



AGENDA

General Meeting

Tuesday 4 June 2019
commencing at 10.30am

Strathpine Chambers
220 Gympie Road, Strathpine

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that a General Meeting of the Moreton Bay Regional Council will be held on Tuesday 4 June 2019 commencing at 10.30am in Strathpine Chambers, 220 Gympie Road, Strathpine to give consideration to the matters listed on this agenda.

Daryl Hitzman
Chief Executive Officer

30 May 2019

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1. OPENING PRAYER

2. ATTENDANCE & APOLOGIES

Cr Mike Charlton (Acting Mayor) (Chairperson)

Apologies:

Cr Allan Sutherland (Mayor) who is representing Council as part of the Queensland Government's Trade Mission to the 2019 BIO International Convention in Philadelphia, Pennsylvania.

Cr Peter Flannery

3. MEMORIALS OR CONDOLENCES

Council to observe a moment's silence for residents who have passed away.

4. CONFIRMATION OF MINUTES

**4.1. General Meeting - 28 May 2019
(Pages 19/887 - 19/891)**

RESOLUTION that the minutes of the General Meeting held 28 May 2019 be confirmed.

5. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

Receipt of petitions addressed to the Council and tabled by Councillors.

6. CORRESPONDENCE

7. COMMUNITY COMMENT

There are no participants in the Community Comment session.

8. NOTIFIED MOTIONS

9. NOTICES OF MOTION (Repeal or amendment of resolutions)
(s262 of the Local Government Regulation 2012)

10. ADJOURN MEETING TO ENABLE CONDUCT OF COORDINATION
COMMITTEE MEETING

RESOLUTION to adjourn meeting to enable the conduct of the Coordination Committee meeting.

11. RECONVENE GENERAL MEETING

RESOLUTION that the General Meeting be reconvened.

12. ADOPTION OF COMMITTEE MEETING REPORTS & RECOMMENDATIONS

12.1. Audit Committee Meeting - 29 May 2019
(Pages 19/1021 - 19/1032)

RESOLUTION that the report and recommendations of the Audit Committee meeting held 29 May 2019 be adopted.

12.2. Coordination Committee Meeting - 4 June 2019
(Pages TBA)

RESOLUTION that the report and recommendations of the Coordination Committee meeting held 4 June 2019 be adopted.

13. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

14. SPECIAL GENERAL BUSINESS (Closed Session)
(s275 of the Local Government Regulation 2012)

ATTACHMENTS

Unconfirmed Minutes – General Meeting 28 May 2019

Unconfirmed Report & Recommendations - Audit Committee Meeting 29 May 2019



MINUTES

General Meeting

Tuesday 28 May 2019
commencing at 10.42am

Caboolture Chambers
2 Hasking Street, Caboolture

UNCONFIRMED

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1. OPENING PRAYER

The Mayor recited the Opening Prayer and invited Councillors to join him in the recitation of the Lord's Prayer.

2. ATTENDANCE & APOLOGIES

Cr Allan Sutherland (Mayor & Chairperson)
Cr Brooke Savige
Cr Peter Flannery
Cr Adam Hain
Cr Julie Greer
Cr James Houghton
Cr Koliانا Winchester
Cr Denise Sims
Cr Mick Gillam
Cr Mike Charlton (Deputy Mayor)
Cr Matthew Constance
Cr Darren Grimwade
Cr Adrian Raedel

Chief Executive Officer (Mr Daryl Hitzman)
Director Community & Environmental Services (Mr Bill Halpin)
Director Planning & Economic Development (Mr Mike Pickering)
Director Engineering, Construction & Maintenance (Mr Tony Martini)
Director Infrastructure Planning (Mr Andrew Ryan)

Meeting Support (Kim Reid)

3. MEMORIALS OR CONDOLENCES

Cr Brooke Savige conveyed her condolences to the family of a well-known Meldale local, the late **Mr George Turner**. Cr Brooke Savige noted that George was a kind, generous man who loved his family and his community. Mr Turner was known for his advocacy around the neighbourhood hub element of Council's planning scheme as it is applied to Meldale. Cr Savige noted that George was a great source of encouragement and support to herself and that she would miss his friendship, his guidance and his humour.

Cr Brooke Savige also made mention of the late **Mr Ambrosia Leslie Nepelle Bin Juda**, known to his friends and family as Ambrose. Ambrose was a well-known, respected and loved member of the community who passed away last week at the age of 29 after suffering complications from the flu.

Cr Savige conveyed her condolences, thoughts and prayers to Ambrose's family, all of his friends and the wider region who have all been rocked by Ambrose's passing.

Cr James Houghton made mention of Redcliffe resident, the late **Mr Ronald 'Ron' Arthur Cook** who recently passed away. Mr Cook had worked as a bank manager for NAB Strathpine and volunteered for Rotary Clubs in Pine Rivers, Redcliffe, the Gold Coast and Canberra, as well as being involved with Redcliffe Golf Club, Miss Australia Judges Board, Redcliffe Men's Shed and the Salvation Army. Cr Houghton described Mr Cook as a larrikin, noting he was a keen sportsman with a love for his community, and he would be sadly missed.

