



# ORDINARY MEETING

## AGENDA

**8 MARCH 2022**

*Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 8 March 2022 commencing at 10:00am for transaction of the enclosed business.*

*In line with section 277E of the Local Government Regulation 2012, it has been determined that it is not practicable for the public to attend Council meetings in person at the current time. Until further notice, Council meetings will instead be livestreamed online.*

A handwritten signature in black ink, appearing to be "C. P.", written in a cursive style.

**CHIEF EXECUTIVE OFFICER**  
4 March 2022

Next Meeting Date: 22.03.22

**Please note:**

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

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## 1 OPENING

- 1.1 Acknowledgement of Country
- 1.2 Opening prayer delivered by Rev David Alley – Chairman of Rockhampton Churches Together.

## 2 PRESENT

Members Present:

The Mayor, Councillor A P Williams (Chairperson)  
Deputy Mayor, Councillor N K Fisher  
Councillor S Latcham  
Councillor C E Smith  
Councillor C R Rutherford  
Councillor M D Wickerson  
Councillor D Kirkland  
Councillor G D Mathers

In Attendance:

Mr E Pardon – Chief Executive Officer

## 3 APOLOGIES AND LEAVE OF ABSENCE

### 3.1 LEAVE OF ABSENCE - COUNCILLOR DREW WICKERSON

**File No:** 10072  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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#### SUMMARY

*Councillor Drew Wickerson requesting leave of absence from 7 to 11 March 2022 to assist the community of Gympie in his SES role.*

#### OFFICER'S RECOMMENDATION

THAT Councillor Drew Wickerson be granted Leave of Absence from Monday 7 March to Friday 11 March 2022 inclusive.

#### COMMENTARY

Councillor Drew Wickerson is seeking Council's approval for Leave of Absence from Monday 7 March to Friday 11 March 2022 inclusive.

Due to his qualifications as Flood Boat Operator and Working Safely at Heights/Storm Damage Officer, The State Emergency Service will deploy him, along with other members from Rockhampton and Gracemere SES Groups, to Gympie to assist with recent storm and flood damage experienced by those communities.

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**4 CONFIRMATION OF MINUTES**

Minutes of the Ordinary Meeting held 22 February 2022

Minutes of the Special Meeting held 28 February 2022

**5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA**

**6 BUSINESS OUTSTANDING**

Nil

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

**8 PRESENTATION OF PETITIONS**

Nil

## 9 COUNCILLOR/DELEGATE REPORTS

### 9.1 COUNCILLOR DISCRETIONARY FUND APPLICATION FROM ROTARY CLUB OF ROCKHAMPTON FITZROY

**File No:** 8295  
**Attachments:** Nil  
**Authorising Officer:** Damon Morrison - Manager Office of the Mayor  
**Author:** Nicole Semfel - Executive Support Officer

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#### SUMMARY

*This report requests Council's consideration and approval for an allocation from Mayor Tony Williams, Councillor Neil Fisher, Councillor Drew Wickerson and Councillor Cherie Rutherford's Councillor Discretionary Fund to Rotary Club of Rockhampton Fitzroy towards Buddy Seats at local primary schools.*

#### OFFICER'S RECOMMENDATION

THAT Council approves the allocation of \$900 each from Mayor Tony Williams, Councillor Neil Fisher, Councillor Drew Wickerson and Councillor Cherie Rutherford's Councillor Discretionary Fund to Rotary Club of Rockhampton Fitzroy for installation of Buddy Seats at local primary schools.

#### BACKGROUND

The Rotary Club of Rockhampton Fitzroy has installed 13 Buddy Seats in Rockhampton over the last three years. Buddy Seats in primary schools play an important role in providing an avenue for vulnerable students to reach out and seek support. The Buddy Seats have received very positive feedback from the school principals, teachers and parents. Staff have witnessed students embracing the use of the seats for the purpose it was designed. Such is the success of this club project; The Rotary Club of Rockhampton Fitzroy has been overwhelmed with requests to provide more Buddy Seats in the remaining schools across Rockhampton.

Mayor Tony Williams, Councillor Neil Fisher, Councillor Drew Wickerson and Councillor Cherie Rutherford are seeking approval to donate \$900 each from their Councillor Discretionary Fund towards the Buddy Seat program.

## 10 OFFICERS' REPORTS

### 10.1 DEVELOPMENT ASSESSMENT DECISIONS UNDER DELEGATION - JANUARY 2022

|                             |   |
|-----------------------------|---|
| <b>File No:</b>             | <b>7028</b>   |
| <b>Attachments:</b>         | <b>Nil</b>  |
| <b>Authorising Officer:</b> | <b>Doug Scott - Manager Planning and Regulatory Services<br/>Alicia Cutler - General Manager Community Services</b> |
| <b>Author:</b>              | <b>Tarnya Fitzgibbon - Coordinator Development Assessment</b>   |

#### SUMMARY

*This report outlines the properly made development applications received in January 2022 and whether they will be decided under delegation or decided by Council.*

#### OFFICER'S RECOMMENDATION

THAT the Development Assessment Decisions Under Delegation – January 2022 report be received.

#### BACKGROUND

Matters are referred to Council for decision where:

- Refusals;
- The development is inconsistent with the intent of the zone; or
- Submissions are received during the notification period.

The following properly made applications were received in January 2022. They will be decided in the following manner:

| Application type   | Applicant                         | Address                             | Decision                               |
|--|-----------------------------------|-------------------------------------|--|
| D/1-2022 – ROL (one lot into two lots)   | Beneficial Recycling              | 161 Maloney Street, Kawana          | Impact assessable so may go to Council |
| D/2-2022 – Operational Works for Advertising Device (freestanding sign)                    | Ampol Australia Petroleum Pty Ltd | 10 McLaughlin Street, Gracemere     | Delegation                             |
| D/3-2022 – ROL Drainage easement   | Keppel Developments Pty Ltd       | Lot 503 Nagle Drive, Norman Gardens | Delegation                             |
| D/4-2022 – Building Works Assessable Against the Planning Scheme (Container in flood area) | Dezign Group Qld Pty Ltd          | 55 Gladstone Road, Allerstown       | Delegation                             |
| D/5-2022 – Operational Works for Advertising Device (freestanding sign)                    | AHC Ltd                           | 812-818 Yaamba Road, Parkhurst      | Delegation                             |

| Application type   | Applicant                          | Address  | Decision                               |
|--|------------------------------------|--|--|
| D/8-2022 – MCU for Medium Impact Industry  | Rockhampton Blast and Paint        | 5 Lawson Street, Parkhurst                         | Impact assessable so may go to Council |
| D/9 -2022 – MCU Removal of Dwelling House (in character demolition overlay)                                      | Hammertime Constructions Qld       | 42 Brae Street, The Range                          | Impact assessable so may go to Council |
| D/10-2022 – MCU for Shopping Centre - carpark  | Kenealy Superannuation Pty Ltd Tte | 379 Yaamba Road and 29 Denning Street, Park Avenue | Impact assessable so may go to Council |
| D/11-2022 – Operational Works for road works, stormwater, drainage and earthworks. There is no primary approval. | Windscreen Ambulance Pty Ltd       | 19 Hempenstall Street, Kawana                      | Delegation                             |

For some matters it is not possible to determine if they will go to Council until the notification period ends. If there have been submissions the application will go to Council to be decided.

### CONCLUSION

This report outlines the applications received in January 2022 and the manner in which they will be decided.



## 10.2 D/66-2021 - MINOR CHANGE TO DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A MULTIPLE DWELLING (18 DWELLINGS)

**File No:** D/66-2021

**Attachments:**

1. [Locality Plan](#)
2. [Site Plan](#)
3. [Floor Plans](#)
4. [Elevation Plan](#)

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - General Manager Community Services

**Author:** Amanda O'Mara - Principal Planning Officer

### SUMMARY

*Development Application Number:* D/66-2021

*Applicant:* Kele Property Group (Qld) Pty Ltd

*Real Property Address:* Lot 4 and 3 on RP892683

*Common Property Address:* 99 Pennycuick Street and 101 Pennycuick Street, West Rockhampton

*Area of Site:* 7,388 square metres

*Planning Scheme:* Rockhampton Region Planning Scheme 2015 (version 2.2)

*Planning Scheme Zone:* Low Density Residential Zone

*Planning Scheme Overlays:* Not Applicable

*Approval Sought:* Minor Change to Development Permit D/66-2021 for a Material Change of Use for a Multiple Dwelling (18 Dwellings)

*Referral Agency(s):* Not Applicable

*Infrastructure Charges Area:* Charge Area 1

### OFFICER'S RECOMMENDATION

#### RECOMMENDATION A

THAT in relation to the application for a Minor Change to Development Permit D/66-2021 for a Material Change of Use for a Multiple Dwelling (18 Dwellings), made by Kele Property Group (Qld) Pty Ltd, located at 99 Pennycuick Street and 101 Pennycuick Street, West Rockhampton -, described as Lot 4 and 3 on RP892683, Council resolves to provide the following reasons for its decision:

#### STATEMENT OF REASONS

|                                       |  |
|---------------------------------------|--|
| <b>Description of the development</b> | The proposed development is for a Material Change of Use for a Multiple Dwelling (18 Dwellings)  |
| <b>Reasons for Decision</b>           | <p>a) The proposal will expand on the range of housing opportunities available to the local community within an established residential zone;</p> <p>b) The built form and density of the proposal, being single storey with design elements that reflect the character of the surrounding neighbourhood, ensures the development does not impact the residential amenity;</p> |

|  |   |   |
|--|---|---|
|  | <p>c) The development is located in an established residential area, within close proximity to a minor urban collector road, that is well serviced with public transport and urban infrastructure and services;</p> <p>d) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and</p> <p>e) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p> |   |
| <b>Assessment Benchmarks</b>                 | <p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Strategic Framework;</li> <li>• Low Density Residential Zone Code;</li> <li>• Access, Parking And Transport Code;</li> <li>• Filling and Excavation Code;</li> <li>• Landscape Code;</li> <li>• Stormwater Management Code; and</li> <li>• Water and Sewer Code.</li> </ul>  |   |
| <b>Compliance with assessment benchmarks</b> | <p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.</p>   |   |
|  | <b>Assessment Benchmark</b>   | <b>Reasons for the approval despite non-compliance with benchmark</b>   |
|  | <p>Low Density Residential Zone Code</p>  | <p>PO18</p> <p>The proposal does not comply with AO18.1 which states public transport or a centre must be within 200 metres of the site. However, the site is in close proximity to the Botanical Gardens, a golf course and within an established residential area where public transport is available. In addition, the proposal does not comply with AO18.2 which requires the site to have direct access to a minor urban collector road or higher order road. However, the proposal is located on an urban access place and is within 200 metres to a minor urban collector.</p> <p>Therefore, the proposal provides additional housing in an area which is highly accessible and located to minimise impacts on the local street network.</p> |
| <b>Matters prescribed by regulation</b>      | <ul style="list-style-type: none"> <li>• The <i>Rockhampton Region Planning Scheme 2015</i> (version 2.2); and</li> <li>• The common material, being the material submitted with the application.</li> </ul>  |   |

**RECOMMENDATION B**

That to reflect the above changes, Kele Property Group (Qld) Pty Ltd, be issued with an Amended Decision Notice:

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ADMINISTRATION

- 1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
  - 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
  - 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
    - 1.3.1 to Council’s satisfaction;
    - 1.3.2 at no cost to Council; and
    - 1.3.3 prior to the commencement of the use unless otherwise stated.
  - 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
  - 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
    - 1.5.1 Operational Works:
      - (i) Road Works;
      - (ii) Access and Parking Works;
      - (iii) Sewerage Works;
      - (iv) Stormwater Works;
      - (v) Roof and Allotment Drainage;
      - (vi) Site Works; and
      - (vii) Landscaping Works.
    - 1.5.2 Plumbing and Drainage Works
    - 1.5.3 Building Works:
      - (i) Demolition Works; and
      - (ii) Building Works.
  - 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
  - 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
  - 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
  - 1.9 The Reconfiguring a Lot Development Approval (D/147-2021) for a boundary realignment between Lot 3 RP892683 and Lot 4 RP892683 must be completed and registered prior to the commencement of use.
-

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:

| <u>Plan/Document Name</u>                       | <u>Prepared by</u>             | <u>Date</u>      | <u>Reference No.</u> | <u>Version/Issue</u> |
|---|--------------------------------|------------------|----------------------|----------------------|
| Proposed Site Plan                              | design + architecture          | 11 February 2022 | SK-001               | 52                   |
| Street Elevation                                | design + architecture          | 28 January 2022  | SK-002               | 51                   |
| Unit A  | design + architecture          | 28 January 2022  | SK-003               | 51                   |
| Unit B  | design + architecture          | 28 January 2022  | SK-004               | 51                   |
| Unit C  | design + architecture          | 28 January 2022  | SK-005               | 51                   |
| Unit D  | design + architecture          | 28 January 2022  | SK-006               | 51                   |
| Locality Plan                                   | McMurtrie Consulting Engineers | 2 June 2021      | 0772021-P-0001       | B                    |
| Preliminary Site Layout and Vehicle Swept Paths | McMurtrie Consulting Engineers | 27 April 2021    | 0772021-P-0002       | A                    |
| Preliminary Earthwork Layout Plan               | McMurtrie Consulting Engineers | 27 April 2021    | 0772021-P-0003       | A                    |
| Preliminary Services Layout Plan                | McMurtrie Consulting Engineers | 2 June 2021      | 0772021-P-0004       | B                    |
| Stormwater Management Plan                      | McMurtrie Consulting Engineers | 27 May 2021      | 036-20-21            | B                    |
| Technical Memorandum (Flood Statement)          | McMurtrie Consulting Engineers | 31 May 2021      | 077-20-21            | -                    |

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works.

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### 3.0 ROAD WORKS

- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on for the development site.
- 3.2 All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 3.3 A concrete pathway, with a minimum width of 1.2 metres, must be constructed on the eastern side of Pennycuick Street for the full frontage of the development site.

### 4.0 ACCESS AND PARKING WORKS

- 4.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the development site.
  - 4.2 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
  - 4.3 All car parking and access areas must be paved or sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).
  - 4.4 The existing access from Pennycuick Street to the development must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*.
  - 4.5 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.
  - 4.6 All vehicles must ingress and egress the development in a forward gear.
  - 4.7 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.
  - 4.8 A minimum of forty (40) parking spaces must be provided on-site.
  - 4.9 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
  - 4.10 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site including refuse collection vehicles.
  - 4.11 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
  - 4.12 Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
  - 4.13 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
-

## 5.0 SEWERAGE WORKS

- 5.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the development site.
- 5.2 All sewerage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2018* and the provisions of a Development Permit for Operational Works (sewerage works).
- 5.3 The development must be connected to Council's reticulated sewerage network.
- 5.4 A new sewerage access chamber must be installed over existing 150 millimetre diameter sewerage main within the site. A new sewerage connection point must be provided from this access chamber to service the development. This non-trunk infrastructure is conditioned under section 145 of the *Planning Act 2016*.
- 5.5 The existing sewerage connection point(s) must be disconnected.
- 5.6 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty trafficable lid must be provided in the trafficable area.
- 5.7 The proposed sewerage infrastructure internal to the site except existing 150 millimetre diameter sewerage main must be privately owned sewerage infrastructure and must be maintained by the owner at no cost to Council.
- 5.8 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure owned by Council; small shrubs and groundcover are acceptable.

## 6.0 WATER WORKS

- 6.1 All water works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008* and *Plumbing and Drainage Act 2018*.
- 6.2 The development must be connected to Council's reticulated water network.
- 6.3 The existing water connection point(s) at Pennycuik Street road reserve must be disconnected. A new water connection point must be provided to the development. An hydraulic engineer or other suitably qualified person must determine the size of connection required.
- 6.4 Adequate domestic and firefighting protection must be provided to the development, in accordance with *Australian Standard AS2419 "Fire Hydrant Installations"* and must be certified by an hydraulic engineer or other suitably qualified person.
- 6.5 The development must be provided with a master meter at the development site boundary and sub-meters for each sole occupancy building in accordance with the *Queensland Plumbing and Drainage Code* and Council's Sub-metering Policy.
- 6.6 If required, the existing Fire Hydrant (FH) at proposed vehicle crossover must be re-located under a private works quote.
- 6.7 The proposed water supply infrastructure internal to the site must be privately owned water supply infrastructure and must be maintained by the owner at no cost to Council.

6.8 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

#### 7.0 PLUMBING AND DRAINAGE WORKS

7.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structures and proposed new structures on the development site.

7.2 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2018*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

7.3 All internal plumbing and sanitary drainage works must be completely independent for each dwelling unit.

7.4 Disconnection of internal plumbing and sanitary drainage works associated with the existing buildings must be in accordance with regulated work under the *Plumbing and Drainage Act 2018* and Council's Plumbing and Drainage Policies.

#### 8.0 STORMWATER WORKS

8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.

8.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).

8.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.

8.4 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with details of any new drainage systems including detention systems, inlet and outlet structures and water quality structures to implement the proposed drainage strategy.

8.5 The installation of gross pollutant traps must be in accordance with relevant *Australian Standards* and all maintenance of the proposed gross pollutant traps must be the responsibility of the property owner or body corporate (if applicable).

8.6 All proprietary stormwater quality treatment devices must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to Council upon request. Where replacement cartridges or other necessary components for the system become unavailable, an alternative system approved by Council, is required to be retrofitted into the development to achieve an equivalent pollutant reduction outcome. All maintenance cost must be borne by the site owner.

8.7 The proposed stormwater infrastructure internal to the site must be privately owned stormwater infrastructure and must be maintained by the owner at no cost to Council.

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## 9.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 9.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the development site.
- 9.2 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).
- 9.3 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.

## 10.0 SITE WORKS

- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 10.2.1 the location of cut and/or fill;
  - 10.2.2 the type of fill to be used and the manner in which it is to be compacted;
  - 10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
  - 10.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
  - 10.2.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.
- 10.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 10.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 10.5 Retaining structures above one (1) metre in height that are not incidental works to a Development Permit for Building Works, must not be constructed unless separately and specifically certified by a Registered Professional Engineer of Queensland and must be approved as part of a Development Permit for Operational Works (site works).
- 10.6 Retaining structures close to or crossing sewerage infrastructure must comply with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."* The structure must be self-supporting and no additional load must be applied to Council's sewerage infrastructure. Any permit associated with the Building Over/Adjacent to Local Government Sewerage Infrastructure Policy must be obtained prior to the issue of a Development Permit for Building Works.
- 10.7 All site works must be undertaken to ensure that there is:
- 10.7.1 no increase in upstream or downstream flood levels for all levels of immunity up to a one per cent (1%) Annual exceedance probability flood event;



- 10.7.2 no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and
- 10.7.3 a lawful point of discharge to which the approved works drain during construction phase.

#### 11.0 BUILDING WORKS

- 11.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
  - 11.2 A Development Permit for Building Works must be obtained for the removal and/or demolition of any existing structures and proposed structures on the development site.
  - 11.3 The development must comply with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."* Any permit associated with the Building Over/Adjacent to Local Government Sewerage Infrastructure Policy must be obtained prior to the issue of a Development Permit for Building Works.
  - 11.4 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2019* and must be:
    - 11.4.1 of a sufficient size to accommodate commercial type bin for recycled waste that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning;
    - 11.4.2 If required, provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2018*.

As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.
  - 11.5 All external elements, such as air conditioners, pool and spa pumps and associated equipment, must be adequately screened from public view, to Council's satisfaction.
  - 11.6 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting".
  - 11.7 All fencing for the development must be provided in accordance with the approved plans (refer to condition 2.1).
- #### 12.0 LANDSCAPING WORKS
- 12.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works required by this development approval.
  - 12.2 Landscaping must be constructed and/or established prior to the commencement of the use in all areas shown on the approved plans (refer to condition 2.1).

- 12.3 A Landscaping Plan must be submitted with any application for a Development Permit for Operational Works (landscaping works). The landscaping plans must be designed in accordance with the requirements of *Planning Scheme Policy SC6.12 - Landscape Design and Street Trees Planning Scheme Policy*.
- 12.4 At least fifty (50) per cent of all new plantings within the landscaping areas (refer to condition 2.1) must be locally native species with low water dependency.
- 12.5 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*.
- 12.6 The landscaped areas must be subject to:
- 12.6.1 a watering and maintenance plan during the establishment moment; and
  - 12.6.2 an ongoing maintenance and replanting programme.
- 13.0 ELECTRICITY
- 13.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 14.0 TELECOMMUNICATIONS
- 14.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 15.0 ASSET MANAGEMENT
- 15.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 15.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.
- 15.3 'As Constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the *Asset Design and As Constructed Manual (ADAC)*.
- 16.0 OPERATING PROCEDURES
- 16.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Pennycuick Street.

### ADVISORY NOTES

#### NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships website [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Work Health and Safety Act 2011* and *Public Health Act 2005*.

NOTE 3. General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

NOTE 4. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice.

**RECOMMENDATION C**

That to reflect the above changes, Kele Property Group (Qld) Pty Ltd, be issued with an Amended Infrastructure Charges Notice for the amount of \$345,000.00.

**BACKGROUND**

Council at its meeting on 24 August 2021, approved a Development Application for a Multiple Dwelling (19 Dwellings) located at 99 Pennycuik Street and 101 Pennycuik Street, West Rockhampton - Lot 4 and 3 on RP892683.

In accordance with section 78 of the *Planning Act 2016*, the applicant has applied for a 'Minor Change' to the development approval. The applicant has proposed to make the following changes to the development approval:

- a) Retain the existing dwelling on Lot 3 RP892683 as per development approval D/147-2021.
- b) Decrease the number of three (3) bedroom dwellings from seventeen (17) to sixteen (16).
- c) Reduce onsite car parking from forty-seven (47) to forty (40).

**PLANNING ASSESSMENT****TOWN PLANNING COMMENTS**

The applicant has requested the following changes:

**Condition 1.9**

Lot 3 RP892683 and Lot 4 RP892683 must be amalgamated and registered as one lot prior to the commencement of the use.

**Summary of request:**

The common property boundary between Lot 3 and Lot 4 was realigned (D/147-2021) to increase the site area of Lot 4 to accommodate the future multiple dwelling development within one lot. The survey plan of the realigned lots must be registered prior to the commencement of the multiple dwelling development.

Recommendation:

This Condition is to be amended to the following:

*The Reconfiguring a Lot Development Approval (D/147-2021) for a boundary realignment between Lot 3 RP892683 and Lot 4 RP892683 must be completed and registered prior to the commencement of use.*

**Condition 2.1**

The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:

| <u>Plan/Document Name</u>                       | <u>Prepared by</u>             | <u>Date</u>   | <u>Reference No.</u> | <u>Version /Issue</u> |
|---|--------------------------------|---------------|----------------------|-----------------------|
| Proposed Site Plan                              | design + architecture          | 1 July 2021   | SK-001               | 22                    |
| Street Elevation                                | design + architecture          | 10 May 2021   | SK-002               | 14                    |
| 3 Bed – Type 1                                  | design + architecture          | 10 May 2021   | SK-003               | 14                    |
| 3 Bed – Type 2                                  | design + architecture          | 10 May 2021   | SK-004               | 14                    |
| 2 Bed – Type 1                                  | design + architecture          | 10 May 2021   | SK-005               | 14                    |
| 2 Bed – Type 2                                  | design + architecture          | 10 May 2021   | SK-006               | 14                    |
| Locality Plan                                   | McMurtrie Consulting Engineers | 2 June 2021   | 0772021-P-0001       | B                     |
| Preliminary Site Layout and Vehicle Swept Paths | McMurtrie Consulting Engineers | 27 April 2021 | 0772021-P-0002       | A                     |
| Preliminary Earthwork Layout Plan               | McMurtrie Consulting Engineers | 27 April 2021 | 0772021-P-0003       | A                     |
| Preliminary Services Layout Plan                | McMurtrie Consulting Engineers | 2 June 2021   | 0772021-P-0004       | B                     |
| Stormwater Management Plan                      | McMurtrie Consulting Engineers | 27 May 2021   | 036-20-21            | B                     |
| Technical Memorandum (Flood Statement)          | McMurtrie Consulting Engineers | 31 May 2021   | 077-20-21            | -                     |

Summary of request:

The minor changes are reflected in the updated plans.

Recommendation:

This condition is to be amended to the following:

*The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:*

| <u>Plan/Document Name</u>                              | <u>Prepared by</u>                    | <u>Date</u>             | <u>Reference No.</u>  | <u>Version /Issue</u> |
|--|---------------------------------------|-------------------------|-----------------------|-----------------------|
| <i>Proposed Site Plan</i>                              | <i>design + architecture</i>          | <i>11 February 2022</i> | <i>SK-001</i>         | <i>52</i>             |
| <i>Street Elevation</i>                                | <i>design + architecture</i>          | <i>28 January 2022</i>  | <i>SK-002</i>         | <i>51</i>             |
| <i>Unit A</i>  | <i>design + architecture</i>          | <i>28 January 2022</i>  | <i>SK-003</i>         | <i>51</i>             |
| <i>Unit B</i>  | <i>design + architecture</i>          | <i>28 January 2022</i>  | <i>SK-004</i>         | <i>51</i>             |
| <i>Unit C</i>  | <i>design + architecture</i>          | <i>28 January 2022</i>  | <i>SK-005</i>         | <i>51</i>             |
| <i>Unit D</i>  | <i>design + architecture</i>          | <i>28 January 2022</i>  | <i>SK-006</i>         | <i>51</i>             |
| <i>Locality Plan</i>                                   | <i>McMurtrie Consulting Engineers</i> | <i>2 June 2021</i>      | <i>0772021-P-0001</i> | <i>B</i>              |
| <i>Preliminary Site Layout and Vehicle Swept Paths</i> | <i>McMurtrie Consulting Engineers</i> | <i>27 April 2021</i>    | <i>0772021-P-0002</i> | <i>A</i>              |
| <i>Preliminary Earthwork Layout Plan</i>               | <i>McMurtrie Consulting Engineers</i> | <i>27 April 2021</i>    | <i>0772021-P-0003</i> | <i>A</i>              |
| <i>Preliminary Services Layout Plan</i>                | <i>McMurtrie Consulting Engineers</i> | <i>2 June 2021</i>      | <i>0772021-P-0004</i> | <i>B</i>              |
| <i>Stormwater Management Plan</i>                      | <i>McMurtrie Consulting Engineers</i> | <i>27 May 2021</i>      | <i>036-20-21</i>      | <i>B</i>              |
| <i>Technical Memorandum (Flood Statement)</i>          | <i>McMurtrie Consulting Engineers</i> | <i>31 May 2021</i>      | <i>077-20-21</i>      | <i>-</i>              |

**Condition 4.8**

A minimum of forty-seven (47) parking spaces must be provided on-site. This includes nine (9) visitor's parking spaces.

