



SCENIC RIM REGIONAL COUNCIL

Ordinary Meeting of Council

Agenda

Meeting to be held in the Council Chambers

82 Brisbane Street

Beaudesert

Monday, 22 August 2016

Commencing at 1.00 pm

All correspondence to
be addressed to the
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SCENIC RIM REGIONAL COUNCIL

ORDINARY MEETING

22 AUGUST 2016

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ORDINARY MEETING OF COUNCIL

AGENDA

Please note: Agenda Items where Subject Headings are followed by [CLOSED] are to be discussed in closed session in accordance with Section 275(1) of the Local Government Regulation 2012.

Section 275(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss-

- (a) the appointment, dismissal or discipline of employees; or
 - (b) industrial matters, affecting employees; or
 - (c) the local government's budget; or
 - (d) rating concessions; or
 - (e) contracts proposed to be made by it; or
 - (f) starting or defending legal proceedings involving it; or
 - (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
 - (h) other business for which public discussion would be likely to prejudice the interests of local government or someone else, or enable a person to gain financial advantage.
-

**SCENIC RIM REGIONAL COUNCIL
ORDINARY MEETING
22 AUGUST 2016
AGENDA**

OPENING OF MEETING

ATTENDANCE

APOLOGIES

1. PRAYERS

Rev Howard Pohlner will offer prayers.

2. DECLARATIONS OF INTEREST BY MEMBERS

3. RECEPTION OF DEPUTATIONS BY APPOINTMENT

4. CONFIRMATION OF MINUTES

- Minutes of the Ordinary Meeting held on Tuesday, 25 July 2016

5. BUSINESS ARISING FROM PREVIOUS MINUTES

6. RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS

- Finance Committee Meeting held on Tuesday, 15 August 2016
- Corporate & Community Services Committee Meeting held on Tuesday, 15 August 2016
- Planning & Development Committee Meeting held on Tuesday, 15 August 2016

7. CONSIDERATION OF BUSINESS OF MEETING**7.1 Local Government Association of Queensland 120th Annual Conference**

Executive Officer: Chief Executive Officer

Item Author: Business Support Officer

File Reference: 02/05/002

Executive Summary

The Local Government Association of Queensland (LGAQ) 120th Annual Conference will be held on the Gold Coast from 18-20 October 2016.

Previous Council Considerations / Resolutions

Not applicable.

REPORT

The LGAQ 120th Annual Conference will be held on the Gold Coast from 18-20 October 2016.

The theme of the Conference is "New World Order".

Council is entitled to be represented at the Conference by two delegates (pursuant to conference fees paid by Member Councils) and other Elected Members and Officers are able to attend as observers.

Strategic Implications

Community Plan

Sustainable and Prosperous Economy

Outcome: A diverse economy built upon localisation principles.

Open and Responsive Government

Outcome: Government services and supports the community.
Levels of government work together and with others in the community interest.

Corporate Plan / Operational Plan

Sustainable and Prosperous Economy - Strategy 1

Encourage local investment and sustainable business practices and provide appropriate tools, opportunities, incentives and support to our business sector to build capacity, expertise, broaden the region's economic base and enhance innovation.

Sustainable and Prosperous Economy - Strategy 3

Ensure we operate in a way that recognises and supports business needs and aspirations while protecting broader community and environmental interests.

Organisational Sustainability - Strategy 1

Implement and maintain an integrated strategic planning framework across Council, which embeds performance, financial and asset management principles.

Organisational Sustainability - Strategy 5

Build effective leadership and management capabilities across the organisation, encourage teamwork and innovation.

Budget Implications

Provision has been made in Council's 2016/17 Budget.

Legal / Statutory Implications

Not applicable.

*Risks*Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

- PO1 Poor relationships with other Councils, State and/or Federal governments, resulting in reduced efficiency in key areas, limitations in accessing funding opportunities or devolution of responsibility.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Political Missed opportunity to progress Council's interests	Minor	Likely	Medium	Represent Council's interests by attending and participating in the Conference.	Low

Conclusion

The Elected Members are invited to express interest in attending the LGAQ 120th Annual Conference to be held on the Gold Coast from 18-20 October 2016.

Consultation

Not applicable.

Chief Executive Officer's Recommendation**That:**

1. Council note the Local Government Association of Queensland 120th Annual Conference information; and
2. The Mayor and Deputy Mayor be nominated as Council's delegates at the Conference, and other interested Councillors be endorsed as observers.

Attachments

Nil.

7.2 Local Government Association of Queensland Annual Conference Motions

Executive Officer: Chief Executive Officer

Item Author: Coordinator Governance and Corporate Policy

File Reference: 14/06/001

Executive Summary

Council may elect to submit motions to the Local Government Association of Queensland's (LGAQ) Annual Conference for consideration and endorsement. In consultation with stakeholders, four proposed motions have been developed for Scenic Rim Regional Council to progress to the Conference.

Previous Council Considerations / Resolutions

Not Applicable.

