



ORDINARY MEETING

AGENDA

22 JUNE 2021

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 22 June 2021 commencing at 9:00am for transaction of the enclosed business.

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

A handwritten signature in black ink, appearing to be "C. P.", is positioned above the title of the Chief Executive Officer.

CHIEF EXECUTIVE OFFICER
17 June 2021

Next Meeting Date: 13.07.21

Please note:

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

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	3
2	PRESENT	3
3	APOLOGIES AND LEAVE OF ABSENCE	3
4	CONFIRMATION OF MINUTES.....	3
5	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA	3
6	PUBLIC FORUMS/DEPUTATIONS	3
	NIL	3
7	PRESENTATION OF PETITIONS.....	3
	NIL	3
8	COUNCILLOR/DELEGATE REPORTS	4
8.1	LEAVE OF ABSENCE FOR COUNCILLOR NEIL FISHER - 7 TO 20 JULY 2021 INCLUSIVE	4
8.2	COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR SHANE LATCHAM - ROCKHAMPTON HORSE RIDING FOR THE DISABLED	5
8.3	COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR CHERIE RUTHERFORD - VICTORIA PARK GYMNASTIC & TRAMPOLINE CLUB.....	6
8.4	COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR CHERIE RUTHERFORD - RIDGELANDS & DISTRICT SPORTING & AGRICULTURAL ASSOCIATION INCORPORATED.....	7
9	OFFICERS' REPORTS	8
	ADVANCE ROCKHAMPTON.....	8
9.1	SPONSORSHIP OF WELCOME RECEPTION - NEDC 2021.....	8
9.2	AMENDMENT TO THE TENDER CONSIDERATION PLAN FOR BILLBOARDS AND DIGITAL SIGNAGE	27
	AIRPORT.....	30
	COMMUNITIES AND HERITAGE.....	30
9.3	COMMUNITY ASSISTANCE PROGRAM - MAJOR SPONSORSHIP APPLICATION - AUSTRALIAN SOUTH SEA ISLANDER UNITED COUNCIL INDEPENDENT ROCKHAMPTON AND DISTRICT INC.....	30
9.4	COMMUNITY ASSISTANCE PROGRAM - MAJOR SPONSORSHIP APPLICATION - WOMEN THAT FISH BARRA CLASSIC INC	32
9.5	CONTRACT FOR THE OPERATION AND MANAGEMENT OF THE MOUNT MORGAN RAIL MUSEUM AND VISITOR INFORMATION CENTRE.....	34

9.6	CONTRACT FOR THE OPERATION AND MANAGEMENT OF THE ARCHER PARK RAIL MUSEUM	36
	INFRASTRUCTURE	39
	PARKS, SPORT AND PUBLIC SPACES.....	39
	PLANNING AND REGULATION	39
9.7	D/15-2021 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR ANIMAL KEEPING (HORSE TRAINING)	39
	WASTE AND RECYCLING	60
9.8	LOCAL AUTHORITY WASTE MANAGEMENT ADVISORY COMMITTEE (LAWMAC) MEMBERSHIP	60
	WATER AND ENVIRONMENTAL SUSTAINABILITY	62
9.9	FITZROY RIVER WATER SPECIALISED ITEMS - SOLE SUPPLIER REQUEST	62
	BUDGET, GOVERNANCE AND OTHER MATTERS	65
9.10	ANNUAL POLICY REVIEW - PURCHASING POLICY - ACQUISITION OF GOODS AND SERVICES	65
9.11	FRAUD AND CORRUPTION RISK CHECKLIST - ANNUAL PRESENTATION.....	73
9.12	FEES AND CHARGES 2021-2022 AMENDMENTS	103
9.13	SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2021	109
9.14	REGIONAL COUNCIL OF MAYORS - MEMBERSHIP INVITATION	116
9.15	COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER	120
9.16	LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC ANNUAL CONFERENCE, 25-27 OCTOBER 2021, MACKAY	154
10	NOTICES OF MOTION	180
10.1	NOTICE OF MOTION - COUNCILLOR NEIL FISHER - PROPOSED TRAVEL: LAWMAC EXECUTIVE MEETING, MACKAY 2 JULY 2021	180
11	QUESTIONS ON NOTICE	183
	NIL	183
12	URGENT BUSINESS/QUESTIONS	183
13	CLOSED SESSION	183
14.1	PROPERTY MATTER	
14	CONFIDENTIAL REPORTS.....	184
14.1	PROPERTY MATTER	184
15	CLOSURE OF MEETING.....	184

1 OPENING

1.1 Acknowledgement of Country

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Ordinary Meeting held 8 June 2021

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 PUBLIC FORUMS/DEPUTATIONS

Nil

7 PRESENTATION OF PETITIONS

Nil

8 COUNCILLOR/DELEGATE REPORTS**8.1 LEAVE OF ABSENCE FOR COUNCILLOR NEIL FISHER - 7 TO 20 JULY 2021 INCLUSIVE**

File No: 10072
Attachments: Nil
Authorising Officer: Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer
Author: Nicole Semfel - Executive Support Officer

SUMMARY

Councillor Neil Fisher is requesting leave of absence from 7 to 20 July 2021 inclusive.