**Summary of request:**

The proposed development exceeds the minimum number of onsite car parking spaces required under the *Rockhampton Region Planning Scheme 2015*, being twenty-seven (27).

**Recommendation:**

This Condition is to be amended to the following:

*A minimum of forty (40) parking spaces must be provided on-site.*

**INFRASTRUCTURE CHARGES NOTICE**

As a consequence of the change to the approved plans, Council is required to amend the Infrastructure Charges Notice as follows:

- (a) A charge of \$30,000.00 for two (2) two (2) bedroom units;

(b) A charge of \$336,000.00 for sixteen (16) three (3) bedroom units; and

(c) An Infrastructure Credit of \$21,000.00 applicable for one (1) existing allotment.

Therefore a total charge of \$345,000.00 is payable for the development.

### **MATTERS FOR CONSIDERATION**

This request has been assessed by Council's planning officers and other technical staff, as required. The assessment has been conducted in accordance with the provisions of the *Planning Act 2016* and Development Assessment Rules. Regard has been given to the relevant State Planning Policy; Council's Planning Scheme; and other general policies, procedures and documents as considered relevant.

An assessment of the Minor Change has been undertaken and it has been determined that the proposed changes are generally consistent with the original approval, legislative requirements, and the assessment benchmarks prescribed in the statutory instrument which were in effect when the development application for the development approval was properly made.

### **CONCLUSION**

The applicant's change representations are considered reasonable and recommended for approval. A summary of the changes have been outlined above.

**D/66-2021 - MINOR CHANGE TO  
DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE FOR  
A MULTIPLE DWELLING  
(18 DWELLINGS)**

**Locality Plan**

**Meeting Date: 8 March 2022**

**Attachment No: 1**

D/66-2021 - Locality Plan



A4 Page scale at 1: 1,137.74  
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**D/66-2021 - MINOR CHANGE TO  
DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE FOR  
A MULTIPLE DWELLING  
(18 DWELLINGS)**

**Site Plan**

**Meeting Date: 8 March 2022**

**Attachment No: 2**



drawing title:  
**PROPOSED SITE PLAN**

drawing no: **SK-001** project no: **KP-012**



project:  
**PENNYCOVE**

location:  
PENNYCICK STREET,  
LOT NO 4RP892683

client:

project: **AS DRAWING** NOTED SCALES RELATE TO AS DRAWINGS

| REV | DESCRIPTION | DATE       |
|-----|-------------|------------|
| 40  | PRELIMINARY | 13/10/2021 |
| 41  | PRELIMINARY | 14/10/2021 |
| 42  | PRELIMINARY | 15/10/2021 |
| 43  | PRELIMINARY | 21/10/2021 |
| 44  | PRELIMINARY | 09/11/2021 |
| 45  | PRELIMINARY | 19/12/2021 |
| 46  | PRELIMINARY | 28/01/2022 |
| 52  | PRELIMINARY | 11/02/2022 |

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**PRELIMINARY**

SCALE: 1:400  
DATE: FEB 22  
BY: CC

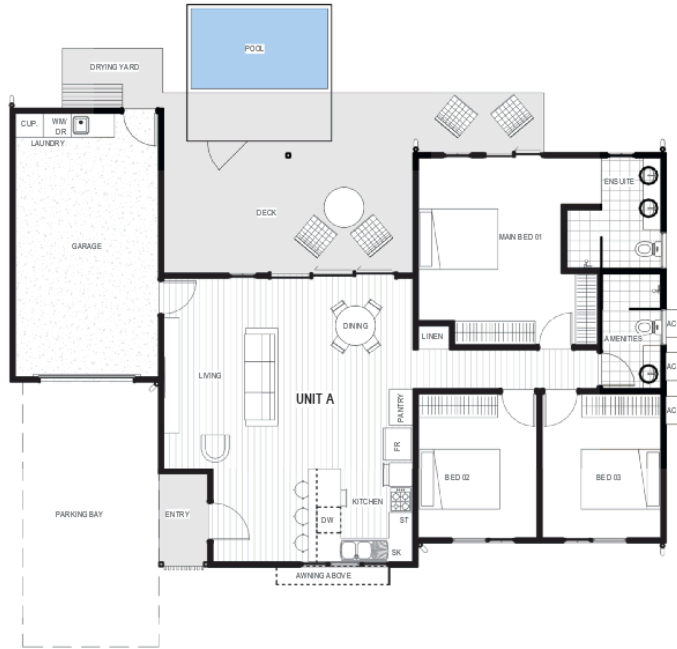
52

**D/66-2021 - MINOR CHANGE TO  
DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE FOR  
A MULTIPLE DWELLING  
(18 DWELLINGS)**

**Floor Plans**

**Meeting Date: 8 March 2022**

**Attachment No: 3**



**1 FLOOR PLAN- UNIT A**  
WD-003 1: 100 @ A3



**2 FRONT ELEVATION- UNIT A**  
1: 100 @ A3

**AREA:**

|              |                         |
|--------------|-------------------------|
| UNIT AREA    | : 151.39 m <sup>2</sup> |
| BUILDING GFA | : 130 m <sup>2</sup>    |
| COVERED AREA | : 21.39 m <sup>2</sup>  |

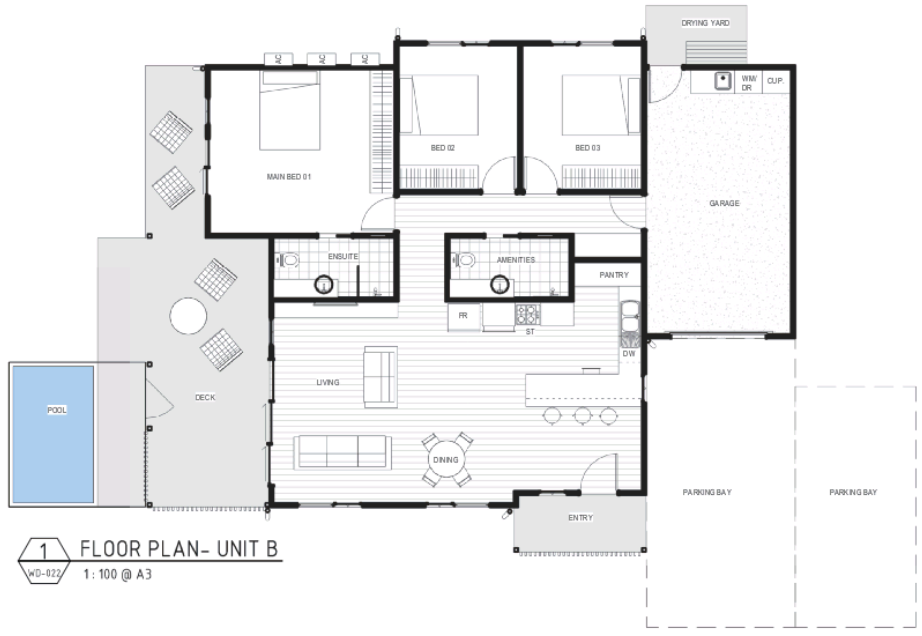
**KEYNOTE:**

|     |                                     |
|-----|-------------------------------------|
| RS: | COLORBOND ROOF SHEETING             |
| FC: | FIBRE CEMENT SHEETING+ PAINT FINISH |
| AB: | ALUMINIUM BATTENS                   |

CONCEPT ONLY

|                                 |  |                              |  |   |  |   |  |  |  |  |  |
|---------------------------------|--|------------------------------|--|---|--|---|--|--|--|--|--|
| drawing title:<br><b>UNIT A</b> |  | project:<br><b>PENNYCOVE</b> |  | <b>A3 DRAWING</b> NOTED SCALES RELATE TO A3 DRAWINGS              |  | <b>REVISIONS</b>  |  | <b>PRELIMINARY SITE PLAN</b><br><small>If the drawings are detailed and issued for construction, the user is not liable for the Building Approvals, unless it is stated otherwise. The user is not liable for the specific project to the client as mentioned in the site sheet.</small>   |  | <b>ISSUED FOR</b><br><b>PRELIMINARY</b>  |  |
| drawing no: <b>SK-003</b>       |  | client: -                    |  | location:<br>PENNYCUICK STREET,<br>LOT NO 4RP892683+<br>3RP892683 |  | REV<br>01<br>DESCRIPTION<br>PRELIMINARY<br>DATE<br>28/01/2022 |  | <small>COPYRIGHT &amp; LIABILITY</small><br>These drawings, concepts and designs are copyrighted and the property of DESIGN + ARCHITECTURE and shall not be used for any other project without the written or previous permission of DESIGN + ARCHITECTURE Pty Ltd.<br>DESIGN + ARCHITECTURE accept no responsibility for the accuracy, completeness or otherwise of these drawings.<br>NEVER SCALE OR DRAW FROM THESE DRAWINGS. |  | scale: 1: 100<br>date: JAN 22<br>author: |  |
| project no: <b>KP-012</b>       |  |                              |  |   |  |   |  | design + architecture<br>abn: 8010797602 Pty.Ltd.<br>044 986 2924<br>design@designgo.com.au<br>www.designgo.com.au reg no:4610   |  | 51                                       |  |

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**1 FLOOR PLAN- UNIT B**  
1: 100 @ A3



**2 FRONT ELEVATION- UNIT B**  
1: 100 @ A3

**AREA:**

|              |                         |
|--------------|-------------------------|
| UNIT AREA    | : 163.05 m <sup>2</sup> |
| BUILDING GFA | : 138.10 m <sup>2</sup> |
| COVERED AREA | : 24.95 m <sup>2</sup>  |

**KEYNOTE:**

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**CONCEPT ONLY**

drawing title:  
**UNIT B**

drawing no: **SK-004** project no: **KP-012**

|   |              |
|---|--------------|
| project:<br><b>PENNYCOVE</b>                                      |              |
| location:<br>PENNYCUICK STREET,<br>LOT NO 4RP892683+<br>3RP892683 | client:<br>- |

| REV | DESCRIPTION | DATE       |
|-----|-------------|------------|
| 01  | PRELIMINARY | 28/01/2022 |

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| date: JAN 22                     | 51  |
| author                           |     |

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**2 FRONT ELEVATION- UNIT C**  
1: 100 @ A3

**AREA:**

|              |                        |
|--------------|------------------------|
| UNIT AREA    | : 138.7 m <sup>2</sup> |
| BUILDING GFA | : 114.1 m <sup>2</sup> |
| COVERED AREA | : 24.60 m <sup>2</sup> |

**KEYNOTE:**

RS: COLORBOND ROOF SHEETING  
 FC: FIBRE CEMENT SHEETING+ PAINT FINISH  
 AB: ALUMINIUM BATTENS

CONCEPT ONLY

drawing title:  
**UNIT C**

drawing no: **SK-005** project no: **KP-012**

|  |              |
|--|--------------|
| project:<br><b>PENNYCOVE</b>                                     | client:<br>- |
| location:<br>PENNYCICK STREET,<br>LOT NO 4RP892683+<br>3RP892683 |              |

| REV | DESCRIPTION | DATE       |
|-----|-------------|------------|
| 01  | PRELIMINARY | 28/01/2022 |

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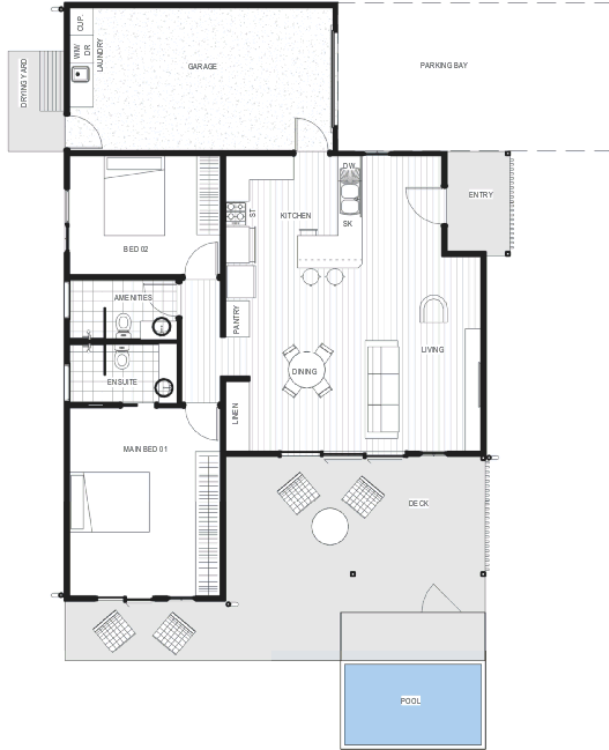
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| scale<br>1: 100                  | rev<br>51 |
| date<br>JAN 22                   | author    |



**1 FLOOR PLAN - UNIT D**  
1: 100 @ A3



**2 FRONT ELEVATION- UNIT D**  
1: 100 @ A3

**AREA:**

|              |                         |
|--------------|-------------------------|
| UNIT AREA    | : 143.82 m <sup>2</sup> |
| BUILDING GFA | : 116.56 m <sup>2</sup> |
| COVERED AREA | : 27.26 m <sup>2</sup>  |

**KEYNOTE:**  
 RS: COLORBOND ROOF SHEETING  
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CONCEPT ONLY

drawing title:  
**UNIT D**

drawing no: **SK-006** project no: **KP-012**

|   |              |
|---|--------------|
| project:<br><b>PENNYCOVE</b>                                      |              |
| location:<br>PENNYCUICK STREET,<br>LOT NO 4RP892683+<br>3RP892683 | client:<br>- |

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|-----|-------------|------------|
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| scale: 1: 100                    | rev: 51 |
| date: JAN 22                     | author: |

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**D/66-2021 - MINOR CHANGE TO  
DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE FOR  
A MULTIPLE DWELLING  
(18 DWELLINGS)**

**Elevation Plan**

**Meeting Date: 8 March 2022**

**Attachment No: 4**





**1 STREET ELEVATION**  
1: 100 @ A3

**KEYNOTE:**

- RS: COLORBOND ROOF SHEETING
- FC: FIBRE CEMENT SHEETING+ PAINT FINISH
- AB: ALUMINIUM BATTENS
- RB: RENDERED BLOCKWORK+ PAINT FINISH
- FS: FEATURE FENCE SCREEN+ PAINT FINISH
- TG: TIMBER GATE

drawing title:  
**STREET ELEVATION**

drawing no: **SK-002** project no: **KP-012**

|   |         |  |             |
|---|---------|--|-------------|
| project:<br><b>PENNYCOVE</b>                        |         | <b>A3 DRAWING</b> NOTED SCALES RELATE TO A3 DRAWINGS |             |
| location:<br>PENNYCUICK STREET,<br>LOT NO 4RP892683 | client: | REV  | DESCRIPTION |
|   |         | 10   | PRELIMINARY |
|   |         | 18   | PRELIMINARY |
|   |         | 31   | PRELIMINARY |

| REVISIONS |             |            |
|-----------|-------------|------------|
| REV       | DESCRIPTION | DATE       |
| 10        | PRELIMINARY | 20/06/2021 |
| 18        | PRELIMINARY | 07/10/2021 |
| 31        | PRELIMINARY | 28/01/2022 |

**PRELIMINARY REVIEW PLAN**  
If the drawings are detailed and issued ("preliminary") status, they are not suitable for Building Approvals, tender or construction purposes. The issue of preliminary drawings shall not be the granting the consent for the specific project in the case as warranted at the site plan.

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### 10.3 NAMING OF OVERPASS ROAD GRACEMERE

|                             |  |
|-----------------------------|--|
| <b>File No:</b>             | <b>8054</b>  |
| <b>Attachments:</b>         | <b>1. Map of Road off Capricorn Highway</b> <a href="#">↓</a>  |
| <b>Authorising Officer:</b> | <b>Martin Crow - Manager Infrastructure Planning<br/>Peter Kofod - General Manager Regional Services</b> |
| <b>Author:</b>              | <b>Stuart Harvey - Coordinator Infrastructure Planning</b>   |

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#### SUMMARY

*This report provides a recommendation for the naming of the road constructed as part of the Gracemere Industrial Overpass project and seeks Council's adoption of this name.*

#### OFFICER'S RECOMMENDATION

THAT the road located off the Capricorn Highway, connecting to the Somerset Connection Road and Boongary Road be named 'Gracemere Industrial Access Road'.

#### COMMENTARY

Council officers have received a customer request from a resident who lives adjacent to the road off the Capricorn Highway, connecting to Somerset Connection Road and Boongary Road, and traversing over the Gracemere Overpass. The request relates to the provision of Street Name signs for the Overpass road to direct visitors/emergency services to their property. The resident previously had an address on the Capricorn Highway but when the overpass was built, the driveway was relocated to the Overpass access road. The resident has now had to change the property address to match the properties driveway access and Council have given an address of 5 Bridge Access Road.

The complication with this address is that the road has never been formally named. Council's GIS system has the name Bridge Access Road; this name was allocated by the GIS team as it is shown on a set of the construction plans from Department of Transport and Main Roads (DTMR) and the asset needed a name in Council's system. However this is more a descriptor than an allocated road name. On Google it is named Gracemere Stanwell Industrial Precinct Road however officers are not sure where this name was generated from. There are no street signs with any road name on the network as all of the signs indicate the Gracemere Industrial Area rather than provide a street name.

The name Bridge Access Road is not a particularly descriptive or appropriate name for the road however this is the road name that has been used to provide the resident with an address. Officers have spoken with the resident who has started to change some addresses for the property but the resident has not completely changed to the new address.

Moving forward there are three options:

- **Option 1:** Continue with the name Bridge Access Road. Whilst not an ideal road name, the resident's property is likely the only one to have this address as all other adjacent parcels will not be given direct property access to the road. Council would be required to install "Bridge Access Road" signs at key intersections along the road. Bridge Access Road is a non-descript name and whilst it doesn't contravene the requirements of AS4819:2011 it isn't an ideal road name. Note that this option doesn't comply with the naming of infrastructure assets policy but does not cause the resident to change their address again.
  - **Option 2:** Make the decision to change the name to Gracemere Industrial Access Road. This is what the road is locally known as, due to it connecting to the Gracemere overpass and the Gracemere Industrial Area.
-

This would result in changing the resident's address to a new address to match the road name and involve the resident changing their address a second time to some of the service providers they have already changed their address with. This decision to appoint a new name would be contrary to the Naming of Infrastructure Assets policy. This will need some street signage to accompany it in the same locations as Option 1.

- **Option 3:** Adopt the process as outlined in the Naming Infrastructure Assets Policy and name the asset accordingly. This process requires advertising and assessment of submissions before allocating the road name. This is likely to be lengthy (2 months) and during this time the resident will not be able to change the property address. This would result in changing the resident's address to a new address to match the road name and involve the resident changing their address a second time to some of the service providers they have already changed their address with. This will need some street signage to accompany it in the same locations as Option 1.

Officers are cognisant that the resident has received official correspondence from Council providing a new address and that this information has also been sent to Department of Natural Resources and Mines advising of the address change. Although officers don't want to inconvenience the ratepayer any further, they are not convinced that Bridge Access Road is suitable as an enduring name. For this reason officers recommend that Council adopt Option 2 to declare the name as "Gracemere Industrial Access Road".

### **BACKGROUND**

The Gracemere Overpass project was opened on the 27 May 2013, providing a Multi-combination vehicle route over the Capricorn Highway. In May 2013 Council resolved to alter the multi-combination vehicle routes in the Gracemere Industrial Area after the completion of the Gracemere Overpass project. All Multi-combination vehicle access into the Gracemere Industrial Area is to come via the Gracemere Overpass.

Council's Naming of Infrastructure Assets Policy and Procedure states that Council strives to have a road network with an easily recognisable system of road names that assist road users and provides a safe traffic environment. Proposed infrastructure names are able to be submitted by the public and are assessed against a range of pre-determined criteria before recommendations are made to Council for adoption.

### **PREVIOUS DECISIONS**

The Naming of Infrastructure Assets Policy was adopted by Council at its 16 December 2008 Meeting. The applicable Policy is now Version 2 of the Naming of Infrastructure Assets adopted in January 2017 and its associated Procedure.

### **BUDGET IMPLICATIONS**

The cost of signage will be provided through general maintenance budgets. There are only 4 fingerboard signs required for the road.

### **CONCLUSION**

Council officers have identified a road that has been allocated a name without following Councils Naming of Infrastructure Policy. This report proposes several options to address the matter.

# **NAMING OF OVERPASS ROAD GRACEMERE**

## **Map of Road off Capricorn Highway**

**Meeting Date: 8 March 2022**

**Attachment No: 1**



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**10.4 MOUNT MORGAN WATER SUPPLY SECURITY**

**File No:** 14781

**Attachments:** 1. **Preliminary Evaluation on the Mount Morgan Water Supply Security - Executive Summary** [↓](#)

**Authorising Officer:** Peter Kofod - General Manager Regional Services

**Author:** Andrew Collins - Manager Project Delivery

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**SUMMARY**

*A Preliminary Evaluation has been completed as the first part of the Business Case that is being developed for the project. This report presents the findings of the Preliminary Evaluation and seeks Council's endorsement to proceed with a Potable Water pipeline solution through to the final Business Case.*

**OFFICER'S RECOMMENDATION**

THAT Council:

1. Receives the Preliminary Evaluation on the Mount Morgan Water Supply Security; and
2. Proceeds to develop a Potable Water pipeline solution through to the final Business Case.

**COMMENTARY**

Comprehensive option analysis and modelling activities have been undertaken as part of the investment logic mapping process for the Preliminary Evaluation. The long list of options included a number of asset/infrastructure solutions in relation to the number 7 dam (Raising, desilting), New dams, existing weir upgrades, desalination plants, ground and recycled water options and pipeline options for both raw and potable water (refer attached map).

After assessment of all options against multi criteria and economic analysis, the following options were shortlisted and assessed during the Preliminary Evaluation Phase:

- Base Case Option 1: Do nothing.
- Base Case Option 2: Continued water carting, however at a supply rate of 1.2 ML/day to enable no greater than level 3 restrictions for the Mount Morgan community.
- Asset Option 3: Potable water pipeline (connection at Gracemere).
- Asset Option 4A: Raw water pipeline (connection to Stanwell Dam).
- Asset Option 4B: Raw water pipeline (connection to Sunwater system).

Resulting from the preliminary evaluation, pipeline options are considered to be the most viable and reliable long term water supply solution for the Mount Morgan Community. Council is now at a decision gate as to which option or options to take forward into the Business Case phase.

**BACKGROUND**

The Mount Morgan community is supplied potable water via an existing water treatment plant which sources its raw water from the No. 7 Dam located on the Dee River. The No. 7 dam is also used for recreational purposes for both local community members and visitors to the region.

A Regional Water Supply Security Assessment completed by the State in collaboration with Council in 2016 demonstrated that the Mt Morgan community receives a lower level of service in comparison to Rockhampton, The assessment concluded that the number 7 dam is inadequate in catchment area and capacity and this coupled with rainfall variability leads

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to critical drops in water storage levels. The assessment concluded that alternative sources should be investigated to enable water security for the township to be improved.

Emergency water supply conditions have been frequently experienced over the past 20 years. Since March 2021, the community has been in Level 6 (emergency supply) restrictions and are relying on a carted water supply from Gracemere. Council is currently supplying in the order of 0.6 ML/day through the carting arrangements. The Mt Morgan community's typical usage is in the order of 1.0 ML/day.

The cost to cart water up to Mt Morgan is approximately \$13,000 per day and to date has cost Council in the vicinity of \$4,000,000. This is considered an unsustainable burden for the ratepayers of Rockhampton Regional Council.

The Preliminary Evaluation and subsequent Business Case will be utilised to provide evidence to support the assessment and identification of a preferred water security option, assist in securing State and/or Federal Government funding and ensure the project is considered investment ready.

### PREVIOUS DECISIONS

Council resolved in the Ordinary Meeting on 22 June 2021 to progress the development of a detailed Business Case.

### BUDGET IMPLICATIONS

Council's current capital budget allocates sufficient funding to complete the Business Case only.

The construction of a pipeline solution however remains unfunded. The completion of the Business Case in line with Queensland Treasury's Project Assessment Framework is the key to justifying the project and seeking funding support from all levels of Government.

Following is the estimated probable costs for a Potable pipeline solution from Gracemere to Mount Morgan.

### Water Pipeline to Mt Morgan Construction (based on potable water option from PE)

| Item # | Project Description | Budget              | Council Contribution | Funding Sought      |
|--------|---------------------|---------------------|----------------------|---------------------|
| 01     | Principal Cost      | \$5,350,926         |                      |                     |
| 02     | Construction Cost   | \$22,226,067        |                      |                     |
| 03     | P90 Risk            | \$11,030,797        |                      |                     |
| 04     | Escalation          | \$871,925           |                      |                     |
|        | <b>TOTALS</b>       | <b>\$39,479,714</b> |                      | <b>\$39,479,714</b> |

### LEGISLATIVE CONTEXT

Council is a registered water service provider under the *Water Supply (Safety and Reliability) Act* and has the overall responsibility for providing a safe and reliable supply of drinking water to the Mount Morgan community.

