



Redland
CITY COUNCIL

MINUTES

POST-ELECTION MEETING

Tuesday 01 April 2008

**Redland Performing Arts Centre
Middle Street, Cleveland**



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1 DECLARATION OF POLL

On 27 March 2008, in accordance with section 371 of the *Local Government Act 1993*, the Returning Officer, Ms Susan Bylett, declared the result of the poll for the elections of Mayor and Councillors for Divisions 1 to 10 of the Redland City Council held on 15 March 2008.

The Chief Executive Officer, Mrs Susan Rankin, announced that the following persons were duly elected:

<u>Mayor</u>		Melva Elizabeth Hobson
<u>Councillor</u>	Division 1	Wendy Boglary
	Division 2	Craig Brendan Ogilvie
	Division 3	Debra Ann Henry
	Division 4	Peter James Dowling
	Division 5	Barbara Ann Townsend
	Division 6	Toni Bowler
	Division 7	Murray Alan Elliott
	Division 8	Kathryn Ann Reimers
	Division 9	Karen Magdalena Williams
	Division 10	Helen Jane Murray

2 DECLARATION OF OFFICE

Before any person can act as Councillor of a local government they are required to make a Declaration of Office in accordance with section 242 of the *Local Government Act 1993*, as follows:

“I,, having been elected as a councillor of the Redland City Council, declare that I will faithfully and impartially fulfil the duties of the office, including perform the role of a councillor under the Local Government Act 1993, section 229, to the best of my judgment and ability and I agree to comply with the Council’s code of conduct”.

The Declaration of Office was taken before the Chief Executive Officer, firstly by the Mayor, followed by the councillors for Divisions 1 to 10, respectively.

3 INTRODUCTION OF NEWLY ELECTED MAYOR AND DECLARATION OF OPENING

The Chief Executive Officer introduced the newly elected Mayor of Redland City Council, Cr Melva Hobson, who welcomed the Councillors and community to the meeting and gave a short address on her goals for Redland City. The Mayor then declared the meeting open at 7.20pm.

4 RECORD OF ATTENDANCE

MEMBERS PRESENT:

Cr M E Hobson	Mayor
Cr T Bowler	Deputy Mayor and Councillor Division 6
Cr W Boglary	Councillor Division 1
Cr C B Ogilvie	Councillor Division 2
Cr D A Henry	Councillor Division 3
Cr P J Dowling	Councillor Division 4
Cr B A Townsend	Councillor Division 5
Cr M A Elliott	Councillor Division 7
Cr K A Reimers	Councillor Division 8
Cr K M Williams	Councillor Division 9
Cr H J Murray	Councillor Division 10

EXECUTIVE LEADERSHIP GROUP:

Mrs S Rankin	Chief Executive Officer
Mr R Turner	General Manager Corporate Services
Mr M Goode	General Manager Customer Services
Mr G Underwood	General Manager Planning and Policy
Mr G Soutar	General Manager Redland Water & Waste

MINUTES:

Mrs T Dunn	Team Leader, Corporate Meetings & Registers
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5 APPOINTMENT OF DEPUTY MAYOR

Datworks Filename: GOV Statutory Council Resolutions

Responsible Officer Name: Susan Rankin
Chief Executive Officer

EXECUTIVE SUMMARY

Section 232 of the *Local Government Act 1993* requires the local government to appoint a deputy mayor from its councillors, by resolution, at -

- a. its first meeting after the conclusion of each quadrennial election; and
- b. its first meeting after the conclusion of a fresh election of all of its councillors; and
- c. its first meeting after the deputy mayor's office as councillor otherwise becomes vacant.

The deputy mayor of a local government, in addition to the role of councillor, acts in the office, and performs the role, of the mayor during –

- a. a vacancy in the office of mayor; or
- b. the absence or temporary incapacity of the mayor.

At a recent meeting of elected members, the Mayor called for nominations for Deputy Mayor for a minimum two-year term and it was recommended that Cr Toni Bowler be appointed as Deputy Mayor of Redland City Council.

COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Boglary

That Council resolve, in accordance with section 232 of the *Local Government Act 1993*, to appoint Cr Toni Bowler as Deputy Mayor of Redland City Council, to be reviewed after two years in office.

CARRIED

6 APPOINTMENT OF STANDING COMMITTEES AND ASSOCIATED RESOLUTIONS

Datworks Filename: GOV Statutory Council Resolutions
Attachment: [2008 Meeting Schedule](#)
Responsible Officer Name: Susan Rankin
Chief Executive Officer

EXECUTIVE SUMMARY

In accordance with the *Local Government Act 1993*, the matters a local government must consider at its post-election meeting include the day and time for holding other meetings, and the appointment of its standing committees. A schedule of meeting dates is attached.

The *Local Government Act*, sections 452 to 459, also requires that Council make formal resolutions relative to its statutory committee framework.

A standing committee is a committee constituted to deal with a particular area of the Council's jurisdiction on an ongoing basis. Accordingly standing committees exist perpetually to consider matters arising from time to time that fall within their jurisdiction.

The chairpersons of the Committees have the responsibility to preserve order and to ensure proceedings are conducted in a proper manner, and that the intent of the meeting is properly ascertained with regard to any questions before the meeting. There are no other additional responsibilities associated with these positions beyond that of any other councillors.

Councillors nominated to committees have the role of ensuring that policies, strategies and objectives of the Redland City Council are formulated to best serve the public interest of the area generally. Councillors must work collectively to make decisions and as individual councillors have no legal power to assume any executive or operational role purporting to represent Council.

It is proposed that Redland City Council appoint the following standing committees:

1. Finance and Corporate Management Standing Committee:

This committee will be directly aligned with the Corporate Services Department and will be managed by the General Manager Corporate Services. This would allow Council to monitor both financial and non-financial performance indicators, following adoption of the Corporate and Operational Plans and to approve major tenders, contracts and other corporate-wide initiatives.

The charter of this committee will be to provide Council with advice and recommendations where it has considered reports on:

- the Corporate and Operational Plans;
- Major tenders and contracts which have organisational wide implications;
- Land resumptions;
- Organisational leadership initiatives;
- The organisation's performance, practices and processes to ensure continued improvement;
- Financial planning to ensure the organisation has the financial capacity to deliver services to the current and future generations with minimal risk exposure;
- Financially relevant, reliable and timely information on a monthly, quarterly and annual basis to enable the effective evaluation of past performance;
- Evaluation of revenue and treasury functions to ensure the organisation is able to meet its financial commitments;
- Independent assurances from an Audit Committee that there is conformance with policies and legislative requirements that meet public accountability and transparency requirements; and
- All other matters that by law and policy, including tenders and contracts, which relate to Corporate Services and Customer Services Departments and require a decision of Council.

2. Planning and Policy Standing Committee:

This committee will be directly aligned to the Planning and Policy Department and will be managed by the General Manager Planning and Policy. This department is responsible for the development of strategies, policies, statutory planning instruments and local laws, which directly affect the community.

The charter of this committee would be to provide Council with advice and recommendations where it has considered reports on:

- Development and review of corporate policies, including local laws and subordinate local laws;
- Management plans and strategies prepared to ensure the delivery on the corporate plan priorities of natural environment, community health and well being and economic growth;
- Establishment of strategic frameworks and statutory planning instruments to preserve a balance with rural, bushland, village and coastal character of the Redlands by managing urban growth;
- Submissions prepared on behalf of Council to various bodies on the impact of policies and laws adopted by other governments and organisations in the Redland City and its community;
- The provision of roads and drainage systems that facilitate efficient movement and preserves the integrity of the local environment;
- Infrastructure programs to facilitate the provision of choice of accessible, safe and convenient transport modes and waterways infrastructure; and

- All other matters that by law and policy, including tenders and contracts, which relate exclusively to the Planning and Policy Department and require a decision of Council.