OFFICER'S RECOMMENDATION

THAT Councillor Neil Fisher be granted leave of absence from 7 to 20 July 2021 inclusive.

BACKGROUND

Councillor Neil Fisher has advised the Chief Executive Officer that he would like to take leave of absence from 7 to 20 July inclusive.

8.2 COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR SHANE LATCHAM - ROCKHAMPTON HORSE RIDING FOR THE DISABLED

File No: 8295
Attachments: Nil
Authorising Officer: Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer
Author: Megan Careless - Executive Support Officer

SUMMARY

This report requests the consideration of Council approval for an allocation from Councillor Shane Latcham's Councillor Discretionary Fund to assist with the purchase and installation of a bore for Rockhampton Horse Riding for the Disabled.

OFFICER'S RECOMMENDATION

THAT Council approves the allocation of \$4,000.00 from Councillor Shane Latcham's Councillor Discretionary Fund towards the purchase and installation of a bore for Rockhampton Horse Riding for the Disabled.

BACKGROUND

Rockhampton Horse Riding for the Disabled is a not for profit organisation located at 296 Boundary Road, Parkhurst which aims to assist disabled individuals with their therapy through horse riding lessons.

At present, the paddocks are very dry, and in order to continue providing their service, the grounds need an abundance of grass for the horses to graze. A bore would aid in drought proofing the paddock and provide a long term viable solution to ensure the organisation can continue to deliver their program that provides a range of social, physical, psychological and educational benefits for our community members.

8.3 COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR CHERIE RUTHERFORD - VICTORIA PARK GYMNASTIC & TRAMPOLINE CLUB**File No:** 8295**Attachments:** Nil**Authorising Officer:** Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer**Author:** Nicole Semfel - Executive Support Officer

SUMMARY

Councillor Cherie Rutherford is seeking approval from Council to donate \$500.00 from her Councillor Discretionary Fund to the Victoria Park Gymnastic & Trampoline Club.

OFFICER'S RECOMMENDATION

THAT Council approve a donation of \$500.00 from Councillor Cherie Rutherford's Councillor Discretionary Fund to the Victoria Park Gymnastic & Trampoline Club to install security lighting for the car park.

BACKGROUND

Councillor Cherie Rutherford advises that she is a member of the Victoria Park Gymnastic & Trampoline Club and is therefore seeking Council approval for the donation of \$500.00 from her Councillor Discretionary Funds towards purchasing and installing security lighting for outside the building to light the car park.

This car park, which services both the Victoria Park Gymnastic & Trampoline Club and Bridge Club, is extremely dark at night. Security lighting would significantly improve the safety of this area for members of both clubs.

8.4 COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR CHERIE RUTHERFORD - RIDGELANDS & DISTRICT SPORTING & AGRICULTURAL ASSOCIATION INCORPORATED**File No:** 8295**Attachments:** Nil**Authorising Officer:** Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer**Author:** Nicole Semfel - Executive Support Officer

SUMMARY

Councillor Cherie Rutherford is seeking approval from Council to donate \$1,500.00 from her Councillor Discretionary Fund to Ridgeland & District Sporting & Agricultural Association Incorporated to financially assist with the purchase of a PA system for the annual Ridgeland Show.

OFFICER'S RECOMMENDATION

THAT Council approve a donation of \$1,500.00 from Councillor Cherie Rutherford's Councillor Discretionary Fund to Ridgeland & District Sporting & Agricultural Association Incorporated.

BACKGROUND

The Ridgeland & District Sporting & Agricultural Association Incorporated has requested financial assistance from Councillor Cherie Rutherford to purchase a portable PA system for the stage at the Ridgeland Show.

As the show continues to grow, and with the stage being the focal point of for activities throughout the day, purchasing a portable PA system would avoid having to hire a loan PA system each year.

9 OFFICERS' REPORTS

ADVANCE ROCKHAMPTON

Councillor Portfolio – Mayor Williams

9.1 SPONSORSHIP OF WELCOME RECEPTION - NEDC 2021

File No:	7845
Attachments:	1. NEDC21 Prospectus ↓
Authorising Officer:	Greg Bowden - Executive Manager Advance Rockhampton
Author:	Wade Clark - Senior Executive Economic Development

SUMMARY

Rockhampton Regional Council through Advance Rockhampton has the opportunity to sponsor the Welcome Reception for the National Economic Development Conference (NEDC21). It is proposed that sponsorship is undertaken to better promote and position the Rockhampton Region across multiple industry groups.

OFFICER'S RECOMMENDATION

THAT Rockhampton Regional Council and Advance Rockhampton sponsor the NEDC Welcome Reception for \$5,500.