Council observed a moment's silence for residents who have passed away.

4. CONFIRMATION OF MINUTES

4.1. **General Meeting - 21 May 2019**
(Pages 19/854 to 19/857)

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Koliana Winchester

CARRIED 13/0

That the minutes of the General Meeting held 21 May 2019 be confirmed.

5. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

There were no petitions for tabling.

6. CORRESPONDENCE

There was no correspondence for tabling.

7. COMMUNITY COMMENT

There are no participants in the Community Comment session.

8. NOTIFIED MOTIONS

8.1. **Cr Mick Gillam (Division 8) - Establishment of new Standing Committee - Delegated Decisions Committee (A18484882; Supporting Information A18395326)**

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Adrian Raedel

CARRIED 13/0

1. **That a Standing Committee - to be known as the Delegated Decisions Committee, be established in accordance with s.264 of the Local Government Regulation 2012 consisting of the Mayor and four Councillors.**
2. **That the Terms of Reference for the Delegated Decisions Committee be adopted as appearing in Supporting Information #1.**
3. **That meetings of the Delegated Decisions Committee be conducted on an 'as-needs basis' fixed by resolution of Council. Generally to be conducted on the same day/location as Council's General and Coordination Committee meeting - commencing at the conclusion of the Coordination Committee meeting on that day.**
4. **That meetings of the Delegated Decisions Committee be advertised as required under s277(1)(b) of the Local Government Regulation 2012.**

8.1. Cr Mick Gillam (Division 8) - Establishment of new Standing Committee - Delegated Decisions Committee (cont.)

REPORT:

Executive Summary

At its meeting of 19 March 2019, Council resolved to workshop the formation of a new Standing Committee for the purpose of deciding matters delegated to the Committee by the Council, in instances where a majority of Councillors have declared a personal interest in a matter and a quorum cannot be formed.

In this regard, it is recommended that Council establish a Standing Committee - to be known as the Delegated Decisions Committee.

REPORT DETAIL

1. Background

On previous occasions, Council has had to deal with situations where a majority of Councillors have declared a personal interest in a matter and a quorum cannot be formed.

In these instances, s175E(7)(a) of the *Local Government Act 2009* (the Act) has been enlivened permitting all Councillors (including those declaring a personal interest) to vote for the purpose of delegating deciding the matter pursuant to s175E(6) of the Act.

Consequently, Council has had no option but to delegate the deciding of the matter to the Chief Executive Officer (CEO) under s257 of the Act.

Public feedback indicates that delegating to the CEO to decide a matter, is taking the decision-making power away from the Council.

It is therefore considered appropriate to establish a new Standing Committee for the sole purpose of deciding matters as may be delegated to it by Council under s257 of the Act, where that delegation arises as a consequence of s175E(6) of the Act.

“175E(6) – If a majority of the councillors at a meeting of the local government inform the meeting about personal interests in the matter under subsection (2), the local government must delegate deciding the matter under section 257, unless deciding the matter cannot be delegated under that section.”

2. Explanation of Item

Under the Act, Council has the ability to establish Standing Committees and Special Committees.

Where the Council is forced to delegate a matter to decide under s257 of the Act, it can only delegate its power to:

- (a) The Mayor; or
- (b) The Chief Executive Officer; or
- (c) A Standing Committee of the local government; or
- (d) The Chairperson of a Standing Committee

Given that delegating a matter to the CEO to decide is not preferred, the only viable option is to establish a new Standing Committee to deal with such matters.

In this regard, it is suggested that:

- the sole purpose of the Committee would be to decide matters as may be delegated to it by Council, under s257 of the Act, where the delegation arises as a consequence of s175E(6) of the Act.
- the Committee consist of the Mayor and four Councillors, with a quorum being 3 (a majority of its members)

8.1. *Cr Mick Gillam (Division 8) - Establishment of new Standing Committee - Delegated Decisions Committee (cont.)*

- Chairperson and Councillor membership will be determined by resolution of Council and may be amended from time to time based on the matter being delegated to the Committee to decide.
- Dates and times for meetings will be fixed by resolution of Council on an 'as-needs' basis.
- Meeting days/times will be advertised as required under s.277(1)(b) of the Local Government Regulation 2012 (the Regulation).
- Committee meetings will be open to the public, unless the Committee resolves that the meeting is to be closed under s.275 of the Regulation.

To reduce impact on those members of the public wishing to attend, it is suggested that meeting dates/times coincide with normal Tuesday General and Coordination Committee meeting days, and be held at the conclusion of the Coordination Committee meeting on that day.

- The Committee will be a decision-making Committee and will maintain and confirm its own minutes in accordance with s272 of the Regulation.

