Kowanyama Aboriginal Shire Council

Council Meeting Agenda

Wednesday, 23 August 2023, 10:00am – 5:00pm

Kowanyama Chambers and Cairns Boardroom

1. **Welcome / Apologies**
2. **Conflict of Interest**
3. **Minutes from Previous Meeting (July OM +August Special Meeting)**
4. **Action Items (in progress)**
5. **Reports**

5.1. Chief Executive Officer

5.1.1. Information Report: Monthly Update

5.2. Executive Manager Corporate and Financial Services

5.2.1. Information Report: Monthly Update

a. Finance Information Report: Monthly update (Verbal Update)
b. HR Information Report: Monthly update
c. Governance Information Report: Monthly Update

5.2.2. Agenda Reports

a. Policy and Procedure
b. 2024 Special Holidays

5.3. Executive Manager Roads, Infrastructure and Essential Services

5.3.1. Information Report: Monthly Update

5.3.2. Agenda Reports

a. Tender KASC-2023-009 Mechanical Services

5.4. Executive Manager Community Services and Cultural Heritage

5.4.1. Information Report: Monthly Update

5.4.2. Agenda Reports - NIL

6. **Other Business**

Kowanyama Aboriginal Shire Council

July Council Meeting Minutes

26 July 2023, 10:15 AM – 12:34 PM

Kowanyama Chambers and Cairns Boardroom

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Present

Councillors

Kowanyama Boardroom	Cr Robbie Sands, Mayor Cr Cameron Josiah, Deputy Mayor Cr Jacob Elroy Josiah Cr Teddy Bernard Cr David Jack

Executive

Kowanyama Boardroom	Kevin Bell, Chief Executive Officer (CEO) Ani Seruvatu Executive Manager Community Services and Cultural Heritage (EMCS&CH) Temba Lama Executive Manager Roads, Infrastructure and Essential Services (EMRIES)
Cairns Boardroom	Danae Maltby, Governance Officer (GO) Chris McLaughlin, Acting Manager Governance (AGM) Joe Cristaldi, Executive Manager Corporate Services and Finance (EMCSF) Territa Dick, A/Administration Manager – EMRIES

Condolences

NIL

1. Opening / Welcome

Meeting commenced at 10:31am

Mayor Robbie Sands welcomed Councillors and Executive Team to the meeting.

Cr Teddy Bernard arrived at 10:34am

2. Declarable Conflict of Interest

NIL

3. Minutes from Previous Meeting (June OM)

RESOLUTION: Minutes (June Ordinary Council Meeting)

Minutes from the June Ordinary Council Meeting 28 June 2023 to be adopted as true and accurate.

Moved: Cr. Robbie Sands
Seconded: Cr. Cameron Josiah

CARRIED

- Cr David Jack seeking update from CEO regarding Action Item 'CEO to advise on cost of repairs to Council Bus'.
- CEO - confirms quotes for damages have been requested, once received the quote will be forwarded to Officer in Charge at Wujal Police Station to pay for the damages to Council bus.
- Cr David Jack seeking further updates on Cyclone Vault. Chris McLaughlin to provide update in Governance Info Report.
- CEO – Department State Development, Infrastructure, Local Government and Planning ("Department)" has requested Council pay back the total funds of $100k. Joe Cristaldi advised we do not have to repay as not yet received. Advice from Minister Ryan to Council is for the CEO to draft response letter to Department to seek approval to keep original funds of $100k (of which $50k has been spent on consultancy) and utilise the remaining balance for current Council Projects. Current funds will not enable Council to proceed with construction / build of the vault by 30 June 2024 deadline. CEO working with EMRIES to reallocate funds to existing projects, pending Department acceptance.
- CEO – confirming letter to Department will seek payment of total awarded funds to the value of $100k.

4. Action Items

Action Items Register is still progressing. All items noted.

5. Reports

5.1. Chief Executive Officer

5.1.1. Information Report – CEO

Kevin Bell (CEO) presented the CEO information report to Council. Information report was noted and tabled by Council.

CEO - recent discussions have occurred with National Indigenous Australians Agency (NIAA) regarding next steps for Rangers Program.

Council and NIAA are in the process of developing the strategic plan which will inform the work plan for the program. Council and NIAA will engage an independent consultant to undertake the scope of works, with intention of the consultant to work closely with PCB and members of Council to map a detailed program that will algin with what the next five (5) years on Country will look like.

NIAA have indicated preference to not provide funding to another organisation under the current agreement, and for Council to honour the next five (5) years (program best sits with Council) and continue to work closely with PCB on the development of the strategic plan particularly within the design process.

Noting significant amount of work to be undertaken in coming months.

Cr Teddy Bernard requesting update on Town Street funding.

CEO – Council has received $1.1M funding from QRA for Town Streets. Council went to tender with successful tender awarded, however due to various issues tenderer was unable to mobilise and commence works prior to wet season commencement, project was placed on hold. Scope for this project has now expanded identifying larger requirements, therefore EMRIES is currently working on developing new Request for Tender to go back out to Market.

Cr Robbie Sands recommendation to provide Community updates on to Town Street.

CEO – currently developing information summary to provide to Community regarding Council budget spends and projects over the coming months.

Action Item: EMRIES to ensure community communications are published regarding rubbish collection requirements

5.2. Executive Manager Corporate and Financial Services

5.2.1. Information Report – Finance & Human Resources

Joe Cristaldi, Executive Manager Corporate Services and Finance presented the monthly Finance and Human Resources reports to Council. Reports were noted and tabled.

5.2.2 Information Report – Governance Report

Chris McLaughlin, Acting Manager Governance presented Governance monthly report to Council.

Information report was noted and tabled by Council.

Lot 98/81 Subdivision

Council project team meet with Gulf Civil 5th July to conduct post tender interviews, following this initial meeting a revised tender was provided by Gulf Civil to Council on 14th July. Council project team and Gulf Civil meet on 14th to discuss further.

Council project team are not in a position capable to seek Council's acceptance or otherwise on revised tender scope. This is due to Gulf Civil not strictly following instructions given on 14th July meeting requesting option to split Stage 1 into 1A and 1B, by way of reducing original scope of 19 lots to (for example) 10 in 1A, to ensure Council meets budget for Stage 1. Gulf Civil extracted out vital specifications in updated tender and recommendation from Langtree, is for Langtree to review and breakdown scope into Stage 1A and Stage 1B. This has been completed by Langtree by utilising costing from Gulf Civil's tender, which will be submitted to Gulf Civil for response. Once confirmation from Gulf Civil is received, recommendation will be submitted by way of Special Meeting August, to allow for August commencement.

Noting advice from Mayor Sands to involve Minister Ryan and relevant Minister for Housing to seek top-up funds for this project to enable Council to achieve Stage 1B and Stage 2 at the same time.

Workshop Licence

One (1) week extension to Tender KASC-2023-009 has been granted, close date will now by 4th August 2023. Agenda Report will be submitted to OM August 2023.

Risk Management Workshop

- Councillors confirmed preferred dates for Risk Management Workshop are 13 – 17 November 2023. Danae Maltby to schedule.

Action: GO to confirm Cr. Cameron Josiah Register of Interest notes Chairperson to Rise. Provide Form 3 to complete if not included.

Action: Mayor requests AGM to organise meeting with Lawyers and Council to discuss Native Title negotiations for Oriners and Sefton Stations.

Action: Mayor asked for an OSEF Advisory Committee to be scheduled.

Action: GO to provide draft "Mayor Forward" for annual report to Mayor for review and consideration.

5.2.2. Agenda Report – Policy and Procedure

Danae Maltby, Governance Officer presented Agenda Report to Council:

RESOLUTION: That Council adopts the following policies:

- Procurement Policy

Moved: Cr. Bernard
Seconded: Cr. Jacob Elroy Josiah

CARRIED

- Investment Policy

Moved: Cr. Robbie Sands
Seconded: Cr. Jacob Elroy Josiah

CARRIED

Cr. Teddy Bernard declared a Conflict of Interest for 5.2.3 and left the meeting at 11:44AM. The nature of the personal interest was as a related person (Cr Bernard's Auntie's house). A Prescribed COI is assumed and Cr Bernard to leave the room.

5.2.3. Agenda Report – Asset Disposal LHA

Chris McLaughlin, Acting Manager Governance presented Agenda Report to Council:

RESOLUTION: That Council resolve to dispose of the following asset(s) from its asset register pursuant to the *Asset Disposal Policy* to enable homeownership under the *Aboriginal and Torres Strait Islander Land Holding Act 2013* (Qld):

Asset #	Address	Gazette Notice	Disposal Date
200258.1	258 Pindi St	23 June 2023	23 June 2023
200147.1	147 Kowanyama Street	TBA (end of July 2023) by gazettal	TBA (end of July 2023) by gazettal

Moved: Cr. Robbie Sands
Seconded: Cr. Jacob Elroy Josiah

CARRIED

Cr. Teddy Bernard returned to the meeting at 11:46AM

5.2.4. Agenda Report – Council Asset Disposal – Silent Auction items

Danae Maltby, Governance Officer presented Agenda Report to Council:

RESOLUTION: In accordance with section 236 of the Local Government Regulations 2012 Council will dispose of the remaining Silent Auction Council assets by:

1. Accept original bids offered for Lots 2, 3, 4, 5, 6, 10, 11 and 12 that did not meet the reserve (carrying value), subject to original bidder acceptance.
2. Delegate powers to CEO to dispose of Lots 2, 3, 4, 5, 6, 10, 11 and 12 if not accepted by the original bidder in a suitable manner in accordance with Register of Delegations Council to CEO, "Power to dispose of a valuable non-current asset other than by tender or auction in circumstances specified in section 236".
3. Delegate powers to CEO to dispose of Lots 7, 8, 9, 15 and 16 in suitable manner in accordance with Register of Delegations Council to CEO, "Power to dispose of a valuable non-current asset other than by tender or auction in circumstances specified in section 236".

Moved: Cr. Robbie Sands
Seconded: Cr. Cameron Josiah

- One (1) Councillor Against
- Four (4) Councillors in Favour

CARRIED

5.2.5. Insurance Reserve Contribution

Chris McLaughlin, Acting Manager Governance Officer presented Agenda Report to Council:

RESOLUTION: That pursuant to clause 5.2.2 of Council's *Insurance Policy* [KASC-STRAT-031], the following Contribution to Council's Self-Insurance Reserve is endorsed:

Insurance Category	**Contribution Amount**	**Remaining Reserve Balance after Contribution**
Industrial Special Risks/ Assets	$1,100,00	$1,974,152

AMG – noting error in agenda report submitted to Council. Contribution Amount column should read as "$1,100,000".

Moved: Cr. Jacob Elroy Josiah
Seconded: Cr. Teddy Bernard

CARRIED

5.2.6. Housing Allocations

Chris McLaughlin, Acting Manager Governance presented Agenda Report to Council:

RESOLUTION: That Council endorse the suggested change to social housing allocation as requested by the Aboriginal and Torres Strait Islander Housing Unit.

Address	Bedroom Configuration	Proposed Applicant/s	Applicant's Circumstances/Status
407A Arwin Amay St, Kowanyama	2	Aaron TEDDY	Requesting endorsement from Council to allocate this property at 407A Arwin Amay St to Aaron TEDDY. As a result of the Home Ownership program, Mr Teddy is required to vacate current property at 254D OGIMBURNGK St.
	Configuration	**Applicant/s**	
165 Kowanyama St, Kowanyama	3	Adryanna Gilbo	Requesting endorsement from Council to allocate this property at 165 Kowanyama Street to Adryanna Gilbo.

Moved: Cr. Robbie Sands
Seconded: Cr. Jacob Elroy Josiah

CARRIED

5.2.7. Lot 81/98 Subdivision

Chris McLaughlin, Acting Manager Governance provided verbal update to Council:

Refer update provided to Council in agenda item 5.2.2.b – Governance Monthly Update.

5.3. Executive Manager Roads, Infrastructure and Essential Services

5.3.1. Information Report

Temba Lama, Executive Manager Roads, Infrastructure and Essential Services presented EMRIES Information Report to Council.

Information Report was noted and tabled by Council.

5.4. Executive Manager Community Services and Cultural Heritage

5.4.1. Information Report

Ani Seruvatu Executive Manager Community Services and Cultural Heritage presented EMCS&CH Information Report to Council.

Information Report was noted and tabled by Council.

5.4.2. Agenda Report – Sole Supplier UBCO e-bike

Ani Seruvatu, Executive Manager Community Services and Cultural Heritage presented Agenda Report to Council:

RESOLUTION: That pursuant to section 235(a) of the Local Government Regulation 2012 (Qld), Council resolves to engage UBCO Australia Pty Ltd (ABN 70 625 885 109) as supplier to deliver four (4) electric utility bikes and related equipment for in the total sum of $52,088.25 (GST excl), as there is only one (1) supplier reasonably available to supply the goods.

Moved: Cr. Teddy Bernard

Seconded: Cr. Cameron Josiah

CARRIED

6. Other Business

No other business to be discussed.

7. Closed Business

Council entered closed business at 12:23PM.

RESOLUTION:
Council moved into Closed Business at 11:45am pursuant to section 254J(3)(g) of the *Local Government Regulation 2012* to discuss commercial matters of confidence which could otherwise prejudice Council's interests.

Moved: cr. Robbie Sands
Seconded: Cr. Cameron Josiah

CARRIED

Councillors discussed debt recovery matters – no resolution was proposed.

Meeting Closed: 12:34 PM

Kowanyama Aboriginal Shire Council

August Special Council Meeting Minutes

17 August 2023, 1:08 PM – 1:45 PM

Kowanyama Chambers and Cairns Boardroom

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Present

Councillors

Kowanyama Boardroom

Robbie Sands – Mayor
Cameron Josiah – Deputy Mayor
Jacob Elroy Josiah – Councillor
Teddy Bernard – Councillor
David Jack – Councillor

Executive

Cairns Boardroom

Joe Cristaldi – Executive Manager Corporate and Financial Services
Chris McLaughlin – Acting Governance Manager
Danae Maltby – Governance Officer

Kowanyama Boardroom

Kevin Bell – Chief Executive Officer
Temba Lama – Executive Manager Roads, Infrastructure and Essential Services

Condolences

NIL – no apologies

1. Opening / Welcome

Mayor Robbie Sands welcomed Councillors and Executive to the August Special Council Meeting.

2. Conflict of Interest

Councillors advise that there is no Conflict of Interest to be declared.

3. Reports

3.1. Lot 81 / 98 Subdivision – Development Applications

Agenda Report

Chris McLaughlin, Acting Governance Manager presented the agenda report to Council:

RESOLUTION: That Council (in its capacity as Local Authority) resolves to approve (subject to

conditions presented), the Minor Change Development Application lodged with Council for:
i. Reconfiguring a lot (2 into 24 lots) and internal cul-de-sac road (off Karrenganang Street) over stages at Chapman Road and Karrenganang Street Kowanyama on Lots 81 and 98 on SP272069; and
ii. Operational Works over stages at Chapman Road and Karrenganang Street Kowanyama on Lots 81, 84 and 98 on SP272069.

Moved: Cr. Jacob Elroy Josiah
Seconded: Cr. Teddy Bernard

CARRIED

3.2. Lot 81/98 Subdivision – Construction Tender – KASC-2023-008

Agenda Report

Chris McLaughlin, Acting Governance Manager presented the agenda report to Council:

RESOLUTION:

1. STAGE 1A - That Council engage Gulf Civil Pty Ltd (ABN 30 636 014 714) to construct stage 1A of the lot 81/98 Subdivision for a price of $2,907,581.12 (GST Excl) and delegate power to the Chief Executive Officer to do all things necessary to enter into a contract with the contractor and make progress payments thereunder.

