



AGENDA

Post-election Meeting

Wednesday 29 April 2020

commencing at 10.00AM

Strathpine Chambers
220 Gympie Road, Strathpine

Pursuant to section 277E of the Local Government Regulation 2012 it is considered not practicable for the public to attend the meeting because of health and safety reasons associated with the public health emergency involving COVID-19.

Accordingly, this meeting is closed to the public.

**However, will be live-streamed via a link on Council's website
(access to the link will be available immediately prior to the meeting)**

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that the Post-election Meeting of the Moreton Bay Regional Council will be held on Wednesday 29 April 2020 commencing at 10.00AM at the Strathpine Chambers, 220 Gympie Road, Strathpine to give consideration to the matters listed on this agenda.

Greg Chemello
Chief Executive Officer

23 April 2020

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1. ATTENDANCE & APOLOGIES

To minimise serious risks to the health and safety of persons caused by the public health emergency involving COVID-19, Councillors will be taking part in the meeting by teleconferencing, as permitted under section 277B of the Local Government Regulation 2012.

2. ACKNOWLEDGMENT OF COUNTRY

Mayor to conduct the Acknowledgment of Country.

3. OPENING PRAYER

Mayor to conduct the Opening Prayer for the meeting.

4. ATTENDANCE OF INVITED GUESTS / DIGNITARIES

Mayoral statement regarding the need for this meeting to be physically closed to the public.

5. NOTICE OF ELECTION RESULTS

In accordance with section 23 of the *Local Government Electoral Act 2011* the quadrennial elections of the Mayor and Councillors for the Moreton Bay Regional Council was conducted by the Electoral Commission of Queensland on Saturday 28 March 2020.

The Electoral Commissioner has provided the required Notices of Election Results for Mayor and Councillors (refer Attachment 1).

Chief Executive Officer's Recommendation

That the Electoral Commissioner's Notices of Election Results for Mayor and Councillors for the 2020 Quadrennial Election for the Moreton Bay Regional Council held 28 March 2020, be noted.

6. ELECTION OF DEPUTY MAYOR

In accordance with section 175(2) of the *Local Government Act 2009* the Council is required to appoint a Deputy Mayor at this meeting.

Some Councillors have advised the CEO and other Councillors that they are considering nominating for the position of Deputy Mayor. All Councillors are participating in an extensive induction program that commenced on Thursday 23 April 2020, and Councillors have had the opportunity to gain an understanding of prospective nominees for Deputy Mayor. In addition to any informal discussions that may have occurred amongst various individual Councillors, a specific session within the induction program was set aside on Monday 27 April 2020 for Councillors to raise a set of specific questions with potential candidates.

Based on these interactions, the election process for the election of the Deputy Mayor is proposed below.

Election of the Deputy Mayor process:

- 1) Mayor to call for any nominations for the position of Deputy Mayor.
- 2) Councillors may nominate themselves or another Councillor for the position of Deputy Mayor.
- 3) If only one Councillor is nominated, that councillor is elected (through step 11 below).
- 4) If more than one Councillor is nominated, the Mayor asks the CEO for advice on options on how to proceed.
- 5) CEO explains the three generic options:
 - a. preferential ballot,
 - b. ordinary (secret) ballot - as recommended by the CEO, or
 - c. open voting.
- 6) Council then resolves on the selection process; requiring a mover and seconder for the process.
Assuming ordinary (secret) ballot is resolved
- 7) Councillors then vote for their preferred nominee in secret, the votes collected and counted by the scrutineers, as appointed by resolution.
- 8) If one nominee has a majority (7 or more) of votes, the CEO will announce that nominee as the successful nominee.
- 9) Otherwise, the CEO will announce the Councillor(s) with the least votes (no vote numbers will be cited).
- 10) Steps 7 to 9 are repeated until two nominees remain, when the CEO will announce the name of the successful nominee.
- 11) Resolution to appoint the successful nominee to the position of Deputy Mayor; requiring mover and seconder and vote by show of hands.

Chief Executive Officer's Recommendation

1. That Council adopts the election process outlined above, including the ordinary (secret) ballot option to select the nominated candidate for appointment as Deputy Mayor.
2. Subject to recommendation 1, that scrutineers for the counting of ballots be appointed as follows:
 - a) Chief Executive Officer and Senior Executive Support Officer at Strathpine Chambers; and
 - b) Deputy Chief Executive Officer and Team Leader Meeting Support at Caboolture Chambers.
3. That Council appoint a Deputy Mayor of the Moreton Bay Regional Council, subsequent to the nomination process described.

7. ACCEPTANCE OF APPOINTMENT - DEPUTY MAYOR

The Deputy Mayor to accept appointment to the role.

8. WELCOME TO COUNCILLORS BY MAYOR AND RESPONSE BY DEPUTY MAYOR

The Mayor to officially welcome Councillors.

The Deputy Mayor to provide a response on behalf of Councillors.

9. FIXING OF DAYS/TIMES FOR GENERAL MEETINGS OF COUNCIL

In accordance with section 256(1) of the Local Government Regulation 2012, Council is required to fix the day and time for holding its meetings.

It is considered that General Meetings are best conducted fortnightly on a Wednesday (excepting scheduled breaks), such meetings being held on a rotational basis, generally to be held at Council's administration offices located at Strathpine and Caboolture.

Further, to enhance community engagement, it is proposed that 3 or 4 General Meetings per annum be conducted in other locations around the Region. These locations will be determined in due course but the intention is that, over the 4-year term of this Council, at least one General Meeting will be held in a community hall or similar venue within each MBRC Division.

