Kowanyama Aboriginal Shire Council

Council Meeting Agenda

Tuesday, 29 October 2024, 10:00 AM – 3:00pm

Kowanyama Chambers and Cairns Boardroom

1. Welcome
2. Apologies / Conflict of Interest
3. a. Minutes from the Previous Meeting (September OM 2024)

   b. Action Items
4. Reports

   4.1. Councillor Portfolio Updates

   4.2. Chief Executive Officer

   4.2.1. Information Report: Monthly Update

   4.2.2. Agenda Reports

   a. 2025 Council Meeting Dates

   b. Council Contractor Rent Reduction – **LATE REPORT**

   4.3. Executive Manager Corporate and Financial Services

   4.3.1. Information Report: Monthly Update

   a. Governance

   b. Finance Report

   c. Hr Report

   4.3.2. Agenda Reports

   a. Policy and Procedures

   4.4. Executive Manager Roads, Infrastructure and Essential Services

   4.4.1. Information Report: Monthly Update – **LATE REPORT**

   4.4.2. Agenda Reports - NIL

   4.5. Executive Manager Community Services

   4.5.1. Information Report: Monthly Update

   4.5.2. Agenda Reports

   a. RFQ – Long Day Care Provider – **LATE REPORT**
5. Other Business
6. Closed Business

   6.1. Rates Concession

Kowanyama Aboriginal Shire Council

September Council Meeting Minutes

24 September 2024, 10:15AM – 11:40AM

Kowanyama Chambers and Cairns Boardroom

Table of Contents

Present

Kowanyama Boardroom	Cr. Charmaine Lawrence Cr. Territa Dick Cr. Teddy Bernard Cr. Coralie Lawrence Kevin Bell - Chief Executive Officer Leah Chambers - Acting Executive Manager Community Services
Cairns Boardroom	Cr. Richard Stafford Danae Maltby - Governance Officer
Remote (via teams)	Rob Jaggar - Acting Executive Manager Roads, Infrastructure and Essential Services (A/EMRIES) Joe Cristaldi - Executive Manager Corporate Services and Finance (EMCSF)

1. Opening/Welcome

Meeting commenced at 10:15AM.

Mayor Territa Dick welcomed the Councillors and Executive Team to the September Council Meeting and paid respects to Traditional Owners and Elders (past and present).

Apologies

RESOLUTION: Cr Charmaine Lawrence

That Council accepts the apologies of Cr. Charmaine Lawrence

Moved: Cr. Teddy Bernard
Seconded: Cr. Coralie Lawrence

CARRIED

2. Declarable Conflicts of Interest

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

CARRIED

3. Previous Minutes / Action Items

a. **Previous Minutes**

RESOLUTION: Minutes (August Ordinary Council Meeting)

Minutes from the June Ordinary Council Meeting 27 August 2024 to be adopted as true and accurate.

Moved: Cr. Coralie Lawrence
Seconded: Cr. Teddy Bernard

CARRIED

b. **Action Items**

Action Items register was noted and tabled.

Cr. Teddy Bernard left the meeting at 10:20am and returned to meeting at 10:23am.

Cr. Richard Stratford arrived at 10:30am to the Cairns Boardroom for meeting

4. Reports

4.1. Mayor, Deputy, and Councillor Updates – VERBAL UPDATE

Cr. Territa Dick provided verbal update on Councillor activities for August – September. Information was noted by Council.

4.2. Chief Executive Officer

4.2.1. Information Report – Verbal update

Kevin Bell (CEO) provided verbal CEO information report to Council. Information report was noted by Council.

4.2.2. Information Report – Neighbourhood Centre

Kevin Bell (CEO) and John Brisbane (JB) presented Ranger Program Strategic Report to Council. Report was noted by Council.

4.3. Executive Manager Corporate Services and Finance

4.3.1. Information Report

a. **Governance Information Report**

Danae Maltby (Governance Officer) presented the Governance report to Council. Information report was noted by Council.

b. **Finance Information Report**

Joe Cristaldi (EMCSF) presented the Finance report to Council. Information report was noted by Council

c. **Human Resources Information Report**

Joe Cristaldi (EMCSF) presented the HR report to Council. Information report was noted by Council.

Cr. Teddy Bernard declared a prescribed COI in agenda report 4.3.2.a Disestablishment of Committee and left the meeting at 11:6am. Cr. Bernard is a member of the OSEF Committee.

4.3.2. Agenda Report – Disestablishment of Committee

RESOLUTION: Pursuant to section 265 of the Local Government Regulation 2012 (Qld), Council resolve to wind up/disestablish the Oriners and Sefton Advisory Committee, effective immediately.

Moved: Cr. Coralie Lawrence
Seconded: Cr. Territa Dick

CARRIED

Cr. Teddy Bernard returned to the meeting at 11:11am.

4.4. Executive Manager Roads, Infrastructure and Essential Services

4.4.1. Information Report

Rob Jaggar, (A/EMRIES) presented EMRIES Information report to Council. Information report was noted by Council.

Cr. Territa Dick left the meeting at 11:16am and returned to meeting at 11:20am

4.4.2. Agenda Report – Subdivision 1B Variation

RESOLUTION: That Council resolves to approve a $245,406.41 (GST Excl) variation to the Stage 1B Contract Price (awarded at the November 2023 Ordinary Meeting) with Gulf Civil Pty Ltd (ABN 30 636 014 714) and delegates authority to the Chief Executive Officer to vary and approve contracts and pay invoices as and when due.

Moved: Cr. Teddy Bernard
Seconded: Cr. Coralie Lawrence

CARRIED
In favour: 3
Not in Favour: 1

Action item: A/EMRIES to provide previous quotes for variation 2 and 3 to Councillors.

4.5. Executive Manager Community Services and Cultural Heritage

4.5.1. Information Report

Leah Chambers, A/EMCS&CH presented EMCS&CH information report to Council. Information report was noted by Council.

5. Other Business

Nil

Meeting Closed: 11:40AM

KASC ACTION ITEMS REGISTER

Meeting Type	Day / Origin	Month	Year	Subject	Action Item	Lead Officer	Current Progress	Current Status	Target Date for Completion
Council Meeting	19	January	2021	First Aid	EMHR - require more defibrillators available across all work places	EMCFS	**Mar-2024:** Met with LMS - provided overview of current services and capabilities can offer. Potential for new HR recruitment to have WHS capabilities. Governance have been undertaking quotes for WHS Training, Evacuation Training, updated evac plans and diagrams. CEO discuss with current Paramedic to provide First Aid training to nominated staff. Governance seek quote/proposal from CRANAPlus. **May 2024**: Looking to discuss training options with QAS and identifying First Officer requirements. **June 2024:** QAS officer will be departing community and Council are currently exploring replacement options. **September 2024:** EMCSCH working through CPR and First Aid. Follow-up with HR regarding defib's and mounting as appropriate. **Oct 2024**: Still a work in progress - delegated to WHS Officer	In progress	
Council Meeting	22	February	2023	Planning Scheme	AMG to ensure new Planning Scheme consider new cemetery area	EMCFS	**Jan 2024:** No further updates **Feb 2024:** No further updates **Mar 2024:** No further updates **May 2024:** No further updates **Jun 2024:** No further updates **Sep 2024:** No further updates **Oct 2024**: No further updates	In progress	
Council Meeting	30	May	2024	Vehicles	EMRIES to draft letter to residents re: vehicles on roads or in yards.	EMRIES	**August 2024:** RJ met with EM Community Services, ES Manager including Department of Housing to agree on a strategy and alternative processes to remove the car bodies. **Sep 2024**: EMRIES to do a report to CEO with recommendation on process moving forward. Report will incoroprate Risks and WH&S concerns as well as financial implications. **Oct 2024**: Continuing works to get this done	In progress	
Council Meeting	27	June	2024	RISE	CEO to contact RISE Ventures for an update on training / works that have been completed for the Kowanyama Community.	CEO	**August 2024:** Update to be provided in August OM **Sep 2024:** Once RISE CEO is appointed. Meeting will be scheduled. **Oct 2024**: Meeting will be scheduled for November.	In progress	
Council Meeting	30	July	2024	RISE	CEO to organise meeting with RISE and Councillors re: employment	CEO	**August 2024:** Update to be provided in August OM **Sep 2024:** Once RISE CEO is appointed. Meeting will be scheduled. **Oct 2024**: Meeting will be scheduled for November.	In progress	
Council Meeting	30	July	2024	RISE	RISE MOU with Council to be provided to Councillors for clarity on commitments, roles and responsibilities	CEO	**August 2024:** Update to be provided in August OM **Sep 2024:** Once RISE CEO is appointed. Meeting will be scheduled. **Oct 2024**: Meeting will be scheduled for November.	In progress	
Council Meeting	27	Aug	2024	Community Safety Plan	Council supports the review of the Community Safety Plan in 2024/25 and gives direction to the Chief Executive Officer to progress.	CEO	**Sep 2024:** EMCSCH to start work on Safety Plan Review **Oct 2024**: Work in Progress, to be presented at December Ordinary Meeting	In progress	

Council Meeting	27	Aug	2024	Cattle Company	CEO to obtain further and better particulars re income and expenditure of the liquidator for the Kowanyama Cattle Company Pty Ltd.	CEO	**Sep 2024:** AMG to follow up with PwC to gain further breakdown of Financials. **Oct 2024**: Continue to be a WIP	In progress	

4.2.2.a –Meeting Dates

Title:	2025 Council Meeting Dates
Author:	Chief Executive Officer
Meeting Date:	29 October 2024

Resolution: That Council approve dates for the 2025 Council Meetings.

Summary

Tuesday 28 January 2025	10.00am – 5.00pm
Tuesday 25 February 2025	10.00am – 5.00pm
Tuesday 25 March 2025	10.00am – 5.00pm
Tuesday 22 April 2025	10.00am – 5.00pm
Tuesday 27 May 2025	10.00am – 5.00pm
Tuesday 24 June 2025	10.00am – 5.00pm
Tuesday 22 July 2025	10.00am – 5.00pm
Tuesday 26 August 2025	10.00am – 5.00pm
Tuesday 23 September 2025	10.00am – 5.00pm
Tuesday 28 October 2025	10.00am – 5.00pm
Tuesday 25 November 2025	10.00am – 5.00pm
Tuesday 16 December 2025	10.00am – 5.00pm

Resolution: That Council approve dates for the 2025 Council Meetings.

4.3.1.a - Governance Update

Title:	Governance Monthly Update
Author:	Acting Manager Governance
Meeting Date:	29 October 2024

Key Items

2024/25 Q1 Annual Operational Plan - Updates

Q1 Annual Operational Plan updates for 01 July 2024 to 30 September 2024 are completed and **attached**.

Carbon Farming

44,242 2023 vintage ACCUs sold on 10 October 2024 for $51.26 per ACCU ($2,267,844.92). Monies confirmed as received. 2024 vintage ACCUs are assessed after 31 December 2024 for the 2024 calendar year.

Planning Scheme

No further updates – status remains as:
It is understood that $12M has been made available in the Qld State budget for Planning Scheme renewals in discrete Indigenous communities, to be facilitated by TCICA. Awaiting communications from TCICA.

Lot 98/81 Subdivision

Stage 1A

Practical Completion has been signed off in September 2024 by the Superintendent.

Stage 1B

Expected Practical Completion on 14 November 2024.

Annual Report 2023/24

Drafting complete and now with the graphic designer. Endorsement at the November OM. Draft to be forwarded to Councillors prior to the Nov OM for comment.

Kowanyama Cattle Company Pty Ltd Liquidation

Request for further and better particulars of liquidation expenses forwarded to the former liquidator per Council actions. Awaiting response.

Food Licensing Inspections

Tropical Public Health Services have undertaken an independent review of Food Licensed premises in Kowanyama. Reporting has been provided to all vendors and further inspections will occur randomly in the future to ensure compliance.

Workshop Licence

The BDS Workshop licence has been renewed for a further 12-month option (1 Oct 2024 – 30 Sept 2025) as per the 2023 tender.

QMAN Sand Allocation

The QMAN Sand Allocation for Mitchell River (Shelfo) expires 31 October 2024. Due to legislative requirements, any renewal is likely to trigger expensive development and native title approvals. As a mitigation, all sand will be delivered under CHC Batching Plant contract from 1 November 2024, sourced from outside the LGA.

Business Continuity Plans

Council's Business Continuity Plans have been completed and submitted to the 29 October Audit & Risk Committee Meeting for endorsement / recommendation to November Ordinary Meeting.

Next Audit and Risk Committee Meeting

29 October 2024.

Next Technical Working Group

11 December 2024.

Councillor Registers of Interest

Do you need to update your Register of Interest to include changes in your circumstances? Please request a form from your Governance Team.