3. Strategic Implications

3.1 Legislative/Legal Implications

Under section 264 of the Local Government Regulation 2012 Council may appoint standing committees from its councillors.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications

There are no policy implications arising as a direct result of this report, however meetings of this Committee will be conducted in a manner that is not inconsistent with Council's adopted Meeting Procedures.

3.4 Risk Management Implications

The establishment of the Delegated Decisions Committee will provide Council with a solution when faced with an instance where a majority of Councillors have declared a personal interest in a matter and a quorum cannot be formed and the Council has previously been forced to delegate the deciding of the matter to the CEO.

3.5 Delegated Authority Implications

Pursuant to s257 of the Act, Council can delegate its power to a Standing Committee of the local government.

Pursuant to s175E(6) of the Act, in the instance where a majority of the councillors at the meeting of Council have informed the meeting about personal interests and a quorum cannot be formed, all Councillors (including those declaring a conflict of interest) can vote for the purpose of delegating deciding the matter.

3.6 Financial Implications

Scheduled meetings of the Delegated Decisions Committee will be required to be advertised in the Courier Mail - the publication normally used for advertising Council's meeting schedule.

Sufficient budgetary allocation is made under Governance - Advertising 20003.000.22001.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

There are no social implications arising as a direct result of this report.

3.10 Consultation / Communication

Mayor & Councillors, CEO, Manager Legal Services and Acting Manager Executive Services have been consulted in the preparation of this report.

Item 8.1 #1 Terms of Reference - Delegated Decisions Committee

9. NOTICES OF MOTION (Repeal or amendment of resolutions)

(s262 of the Local Government Regulation 2012)

There were no Notices of Motion.

10. ADJOURN MEETING TO ENABLE CONDUCT OF COORDINATION
COMMITTEE MEETING

RESOLUTION

Moved by Cr James Houghton

Seconded by Cr Julie Greer

CARRIED 13/0

That the General Meeting be adjourned to enable the conduct of the Coordination Committee meeting.

The General Meeting adjourned at 10.49am.

11. RECONVENE GENERAL MEETING

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Matt Constance

CARRIED 13/0

That the General Meeting be reconvened.

The meeting reconvened at 4.22pm.

12. ADOPTION OF COMMITTEE MEETING REPORTS & RECOMMENDATIONS

12.1. Coordination Committee Meeting - 28 May 2019 - BALANCE OF ITEMS EXCLUDING 2.1, C.1 AND C.2 (Pages 19/892 to 19/1020)

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Peter Flannery

CARRIED 13/0

That the report and recommendations of the Coordination Committee meeting held 28 May 2019, be adopted excluding Items 2.1, C.1 and C.2 to be considered separately.

12.2. Coordination Committee Meeting - 28 May 2019: ITEM 2.1 CONSIDERED SEPARATELY

ITEM 2.1 - DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD, NARANGBA - DIVISION 2

Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)

Pursuant to s175E of the Local Government Act 2009, Cr Allan Sutherland (Mayor) declared a perceived conflict of interest in Item 2.1 as Impact Homes was a contributor of \$3,000 to Moreton Futures Trust who in turn contributed to the Mayor's 2016 election campaign. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant). Representatives of Impact Homes have attended pre-lodgement meetings and have been involved throughout the assessment process. Mr Robert Harder is a Director of Narangba View Pty Ltd and a former Director of Impact Homes Pty Ltd.

Cr Allan Sutherland (Mayor) retired from the meeting at 4.24pm taking no part in the debate or resolution regarding same.

Conflict of Interest - Declaration - Cr Julie Greer

Pursuant to s175E of the Local Government Act 2009, Cr Julie Greer declared a perceived conflict of interest in Item 2.1 as Impact Homes was a contributor of \$276.48 to Moreton Futures Trust who in turn contributed in-kind to Cr Greer's 2016 election campaign. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant). Mr Robert Harder is a Director of Narangba View Pty Ltd and a former Director of Impact Homes Pty Ltd.

Cr Julie Greer retired from the meeting at 4.24pm taking no part in the debate or resolution regarding same.

Conflict of Interest - Declaration - Cr Peter Flannery

Pursuant to s175E of the Local Government Act 2009, Cr Peter Flannery declared a perceived Conflict of Interest in Item 2.1 as during the Councillors' 2016 Election campaign, he received in-kind support in the amount of \$408.55 from Impact Homes Pty Ltd whom were one of nine businesses in total who made a donation to Moreton Futures Trust. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant). Mr Robert Harder is a Director of Narangba View Pty Ltd and a former Director of Impact Homes Pty Ltd.

Cr Peter Flannery retired from the meeting at 4.24pm taking no part in the debate or resolution regarding same.

