NOTICE OF THE
CITY GOVERNANCE COMMITTEE

Date: Tuesday, 9 June, 2020
Time: 9:00 am
Location: Logan Entertainment Centre
170 Wembley Road, Logan Central

Committee Members:
Councillor Bradley (Chairperson)
Councillor Willcocks (Deputy Chairperson)
Councillor Lane
Councillor Russell
Councillor Koranski
Councillor Raven
Councillor Hall
Councillor Frazer
Councillor Heremaia
Councillor Bannan
Councillor Stemp
Councillor Murphy
His Worship the Mayor, Councillor Power
1. Welcome

2. Acknowledgement of Country

3. Leave of Absence

4. Director of Innovation and City Transformation
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   9.1 Confidential Report - Logan City of Choice Initiative

10. Late Report
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Logan City Council
Committee Business Papers -
Use of Information by Councillors

Please retain the attached Business Paper as it will be considered in conjunction with the recommendations of the relevant Committee meeting by Council.

Councillors are reminded that if a person is convicted of an offence against the following section 171 of the *Local Government Act 2009* (Use of information by councillors), that penalties apply.

171 Use of information by councillors

(1) A person who is, or has been, a councillor must not use information that was acquired as a councillor to—

(a) gain, directly or indirectly, a financial advantage for the person or someone else; or

(b) cause detriment to the local government.

Maximum penalty—100 penalty units or 2 years imprisonment.

(2) Subsection (1) does not apply to information that is lawfully available to the public.

(3) A councillor must not release information that the councillor knows, or should reasonably know, is information that is confidential to the local government.

Note—

A contravention of subsection (3) is misconduct that is dealt with by the tribunal.
EXECUTIVE SUMMARY

The purpose of this report is to seek amendment to the Terms of Reference for both the City Governance (GO) Committee and the City Planning, Economic Development & Environment (PL) Committee. Amendments are sought to enable reports of the City Transformation Branch and Advocacy Program to be presented to the PL Committee.

The functions within these two areas of the ICT Directorate have an external focus on managing strategic relationships in order to attract investment to the City. This investment will in turn, aim to influence positive economic outcomes for the City of Logan. Therefore, presenting reports to the PL Committee would enable functional reporting alignment due to the focus on economic development for the City of Logan.

Criteria: Direction - It requires Council to make a decision of a strategic nature; or Council has specifically requested it

CORPORATE PLAN PRIORITY

Next Generation Governance

RECOMMENDATIONS

IT IS RECOMMENDED:

That the Draft Terms of Reference for the following Standing Committees, as attached to the report of the Director of Innovation & City Transformation dated 9 June 2020, be adopted:

(a) City Governance; and
(b) City Planning, Economic Development and Environment.

PURPOSE OF REPORT/BACKGROUND

Committee structure.

Under Council’s current committee arrangements, all branches and programs within the ICT Directorate were assigned reporting obligations to the Governance Committee.
City Transformation Branch.

As part of the ICT Directorate restructure adopted by Council on 19 February 2020 (Min No. 9/2020), the City Futures Branch was renamed the City Transformation Branch. The purpose of the City Transformation Branch is to support the city transformation agenda through investment and capability uplift in Innovation. Functionally, City Transformation is primarily focused on working collaboratively with external strategic partners. A key priority for the branch is building strategic relationships that will lead to investment in the City. Therefore, the branch has a strong function to drive positive economic outcomes.

Advocacy Program.

The purpose of the Advocacy program is to help Council influence decision makers and funding bodies to ensure the City of Logan has the infrastructure and services the community needs. The program manages strategic relationships with all levels of government for investment in city infrastructure and coordination of grant programs across public, private and third sector for investment to deliver programs and services to the City. Therefore, the program has a strong function for managing relationships to achieve economic outcomes.

Change to Committee Terms of Reference.

As both of these functional areas of the ICT Directorate have a focus on investments that result in economic outcomes, it is recommended that the City Transformation and Advocacy Program report to the City Planning, Economic Development and Environment Committee.

By contrast, the Business Transformation Branch core functions have an internal focus and will continue to report to the Corporate Governance Committee.

The Terms of Reference for both Committees will require amendments including:

- Removing City Transformation Branch and Advocacy Program from the GO Committee Terms of Reference.
- Adding City Transformation Branch and Advocacy Program to the PL Committee Terms of Reference.

ANY PREVIOUS COUNCIL DECISIONS

N/A

FINANCIAL/RESOURCE IMPLICATIONS

N/A

RISK MANAGEMENT IMPLICATIONS

N/A

LEGAL/POLICY

N/A
COMMUNITY AND OTHER CONSULTATION

Committee Chair Engagement.

The Director of the Innovation and City Transformation Directorate met with the PL Committee Chair on 5 May 2020 and with the GO Committee Chair on the 21 May 2020. Both Chairs were supportive of the proposed changes to Committee reporting lines.

CONCLUSION

As the City Transformation Branch and Advocacy Program primary functions are to attract investment to the City, these two areas of the ICT Directorate are better placed to report to the City Planning, Economic Development and Environment Committee.

ATTACHMENTS TABLE

Draft Terms of Reference - City Governance Committee
Draft Terms of Reference - City Planning, Economic Development & Environment Committee
1. **NAME OF THE COMMITTEE**

1.1 The name of the Standing Committee is the City Governance Committee.

1.1.1 Establishment

The City Governance Committee (Committee) is established as a Standing Committee in accordance with Section 264 of the Local Government Regulation 2012 and Council's Local Government and Committee Meetings Code.

2. **PURPOSE, OBJECTIVES AND RESPONSIBILITIES**

2.1 The Committee will broadly align with the Corporate Plan Priority, 'Next Generation Governance'.

2.2 The Committee provides direction and leadership through the functional purpose, objectives and responsibilities listed below:

2.2.1 Scope and Limitations

(a) This Committee is the peak recommendation-making body dealing with strategy and policy as it relates to corporate governance, finance, administration, people and culture, corporate planning and reporting, information services, plant fleet and local government legislation.

(b) The Committee makes recommendations to the Ordinary Council meeting. Council may by resolution, pursuant to Section 257 of the Local Government Act 2009, delegate authority to the Committee to decide matters. Delegations of authority may be specific to an individual matter or in general terms to provide lasting authority to determine nominated issues.

(c) The main functions of the Committee are to:

(i) Receive reports from the Chief Executive Officer and appropriately delegated officers;

(ii) Consider the material in the reports from the Chief Executive Officer and appropriately delegated officers; and

(iii) Formulate recommendations to the Ordinary Council meeting.

2.2.2 Responsibilities

Generally, the following is a list of branches, programs or functions that will report to the Committee:

(a) Administration;

(b) Finance;

(c) Corporate Governance;

(d) People and Culture;
(e) Plant Fleet Services; 
(f) Information Services; and  
(g) Strategic Projects Business Transformation;  
(h) City Futures; and  
(i) Advocacy.

2.2.3 Membership

Council at its meeting of 29 April 2020 (Minute No. 36/2020) resolved that the membership of the Committee be appointed as follows:

Chairperson: Councillor Bradley  
Deputy Chairperson: Councillor Willcocks  
Members: Councillor Lane  
Councillor Russell  
Councillor Koranski  
Councillor Raven  
Councillor Hall  
Councillor Frazer  
Councillor Heremaia  
Councillor Bannan  
Councillor Stemp  
Councillor Murphy  
Councillor Power

2.2.4 Spokesperson

The Chairperson of the Committee is the appointed Spokesperson for Committee related matters.

2.2.5 Prefix

The Committee prefix is ‘GO’.

3. PLACE AND FREQUENCY OF MEETINGS

3.1 The Committee meeting is held at the Logan City Council Administration Centre, 150 Wembley Road, Logan Central.

3.2 The Calendar of Meetings, as endorsed by Council, determines the Committee’s meeting frequency.
4. **TIMEFRAMES AND DISTRIBUTION OF THE NOTICE AND AGENDA**

4.1 The Notice of Meeting and agenda for this Committee will be distributed in accordance with Section 258 of the *Local Government Regulation 2012* and Council’s Local Government and Committee Meetings Code.

4.2 The Chief Executive Officer, in conjunction with the Executive Leadership Team, is responsible for the preparation of the Committee meeting agenda. Where considered necessary, the Chief Executive Officer, in conjunction with the Executive Leadership Team, may liaise with the Chairperson in relation to relevant matters.

5. **RECORDING OF MINUTES**

5.1 Council at its meeting of 29 April 2020 (Minute No. 36/2020) resolved as follows:

2. That, in accordance with Section 272(6) of the *Local Government Regulation 2012*, Council resolves to exempt its Standing Committees from keeping minutes of its proceedings.

3. That, in accordance with Section 272(8) of the *Local Government Regulation 2012*, Council resolves to provide a written report of Standing Committees’ recommendations to the Ordinary Council meeting for consideration and adoption.

6. **SUPPORTING DOCUMENTS**

6.1 This document should be read in conjunction with the following documents:

(a) *Local Government Act 2009*;
(b) *Local Government Regulation 2012*;
(c) Logan City Council’s Local Government and Committee Meetings Code; and
(d) Council’s policies, delegations of authority and management directives relevant to meeting procedures.

7. **DOCUMENT CONTROL**

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<th>Date</th>
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<td>29 April 2020</td>
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<td>Removal of certain I&amp;CT Directorate branches</td>
<td>Director of Innovation &amp; City Transformation</td>
<td>17 June 2020</td>
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</table>
1. NAME OF THE COMMITTEE

1.1 The name of the Standing Committee is the City Planning, Economic Development and Environment Committee.

1.1.1 Establishment

The City Planning, Economic Development and Environment Committee (Committee) is established as a Standing Committee in accordance with Section 264 of the Local Government Regulation 2012 and Council’s Local Government and Committee Meetings Code.

2. PURPOSE, OBJECTIVES AND RESPONSIBILITIES

2.1 The Committee will broadly align with the Corporate Plan Priorities, ‘Economic Transformation’ and ‘Green and Renewable’.

2.2 The Committee provides direction and leadership on the functional purpose, objects and responsibilities listed below:

2.2.1 Scope and Limitations

(a) This Committee deals with all planning and development matters regarding development assessment and engineering, building certification, planning appeals, land use and infrastructure planning and policy, growth management, economic development and strategy, tourism, Invest Logan, environmental health and immunisation, environmental management, waste and recycling.

(b) The Committee makes recommendations to the Ordinary Council meeting. Council may by resolution, pursuant to Section 257 of the Local Government Act 2009, delegate authority to the Committee to decide matters. Delegations of authority may be specific to an individual matter or in general terms to provide lasting authority to determine nominated issues.

(c) The main functions of the Committee are to:

(i) Receive reports from the Chief Executive Officer and appropriately delegated officers;

(ii) Consider the material in the reports from the Chief Executive Officer and appropriately delegated officers; and

(iii) Formulate recommendations to the Ordinary Council meeting.
2.2.2 Responsibilities

Generally, the following is a list of branches, programs or functions that will report to the Committee:

(a) Development Assessment;
(b) Economic Development and Strategy; and
(c) Health, Environment and Waste;
(d) City Transformation Branch; and
(e) Advocacy.

2.2.3 Membership

Council at its meeting of 29 April 2020 (Minute No. 36/2020) resolved that the membership of the Committee be as follows:

Chairperson: Councillor Raven
Deputy Chairperson: Councillors Stemp and Murphy
Members: Councillor Bradley
Councillor Lane
Councillor Russell
Councillor Koranski
Councillor Raven
Councillor Hall
Councillor Frazer
Councillor Heremaia
Councillor Bannan
Councillor Willcocks
Councillor Power

2.2.4 Spokesperson

The Chairperson for the Committee is the appointed Spokesperson for Committee related matters.

2.2.5 Prefix

The Committee prefix is 'PL'.