Moved: Cr. Teddy Bernard
Seconded: Cr. David Jack

CARRIED

RESOLUTION:

2. STAGE 1B – That Council resolve that the Project Team continue post-tender negotiations under KASC-2023-008 with Gulf Civil Pty Ltd (ABN 30 636 014 714) to confirm a Program of Works and Indigenous Employment and Opportunities Program (IEOP) commitment for stage 1B to meet the contractor's submitted stage 1B pricing for the lot 81/98 Subdivision, with a recommendation to come to a future meeting of Council regarding award.

Moved: Cr. Cameron Josiah
Seconded: Cr. Teddy Bernard

CARRIED

Please note: Cr Jacob Elroy Josiah was out of the meeting room at the time of voting.

3.3. Tender KASC-2023-010 – Material Supply and Delivery

Temba Lama, EMRIES presented EMRIES Agenda Report to Council:

RESOLUTION: Tender KASC-2023-010 – Road Materials

1. To award contract for TKASC2023-010 to Bolwarra Enterprises Pty Ltd for the supply & delivery of road base material for the 2023 DRFA works on Topsy Rd up to the amount of $2,040,266.90 (Excluding GST) and give delegation to the Chief Executive Officer to sign contracts and make payments as and when due.

Moved: Cr. Jacob Elroy Josiah
Seconded: Cr. Cameron Josiah

CARRIED

RESOLUTION:

2. To award contract for TKASC2023-010 to MC Group for the supply & delivery of road base material for the 2023 DRFA works on Shelfo Rd, Landing Rd and including the provisional amount for Pormpuraaw Rd up to the amount of $4,805,455.20 (Excluding GST) and give delegation to the Chief Executive Officer to sign contracts and make payments as and when due.

Moved: Cr. Cameron Josiah
Seconded: Cr. Robbie Sands

CARRIED

Meeting Closed: 1:45 PM

Meeting Type	Day / Origin	Month	Year	Subject	Action Item	Lead Officer	Current Progress	Current Status
Council Meeting	20	June	2018	Cultural Education	Bush tucker plants to be put into pool area with naming for children to learn.	EMRIES	**Jan-2019:** Commenced conversation with the Late Viv Sinnamon, seedlings need to be propagated **Feb-2023:** EMRIES & EMCSCH to look at working with Parks and Gardens and rangers around finding appropriate plants for the southern end of the pool. Update to be provided at March 2023 OM. **May-2023**: Seeds available for purchase, need to determine if there are specific plants required for Kowanyama.	In progress
Council Meeting	19	January	2021	First Aid	EMHR - require more defibrillators available across all work places	EMHR	**Feb-2023:** HRM to investiagate the requirement of defibrillators across the workplace and arrange the relevant training necessary.	In progress
Council Meeting	16	December	2020	Housing	EMRIES/CEO to speak with BAS regarding the assessment and age of houses	EMRIES	**Feb-2023:** Ongoing over the coming months as part of the Asset Management Review being conducted by UNGANCO **May-2023:** This happens reguarly and is an ongoing exercise.	Completed
Council Meeting	17	March	2021	Animal Management	EMCS to develop Feral Pest and Weed Management Plan	EMCS	**Feb-2023:** EMCSCH to work with Scientific support officer to develop. **Jul -2023:** Commenced and under development. CEO to provide Verbal update in July OM, with strategic plan workshop thereafter.	In progress
Council Meeting	12	April	2022	Laundromat	EMCS to look into restoring the laundromat in community	EMCS	**Feb-2023:** CEO and EMRISE to inspect **May-2023:** EMRIES to organise quotes for renewal of Laundromat.	In progress
Council Meeting	25	January	2023	Training	CEO - to enquire about ICAn training for residents on money management	CEO	**Feb-2023:** CEO heard week of 19 Feb from ICAN and very interested to attend. Catching up with them week of 5 March in Cairns. **May-2023:** EMCS to touchbase with ICan about getting to community. **Jul-2023**:CEO to touch base via email with ICan.	In progress
Council Meeting	22	February	2023	Planning Scheme	AMG to ensure new Planning Scheme consider new cemetery area	AMG	**May-2023:** Will be considered as part of Planning Scheme review in consultation with EMRISE & Essential Services Manager	In progress
Council Meeting	31	May	2023	Aged Care	EMCS&CH - Palliative Care Packs - including forms that require to be filled out for end of life to be organised for families.	EMCS&CH		In progress
Council Meeting	31	May	2023	Rangers	CEO to prepare a report to Council considering the pros and cons of transition of the Ranger Program to external provider.	CEO	**Jul-2023:** Agenda report drafted for July OM	Completed
Council meeting	23	June	2023	Transport	CEO to advise on cost of repairs to Council bus.	CEO	**Aug-2023**: Waiting on quotes. KASC will seek reimbursements from Wujal Wujal Justice Group	In progress
Council meeting	23	June	2023	Cyclone Vault	A/MG seek funding extension and if extended, draft letter to PBC progressing ILUA	AGM	**Jul-2023:** Updates to be presented in July OM **Aug-2023**: Letter to Minister Ryan sent, awaiting reply.	In progress
Council meeting	23	June	2023	Acknowledgements	EMCS&CH to draft good news story on Charlie Butterworth completing Food Safety Certificate in Cairns	EMCS&CH		In progress
Council meeting	23	June	2023	Lot 81/98 Subdivision	Council seek to enter into post-tender negotiations with Gulf Civil Pty Ltd with a view to reaching acceptable terms	AGM	**Jul-2023:** Updates to be presented in July OM **Aug-2023**: Tender awarded at August Special Meeting.	Completed
Council Meeting	26	July	2023	Community Services	EMRIES to ensure community communications are published regarding rubbish collection requirements	EMRIES		In progress
Council Meeting	26	July	2023	ROI - Compliance	GO to confirm Cr. Cameron Josiah Register of Interest notes Chairperson to Rise. Provide Form 3 to complete if not included	AMG/GO	**Aug-2023:** Updated form has been received. Uploaded to Sharepoint and Website	Completed
Council Meeting	26	July	2023	Oriner's Station	Mayor requests AGM to organise meeting with Lawyers and Council to discuss Native Title negotiations for Oriners and Sefton Stations	AMG	**Aug-2023:** Meeting with Lawyers has been confirmed - 9am 23 August. Invites sent.	Completed
Council Meeting	26	July	2023	Committee	Mayor asked for an OSEF Advisory Committee to be scheduled.	AMG		In progress
Council Meeting	26	July	2023	Annual Report	GO to provide draft “Mayor Forward” for annual report to Mayor for review and consideration.	GO		In progress

5.4.1 – CEO Update

Title:	CEO Monthly Update
Author:	Chief Executive Officer
Meeting Date:	23 August 2023

1.1. Executive Summary

- Arthur Beetson Foundation Future Immortals Tour Event/Deadly Choices Launch
- Ministerial Champion visit and QPS commissioner (protective Services program, cyclone vault 100k)
- Liaising with DCHDE (Housing) for forward investment in remote capital program (subdivision)
- Support KSRA (Kowanyama Rodeo)
- Tenders (Gravel, Subdivision, Workshop)
- EOI Kowanyama Bakery
- Cattle operation ongoing (destock)
- Coordination of Community Safety Plan review and establishment of LTC (24/08/23)
- QLD Connects workshops.
- Indigenous Councils sustainability project (DSDILGP)

1.2. Meetings Summary

- Ministerial Champion and QPS Commissioner
- Event Planning KASC, DC, ABF, QUT
- Kowanyama Executive Team Meetings
- QLD Health (TCHHS) New repatriation guidelines under Patient Travel Subsidy Scheme
- TMR (ATSI TIDS funding)
- QLD Parks and wildlife meeting with PBC and Koolatah Station reps (Cattle on national park)
- Community Safety Meetings
- OSEF
- KASC special Meeting

5.2.1.c - Human Resources Update

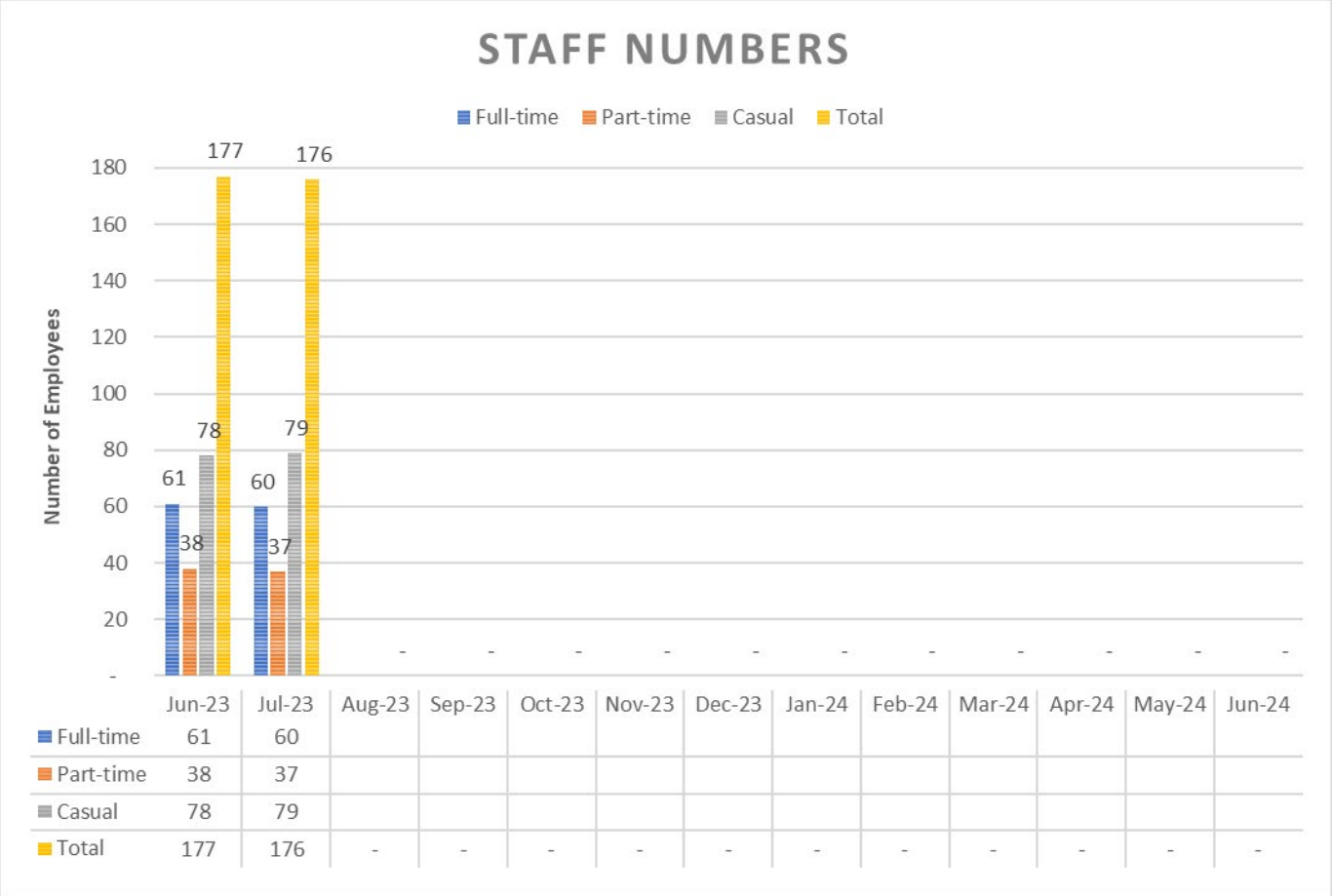
Title:	HR Monthly Update
Author:	Executive Manager Corporate & Financial Services
Meeting Date:	

HR Key items

Current Projects

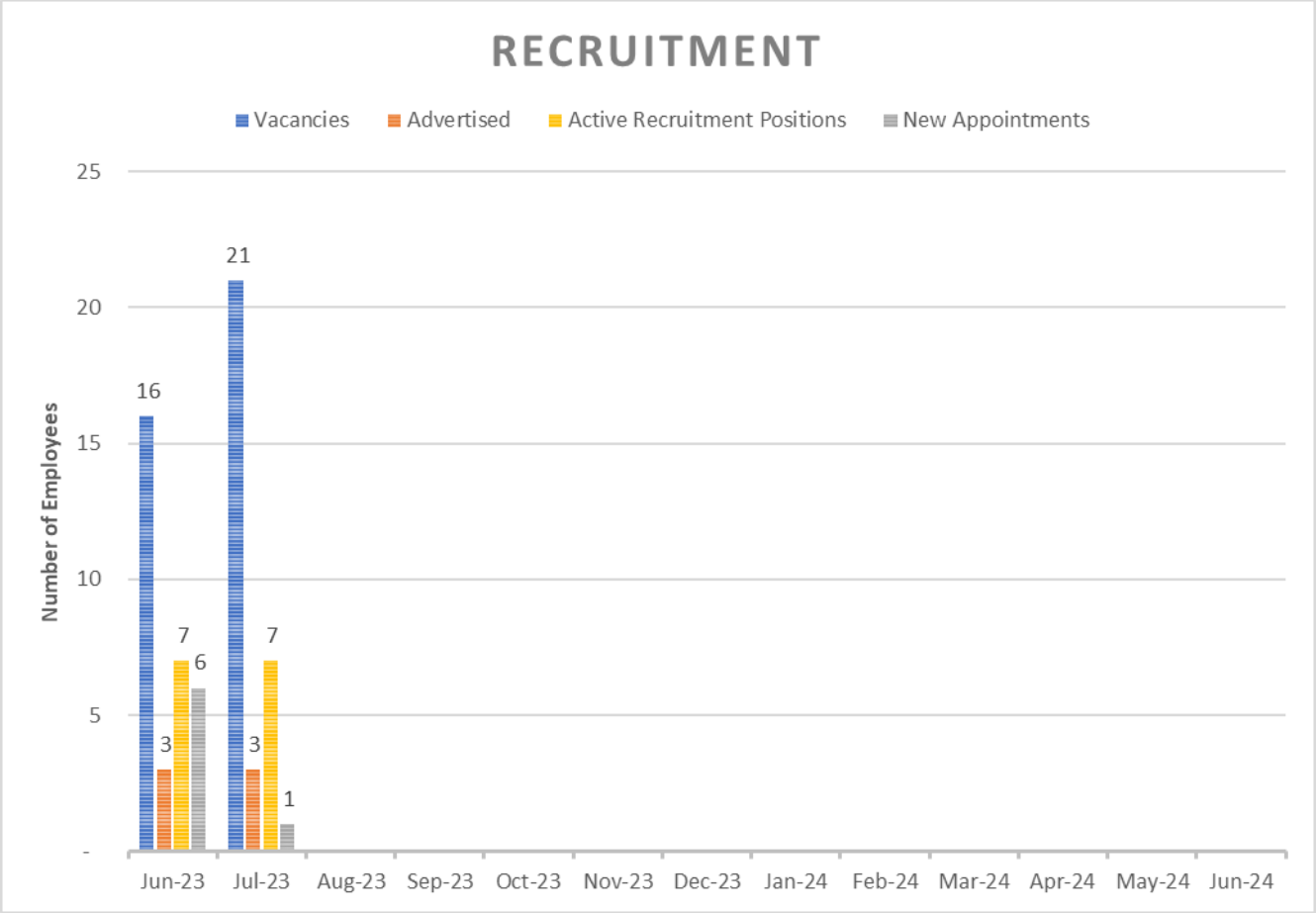
We are currently in the process of exploring options for a new HR/payroll system, which is inline with the FY24 Operational Plan. This plan is aimed at enhancing our onboarding of new employees, fortnightly payroll processes, streamlining administrative tasks, and ensuring efficient management of the HR and Payroll. By implementing a modern and user-friendly system, we aim to further support our workforce and optimise our overall operational effectiveness.