It is proposed that a review of the structure of the Planning and Policy Committee be undertaken in due course with a view to dividing this Committee into two, i.e. Policy Committee and Planning Committee. With this in mind, it is proposed that two chairs be appointed to chair alternate meetings until further resolution regarding the proposed new structure.

3. Redland Water and Waste Standing Committee:

This committee will be directly aligned to the Redland Water and Waste Business Unit and will be managed by the General Manager Redland Water & Waste.

The charter of this committee would be to provide Council with advice and recommendations where it has considered reports on:

- Construction and maintenance of a high quality water distribution system;
- The provision of waste management operations that are economically and environmentally sustainable in the long term with a focus on customer service delivery, cost effectiveness and quality;
- The business unit's performance, practices and processes to make sure they continually improve the way they operate;
- Financial planning to ensure the business unit has the financial capacity to deliver services to 30 June 2010 with minimal risk exposure;
- Financially relevant, reliable and timely information on a monthly, quarterly and annual basis to enable the effective evaluation of the business unit's past performance; and
- All other matters that by law and policy, including tenders and contracts, which relate exclusively to the Redland Water and Waste Business Unit and require a decision of Council.

4. Development Assessment Committee:

This committee is directly aligned to the Customer Services Department and will be managed by the General Manager Customer Services.

The charter of this committee would be to determine, under delegated authority:

- a. development applications under the *Integrated Planning Act 1997*; and
- b. provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the *Integrated Planning Act 1997*.

COUNCIL RESOLUTION

Moved by: Cr Bowler
Seconded by: Cr Reimers

That Council resolve as follows:

- 1. To appoint the following Standing Committees:**
 - a. Finance and Corporate Management Standing Committee;**
 - b. Planning and Policy Standing Committee;**
 - c. Redland Water & Waste Standing Committee; and**
 - d. Development Assessment Standing Committee;**
- 2. That Council review the structure of the Planning and Policy Committee in due course to determine if this standing committee be replaced with two standing committees;**
- 3. To appoint all Councillors as members on each of the Standing Committees listed in resolution 1;**
- 4. To appoint the following Councillors as Chairs of the Standing Committees:**
 - a. Cr Barbara Townsend, Chair, Finance and Corporate Management Committee;**
 - b. Cr Craig Ogilvie and Cr Helen Murray as alternating Chairs, Planning and Policy Committee, until further resolution regarding this Committee structure;**
 - c. Cr Debra Henry, Chair, Redland Water and Waste Committee;**
 - d. Cr Murray Elliott, Chair, Development Assessment Committee, and that if Cr Elliott is unable to chair the meeting at any time, the Mayor;**
- 5. To fix the quorum of Council's Standing Committees as follows:**
 - a. Six (6) members, including the Chair, for Development Assessment Committee;**
 - b. Four (4) members, including the Chair, for all other Standing Committees;**
- 6. To adopt the attached schedule of meeting dates and times for General Meetings and Standing Committees;**
- 7. To delegate to the Development Assessment Committee the power to -**
 - a. decide development applications under the *Integrated Planning Act 1997*; and**
 - b. provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the *Integrated Planning Act 1997*,**

subject to the condition that where the Committee Chair is required to use his/her casting vote, the Mayor (and Deputy Mayor in his/her absence), preside over the meeting and be permitted to use his/her casting vote as Chair to determine the matter; and

8. To exempt Council's Standing Committees, with the exclusion of Development Assessment Committee, from the requirement to keep minutes of its proceedings (s.459 of the *Local Government Act 1993*) and instead give written reports of their deliberations and their advice or recommendations to ensuing General Meetings of Council.

CARRIED

7 COUNCILLOR REMUNERATION

Dataworks Filename: Councillor Remuneration
GOV Statutory Council Resolutions

Attachment: Consultants Report

Responsible Officer Name: Susan Rankin
Chief Executive Officer

EXECUTIVE SUMMARY

Section 236A of the *Local Government Act (Qld) 1993* (LG Act) requires Council resolve the remuneration to be paid to incoming councillors.