3. PLACE AND FREQUENCY OF MEETINGS

3.1 The Committee meeting is held at the Logan City Council Administration Centre, 150 Wembley Road, Logan Central.

3.2 The Calendar of Meetings, as endorsed by Council, determines the Committee’s meeting frequency.
4. **TIMEFRAMES AND DISTRIBUTION OF THE NOTICE AND AGENDA**

   4.1 The Notice of Meeting and agenda for this Committee will be distributed in accordance with Section 258 of the *Local Government Regulation 2012* and Council’s Local Government and Committee Meetings Code.

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7. **DOCUMENT CONTROL**

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<td>29 April 2020</td>
</tr>
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</table>

   | 3.0            | Addition of certain I&CT Directorate branches | Director of Innovation & City Transformation | 17 June 2020 |
4.2  

**Covering Report**  
*Refer to Confidential Agenda in accordance with Section 275 (1) (c) of the Local Government Regulation 2012*  
CITY OF CHOICE INITIATIVE

**REPORT OF:**  
Director of Innovation & City Transformation

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**REPORT OVERVIEW**

**EXECUTIVE SUMMARY**

The purpose of this report is to seek direction from Council on the future form and function of the City of Choice Initiative.

Criteria:  
Direction - It requires Council to make a decision of a strategic nature; or Council has specifically requested it

**CORPORATE PLAN PRIORITY**

Quality Lifestyles

Submitted under separate cover is confidential documentation relating to the above matter. This documentation is considered confidential due to the following reason: "Due to information pertaining to the 2020/2021 local government budget."

**RECOMMENDATIONS**

**IT IS RECOMMENDED:**

1. That Council endorse the progression of a preferred option, as detailed in the confidential report of the Director of Innovation & City Transformation dated 9 June 2020, regarding the future form and function of the City of Choice Initiative.

2. That, upon 31 December 2020, the Corporate Governance Manager be requested to place the confidential report of the Director of Innovation and City Transformation dated 9 June 2020 and associated background papers into the public records.

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**REPORT DETAILS**

**INTERESTED PARTIES**

The current members of the City of Choice Leadership Team are:

1. Matthew Cox (Logan Together Director) – Chair
2. Gail Kerr (Access Community Services CEO) – Deputy Chair
3. The Hon. Shannon Fentiman MP (Minister for Employment and Small Business, Minister for Training and Skills, Member for Waterford)
4. Bert van Manen MP (Federal Member for Forde)
5. Cath Bartolo (YFS CEO)
6. John Perry (Former Employment, Education and Training General Manager at BoysTown/yourtown)
7. Belinda Drew (Community Services Industry Alliance CEO)
8. Bruce Wolfe (Australian Institute of Architects – Previous Queensland Chapter President)
9. Lynda Ford (Chief Executive Officer, Enterprising Partnerships Group)
10. Nikki Chenoweth (Indigenous artist, Cultural Competency Trainer – KPMG)
11. Linda O’Brien (Pro Vice-Chancellor & Head, Logan Campus Griffith University)

PURPOSE OF REPORT/BACKGROUND

The purpose of this report is to seek direction from Council on the future form and function of the City of Choice Initiative.

Further information is confidential and is included in the confidential attachment to this report.

ANY PREVIOUS COUNCIL DECISIONS

31 January 2017 (Minute No: 17/2017): Council resolved to appoint Mayor Luke Smith and Logan Together Director, Matthew Cox as Co-Chairs of the City of Choice Leadership Team and extend the City of Choice initiative for three calendar years (2017 – 2019).

19 September 2017 (Minute No 272/2017): Council resolved to extend invitations to the current members of the City of Choice Leadership Team 2017 – 2019.

26 June 2018 (Minute No 188/2018): Council resolved to appoint Councillor Laurie Smith as the Co-Chair of the City of Choice Leadership Team following the dismissal of former Mayor Luke Smith. This report also confirmed the appointment of Leadership Team members and the team’s initial three priorities; holistic support for people with addiction issues, employment pathways and social housing and precinct renewal.

11 December 2019 (Minute No 191/2019): The Interim Administrator of Logan City Council resolved that the current Logan: City of Choice Leadership Team membership term be extended to no later than 31 December 2020.

FINANCIAL/RESOURCE IMPLICATIONS

This information is confidential and is included in the confidential attachments to this report.

RISK MANAGEMENT IMPLICATIONS

This information is confidential and is included in the confidential attachments to this report.

LEGAL/POLICY

This information is confidential and is included in the confidential attachments to this report.

COMMUNITY AND OTHER CONSULTATION

This information is confidential and is included in the confidential attachments to this report.

CONCLUSION

This information is confidential and is included in the confidential attachments to this report.

ATTACHMENTS TABLE

N/A
5.1  EXECUTIVE FINANCIAL PERFORMANCE REPORT – APRIL 2020

REPORT OF:  Finance Manager

REPORT OVERVIEW

EXECUTIVE SUMMARY

Attach as background papers for Members information are the Financial Statements for the period ended 31 March 2020.

Section 204 of the Local Government Regulation 2012 requires the presentation of a financial report to Local Government each month.

Criteria:  Direction - It requires Council to make a decision of a strategic nature; or Council has specifically requested it

CORPORATE PLAN PRIORITY

Next Generation Governance

RECOMMENDATIONS

IT IS RECOMMENDED:

That the Financial Statements for the period ending 30 April 2020, as attached to the report of the Finance Manager dated 9 June 2020, be endorsed.

REPORT DETAILS

INTERESTED PARTIES

Not applicable.

PURPOSE OF REPORT/BACKGROUND

Not applicable.

ANY PREVIOUS COUNCIL DECISIONS

Not applicable.

FINANCIAL/RESOURCE IMPLICATIONS

Not applicable.

RISK MANAGEMENT IMPLICATIONS

Not applicable.

LEGAL/POLICY

Not applicable.
COMMUNITY AND OTHER CONSULTATION
Not applicable.

CONCLUSION
Not applicable.

ATTACHMENTS TABLE

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Performance Overview .........................................................................................................................1
  Finance Manager’s Comments .................................................................................................................1
  Council Operating Statement ..................................................................................................................3
Investments ..............................................................................................................................................4
Rates and Charges ....................................................................................................................................4
Sundry Debtors ..........................................................................................................................................5
### Performance Overview

#### Finance Manager’s Comments

**Summary Statement**

**For the Period Ending April 2020**

<table>
<thead>
<tr>
<th>Year To Date</th>
<th>Budget $000s</th>
<th>Actual $000s</th>
<th>Variance $000s</th>
<th>Variance %</th>
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</thead>
<tbody>
<tr>
<td>Operating Revenue</td>
<td>521,422</td>
<td>527,254</td>
<td>5,832</td>
<td>1.12%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>521,150</td>
<td>528,170</td>
<td>(7,019)</td>
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<tr>
<td>Operating Surplus</td>
<td>271</td>
<td>(916)</td>
<td>(1,187)</td>
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<tr>
<td>Accumulated Surplus</td>
<td>1,021</td>
<td>7,266</td>
<td>6,245</td>
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<tr>
<td>Rates and Utility Charges</td>
<td>379,780</td>
<td>386,488</td>
<td>6,708</td>
<td>1.77%</td>
</tr>
<tr>
<td>User Fees and Charges</td>
<td>30,792</td>
<td>29,279</td>
<td>(1,512)</td>
<td>-4.91%</td>
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<td>Other Income</td>
<td>93,610</td>
<td>94,058</td>
<td>448</td>
<td>0.48%</td>
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<td>Employee Expenses</td>
<td>137,635</td>
<td>139,430</td>
<td>(1,795)</td>
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<td>Materials and Services</td>
<td>223,140</td>
<td>228,408</td>
<td>(5,268)</td>
<td>-2.36%</td>
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<td>Capital Expenditure</td>
<td>270,218</td>
<td>218,540</td>
<td>51,677</td>
<td>19.12%</td>
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</tbody>
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**General Comments**

COVID-19 – year to date expenditure that can be attributed to the COVID impact across the organisation stands at $631k. Last revenue due to covid is more difficult to determine with surety. There are variances in revenue which is due to the closure of facilities across the Sports, Leisure & Facilities branch in response to this pandemic, this reduced revenue is offset by reductions in direct variable costs.

Development application fees are trending below budget for operational works and major new developments. No major applications have been lodged this financial year. It is expected the impacts of COVID-19 will be temporarily affecting confidence in the market but only delaying the underlying demand for affordable housing. It is currently estimated that these impacts will last at least six months.

The effects of the refunds processed in April as a part of the COVID-19 Phase 1 relief package, food business license fees and application fees are now tracking behind budget.

The Strategic Asset Management and Maintenance System Closeout for the Water Business continues with completion due June 2020. A Transition Plan for ongoing works for the first half of 2020/21 was endorsed by the Strategic Asset Management and Maintenance System Steering Committee. A business case will be submitted to Council with recommendations in relations to moving forward with this project late in 2020.

The recently introduced state Waste Levy remains a key risk in terms of how the increased gate fee for commercial customers may impact usage and therefore revenue.

**Operating Revenue:**

Operating revenue as at 30 April 2020 is ahead of budget by $5.83m (1.12%).

Key variances for operating expenses include:

Revenue from water consumption is higher than budget due to dry weather conditions in the first two quarters of the financial year, both direct household consumption and standpipe and fill station water sales.

Water Infrastructure additional development revenue received associated with infrastructure planning.
| Container refund scheme contract and waste levy revenue lower than expected. |
| Additional income tax equivalents and returns received due to favourable results of the Water business unit to the end of April 2020. |
| Lower than expected other revenue from recoverable external plant hire. This is being monitored to determine trends. |
| Interest Income received is lower than anticipated due to a decrease in the interest rate on investments. |
| Both Development Application fees and Licensing fees have a variance to budget as noted in the general comments. |

**Operating Expenses:**

Operating expenditure as at 30 April 2020 have a variance to budget by $7.02m (1.35%).

There have been additional callout and overtime costs in Water operations that could not be determined at budget time, a payroll tax percentage increase and an understatement of anticipated on-costs in the budget salary model and an increase in employee provisions all contributing to some degree to the unfavorable variance in employee costs.

Increased bulk water purchases due to a continuation of dry weather conditions in the first two quarters of this financial year, note this is in line with the revenue variance.

**Capital Expenditure:**

Some of the key variances for capital expenditure include:

Delays associated with finalising the project planning and development activities on a number of projects as well as the deferment of the Smith Rd Depot building approval decision.