Staffing Update



	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Full-time	61	60											
Part-time	38	37											
Casual	78	79											
Total	177	176	-	-	-	-	-	-	-	-	-	-	-

Recruitment



Current Vacancies Advertised

- Aged Care Support Worker
- Aged Care Cook
- Radio Announcer

Active Recruitment Positions (at end of month)

- Women's Services Manager
- Post Office Assistant Manager
- Post Office Assistant
- Ranger x 2
- Building Services Manager
- Carpentry Supervisor

Current Vacancies

- Carpenter
- Manager ICT
- Organisational Health and Safety Officer
- Advocacy & Grants Officer
- Records Officer
- Radio Announcer
- Purchasing Administration Officer
- Aged Care Support Worker
- Aged Care Cook
- Administration Officer (Kowanyama)
- LTC Administration Officer

New Appointments:

- Administration Manager (Kowanyama)

RISE - NEXT step employment participant placements commencing July 2023

- NIL

Current Workers Compensation Claims

- NIL

Employment of Identified Positions

As part of our current recruitment process, all job advertisements state *Aboriginal and/or Torres Strait Islander people are encouraged to apply as per the below example*:

Building Services Manager

Kowanyama Aboriginal Shire Council

Kowanyama, Cairns & Far North QLD

Project Management (Construction)

Full time

Posted 4 Jul 2023

More jobs from this company

Location: Kowanyama (subsidised housing provided).
Status: Full Time, Maximum Term Contract
Classification: QLD Local Government Industry (Stream A) Award - State 2017 - Level 8 (Over Award Rate)

Aboriginal and/or Torres Strait Islander people are encouraged to apply.

Works are being undertaken to put together a detailed Organisational Structure which will form part of the system upgrade. As part of this upgrade and using the guidelines provided by "Queensland Human Rights Commission" (**Attachment A**), management will undertake an exercise to determining which positions can be ATSI Identified Positions. There are a number of exemptions under the *Anti-Discrimination Act 1991* that allows Council to have identified positions which are as follows:

ATSI Identified Positions

Genuine occupational requirement exemption (section 25)

A person may impose genuine occupational requirements for a position. This will apply where the work can only be done by a person who is Aboriginal or Torres Strait Islander.

Examples:

- Engaging with Aboriginal and Torres Strait Islander people to provide services specific to them.
- Providing training about Aboriginal and Torres Strait Islander culture.

Equal opportunity measure exemption (section 105)

A person may do an act to promote equal opportunity for a group of people with an attribute (such as race) if the purpose of the act is not inconsistent with the Anti-Discrimination Act 1991. This would apply to a program to increase the number of Aboriginal and Torres Strait Islander people in work. Example:

- Designating trainee positions in the mining industry for Aboriginal or Torres Strait Islander people so that they can learn skills for work.

Advertising identified positions

Setting out the reason why the job is only for Aboriginal or Torres Strait Islander people in the advertisement will reduce the risk of a complaint of race discrimination.

Examples for job advertisements:

- Genuine occupational requirement
    - Under section 25 of the Anti-Discrimination Act 1991 Qld, there is a genuine occupational requirement for the incumbent to be Indigenous to the Aboriginal or Torres Strait Islander community.
- Equal opportunity measure
    - The filling of this position is intended to constitute a special/equal opportunity measure under s 105 of the Anti-Discrimination Act 1991 (Qld). The position is therefore only open to Aboriginal or Torres Strait Islander applicants.
- Other examples:
    - There is a genuine occupational requirement for the incumbents to be female to ensure that cultural protocols and customs are being met.
    - There is a genuine occupational requirement for the incumbents to be male to ensure that cultural protocols and customs are being met.

ATTACHMENT A – Queensland Human Rights Commission – Identified Positions Fact Sheet

Queensland Human Rights Commission

FACT SHEET:

Aboriginal and Torres Strait Islander Identified Positions

Limiting a work opportunity to a person of a particular race is generally unlawful discrimination. However, the law recognises that there are some groups who are affected by past or continuing disadvantage (and so need assistance to secure work), and that sometimes work must be performed by a person of a particular race (because of the nature of the work).

Under the *Anti-Discrimination Act 1991* (the Act), 'race' includes being Aboriginal or Torres Strait Islander.

The term 'identified position' is not used in the Act, however it is generally understood to mean a job where the employer identifies that it is to be filled only by a person with a particular attribute, such as race.

This information sheet is about positions that are identified for Aboriginal and Torres Strait Islander people. By this we mean a person who:

a) identifies as an Aboriginal and/or Torres Strait Islander person; and

b) is of Aboriginal and/or Torres Strait Islander descent; and

c) is accepted as an Aboriginal and/or Torres Strait Islander person by the Aboriginal and/or Torres Strait Islander community in which he or she lives.

Where race discrimination is allowed

The *Anti-Discrimination Act 1991* sets out some circumstances, called 'exemptions' where discrimination on the basis of race can be lawful. The exemptions include:

Genuine occupational requirement exemption (section 25)

A person may impose genuine occupational requirements for a position.

This will apply where the work can only be done by a person who is Aboriginal or Torres Strait Islander.

Examples:

- Engaging with Aboriginal and Torres Strait Islander people to provide services specific to them.
- Providing training about Aboriginal and Torres Strait Islander culture.

Equal opportunity measure exemption (section 105)

A person may do an act to promote equal opportunity for a group of people with an attribute (such as race) if the purpose of the act is not inconsistent with the *Anti-Discrimination Act 1991*.

This would apply to a program to increase the number of Aboriginal and Torres Strait Islander people in work.

Example:

- Designating trainee positions in the mining industry for Aboriginal or Torres Strait Islander people so that they can learn skills for work.

Welfare measure exemption (section 104)

A person may do an act to benefit the members of a group of people with an attribute (such as race) whose welfare the act was designed if the purpose of the act is not inconsistent with the *Anti-Discrimination Act 1991*.

Example:

- Developing an employment and training program to increase and improve employment prospects for local Aboriginal and Torres Strait Islander people, where there has been long term disadvantage and high unemployment in that community.

Welfare measures are usually about delivering services or programs to Aboriginal and Torres Strait Islander people, rather than creating jobs.

Advertising identified positions

Setting out the reason why the job is only for Aboriginal or Torres Strait Islander people in the advertisement will reduce the risk of a complaint of race discrimination.

Examples for job advertisements:

- **Genuine occupational requirement**
  To perform this role it is essential that the person is an Aboriginal or Torres Strait Islander person. It is therefore a genuine occupational requirement under section 25 of the Anti-Discrimination Act 1991.
- **Equal opportunity measure**
  This is a program to improve the under-representation of Aboriginal and Torres Strait Islander people in this [industry/area…] and is an equal opportunity measure under section 105 of the Anti-Discrimination Act 1991.

Tribunal exemptions

A person or persons may apply to the tribunal for an exemption. For work-related applications the tribunal is the Queensland Industrial Relations Commission.

The tribunal may grant an exemption under section 113 from the operation of a specified provision of the Act (such as race in recruiting for employment) for up to five years. An exemption may be renewed for further periods of up to five years by making another application.

A tribunal exemption applies to a specific set of circumstances for a specified length of time. If an exemption is granted, a complaint of discrimination cannot be accepted by the Queensland Human Rights Commission against the person or business to whom the exemption has been granted.

For further information about applying for an exemption go to Queensland Human Rights Commission website: https://www.qhrc.qld.gov.au/resources/legal-information/exemptions.

The Queensland public sector

Queensland government departments, agencies and employees are bound by Public Service Commission (PSC) directives and guidelines. Relevant instruments in relation to identified positions for Aboriginal and Torres Strait Islander peoples are:

- Recruitment and selection Directive No 15/13
- Evidence of attribute – Aboriginal and/or Torres Strait Islander identified roles – PSC Guideline, 20 June 2013

More information

Queensland Human Rights Commission	1300 130 670
Queensland Industrial Relations Commission	1300 592 987
Public Service Commission Queensland	1300 038 472

5.2.1.b - Governance Update

Title:	Governance Monthly Update
Author:	Acting Manager Governance
Meeting Date:	23 August 2023

Key Items

1. Planning Scheme

Council continues to await State funding for Planning Scheme update. No own funds included in 2023/24 budget.

2. Lot 98/81 Subdivision

Construction Tender submitted to August 17 Special Meeting of Council, along with Revised Development Approval.

3. Carbon

Operational Carbon burning for 2023 is proceeding per the annual plan. No deviations or variances to note.

21,585 ACCUs generated for the 2022 calendar year were sold to Gondwana Trading Pty Ltd on 22 June 2023 @$50.50 each. Council's current ACCU balance in the Clean Energy Regulator ANREU portal is ZERO. All ACCU proceeds have been received by Council in 2022/23.

Fire operator contracts expire at the end of the 2023 fire season. It is expected that Council will go out to tender in or around September/ October 2023 for a contract to be awarded by Council before the conclusion of 2023.

4. Cattle Company

Based on market conditions and musterer annual outlook, a very conservative revenue budget was proposed for 2023/24. Unfortunately, market conditions have notwithstanding slipped below these projections, with recent sales hovering around the $1.50 per kg vs our budget of $1.80. This is not unusual for EOFY in the cattle industry. Of course, there is significant time left in the season to recover, however Council needs to be live to the fact that budget expectations may need to shift in the coming months if market recovery does not occur swiftly. Additional to market conditions, following request for further financial assistance received from our musterer on 11 July 2023 amidst the hard market and increasing operational costs, contract management has undertaken a holistic review of operational progress vs original projections, and noted various performance improvements which needed to be addressed by the musterer.

On 25 July 2023, Council received an email from the Musterer advising that is was suffering significant financial stress as a direct result in the market slump and Council's 60 (Council)/ 40 (Contractor) split of proceeds, notwithstanding Council's recent additional contributions towards helicopter and transport costs. In short, proceeds were not covering the contractor's expenses, and significant wages remained unpaid ($34,995).

Management quickly considered the request noting the following key factors:

1. Council has a landowner (PBC) direction to destock. Destock is not optional based on commercial viability.
2. The significant market drops over 2 years from $4 per kg highs to $1.20 per kg lows of 2023. Historically, Council's trigger for contractor support was $2.20 per kg.
3. Council's focus on achieving economic development and local employment via the muster program (a condition of the muster contract). Where wages remain unpaid, this focus remains unachieved, and Council (and its project) suffers reputational damage.
4. Increased WHS risk to the contractor and its plant and equipment (based on prior year events) where wages remain unpaid with general community unrest.
5. Unpaid employees had refused to return to work, which was hampering muster operations.
6. Council has no contractual obligation to pay unpaid wages of a contractor.
7. Where the contractor folds, Council is unable to destock and received 60% of nothing via proceeds.
8. Very unlikely in current market conditions, via Tender, to obtain another commercially viable contract muster alternative.
9. Council management has kept Councillors aware of these factors via monthly reporting.

On 26 July 2023, the Chief Executive Officer approved the following course of action to steady the muster contract:

Council agreed to retrospectively adjust proceed distributions from 60/40 to 50/50 effective from the first sale in 2023. This required a payment of $13,885.47 (GST excl) to the contractor.

Additionally, Council agreed to make an *ex-gratia* financial contribution to the muster sustainability equal to $20,109.53 (GST Excl).

Together, the combined payment (**$33,995 (GST Excl)**) made by Council to the Contractor covered the unpaid wages bill of the contractor. The contractor subsequently confirmed that all unpaid wages had been paid and that all employees had returned to work happy. The introduction of a 50/50 split, although compromising Council's expected revenue for 2023/24, will likely ensure the continuity of the project and avoid further unpaid wages.

Item	Description	Amount (GST excl)	GST	TOTAL (GST incl)
1	Adjustment for cattle sales 20 June/ 27 June/ 4 July and 11 July 2023 from 60/40 to 50/50 split between Council and the Musterer.	$13,885.47	$1,388.54	$15,274.01
2	*Ex gratia* financial contribution to muster sustainability 2023	$20,109.53	$2,010.95	$22,120.48
		$33,995.00	**$3,399.49**	**$37,394.49**

It should be noted that Council's muster contract expires at the end of the 2023 calendar year. Council will need to consider continuation of the muster beyond 2024 in the coming months, specifically whether a further muster contract will be called in 2024. Local and market conditions will be a large factor in this assessment.

5. Mechanics Workshop Tender

Tender placed to this Ordinary Meeting for Council consideration.

6. Oriners and Sefton Stations – Native Title Claim

Council's lawyers to address Council at today's Ordinary Meeting on questions pertaining to the status of the One Claim.

7. Enterprise Risk Management Workshop

Workshop confirmed for Kowanyama on 13/14 November 2023. The following sessions tentatively scheduled:

Tues 13 November – 9am – 5pm – Risk Management
Wed 14 November – 9am – 12.30pm - Business Continuity Planning

8. Kowanyama Bakery EOI

EOI advertised. Closes Friday 8th September 2023.

Dr. Chris McLaughlin

Acting Manager Governance

5.2.2.a – Policy and Procedure

Title:	Policy and Procedure
Author:	Governance Officer
Meeting Date:	23 August 2023

Recommendation: That Council adopts the following policies:

1. Gifts and Benefits Policy
2. Model Meeting Procedures
3. Best Practice Standing Orders

Summary:

1. **Gifts and Benefits** – updates to existing policy
   - Policy has been updated to provide detailed guidance to Councillors and Employees on their obligations and compliance for the treatment of gifts and benefits.
   - This policy does not apply to electoral gifts to Councillors as defined in the Electoral Act 1992 or Local Government Electoral Act 2011.

2. **Model Meeting Procedures** – updates to existing model
   - Section 150F of the Local Government Act 2009 (Qld) enables the Department's Chief Executive to make model procedures for the conduct of meeting of a local government and its committees. Pursuant to section 150G of the LGA, Council may adopt the model procedures (or prepare its own, however they must remain consistent with the model procedures).
   - The last iteration adopted by Council was February 2023.

3. **Best Practice Standing Orders** – updates to existing Orders
   - To assist Local governments, the Department provides best practice Standing Orders that local governments can choose to adopt to provide written rules for the orderly conduct of local government meetings. These best practice Standing Orders incorporate the departmental model meeting procedures that deal with matters during Council meetings that must be adhered to under the LGA/ LGR.

Council has been advised by the Department on 9th August (via email correspondence) that Model Meeting Procedures and Best Practice Standing Orders have been updated. Amendments made are of a minor nature, designed to ensure better consistency with the LGA.

Recommendation: It is recommended that the presented policies be approved by Council.

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Attachments:

- Gifts and Benefits Policy
- Model Meeting Procedures (includes Departments tracked changes)
- Best Practice Standing Orders (includes Departments tracked changes)

Kowanyama Aboriginal Shire Council

Gifts and Benefits Policy

Policy Number:	STAT-xxx
Responsible Manager:	Chief Executive Officer
Legislation:	Local Government Act 2009 (Qld) Local Government Regulation 2012 (Qld) Public Sector Ethics Act 1994 (Qld)
Associated Documents:	Employee Code of Conduct Disciplinary Policy Conflict of Interest Declaration of Receipt of Gift/Benefit
Approval Date:	Insert Approval Date

1. Purpose

1.1. The purpose of this policy is to outline Kowanyama Aboriginal Shire Council's (Council) obligations and compliance for the treatment of gifts and benefits.

This policy aims to:

- Provide Councillors and employees instruction on appropriate ways to deal with offers of gifts and/or benefits in connection with their duties whilst representing Council.
- Provide Councillor's and employees with principles and processes when gifts or benefits are accepted.
- Support Council's commitment to open and transparent governance.
- Minimise risks of Councillors' and employee's exposure to an actual or perceived Conflict of Interest or damage to reputation.

2. Scope

2.1. This policy governs the treatment of gifts and benefits offered to and/or received by Councillors and employees in the execution of their duties. It applies to all Councillors and Council employees, including permanent, casual, and temporary employees, contractors, volunteers, apprentices, trainees, and work experience students.

2.2. This is a discretionary policy, resolved by Council under its powers in accordance with the Queensland Local Government Act (2009) Chapter 2, Section 9.

2.3. This policy does not apply to electoral gifts to Councillors as defined in the Electoral Act 1992 or Local Government Electoral Act 2011.

