107
4	Review of policy	20 October 2021	2792107
5	Administrative amendment – organisational structure review – resolution 2022/432	27 April 2022	2792107
6	Review of policy		

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date:

8.7 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL FINANCIAL HARDSHIP POLICY - STATUTORY012

File Number: 21/09/2022

Author: General Manager Finance and Corporate

Authoriser: General Manager Liveability

PRECIS

Adoption of the South Burnett Regional Council Financial Hardship Policy – Statutory012.

SUMMARY

South Burnett Regional Council ('Council') requires all property owners to pay their rates in full by the due date/s shown on rate notices. Council recognises that there are cases of genuine financial hardship that require respect and compassion in special circumstances.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Financial Hardship Policy – Statutory012 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual 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
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The draft policy was reviewed by General Manager Finance & Corporate and Manager Finance & Sustainability, supported by Corporate, Governance & Strategy, then presented at the Executive Leadership Team Meeting held on 23 August 2022 for endorsement to the Executive and Finance & Corporate Standing Committee. Feedback received supported the suggested changes.

For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (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 Act 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 direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

Council acknowledges that the circumstances affecting a property owner's ability to pay may be either temporary or long-term, financial or personal. Council will assess a request for assistance on a case-by-case basis.

ATTACHMENTS

1. **South Burnett Regional Council Financial Hardship Policy - Statutory012** [↓](#) 



POLICY CATEGORY - NUMBER: Statutory012
POLICY OWNER: Corporate, Governance & Strategy Finance & Sustainability

ECM ID: 2791654
ADOPTED:

Financial Hardship 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, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

South Burnett Regional Council ('Council') requires all property owners to pay their rates in full by the due date/s shown on rate notices. Council recognises that there are cases of genuine financial hardship that require respect and compassion in special circumstances.

2. SCOPE

This policy applies to those property owners who are experiencing serious financial hardship and as a result are willing, but unable to pay their rates and charges. The policy only applies where the property is the property owners' principal place of residence.

3. GENERAL INFORMATION

Council acknowledges that the circumstances affecting a property owner's ability to pay may be either temporary or long-term, financial or personal. Council will assess a request for assistance on a case-by-case basis.

Council is committed to working with property owners to find an appropriate, realistic and effective payment solution.

This policy communicates Council's position and provides guidance to Council representatives, property owners and stakeholders concerning the principles, processes and guidelines that Council will use when assessing applications for rates and charges relief due to severe financial hardship.

The key objectives of this policy are to:

- provide a mechanism that enables property owners to feel comfortable in approaching Council about outstanding debts;
- provide a policy that encourages a consistent and proactive approach in identifying and assisting property owners who may be experiencing difficulty paying their rates due to personal or financial hardship; and
- encourage people experiencing financial hardship to access **earlier** financial counselling support services.

Council's Rate Collection Policy states that it will diligently pursue the collection of overdue rates and charges. It also states that non-payment of rates places an unfair burden on the property owners who do not meet their obligations in full. It balances the foregoing statements by stating that Council will take into account the individual circumstances, or the financial hardships faced by relevant property owners.

Financial hardship relief provided under this policy does not forego Council's normal debt recovery action, including Council's ability to sell the land for arrear of rates. Additional fees may apply in this case.

Section 120(1)(c) of the *Local Government Regulation 2012* states that Council may grant a concession if it is satisfied that *'the payment of rates or charges will cause hardship to the landowner'*. Council will grant such a concession for rates relief as set out in this policy.

3.1. What is Financial Hardship?

A property owner will be considered to be in financial hardship if paying a rate notice will affect their ability to meet their basic living needs. This includes such things as food, clothing, medicine, accommodation and children's education.

In short, it means they have the intention, but not the financial capacity to pay.

Financial hardship may be caused by:

- loss of a property owners' (or a family member's) primary income;
- separation or divorce from a spouse;
- death of a spouse or loved-one;
- domestic or family violence;
- physical or mental health problems;
- a chronic medical condition or illness;
- budget management difficulties because of a low income;
- other unforeseen factors affecting your capacity to pay, such as a reduction in income due to a natural disaster, drought or downturn in economic conditions.
- ~~high rate levy increases due to revaluation.~~

3.2. Temporary Financial Hardship

Property owners may experience payment difficulties ~~due to a sudden and/or temporary change in circumstances~~ that adversely affect their finances. ~~These property owners generally require flexibility.~~ Council is able to offer an extension of time to pay (generally with the loss of the prompt payment discount shown on the rate notice) or to set up a payment plan.

3.3. Identifying Property Owners in Financial Hardship

Property owners who think that they may be experiencing financial hardship are encouraged to contact Council as soon as possible. If assessment by a financial counsellor has been undertaken, with written consent of the property owner, they can contact Council on the property owner's behalf. The following indicators will be considered when determining whether a property owner is experiencing financial hardship:

- the property owner requests information about alternative payment arrangements;
- the property owner's payment history indicates they have had difficulty paying accounts in the past;
- the property owner has had a change of circumstances that adversely affects their finances;
- eligibility for government funded concessions;
- advice has been received from an independent financial counsellor;
- total income after tax (take home pay);
- the number of properties owned;
- the number of children or dependants involved;
- current financial commitments including any existing debt;
- medical conditions or disability affecting earning capacity; and

- domestic or family violence.

Although the above list displays indicators of possible hardship, each property owner will be treated with sensitivity and understanding according to individual circumstances.

As part of Council's assessment, consideration will be given to any information provided by the property owner and/or, if applicable, their financial counsellor.

Council will advise the property owner of the outcome of the assessment.

3.4. When will Council Consider an Application for Financial Hardship?

Council will not support applications for financial hardship relief where the applicant has another avenue to alleviate the situation or seek assistance and has not taken this alternative option.

Council will also encourage applicants to seek the assistance of a financial counsellor. Council's intent is to provide assistance to applicants who demonstrate genuine attempts to help themselves.

Council will only consider an application for financial hardship relief where:

- it is the property owner's principal place of residence; and
- upon application being made to Council for the relief of rates and charges by the property owner; and
- net assets in cash investments, shares and the like of less than \$10,000; and
- the property owner is experiencing genuine financial hardship due to a loss the property owner has suffered such as:
 - a person who has less than two (2) weeks of available funds equivalent to the maximum rate of income support payment provided by the Department of Human Services ('DHS') for Crisis Payments;
 - has been working and is now unemployed and receiving payments from DHS continuously for 26 weeks;
 - suffers from a chronic illness that is permanent or lasts longer than three (3) months;
 - has been diagnosed with a terminal illness or disease;
 - has incurred unexpected expenses (funeral costs) and reduction or loss of family income because of the death of a partner, dependent or other family member; or
 - has experienced a significant reduction in income due to a natural disaster, drought or downturn in economic conditions.

3.5. Assistance or Relief Available

Council may grant relief to a property owner under this policy through offering assistance by one (1) or more of the following:

- payment of the outstanding rates balance may be deferred (without further interest accrual or loss of discount) for a maximum period of 12 months;
- suspension of pending or current rate recovery action;
- repayment plans that are outside of the current Rate Collection Policy; and
- interest costs written-off/waived for interest already charged and/or for interest that may accrue between the Council's decision and satisfactory completion of an agreed repayment plan.

Council is committed to assisting property owners who are experiencing financial hardship. If a property owner is experiencing financial hardship, they are encouraged to contact Council as soon as possible to discuss the situation. Council does offer long-term options if the property owner adheres to and maintains an agreed arrangement.

In return, Council requests the property owner:

- keep Council informed of any change in circumstances;
- agree and maintain a suitable payment arrangement;
- contact Council to negotiate, where practical, an alternative arrangement should the property owner have difficulty maintaining the agreed payment plan; and

- contact a financial counsellor, if requested. It is important for a property owner who is in financial hardship to meet with a financial counsellor (or a person from a relevant customer representative organisation) to discuss their financial situation and consider the options that are available.

3.6. Lodging an Application

Lodging a request for relief must be on the prescribed form, available from the Council website, www.southburnett.qld.gov.au and will involve a full financial assessment undertaken by **Governance Section Finance & Sustainability Branch** under this policy.

If a property owner:

- does not respond to the Council's offer of hardship relief;
- fails to wholly comply with Council's offer of hardship relief; or
- once an agreed payment arrangement is entered, fails to comply with the requirement of that agreed payment arrangement, then Council will continue with normal debt recovery action including outsourcing the debt to a debt collection specialist and the sale of the land for rate arrears. Additional fees will likely apply in this case.

3.7. Processing the Application

The process for assessing applications will remain simple and accessible as possible in recognition that the property owners are experiencing financial difficulties. All applications are assessed confidentially and on merit.

4. DEFINITIONS

Application form means 'South Burnett Regional Council Rates Relief Application' for the purpose of applying for assistance under this policy.

Chronic illness means an illness that is permanent or lasts longer than three (3) months.

Council means South Burnett Regional Council.

Death of a partner means the unexpected expenses (funeral costs) and reduction or loss of family income because of the death of a member of a couple (married, registered relationship or de facto relationship).

Financial hardship means unable to meet basic requirements, including food, clothing, medicine, accommodation and children's education. This hardship may occur because of chronic illness, long-term unemployment or death of a partner.

Long-term unemployment means a property owner who has received income support payments continuously for 26 weeks.

Natural disaster means a major adverse event resulting from natural processes of the earth; examples include floods, volcanic eruptions, earthquakes, tsunamis, cyclones, severe storms, bush fires, droughts.

Property owner means the 'owner of the land' as defined under the *Local Government Act 2009*.

Residential property means property that has as its primary use 'use for residential purposes'.

Terminal illness means an incurable disease that cannot be adequately treated and is reasonably expected to result in the death of the person.