A meeting schedule detailing suggested dates for the General Meeting cycle is provided for consideration (Attachment 2).

Chief Executive Officer's Recommendation

1. That General Meetings of Council be generally conducted fortnightly on a Wednesday commencing at 9.30am.
2. That General Meetings of Council be held at Council's administration offices at Strathpine and Caboolture on a rotational basis, except as described in Recommendation 3.
3. That at least once every four months, a General Meeting of Council be held at another location within the Moreton Bay Region in conjunction with a community engagement and a "meet the councillors" event.
4. That Recommendation 1 above may be amended from time to time by resolution of Council.
5. That Council's first General Meeting for the 2020-2024 term, be held on Wednesday 13 May 2020 at its Strathpine Chambers commencing at 9.30am.
6. That the meeting schedule for General Meetings be adopted as tabled in Attachment 2, and advertised in accordance with section 277 of the Local Government Regulation 2012.

10. ESTABLISHMENT OF DELEGATED DECISIONS COMMITTEE

In accordance with section 264 of the Local Government Regulation 2012 Council is able to establish and appoint its Standing Committees.

Chief Executive Officer's Recommendation

1. That a Standing Committee - to be known as the Delegated Decisions Committee be established in accordance with s264 of the Local Government Regulation 2012.
2. That the sole purpose of the Delegated Decisions Committee 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.

"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. That pursuant to s257 of the *Local Government Act 2009*, the Delegated Decisions Committee be delegated the power to make decision on matters delegated to it by Council.

10.1. Appoint Members, Chairperson and Quorum of the Delegated Decisions Committee

In accordance with sections 267 and 269 of the Local Government Regulation 2012, Council must give consideration to appointing the members and Chairperson of the Delegated Decisions Committee, and to fix the quorum.

Chief Executive Officer's Recommendation

1. That the Delegated Decisions Committee consist of the Mayor and four Councillors, the composition of which is fixed and may be amended from time to time by resolution of Council, based on the matter/s delegated to it to decide.
2. That the Chairperson of the Delegated Decisions Committee be the Mayor.
3. That the quorum of the Delegated Decisions Committee be set at three (a majority of its members).

10.2. Fix days, times, frequency and location of Delegated Decisions Committee meetings

In accordance with section 268 of the Local Government Regulation 2012, Council must give consideration to the time and place of the Delegated Decisions Committee meetings.

Chief Executive Officer's Recommendation

1. That Delegated Decisions Committee meetings be conducted on an 'as-needs' basis.
2. That date and time of the Delegated Decisions Committee meetings will be fixed by resolution of Council, and will generally be conducted on the same day/location as Council's General meeting - commencing at the conclusion of the General Meeting on that day.
3. That meetings of the Delegated Decisions Committee be advertised in accordance with section 277(1)(b) of the Local Government Regulation 2012.

10.3. Adopt Terms of Reference of the Delegated Decisions Committee

Terms of Reference for the Delegated Decisions Committee are provided for consideration (Attachment 3).

Chief Executive Officer's Recommendation

That the Terms of Reference for the Delegated Decisions Committee be adopted, as tabled.

11. ESTABLISHMENT OF AUDIT COMMITTEE

In accordance with section 105(2) of the *Local Government Act 2009* the Council is required to establish an Audit Committee.

An **audit committee** is a committee that—

- (a) monitors and reviews—
 - (i) the integrity of financial documents; and
 - (ii) the internal audit function; and
 - (iii) the effectiveness and objectivity of the local government's internal auditors; and

- (b) makes recommendations to the local government about any matters that the audit committee considers need action or improvement.

Chief Executive Officer's Recommendation

That the Council establish an Audit Committee.

11.1. Appoint Members, Chairperson and Quorum to the Audit Committee

In relation to the Audit Committee, section 210 of the Local Government Regulation 2012, states:

“the Committee must:

- o consist of at least 3 and no more than 6 members and;
- o include-
 - o 1, but no more than 2 councillors appointed by the Council; and
 - o at least 1 member who has significant experience and skills in financial matters

The Chief Executive Officer cannot be a member of the audit committee but can attend meetings of the committee.

The local government must appoint 1 of the members of the Audit Committee as chairperson.”

Further, in relation to the Audit Committee, section 211 (2)(a) of the Local Government Regulation 2012, states that a quorum is at least half the number of members of the committee.

Section 266 of the Local Government Regulation 2012 provides for the appointment of an alternate member of the committee:

“(2) An **alternate member**, of a committee, is a person who attends meetings of the committee and acts as a member of the committee only if another member of the committee is absent from the meeting of the committee.”

Chief Executive Officer's Recommendation

1. That the Audit Committee consist of two Councillors and three external members.
2. That the Council nominate two Councillors as members of the Audit Committee.
3. That the Council nominate an alternate member (Councillor) of the Audit Committee.
4. That the Council appoint the Chairperson of the Audit Committee from one of the independent external members.
5. That the quorum for the Audit Committee be set at three members.
6. That the Chief Executive Officer proceed to advertise for Expressions of Interest from external persons for appointment of the two to three external committee members.
7. That in accordance with section 257 of the *Local Government Act 2009*, the Mayor and Chief Executive Officer be delegated authority to interview and appoint the two to three external committee members in consultation with the Audit Committee Chairperson.

11.2. Fix days, times, frequency and location of Audit Committee meetings

In accordance with section 211(1)(a) of the Local Government Regulation 2012, the Audit Committee of a local government must meet at least twice each financial year.