12.2. *Coordination Committee Meeting - 28 May 2019 - ITEM 2.1 CONSIDERED SEPARATELY*

Conflict of Interest - Declaration - Cr James Houghton

Pursuant to s175E of the Local Government Act 2009, Cr James Houghton declared a perceived conflict of interest in Item 2.1 as the Councillor received in kind support during the 2016 electoral campaign from Moreton Futures Trust on 19 March 2016. Impact Homes was one of nine contributors to Moreton Futures Trust and at the time of the 2016 election. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant).

Cr James Houghton retired from the meeting at 4.24pm taking no part in the debate or resolution regarding same.

Cr Mike Charlton (Deputy mayor) assumed the Chair at this time.

RESOLUTION - Item 2.1 of Coordination Committee - 28 May 2019 (Page 19/900)

Moved by Cr Koliana Winchester

Seconded by Cr Matt Constance

CARRIED 9/0

Crs Allan Sutherland (Mayor), Julie Greer, Peter Flannery and James Houghton had declared a conflict of interest and had left the meeting

That the report and recommendations for Item 2.1 of the Coordination Committee meeting held 28 May 2019, be adopted.

ATTENDANCE

Crs Allan Sutherland (Mayor), Julie Greer, Peter Flannery and James Houghton returned to the meeting at 4.25pm after consideration of Item 2.1.

The Mayor resumed the Chair at this time.

12.3. Coordination Committee Meeting - 28 May 2019: ITEM C.1 CONSIDERED SEPARATELY

ITEM C.1 - PROPOSED NEW TELECOMMUNICATIONS LEASE - DIVISION 6

Conflict of Interest - Declaration - Cr Darren Grimwade

Pursuant to s175E of the *Local Government Act 2009*, Cr Darren Grimwade declared a perceived conflict of interest in Item C.1 as Telstra Corporation Limited has provided the Councillor with event tickets and hospitality to numerous events.

Cr Darren Grimwade retired from the meeting at 4.26pm taking no part in the debate or recommendation regarding same.

RESOLUTION - Item C.1 of Coordination Committee - 28 May 2019 (Page 19/1012)

Moved by Cr Mick Gillam

Seconded by Cr James Houghton

CARRIED 12/0

Cr Darren Grimwade had declared a conflict of interest and had left the meeting

That the report and recommendations for Item C.1 of the Coordination Committee meeting held 28 May 2019, be adopted.

ATTENDANCE

Cr Darren Grimwade returned to the meeting at 4.27pm after consideration of Item C.1.

12.4. Coordination Committee Meeting - 28 May 2019: ITEM C.2 CONSIDERED SEPARATELY

ITEM C.2 - AGREEMENT WITH DEVELOPER TO CONSTRUCT WORKS FOR COUNCIL - PARADISE ROAD, BURPENGARY - DIVISION 2

Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Allan Sutherland (Mayor) declared a perceived conflict of interest in Item C.2 as he owns property located in Paradise Road, Burpengary. The Mayor also declared he had utilised an election billboard owned by Villa World at Mango Hill for a two-week period prior to the 2016 election, which was subsequently removed after the election.

Cr Allan Sutherland (Mayor) retired from the meeting at 4.27pm taking no part in the debate or resolution regarding same.

Conflict of Interest - Declaration - Cr Julie Greer

Pursuant to s175E of the *Local Government Act 2009*, Cr Julie Greer declared a perceived conflict of interest in Item C.2 as she had utilised an election billboard owned by Villa World at Mango Hill for a two-week period prior to the 2016 election, which was subsequently removed after the election. Cr Greer also declared in-kind support received from the Mayor for her 2016 election campaign.

Cr Julie Greer retired from the meeting at 4.27pm taking no part in the debate or resolution regarding same.

Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Mike Charlton (Deputy Mayor) declared a perceived conflict of interest in Item C.2 as the Mayor contributed \$2,300 in-kind to Cr Charlton's 2016 election campaign. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr Mike Charlton (Deputy Mayor) has considered his position and is firmly of the opinion that he could participate in the debate and resolution on the matter in the public interest.

Conflict of Interest - Declaration - Cr James Houghton

Pursuant to s175E of the *Local Government Act 2009*, Cr James Houghton declared a perceived conflict of interest in Item C.2 as the Councillor received in-kind support from the Mayor as part of his 2016 election campaign. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr James Houghton has considered his position and is firmly of the opinion that he could participate in the debate and resolution on the matter in the public interest.

Conflict of Interest - Declaration - Cr Koliana Winchester

Pursuant to s175E of the *Local Government Act 2009*, Cr Koliana Winchester declared a perceived conflict of interest in Item C.2 as the Mayor provided in-kind support to Cr Winchester's 2016 election campaign for a billboard. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr Koliana Winchester has considered her position and is firmly of the opinion that she could participate in the debate and resolution on the matter in the public interest.

12.4. Coordination Committee Meeting - 28 May 2019: ITEM C.2 CONSIDERED SEPARATELY (Cont.)

Conflict of Interest - Declaration - Cr Peter Flannery

Pursuant to s175E of the *Local Government Act 2009*, Cr Peter Flannery declared a perceived conflict of interest in Item C.2 as the Mayor assisted Cr Flannery in receiving in-kind support for his 2016 election campaign. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr Peter Flannery has considered his position and is firmly of the opinion that he could participate in the debate and resolution on the matter in the public interest.