Attachment: Q1 Annual Operational Plan – Updates

ANNUAL OPERATIONAL PLAN PROGRESS REPORT - Q1 FY 2024- 2025 (1 July 2024 - 30 September 2024)

Office of the CEO

CEO Office				Q1 % Complete	Q2 % Complete	Q3 % Complete	Q4 % Complete	Progress comments
Project	**Section**	**Objective**	**Performance Measures**					
Corporate Plan	CEO Office Governance	Council has reviewed and refreshed the 2024 – 2029 Corporate Plan by 31 December 2024	Councillor update session Councillor Community Consultation Adopted refreshed Coporprate Plan	100% 0% 25%				
Carbon Abatement Project	CEO Office	Council Continues Abatement	Council maintains compliance obligations with clean energy regulations Budget compliance	100% 25%				
Cattle Company	CEO Office	Council continues to destock and sell its cattle across both PICs	Council maintains compliance obligations with LPA Budget compliance Explore mutually beneficial partnerships	100% 25% 25%				
Long-term Strategic Infrastructure Projects	CEO Office	Council has a capital prioritisation strategy and program for new assets that are funded by grants opportunities	Develop Strategy Develop a List of Assets Reference Asset Management Plans Apply Strategy	25% 50% 25% 25%				
Oriners & Sefton Advisory Committee	CEO Office	Council has an active and productive committee that provides guidance for operations at Oriners and Sefton Stations	Hold meetings in accordance with the Terms of Reference Undertake annual review of Terms of Reference (and membership) Native Title	Review Review Completed				
Trustee Advisory Committee	CEO Office	Council has an active and productive committee that provides guidance for Trustee management of the Kowanyama DOGIT	Hold meetings in accordance with the Terms of Reference Undertake annual review of Terms of Reference (and membership)	25% 25%				
Council of Elders Advisory Committee	CEO Office	Council has an active and productive committee that provides guidance for community priority issues	Hold meetings in accordance with the Terms of Reference Undertake annual review of Terms of Reference (and membership)	25% 25%				
Grants Management Framework	CEO Office	Council has a framework in place to define when Council applies for grants, how that is communicated, how it will be managed, and Council's performance for all grants.	Develop framework Implement framework	25% 25%				

ANNUAL OPERATIONAL PLAN PROGRESS REPORT - Q1 FY 2024- 2025 (1 July 2024 - 30 September 2024)

Corporate Services & Finance

Corporate Services & Finance				Q1 % Complete	Q2 % Complete	Q3 % Complete	Q4 % Complete	Progress comments
Project	**Section**	**Objective**	**Performance Measures**					
Asset Management Plans	Finance EMRIES	Complete Council Wide Asset Management Plan	Initial Organisational Wide Asset Management Plan based on Asset Register	0%				to commence in QTR 2
			Water Sub-Plan	0%				
			Sewerage Sub-Plan	0%				
			Urban Roads Sub-Plan	0%				
			Buildings Sub-Plan	0%				
Asset Condition Assessments	Finance EMRIES	Council performs a condition assessment of three asset classes and revaluation.	Identify asset classes to be revalued and the frequency	20%				Revaluation of Roads asset class currently being finalised with JLL (valuer)
			Select a valuer	20%				
			Plan and conduct full revaluation of asset classes requiring full revaluation prior to 30 June 2025	0%				
Finance System	Finance	Identify alternate Finance System to align with Council requirements	Define system requirements to meet Council needs	0%				to commence in QTR 2
			Investigate software/system options available	0%				
			Select system	0%				
			Develop an implementation plan	0%				
			Implement System and "Go Live	0%				
Electronic Payroll and HR System	Human Resources	Identify and implement a new payroll and HR system to align with Council requirements, enhancing efficiency, accuracy, compliance, data management, and employee experience throughout the employee lifecycle.	Investigate and Select System	90%				
			Develop and finalise an implementation plan including user training program	20%				
			Implement System within agreed timeframe	0%				
			Go Live	0%				
Employee Retention Strategy	Human Resources	Develop strategy to reduce employee turnover, prevent attrition, increase retention and employee engagement	Review of Council's recruitment and induction processes	0%				
			Develop and implement Employee Award Program	0%				
			Review of Staff Housing entitlements	0%				
Education (15-18 years)	Human Resources	School based Apprenticeship & Traineeship Program	Develop Apprenticeship Traineeship program for 15 – 18-year-old students	0%				
			Develop post-school support for student who do not complete program while at school.	0%				
WH&S	Human Resources	Workplace Health & Safety Framework	Develop and implement a Workplace Health & Safety framework	5%				New Appointment of WH&S Officer - commenced in September 2024.
			Monitor and review framework (6-12 month ongoing cycle)	0%				
Community WIFI	Information, Communications & Technology	Implementation of Community WiFi	Research and identify suitable grants for community WiFi projects.	100%				
			Identify Strategic WiFi locations around community	100%				
			Implement Community WiFi	0%				
			Utilise as possible extra network carrier for Council	0%				
			Measure community satisfaction and utilisation of the Community WiFi service.	0%				
Indigenous Knowledge Centre	Information, Communications & Technology	To investigate the feasibility of establishing an Indigenous Knowledge Centre coordinator and associated facility in conjunction with the state library and 12 other indigenous shire councils.	Complete feasibility report.	50%				Grant through state Library - estimated $60k building renovation "$240k Content and digital platform
Website Review	Information, Communications & Technology	All information on the website is accurate and current	Review of Current Information	50%				
			Gap report produced	50%				
			Website review to focus on community involvement/participation.	50%				

ANNUAL OPERATIONAL PLAN PROGRESS REPORT - Q1 FY 2024- 2025 (1 July 2024 - 30 September 2024)

CCTV (Community Safety Plan)	Information, Communications & Technology	Implement and maintain an expanded CCTV platform, in line with Community Safety Plan and Current CCTV Policy	Carryout audit and provide recommendations Implement CCTV in accordance with Safety Plan Review to ensure compliance obligations are met	70% 0% 0%				
Records Management Disposal Strategy	Information, Communications & Technology	Council has a working disposal program implemented for records	Investigate strategies or outsourcing Develop plan Implement	50% 25% 0%				
ICT Policy review	Information, Communications & Technology	All ICT policies are current	Review of ICT Policies to identify gaps Review of current policies Implement all policies Digitise documents	75% 75% 50% 50%				
Cybersecurity and Fraud Training	Information, Communications & Technology	Conduct cybersecurity training for staff	Decrease likelihood of reported security incidents by providing a combination of online learning materials and group training exercises. Conduct follow-up assessments to measure knowledge retention and awareness improvement. Increase in the adoption of secure practices by staff members. Improve incident response time and minimize the impact of security breaches	10% 0% 0% 0%				IT Systems being implemented to carryout these assessmnets
SharePoint Redevelopment Project	Information, Communications & Technology	Restructure SharePoint and implement operational structure	Develop a new information architecture for SharePoint including a Roadmap Migration of all existing data and documents to the new structure. Document and communicate the naming conventions for SharePoint sites, libraries, and files. Train and educate staff on the new SharePoint structure and features.	50% 80% 10% 10%				
Network Hardware Replacement Refresh	Information, Communications & Technology	Replace outdated network switches	Identify and prioritize outdated network equipment for replacement. Develop plan Implement Undertake maintenance of the network hardware enclosures and battery backup systems	95% 100% 95% 50%				
Transition from Hybrid Active Directory to Modern 365 Cloud	Information, Communications & Technology	Transition to Microsoft 365 and Azure Entra ID cloud	Plan and execute the migration of onsite Active Directory, email and collaboration services to Microsoft 365. Implement Azure Active Directory Entra ID for centralized user management. Implement Mobile Device Management Train and support staff where required	50% 50% 0% 0%				
New Planning Scheme	Governance	Council has a current planning scheme by 30 June 2024	Complete associated studies for the planning scheme Develop a new scheme Community consult process State approval Adopted planning scheme	0%				Awaiting confirmation from TCICA regarding est $12M Qld State Budget for Planning Scheme
State Compliance Checklist	Governance	Council is compliant with all compliance obligations per the States compliance checklist, which is defined by the Local Government Act and Regulation.	Review checklist Review and adopt all associated policies Compliance checklist is signed off by EMT	100% 100% 100%				Compliance check was completed August 2024. Council maintains its strong governance position.

ANNUAL OPERATIONAL PLAN PROGRESS REPORT - Q1 FY 2024- 2025 (1 July 2024 - 30 September 2024)

Roads, Infrastructure and Essential Services

Roads, Infrastructure and Essential Services				Q1 % Complete	Q2 % Complete	Q3 % Complete	Q4 % Complete	Progress comments
Project	**Section**	**Objective**	**Performance Measures**					
Fleet Replacement Program	EMRIES	Council has a program to replace its fleet with a prioritisation strategy	Audit of all fleet is complete. Programmed maintenance and cyclical replacement strategy Appropriate priority vehicles purchased					
Council Building renewal program	Building Management	Council has a program of capital renewal for council buildings based on the Asset management Plan	Each function of Council has been reviewed Life cycle planning Cyclical maintenance program in place					
Community Housing	Building Management	Responsible management of repairs, maintenance and upgrades of existing assets, compliance with regulator requirements and undertaking of works in line with contracts	Receive, allocate and program works within nominated QBuild contract timeframes Timely completion of internal works Utilisation of local workforce Revenue in line with agreed profit margins					
ICCIP Water, Waste & Solid	Essential Services	Capital works are complete for upgrades of Potable water, Wastewater, and Hard waste	Potable water infrastructure maintained, and continuous service maintained Wastewater / sewerage maintained, and continuous service maintained Hard waste facility development capital projects complete on time & on budget;					
Recovery works	Roads	Funded recovery and betterment works are completed within QRA timelines for registered events	Project scoped, funding sourced and works complete. Projects completed within budget. Projects completed within QRA and grant funding timelines					
Drinking Water Improvements	Essential Services	To continue to meet the current QLD drinking water standards.	Implement suggested improvements per recent audit. Monitor and maintain drinking water standards through cyclical internal audit					
Airport Infrastructure	EMRIES	Ensure all airport infrastructure conforms to CASA requirements including fuel farm, runway, and PAL system. Upgrade apron, taxiway, and runway	Audits undertaken with suggested improvements implemented. Funds secured, resilient design and upgrade projects substantially complete, within available funds					
Town Streets	Roads	To Improve resilience of town streets with long term benefits	Complete Streets Upgrade and Resilience Design package Complete betterment and reconstructions in critical damaged areas					

ANNUAL OPERATIONAL PLAN PROGRESS REPORT - Q1 FY 2024- 2025 (1 July 2024 - 30 September 2024)

Community Services and Cultural Heritage

Community Services and Cultural Heritage				Q1 % Complete	Q2 % Complete	Q3 % Complete	Q4 % Complete	Progress comments
Project	**Section**	**Objective**	**Performance Measures**					
Community Safety Plan	EMCS	Council's Community Safety Plan is implemented within the restraints of financial resources	Recommended improvements -have been implemented	75%				Majority of plan has been implemented to date
			Youth diversion program is implemented	0%				No progress to date
			Implement programs for capacity building – Community and Employees	0%				No progress to date
Land and Cultural Protection	Land & Sea	Land and Cultural Protection is compliant and maintained the standard of service	Biosecurity Plan is developed and	75%				Plan is currently in draft form. Community Survey is underway
			Biosecurity Plan is adopted	0%				Awaiting development of plan
			Cultural activities are conducted	25%				Activities conducted as per usual business
0 – 5 Education	EMCS	Council fosters the development of education for children 0-5 years	Development of an early year's program	10%				Programming for the new facility has commenced. Continuation of existing programs still occuring as per usual
			Implement program	0%				New program will commence in January 2025
Sport and Recreation Events	Sport & Recreation	Council delivers programs and events to increase participation in activities	Annual sporting calendar of events is developed and implemented	10%				Futsal competition arranged. Commencing next quarter
			Annual swimming pool program is developed and implemented	25%				Swimming pool operating as per requirements
Aged Care Compliance	Aged Care NDIS	Council maintains an aged care compliant service	Council maintains compliance with the federal government aged care standards	25%				Aged Care Standards adhered to and complied with
			Any improvements identified are implemented	25%				Improvements implemented as required
Containers for Change	EMCS Waste	Have Containers for Change operating in Kowanyama	Development of Infrastructure completed	0%				No contact received from supplier
			Implement program	0%				No progress to date
Community Engagement / Events	EMCS CEO	Proactive engagement of community events to encourage community participation, support celebration of culture.	Development of an events calendar for FY-2025	50%				Calendar completed to end December 2024
			Implementation of events calendar programs	40%				Events held as per calendar
			Community radio station operational	0%				New staff member recently employed
			Centrelink office relocated	0%				No progress to date
			Post Office banking service	0%				No progress to date
			Business / financial literacy training program to be developed and delivered through iCAN	0%				No progress to date
Women's Services	EMCS	Council maintains a Women's, compliant service	Women's Group activities are conducted monthly	25%				Monthly meetings conducted to date
			Funding sought for Women's Shelter upgrades	0%				No progress to date

4.3.1.b - Finance Update

Title:	Finance Information Report
Author:	Executive Manager Corporate and Financial Services
Meeting Date:	29 October 2024

Key Items

Financial Report September 2024

The monthly Finance report for the month of September 2024 has been prepared as at **Attachment 1**

- Key points from the September 2024 YTD report are as follows:
  - net operating result (before depreciation) is a $2,616K profit, which is $1,190K worse than budget
  - actual net operating income is $8,522K which is $2,523K worse than budget
  - actual operating expenditure is $5,907K which is $1,333K better than budget
  - Net profit/(loss) (after depreciation) is $9K profit, which is $1,277K worse than budget
  - Untied Cash Funds balance is $15,254K

Recommendation:

That Council note the:

- Monthly Financial Report –September 2024

Attachment 1:

- Monthly Financial Report - September 2024

Kowanyama Aboriginal Shire Council

Financial Report
September 2024

Financial Report September 2024

CONTENTS

(all results are in $)

Year to Date September 2024

Finance Summary

The YTD September 2024 financials show an actual operating profit of $9,442 compared to a budgeted profit of $1,286,624.

Favourable variances arose for General Purpose Grant revenue $177,782, Interest Received $125,125, Insurance Recoveries $25,000, Accommodation Revenue $94,937 & Wages $418,063 excluding Airport, Governance and General Council positions currently being filled by contractors.

The balance of the operating variance is mainly due to the timing of revenue and expenditure against budget phasing including Carbon Credit sales ($2,200,000), Heavy Plant recoveries ($300,000) and QBuild programs ($250,835).

Further details can be found in the Operating by Program section of this report.

Capital program works are progressing and all projects are within budget allocations.

Kowanyama Aboriginal Shire Council
Profit & Loss
Period ending - 30/09/2024

	Year to Date Actual	Year to Date Current Budget	Year to Date Variance to Current Budget	Full Year Current Budget
	$	$	$	$
Income				
Council Rates, Levies & Charge	612,322	610,000	2,322	610,000
Commissions & Fees Revenue	53,646	47,202	6,444	188,819
Aviation Landing Fees	91,898	75,000	16,898	300,000
Other Fees & Charges	0	1,248	(1,248)	5,000
Accommodation Revenue	366,461	271,524	94,937	1,086,100
Rental Income	261,727	242,499	19,228	970,000
Interest Received	248,623	123,498	125,125	494,000
Sale of Goods Revenue	603,239	319,997	283,242	1,174,913
Services Revenue	834,798	3,453,364	(2,618,566)	8,413,496
Aviation Fuel Revenue	104,847	124,998	(20,151)	500,000
Insurance Recoveries	25,000	0	25,000	0
Fuel Tax Credits	0	3,000	(3,000)	12,000
Other Income	97,769	60,624	37,145	242,500
Training Recoveries	25,000	25,000	0	100,000
State Government Grants - Operating	384,633	342,582	42,051	4,938,955
Commonwealth Government Grants - Operating	4,618,965	4,789,999	(171,034)	7,382,009
Internal Cost Recoveries - Sale of goods	81,790	146,247	(64,457)	585,000
Internal Cost Recoveries - Services	111,602	408,744	(297,142)	1,635,000
Total Income	**8,522,320**	**11,045,526**	**(2,523,206)**	**28,637,792**
Less Expenses				
Cost Of Goods Sold	505,117	409,842	(95,275)	1,639,385
Stock Adjustments & Stocktake variances	2,642	2,500	(142)	10,000
Wages - Permanent Staff	1,861,973	2,466,404	604,431	9,791,088
Superannuation	210,970	294,113	83,143	1,167,760
Recruitment & Relocation	15,187	34,998	19,811	140,000
Workers Compensation	46,826	57,248	10,422	229,045
Staff Education & Training	53,518	59,147	5,629	236,646
Training and Workcare Costs - recoverable	0	1,872	1,872	7,500
Employee Assistance Program	0	624	624	2,500
Audit Fees	23,100	26,091	2,991	104,375
Admin Expenses	0	3,250	3,250	13,000
Advertising Costs	2,633	8,870	6,237	35,500
Memberships & Subscriptions	20,724	26,019	5,295	104,137
Postage & Stationery	3,468	8,619	5,151	34,583
Staff Amenities	3,699	10,761	7,062	43,162
Hcp Purchased Goods	4,685	6,249	1,564	25,000
MV Expenses - Fuel	64,136	37,497	(26,639)	150,100
MV Expenses - Registration	1,320	3,282	1,962	13,145
R&M - MV Expenses	57,142	80,528	23,386	322,180
Plant Fuel & Oil Expenses	85	0	(85)	0
Plant Hire	72	132	60	535
Consultants	26,118	119,121	93,003	476,529
Contractors	1,168,689	1,535,514	366,825	5,682,150