REPORT

The LGAQ Annual Conference will be held 18-20 October 2016, with submissions due by 26 August 2016.

Motions must be endorsed at a Council Meeting and submitted on the Motion Template. Once the motions have been endorsed by Council, the motion templates will be prepared by the Chief Executive Officer.

Motions relating to the following matters have been proposed for endorsement by Council:

- The Darling Downs-Moreton Rabbit Board contributions;
- Allocation of Financial Assistance Grants by the Queensland Local Government Grants Commission;
- Mitigation of odour impacts from Meat Chicken Farms; and
- The Regional Arts Development Model.

Darling Downs-Moreton Rabbit Board Contributions

Council currently contributes significantly to the costs of the Darling Downs-Moreton Rabbit Board. At the 2014 LGAQ Annual Conference, Scenic Rim Regional Council and Lockyer Valley Regional Council put forward a motion proposing that the funding methodology be reviewed and amendments fast tracked.

It has been proposed a motion be presented to fast track a review of the methodology of funding to ensure it is funded equitably. The following motion has been proposed:

That the Local Government Association of Queensland requests the State Government finalise the statewide Oversight Group relating to the Darling Downs-Moreton Rabbit Board and undertake to fast track the review of funding methodology of the Board committed to by the Minister for Agriculture, Fisheries and Forestry on 21 January 2014.

Financial Assistance Grants

Financial Assistance Grants are administered by the Queensland Local Government Grants Commission. At the 2014 LGAQ Annual Conference, Council also put forward a motion requesting that the funding methodology be reviewed as follows:

That the Local Government Association of Queensland request the Queensland Local Government Grants Commission (QLGGC) to review its methodology for the assessment of rating capacity to ensure equitable treatment of councils facing similar circumstances by using contemporary data that adequately reflects the current capacity of each council to raise rate revenue from each sector of its rate paying community.

It has been proposed that a further motion regarding Financial Assistance Grants be brought to the 2016 Conference. The following motion has been proposed:

That the Local Government Association of Queensland requests the Queensland Local Government Grants Commission, prior to the allocation of grants for the 2017/2018 financial year, reconsider previous Association resolution 008 from the 2014 Annual Conference requesting an alternative calculation method for the distribution of Financial Assistance Grants.

Poultry Farm Buffer Zones

The planning processes around Poultry Farms are constrained by requirements implemented by State Government. It has been proposed that Council progress a motion seeking State Government review of the odour assessment criteria

The following motion has been proposed:

That the Local Government Association of Queensland requests the State Government work with local government to review the State's Meat Chicken Farm Guidelines to determine an odour assessment criteria that more accurately reflects the correlation of odour to actual impacts on surrounding development, and to ensure that intrusive poultry farming does not generate emissions of a level that has the potential to cause environmental harm or nuisance beyond the chicken farm's site boundary.

Regional Arts Development Model

The closure of Artslink Queensland has led to a sector-identified need for a new model of regional arts development services built on local community engagement, connectivity and activation.

The following draft wording for this motion has been proposed:

That the Local Government Association of Queensland commits to working with Arts Queensland and the Queensland Regional Arts Working Group to establish a new state-wide model for regional arts development, programming and investment, to be fully determined within 12 months.

Strategic Implications*Community Plan*

- | | |
|-----------|--|
| Theme: | Spectacular Scenery and Healthy Environment |
| Outcome: | Diverse rural industries continue to be healthy and productive |
| Priority: | Protecting and improving valuable farmland and rural water supplies |
| | |
| Theme: | Sustainable and Prosperous Economy |
| Outcome: | Business, industry and local communities have certainty and control over their economic future |
| Priority: | Helping rural based industries grow and diversify;
Working together to understand and manage conflicts between recreation, tourism, agriculture, industrial, residential and commercial uses; and
Agriculture and tourism are a centrepiece of the economy and supported by emerging industries. |
| | |
| Theme: | Open and Responsive Government |
| Outcome: | Levels of government work together and with others in the community interest |
| Priority: | Supporting the aspirations and maintaining the identity of local communities |
| | |
| Theme: | Relaxed Living and Rural Lifestyle |
| Outcome: | The region's rural character and heritage is maintained |
| Priority: | Effective planning that engages the community, provides for our future needs and protects the environment and rural lifestyle |
| | |
| Theme: | Accessible and Serviced Region |
| Outcome: | Investment in community infrastructure and levels of service reflect the community's capacity and willingness to fund them |
| Priority: | Ensuring community infrastructure is appropriate for our environment, contributes to attractive and functional places, and serves multiple purposes |
| | |
| Theme: | Healthy, Engaged and Resourceful Communities |
| Outcome: | A community that celebrates its identity, culture and diversity |
| Priority: | Strengthening social interaction, building partnerships and connectedness through activities and infrastructure; and
Creating a better lifestyle and delivering services for the aging population. |

Corporate Plan / Operational Plan

Not applicable.

Budget Implications

Not applicable.