### LEGAL IMPLICATIONS

NA

### STAFFING IMPLICATIONS

A Project Control Group has been established to provide strong project governance ensuring the Business Case development is appropriately managed and controlled.

### RISK ASSESSMENT

Risks have been assessed as part of the Multi Criteria Analysis undertaken in the development of the Preliminary Evaluation.

**CORPORATE/OPERATIONAL PLAN**

The measures reference in this report clearly align and support the objectives outlined in the Rockhampton Regional Councils Corporate Plan 2022-2027 and detailed below:

**“OBJECTIVES”**

FRW will enhance the community's quality of life providing sustainable water, sewerage and environmental services, through innovation, technical expertise, business efficiency, excellence in customer service and commitment to the environment.

**CONCLUSION**

This report provides a summary of the Preliminary Evaluation and the comprehensive option analysis and modelling activities which have been undertaken as part of the investment logic mapping process.

This report makes recommendations on which option is considered the most viable solution to ensure water security for the Mount Morgan community.

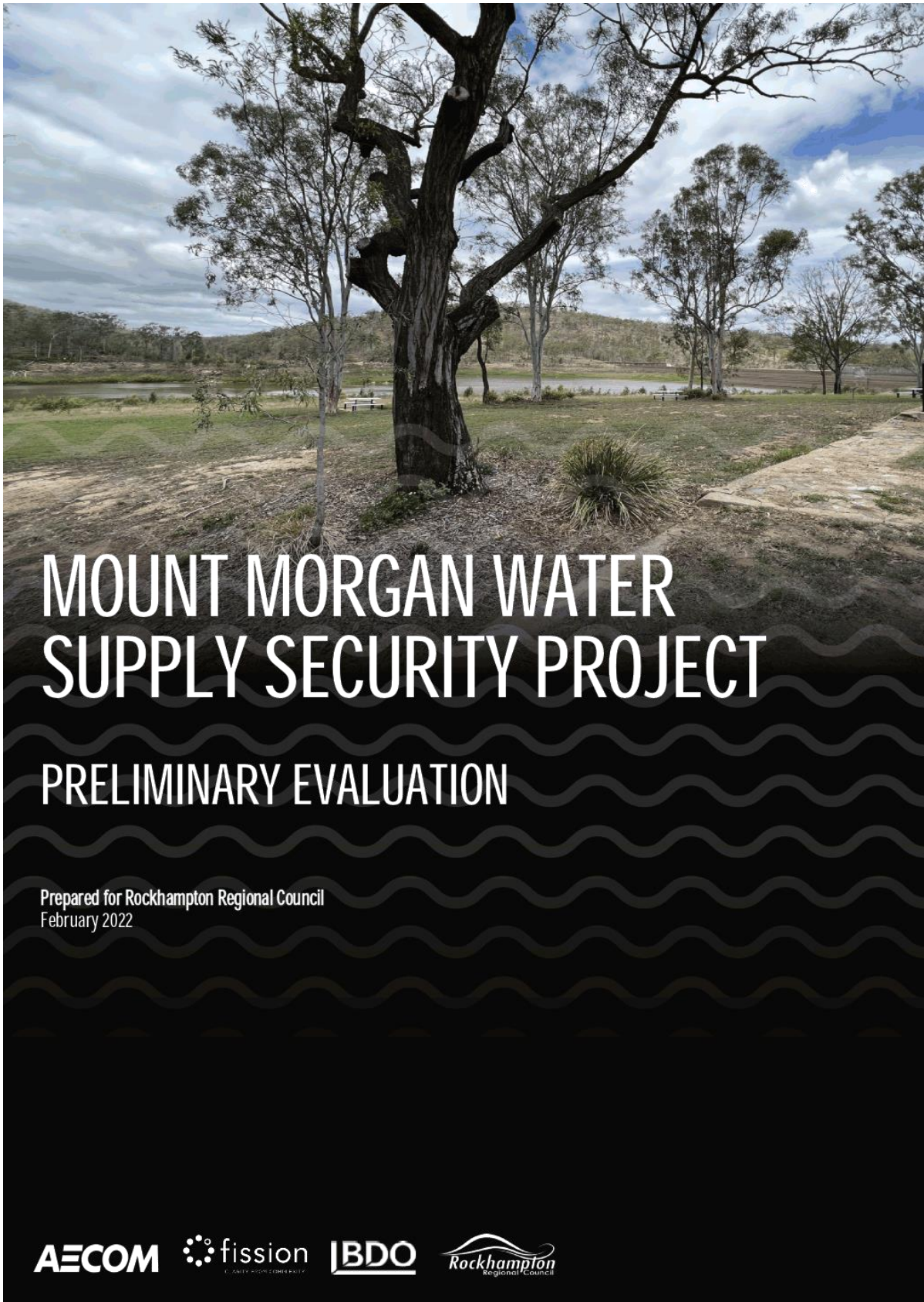


# **MOUNT MORGAN WATER SUPPLY SECURITY**

## **Preliminary Evaluation on the Mount Morgan Water Supply Security - Executive Summary**

**Meeting Date: 8 March 2022**

**Attachment No: 1**



# MOUNT MORGAN WATER SUPPLY SECURITY PROJECT

## PRELIMINARY EVALUATION

Prepared for Rockhampton Regional Council  
February 2022



AECOM

Mount Morgan Water Supply Security Project  
Preliminary Evaluation

## Mount Morgan Water Supply Security Project

### Preliminary Evaluation

Client: Rockhampton Regional Council

ABN: 59 923 523 766

#### Prepared by

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Main Body\MMWSS Project\_Preliminary Evaluation Rev A.docx  
Revision A – 22-Feb-2022  
Prepared for – Rockhampton Regional Council – ABN: 59 923 523 766

## Executive Summary

### Strategic Context

The Mount Morgan community is supplied potable water from an existing water treatment plant located at the southern end of Black Street, which is operated by Water Service Provider Fitzroy River Water (FRW), a commercial business unit of Rockhampton Regional Council (RRC). Raw water is supplied to the treatment plant from the No. 7 Dam, which is located on the Dee River. The No. 7 dam is also used for recreational purposes for both local community members and visitors to the region. A regional Water Supply Security Assessment completed by the State in collaboration with RRC in 2016 demonstrated that the community receives a lower level of service in comparison to Rockhampton, and that alternative sources should be investigated to enable water security for the township to be improved.

Emergency water supply conditions have been frequently experienced over the past 20 years. At present, the community is in **Level 6 restrictions** and are relying on carted water supply from the Rockhampton supply system at Gracemere. With numerous investigations into supply options historically, and as a result of the current situation, Council have resolved to carry out the Mount Morgan Water Supply Security (MMWSS) project.

Strategically, the project will align to the following government policies

- Australian Infrastructure Plan** – this plan acknowledges water as critical to enabling liveable cities, health environments and economic prosperity. The MMWSS project aligns to recommendation 6.1 of the plan, being to secure long-term water supply for urban, rural, environmental and cultural users.
- National Water Grid** – a federal government initiative to fund region-specific infrastructure to secure water supplies. While not a specific project for the National Water Grid, the MMWSS project aims to achieve the same objective, being a secure water supply, for the Mount Morgan community.
- Our North, Our Future: White Paper on Developing Northern Australia (the White Paper)** - The White Paper is the Commonwealth Government's 20-year framework to building a strong, prosperous and resilient economy for northern Australia. Under the White Paper, the government has committed to ensuring northern Australia has the appropriate infrastructure to support economic and population growth. The MMWSS project is in the north and the white paper demonstrates support for investment in this region.

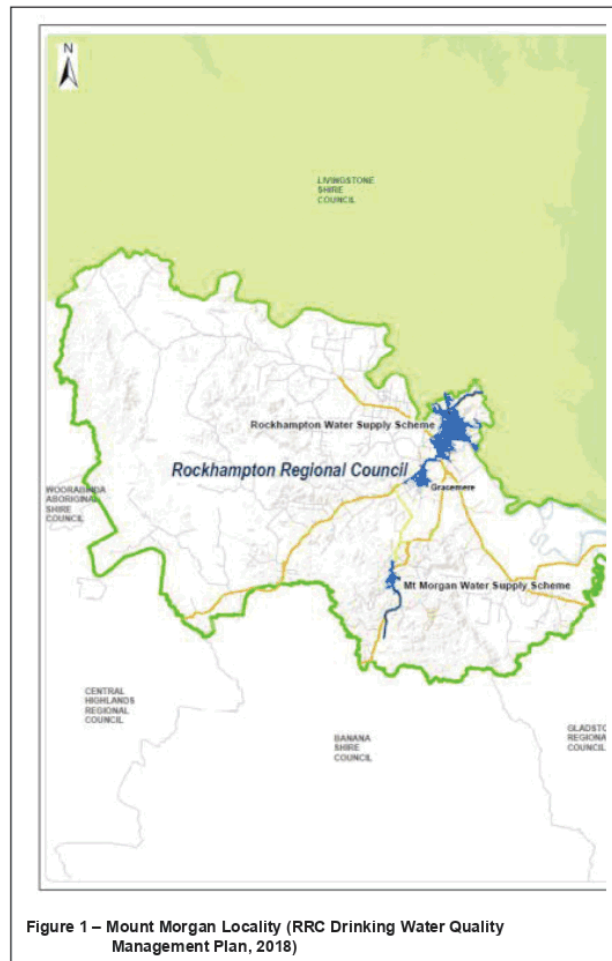


Figure 1 – Mount Morgan Locality (RRC Drinking Water Quality Management Plan, 2018)

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Mount Morgan Water Supply Security Project  
Preliminary Evaluation

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- **Draft State Infrastructure Strategy (SIS)**(Queensland Government, 2021) – under the SIS, the state government committed to, amongst other actions: ensuring consideration of potential bulk water infrastructure is robust; and ensuring water supply is safe and secure for all communities. By completing this PE, robust consideration of options has been undertaken. The project also looks to secure water supply for Mount Morgan.
- **Queensland Bulk Water Opportunities Statement QWBOS** – this provides a strategic framework for investment in water infrastructure and aims to ensure safety and reliability of urban water supplies.
- **Mount Morgan Regional Water Supply Security Assessment** - jointly prepared by the Queensland Government and the Rockhampton Regional Council to understand the water security of Mount Morgan's urban water supply and recommended further exploration of options to improve the supply security for Mount Morgan. Works completed as part of this PE achieve that recommendation.
- **Advancing Mount Morgan Strategy** - The strategy contains seven priority actions around business development, improving tourism and community lifestyle - The Project aims to improve Mount Morgan's water supply which will be the key to enabling business development, tourism and community lifestyle.

### Project Drivers

The MMWSS Project seeks to provide a solution that relieves the community of the following key problems:

- **Water security** - High rainfall variability, paired with a small catchment and minimal storage capacity at No. 7 dam, is causing supply to drop to critically low levels which is limiting water supply security.
- **Supply redundancy and safety concerns** - There is presently a single water supply source that requires the use of trucks to supplement supply. This is costly and only meets minimum (heavily restricted) demand levels. It is also increasing road safety risks between Rockhampton and Mount Morgan.
- **Community lifestyle and development opportunities** - Frequent water restrictions are adversely impacting the community's liveability and are impeding industry and economic development opportunities.
- **Ability to respond to fire emergencies** - Continuing low levels of water supply are threatening Queensland Fire and Emergency Services' (QFES) ability to respond to extreme fire events, potentially putting the community at significant risk.
- **Dam safety** - No. 7 Dam has a 97% acceptable flood rating which will fail to meet the new mandated flood rating of 100%, to be instated by 2035.

### The Mount Morgan Water Supply Security Project

The MMWSS Project will provide a solution, based on exploration of both non-infrastructure and infrastructure solutions, that will meet the following objectives:

- promptly address the immediate water supply issues to the township of Mount Morgan
- consider a secure long-term water supply solution for Mount Morgan with consideration of improved water security to the greater region
- provide a solution that supports the future growth and development of the Mount Morgan region.

The following service requirements for the project were identified:

- Improve security of town water to meet current and projected service demand for Mount Morgan.
- Improve resilience of town water against future drought conditions.

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Preliminary Evaluation

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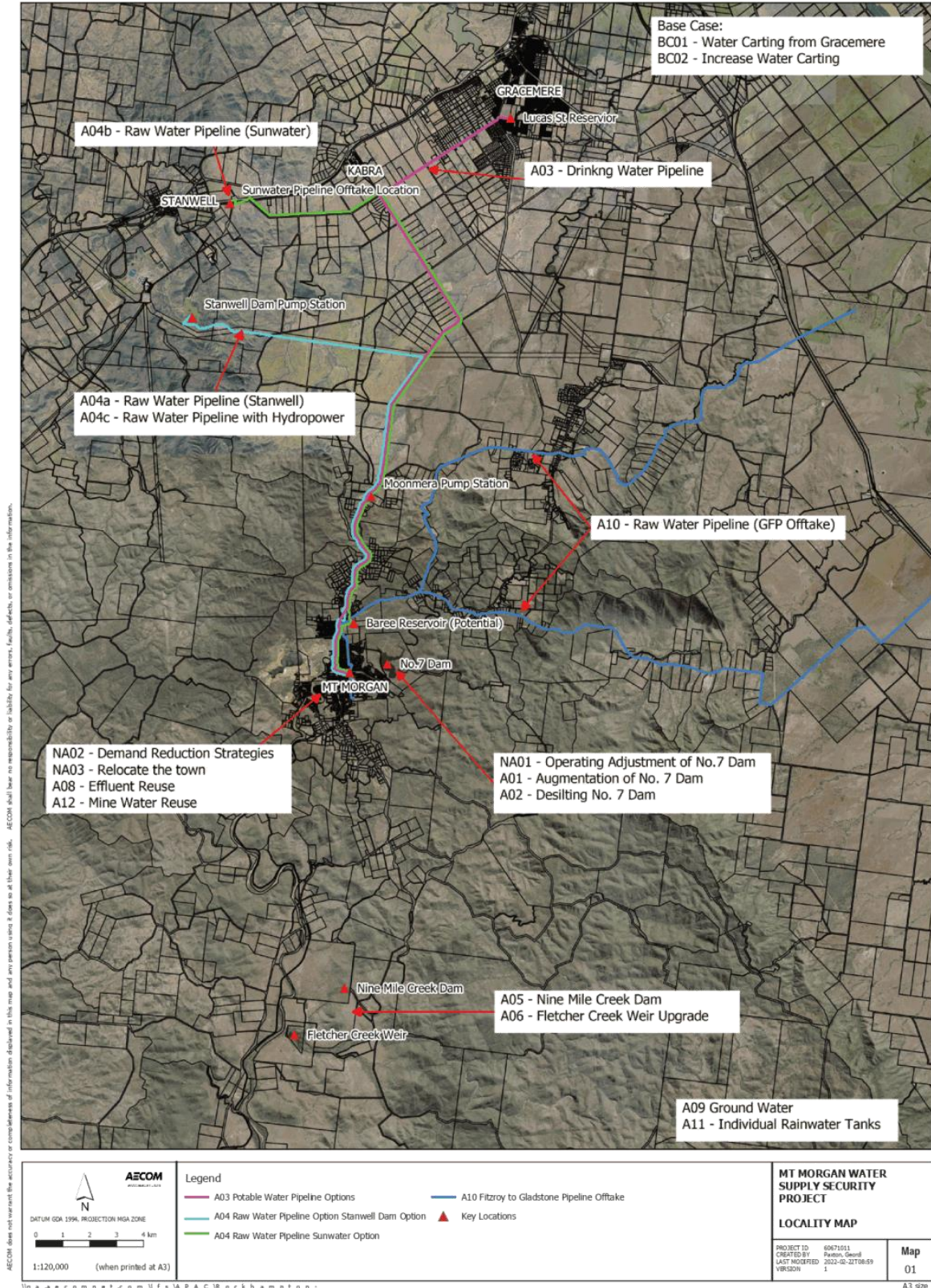
- Reduce duration of water-use restrictions.
- Enhance amenity and liveability in Mount Morgan.
- Improve safety outcomes including reliable water quality.

### Options Generation and Analysis

A rigorous options generation and analysis process has been undertaken as part of the PE. A literature review capturing numerous previous studies, along with updated technical evaluation informed the following options review process:

- A long list options generation, through discussion with RRC officers as a part of the Investment Logic Mapping Process.
- Threshold criteria assessment, determining whether an option should proceed for more detailed analysis.
- Options shortlisting based on threshold assessment.
- Detailed review of option requirements, for shortlisted options, including non-cost Multi Criteria Assessment, and evaluation within the PE project assessment framework requirements.

The following figure shows all options considered for the PE.



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Mount Morgan Water Supply Security Project  
Preliminary Evaluation

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The following options were eliminated from the long list.

**Table 1 Eliminated Options and Reasoning**

| Solution Category   | Option ID | Option Description   | Criteria Failed/ Reason for Dismissal  |
|---------------------|-----------|--|--|
| Non-Asset Solutions | NA01      | Operating Adjustment No. 7 Dam   | <b>Volume Supplied:</b> Water balance modelling showed limited improvement in reliability of dam through adjustment of restrictions.   |
|                     | NA02      | Demand Reduction Strategies  | <b>Volume Supplied:</b> Water balance modelling showed that no improvement in reliability of dam through provision of long-term demand reductions.   |
|                     | NA03      | Relocate the town  | <b>Cost and community:</b> Option unlikely acceptable to community; Substantial cost to acquire properties in comparison to other options/   |
| Asset Solutions     | A01       | Augmentation of No. 7 Dam  | <b>Volume Supplied:</b> Water balance modelling showed that no improvement in reliability of dam achieved through raising of No. 7 dam.  |
|                     | A02       | Desilting No. 7 Dam  | <b>Volume Supplied:</b> Water balance modelling was undertaken assuming that the full capacity of the dam was available. Given that it showed that the desired level of service could not be achieved based on full operating capacity, desilting will have no benefit on the water security profile. Council may pursue this for alternative reasons. |
|                     | A04C      | Raw Water Pipeline (Connection from Stanwell to No. 7 Dam, with Hydropower incorporated into scheme) | <b>Cost:</b> Discussions with Stanwell outlined their early investigations into Hydropower, involving No. 7 dam. They noted substantial cost involved in the project and that it was presently unviable.   |
|                     | A05       | Nine Mile Creek Dam  | <b>Cost and Regulatory/Governance:</b> Earlier work by Holmes (2010) shows that the cost of building a dam at Nine Mile Creek was three to four times the cost of a pipeline option to Rockhampton. Regulatory approvals are likely to result in significantly longer delivery timeframes comparative to other options.                                |
|                     | A06       | Fletcher Creek Weir Upgrade  | <b>Volume supplied:</b> Review of water balance modelling against Fletcher Creek inflows, has shown that there is no flow in Fletcher Creek coincident with low levels in No. 7 dam. Therefore, limited benefits are expected from this option.  |
|                     | A07       | Desalination Plant at Port Alma  | <b>Cost and Regulatory/Governance:</b> Brine management is a known issue with desalination which may lead to substantial cost increased to the project. Further, the distance of pipeline required to the Port Alma site is substantially longer than others considered, with further additional cost  |

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Preliminary Evaluation

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| Solution Category | Option ID | Option Description   | Criteria Failed/ Reason for Dismissal   |
|-------------------|-----------|--|---|
|                   |           |  | expected for desalination treatment processes.  |
|                   | A08       | Effluent Reuse   | <b>All criteria:</b> insufficient volumes available, unlikely to be accepted by community, additional treatment required, and due to treatment, civil infrastructure and ongoing management needs, likely to be cost prohibitive.   |
|                   | A09       | Groundwater  | <b>Volume:</b> Insufficient volumes available.  |
|                   | A10       | Offtake on Fitzroy to Gladstone (F2G) Pipeline (raw / partially treated water) | <b>Volume:</b> With uncertainty around project timing for the F2G, there is potential that it would not be available in a timely manner to provide relief to Mount Morgan. Further, the operating regime for the future F2G is unknown, and there is a chance that it is not in operation when Mount Morgan requires it.<br><b>Cost:</b> The F2G project is presently not funded by the state. There is a cost risk to the MMWSS Project should the F2G project not proceed, since RRC may need to provide for additional upstream infrastructure within the timeframe which RRC requires.<br><br>Further, preliminary hydraulic analysis indicates that additional pumping infrastructure (i.e. higher head pumps/additional pump station) would be required due to topography along potential route from F2G to Mount Morgan. |
|                   | A11       | Individual rainwater tanks   | <b>Volume:</b> Water balance modelling of rainwater tanks showed that the local climate cannot sustain residential supply even with tanks in place.   |
|                   | A12       | Mine water reuse   | <b>Volume:</b> The volume available from this resource is expected to be a fixed volume and would be depleted over time. There is also further uncertainty if this water would be available due to the proposed reprocessing of tailings by Heritage Minerals.<br><b>Community:</b> Option previously ruled out through community consultation.   |

The following options were recommended to proceed for further assessment under a Multi Criteria Assessment (MCA), along with Economic Analysis. These options are considered to be the shortlist.

- Base Case Option 1: Do nothing.
- Base Case Option 2: Continued water carting, however at a supply rate of 1.2 ML/day to enable no greater than level 3 restrictions for the Mount Morgan community.
- Asset Option 3 (A03): Potable water pipeline (connection at Gracemere).
- Asset Option 4A (A04A): Raw water pipeline (connection to Stanwell Dam).
- Asset Option 4B (A04B): Raw water pipeline (connection to Sunwater system).

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Since Option A03 is a potable supply, this option is a replacement supply, that is, providing volume necessary to supply the full demand for Mount Morgan under ongoing operation. In this situation it is assumed that drought management policies would still apply to the network in line with those of their supply source (i.e. Gracemere, Rockhampton). This option enables No. 7 Dam levels to be sustained at higher levels since it is not being used for water supply purposes.

Option A04A and A04B are considered to be supplementary supply options, where the existing supply source (No. 7 Dam) is retained within the supply scheme, and new sources provide a supplementary supply to the scheme during times where the dam is low and greater than level 3 restrictions are imposed. In these options, dam levels will still drop to low levels as per the current situation due to retained supply from No. 7 dam. The supplementary scheme supplies a restricted demand direct to the Mount Morgan supply network (at treatment plant or reservoir). Water balance modelling has demonstrated that supplementing the dam to sustain dam levels would require volumes two to three times the demand requirements due to dam evaporation.

### Risk and Cost

Preliminary concepts of the three infrastructure options were prepared and provided to a quantity surveyor for estimation. Consistent with the approach outlined in the PAF, the use of Monte Carlo simulation was undertaken on the costs for the Project to produce risk-adjusted project costs.

The capital costs were risk-adjusted using the Microsoft Excel-based probabilistic modelling software add-in, Palisade @Risk. The use of @Risk enables the Monte Carlo simulation of thousands of project iterations to determine the risk adjustment at a P50 confidence level. P50 confidence level describes the point at which there is a 50 percent (P50) probability that the total project costs over the evaluation period will not exceed this level.

The following table presents the option costs for infrastructure options (Fission, January 2022), *excluding* the Mount Morgan WTP replacement cost which is presently estimated by council at \$3M.

Table 2 Infrastructure options costings

| Cost Component      | Potable Option A03 | Stanwell Option B A04A | Sunwater Option A04B |
|---------------------|--------------------|------------------------|----------------------|
| Principal Costs     | \$5,350,926        | \$5,978,961            | \$5,767,797          |
| Construction Cost   | \$22,226,067       | \$24,087,064           | \$23,957,619         |
| P50 Risk            | \$6,066,938        | \$6,614,525            | \$6,275,069          |
| Escalation          | \$1,968,024        | \$2,145,653            | \$2,105,872          |
| Total Out-turn Cost | \$ 35,611,955      | \$38,826,203           | \$42,063,624         |

### Financial Analysis

The Net Present Costs of the MMWSS Project options are presented below.

Table 3 Total Cost of the Project Options (\$m PV)

|                                  | BC01         | BC02         | A03          | A04A         | A04B         |
|----------------------------------|--------------|--------------|--------------|--------------|--------------|
| Capital costs                    | 3.00         | 3.00         | 27.61        | 33.05        | 32.71        |
| Renewal & upgrade costs          | 0.90         | 0.90         | 0.44         | 0.90         | 0.90         |
| Operating costs                  | 32.27        | 50.39        | 21.51        | 30.00        | 29.34        |
| <b>Total unadjusted</b>          | <b>36.16</b> | <b>54.28</b> | <b>49.57</b> | <b>63.95</b> | <b>62.94</b> |
| P50 risk adjustment              | -            | -            | 6.06         | 6.61         | 6.27         |
| <b>Total risk adjusted (P50)</b> | <b>36.16</b> | <b>54.28</b> | <b>55.63</b> | <b>70.56</b> | <b>69.21</b> |
| Residual value                   | -            | -            | (9.36)       | (10.15)      | (9.85)       |

|   | BC01         | BC02         | A03          | A04A         | A04B         |
|---|--------------|--------------|--------------|--------------|--------------|
| <b>Total cost net of residual value</b> | <b>36.16</b> | <b>54.28</b> | <b>46.27</b> | <b>60.41</b> | <b>59.37</b> |

*It is noted the negative residual value represents the depreciated value of the project option assets at the end of the evaluation period, and therefore an offsetting asset to the costs of project. These are however not cash flows, but assets with remaining value.*

### Economic Analysis

Economic analysis of the project options was undertaken, utilising the project cost estimates, along with quantification of other associated costs and benefits to the project. These included:

- Avoided cost of water restrictions (on welfare of households, business and community).
- Safety (road impacts, and potential crashes due to cartage of water).
- Environmental externality costs.
- Infrastructure capital and operating costs, including impacts on external infrastructure utilised as part of options.

The summary economic results of the Project Options (discounted at 7%) are shown below in Table 53. Each option generates a negative NPV and BCR below 0. Option BC02 results in a negative BCR due to the option generating a net disbenefit to society. However, due to the lower overall cost of this option, the calculated NPV is the least negative of all options. Option AO3 results in the highest BCR of all options at 0.22, and the second least negative NPV of -\$16.49 million.