RESOLUTION - Appoint Chairperson

Moved by Cr Adrian Raedel

Seconded by Cr Matt Constance

(being other Councillors entitled to vote)

CARRIED 7/0

That Cr Mick Gillam be appointed as Chairperson of the General Meeting at this point in time.

Councillors not voluntarily left meeting - other Councillors entitled to vote must decide

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about a number of Councillor's personal interests in the matter and the Councillors have not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillors have a real or perceived conflict of interest in the matter and what action the Councillors must take.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Denise Sims

Cr Adrian Raedel voted against the resolution

CARRIED 6/1

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Mike Charlton (Deputy Mayor), Cr James Houghton, Cr Koliانا Winchester and Cr Peter Flannery have a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Crs Mike Charlton (Deputy Mayor), James Houghton, Koliانا Winchester and Peter Flannery remained in the meeting.

RESOLUTION - Resume Chair

Moved by Cr Adrian Raedel

Seconded by Cr Brooke Savige

Crs Allan Sutherland (Mayor) and Julie Greer had declared a conflict of interest and had left the meeting

CARRIED 11/0

That in the absence of the Mayor, Cr Mike Charlton (Deputy Mayor) resume the Chair at this time.

12.4. *Coordination Committee Meeting - 28 May 2019: ITEM C.2 CONSIDERED SEPARATELY (Cont.)*

RESOLUTION - Item C.2 of Coordination Committee - 28 May 2019 (Page 19/1017)

Moved by Cr Mick Gillam

Seconded by Cr Brooke Savige

CARRIED 11/0

Crs Allan Sutherland (Mayor) and Julie Greer had declared a conflict of interest and had left the meeting

That the report and recommendations for Item C.1 of the Coordination Committee Report and Recommendations of 28 May 2019, be adopted.

ATTENDANCE

Crs Allan Sutherland (Mayor) and Julie Greer returned to the meeting at 4.30pm after consideration of Item C.2.

The Mayor resumed the Chair at this time.

13. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

There was no General Business or response to questions taken on notice.

14. SPECIAL GENERAL BUSINESS (Closed Session)

(s275 of the Local Government Regulation 2012)

There was no Special General Business.

15. CLOSURE

There being no further business the meeting closed at 4.31pm.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 19/887 to 19/1020 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 28 May 2019.

Daryl Hitzman
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday 4 June 2019.

Daryl Hitzman
Chief Executive Officer

Councillor Allan Sutherland
Mayor



Terms of Reference

Delegated Decisions Committee

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TOR / SC-09 Document Status

Version	Council Adoption	Date
V1	General Meeting (19/887)	28 May 2019

1. Establishment

The Delegated Decisions Committee (“the Committee”) is established as a Standing Committee in accordance with s.264 of the Local Government Regulation 2012 (“the Regulation”).

2. Purpose

The sole purpose of the Committee is to decide matters as may be delegated to it by Council under s.257 of the *Local Government Act 2009* (“the Act”), where that delegation arises as a consequence of s175E(6) of the Act, and a quorum cannot be formed.

“175E(6) If a majority of the councillors at a meeting of the local government inform the meeting about personal interests in the matter under subsection (2), the local government must delegate deciding the matter under section 257, unless deciding the matter cannot be delegated under that section.”

3. Duties and Responsibilities

The duties and responsibilities of the Committee are to act in a manner that is consistent with its purpose.

4. Composition & Chairperson

The Committee will consist of the Mayor and four Councillors.

- a) Cr Allan Sutherland (Mayor)
- b) Cr Adam Hain
- c) Cr Koliaana Winchester
- d) Cr Mick Gillam
- e) Cr Matt Constance

The Chairperson will be Cr Allan Sutherland (Mayor).

Pursuant to s.12(4)(g) of the Act, the Mayor is a member of each standing committee of the local government.

Determination of the Chairperson and Committee membership may be amended from time to time by resolution of Council, based on matter delegated to it to decide.

The Chairperson will have the casting vote.

5. Quorum

Pursuant to s.269 of the Regulation, the quorum for this Committee is a majority of the members - being 3.

6. Meetings

Meetings of the Committee will be held on an ‘as-needs’ basis.

The date and time of the Committee meetings will be fixed by resolution of Council.

Generally, Committee meetings are to be conducted on the same day/location as Council’s General and Coordination Committee meeting - commencing at the conclusion of the Coordination Committee meeting on that day.

6. Meetings (cont'd)

Meetings of the Committee will be advertised as required under s.277(1)(b) of the Regulation.

Committee meetings will be open to the public unless the Committee resolves that the meeting is to be closed under s.275 of the Regulation and will be conducted in a manner that is not inconsistent with Council's adopted Meeting Procedures.