It is suggested that the Audit Committee meet on a date to be fixed as per the schedule below:

1. February/March
2. April/May
3. August/September
4. November

Chief Executive Officer's Recommendation

1. That the Audit Committee meet on a date to be fixed as per the schedule below:

1. February/March
2. April/May
3. August/September
4. November

2. That Audit Committee meetings be held on a Thursday at the Council's public office in the Strathpine Chamber commencing at 1.00pm.

3. That Recommendations 1 and 2 above may be amended from time to time by resolution of Council.

11.3. Adopt Terms of Reference for the Audit Committee

Terms of Reference for the Audit Committee are provided for consideration (Attachment 4).

Chief Executive Officer's Recommendation

That the Terms of Reference for the Audit Committee be adopted, as tabled.

12. PORTFOLIOS AND APPOINTMENT OF PORTFOLIO COUNCILLOR

A Portfolio system may be established which provides for nominated Councillors to be assigned specific responsibilities relative to key functions and services of the Council, directly aligned with the Directorates outlined in the Council's Corporate Structure.

Roles, responsibilities and operating protocols of the Portfolio Councillor will be in accordance with the Councillor Portfolios Roles and Responsibilities Policy (2150-XXX). This policy is provided for consideration (Attachment 5)

Chief Executive Officer's Recommendation

1. That the Councillor Portfolios Roles and Responsibilities Policy (2150-XXX) be adopted, as tabled.

2. That the Portfolios be in line with Council's Corporate Structure as resolved by Council from time to time.

3. That appointment of the Portfolio Councillor be considered at a subsequent General Meeting, and may be amended from time to time by resolution of Council.

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13. ANY OTHER BUSINESS PERMITTED BY THE MAYOR

14. CLOSE

NOTICE OF ELECTION RESULTS

Notice of Election Results
LOCAL GOVERNMENT ELECTIONS
SATURDAY, 28 MARCH 2020



The local government quadrennial elections were held on Saturday, 28 March 2020.

In accordance with section 100 of the *Local Government Electoral Act 2011*, this notice advises that the following persons have been duly elected for the Moreton Bay Regional Council:

POSITION	FULL NAME OF ELECTED CANDIDATE
MAYOR	FLANNERY, Peter John

Pat Vidgen
Electoral Commissioner
Declaration Date: 20 April 2020

Notice of Election Results
LOCAL GOVERNMENT ELECTIONS
SATURDAY, 28 MARCH 2020



The local government quadrennial elections were held on Saturday, 28 March 2020.

In accordance with section 100 of the *Local Government Electoral Act 2011*, this notice advises that the following persons have been duly elected for the Moreton Bay Regional Council:

POSITION	FULL NAME OF ELECTED CANDIDATE
DIVISION 7 COUNCILLOR	SIMS, Denise
DIVISION 10 COUNCILLOR	CONSTANCE, Matthew

Pat Vidgen
Electoral Commissioner
Declaration Date: 30 March 2020

NOTICE OF ELECTION RESULTS

Notice of Election Results
LOCAL GOVERNMENT ELECTIONS
SATURDAY, 28 MARCH 2020



The local government quadrennial elections were held on Saturday, 28 March 2020.

In accordance with section 100 of the *Local Government Electoral Act 2011*, this notice advises that the following persons have been duly elected for the Moreton Bay Regional Council:

POSITION	FULL NAME OF ELECTED CANDIDATE
DIVISION 1 COUNCILLOR	SAVIGE, Brooke
DIVISION 11 COUNCILLOR	GRIMWADE, Darren John

Pat Vidgen
Electoral Commissioner
Declaration Date: 6 April 2020

Notice of Election Results
LOCAL GOVERNMENT ELECTIONS
SATURDAY, 28 MARCH 2020



The local government quadrennial elections were held on Saturday, 28 March 2020.

In accordance with section 100 of the *Local Government Electoral Act 2011*, this notice advises that the following persons have been duly elected for the Moreton Bay Regional Council:

POSITION	FULL NAME OF ELECTED CANDIDATE
DIVISION 3 COUNCILLOR	HAIN, Adam Bryan

Pat Vidgen
Electoral Commissioner
Declaration Date: 9 April 2020

NOTICE OF ELECTION RESULTS

Notice of Election Results
LOCAL GOVERNMENT ELECTIONS
SATURDAY, 28 MARCH 2020



The local government quadrennial elections were held on Saturday, 28 March 2020.

In accordance with section 100 of the *Local Government Electoral Act 2011*, this notice advises that the following persons have been duly elected for the Moreton Bay Regional Council:

POSITION	FULL NAME OF ELECTED CANDIDATE
DIVISION 2 COUNCILLOR	BOOTH, Mark
DIVISION 5 COUNCILLOR	RUCK, Sandra Cecily
DIVISION 6 COUNCILLOR	WINCHESTER, William Noel Karl
DIVISION 8 COUNCILLOR	GILLAM, Michael Francis
DIVISION 9 COUNCILLOR	TONKS, Catherine Mary
DIVISION 12 COUNCILLOR	LATTER, Anthony Clyde

Pat Vidgen
Electoral Commissioner
Declaration Date: 19 April 2020

Notice of Election Results
LOCAL GOVERNMENT ELECTIONS
SATURDAY, 28 MARCH 2020



The local government quadrennial elections were held on Saturday, 28 March 2020.