**Table 4 Summary economic results (\$m, discounted at 7%)**

| Decision criteria     | BC02         | AO3          | AO4A         | AO4B         |
|-----------------------|--------------|--------------|--------------|--------------|
| Capex (P50)           | -            | 27.08        | 32.39        | 31.79        |
| Opex (P50)            | 6.69         | -3.97        | -0.84        | -1.09        |
| Residual value        | -            | -2.03        | -2.20        | -2.13        |
| <b>Total costs</b>    | <b>6.69</b>  | <b>21.08</b> | <b>29.35</b> | <b>28.57</b> |
| <b>Total benefits</b> | <b>-1.84</b> | <b>4.59</b>  | <b>4.59</b>  | <b>4.59</b>  |
| NPV                   | -8.52        | -16.49       | -24.76       | -23.98       |
| BCR                   | -0.27        | 0.22         | 0.16         | 0.16         |

Sensitivity testing of inputs to the economic analysis yielded the same order of BCR outcome.

### Options Appraisal

Based on the analysis presented in preceding chapters of the PE, the following table summarises qualitatively the ranking of the project options.

**Table 5 Appraisal Summary Table**

| Category            | Description          | BC01 Base Case | BC02 Increased Water Carting | A03 Potable Water Connection to Gracemere | A04A Raw water supply from Stanwell | A04B Raw water supply from Sunwater pipeline |
|---------------------|----------------------|----------------|------------------------------|---|-------------------------------------|--|
| Strategic Alignment | Policies             | -              | ✓✓                           | ✓✓✓                                       | ✓✓✓                                 | ✓✓   |
|                     | Service Requirements | -              | ✓✓                           | ✓✓✓                                       | ✓✓✓                                 | ✓✓✓  |

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| Category               | Description                                     | BC01<br>Base<br>Case | BC02<br>Increased<br>Water<br>Carting | A03<br>Potable<br>Water<br>Connection<br>to<br>Gracemere | A04A<br>Raw water<br>supply<br>from<br>Stanwell | A04B<br>Raw water<br>supply<br>from<br>Sunwater<br>pipeline |
|------------------------|---|----------------------|---------------------------------------|--|---|---|
| Technical              | Level of Service                                | -                    | ✓✓✓                                   | ✓✓✓  | ✓✓  | ✓✓  |
| Constructability       | Constructability                                | ✓✓✓*                 | ✓✓✓*                                  | ✓✓   | ✓✓  | ✓✓  |
| Environmental          | Corridor Impacts                                | ✓✓✓                  | ✓✓✓                                   | ✓✓✓  | ✓   | ✓✓✓   |
|                        | Approvals Processes                             | ✓✓✓                  | ✓✓✓                                   | ✓✓   | ✓   | ✓✓  |
|                        | Heritage  | ✓✓✓                  | ✓✓✓                                   | ✓✓   | ✓   | ✓✓  |
| Public Interest        | Accountability and Transparency                 | <i>Equal</i>         |                                       |  |   |   |
|                        | Social Sustainability                           | -                    | ✓✓                                    | ✓✓✓  | ✓✓  | ✓✓  |
|                        | Public Access and Equity                        | ✓                    | ✓✓                                    | ✓✓✓  | ✓✓  | ✓✓  |
|                        | Security/Safety                                 | ✓                    | ✓✓                                    | ✓✓✓  | ✓✓✓   | ✓✓✓   |
|                        | Privacy   | <i>Equal</i>         |                                       |  |   |   |
| <b>Economic (BCR)</b>  | Total Benefits (including residual value) (\$m) | -                    | -1.84                                 | 4.59   | 4.59  | 4.59  |
|                        | Total Costs (\$m)                               | -                    | 6.69                                  | 21.08  | 29.35   | 28.57   |
|                        | Net Benefits – Net present value (\$m)          | -                    | -8.52                                 | -16.49   | -24.76  | -23.98  |
|                        | Benefit Cost Ratio                              | -                    | -0.27                                 | 0.22   | 0.16  | 0.16  |
| <b>Financial (NPC)</b> | <b>P50 NPC (\$m)</b>                            | <b>36.16</b>         | <b>54.28</b>                          | <b>46.27</b>   | <b>60.41</b>                                    | <b>59.37</b>  |
| <b>Overall Ranking</b> |   | <b>5</b>             | <b>2</b>                              | <b>1</b>   | <b>4</b>  | <b>3</b>  |

\*No construction required hence highest score

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### Project Benefits

By delivering the MMWSS project, the following benefits will be achieved.

**Table 6 Anticipated benefits of MMWSS Project**

| No. | Benefit   |
|-----|---|
| 1   | The MMWSS Project will provide sufficient water supply that meets the demands of the Mount Morgan Community.                        |
| 2   | As a result of the MMWSS project, road safety improved, since water carting would not longer be utilised in drought conditions.     |
| 3   | Mount Morgan becomes a stable community, where there are growing business and tourism opportunities.                                |
| 4   | QFES are able to respond to fire events, since local storage reservoirs can be sustained with sufficient emergency storage volumes. |
| 5   | RRC is able to meet customer service standards (supply and quality) and regulatory requirements.                                    |

### Recommendations

It is recommended that Rockhampton Regional Council:

- Approve the progression of the BC for the MMWSS Project, noting the suitability of options as listed above.
- Provide direction to the delivery team as to which options they support for evaluation at Business Case Phase.
- The BC progress in accordance with the QT PAF.
- Community consultation proceed, highlighting the outcomes of the PE phase, and to seek feedback on the recommended options and pipeline alignments, such that feedback can be considered at the next phase of the design/s.
- The project team scope remaining field investigations to inform the BC, for approval by RRC.

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## Abbreviations

|         |  |
|---------|--|
| ABS     | Australian Bureau of Statistics  |
| ADWG    | Australian Drinking Water Guidelines   |
| ATAP    | Australian Transport Assessment and Planning                                   |
| BC      | Business Case  |
| BCDF    | Business Case Development Framework  |
| BCR     | Benefit Cost Ratio   |
| CBA     | Cost Benefit Analysis  |
| CH      | Cultural Heritage  |
| CM      | Construction Management  |
| CO      | Construction Only  |
| CPI     | Consumer Price Index   |
| CSS     | Customer Service Standards   |
| D&C     | Design and Construct   |
| DCM/O   | Design, Construct, Maintain, Operate   |
| DNRME   | Department of Natural Resources, Mines and Energy (Now DRDMW)                  |
| DRDMW   | Department of Regional Development, Manufacturing and Water                    |
| DSDILGP | Department of State Development, Infrastructure, Local Government and Planning |
| ECI     | Early Contractor Involvement   |
| ETI     | Early Tenderer Involvement   |
| F2G     | Fitzroy to Gladstone Pipeline  |
| FRW     | Fitzroy River Water  |
| GAWB    | Gladstone Area Water Board   |
| ILM     | Investment Logic Mapping   |
| LGA     | Local Government Area  |
| LOS     | Level of Service   |
| MC      | Managing Contractor  |
| MCA     | Multi Criteria Assessment  |
| MIPP    | Maturing the Infrastructure Pipeline Program                                   |
| MMWSS   | Mount Morgan Water Supply Security   |
| MMWTP   | Mount Morgan Water Treatment Plant   |
| NAIF    | Northern Australia Infrastructure Facility                                     |
| NPC     | Net present financial cost   |
| NPV     | Net Present Value  |
| OA      | Options Assessment   |
| PAF     | Project Assessment Framework   |
| PE      | Preliminary Evaluation   |

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|       |   |
|-------|---|
| PPP   | Public-Private Partnership                      |
| PUP   | Public Utility Provider                         |
| PV    | Present Value                                   |
| QBCC  | Queensland Building and Construction Commission |
| QBWOS | Queensland Bulk Water Opportunities Statement   |
| QFES  | Queensland Fire and Emergency Services          |
| QGSO  | Queensland Government's Statisticians Office    |
| QTC   | Queensland Treasury Corporation                 |
| RRC   | Rockhampton Regional Council                    |
| RWSSA | Regional Water Supply Security Assessment       |
| SA2   | Statistical Area 2 (per Census data)            |
| SASR  | Strategic Assessment of Service Requirements    |
| SC    | Steering committee                              |
| SEIFA | Socio-Economic Indexes for Areas                |
| SIS   | State Infrastructure Strategy                   |
| SWIM  | System Wide Information Network                 |
| VFM   | Value for Money                                 |
| VKT   | Vehicle Kilometres Travelled                    |
| WRC   | Water Resources Commission                      |
| WTP   | Water Treatment Plant                           |

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**10.5 POLICY AMENDMENTS - COUNCIL DECISION MAKING STRUCTURE**

|                             |  |
|-----------------------------|--|
| <b>File No:</b>             | <b>11979</b>   |
| <b>Attachments:</b>         | <b>1. Councillor Portfolio Policy - Tracked Changes</b> <a href="#">↓</a><br><b>2. Councillor Portfolio Policy - Clean</b> <a href="#">↓</a><br><b>3. Council Meeting Procedures Policy - Tracked Changes</b> <a href="#">↓</a><br><b>4. Council Meeting Procedures Policy - Clean</b> <a href="#">↓</a> |
| <b>Authorising Officer:</b> | <b>Ross Cheesman - Deputy Chief Executive Officer</b>  |
| <b>Author:</b>              | <b>Damon Morrison - Manager Office of the Mayor</b>  |

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**SUMMARY**

*Presenting the revised Councillor Portfolio Policy and Council Meeting Procedures Policy for consideration and adoption by Council.*

**OFFICER'S RECOMMENDATION**

THAT Council adopt the amended Councillor Portfolio Policy and Council Meeting Procedures Policy as attached to the report.

**COMMENTARY**

Council recently adopted an alternative model for the conduct of meetings to create efficiencies and provide an improved level of communication and information sharing to Councillors to assist them in their decision-making and in the performance of their legislative responsibilities.

A number of policies relevant to the conduct of Council's meetings, and decision-making structure require amendment and updating to reflect this alternative model. A number of additional minor amendments as outlined in this report have been proposed to reflect changes since these policies were last considered by Council.

**BACKGROUND**

The proposed amendments for Council's consideration are outlined and summarised below:

*Councillor Portfolio Policy*

- Incidental amendments to reflect changes in organisational structure;
- Minor proposed changes to reinforce information sharing with Portfolio Councillors
- Updating Portfolio Appointments previously resolved by Council.

*Councillor Meeting Procedures Policy*

- Incidental proposed changes to presentation of petitions to Council which specifically outlines requirements.
- Amendments to reflect adoption of delegated committees.
- Clarifying circumstances for the presentation of Mayoral Minutes.
- Minor typographic/grammatical changes.

**PREVIOUS DECISIONS**

At its Special Council Meeting on 1 February 2022, Council resolved:

*"THAT pursuant to Chapter 8, Part 2 Div 2 of the Local Government Regulation 2012 and with effect from 1 March 2022...Council move to the following Committee structure whilst maintaining the current Councillor Portfolio appointments."*



**BUDGET IMPLICATIONS**

There are minimal direct budgetary implications associated with implementation of the recently resolved decision-making structure, with efficiency gains identified.

**LEGISLATIVE CONTEXT**

The *Local Government Act 2009* and *Local Government Regulation 2012* regulates the conduct of Council meetings and associated decision-making.

**LEGAL IMPLICATIONS**

There are no direct legal implications relevant to the matters under consideration from this report.

**STAFFING IMPLICATIONS**

There are no implications to Council permanent staffing levels arising from this report.

**RISK ASSESSMENT**

Failure to adopt amendments to those policies to reflect the recent resolution regarding its decision-making structure will impact implementation.

**CORPORATE/OPERATIONAL PLAN**

Corporate Plan 2022-2027 – Goal 1.1 - We have effective governance with accountable decision-making practices.

**CONCLUSION**

The amended Councillor Portfolio Policy and Council Meeting Procedures Policy as attached to the report are provided to Council for consideration and adoption.

**POLICY AMENDMENTS -  
COUNCIL DECISION MAKING  
STRUCTURE**

**Councillor Portfolio Policy -  
Tracked Changes**

**Meeting Date: 8 March 2022**

**Attachment No: 1**

## COUNCILLOR PORTFOLIO POLICY

### COUNCILLOR POLICY



#### 1 Scope

This policy applies to portfolio activities undertaken by Councillors and employees of Rockhampton Regional Council.

#### 2 Purpose

The purpose of this policy is to provide a governance framework and associated protocols related to the appointment of Councillors to portfolios that facilitate Council's engagement with the community and productive, professional and appropriate relationships within the organisation to advance the delivery of Council's strategic priorities and services.

#### 3 Related Documents

##### 3.1 Primary

Nil

##### 3.2 Secondary

*Local Government Act 2009*

*Local Government Regulation 2012*

Civic Events Policy

Code of Conduct for Councillors in Queensland (Department of [State Development, Infrastructure, Local Government, Racing and Multicultural Affairs](#) [Planning](#))

Community Engagement Policy

Councillor Acceptable Requests Guidelines Policy

Council Meeting Procedures Policy

Media Policy

[Rockhampton Regional Council Corporate Plan](#)

[Rockhampton Regional Council Operational Plan](#)

#### 4 Definitions

To assist in interpretation, the following definitions apply:

|         |  |
|---------|--|
| Act     | <i>Local Government Act 2009</i>   |
| CEO     | Chief Executive Officer<br>A person who holds an appointment under section 194 of the Act. This includes a person acting in this position. |
| Council | Rockhampton Regional Council   |

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|                                 |  |
|---------------------------------|--|
| Councillor/s                    | The Mayor and/or Councillors of Council, within the meaning of the Act.  |
| <a href="#">Council Meeting</a> | <a href="#">A meeting of the local government as detailed in Chapter 8, Part 2, Division 1 of the Regulation, other than meetings of its committees.</a>   |
| Corporate Plan                  | Council's 5 year outline of the strategic direction of the local government as required by the <i>Local Government Regulation 2012</i> .   |
| Employee                        | Local government employee:<br>(a) The CEO; or<br>(b) A person holding an appointment under section 196 of the Act.   |
| Leadership Team                 | CEO, Deputy Chief Executive Officer, general managers, <a href="#">executive managers</a> , <a href="#">Manager Workforce and Governance</a> , <a href="#">Manager Office of the Mayor</a> , <a href="#">Chief Financial Officer</a> and <a href="#">Chief Financial Officer/Manager Strategy and Planning</a> . |
| <a href="#">General Manager</a> | <a href="#">An employee appointed to a position delegated a corporate band 2 delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register, positions include Deputy Chief Executive Officer, general managers and executive managers.</a>                   |
| Manager                         | An employee appointed to a position delegated a corporate band 3 <a href="#">delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register.</a>  |
| Mayor                           | The Mayor is an elected member of Council, also referred to as a Councillor, with additional responsibilities as outlined in section 12(4) of the Act.   |
| Meeting                         | <a href="#">Ordinary Council meeting or committee meeting at Council.</a>  |
| Operational Plan                | The annual plan adopted by Council as required by the <i>Local Government Regulation 2012</i> .  |
| Portfolio                       | A specified strategic priority, service and function of Council.   |
| Portfolio Councillor            | A Councillor who has been allocated responsibility of a portfolio <a href="#">by Council</a> .   |
| Region                          | Rockhampton Regional Area defined by the Local Government Areas of Queensland.   |
| Report                          | Documents and information that relate to the business to be dealt with at a meeting.   |

## 5 Policy Statement

Council has established a portfolio system for nominated Councillors to be assigned specific responsibilities linked to the key strategic priorities of Council and the core responsibilities that it is required to discharge consistent with the local government principles contained in the Act.

### 5.1 Role of Portfolio Councillors

In addition to their responsibilities as a Councillor under the Act, Portfolio Councillors are required to:

- (a) Familiarise themselves with the Corporate Plan and Operational Plan, in particular the objectives, strategies, issues and activities which are relevant to their portfolio;
- (b) Liaise with other Portfolio Councillors regarding matters that may affect their respective portfolio areas;
- (c) Keep the Mayor and the relevant divisional Councillor (as appropriate) fully informed on portfolio matters;

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- (d) Act as the official Council spokesperson or representative on portfolio relevant matters in accordance with this policy to ensure consistent communication and messaging on portfolio relevant matters;
- (e) Liaise with and engage with industry and community groups and associations on portfolio related matters;
- (f) Provide an elected representative's viewpoint and act as a sounding board for employees and Council on issues relating to their portfolio through participation, discussion and debate at meetings;
- (g) Lead discussion and generally advocate for the advancement of Council's key priorities and decisions relevant to their portfolio responsibilities; and
- (h) Introduce reports under their relevant portfolio at meetings.

#### 5.1.1 Limitations

The role of Portfolio Councillors is subject to the following limitations:

- (a) The Act and the framework established under this policy does not provide for formal delegated authority to a Portfolio Councillor for policy determination and operational decision-making for matters relevant to their portfolio.
- (b) Portfolio Councillors do not hold any specific statutory or governance responsibilities related to their portfolio beyond those which they ordinarily hold as a Councillor.
- (c) In discharging their responsibilities as Portfolio Councillors and consistent with their role under the Act and the local government principles as provided for under the Act, Councillors should maintain a focus on strategic issues relevant to their portfolio, rather than day to day operational matters.
- (d) Portfolio Councillors do not assume any of the roles, powers and functions assigned to the Mayor under the Act unless delegated by the Mayor. This includes the portfolio responsibilities exclusively assigned to the Mayor.
- (e) This policy does not set aside or amend the provisions contained in the following instruments:
  - (i) The Act;
  - (ii) The *Local Government Regulation 2012*;
  - (iii) The Code of Conduct for Councillors in Queensland; and/or
  - (iv) The Councillors Acceptable Requests Guidelines Policy.
- (f) Where there is any inconsistency between this policy and a provision in any of the instruments detailed in paragraph 5.1.1(e) of this policy the provision of the instrument shall prevail to the extent of any inconsistency.

## 5.2 Role of the Mayor and Councillors

### 5.2.1 Mayor and Councillor Responsibilities

A Councillor must represent the current and future interests of the residents of the local government area.

All Councillors have the following responsibilities under the Act:

- (a) Ensuring the local government:
  - (i) Discharges its responsibilities under this Act;
  - (ii) Achieves its Corporate Plan; and
  - (iii) Complies with all laws that apply to local governments;
- (b) Providing high quality leadership to the local government and the community;

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(c) Participating in ~~Council~~ meetings, policy development, and decision-making, for the benefit of the local government area;

(d) Being accountable to the community for the local government's performance.

Specific responsibilities are assigned to the Mayor under the Act including:

(a) Leading and managing meetings of the local government at which the Mayor is the chairperson, including managing the conduct of the participants at the meetings;

(b) Leading, managing, and providing strategic direction to, the CEO in order to achieve the high quality administration of the local government;

(c) Directing the CEO ~~in accordance with a resolution, or a document adopted by resolution,~~ of the local government ~~under section 170 of the Act;~~

(d) Conducting a performance appraisal of the CEO, at least annually, in the way that is decided by the local government ~~(including as a member of a committee, for example);~~

(e) Ensuring the local government promptly provides the Minister with the information about the local government area, or the local government, that is requested by the Minister;

(f) Being a member of each standing committee of the local government; and

(g) Representing the local government at ceremonial or civic functions.

### 5.3 Spokesperson/Media

#### 5.3.1 Mayor

The Mayor is typically the spokesperson on regional issues, which include but are not necessarily limited to:

(a) Matters of emergency, for example floods, fires, cyclones;

(b) Major reputation management;

(c) State and/or Federal Government matters, policies, plans, initiatives and relationships;

(d) Civic events in accordance with Council's Civic Events Policy;

(e) Initiatives and projects of major regional significance;

(f) Region wide planning matters;

(g) Major regional events and promotions;

(h) General commentary on the performance of the regional economy and Council finances which impact on or are relevant to the Region generally; and

(i) Matters of regional environmental significance.

If the Mayor is not available to comment on a regional issue and/or project as detailed above, the Deputy Mayor will be the Council spokesperson for the media.

#### 5.3.2 Portfolio Media

The Portfolio Councillor should be the key Council spokesperson on a portfolio related matter (other than those matters specified in paragraph 5.3.1). The Portfolio Councillor may however, agree that the Assistant Portfolio Councillor may act as a spokesperson on specific portfolio issues, matters or projects. The Mayor can also make comment on any portfolio matters and be quoted in Council releases along with the Portfolio Councillor (including for media statements arising from decisions of Council).

Where a portfolio-related issue or project has a Divisional focus, the Divisional Councillor will assist and work with the Portfolio Councillor, with the Portfolio Councillor being the lead spokesperson on that matter with the opportunity being provided to the Divisional Councillor to be secondary spokesperson.

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If neither the Mayor nor Deputy Mayor is available to comment on a regional issue and/or project, a relevant Divisional Councillor or the CEO may act as the spokesperson in that instance for the media.

All media will be undertaken in accordance with Council's Media Policy and Media Procedure.

## 5.4 Operating Protocols

### 5.4.1 Support

Portfolio Councillors must be appropriately supported by the ~~Deputy Chief Executive Officer, general managers~~ Leadership Team and managers to enable them to:

- (a) Be across the details of portfolio relevant proposals coming before Council;
- (b) Be well placed to present and advocate portfolio issues within the community;
- (c) Remain informed of research and other developments relevant to their portfolio; and
- (d) Understand and communicate the implications of decisions by other levels of government on portfolio matters.

### 5.4.2 Engagement with Leadership Team and Managers

Portfolio Councillors should be engaged by the Leadership Team at the earliest opportunity:

- (a) On all matters where there is an intention to develop a report;
- (b) Where it is proposed to conduct community engagement activities in accordance with Council's Community Engagement Policy; and/or
- (c) On matters which are likely to generate media or strong community interest.

The Deputy Chief Executive Officer, general managers and managers should meet regularly with their Portfolio Councillor(s) to ensure they remain informed of current information, service issues and proposed response strategies.

### 5.4.3 Reports

Reports to a meeting which are relevant to a portfolio should be introduced by the Portfolio Councillor(s). The Portfolio Councillor does not have to support the recommendations in a report but should be aware a report is proposed for a meeting and is fully briefed on the content, direction and proposals in the report.

The Deputy Chief Executive Officer, general managers, ~~executive managers~~ and managers should ensure the Portfolio Councillor(s) is provided with ~~a detailed briefing note~~ the appropriate information prior to the meeting for any reports that the Portfolio Councillor is presenting/introducing.

#### 5.4.3.1 Dual Portfolio Matters

Where a matter spans the responsibilities of more than one Portfolio Councillor, the relevant general manager(s), ~~executive manager(s)~~ and manager(s) or Deputy Chief Executive Officer will work collaboratively with the Portfolio Councillors to ensure their needs are addressed in line with the roles, obligations and protocols within this policy. Similarly, the relevant Portfolio Councillors shall engage with each other and the Mayor at the earliest opportunity on issues and matters which span their portfolio responsibilities.

## 5.5 Assistant Portfolio Councillors

Subject to a resolution of Council, a Councillor may be nominated as an Assistant Portfolio Councillor to assist a Portfolio Councillor. The areas of responsibility may span the whole portfolio, or may be targeted at a specific element of the portfolio ~~and should be specified. In each case, the areas of responsibility for the Councillor assisting are to be specified.~~

~~The Portfolio Councillor should be the spokesperson for matters relevant to that Portfolio.~~

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The Portfolio Councillor will provide details to the Assistant Portfolio Councillor and/or invite them to any meeting or briefing in relation to the relevant Portfolio they deem necessary. When assisting a Portfolio Councillor the Assistant Portfolio Councillor is to receive the same information and support as the Portfolio Councillor on those matters relevant to the responsibilities assigned to the Assistant Portfolio Councillor as detailed in paragraph 5.6.

## 5.6 Portfolio Appointments

The Portfolio appointments of Portfolio Councillors are as follows:

| Portfolio   | Portfolio Councillor  | Assistant Portfolio Councillor (and area of responsibility)                         |
|---|---|---|
| Advance Rockhampton –<br><u>Economic Development and Events</u>                               | Mayor <a href="#">Tony Williams</a><br><a href="#">Margaret Strelow</a> | <a href="#">Councillor Tony Williams</a> –<br>Special Responsibility for<br>Tourism |
| Waste and <del>Waste to Resource</del><br><u>Implementation</u> <a href="#">Recycling</a>     | Councillor Shane Latcham  | <a href="#">Councillor Neil Fisher</a>  |
| Airport <del>Growth and</del><br><u>Development</u>   | Councillor Neil Fisher  | <a href="#">Councillor Shane Latcham</a>  |
| Infrastructure  | Councillor <a href="#">Ellen Smith</a> <a href="#">Tony Williams</a>    | <a href="#">Councillor Shane Latcham</a>  |
| Planning and Regulation   | Councillor <a href="#">Grant Mathers</a> <a href="#">Ellen Smith</a>    | <a href="#">Councillor Ellen Smith</a>  |
| Parks, Sports and Public Spaces   | Councillor Cherie Rutherford  | <a href="#">Councillor Drew Wickerson</a>   |
| Communities <a href="#">and Heritage</a>  | Councillor Drew Wickerson   | <a href="#">Councillor Cherie Rutherford</a>  |
| Water and <a href="#">Supporting a Better</a><br>Environmental <a href="#">Sustainability</a> | Councillor Donna Kirkland   | <a href="#">Councillor Drew Wickerson</a>   |

## 6 Review Timelines

This policy is reviewed when any of the following occur:

- The related information is amended or replaced; or
- Other circumstances as determined from time to time by Council.