At the General Meeting on the 30 January 2008, Council unanimously resolved the following:

That Council seek and appoint the services of an appropriate consultant to investigate and advise Council on the remuneration levels for the Mayor and Councillors of the new Redland City Council.

The investigation is to consider the Mayor and Councillor roles against other Category 6 Councils in the new Local Government Remuneration Tribunal Report released by the State Government on 29 November 2007 and recommend remuneration levels for the Mayor and Councillors, which must be within the range set by the Tribunal and after consideration of the current remuneration paid to other Category 6 Councils.

The recommendations should be included in a report to Council in time for presentation and adoption at the first meeting of the new Council.

A report in accordance with this resolution was commissioned from HRR Consulting and is included as an attachment to this report.

The report recommended the following levels be paid to the Mayor, Deputy Mayor, and Councillors. These are within the ranges set by the Local Government Remuneration Tribunal:

- Mayor 99.8%
- Deputy mayor 70.7%
- Councillor 63.2%.

The Councillors held a workshop on Wednesday, 26 March to discuss their remuneration.

Because of a number of changed circumstances that were not known at the time of making the resolution on 30 January 2008 the councillors decided at the workshop to not accept the recommendations of the HRR Consulting report and instead agreed

on the following salary levels within the ranges set by the Local Government Remuneration Tribunal:

- Mayor 110%
- Deputy Mayor 77.5%
- Councillor 70%.

PURPOSE

The purpose of this report is to set the base pay remuneration levels for the Mayor, Deputy Mayor, and Councillors.

COUNCIL RESOLUTION

Moved by: Cr Elliott
Seconded by: Cr Boglary

That Council resolve as follows:

- 1. That the base salary of the Mayor, Deputy Mayor, and Councillors be set at the following percentages of the base salary of a Queensland State MLA:**
 - a. Mayor 110%;**
 - b. Deputy Mayor 77.5%;**
 - c. Councillor 70%;**
- 2. That these salary levels apply from the commencement of business on Thursday , 27 March 2008; and**
- 3. That in accordance with section 236A (1) and (2b) of the *Local Government Act 1993* this resolution remain in force until the 31st December 2008.**

CARRIED

A division was called.

Crs Townsend, Henry, Ogilvie, Boglary, Bowler, Elliott, Reimers, Murray and Hobson voted in the affirmative.

Crs Dowling and Williams voted in the negative.

The motion was declared by the Mayor as **CARRIED**.

8 TRANSITIONAL EXPENSES REIMBURSEMENT POLICY FOR LOCAL GOVERNMENT COUNCILLORS

Dataworks Filename: GOV Statutory Council Resolutions

Attachments: [Transitional Policy](#)

Responsible Officer Name: Susan Rankin
Chief Executive Officer

EXECUTIVE SUMMARY

Under section 1296 of the *Local Government Act 1993*, the Chief Executive of the Department of Local Government, Sport and Recreation may make a transitional expenses reimbursement policy.

The transitional policy meets the requirements of the 'Guidelines for Councils – Reimbursement of Expenses and Provision of Facilities for Mayors and Councillors, version 3' issued by the Chief Executive of the Department.

The transitional policy will apply to all local governments (with the exception of Brisbane City Council) until a local government develops and adopts its own expenses reimbursement policy as set out in the guidelines.

COUNCIL RESOLUTION

Moved by: Cr Williams

Seconded by: Cr Dowling

That Council resolve to adopt the attached Transitional Expenses Reimbursement Policy for Local Government Councillors until further resolution to adopt a Redland City Council policy in this matter.

CARRIED

9 APPOINTMENTS/NOMINATIONS OF COUNCILLORS TO TASK FORCES/ EXTERNAL ORGANISATIONS

Datworks Filename: GOV Meetings Statutory Council Resolutions
Attachment: [List of Appointments and Nominations](#)
Responsible Officer Name: Susan Rankin
Chief Executive Officer

EXECUTIVE SUMMARY

In addition to statutory duties associated with ordinary meetings and standing committees, Councillors are required to participate in regional forums, taskforces and perform on various boards and committees representing Council's interests on local government matters.