In accordance with section 100 of the *Local Government Electoral Act 2011*, this notice advises that the following persons have been duly elected for the Moreton Bay Regional Council:

POSITION	FULL NAME OF ELECTED CANDIDATE
DIVISION 4 COUNCILLOR	SHIPWAY, Jodie Leanne

Pat Vidgen
Electoral Commissioner
Declaration Date: 20 April 2020



MEETING SCHEDULE MAY – DECEMBER 2020

General and Standing Committee Meetings

(S) = *Strathpine* / (C) = *Caboolture*

MAY 2020	
13	GENERAL MEETING 9.30am (S)
27	GENERAL MEETING 9.30am (C)
JUNE 2020	
10	GENERAL MEETING 9.30am (S)
24	GENERAL MEETING 9.30am (C)
26	SPECIAL GENERAL MEETING <i>Adopt 2020/21 Budget (9.00am)</i> (S)
JULY 2020	
22	GENERAL MEETING 9.30am (C)
AUGUST 2020	
5	GENERAL MEETING 9.30am (S)
19	GENERAL MEETING 9.30am (C)

SEPTEMBER 2020	
2	GENERAL MEETING 9.30am (S)
16	GENERAL MEETING 9.30am (C)
OCTOBER 2020	
7	GENERAL MEETING 9.30am (S)
28	GENERAL MEETING 9.30am (C)
NOVEMBER 2020	
11	GENERAL MEETING 9.30am (S)
25	GENERAL MEETING 9.30am (C)
DECEMBER 2020	
9	GENERAL MEETING 9.30am (S)

Recess to 20 January 2021



Terms of Reference

Delegated Decisions Committee

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TOR / SC-09 Document Status

A18617642

Version	Council Adoption	Date	
V1	General Meeting (19/887) Composition: a) Cr Allan Sutherland (Mayor) b) Cr Adam Hain c) Cr Koliانا Winchester d) Cr Mick Gillam e) Cr Matt Constance	28 May 2019	A18395326
V2	General Meeting (19/1235) Composition amended to: a) Cr Allan Sutherland (Mayor) (Chairperson) b) Cr Mick Gillam c) Cr Adam Hain d) Cr Denise Sims e) Cr Brooke Savige)	25 June 2019	A18759728
V3	General Meeting (20/60) Composition amended to: a) Cr Mike Charlton (Acting Mayor) b) Cr Brooke Savige c) Cr Denise Sims d) Cr Matt Constance e) Cr Darren Grimwade	21 January 2020	A19597365

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V4	Post-election Meeting <i>Composition to be fixed by Council:</i> a) <i>Cr Peter Flannery (Mayor)</i> b) <i>Cr 1</i> c) <i>Cr 2</i> d) <i>Cr 3</i> e) <i>Cr 4</i>	29 April 2020	draft
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DELEGATED DECISIONS COMMITTEE

TERMS OF REFERENCE

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.

“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

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 will be fixed and may be amended from time to time, by resolution of Council, based on the matter/s delegated to it to decide.

The Committee will consist of the Mayor and four Councillors.

The Chairperson will be the Mayor.

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 meeting - commencing at the conclusion of the General Meeting on that day.

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 and Standing Orders Policy (2150-XXX).

DELEGATED DECISIONS COMMITTEE

TERMS OF REFERENCE

6. Meetings (cont'd)

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 separately, 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 and Standing Orders Policy



Terms of Reference

Audit Committee

AUDIT COMMITTEE

TERMS OF REFERENCE

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AUDIT COMMITTEE

TERMS OF REFERENCE

TOR /AC-01 Document Status

Official Version: A6676650

Version	Committee Consideration	Council Adoption	Word Version Reference
Version 1	Audit - 22 July 2008 (P.08/1953)	General Meeting – 5 August 2008 (P.GM-08/2285)	A821917
Version 2	Audit– 22 April 2009 (P.09/1011)	General Meeting – 28 April 2009 (P.09/1066)	C1356290
Version 3	Audit– 13 September 2010 (P.10/2203)	General Meeting – 21 September 2010 (P.10/2231)	A3789752
Version 4	Post-election Meeting – 14 May 2012 (P.12/603)	General Meeting – 22 May 2012 (P.12/609)	A18917921
Version 5	Audit – 29 August 2012 (P.12/1492-1493)	General Meeting – 4 September 2012 (P.12/1499)	A6725393
Version 6	Audit – 20 November 2013 (P.13/2211)	General Meeting – 3 December 2013 (P.13/2349)	A8622162
Version 7	Post-election Meeting - 18 April 2016 (P. 16/545)	General Meeting - 26 April 2016 (P. 16/550)	A13288772
Version 8	Audit - 8 March 2017 (P.17/348)	Coordination Committee - 4 April 2017 (P.17/461) <i>General Meeting - 4 April 2017 (P.17/458)</i>	A15004931
Version 9	Audit - 30 May 2018 (P. 18/1203)	Coordination Committee-12 June 2018 (P.18/1263) <i>General Meeting - 12 June 2018 (P. 18/1260)</i>	A16677339
Version 10	Audit - 29 May 2019 (P. 19/1031)	General Meeting - 4 June 2019 (P. 19/1068)	A18868030
Version 11	Audit - 7 August 2019 (P. 19/1680)	General Meeting - 20 August 2019 (P. 19/1807)	A18891888
Version 12	Post-election Meeting - 29 April 2020		A19960735

AUDIT COMMITTEE

TERMS OF REFERENCE

1. Head of Power

This Audit Committee (**Committee**) Terms of Reference has been designed to assist Moreton Bay Regional Council (**Council**) in fulfilling its corporate governance role and oversight of financial management and reporting responsibilities imposed under the *Local Government Act 2009* (**Act**), the *Local Government Regulation 2012* (**Regulation**), and other relevant legislation.

2. Establishment

The Committee is established in accordance with s.105 of the Act and ss. 208-211 of the Regulation.

Pursuant to s.265 of the Regulation, the Committee is an advisory committee to Council and has no decision-making powers. It acts as a source of independent advice to Council and to the Chief Executive Officer (**CEO**) on governance, risk management, accountability and audit-related matters.