COMMENTARY

The NEDC21 is hosted by Economic Development Australia the peak body for economic development in Australia, of which Rockhampton Regional Council is a member.

The NEDC21 brings together over 200 economic development leaders from across Australia and is the largest gathering of economic development professionals and industry groups in Australia.

The NEDC21 will be held in Mackay October 13 -15, 2021, which will be themed Regional Transformation – An evolution of the circular economy.

There is an opportunity for Rockhampton Regional Council and Advance Rockhampton to sponsor the Welcome Reception at a cost of \$5,500.

At this stage it has been proposed (but still to be confirmed) that the event would be held at the Resources Centre of Excellence which provides a secondary opportunity to promote our region as a resource services hub and the gateway to the Bowen and Galilee Basins.

This event will provide exposure for Rockhampton and is seen as a value for money proposition to sponsor this event to position and promote the region to a wider audience across multiple industry sectors.

BUDGET IMPLICATIONS

The sponsorship of the NEDC21 will cost \$5,500 which is budgeted in the Advance Rockhampton Economic Development budget.

CORPORATE/OPERATIONAL PLAN

Operational Plan Economy

2.2.3 Deliver capability building initiatives that encourage business and industry development.

CONCLUSION

The NEDC21 will provide promotional benefits for Rockhampton Regional Council and Advance Rockhampton to better promote Rockhampton to an audience of economic professionals, industry groups and suppliers from around Australia.

SPONSORSHIP OF WELCOME RECEPTION - NEDC 2021

NEDC21 Prospectus

Meeting Date: 22 June 2021

Attachment No: 1

NEDC21

NATIONAL ECONOMIC DEVELOPMENT CONFERENCE



REGIONAL TRANSFORMATION

An evolution of the circular economy

October 13 – 15, 2021

SPONSORSHIP PROSPECTUS

edaconference.com.au



WHY SPONSOR OR EXHIBIT?

The National Economic Development Conference (NEDC) provides a unique opportunity to promote your business to the economic development leaders of Australia.

NEDC21 sponsorship and exhibition packages have been designed to:

- Provide an excellent opportunity to promote your company among conference delegates, high profile personnel and key policy makers
- Raise your company profile
- Provide an opportunity to develop new strategic partnerships and strengthen existing partnerships.

Early confirmation will ensure the highest level of exposure. An extensive promotional campaign including targeted email broadcasts and web exposure is being implemented in the lead up to the conference and the opportunity exists for your company to be represented as a key supporter, strategically placed before your market.

The listed packages are by no means limited and we welcome the opportunity to discuss your individual requirements.

To discuss your involvement and marketing goals further, please contact:

Andrea O'Sullivan
NEDC21 Sponsorship & Exhibition Manager
ICMS Australasia

Email: andrea@icmsaust.com.au
Tel: +617 3255 1002

NEDC21

NATIONAL ECONOMIC DEVELOPMENT CONFERENCE

WHO YOU CAN EXPECT TO REACH

As the flagship event for Economic Development Australia (EDA), the national peak body for economic development practitioners, this national event will attract more than 200 economic development leaders from across Australia. The event will also host thought leaders in industry development, representatives from all levels of government and the key organisations with an interest in Australia's prosperity and economic growth. This year's program theme of Regional Transformation – An Evolution of the Circular Economy has strong and broad appeal and will attract a range of elected officials, consultants, academics and government representatives with an interest in creating a circular model for local economic development.

WHAT NEDC21 INCLUDES

Two full days of informative and interactive sessions for delegates including keynote speakers, experts in fields related to the conference theme and a full day pre-conference program including local study tours showcasing best-practice economic development case studies.

A creative social program featuring dynamic networking events throughout the conference will provide a multitude of opportunities to highlight your business to delegates. These include the Welcome Reception, the National Economic Development Awards for Excellence Dinner and Study Tours.



ABOUT EDA

Economic Development Australia (EDA) is a nationally recognised network of economic development professionals, fostering prosperity in communities across Australia.

As the national peak body for economic development professionals with over 1100 members, EDA builds capacity, promotes excellence and provides leadership on issues that matter to economic development professionals.

Economic Development Australia's activities are underpinned by four guiding principles:

1. Fostering a community of professionals
2. Promoting a culture of economic development excellence
3. Delivering influence and leadership on issues that matter to our members
4. Operating at best-practice governance standards.



CONFERENCE DESTINATION

The Mackay region offers a fresh and stimulating conference destination. The region stretches over 66,484 km² and encompasses a diverse natural environment, including a picturesque blue-water river, secluded beaches, a tranquil marina and pristine rainforest hinterland. The result is fresh air and space for inspired thinking, with limited distractions. Enjoy sunny days with an average temperature of 27 degrees in October.

Mackay is an exciting business event destination, featuring diverse accommodation options, world-class service, with small town hospitality.