Kowanyama Aboriginal Shire Council
Profit & Loss
Period ending - 30/09/2024

	Year to Date Actual	Year to Date Current Budget	Year to Date Variance to Current Budget	Full Year Current Budget
	$	$	$	$
Legal Expenses	4,845	28,750	23,905	115,000
Accountancy Fees	29,550	22,500	(7,050)	90,000
Computer, IT & Network	116,154	166,252	50,098	665,055
Telephone, Fax & Printers	61,006	68,781	7,775	275,231
Cleaning	12,237	13,380	1,143	53,667
Freight	68,078	62,797	(5,281)	189,828
Security	3,166	3,723	558	14,900
Catering	51,885	40,386	(11,499)	161,619
Donations	92,000	103,750	11,750	115,000
Safety Equipment	6,319	2,088	(4,231)	8,391
Protective Clothing/Uniforms	12,268	8,736	(3,532)	35,040
Consumables/Materials	154,856	183,134	28,278	657,709
Mobilisation & Demobilisation	0	1,728	1,728	6,919
Electricity	140,279	110,103	(30,176)	440,521
Small Tools, Equipment And Furniture	55,049	54,615	(434)	218,572
Portable & Attractive Assets	(0)	36,958	36,958	147,864
R&M - Roads & Infrastructure	0	4,704	4,704	18,818
R&M - Buildings	3,620	182,899	179,279	731,625
R&M - Plant & Equipment	135,636	116,494	(19,142)	466,048
R&M - Other	0	17,937	17,937	71,826
Travel Exps - Accommodation	39,408	34,720	(4,688)	108,955
Travel Exps - Airfares	74,747	74,605	(142)	238,458
Travel Exps - Car Hire/ Taxis/ Km'S	5,731	8,835	3,104	35,423
Travel Exps - Meals & Incident	20,822	38,629	17,807	154,583
Rent	37,811	34,401	(3,410)	137,623
ATM & Eftpos Fees, Bank Charges & Interest	8,787	11,499	2,712	46,000
Insurance	562,753	563,698	945	676,800
Bad Debts Written Off	650	0	(650)	0
Fees & Charges	5,400	528	(4,872)	2,143
Licences	4,749	1,713	(3,036)	6,874
Rates & Taxes	18,018	9,999	(8,019)	40,000
Internal Cost Charges - Sale of Goods & Services	108,829	119,692	10,863	397,050
Internal Cost Allocation - Wages	0	(81,249)	(81,249)	(325,000)
Net Operating Expense	**5,906,758**	**7,239,466**	**1,332,708**	**26,230,859**
Net Operating Profit / (Loss)	**2,615,562**	**3,806,060**	**(1,190,498)**	**2,406,932**
Depreciation	2,606,120	2,519,436	(86,684)	10,077,789
Net Profit / (Loss)	**9,442**	**1,286,624**	**(1,277,182)**	**(7,670,857)**

Kowanyama Aboriginal Shire Council

Year to Date September 2024

Net Operating Results by Program

Office of the CEO					
Program		**Actual YTD**	**Current Budget YTD**	**Variance to Current Budget**	**Full Year Current Budget**
Kowanyama Office	*Deficit*	($130,663)	($176,139)	$45,476	($700,506)
Councillor Costs	*Deficit*	($141,447)	($144,430)	$2,983	($574,640)
General Council	*Deficit*	($1,029,538)	($1,036,723)	$7,185	($4,390,797)
Arthur Beetson - Legends	*Deficit*	($173,920)	($195,000)	$21,080	($195,000)
KASC Events	*Surplus*	$0	($15,000)	$15,000	($60,000)
Carbon Farming	*Deficit*	($152,249)	$1,950,447	($2,102,696)	$2,847,537
Carbon Contra	*Surplus*	$0	$0	$0	$0
Cleaning Services	*Deficit*	($27,555)	($52,475)	$24,920	($208,424)
Accommodation Facilities	*Surplus*	$297,909	$90,999	$206,910	$366,916
TOTAL Office of the CEO	***Deficit***	**($1,357,462)**	**$421,679**	**($1,779,141)**	**($2,914,915)**

Corporate & Financial Services					
Program		**Actual YTD**	**Current Budget YTD**	**Variance to Current Budget**	**Full Year Current Budget**
Cairns Office & Finance	*Deficit*	($298,824)	($265,230)	($33,594)	($1,056,593)
Human Resources	*Deficit*	($97,246)	($225,700)	$128,454	($899,299)
Governance	*Deficit*	($119,652)	($135,350)	$15,698	($538,848)
Information, Communications & Technology	*Deficit*	($152,324)	($273,792)	$121,468	($1,092,505)
Purchase Store	*Deficit*	($84,204)	($118,169)	$33,965	($433,369)
Payroll Use Only	*Surplus*	$0	$0	$0	$0
Bakery	*Deficit*	($95)	$0	($95)	$0
Blue Cafe	*Deficit*	($6,704)	$0	($6,704)	$0
Kowanyama Cattle Co	*Surplus*	$9,382	$54,500	($45,118)	$112,913
FAGS - General Purpose	*Surplus*	$3,811,737	$3,647,000	$164,737	$3,647,000
Indigenous Councils Funding Program (Icfp)	*Surplus*	$0	$0	$0	$3,568,572
TOTAL Corporate & Financial Services	***Surplus***	**$3,062,070**	**$2,683,259**	**$378,811**	**$3,307,870**

Net Operating Results by Program

Community Services & Cultural Heritage					
Program		**Actual YTD**	**Current Budget YTD**	**Variance to Current Budget**	**Full Year Current Budget**
Untied Funding Programs					
Centrelink	*Surplus*	$16,835	$472	$16,363	$2,581
Community Bus	*Deficit*	($58)	($10,862)	$10,804	($43,196)
Mp Sport & Rec Facility	*Deficit*	($35,400)	($42,160)	$6,760	($167,955)
National Disability Insurance Scheme (Ndis)	*Surplus*	$7,105	$0	$7,105	$0
Post Office	*Deficit*	($20,360)	($47,530)	$27,170	($188,284)
NAIDOC	*Deficit*	($8,409)	($8,742)	$333	($35,000)
Hcp/Medicare Payments For Aged Care	*Surplus*	$124,074	$89,095	$34,979	$357,565
Meals On Wheels (MOW)	*Deficit*	($14,171)	($1,746)	($12,425)	($7,000)
Aged Care CHSP	*Surplus*	$71,058	($4,607)	$75,665	($16,691)
Aged Care Rent	*Surplus*	$2,415	$4,107	($1,692)	$16,430
Subtotal - Untied Funding Programs		**$143,087**	**($21,973)**	**$165,060**	**($81,550)**
Tied Funding Programs					
DFSV Enhancement	*Surplus*	$0	$0	$0	$0
IAS RIBS	*Deficit*	($1,514)	($10,880)	$9,366	($43,139)
Dept Of Emergency Services	*Deficit*	($4,959)	$0	($4,959)	$0
DETE Childcare	*Deficit*	($40,397)	($255)	($40,142)	$0
DETE Vacation Care	*Surplus*	$0	($18)	$18	($0)
Get Ready Queensland	*Deficit*	($150)	$450	($600)	$1,780
NIAA Kowanyama Playgroup	*Deficit*	($33,671)	($519)	($33,152)	($1,079)
IAS Sport & Rec	*Deficit*	($4,799)	($84)	($4,715)	$299
Deadly Active Sport & Rec Program	*Deficit*	($37,030)	($368)	($36,662)	($552)
Kowanyama Men'S Shed Operating Grant	*Surplus*	$8,278	($1,791)	$10,069	($7,194)
Doha Njcp 279	*Deficit*	($191,565)	($27,303)	($164,262)	($104,479)
Aged Care Qcss	*Surplus*	$18,285	$0	$18,285	$0
Qld Health Public Health	*Deficit*	($1,935)	($5,670)	$3,735	($22,000)
Womans Shelter	*Surplus*	$12,765	$83	$12,682	$2,512
Indigenous Rangers	*Deficit*	($239,348)	($35,710)	($203,638)	($137,449)
Women's Meeting Place Operating Grant	*Deficit*	($81,768)	($14,351)	($67,417)	($54,880)
Service Enhancement Dsdsatsip	*Deficit*	($12,229)	($1,490)	($10,739)	($5,784)
Community Night Patrol	*Surplus*	$114,551	$0	$114,551	$0
Ndia Community Connector Services	*Surplus*	$22,000	($7,083)	$29,083	($27,446)
Community Toolbox	*Surplus*	$0	($4,491)	$4,491	($17,964)
Daff - Indigenous Rangers Coastal Clean Up	*Surplus*	$0	$0	$0	$0
Queensland Community Support Scheme (Qcss)	*Surplus*	$52,972	$0	$52,972	$0
Local Decision Making Body (Ldmb)	*Deficit*	($15,854)	($13,272)	($2,582)	($52,702)
Sly Grog Go Away Project	*Surplus*	$31,880	$0	$31,880	$0
Enhancing Local Government Biosecurity Capacity (ELGBC)	*Deficit*	($2,063)	$501	($2,564)	$2,012
Chde Financial Emergency Relief Program	*Surplus*	$1,959	($1,248)	$3,207	($5,000)
Community Child Care Fund Restricted Program Expansion (CCCFR)	*Surplus*	$222,463	($169,263)	$391,726	($677,054)
Chde - Disaster Emergency Relief	*Surplus*	$0	$0	$0	$0
Nest To Ocean	*Deficit*	($27,336)	$0	($27,336)	$0
Subtotal - Tied Funding Programs		**($209,465)**	**($292,762)**	**$83,297**	**($1,150,118)**
TOTAL Community Services & Cultural Heritage	***Deficit***	**($66,378)**	**($314,735)**	**$248,357**	**($1,231,668)**

Roads,Infrastructure & Essential Service					
Net Operating Results by Program		**Actual YTD**	**Current Budget YTD**	**Variance to Current Budget**	**Full Year Current Budget**
Untied Funding Programs					
Council Houses / Buildings	*Deficit*	($1,205,454)	($1,345,614)	$140,160	($5,381,287)

Kowanyama Aboriginal Shire Council

Year to Date September 2024

Net Operating Results by Program

Building/ Carpenters	*Deficit*	($147,853)	($224,335)	$76,482	($891,957)
Electrician	*Deficit*	($14,932)	($75,410)	$60,478	($299,448)
Essential Services	*Deficit*	($505,921)	($409,895)	($96,026)	($1,634,974)
Parks & Gardens	*Deficit*	($101,919)	($115,310)	$13,391	($458,645)
Roads	*Surplus*	$330,829	$153,692	$177,137	($220,713)
Workshop	*Deficit*	($5,881)	$0	($5,881)	$0
Swimming Pool	*Deficit*	($11,170)	($28,275)	$17,105	($113,150)
Heavy Plant	*Deficit*	($83,428)	$249,906	($333,334)	$999,600
Road Contractors Camp	*Deficit*	($14,782)	($5,820)	($8,962)	($23,300)
Airport	*Deficit*	($108,412)	($113,578)	$5,166	($452,455)
Batching Plant	*Surplus*	$183,020	$71,685	$111,335	$286,708
QBuild Upgrade Program	*Surplus*	$66,825	$163,140	($96,315)	$652,555
QBuild R&M Program	*Surplus*	$21,716	$176,235	($154,519)	$704,921
Subtotal - Untied Programs		**($1,597,362)**	**($1,503,579)**	**($93,783)**	**($6,832,144)**
Tied Funding Programs					
QRA Counter Disaster Operations (CDO)	*Deficit*	($31,425)	$0	($31,425)	$0
TOTAL Road, Infrastructure & Essential Services	***Deficit***	**($1,628,787)**	**($1,503,579)**	**($125,208)**	**($6,832,144)**
TOTAL NET OPERATING RESULT	***Surplus***	**$9,442**	**$1,286,624**	**($1,277,182)**	**($7,670,857)**
Capital	*Surplus*	$9,042,950	($2,214,500)	$11,257,450	($2,214,500)
TOTAL NET CAPITAL RESULT	***Surplus***	**$9,042,950**	**($2,214,500)**	**$11,257,450**	**($2,214,500)**
TOTAL NET RESULT	***Surplus***	**$9,052,392**	**($927,876)**	**$9,980,268**	**($9,885,357)**