These Terms of Reference set the principles and standards for the Committee and explains the role of the Committee within Council.

3. Purpose

The Audit Committee provides an independent forum where representatives of council, independent specialists and management work together to fulfil specific governance responsibilities as set out in this Terms of Reference.

The Audit Committee is an internal governance process which is intended to contribute to the improved performance of the organisation.

4. Roles and Responsibilities of the Audit Committee

The role of the Committee is to assist Council and the CEO to discharge their responsibilities imposed under the Act and other relevant legislation, which includes the requirement to monitor and review the:

- Integrity of financial documents
- Internal Audit function
- Effectiveness and objectivity of Council's Internal Auditors and External Audit, and
- Effectiveness of Council's internal controls.

The Committee's roles and responsibilities also include:

Control and Policies

- Evaluate and monitor the integrity, adequacy and effectiveness of finance, administrative and operating systems, policies and procedures through communication with, and reports from management, External and Internal Audit.
- Monitor the standard of corporate governance and ethical considerations.
- Monitor compliance with statutory, regulatory and policy obligations.
- Review the effective operation of an accounting and financial control and risk environment.
- Review the Internal Audit Plan for the current financial year.
- Review the progress of the Internal Audit Plan and the implementation of recommendations. With respect to audit recommendations, Internal Audit will follow up each recommendation when the implementation date falls due.

AUDIT COMMITTEE**TERMS OF REFERENCE**

Financial Reporting

- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgmental areas, and recent professional and regulatory pronouncements, and understand their impact on the financial statements.
- Review proposed asset valuation methodology and the final annual asset valuation report.
- Review with management and the External Auditors the results of the audit, including any difficulties encountered.
- Review the annual financial report, and consider whether it is complete, consistent with information known to Committee members, and reflects appropriate accounting principles, standards and regulatory requirements.
- Review with management and the External Auditors all matters required to be communicated to the Audit Committee under generally accepted auditing standards.
- Review any legal matters which could significantly impact the financial statements.

Internal and External Audit

- Oversee Council's External Audit and consider audit findings and management's response to the External Auditor's management letter.
- Endorse Internal Audit plans.
- Review the audit plans of the Internal and External Auditors and the extent to which planned audit scope can be relied upon to detect weaknesses in internal control, risk, fraud or other illegal acts.
- Review Internal Audit reports and findings.
- Review the status of the follow up and the implementation of recommendations made by Internal and External Auditors.

Risk Management

- Monitor Council's Enterprise Risk Management (**ERM**) strategies, policies and procedures.
- Advise on the management of Council's strategic risks. The Committee may identify specific risks for more detailed review and discussion.
- Provide an effective oversight function to ensure that fraud and corruption control objectives are being met in relation to the mitigation of fraud and corruption risks.
- Seek assurance from those in attendance at meetings and from information presented at meetings that the implementation of the Operational Plan continues to focus on the adequacy and effectiveness of internal controls and the minimisation of risk.

Fraud & Corruption Control

- Review the process of developing and implementing Council's Fraud and Corruption Control Framework and satisfy itself that Council has appropriate processes and systems in place to detect, capture and effectively respond to fraud related information.
- Review reports on fraud that outline any identified allegations of fraud, the status of any ongoing investigations and any changes to identified fraud risk in Council.

AUDIT COMMITTEE

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5. Member Responsibilities

Members of the Committee are expected to understand and observe the legal requirements of the Act and Regulation.

Members are expected to at all times:

- Act in the best interests of Council;
- Apply good analytical skills, objectivity and good judgement;
- Maintain confidentiality of information and documentation considered by the Committee;
- Express opinions constructively and openly, raise issues that relate to the Committee's responsibilities;
- Contribute the necessary time required to review the agenda papers prior to attending meetings; and
- To refrain from making any public comment or issuing any information in any form, concerning matters of the Audit Committee or matters of interest to the Committee.

6. Composition

Section 210 of the Regulation specifies that the Committee must consist of at least three (3) and no more than six (6) members; and must include one (1), but no more than two (2) Councillors.

The members, taken collectively, will have a broad range of skills and experience relevant to the Committee's responsibilities. At least one (1) member will have significant accounting or related financial management experience with an understanding of accounting and auditing standards.

To improve the level of independence and objectivity, at least two (2) suitably qualified independent external members will be appointed to the Committee under terms and conditions resolved by Council from time to time, with one (1) of them appointed as the Chairperson of the Committee.

Whilst the CEO is not a member of the Committee they should attend meetings of the Committee.

7. Terms of Membership

Councillors

- Councillor members will be appointed to the Committee for the full Council term unless otherwise removed by a resolution of full Council or acceptance of a resignation.
- In the event of a Councillor resigning their position on the Committee, the full Council will nominate a Councillor to fill the vacant position.

Independent External Members

- Appointment of external members will be made via a public advertisement; an evaluation of candidates and a recommendation for appointment put to Council, or as otherwise determined by Council. External members may not be Council employees or contractors.
- External members shall be appointed with staggered terms of up to four (4) years to ensure continuity.
- The evaluation of potential external members will be undertaken by the Mayor or a nominated Councillor and the CEO, taking account of the qualifications and experience of the candidates.
- Remuneration will be paid to each external member.
- External members may be re-appointed; however, they must reapply and follow the selection process.

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Committee

- If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard at a Council meeting which is open to the public, if that member so requests.
- The Chairperson shall be appointed by Council.