3. Terms and Definitions

3.1. In this policy definitions

Council:	means Kowanyama Aboriginal Shire Council
Councillors:	means the elected Councillors of Kowanyama Aboriginal Shire Council
Council Employees:	means all permanent, casual, and temporary employees, contractors, volunteers, apprentices, trainees, and work experience students.
Conflict of Interest:	is an issue about a conflict between a person's personal interest and the persons official duties with council.
Donor:	refers to the person or organisation making the offer of a gift/benefit to Council, a Councillor or employee.
Fair market value:	the reasonable retail value of something.
Gift/Benefit:	shall mean gift given voluntarily to show favour toward someone, honour or occasion, or make a gesture of assistance or goodwill which is good outside of normal open contractual arrangements.

4. Acronyms and Abbreviations

4.1. In this policy:

KASC:	means Kowanyama Aboriginal Shire Council.
Chief Executive Officer:	means CEO

5. Principles

Disclosure of offers or receipt of gifts and benefits are guided by the following principles:

- The Community expects Councillors and employees to discharge their responsibilities impartially and with integrity.
- Accordingly, the acceptance of gifts and/or benefits outside of a controlled and transparent process can result in negative perceptions and damage to Council's reputation.
- Major considerations in determining whether acceptance of a gift/ benefit is reasonable include:
  - The intent in which the gift/benefits were given
  - The public perception of acceptance of the gift/benefit.
- It is not appropriate for Councillors or employees to be offered or to accept a gift or benefit if that gift or benefit was intended to be in exchange for a benefit from Council to the giver of the gift or benefit.
- There can be circumstances where the offering or acceptance of a gift or benefit is reasonable, and a transparent process for consideration and disclosure in a Register is outlined in the following subsections.

6. Policy

6.1. Acceptance of gifts or benefits

If a Councillor or employee is offered a gift, they must consider why the gift is being given and whether acceptance is appropriate. Each type of gift carries with it different risks that must be considered when deciding whether acceptance is appropriate.

The following must be considered:

- Relevant legislation
- Why the offer or gift was made
- The value and type of the gift/benefit
- The likely public perception of acceptance
- Whether a tender or quotation or contract negotiations are pending or underway

6.2. Circumstances where the acceptance of a gift or benefit is not appropriate

Councillors and employees **must not** accept a gift or benefit irrespective of value, if any of the following apply:

- It is considered as a gift of influence – that is, it is seen or maybe seen to affect the performance of an individual's duties or could be seen as to influence a decision-making process.
- The donor or any reasonable observer would interpret that the recipient may be under an obligation to the donor because of receiving the gift.
- It is not offered openly.
- It is an offer of money.

Any gifts or benefits offered in this manner must be reported immediately to the relevant Executive Manger or CEO (for employees) or to the Mayor (for Councillors and CEO). If unsure Councillors and employees should decline offers.

6.3. Circumstances where it may be appropriate to accept a gift or benefit

Acceptance of a gift or benefit may be appropriate if it complies with the following:

- It does not influence, or has the potential or perceived potential to influence, to compromise the integrity of the recipient, or create a conflict of interest.
- It is not related to advice or decisions about for example: granting licences, inspecting, and regulating businesses, granting of approvals, letting of contracts, procuring goods/services, the provision of Council services, or the provision of a Council grant.

The following gifts are considered low risk and can be generally by accepted without addition to the Gifts Benefits Register:

- Gifts under a nominal value of $50 made in gratitude for carrying out a specific task e.g., a small personal gift to a Councillor or employee for speaking at a function.
- Low value corporate gifts made as a marketing initiative, e.g., mass produced as mementos at a conference or course.
- Ceremonial or symbolic gifts from visiting organisations provided to Council e.g., plaque of appreciation or memento.

Gifts made to the Council remain the property of the Council and not the individual.

6.4. Declaring and reporting gifts or benefits on Council's register

When gifts and benefits are received over the nominal value of $50, it is important that they are dealt with in a consistent and appropriate manner.

All gifts received must be recorded in Council's gift register. An employee who receives a gift or benefit is required to fill out the appropriate form (refer to Attachment A) and forward the completed form to the CEO within five business days of receipt of the gift or benefit.

Should the CEO or Councillor accept a gift or benefit he/she is required to submit the form to the Mayor. In the case of the Mayor receiving gift and/or benefit, this must be reported to the Deputy Mayor.

The Gift Register must include:

- The date the gift was offered
- The date the notification was made
- The recipient and donor
- Estimated fair market value
- Determination on how the gift was dealt with

The CEO/Mayor may determine that the gift be retained by the individual; or returned; or retained by Council and distributed for example as a prize at the Council's Christmas Party. Councillors and Employees are encouraged to donate gifts for this purpose to share the benefits and increase openness and transparency.

6.5. Gifts exceeding nominal value of $500

Councillors are required to record any gift over $500 or multiple gifts which together total more than $500 on a Councillor's Individual Register of Interests pursuant to Section 291 of the Local Government Regulation, 2012.

The CEO and Executive Managers must disclose gifts over $500 or multiple gifts which together total more than $500 on their Register of Interests pursuant to Section 291 of the Local Government Regulation 2012.

7. Responsibilities

7.1. All Councillors and Council employees

- Must comply with this policy when considering the acceptance of gifts or benefits in the context of their official duties.

7.2. Managers

- Must implement controls within their area of responsibility to ensure compliance with this policy.

7.3. Executive Manager Corporate & Financial Services

- Shall be the custodian of this policy
- Shall ensure the maintenance of a suitable Gifts and Benefits Register.

7.4. Chief Executive Officer, Mayor & Deputy Mayor

Shall make determinations upon receipt of Gift/Benefit Declaration Forms and decide for those determinations to be entered into the Gifts and Benefits Register.

8. Risk

8.1. This policy seeks to minimise the risk to Council, Councillors, and employees of actual or perceived Conflict of Interest or damage to reputation through the acceptance of gifts or benefits during their official duties. It provides instruction on appropriate ways to consider, deal with and transparently document offers of gifts and/or benefits in connection with their duties.

9. Policy Review

9.1. The policy is to be reviewed in accordance with the Policy Framework.

9.2. Kowanyama Aboriginal Shire Council reserves the right to vary, replace, or terminate this policy from time to time.

10. Approval

10.1. This policy was duly authorised by the Chief Executive Officer on Insert Approval Date as Kowanyama Aboriginal Shire Council's Gifts and Benefits Policy and shall hereby supersede any previous policies of the same intent.

Model Meeting Procedures

Conduct of local government meetings and its committee meeting

Revised June 2023

Last updated:

Date	Version Number	Name	Approved
20 June 2023	004	P Cameron	

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Purpose of the Model Meeting Procedures

The purpose of the model meeting procedures is to set out certain procedures to ensure all the local government principles are reflected in the conduct of local government meetings, standing and advisory committee meetings as defined in the *Local Government Act 2009* (LGA), Local Government Regulation 2012 (LGR), the *City of Brisbane Act 2010* (COBA) and the City of Brisbane Regulation 2012 (COBR). However, model meeting procedures do not apply to meetings of the local government's audit committee.

It is not intended that the model meeting procedures would deal with all aspects of meeting conduct but only those required to strengthen public confidence in local government to deal with the conduct of councillors, conflict of interest of councillors, loss of quorum and closed meetings.

Meeting Principles

Local government meetings must adhere to the following principles:

- Transparent and effective processes and decision making in the public interest
- Sustainable development management and delivery of effective services
- Democratic representation, social inclusion and community engagement
- Good governance of, and by the local government
- Ethical and legal behaviour of councillors, local government employees and councillor advisors.

Background

As required under section 150F of the LGA this document sets out:

- the process for how a chairperson of a local government meeting may deal with instances of unsuitable meeting conduct by councillors
- the process for how suspected inappropriate conduct of a councillor referred to the local government by the Independent Assessor (IA) is to be dealt with at a council meeting
- the processes for dealing with conflicts of interests and recording them
- the process for dealing with a loss of quorum
- procedures for closed meetings.

Application

A local government must either adopt the model meeting procedures or prepare and adopt other procedures for the conduct of its local government meetings, standing and advisory committee meetings.

A local government's meeting procedures and standing orders must be consistent with the model meeting procedures. If there is any inconsistency with the documents, then the local government is taken to have adopted the model meeting procedures to the extent of the inconsistency.

To assist local governments the Department has published best practice example **standing orders** that local governments can choose to adopt. These are published on the departmental website.

A local government must conduct its meetings in a manner that is consistent with either the model meeting procedures, or its own standing orders provided they are consistent with sections 1-8 below of these model meeting procedures.

Processes

1. Process for Dealing with Unsuitable Meeting Conduct by a Councillor in a Meeting.

The conduct of a councillor is unsuitable meeting conduct if the conduct happens during a council meeting and contravenes a behavioural standard of the **Code of Conduct for Councillors**. When dealing with an instance of unsuitable conduct by a councillor in a meeting, the following procedures must be followed:

1.1. The chairperson must reasonably believe that the conduct of a councillor during a meeting is unsuitable meeting conduct.

1.2. If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the councillor has had any previous warnings for unsuitable meeting conduct issued. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, the chairperson can make an order in relation to the conduct under 1.7 below.

1.3. If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the councillor take remedial action such as:

1.3.1. Ceasing and refraining from exhibiting unsuitable meeting conduct

1.3.2. Apologising for their conduct

1.3.3. Withdrawing their comments.

1.4. If the councillor complies with the chairperson's request for remedial action, no further action is required.

1.5. If the councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the councillor that failing to comply with the request could result in an order being issued.

1.6. If the councillor complies with the chairperson's warning and request for remedial action, no further action is required.

1.7. If the councillor continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 1.5, the chairperson may make one or more of the orders below:

1.7.1. An order reprimanding the councillor for the conduct

1.7.2. An order requiring the councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.

1.8. If the councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the councillor be removed from the meeting.

1.9. Following the completion of the meeting, the chairperson must ensure:

1.9.1. Details of any order issued is recorded in the minutes of the meeting

1.9.2. If it is the third or more order made within a 12-month period against a councillor, or the councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the council as suspected inappropriate conduct

1.9.3. The council's chief executive officer (CEO) is advised to ensure details of any order made is updated in the council's councillor conduct register.

1.10. Any councillor aggrieved with an order issued by the chairperson can move a motion of dissent for parts 1.1, 1.7 and 1.8 above.

1.11. If the conduct of a councillor at the meeting becomes inappropriate conduct; in accordance with section 150J of the LGA, it is not required to be notified to the independent assessor and may be dealt with under section 150AG of the LGA at the next council meeting.

***Note**: Chairpersons of a meeting are carrying out a statutory responsibility under the LGA and COBA to manage and lead the meeting. As such, where a chairperson behaves inappropriately in a meeting, this involves a breach of the trust placed in them as the chairperson of the meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent*

Assessor (OIA) to be dealt with. However, breaches of trust don't arise because councillors disagree with the chairperson's decision or ruling during the meeting.

2. Meeting Procedures for Dealing with Suspected Inappropriate Conduct including that which has been Referred to a Local Government by the Independent Assessor

Pursuant to Chapter 5A, Part 3, Division 5 of the LGA (Referral of suspected inappropriate conduct to local government) a referral from the Independent Assessor (IA) of suspected inappropriate conduct or an instance of suspected inappropriate conduct that may arise from circumstances under paragraph 1.9.2 of this document, requires that the local government must complete an investigation into the alleged conduct.

2.1. The investigation must be conducted in a way that is consistent with the local government's investigation policy including:

2.1.1. consistent with any recommendations from the IA, or

2.1.2. In another way decided by resolution of the council.

2.2. After the completion of the investigation, the council must decide in a council meeting, whether the councillor has engaged in inappropriate conduct. Unless in accordance with section 150AG of the LGA, it has delegated responsibility for this decision to the mayor under section ~~157~~257(2)(a) or to a standing committee section 257(2)(b) of the LGA or for the Brisbane City Council section 238(2)(a),(b) or (c) of the COBA.

2.3. When dealing with an instance of suspected inappropriate conduct which has been referred to a council by the IA:

2.3.1. The council must be consistent with the local government principle of transparent and accountable decision making in the public interest by dealing with suspected inappropriate conduct in an open meeting of the council. However, where the matter may directly affect the health and safety of the complainant due to the nature of the complaint, the council may resolve to go into closed session under section 254J(3)(f) of the LGR or section 242J(3)(f) of the COBR to discuss the allegation. No resolution for a decision can be made in the closed session.

2.3.2. The subject councillor has a declarable conflict of interest in the matter but may remain in the meeting (unless council decides otherwise), during the debate about whether the councillor engaged in the inappropriate conduct and answer questions put to the subject councillor through the chairperson to assist the other councillors in making a decision. The permission to remain in the meeting for the debate is on the condition

that the subject councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in inappropriate conduct and what, if any, penalty to impose if the councillor is found to have engaged in inappropriate conduct.

2.3.3. If the complainant is a councillor, that councillor has a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 4. If the complainant councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other councillors must decide how to deal with the conflict of interest under section 4. The complainant councillor can be ordered to leave the meeting place or conditions may be applied to allow that councillor to participate in either the debate, the vote, or the decision on any disciplinary action to be applied.

2.4. The council must debate the issue and decide whether the subject councillor engaged in inappropriate conduct. If the council has lost quorum due to the number of conflicted councillors or another reason, the local government must do 1 of the following:

2.4.1. Delegate deciding the matter under section 257 of the LGA to the mayor or a standing committee, or under section 238 of the COBA, to the mayor or the Establishment and Coordination Committee, or a standing committee, whichever is the most appropriate in the circumstances or

2.4.2. Decide, by resolution, to defer the matter to a later meeting or

2.4.3. Decide, by resolution, not to decide the matter and take no further action in relation to the matter.

2.5. If a decision is reached that the subject councillor has engaged in inappropriate conduct, then the councillors must decide what penalty or penalties from the orders detailed in 2.6, if any, to impose on the councillor. In deciding what penalty to impose the council may consider any previous inappropriate conduct of the councillor and any allegation made in the investigation that was admitted, or not challenged, and that the council is reasonably satisfied is true.

2.6. The council may order that no action be taken against the councillor or make one or more of the following:

2.6.1. An order that the councillor make a public admission that the councillor has engaged in inappropriate conduct

2.6.2. An order reprimanding the councillor for the conduct

2.6.3. An order that the councillor attend training or counselling to address the councillor's conduct, including at the councillor's expense

2.6.4. An order that the councillor be excluded from a stated council meeting

2.6.5. An order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor, (for example that the councillor is ordered to resign from an appointment representing the local government on a state board or committee)

2.6.6. An order that if the councillor engages in the same type of conduct again, it will be treated as misconduct

2.6.7. An order that the councillor reimburse the council for all or some of the costs arising from the councillor's inappropriate conduct.

2.6.8. A council may not make an order under 2.6.3; 2.6.4; 2.6.5; 2.6.6 in relation to a person who is no longer a councillor.

2.7. The subject councillor, and where relevant, the complainant councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the decision made by council and if relevant any orders they have made.

2.8. The minutes of the meeting must reflect the decision made.

3. Prescribed Conflict of Interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a council meeting, standing or advisory committee meeting (other than ordinary business matters prescribed in section 150EF of the LGA or section 177C of the COBA. When dealing with a prescribed conflict of interest, councillors must abide by the following procedures,

3.1. A councillor who has notified the chief executive officer in writing of a prescribed conflict of interest in a matter to be discussed in a council meeting must also give notice during the meeting at the time when the matter is to be discussed.

3.2. A councillor who first becomes aware of a prescribed conflict of interest in a matter during a council meeting must immediately inform the meeting of the conflict of interest.