Affordable and frequent services from Jetstar, Qantaslink, and Virgin Australia provide flights in and out of Mackay to Brisbane (1.5 hours), Rockhampton, Townsville, Cairns, Sydney and Melbourne.

Mackay is a thriving regional centre and is the ideal backdrop for NEDC21. With a population of almost 120,000 people, a diverse local economy driven by the resources sector, agribusiness, construction,

logistics, education and tourism, Mackay's economic landscape is innovative, forward thinking and full of exciting opportunities.

The theme of NEDC21 is transformation through circular economy, and Mackay is a city which embodies that approach.

CONFERENCE VENUE

The Mackay Entertainment and Convention Centre (MECC) is the largest convention and banqueting facility between Cairns and Brisbane.

The MECC Complex is in the heart of Mackay City Centre and is just a short stroll away from a plethora of restaurants, an award-winning regional art gallery; Artspace, shopping centres, a state-of-the-art library complex and the magnificent blue-water Pioneer River. The centre is easily accessible via foot, car, bike or bus and approximately 10 minutes via taxi from Mackay Airport.



PRELIMINARY CONFERENCE PROGRAM

WEDNESDAY, OCTOBER 13, 2021

Study Tours

Welcome Reception

THURSDAY, OCTOBER 14, 2021

Full Day Conference

Trade Exhibition

National Economic Development
Awards for Excellence Dinner

FRIDAY, OCTOBER 15, 2021

Full Day Conference

Trade Exhibition

NEDC will feature a compelling program of highly regarded thought leaders whose knowledge and expertise will challenge delegates, and encourage robust dialogue around the conference's central theme **Regional Transformation – An Evolution of the Circular Economy**. Topics for thought-provoking discussions will include:

- A circular economy to capture greater profits
- The elimination of waste
- Efficient use of resources
- Transformative thinking
- The skill to re-invent processes to enter new spaces
- Automation and robotics for a sustainable future
- Capturing opportunities that come with disruptive industries and
- Achieving regional and inter-regional cooperation at government, community and business levels.

For more information regarding the program, please visit edaconference.com.au



SPONSORSHIP ENTITLEMENTS AT A GLANCE

	Platinum \$20,000	Gold \$10,000	Silver \$8,000	Bronze \$4,000	National Economic Development Awards for Excellence Dinner \$10,000	Welcome Reception \$5,000	Exhibitor \$4,000
<i>All prices are listed in AUD\$ and exclude GST</i>							
Exclusive opportunity	✓				✓	✓	
Corporate video screened	✓						
Company logo on delegate merchandise	✓						
Two-minute welcome speech					✓		
Recognised on all promotional e-broadcasts	✓	✓	✓	✓	✓	✓	✓
Logo on promotional materials	✓	✓	✓		✓	✓	
Company profile in the conference program handbook	250 words	150 words	100 words	50 words	150 words	75 words	50 words
Logo acknowledgement in plenary session hold slide	✓	✓	✓	✓	✓	✓	✓
Logo on conference signage	✓	✓	✓		✓		
Website acknowledgment	✓	✓	✓	✓	✓	✓	✓
Advertisement in the conference program handbook	Full page	Half page			Full page		
Advertisement in the EDA Journal	Full page	Half page					
Exhibition 'pod'	✓	✓	✓				✓
Trade exhibition registration	2	2	2				2
Conference registration	4	2	2	1	2	1	
Delegate list (subject to privacy)	✓	✓			✓		
Logo on the dinner menu					✓		
Display of pull-up banner at a specified time	✓				✓	✓	



PLATINUM SPONSOR

\$20,000 + GST
Exclusive Opportunity

BE RECOGNISED

- Recognised as the Platinum Sponsor on all promotional e-broadcasts in the lead up to the conference.
- Recognised as the Platinum Sponsor during the opening address by the emcee.

BE FEATURED

- Two (2) minute corporate video screened during the opening address.
- Company logo featured on the conference merchandise along with the conference logo.
- Company logo on conference marketing and promotional materials including logo on the cover of the conference program handbook, 250 word company profile in the conference program handbook, and logo on plenary session hold slide as well as on conference signage.
- Website acknowledgment as the Platinum Sponsor with your company logo, 250 word profile and hyperlink to your company website.
- Full page advertisement in the Economic Development Australia Journal (July or November edition dependent upon date of confirmation of sponsorship - readership of over 2000).

- Full page advertisement in the conference program handbook.
- Opportunity to erect a company provided pull-up banner at a specified time.