8. Independence and Ethical Standards

- Members must act and make decisions with an open and enquiring mind from their perspective as a Committee member safeguarding the interests of Council.
- Members must act independently.
- Members of the Committee must, at all times in the discharge of their duties and responsibilities, exercise honesty, objectivity and probity and not engage knowingly in acts or activities that have the potential to bring discredit to Council.

9. Confidentiality

The Committee members are responsible and accountable for maintaining the confidentiality of the information they receive during the conduct of their function.

10. Quorum

Section 211(2) of the Regulation requires a quorum of at least half the number of members of the Committee and either the Chairperson shall preside or if the Chairperson is absent, the member chosen by the members present as Chairperson for the meeting presides.

11. Meetings and Reporting

- The dates and times of regular meetings of the Committee will be fixed by resolution of Council and may be amended from time to time by resolution.
 - As an indicative guide the Committee should meet at least quarterly with meetings arranged to coincide with relevant Council deadlines, for example, to coincide with the approval of corporate plans, annual plans and budgets, to coincide with engagement of the External Auditors and the finalisation of the financial statements.
 - Additional meetings shall be convened at the discretion of the Chairperson or at the written request of any member of the Committee, Internal or External Auditor.
 - The CEO and the Principal Internal Auditor shall attend all meetings, except when the Committee chooses to meet in camera. Other members of Council or Council employees may be invited to attend where appropriate at the discretion of the Committee to advise and provide information when required.
 - Representatives of the External Auditor should be invited to attend at the discretion of the Committee but **must** attend meetings considering the draft Annual Financial Report and results of the External Audit.
 - Due to the confidential nature of information and the high level of independence of Internal and External Audit, Committee meetings may be closed in accordance with s.275 of the Regulation.
 - If considered beneficial by the Chairperson of the Committee, additional meetings may be held with Internal or External Audit, with or without observers present.
- The Chairperson would hold the meetings when considered appropriate. These meetings would be in addition to the normal Committee meetings.
- Appendix 'A' - Standing Agenda Items.

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Administrative Support

The CEO's office shall provide administrative support to the Committee.

This support shall include:

- Preparation and distribution of the agenda and any attachments and other material to the Committee, all other Councillors, the External Auditors and relevant stakeholders prior to the Meetings, in accordance with s.277 of the Regulation.
- Pursuant to s.272 (7) of the Regulation, the Committee is exempted from the requirement to keep minutes of its proceedings as the function of the Committee is to advise or recommend.

Access by Committee

The Committee shall be supplied with information it requires from the CEO or any Council employee delegated by the CEO.

Requests for Council employees and independent experts to attend a Committee meeting to provide information shall be approved by the CEO or a Director.

The Committee is authorised to obtain independent professional advice where considered necessary, following consultation with the CEO and Council.

Reporting Requirements

Sections 211(1)(c) and 211(4) of the Regulation requires a written report about the matters reviewed at a Committee meeting and the Committee's recommendations about the matters to be presented by the CEO at the next Council meeting for consideration and adoption.

Internal and External Audit may be requested to address Council to provide detailed explanation of the issues reported or raised within the Committee meetings. It is imperative that the independence of audit is not compromised or seen to be compromised.

To maintain this high level of independence, it may be necessary to resolve that the Council meeting be closed (in terms of s.275 of the Regulation) when Internal or External Audit addresses Council.

After the Council meeting, the adopted report is to be circulated to all Committee members.

12. Relationships

Internal Audit

The Committee will act as a forum for Internal Audit and oversee its planning, monitoring and reporting processes. This process will form part of the governance process that ensures that Council's Internal Audit function operates effectively, efficiently and economically.

External Audit

The Committee has no power of direction over External Audit or the manner in which the External Audit is planned or undertaken, but will act as a forum for the consideration of External Audit findings and will ensure that they are balanced with the views of management.

13. Induction of New Members

New members of the Committee will be provided with induction material to allow the members to familiarise themselves with the organisation and to facilitate their understanding of its principal operations and activities, corporate practices and culture.

New members will receive relevant information and briefings upon their appointment to assist them to understand and meet their responsibilities under this Terms of Reference. Further training may be available if required.

14. Performance Review and Assessment

The Chairperson of the Committee, will initiate a review of the performance of the Committee at least every two (2) years.

AUDIT COMMITTEE**TERMS OF REFERENCE**

A Committee self-assessment questionnaire will be used to facilitate this review with appropriate input sought from the CEO, Committee members, the EMT, Internal Audit and any other relevant stakeholders.

The Principal Internal Auditor will assist the Chairperson with the administration of the self-assessment questionnaire.

Any need for enhancements to the role, operational processes or membership of the Committee, will be recommended to Council for adoption.

15. Conflicts of Interest

Committee members are required to provide written declarations declaring any actual, perceived or potential 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 actual, perceived or potential conflicts of interest that may apply to specific matters on the meeting agenda.

Where required, the members will be excused from the meeting or from the Committees consideration of the relevant agenda item(s). Details of actual, perceived or potential conflicts of interest declared by members and action taken will be appropriately recorded.

16. Professional Indemnity Insurance

Committee members are provided with professional indemnity insurance as part of Council's Broad Form Liability Cover - Qld Local Government Mutual Liability Pool.

17. Review of the Terms of Reference

This Terms of Reference will be reviewed at least annually. This review will include consultation with the Chairperson and the CEO.

Any substantive changes to the Terms of Reference will be formally adopted by the Council on the recommendation of the Committee.