3.3. When notifying the meeting of a prescribed conflict of interest, the following particulars must, at a minimum, be provided:

3.3.1. If it arises because of a gift, loan or contract, the value of the gift, loan or contract

3.3.2. If it arises because of an application for which a submission has been made, the matters the subject of the application and submission

3.3.3. The name of any entity, other than the councillor, that has an interest in the matter

3.3.4. The nature of the councillor's relationship with the entity mentioned in 3.3.3 that has an interest in a matter

3.3.5. Details of the councillor's and any other entity's interest in the matter.

3.4. The councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject councillor has written notice of approval from the Minister to participate in the matter.

3.5. Once the councillor has left the area where the meeting is being conducted, the council can continue discussing and deciding on the matter at hand.

4. Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at council meetings and standing or advisory committee meetings that might lead to a decision that is contrary to the public interest (other than the interests prescribed under section 150EO of the LGA and section 177L of the COB, and ordinary business matters prescribed in section 150EF of the LGA and section 177C of the COBA).

4.1. A councillor may raise their personal interests in a matter at the meeting to canvas the view of the other councillors prior to deciding to declare a conflict of interest. If the other councillors suspect the personal interest might be a conflict of interest, the other councillors may disclose their suspicion and the processes under section 150EW of the LGA or section 177T of COBA applies.

4.2. When dealing with a declarable conflict of interest, a councillor must abide by the following procedures:

4.2.1. A councillor who has notified the chief executive officer in writing of a declarable conflict of interest in a matter to be discussed at a council meeting must also give notice during the meeting at the time when the matter is to be discussed.

4.2.2. A councillor who first becomes aware of a declarable conflict of interest in a matter during a council meeting must inform the meeting of the conflict of interest.

4.3. When notifying the meeting of a declarable conflict of interest, a councillor should provide sufficient detail to allow the other councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following minimum details must be provided:

4.3.1. The nature of the declarable conflict of interest

4.3.2. If it arises because of the councillor's relationship with a related party

- the name of the related party and
- the nature of the relationship of the related party to the councillor and
- the nature of the related party's interest in the matter.

4.3.3. if it arises because of a gift or loan from another person to the councillor or a related party:

- the name of the other person and
- the nature of the relationship of the other person to the councillor or related party and
- the nature of the other person's interest in the matter and
- the value of the gift or loan and the date the gift or loan was made.

4.4. After a councillor has declared a conflict of interest, the councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.

4.4.1. If the councillor chooses not to leave the meeting, the councillor may advise the other councillors of their reasons for seeking permission to participate in making the decision.

4.4.2. The other eligible councillors at the meeting must then decide, by resolution, whether the councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether the councillor should not participate in the decision and leave the place of the meeting while the matter is decided by the eligible councillors. The eligible councillors may impose conditions on the councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The councillor must comply with any decision or condition imposed by the eligible councillors.

4.4.3. In deciding on whether a councillor may participate in a decision about a matter in which the councillor has a declarable conflict of interest, only councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible

to participate in the decision making. The decision may be made even if the number of those councillors is less than a majority or do not form a quorum for the meeting consistent with section 150ET of the LGA and section 177Q of COBA.

4.5. The councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the eligible councillors in making their decision. The subject councillor must not vote in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the councillor may remain in the meeting and participate in deciding the matter in which the councillor has a declarable conflict of interest.

4.6. When deciding whether a councillor may participate in the decision making on a matter in which the councillor has a declarable conflict of interest, the eligible councillors should consider the circumstances of the matter including, but not limited to:

4.6.1. How does the inclusion of the councillor in the deliberation affect the public trust

4.6.2. How close or remote is the councillor's relationship to the related party

4.6.3. If the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received

4.6.4. Will the benefit or detriment the subject councillor or their related party stands to receive from the decision have major or minor impact on them

4.6.5. How does the benefit or detriment the subject councillor stands to receive compare to others in the community

4.6.6. How does this compare with similar matters that council has decided and have other councillors with the same or similar interests decided to leave the meeting

4.6.7. Whether the subject councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest?

4.7. If the eligible councillors cannot decide whether the subject councillor has a declarable conflict of interest, then they are taken to have decided that the councillor must leave and stay away from the meeting while the eligible councillors discuss and vote on the matter.

4.8. A decision about a councillor who has a declarable conflict of interest in a matter applies in relation to the councillor for participating in the decision, and subsequent decisions, about the same matter unless there is a change to the councillor's personal interests and/or the nature of

the matter being discussed. If the eligible councillors decide that the councillor can act in the public interest on the matter, then the councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. workshops.

4.9. In making the decision about the councillor's conflict of interest in a matter, it is irrelevant how the subject councillor intended to vote on the issue or any other issue (if known or suspected).

4.10. A councillor does not contravene the above procedures if the councillor participates in a decision under written approval from the Minister as prescribed in section 150EV of the LGA or section 177S of the COBA.

5. Reporting a Suspected Conflict of Interest

5.1. If a councillor at a meeting reasonably believes or suspects that another councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that councillor is participating in a decision on that matter, the councillor who believes or suspects this, must immediately inform the chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.

5.2. The chairperson should ask the relevant councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the councillor agrees they have a conflict of interest, the councillor must follow the relevant procedures above.

5.3. If the councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.

5.4. The eligible councillors must then decide whether the councillor has a prescribed conflict of interest, a declarable conflict of interest or that the councillor does not have a prescribed or declarable conflict of interest in the matter. If the meeting decides the councillor has a conflict of interest, the councillor must follow the relevant procedures above. If a councillor with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible councillors must make a decision about the councillor's participation.

5.5. If the councillors cannot reach a decision about the conflict of interest, or the subject councillor's participation in the matter despite a declarable conflict of interest, then they are taken to have determined that the councillor must leave and stay away from the place where

the meeting is being held while the eligible councillors discuss and vote on the matter. This decision will continue to apply in relation to all subsequent decisions about the same matter, where the conflict of interest remains unchanged.

6. Loss of Quorum

6.1. In the event where one or more councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, all the councillors including the conflicted councillors must resolve to:

6.1.1. Delegate the consideration and decision on the matter, pursuant to section 257 of the LGA or section 238 of the COBA unless the matter cannot be delegated

6.1.2. Defer the matter to a later meeting

~~6.1.2.~~6.1.3. Not to decide the matter and take no further action in relation to the matter.

6.2. The council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.

6.3. The council must not delegate a power that an Act says must be decided by resolution of the council under section 257(3) of the LGA or section 238(3) of the COBA.

6.4. The council may by resolution delegate a power under section 257 of the LGA or section 238 of the COBA to:

6.4.1. The mayor or chief executive officer, or

6.4.2. A standing committee, or joint committee of council, or

6.4.3. The chairperson of a standing committee or joint standing committee of council – does not apply to Brisbane City Council, or

6.4.4. Another local government for a joint government activity.

~~6.4.4.~~6.4.5. The Establishment and Coordination Committee – only applies to Brisbane City Council

6.5. The council may only delegate a power to make a decision about a councillors conduct under section 150AG of the LGA pursuant to section 257(2) of the LGA, to:

6.5.1. The mayor or

6.5.2. A standing committee.

6.6. A council may only delegate a power to make a decision about a councillor's conduct pursuant to section 238(2) of the COBA, to:

6.6.1. The mayor, or

6.6.2. The Establishment and Coordination Committee, or

6.6.3. A standing committee of the council.

6.7. The Minister for Local Government may, by signed notice give approval for a conflicted councillor to participate in deciding a matter in a meeting including being present for the discussion and vote on the matter, if there is a loss of quorum and deciding the matter cannot be delegated, subject to any conditions the Minister may impose.

7. Recording Prescribed and Declarable Conflicts of Interest

7.1. When a councillor informs a meeting that they or another councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all the relevant details of how the conflict of interest was dealt with, being (see section 150FA of the LGA or section 177X of the COBA):

7.1.1. The name of any councillor and any other councillor who may have a prescribed or declarable conflict of interest

7.1.2. The particulars of the prescribed or declarable conflict of interest provided by the councillor

7.1.3. The actions taken by a councillor after informing the meeting that they have, or they reasonably suspect another councillor has a prescribed or declarable conflict of interest

7.1.4. Any decision then made by the eligible councillors

7.1.5. Whether the councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval

7.1.6. The council's decision on what actions the councillor with a declarable conflict of interest must take and the reasons for the decision

7.1.7. The name of each eligible councillor who voted on the matter and how each voted.

7.2. If the councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a councillor's personal interest by someone other than the councillor:

7.2.1. The name of each councillor who voted in relation to whether the councillor has a declarable conflict of interest, and how each of the councillors voted.

7.3. Where a decision has been made under section 4 above – the minutes must include:

7.3.1. The decision and reasons for the decision, and

7.3.2. The name of each eligible councillor who voted, and how each eligible councillor voted.

8. Closed Meetings

8.1. A local government council meeting, standing committee meeting and advisory committee meeting may resolve that a meeting be closed to the public if its councillors and members consider it necessary to discuss any of the following matters pursuant to section 254J(3) of the LGR or section ~~s252J~~s242J(3) of the COBR:

8.1.1. Appointment, dismissal or discipline of the CEO or, in the case of Brisbane City Council only, also for senior executive employees

8.1.2. Industrial matters affecting employees

8.1.3. The local government's budget, which does not include the monthly financial statements

8.1.4. Rating concessions

8.1.5. Legal advice obtained by the local government or legal proceedings involving the local government, including for example, legal proceedings that may be taken by or against the local government

8.1.6. Matters that may directly affect the health and safety of an individual or a group of individuals

8.1.7. Negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government

8.1.8. Negotiations relating to the taking of land by the council under the *Acquisition of Land Act 1967*

8.1.9. A matter that the local government is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or State.

8.2. A council meeting, standing and advisory committee meetings cannot resolve that a meeting be closed where the meeting is informed of a councillor's personal interest in the matter by

another person and the eligible councillors at the meeting must decide by resolution whether the councillor has a prescribed or declarable conflict of interest in the matter.

8.3. Further, the meeting must not be closed if a quorum is lost due to the number of conflicted councillors who leave the council meeting and the council must resolve to:

8.3.1. Delegate the consideration and decision on the matter, pursuant to section 257 of the LGA or section 238 of the COBA unless the matter cannot be delegated:

8.3.2. Defer the matter to a later meeting when a quorum may be available

8.3.3. Not to decide the matter and take no further action in relation to the matter.

8.4. None of the above will be considered, discussed, voted on or made during a closed session.

8.5. If a closed session includes attendance by teleconference, the councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting (a failure to do so could be a contravention of ~~see~~ section 171(3) of the LGA or section 173(3) of the COBA).

8.6. To take a matter into a closed session the council must abide by the following:

8.6.1. Pass a resolution to close all or part of the meeting

8.6.2. The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered (see section 8.1)

8.6.3. If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated

8.6.4. Not make a resolution while in a closed meeting (other than a procedural resolution).

Best practice example standing orders for local government and standing committee meetings

June 2023

Last updated:

Date	Version number	Officer's Name	Approved
10 November 2022	O04	P Cameron	Director G&C

Queensland Government

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An electronic copy of this report is available on the Department of State Development, Infrastructure, Local Government and Planning' website at www.statedevelopment.qld.gov.au/local-government

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Intent

To assist local governments, the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) provides best practice standing orders that local governments can choose to adopt to provide written rules for the orderly conduct of local government meetings. These best practice standing orders incorporate the DSDILGP model meeting procedures that deal with matters during council meetings that must be adhered to under the *Local Government Act 2009* (LGA) including the model meeting procedures and the Local Government Regulation 2012 (LGA). Local governments can revise their standing orders to incorporate the model meeting procedures or adopt the model meeting procedures.

1. Standing orders

1.1. These standing orders apply to local government meetings including standing committee meetings. These standing orders do not apply to meetings of the audit committee.

1.2. A provision of these standing orders may be suspended by resolution of any meeting of the local government except those sections that are mandatory under the model meeting procedures. A separate resolution is required for any suspension and must specify the application and duration of each suspension.

1.3. Where a matter arises at the local government meeting that is not provided for in these standing orders, the matters will be determined by resolution of the local government upon a motion which may be put without notice but otherwise conforming with these standing orders.

Procedures for meetings of local government

2. Presiding officer

2.1. The mayor will preside at a meeting of local government.

2.2. If the mayor is absent or unavailable to preside, the deputy mayor will preside.

2.3. If both the mayor and the deputy mayor, or the mayor's delegate, are absent or unavailable to preside a councillor chosen by the councillors present at the meeting will preside at the meeting.

2.4. The local government will choose the chairperson for a committee meeting. This chairperson will preside over meetings of the committee.

2.5. If the chairperson of a committee is absent or unavailable to preside, a councillor chosen by the councillors present will preside over the committee meeting.

2.6. Before proceeding with the business of the local government meeting, the person presiding at the meeting will undertake the acknowledgement and/or greetings deemed appropriate by the local government.

3. Order of business

3.1. The order of business will be determined by resolution of the local government from time to time. The order of business may be altered for a particular meeting where the councillors at that meeting pass a procedural motion to that effect. A motion to alter the order of business may be moved without notice.

3.2. Unless otherwise altered, the order of business will be as follows:

- attendances
- apologies and granting of leaves of absence
- confirmation of minutes
- business arising out of previous meetings
- officers' reports.

Note: *The minutes of a preceding meeting, whether an ordinary or a special meeting, not previously confirmed will be taken into consideration, at every ordinary meeting of the local government, in order that the minutes may be confirmed. No discussion will be permitted about these minutes except with respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. All councillors present at the meeting can vote to confirm the minutes including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting. Once the minutes are confirmed by resolution of the meeting they cannot be changed.*

4. Agendas

4.1. The agenda may contain:

- notice of meeting
- minutes of the previous meetings
- business arising out of previous meetings
- business which the mayor wishes to have considered at that meeting without notice
- matters of which notice has been given
- committees' reports referred to the meeting by the chief executive officer (CEO)
- officers' reports referred to the meeting by the CEO
- deputations and delegations from the community that are approved to attend
- any other business the council determines by resolution be included in the agenda.

4.2. Business not on the agenda, or not fairly arising from the agenda, will not be considered at any council meeting unless permission for that purpose is given by the local government at the meeting. Business must be in accordance with the adopted terms of reference for each committee.

4.3. The notice of the meeting and the agenda must be given to each councillor at least 2 days before the meeting and in the case of Indigenous regional councillors, being Torres Strait Regional Council and Northern Peninsula Area Regional Council, at least four days prior to the meeting unless it is impracticable to give the notice before that time. The agenda for the local government must be made publicly available by 5pm on the business day after the notice of meeting is given to the councillors. Any related reports for the local government meeting must also be included and available to the public when the agenda for the meeting is made publicly available, excluding confidential reports. If the related report is made available to councillors or committee members during the period starting immediately after notice of the meeting is given and ending immediately before the meeting is held, then these reports must be made available to the public as soon as practicable after it is made available to the councillors or committee members.

4.4. Matters on the agenda that will require the meeting to be in a closed session consistent with the provisions under section 254J LGR, will be clearly identified on the agenda including the reasons why the session will be closed.

5. Quorum

5.1. A quorum at a local government meeting is a majority of its councillors. If the number of councillors is even then one half of the number is a quorum.

5.2. If a quorum is not present within 15 minutes after the time set for the meeting to begin, it may be adjourned to a later hour or a later day within 14 days after the day of the adjournment. The meeting may be adjourned by a majority of councillors present, or if only one councillor is present, then that councillor, or if no councillors are present then the chief executive officer.

6. Petitions

6.1. Any petition presented to a meeting of the local government will:

- be in legible writing or typewritten and contain a minimum of ten (10) signatures
- include the name and contact details of the principal petitioner (i.e., the key contact)
- include the postcode of all petitioners, and
- have the details of the specific request/matter appear on each page of the petition.

6.2. Where a councillor presents a petition to a meeting of the local government, no debate in relation to it will be allowed, and the only motion which may be moved is:

- that the petition be received
- received and referred to a committee or officer for consideration and a report to the council, or

- not be received because it is deemed invalid.