BE SEEN

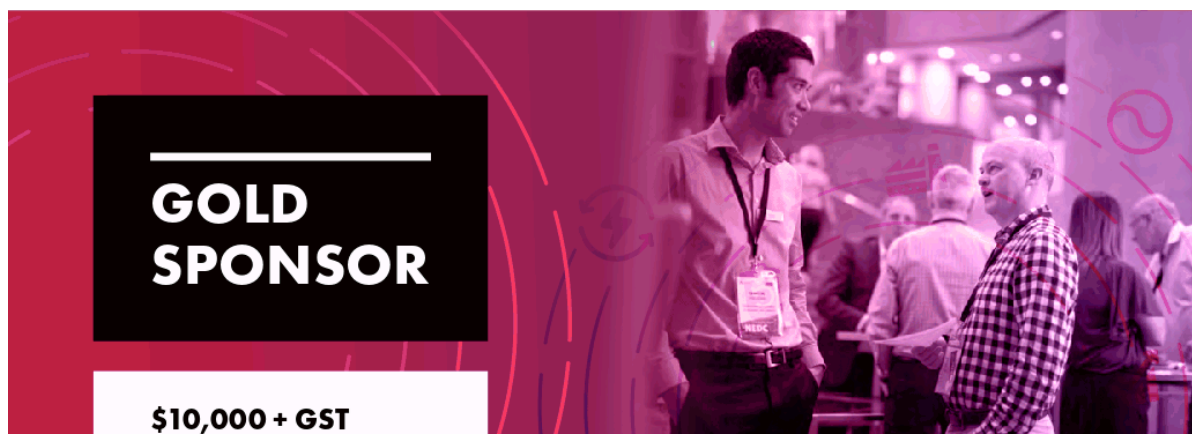
- One (1) 3m x 2m exhibition 'pod' with first choice of location (subject to confirmation date).
- Electronic delegate list (subject to permission of delegate).

NB: The host reserves the right to alter the floor plan at its discretion.

BE PRESENT

- Two (2) trade exhibition registrations.
- Four (4) conference registrations, including attendance to all sessions, morning teas, lunches and afternoon teas (when applicable), the Welcome Reception and the National Economic Development Awards for Excellence Dinner.

NB: Trade exhibition registrations include access to the exhibition hall, morning/afternoon teas and lunches (when applicable) for the duration of the conference.



GOLD SPONSOR

\$10,000 + GST
Limited Opportunities

BE RECOGNISED

- Recognised as a Gold Sponsor on all promotional e-broadcasts in the lead up to the conference.
- Recognised as a Gold Sponsor during the opening address by the emcee.

BE FEATURED

- Company logo on conference marketing and promotional materials including logo on the inside front cover of the conference program handbook, 150 word company profile in the conference program handbook, and logo on plenary session hold slide as well as on conference signage.
- Website acknowledgment as a Gold Sponsor with your company logo, 150 word profile and hyperlink to your company website.
- Half page advertisement in the Economic Development Australia Journal (July or November edition dependent upon date of confirmation of sponsorship - readership of over 2000).
- Half page advertisement included in the conference program handbook.

BE SEEN

- One (1) 3m x 2m exhibition 'pod' with choice of location subject to package level and confirmation date.
- Electronic delegate list (subject to permission of delegate).

NB: The host reserves the right to alter the floor plan at its discretion.

BE PRESENT

- Two (2) trade exhibition registrations.
- Two (2) conference registrations, including attendance to all sessions, morning teas, lunches and afternoon teas (when applicable), the Welcome Reception and the National Economic Development Awards for Excellence Dinner.

NB: Trade exhibition registrations include access to the exhibition hall, morning/afternoon teas and lunches (when applicable) for the duration of the conference.

SILVER SPONSOR

\$8,000 + GST
Limited Opportunity

BE RECOGNISED

- Recognised as a Silver Sponsor on all promotional e-broadcasts in the lead up to the conference.
- Recognised as a Silver Sponsor during the opening address by the emcee.

BE FEATURED

- Company logo on conference marketing and promotional materials including logo on the inside front cover of the conference program handbook, 100 word company profile in the conference program handbook, and logo on plenary session hold slide as well as on conference signage.
- Website acknowledgment as a Silver Sponsor with your company logo, 100 word profile and hyperlink to your company website.

BE SEEN

- One (1) 3m x 2m exhibition 'pod' (or equivalent space for custom booths) with choice of location subject to package level and confirmation date.

NB: The host reserves the right to alter the floor plan at its discretion.

BE PRESENT

- Two (2) trade exhibition registrations.
- Two (2) conference registrations, including attendance to all sessions, morning teas, lunches and afternoon teas (when applicable), the Welcome Reception and the National Economic Development Awards for Excellence Dinner.

NB: Trade exhibition registrations include access to the exhibition hall, morning/afternoon teas and lunches (when applicable) for the duration of the conference.



BRONZE SPONSOR

\$4,000 + GST
Unlimited

BE RECOGNISED

- Recognised as a Bronze Sponsor on all promotional e-broadcasts in the lead up to the conference.

BE FEATURED

- 50 word company profile in the conference program handbook, and logo on plenary session hold slide.
- Website acknowledgment as a Bronze Sponsor with your company logo, 50 word profile and hyperlink to your company website.

BE PRESENT

- One (1) conference registration, including attendance to all sessions, morning teas, lunches and afternoon teas (when applicable), the Welcome Reception and the National Economic Development Awards for Excellence Dinner.