CAPITAL PROJECTS SCHEDULE as at 30/09/2024

	PROJECT BUDGET				GRANT FUNDING			EXPENDITURE					
Project	Project Funding - Grant	Project Funding - Grant (variations)	Project Funding - COF	Project Total Budget	Grants Received upto 30/6/24	Grants Received 2024/25	Grants balance not yet received	Expenditure to 30/6/24	Expenditure 2024/25	Commitments 2024/25	Total project expenditure including commitments to 30/09/2024	Remaining Budget available as at 30/09/2024	Status
	a	b	c	d = (a + b +c)	e	f	g = (a + b - e -f)	h	i	j	k = (h + i + j)	l = (d - k)	
Dilgp Iccip Water, Waste & Solid	9,500,000		0	9,500,000	7,055,934	0	2,444,066	9,087,231	142,012	140,570	9,369,812	**130,188**	
Remote Housing Program - round 1	2,139,037		0	2,139,037	1,925,134	0	213,904	2,057,779	34,973	48,072	2,140,823	**(1,786)**	
Remote Housing Program - round 2	4,515,679		0	4,515,679	4,064,111	0	451,568	3,182,351	238,227	705,241	4,125,819	**389,860**	
Subdivision Stage 1B	3,051,953		0	3,051,953	915,586	0	2,136,367	203,078	815,925	1,435,874	2,454,877	**597,076**	
Women's Meeting Place Stage 1	313,000		0	313,000	313,000	0	0	284,865	0	0	284,865	**28,135**	
W4Q 21-24 Staff House's Stage 2	340,000		0	340,000	306,000	0	34,000	338,740	0	0	338,740	**1,260**	
W4Q 21-24 Kiddies Wading Pool & Pumps Upgrade	229,455	615,000	0	844,455	802,255	0	42,200	631,646	13,319	157,656	802,621	**41,833**	
W4Q 21-24 Women's Meeting Place Stage 2 & 3	670,000	(670,000)	0	0	0	0	0	2,614	0	0	2,614	**(2,614)**	
W4Q 21-24 Workshop Compound Stage 3	390,000	55,000	0	445,000	351,000	0	94,000	444,373	0	0	444,373	**627**	
Cultural Collection / Cyclone Vault	100,000		0	100,000	43,931	0	56,069	36,150	4,701	70,352	111,203	**(11,203)**	
Airport Fuel Farm & Paalc Lighting Upgrades Dsdilgp	1,167,919		129,769	1,297,688	990,000	0	177,919	1,077,137	0	589,073	1,666,210	**(368,522)**	
Gas Storage And Roadway Access	196,650		21,850	218,500	127,640	20,836	48,173	164,974	0	0	164,974	**53,526**	
Essential Services Facility	650,000		0	650,000	585,000	0	65,000	647,253	20,395	14,640	682,288	**(32,288)**	
SES Vehicle	55,000		0	55,000	0	0	55,000	52,657	0	0	52,657	**2,343**	
CAT Excavator & Shed	500,000		0	500,000	200,000	0	300,000	29,348	436,521	0	465,868	**34,132**	
Workers Camp Feasibility Study	50,000		0	50,000	50,000	0	0	40,879	0	0	40,879	**9,121**	
Kowanyama Hub Project	55,000		5,400	60,400	50,000	5,000	0	17,478	30,898	0	48,376	**12,024**	
Rapid Leo Deployment Program	45,000		0	45,000	22,500	22,500	0	12,533	18,473	0	31,007	**13,993**	
Lighting Upgrade at Sports Ground	415,000		0	415,000	207,500	0	207,500	0	0	0	0	**415,000**	
Indigenous Knowledge Centre Establishment	60,000		0	60,000	50,000	0	10,000	0	0	0	0	**60,000**	
Works for Queensland 2024-27 projects TBA	2,560,000		0	2,560,000	0	0	2,560,000	0	0	0	0	**2,560,000**	
Magnificent Creek Bank Fortification Kasc.0036.2122	492,788		0	492,788	147,836	0	344,951	28,639	0	0	28,639	**464,149**	
Magnificent Creek Bank Fortification section 1 KASC.0033.2122	1,243,444		0	1,243,444	373,033	0	870,411	0	0	2,198	2,198	**1,241,246**	
Flood Mitigation Catchment A Swale Drain KASC.0034.2122	521,778		0	521,778	156,533	0	365,245	10,900	0	0	10,900	**510,878**	
Magnificent Creek Bank Fortification section 2 KASC.0035.2122	779,663		0	779,663	233,899	0	545,764	0	400	200	600	**779,063**	
QRA REPA KASC.0032 Town Sts	3,730,478		0	3,730,478	1,119,144	0	2,611,335	97,533	193,298	223,448	514,280	**3,216,199**	
Qra Kasc.0037.2122D.Rec	1,173,352		0	1,173,352	280,175	0	893,177	280,175	0	0	280,175	**893,177**	
Qra Kasc.0038.2122 Town Sts	1,224,676		0	1,224,676	367,403	0	857,273	43,640	431,765	380,091	855,496	**369,180**	
DRFA Flood Risk Management Program KASC.0042.2122	166,750		0	166,750	50,025	0	116,725	23,260	0	165,605	188,865	**(22,115)**	
Qra Repa Rural Kasc.0041.2223	7,565,188		0	7,565,188	6,699,560	2,534	863,094	6,738,414	162,330	111,500	7,012,244	**552,944**	
DRFA REPA KASC.0045.2223	4,233,936		0	4,233,936	1,300,437	0	2,933,499	910,702	78,852	0	989,555	**3,244,381**	
Drfa Repa Kasc.0044.2223	805,435		0	805,435	301,657	0	503,778	0	382,033	473,993	856,026	**(50,591)**	
Drfa Repa Town Sts Kasc.0043.2223	1,607,539		0	1,607,539	618,026	0	989,513	0	298,322	1,435,981	1,734,303	**(126,763)**	
DRFA Emergent Works 2024	0		0	0	0	0	0	248,802	689,271	44,000	982,073	**(982,073)**	
Topsy Road Concrete Causeways	500,000		0	500,000	0	0	500,000	0	0	0	0	**500,000**	
DRFA REPA & Betterment Kowanyama St KASC.0047.2223	1,895,060		0	1,895,060	0	514,976	1,380,084	0	0	0	0	**1,895,060**	
DRFA REPA & Betterment Carrington St KASC.0048.2223	1,522,634		0	1,522,634	0	433,648	1,088,985	0	0	0	0	**1,522,634**	
QRA REPA Topsy Rd KASC.0051.2324	10,650,318		0	10,650,318	0	3,195,095	7,455,223	0	60,411	3,787,390	3,847,800	**6,802,518**	
QRA REPA Landing Rd KASC.0052.2324	4,201,730		0	4,201,730	0	1,260,519	2,941,211	0	122,276	348,540	470,816	**3,730,914**	
QRA REPA Pormpuraaw Rd KASC.0053.2324	14,459,467		0	14,459,467	0	4,337,840	10,121,627	0	186,070	4,269,057	4,455,127	**10,004,340**	
QRA REPA South Mitchell Rd KASC.0054.2324	2,544,931		0	2,544,931	0	763,479	1,781,452	0	63,698	0	63,698	**2,481,233**	
QRA Accessible Roads KASC.0058.2324			0	0	0	0	0	0	34,521	0	34,521	**(34,521)**	
R2R - LRCIP Phase 3	314,862		1,310	316,172	236,147	0	78,715	316,172	0	0	316,172	**0**	Final 30% to be received
R2R - LRCIP Phase 4	248,240		0	248,240	148,944	0	99,296	0	0	0	0	**248,240**	
TIDS ATSI 2023/24	363,680		0	363,680	267,500	0	96,180	77,500	67,000	123,000	267,500	**96,180**	
Fuel Tanks Diesel	0		100,000	100,000	0	0	0	0	0	0	0	**100,000**	
Fleet Renewals FY25	0		500,000	500,000	0	0	0	0	315,043	4,056	319,099	**180,901**	
Asset Management Reserve - Renewals program	0		1,094,237	1,094,237	0	0	0	263,155	0	0	263,155	**831,082**	
Parks & Gardens Mowers	0	0	40,000	40,000	0	0	0	0	0	0	0	**40,000**	
HydraVac trailer mounted	0	0	30,000	30,000	0	0	0	0	0	0	0	**30,000**	
CAT Positrack/ Skidsteer Loader/slasher/ 3in1 bucket	0	0	140,000	140,000	0	0	0	0	0	0	0	**140,000**	
Stores Forklift	0	0	140,000	140,000	0	0	0	0	0	0	0	**140,000**	
Network Hardware Refresh	0	0	60,000	60,000	0	0	0	0	0	0	0	**60,000**	
Sharpoint eDRMS	0	0	100,000	100,000	0	0	0	0	0	0	0	**100,000**	
CCTV Migration	0		100,000	100,000	0	0	0	0	0	0	0	**100,000**	
HR/Payroll/WH&S System Upgrade	0	0	400,000	400,000	0	0	0	0	0	0	0	**400,000**	
Oriners/Sefton - Fuels Storage Shed	0	0	40,000	40,000	0	0	0	0	0	0	0	**40,000**	
Oriners/Sefton - Council Depot	0	0	164,500	164,500	0	0	0	0	0	0	0	**164,500**	
	87,249,643	**0**	**3,067,066**	**90,316,709**	**30,359,909**	**10,556,429**	**46,333,305**	**27,349,976**	**4,840,734**	**14,530,535**	**46,721,246**	**43,595,463**	

Kowanyama Aboriginal Shire Council

Year to Date September 2024

Current Assets	24/25	Current Liabilities		
Cash At Bank & Onhand	28,170,978	Trade Creditors	-	1,554,584
Self Insurance Reserve	- 526,000	Accrued Expenses	-	616,198
Trade & Other Receivables	1,510,370	Income Received in Advance		
Provision For Doubtful Debts	- 74,906	Payroll & Other Creditors		-
Inventories	2,544,158	Loan Liability	-	108,662
GST Receivable	- 469,808	Provisions	-	824,712
Accrued Income / Payments in advance	1,018,839	Lease Liability	-	87,837
TOTAL CURRENT ASSETS	**32,173,631**	**TOTAL CURRENT LIAB**	-	3,191,994
		Non-Current Liabilities		
Non-Current Assets				
Finance Leases	6,864,368	Loan Liability	-	957,837
Prepaid Pastoral Leases	158,758	Provisions	-	2,523,917
Security Deposits	17,500	Lease Liability	-	525,893
Property, Plant & Equipment (at written down value)		**TOTAL NC LIABILITIES**	-	4,007,647
Buildings	30,893,729			
Residential Housing	49,649,243	**TOTAL LIABILITIES**	-	7,199,641
Plant & Equipment	840,146			
Motor Vehicles	2,089,740	**TOTAL NET ASSETS**		**224,014,483**
Furniture & Fittings	0			
Roads, drainage, culverts	68,778,321	**Equity**		
Water	6,865,881			
Sewerage	7,850,734	Asset Revaluation Reserve		113,191,789
Other Infrastructure	12,271,611	Retained Earnings		110,822,694
Works in Progress	12,192,718	**TOTAL EQUITY**		**224,014,483**
Right of Use Asset	567,744			
TOTAL NON-CURRENT ASSETS	**199,040,493**			-
TOTAL ASSETS	**231,214,125**			

Cash Position		
Total Cash At Bank - All Accounts	$	27,972,551
Tied Funds - Quarantined Operating	$	872,530
Tied Funds - Quarantined Capital	$	9,345,653
Tied Funds - Self-Insurance Reserve	$	2,500,152
Operating Funds remaining	$	15,254,216

Financial Sustainability Goal - 6 Months	Months
Number of months covered - Statements	15.42
Number of months covered - Capital Grants Awaiting	9.56
Estimated Monthly Expenditure	
Payroll - Budget	*$932,324*
Materials and Services - Prior Year Actuals	*$663,086*
Total per month	*$1,595,410*

Ageing	Trade Debtors & Other Receivables	Trade Creditors (Payables)
Current	$ 1,086,624	$ 1,495,071
30 Days	$ 94,438	$ 54,136
60 Days	$ 149,058	$ 3,812
90+ Days	$ 180,251	$ 1,565
Total	**$ 1,510,370**	**$ 1,554,584**

4.3.1.c - Human Resources Information Report

Title:	Human Resources Monthly Report – September 2024
Author:	Human Resources Officer
Meeting Date:	29 October 2024