Lower than forecast spent on various projects, predominantly including Kingston Butter Factory Redevelopment, Parks Depot Marsden Redevelopment and Get in the Game facility upgrades.
## Council Operating Statement

For the Period Ending April 2020

<table>
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<th>YTD Amended Budget $000's</th>
<th>YTD Actuals $000's</th>
<th>Var $</th>
<th>Var %</th>
<th>Full Year Original Budget $000's</th>
<th>Full Year Amended Budget $000's</th>
<th>% of YTD Actual to Full Year Amended Budget</th>
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<tr>
<td>Operating Revenue</td>
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<td></td>
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<td>474,659</td>
<td>475,199</td>
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<td>(15,466)</td>
<td>(15,249)</td>
<td>218</td>
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<td>(18,661)</td>
<td>(18,690)</td>
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<td>30,792</td>
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<td>93,610</td>
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<td>118,403</td>
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<td>1,394</td>
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<td>5,637</td>
<td>5,982</td>
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<td>137,635</td>
<td>139,430</td>
<td>(1,795)</td>
<td>1</td>
<td>166,131</td>
<td>165,505</td>
<td>84</td>
</tr>
<tr>
<td>71,935</td>
<td>77,184</td>
<td>(5,249)</td>
<td>7</td>
<td>86,112</td>
<td>86,392</td>
<td>89</td>
</tr>
<tr>
<td>151,205</td>
<td>151,224</td>
<td>(0)</td>
<td>0</td>
<td>190,156</td>
<td>189,677</td>
<td>80</td>
</tr>
<tr>
<td>101,336</td>
<td>100,007</td>
<td>1,329</td>
<td>1</td>
<td>117,894</td>
<td>121,790</td>
<td>82</td>
</tr>
<tr>
<td>59,039</td>
<td>60,325</td>
<td>(1,285)</td>
<td>2</td>
<td>72,934</td>
<td>71,860</td>
<td>84</td>
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<tr>
<td>521,150</td>
<td>528,170</td>
<td>(7,019)</td>
<td>1</td>
<td>633,228</td>
<td>635,225</td>
<td>83</td>
</tr>
<tr>
<td>Operating Surplus</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6,238</td>
<td>83</td>
</tr>
<tr>
<td>271</td>
<td>(218)</td>
<td>(438)</td>
<td>(288)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Related Items</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>164,571</td>
<td>198,315</td>
<td>33,744</td>
<td>21</td>
<td>192,254</td>
<td>211,686</td>
<td>94</td>
</tr>
<tr>
<td>11,927</td>
<td>13,585</td>
<td>(1,656)</td>
<td>14</td>
<td>15,312</td>
<td>14,312</td>
<td>95</td>
</tr>
<tr>
<td>152,645</td>
<td>184,733</td>
<td>32,088</td>
<td>21</td>
<td>176,942</td>
<td>197,374</td>
<td>94</td>
</tr>
<tr>
<td>152,916</td>
<td>183,817</td>
<td>30,901</td>
<td>20</td>
<td>183,180</td>
<td>197,691</td>
<td>93</td>
</tr>
<tr>
<td>Capital Appropriations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>251,689</td>
<td>203,980</td>
<td>47,709</td>
<td>19</td>
<td>361,728</td>
<td>326,922</td>
<td>62</td>
</tr>
<tr>
<td>18,529</td>
<td>14,561</td>
<td>3,968</td>
<td>21</td>
<td>34,113</td>
<td>29,741</td>
<td>89</td>
</tr>
<tr>
<td>102,137</td>
<td>112,041</td>
<td>(9,905)</td>
<td>10</td>
<td>102,957</td>
<td>124,260</td>
<td>90</td>
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<tr>
<td>11,458</td>
<td>11,407</td>
<td>51</td>
<td>0</td>
<td>13,749</td>
<td>13,749</td>
<td>83</td>
</tr>
<tr>
<td>383,812</td>
<td>341,989</td>
<td>41,824</td>
<td>11</td>
<td>512,547</td>
<td>494,672</td>
<td>69</td>
</tr>
<tr>
<td>Capital Works Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15,574</td>
<td>34,212</td>
<td>(18,639)</td>
<td>120</td>
<td>6,141</td>
<td>13,662</td>
<td>250</td>
</tr>
<tr>
<td>144,632</td>
<td>150,585</td>
<td>(5,954)</td>
<td>4</td>
<td>177,353</td>
<td>192,340</td>
<td>78</td>
</tr>
<tr>
<td>8,311</td>
<td>8,247</td>
<td>(64)</td>
<td>1</td>
<td>314</td>
<td>8,311</td>
<td>99</td>
</tr>
<tr>
<td>151,895</td>
<td>167,551</td>
<td>(24,656)</td>
<td>16</td>
<td>183,180</td>
<td>197,691</td>
<td>89</td>
</tr>
<tr>
<td>1,021</td>
<td>7,266</td>
<td>6,245</td>
<td>612</td>
<td>Accumulated Surplus/(Deficit)</td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

For the Period Ending April 2020

% of Year Completed 83 %
Investments

Rates and Charges

RATES & CHARGES STATISTICS

<table>
<thead>
<tr>
<th></th>
<th>April 2019</th>
<th>April 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrears as at 1 July</td>
<td>$19,897,478</td>
<td>$22,791,738</td>
</tr>
<tr>
<td>Levies:(Including Supplementary Levy)</td>
<td>$486,547,126</td>
<td>$513,411,508</td>
</tr>
<tr>
<td>Total</td>
<td>$506,444,604</td>
<td>$536,203,246</td>
</tr>
<tr>
<td>Less Cash, Discount, Remissions, Adjustments, etc</td>
<td>$377,718,955</td>
<td>$415,091,529</td>
</tr>
<tr>
<td>Balance</td>
<td>$128,725,649</td>
<td>$121,111,717</td>
</tr>
<tr>
<td>% Outstanding</td>
<td>25.42%</td>
<td>2.83% 22.59%</td>
</tr>
</tbody>
</table>

Financial Hardship Arrangements

<table>
<thead>
<tr>
<th></th>
<th>Apr-19</th>
<th>Apr-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest free (No.)</td>
<td>1,404</td>
<td>2,150</td>
</tr>
<tr>
<td>Interest free ($'s)</td>
<td>$3,736,650</td>
<td>$6,350,319</td>
</tr>
<tr>
<td>Interest bearing (No.)</td>
<td>170</td>
<td>170</td>
</tr>
<tr>
<td>Interest bearing ($'s)</td>
<td>$682,491</td>
<td>$567,122</td>
</tr>
</tbody>
</table>
### Sundry Debtors

<table>
<thead>
<tr>
<th>Days Outstanding</th>
<th>As at 29/02/20</th>
<th>As at 31/03/20</th>
<th>As at 30/04/20</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td>%</td>
<td>$</td>
</tr>
<tr>
<td>Current</td>
<td>1,196,751</td>
<td>42%</td>
<td>2,565,666</td>
</tr>
<tr>
<td>30-60 days</td>
<td>442,866</td>
<td>15%</td>
<td>217,541</td>
</tr>
<tr>
<td>60-90 days</td>
<td>566,639</td>
<td>20%</td>
<td>228,941</td>
</tr>
<tr>
<td>90+ days</td>
<td>666,262</td>
<td>23%</td>
<td>1,028,007</td>
</tr>
<tr>
<td>Total Aged</td>
<td>2,872,518</td>
<td>100%</td>
<td>4,040,155</td>
</tr>
<tr>
<td>Credits Unapplied</td>
<td>(91,253)</td>
<td></td>
<td>(59,307)</td>
</tr>
<tr>
<td>Total</td>
<td>2,781,265</td>
<td></td>
<td>3,980,848</td>
</tr>
</tbody>
</table>

#### Debtor Description

- **KM SEQ Pty Ltd**
  - Description: Infrastructure Agreement for Andrew Road, Greenbank - financial contribution
  - Action: The invoice/s are associated with an Infrastructure Agreement and the Proponent has requested further time to pay. Council is holding a bank guarantee that covers in full the value of this debt. |
    - >90 Days: 515,322
    - >60 Days: 442,866
    - >30 Days: 2,565,666
    - Current: 1,196,751

- **Brisbane Roar Football Club**
  - Description: Rates & Charges for period 01/10/18 to 31/03/20 ($188,133), gym membership fees for February and January 2020 and electricity ($4,391)
  - Action: Monthly payment arrangement of $2,000, commenced May 2019. This arrangement has been in default since December 2019.
    - >90 Days: 149,974
    - >60 Days: 3,741
    - >30 Days: 38,809
    - Current: 110,095

- **Accounts with external collection agency**
  - Description: Various debts
  - Action: Monitored by Assistant Senior Recoveries Officer.
    - >90 Days: 666,262
    - >60 Days: 566,639
    - >30 Days: 442,866
    - Current: 217,541
<table>
<thead>
<tr>
<th>Accounts on Arrangement</th>
<th>Various debts</th>
<th>Monitored by Assistant Senior Recoveries Officer and Senior Accounts Receivable Officer.</th>
<th>84,969</th>
<th>1,001</th>
<th>5,138</th>
<th>4,716</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste disposal</td>
<td>Various accounts</td>
<td>Overdue accounts are in the process of recovery action.</td>
<td>1,186</td>
<td>28,798</td>
<td>21,045</td>
<td>495,397</td>
</tr>
<tr>
<td>Insurance and Damage claims</td>
<td>Various accounts</td>
<td>Overdue accounts are in the process of recovery action.</td>
<td>112,425</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchase of water</td>
<td>Water drawn from metered hydrant standpipes</td>
<td>Overdue accounts are in the process of recovery action.</td>
<td>18,938</td>
<td>8,433</td>
<td>18,639</td>
<td>152,273</td>
</tr>
<tr>
<td>Cemetery Services</td>
<td>Various accounts</td>
<td>Overdue accounts are in the process of recovery action.</td>
<td>2,957</td>
<td>15,171</td>
<td>27,620</td>
<td>20,436</td>
</tr>
<tr>
<td>Legal costs</td>
<td>Costs associated with legal proceedings for overdue rates</td>
<td>Costs will transfer to the Rate account after Judgment.</td>
<td>45,514</td>
<td>29,104</td>
<td>4,886</td>
<td>3,014</td>
</tr>
</tbody>
</table>
6.1 AFTER HOURS ACCESS TO THE CITY ADMINISTRATION CENTRE

REPORT OF: Director of Organisational Services

REPORT OVERVIEW

EXECUTIVE SUMMARY

During general business at the City Governance Committee Meeting held on 20 April 2020, elected representative raised a question related to the current level of after-hours access to the City Administration Centre and expressed the view that it does not satisfactorily support their requirements. To effectively service the needs of the community, 24 hour, 7 days a week access to the City Administration Centre has been requested.

Criteria: Policy development and decision-making - For the benefit of the local government area

CORPORATE PLAN PRIORITY

Next Generation Governance

RECOMMENDATIONS

IT IS RECOMMENDED:

1. That the Administration Manager be requested to provide all elected representatives with 24 hour, 7 days a week (24/7) access to the City Administration Centre to reflect the 24/7 nature of the role.

2. That the Administration Manager be requested to implement the additional safety measures, as detailed in the report of the Director of Organisational Services dated 9 June 2020, to ensure that Council can fulfil its duty of care obligations around workplace health and safety and asset protection.

3. That the Corporate Governance Manager be requested to update the Councillor Expenses and Entitlements Policy and Procedure in accordance with Clauses 1 and 2 above.

REPORT DETAILS

INTERESTED PARTIES

Elected members

Director Organisational Services

Administration Manager

Corporate Facilities Program Leader
PURPOSE OF REPORT/BACKGROUND

At the City Governance Meeting dated 20 May, 2020, the Director of Organisational Services was requested to prepare a report to the next City Governance Committee meeting to be held on 9 June 2020 reviewing the current councillor building access arrangements and associated documents, including an updated version of the councillor building access arrangements that caters for a councillor’s 24/7 hours work.

After-hours access to the City Administration Centre (CAC) is based on role and responsibilities, asset security and workplace health and safety.

Currently elected members have:

1. access to the CAC from 6am to 7pm, 7 days per week.
2. access to the councillor carpark 24/7.
3. been provided with suitable technology that enables mobility and the ability to work from any location that has internet access.

Conversations with Moreton Bay, Redland City and Scenic Rim indicated that these Councils were looking to roll back after-hours access predominantly due to costs associated with lighting and air conditioning.

It is proposed to grant elected members access to the CAC and councillor carpark on a 24/7 basis, based on the following:

1. Elected members are responsible for their own health and safety including working alone and fatigue management.
2. Only immediate family members are permitted access to CAC after hours, whilst in the company of elected representatives.
3. Elected representatives are responsible for immediate family members who are on CAC premises after hours, including the confidentiality of material in the workplace.

To enable 24/7 access, additional facilities management measures will be put in place including:

1. Updated technology based security procedures around access, occupancy sensing and egress.
2. In person based security sweeps.
3. Photo identification.

ANY PREVIOUS COUNCIL DECISIONS

At the City Governance meeting on 20 May 2020, the Director of Organisational Services was requested to prepare a report to the next City Governance Committee meeting to be held on 9 June 2020 reviewing the current councillor building access arrangements and associated documents, including an updated version of the councillor building access arrangements that caters for a councillor’s 24/7 hours work.

FINANCIAL/RESOURCE IMPLICATIONS

The additional cost of lighting and air conditioning, based on the increased hours, isn’t anticipated to be significant.

RISK MANAGEMENT IMPLICATIONS

Elected members will be responsible for managing working alone and fatigue management.
LEGAL/POLICY

The Councillor Expenses and Entitlements Policy and Procedure will be updated to reflect the content of this report.