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**7 Document Management**

|                        |                         |
|------------------------|-------------------------|
| Sponsor                | Chief Executive Officer |
| Business Owner         | Chief Executive Officer |
| Policy Owner           | Chief Executive Officer |
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# **POLICY AMENDMENTS - COUNCIL DECISION MAKING STRUCTURE**

## **Councillor Portfolio Policy - Clean**

**Meeting Date: 8 March 2022**

**Attachment No: 2**

## COUNCILLOR PORTFOLIO POLICY

### COUNCILLOR POLICY



#### 1 Scope

This policy applies to portfolio activities undertaken by Councillors and employees of Rockhampton Regional Council.

#### 2 Purpose

The purpose of this policy is to provide a governance framework and associated protocols related to the appointment of Councillors to portfolios that facilitate Council's engagement with the community and productive, professional and appropriate relationships within the organisation to advance the delivery of Council's strategic priorities and services.

#### 3 Related Documents

##### 3.1 Primary

Nil

##### 3.2 Secondary

*Local Government Act 2009*

*Local Government Regulation 2012*

Civic Events Policy

Code of Conduct for Councillors in Queensland (Department of State Development, Infrastructure, Local Government and Planning)

Community Engagement Policy

Councillor Acceptable Requests Guidelines Policy

Council Meeting Procedures Policy

Media Policy

Rockhampton Regional Council Corporate Plan

Rockhampton Regional Council Operational Plan

#### 4 Definitions

To assist in interpretation, the following definitions apply:

|         |  |
|---------|--|
| Act     | <i>Local Government Act 2009</i>   |
| CEO     | Chief Executive Officer<br>A person who holds an appointment under section 194 of the Act. This includes a person acting in this position. |
| Council | Rockhampton Regional Council   |

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|                      |  |
|----------------------|--|
| Councillor/s         | The Mayor and/or Councillors of Council, within the meaning of the Act.  |
| Council Meeting      | A meeting of the local government as detailed in Chapter 8, Part 2, Division 1 of the Regulation, other than meetings of its committees.   |
| Corporate Plan       | Council's 5 year outline of the strategic direction of the local government as required by the <i>Local Government Regulation 2012</i> .   |
| Employee             | Local government employee:<br>(a) The CEO; or<br>(b) A person holding an appointment under section 196 of the Act.   |
| Leadership Team      | CEO, Deputy Chief Executive Officer, general managers, executive managers, Manager Office of the Mayor, Chief Financial Officer and Manager Strategy and Planning.   |
| General Manager      | An employee appointed to a position delegated a corporate band 2 delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register, positions include Deputy Chief Executive Officer, general managers and executive managers. |
| Manager              | An employee appointed to a position delegated a corporate band 3 delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register.  |
| Mayor                | The Mayor is an elected member of Council, also referred to as a Councillor, with additional responsibilities as outlined in section 12(4) of the Act.   |
| Meeting              | Council meeting or committee meeting.  |
| Operational Plan     | The annual plan adopted by Council as required by the <i>Local Government Regulation 2012</i> .  |
| Portfolio            | A specified strategic priority, service and function of Council.   |
| Portfolio Councillor | A Councillor who has been allocated responsibility of a portfolio by Council.  |
| Region               | Rockhampton Regional Area defined by the Local Government Areas of Queensland.   |
| Report               | Documents and information that relate to the business to be dealt with at a meeting.   |

## 5 Policy Statement

Council has established a portfolio system for nominated Councillors to be assigned specific responsibilities linked to the key strategic priorities of Council and the core responsibilities that it is required to discharge consistent with the local government principles contained in the Act.

### 5.1 Role of Portfolio Councillors

In addition to their responsibilities as a Councillor under the Act, Portfolio Councillors are required to:

- (a) Familiarise themselves with the Corporate Plan and Operational Plan, in particular the objectives, strategies, issues and activities which are relevant to their portfolio;
- (b) Liaise with other Portfolio Councillors regarding matters that may affect their respective portfolio areas;
- (c) Keep the Mayor and the relevant divisional Councillor (as appropriate) fully informed on portfolio matters;

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- (d) Act as the official Council spokesperson or representative on portfolio relevant matters in accordance with this policy to ensure consistent communication and messaging on portfolio relevant matters;
- (e) Liaise with and engage with industry and community groups and associations on portfolio related matters;
- (f) Provide an elected representative's viewpoint and act as a sounding board for employees and Council on issues relating to their portfolio through participation, discussion and debate at meetings;
- (g) Lead discussion and generally advocate for the advancement of Council's key priorities and decisions relevant to their portfolio responsibilities; and
- (h) Introduce reports under their relevant portfolio at meetings.

#### 5.1.1 Limitations

The role of Portfolio Councillors is subject to the following limitations:

- (a) The Act and the framework established under this policy does not provide for formal delegated authority to a Portfolio Councillor for policy determination and operational decision-making for matters relevant to their portfolio.
- (b) Portfolio Councillors do not hold any specific statutory or governance responsibilities related to their portfolio beyond those which they ordinarily hold as a Councillor.
- (c) In discharging their responsibilities as Portfolio Councillors and consistent with their role under the Act and the local government principles as provided for under the Act, Councillors should maintain a focus on strategic issues relevant to their portfolio, rather than day to day operational matters.
- (d) Portfolio Councillors do not assume any of the roles, powers and functions assigned to the Mayor under the Act unless delegated by the Mayor. This includes the portfolio responsibilities exclusively assigned to the Mayor.
- (e) This policy does not set aside or amend the provisions contained in the following instruments:
  - (i) The Act;
  - (ii) The *Local Government Regulation 2012*;
  - (iii) The Code of Conduct for Councillors in Queensland; and/or
  - (iv) The Councillors Acceptable Requests Guidelines Policy.
- (f) Where there is any inconsistency between this policy and a provision in any of the instruments detailed in paragraph 5.1.1(e) of this policy the provision of the instrument shall prevail to the extent of any inconsistency.

## 5.2 Role of the Mayor and Councillors

### 5.2.1 Mayor and Councillor Responsibilities

A Councillor must represent the current and future interests of the residents of the local government area.

All Councillors have the following responsibilities under the Act:

- (a) Ensuring the local government:
  - (i) Discharges its responsibilities under this Act;
  - (ii) Achieves its Corporate Plan; and
  - (iii) Complies with all laws that apply to local governments;
- (b) Providing high quality leadership to the local government and the community;

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- (c) Participating in meetings, policy development, and decision-making, for the benefit of the local government area;
- (d) Being accountable to the community for the local government's performance.

Specific responsibilities are assigned to the Mayor under the Act including:

- (a) Leading and managing meetings of the local government at which the Mayor is the chairperson, including managing the conduct of the participants at the meetings;
- (b) Leading, managing, and providing strategic direction to, the CEO in order to achieve the high quality administration of the local government;
- (c) Directing the CEO of the local government under section 170 of the Act;
- (d) Conducting a performance appraisal of the CEO, at least annually, in the way that is decided by the local government (including as a member of a committee, for example);
- (e) Ensuring the local government promptly provides the Minister with the information about the local government area, or the local government, that is requested by the Minister;
- (f) Being a member of each standing committee of the local government; and
- (g) Representing the local government at ceremonial or civic functions.

### 5.3 Spokesperson/Media

#### 5.3.1 Mayor

The Mayor is typically the spokesperson on regional issues, which include but are not necessarily limited to:

- (a) Matters of emergency, for example floods, fires, cyclones;
- (b) Major reputation management;
- (c) State and/or Federal Government matters, policies, plans, initiatives and relationships;
- (d) Civic events in accordance with Council's Civic Events Policy;
- (e) Initiatives and projects of major regional significance;
- (f) Region wide planning matters;
- (g) Major regional events and promotions;
- (h) General commentary on the performance of the regional economy and Council finances which impact on or are relevant to the Region generally; and
- (i) Matters of regional environmental significance.

If the Mayor is not available to comment on a regional issue and/or project as detailed above, the Deputy Mayor will be the Council spokesperson for the media.

#### 5.3.2 Portfolio Media

The Portfolio Councillor should be the key Council spokesperson on a portfolio related matter (other than those matters specified in paragraph 5.3.1). The Portfolio Councillor may however, agree that the Assistant Portfolio Councillor may act as a spokesperson on specific portfolio issues, matters or projects. The Mayor can also make comment on any portfolio matters and be quoted in Council releases along with the Portfolio Councillor (including for media statements arising from decisions of Council).

Where a portfolio-related issue or project has a Divisional focus, the Divisional Councillor will assist and work with the Portfolio Councillor, with the Portfolio Councillor being the lead spokesperson on that matter with the opportunity being provided to the Divisional Councillor to be secondary spokesperson.

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If neither the Mayor nor Deputy Mayor is available to comment on a regional issue and/or project, a relevant Divisional Councillor or the CEO may act as the spokesperson in that instance for the media.

All media will be undertaken in accordance with Council's Media Policy and Media Procedure.

#### 5.4 Operating Protocols

##### 5.4.1 Support

Portfolio Councillors must be appropriately supported by the Leadership Team and managers to enable them to:

- (a) Be across the details of portfolio relevant proposals coming before Council;
- (b) Be well placed to present and advocate portfolio issues within the community;
- (c) Remain informed of research and other developments relevant to their portfolio; and
- (d) Understand and communicate the implications of decisions by other levels of government on portfolio matters.

##### 5.4.2 Engagement with Leadership Team and Managers

Portfolio Councillors should be engaged by the Leadership Team at the earliest opportunity:

- (a) On all matters where there is an intention to develop a report;
- (b) Where it is proposed to conduct community engagement activities in accordance with Council's Community Engagement Policy; and/or
- (c) On matters which are likely to generate media or strong community interest.

The Deputy Chief Executive Officer, general managers and managers should meet regularly with their Portfolio Councillor(s) to ensure they remain informed of current information, service issues and proposed response strategies.

##### 5.4.3 Reports

Reports to a meeting which are relevant to a portfolio should be introduced by the Portfolio Councillor(s). The Portfolio Councillor does not have to support the recommendations in a report but should be aware a report is proposed for a meeting and is fully briefed on the content, direction and proposals in the report.

The Deputy Chief Executive Officer, general managers, executive managers and managers should ensure the Portfolio Councillor(s) is provided with the appropriate information prior to the meeting for any reports that the Portfolio Councillor is introducing.

##### 5.4.3.1 Dual Portfolio Matters

Where a matter spans the responsibilities of more than one Portfolio Councillor, the relevant general manager(s), executive manager(s) and manager(s) or Deputy Chief Executive Officer will work collaboratively with the Portfolio Councillors to ensure their needs are addressed in line with the roles, obligations and protocols within this policy. Similarly, the relevant Portfolio Councillors shall engage with each other and the Mayor at the earliest opportunity on issues and matters which span their portfolio responsibilities.

#### 5.5 Assistant Portfolio Councillors

Subject to a resolution of Council, a Councillor may be nominated as an Assistant Portfolio Councillor to assist a Portfolio Councillor. The areas of responsibility may span the whole portfolio, or may be targeted at a specific element of the portfolio and should be specified.

The Portfolio Councillor will provide details to the Assistant Portfolio Councillor and/or invite them to any meeting or briefing in relation to the relevant Portfolio they deem necessary.

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### 5.6 Portfolio Appointments

The Portfolio appointments of Portfolio Councillors are as follows:

| Portfolio                              | Portfolio Councillor         | Assistant Portfolio Councillor |
|--|------------------------------|--------------------------------|
| Advance Rockhampton                    | Mayor Tony Williams          |                                |
| Waste and Recycling                    | Councillor Shane Latcham     | Councillor Neil Fisher         |
| Airport                                | Councillor Neil Fisher       | Councillor Shane Latcham       |
| Infrastructure                         | Councillor Ellen Smith       | Councillor Shane Latcham       |
| Planning and Regulation                | Councillor Grant Mathers     | Councillor Ellen Smith         |
| Parks, Sport and Public Spaces         | Councillor Cherie Rutherford | Councillor Drew Wickerson      |
| Communities and Heritage               | Councillor Drew Wickerson    | Councillor Cherie Rutherford   |
| Water and Environmental Sustainability | Councillor Donna Kirkland    | Councillor Drew Wickerson      |

### 6 Review Timelines

This policy is reviewed when any of the following occur:

- The related information is amended or replaced; or
- Other circumstances as determined from time to time by Council.

### 7 Document Management

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**POLICY AMENDMENTS -  
COUNCIL DECISION MAKING  
STRUCTURE**

**Council Meeting Procedures Policy -  
Tracked Changes**

**Meeting Date: 8 March 2022**

**Attachment No: 3**

## COUNCIL MEETING PROCEDURES POLICY

### STATUTORY POLICY



#### 1 Scope

This policy applies to Councillors and employees during ordinary meetings and committees of Rockhampton Regional Council. This policy does not apply to meetings of Council's Audit and Business Improvement Committee.

#### 2 Purpose

The purpose of this policy is to provide direction for the orderly and proper conduct of ordinary and committee meetings, including the post-election meeting.

#### 3 Related Documents

##### 3.1 Primary

Nil

##### 3.2 Secondary

*Acquisition of Land Act 1967*

*Information Privacy Act 2009*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Local Law No. 1 (Administration) 2011*

*Public Records Act 2002*

Code of Conduct for Councillors in Queensland (Department of State Development, Infrastructure, Local Government, Racing and Multicultural Affairs Planning)

Councillor Conduct Register

Councillor Investigation Policy

Councillor Portfolio Policy

Deputation Factsheet

Deputation Guidelines

Model Meeting Procedures (Department of State Development, Infrastructure, Local Government, Racing and Multicultural Affairs Planning)

Petition Submission Form

Petitions Factsheet

#### 4 Definitions

To assist in interpretation, the following definitions apply:

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|  |  |
|--|--|
| Act                                    | <i>Local Government Act 2009</i>   |
| Agenda                                 | Compilation of reports to be discussed at an <del>ordinary or committee</del> meeting. The agenda for any meeting must indicate:<br>(a) Business to be conducted at the meeting;<br>(b) Business arising from previous meetings; and<br>(c) Any business for which due notice has been given (Notice of Motion, Questions on Notice).<br>An agenda will not include any matter that is unlawful.       |
| Alternative/<br>Foreshadowed<br>Motion | A proposed suggestion, usually raised during debate, that there is an alternative proposal should the original motion be lost. Once moved, the same rules of debate as the original motion apply.  |
| Amendment                              | In relation to a motion, a motion moving an amendment to that motion. An amendment to a motion must retain the identity of the original motion and does not directly negate the motion.<br>Amendment to a motion must be proposed before the debate has been concluded, before the mover of the motion has exercised their right to reply and follows the same rules of debate as the original motion. |
| Behavioural<br>Standard                | The standard of behaviour for Councillors set out in the Code of Conduct for Councillors in Queensland approved under section 150E of the Act.   |
| CEO                                    | Chief Executive Officer<br>A person who holds an appointment under section 194 of the Act. This includes a person acting in this position.   |
| Chairperson                            | Person presiding at an <del>ordinary or committee</del> meeting.   |
| Committee                              | A group of Councillors created by a resolution of the Council to undertake functions as determined under the Act or Regulation decided by a Council resolution. A committee may either be a delegated or non-delegated committee.  |
| Council                                | Rockhampton Regional Council   |
| <u>Council Meeting</u>                 | <u><a href="#">A meeting of the local government as detailed in Chapter 8, Part 2, Division 1 of the Regulation, other than meetings of its committees.</a></u>  |
| Councillor                             | The Mayor and/or Councillors of Council, within the meaning of the Act.  |
| Day                                    | A business day unless specified.   |
| Delegated<br>Committee                 | A committee that has the authorisation from the Council to make a decision and therefore a resolution of the Council, <u><a href="#">excluding matters that require a resolution of a Council meeting.</a></u>   |
| Deputation                             | A presentation from a member of the public (which could be on behalf of an organisation or individual) to an <del>ordinary or committee</del> meeting.   |
| Employee                               | Local government employee:<br>(a) The CEO; or<br>(b) A person holding an appointment under section 196 of the Act.   |
| General Manager                        | <u><a href="#">An employee appointed to a position with a corporate band 2 delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register, positions include</a></u> Deputy Chief Executive Officer, general managers and executive managers.   |
| Mayor                                  | The Mayor is an elected member of Council, also referred to as a Councillor, with additional responsibilities as outlined in section 12(4) of the Act.   |

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|                                 |   |
|---------------------------------|---|
| Meeting                         | <a href="#">Ordinary-Council</a> meeting or committee meeting <del>at Council</del> .   |
| Motion                          | A proposal to be considered by Council at a meeting. It is a request to do something or to express an opinion about something. A motion formally puts the subject of the motion as an item of business for the Council.   |
| Non-Delegated Committee         | A committee that does not have authorisation from the Council to make a decision and therefore must recommend all motions to the next <a href="#">ordinary-Council</a> meeting for endorsement. Non-delegated committees have the delegation to resolve acceptance of minutes of previous meetings of that committee and to resolve procedural motions.   |
| Petition                        | A request for action on a matter over which Council has the power to act. The "terms" of a petition consist of the reasons for petitioning Council and a request for action by Council.   |
| Portfolio Councillor            | A Councillor who has been allocated responsibility of a portfolio.  |
| Procedural Motion               | A set of motions that can be employed in specific ways to control the conduct of meetings.  |
| Record                          | A document (including any written or printed material) or object (including a sound recording, coded storage device, magnetic tape or disc, microfilm, photograph, film, map, plan or model or a painting or other pictorial or graphic work) that is or has been made or received in the course of official duties by a Councillor or an employee and, in particular, includes the minutes of meetings <del>of the Council</del> . |
| Region                          | Rockhampton Regional Area defined by the Local Government Areas of Queensland.  |
| Regulation                      | <i>Local Government Regulation 2012</i>   |
| Report                          | Documents and information that relate to the business to be dealt with at the meeting. Reports may include personal information only to extent such is necessary to reflect the issue to be discussed without rendering the report meaningless, subject to Council's obligations under the <i>Information Privacy Act 2009</i> .  |
| Resolution                      | A motion that has been passed by a majority of Councillors at the meeting. While in practice it means the "Council decision", the word "resolution" also indicates the process by which the decision was made.  |
| Seriatim                        | When a motion consists of more than one statement, action or concept a Councillor may request for each statement, action or concept to be voted on separately.  |
| <a href="#">Special Meeting</a> | <a href="#">As defined in the Regulation, a meeting of a local government at which the only business that may be conducted is the business stated in the notice of the meeting.</a>   |
| Unsuitable Meeting Conduct      | As defined in the Act, the conduct of a Councillor is unsuitable meeting conduct if the conduct:<br>(a) Happens during a local government meeting; and<br>(b) Contravenes a behavioural standard.   |

## 5 Policy Statement

The Act and the Regulation provide core requirements for the conduct of [ordinary-local government meetings and committees of Council](#).

Council is committed to conducting its meetings in accordance with the principles of the Act, ensuring an efficient, accountable, transparent and sustainable delivery of effective services within our Region.

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### 5.1 Special Meeting

The CEO must call a special meeting of the Council if:

- (a) The special meeting is required by resolution;
- (b) A written request for the special meeting is lodged with the CEO signed by the Mayor or three or more Councillors which specifies the object of the special meeting and proposes the day and time for the holding the meeting;
- (c) A special meeting is required to comply with the Act or other legislation; or
- (d) Where the CEO determines it is in the interests of the Council that a special meeting be held.

A special meeting may be for either an [ordinary Council meeting](#) or committee [meeting](#). The direction and conduct prescribed within this policy should be followed for special meetings.

### 5.2 Agenda for Meetings

A Councillor who wants an item of business included on the agenda for a particular meeting must give written notice to the CEO at least seven days before the meeting at which the proposal is to be made. Items for consideration may include questions on notice, notice of motions or rescission of motions.

Business not on the agenda or arising from the agenda must not be considered at the meeting unless Council agrees to admit such business at the meeting.

Special meetings of Council must only consider matters listed on the agenda.

### 5.3 Order of Business

The order of business is determined by resolution of an [Council ordinary meeting](#), however, an [Council ordinary meeting](#) or committee [meeting](#) may resolve, and without notice, to alter the order in which it proceeds with the business for a particular meeting.

Unless otherwise resolved, the order of business is as follows:

- (a) Opening of Meeting;
- (b) Attendance including Apologies and Leave of Absence;
- (c) Confirmation of Minutes of Previous Meetings;
- (d) Declaration of Interest in Matters on the Agenda;
- (e) Public Forums/Deputations;
- (f) Presentation of Petitions ~~(for ordinary meetings only)~~;
- (g) Reports;
  - (i) Committee (for [ordinary Council meetings only](#));
  - (ii) Portfolio Councillor ~~(for ordinary meetings only)~~;
  - (iii) Officers;
- (h) Notice of Motions;
- (i) Questions on Notice ~~(for ordinary meetings only)~~;
- (j) Urgent Business/Questions;
- (k) Closed Session; and
- (l) Closure of Meeting.

[Ordinary Meetings or committees](#) deal with items of business on its agenda in accordance with:

- (a) Procedural directions given to the meeting by resolution;
- (b) Procedural directions specified in this policy; or
- (c) If there is no procedural direction governing a particular matter, the chairperson's decision.

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However, the meeting may, by resolution, overrule a decision on a procedural question made by the chairperson.

**5.4 Deputations**

The maximum total time allocated per deputation will not exceed 10 minutes, unless otherwise agreed by the chairperson.

Unless the meeting otherwise resolves, the effect of calling on the next business is that the deputation will not be heard at the meeting and a fresh request will be given to the CEO if the deputation wishes to be heard at a subsequent meeting.

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

- (a) The chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors or members at the meeting;
- (b) The time period allowed for the deputation has expired;
- (c) The person uses insulting or offensive language; or
- (d) If a member of the deputation, other than the appointed speakers, continues to interject or attempt to address the meeting after the chairperson has warned the member of the deputation.

Details for applying and approving deputations are located on the Council website.

**5.5 Petitions**

[A petition to be considered for presentation to Council must:](#)

- [\(a\) Be on paper in legible writing or typed;](#)
- [\(b\) Be addressed to the CEO;](#)
- [\(c\) Refer to a matter which the Council has the power to act;](#)
- [\(d\) State the reasons for petitioning the Council; and](#)
- [\(e\) Contain a request for action by the Council.](#)

[The Petition Submission Form contained on Council's website may be used.](#)

[Submitted petitions must:](#)

- [\(a\) Include the reasons for the petition and the specific action requested \(the terms\) must be included at the top of the first page of the petition and the action requested also at the top of every subsequent page.](#)
- [\(b\) Include the signature and contact details of the Principal Petitioner on the first page of the petition, and contact details of the Principal Petitioner on every subsequent page](#)
- [\(c\) Include the name and contact details of the principal petitioner \(i.e. the key contact\)](#)
- [\(d\) Not have any letters, affidavits or other documents attached to it;](#)
- [\(e\) Include the postcode of all petitioners;](#)
- [\(f\) Contain signatures made by the person signing in their own handwriting, a petitioner who is not able to sign may ask another person to sign on their behalf;](#)
- [\(g\) Have signatures written on a page bearing the request part of the terms of the petition. Signatures must not be:](#)
  - [\(i\) Placed on a blank page or on the reverse of a sheet containing the terms of the petition;](#)
  - [\(ii\) Be copied, pasted or transferred on to the petition;](#)
- [\(h\) Have at least 10 signatures from people supporting the terms of the petition; and](#)
- [\(i\) Not contain any alterations to the terms of the petition.](#)

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When a petition is received by Council an acknowledgement letter is sent to the Principal Petitioner and the petition is tabled for consideration at the next meeting.

A petition may be presented to a Council ordinary-meeting by:

- (a) A Councillor;
- (b) CEO; or
- (c) CEO delegate,

who reads and states the nature of the petition, and becomes, as far as practicable, acquainted with the subject matter of the petition before presenting at a meeting.

A petition must have at least 10 signatures from people supporting the petition objective.

Where a petition is presented to a meeting, no debate on or in relation to it is allowed, however, a Councillor presenting a petition may speak in respect of the matter the subject of the petition for a period of not more than one minute.

The only motions moved are:

- (a) That the petition be received;
- (b) That the petition be received and referred to a committee or the CEO for consideration and report back to the Council; or

(c) The petition not be received because it is deemed invalid.

A Petition Submission Form and Factsheet for submitting a petition is located on the Council website.

**5.6 Committee Reports**

**5.6.1 Delegated Committees**

Reports and resolutions of a delegated committee do not need to be submitted to a Council meeting for consideration or endorsement, provided there is an absolute majority in favour of the proposal. A casting vote cannot be used by the Chairperson to determine a resolution and tied votes must be referred to an ordinary Council meeting for determination.

**5.6.2 Non-Delegated Committees**

Non-delegated committees submit reports and/or recommendations to the CEO who lists them on the agenda for the next available Council ordinary-meeting.

Recommendations to an Council ordinary-meeting from a committee are to be the same as those resolved by the committee.

If in a report of a committee distinct recommendations are made, the decision of the Council may be taken separately on each recommendation.

The chairperson of the Council ordinary-meeting decides whether the distinct recommendations or parts of recommendations are considered separately by the Council meeting of the Council.

The Council ordinary-meeting can:

- (a) Adopt;
- (b) Amend and adopt; or
- (c) Reject,

the recommendation.

Such amendments may alter the meaning or intention of the committee recommendation or it may simply correct the wording.

The committee recommendations adopted by Council are resolutions of the Council.

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### 5.7 Mayoral Minute

The Mayor, as the chairperson at an [Council ordinary](#) meeting or chairperson of a committee of the whole, is entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the Council or of which the Council has official knowledge.

Such a minute, when put to the meeting, takes precedence over all business on the agenda for the meeting. The chairperson (but only if the chairperson is the Mayor) may move the adoption of the minute without the motion being seconded.

A recommendation made in a minute of the chairperson (being the Mayor) or in a report made by an employee is, so far as adopted by the Council, a resolution of the Council.

Amendments to Mayoral Minutes that are consistent with the intent of the terms of the Minute are permitted, provided such amendments have the agreement of the Mayor.