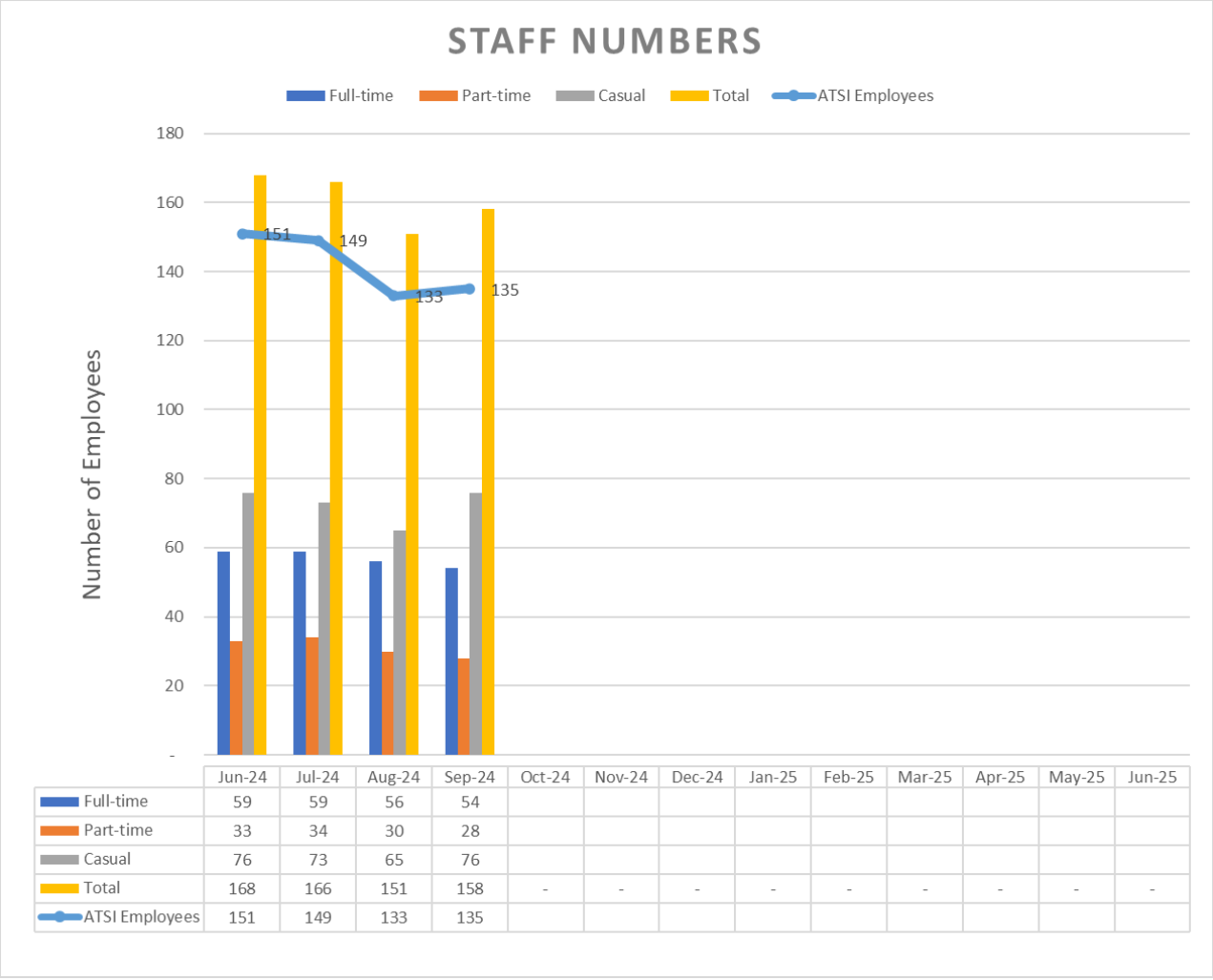
HR Key items

1. Current Projects

New HR/Payroll System

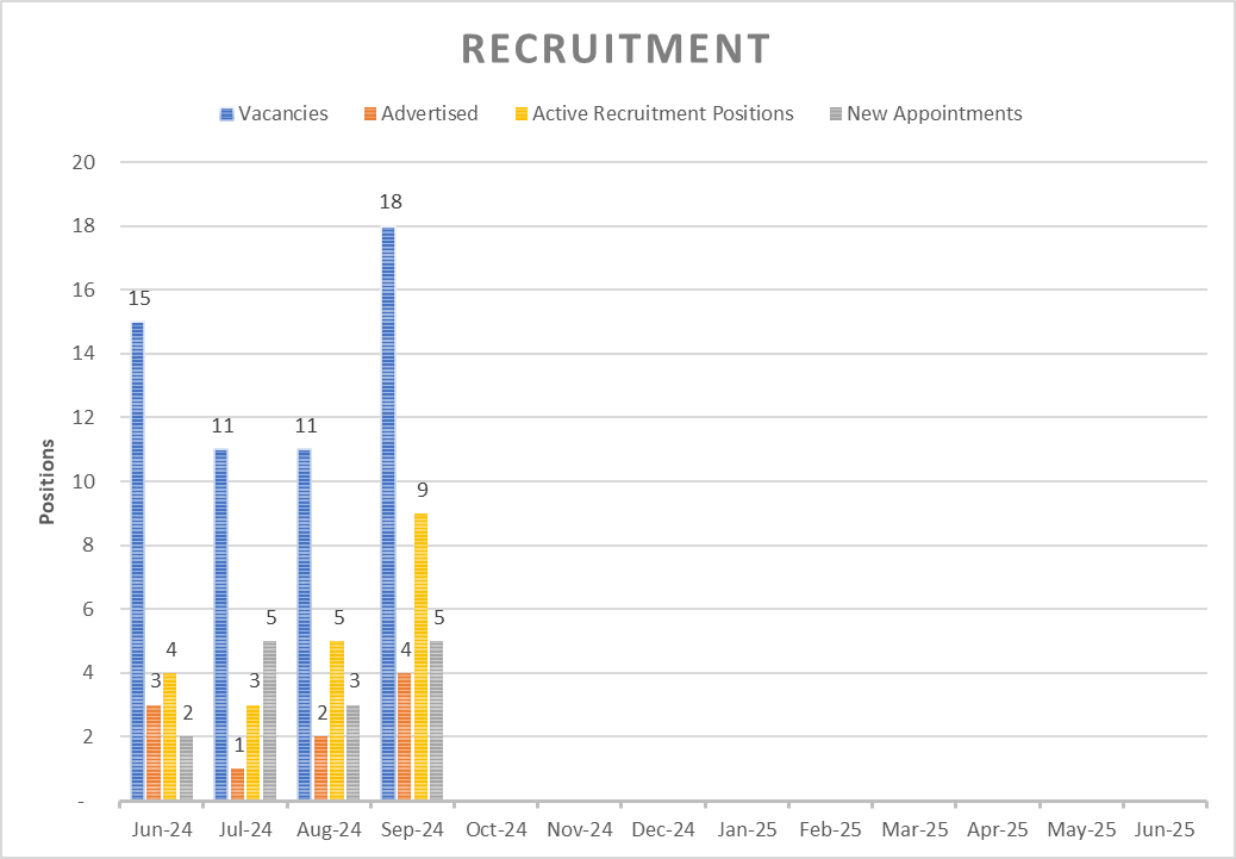
The vendors have been narrowed down to two options. The project team has attended demos for both systems, while each provide the basic modules of a HR/Payroll Information System, there were modules that were not available in one and modules that did not have ideal capability in the other. To support the decision making and test the systems fit for business, both vendors have provided access to a sandpit (interactive simulation). The project team will test over the next week and then submit their recommendation to the Executive Management Team.

2. Staffing Update



	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25
Full-time	59	59	56	54									
Part-time	33	34	30	28									
Casual	76	73	65	76									
Total	168	166	151	158	-	-	-	-	-	-	-	-	-
ATSI Employees	151	149	133	135									

3. Recruitment



Current Active Recruitment (taken into Oct 2024)

- Community and Cultural Support Worker x 2
- Women's Shelter Support Worker
- Carpenter
- Airport Manager
- Essential Services Officer
- Administration Officer Traineeship
- Aged Care Kitchen Supervisor

Appointments Pending (possible commencements in Oct 2024)

- Executive Manager Roads, Infrastructure and Essential Services
- Executive Manager Community Services and Cultural Heritage
- Executive Assistant to the CEO, Mayor and Councillors
- Post Office Assistant Manager

Finalised Recruitment (Sept 2024)

- Aged Care Manager
- Workplace Health and Safety Officer
- Radio Announcer
- Facility and Fleet Coordinator
- Cultural Centre Facilitator

4. Workplace Health and Safety

Current Workers Compensation Claims

- NIL

4.3.2.a –Policy and Procedure

Title:	Policy and Procedure
Author:	Governance Officer
Meeting Date:	29 October 2024

Resolution: That Council adopts the:

- Revised statutory Standing Orders and Model Meeting Procedures for Local Government Meetings issued by the Department of State Development, Infrastructure, Local Government and Planning in July 2024.

Summary:
The Standing Orders and Model Meeting Procedures were revised by the Department in July 2024.
Key amendments for noting:

- Clarifications on the role of chairperson for Ordinary and Special Meetings, including committee meetings
- Details for acting arrangements (in event Mayor and Deputy are unavailable)

Resolution: That Council adopts the:

- Revised statutory Standing Orders and Model Meeting Procedures for Local Government Meetings issued by the Department of State Development, Infrastructure, Local Government and Planning in July 2024.

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

July 2024

Last updated:

Date	Version number	Officer's Name	Approved
10 November 2022	004	P Cameron	Director G&C
30 November 2023	005	P Cameron	Director G&C
22 January 2024	006	P Cameron	Director G&C
12 February 2024	007	P Cameron	Director G&C
14 March 2024	008	P Cameron	Director G&C
26 July 2024	009	P Cameron	

Queensland Government

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Contents

Intent

To assist local governments, the Department of Housing, Local Government, Planning and Public Works (DHLGPPW) 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 meeting procedures that deal with matters during local government meetings that must be adhered to under the *Local Government Act 2009* (LGA) including the DHLGPPW model meeting procedures and the meeting provisions in the Local Government Regulation 2012 (LGR). 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 matter 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. Procedure for the Chairperson

This section applies to local government meetings, and local government standing committee meetings. This section does not apply to Brisbane City Council where the Chair of Council, elected by councillors, presides over each BCC meeting. Under section 12(4) of the LGA the mayor is the chairperson, leading and managing local government meetings. The mayor may delegate another councillor to act as chairperson when the mayor is absent or temporarily incapacitated. Alternatively, if the mayor has not delegated a councillor to undertake responsibilities as chairperson, under the provisions of section 165 of the LGA, the deputy mayor acts for the mayor during the absence or temporary incapacity or when the office of mayor is vacant.

2.1. The mayor will be the chairperson at a local government meeting at which the mayor is present.

2.2. If the mayor is unavailable to chair a local government meeting, the meeting will be chaired by the councillor to whom the mayor has delegated their responsibility to chair the meeting.

2.3. If the mayor is absent or has a temporary incapacity and is unable to chair a local government meeting, and has not delegated another councillor to do so, the deputy mayor will be the chairperson.

2.4. If the office of mayor becomes vacant the deputy mayor acts as mayor and chairperson of the local government meetings

2.5. If the mayor and the deputy mayor are both prevented from chairing the meeting because of absence or temporary incapacitation, and no other councillor has been delegated the responsibility, the local government may by resolution appoint one of the councillors present at the meeting to act as chairperson for the duration of the meeting.

2.6. The local government may appoint the chairperson for a standing committee. This chairperson will preside over meetings of the committee. The mayor is a member of each standing committee but not necessarily the chairperson.

2.7. If the chairperson of a committee is absent or unavailable to chair, another councillor who is chosen by the councillors present, will be chairperson of the committee meeting.

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

Note: *Section 12 of the LGA does not prescribe that other councillors have the responsibility of chairing local government meetings. Other councillors cannot assume the chairperson role except when they are delegated by the mayor to perform the extra responsibilities of a chairperson or a resolution has been passed by the councillors present to select a councillor to act as chairperson of a particular meeting, because the mayor, a delegated councillor and the deputy mayor are unavailable. The provision for the mayor to delegate the responsibility to be chairperson to another councillor caters for the possibility that the mayor will not be the chairperson of a particular local government meeting because the mayor has, for example, a conflict of interest in a matter, or will be absent or incapacitated for that meeting. Upon the mayor's return to the meeting the mayor or deputy mayor (whichever is relevant) can resume their role as chairperson.*

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:

- attendance
- apologies and granting of leaves of absence
- confirmation of previous minutes
- business arising out of previous meeting reports, conduct breach investigation reports, financial statements reports
- officers' reports.

Note: *The minutes of a previous 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. If the local government needs to make a correction to the confirmed minutes, that can be done by passing a new motion that states what the correction is, but the original minutes remain as they are recorded.*

4. Agendas

4.1. The agenda may contain:

- notice of meeting
- amendments correcting the minutes of the previous meeting
- adoption of the minutes of the previous meeting
- 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
- councillor conduct breach investigation reports provided by the investigator
- deputations and delegations from the community that are approved to attend
- any other business the local government 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 local government 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 two 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.

4.4. 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, including any summary investigation report for a conduct breach matter, 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.

4.5. Matters on the agenda that may require the meeting to be in a closed session consistent with the provisions under section 254J LGR, can be identified on the agenda as 'may be closed by resolution of the meeting for the matter to be debated'.

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 CEO.

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 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 local government, 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 local government shall apply in writing to the CEO not less than seven 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 local government 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 local government 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 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 meeting 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 local government 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 CEO in writing, including all the particulars, of a prescribed conflict of interest in a matter to be discussed in a local government meeting must also give notice during the meeting at 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 local government 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 prescribed 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 local government 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 more than one councillor is reported by another councillor to have a suspected prescribed conflict of interest in a matter, the meeting must deal with each councillor individually. If the councillor with the suspected prescribed conflict of interest considers there is no conflict of interest, then the eligible councillors (those who do not have a conflict of interest in the matter) must make a decision about whether or not the subject councillor has a prescribed conflict of interest under section 150EX(2) of the LGA or section 177U(2) of the COBA applies.

10. Declarable conflict of interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at local government 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. If more than one councillor is reported by another councillor to have a suspected declarable conflict of interest in a matter, the meeting must deal with each councillor individually. The eligible councillors must then make a decision under section 150EX(2) of the LGA or section 177U(2) of the COBA.

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

10.1. A councillor who has notified the CEO of a declarable conflict of interest in a matter to be discussed at a local government meeting must also give notice during the meeting at the time when the matter is to be dealt with.

10.2. A councillor who first becomes aware of a declarable conflict of interest in a matter during a local government 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:
    - the name of the related party to the councillor; 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
- 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.

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 eligible councillors (those who do not have a prescribed or declarable conflict of interest in the matter) can participate in the decision making. The decision may be made even if the number of eligible councillors is less than a majority, or does 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 eligible councillor/s 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 to either participate or leave the meeting e.g. they may stay for the debate but must leave for the vote. The councillor must comply with any decision and any condition imposed by the eligible councillors. The councillor must not participate in the decision unless authorised in compliance with section 150ES of the LGA or under an approval by the Minister for Local Government under section 150EV.

10.7. The councillor who is the subject of the decision may remain in the meeting while the debate is occurring about their ability to participate and can answer 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 the 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 a 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 the local government 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 councillor's participation in the meeting with a declarable conflict of interest, 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 there is a change to the councillor's personal interests and/or the nature of the matter being discussed. If the eligible councillors decide by resolution 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 local government meeting about the same matter e.g. 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. If more than one councillor is reported by another councillor to have a suspected personal interest in a matter, the meeting must deal with each councillor individually.

11.1. The chairperson then should ask the 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 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 councillor's 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 by resolution 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 local government 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.

Note: *The minutes must include 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 local government's decision on what actions the councillor with a declarable conflict of interest must take and the reasons for the decision.*

11.6. The minutes of the meeting must record the name of each eligible councillor who voted in relation to whether the councillor has a declarable conflict of interest, and how each of the councillors voted.

Note: *The eligible councillors include a councillor who has either been granted approval by the Minister or their fellow councillors to participate and vote on a matter (e.g. the eligible councillors in this subsection means all councillors who were entitled to vote on the matter).*

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.

11.7. Where a decision has been made under section 150ES of the LGA or section 177P of the COBA, the minutes must include the:
- decision and reasons for the decision
- 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 local government must resolve to:
- delegate the consideration and decision on the matter, as described in section 257 of the LGA or section 238 of the COBA, unless the matter cannot be delegated under subsection three of both sections, because an Act says it must be decided by resolution of the local government
- 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 unless the LGA or another Act provides that the local government must decide the matter.

12.2. The local government may by resolution delegate a power under section 257 of the LGA or section 238 of the COBA to:
- the mayor or CEO
- a standing committee, or joint committee of the local government
- the chairperson of a standing committee or joint standing committee of the local government (does not apply to Brisbane City Council)
- another local government for a joint government activity
- the Establishment and Coordination Committee (only applies to Brisbane City Council).

12.3. The local government 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 local government may only delegate a power to make a decision about a councillor's conduct under section 150AG of the LGA pursuant to section 257(2) of the LGA, to:
- the mayor
- a standing committee

12.5. A local government 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
- the Establishment and Coordination Committee, Brisbane City Council
- a standing committee of the local government.

12.6. 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 local government and cannot be withdrawn without the consent of the local government meeting.

13.2 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.

13.3 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.

13.4 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
- deferred to the next meeting.

15. Motion to be seconded

15.1. A motion or an amendment to a motion will 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 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 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 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 local government meeting is inconsistent with a recommendation or advice given to the local government 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 local government 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 local government, 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 local government 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 (five business days).

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 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:

- that the question/motion be now put before the meeting
- that the motion or amendment now before the meeting be adjourned
- that the meeting proceeds to the next item of business
- that the question lie on the table
- a point of order
- a motion of dissent against the chairperson's decision
- that this report/document be tabled
- to suspend the rule requiring that [insert requirement]
- 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 agenda 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 local government or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the local government will proceed with the next matter on the agenda.

21.6. 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.

21.7. 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 of the local government 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.*

21.8. 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.

21.9. 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, 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 agenda 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 agenda 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 local government 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 local government 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 local government meeting and contravenes a behavioural standard of the Code of Conduct for Councillors. When dealing with an instance of unsuitable meeting conduct by a councillor in a meeting, the following procedures must be followed by the chairperson of the local government meeting:

23.1. The chairperson must reasonably believe that unsuitable meeting conduct has been engaged in by a councillor during a meeting. 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 section 23.7 below.

23.2. 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 and refraining from exhibiting the conduct
- apologising for their conduct
- withdrawing their comments.

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

23.4. 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 of unsuitable meeting conduct being issued.

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

23.6. If the councillor continues to fail to comply with the chairperson's request for remedial action or the chairperson decides 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.

23.7. 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.

23.8. Following the completion of the meeting, the chairperson must ensure the minutes record the information about unsuitable meeting conduct (see note below).