18. Legislation referenced in the Terms of Reference

Local Government Act 2009
Local Government Regulation 2012
Auditor-General Act 2009

Moreton Bay Regional Council

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APPENDIX 'A' - STANDING AGENDA ITEMS

Agenda Item	Topic	Speaker / Presenter
1	Welcome and Apologies	Chairperson
2	Actual, Perceived or Potential Conflict of Interest Declarations	Chairperson
3	Significant Organisation and System Matters	CEO
4	Enterprise Risk Management Activities Update	Risk Owner
5	Financial Reporting – <i>including YTD budget versus actual</i>	Accounting Services Manager
6	External Auditor Report	External Audit
7	Internal Audit Overview, Reports & Follow-Up Actions	Internal Audit
8	General Business	Committee
9	Next Audit Committee Meeting	Chairperson
10	Close	Chairperson



Policy: 2150-XXX

Councillor Portfolios Roles and Responsibilities

Head of Power

Local Government Act 2009

Related Legislation

Local Government Regulation 2012

Objective

The allocation of portfolios for the purpose of Council meetings is recognised as a means of developing appropriate and effective working relationships and “rules of engagement” between Councillors and the Executive Management Team.

This policy is committed to the characteristics and requirements of good governance outlined in the Governance & Integrity Program, with a view to providing transparent and accountable processes.

This policy sets clear guidelines to define the roles and responsibilities of the Mayor (governance) and Councillors (directorates) as an appointed Portfolio Councillor to support inclusive teamwork and co-operation between elected members and the Executive Management Team. Portfolio Councillors are encouraged to establish clear, open and regular communication with their aligned Directors.

This policy also establishes protocols for official spokespersons of Council including at meetings of Council and other forums including media.

Assigning Councillors as a Portfolio Councillor ensures:

- Alignment between Councillors and the Executive Management Team;
- Informed discussion is generated by the whole of Council with different Councillors facilitating the conduct of their respective sessions of the Council meeting; and
- Councillors act as “sounding boards” for strategic issues and suggestions from senior officers, members of the business and community, and other Councillors relating to their portfolio;

Definitions

CEO means Council’s Chief Executive Officer

Employee means all employees of Council, whether employed on a permanent, temporary or part-time basis and includes volunteers and employees of businesses and entities contracted to provide services to, or on behalf of Council

Councillor means the Mayor and Councillors of Moreton Bay Regional Council

Executive Management Team comprises the Chief Executive Officer and other senior executives roles including appointed divisional Directors

Local government meeting means Council’s General, Standing Committee and Advisory Committee meetings

Portfolio means the specific responsibilities relative to Directorates that operationally manage key functions and services of the Council, as outlined in the Corporate Structure



Policy: 2150-XXX - Councillor Portfolios Roles and Responsibilities

Portfolio Councillor means the Councillor appointed to each of the identified Portfolios

Media includes television, print, radio, online and social media, as well as Council-branded or sub-branded social media, mastheads, magazines and media releases

The Act means the *Local Government Act 2009*

The Regulation means the Local Government Regulation 2012

Application

This policy applies to the Mayor and Councillors of Moreton Bay Regional Council, the Chief Executive Officer and members of the Executive Management Team, departmental Managers and the Communications & Media team.

Policy Statement

Council has agreed to the establishment of a Portfolio system as part of its decision-making framework for the purpose of Council meetings. This system provides for nominated Councillors to be assigned specific responsibilities relative to Directorates that operationally manage key functions and services of the Council, as outlined in the Council's Corporate Structure.

By resolution, the Council will appoint a Portfolio Councillor to each of the identified Portfolios. These appointments may be amended from time to time, by resolution of Council.

This document provides details of the Portfolio system including the roles and responsibilities of the Portfolio Councillor and associated operating protocols.

1. Portfolios

Each Portfolio directly aligns with the individual Directorates and the specific functions and services it provides as part of Council's operations.

As prescribed in the *Local Government Act 2009*, the Councillors' responsibilities, endeavours, interest and influence must be focused at the strategic level of issues of their portfolio, and not the day-to-day operational matters that fall under the domain of the administration.

Section 170(3) of the Act prescribes that a Councillor may not direct a Council employee, including the Chief Executive Officer, members of the Executive Management Team, departmental Managers and the Communications & Media team. Contravention of this provision is specifically included in the definition of "misconduct" in the Act.

In addition, section 12 of the Act states that when performing their responsibility, a Councillor must serve the overall public interest of the whole local government area.

Specific objectives and key indicators for each portfolio over the term of the Council are to be identified and where appropriate considered by Council for inclusion in any scheduled Corporate Plan review.

1.1 Portfolios and appointed Portfolio Councillors

The Mayor represents the whole of Council.

The portfolios will be in line with Council's Corporate Structure as resolved by Council from time to time.



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1.2 Powers and Authorities

- 1.2.1 The Portfolio system provides no formal delegated authority to the Portfolio Councillor. It provides, however, the Councillor with an opportunity to develop and maintain a heightened level of knowledge and strategic leadership across the region in a specified field of Council responsibilities and functions.
- 1.2.2 The Portfolio system in no way overrides or impinges on the requirements of the Act that requires corporate decisions on policies and resources to be made at properly constituted Council meetings.
- 1.2.3 The Portfolio system cannot conflict with any of the provisions of the Code of Conduct for Councillors in Queensland especially in relation to the provisions of the Act preventing Councillors from giving directions to staff on how they shall undertake their duties.
- 1.2.4 The Portfolio system also does not override Council's Acceptable Requests by Councillors for Advice or Information Guidelines (2150-004) in relation to communication between Councillors and Council staff as required by the Act.
- 1.2.5 The Portfolio system must not eventuate in a Portfolio Councillor assuming any of the roles normally prescribed to the Mayor (as per the Act).
- 1.2.6 The Mayor is the spokesperson for the Council.
- 1.2.7 A Portfolio Councillor does not receive any additional media or spokesperson roles otherwise ordinarily assigned to a Councillor.