5. LEGISLATIVE REFERENCE

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

6. RELATED DOCUMENTS

South Burnett Regional Council Rates Collection Policy – Statutory041

South Burnett Regional Council Financial Hardship Rates Application Form

7. NEXT REVIEW

As prescribed by legislation or September 2024

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of policy	24 June 2019	2603937
2	Review of policy	15 July 2020	2701272
3	Review of policy	26 May 2021	2791654
4	Review of policy	20 October 2021	2791654
5	Administrative amendment – organisational structure review – resolution 2022/432	27 April 2022	2791654
6	Review of policy		

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date:

8.8 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL DISPOSAL OF ASSETS POLICY - STATUTORY008

File Number: 21/09/2022

Author: General Manager Finance and Corporate

Authoriser: General Manager Liveability

PRECIS

Adoption of the South Burnett Regional Council Disposal of Assets Policy – Statutory008.

SUMMARY

Section 104 of the Local Government Act 2009 ('Act') requires that the financial management systems of South Burnett Regional Council ('Council') have regard to the sound contracting principles when entering into a contract for the disposal of assets. Council is committed to the open, transparent and systematic disposal of Council's assets. All Council disposals must be carried out in compliance with the *Local Government Regulation 2012* ('Regulation').

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Disposal of Assets Policy – Statutory008 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual 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
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The draft policy was reviewed by General Manager Finance & Corporate and Manager Finance & Sustainability, supported by Corporate, Governance & Strategy, then presented at the Executive Leadership Team Meeting held on 26 July 2022 for endorsement to the Executive and Finance & Corporate Standing Committee. Feedback received supported the suggested changes.

For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)*Local Government Act 2009 (Qld)**Local Government Regulation 2012 (Qld)**Valuers Registration Act 1992 (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 Act 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 direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

This policy aims to provide a framework for the effective and efficient disposal of Council owned current, non-current assets and portable and attractive assets, and to ensure the process is open and transparent and complies with Council's responsibilities under legislation and regulations and complies with Council's policies and procedures. This policy applies to all of Council and its business units.

ATTACHMENTS

1. **South Burnett Regional Council Disposal of Assets Policy - Statutory008** [↓](#) 



POLICY CATEGORY - NUMBER: Statutory008
POLICY OWNER: Finance & Sustainability
ECM ID: 2686038
ADOPTED:

Disposal of Assets 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, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

Section 104 of the *Local Government Act 2009* (‘Act’) requires that the financial management systems of South Burnett Regional Council (‘Council’) have regard to the sound contracting principles when entering into a contract for the disposal of assets. Council is committed to the open, transparent and systematic disposal of Council’s assets. All Council disposals must be carried out in compliance with the *Local Government Regulation 2012* (‘Regulation’).

2. SCOPE

This policy aims to provide a framework for the effective and efficient disposal of Council owned current, non-current assets and portable and attractive assets, and to ensure the process is open and transparent and complies with Council’s responsibilities under legislation and regulations and complies with Council’s policies and procedures. This policy applies to all of Council and its business units.

This policy specifically excludes the sale of land for arrears of rates and charges or sale of services or the sale of any item detailed in Council’s Register of Fees and Charges, and any of Council’s commercial operations (e.g., Visitor Information Centres, Tourist Parks).

This policy applies to Council employees and contractors in the disposal of all current and non-current assets and items surplus to council requirements.

The objective of this policy is to establish appropriate guidelines for the disposal of assets owned or controlled by Council that are surplus to requirements or otherwise redundant. The guidelines are to provide unambiguous and transparent direction for the disposal of assets to:

- promote fair and effective competition to the greatest possible extent;
- consider any potential benefit to the community;
- consider any impact on the environment;
- achieve best value for money; and
- ensure the same accountability for disposal of assets as that of purchasing assets.

3. GENERAL INFORMATION

Council is committed to ensuring that its disposal of assets is carried out in accordance with the relevant probity and accountability obligations in accordance with the prescribed legislative framework, and to meet all of its statutory obligations.

All Council disposal of assets must comply with the five (5) Sound Contracting Principles detailed in the *Local Government Act 2009 Chapter 4, Section 104 (3)*. These principles are:

- a) *value for money;*
- b) *open and effective competition;*
- c) *development of competitive local business and industry;*
- d) *environmental protection; and*
- e) *ethical behaviour and fair dealing.*

3.1. Recommendation to Dispose Non-Current Assets

Prior to the disposal of Council assets or materials surplus to requirements or scrap, approval must be sought from the Chief Executive Officer ('CEO') or the CEO's delegate as listed in the delegations register. Common criteria for determining ~~that~~ ~~what~~ goods may be suitable for disposal include:

- no longer required;
- unserviceable or beyond economic repair;
- technologically obsolete;
- operationally inefficient;
- contains any environmentally sensitive or hazardous materials;
- surplus to current or immediately foreseeable needs; and
- part of an asset replacement program.

In deciding and recommending an asset for disposal, employees and contractors should consider the needs of other departments, sections or units. This could take the form of a notice communicating surplus assets.

3.2. Disposal Method and Asset Value Considerations of Valuable Non-Current Assets

3.2.1. Valuable Non-Current Asset Limit

In accordance with *Section 224* of the Regulation a valuable non-current asset is land or another non-current asset that has an apparent value that is equal to or more than the following limits:

- a) *land – no limit;*
- b) *plant & equipment - \$5,000; or*
- c) *for another type of non-current asset - \$10,000.*

3.2.2. Non-Current Asset Disposal Guidelines

As required by *Section 227* of the Regulation, Council cannot enter into a contract for the disposal of valuable non-current assets unless it first invites written tenders for the contract in accordance with *Section 228* of the Regulation or offers the asset for sale by auction.

The accepted means of disposal as per *Section 227* and *Section 236* of the Regulation may include, but is not limited to:

- public auction;
- public tenders;
- can be sold in any way as long as the sale price is more than the highest bid received at a previous tender or auction. In this instance, the asset must have been the subject of an earlier tender/auction process;
- trade-in;
- disposal to another government agency; or

- disposal to a community organisation.

3.2.3. Exceptions for Valuable Non-Current Asset Contracts

Section 236 of the Regulation provides for the following exemptions to Section 227:

- a) *the valuable non-current asset:*
 - (i) *was previously offered for sale by tender or auction but was not sold; and*
 - (ii) *is sold for more than the highest tender or auction bid that was received.*
- b) *the valuable non-current asset is disposed of to:*
 - (i) *a government agency; or*
 - (ii) *a community organisation.*
- c) *for the disposal of land or an interest in land:*
 - (i) *the land will not be rateable land after the disposal; or*
 - (ii) *the land is disposed of to a person whose restored enjoyment of the land is consistent with Aboriginal tradition or Island custom; or*
 - (iii) *the disposal is for the purpose of renewing the lease of land to the existing tenant of the land; or*
 - (iv) *the land is disposed of to a person who owns adjoining land in accordance with the criteria set out in Section 236 (1)(c)(iv) of the Regulation; or*
 - (v) *all or some consideration for the disposal is consideration other than money and the criteria set out in Section 236(1)(c)(v) of the Regulation is met; or*
 - (vi) *the disposal is for the purpose of a lease for a telecommunication tower; or*
 - (vii) *the disposal is of an interest in land that is used as an airport or for related purposes and the criteria set out in Section 236(1)(c)(vii) of the Regulation is met.*
- d) *for the disposal of a valuable non-current asset, other than land, by way of a trade-in for the supply of goods or services:*
 - (i) *the supply is, or is to be, made under Part 3 of the Regulation; Default Contracting Procedures; and*
 - (ii) *the disposal is, or is to be, part of the contract for the supply; or*
- e) *for the disposal of a valuable non-current asset by the grant of a lease—the grant of the lease has been previously offered by tender or auction, but a lease has not been entered into; or*
- f) *the Minister exempts the local government from complying with section 227.*

Exemptions (a) through (d) require a Council resolution prior to disposal of the asset.

All exemptions relating to the disposal of land or an interest in land except for b), c)(ii) and e) require value of the consideration to be equal to, or more than, the market value of the land or the interest in land, including the market value of any improvements on the land.

A written report about the market value of the land or an interest in land from a valuer registered under the *Valuers Registration Act 1992* who is not an employee of Council is evidence of the market value of the land or the interest in land.

Where the disposal is being undertaken in conjunction with the purchase of a replacement asset, the disposal may be treated as a trade-in rather than as a separate contract provided the purchase is undertaken as a properly tendered or quoted purchase contract.

3.2.4. Assets (excluding land) with a Carrying Value below the Carrying Asset Limit (Ex GST)

The relevant department employee or contractor is responsible for determining the appropriate method for the disposal of assets with a carrying value less than the valuable asset limit. The method used for the disposal will maximise the return to Council.

3.2.5. Assets (including land) with a Carrying Value above the Carrying Asset Limit (Ex GST)

For assets with a carrying value of \$5,000 or greater, the disposal method is determined by the relevant employee or contractor on a case-by-case basis considering:

- market forces and impact on return from the sale of the asset;
- the purchase price, lifecycle maintenance costs and remaining useful life to maximise where possible the return on investment of the asset;
- the strategic worth of the asset and its long-term benefit to the community;
- community need for the asset and alternative resources; and
- how the funds received from the disposal of the asset are to be allocated.

3.2.6. Disposal of Council Real Estate

Before any real estate is disposed of, it is necessary to obtain council approval to proceed with the disposal. The proposed disposal must be by resolution of Council after consideration of a report that covers the reasons for recommending the disposal of real estate.

Any real estate offered for disposal shall be first assessed by a Registered Real Estate Valuer. The valuation provided shall be the reserve price for the property. The only exception shall be where the price for land has been fixed based on development costs and profit margins.