Note: *Details of any order issued must be 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 to be dealt with at the next local government meeting as a suspected conduct breach. The local government is not required to notify the independent assessor (IA) about the conduct; and may deal with the conduct under section 150AG as if an investigation had been conducted. The local government's CEO is advised to ensure details of any order made is updated in the local government's councillor conduct register.*

23.9. 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.

24. Process for dealing with Unsuitable Meeting Conduct by a Chairperson

24.1. If a councillor at the meeting reasonably believes that the conduct of the chairperson during the meeting is unsuitable meeting conduct, the councillor may raise the matter in the meeting by point of order.

24.2. The chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the councillor may move a motion that the chairperson has engaged in unsuitable meeting conduct (a seconder for the motion is required). The councillors present, excluding the chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.

24.3. The chairperson has a declarable conflict of interest in the matter and must declare the conflict of interest and leave the place where the meeting is being held, including any area set aside for

the public, during the debate and vote on the matter. If the chairperson wishes to remain in the meeting, the eligible councillors must make a decision and follow the procedures set out above for declarable conflict of interest.

24.4. For the debate and vote on the motion, a councillor other than the councillor that moved the motion, is to act as the chairperson.

24.5. If the original chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible councillors, they can put forward their reasoning about their conduct, and respond to questions through the acting chairperson from the eligible councillors.

24.6. The acting chairperson of the meeting will preside over the meeting while the councillors present at the meeting vote on whether the chairperson has engaged in unsuitable meeting conduct (the acting chairperson will have a casting vote on the resolution if required).

24.7. If it is decided that the chairperson has engaged in unsuitable meeting conduct, the councillors can decide to make an order reprimanding the chairperson for the conduct.

24.8. Once the councillors make a decision, the chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting chairperson.

24.9. The chairperson then resumes the role of chairperson, and the meeting continues.

Note: *Details of any reprimand order must be recorded in the minutes of the meeting. The local government's CEO is advised to ensure details of any order made is updated in the local government's councillor conduct register.*

For conduct of a chairperson, at local government meetings that is part of a course of conduct leading to orders for unsuitable meeting conduct being made against the chairperson, on three occasions within a 12-month period, the conduct that led to the orders being made, taken together, becomes a conduct breach.

If the conduct of a councillor, including a chairperson, at the meeting becomes a conduct breach (in accordance with section 150J of the LGA and is a conduct breach under section 150K of the LGA), the local government is not required to notify the Independent Assessor (the Assessor) about the conduct, and may deal with the conduct under section 150AG of the LGA as if an investigation had been conducted. It may be dealt with at the next local government meeting.

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

Under chapter 5A, part 3, division 3A of the LGA, the Assessor must make a preliminary assessment and dismiss a complaint, notice or information if satisfied that particular circumstances apply – see section 150SD of the LGA. If the Assessor finds that a matter is a suspected conduct breach it must refer the matter to the local government to be dealt with. The Assessor refers the councillor's suspected conduct breach to the local government by giving a referral notice.

Note: *A conduct breach is conduct that:*

- *contravenes a behavioural standard of the Code of Conduct for Councillors, or a policy, procedure, or resolution of the local government; or*
- *the conduct contravenes an order of the chairperson of a local government meeting for the councillor to leave and stay away from the place at which the meeting is being held; or*
- *an instance of a suspected conduct breach that may arise from circumstances of three instances of unsuitable meeting conduct orders within a 12-month period.*

25.1. In relation to matters referred by the Assessor to the local government, the local government may decide not to start or discontinue an investigation if:

- the complainant withdraws the complaint
- the complainant consents to the investigation not starting or discontinuing
- the complainant does not provide extra information when requested
- there is insufficient information to investigate the complaint
- the councillor vacates or has vacated their office as a councillor.

Note: *The local government investigation must be conducted in a way that is consistent with the local government's Investigation Policy. An investigation report must be prepared to assist the councillors in making a decision on the outcome under section 150AG of the LGA. Before debating a matter relating to making a decision, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the LGA on or before the day and time prescribed by regulation. However, this section does not apply in relation to a decision by the Establishment and Coordination Committee under the COBA.*

25.2. The local government must decide in a local government meeting, whether the councillor has engaged in a conduct breach, unless the decision has been delegated to the mayor under section 257(2)(a) of the LGA, or to a standing committee section 257(2)(b) of the LGA or section 238(2)(a), (b) or (c) of the COBA. Under the LGA and COBA, decisions about a conduct breach can only be delegated to the mayor or a standing committee and under COBA to the Establishment and Coordination Committee.

25.3. When dealing with an instance of a suspected conduct breach which has been referred to a local government by the Assessor:

- the local government must be act in a manner consistent with the local government principle of transparent and accountable decision making in the public interest, by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of the local government. However, where the matter requires debate a local government may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report under section 254J of the LGR or section 242J of the City of Brisbane Regulation (CBR).

- no resolution for a decision can be made in the closed session including a decision about a conflict of interest matter. All matters must be decided in an open session of the meeting or at a later meeting.
- where a local government makes a decision about a conduct breach matter at a local government meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting under section 254H of the LGR and section 242H of the CBR.
- the subject councillor has a declarable conflict of interest in the matter and must declare the conflict of interest. The eligible councillors at the meeting can decide by resolution that the subject councillor may remain in the meeting (unless the eligible councillors decide otherwise) during the debate about the investigation report and may answer questions put to the subject councillor through the chairperson in relation to the evidence or written submission about the conduct breach provided by the councillor to the local government.
- the subject councillor who has a declarable conflict 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 a conduct breach and what, if any, penalty to impose if the councillor is found to have engaged in a conduct breach.
- 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. 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 eligible councillors (who do not have a conflict of interest in the matter) must decide how to deal with the conflict of interest. The complainant councillor can be required 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 under section 150AH of the LGA.

Note: *After making a decision under section 150AG of the LGA, the local government must make the full investigation report, publicly available within 10 business days after the decision is made, with redactions of the name of the complainant and any witnesses, but including the name of a councillor or the CEO of the local government if they were the complainant/s, or any councillor who declared a conflict of interest in the matter.*

25.4. If the local government 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, or
- decide, by resolution, not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.

Note: *A local government cannot decide to take no further action on a decision about a conduct matter because it is required under the LGA. In order to reach a decision when a loss of quorum has occurred, the matter can be delegated to the mayor or a standing committee, or the matter can be deferred to a later meeting when a quorum can be maintained.*
If the conduct breach referral notice is about the suspected conduct breach by the mayor, then the matter will need to be delegated to a standing committee for a decision.
The local government should establish a standing committee under section 264 of the LGR to deal with decisions about conduct breach matters. The standing committee must be in existence before receiving the referral notice from the Assessor, in circumstances where there is no quorum to decide a matter under sections 150AEA or 150AG of the LGA due to conflicts of interest. The standing committee will decide about the mayor's conduct. While section 12(4)(f) of the LGA provides that the mayor has the extra responsibility of being a member of each standing committee, the mayor could not be a decision-making member of a standing committee dealing with decisions about the mayor's conduct because of a conflict of interest. The remainder of the unconflicted members of the committee will decide the matter.

25.5. If a decision is reached that the subject councillor has engaged in a conduct breach, then the councillors must decide what penalty or penalties from the orders detailed in 150AH of the LGA, if any, to impose on the councillor. In deciding what penalty to impose, the local government 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 local government is reasonably satisfied is true.

25.6. The local government 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 apology, in the way decided by the local government, for the 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 local government meeting
- an order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor
- 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 local government for all or some of the costs arising from the councillor's conduct breach.

25.7. A local government may not make an order in relation to a person who has vacated their office as a councillor.

25.8. 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 the local government and if relevant any orders made by resolution.

Note: *The minutes of the meeting must reflect the decision and any orders made. A notice must be given to the Assessor as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.*

26. General conduct during meetings

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

26.2. 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.

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

26.4. 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.

27. Disorder

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

27.2. 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 will be deferred to a future meeting.

Attendance and non-attendance

28. Attendance of public and the media at a local government meeting

28.1. 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.

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

29.Closed session

29.1. A local government 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 local government'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 local government 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
- a matter relating to the consideration of an investigation report for a conduct breach matter given to the local government by the Assessor under the LGA chapter 5A, part 3, division 5.

29.2. A local government 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.

29.3. Further, the meeting must not be closed if a quorum is lost due to the number of conflicted councillors who leave the meeting. The local government must instead:

- delegate consideration and decision on the matter, under 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 unless the LGA or another Act provides that the local government must decide the matter.

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

29.5. 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 section 171(3) of the LGA or section 173(3) of the COBA).

29.6. To take a matter into a closed session the local government 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 it is known in advance, the agenda should clearly identify that the matter may be considered in closed session, and an explanation of why the councillors at the meeting may consider it 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).

30. Teleconferencing of meetings

30.1. If a councillor wishes to be absent from a local government meeting place during a meeting, the councillor must apply to the local government to participate by teleconference, at least three 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 local government or committee meeting by teleconference.

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

30.2. 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.*

Model Meeting Procedures

Conduct of local government meetings and its committee meeting

Revised July 2024

Last updated:

Date	Version Number	Name	Approved
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Contents

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 chair meetings and 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 and management of assets and infrastructure, and delivery of effective services
- Democratic representation, social inclusion, and meaningful community engagement
- Good governance of, and by the local government
- Ethical and legal behaviour of councillors, local government employees and councillor advisors.

Background

Under section 150F of the LGA, the chief executive of the department of local government must make model procedures for local government and committee meetings. These procedures must be adopted and if the local government adopts other procedures, they must not be inconsistent with the model procedures.

The model meeting procedures include the following:

- the process for the chairperson to lead and manage local government meetings
- the process for how the chairperson of a local government meeting may deal with unsuitable meeting conduct by a councillor
- the process for how the councillors at a local government meeting may deal with the unsuitable meeting conduct by the chairperson
- the process for how a suspected conduct breach by a councillor, that is referred to the local government by the Independent Assessor (IA), must be dealt with at a local government meeting
- the processes for dealing with a conflict of interest (COI) arising during a local government meeting and recording the COI in the minutes of the meeting

- the process for dealing with a loss of quorum due to the number of councillors with a COI
- procedures for closing local government meetings to the public.

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 clauses 1-10 below of these model meeting procedures.

Processes

1. Process for the Chairperson

This clause applies to local government meetings, and local government committee meetings. For the purposes of this clause local government meetings are ordinary and special meetings. This section does not apply to Brisbane City Council where the Chair of Council, elected by councillors, presides over each BCC meeting.

Under section 12(4) of the LGA the mayor has extra responsibilities in addition to those which all councillors have. The mayor is the chairperson, leading and managing local government meetings , including managing the conduct of participants at the meeting. The mayor may delegate another councillor to perform the mayor's extra responsibilities including acting as chairperson when the mayor is absent or temporarily incapacitated. Alternatively, if the mayor has not delegated a councillor to undertake responsibilities as chairperson, under the provisions of section 165 of the LGA, the deputy mayor acts for the mayor during the absence or temporary incapacity or when the office of mayor is vacant.

1.1. The mayor will be the chairperson at a local government meeting at which the mayor is present.

1.2. If the mayor is absent from a local government meeting, the meeting will be chaired by the councillor to whom the mayor has delegated their responsibility to chair the meeting.

1.3. If the mayor is absent or unavailable to chair the meeting, and has not delegated another councillor to do so, the deputy mayor will be the chairperson.

1.4. If the office of mayor becomes vacant the deputy mayor acts as mayor and chairperson of the local government meetings

1.5. If the mayor and the deputy mayor are both prevented from chairing the meeting because of absence or temporary incapacitation, and no other councillor has been delegated the responsibility or appointed to act as chairperson, the local government may by resolution appoint one of the councillors present at the meeting to act as chairperson for the duration of the meeting.

1.6. The local government may appoint the chairperson for a committee. This chairperson will preside over meetings of the committee. The mayor is a member of each standing committee but not necessarily a member of every advisory committee. The mayor is not necessarily the chairperson of committee meetings.

1.7. If the chairperson of a committee is absent or unavailable to chair, another councillor who is chosen by the councillors present, will be chairperson of the committee meeting.

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

Note: *Section 12 of the LGA does not prescribe that other councillors have the responsibility of chairing local government meetings. Other councillors cannot assume the chairperson role except when they are delegated by the mayor to perform the extra responsibilities of a mayor or a resolution has been passed by the councillors present to select a councillor to act as chairperson of a particular meeting, because the mayor, a delegated councillor and the deputy mayor are unavailable.. The provision for the mayor to delegate the responsibility to be chairperson to another councillor caters for the possibility that the mayor will not be the chairperson of a particular local government meeting because the mayor has, for example, a conflict of interest in a matter, or will be absent or incapacitated for that meeting.*

2. 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 local government meeting and contravenes a behavioural standard of the **Code of Conduct for Councillors**. When dealing with an instance of unsuitable meeting conduct by a councillor, the following procedures must be followed:

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

2.2. 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.

2.3. 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:

2.3.1. Ceasing and refraining from exhibiting unsuitable meeting conduct

2.3.2. Apologising for their conduct

2.3.3. Withdrawing their comments.

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

2.5. 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.

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

2.7. 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:

2.7.1. An order reprimanding the councillor for the conduct

2.7.2. 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.

2.8. 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.

2.9. 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.

2.10. Following the completion of the meeting, the chairperson must ensure the minutes of the meeting record the information about unsuitable meeting conduct (see note):

***Note**: Details of any order issued must be recorded in the minutes of the meeting. The local government's chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's councillor conduct register. 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 local government meeting as a conduct breach. The local government is not required to notify the independent assessor (IA) about the conduct; and may deal with the conduct under section 150AG as if an investigation had been conducted.*

3. Process for Dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting

3.1. If a councillor at the meeting reasonably believes that the conduct of the chairperson during the meeting is unsuitable meeting conduct, the councillor will raise the matter in the meeting by point of order.

3.2. The chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the councillor may move a motion that the chairperson has engaged in unsuitable meeting conduct (a seconder for the motion is required). Councillors present, excluding the chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.

3.3. The chairperson has a declarable conflict of interest in the matter and must leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the chairperson wishes to remain in the meeting, the eligible councillors must make a decision and follow the procedures set out in *part 5* below.

3.4. For the debate and vote on the motion, a councillor other than the councillor that moved the motion, is to act as the chairperson.

3.5. If the original chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible councillors, the chairperson can put forward their reasoning about their conduct and respond to questions through the acting chairperson from the eligible councillors.

3.6. The acting chairperson of the meeting will preside over the meeting while the councillors present at the meeting vote on whether the chairperson has engaged in unsuitable meeting conduct (the acting chairperson will have a casting vote on the resolution if required).

3.7. If it is decided that the chairperson has engaged in unsuitable meeting conduct the councillors can make an order reprimanding the chairperson for the conduct.