COMMUNITY AND OTHER CONSULTATION

Not applicable.

CONCLUSION

Based on the above information and conditions being met, it is proposed to grant elected members 24/7 access to both the CAC and councillor carpark that better caters for a councillor’s 24/7 role.

ATTACHMENTS TABLE

No attachments.
6.2 SURRENDER OF EASEMENT AT BELIVAH (LOT 101 ON RP842216)

REPORT OF: Administration Manager

REPORT OVERVIEW

EXECUTIVE SUMMARY

The purpose of this report is to recommend that Council surrender an unused Council water easement, being Easement X on RP842216, encumbering privately owned land at 39 Brosnahan Court, Belivah.

Criteria: Legislative - It is a legislative requirement that cannot be delegated

CORPORATE PLAN PRIORITY

Next Generation Governance

RECOMMENDATIONS

IT IS RECOMMENDED:

1. That Council apply the exception in section 236(1)(c)(i) and surrender Easement X on RP842216 registered over Lot 101 on RP842216, as detailed in the report of the Administration Manager dated 9 June 2020.

2. That the Director of Road and Water Infrastructure be requested to sign any documents associated with the actions in Clause 1.

REPORT DETAILS

INTERESTED PARTIES

Nathan Todd Minge and Florence Sarmiento Minge (registered owners).

PURPOSE OF REPORT/BACKGROUND

An easement benefitting the Council of the Shire of Albert for access and services was registered in 1992 over private land at 39 Brosnahan Court, Belivah (more particularly described as Lot 101 on RP842216). This easement is described as Easement X on RP842216 and was subsequently vested in Logan City Council from 23 December 2008.

The purpose of this easement is for a water supply pipeline, water tank and wooden structure housing a pump.

Brosnahan Court Water Pump Station (PBE028-WPS50) has been assessed as surplus to Council’s requirements and therefore the infrastructure no longer required. As a result, the owners have requested that Council surrender the easement registered over their property. At the same time, Council officers will be progressing with the Disposal of Council Property policy, to approve the disposal of the water tank and wooden structure on the property to the landowner, as they have indicated they would like to retain that for future use. Those assets have no book value.
The location of the easement is shown in the diagram below.

ANY PREVIOUS COUNCIL DECISIONS

Nil

FINANCIAL/RESOURCE IMPLICATIONS

Council will be required to prepare a Form 10 Surrender of Easement, to have that signed by the landowner, assessed for transfer duty and registered in the Titles Registry. It is not anticipated that there will be any duty payable and registration fees are limited to $192. Those costs will be met by the owners.

RISK MANAGEMENT IMPLICATIONS

The surrender of the easement, coupled with the disposal of the existing assets to the landowner, minimises any risk to Council from the redundant infrastructure.

LEGAL/POLICY

Local Government Regulation 2012 (Qld).

COMMUNITY AND OTHER CONSULTATION

Community consultation is not required. The Water Asset Management Program Leader and Water Development Services Program Leader have supported the surrender of the easement.

CONCLUSION

As Easement X on RP842216 is not required by Council for public infrastructure for water or sewerage, it is appropriate to surrender this easement. The assets will remain on the property for the landowner to use, with that disposal to be finalised pursuant the Disposal of Council Property policy.

ATTACHMENTS TABLE

No attachments.
7.1 COUNCIL OWNED PROPERTY IN LOGANHOLME

REPORT OF: Director of Organisational Services

REPORT OVERVIEW

EXECUTIVE SUMMARY

This report provides an update to Councillors regarding the proposal by Haunted Attractions to lease the Council-owned building located at 4144-4150 Pacific Highway, Loganholme.

Criteria: Direction - It requires Council to make a decision of a strategic nature; or Council has specifically requested it

CORPORATE PLAN PRIORITY

Next Generation Governance

RECOMMENDATIONS

IT IS RECOMMENDED:

That the Director of Organisational Services be requested to advise the proponent that the Council owned building in Loganholme is not able to be leased, as detailed in the report of the Director of Organisational Services dated 9 June 2020.

REPORT DETAILS

INTERESTED PARTIES

Haunted House Attractions (Jaye Rose)

investLogan Pty Ltd

The State of Queensland (represented by the Department of Transport and Main Roads)

PURPOSE OF REPORT/BACKGROUND

On 27 May 2020, Council resolved as follows:

“That the Director of Organisational Services, in consultation with the Director of Strategy and Sustainability, be requested to prepare a report to a future City Governance Committee regarding the proposal by Haunted Attractions to lease the Council-owned building located at 4144 Pacific Highway, Loganholme.”

This report is to satisfy the request made by Council through that resolution.

Council owns nine parcels of land at Loganholme, which together are referred to as the Loganholme Tourism Precinct. One of those parcels of land is 4144-4150 Pacific Highway, Loganholme (Lot 2 on RP221166) comprising 2,465m², on which is constructed a multi-story building known as the Antiques Building (Antiques Building). That Antiques Building is visible from the M1.
1. Logan Alma Park Zoo

On 24 January 2014, a development approval (MCUC/155/2013) for outdoor entertainment, animal husbandry, advertising signs and earthworks, was granted over the LTP. The approval was earmarked for the Logan Alma Park Zoo (LAPZ) relocation, which at the time was located at Dakabin. A dispute arose between LAPZ and Council regarding the lease. This dispute was settled in March 2019, however, the dispute prevented Council taking any action in respect of the LTP.

2. investLogan – old DTMR Land

At its meeting of 5 December 2017 (Minute No 391/2017), Council resolved as follows:

1. That the Director of Organisational Services be authorised to transfer the Council owned property, as detailed in the confidential report of the Economic Development & Strategy Manager dated 27 September 2017 (Id: 11382584), to Invest Logan Pty Ltd in accordance with Confidential Background Paper 2 - Land Transfer Deed, as attached to the confidential report of the Economic Development & Strategy Manager dated 27 September 2017 (Id: 11382584).

This resolution related to 3 of the parcels comprising the LTP.

On 13 February 2018, Council and investLogan entered a Land Transfer Deed in respect of the transfer of those parcels of land to investLogan. The Deed was subject to 365 days due diligence. The due date was subsequently extended to 30 June 2019. On 7 May 2019, investLogan advised Council that it was terminating the Land Transfer Deed on the basis that it was not satisfied with its due diligence, given the impacts of the Coomera Connector on the site.

3. investLogan – including Tunnel Vision

On 23 March 2018, investLogan requested landowner's consent from Council for lodgement of a development application over part of the LTP. Council’s consent was subsequently granted on 26 March 2018. The development application was approved by Council for a proposed wave park facility over part of the LTP. The application was made by Tunnel Vision Pty Ltd.

At its meeting of 28 August 2018 (Minute No 265/2018) Council resolved as follows:

2. That Council resolve to apply the exception in Section 236(1)(b)(i) of the Local Government Regulation 2012 to dispose of an interest in the properties set out in the confidential report of the Director of Organisational Services dated 5 June 2018 (Id: 12030889).
That resolution related to 6 of the parcels comprising the LTP, including the parcel on which the Antiques Building is located. Agreement was subsequently reached to sell the properties; however, a contract of sale was not signed at the time of the Road Corridor Gazettal. On 7 May 2019, investLogan advised Council that it was terminating the negotiations to acquire this land, given the impacts of the Coomera Connector on the site.

4. **Declaration of Future Road Corridor**

In 14 January 2019, TMR first provided formal notification that TMR intended to declare the land identified in that letter as a Future State Controlled Road, in order to ensure its protection for the extension of the preserved Coomera Connector corridor.

On 15 March 2019, the Director-General of TMR caused a notice to be published in the Queensland Government Gazette (Volume 380, No 47) ([Gazette Notice](#)). The Gazette Notice identified that the land described in the Gazette Notice had been notified to the Gold Coast City Council and Logan City Council as a Future State Controlled Road.

The effect of the Gazette Notice is that any new development applications impacting the corridor will be referred under the *Planning Act 2016* (Qld) to the State Government for a Referral Agency decision to ensure the Coomera Connector is not compromised.

5. **Haunted House Attractions**

Since as early as June 2010, EvilCorp and Haunted House Attractions have been lobbying Council to use the Antiques Building as an entertainment venue.

Evilcorp formally submitted to Council’s Expression of Interest campaigns relating to the Loganholme Tourism Precinct in 2010 and 2016, however Council’s respective decisions relating to the Logan Alma Park Zoo and the investLogan proposal to deliver a tourism precinct as set out above, precluded the use proposed by Haunted House Attractions.

Council’s Economic Development and Strategy branch officers have brokered several introductions to other locations over the years in the hope that one might prove suitable for use by Haunted House Attractions, including Castle Rumble, Mayes Cottage and Beenleigh Historical Village (within which Haunted House Attractions someone operated until the ‘Spirits of the Red Sands’ leased the facility).

Since the Gazette Notice was published, Jaye Rose as the proponent for Haunted House Attractions has lobbied Council and the State Government to provide her with a lease of the building.

Aside from leasing matters, the use of the Antiques Building for a haunted house entertainment venue would require a Development Approval for a Material Change of Use to ‘Tourist Attraction’. Given the sites location within the Specialised Centre (Loganholme Tourism Precinct) Zone, this application would be Code Assessable and need to be referred to the State Assessment and Referral Agency (SARA) for them to coordinate input from Queensland State Government agencies, including TMR, who would have the ability to approve or refuse the application in their own right.

Both Officers within Council’s Development Assessment Branch and Jaye Rose of Haunted House Attractions have discussed the position of the Queensland Government on any potential development application and been advised clearly by SARA and TMR Officers that no approval would be given to a proposed temporary or permanent use within the Antiques Building. This position of TMR is consistent with that also advised for the Tunnel Vision wave pool operation, who were also seeking to make use of the Antiques Building.
On that basis, a consistent response has been provided to the proponent based on the advice from the State Government that:

- there would be no support from the State Government for any temporary use of any part of land where it has been notified as a Future State Controlled Road; and
- given Council must refer any development applications for any approvals for use of the LTP, including the Antiques Building, to SARA for their consideration, there is no point to advancing leasing discussions with Council.

6. State Government Advice

In addition to the advice regarding the change of use application as outlined above, representatives of the Department of Transport and Main Roads have also advised Council that they would only approve the temporary use of the LTP based on short term (preferably 3 months at the most) licences of the land for agistment purposes.

7. Requirements under the Local Government Regulations

The Local Government Regulations 2012 (Qld) place restrictions on how Council may lease land that it owns. Section 227 of the Regulations provides that a local government cannot enter into a valuable non-current asset contract (which includes the grant of a lease over land or a building) unless it first invites written tenders or offers the property by way of auction. There are exceptions to that requirement set out in section 236 of the Regulations (including where it is proposed to lease the building to a government agency or community organisation) however none of those exceptions would apply in respect of the grant of a lease for commercial purposes.

On that basis, even if State Government support could be obtained to the grant of a lease for the building, it could only be granted:

1. for a use consistent with the existing use as an antiques store (shop); and
2. the lease was offered to the market, which would usually require an open expressions of interest campaign.

8. Request for Early Acquisition

The Department of Transport and Main Roads has an Early Acquisitions Policy which allows for parties to request that the State acquire land before it is required for construction purposes, where it can be demonstrated that they will suffer hardship if the acquisition is delayed.

Preliminary discussions between Council and the State have indicated a willingness on behalf of the State to consider an application.

On 28 May 2020, the Executive Leadership Team considered the draft request for early acquisition and have approved it to be provided to the Department of Transport and Main Roads. If the request is accepted by the State, the next steps will be to negotiate the sale price (during which Council will be advised by an independent valuer experienced in matters of this nature).

Any legal arrangement to give effect to an agreement will be the subject of a future report to Council.