3.3. Other Assets – Current Assets and Portable and Attractive Assets

3.3.1. Costs of Storage

For items other than valuable non-current assets, Council employees and contractors should take into consideration the direct and indirect costs of storing items until disposal occurs prior to making the decision to place items in storage. These costs include:

- storage costs – Council aims to minimise items held in storage that are no longer required for business purposes. This contributes to an overall shortage of storage space, which may result in additional paid storage space being sourced;
- obsolescence – some items can become out of date very quickly if left in storage resulting in any benefit from eventual disposal being lost;
- deterioration – some items will deteriorate if left in storage, particularly if the storage location is not completely secure from weather; and
- internal resources – items that are stored will require Council staff to manage, move and eventually dispose of them. The value of stored items should be considered in the context of the internal resources required to manage them.
- public Auctions

The preferred method of disposal is by public auction.

If a public auction is held, all disposals that are offered for sale must follow an open and transparent process and be advertised in local media and on Council's website.

3.3.2. Online Auctions and Tenders

Online auctions and tenders may be utilised as disposal methods.

If online auctions or tenders are held, all disposals that are offered for sale must follow an open and transparent process and be advertised on Council's website.

3.3.3. Scrap Items

Items which are deemed no longer useable and unlikely to provide a positive return or be of interest to a local non-for-profit community organisation may be disposed of as scrap by:

- selling the scrap items through a Council-controlled recycling outlet located at the Kingaroy waste facility;
- sold or offered to an entity that deals in scrap items; or

- sold to an individual or non-for-profit community organisation based on the most current scrap value.

3.3.4. Donations to a Not-for-Profit Community Organisation

Expressions of interest will be invited from local not-for-profit community organisations for the donation of assets. Details of items currently available for donation will be advertised on Council's website and local print newspaper.

Assets can only be donated to a community organisation if that organisation can:

- affirm in writing that they are an entity that carries on activities for a public purpose or their primary object is not directed at making a profit;
- provide written acknowledgement of receipt of the asset;
- acknowledge Council will not be responsible for any repair or maintenance of the asset;
- acknowledge all copyright or licensed content has been removed (e.g., Computer software); and
- take responsibility for the timely removal of the asset and any associated costs that arise from the asset's removal.

3.4. Disposal of Electrical Equipment

The CEO or delegate must ensure that the disposal of any electrical equipment must comply with all relevant conditions detailed in the *Electrical Safety Regulation 2013* prior to disposal of the assets.

3.5. Local Preference

Council will give local industry a fair and reasonable opportunity to tender for disposal of assets. Any disposal of assets will be in line with the five (5) Sound Contracting Principles, particularly taking into account the development of competitive local business and industry. This will be assessed on a case-by-case basis and the weighting will be expressed as a percentage and reflects the relative importance of each criterion.

Council will make a decision to dispose of assets to a business/organisation/person within the region offering a lower price margin, using the following guideline for acceptable price variances:

- 10% for assets under \$50,000; and
- 5% for assets over \$50,000 up to \$200,000.

Local preference is not solely a price benefit, it is an assessable measurement that can be utilised in recognition of the physical presence of the business/organisation/person within the Council area, as well as demonstrated and/or actual accompanying social and economic benefits that this provides to council, such as:

- creation of new and/or maintenance of existing local employment;
- opportunities;
- to assist businesses to remain competitive;
- support economic growth within the local area; and
- returning value-added benefits to Council and its community from local transactions.

A local business, organisation or person is one that:

- is owned and operated by persons who are residents of the council area and pay rates;
- is a registered business or individual that has a principle place of business within the council area;
- has a place of business within the council area which solely or primarily employs persons who are residents or ratepayers of the council area;
- is an organisation within the council area; and
- is a resident or ratepayer within the council area.

3.6. Lost or Stolen Council Property

Section 307(a) of the Regulation contains recording and notification requirements where Council has experienced the loss of an asset.

Where Council becomes aware that property is damaged or missing, it must record details of the loss by completing a Damaged Lost or Stolen Property Report.

If the loss of an asset has a total value of more than \$1,000 or is a reportable loss, Council must notify the Minister and Auditor-General within 6 months of becoming aware of the loss. For money, notification must occur if the loss is more than \$500.

For a loss resulting from the commission of an offence under the Criminal Code or another Act, Council must immediately notify the police.

For a loss resulting in fraud or corruption, Council must also immediately notify the Crime and Corruption Commission.

Where required, the employee or contractor responsible for the items that may have been stolen must notify the Queensland Police Service.

The Manager Finance & Sustainability must be notified immediately and will notify the Auditor-General and Council's Insurance provider where required.

Where the property has been damaged by a member of the public and the following conditions are satisfied:

- the cost of replacement is more than \$1,000;
- the damage is considered to be the result of a negligent or deliberate act; and
- a person or entity has been identified as responsible.

If determined by the CEO or the CEO's delegate there is considered to be a reasonable chance that recovery actions would result in a positive financial outcome to Council, Council will pursue recovery of costs.

3.7. Documentation and Declarations

All disposals must be documented, whether sold or scrapped, and authorised by the CEO or the CEO's delegate.

The relevant department employee or contractor is to ensure:

- the disposal methodology is fully documented, and all documentation is filed in Council's electronic documentation management system;
- any conflict of interest real, perceived or otherwise, in relation to the chosen means of disposal or with the parties involved in the disposal process should be declared and registered;
- if required, a conflict-of-interest management plan is completed and plan actions are adhered to
- council asset registers and GIS are updated; and
- council insurance registers are updated.

3.8. Caretaker Period

Council must not make a major policy decision during the caretaker period prior to an election unless exceptional circumstances exist. This includes entering into any contract, the value of which is greater than \$200,000. (ex GST) or 1% of the Council's net rate and utility charges as stated in the financial statements of its annual report, whichever is the greater.

If Council does enter into a Contract that exceeds these amounts and the transaction does not constitute exceptional circumstances, they may be liable for legal proceedings and /or compensation to the other party of the contract who has acted in good faith. The contract would be considered to be an invalid policy decision.

4. DEFINITIONS

Act means *Local Government Act 2009*

Assets comprises of property, plant and equipment, stock and scrap

Asset disposal means a process where Council divests itself of an asset in a systematic and authorised manner as directed by this policy.

Best Value means obtaining the best possible return for the goods it sells in financial, social, economic and environmental terms.

Council representative means all Councillors and Council employees including permanent, casual and temporary employees, apprentices, trainees, contractors, volunteers, and work experience students.

Ex GST means excluding goods and services tax.

Not for Profit Organisation means is an organisation that uses its surplus of the revenue to further achieve the organisations objectives rather than income.

Obsolescence means the process of becoming obsolete or outdated and no longer used.

Redundant means no longer needed.

Regulation means *Local Government Regulation 2012*

5. LEGISLATIVE REFERENCE

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Valuers Registration Act 1992 (Qld)

6. RELATED DOCUMENTS

South Burnett Regional Council Asset Management Policy – Strategic014

South Burnett Regional Council Employee Code of Conduct – Statutory011

South Burnett Regional Council Employee Conflict of Interest Policy – Statutory048

South Burnett Regional Council Employee Conflict of Interest Procedure – Procedure080

South Burnett Regional Council Procurement Policy – Statutory007

7. NEXT REVIEW

As prescribed by legislation or August 2024

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of policy	23 February 2011	2686038
2	Review of policy	20 May 2020	2686038
3	Organisational structure review – resolution 2022/432	27 April 2022	2686038
4	Review of policy		

Mark Pitt PSM

CHIEF EXECUTIVE OFFICER

Date:

Policy Name: Disposal of Assets Policy
ECM ID: 2686038

Adoption Date:

Page 7 of 7
Next Review Date:

8.9 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL COUNCILLOR PORTFOLIO REPRESENTATIVE POLICY - STATUTORY003

File Number: 21/09/2022

Author: General Manager Finance and Corporate

Authoriser: General Manager Liveability

PRECIS

Adoption of the South Burnett Regional Council Councillor Portfolio Representative Policy – Statutory003.

SUMMARY

The purpose of this policy is to provide clear guidelines on the roles and responsibilities of the Mayor and Councillors as portfolio representatives.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Councillor Portfolio Representative Policy – Statutory003 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual 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
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The draft policy was reviewed by the Chief Executive Officer, supported by Corporate, Governance & Strategy, then presented at the Executive Leadership Team Meeting held on 30 August 2022 for endorsement to the Executive and Finance & Corporate Standing Committee. Feedback received supported the suggested changes.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Local Government Act 2009 (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 Act 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 direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

This policy applies to the Mayor and Councillors of the South Burnett Regional Council ('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.

ATTACHMENTS

1. **South Burnett Regional Council Councillor Portfolio Representative Policy - Statutory003** [↓](#) 



POLICY CATEGORY - NUMBER: Statutory003

POLICY OWNER: Executive Services

ECM ID: 2681185

ADOPTED:

Councillor Portfolio Representative 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, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

The purpose of this policy is to provide clear guidelines on the roles and responsibilities of the Mayor and Councillors as portfolio representatives.

2. SCOPE

This policy applies to the Mayor and Councillors of the South Burnett Regional Council ('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.

The portfolios are focused on the strategic level of Council. The policy is does not:

- intend to detract from any Councillor's responsibility to represent their constituents on day-to-day issues. The portfolio system is intended to assist ratepayers and residents to approach a Councillor according to the strategic issue at hand; and
- diminish a Councillor's statutory responsibilities and obligations under the *Local Government Act 2009* (the 'Act'), whereby the portfolio requirements are in addition to the roles, responsibilities and obligations of Councillors, as set out in the Act.