MEET LIKE MINDED PEOPLE

“ The most beneficial aspect of the conference was gaining a view of the bigger picture of economic development as it exists in Australia and globally, as well as the opportunity to meet and discuss ideas with so many like minded people. ”



NATIONAL ECONOMIC DEVELOPMENT AWARDS FOR EXCELLENCE DINNER SPONSOR

\$10,000 + GST

Exclusive Opportunity

BE RECOGNISED

- Recognised as the National Economic Development Awards for Excellence Dinner and EDA Awards Sponsor on all promotional e-broadcasts in the lead up to the conference.
- Recognised as the National Economic Development Awards for Excellence Dinner and EDA Awards Sponsor with a two minute speech at the Dinner.

BE FEATURED

- Company logo on conference marketing and promotional materials including logo on the inside front cover of the conference program handbook, 150 word company profile in the conference program handbook, and logo on plenary session hold slide as well as on conference signage.
- Website acknowledgment as the National Economic Development Awards for Excellence Dinner and EDA Awards Sponsor with your company logo, 150 word profile and hyperlink to your company website.
- Full page advertisement included in the conference program handbook.
- Company logo on the dinner menu.
- Opportunity to erect a company provided pull-up banner at the dinner.



- Opportunity to present award trophies to a selection of winners during the National Economic Development Awards for Excellence Dinner.

BE PRESENT

- Two (2) conference registrations, including attendance to all sessions, morning teas, lunches and afternoon teas (when applicable), the Welcome Reception and the National Economic Development Awards for Excellence Dinner.
- Electronic delegate list (subject to permission of delegate).

WELCOME RECEPTION SPONSOR

\$5,000 + GST

Exclusive Opportunity

BE RECOGNISED

- Recognised as the Welcome Reception Sponsor on all promotional e-broadcasts in the lead up to the conference.
- Recognised as the Welcome Reception Sponsor during the welcoming address at the Welcome Reception by the emcee.



BE FEATURED

- Company logo on conference marketing and promotional materials including logo on the inside front cover of the conference program handbook, 75 word company profile in the conference program handbook, and logo on plenary session hold slide.
- Website acknowledgment as the Welcome Reception Sponsor with your company logo, 75 word profile and hyperlink to your company website.
- Opportunity to erect a company provided pull-up banner at the Welcome Reception.

BE PRESENT

- One (1) conference registrations, including attendance to all sessions, morning teas, lunches and afternoon teas (when applicable), the Welcome Reception and the National Economic Development Awards for Excellence Dinner.



To complement the conference program, an industry exhibition will be held in conjunction with the conference. This will be the main networking area of the conference and all catering breaks will be served amongst the exhibition.

BE RECOGNISED

- Recognised as an Exhibitor on all promotional e-broadcasts in the lead up to the conference.

BE FEATURED

- 50 word company profile in the conference program handbook, and logo on plenary session hold slide.
- Website acknowledgment as an Exhibitor with your company logo, 50 word profile and hyperlink to your company website.

BE SEEN

- One (1) 3m x 2m exhibition 'pod' with choice of location subject to package level and confirmation date.

Exhibition 'Pod' package inclusions:

- Dimensions: 3m x 2m 'pod'
- Company Name Sign: Company name sign – horizontal on curved panel
- Lighting: 1 x light per pod (mounted centrally above pod)
- Power: 1 x power outlet per pod
- Furniture: Trestle table per pod 1 x tablecloth, 2 x chairs

NB: The host reserves the right to alter the floor plan at its discretion.

BE PRESENT

- Two (2) trade exhibition registrations.

NB: Trade exhibition registrations include access to the exhibition hall, morning/afternoon teas and lunches (when applicable) for the duration of the conference.

IMPORTANT INFORMATION

The details in this document are correct at the time of publication. The host and its agents do not accept responsibility for any changes that may occur.

All prices quoted in this prospectus are in Australian Dollars and exclude 10% Goods and Service Tax (GST) and this will be added to your invoice.

The conference host reserves the right to accept or decline applications for sponsorship and exhibition space.

KEEPING YOU SAFE

We are continuously following the situation regarding COVID-19 and the advice of the Australian Department of Health; Queensland Government and the Mackay Entertainment and Convention Centre. The health and safety of our delegates, partners and staff remain our number one priority.

Should the conference convert to a Hybrid or Virtual event we will notify you immediately regarding your sponsorship and exhibition entitlements.

CONTACT:

Andrea O'Sullivan

NEDC21 Sponsorship & Exhibition Manager
ICMS Australasia

Email: andrea@icmsaust.com.au

Tel: +617 3255 1002

Proudly hosted by



9.2 AMENDMENT TO THE TENDER CONSIDERATION PLAN FOR BILLBOARDS AND DIGITAL SIGNAGE

File No: 11715

Attachments: Nil

Authorising Officer: Graham Sheppard - Senior Executive Economic Development
Greg Bowden - Executive Manager Advance Rockhampton

Author: Rachael Wright-Coxon - Economic Development & Industry Engagement Advisor

SUMMARY

This report seeks Council approval for the updated Tender Consideration Plan for Billboards and Digital Signage.