3.8. Once the councillors make a decision, the chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting chairperson.

3.9. The chairperson then resumes the role of chairperson, and the meeting continues.

***Note**: Details of any reprimand order is recorded in the minutes of the meeting. The local government's chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's councillor conduct register.*

For conduct of a chairperson, at local government meetings that is part of a course of conduct leading to a reprimand order for unsuitable meeting conduct being made against the chairperson, on three occasions within a period of 12 months, the conduct that led to the orders being made, taken together, becomes a conduct breach.

If the conduct of a councillor, including a chairperson, at the meeting becomes a conduct breach; in accordance with section 150J of the LGA, and is a conduct breach under section 150K(2)(b) and (3) of the LGA, the local government is not required to notify the IA about the conduct; and may deal with the conduct under section 150AG as if an investigation had been conducted. It may be dealt with at the next local government meeting.

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

Under chapter 5A, part 3, division 3A of the LGA, the IA must make a preliminary assessment and consider dismissing a complaint, notice or information before taking other action if satisfied that particular circumstances apply. If the IA assesses that a matter is a suspected conduct breach it must refer the matter to the local government. The IA refers the councillor's suspected conduct breach to the local government by giving a referral notice.

***Note*: Conduct breach is conduct that contravenes a behavioural standard of the code of conduct for councillors, or a policy, procedure or resolution of the local government; or the conduct contravenes an order of the chairperson of a local government meeting for the councillor to leave and stay away from the place at which the meeting is being held; or an instance of a suspected conduct breach that may arise from circumstances described in the above Note at end of clause 2. Process for Dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting, in this document.**

4.1. In relation to matters referred by the IA to the local government, the local government may decide not to start or discontinue an investigation if the complainant withdraws the complaint, or consents to the investigation not starting or discontinuing, or the complainant does not provide extra information when requested, or there is insufficient information to investigate the complaint, or the councillor vacates or has vacated their office as a councillor.

***Note**: The local government investigation must be conducted in a way that is consistent with the local government's investigation policy. An investigation report must be prepared to assist the councillors in deciding on the outcome under section 150AG of the LGA. Before debating a matter to decide on the outcome, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the LGA on or before the day and time prescribed by regulation.*

However, this section does not apply in relation to a decision by the Establishment and Coordination Committee under the COBA.

4.2. The local government must decide in a local government meeting, whether the councillor has engaged in a conduct breach. 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 section 238(2)(a), (b) or (c) of the COBA.

4.3. When dealing with an instance of a suspected conduct breach which has been referred to a local government by the IA:

4.3.1. The local government must be consistent with the local government principle of transparent and accountable decision making in the public interest by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of the local government. However, where the matter requires debate a local government may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report under the CBR section 242J, or the LGR section 254J.

4.3.2. No resolution for a decision can be made in the closed session. The matter must be decided in an open session of the meeting or at a later meeting.

4.3.3. Where a local government makes a decision about a conduct breach matter at a local government meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting under CBR section 242H and the LGR section 254H.

4.3.4. The subject councillor has a declarable conflict of interest in the matter and must declare the conflict of interest. The eligible councillors at the meeting can decide by resolution that the subject councillor may remain in the meeting (unless they decide otherwise), during the debate about the investigation report and may answer questions put to the subject councillor through the chairperson in relation to the evidence or written submission provided by the councillor to the local government.

4.3.5. The subject councillor who has a declarable conflict 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 a conduct breach and what, if any, penalty to impose if the councillor is found to have engaged in a conduct breach.

4.3.6. 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 clause 5. 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 eligible councillors (do not have a COI in the matter) must decide how to deal with the conflict of interest under clause 5. 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.

4.3.7. After making a decision under section 150AG of the LGA, the local government must make the full investigation report, publicly available within 10 business days after the decision is made, with redactions of the name of the complainant and any witnesses but including the name of a councillor or the CEO of the local government if they were complainants, and any councillor who declared a COI in the matter.

4.4. If the local government has lost quorum due to the number of conflicted councillors or another reason, the local government must do one of the following:

4.4.1. 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

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

4.4.3. Decide, by resolution, not to decide the matter and take no further action in relation to the matter unless this Act or another Act provides that the local government must decide the matter.

***Note**: A local government cannot decide to take no further action on a decision about a conduct matter because a decision is required under the LGA. In order to reach a decision when a loss of quorum has occurred, the matter can be deferred to a later meeting when a quorum can be maintained, or the conflicted councillors may apply to the Minister for permission to participate in the decision.*

The local government should establish a standing committee under section 264 of the LGR to deal with decisions about conduct breach matters that must be delegated. The standing committee must be in existence before receiving the referral notice from the IA, in circumstances where there is no quorum to decide a matter under sections 150AEA or 150AG of the LGA due to conflicts of interest. The standing committee will decide about matters relating to the mayor's conduct. While section 12(4)(f) of the LGA provides that the mayor has the extra responsibility of being a member of each

standing committee, the mayor could not be a decision making member of a standing committee dealing with decisions about the mayor's conduct because of the mayor's conflict of interest in the matter. The eligible councillors who are members of the committee will decide the matter.

4.5. If it is decided that the subject councillor has engaged in a conduct breach, then the councillors must decide what penalty or penalties from the orders detailed in clause 4.6, if any, to impose on the councillor. In deciding what penalty to impose the local government may consider any previous conduct breach of the councillor and any allegation made in the investigation that was admitted, or not challenged, and that the local government is reasonably satisfied is true.

4.6. The local government may order that no action be taken against the councillor or make one or more of the following:

4.6.1. An order that the councillor make a public apology, in the way decided by the local government,

4.6.2. An order reprimanding the councillor for the conduct breach

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

4.6.4. An order that the councillor be excluded from a stated local government meeting

4.6.5. 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)

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

4.6.7. An order that the councillor reimburse the local government for all or some of the costs arising from the councillor's conduct breach.

4.6.8. A local government may not make an order in relation to a person who has vacated their office as a councillor.

4.7. 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 the local government and if relevant any orders made by resolution.

4.8. The minutes of the meeting must reflect the decision and any orders made. A notice must be given to the IA as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.

5. Prescribed Conflict of Interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a local government 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,

5.1. 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 local government meeting must also give notice during the meeting at the time when the matter is to be discussed.

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

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

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

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

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

5.3.4. The nature of the councillor's relationship with the entity mentioned in 5.3.3 that has an interest in a matter

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

5.4. 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.

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

6. Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at local government 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).

6.1. 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 the COBA applies.

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

6.2.1. 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 local government meeting must also give notice during the meeting at the time when the matter is to be discussed.

6.2.2. A councillor who first becomes aware of a declarable conflict of interest in a matter during a local government meeting must inform the meeting of the conflict of interest.

6.3. 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:

6.3.1. The nature of the declarable conflict of interest

6.3.2. 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.

6.3.3. 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.

6.4. 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.

6.4.1. 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.

6.4.2. 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.

6.4.3. The councillor must comply with any decision or condition imposed by the eligible councillors. The councillor must not participate in the decision unless authorised in compliance with section 150ES of the LGA or section 177P of the COBA or under an approval by the minister for local government under section 150EV of the LGA or section 177S of the COBA.

6.4.4. 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 the COBA.

6.5. 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.

6.6. 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:

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

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

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

6.6.4. 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

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

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

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

6.7. 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.

6.8. 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 local government meeting about the same matter e.g., workshops.

6.9. 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).

5.10. 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.

7. Reporting a Suspected Conflict of Interest

7.1. 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.

7.2. 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.

7.3. 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.

7.4. 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.

7.5. 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.

7.6. If the belief or suspicion of a COI relates to more than one councillor. Clause 6 of these procedures must be complied with in relation to each councillor separately.

8. Loss of Quorum

8.1. 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:

8.1.1. 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

8.1.2. Defer the matter to a later meeting

8.1.3. Not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.

8.2. The local government 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.

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

8.4. The local government may by resolution delegate a power under section 257 of the LGA or section 238 of the COBA to:

8.4.1. The mayor or chief executive officer, or

8.4.2. A standing committee, or joint committee of the local government, or

8.4.3. The chairperson of a standing committee or joint standing committee of the local government – does not apply to Brisbane City Council, or

8.4.4. Another local government for a joint government activity.

8.4.5. The Establishment and Coordination Committee – only applies to Brisbane City Council

8.5. The local government may only delegate a power to make a decision about a councillors conduct under section 150AE or 150AG of the LGA pursuant to section 257(2) of the LGA, to:

8.5.1. The mayor or

8.5.2. A standing committee

8.5.3. If it is a decision about the conduct of the mayor, the decision must be delegated to a standing committee.

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

8.6.1. The mayor, or

8.6.2. The Establishment and Coordination Committee, or

8.6.3. A standing committee of the local government. If it is a decision about the conduct of the mayor, the decision must be delegated to a standing committee.

8.7. 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.

Note: Refer to note under 3.4

9. Recording Prescribed and Declarable Conflicts of Interest

9.1. 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):

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

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

9.1.3. 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

9.1.4. Any decision then made by the eligible councillors

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

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

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

9.2. 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:

9.2.1. 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.

9.3. Where a decision has been made under clause 5 above – the minutes must include:

9.3.1. The decision and reasons for the decision, and

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

10. Closed Meetings

10.1. A local government 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 s242J(3) of the COBR:

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

10.1.2. Industrial matters affecting employees

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

10.1.4. Rating concessions

10.1.5. 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

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

10.1.7. 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

10.1.8. Negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*

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

10.1.10. A matter relating to the consideration of an investigation report for an investigation of a conduct breach given to the local government under the LGA chapter 5A, part 3, division 5.

10.2. A local government 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.

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

10.3.1. 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:

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

10.3.3. Not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.

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

10.5. 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 section 171(3) of the LGA or section 173(3) of the COBA).

10.6. To take a matter into a closed session the local government must abide by the following:

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

10.6.2. 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 clause10.1)

10.6.3. If it is known in advance, the agenda should clearly identify that the matter may be considered in closed session, and an explanation of why the councillors at the meeting may consider it necessary to take the issue into closed session must be stated.

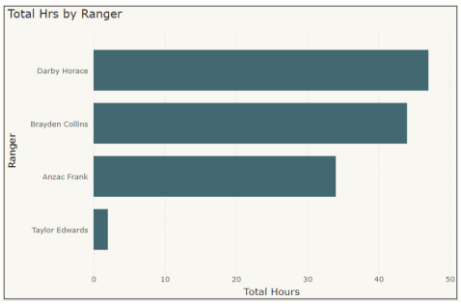
10.6.4. Not make a resolution while in a closed meeting (other than a procedural resolution).

4.5.1 – Community Services and Cultural Heritage Report

Title:	Community Services and Cultural Heritage Monthly Update
Author:	Acting Executive Manager Community Services and Cultural Heritage
Meeting Date:	29 October 2024

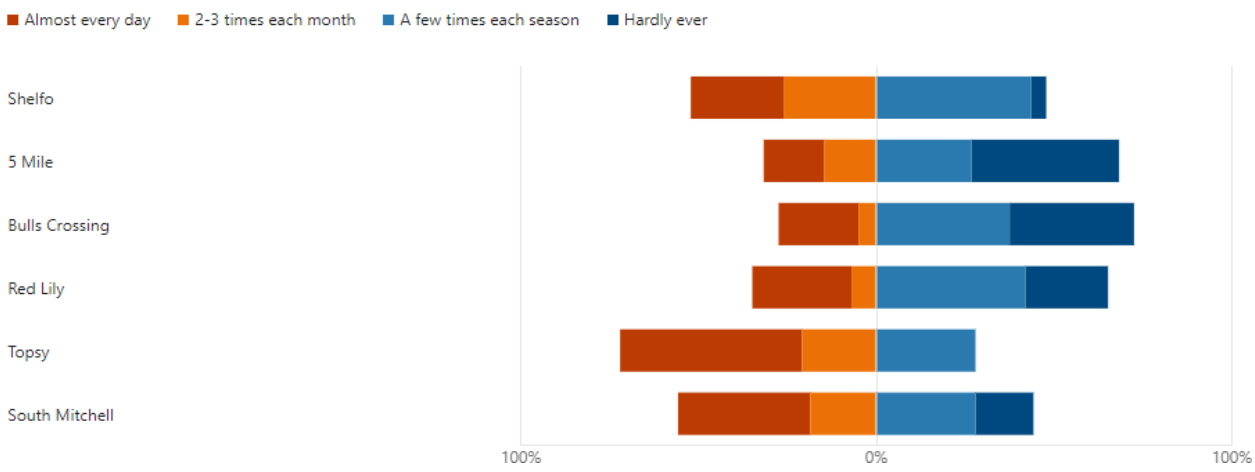
1. Rangers

- Kowanyama hosted the Enhancing Local Government Biosecurity Capabilities workshop, with attendance from Carpentaria Shire, Cook Shire, Mareeba Shire and Pormpuraaw Shire.
- Turtle monitoring and protection cages were deployed.
- The team conducted a biosecurity survey during the month to inform the Kowanyama Biosecurity Plan, with 46 responses received to date.



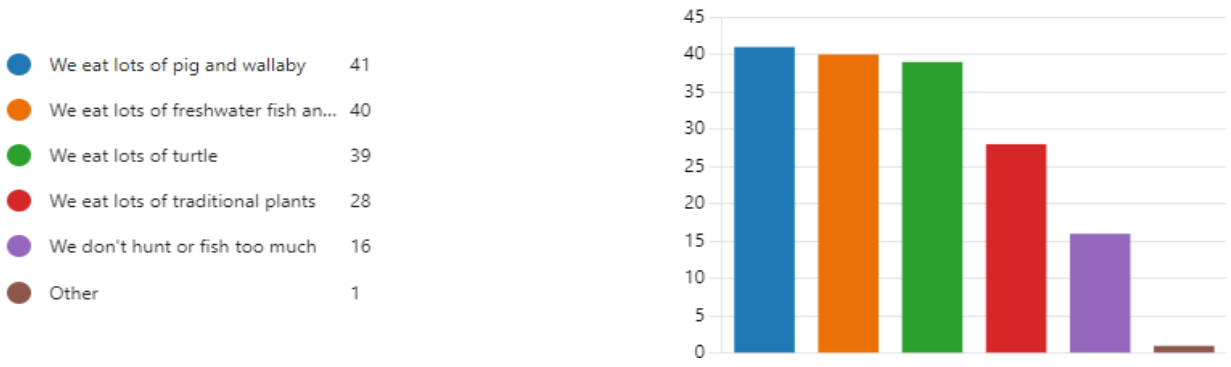
1. Where do you go out bush? How often do you go?