For clarity, the responsibilities of a Portfolio Councillor do not include:

- involvement in operational matters of the Council;
- giving directions to Council employees;
- committing Council funds or promise to fund or resource any project or matter;
- making strategic or policy decisions on behalf of Council;
- portraying personal views when representing or speaking on behalf of Council; or
- does not diminish Councillors' statutory responsibilities under the Act.

3. GENERAL INFORMATION

Councillor responsibilities associated with their portfolio are:

- 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;
- to be familiar with the annual Operational Plan and the annual Budget for income and expenditure for the projects within the Councillor's portfolio;

- 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);
- to comply with Council's Media Relations Policy when engaging with the media;
- to act as relevant portfolio spokesperson in the Ordinary Council Meetings, for those agenda items falling within their allocated portfolio. In this context it is not expected that the portfolio Councillor will be the technical expert but the portfolio Councillor is expected to understand and be able to explain the strategic context of issues and their impact on the achievement of the 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 then hand over to the relevant Manager, General Manager or the Chief Executive Officer ('CEO');
- to request further information from Council officers in accordance with Council's Acceptable Request Guidelines. Formal Community engagement activities are to be approved by the Mayor, planned and documented as per Council's Community Engagement Policy and Procedure;
- 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;
- to represent the Council on relevant and approved external committees and community forums;
- to keep the Mayor abreast of issues within the Councillor's portfolio; and
- to keep the Mayor and fellow Councillors informed regarding matters that may affect Council and/or a Councillor's divisional area.

4. DEFINITIONS

Councillor means Councillor, of a local government, includes the Mayor.

5. LEGISLATIVE REFERENCE

Local Government Act 2009 (Qld)

6. RELATED DOCUMENTS

South Burnett Regional Council Acceptable Request Guidelines Policy – Statutory004

South Burnett Regional Council Employee Code of Conduct Policy – Statutory011

South Burnett Regional Council Media Relations Policy – Strategic001

South Burnett Regional Council Corporate Plan 2021-2026

7. NEXT REVIEW

As prescribed by legislation or September 2024

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of policy	18 July 2012	2681185
2	Review of policy	7 April 2016	2681185
3	Review of policy	19 April 2017	2681185
4	Review of policy	13 June 2018	2681185
5	Change of Portfolio Names	1 October 2018	2681185
6	Local Government Quadrennial Election	29 April 2020	2681185
7	Administrative change: <ul style="list-style-type: none"> - Replacing Social & Corporate Performance Branch with Corporate Services Branch as per Council Resolution 2021/62 - Reviewing policy as per Council Resolution 2021/250 – Portfolio briefing wording removed and Corporate Plan reference updated 	24 March 2021	2681185
8	Administrative amendment – organisational structure review – resolution 2022/432	27 April 2022	2681185
9	Review of policy		

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date:

8.10 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL INSURANCE MANAGEMENT POLICY - STATUTORY024**File Number:** 21/09/2022**Author:** General Manager Finance and Corporate**Authoriser:** General Manager Liveability**PRECIS**

Adoption of the South Burnett Regional Council Insurance Management Policy – Statutory024.

SUMMARY

South Burnett Regional Council ('Council') has established a framework for the administration, management and coordination of Council's insurance, including policy coverage and claims.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Insurance Management Policy – Statutory024 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual 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
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy
	Manage Council's Insurance policies and claims

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The draft policy was reviewed by Manager Corporate, Governance & Strategy, then presented at the Executive Leadership Team Meeting held on 17 May 2022 for endorsement to the Executive and Finance & Corporate Standing Committee. Feedback received supported the content provided

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)*Civil Liability Act 2003 (Qld)**Civil Liability Regulation 2014 (Qld)**Crime and Corruption Act 2001 (Qld)*

Insurance Act 1973 (Cth)

Insurance Contracts Act 1984 (Cth)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Personal Injuries Proceedings Act 2002 (Qld)

Personal Injuries Proceedings Regulation 2014 (Qld)

Workers' Compensation and Rehabilitation Act 2003 (Qld)

Workers' Compensation and Rehabilitation Regulation 2014 (Qld)

Workers' Compensation and Rehabilitation (QOTE) Notice 2021

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 Act 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 direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

The administration, management and coordination of Council's insurance involves:

- ensuring Council's insurance policy covers are renewed annually;
- seeking and providing assistance relating to queries regarding Council's insurance;
- coordination of notifications, claims and potential claims;
- maintaining the Insurance Notifications and Claims Register Database;

- reporting to Local Government Mutual Services ('LGMS') on research of Council's records relating to incidents; and
- Council's contact/liaison to insurance brokers, insurers, appointed loss assessors and legal advisors acting on behalf of Council's interest.

ATTACHMENTS

1. **South Burnett Regional Council Insurance Management Policy - Statutory024** [↓](#) 



POLICY CATEGORY - NUMBER: Statutory024
POLICY OWNER: Corporate, Governance & Strategy

ECM ID: 2852041
ADOPTED:

Insurance Management 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, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

South Burnett Regional Council ('Council') has established a framework for the administration, management and coordination of Council's insurance, including policy coverage and claims.

This ensures compliance with *Section 107* of the *Local Government Act 2009* and *Section 214* of the *Local Government Regulation 2012*, and that Council is comprehensively insured for Professional Indemnity and Public & Products Liability.

2. SCOPE

This policy applies to:

- Council activities, including entities over which Council has direct ownership, management, sponsorship and financial control;
- Council representatives; and
- those identified above, and to those who were formerly in such positions, but only related to their service to Council or its related entities.

3. GENERAL INFORMATION

The administration, management and coordination of Council's insurance involves:

- ensuring Council's insurance policy covers are renewed annually;
- seeking and providing assistance relating to queries regarding Council's insurance;
- coordination of notifications, claims and potential claims;
- maintaining the Insurance Notifications and Claims Register Database;
- reporting to Local Government Mutual Services ('LGMS') on research of Council's records relating to incidents; and
- Council's contact/liaison to insurance brokers, insurers, appointed loss assessors and legal advisors acting on behalf of Council's interest.

3.1. Policy Principles

Council ensures through this policy that all insurance matters are processed efficiently and effectively without jeopardising the liability of Council, its employees and related entities.

It is in the public interest to spend public funds buying insurances, and paying applicable excesses or deductibles so that Council, its employees and related entities may have:

- legal expenses covered;
- possibly some indemnity in relation to financial consequences (fines and penalties); or
- coverage should an accusation and/or investigation occur due to a perceived wrongdoing or shortcoming regarding carrying out the role and/or functions appointed or elected to perform.

Notably, neither Council nor LGMS will offer indemnity where loss or damage arises due to:

- a Councillor/an Officer – corrupt conduct, misconduct or inappropriate conduct as defined under the *Local Government Act 2009* or the *Crime and Corruption Act 2001*.

3.2. Retrospective Operation

Council is a member of LGMS, and there is a retrospective effect to the insurance coverage provided.

3.3. Administration

All correspondence relating to Council's insurance will be coordinated through Corporate Governance & Strategy Branch to prevent Council's liability being jeopardised and to strengthen the governance of the function. All matters, are captured in the Insurance Notifications and Claims Register, registered in ECM and captured in Customer Requests.

4. DEFINITIONS

Council means South Burnett Regional Council.

Council representative means all Councillors and Council employees including permanent, casual and temporary employees, apprentices, trainees, contractors, volunteers, and work experience students.

Councillors and Officers Indemnity means insurance cover whereby Councillors and Council representatives are indemnified for any wrongful act committed by them in their official capacity.

Employment Practices Liability means the cover of damages and defence costs in the event of actions taken by employees relating to wrongful dismissal, discrimination and sexual harassment.

Industrial Special Risks means the cover of all real property and personal property owned by Council. Personal property refers to money (i.e., bank notes, currency notes, cheques). Cover is provided for losses such as:

- fire and perils;
- personal effects of Councillors, Administrators and Council Officers whilst on Council premises;
- theft of property; or
- accidental damage.

Insurance Notifications and Claims Register means a database managed by Council for recording insurance notifications and claims, processes, outcomes and details required for statutory and Council reporting.

LGMS means Local Government Mutual Services which incorporates three (3) self-insurance schemes of Local government in Queensland – LGM Liability, LGM Assets and LGW Workcare.

Motor Vehicle Insurances means comprehensive insurance that covers all Council's plant and fleet as identified on Council's Motor Vehicle Schedule.

Personal Accident Insurance (Volunteers) means cover that is provided for volunteers where an accident occurs whilst performing duties on behalf of Council, including related travel to and from their place of residence. Council is required to maintain an attendance register for all volunteers.

Products Liability Cover means to provide indemnity in respect of legal liability for death, injury (including illness) and for any damage to property caused by or through the sale or supply of any commodity article or thing in connection with the relevant business or enterprise. Council's exposure for Products Liability is relative to most of Council's operations relating to the supply of services (e.g., water supply).

Public Liability means a claim against Council for alleged negligent acts that have resulted in personal injury or damage to property.

Professional Indemnity means allegations by third party claimants that Council has breached its duty in a professional capacity as opposed to an act of simple negligence, where no professional skills or knowledge are involved.

5. LEGISLATIVE REFERENCE

Civil Liability Act 2003 (Qld)

Civil Liability Regulation 2014 (Qld)

Crime and Corruption Act 2001 (Qld)

Insurance Act 1973 (Cth)

Insurance Contracts Act 1984 (Cth)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Personal Injuries Proceedings Act 2002 (Qld)

Personal Injuries Proceedings Regulation 2014 (Qld)

Workers' Compensation and Rehabilitation Act 2003 (Qld)

Workers' Compensation and Rehabilitation Regulation 2014 (Qld)

Workers' Compensation and Rehabilitation (QOTE) Notice 2021

6. RELATED DOCUMENTS

South Burnett Regional Council Insurance Management Procedure – Procedure115

7. NEXT REVIEW

As prescribed by legislation or September 2024

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of policy		

Mark Pitt PSM

CHIEF EXECUTIVE OFFICER

Date:

8.11 EXTENSION OF THE RATES DISCOUNT DATE TO 23RD SEPTEMBER 2022**File Number:** 21/09/2022**Author:** Manager Finance & Sustainability**Authoriser:** General Manager Liveability**PRECIS**

Extension of the rates discount date to 23rd September 2022

SUMMARY

Discount date for July to December 2022 rates levy is currently 22nd September 2022. With the announcement of a public holiday on this day, this has been revised.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the extension of discount by one additional day to the 23 of September 2022 be approved.