OFFICER'S RECOMMENDATION

THAT Council adopt the updated Tender Consideration Plan for Billboards and Digital Signage under s230 of the *Local Government Regulation*.

COMMENTARY

Council engages a number of suppliers across different mediums for advertising services to promote Council and the Region.

This report updates the previous Tender Consideration Plan adding new suppliers entering the market which offers Council a new and diverse range of advertising opportunities.

The below table outlines the various suppliers used for billboard and digital signage across Queensland:

Supplier	Details and Process
Bishopp Billboards	Bishopp has a number of traditional and digital billboards spread across Regional Queensland. Bishopp owns and operates the digital billboard on the corner of Fitzroy and East.
Jam Advertising	JAM Outdoor is an outdoor media company based in the regional Queensland city of Bundaberg. Jam currently has over 500 billboard faces across Queensland, with a number of these located on Rockhampton-Yeppoon Road.
Paradise Outdoor Advertising	Paradise Outdoor Advertising is a regional advertising specialty servicing Queensland. More than 1,200 outdoor sites across Queensland are available, and have the potential to reach more than 2.75 million people.
Ooh Media	Ooh Media is a digital signage company with billboards across Queensland, including Rockhampton on Gladstone Road.
ADStrategy	Ad Strategy is a local billboard at Corner Alexandra Street and Bruce Highway
Panorama Signs	Panorama Signs is a local billboard at Corner Musgrave and High Street
GOA	GOA is a regional advertising specialty servicing Queensland.
QMS	QMS is a regional advertising specialty servicing Queensland.

Supplier	Details and Process
Georgie Marketing	Is a local billboard at Sun Palms Motel, 160 Gladstone Road
Stockland Trust Management	Audience engagement activations and popups within Stockland centres
Stockland Retail	Digital and static advertising placements within Stockland centres
Shopper Media	Shopper Media offers increased exposure in the retail landscape enhancing advertising campaigns and connecting shoppers, shopping centers and advertisers through Smartlite® digital panels
Val Morgan Outdoor	VMO the largest shopping centre path-to-purchase digital outdoor network in Australia also offering digital advertising opportunities in gyms, petrol stations, cinemas and audience engagement activations.
Stream Outdoor	Billboard sites across Queensland. Stream operates a digital billboard on the Bruce Highway, Southside Rockhampton.
Australian Outdoor Sign Company	Australian Outdoor Sign Company offers dynamic state of the art specialty digital billboards with specific locations in and around Brisbane.
Billboards Australia	Billboards Australia has a number of traditional and digital billboards spread across Australia, including Canberra Airport.
Go Transit Media Group	Bus advertising in various locations within Queensland including Rockhampton, Brisbane & Mackay.

All other services not outlined in the Tender Consideration Plan will continue to be issued under Contract 14260 – Register of Pre-Qualified Suppliers for the Provision of Marketing, Promotions, Advertising and Media Services. These suppliers are not considered as sole suppliers for the services they provide, but are providers who have locations across Queensland that are relevant for marketing campaigns.

PREVIOUS DECISIONS

At Council's Ordinary Meeting on 9 October 2018, Council approved the Tender Consideration Plan for Billboards and Digital Signage.

At Council's Ordinary Meeting on 8 December 2020, Council approved an amendment to the Tender Consideration Plan for Billboards and Digital Signage

BUDGET IMPLICATIONS

There will be no additional budget implications as they are contained within the Advance Rockhampton operational budget.

LEGISLATIVE CONTEXT

S230 of the Local Government Regulation (2012):

"230 Exception if quote or tender consideration plan prepared

(1) A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if the local government-

- (a) decides, by resolution, to prepare a quote or tender consideration plan; and*
- (b) prepares and adopts the plan.*

*(2) A **quote or tender consideration plan** is a document stating*

- (a) the objectives of the plan; and*
- (b) how the objectives are to be achieved; and*

- (c) how the achievement of the objectives will be measured; and*
- (d) any alternative ways of achieving the objectives, and why the alternative ways were not adopted; and*
- (e) the proposed terms of the contract for the goods or services; and*
- (f) a risk analysis of the market from which the goods or services are to be obtained."*

Tender Consideration Plan:

Objective: The objective of this plan is to provide Council with further opportunities to directly engage with billboard and digital signage suppliers across different mediums for advertising services to promote Council and the Region.

How the objective are to be achieved: Billboard and digital signage suppliers will be selected based upon price, availability, target audience, location, traffic counts, longevity and the objectives of the campaign.

How the achievement of the objectives will be measured: This will be dependent on the individual economic impact statements for each marketing campaign.