ANY PREVIOUS COUNCIL DECISIONS

On 27 May 2020, Council resolved as follows:

“That the Director of Organisational Services, in consultation with the Director of Strategy and Sustainability, be requested to prepare a report to a future City Governance Committee regarding the proposal by Haunted Attractions to lease the Council-owned building located at 4144 Pacific Highway, Loganholme.”
FINANCIAL/RESOURCE IMPLICATIONS

Council is at the commencement of a process which will involve intensive negotiation with the Department of Transport and Main Roads to acquire all the properties that comprise the LTP. That negotiation will necessarily involve discussions regarding not only the value of the land, but the losses Council (and investLogan) have sustained arising from the lost opportunities in development of this significant parcel of land.

RISK MANAGEMENT IMPLICATIONS

The Antiques Building has been vandalised heavily in the past. Measures have been taken to board up the building and have appropriate security in place to protect the asset, pending the outcome of the request for early acquisition.

LEGAL/POLICY

Department of Transport and Main Roads Early Acquisition Policy.

COMMUNITY AND OTHER CONSULTATION

The following branches were all consulted in respect of the preparation of the Early Acquisition Claim:

- Economic Development and Strategy
- Parks
- Sports, Leisure and Facilities
- Water Infrastructure
- Water Operations

CONCLUSION

On the basis of the Early Acquisition Claim currently with the Department of Transport and Main Roads for consideration and the advice from the State Government regarding their lack of support for any change in use or long-term leasing of the Antiques Building, it is recommended that the proponent be advised that a lease of the Building cannot be supported.

ATTACHMENTS TABLE

No attachments.
8.1 INSURANCE AND INDEMNITY FOR COUNCILLORS POLICY AND PROCEDURE

REPORT OF: Corporate Governance Manager

REPORT OVERVIEW

EXECUTIVE SUMMARY

At the Ordinary Council Meeting held on 27 May 2020, Councillors requested that the Insurance and Indemnity for Councillors Policy be tabled for discussion.

Criteria: Policy development and decision-making - For the benefit of the local government area

CORPORATE PLAN PRIORITY

Next Generation Governance

RECOMMENDATIONS

IT IS RECOMMENDED:

That the report be received.

REPORT DETAILS

INTERESTED PARTIES

Not applicable.

PURPOSE OF REPORT/BACKGROUND

At the Ordinary Council Meeting held on 27 May 2020, Councillors requested that the Insurance and Indemnity for Councillors Policy be tabled for discussion.

The purpose of this policy is to set out the circumstances under which Council will enter into a Councillor Insurance Policy, pay the insurance policy excess for a Councillor Insurance Policy and indemnity or reimburse a Councillor for costs incurred through injury, investigation, hearings or legal proceedings. It seeks to set a fair balance between covering the costs or losses incurred by Councillors as a result of performing their responsibilities.

The insurance taken out by Council for Councillors covers the following risks:

- Public liability;
- Professional indemnity;
- Councillor's and officer's liability;
- Statutory liability;
- Domestic and international travel insurance;
- Personal accident;
- reasonable legal expenses to the extent they were incurred as a result of:
- a councillor defending a proceeding which has been commenced or is reasonably expected to be commenced against the councillor as a result of the performance by the councillor of a councillor responsibility; or
- a councillor responding to or assisting an investigation by an investigative body as a party, witness or in another capacity as a result of the performance by the councillor of a councillor responsibility.

However, if a Court or investigative body makes adverse findings or the councillor makes relevant admissions, a councillor may be required by the Council by resolution to repay legal costs indemnified or reimbursed by the Council once the councillor has no further rights of appeal.

There are several limitations on the cover provided to councillors as follows:

- the insurance only covers matters that are a councillor responsibility which is defined as those responsibilities of a councillor under the Local Government Act 2009 which are performed in good faith and in accordance with the local government principles;
- the insurance does not cover complaints made to the Independent Assessor;
- it does not cover a councillor commencing an action against another person;
- it does not cover a former councillor if that person becomes a former councillor due to being convicted of a disqualifying offence under the Local Government Act 2009.

ANY PREVIOUS COUNCIL DECISIONS

The Councillor Indemnity and Insurance Policy was adopted by the Interim Administrator on 4 December 2019.

FINANCIAL/RESOURCE IMPLICATIONS

Should Council change the coverage of the policy, this may affect the premium paid or direct Council cost.

RISK MANAGEMENT IMPLICATIONS

Council’s insurance policy has been developed considering the risks faced by Councillors in performing their responsibilities.

LEGAL/POLICY

To ensure that a Councillor can confidently perform their role under the Local Government Act 2009, Council takes out insurance coverage for Councillors.

COMMUNITY AND OTHER CONSULTATION

Not applicable

CONCLUSION

Feedback on the Councillor Indemnity and Insurance Policy and Procedure is invited to ensure it meets the needs of Councillors.

ATTACHMENTS TABLE

1. Councillor Indemnity and Insurance Policy
2. Councillor Indemnity and Insurance Procedure
1. **Policy Purpose**

The purpose of this policy is to set out the circumstances under which Council will enter into a Councillor Insurance Policy, pay the insurance policy excess for a Councillor Insurance Policy and indemnify or reimburse a Councillor for costs incurred through injury, investigation, hearings or legal proceedings.

2. **Scope**

This policy applies to all Councillors, including to any former Councillor in relation to a Councillor Responsibility performed by that former Councillor during their Council term.

3. **Policy Statement**

   **Principles**

   Council will organise a Councillor Insurance Policy and otherwise indemnify a Councillor for loss or damage suffered by a Councillor when performing a Councillor Responsibility.

   Council will enter into a Councillor Insurance Policy to cover the following risks which result from the performance by a Councillor of a Councillor Responsibility:

   (a) *Public liability* - A claim for an alleged negligent act or omission which occurred or was allowed to occur which results in a personal injury or theft, or loss or injury to property.

   (b) *Professional indemnity* - A claim for an alleged negligent act or breach of duty arising from an act, error or omission in the performance of a professional service.

   (c) *Councillor’s and officer’s liability* - Expenses including legal defence costs and related fees incurred by a Councillor to defend themselves against a claim made against them in a personal capacity for an alleged wrongful act.

   (d) *Statutory liability* - Any penalty and legal defence costs payable by a Councillor to any statutory authority under an Act for a wrongful statutory breach where not deliberate.

   (e) *Domestic and international travel insurance* - Expenses for approved domestic and international travel in the course of performing a Councillor responsibility.
(f) **Personal accident** - A claim for an insured event, including temporary total disablement caused by injury, where the event giving rise to the claim occurred whilst a Councillor was performing a Councillor Responsibility including travel to and from a place to perform a Councillor Responsibility.

**Insurance and Indemnity for Councillors Procedure**

The way in which Council will enter into a Councillor Insurance Policy, pay the insurance policy excess for a Councillor Insurance Policy and indemnity or reimburse a Councillor for costs incurred through injury, investigation, hearings or legal proceedings will be managed in accordance with the Insurance and Indemnity for Councillors Procedure (DM: 13347965).

### 4. Definitions

<table>
<thead>
<tr>
<th>TERM</th>
<th>DEFINITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councillor</td>
<td>all elected representatives including the Mayor</td>
</tr>
<tr>
<td>Councillor Insurance Policy</td>
<td>means a contract of insurance which covers a Councillor.</td>
</tr>
<tr>
<td>Councillor responsibility</td>
<td>means a responsibility of a Councillor under the <em>Local Government Act 2009</em> which is performed in good faith and in accordance with the Local Government Principles but does not include the conduct of a Councillor stated in section 150T or section 150U of the <em>Local Government Act 2009</em>. Note— Section 150T and section 150U of the Local Government Act 2009 relate to the investigation of councillor conduct by the Independent Assessor.</td>
</tr>
<tr>
<td>Claims Manager</td>
<td>means the entity or person insuring or managing a circumstance giving rise to a potential claim or a claim in order to mitigate the risk involved, which may be the following:</td>
</tr>
<tr>
<td></td>
<td>(a) the Council;</td>
</tr>
<tr>
<td></td>
<td>(b) the Council’s insurer;</td>
</tr>
<tr>
<td></td>
<td>(c) a person appointed by the Council or the Council’s insurer.</td>
</tr>
<tr>
<td>Disqualifying Offence</td>
<td>has the meaning given in the <em>Local Government Act 2009</em></td>
</tr>
<tr>
<td>Former Councillor</td>
<td>means a person who was a Councillor but does not include a person who automatically stopped being a Councillor under section 153(6) of the <em>Local Government Act 2009</em> due to being convicted of a Disqualifying Offence</td>
</tr>
<tr>
<td>Local Government Principles</td>
<td>has the meaning given in the <em>Local Government Act 2009</em></td>
</tr>
</tbody>
</table>
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6 Way in which a Councillor is to make a request under this Policy and Procedure .......... 4
7 Way in which a request under this Policy and Procedure is to be managed .................. 4
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1 **Procedure Objective**

This Procedure sets out the way in which Council will enter into a Councillor Insurance Policy, pay the insurance policy excess for a Councillor Insurance Policy and indemnity or reimburse a Councillor for costs incurred through injury, investigation, hearings or legal proceedings.

2 **Payment of Councillor Insurance Policy Excess**

The Council will pay the Councillor Insurance Policy excess for a claim made against a Councillor to the extent to which it is payable as a result of the performance by the Councillor of a Councillor Responsibility if the relevant Claims Manager confirms in writing its determination that the matter should be managed by the Claims Manager in order to mitigate the risk involved.

3 **Indemnification for loss or damage**

The Council will indemnify a Councillor against loss or damage suffered by the Councillor to the extent to which it is as a result of the performance by the Councillor of a Councillor Responsibility.

4 **Legal assistance**

The Council will indemnify or reimburse the reasonable legal expenses of a Councillor to the extent to which they are incurred as a result of:

- the Councillor defending a proceeding which has been commenced or is reasonably expected to be commenced against the Councillor as a result of the performance by the Councillor of a Councillor Responsibility; or
- the Councillor responding to or assisting an investigation by an investigative body as a party, witness or in another capacity as a result of performance by the Councillor of a Councillor Responsibility.

5 **Claims against a Councillor**

The Council may by resolution cease indemnifying or reimbursing a Councillor under paragraphs 3 or 4 and require a Councillor to repay to the Council an amount that has been indemnified or reimbursed in the following circumstances:

- the relevant Court, or investigative body makes a finding adverse to the Councillor or the Councillor makes relevant admissions;
- the Councillor has no further rights of appeal or elects not to further appeal.

If the Council makes a resolution requiring a Councillor to repay an amount that has been indemnified or reimbursed for loss or damage or for legal assistance, the Councillor is to repay the amount within 90 days or such longer period provided by the resolution.

The Council will not subject a Councillor to a claim for the following:

- a contribution where money is paid in settlement of a claim if the claim has arisen as a result of the performance by the Councillor of a Councillor Responsibility;
- reimbursement of all or part of any settlement or of any award for damages or costs paid if the claim has arisen as a result of the performance by the Councillor of a Councillor Responsibility.
6 Way in which a Councillor is to make a request under this Policy and Procedure

A Councillor is to, as soon as reasonably practicable, notify the Director of Organisational Services in writing of the following:

- a matter to which this policy may apply;
- the facts and circumstances in respect of that matter.

A notice given to the Director of Organisational Services about a matter to which this policy may apply is also to contain a written acknowledgement by the Councillor that the Councillor:

- has read and understood this policy;
- understands that if an adverse finding is made against the Councillor, the Councillor may be required to repay an amount indemnified or reimbursed under this policy;
- undertakes to repay an amount indemnified or reimbursed under this policy if required by a resolution of Council made in accordance with this Procedure.

A Councillor is not to admit liability, negotiate or attempt to negotiate a settlement of a matter to which this policy may apply without the approval of the Director of Organisational Services which in respect of a claim to which a contract of insurance applies is to have regard to the advice of:

- the relevant Claims Manager;
- if the relevant Claims Manager is the Council, the advice of the Council’s legal representative.

7 Way in which a request under this Policy and Procedure is to be managed

The Director of Organisational Services is to:

- determine the relevant Claims Manager;
- notify the relevant Claims Manager of any matter to which this policy may apply.