Minutes of Committee meetings will be maintained in accordance with s.272 of the Regulation and will be provided for confirmation at the next meeting of the Committee.

7. Agenda Preparation

The Chief Executive Officer will be responsible for the preparation of the Committee meeting agenda.

8. Administrative Support

The Chief Executive Officer will provide administrative support to the Committee.

This support will include:

- 8.1 Preparation and distribution of the Notice of the meeting as well as the agenda, including supporting information, and other material to the Committee Members prior to the meeting, in accordance with s.258 of the Regulation.
- 8.2 Minutes of Committee meetings will be maintained for the Committee in accordance with s.272 of the Regulation and will be provided to the Council (via the General Meeting agenda) for information and noting only.

9. Access by Committee

- 9.1 The Committee will be supplied with information it requires from any Council employee.
- 9.2 Requests for Council employees and independent experts to attend a Committee meeting to provide information will be approved by the Chief Executive Officer in consultation with the relevant Director.

10. Reporting Requirements

The Committee is a decision-making Committee, as delegated by Council and has no direct reporting requirements.

11. Legislation referenced in the Terms of Reference

Local Government Act 2009
Local Government Regulation 2012

Moreton Bay Regional Council - Meeting Procedures



REPORT

Audit Committee Meeting

Wednesday 29 May 2019

commencing at 2.00pm

Strathpine Chambers
220 Gympie Road, Strathpine

Membership = 4

Councillor Adrian Raedel (Chairperson)

Councillor Matt Constance

Cr Mike Charlton (Deputy Mayor) (alternate member)

Mr Patrick McCallum

Mr Stephen Coates

(Chairperson and one external member)

UNCONFIRMED

SCHEDULE OF ITEMS

1 POTENTIAL CONFLICT OF INTEREST DECLARATIONS

CLOSED SESSION

COMMITTEE RECOMMENDATION

RESUME IN OPEN SESSION

COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION

5 EXTERNAL AUDITOR REPORT

ITEM 5.1 1024
QUEENSLAND AUDIT OFFICE UPDATE
COMMITTEE RECOMMENDATION

3 ENTERPRISE RISK MANAGEMENT ACTIVITIES UPDATE

ITEM 3.1 1025
CORPORATE SYSTEMS REVIEW
COMMITTEE RECOMMENDATION

2 SIGNIFICANT ORGANISATION & SYSTEM MATTERS

ITEM 2.1 1026
CHIEF EXECUTIVE OFFICER UPDATE

4 FINANCIAL REPORTING

ITEM 4.1 1027
MONTHLY FINANCIAL REPORT - APRIL 2019 - REGIONAL
COMMITTEE RECOMMENDATION

ITEM 4.2 1028
AMENDED ANNUAL BUDGET FOR 2018/19 AND THE QUARTER 3 OPERATIONAL PLAN
REVIEW FOR 2018/19
COMMITTEE RECOMMENDATION

7 GENERAL BUSINESS

ITEM 7.1 1029
MANAGER FINANCIAL & PROJECT SERVICES RETIREMENT
COMMITTEE RECOMMENDATION

6 INTERNAL AUDIT OVERVIEW, REPORTS & FOLLOW-UP ACTIONS

ITEM 6.1 1031
INTERNAL AUDIT OVERVIEW - REGIONAL
COMMITTEE RECOMMENDATION

ITEM 6.2 1032
AUDIT COMMITTEE WORK PLAN
COMMITTEE RECOMMENDATION

7 NEXT AUDIT COMMITTEE MEETING

CLOSURE

ATTENDANCE & APOLOGIES

Attendance:

Committee Members:

Cr Adrian Raedel (Chairperson)
Cr Matt Constance
Mr Patrick McCallum

Invited External Representatives:

Mr Michael Keane (Queensland Audit Office)
Ms Carolyn Dougherty (Queensland Audit Office)

Officers:

Chief Executive Officer	Daryl Hitzman
Manager Financial & Project Services	Keith Pattinson
Accounting Services Manager	Denis Crowe
Principal Internal Auditor	Shara Reid
Acting Manager Executive Services	Darren Dallinger
Meeting Support	Hayley Kenzler

Apologies:

Mr Stephen Coates

1 POTENTIAL CONFLICT OF INTEREST DECLARATIONS

Committee members are required to provide written declarations declaring any potential or actual conflicts of interest they may have in relation to their responsibilities.

As they arise between meetings, or at the beginning of each Committee meeting, members are required to declare any new or changed potential or actual conflicts of interest that may apply to specific matters on the meeting agenda.

Mr Patrick McCallum disclosed that he performs services for the firm O'Connor Marsden & Associates (OCM) which is one of the consulting firms on the Queensland Government Standing Offer Arrangement QGCPO878-13 for Professional Services including Internal Audit and from which Moreton Bay Regional Council selects its contracted internal auditors. Mr McCallum is employed by and does not have an ownership interest in OCM. Mr McCallum stated he would take the Audit Committee Chair's advice to avoid any perception of a possible conflict arising from OCM's participation in the whole of government standing offer arrangement.