2. Roles, Responsibilities and Operating Protocols

The following guidelines define the role, responsibilities and operating protocols of Councillors appointed as Portfolio Councillor for Moreton Bay Regional Council.

2.1 Role of Portfolio Councillor

- 2.1.1 The Portfolio Councillor must ensure he/she accurately represents the view of the whole of Council at Council meetings rather than their own personal view, except for opportunities provided in debate and voting.
- 2.1.2 Where the order of business for a local government meeting includes consideration of officers' reports as referred by the CEO, this part of the meeting will be conducted in sessions that reflect the adopted Councillor Portfolios as defined in this Policy.
- 2.1.3 Portfolio Councillors will facilitate the conduct of the respective session of the local government meeting, under the control of the Mayor (Chairperson), noting that the Mayor (as the presiding officer for local government meetings) retains the casting vote entitlement.
- 2.1.4 Councillors are responsible for being fully informed of issues reported on within their assigned portfolio at Council meetings.

2.2 Responsibilities

- 2.2.1 Intergovernmental relations, governance and advocacy are a core responsibility for the Mayor.
- 2.2.2 In relation to the ambit of the respective Portfolios, the Portfolio Councillors have responsibilities to:
 - (a) facilitate the conduct of their relevant portfolio section of a Council meeting.
 - (b) provide an elected viewpoint and to act as a sounding board for Executive Management Team and key staff on issues relating to the portfolio.
 - (c) generally, champion the advancement of Council's key priorities and decisions relevant to the portfolio area.



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3. Protocols

3.1 Operating protocols

- 3.1.1 In support of commitments to inclusive teamwork and co-operation between elected members and Council staff, the Portfolio Councillors are encouraged to establish clear, open and regular communication with their aligned Director.
- 3.1.2 Equally, Directors are required to recognise the role formally allocated to the Portfolio Councillors and to offer engagement and support in a very practical and open manner.
- 3.1.3 To maximise the effectiveness of the portfolio system, each Councillor has an obligation to undertake such steps as necessary to gain a heightened knowledge and understanding on the principal issues of the portfolio.
- 3.1.4 Directors are to provide reasonable assistance to enable Portfolio Councillors to gain increased knowledge and experience in the specific portfolio area.
- 3.1.5 Portfolio Councillors must direct any operational enquiries received from the community through the appropriate Council channels in accordance with Council's Acceptable Requests by Councillors for Advice or Information Guidelines (2150-004).
- 3.1.6 Only the Mayor can give a direction to the Chief Executive Officer in accordance with section 170 of the Act. No Councillor, including the mayor, may give a direction to any other local government employee.

3.2 Media protocols

- 3.2.1 The Mayor acts as the media spokesperson for the whole of Council.
- 3.2.2 The Council's Chief Executive Officer is the only person who can comment on specific staff matters to the media.
- 3.2.3 If the Mayor is not available to comment on an issue and/or project, the Deputy Mayor will be the spokesperson in media and communications material unless the Mayor specifies otherwise.
- 3.2.4 The Mayor may delegate his/her spokesperson role to another Councillor for media purposes.
- 3.2.5 The Mayor is to be quoted in all media response and releases unless he/she decides otherwise. Where a matter is not a regional or strategic issue, but essentially local, the Mayor may determine that the Divisional Councillor could be quoted, similar to practices adopted by State and Federal Governments.
- 3.2.6 The order of quotes in media releases will be as follows:
 - (a) The Mayor leads all releases, unless otherwise determined by the Mayor.
 - (b) In the absence of the Mayor, the Deputy Mayor will be quoted in releases.
 - (c) Where the matter is likely to be of local community interest only (not across the region), the Mayor may determine that relevant Divisional Councillor(s) will be included in media statement.
 - (d) If multiple Divisional Councillors are to be included in a release, the Mayor will determine the order in which they are quoted.
 - (e) Portfolio Councillors are not quoted in press releases and have no media role. Their function is to administer business within the chamber specific to their allocated responsibilities. This is in line with the role of committee chairperson in Parliament.
- 3.2.7 Councillors can promote the work undertaken by Council through their own Facebook page in accordance with the Office of the Independent Assessor's *Social Media Guidelines for Councillors*. There is no corporate support for these Facebook pages and similar social media other than for record keeping purposes in line with the *Public Records Act 2002*.



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Related Documents

This Policy complements and is to be implemented in conjunction with other Council policies, directives and relevant documents published by other agencies including, but not limited to:

- a) Council's Acceptable Requests by Councillors for Advice or Information Guidelines (2150-004)
- b) Meeting Procedures and Standing Orders Policy (2150-XXX)
- c) *Public Records Act 2002*
- d) Code of Conduct for Councillors in Queensland
- e) Moreton Bay Regional Council Social Media Handbook
- f) Office of the Independent Assessor - Queensland Councillor Social Media Community Guideline
- g) Office of the Independent Assessor - Your Social Media and You, A guide for elected council members in Queensland

Review Triggers

This policy will be reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents. This Policy will be reviewed within two months following the conclusion of a quadrennial election, or as required.

Responsibility

This Policy is to be:

- (1) implemented by the Chief Executive Officer; and
- (2) reviewed and amended in accordance with the "Review Triggers" by the Chief Executive Officer.

Policy: 2150-XXX		Official Version: A?	
Councillor Portfolios Roles and Responsibilities			
Document Control			
Version / Reviewed	Version Adoption (Council meeting / Minute Page) Reviewed (revision comment)	Date	Word version reference
V1	draft		A19857254