The relevant Claims Manager is to:

- ensure that the relevant processes of the Claims Manager, such as information-gathering, monitoring and reporting of circumstances, and obtaining consent prior to incurring costs, are ascertained and followed;
- determine in writing or by conduct whether a matter should be managed by the Claims Manager in order to mitigate the risk involved;
- determine any other matter stated in this policy.

A Councillor is to:

- if the relevant Claims Manager is not the Council, allow the Claims Manager to take over and instruct in the name of the Councillor the defence of any proceeding brought against the Councillor and to appoint a particular legal representative to act for the Councillor;
- if the relevant Claims Manager is the Council, consult with and keep regularly advised the Director of Organisational Services and the Council’s legal representative where considered necessary by the Director of Organisational Services, in relation to the defence of a proceeding including the appointment of a particular legal representative to act for the Councillor.
A Councillor’s entitlement to reimbursement under this policy, which may occur from time to time upon the presentation of a receipt or invoice, is subject to the following:

- the relevant Claims Manager confirming in writing its determination that the matter should be managed by the Claims Manager in order to mitigate the risk involved;
- the amount of reimbursement is to only extend to cover actual loss and expenses incurred and evidenced by the Councillor to the satisfaction of the Director of Organisational Services and may include an amount paid in settlement of a legal proceeding for a claim;
- the amount of reimbursement is to be reduced by the amount of any moneys which may be or is recouped by the Councillor;
- the amount of reimbursement is to be limited to the extent that only fees charged at a rate equivalent to the hourly rate then being charged by the Council’s solicitors will be paid and any portion of expenses representing any hourly charge higher than the hourly charge of the Council’s solicitors will not be reimbursed;
- there is to be no reimbursement in any circumstance for the costs of any advice or representation for any claim or threatened claim in defamation to be brought by a Councillor or if the Councillor is a plaintiff in any action;
- if a Councillor does not comply with the procedure in paragraphs 6 and 7, the Council may reduce the reimbursement or indemnity it provides to the Councillor to the extent the noncompliance causes loss or prejudice to the Council.

8 Definitions

Definitions for terms used within the Procedure can be found in the Insurance and Indemnity for Councillors Policy (DM: 13347879).
8.2 RECRERATION OF LOCAL GOVERNMENT ELECTED MEMBERS

REPORT OF: Corporate Governance Manager

REPORT OVERVIEW

EXECUTIVE SUMMARY

The purpose of this report is to determine the remuneration levels for the Mayor, Deputy Mayor and Councillors from 1 July 2020.

Criteria: Direction - It requires Council to make a decision of a strategic nature; or Council has specifically requested it

CORPORATE PLAN PRIORITY

Next Generation Governance

RECOMMENDATIONS

IT IS RECOMMENDED: -

That Council consider the report of the Local Government Remuneration Commission and determine to, from 1 July 2020, either:

(a) pay the maximum remuneration to the Mayor, Deputy Mayor and Councillors for Category 7 local governments; or

(b) determine another amount of remuneration for the Mayor, Deputy Mayor and Councillors which must not be more than the maximum.

REPORT DETAILS

INTERESTED PARTIES

Not applicable.

PURPOSE OF REPORT/BACKGROUND

Chapter 6, Part 3 of the Local Government Act 2009 ('LGA') establishes the Local Government Remuneration Commission ('Commission'). The function of the Commission is to decide the category to which a local government belongs and decide the maximum amount of remuneration payable to councillors in each category, amongst other things.

Pursuant to section 244 of the Local Government Regulation 2012 ('LGR'), the Commission must, before 1 December of each year, and for each category of local government, decide the maximum amount of remuneration payable from 1 July of the following year to a councillor, mayor or deputy mayor of a local government in each category.

ANY PREVIOUS COUNCIL DECISIONS

On 30 November 2018, the Commission concluded its review of remuneration for mayors, deputy mayors and councillors of local governments for the year commencing 1 July 2019.
At its meeting held on 21 May 2019, Minute No 126/2019, Council adopted the following resolution in accordance with the Commission’s report dated 30 November 2018:

*That, in accordance with the recommendation of the Local Government Remuneration and Discipline Tribunal, Council pay the maximum remuneration to the Mayor, Deputy Mayor and Councillors for Category 7 from the date their terms starts in accordance with section 159 of the Local Government Act 2009.*

**FINANCIAL/RESOURCE IMPLICATIONS**

The maximum remuneration has been allowed in the draft budget for 2020/2021.

**RISK MANAGEMENT IMPLICATIONS**

N/A

**LEGAL/POLICY**

N/A

**COMMUNITY AND OTHER CONSULTATION**

N/A

**CONCLUSION**

On 29 November 2019, the Commission concluded its review of categories of local governments and the levels of remuneration for mayors, deputy mayors and councillors of local governments and provided its report to the Minister for Local Government, Racing and Multicultural Affairs. The Commission’s determinations are to apply from 1 July 2020. A copy of the report is contained in Attachment A.

The Commission decided to increase the maximum remuneration levels for mayors, deputy mayors and councillors by 2 per cent from 1 July 2020. The reasons for this decision are set out in the report. The Commission determined that Logan City Council was a category 7 local government and that the maximum remuneration was as follows:

<table>
<thead>
<tr>
<th>Category 7</th>
<th>Logan City Council</th>
<th>Mayor</th>
<th>$233,091</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Deputy Mayor</td>
<td>$161,499</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Councillor</td>
<td>$141,520</td>
</tr>
</tbody>
</table>

Pursuant to section 247 of the LGR, a local government must pay remuneration to each councillor of the local government and the maximum amount of remuneration payable to a councillor under the remuneration schedule must be paid unless the local government decides by resolution that the maximum is not payable to the councillor. If a resolution not to pay the maximum is made, the local government must also decide the amount of remuneration payable to the councillor, which must not be more than the maximum.

**ATTACHMENTS TABLE**

29 November 2019

The Honourable Stirling Hinchliffe MP
Minister for Local Government, Racing and Multicultural Affairs
1 William Street
Brisbane QLD 4000

Dear Minister

On 29 November 2019, the Local Government Remuneration Commission (Commission) concluded its review of the categories of local governments and the assignment of local governments to categories. In addition, the Commission determined the levels of remuneration for mayors, deputy mayors and councillors of Queensland local governments (excluding Brisbane City Council) as required by section 177(c) of the Local Government Act 2009 and Chapter 8, Division 1 of the Local Government Regulation 2012.

Our determinations on these matters, together with the Remuneration Schedule to apply from 1 July 2020 are included in the enclosed Report, which we commend to you.

Yours sincerely

Robert (Bob) Abbot
Chair Commissioner

Andrea Ranson
Commissioner

Reimen Hii
Commissioner
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2019 Report at a glance

The Commission has reviewed the current categories and decided not to make any change in this current review. The Commission will undertake a comprehensive category review within the first 12 months following the quadrennial local government elections in March 2020.

The Commission has decided to increase the maximum remuneration levels for mayors, deputy mayors and councillors by two per cent from 1 July 2020.

In making its determination, the Commission considered the following:

- Increases in the Consumer Price Index (CPI) for the financial year ended 30 June 2019 (percentage change from previous financial year)\(^1\)
  - Weighted average of the eight capital cities: +1.6 per cent
  - Brisbane: +1.6 per cent.

- Increases in CPI for the year ended September 2019 (percentage change from corresponding quarter of previous year)\(^2\)
  - Weighted average of the eight capital cities: +1.7 per cent
  - Brisbane: +1.9 per cent.

- Increases in the Wage Price Index (WPI) for the financial year ended 30 June 2019\(^3\)
  - Australia & Queensland (All Industries): +2.3 per cent
  - Australia & Queensland (Public Sector): +2.5 per cent.

- The Commission considered Brisbane City Council’s Independent Councillor Remuneration Tribunal (ICRT) remuneration determination a potentially relevant factor, however, the ICRT reviews and resets Brisbane City councillor remuneration arrangements every five (5) years. The last increase was in 2017, at which time the ICRT accorded a two per cent increase to salaries effective 1 July 2018. In its 20 November 2019 Report, the Tribunal did not issue a determination which provided a percentage increase to salaries.

- Decision of the Salaries and Allowances Tribunal of Western Australia determination dated 9 April 2019:
  - one per cent increase.

- Decision of the New South Wales Local Government Remuneration Tribunal Determination and Annual Report dated 15 April 2019:
  - 2.5 per cent increase.

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1 Source: Australian Bureau of Statistics 6401.0 - Consumer Price Index, Australia, Jun 2019; ‘Summary’, ‘Selected Tables – Capital Cities’, ‘2 All Groups CPI, Percentage changes’, ‘Percentage Change (from Previous Financial Year)’

2 Source: Australian Bureau of Statistics 6401.0 - Consumer Price Index, Australia, Sep 2019; ‘Summary’, ‘Selected Tables – Capital Cities’, ‘2 All Groups CPI, Percentage changes’, ‘Percentage Change (from Corresponding Quarter of Previous Year)’

3 Source: ABS 6345.0 - Wage Price Index, Australia, Jun 2019 - All WPI series: Original (Financial Year Index Numbers for year ended June quarter)
• Decision of the Victorian Minister for Local Government:
  • two per cent increase as at 1 December 2018. It is noted the 1 December 2019 Victorian
decision was unavailable at the date of determination.

In making its decision the Commission also had regard to anecdotal reports and submissions
received about:
• financial pressures on councils and sustainability of their communities
• recent level of impact of natural disasters
• increased requirement for community support
• councils’ role in economic development and local infrastructure
• needs of resident and non-resident populations
• increasing pressure to deliver innovative solutions
• unique qualities and complexities of diverse communities
• potential impact of government reforms, such as changes to legislation arising from the Crime
  and Corruption Commission’s report ‘Operation Belcarra: A blueprint for integrity and addressing
corruption risk in local government’.
1. The Commission

Formation and composition

The Local Government Remuneration Commission (Commission) is an independent entity established under the Local Government Act 2009 (Act). On 1 October 2019, His Excellency the Governor, acting by and with the advice of the Executive Council, approved three new appointees to the Commission for a term of four years. This is the first report of the new Commission, and the thirteenth report including the reports of the former Local Government Remuneration and Discipline Tribunal and the Local Government Remuneration Tribunal.

The current Chair and Commissioners of the Commission are:

Mr. Robert (Bob) Abbot
Chair

Mr. Abbot has extensive experience in the local government sector with 32 years as an elected councillor and mayor. Mr. Abbot has experience working at State and National local government organizations and has held board and panel positions, including Deputy Chair of the South East Queensland Council of Mayors, Director of the Local Government Association of Queensland (LGAQ), and Director of the Australian Local Government Association. Mr. Abbot has been a mentor for newly elected mayors on behalf of the LGAQ, with a particular focus on mentoring Queensland Indigenous mayors.

Ms. Andrea Ranson
Commissioner

Ms. Ranson has extensive experience in Law and Business, including public and private sector governance and supply chain industry. Ms. Ranson practiced as a senior lawyer and brings substantial experience in civil, commercial and industrial law, equal opportunity, ethics and justice. Ms. Ranson is a Nationally Accredited Mediator currently working with the Queensland Civil and Administrative Tribunal (QCAT), and a Dispute Resolution Panel Member with the Department of Justice. Ms. Ranson is also currently a Director appointed to the Board of North Queensland Bulk Ports Corporation and is a member of the Corporate Governance & Planning Committee and Audit & Financial Risk Management Committee of that Board. Ms. Ranson holds a Master of Laws, Bachelor of Laws (Honours), and Bachelor of Arts. She is also a Graduate of the AICD (GAICD) and Fellow of the Governance Institute of Australia (FGIA). Ms. Ranson has significant understanding of regional Queensland, industry sectors and stakeholder engagement. Ms. Ranson brings her business acumen, legal skill, and passion for regional communities to the role.