BACKGROUND

With the Australian Federal Government declaring Thursday, 22 September 2022 as a National Day of Mourning following the death of Her Majesty Queen Elizabeth II, the decision has been made to push the discount date for the current rates notice to the 23rd September 2022. Under *Section 130* of the *Local Government Regulation 2012*, Council must formally approve any adjustments to the discount date if it goes over the 30 days already adopted during the budget process by resolution.

It should be noted that the next Council meeting will be held on the 28th of September which will be after the due date extension.

The extension of the date will have minimal a financial impact on Council's cash flows.

ATTACHMENTS

Nil

8.12 FINANCIAL ASSISTANCE GRANT ALLOCATIONS OVERVIEW - SOUTH BURNETT REGIONAL COUNCIL VS QLD CATEGORY 3 COUNCILS

File Number: 21/9/2022

Author: Manager Finance & Sustainability

Authoriser: Chief Executive Officer

PRECIS

Financial Assistance Grant Allocations overview for the South Burnett Regional Council (SBRC) vs other Category 3 Queensland Councils from 2017/2018 to 2022/2023.

SUMMARY

This report looks at SBRC's Financial Assistance Grant allocation for the 2022/2023 year compared to other Category 3 Queensland Councils. Trends for SBRC over the last few years has also been presented.

OFFICER'S RECOMMENDATION

That the report be received for information.

BACKGROUND

In the 2021–2022 year, Council was advised that our portion of the Financial Assistance Grant would decrease by approximately 7% year on year for the next 3 years. This reduction came about due to the change in allocation methodology that the Local Government Grants Commission implemented from the 2022-2023 year.

Council's 2022-2023 allocation increased beyond the original expected allocation and increased by 0.49% compared to the 2021-2022 allocation.

This gave an additional \$533k compared to the 2022-2023 budget predictions.

Finance won't be making any budget adjustments to the Financial Assistance Grant due to the uncertainty as to what percentage of the 2023-2024 allocation Council will receive as a prepayment in the 2022-2023 year.

Based on the Category 3 data, SBRC is on par with the average value received by Councils for the Road Grant portion of the FA Grant.

However, with regard to the general purpose grant portion, SBRC was approximately \$400k less than the average.

The Councils that received the largest portion of the pool available included Western Downs (14%), Central Highlands (9%) and Maranoa (16%).

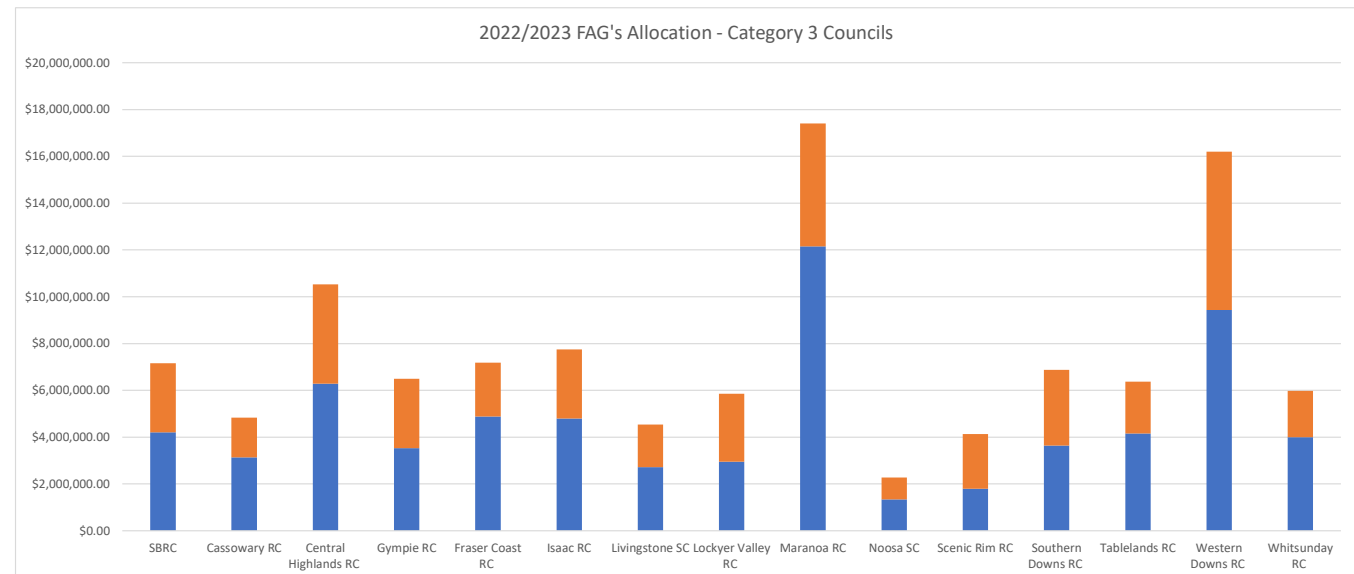
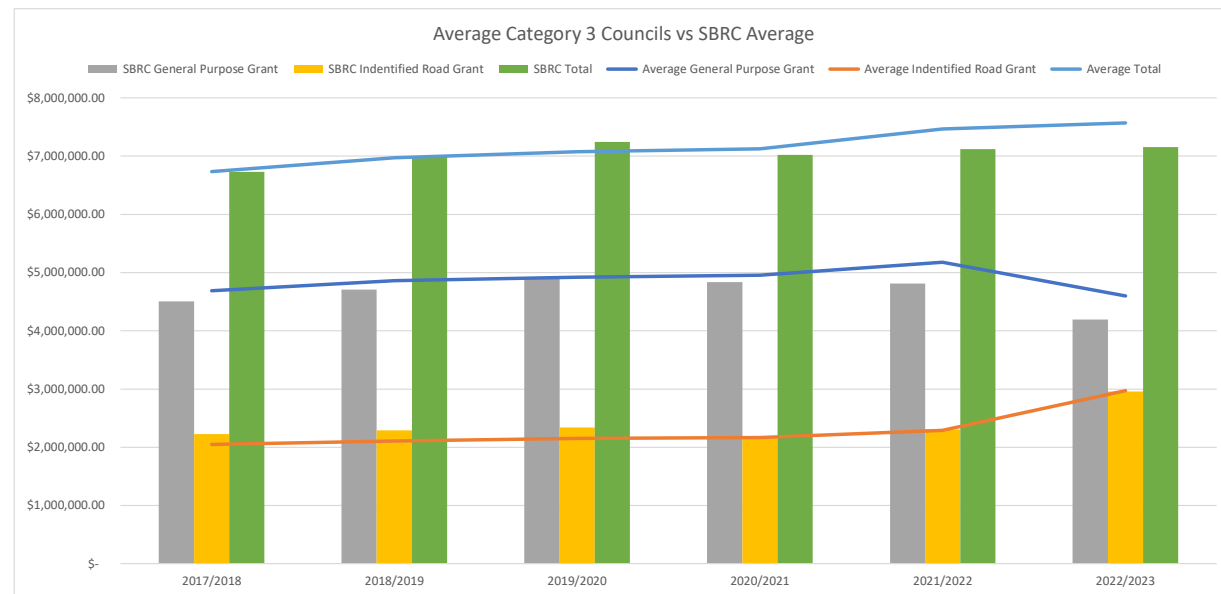
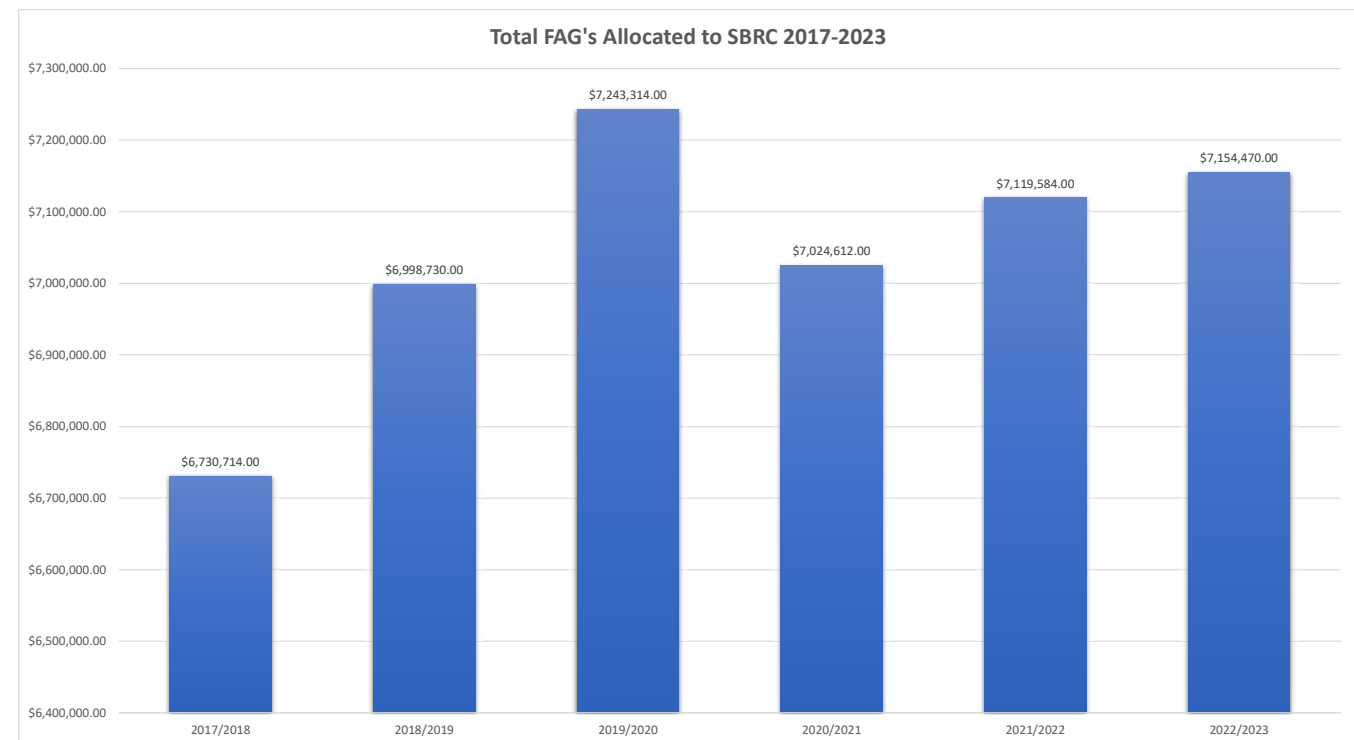
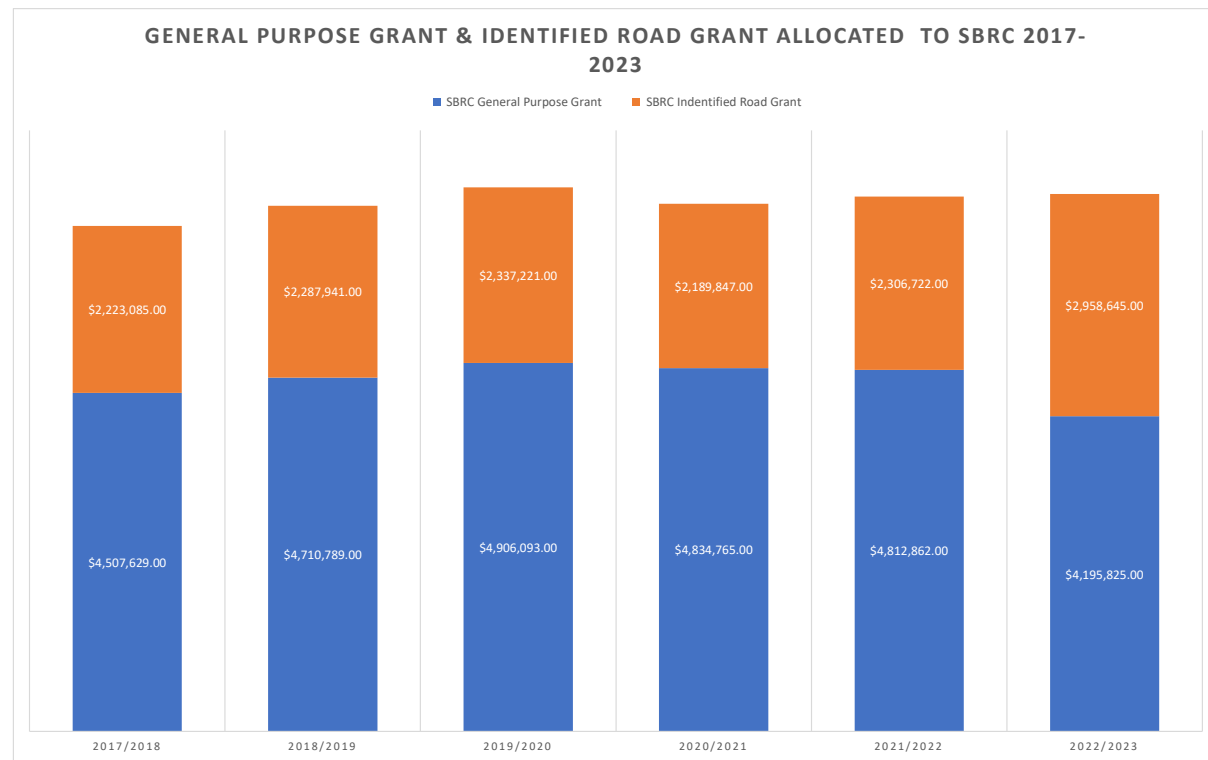
A majority of the other Councils (including SBRC) received 6% or lower.