As part of a Councillor's role to ensure that the policies, strategies and objectives are formulated at the regional level to best serve the interest of Redland City, representation on taskforces and external groups and committees is required.

Councillors will only take the role of agents of Council when attending these various taskforces and/or external group or committee meetings. As individuals, Councillors have no legal power to assume any executive or operational role purporting to represent Council and are limited to raising relevant issues and viewpoints for consideration when in attendance at these forums. Council officers will be nominated to assist Councillors, and to ensure effective liaison that information which is obtained is communicated between officers and Councillors.

CLARIFICATION

After further consideration in this matter, it was noted that only two councillor appointments are required for the Regional Arts Development Fund Committee (RADF), namely the Chair and Deputy Chair. Therefore, Cr Henry agreed to withdraw her name from the attached list.

COUNCIL RESOLUTION

Moved by: Cr Williams
Seconded by: Cr Bowler

That Council resolve to adopt the attached list of appointments and nominations of Councillors to Task Forces/External Organisations with the following amendment:

That Cr Craig Ogilvie be appointed as Chair and Cr Helen Murray be appointed as Deputy Chair of the Regional Arts Development Fund Committee (RADF).

CARRIED

10 ADMINISTRATIVE DELEGATION

Dataworks Filename: GOV Statutory Council Resolutions
Responsible Officer Name: Susan Rankin
Chief Executive Officer

EXECUTIVE SUMMARY

Section 1129 of the *Local Government Act 1993* provides that Council must appoint the Chief Executive Officer. In line with common practice among Councils, the administration arrangements pertaining to the employment conditions and performance management of the Chief Executive Officer may be delegated to the Mayor to manage on behalf of Council. This report provides for such a delegation.

COUNCIL RESOLUTION

Moved by: Cr Williams
Seconded by: Cr Dowling

That Council resolve to delegate authority to the Mayor to deal with the administrative arrangements regarding employment conditions and performance management matters pertaining to the Chief Executive Officer in accordance with section 1129 of the *Local Government Act 1993*.

CARRIED

A division was called.

All Councillors voted in the affirmative.

The motion was declared by the Mayor as **CARRIED** unanimously.

11 APPOINTMENT OF AUDIT COMMITTEE

Datworks Filename: GOV Audit Committee
GOV Statutory Council Resolutions

Responsible Officer Name: Susan Rankin
Chief Executive Officer

EXECUTIVE SUMMARY

The primary objective of the Audit Committee is to assist Council in fulfilling its corporate governance role and oversight of financial management and reporting responsibilities.

It is recommended that Council:

1. Appoint an Audit Committee to meet on a quarterly basis;
2. Appoint an independent Chair to the Audit Committee and immediately proceed with an expression of interest process to identify a suitable candidate; and
3. Establish the membership of the Audit Committee.

BACKGROUND

The Audit Committee is established in accordance with *Part 2* of the *Local Government Finance Standards 2005*. It has no line authority in itself and does not replace the management responsibilities of Executive Management, but rather acts as a source of independent advice to the Chief Executive Officer and to Council. It in no way diminishes management's responsibility to maintain an adequate governance and internal control system and manage risks.

The primary objective of the Audit Committee is to assist Council in fulfilling its corporate governance role and oversight of financial management and reporting responsibilities imposed under the *Financial Administration and Audit Act 1997*, the *Old Local Government Act 1993* and other relevant legislation. More specifically the Committee will:

- Enhance the ability of Councillors to discharge their legal responsibility to exercise due care, diligence and skill in relation to compliance with applicable laws and policy.
 - Add to the credibility and objectivity of financial reports.
 - Ensure the independence and effectiveness of Council's Internal Audit function.
 - Monitor the application of appropriate accounting and disclosure policies.
 - Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable or illegal activities.
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- Provide a communication link between management, internal and external audit and Council.
- Promote the need for public accountability of managers to Council, the ratepayers and other interested parties.
- Support measures to improve managerial performance and internal controls and the minimisation of risks and fraud.
- Encourage and support a culture of proper governance and control at all levels within Council.