Mr. Reimen Hii
Commissioner

Mr. Hii is a barrister and nationally accredited mediator. He also works as a mediator with QCAT. He holds a Bachelor of Laws and Bachelor of Arts Degree and is a practicing lawyer, with extensive knowledge in public administration and community affairs, and a particular interest in civil and commercial law. Mr. Hii is experienced in professional discipline matters, including investigations, public administration, corporate and public governance, public sector ethics and finance. Mr. Hii has a culturally and linguistically diverse background and experience working with diverse communities.
Mr. Abbot, Ms. Ranson and Mr. Hii are honoured to present this inaugural 2019 report of the newly formed Commission. The Commission is committed to undertaking its duties with diligence, skill, independence and transparency over the next four years.

Remuneration Responsibilities

Chapter 6, Part 3 of the Act, proclaimed into force on 3 December 2018, established the Local Government Remuneration Commission to assume the remuneration functions of the former Local Government Remuneration and Discipline Tribunal which ceased to exist on 3 December 2018.

Section 177 of the Act provides the functions of the Commission are:
- to establish the categories of local governments, and
- to decide the category to which each local government belongs, and
- to decide the maximum amount of remuneration payable to the councillors in each of the categories, and
- another function related to the remuneration of councillors if directed, in writing, by the Minister.

Chapter 8, Part 1, Division 1 of the Local Government Regulation 2012 (Regulation) sets out the processes of the Commission in deciding the remuneration that is payable to councillors.

The Regulation requires the Commission to review the categories of local governments once every four years, in the year prior to each quadrennial election, to determine whether the categories and the assignment of local governments to those categories require amendment.

After determining the categories of local governments, the Regulation also requires the Commission to decide annually, before 1 December each year, the maximum amount of remuneration to be paid to mayors, deputy mayors and councillors in each category from 1 July of the following year.
In addition, section 248 of the Regulation allows a local government to make a submission to the Commission to vary the remuneration for a councillor, or councillors, to a level higher than that stated in the remuneration schedule where the local government considers exceptional circumstances apply. The Commission may, but is not required to, consider any such submission. If the Commission is satisfied that exceptional circumstances exist, the Commission may approve payment of a higher amount of remuneration.

The Former Local Government Remuneration and Discipline Tribunal

The Commission acknowledges the substantive contribution of the 2007-2018 former Tribunal/s to develop the local government remuneration schedule and category system.

The key milestones of the 2007 and subsequent Tribunals has been well documented and comprehensive history around decision making and rationale can be found in each of the 2007-2018 Tribunal Reports.

The Commission will, as stated in this report, undertake a comprehensive category review within the first 12 months following the quadrennial local government elections in March 2020. It is expected that during this review, the Commission will reference historic decision making and reasoning in relation to issues as appropriate.

2. Remuneration determination

Remuneration determination for councillors

As required by section 246 of the Regulation the Commission has prepared a remuneration schedule for the 2020-2021 financial year, applicable from 1 July 2020 (the Schedule), which appears below.

Arrangements have been made to publish the Schedule in the Queensland Government Gazette and for this report to be printed and presented to the Minister for Local Government.

Methodology

The Commission had regard to the matters in section 244 and 247 (2), (5) of the Regulation in determining the Schedule. The Commission also noted and had regard to the matters listed on page 2 of this Report to determine the appropriate maximum remuneration in each category of local government.

The Commission notes it did not receive any specific submissions from councils in relation to setting the remuneration schedule for the 2020-2021 financial year and has continued to adopt a conservative approach to setting remuneration levels.

Matters not included in the remuneration schedule

Section 244(3) of the Regulation states that the remuneration cannot include:
- any amount for expenses to be paid or facilities to be provided to councillors under a council's expenses reimbursement policy; or
- any contribution a local government may make to a voluntary superannuation scheme for councillors.
During the 2019 consultation period, Barcaldine Regional Council sought clarification of the role of the Commission to direct payment of compulsory superannuation payments to councillors.

The Commission notes section 244(3) of the Regulation states the remuneration decided by the Commission cannot include “voluntary superannuation scheme for councillors”. In this regard, the Commission has determined that it has no power to direct matters relating to the structure, payment or otherwise of voluntary schemes, including salary sacrifice or other salary packaging.

Page 11 of the 2018 Tribunal Report considered the issue of superannuation, commenting:

“Accordingly, the level of superannuation payments made to a councillor is a matter to be determined by each individual council having regard to the relevant Commonwealth legislation and section 226 of the Act, as is the issue of whether a councillor may salary sacrifice such contributions”.

The Commission notes there is precedent where Queensland local governments have paid superannuation to councillors. While this may be the case, the Commission notes the payment of compulsory or voluntary superannuation payments to councillors falls outside of its statutory functions and the Commission is unable to make a determination to direct council in relation to superannuation.

The Commission has informed Barcaldine Regional Council of this determination.

**Pro rata payment**

Should an elected representative hold a councillor position for only part of a financial year, she or he is only entitled to remuneration to reflect the portion of the year served.
## Remuneration schedule to apply from 1 July 2020

<table>
<thead>
<tr>
<th>Category</th>
<th>Local governments assigned to categories</th>
<th>Mayor</th>
<th>Deputy mayor</th>
<th>Councillor</th>
</tr>
</thead>
</table>
| **Category 1** (see Note 2) | Aurukun Shire Council  
Bassano Shire Council  
Banana Shire Council  
Barcaldine Regional Council  
Barcoo Shire Council  
Blackall-Tambo Regional Council  
Boulia Shire Council  
Bulloo Shire Council  
Burdekin Shire Council  
Burke Shire Council  
Carpentaria Shire Council  
Charters Towers Regional Council  
Cherbourg Aboriginal Shire Council  
Cloncurry Shire Council  
Cook Shire Council  
Croydon Shire Council  
Diamantina Shire Council  
Doomadgee Aboriginal Shire Council  
Douglas Shire Council  
Etheridge Shire Council  
Flinders Shire Council  
Goondiwindi Regional Council  
Hinchinbrook Shire Council  
Hope Vale Aboriginal Shire Council  
Kowanyama Aboriginal Shire Council  
Lockhart River Aboriginal Shire Council  
Longreach Regional Council  
Mapoon Aboriginal Shire Council  
McKinlay Shire Council  
Mornington Shire Council  
Murweh Shire Council  
Napranum Aboriginal Shire Council  
North Burnett Regional Council  
Northern Peninsula Area Regional Council  
Palm Island Aboriginal Shire Council  
Paroo Shire Council  
Pormpuraaw Aboriginal Shire Council  
Quilpie Shire Council  
Richmond Shire Council  
Torres Shire Council  
Torres Strait Island Regional Council  
Winton Shire Council  
Woorabinda Aboriginal Shire Council  
Wujal Wujal Aboriginal Shire Council  
Yarrabah Aboriginal Shire Council | $108,222 | $62,435 | $54,110 |
| **Category 2** | Mareeba Shire Council  
Mount Isa City Council  
Somerset Regional Council | $124,869 | $74,923 | $62,435 |
<table>
<thead>
<tr>
<th>Category</th>
<th>Councils</th>
<th>Annual Remuneration</th>
<th>Monthly Remuneration</th>
<th>Pro Rata Remuneration</th>
</tr>
</thead>
</table>
| Category 3 | Cassowary Coast Regional Council  
Central Highlands Regional Council  
Gympie Regional Council  
Isaac Regional Council  
Livingstone Shire Council  
Lockyer Valley Regional Council  
Maranoa Regional Council  
Noosa Shire Council  
Scenic Rim Regional Council  
South Burnett Regional Council  
Southern Downs Regional Council  
Tablelands Regional Council  
Western Downs Regional Council  
Whitsunday Regional Council | $133,196                           | $83,247             | $70,759              |
| Category 4 | Bundaberg Regional Council  
Fraser Coast Regional Council  
Gladstone Regional Council  
Rockhampton Regional Council | $158,168                       | $104,059           | $91,571              |
| Category 5 | Cairns Regional Council  
Mackay Regional Council  
Redland City Council  
Toowoomba Regional Council | $183,143                       | $124,869           | $108,222             |
| Category 6 | Ipswich City Council  
Townsville City Council | $208,117                       | $141,520           | $124,869             |
| Category 7 | Logan City Council  
Moreton Bay Regional Council  
Sunshine Coast Regional Council | $233,091                       | $161,499           | $141,520             |
| Category 8 | Gold Coast City Council | $258,066                       | $178,981           | $154,006             |

**Notes to the remuneration schedule**

In its 2014 report the then Tribunal explained the rationale behind the adoption of a system of remuneration which comprised a base payment (of two thirds of the annual remuneration) and a monthly payment based upon attendance at, and participation in, the 12 mandated council meetings.

**Note 1** The monetary amounts shown are the per annum figures to apply from 1 July 2020. If an elected representative only serves for part of a full year (that is, 1 July to 30 June) they are only entitled to a pro rata payment to reflect the portion of the year served.

**Note 2** For councillors in Category 1 councils, a base payment of $36,073.28 is payable for the 12 months commencing on 1 July 2020. A meeting fee of $1,503.06 per calendar month (or fortnightly equivalent) is payable for attendance at, and participation in, scheduled meetings of council subject to certification by the mayor and/or chief executive officer of the council. Mayors and deputy mayors in category 1 councils are to receive the full annual remuneration level shown.
3. Determination of Categories pursuant to s. 177 of the Act

As noted above, Chapter 8, Part 1, Division 1 of the Regulation sets out the processes which the Commission is required to observe in deciding the remuneration that is payable to councillors.

Section 241 of the Regulation states the Commission must establish categories of local governments to enable the Commission to decide the maximum amounts of remuneration that are payable to mayors and other councillors in each of the categories.

Determination

The Commission has reviewed the current categories and decided not to make any change in this current review. The Commission will undertake a comprehensive category review within the first 12 months following the quadrennial local government elections in March 2020.

In reaching this decision, the Commission has carefully considered all nine (9) submissions received by it (set out below) during the review period.

The former Tribunal also reported two outstanding determinations to be considered by the newly formed Commission in 2019:

1. Isaac Regional Council (page 11-12, 2018 Tribunal Report) – council requested that the former Tribunal consider the current remuneration of mayors of councils in Category 3 to ensure it reflected full time hours for the mayor. The submission proposed that in order to achieve this, existing Category 3 councils be divided into two new categories, namely Category 3A and 3B.

   **Determination:** The Commission notes a further submission was made by council during the 2019 deputation review period which largely reflected the submission made to the former Tribunal. The Commission has determined not to make any changes in this current review. The Commission will undertake a comprehensive review within the first 12 months following the quadrennial local government elections in 2020.

2. Moreton Bay Regional Council (page 12, 2018 Tribunal Report) - oral submission from Moreton Bay Regional Council requesting the Tribunal to establish a process for allowances and expenditure for councillor’s similar to that of Queensland MPs.

   **Determination:** The Commission did not receive any further submission during the 2019 consultation period from Moreton Bay Regional Council (about this or any other matter). The Commission has determined not to make any changes in this current review and has further determined on the basis of the information available to it that the submission falls outside of its statutory remit.

Matters raised with the Commission during the remuneration review program

A summary table of submissions made to the Commission during the review period and the Commission’s determination is provided below.
Meetings and deputations

Local governments were provided with the opportunity to meet with the Commission at the 123rd Annual Conference of the LGAQ at the Cairns Convention Centre on Tuesday 15 October 2019. Commissioners were also available to engage with councils at the LGAQ Conference from Monday 14 October 2019 to Wednesday 16 October 2019 inclusive.

Oral submissions were received by the Commission in the form of deputations during this period. Written submissions were further received by the Commission on or before the due date for submissions on 28 October 2019.

In making its determination, the Commission had regard to the submissions it received, together with the matters on page 2 (summary) of this report.

Key points raised with the Commission during the 2019 review period included increasing demands on council in relation to sustainability, industry and innovation, potential recognition of differential councillor workload, structuring the payment of meeting fees and superannuation.