ATTACHMENTS

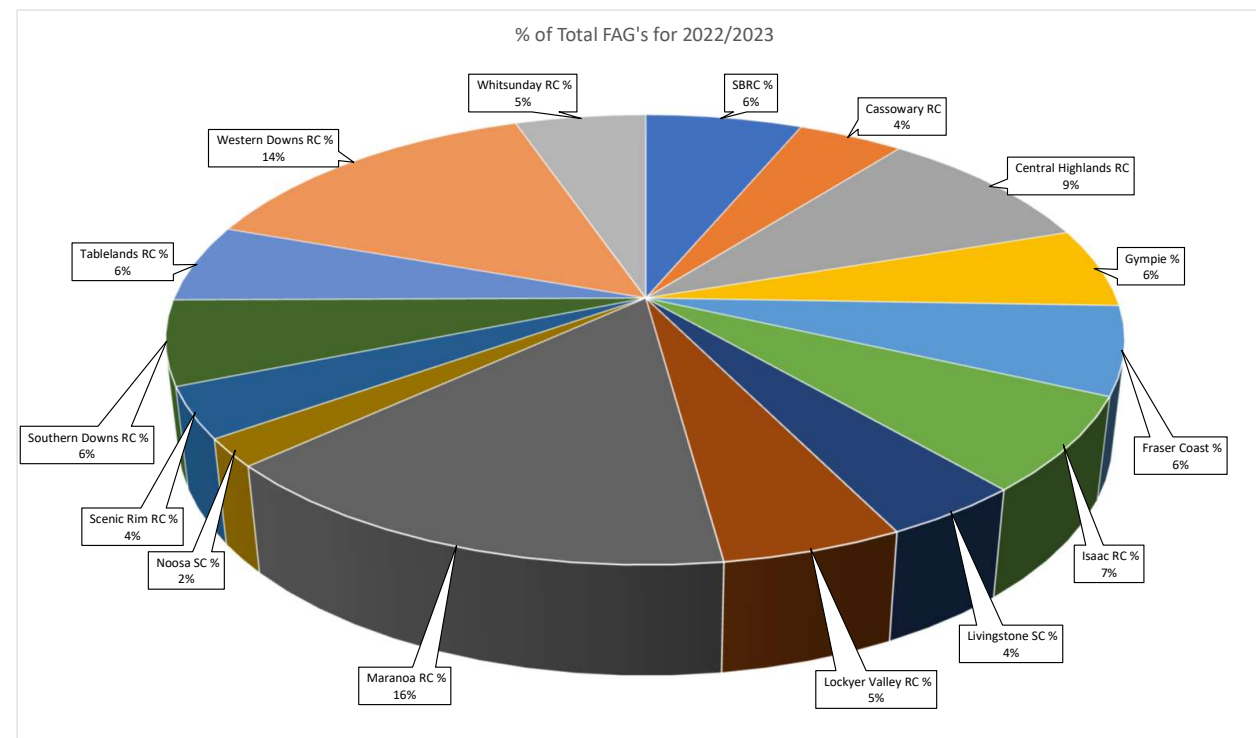
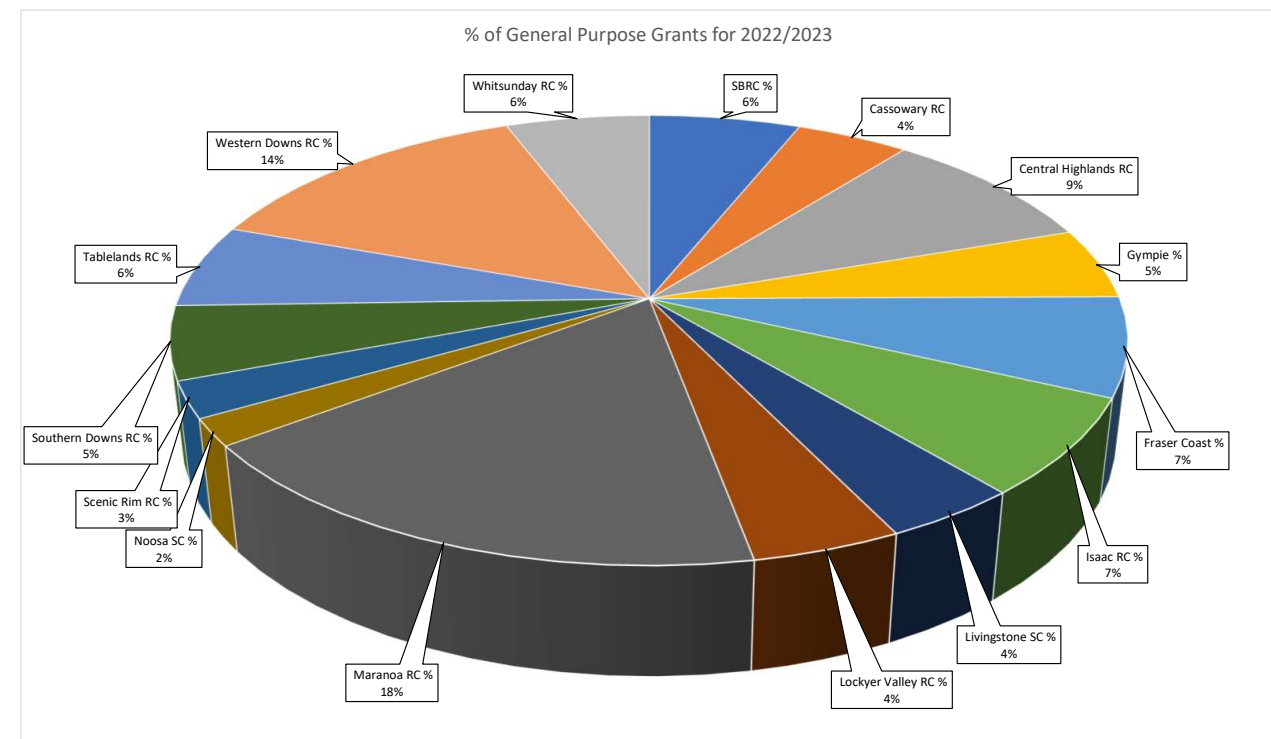
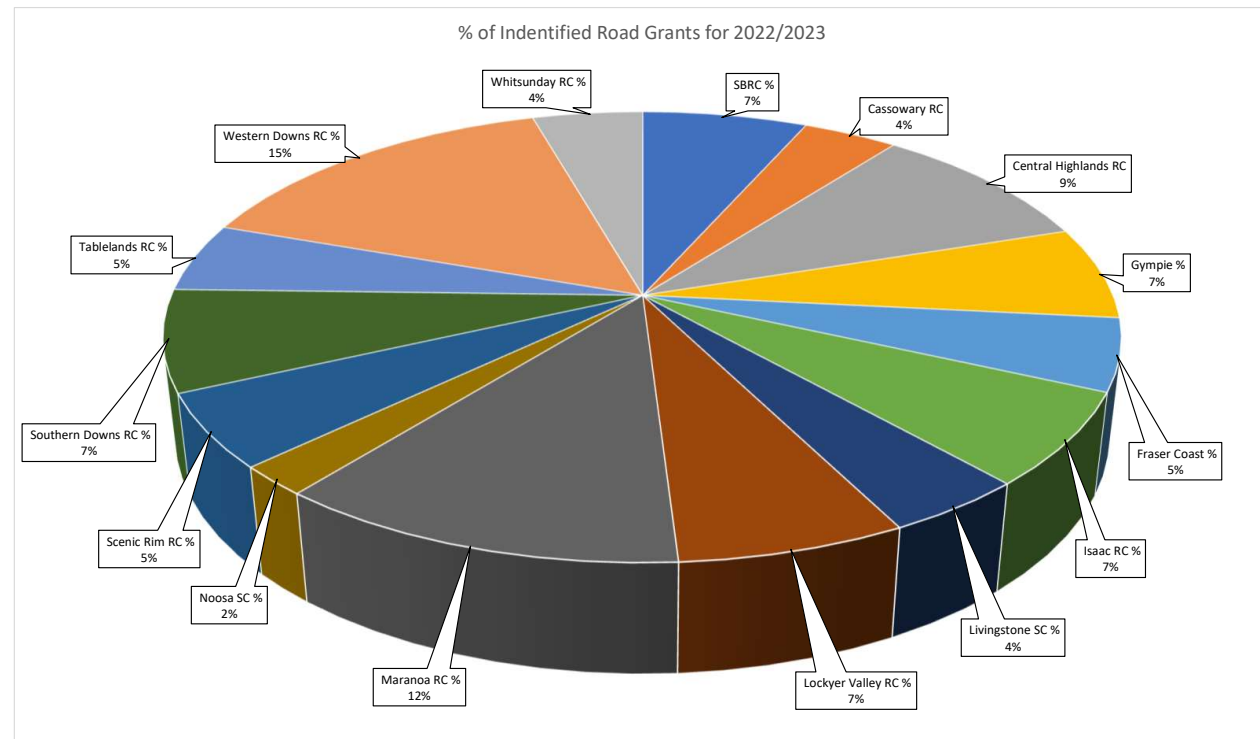
1. **Financial Assistance Grants Comparison Graphs - SBRC vs Qld Category 3 Councils** [↓](#)