6.3. The local government will respond to the principal petitioner in relation to all petitions deemed valid.

7. Deputations

7.1. A deputation wishing to attend and address a meeting of the council shall apply in writing to the CEO not less than seven (7) business days before the meeting.

7.2. The CEO, on receiving an application for a deputation, shall notify the chairperson who will determine whether the deputation may be heard. The CEO will inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time will be arranged for that purpose, and an appropriate time period allowed (e.g. 15 minutes).

7.3. For deputations comprising three or more persons, only three persons shall be at liberty to address the council meeting unless the councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.

7.4. If a member of the deputation other than the appointed speakers interjects or attempts to address the council meeting, the chairperson may terminate the deputation.

7.5. The chairperson may terminate an address by a person in a deputation at any time where:

- the chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the councillors at the meeting
- the time period allowed for a deputation has expired, or
- the person uses insulting or offensive language or is derogatory towards councillors or others.

7.6. The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

8. Public participation at meetings

8.1. A member of the public may take part in the proceeding of a meeting only when invited to do so by the chairperson.

8.2. In each local government meeting, time may be required to permit members of the public to address the local government on matters of public interest related to local government. An appropriate time period will be allowed (e.g. 15 minutes) and no more than three (3) speakers shall be permitted to speak at one meeting. The right of any individual to address the local

government during this period shall be at the absolute discretion of the local government chairperson.

8.3. If any address or comment is irrelevant, offensive, or unduly long, the chairperson may require the person to cease making the submission or comment.

8.4. For any matter arising from such an address, the local government may take the following actions:

- refer the matter to a committee
- deal with the matter immediately
- place the matter on notice for discussion at a future meeting
- note the matter and take no further action.

8.5. Any person addressing the local government shall stand, act, and speak with decorum and frame any remarks in respectful and courteous language.

8.6. Any person who is considered by the local government or the chairperson to be inappropriately presenting may be directed by the chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

9. Prescribed conflict of interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a council or committee meeting (other than ordinary business matters as prescribed under section 150EF of the LGA or section 177C of the *City of Brisbane Act 2019* (COBA)). When dealing with a prescribed conflict of interest, councillors must abide by the following procedures:

9.1. A councillor who has notified the chief executive officer in writing, including all the particulars, of a prescribed conflict of interest in a matter to be discussed in a council meeting must also give notice during the meeting at or before the time when the matter is to be dealt with.

9.2. A councillor who first becomes aware of a prescribed conflict of interest in a matter during a council meeting must immediately inform the meeting of the conflict of interest and the particulars.

9.3. When notifying the meeting of a prescribed conflict of interest, the following particulars must be provided:

- for a gift, loan or contract—the value of the gift, loan or contract
- for an application for which a submission has been made—the matters the subject of the application and submission:
- the name of the entity, other than the councillor, that has an interest in the matter,
- the nature of the councillor's relationship with the entity,
- details of the councillor's, and any other entity's, interest in the matter.

9.4. The councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject councillor has written notice of approval from the Minister for Local Government (the Minister) to participate in deciding the matter in a meeting including participating in the discussion and the vote.

Note: *Ministerial approval may be obtained when a quorum is lost due to the number of councillors with a conflict of interest in the matter, and the matter cannot be delegated. The councillor with the conflict of interest must apply to the Minister for approval to participate. The Minister may give the approval subject to the conditions stated in the notice of approval.*

9.5. Once the councillor has either left the area where the meeting is being conducted or remains in the meeting under ministerial approval, the council can continue discussing and deciding on the matter at hand. However, if the prescribed conflict of interest was reported to the meeting by a councillor other than the subject councillor, then the councillor must disclose their belief or suspicion to the chairperson and the processes, duty to report another councillor's conflict of interest under section 150EW of the LGA, will apply. If the councillor with the suspected COI considers there is no conflict of interest then the eligible councillors must make a decision whether or not the subject councillor has a prescribed conflict of interest under section 150EX(2) of the LGA.

10. Declarable conflict of interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at council or committee meetings that might lead to a decision that is contrary to the public interest (other than the interests that are not declarable conflicts of interest prescribed under section 150EO of the LGA or section 177L of the COBA and ordinary business matters prescribed under section 150EF of the LGA or section 177C of the COBA.

A councillor may raise their personal interests in a matter at the meeting to canvas the view of the other councillors prior to deciding to declare a conflict of interest. If the other councillors suspect the personal interest might be a conflict of interest, the councillor or councillors may disclose their belief or suspicion to the chairperson and the processes, duty to report another councillor's conflict of interest under section 150EW of the LGA or section 177O of the COBA, will apply. The eligible councillors must then make a decision under section 150EX(2) of the LGA or section 177U(2) of the COBA applies.

When dealing with a declarable conflict of interest, councillors must abide by the following procedures:

10.1. A councillor who has notified the chief executive officer of a declarable conflict of interest in a matter to be discussed at a council meeting must also give notice during the meeting.

10.2. A councillor who first becomes aware of a declarable conflict of interest in a matter during a council meeting must stop participating in the decision on the matter and must inform the meeting of the conflict of interest including the particulars.

10.3. When notifying the meeting of a declarable conflict of interest, councillors should provide sufficient detail to allow the other councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following details must be provided:

- the nature of the declarable conflict of interest;
- if it arises because of the councillor's relationship with a related party:
  - I. the name of the related party to the councillor; and
  - II. the nature of the relationship of the related party to the councillor; and
  - III. the nature of the related party's interest in the matter;
- if it arises because of a gift or loan from another person to the councillor or a related party:
  - I. the name of the other person; and
  - II. the nature of the relationship of the other person to the councillor or related party; and
  - III. the nature of the other person's interest in the matter; and
  - IV. the value of the gift or loan and the date the gift or loan was made.

10.4. After a councillor has declared a conflict of interest, the councillor should consider leaving the meeting while the matter is discussed unless they have ministerial approval to participate, or they have reasons why their participation would improve making the decision in the public interest.

10.5. If the councillor chooses not to leave the meeting, the councillor may advise the other councillors of their reasons for seeking permission to participate in making the decision as prescribed in section 150ES of the LGA. In deciding on a councillor's declarable conflict of interest in a matter, only councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of eligible councillors is less than a majority or do not form a quorum for the meeting or is a single eligible councillor consistent with section 150ET of the LGA section 177Q of the COBA. If there is a single eligible councillor deciding, then a seconder for the resolution is not required.

Note: *The ability to make a resolution without a seconder applies when making a resolution under section 150ES of the LGA or section 177P of the COBA.*

10.6. The other eligible councillors or councillor at the meeting must then decide, by resolution, whether the councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the eligible councillors. The eligible councillors may impose conditions on the councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The councillor must comply with any decision or condition imposed by the eligible councillors.

10.7. The councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the eligible councillors in making their decision. The subject councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the councillor may remain in the meeting and participate in deciding the matter in which the councillor has a declarable conflict of interest.

10.8. When deciding whether a councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the eligible councillors should consider the particular circumstances of the matter including, but not limited to;

- how does the inclusion of the councillor in the deliberation affect public trust,
- how close or remote is the councillor's relationship to the related party,
- if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received,
- will the benefit or detriment the subject councillor or their related party stands to receive from the decision have major or minor impact on them,
- how the benefit or detriment the subject councillor stands to receive compares to others in the community,
- how this compares with similar matters that council has decided and have other councillors with the same or similar interests decided to leave the meeting,
- whether the subject councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.

10.9. If the eligible councillors cannot decide about the declarable conflict of interest of a councillor, they are taken to have decided that the councillor must leave and stay away from the meeting while the eligible councillors discuss and vote on the matter as prescribed in section 150ET(3) of the LGA or section 177Q (3) of the COBA.

10.10. A decision about a councillor who has a declarable conflict of interest in a matter will apply to participating in the decision and all subsequent decisions about the same matter as prescribed in section 150ET(4) of the LGA section 177Q (4) of the COBA, unless the there is a change to the councillor's personal interests and/or the nature of the matter being discussed. If the eligible councillors decide the councillor can act in the public interest on the matter, then the councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. briefing sessions or workshops.

10.11. In making the decision, it is irrelevant how the subject councillor intended to vote on the issue or any other issue (if known or suspected).

10.12. A councillor does not contravene the above procedures if the councillor participates in a decision under written approval from the Minister as prescribed in section 150EV of the LGA or section 177S of the COBA.

11 Reporting a suspected conflict of interest

If a councillor at a meeting reasonably believes or suspects that another councillor has a personal interest in a matter that may be a prescribed or a declarable conflict of interest, and that councillor is participating in a decision on that matter, the informing councillor who believes that a conflict of interest exists must immediately inform the chairperson of the meeting of their belief or suspicion and the facts and circumstances that led to their belief or suspicion.

11.1. The chairperson then should ask the relevant councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the relevant councillor agrees they have a conflict of interest, the councillor must follow the relevant meeting procedures above for prescribed and declarable conflicts of interest.

11.2. If the councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.

11.3. The eligible councillors must then decide whether the relevant councillor has a prescribed conflict of interest, a declarable conflict of interest or that the councillor does not have any conflict of interest in the matter. If the meeting decides the councillor has a conflict of interest, the councillor must follow the relevant meeting procedures above. If a councillor with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible councillors must make a decision about the councillors participation.

11.4. If the eligible councillors at the meeting cannot make a decision about, whether a councillor has a declarable conflict of interest under section 150ER of the LGA or section 177Q of the COBA, or whether the councillor may or may not participate in the decision despite the subject councillor's declarable conflict of interest under section 150ES of the LGA or section

177P of the COBA, then they are taken to have determined that the councillor must leave the meeting and stay away while the matter is being decided under section 150ET(3) of the LGA or section 177Q(3) of the COBA. A decision under these provisions about a councillor participating in the meeting applies to the matter and subsequent decisions, about the same matter unless there is a change to the councillor's personal interests and/or the nature of the matter being discussed. If the eligible councillors decide that the subject councillor can act in the public interest on the matter, then the councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. workshops.

11.5. When a councillor informs a meeting that they or another councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all the relevant details of how the conflict of interest was dealt with, being (section 150FA of the LGA or section 177X of the COBA):

- The name of any councillor and any other councillor who may have a prescribed or declarable conflict of interest
- The particulars of the prescribed or declarable conflict of interest provided by the councillor
- The actions taken by a councillor after informing the meeting that they have, or they reasonably suspect another councillor has a prescribed or declarable conflict of interest
- Any decision then made by the eligible councillors
- Whether the councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval
- The council's decision on what actions the councillor with a declarable conflict of interest must take and the reasons for the decision
- The name of each eligible councillor who voted on the matter and how each voted.

11.6. If the councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a councillor's personal interest by someone other than the councillor:

- The name of each councillor who voted in relation to whether the councillor has a declarable conflict of interest, and how each of the councillors voted.

11.7. Where a decision has been made under section 150ES of the LGA or section 177Pof the COBA – the minutes must include:

- The decision and reasons for the decision, and
- The name of each eligible councillor who voted, and how each eligible councillor voted.

12 Loss of quorum

12.1. In the event where one or more councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the council must resolve to:

- delegate the consideration and decision on the matter, as described in section 257 of the LGA or section 238of the COBA, unless the matter cannot be delegated under subsection 3 of both sections because an Act says it must be decided by resolution of the council
- decide by resolution to defer the matter to a later meeting
- decide by resolution not to decide the matter and take no further action in relation to the matter.

12.2. The council may by resolution delegate a power under section 257 of the LGA or section 238 of the COBA to:

- The mayor or chief executive officer, or
- A standing committee, or joint committee of council, or
- The chairperson of a standing committee or joint standing committee of council – does not apply to Brisbane City Council, or
- Another local government for a joint government activity.
- The Establishment and Coordination Committee – only applies to Brisbane City Council

12.3. The council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.

12.4. The council may only delegate a power to make a decision about a councillors conduct under section 150AG of the LGA pursuant to section 257(2) of the LGA, to:

- The mayor or
- A standing committee.

12.5. A council may only delegate a power to make a decision about a councillor's conduct pursuant to section 238(2) of the COBA, to:

- The mayor, or
- The Establishment and Coordination Committee, or
- A standing committee of the council.

12.6. If the matter cannot be delegated under an Act, The Minister for Local Government may, by signed notice give approval for a conflicted councillor to participate in deciding a matter in a meeting including being present for the discussion and vote on the matter, if there is a loss of

quorum and deciding the matter cannot be delegated, subject to any conditions the Minister may impose.

Motions

13 Motion to be moved

13.1 A councillor is required to 'move' a motion and then another councillor is required to 'second' the motion.When a motion has been moved and seconded, it will become subject to the control of the council and cannot be withdrawn without the consent of the council meeting.

13.3 Other councillors can propose amendments to the motion, which must be voted on before voting on the final motion:

- A motion brought before a meeting of the local government in accordance with the LGA or these standing orders will be received and put to the meeting by the chairperson.
- The chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- The chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.

13.4 The chairperson may call the notices of motion in the order in which they appear on the agenda. Where no objection is raised to a motion being taken as a formal motion, and the motion is then seconded, the chairperson may put the motion to the vote without discussion and the vote can occur.

13.5 No more than one motion or one proposed amendment to a motion may be put before a meeting of a local government at any one time.

14 Absence of mover of motion

14.1 Where a councillor who has given notice of a motion is absent from the meeting of the local government at which the motion is to be considered, the motion may be:

- moved by another councillor at the meeting, or
- deferred to the next meeting.

15 Motion to be seconded

15.1 A motion or an amendment to a motion shall not be debated at a meeting of the local government unless or until the motion or the amendment is seconded.

15.2 Procedural motions are an exception to this rule and do not need to be seconded.

16 Amendment of motion

16.1 An amendment to a motion should maintain or further clarify the intent of the original motion and does not contradict the motion.

16.2 Where an amendment to a motion is before a meeting of the local government, no other amendment to the motion will be considered until after the first amendment has been voted on.

16.3 Where a motion is amended, the original motion cannot be re-introduced as a subsequent amendment to the first amended motion.

17 Speaking to motions and amendments

17.1 The mover of a motion or amendment will read it and state that it is so moved but will not speak to it until it is seconded.

17.2 The chairperson will manage the debate by allowing the councillor who proposed the motion the option of speaking first on the motion. The chairperson will then call on any other councillors who wish to speak against the motion and then alternatively for and against the motion as available, until all councillors who wish to speak have had the opportunity.

17.3 A councillor may make a request to the chairperson for further information before or after the motion or amendment is seconded.

17.4 The mover of a motion or amendment has the right to reply. Each councillor will speak no more than once to the same motion or same amendment except as a right of reply. Once the right of reply has been delivered the debate ends.

17.5 Each speaker will be restricted to not more than five (5) minutes unless the chairperson rules otherwise.

17.6 Where two or more councillors indicate they may wish to speak at the same time, the chairperson will determine who is entitled to priority.

17.7 In accordance with section 254H of the LGR or section 242H(2) of the *City of Brisbane Regulation 2012(COBR)*, if a decision made at the council meeting is inconsistent with a recommendation or advice given to the council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

Note: *If a report contains distinct recommendations, the decision of the council may be taken separately on each recommendation. If a decision by the meeting is contra to a recommendation in a report the minutes must give the reasons for the decision.*

18 Method of taking vote

18.1 The chairperson will call for all councillors in favour of the motion to indicate their support. The chairperson will then call for all councillors against the motion to indicate their objection.

18.2 A councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minutes of the meeting will record the names of councillors voting in the affirmative and of those voting in the negative. The chairperson will declare the result of a vote or a division as soon as it has been determined.

18.3 Councillors have the right to request that their names and how they voted be recorded in the minutes if they request it when voting other than by division.

18.4 Except upon a motion to repeal or amend it, the resolution will not be discussed after the vote has been declared.

19 Withdrawing a motion

19.1 A motion or amendment may be withdrawn by the mover with the consent of the council, which will be without debate, and a councillor will not speak to the motion or amendment after the mover has been granted permission by the council meeting for its withdrawal.