Mr Pat McCallum also declared that OCM has been engaged to provide project assurance services to the University of the Sunshine Coast in relation to the Moreton Bay University Precinct Program (UP). These services are to be provided on a continuing basis to 30 June 2020. Mr McCallum is on the engagement team to provide these services. Mr McCallum recognises that MBRC has its separate interests in the UP - his role as an external member of the MBRC Audit Committee and his role in the engagement team of the UP Assurance may give rise to potential for conflicts.

To address any potential conflicts of interest, Mr McCallum agreed to the following:

- a) To adhere to his confidentiality obligations as per Confidentiality Agreement dated 11 May 2016 - Principal Internal Auditor (**PIA**) to send a copy to Mr McCallum
- b) To remove himself if any UP information comes before the Audit Committee
- c) UP information to be removed from Mr McCallum's Audit Committee papers - PIA to review Mr McCallum's Audit Committee papers before they are sent to him
- d) To declare potential conflict of interest at Audit Committee Meeting
- e) PIA to send email to Human Resources to advise of the potential conflicts of interest, and the measures taken to manage the issue.

CLOSED SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Matt Constance

Seconded by Pat McCallum

CARRIED

That the meeting be closed pursuant to s275 (1) of the Local Government Regulation 2012, clause (h) as the matter involves other business for which a public discussion would be likely to prejudice the interests of the Council or someone else, or enable a person to gain a financial advantage.

The closed session commenced at 2.01pm.

ATTENDANCE

2.27pm – 2.55pm (Representatives from Vincents (Mr Tim Cronin and Ms Jessica Katsikalis)
Item 6.1 Internal Audit Reports

Mr Bill Halpin attended the meeting at 2.35pm for discussion on Item 6.1 (b) and left at 2.55pm.

2.27pm - 3.39pm Manager Legal Services (John Hall)
Item 6.1 Internal Audit Reports

2.57pm - 3.17pm (Representatives from Grant Thornton (Ms Kate Wilkie and Mr Stuart McDowall)
Item 6.1 Internal Audit Reports

RESUME IN OPEN SESSION

COMMITTEE RECOMMENDATION

Moved by Pat McCallum

Seconded by Cr Matt Constance

CARRIED

That Committee resume in open session.

The open session resumed at 5.10pm.

COMMITTEE RECOMMENDATION

Moved by Cr Matt Constance

Seconded by Pat McCallum

CARRIED

That the following recommendations be adopted.

The following items were brought forward at the request of Committee.

5 EXTERNAL AUDITOR REPORT

ITEM 5.1 QUEENSLAND AUDIT OFFICE UPDATE

Meeting / Session: *AUDIT COMMITTEE*
Reference: *Refer **Confidential** Supporting Information A18583713*

Queensland Audit Office will provide an update to the Audit Committee.

COMMITTEE RECOMMENDATION

1. That the Queensland Audit Office update be received and noted.
2. That committee notes the Queensland Audit Office concern that Councils hold management to account to address internal and external audit findings in a timely manner.

ATTENDANCE

Mr Daryl Hitzman attended the meeting at 2.19pm during discussion on Item 5.1.

3 ENTERPRISE RISK MANAGEMENT ACTIVITIES UPDATE

ITEM 3.1 CORPORATE SYSTEMS REVIEW

Meeting / Session: AUDIT COMMITTEE

Responsible Officer: KP, Manager Financial & Project Services (CEO, Financial & Project Services)

Manager Financial & Project Services provided an update on the TechOne project.

COMMITTEE RECOMMENDATION

That the update provided in relation to the TechOne project be noted.

2 SIGNIFICANT ORGANISATION & SYSTEM MATTERS

ITEM 2.1 CHIEF EXECUTIVE OFFICER UPDATE

Meeting / Session: AUDIT COMMITTEE
Responsible Officer: DH, Chief Executive Officer (CEO, Chief Executive Office)

The Chief Executive Officer advised committee that Grassroots Connections Australia Pty Ltd, who were engaged by Council to conduct an organisational review had completed Part one, and Council recently endorsed Part two. The Chief Executive Officer was unable to inform any further on the matter.

Council's Organisational Structure had recently been updated with the Director Corporate Services position. The Director Planning & Economic Development position had been filled on a short-term contract basis.

ATTENDANCE

Mr Daryl Hitzman left the meeting at 3.59pm.

4 FINANCIAL REPORTING

ITEM 4.1 MONTHLY FINANCIAL REPORT - APRIL 2019 - REGIONAL

Meeting / Session: **AUDIT**
Reference: **Refer Supporting Information (Extract of Actual Report to Committee)**
 A18550106
Responsible Officer: **DC, Accounting Services Manager (CEO Accounting Services)**

In accordance with the adopted Audit Plan a copy of the most recent Monthly Financial Report for April 2019, as adopted by Council at its meeting of 21 May 2019, is attached for Committee's information (refer supporting information #1).