FAG's SBRC vs Qld Category 3 Councils.xlsx



FAG's SBRC vs Qld Category 3 Councils.xlsx



9 PORTFOLIO - REGIONAL DEVELOPMENT

9.1 REGIONAL DEVELOPMENT (INDUSTRY, AGRICULTURE, WATER SECURITY, ENERGY AND CIRCULAR ECONOMY) PORTFOLIO REPORT

File Number: 21/9/2022

Author: Councillor

Authoriser: Chief Executive Officer

PRECIS

Regional Development Portfolio Report

SUMMARY

Cr Schumacher presented her Regional Development (Industry, Agriculture, Water Security, Energy and Circular economy) Portfolio Report to Council.

OFFICER'S RECOMMENDATION

That Cr Schumacher's Regional Development (Industry, Agriculture, Water Security, Energy and Circular economy) Portfolio Report to Council be received for information.

National Water Infrastructure Development Fund – Phase 2 Progress Report:

KBR is in the final stages of finalising the economic road map as part of Phase 2 of the National Water Infrastructure Development Fund and Council received a briefing on the progress and outcomes of such in August.

The road map identifies the significant regional impact and uncertainty of the future closure of the Tarong Power Station currently registered with the NEM for 2037. The report demonstrates that the station currently employs around 732 direct jobs. It is anticipated, the eventual closure of the site would have direct impacts on the population of our region and our local economy, with estimates of around 5,000 potentially leaving the region for other employment opportunities. This has been evident in other case studies and regions similar to the South Burnett and we would like to collectively do something to ensure there aren't less people, less jobs and less income for our region.

The Economic Road Map sets out a plan that would enable the South Burnett to prosper through this period. The plan includes:

- Investing in agricultural projects with identified demand and strong economic viability. Specific projects include:
 - Barker Barambah / Barlil & West Barambah Weirs projects
 - Gordonbrook Dam Irrigation Scheme
 - Blackbutt Irrigation Scheme
 - Additional water uses off the Boondooma to Tarong Pipeline
- Acquiring some of the water currently used at Tarong to use in these agricultural projects
- Assisting already appropriately skilled workers to transition from Tarong to agriculture.
- Investment in community assets and urban water resilience.
- Establishing an appropriate regional Authority to plan and deliver these projects

Implementing this plan will result in:

- Maintaining the local workforce
- Urban Water security

- \$67M of additional agricultural production per year
- A nation leading, net zero agriculture industry

Our region has been powering the state for decades, and we want to be part of a new energy future. We recognize that we will see further diversification of the energy sector and we eagerly await the release of the state governments energy plan.

As we are nearing the completion of this work, I would like to request meeting support for a formal deputation to Minister Furner, Minister DeBrenni and Minister Butcher about the work that has been undertaken.

Bundaberg Burnett Regional Water Assessment

I attended the Stakeholder Advisory Group meeting 6 in Bundaberg on Friday 9 September to participate in the multi-criteria analysis of the water projects assessed as part of the Bundaberg Burnett Regional Water Assessment.

AusIndustry Entrepreneurs Programme

I recently caught up with the AusIndustry team to discuss how we may be able to collaborate in growing and increasing the local capacity of our businesses and their ability to tender for work. I'd also like to acknowledge the Red Earth Community Foundation and Council, who with the support of Jennifer Pointon and Margie Hams hosted the first Hub in a Pub on Thursday 15 September.

BACKGROUND

Nil

ATTACHMENTS

Nil

9.2 VISITOR INFORMATION CENTRES

File Number: Tourism - 01
Author: Chief Executive Officer
Authoriser: Chief Executive Officer

PRECIS

Progress the discussion of the future operation of the Visitor Information Centres within the South Burnett Regional Council area.

SUMMARY

Since last reported to Council the usual 42-hour 7 day a week requirement for the accredited network has again been relaxed and this relaxation extended. All centres are to strive to this requirement as best as possible. Council has been informed that opening hour requirements will be reviewed again in October by the committee.

OFFICER'S RECOMMENDATION

That the Committee note the CEO proposed action to call for an expression of interest from staff for voluntary placement at the Visitor Information Centres and the proposed combined workshop with Visit South Burnett.

BACKGROUND

Previous Resolutions:

16.2 FUTURE OF THE VISITOR INFORMATION CENTRES

RESOLUTION 2022/454

Moved: Cr Kathy Duff

Seconded: Cr Roz Frohloff

That South Burnett Regional Council:

1. Develop a Visitor Service Strategy;
2. Formally request an extension to accreditation relief to 30 June 2022 whilst the operation of the VICs is considered through future budget discussions;
3. Conduct a media campaign to encourage volunteers and alerting the community to the importance of accreditation; and
4. Engage with LTO, visit South Burnett, our RTO, Southern Queensland Country Tourism and Tourism Queensland and request a meeting and round table discussion with Council to address the matters tabled in the report.

In Favour: Crs Brett Otto, Kathy Duff, Roz Frohloff, Danita Potter and Scott Henschen

Against: Nil

CARRIED 5/0

7.1 NOTICE OF MOTION - VISITOR INFORMATION CENTRES

COMMITTEE RESOLUTION 2022/238

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That a report be brought back to the workshop as part of the visitor services strategies with options for using existing staff in each of the towns using a roster system to work in the Visitor Information Centres across the region.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

12.3 CREATIVE COUNTRY ASSOCIATION INC - MURGON ANCIENT SONGBIRD CENTRE

RESOLUTION 2022/604

Moved: Cr Kathy Duff

Seconded: Cr Gavin Jones

That South Burnett Regional Council:

1. Respond to the representatives of the Creative Country Association Inc informing them that Council supports their concept in principle however Council is unable to provide funding; and
2. Welcome the opportunity to visit with a view to discussing how Council can support Creative Country Association Inc in their efforts to obtain funding from other sources.
3. That this be assigned as a high priority for Council's Grant Officer as soon as they take up office and that Council offer their full support to the committee with any applications they put forward.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 7/0

Consultation:

In accordance with resolution report discussed at workshop with Councillors on 17 August 2022.