### 5.8 Portfolio Councillor Reports

Reports to an [ordinary](#) meeting and relevant to portfolios allocated under Council's Councillor Portfolio Policy should be introduced by the relevant Portfolio Councillor.

### 5.9 Notice of Motion

Submission of a notice of motion must be given at least five days before the meeting at which the proposal is to be made.

Councillors may advise whether the notice of motion is to go to the next [Council ordinary](#) meeting or next appropriate committee meeting. However the CEO, in setting the agendas, may determine that the notice of motion is best dealt with by another [Council or committee or ordinary](#) meeting.

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

- (a) Moved by another Councillor at the meeting; or
- (b) Deferred to the next appropriate [committee or ordinary](#) meeting.

Notice of motions must:

- (a) Be framed as succinctly as possible;
- (b) Not include argument or discussion or excessive background material;
- (c) Be relevant to the good order of the business of the Council; and
- (d) [Not be an action that could be dealt with in operational procedures.](#)

### 5.10 Questions on Notice

The questions on notice from a Councillor are published in the agenda of the appropriate meeting providing such questions are received by the CEO in time for the publishing of the agenda.

Questions on notice must:

- (a) Be framed as succinctly as possible;
- (b) Not include argument or discussion or excessive background material;
- (c) Be relevant to the good order of the business of the Council; and
- (d) Not be a question that could be answered under operational procedures.

Councillors [can may](#) ask questions without notice where a genuine urgency exists, and the matter is not included in the agenda.

### 5.11 Urgent Business/Questions

A provision in the agenda for Councillors to raise questions or matters of a genuinely urgent or emergent nature that are not a change to Council policy and cannot be delayed until the next scheduled meeting.

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### 5.12 Closed Meetings

Council may resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss any of the following matters:

- (a) The appointment, dismissal or discipline of the CEO;
- (b) Industrial matters affecting employees;
- (c) Council's Budget;
- (d) Rating concessions;
- (e) Legal advice obtained by Council, including legal proceedings that may be taken by or against Council;
- (f) Matters that may directly affect the health and safety of an individual or group of individuals;
- (g) Negotiations relating to a commercial matter involving the Council for which a public discussion could prejudice the interests of the Council;
- (h) Negotiations relating to the taking of land by Council under the *Acquisition of Land Act 1967*; and/or
- (i) A matter that the Council is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

A Council meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.

Further, the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and the Council must:

- (a) Delegate the matter;
- (b) Decide by resolution to defer to a later meeting; or
- (c) Decide by resolution to take no further action on the matter.

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

If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

To take a matter into a closed session the Council must abide by the following:

- (a) Pass a resolution to close the meeting;
- (b) The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered;
- (c) If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated; and
- (d) Not make a resolution while in a closed meeting (other than a procedural resolution).

## 6 Procedures for Making Determinations

### 6.1 Motions

A motion is not debated at a meeting until the motion is seconded (with the exception of procedural motions which are not debated at all).

A motion (other than a procedural motion relating to a point of order or a Mayoral Minute) that is not seconded, lapses for want of a seconder.

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A Councillor who moves a motion may speak, with the permission of the chairperson, for the purpose of explaining the purport of that motion before it is seconded.

When a motion has been moved and seconded, it is subject to the control of the Council and may not be withdrawn without the consent of the Council.

Only one motion may be put at any one time.

**6.2 Amendment to a Motion**

A Councillor may move an amendment to any motion provided it does not change the original motion so substantially as to defeat its purpose.

Where an amendment to a motion is put before a meeting ~~of the Council~~, no other amendment to the motion is considered until after the first amendment has been determined.

A Councillor who proposes or seconds a motion may propose or second an amendment to that motion.

If an amendment is carried it becomes the motion.

If an amendment has been rejected, a further amendment can be moved, and so on, but no more than one motion and one proposed amendment can be before the Council at any one time.

Where a motion is amended by another motion and determined, the original motion is not put as a subsequent motion to amend the substantive motion.

**6.3 Alternative or Foreshadowed Motions**

During debate on a motion, a member may indicate an alternative or foreshadowed motion that the member intends to move after the motion under consideration has been dealt with.

Alternative motions can only be put to a vote if the original motion is lost.

**6.4 Withdrawal of a Motion**

If a motion has been moved and seconded, the mover of the motion may elect to withdraw the motion:

- (a) Before the motion is voted on; or
- (b) Before an amendment to the motion is moved and seconded.

If a modification to a motion is accepted by the Councillors who have moved and seconded a motion, the original motion is deemed to be withdrawn and the motion, as accepted, becomes the motion.

Once an amended motion has been moved and seconded and becomes the motion, the mover of that motion may elect to withdraw the motion before the motion is resolved.

**6.5 Speaking to Motions and Amendments**

The mover of a motion or amendment may read and state that it is moved but does not speak to it until the motion is seconded.

A Councillor may request the chairperson for further information before or after the motion or amendment is seconded.

The order of speakers is:

- (a) The Councillor moving the motion;
- (b) Councillors alternatively against and for the motion;
- (c) Once alternative speakers are exhausted, as determined by the chairperson;
- (d) The mover of the motion has the final right of reply, provided there has been a speaker against the motion or amendment; and
- (e) The mover of an amendment motion will have no right of reply.

In the event that an amendment is passed, the Councillor who moved the original motion has a right of reply to the amended motion.

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Once the right of reply has been exercised on a motion, debate on the motion is closed.

If a motion or amendment has been withdrawn by the mover, a Councillor does not speak to that motion or amendment. If an alternative motion is moved and seconded, only that alternative motion may be debated once moved and seconded.

Each speaker, including when exercising a right of reply, is restricted to not more than three minutes and speaks directly to the motion.

Any extension of time for a Councillor to speak is only granted by a resolution and any extension is for a period of not more than three minutes.

When two or more Councillors indicate to speak at the same time, the chairperson determines who speaks first.

In accordance with section 254H of the Regulation, if a decision made at ~~the Council~~ meeting is inconsistent with a recommendation or advice given to the Council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

**6.6 Method of Taking Vote**

Before any matter is put to the vote, the chairperson may direct the motion or amendment to be read again by the CEO or employee who is taking the minutes of the meeting.

Councillors vote by a show of hands.

A Councillor may call for a division on an item. If a division is called, the minutes record the names of Councillors and how they voted.

The chairperson declares the result of a vote as soon as it is determined.

The minutes of the meeting records the vote. A Councillor may request that their name be recorded for or against the vote.

Except upon a motion to rescind or alter it, the resolution is not discussed after the vote on it has been declared.

**6.7 Seriatim**

When a motion consists of more than one statement, action or concept, a Councillor may request for the statement, actions or concepts be put seriatim.

If it is intended to debate a motion seriatim, then the request must be made immediately after the motion has been put and seconded.

If it is intended only to vote on a motion seriatim, then the request must be made prior to the mover of the motion exercising a right of reply.

**6.8 Notice to Rescind or Repeal Previous Resolutions**

A resolution can only be rescinded or repealed if it has not been acted upon.

If a Councillor wishes to rescind or repeal a resolution, a notice of intention to move an alternative motion must be provided to each Councillor within the Regulation timeframes, at least five days before the meeting.

Where there is no objection to a motion to rescind or repeal a previous resolution, the chairperson may put the motion to the vote without discussion.

If the motion to rescind or repeal a previous resolution is carried, an alternative motion may be moved and seconded for discussion and voting thereon.

Where a motion to rescind or repeal a previous resolution is lost, a motion of the same or like effect is not moved until at least three months after the date on which the first mentioned motion to rescind was lost unless the Council, by resolution, decides otherwise.

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## 7 Procedural Motions

A Councillor may, during the debate of a matter at the meeting, move any of the procedural motions listed.

A procedural motion will not be debated and will be immediately put to the vote by the chairperson.

Where a procedural motion is carried the chairperson will immediately put the motion or amendment under consideration.

Where a procedural motion is lost, debate on the motion or amendment to that motion may continue.

Where a procedural motion is lost, the chairperson does not accept a similar motion until the expiration of 15 minutes after the time the motion was lost.

### 7.1 That the Motion be Now Put

This procedural motion may be moved without notice and without comment, at the conclusion of the speech of any member, to the motion or amendment before the meeting, to bring on the finalisation of a motion.

Before the procedural motion can be put, the chairperson ensures the opportunity has been given for at least one speaker to be heard for the motion or amendment under consideration and at least one speaker to be heard against the motion or amendment.

A mover, seconder or speaker to the original motion or amendment to the motion, cannot move a procedural motion that the motion be put.

### 7.2 That the Speaker No Longer Be Heard

Where this procedural motion is carried, the member against whom the motion was moved must cease speaking and be seated.

### 7.3 That the Debate be Adjourned

A procedural motion "that the debate on the motion and/or amendment be adjourned" specifies a time or date to which the debate is to be adjourned.

A procedural motion may not adjourn debate for a period more than two months after the date of that procedural motion.

Where no time or date is specified in the procedural motion:

- (a) A further motion may be moved to specify such a time or date; or
- (b) The matter about which the debate is to be adjourned is included in the agenda for the next [ordinary](#) meeting.

### 7.4 That the Meeting Proceed to the Next Item of Business

Where this procedural motion is carried, debate on the matter being considered ceases and the motion is deemed to have lapsed.

### 7.5 That the Matter Lay on the Table/Be Lifted from the Table

A procedural motion "that the matter lay on the table" is only moved where the chairperson or a Councillor requires additional information on the matter, or the result of some other action of the Council or person is required, before the matter may be concluded at the meeting.

If the motion to lay the matter on the table is lost, debate continues and the "tabling motion" cannot be moved again in respect to that substantive motion.

If the motion to lay the matter on the table is moved and carried whilst an amendment is before the chair, both the motion and the amendment are laid on the table.

If the motion is carried, the matter is unable to be dealt with until a procedural motion "that the matter be lifted from the table and dealt with" is carried. This may be moved at the meeting at which the procedural motion to lay the matter on the table was carried or at any later meeting and placed in the order of business determined by Council at that meeting.

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Matters laid on a committee table can only be lifted from that committee table by the same committee or the [ordinary Council](#) meeting.

Once the matter is returned to the table, all members, whether or not they have previously spoken, have the right to speak.

**7.6 That the Matter be Referred to a Committee**

If a procedural motion “that the matter be referred to a committee” is carried, debate on the matter ceases and the next matter on the agenda proceeds.

Any Councillor may move to amend the procedural motion in order to specify or clarify the terms of reference under which the matter is referred or the composition or identity of the committee to which the matter is to be referred.

**7.7 That this Report/Document be Tabled**

This motion may be used by a Councillor to introduce a report or other document to the meeting. Once the document is tabled, it ceases to be a confidential document and forms part of the minutes, unless otherwise resolved.

The only motion moved following tabling is that the report/document:

- (a) Be received and referred to a committee or an employee for consideration and report back to the meeting; or
- (b) Not be received.

**7.8 Points of Order**

~~A Councillor may ask the chairperson to decide on a ‘point of order’ where it is believed that:~~

- ~~(a) Another Councillor has failed to comply with proper meeting procedures;~~
- ~~(b) A matter before the Council is in contravention of the Act or the Regulation or any other relevant State or Federal Legislation; or~~
- ~~(c) A matter before the Council is beyond the Council’s jurisdiction.~~

~~Points of order do not require a seconder, and cannot be used as a means of contradicting a statement made by the Councillor speaking.~~

~~Where a ‘point of order’ is moved, further consideration of any matter is suspended until after the point of order is determined.~~

~~Upon a question of order arising during the process of a debate, a Councillor may rise to a point of order, and thereupon the Councillor against whom the point of order is raised, will immediately cease speaking and be seated when the point of order is submitted.~~

~~The chairperson will determine whether the point of order is upheld.~~

~~Despite anything contained in these meeting procedures or the Regulation to the contrary, all questions of order at any time arising will, until decided, suspend the consideration and decision of every other question.~~

**7.9 That the Chairperson’s Ruling be Dissented From**

~~A Councillor may move “a motion of dissent” in relation to a ruling of the chairperson.~~

~~Where such a motion is moved, further consideration of any matter is suspended until after the motion of dissent is determined.~~

~~Only the mover of the motion of dissent and the chairperson speaks to the motion. The mover of the motion and the chairperson speaks only once to the motion with the mover speaking first and the chairperson second.~~

~~Where a motion of dissent is carried, the matter to which the ruling of the chairperson was made proceeds as though that ruling had not been made.~~

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~~Where, as a result of that ruling, a matter was discharged as out of order, it is restored to the agenda and dealt with in the normal course of business.~~

~~Where a motion of dissent is not carried, the ruling of the chairperson stands.~~

**7.107.8 That a Provision of These Meeting Procedures be Suspended for a Specified Period**

A procedural motion “that a provision of these meeting procedures be suspended for a specified period” may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule.

A procedural motion to suspend a provision specifies the reason and duration of such a suspension.

At the conclusion of the specified period, a procedural motion “to resume a provision of these meeting procedures” are made to reinstate all provisions of the meeting procedures to the meeting.

**7.117.9 That the Meeting Be Adjourned/Resumed**

A ~~Councillor present at a meeting may at any time move a~~ procedural motion “that the meeting be adjourned” ~~may be moved by a Councillor~~. The procedural motion must specify a time for the resumption of the meeting and, on resumption, continues with the business before the meeting at the point where it was discontinued on the adjournment.

At the conclusion of the specified period, a procedural motion “that the meeting be resumed” be made.

**8 Attendance at Meetings**

**8.1 Chairperson**

The Mayor (or at the request or in the absence of the Mayor, the Deputy Mayor) presides at ~~the ordinary Council and Committee~~ meetings.

If the Mayor and Deputy Mayor are absent from an ~~ordinary~~ meeting, a Councillor may be elected to the chair by the Councillors present at the meeting.

~~A Councillor is appointed as chairperson for each committee at an ordinary meeting.~~

~~The Mayor (or at the request or in the absence of the Mayor, the Deputy Mayor) presides at a committee meeting if the chairperson is absent.~~

~~If the chairperson, Mayor and Deputy Mayor are absent from a committee meeting, a Councillor may be elected to the chair by the Councillors present at the meeting.~~

**8.2 Quorum**

Business must not be conducted at a meeting unless a quorum is present in accordance with the Regulation.

A Councillor is not deemed to be present at any meeting unless the Councillor is inside the meeting room or has been granted approval to take part in a meeting by teleconferencing.

The chairperson is to be advised if a Councillor is unable to attend a meeting no later than 24 hours prior to the meeting, unless extenuating circumstances apply.

**8.3 Leave of Absence from Meetings**

Councillors must seek a leave of absence from an ~~an ordinary or committee~~ meeting where a Councillor cannot attend a meeting for private or business purposes. Leave is granted at the discretion of the Council. The CEO may approve a leave of absence when the Councillor is required to travel for Councillor business and a report to Council is not necessary.

A leave of absence may be granted prior to the meeting or at the meeting itself. An application does not need to be made in person, and as a result, Council may grant such leave while a Councillor is absent.

Where a Councillor needs to seek leave from more than a single meeting, such applications are to be made in writing to the CEO specifying the dates of the meeting/s leave is being applied for.

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Where a Councillor intends to attend a meeting when leave has been granted by the Council, two day's written notice is provided to the CEO. This notice nullifies any future leave previously approved.

If a Councillor attends a meeting, for which leave has been granted previously, any future absence requires additional leave to be granted, regardless if the original leave covered any future meetings.

A leave of absence is automatically granted to a Councillor where the Council passes a formal resolution for a Councillor to attend a conference or event.

Where Councillors are appointed by the Council as a Council representative on a committee or association, a leave of absence is automatically granted for any events or travel associated with the Councillor's fulfilment of that role.

#### 8.4 Absence from Meetings

A request by a Councillor for an apology for not attending a meeting is recorded in the minutes. However, for the purpose of annual reporting, the Councillor is not considered as having attended the meeting. (An apology is not considered a leave of absence request.)

Where a Councillor is absent from a meeting without an approved leave of absence or submitted apology, the Councillor is not listed in the attendance section of the meeting minutes.

In the event that a Councillor leaves the meeting place for the duration of the discussion of that item, the time of the absence is recorded in the minutes.

#### 8.5 Employee Attendance

Before entering into discussion on any matter, a meeting may call on the relevant general manager and/or the general manager's nominee to be present at the discussion.

#### 8.6 Attendance of Public and Media at ~~Council and Committee Meetings~~

Reasonable accommodation and facilities to report proceedings is provided within the meeting places of the meeting for representatives of the press, radio and television.

Copies of the meeting agenda, excluding confidential items, are made available to the representatives of the press, radio and television. Reasonable access is allowed to the representatives to correspondence and reports laid on the table or submitted to the meeting, however, access will be withheld where the Council by resolution decides on the grounds that publication may prejudice the Council's interests.

Part of the meeting place is made available for the accommodation of the public, and such number of public as can reasonably be accommodated are permitted to attend at every meeting, except during a closed session.

When a meeting proposes to close a meeting in accordance with section 254J of the Regulation, the chairperson directs all persons, other than Council or Committee members, to leave the meeting and every person will immediately comply with the direction.

#### 8.7 Public Participation at ~~Council and Committee Meetings~~

Except when invited to do so by the chairperson, a member of the public will not take or attempt to take part in the proceedings of a meeting.

During a debate on a motion, the chairperson may invite submissions, comments or questions from members of the public.

Any person addressing a meeting will stand, act and speak with decorum and frame any remarks in respectful and courteous language.

The meeting may, as a mark of distinction, admit a non-member to a part of the meeting place normally reserved for Councillors during the conduct of a meeting to participate in the discussion of a particular item of business, on conditions decided by the meeting.

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**8.8 Teleconferencing**

The Council has delegated to the CEO under section 254K of the Regulation the power to allow a person to take part in a meeting by teleconferencing.

A Councillor or committee member who takes part in a local government meeting by teleconferencing is taken to be present at that meeting if the Councillor or member was simultaneously in audio contact with each other person at the meeting.

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

**9 Conduct at Meetings**

**9.1 Councillor Conduct**

After a meeting has been formally constituted and the business commenced, a Councillor does not enter or leave the meeting without first notifying the chairperson.

During a meeting, unless exempted by the chairperson, Councillors address the chairperson while:

- (a) Moving any motion or amendment;
- (b) Seconding any motion or amendment;
- (c) Taking part in any discussion;
- (d) Replying to any question; or
- (e) Addressing the Council for any other purpose.

Councillors, during a meeting, address:

- (a) Other Councillors by their respective titles, "Mayor" or "Councillor"; and
- (b) Employees by designating them by their name or position title.

Councillors confine their remarks to the matter under consideration.

Councillors remain seated and silent while a vote is being taken.

Councillors act with due decorum during meetings to ensure the meeting is conducted in an efficient and effective manner. Councillors do not make a noise or disturbance except to raise a point of order, nor converse aloud, while another person is addressing the meeting.

The chairperson may specify orally or in writing appropriate standards of decorum which are observed by all Councillors and other persons attending a meeting.

Councillors do not make personal reflections on or impute improper motives to other Councillors, employees or members of the public.

A Councillor who is speaking are not to be interrupted except upon a point of order being raised by either the chairperson or another Councillor.

When the chairperson speaks during the process of a debate, the Councillor then speaking or offering to speak, immediately ceases speaking and resumes their seat, and each Councillor present preserves strict silence so the chairperson may be heard without interruption.

The chairperson may:

- (a) Call the attention of the meeting to continued irrelevance or tedious repetition on the part of any Councillor; and
- (b) Direct a Councillor to discontinue a speech.

The use of mobile phones in the meeting place or other meeting places is not permitted.

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**9.2 Points of Order**

A Councillor may ask the chairperson to decide on a 'point of order' where it is believed that:

- (a) Another Councillor has failed to comply with proper meeting procedures;
- (b) A matter before the Council is in contravention of the Act or the Regulation or any other relevant State or Federal Legislation; or
- (c) A matter before the Council is beyond the Council's jurisdiction.

Points of order do not require a seconder, and cannot be used as a means of contradicting a statement made by the Councillor speaking.

Where a 'point of order' is moved, further consideration of any matter is suspended until after the point of order is determined.

Upon a question of order arising during the process of a debate, a Councillor may rise to a point of order, and thereupon the Councillor against whom the point of order is raised, will immediately cease speaking and be seated when the point of order is submitted.

The chairperson will determine whether the point of order is upheld.

Despite anything contained in these meeting procedures or the Regulation to the contrary, all questions of order at any time arising will, until decided, suspend the consideration and decision of every other question.

**9.29.3 Process for Dealing with Unsuitable Meeting Conduct by a Councillor in a Meeting**

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

- (a) The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.
- (b) If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, refer to (g) for the steps to be taken.
- (c) If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the Councillor take remedial actions such as:
  - (i) Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
  - (ii) Apologising for their conduct; or
  - (iii) Withdrawing their comments.
- (d) If the Councillor complies with the chairperson's request for remedial action, no further action is required.
- (e) If the Councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- (f) If the Councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- (g) If the Councillor still continues to fail to comply with the chairperson's request for remedial actions, the chairperson may make one or more of the orders below:
  - (i) An order reprimanding the Councillor for the conduct; or
  - (ii) An order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.

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- (h) If the Councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the Councillor be removed from the meeting by an appropriate officer. The meeting must be adjourned whilst the Councillor is being removed.
- (i) Following the completion of the meeting, the chairperson must ensure:
- (i) Details of any order issued is recorded in the minutes of the meeting;
  - (ii) If it is the third or more order within a 12 month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting, these matters are to be dealt with at the next meeting of the Council and treated as inappropriate conduct in accordance with the Act; and
  - (iii) The CEO is advised to ensure details of any order made is updated in the Councillor Conduct Register in accordance with the Act.
- (j) Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts (a), (g) and (h) above.

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

#### **9.39.4 Prescribed Conflict of Interest**

Councillors are ultimately responsible for informing of a prescribed conflict of interest on matters to be discussed at a [Council or committee](#) meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

- (a) A Councillor who has notified the CEO of a prescribed conflict of interest in a matter to be discussed in a [Council](#) meeting must also give notice during the meeting.
- (b) A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a [Council](#) meeting must immediately inform the meeting of the conflict of interest.
- (c) When notifying the meeting of a prescribed conflict of interest, the following details must, at a minimum, be provided:
  - (i) If it arises because of a gift, loan or contract, the value of the gift, loan or contract;
  - (ii) If it arises because of an application or submission, the subject of the application or submission;
  - (iii) The name of any entity, other than the Councillor, that has an interest in the matter;
  - (iv) The nature of the Councillor's relationship with the entity that has an interest in the matter;
  - (v) Details of the Councillor's and any other entity's interest in the matter.
- (d) The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter.
- (e) Once the Councillor has left the area where the meeting is being conducted, Council can continue discussing and deciding on the matter at hand.

#### **9.49.5 Declarable Conflict of Interest**

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at [Council or committee](#) meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

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A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes under section 150EW of the Act apply.

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

- (a) A Councillor who has notified the CEO of a declarable conflict of interest in a matter to be discussed at a [Council](#)-meeting must also give notice during the meeting.
- (b) A Councillor who first becomes aware of a declarable conflict of interest in a matter during a [Council](#)-meeting must inform the meeting of the conflict of interest.
- (c) When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following minimum details must be provided:
  - (i) The nature of the declarable conflict of interest; and
  - (ii) If it arises because of the Councillor's relationship with a related party:
    - (i) The name of the related party to the Councillor;
    - (ii) The nature of the relationship of the related party to the Councillor; and
    - (iii) The nature of the related party's interests in the matter.
  - (iii) If it arises because of a gift or loan from another person to the Councillor or a related party:
    - (i) The name of the other person;
    - (ii) The nature of the relationship of the other person to the Councillor or related party;
    - (iii) The nature of the other person's interests in the matter; and
    - (iv) The value of the gift or loan, and the date the gift was given or loan was made.
- (d) After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- (e) If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
- (f) The other Councillors at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting, for example may stay for the debate but must leave for the vote. The Councillor must comply with any decision or condition imposed by the non-conflicted Councillors.
- (g) In deciding on whether a Councillor may participate in a decision about a matter in which the Councillor has a declarable conflict of interest, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the Act.
- (h) The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.

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- (i) When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the circumstances of the matter including, but not limited to:
  - (i) How does the inclusion of the Councillor in the deliberation affect the public trust;
  - (ii) How close or remote is the Councillor's relationship to the related party;
  - (iii) If the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received;
  - (iv) Will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them;
  - (v) How does the benefit or detriment the subject Councillor stands to receive compared to others in the community;
  - (vi) How does this compare with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting; and
  - (vii) Whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- (j) If the non-conflicted Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- (k) A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the Councillor for participating in the decision, and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a Council meeting about the same matter for example briefing sessions or workshops.
- (l) In making the decision under paragraph 9.45(f) and 9.45(i), it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- (m) A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

#### **9.59.6 Reporting of Suspected Conflict of Interest**

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

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

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

The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have a prescribed or declarable conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above.

If the Councillors cannot reach a majority decision then they are taken to have determined that the Councillor has a declarable conflict of interest.

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**9.69.7 Loss of Quorum**

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

- (a) Delegate the consideration and decision on the matter, in accordance with section 257 of the Act;
- (b) Defer the matter to a later meeting; or
- (c) Not to decide the matter and take no further action in relation to the matter.

All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.

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

If the matter cannot be delegated under an Act, the Council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.

**9.79.8 Recording Prescribed and Declarable Conflicts of Interest**

When a Councillor informs the meeting that they or another Councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all of the relevant details of how the conflict of interest was dealt with, being:

- (a) The name of any Councillor and any other Councillor who may have a prescribed or declarable conflict of interest;
- (b) The particulars of the prescribed or declarable conflict of interest provided by the Councillor;
- (c) The actions taken by a Councillor after informing the meeting that they have, or they reasonably suspect another Councillor has a prescribed or declarable conflict of interest;
- (d) Any decision then made by the eligible Councillors;
- (e) Whether the Councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval;
- (f) The Council's decision on what actions the Councillor with a declarable conflict of interest must take and the reasons for the decision;
- (g) The name of each Councillor who voted on the matter and how each voted;
- (h) If the Councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a Councillor's personal interest by someone other than the Councillor, the name of each Councillor who voted in relation to whether the Councillor has a declarable conflict of interest, and how each of the Councillors voted; and
- (i) Where a decision has been made under paragraph 9.5(f)9-4(f) of this policy, the minutes must include the decision and reasons for the decision, and the name of each eligible Councillor who voted and how each eligible Councillor voted.