It is noted that the attachment is as an extract of the report and supporting information from that meeting.

COMMITTEE RECOMMENDATION

That the Monthly Financial Report for April 2019, be received and noted.

**ITEM 4.2
AMENDED ANNUAL BUDGET FOR 2018/19 AND THE QUARTER 3 OPERATIONAL
PLAN REVIEW FOR 2018/19**

Meeting / Session: **AUDIT**
Reference: **Refer Supporting Information (Extract of Actual Report to Committee)**
 A18488251
Responsible Officer: **DC, Accounting Services Manager (CEO Accounting Services)**

A copy of the Amended Annual Budget for 2018/19 and the Quarter 3 Operational Plan Review for 2018/19, as adopted by Council at its meeting of 14 May 2019, is attached for Committee's information (refer supporting information #1).

It is noted that the attachment is as an extract of the report and supporting information from that meeting.

COMMITTEE RECOMMENDATION

That the Amended Annual Budget for 2018/19 and the Quarter 3 Operational Plan Review for 2018/19, be received and noted.

The following item was brought forward at the request of Committee.

7 GENERAL BUSINESS

ITEM 7.1

MANAGER FINANCIAL & PROJECT SERVICES RETIREMENT

Cr Adrian Raedel made mention of Manager & Financial Project Services, Mr Keith Pattinson's upcoming retirement, and took the opportunity to thank Keith for his hard work and dedication to both the organisation and Audit Committee.

Pat McCallum echoed the sentiments of Cr Raedel, saying that the respect Keith showed for the Audit Committee and its function was to be commended.

IN CAMERA SESSION

Pursuant to the Audit Committee Terms of Reference, the Audit Committee met in camera (closed session to Committee Members only).

COMMITTEE RECOMMENDATION

Moved by Cr Matt Constance

Seconded by Pat McCallum

CARRIED

That Committee move into closed session pursuant to the Audit Committee Terms of Reference.

The In Camera session commenced at 4.03pm with only committee members in attendance.

COMMITTEE RECOMMENDATION

Moved by Pat McCallum

Seconded by Cr Matt Constance

CARRIED

That the meeting reconvene in closed session.

The meeting reconvened in closed session at 4.22pm.

ATTENDANCE

External representatives from the Queensland Audit Office, and Mr Keith Pattinson, Mr Darren Dallinger and Mr Denis Crowe, having left when committee moved into In Camera session, did not return to the meeting.

6 INTERNAL AUDIT OVERVIEW, REPORTS & FOLLOW-UP ACTIONS

ITEM 6.1 INTERNAL AUDIT OVERVIEW - REGIONAL

Meeting / Session: **AUDIT**

Reference: A18556354: 29 May 2019 - Refer **Confidential Supporting Information**
A18556364, A18500188, A18483877, A18524071, A18540623, A18541351,
A18481482, A18508237, A18505733, A18508307, A18555176 & A18570892

Responsible Officer: SR, Principal Internal Auditor (CEOs Office)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (h), as the matter involves other business for which a public discussion would be likely to prejudice the interests of the Council or someone else, or enable a person to gain a financial advantage.

Executive Summary

This report provides information to the Audit Committee on the activities of the Internal Audit function for the period from 27 February 2019 to 29 May 2019.

COMMITTEE RECOMMENDATION

1. That the Audit Committee note and endorse the report and associated supporting information and documents.
2. That the members of the Audit Committee be supplied with a copy of the governance paper referenced in the Fraud and Corruption Control Framework Audit by Vincents.
3. That the Audit Committee write to the Chief Executive Officer detailing its concerns in relation to the Contract Management Governance and Administration audit report recommendations, and the transparency afforded the Audit Committee during the extension of time approved.

ITEM 6.2 AUDIT COMMITTEE WORK PLAN

Meeting / Session: **AUDIT**
Reference: **Refer Confidential Supporting Information A18587288**
Responsible Officer: **SR, Principal Internal Auditor (CEOs Office)**

1. Background

A detailed Audit Committee Work Plan for 2016/2017 and 2017/2018, setting out the activities to be covered by the Audit Committee was endorsed by the Audit Committee on 8 March 2017.

The Work Plan allocates the key tasks to be covered at specific meetings to ensure that all activities are addressed at the appropriate time during the year and that all key responsibilities are covered.

Although the Work Plan spans for a period of 12 months, it can be updated on a quarterly basis so that a 12 month projection of work is available to the Audit Committee.

COMMITTEE RECOMMENDATION

That the Audit Committee note and endorse the Audit Committee Work Plan for 2018/19 - 2019-20, as amended at the meeting.

7 NEXT AUDIT COMMITTEE MEETING

Wednesday 7 August 2019.

CLOSURE

There being no further business the Chairperson closed the meeting at 5.13pm.