ISSUES

Committee Membership

As was the case under the previous Council, it is proposed that the Audit Committee be comprised of the following with full voting rights:

- An independent external appointee who shall Chair the Audit Committee
- The Mayor
- Deputy Mayor
- Chair, Finance and Corporate Management Committee
- Chief Executive Officer

In addition, it is also proposed that standing invitations will be extended to the Queensland Audit Office to attend meetings, but with no voting rights and also for General Managers to attend meetings as required to address various matters.

Expression of Interest for Committee Chair

A public expression of interest process is proposed to identify a suitably qualified chairperson. Candidates should have a strong business and financial background and skills commensurate with the role of Chair, enabling the Committee to achieve the objectives outlined in the Audit Committee Charter.

It is proposed to offer an annual fee of \$5,500 (including GST) based on attendance at quarterly meetings and commensurate with the role and responsibilities of the position. Additional meetings will be paid at an additional \$1,250 per day. This fee is consistent with the previous level of remuneration for this position.

It is further proposed that the Chief Executive Officer (CEO) be delegated authority to short-list suitable candidates.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to provide a clear organisational direction supported by effective leadership and a framework of policies, plans and strategies that are responsive to the community's needs and which promote accountable and ethical standards of practice.

FINANCIAL IMPLICATIONS

The current budget allowance for an external Committee member is \$5,500 (including GST) and it is not anticipated that there will be any additional costs to Council.

CONSULTATION

The CEO was consulted about this proposal.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Ogilvie
Seconded by: Cr Dowling

That Council resolve as follows:

- 1. That pursuant to section 452(b) of the *Local Government Act 1993*, Council appoint an Audit Committee;**
- 2. That this committee meet on a quarterly basis;**
- 3. That the committee be constituted by both councillor and non-councillor members with full voting rights as follows:**
 - a. Mayor**
 - b. Deputy Mayor**
 - c. Chair, Finance and Corporate Management Committee**
 - d. Chief Executive Officer**
 - e. A non-councillor member to be appointed by council for the term of this council**

and that standing invitations be extended to the Queensland Audit Office to attend meetings, but with no voting rights and also for General Managers to attend meetings as required to address various matters;

- 4. That the non-councillor member be appointed as the chair of the committee;**
- 5. That expressions of interest be called for the position of chair of the committee;**
- 6. That the Chief Executive Officer be delegated authority to conduct the expression of interest process;**
- 7. That the non-councillor member be remunerated as follows:-**
 - a. the incumbent be paid a fee of \$5,500 (GST inclusive) per annum for attendance at quarterly meetings to be paid in quarterly instalments;**
 - b. additional meetings shall be paid a fee of \$1,250 (GST inclusive) per day;**

- c. this level of remuneration is consistent with the remuneration paid for this position in previous years;
- d. the remuneration is for preparation and attendance at committee meetings.

CARRIED

12 LGAQ EXECUTIVE DISTRICT REPRESENTATION 2008-2012 NOMINATION

Dataworks Filename: GOV Statutory Council Resolutions
Local Government Association of Queensland
Inc.

Responsible Officer Name: Susan Rankin
Chief Executive Officer

EXECUTIVE SUMMARY

The Local Government Association of Queensland Inc (LGAQ) is seeking nominations for the election of the Association's Executive District Representatives 2008-2012. Nominations close on 18 April 2008.

The Executive currently has six regular meetings each year, however, this frequency can be varied by the Executive.

Members elected at this time take up their positions on 1 June 2008, and subject to the Associations' Constitution Rules, hold office until 31 May 2012.

COUNCIL RESOLUTION

Moved by: Cr Williams
Seconded by: Cr Townsend

That Council resolve to nominate Cr Peter Dowling to represent District Number 2 South East (South Region) on the Local Government Association's Executive for the period 2008-2012.

CARRIED**13 MEETING CLOSURE**

There being no further business the meeting closed at 7.38pm.

Signature of Chairperson: _____

Confirmation date: _____