Legal / Statutory Implications

Not applicable.

*Risks*Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

CE3 - Failure to respond to local government environmental and sustainability obligations.

PO1 - Poor relationships with other Councils, State and/or Federal Governments, resulting in reduced efficiency in key areas, limitations in accessing funding opportunities or devolution of responsibilities.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Political Council does not take the opportunity to make submissions on policy positions relevant to the region.	Minor	Unlikely	Medium	Council makes submissions on relevant matters to the conference to advance Scenic Rim as a region.	Low

Conclusion

Council has the opportunity to advocate for change in a number of areas of regional and state wide interest by advancing motions to the LGAQ Conference.

Consultation

Internal departmental consultation and consultation with the Executive Team has taken place regarding all proposed motions.

In respect to the motion regarding Regional Arts Development, consultation has been undertaken with the Local Government Association of Queensland and significant industry stakeholders at a Regional Art Working Group planning workshop for the Queensland Arts Advocacy Group, which took place on 29 and 30 July 2016.

Chief Executive Officer's Recommendation

That Council submit the following motions at the Local Government Association of Queensland's Annual Conference 2016:

1. That the Local Government Association of Queensland requests the State Government finalise the statewide Oversight Group relating to the Darling Downs-Moreton Regional Rabbit Board and undertake to fast track the review of funding methodology of the Board committed to by the Minister for Agriculture, Fisheries and Forestry on 21 January 2014;
2. That the Local Government Association of Queensland requests the Queensland Local Government Grants Commission, prior to the allocation of grants for the 2017/2018 financial year, reconsider previous Association resolution 008 from the 2014 Annual Conference requesting an alternative calculation method for the distribution of Financial Assistance Grants;
3. That the Local Government Association of Queensland requests the State Government work with local government to review the State's Meat Chicken Farm Guidelines to determine an odour assessment criteria that more accurately reflects the correlation of odour to actual impacts on surrounding development, and to ensure that intrusive poultry farming does not generate emissions of a level that has the potential to cause environmental harm or nuisance beyond the chicken farm's site boundary; and
4. That the Local Government Association of Queensland commits to working with Arts Queensland and the Queensland Regional Arts Working Group to establish a new state-wide model for regional arts development, programming and investment, to be fully determined within 12 months.

Attachments

Nil.

7.3 Audit and Risk Committee Chairperson**Executive Officer:** Director Regional Services**Item Author:** Coordinator Governance and Corporate Policy**File Reference:** 04/03/010

Executive Summary

It is recommended that the appointment of Mr Graham Carpenter as chairperson of Council's Audit and Risk Committee be extended to facilitate conduct of the meeting of that Committee scheduled to be held on 14 September 2016.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 28 August 2012, Council resolved to appoint Mr Graham Carpenter as an external member and chairperson of the Audit and Risk Committee "*for the current term of Council*".

REPORT

The Local Government Regulation 2012 (the Regulation) contains the following relevant provisions:

- (a) s210(3) states: '*The local government must appoint one of the members of the audit committee as chairperson*'; and
- (b) s211(b) prescribes certain statutory responsibilities functions of Audit Committees which include review of '*a draft of the local government's financial statements for the preceding financial year before the statements are certified and given to the audit-general under section 212*'.

As the process of appointing a Chairperson of Council's Audit and Risk Committee for the current term of Council will not be completed prior to 14 September 2016, it is proposed that Mr Carpenter's appointment be extended to cover the conduct of that meeting.

Strategic Implications*Community Plan*

Not Applicable.

Corporate Plan / Operational Plan

Not Applicable.

*Budget Implications*Not Applicable.

Legal / Statutory Implications

The proposed action will avoid contravention of ss210 and 211 of the Regulation.

*Risks*Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

CF6 - Failure to comply with statutory obligations and responsibilities

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Business Continuity & Business Systems Lack of continuity of risk management and review	Minor	Possible	Medium		Low

Conclusion

It is considered that the extension of Mr Carpenter's appointment as a member and chairperson of the Audit and Risk Committee to 15 September 2016 is the most practical option to satisfy Council's obligations under ss210 and 211 of the Regulation.

Consultation

Nil.

Director's Recommendation

That Council extend Mr Graham Carpenter's appointment as an external member and Chairperson of the Audit and Risk Committee to 15 September 2016.

Attachments

Nil.

7.4 Fat Hen vs Scenic Rim Regional Council & Anor - Planning and Environment Court Appeal 3302 of 2015 [Closed s.275(1)(f)]

Executive Officer: Director Regional Services

Item Author: Manager Planning

File Reference: MCBn14/013

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 275(1)(f) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following: -

- (f) starting or defending legal proceedings involving it.

7.5 Queensland Urban Utilities Board Member Appointments [Closed s.275(1)(h)]

Executive Officer: Chief Executive Officer

Item Author: Coordinator Governance & Corporate Policy

File Reference: 04/03/008

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with section 275(1)(h) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following: -

- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

8. MISCELLANEOUS BUSINESS