20 Repealing or amending resolutions

20.1 A resolution of the local government may not be amended or repealed unless notice of motion is given in accordance with the requirements of the legislation.

20.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is put may defer consideration of that motion. The deferral may not be longer than three (3) months.

21 Procedural motions

21.1 A councillor at a meeting of the local government may, during the debate of a matter at the meeting, move the following motions, as a procedural motion without the need for a seconder:

I. that the question/motion be now put before the meeting;
II. that the motion or amendment now before the meeting be adjourned;
III. that the meeting proceeds to the next item of business,
IV. that the question lie on the table;
V. a point of order;
VI. a motion of dissent against the chairperson's decision;
VII. that this report/document be tabled;
VIII. to suspend the rule requiring that (insert requirement);

IX. that the meeting stands adjourned.

21.2 A procedural motion that 'the question be put' may be moved and, where the procedural motion is carried, the chairperson will immediately 'put the question to the motion' or amendment to that motion under consideration. Where the procedural motion is lost, debate on the motion or amendment to that motion will resume.

21.3 A procedural motion that the motion or amendment now before the meeting be adjourned, may specify a time or date to which the debate will be adjourned. Where no date or time is specified:

- a further motion may be moved to specify a time or date; or
- the matter about which the debate is to be adjourned, will be included in the business paper for the next meeting.

21.4 Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion will cease and may be considered again by the local government on the giving of notice in accordance with the standing orders.

21.5 A procedural motion that the question lie on the table will only be moved where the chairperson or a councillor requires additional information on the matter before the meeting (or the result of some other action of the council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the council will proceed with the next matter on the business paper. A motion that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.

21.6 Any councillor may ask the chairperson to decide on a point of order where it is believed that another councillor:

- has failed to comply with proper procedures;
- is in contravention of the legislation; or
- is beyond the jurisdiction power of the council meeting.

Note: *Points of order cannot be used as a means of contradicting a statement made by the councillor speaking. Where a point of order is moved, consideration of the matter to which the motion was moved will be suspended. The chairperson will determine whether the point of order is upheld.*

21.7 Upon the question of order suddenly arising during the process of a debate, a councillor may raise a point of order, and then the councillor against whom the point of order is raised, will immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising will, until decided, suspend the consideration and decision of every other question.

21.8 A councillor may move a motion of dissent in relation to a ruling of the chairperson on a point of order. Where such motion is moved, further consideration of any matter will be suspended until after a ruling is made. For example:

21.9 Where a motion of dissent is carried, the matter to which the ruling of the chairperson was made will proceed as though that ruling had not been made. Where the opposite ruling is made, that the matter was discharged as out of order, it will be restored to the business paper and be dealt with in the normal course of business.

21.10 The motion that a report/document be tabled may be used by a councillor to introduce a report or other document to the meeting only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.

21.11 A procedural motion 'to suspend the rule requiring that.', may be made by any councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule will specify the duration of the suspension.

21.12 A procedural motion that the meeting stands adjourned, may be moved by a councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a councillor's time for speaking to the matter, and will be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting, the council meeting will continue with the business before the meeting at the point where it was discontinued on the adjournment.

22 Questions

22.1 At a local government meeting, a councillor may ask a question for reply by another councillor or an officer regarding any matter under consideration at the meeting.

22.2 Questions will be asked categorically and without argument and no discussion will be permitted at the council meeting in relation to a reply or a refusal to reply to the question.

22.3 A councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.

22.4 A councillor who asks a question at a meeting, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.

22.5 The chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a councillor may move a motion that the chairperson's ruling be disagreed with, and if carried the chairperson will allow the question.

Meeting Conduct

23 Process for dealing with Unsuitable Meeting Conduct

The conduct of a councillor is unsuitable meeting conduct if the conduct happens during a council meeting and contravenes a behavioural standard of the Code of Conduct for Councillors. When dealing with an instance of unsuitable conduct by a councillor in a meeting, the following procedures must be followed:

23.1 The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a councillor at a meeting.

23.2 If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the councillor has been issued with any previous warnings for unsuitable meeting conduct. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, the chairperson can make an order in relation to the conduct under section23.7 below.

23.3 If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the councillor take remedial actions such as:

- ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
- apologising for their conduct
- withdrawing their comments.

23.4 If the councillor complies with the chairperson's request for remedial action, no further action is required.

23.5 If the councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the councillor that failing to comply with the request could result in an order for unsuitable meeting conduct being issued.

23.6 If the councillor complies with the chairperson's warning and request for remedial action, no further action is required.

23.7 If the councillor continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 23.2 the chairperson may make one or more of the orders below:

- an order reprimanding the councillor for the conduct
- an order requiring the councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.

23.8 If the councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the councillor be removed from the meeting.

23.9 Following the completion of the meeting, the chairperson must ensure:

- details of any order issued is recorded in the minutes of the meeting

- if it is the third or more order made within a 12-month period against a councillor, or the councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the council as suspected inappropriate conduct
- The council's chief executive officer (CEO) is advised to ensure details of any order made is updated in the council's councillor conduct register.
- If the conduct of a councillor at the meeting becomes inappropriate conduct; in accordance with section 150J of the LGA, it is not required to be notified to the independent assessor and may be dealt with under section 150AG of the LGA at the next council meeting.

23.10 Any councillor aggrieved with an order issued by the chairperson can move a motion of dissent for parts 23.2, 23.3, 23.7 and 23.8 above.

Note: *Chairpersons of a meeting are carrying out a statutory responsibility under the LGA to manage and lead the meeting. As such, where a chairperson behaves inappropriately in a meeting this involves a serious breach of the trust placed in them as the chairperson of the meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent Assessor (OIA) to be dealt with. However, breaches of trust don't arise because councillors disagree with the chairperson's decision or ruling during the meeting.*

24 General conduct during meetings

24.1 After a meeting of the council has been formally constituted and the business commenced, a councillor will not enter or leave from the meeting without first notifying the chairperson.

24.2 Councillors will speak to each other or about each other during the local government meeting by their respective titles ('mayor' or 'councillor'), and when speaking of or addressing officers will call them by their respective official or departmental title and will confine their remarks to the matter under consideration.

24.3 No councillor who is speaking will be interrupted except upon a point of order being raised either by the chairperson or by another councillor.

24.4 When the chairperson speaks during the process of a debate, the councillor speaking or offering to speak will immediately cease speaking, and each councillor present will observe strict silence so that the chairperson may be heard without interruption.

25 Meeting process for dealing with suspected inappropriate conduct which has been referred to a local government by the Independent Assessor (IA)

Pursuant to Chapter 5A, Part 3, Division 5 of the LGA (Referral of conduct to a local government) a referral from the Independent Assessor (IA) of inappropriate conduct or an instance of suspected inappropriate conduct that may arise from circumstances under paragraph 23.9 dot point two of this

document requires that the local government must complete an investigation into the alleged conduct.

25.1 The investigation must be conducted in a way that is consistent with the local government's investigation policy including:

- consistent with any recommendations from the IA, or
- In another way decided by resolution of the council.

25.2 After the completion of the investigation, the council must decide in a council meeting, whether the councillor has engaged in inappropriate conduct. Unless in accordance with section 150AG of the LGA, it has delegated responsibility for this decision to the mayor under section 257(2)(a) or to a standing committee section 257(2)(b) of the LGA or for the Brisbane City Council section 238(2)(a),(b) or (c) of the COBA.

25.3 When dealing with an instance of suspected inappropriate conduct which has been referred to a council by the IA:

25.3.1 The council must be consistent with the local government principle of transparent and accountable decision making in the public interest by dealing with suspected inappropriate conduct in an open meeting of the council. However, where the matter may directly affect the health and safety of the complainant due to the nature of the complaint, the council may resolve to go into closed session under section 254J(3)(f) of the LGR or section 242J(3)(f) of the COBR to discuss the allegation. No resolution for a decision can be made in the closed session.

25.3.2 The subject councillor has a declarable conflict of interest in the matter but is permitted to remain in the meeting (unless council decides otherwise), during the debate about whether the councillor engaged in the inappropriate conduct and answer questions from the chairperson to assist the other councillors in making a decision. This permission to remain in the meeting for the debate is conditional on the subject councillor leaving the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the councillor is found to have committed inappropriate conduct.

25.3.3 If the complainant is a councillor, that councillor has a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 4. If the complainant councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other councillors must decide how to deal with the conflict of interest under section 4. The complainant councillor can be ordered to leave the meeting place or conditions may be applied to allow that councillor to participate in either the debate, the vote, or the decision on any disciplinary action to be applied.

25.3.4 The council must debate the issue and decide whether the subject councillor engaged in inappropriate conduct. If the council has lost quorum due to the number of conflicted councillors or another reason, the local government must do one of the following:

- delegate deciding the matter under section 257 of the LGA to the mayor or a standing committee, or under section 238 of the COBA, to the mayor or the Establishment and Coordination Committee, or a standing committee, whichever is the most appropriate in the circumstances or
- decide, by resolution, to defer the matter to a later meeting when a quorum will be present, or
- decide, by resolution, not to decide the matter and take no further action in relation to the matter.

25.3.5 If a decision is reached that the subject councillor has engaged in inappropriate conduct, then the councillors must decide what penalty or penalties from the orders detailed below, if any, to impose on the councillor. In deciding what penalty to impose the council may consider any previous inappropriate conduct of the councillor and any allegation made in the investigation that was admitted, or not challenged, and that the council is reasonably satisfied is true

25.3.6 The council may order that no action be taken against the councillor or make one or more of the following:

- an order that the councillor make a public admission that the councillor has engaged in inappropriate conduct;
- an order reprimanding the councillor for the conduct;
- an order that the councillor attend training or counselling to address the councillor's conduct, including at the councillor's expense;
- an order that the councillor be excluded from a stated council meeting;
- an order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor, (e.g. that the councillor is ordered to resign from an appointment representing the local government on a state board or committee);
- an order that if the councillor engages in the same type of conduct again, it will be treated as misconduct:
- an order that the councillor reimburse the council for all or some of the costs arising from the councillor's inappropriate conduct.

25.4 In relation to a person who is no longer a councillor, a local government may not make an order that the former councillor attend training/counselling, be suspended from a meeting, be removed or resign from a position or that the same conduct will be treated as misconduct in future.

25.5 The subject councillor, and where relevant, the complainant councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the decision made by council and if relevant any orders they have made.

25.6 The minutes of the meeting must reflect the decision made.

26 Disorder

26.1 The chairperson may adjourn the meeting of the local government, where disorder arises at a meeting other than by a councillor.

26.2 On resumption of the meeting, the chairperson will move a motion, to be put without debate, to determine whether the meeting will proceed. Where the motion is lost, the chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

Attendance and non-attendance

27 Attendance of public and the media at meeting

27.1 An area shall be made available at the place where any meeting of the local government is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area will be permitted to attend the meeting.

27.2 When the local government is sitting in closed session, the public and representatives of the media will be excluded from the meeting.

28 Closed session

28.1 A local government council meeting, standing committee meeting and advisory committee meeting may resolve that a meeting be closed to the public if its councillors and members consider it necessary to discuss any of the following matters pursuant to section 254J(3) of the LGR or section 242J(3) of the COBR:

- Appointment, dismissal or discipline of the CEO or, in the case of Brisbane City Council only, also for senior executive employees;
- industrial matters affecting employees;
- the council's budget which does not include the monthly financial statements;

- rating concessions;
- Legal advice obtained by the local government or legal proceedings involving the local government, including for example, legal proceedings that may be taken by or against the local government;
- matters that may directly affect the health and safety of an individual or a group of individuals;
- Negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;
- negotiations relating to the taking of land by the council under *the Acquisition of Land Act 1967*;
- A matter that the local government is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or State.

28.2 A council or committee meeting cannot resolve that a meeting be closed where the meeting is informed of a councillor's personal interest in the matter by another person and the eligible councillors at the meeting must decide whether the councillor has a declarable conflict of interest in the matter.

28.3 Further, the meeting must not be closed if a quorum is lost due to the number of conflicted councillors who leave the meeting and the council must;

- delegate the consideration and decision on the matter, pursuant to section 257 of the LGA or section 238 of the COBA unless the matter cannot be delegated,
- decide by resolution to defer the matter to a later meeting when a quorum may be available,
- decide by resolution not to decide the matter and take no further action in relation to the matter.

Note: *None of the above will be voted on during a closed session. If a closed session includes attendance by teleconference, the councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.*

28.4 To take a matter into a closed session the council must abide by the following process:

- pass a resolution to close the meeting
- the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered
- if the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated

- no resolution can be made while in a closed meeting (other than a procedural resolution).

28.5 None of the above will be considered, discussed, voted on or made during a closed session.

29 Teleconferencing of meetings

29.1 If a councillor wishes to be absent from a council meeting place during a meeting, the councillor must apply to the local government to participate by teleconference, at least three (3) business days prior to the meeting or as soon as practicable once the councillor becomes aware of their intended absence. The local government may allow a councillor to participate in a council or committee meeting by teleconference.

Note: *There is no legislative requirement for a resolution by council to allow a councillor to participate by audio link or audio visual link. This means the council may delegate the matter. For example, council may delegate to the chairperson of the council or a committee meeting the ability to decide whether a councillor can attend a meeting by audio link or audio-visual link.*

29.2 The councillor taking part by teleconference is taken to be present at the meeting if the councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the councillor must be recorded in the minutes as present at the meeting.

Note: *Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.*

5.2.2.b – 2024 Special Holidays

Title:	2024 Special Holidays
Author:	Governance Officer
Meeting Date:	23 August 2023

Recommendation: Pursuant to Section 4 of the Holidays Act 1983, Council approve the 2024 Special Holidays as presented.

Summary: In accordance with section 4 of the Holidays Act 1983 local governments are invited to request annual special holidays in respect to agricultural, horticultural, and industrial show.

A holiday appointed pursuant to section 4, subsection (1) shall be a bank holiday in the district specified in the notification except where the holiday is in respect of an annual agricultural, horticultural, or industrial show when it shall also be a public holiday.

Therefore with respect to the above, Special Holiday requests for 2024 are:

- Friday 5th July 2024 NAIDOC Day
- Monday 12th August 2024 Kowanyama Annual Rodeo
- Monday 26th August 2024 Kowanyama DOGIT Day

Recommendation: Pursuant to Section 4 of the Holidays Act 1983, Council approve the 2024 Special Holidays as presented.

Attachments: Letter from Office of Industrial Relations dated 15 May 2023

Attachments:

- Letter from Office of Industrial Relations dated 15 May 2023

Queensland Government

Office of
Industrial Relations

Department of Education

15 May 2023

Dear Chief Executive Officer,

As you may be aware, each year in accordance with the *Holidays Act 1983* local governments are invited to request special holidays to be observed during the following year for districts in their area.

If you wish to request special holidays to be observed during 2024 for districts in your local government area, please complete the attached request form and submit via email to info@oir.qld.gov.au by no later than **Friday, 3 July 2023**.

A local council requested special holiday is a public holiday only if it is in respect of an agricultural, horticultural or industrial show. Under federal industrial relations legislation, on a public holiday employees are, without loss of ordinary pay, entitled to be absent from work or refuse to work in reasonable circumstances. Employees who work on a public holiday are entitled to penalty rates in accordance with their award or agreement.

A special holiday for any other reason is not a public holiday but is a bank holiday only and under the *Trading (Allowable Hours) Act 1990*, is only a holiday for banks and insurance offices and under a directive of the *Public Service Act 2008*, a holiday for public service employees unless otherwise determined by a chief executive.

Upon receiving Ministerial approval, the holidays will be published in the Queensland Government Gazette. Confirmation of the approved special holidays together with a link to the Queensland Government Gazette will be emailed to your office.

Should you require further information regarding this process, please contact Ms Patricia Faulkner, Office of Industrial Relations on (07) 3406 9845 or email patricia.faulkner@oir.qld.gov.au.