More Details



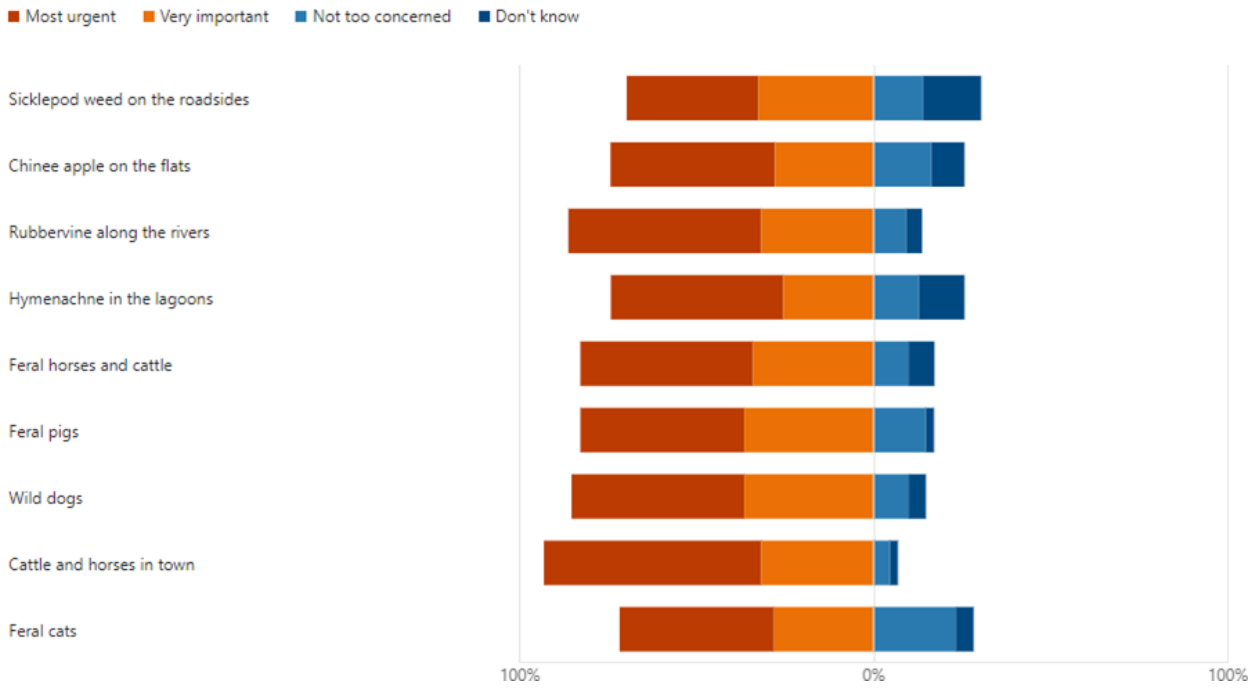
2. How important is bush tucker for you?

More Details

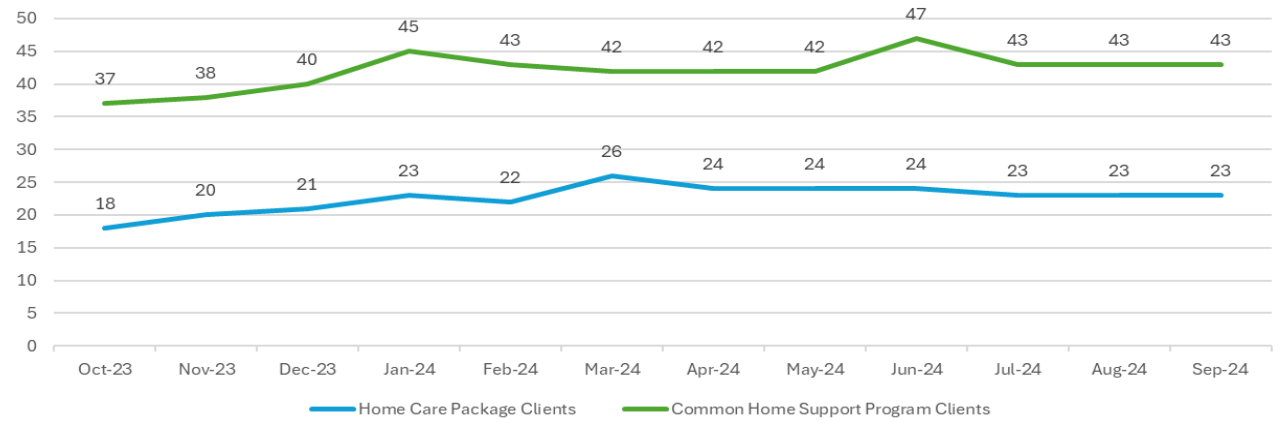


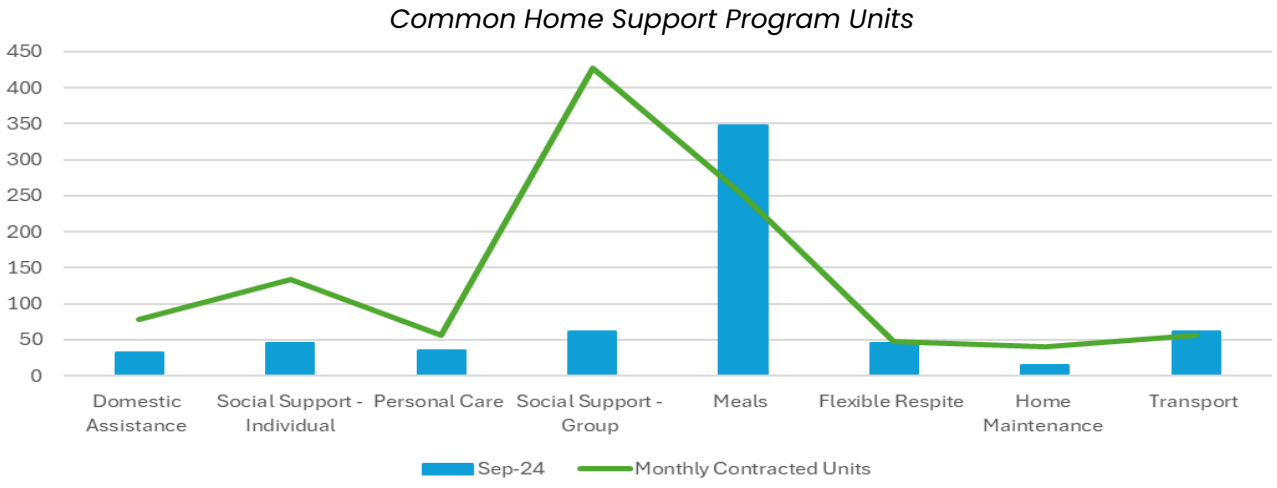
3. Choose a priority for each of these weeds and ferals.

More Details

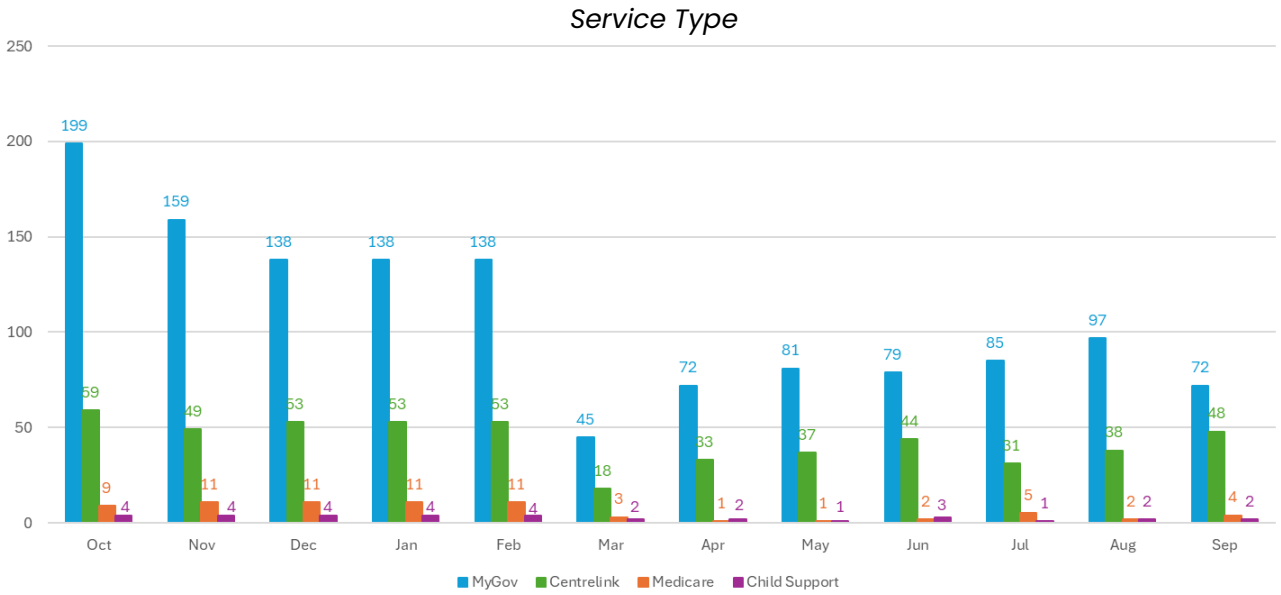


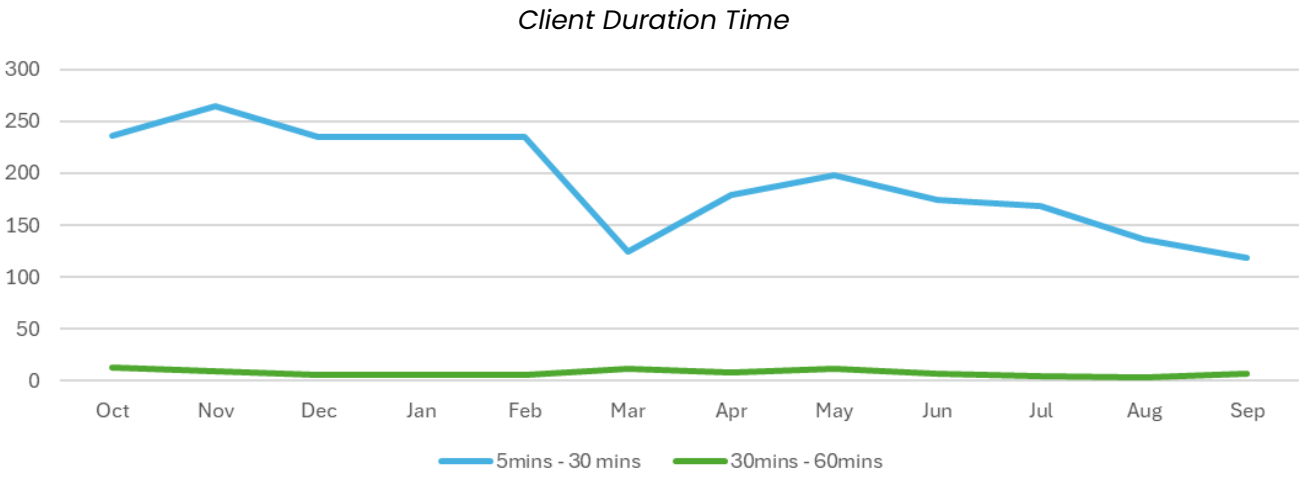
2. Aged Care





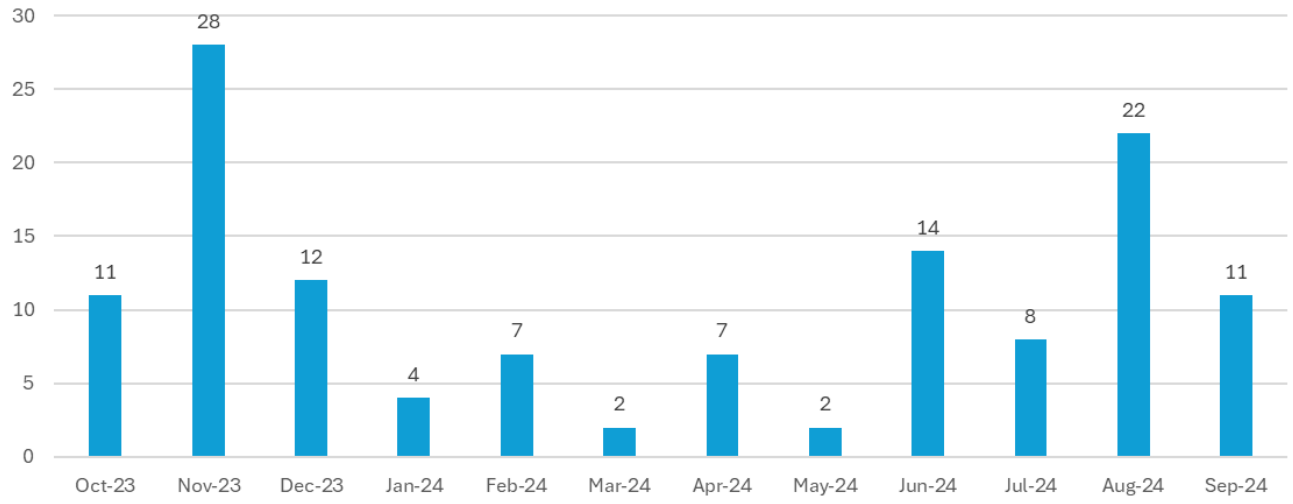
3. Services Australia





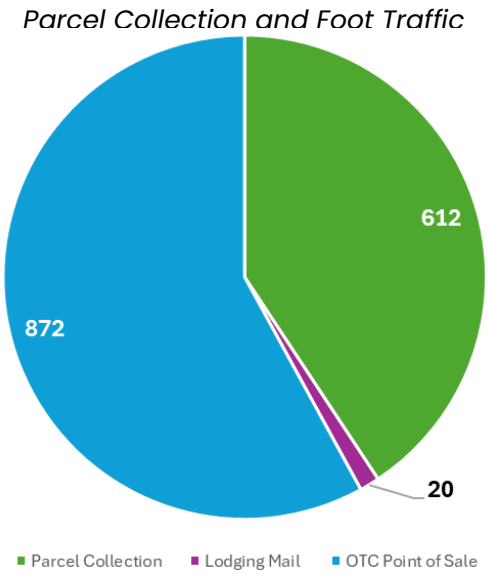
4. Women's Shelter

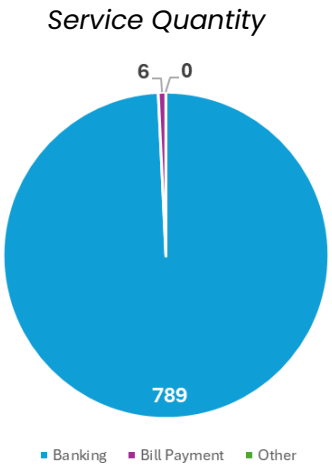
Attendance statistics for the last 12 months:



5. Post Office

The month of September saw 1,507 customers access services (excluding the ATM), down 14% from last month.





** These statistics do not include:*

- *Parcels and letters that don't get scanned*
- *Power card transactions*
- *Banking paperwork customers, e.g. those with issues accessing their account, identification documents, etc.*