Table – Summary of 2019 Submissions

<table>
<thead>
<tr>
<th></th>
<th>Date Received</th>
<th>Received from</th>
<th>Summary of submission</th>
<th>Determination</th>
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<tbody>
<tr>
<td>1</td>
<td>Oral – LGAQ Annual Conference 15 October 2019  Written – 1 October 2019</td>
<td>Boulia Shire Council; Mayor Eric (Rick) Britton; Deputy Mayor Rebecka (Beck) Britton</td>
<td>Currently Category 1 The council wished to affect a change in the remuneration to councillors (this does not affect the mayor or deputy mayor). Submitted that there is a need to review Meeting Fees to ensure performance. CEO stated that the submission “while unusual, it is supported by councillors who are happy to adopt the proposal that councillors are only paid if they attend a Meeting and not otherwise”. Council identified disparity in workloads amongst councillors, with some councillors agreeing that they are limited in time/ability to attend all meetings and agreeing they should not be paid.</td>
<td>The Commission considers it cannot approve the request for differential remuneration as submitted by council as s247 (5) of the Regulation provides that the amount of remuneration for each councillor (other than a mayor or deputy mayor) must be the same.</td>
</tr>
<tr>
<td>2</td>
<td>Oral – LGAQ Annual Conference 15 October 2019</td>
<td>Flinders Shire Council; Mayor Jane McNamara; Cr Arthur (Bill) Bode; CEO Daryl Buckingham</td>
<td>Currently Category 1 General discussion regarding financial sustainability and community expectations around maximum remuneration of councillors. Submission that remuneration be reviewed every 4 years instead of annually.</td>
<td></td>
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</tbody>
</table>
Determination
s. 244(1) of the Regulation requires that the Commission must review and decide on remuneration rates before 1 December each year.

3
Date Received
Oral – LGAQ Annual Conference 15 October 2019
Written – 28 October 2019

Received from
Central Highlands Council; Deputy Mayor Gail Godwin-Smith; CEO Scott Mason

Summary of submission
Currently Category 3
Requested new category be considered between Category 3 and 4 by inserting Category 3(a) and Category 3(b). Council submitted that it does not consider it can justify being within Category 4 but that it can be differentiated from Category 3. The following factors were relied upon in council’s submission:
(a) geographic > 50,000 square km’s;
(b) population > 30,000
(c) diversity in population centers
(d) significant industry diversity and engagement
Council identified that similar challenges facing both Central Highlands and Isaac Regional Council supported the creation of two new categories. Key issues raised in support of council’s submission included increased (and significant) demand particularly around the resource and agricultural sectors, infrastructure growth, innovation and regional sustainability. Discussed issues relating to resident and non-resident population demands creating additional workload and whether councillors could properly be considered as ‘part-time’ given increasing community and industry expectations for council regarding regional sustainability.

Determination
The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories.

4
Date Received
Oral – LGAQ Annual Conference 15 October 2019
Written – 24 October 2018 and 28 October 2019

Received from
Isaac Regional Council; Deputy Mayor Kelly Vea Vea, Mary-Anne Uren, Senior Advisor
Submission stated to relate to increased remuneration for mayor only.

Summary of submission
Requested new category be considered between Category 3 and 4 by inserting Category 3(a) and Category 3(b). Council submitted that it does not consider it can justify being within Category 4 but that it can be differentiated from Category 3 and identified the following key issues in support of council’s submission:
(a) geographic > 50,000 square km’s
(b) population > 30,000
(c) diversity in population centers
(d) significant industry diversity and engagement.
Council identified similar challenges facing Central Highlands Council. In relation to Isaac Regional Council, council submitted that in the 2018-2019 financial year, the mayor of Isaac attended 496 meetings inside the local government area, and 50 meetings outside of the local government area, travelling a total of 32,651km. Council further submitted that it has 26 operating mines in the local government area with significant (increasing) workload arising from both the resource and agricultural sectors.
including increased expectations around stakeholder engagement and regional sustainability. Council identified increased community expectations regarding procurement and employment, and community expectations for engagement and support across a range of issues including drought.

**Determination**  
The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories.

| 5 | Date Received | Oral – LGAQ Annual Conference 15 October 2019  
Written – 29 October 2019 |
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<tr>
<td>Received from</td>
<td>Sunshine Coast Regional Council; Deputy Mayor Tim Dwyer; CEO Michael Whittaker; Chief of Staff Craig Matheson</td>
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</table>
| Summary of submission | Current Category 7  
Noted that Commission Chair, Mr. Bob Abbot, was a former mayor of the Sunshine Coast Regional Council from 2008-2012. Chair declared that he had no conflict of interest or material personal interest and remained in the room.  
Commissioners Ranson and Hii determined that given the declaration from the Chair, and in the absence of any actual or perceived material personal interest of the Chair, that it was appropriate for the Chair to remain to receive the deputation and deliberate.  
Council submitted that it was supportive of the current category system and that it wished to remain in Category 7. |
| Determination | The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories. |

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<th>6</th>
<th>Date Received</th>
<th>Oral – LGAQ Annual Conference 15 October 2019</th>
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<tr>
<td>Received from</td>
<td>Barcaldine Regional Council; Mayor Rob Chandler</td>
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</table>
| Summary of submission | Category 1  
Submission that the Commission consider superannuation for councillors, particularly the mayor. |
| Determination | The payment of compulsory or voluntary superannuation payments to councillors falls outside the Commission’s statutory functions. |

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<tr>
<th>7</th>
<th>Date Received</th>
<th>Written – 24 October 2019</th>
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<tr>
<td>Received from</td>
<td>Western Downs Regional Council</td>
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<tr>
<td>Summary of submission</td>
<td>Submission that satisfied with current category system and wished to remain at Category 3.</td>
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<tr>
<td>Determination</td>
<td>The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories.</td>
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</tbody>
</table>
8  Date Received  Written – 25 October 2019
Received from  Toowoomba Regional Council
Summary of submission  Submission to elevate council from current Category 5 to Category 6. Currently in the same category as Cairns, Mackay, Redland, however, Toowoomba submitted that it is more appropriately benchmarked on a variety of measures, with those in Category 6, specifically Ipswich and Townsville.
Determination  The Commission has determined not to make any category changes in the current review. This issue will form part of the Commission forthcoming comprehensive review of categories.

9  Date Received  Oral submission Referred from Previous Commission – 2018 Report
Received from  Moreton Bay Regional Council
Summary of submission  In its final report, the former Tribunal referred the submission to the newly formed Commission. The submission argued that there was a lack of consistency between the levels of government (Queensland Members of Parliament and local government councillors) which can be seen, for example, in community events where councillors are required to pay to attend events themselves, while state MPs may pay for it out of their allowance.
Determination  The Commission did not receive any further submission during the 2019 consultation period and notes that this request is outside of its remit.

4. Other activities of the Commission

Exceptional circumstances carried over from the former Local Government Remuneration and Discipline Tribunal:

On 1 November 2018, following the suspension of the then Mayor of Doomadgee Aboriginal Shire Council, the council sought approval to vary the remuneration of the acting mayor (Councillor Jason Ned) until the end of the elected members term or until the mayor is either removed from office or the suspension concludes. The request was made prior to the formation of the current Commission. The former Tribunal wrote to council seeking clarifying information and carried this matter over for determination by the newly formed Commission.

Following receipt of the confirmed minutes from the council showing the resolution, the Commission considered and approved the request to increase the remuneration and back pay Cr Jason Ned.

The Commission has advised Doomadgee Aboriginal Shire Council of this decision.
5. Commission’s future priorities

The Commission will invite further consultation and submissions from councils in the first year of the elected term for councillors following the 2020 local government elections. The purpose will be to ascertain whether any change following a further comprehensive category review may be warranted in that year, rather than waiting until the next quadrennial review due on 1 December 2023.

Further information about the Commission and/or the Councillor Conduct Tribunal can be located at www.dlgrma.qld.gov.au

Local Government Remuneration Commission
PO Box 15009
City East Qld 4002

1 William Street
Brisbane Qld 4000

email LGRCenquiries@dlgrma.qld.gov.au
phone 07 3452 6735

www.dlgrma.qld.gov.au
LOCAL GOVERNMENT AND COMMITTEE MEETINGS - AMENDED CALENDAR OF MEETINGS JANUARY TO JUNE 2020

REPORT OF: Corporate Governance Manager

REPORT OVERVIEW

EXECUTIVE SUMMARY

This report is seeking approval to amend the Calendar of Meetings for Local Government and Committee meetings for the period January to June 2020 to remove the Special Council meeting.

Criteria: Legislative - It is a legislative requirement that cannot be delegated

CORPORATE PLAN PRIORITY

Next Generation Governance

RECOMMENDATIONS

IT IS RECOMMENDED:

1. That the amended Calendar of Meetings for the period January to June 2020, as attached to the report of the Corporate Governance Manager dated 9 June 2020, be adopted.

2. That the Corporate Governance Manager be requested to:
   (a) advise all staff of Council’s resolution;
   (b) ensure that all councillor’s personal diaries are updated to incorporate the amended meeting date;
   (c) publicly advertise the Calendar of Meetings in accordance with section 277 (Public notice of Meetings) of the Local Government Regulation 2012; and
   (d) include the Calendar of Meetings on Council’s website.

REPORT DETAILS

INTERESTED PARTIES

Not applicable.

PURPOSE OF REPORT/BACKGROUND

The purpose of this report is to amend the Calendar of Meetings for January to June 2020 to remove the Special Council meeting scheduled for 22 June 2020. This meeting date is no longer required.

ANY PREVIOUS COUNCIL DECISIONS

At the Post-Election meeting held on 29 April 2020 (Minute No 37/2020), Council resolved to adopt the Calendar of Meetings for January to June 2020. This included a Special Council meeting scheduled for 22 June 2020.
FINANCIAL/RESOURCE IMPLICATIONS

Not applicable.

RISK MANAGEMENT IMPLICATIONS

Not applicable.

LEGAL/POLICY

Not applicable.

COMMUNITY AND OTHER CONSULTATION

Not applicable.

CONCLUSION

It is recommended that the Calendar of Meetings for January to June 2020 be amended to remove the Special Council meeting scheduled for 22 June 2020. Upon adoption, the Corporate Governance Manager will:

(a) advise all staff of Council's resolution;

(b) ensure that all councillor’s personal diaries are updated to incorporate the amended meeting date;

(c) publicly advertise the Calendar of Meetings in accordance with section 277 (Public notice of Meetings) of the Local Government Regulation 2012; and

(d) include the Calendar of Meetings on Council’s website.

ATTACHMENTS TABLE

Amended Calendar of Meetings for January to June 2020.
### CALENDAR OF MEETINGS JANUARY TO JUNE 2020

#### JANUARY 2020

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**New Year’s Day**

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| 27  | 28  | 29  | 30  | 31  |

**Australia Day Observed**

| CN 0768 |

#### FEBRUARY 2020

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| CN 0768 |

#### MARCH 2020

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### APRIL 2020

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| Good Friday |

| 13  | 14  | 15  | 16  | 17  |

| Easter Monday |

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### MAY 2020

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| Labour Day |

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### JUNE 2020

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| GO 0773 |

### Council/Committee Meetings

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<th>Council/Committee Meetings</th>
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<th>Commences</th>
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<tr>
<td>GO - City Governance</td>
<td>8.30 am Wed (prev wk)</td>
<td>9.00 am</td>
</tr>
<tr>
<td>IN - City Infrastructure</td>
<td>8.30 am Wed (prev wk)</td>
<td>9.30 am*</td>
</tr>
<tr>
<td>PL - City Planning, Economic Development and Environment</td>
<td>8.30 am Wed (prev wk)</td>
<td>9.00 am</td>
</tr>
<tr>
<td>LI - City Lifestyle</td>
<td>8.30 am Wed (prev wk)</td>
<td>9.30 am*</td>
</tr>
<tr>
<td>CN - Ordinary Council Meeting</td>
<td>8.30 am Fri (prev wk)</td>
<td>10.00 am</td>
</tr>
</tbody>
</table>

*The second committee meeting of the day will commence at 9.30 am or 10 minutes after the conclusion of the previous committee meeting.*