**9.89.9 Maintenance of Good Orders at Meetings**

In accordance with Local Law No. 1 (Administration) 2011 a person who is not a member of the Council or a Committee must not obstruct the proper conduct of a meeting of the Council or Committee.

If a person (other than a member) obstructs the proper conduct of a meeting, the chairperson may give the person a warning. If the chairperson reasonably believes that the person may continue to interrupt or obstruct the proper conduct of the meeting, the chairperson may ask the person to leave the meeting place.

A person failing to comply with a direction to leave the meeting place may be removed from the meeting place using reasonable necessary force. For the purpose of effecting the removal, the

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chairperson may call upon the assistance of a member of the Police Service.

The use of mobile phones in the area set aside for the representatives of the press, radio and television and the public in the meeting place or other meeting places is not permitted.

**10 Meeting Process for Dealing with Suspected Inappropriate Conduct which has been Referred to Council by the Independent Assessor**

In accordance with Chapter 5A, Division 5 of the [Regulation Act](#) (Referral of conduct to local government) a referral from the Independent Assessor of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph [9.3\(i\)\(ii\)](#)/[9.2\(i\)\(ii\)](#) of this policy.

In either case, Council must complete an investigation into the alleged conduct:

- (a) Consistent with any recommendations from the Independent Assessor; and
- (b) Consistent with the Councillor Investigation Policy; or
- (c) In another way decided by resolution of the Council.

After the completion of the investigation, the Council must decide whether the Councillor has engaged in inappropriate conduct, unless it has delegated responsibility for this decision under section 257 of the Act.

When dealing with an instance of suspected inappropriate conduct which has been referred to Council by the Independent Assessor:

- (a) The Council must be consistent with the local government principle of transparent and accountable decision making in the public interest, by dealing with suspected inappropriate conduct in an open meeting of the Council. However, where the matter may directly affect the health and safety of the complainant due to the nature of the complaint, the Council may resolve to go into closed session under section 254J of the Regulation to discuss the allegation.
- (b) The subject Councillor has a declarable conflict of interest in the matter and is permitted by the Council to remain in the meeting during the debate about whether the Councillor engaged in the inappropriate conduct and answer questions put to the subject Councillor through the Chairperson to assist the other Councillors in making a decision. The permission to remain in the meeting for the debate is on the condition that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the Councillor is found to have committed inappropriate conduct.
- (c) Should the complainant be a Councillor, that Councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in paragraph [9.54](#). If the complainant Councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other Councillors must decide how to deal with the conflict of interest under paragraph [9.54](#). The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.
- (d) The Council must debate the issue and decide whether the subject Councillor engaged in inappropriate conduct. If the Council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the Act or deferred to another date when a quorum will be present.
- (e) If a decision is reached that the subject Councillor has engaged in inappropriate conduct, then the Councillors must decide what penalty or penalties from the orders detailed in paragraph [10\(e\)\(e\)](#), if any, to impose on the Councillor. In deciding what penalty to impose, the Council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the Council is reasonably satisfied is true.

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- (f) The Council may order that no action be taken against the Councillor or make one or more of the following:
- (i) An order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct;
  - (ii) An order reprimanding the Councillor for the conduct;
  - (iii) An order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense;
  - (iv) An order that the Councillor be excluded from a stated ~~Council~~ meeting;
  - (v) An order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, for example that the Councillor is ordered to resign from an appointment representing the local government on a state board or committee;
  - (vi) An order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct; and/or
  - (vii) An order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's inappropriate conduct.

A local government may not make an order under paragraph 10(f)(iii), (iv), (v) and (vi) in relation to a person who is no longer a Councillor.

The subject Councillor, and where relevant, the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the details of the decision.

The chairperson must ensure the meeting minutes reflect the resolution made.

## 11 Record of Meetings

### 11.1 Confirmation of Minutes

The minutes of a meeting must be compliant with the requirements of the Regulation.

The minutes of a meeting, not previously confirmed, are taken into consideration at the next meeting of the relevant meeting, so they can be confirmed.

The minutes of the final committee meetings for the term of Council must be confirmed at the final ~~ordinary-Council~~ meeting in the Council term.

The minutes of the final ~~ordinary-Council~~ meeting for the term of Council must be confirmed at the first ~~ordinary-Council~~ meeting for the new term.

No discussion is permitted on the minutes except to confirm or correct their accuracy as a record of proceedings.

### 11.2 Live Streaming, Audio and Video Recording of Meetings

Council may direct that live streaming of meetings occur for members of the public to view the meeting without physically attending. Due to social distancing requirements implemented for COVID 19, it is not possible for members of the public to physically attend due to COVID 19. Archival access of these meetings will be available through Council's chosen streaming/hosting provider. Confidential items will not be live streamed. Council also retains a copy of the live streamed meeting for a period of seven years after confirmation of the minutes of the meeting in accordance with the *Public Records Act 2002*.

Council may also direct that an audio or video recording of a meeting be made for the purpose of verifying the accuracy of the minutes of the meeting. An audio or video recording made in accordance with this direction:

- (a) May only be used for the purpose of verifying the accuracy of the minutes of the meeting; and
- (b) Must be retained until the business action is completed after confirmation of the minutes of the meeting in accordance with the *Public Records Act 2002*.

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**12 Exclusions**

Any provision of this policy may be suspended by resolution of any meeting.

**13 Review Timelines**

This policy is reviewed when any of the following occur:

- (a) As required by legislation;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

**14 Document Management**

|                        |                         |
|------------------------|-------------------------|
| Sponsor                | Chief Executive Officer |
| Business Owner         | Chief Executive Officer |
| Policy Owner           | Chief Executive Officer |
| Policy Quality Control | Legal and Governance    |

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**POLICY AMENDMENTS -  
COUNCIL DECISION MAKING  
STRUCTURE**

**Council Meeting Procedures Policy -  
Clean**

**Meeting Date: 8 March 2022**

**Attachment No: 4**

## COUNCIL MEETING PROCEDURES POLICY

### STATUTORY POLICY



#### 1 Scope

This policy applies to Councillors and employees during meetings of Rockhampton Regional Council. This policy does not apply to meetings of Council's Audit and Business Improvement Committee.

#### 2 Purpose

The purpose of this policy is to provide direction for the orderly and proper conduct of meetings, including the post-election meeting.

#### 3 Related Documents

##### 3.1 Primary

Nil

##### 3.2 Secondary

*Acquisition of Land Act 1967*

*Information Privacy Act 2009*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Local Law No. 1 (Administration) 2011*

*Public Records Act 2002*

Code of Conduct for Councillors in Queensland (Department of State Development, Infrastructure, Local Government and Planning)

Councillor Conduct Register

Councillor Investigation Policy

Councillor Portfolio Policy

Deputation Factsheet

Deputation Guidelines

Model Meeting Procedures (Department of State Development, Infrastructure, Local Government and Planning)

Petition Submission Form

Petitions Factsheet

#### 4 Definitions

To assist in interpretation, the following definitions apply:

|     |                                  |
|-----|----------------------------------|
| Act | <i>Local Government Act 2009</i> |
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| Agenda                                 | <p>Compilation of reports to be discussed at a meeting. The agenda for any meeting must indicate:</p> <p>(a) Business to be conducted at the meeting;</p> <p>(b) Business arising from previous meetings; and</p> <p>(c) Any business for which due notice has been given (Notice of Motion, Questions on Notice).</p> <p>An agenda will not include any matter that is unlawful.</p>                               |
| Alternative/<br>Foreshadowed<br>Motion | A proposed suggestion, usually raised during debate, that there is an alternative proposal should the original motion be lost. Once moved, the same rules of debate as the original motion apply.   |
| Amendment                              | <p>In relation to a motion, a motion moving an amendment to that motion. An amendment to a motion must retain the identity of the original motion and does not directly negative the motion.</p> <p>Amendment to a motion must be proposed before the debate has been concluded, before the mover of the motion has exercised their right to reply and follows the same rules of debate as the original motion.</p> |
| Behavioural<br>Standard                | The standard of behaviour for Councillors set out in the Code of Conduct for Councillors in Queensland approved under section 150E of the Act.  |
| CEO                                    | <p>Chief Executive Officer</p> <p>A person who holds an appointment under section 194 of the Act. This includes a person acting in this position.</p>   |
| Chairperson                            | Person presiding at a meeting.  |
| Committee                              | A group of Councillors created by a resolution of the Council to undertake functions as determined under the Act or Regulation decided by a Council resolution. A committee may either be a delegated or non-delegated committee.   |
| Council                                | Rockhampton Regional Council  |
| Council Meeting                        | A meeting of the local government as detailed in Chapter 8, Part 2, Division 1 of the Regulation, other than meetings of its committees.  |
| Councillor                             | The Mayor and/or Councillors of Council, within the meaning of the Act.   |
| Day                                    | A business day unless specified.  |
| Delegated<br>Committee                 | A committee that has the authorisation from the Council to make a decision and therefore a resolution of the Council, excluding matters that require a resolution of a Council meeting.   |
| Deputation                             | A presentation from a member of the public (which could be on behalf of an organisation or individual) to a meeting.  |
| Employee                               | <p>Local government employee:</p> <p>(a) The CEO; or</p> <p>(b) A person holding an appointment under section 196 of the Act.</p>   |
| General Manager                        | An employee appointed to a position with a corporate band 2 delegated in line with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register, positions include Deputy Chief Executive Officer, general managers and executive managers.   |
| Mayor                                  | The Mayor is an elected member of Council, also referred to as a Councillor, with additional responsibilities as outlined in section 12(4) of the Act.  |
| Meeting                                | Council meeting or committee meeting.   |

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| Motion                     | A proposal to be considered by Council at a meeting. It is a request to do something or to express an opinion about something. A motion formally puts the subject of the motion as an item of business for the Council.  |
| Non-Delegated Committee    | A committee that does not have authorisation from the Council to make a decision and therefore must recommend all motions to the next Council meeting for endorsement. Non-delegated committees have the delegation to resolve acceptance of minutes of previous meetings of that committee and to resolve procedural motions.   |
| Petition                   | A request for action on a matter over which Council has the power to act. The "terms" of a petition consist of the reasons for petitioning Council and a request for action by Council.  |
| Portfolio Councillor       | A Councillor who has been allocated responsibility of a portfolio.   |
| Procedural Motion          | A set of motions that can be employed in specific ways to control the conduct of meetings.   |
| Record                     | A document (including any written or printed material) or object (including a sound recording, coded storage device, magnetic tape or disc, microfilm, photograph, film, map, plan or model or a painting or other pictorial or graphic work) that is or has been made or received in the course of official duties by a Councillor or an employee and, in particular, includes the minutes of meetings. |
| Region                     | Rockhampton Regional Area defined by the Local Government Areas of Queensland.   |
| Regulation                 | <i>Local Government Regulation 2012</i>  |
| Report                     | Documents and information that relate to the business to be dealt with at the meeting. Reports may include personal information only to extent such is necessary to reflect the issue to be discussed without rendering the report meaningless, subject to Council's obligations under the <i>Information Privacy Act 2009</i> .   |
| Resolution                 | A motion that has been passed by a majority of Councillors at the meeting. While in practice it means the "Council decision", the word "resolution" also indicates the process by which the decision was made.   |
| Seriatim                   | When a motion consists of more than one statement, action or concept a Councillor may request for each statement, action or concept to be voted on separately.   |
| Special Meeting            | As defined in the Regulation, a meeting of a local government at which the only business that may be conducted is the business stated in the notice of the meeting.  |
| Unsuitable Meeting Conduct | As defined in the Act, the conduct of a Councillor is unsuitable meeting conduct if the conduct:<br>(a) Happens during a local government meeting; and<br>(b) Contravenes a behavioural standard.  |

## 5 Policy Statement

The Act and the Regulation provide core requirements for the conduct of local government meetings.

Council is committed to conducting its meetings in accordance with the principles of the Act, ensuring an efficient, accountable, transparent and sustainable delivery of effective services within our Region.

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**5.1 Special Meeting**

The CEO must call a special meeting of the Council if:

- (a) The special meeting is required by resolution;
- (b) A written request for the special meeting is lodged with the CEO signed by the Mayor or three or more Councillors which specifies the object of the special meeting and proposes the day and time for the holding the meeting;
- (c) A special meeting is required to comply with the Act or other legislation; or
- (d) Where the CEO determines it is in the interests of the Council that a special meeting be held.

A special meeting may be for either a Council or committee meeting. The direction and conduct prescribed within this policy should be followed for special meetings.

**5.2 Agenda for Meetings**

A Councillor who wants an item of business included on the agenda for a particular meeting must give written notice to the CEO at least seven days before the meeting at which the proposal is to be made. Items for consideration may include questions on notice, notice of motions or rescission of motions.

Business not on the agenda or arising from the agenda must not be considered at the meeting unless Council agrees to admit such business at the meeting.

Special meetings of Council must only consider matters listed on the agenda.

**5.3 Order of Business**

The order of business is determined by resolution of a Council meeting, however, a Council or committee meeting may resolve, and without notice, to alter the order in which it proceeds with the business for a particular meeting.

Unless otherwise resolved, the order of business is as follows:

- (a) Opening of Meeting;
- (b) Attendance including Apologies and Leave of Absence;
- (c) Confirmation of Minutes of Previous Meetings;
- (d) Declaration of Interest in Matters on the Agenda;
- (e) Public Forums/Deputations;
- (f) Presentation of Petitions;
- (g) Reports;
  - (i) Committee (for Council meetings only);
  - (ii) Portfolio Councillor;
  - (iii) Officers;
- (h) Notice of Motions;
- (i) Questions on Notice;
- (j) Urgent Business/Questions;
- (k) Closed Session; and
- (l) Closure of Meeting.

Meetings deal with items of business on its agenda in accordance with:

- (a) Procedural directions given to the meeting by resolution;
- (b) Procedural directions specified in this policy; or
- (c) If there is no procedural direction governing a particular matter, the chairperson's decision.

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However, the meeting may, by resolution, overrule a decision on a procedural question made by the chairperson.

#### 5.4 Deputations

The maximum total time allocated per deputation will not exceed 10 minutes, unless otherwise agreed by the chairperson.

Unless the meeting otherwise resolves, the effect of calling on the next business is that the deputation will not be heard at the meeting and a fresh request will be given to the CEO if the deputation wishes to be heard at a subsequent meeting.

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

- (a) The chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors or members at the meeting;
- (b) The time period allowed for the deputation has expired;
- (c) The person uses insulting or offensive language; or
- (d) If a member of the deputation, other than the appointed speakers, continues to interject or attempt to address the meeting after the chairperson has warned the member of the deputation.

Details for applying and approving deputations are located on the Council website.

#### 5.5 Petitions

A petition to be considered for presentation to Council must:

- (a) Be on paper in legible writing or typed;
- (b) Be addressed to the CEO;
- (c) Refer to a matter which the Council has the power to act;
- (d) State the reasons for petitioning the Council; and
- (e) Contain a request for action by the Council.

The Petition Submission Form contained on Council's website may be used.

Submitted petitions must:

- (a) Include the reasons for the petition and the specific action requested (the terms) must be included at the top of the first page of the petition and the action requested also at the top of every subsequent page.
- (b) Include the signature and contact details of the Principal Petitioner on the first page of the petition, and contact details of the Principal Petitioner on every subsequent page
- (c) Include the name and contact details of the principal petitioner (i.e. the key contact)
- (d) Not have any letters, affidavits or other documents attached to it;
- (e) Include the postcode of all petitioners;
- (f) Contain signatures made by the person signing in their own handwriting, a petitioner who is not able to sign may ask another person to sign on their behalf;
- (g) Have signatures written on a page bearing the request part of the terms of the petition. Signatures must not be:
  - (i) Placed on a blank page or on the reverse of a sheet containing the terms of the petition;
  - (ii) Be copied, pasted or transferred on to the petition;
- (h) Have at least 10 signatures from people supporting the terms of the petition; and
- (i) Not contain any alterations to the terms of the petition.

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When a petition is received by Council an acknowledgement letter is sent to the Principal Petitioner and the petition is tabled for consideration at the next meeting.

A petition may be presented to a meeting by:

- (a) A Councillor;
- (b) CEO; or
- (c) CEO delegate,

who reads and states the nature of the petition, and becomes, as far as practicable, acquainted with the subject matter of the petition before presenting at a meeting.

Where a petition is presented to a meeting, no debate on or in relation to it is allowed, however, a Councillor presenting a petition may speak in respect of the matter the subject of the petition for a period of not more than one minute.

The only motions moved are:

- (a) That the petition be received;
- (b) That the petition be received and referred to a committee or the CEO for consideration and report back to the Council; or
- (c) The petition not be received because it is deemed invalid.

## 5.6 Committee Reports

### 5.6.1 Delegated Committees

Reports and resolutions of a delegated committee do not need to be submitted to a Council meeting for consideration or endorsement, provided there is an absolute majority in favour of the proposal. A casting vote cannot be used by the Chairperson to determine a resolution and tied votes must be referred to a Council meeting for determination.

### 5.6.2 Non-Delegated Committees

Non-delegated committees submit reports and/or recommendations to the CEO who lists them on the agenda for the next available Council meeting.

Recommendations to a Council meeting from a committee are to be the same as those resolved by the committee.

If in a report of a committee distinct recommendations are made, the decision of the Council may be taken separately on each recommendation.

The chairperson of the Council meeting decides whether the distinct recommendations or parts of recommendations are considered separately by the Council meeting.

The Council meeting can:

- (a) Adopt;
- (b) Amend and adopt; or
- (c) Reject,

the recommendation.

Such amendments may alter the meaning or intention of the committee recommendation or it may simply correct the wording.

The committee recommendations adopted by Council are resolutions of the Council.

## 5.7 Mayoral Minute

The Mayor, as the chairperson at a Council meeting or chairperson of a committee of the whole, is entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the Council or of which the Council has official knowledge.

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Such a minute, when put to the meeting, takes precedence over all business on the agenda for the meeting. The chairperson (but only if the chairperson is the Mayor) may move the adoption of the minute without the motion being seconded.

A recommendation made in a minute of the chairperson (being the Mayor) or in a report made by an employee is, so far as adopted by the Council, a resolution of the Council.

Amendments to Mayoral Minutes that are consistent with the intent of the terms of the Minute are permitted, provided such amendments have the agreement of the Mayor.

#### 5.8 Portfolio Councillor Reports

Reports to a meeting and relevant to portfolios allocated under Council's Councillor Portfolio Policy should be introduced by the relevant Portfolio Councillor.

#### 5.9 Notice of Motion

Submission of a notice of motion must be given at least five days before the meeting at which the proposal is to be made.

Councillors may advise whether the notice of motion is to go to the next Council meeting or next appropriate committee meeting. However the CEO, in setting the agendas, may determine that the notice of motion is best dealt with by another Council or committee meeting.

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

- (a) Moved by another Councillor at the meeting; or
- (b) Deferred to the next appropriate meeting.

Notice of motions must:

- (a) Be framed as succinctly as possible;
- (b) Not include argument or discussion or excessive background material;
- (c) Be relevant to the good order of the business of the Council; and
- (d) Not be an action that could be dealt with in operational procedures.

#### 5.10 Questions on Notice

The questions on notice from a Councillor are published in the agenda of the appropriate meeting providing such questions are received by the CEO in time for the publishing of the agenda.

Questions on notice must:

- (a) Be framed as succinctly as possible;
- (b) Not include argument or discussion or excessive background material;
- (c) Be relevant to the good order of the business of the Council; and
- (d) Not be a question that could be answered under operational procedures.

Councillors may ask questions without notice where a genuine urgency exists, and the matter is not included in the agenda.

#### 5.11 Urgent Business/Questions

A provision in the agenda for Councillors to raise questions or matters of a genuinely urgent or emergent nature that are not a change to Council policy and cannot be delayed until the next scheduled meeting.

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### 5.12 Closed Meetings

Council may resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss any of the following matters:

- (a) The appointment, dismissal or discipline of the CEO;
- (b) Industrial matters affecting employees;
- (c) Council's Budget;
- (d) Rating concessions;
- (e) Legal advice obtained by Council, including legal proceedings that may be taken by or against Council;
- (f) Matters that may directly affect the health and safety of an individual or group of individuals;
- (g) Negotiations relating to a commercial matter involving the Council for which a public discussion could prejudice the interests of the Council;
- (h) Negotiations relating to the taking of land by Council under the *Acquisition of Land Act 1967*; and/or
- (i) A matter that the Council is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

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

Further, the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and the Council must:

- (a) Delegate the matter;
- (b) Decide by resolution to defer to a later meeting; or
- (c) Decide by resolution to take no further action on the matter.

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

If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

To take a matter into a closed session the Council must abide by the following:

- (a) Pass a resolution to close the meeting;
- (b) The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered;
- (c) If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated; and
- (d) Not make a resolution while in a closed meeting (other than a procedural resolution).

## 6 Procedures for Making Determinations

### 6.1 Motions

A motion is not debated at a meeting until the motion is seconded (with the exception of procedural motions which are not debated at all).

A motion (other than a procedural motion relating to a point of order or a Mayoral Minute) that is not seconded, lapses for want of a seconder.

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A Councillor who moves a motion may speak, with the permission of the chairperson, for the purpose of explaining the purport of that motion before it is seconded.

When a motion has been moved and seconded, it is subject to the control of the Council and may not be withdrawn without the consent of the Council.

Only one motion may be put at any one time.

#### **6.2 Amendment to a Motion**

A Councillor may move an amendment to any motion provided it does not change the original motion so substantially as to defeat its purpose.

Where an amendment to a motion is put before a meeting, no other amendment to the motion is considered until after the first amendment has been determined.

A Councillor who proposes or seconds a motion may propose or second an amendment to that motion.

If an amendment is carried it becomes the motion.

If an amendment has been rejected, a further amendment can be moved, and so on, but no more than one motion and one proposed amendment can be before the Council at any one time.

Where a motion is amended by another motion and determined, the original motion is not put as a subsequent motion to amend the substantive motion.

#### **6.3 Alternative or Foreshadowed Motions**

During debate on a motion, a member may indicate an alternative or foreshadowed motion that the member intends to move after the motion under consideration has been dealt with.

Alternative motions can only be put to a vote if the original motion is lost.

#### **6.4 Withdrawal of a Motion**

If a motion has been moved and seconded, the mover of the motion may elect to withdraw the motion:

- (a) Before the motion is voted on; or
- (b) Before an amendment to the motion is moved and seconded.

If a modification to a motion is accepted by the Councillors who have moved and seconded a motion, the original motion is deemed to be withdrawn and the motion, as accepted, becomes the motion.

Once an amended motion has been moved and seconded and becomes the motion, the mover of that motion may elect to withdraw the motion before the motion is resolved.

#### **6.5 Speaking to Motions and Amendments**

The mover of a motion or amendment may read and state that it is moved but does not speak to it until the motion is seconded.

A Councillor may request the chairperson for further information before or after the motion or amendment is seconded.

The order of speakers is:

- (a) The Councillor moving the motion;
- (b) Councillors alternatively against and for the motion;
- (c) Once alternative speakers are exhausted, as determined by the chairperson;
- (d) The mover of the motion has the final right of reply, provided there has been a speaker against the motion or amendment; and
- (e) The mover of an amendment motion will have no right of reply.

In the event that an amendment is passed, the Councillor who moved the original motion has a right of reply to the amended motion.

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Once the right of reply has been exercised on a motion, debate on the motion is closed.

If a motion or amendment has been withdrawn by the mover, a Councillor does not speak to that motion or amendment. If an alternative motion is moved and seconded, only that alternative motion may be debated once moved and seconded.

Each speaker, including when exercising a right of reply, is restricted to not more than three minutes and speaks directly to the motion.

Any extension of time for a Councillor to speak is only granted by a resolution and any extension is for a period of not more than three minutes.

When two or more Councillors indicate to speak at the same time, the chairperson determines who speaks first.

In accordance with section 254H of the Regulation, if a decision made at a meeting is inconsistent with a recommendation or advice given to the Council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

**6.6 Method of Taking Vote**

Before any matter is put to the vote, the chairperson may direct the motion or amendment to be read again by the CEO or employee who is taking the minutes of the meeting.

Councillors vote by a show of hands.

A Councillor may call for a division on an item. If a division is called, the minutes record the names of Councillors and how they voted.

The chairperson declares the result of a vote as soon as it is determined.

The minutes of the meeting records the vote. A Councillor may request that their name be recorded for or against the vote.

Except upon a motion to rescind or alter it, the resolution is not discussed after the vote on it has been declared.

**6.7 Seriatim**

When a motion consists of more than one statement, action or concept, a Councillor may request for the statement, actions or concepts be put seriatim.

If it is intended to debate a motion seriatim, then the request must be made immediately after the motion has been put and seconded.

If it is intended only to vote on a motion seriatim, then the request must be made prior to the mover of the motion exercising a right of reply.

**6.8 Notice to Rescind or Repeal Previous Resolutions**

A resolution can only be rescinded or repealed if it has not been acted upon.

If a Councillor wishes to rescind or repeal a resolution, a notice of intention to move an alternative motion must be provided to each Councillor within the Regulation timeframes, at least five days before the meeting.

Where there is no objection to a motion to rescind or repeal a previous resolution, the chairperson may put the motion to the vote without discussion.

If the motion to rescind or repeal a previous resolution is carried, an alternative motion may be moved and seconded for discussion and voting thereon.