Following the workshop an invitation to attend a workshop was extended to Visit South Burnett before the end of September. Regrettably a suitable date for all parties was unable to be sourced for the end of September and discussions are progressing for a potential date in October.

Industrial considerations:

Industrial Instruments provide limited flexibility to force administration staff to work in alternative roles or locations without considerable consultation.

EBA Clause on consultation clause 13 is relevant to this discussion and is attached for information.

There appears no suitable mixed function clause in the awards that would allow for forced relocation.

Consideration would also need to be given to the Impacts on productivity from any staff member substantive role.

Potential Costs

Potential for productivity loss of substantive roll if administration staff are required to oversee volunteers and relocate from any current duties.

Current classification vs classification at centres – currently level 4 and 3 staffing – administration staff at level 2 and any potential for higher duties. Costing of time to the centres or primary cost centre. Consideration of administration v retail

Overtime – TOIL – staff absence from substantive roll and any request to back fill from substantive role. Utilisation of TOIL may be an issue given traditionally high leave balances/liability that council has decreased now over several years.

Options:

The following options were discussed at the workshop on 17 August:

Call for voluntary placement at centres

Offer option of working RDO at penalty or TOIL – leave accrual already an issue

Go through full TCR (Termination, Change, Redundancy) consultation process to force transfer of working location – no guarantee of success.

Council to decide on the VIC review and future direction of VICs.

Next Steps:

Call for voluntary placement at centres

Continue to workshop a strategy which would include an invitation to Visit South Burnett.

ATTACHMENTS

1. **EBA Consultation Clause (TCR)** [↓](#) 

- 10.3 Each request would be processed on a case by case basis. Once a salary sacrifice agreement is entered into, the Employee would be required to continue with the agreement for a period of not less than twelve (12) months.

11. PART-TIME EMPLOYMENT

- 11.1 By mutual agreement, Council may require a part time Employee to work additional ordinary hours above the Employee's regular hours to meet operational demands and requirements.
- 11.2 Any additional ordinary hours worked in accordance with clause 11.1, must be by mutual agreement and will not attract any overtime penalty rates, provided that the total number of ordinary hours worked by the part-time Employee does not exceed the equivalent of 36.25 hours a week, or 8.05 hours per day, and is worked within the spread of ordinary hours.
- 11.3 For the avoidance of doubt, a part-time Employee who exceeds 36.25 hours per week or 8.05 hours per day, will be entitled to payment of overtime or to have that time banked as TOIL.

12. DISPUTE RESOLUTION

- 12.1 Effective communication between Employees and Council management is a prerequisite to good industrial relations and the following procedure is set down in order that any grievances may be resolved quickly to maintain sound working relationships.
- 12.2 Any Employee or Employees with a grievance or complaint regarding an industrial matter will promptly raise the matter/s with their immediate supervisor who will endeavor to resolve the matter as soon as possible.
- 12.3 If the matter is not resolved at this level, the Employee/s will discuss the matter/s with the next higher level of management and the Employee/s may elect to be represented by an authorised officer of the relevant Union.
- 12.4 Should the grievance remain unresolved after fourteen (14) days, the matter should then be referred to the Chief Executive Officer and, if requested by the Employee/s, an authorised officer of the relevant Union who will attempt to facilitate a resolution.
- 12.5 If after the above steps, the matter remains unresolved, the dispute may be referred by either the Employee/s or Council to the QIRC for conciliation and if the matter remains unresolved, arbitration.
- 12.6 While the above procedure is being followed, to the extent it is safe to do so, the *status quo* is to be maintained, and every endeavor is to be applied to ensure that work continues normally until a resolution of the dispute is reached.
- 12.7 All parties agree to give due consideration to matters raised or any suggestion or recommendation made by the QIRC with a view to prompt settlement of the matter.
- 12.8 The above procedures do not restrict the Council, or an Employee, or an Employee's representative (being an authorised officer of the relevant Union) from making representations to each other at any stage in this procedure, or restrict the parties from agreeing to escalate any stage of this process which is not practicable.

13. CONSULTATION

Consultation - Introduction of changes - Employer's duty to notify

- 13.1 Prior to Council's final decision to introduce changes in production, program, organisation, structure or technology that are likely to have significant effects on Employees, Council shall notify the Employees who may be affected by the proposed changes and, where relevant, their union/s.
- 13.2 "Significant effects" includes termination of employment; major changes in the composition, operation or size of the employer's workforce or in the skills required; the elimination or diminution of job opportunities or job tenure; the alteration of hours of work; the need for retraining or transfer of Employees to other work or locations and the restructuring of jobs.
- 13.3 Where the Agreement makes provision for alteration of any of the matters referred to in clauses 13.1 and 13.2 an alteration shall be deemed not to have significant effect.

Council's duty to consult over change

- 13.4 Council shall consult the Employees affected and, where relevant, their union/s about the introduction of the changes, the effects the changes are likely to have on Employees (including the number and categories of Employees likely to be dismissed, and the time when, or the period over which, the employer intends to carry out the dismissals) and ways to avoid or minimise the effects of the changes (e.g. by finding alternate employment).
- 13.5 The consultation must occur as soon as practicable prior to making the decision referred to in clause 13.1.
- 13.6 For the purpose of such consultation Council shall provide in writing to the Employees concerned and, where relevant, their union/s, all relevant information about the changes including the nature of the changes proposed, the expected effects of the changes on Employees, and any other matters likely to affect Employees.
- 13.7 Notwithstanding the provision of clause 13.6, Council shall not be required to disclose confidential information, the disclosure of which would be adverse to Council's interests.

14. WORKING HOURS AND SPAN OF HOURS

14.1 Ordinary Working Hours

- 14.1.1 Employees shall work an average of 36.25 hours ordinary hours per week or 7.25 hours per day to be worked Monday to Friday (inclusive) between the hours of 5:00am and 8:00pm, except, where Council notifies an Employee that the Employee is to work their ordinary hours of duty in accordance with the Award.
- 14.1.2 By mutual agreement, ordinary hours of work may be worked on any five (5) in seven (7) days as per the Award provisions.
- 14.1.3 Supervisors who are required to work the same hours per week as the Employees they supervise, that being 38 hours, will be paid at the applicable ordinary rate for the hours worked in excess of 36.25 hours per week (that is, 1.75 hours per week). Overtime will be paid for hours worked in excess of 38 hours per week. For the purposes of calculating an hourly rate for overtime the divisor shall be 36.25. The methodology for working a 38 hour week contained in this clause will extend to soil testers. All foreman and soil testers will receive CWA allowance.

14.2 Nine (9) Day Fortnight

- 14.2.1 Employees covered by this Agreement will be entitled to work a nine (9) day fortnight

10 QUESTIONS ON NOTICE**10.1 DISCOUNT ON RATES****File Number:** 21.09.2022**Author:** Manager Finance & Sustainability**Authoriser:** General Manager Finance and Corporate

The following question on notice was received from Councillor Schumacher.

Question

With the 30 days of issue of the rates notice – is the 30 days a statutory time frame or is it an option to change the number of days eg 40 days.

Response

With regards to the discount period, Council is able to determine the length of time that they want to allow for the discount period each financial year. The decision on the discount period needs to be made by resolution by the Council as part of its budget meeting each year.

RECOMMENDATION

That the response to the question regarding discount on rates raised by Councillor Schumacher be received and noted.

ATTACHMENTS**Nil**

10.2 HARSHIP POLICY**File Number:** 21.09.2022**Author:** Manager Finance & Sustainability**Authoriser:** General Manager Finance and Corporate

The following question on notice was received from Councillor Potter.

Question

Is it possible to put a copy of the hardship policy with our rate notices or mention it on the bottom of the rates notices?

Response

Finance have included some wording on the current rates notice regarding financial hardship as per the below:

Financial Hardship

If you are experiencing Financial Hardship you are encouraged to apply for assistance by completing the financial hardship rates application on Council's website.

The rates employees also ensure they advise property owners of the financial hardship option if they believe this would benefit the owner based on their circumstances.

RECOMMENDATION

That the response to the question regarding hardship policy raised by Councillor Potter be received and noted.

ATTACHMENTS**Nil**

10.3 BACONFEST - POWER SUPPLY ISSUES**File Number: Q1****Author: Chief Executive Officer****Authoriser: Chief Executive Officer**

The following question on notice was received from Mayor Otto.

Question

Concerns raised by a member of the public regarding power supply interruptions on the same weekend as BaconFest and whether there was any impact from the festival on these local power supply problems. The correspondent also requested that the information and concerns they raised be passed on to the BaconFest Committee.

Response

The correspondence was passed on to the BaconFest Committee as per the request and Ergon was also contacted in preparation for the report. Both the BaconFest Committee and Ergon advised that the brown outages and any interruption to supply were unrelated to the festival. Beside the issue raised with some businesses, there were residential properties which also lost power over the course of the weekend.

Ergon advised that there was a high voltage failure on Williams/Alford Streets which caused the issues as detailed in the correspondence and the subsequent power supply problems. Ergon repaired the fault and have further clarified that any of the power issues on the weekend were not a result of the festival.

In following up on the following request with the committee they confirmed that this year the bulk of the festival was powered via generators. It is understood that only the main stage and town hall used mains power.

RECOMMENDATION

That the response to the question regarding BaconFest – Power Supply Issues raised by Councillor Mayor Otto be received and noted.

ATTACHMENTS**Nil**

11 CONFIDENTIAL SECTION

12 CLOSURE OF MEETING