Yours sincerely

A J (Tony) James
Assistant Director-General
Office of Industrial Relations

1 William Street Brisbane
Queensland 4000 Australia
GPO Box 69 Brisbane
Queensland 4001 Australia
Telephone 13 QGOV (13 74 68)
WorkSafe +61 7 3247 4711
Website www.worksafe.qld.gov.au
www.business.qld.gov.au
ABN 94 496 188 983

Council Meeting

Information Report

Title: Executive Manager Report

Meeting Date: Wednesday 23 August 2023

Author: Temba Lama

Executive Summary

- August has been busy month due to Rodeo and Football and the funeral last week
- Tender for gravel supply closed and in process of ordering gravel
- Tender for Mechanical Services closed on 11 August 2023
- Town Street repair tender to be advertised by end of this week.

Capital Projects Update

- Kowanyama Subdivision: (to be reported by OM Corporate Governance)
- Cyclone Vault: project on hold (to be reported by OM Corporate Governance)
- ICCIP Waste, Water and Solid project (Ongoing 95% complete)
- Remote Housing Lot 306 and Lot 344 (90 % complete)
- Essential Services Shed (work commencing 15% complete)
- Splash Park/kiddies waddling pool (concrete pad complete, awaiting fittings to complete project)
- Workshop compound (vehicle storage ongoing 70% complete)
- Magnificent Creek stabilization project (surveyor in community) Planning phase
- Airport Fuel Farm and PAAL Lighting Project (Brad Pinches has been engaged as project manager)
- Gas storage (90% complete)

Essential Services Report:

- Regional issued Job Cards have been completed and or materials ordered to complete once stock arrives in town.
- Water Wastage has been investigated around town and numerous unreported water leaks have been repaired in community yards
- Regulatory monthly reporting to Government departments completed
- Community events requiring infrastructure repairs have been undertaken
- Oriners site visit was undertaken to collate works to be performed

Roads and Workshop report.

- The road crew have completed 7km of heavy formation on Shelfo Rd on the unsealed dirt sections to improve road access to the Mitchell River crossing and Pormpuraaw Rd.
- The Sandy Creek bank stabilisation project has 50% completion with the remaining side to be completed under reconstruction works later this year on Shelfo Rd.
- The Mitchell River crossing was also cleaned out again by Smokey to allow access to community for the rodeo weekend.
- The gravel tender has been completed awaiting council approval with road train deliveries of gravel expected in the week beginning 21st August 2023.
- The road crew has spent extensive time this month sweeping and cleaning the town streets in preparation of the release of the town streets tender for pavement works in the community and on the Kowanyama to Dunbar sealed section.
- The road crew has assisted the Rodeo event held in community with the loader, grader and work crew assisting in the set up of the weekend event and Vandy Beasley assisting with a water truck.
- The road crew has also assisted the school with the installation of a long jump pit for the upcoming sports day with plant & equipment and supplying sand.

Building Services report.

- Men's Shed Fencing – All materials bar 2 x gates has been ordered
- Urgent 'make safe' fencing done at Airport Monday 14 August 2023, and Barto's will attend to either finishing or quoting on works to have it properly repaired asap.
- Back log of portal jobcards due to Housing and QBuild doing their quarterly visit for R & M (repairs & maintenance reviews) – Nekayla & Yvonne getting through them and issuing out for actioning
- Waiting on Vacant Maintenance job cards for 431 Kowanyama St (Transitional property) – once received, Barto's will complete this then move tenants from 417 Kowanyama st in so they can do the upgrade there.
- Waiting on Housing for several other property movements (409 Arwin Amay, 332 Karrenganang St, 129 Inatawangk st, 262B Pindi st)
- Barto's have started paint works at 259 Pindi st and should be completed in 6 weeks
- Contractor Invoices up to date
- 9 x Tenders with QBuild awaiting approval.

Airport report:

Monthly totals for aircraft are as follows (Approximate).

- RPTs – 35 Scheduled Services
- Turnarounds – 35
- Freighters – 8, CEQ and Education Department
- Charters – approx – 40 - 50
- RFDS Evacs – 13
- RFDS Clinic – 8
- Refuels – average per week 9

5.3.2.a – Kowanyama-based Mechanical Tender

Title:	Tender – KASC-2023-009
Author:	Executive Manager – Roads, Infrastructure & Essential Services
Meeting Date:	23 August 2023

Recommendation: That Council resolve to award Tender KASC-2023-009 (Kowanyama-based Mechanical Services) to BDS Mechanical Repairs Pty Ltd (ABN 53 155 968 899) for a period of two (2) years, with an additional year possible at Council's discretion, and enter into a license agreement with the successful tenderer of the Mechanics Workshop (being part of lot 76 and 77 on SP272069), and delegate power and authority to the Chief Executive Officer to do all things necessary to bring effect to these arrangements and to pay invoices thereunder.

Summary:

Scope of Works

The scope of works anticipated by KASC-2023-009 (Kowanyama-based Mechanical Services) will be inclusive of provision of the following goods and/or services by the successful tenderer, namely:

- Routine log-book service – scheduled service based on logbook service hours. Hours in addition to standard logbook hours only to be completed with prior permission of Manager of Works. Breakdown service- price to include hourly rate to complete urgent work.
- Breakdown repairs - required to be assessed within 24 hours following notification by Manager of Works. Travel to site and/ or call out fee to be specified if applicable.
- Reporting - the Contractor is to provide feedback and reports to the Manager of Works such as any addition repairs identified during routine servicing, deficiencies in daily maintenance by Kowanyama employees and any future corrective action that is required.
- Genuine Parts- Genuine parts are generally to be used. Non genuine parts only to be used if authorised by Manager of Works. Only parts used on Kowanyama plant and equipment at the time of servicing will be paid for on service invoice.

Categories of plant and equipment shall include:

Small Plant & Mechanical Services	Mechanic will have the ability to understand small plant, vehicle electrical systems, engine, hydraulic including brakes, transmission, differentials, and all other moving parts. Examples would be generators, mowers, brush cutters, ATVs, and buggies.
Light Vehicle Mechanical Services	Light vehicle mechanics must understand the light vehicles electrical system, engine, hydraulics, and all its working parts. Experience in light Fleet Vehicle including Cars, Utes, Small buses, trailers & light trucks.
Heavy Diesel Mechanical Services	Heavy Diesel mechanics must understand the vehicles electrical system, engine, hydraulics, and all its working parts. Experience in buses, large trucks, loaders, dump trucks, cranes, skid steers, grader, dozers, and rollers.

To facilitate the works, Council is providing a license of its Mechanics Workshop depicted below:

Map 1 – Mechanic's Workshop – Part of Lots 76 (Workshop)/ 77 (Heavy Plant Workshop) on SP272069 (licence area as highlighted)

Tender

The Tender was first advertised on Friday 7 July 2023 and closed on Friday 11 August 2023, following two (2) notified extensions of one week, respectively from the original close date of Friday 28 July 2023.

The following tenders were received by the close date:

- M&J S Haulage
- BDS Mechanical
- Hayden Shorey Contracting
- Northern Remote Contracting

Each Tender was assessed against the following criteria:

	Criteria	Weighting (%)
Evaluation criteria:	Price	40%
	Service commitments	30%
	Technical expertise and previous experience	20%
	Health, safety and environmental requirements	10%

The Tender Evaluation Panel consisted of:

- Temba Lama, EMRIS (Chair)
- Alex Barker, Project Manager
- Danae Maltby, Governance Officer

The Tender Evaluation Panel scored the tenders as follows:

Tenderer	Price (40%)	Previous Experience (20%)	Service Commitments (30%)	WHS (10%)	TOTAL (100%)
M&J S Haulage	19.33	7.67	15.00	4.00	46.00
BDS Mechanical	**28.00**	**15.33**	**23.50**	**6.50**	**73.33**
Northern Remote Contracting	20.00	7.00	13.50	4.83	45.33
Hayden Shorey Contracting	24.00	16.67	19.00	8.00	67.67

BDS Mechanical is the preferred Tenderer for the following reasons:

It is the highest scoring tenderer and appears to provide value for money

It appears to have the necessary resources to provide at least 2 full time mechanics at the workshop plus additional mechanics if required during peak times as it has a good network across Queensland to lean on

It already has similar experience and good track record at Doomadgee and Mornington Island Councils

Recommendation: That Council resolve to award Tender KASC-2023-009 (Kowanyama-based Mechanical Services) to BDS Mechanical Repairs Pty Ltd (ABN 53 155 968 899) for a period of two (2) years, with an additional year possible at Council's discretion, and enter into a license agreement with the successful tenderer of the Mechanics Workshop (being part of lot 76 and 77 on SP272069), and delegate power and authority to the Chief Executive Officer to do all things necessary to bring effect to these arrangements and to pay invoices thereunder.

Attachments:

5.4.1 – EMCS&HS Update

Title:	EMCS&CH Monthly Update
Author:	Executive Manager Community Services & Cultural Heritage
Meeting Date:	23 August 2023

1.1. Executive Summary

- Implementation & development of program of works for Deadly Choices Partnership (see attached)
- Local Thriving Communities (LTC) engagement and interview Council of Elders
- Community NAIDOC/Deadly Choices & ABF Launch
- Mandatory reporting for both State & Federal Programmes completed.
- Arthur Beetson Event Planning Ongoing
- Women's Shelter Assessment Audit Ongoing in partnership with Queensland Council of Social Service (QCOSS)
- Child Care Financial Operational Analytical Tool (FOAT)has been finalised & workshopped between Federal and State Governments (Education)
- Stakeholder and departmental engagements/meetings
- General vacancies, Post Office Assistant Manager, Post Office Assistant/Mail Sorter, Radio Announcer
- Interviews conducted for Community Services Manager
- Review of Local Disaster Management Plan & Sub Plans

1.2. Aged care and disability services

Monthly aged care compliance report to	Kevin Bell, Ani Seruvatu
Reporting period	01/07/2023 – 30/07/2023
Report date	20/07/2023
Report from	Kaylie Clarke
Monthly aged care compliance report to	Kevin Bell, Ani Seruvatu

Summary of client status over the past month Reporting item	Number	Comment
HCP Clients	16	Level 1: Level 2: 10 Level 3: 5 Level 4: 1
New HCP Clients	0	Level 1: Level 2: 1 Level 3: Level 4:
HCP Enquires	2	1 Current CHSP, 0 Current HCP
Assessment Referrals/reassessment	1	Level 1: Level 2: 10 Level 3: 5 Level 4: 1

Summary of CHSP client status and activity Reporting item	Number	Comment
Number of clients	33	
Number of new clients	0	
Clients on waiting list	0	
No. of clients transitioned to HCP	0	

CHSP Hours	Monthly target	Hours delivered	Comment
Social support group	548	207	Over delivering
Domestic assistance	78	86	
Social support individual	142	148	
Personal care	57	8	
Home maintenance	40	71	
Flexible respite	47	0	
Meals	168	620	Over delivering
Transport	56	258	Over delivering

Aged care legislative compliance status report Compliance requirement	Number of clients	Overdue	Action taken
Charter of aged care rights explained	52	7	
Signed aged care agreements	52	8	
Signed aged care plans	52	36	Ongoing care planning with clients
Advanced Health Directives completed (HCP clients only)	18	20	Ongoing care planning with clients

1.3. Training – July 2023

- 10/06/2023 Food advisory support unit
- 12/06/2023 Aged care prudential regulator
- 12/06/2023 Tafe Food Safety Supervisor Certificate (12-15/06/2023)

Training to be completed:

- Cert III individual Support Ageing: Three staff applied for an extension to complete in 2023, awaiting outcome for Tafe.
- Medication training to commence once Cert III has been complete by the three staff above.
- Palliative care training and personal care to be organised.

1.4. Complaints / feedback

Feedback/complaints management Complaints	Total No	Type of incident	Feedback/complaints management Complaints

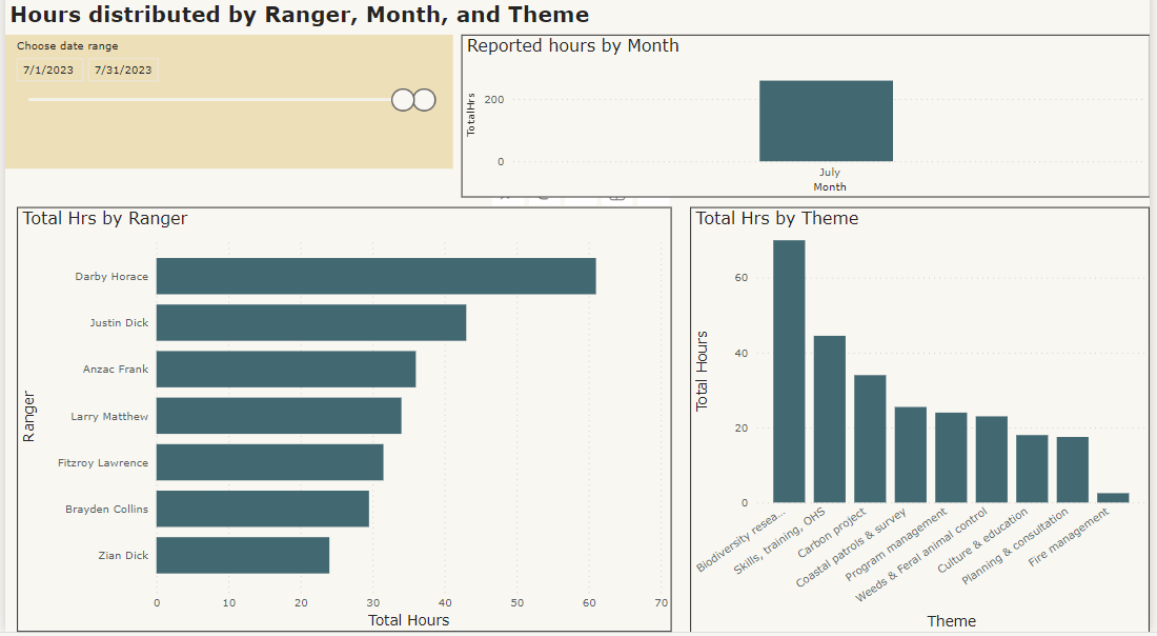
1.5. Women's services

- Women's Shelter staff have provided support to 8 clients this reporting period.
- Women's services staff have been assisting with stakeholder engagements and program coordination.

1.6. Sports and Recreation/Youth Engagement

- Kowanyama Futsal team compete in Cairns Yidinji Futsal Tournament in Cairns in July 2023
- Support KSS with Physical Education and Recreational lessons
- Support Kowanyama Men's Rugby League
- Volleyball Tournament competition has commenced.

1.7. Lands Office



- The above table is a description of the tasks completed by KASC Rangers
- Rangers test drive of marine vessel with officers from the Department of Fisheries and Agriculture
- Rangers undertook New Turtle App training in Pormpuraaw.
- Biosecurity work and collaboration with PBC rangers
- Tree Trimming ongoing within the township.

1.8. Centrelink

Assisting customers MyGov:	195	Assist customer on computer (SST):	35
Centrelink:	65	Assist customer to upload documents:	8
Medicare:	5	Assist customer using silver service:	33
Child Support:	4	Assist customer with faxing:	6
Register customer for MyGov:	6	Assist customer to confirm identity:	3
Register customer for a Linking Codes:	5	Assist customer to complete forms:	7
Assist customer with MyGov website:	4	Assist by providing forms/publications:	5
Assist customer on their own device:	7	Refer customer to Services Australia:	53
Customer Duration 30mins – 60mins:	9	Customer Duration 5mins 30mins:	223

1.9. Night Patrol Overview

Night Patrol continues to assist with diversion of possible youth crime/vandalism with several young people diverted away from Council and stakeholders' infrastructure and property.

1.10. Men's Services Overview

Men's Services programme to be reviewed to support and address complex issues that impact local men and youth of Kowanyama.