Where a motion to rescind or repeal a previous resolution is lost, a motion of the same or like effect is not moved until at least three months after the date on which the first mentioned motion to rescind was lost unless the Council, by resolution, decides otherwise.

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## 7 Procedural Motions

A Councillor may, during the debate of a matter at the meeting, move any of the procedural motions listed.

A procedural motion will not be debated and will be immediately put to the vote by the chairperson.

Where a procedural motion is carried the chairperson will immediately put the motion or amendment under consideration.

Where a procedural motion is lost, debate on the motion or amendment to that motion may continue.

Where a procedural motion is lost, the chairperson does not accept a similar motion until the expiration of 15 minutes after the time the motion was lost.

### 7.1 That the Motion be Now Put

This procedural motion may be moved without notice and without comment, at the conclusion of the speech of any member, to the motion or amendment before the meeting, to bring on the finalisation of a motion.

Before the procedural motion can be put, the chairperson ensures the opportunity has been given for at least one speaker to be heard for the motion or amendment under consideration and at least one speaker to be heard against the motion or amendment.

A mover, seconder or speaker to the original motion or amendment to the motion, cannot move a procedural motion that the motion be put.

### 7.2 That the Speaker No Longer Be Heard

Where this procedural motion is carried, the member against whom the motion was moved must cease speaking and be seated.

### 7.3 That the Debate be Adjourned

A procedural motion "that the debate on the motion and/or amendment be adjourned" specifies a time or date to which the debate is to be adjourned.

A procedural motion may not adjourn debate for a period more than two months after the date of that procedural motion.

Where no time or date is specified in the procedural motion:

- (a) A further motion may be moved to specify such a time or date; or
- (b) The matter about which the debate is to be adjourned is included in the agenda for the next meeting.

### 7.4 That the Meeting Proceed to the Next Item of Business

Where this procedural motion is carried, debate on the matter being considered ceases and the motion is deemed to have lapsed.

### 7.5 That the Matter Lay on the Table/Be Lifted from the Table

A procedural motion "that the matter lay on the table" is only moved where the chairperson or a Councillor requires additional information on the matter, or the result of some other action of the Council or person is required, before the matter may be concluded at the meeting.

If the motion to lay the matter on the table is lost, debate continues and the "tabling motion" cannot be moved again in respect to that substantive motion.

If the motion to lay the matter on the table is moved and carried whilst an amendment is before the chair, both the motion and the amendment are laid on the table.

If the motion is carried, the matter is unable to be dealt with until a procedural motion "that the matter be lifted from the table and dealt with" is carried. This may be moved at the meeting at which the procedural motion to lay the matter on the table was carried or at any later meeting and placed in the order of business determined by Council at that meeting.

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Matters laid on a committee table can only be lifted from that committee table by the same committee or the Council meeting.

Once the matter is returned to the table, all members, whether or not they have previously spoken, have the right to speak.

**7.6 That the Matter be Referred to a Committee**

If a procedural motion “that the matter be referred to a committee” is carried, debate on the matter ceases and the next matter on the agenda proceeds.

Any Councillor may move to amend the procedural motion in order to specify or clarify the terms of reference under which the matter is referred or the composition or identity of the committee to which the matter is to be referred.

**7.7 That this Report/Document be Tabled**

This motion may be used by a Councillor to introduce a report or other document to the meeting. Once the document is tabled, it ceases to be a confidential document and forms part of the minutes, unless otherwise resolved.

The only motion moved following tabling is that the report/document:

- (a) Be received and referred to a committee or an employee for consideration and report back to the meeting; or
- (b) Not be received.

**7.8 That a Provision of These Meeting Procedures be Suspended for a Specified Period**

A procedural motion “that a provision of these meeting procedures be suspended for a specified period” may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule.

A procedural motion to suspend a provision specifies the reason and duration of such a suspension.

At the conclusion of the specified period, a procedural motion “to resume a provision of these meeting procedures” are made to reinstate all provisions of the meeting procedures to the meeting.

**7.9 That the Meeting Be Adjourned/Resumed**

A Councillor present at a meeting may at any time move a procedural motion “that the meeting be adjourned”. The procedural motion must specify a time for the resumption of the meeting and, on resumption, continues with the business before the meeting at the point where it was discontinued on the adjournment.

At the conclusion of the specified period, a procedural motion “that the meeting be resumed” be made.

**8 Attendance at Meetings**

**8.1 Chairperson**

The Mayor (or at the request or in the absence of the Mayor, the Deputy Mayor) presides at Council and Committee meetings.

If the Mayor and Deputy Mayor are absent from a meeting, a Councillor may be elected to the chair by the Councillors present at the meeting.

**8.2 Quorum**

Business must not be conducted at a meeting unless a quorum is present in accordance with the Regulation.

A Councillor is not deemed to be present at any meeting unless the Councillor is inside the meeting room or has been granted approval to take part in a meeting by teleconferencing.

The chairperson is to be advised if a Councillor is unable to attend a meeting no later than 24 hours prior to the meeting, unless extenuating circumstances apply.

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**8.3 Leave of Absence from Meetings**

Councillors must seek a leave of absence from a meeting where a Councillor cannot attend a meeting for private or business purposes. Leave is granted at the discretion of the Council. The CEO may approve a leave of absence when the Councillor is required to travel for Councillor business and a report to Council is not necessary.

A leave of absence may be granted prior to the meeting or at the meeting itself. An application does not need to be made in person, and as a result, Council may grant such leave while a Councillor is absent.

Where a Councillor needs to seek leave from more than a single meeting, such applications are to be made in writing to the CEO specifying the dates of the meeting/s leave is being applied for.

Where a Councillor intends to attend a meeting when leave has been granted by the Council, two day’s written notice is provided to the CEO. This notice nullifies any future leave previously approved.

If a Councillor attends a meeting, for which leave has been granted previously, any future absence requires additional leave to be granted, regardless if the original leave covered any future meetings.

A leave of absence is automatically granted to a Councillor where the Council passes a formal resolution for a Councillor to attend a conference or event.

Where Councillors are appointed by the Council as a Council representative on a committee or association, a leave of absence is automatically granted for any events or travel associated with the Councillor’s fulfilment of that role.

**8.4 Absence from Meetings**

A request by a Councillor for an apology for not attending a meeting is recorded in the minutes. However, for the purpose of annual reporting, the Councillor is not considered as having attended the meeting. (An apology is not considered a leave of absence request.)

Where a Councillor is absent from a meeting without an approved leave of absence or submitted apology, the Councillor is not listed in the attendance section of the meeting minutes.

In the event that a Councillor leaves the meeting place for the duration of the discussion of that item, the time of the absence is recorded in the minutes.

**8.5 Employee Attendance**

Before entering into discussion on any matter, a meeting may call on the relevant general manager and/or the general manager’s nominee to be present at the discussion.

**8.6 Attendance of Public and Media at Meetings**

Reasonable accommodation and facilities to report proceedings is provided within the meeting places of the meeting for representatives of the press, radio and television.

Copies of the meeting agenda, excluding confidential items, are made available to the representatives of the press, radio and television. Reasonable access is allowed to the representatives to correspondence and reports laid on the table or submitted to the meeting, however, access will be withheld where the Council by resolution decides on the grounds that publication may prejudice the Council’s interests.

Part of the meeting place is made available for the accommodation of the public, and such number of public as can reasonably be accommodated are permitted to attend at every meeting, except during a closed session.

When a meeting proposes to close a meeting in accordance with section 254J of the Regulation, the chairperson directs all persons, other than Council or Committee members, to leave the meeting and every person will immediately comply with the direction.

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**8.7 Public Participation at Meetings**

Except when invited to do so by the chairperson, a member of the public will not take or attempt to take part in the proceedings of a meeting.

During a debate on a motion, the chairperson may invite submissions, comments or questions from members of the public.

Any person addressing a meeting will stand, act and speak with decorum and frame any remarks in respectful and courteous language.

The meeting may, as a mark of distinction, admit a non-member to a part of the meeting place normally reserved for Councillors during the conduct of a meeting to participate in the discussion of a particular item of business, on conditions decided by the meeting.

**8.8 Teleconferencing**

The Council has delegated to the CEO under section 254K of the Regulation the power to allow a person to take part in a meeting by teleconferencing.

A Councillor or committee member who takes part in a local government meeting by teleconferencing is taken to be present at that meeting if the Councillor or member was simultaneously in audio contact with each other person at the meeting.

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

**9 Conduct at Meetings****9.1 Councillor Conduct**

After a meeting has been formally constituted and the business commenced, a Councillor does not enter or leave the meeting without first notifying the chairperson.

During a meeting, unless exempted by the chairperson, Councillors address the chairperson while:

- (a) Moving any motion or amendment;
- (b) Seconding any motion or amendment;
- (c) Taking part in any discussion;
- (d) Replying to any question; or
- (e) Addressing the Council for any other purpose.

Councillors, during a meeting, address:

- (a) Other Councillors by their respective titles, "Mayor" or "Councillor"; and
- (b) Employees by designating them by their name or position title.

Councillors confine their remarks to the matter under consideration.

Councillors remain seated and silent while a vote is being taken.

Councillors act with due decorum during meetings to ensure the meeting is conducted in an efficient and effective manner. Councillors do not make a noise or disturbance except to raise a point of order, nor converse aloud, while another person is addressing the meeting.

The chairperson may specify orally or in writing appropriate standards of decorum which are observed by all Councillors and other persons attending a meeting.

Councillors do not make personal reflections on or impute improper motives to other Councillors, employees or members of the public.

A Councillor who is speaking are not to be interrupted except upon a point of order being raised by either the chairperson or another Councillor.

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When the chairperson speaks during the process of a debate, the Councillor then speaking or offering to speak, immediately ceases speaking and resumes their seat, and each Councillor present preserves strict silence so the chairperson may be heard without interruption.

The chairperson may:

- (a) Call the attention of the meeting to continued irrelevance or tedious repetition on the part of any Councillor; and
- (b) Direct a Councillor to discontinue a speech.

The use of mobile phones in the meeting place or other meeting places is not permitted.

## 9.2 Points of Order

A Councillor may ask the chairperson to decide on a 'point of order' where it is believed that:

- (a) Another Councillor has failed to comply with proper meeting procedures;
- (b) A matter before the Council is in contravention of the Act or the Regulation or any other relevant State or Federal Legislation; or
- (c) A matter before the Council is beyond the Council's jurisdiction.

Points of order do not require a seconder, and cannot be used as a means of contradicting a statement made by the Councillor speaking.

Where a 'point of order' is moved, further consideration of any matter is suspended until after the point of order is determined.

Upon a question of order arising during the process of a debate, a Councillor may rise to a point of order, and thereupon the Councillor against whom the point of order is raised, will immediately cease speaking and be seated when the point of order is submitted.

The chairperson will determine whether the point of order is upheld.

Despite anything contained in these meeting procedures or the Regulation to the contrary, all questions of order at any time arising will, until decided, suspend the consideration and decision of every other question.

## 9.3 Process for Dealing with Unsuitable Meeting Conduct by a Councillor in a Meeting

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

- (a) The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.
- (b) If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, refer to (g) for the steps to be taken.
- (c) If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the Councillor take remedial actions such as:
  - (i) Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
  - (ii) Apologising for their conduct; or
  - (iii) Withdrawing their comments.
- (d) If the Councillor complies with the chairperson's request for remedial action, no further action is required.
- (e) If the Councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.

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- (f) If the Councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- (g) If the Councillor still continues to fail to comply with the chairperson's request for remedial actions, the chairperson may make one or more of the orders below:
  - (i) An order reprimanding the Councillor for the conduct; or
  - (ii) An order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- (h) If the Councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the Councillor be removed from the meeting by an appropriate officer. The meeting must be adjourned whilst the Councillor is being removed.
- (i) Following the completion of the meeting, the chairperson must ensure:
  - (i) Details of any order issued is recorded in the minutes of the meeting;
  - (ii) If it is the third or more order within a 12 month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting, these matters are to be dealt with at the next meeting of the Council and treated as inappropriate conduct in accordance with the Act; and
  - (iii) The CEO is advised to ensure details of any order made is updated in the Councillor Conduct Register in accordance with the Act.
- (j) Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts (a), (g) and (h) above.

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

#### 9.4 Prescribed Conflict of Interest

Councillors are ultimately responsible for informing of a prescribed conflict of interest on matters to be discussed at a meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

- (a) A Councillor who has notified the CEO of a prescribed conflict of interest in a matter to be discussed in a meeting must also give notice during the meeting.
- (b) A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a meeting must immediately inform the meeting of the conflict of interest.
- (c) When notifying the meeting of a prescribed conflict of interest, the following details must, at a minimum, be provided:
  - (i) If it arises because of a gift, loan or contract, the value of the gift, loan or contract;
  - (ii) If it arises because of an application or submission, the subject of the application or submission;
  - (iii) The name of any entity, other than the Councillor, that has an interest in the matter;
  - (iv) The nature of the Councillor's relationship with the entity that has an interest in the matter;
  - (v) Details of the Councillor's and any other entity's interest in the matter.
- (d) The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter.

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- (e) Once the Councillor has left the area where the meeting is being conducted, Council can continue discussing and deciding on the matter at hand.

#### 9.5 Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes under section 150EW of the Act apply.

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

- (a) A Councillor who has notified the CEO of a declarable conflict of interest in a matter to be discussed at a meeting must also give notice during the meeting.
- (b) A Councillor who first becomes aware of a declarable conflict of interest in a matter during a meeting must inform the meeting of the conflict of interest.
- (c) When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following minimum details must be provided:
- (i) The nature of the declarable conflict of interest; and
  - (ii) If it arises because of the Councillor's relationship with a related party:
    - (i) The name of the related party to the Councillor;
    - (ii) The nature of the relationship of the related party to the Councillor; and
    - (iii) The nature of the related party's interests in the matter.
  - (iii) If it arises because of a gift or loan from another person to the Councillor or a related party:
    - (i) The name of the other person;
    - (ii) The nature of the relationship of the other person to the Councillor or related party;
    - (iii) The nature of the other person's interests in the matter; and
    - (iv) The value of the gift or loan, and the date the gift was given or loan was made.
- (d) After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- (e) If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
- (f) The other Councillors at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting, for example may stay for the debate but must leave for the vote. The Councillor must comply with any decision or condition imposed by the non-conflicted Councillors.
- (g) In deciding on whether a Councillor may participate in a decision about a matter in which the Councillor has a declarable conflict of interest, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the Act.

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- (h) The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- (i) When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the circumstances of the matter including, but not limited to:
- (i) How does the inclusion of the Councillor in the deliberation affect the public trust;
  - (ii) How close or remote is the Councillor's relationship to the related party;
  - (iii) If the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received;
  - (iv) Will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them;
  - (v) How does the benefit or detriment the subject Councillor stands to receive compared to others in the community;
  - (vi) How does this compare with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting; and
  - (vii) Whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- (j) If the non-conflicted Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- (k) A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the Councillor for participating in the decision, and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a Council meeting about the same matter for example briefing sessions or workshops.
- (l) In making the decision under paragraph 9.5(f) and 9.5(i), it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- (m) A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

#### 9.6 Reporting of Suspected Conflict of Interest

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

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

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

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The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have a prescribed or declarable conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above.

If the Councillors cannot reach a majority decision then they are taken to have determined that the Councillor has a declarable conflict of interest.

#### 9.7 Loss of Quorum

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

- (a) Delegate the consideration and decision on the matter, in accordance with section 257 of the Act;
- (b) Defer the matter to a later meeting; or
- (c) Not to decide the matter and take no further action in relation to the matter.

All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.

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

If the matter cannot be delegated under an Act, the Council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.

#### 9.8 Recording Prescribed and Declarable Conflicts of Interest

When a Councillor informs the meeting that they or another Councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all of the relevant details of how the conflict of interest was dealt with, being:

- (a) The name of any Councillor and any other Councillor who may have a prescribed or declarable conflict of interest;
- (b) The particulars of the prescribed or declarable conflict of interest provided by the Councillor;
- (c) The actions taken by a Councillor after informing the meeting that they have, or they reasonably suspect another Councillor has a prescribed or declarable conflict of interest;
- (d) Any decision then made by the eligible Councillors;
- (e) Whether the Councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval;
- (f) The Council's decision on what actions the Councillor with a declarable conflict of interest must take and the reasons for the decision;
- (g) The name of each Councillor who voted on the matter and how each voted;
- (h) If the Councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a Councillor's personal interest by someone other than the Councillor, the name of each Councillor who voted in relation to whether the Councillor has a declarable conflict of interest, and how each of the Councillors voted; and
- (i) Where a decision has been made under paragraph 9.5(f) of this policy, the minutes must include the decision and reasons for the decision, and the name of each eligible Councillor who voted and how each eligible Councillor voted.

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**9.9 Maintenance of Good Orders at Meetings**

In accordance with Local Law No. 1 (Administration) 2011 a person who is not a member of the Council or a Committee must not obstruct the proper conduct of a meeting of the Council or Committee.

If a person (other than a member) obstructs the proper conduct of a meeting, the chairperson may give the person a warning. If the chairperson reasonably believes that the person may continue to interrupt or obstruct the proper conduct of the meeting, the chairperson may ask the person to leave the meeting place.

A person failing to comply with a direction to leave the meeting place may be removed from the meeting place using reasonable necessary force. For the purpose of effecting the removal, the chairperson may call upon the assistance of a member of the Police Service.

The use of mobile phones in the area set aside for the representatives of the press, radio and television and the public in the meeting place or other meeting places is not permitted.

**10 Meeting Process for Dealing with Suspected Inappropriate Conduct which has been Referred to Council by the Independent Assessor**

In accordance with Chapter 5A, Division 5 of the Act (Referral of conduct to local government) a referral from the Independent Assessor of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph 9.3(i)(ii) of this policy.

In either case, Council must complete an investigation into the alleged conduct:

- (a) Consistent with any recommendations from the Independent Assessor; and
- (b) Consistent with the Councillor Investigation Policy; or
- (c) In another way decided by resolution of the Council.

After the completion of the investigation, the Council must decide whether the Councillor has engaged in inappropriate conduct, unless it has delegated responsibility for this decision under section 257 of the Act.

When dealing with an instance of suspected inappropriate conduct which has been referred to Council by the Independent Assessor:

- (a) The Council must be consistent with the local government principle of transparent and accountable decision making in the public interest, by dealing with suspected inappropriate conduct in an open meeting of the Council. However, where the matter may directly affect the health and safety of the complainant due to the nature of the complaint, the Council may resolve to go into closed session under section 254J of the Regulation to discuss the allegation.
- (b) The subject Councillor has a declarable conflict of interest in the matter and is permitted by the Council to remain in the meeting during the debate about whether the Councillor engaged in the inappropriate conduct and answer questions put to the subject Councillor through the Chairperson to assist the other Councillors in making a decision. The permission to remain in the meeting for the debate is on the condition that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the Councillor is found to have committed inappropriate conduct.
- (c) Should the complainant be a Councillor, that Councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in paragraph 9.5. If the complainant Councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other Councillors must decide how to deal with the conflict of interest under paragraph 9.5. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.

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- (d) The Council must debate the issue and decide whether the subject Councillor engaged in inappropriate conduct. If the Council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the Act or deferred to another date when a quorum will be present.
- (e) If a decision is reached that the subject Councillor has engaged in inappropriate conduct, then the Councillors must decide what penalty or penalties from the orders detailed in paragraph 10(e), if any, to impose on the Councillor. In deciding what penalty to impose, the Council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the Council is reasonably satisfied is true.
- (f) The Council may order that no action be taken against the Councillor or make one or more of the following:
- (i) An order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct;
  - (ii) An order reprimanding the Councillor for the conduct;
  - (iii) An order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense;
  - (iv) An order that the Councillor be excluded from a stated meeting;
  - (v) An order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, for example that the Councillor is ordered to resign from an appointment representing the local government on a state board or committee;
  - (vi) An order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct; and/or
  - (vii) An order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's inappropriate conduct.

A local government may not make an order under paragraph 10(f)(iii), (iv), (v) and (vi) in relation to a person who is no longer a Councillor.

The subject Councillor, and where relevant, the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the details of the decision.

The chairperson must ensure the meeting minutes reflect the resolution made.

## 11 Record of Meetings

### 11.1 Confirmation of Minutes

The minutes of a meeting must be compliant with the requirements of the Regulation.

The minutes of a meeting, not previously confirmed, are taken into consideration at the next meeting of the relevant meeting, so they can be confirmed.

The minutes of the final committee meetings for the term of Council must be confirmed at the final Council meeting in the Council term.

The minutes of the final Council meeting for the term of Council must be confirmed at the first Council meeting for the new term.

No discussion is permitted on the minutes except to confirm or correct their accuracy as a record of proceedings.

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**11.2 Live Streaming, Audio and Video Recording of Meetings**

Council may direct that live streaming of meetings occur for members of the public to view the meeting without physically attending. Due to social distancing requirements implemented for COVID 19, it is not possible for members of the public to physically attend due to COVID 19. Archival access of these meetings will be available through Council’s chosen streaming/hosting provider. Confidential items will not be live streamed. Council also retains a copy of the live streamed meeting for a period of seven years after confirmation of the minutes of the meeting in accordance with the *Public Records Act 2002*.

Council may also direct that an audio or video recording of a meeting be made for the purpose of verifying the accuracy of the minutes of the meeting. An audio or video recording made in accordance with this direction:

- (a) May only be used for the purpose of verifying the accuracy of the minutes of the meeting; and
- (b) Must be retained until the business action is completed after confirmation of the minutes of the meeting in accordance with the *Public Records Act 2002*.

**12 Exclusions**

Any provision of this policy may be suspended by resolution of any meeting.

**13 Review Timelines**

This policy is reviewed when any of the following occur:

- (a) As required by legislation;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

**14 Document Management**

|                        |                         |
|------------------------|-------------------------|
| Sponsor                | Chief Executive Officer |
| Business Owner         | Chief Executive Officer |
| Policy Owner           | Chief Executive Officer |
| Policy Quality Control | Legal and Governance    |



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## 11 NOTICES OF MOTION

### 11.1 NOTICE OF MOTION - COUNCILLOR NEIL FISHER - PROPOSED TRAVEL

**File No:** 10072

**Attachments:** 1. [Letter to Evan Pardon - Notice of Motion](#)

**Responsible Officer:** Damon Morrison - Manager Office of the Mayor

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#### SUMMARY

*Councillor Neil Fisher has indicated his intention to move the following Notice of Motion at the next Council Meeting scheduled for Tuesday 8 March, as follows:*

#### COUNCILLOR'S RECOMMENDATION

THAT Councillor Neil Fisher be approved to attend the 2022 John Villiers Outback Art Prize Awards Night and Exhibition Opening at the Outback Regional Gallery on Saturday 12 March and a meeting with Winton Shire Council on Sunday 13 March 2022.

#### BACKGROUND

Mayor Tony Williams has asked Deputy Mayor, Cr Neil Fisher to represent him in Winton at the 2022 John Villiers Outback Art Prize Awards Night and Exhibition Opening at the Outback Regional Gallery in Winton on Saturday 12 March, and to a round table meeting to discuss future business opportunities between Rockhampton Regional Council and Winton Shire Council on the morning of Sunday 13 March.

Both the John Villiers Art Awards and the round table meeting would be in person and cannot be via virtual participation.

Councillor Fisher is proposing to travel to Winton, by car on Saturday 12 March staying overnight in Winton. He will depart Winton on Sunday afternoon following the completion of the round table meeting and travel to Barcaldine or Alpha to stay overnight on Sunday 13 March, before returning to Rockhampton the morning of Monday 14 March.

This trip would involve 2 nights' accommodation at approximately \$130 per night plus meals.



**NOTICE OF MOTION -  
COUNCILLOR NEIL FISHER -  
PROPOSED TRAVEL**

**Letter to Evan Pardon -  
Notice of Motion**

**Meeting Date: 8 March 2022**

**Attachment No: 1**



**Councillor Neil Fisher**  
Division 2 - Deputy Mayor  
Airport Portfolio  
neil.fisher@rrc.qld.gov.au  
0417 663 961

02 March 2022

The Chief Executive Officer  
Rockhampton Regional Council  
PO BOX 1860  
ROCKHAMPTON QLD 4700

Dear Evan

I hereby give notice that I intend to move the following Motion at the next Ordinary Council Meeting of the Rockhampton Regional Council, on Tuesday 8 March 2022.

*"THAT Councillor Neil Fisher be approved to attend the 2022 John Villiers Outback Art Prize Awards Night and Exhibition Opening at the Outback Regional Gallery on Saturday 12 March and a meeting with Winton Shire Council on Sunday 13 March 2022."*

**Background:**

Mayor Tony Williams has asked Deputy Mayor, Cr Neil Fisher to represent him in Winton at the 2022 John Villiers Outback Art Prize Awards Night and Exhibition Opening at the Outback Regional Gallery in Winton on Saturday the 12th of March, and to a round table meeting to discuss future business opportunities between Rockhampton Regional Council and Winton Shire Council on the morning of Sunday the 13th of March.

Both the John Villiers Art Awards and the round table meeting would be in person and cannot be via virtual participation.

Councillor Fisher will travel to Winton, a distance of 865km, by car on Saturday the 12th of March staying overnight in Winton. He will depart Winton on Sunday afternoon following the completion of the round table meeting and travel to Barcaldine or Alpha to stay overnight on Sunday the 13th of March. Then travelling back to Rockhampton the morning of Monday the 14th of March.

This trip would involve 2 nights' accommodation at approximately \$130 per night plus meals.

Yours sincerely

A handwritten signature in black ink, appearing to read "Neil Fisher".

Cr Neil Fisher  
Deputy Mayor  
Rockhampton Regional Council

**12 QUESTIONS ON NOTICE**

Nil

**13 URGENT BUSINESS/QUESTIONS**

*Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting*

**14 CLOSURE OF MEETING**