Alternate ways of achieving the objectives: Issuing an invitation to quote to multiple suppliers. However, due to the specific marketing campaign objectives e.g. target audience, location etc this is not practical.

Proposed term of the Contract: The proposed term will be specific to the requirements of each marketing campaign.

A risk analysis of the market: There are a range of billboard and digital signage suppliers available within the market. Council will manage its risk by approaching the market as outlined above, and engaging reputable suppliers that meet the marketing campaign requirements.

LEGAL IMPLICATIONS

There are no identified legal implications to Council relevant to this matter.

STAFFING IMPLICATIONS

There are no staffing implications.

CORPORATE/OPERATIONAL PLAN

2.1.2. Develop and deliver structured and targeted marketing campaigns for the region across Explore, Live and Invest dimensions.

CONCLUSION

Billboards and digital signage are used across a number of marketing campaigns within Council and location decisions are based upon audiences, traffic counts and desired outcomes. Billboards and digital signage are an important and effective medium for marketing and promotion of our region and our regional activities.

AIRPORT**Councillor Portfolio – Councillor Fisher**

No items for consideration

COMMUNITIES AND HERITAGE**Councillor Portfolio – Councillor Wickerson**

**9.3 COMMUNITY ASSISTANCE PROGRAM - MAJOR SPONSORSHIP APPLICATION
- AUSTRALIAN SOUTH SEA ISLANDER UNITED COUNCIL INDEPENDENT
ROCKHAMPTON AND DISTRICT INC.****File No: 12535****Attachments: Nil****Authorising Officer: Alicia Cutler - General Manager Community Services****Author: Debbie Bulman - Administration Officer**

SUMMARY

An application from the Australian South Sea Islander United Council Independent Rockhampton & District Inc (ASSIs) for Major Sponsorship Assistance towards the 21 Years 'Coming of Age' Queensland Recognition of ASSIs – Suite of Celebrations event is presented for Council consideration.

OFFICER'S RECOMMENDATION

THAT Council considers the Major Sponsorship application from the Australian South Sea Islander United Council Independent Rockhampton & District Inc for funding to assist with the staging of 21 Years 'Coming of Age' Queensland Recognition of ASSIs – Suite of Celebrations to be held over 2½ weeks from 21 August – 7 September 2021, and approves a sponsorship amount of \$8,850.00 towards the event.

COMMENTARY

A Major Sponsorship scheme application has been received from the Australian South Sea Islander United Council Independent Rockhampton & District Inc (ASSIs) for assistance with the staging of 21 Years 'Coming of Age' Queensland Recognition of ASSIs – Suite of Celebrations events at various locations over 2½ weeks from 21 August – 7 September 2021. The application seeks a cash sponsorship of \$10,000.00.

The Rockhampton Branch of the ASSIs will be working with other South Sea Islander organisations to bring together a suite of activities in celebration of 21 years of recognition for Queensland Australian South Sea Islanders as a distinct cultural group by the State Government handed down on 7 September 2000.

It is expected the celebrations/activities planned for the State's 21st Recognition year involve attendance from ASSIs and wider communities, aged and youth, visitors intrastate and nationally.

ASSIs will also be working with 'Linking the Generations' and the Joskeleigh Community Association to provide a suite of activities concluding on 7 September 2021 (State Recognition Day).

The applicant states that from the eight activities it is expected the overall celebrations over the 2 ½ weeks will attract a total of approximately 700 people. Further, it is expected the number of visitors requiring accommodation would be approximately between 100 – 150 people over the course of the events.

Council's contribution will be acknowledged at all events on the day as well as via website, Facebook, flyers, banners, programs and verbal announcements.

Assessment

In accordance with the adopted Policy and Procedure, applications received through the Major Sponsorship Scheme will be assessed by Council against the following criteria:

- Applicant's capacity to undertake the event including any experience with similar events, relevant approvals and permissions required
- Community need or desire for the event and how this was determined
- Economic and community outcomes anticipated from the event
- Number of participants, including out of area visitors
- Value for money, including realistic budget with projected cost recovery

The applicant has had experience with a previous event, the 2019 Gala Ball celebrating 25 Years of Federal Recognition for ASSIs, with the organisation satisfactorily completing Major Sponsorship acquittal reports.

PREVIOUS DECISIONS

No previous decisions for this non-Council event.

BUDGET IMPLICATIONS

Independent assessment by a panel of four have indicated an average sponsorship amount for each of the projects/events, which is within Council's Community Assistance Program Operational Budget, as well as taking into consideration the community value of the event and the positive impact it will have on the community post-COVID-19.

LEGISLATIVE CONTEXT

Administered under the Major Sponsorship Policy and Procedure.

LEGAL IMPLICATIONS

Council administers the Community Assistance Program under a standard funding agreement and all funds are provided on a 'grants-basis'. Applicants are responsible for all aspects of event delivery.

STAFFING IMPLICATIONS

No staffing implications for this non-Council event.

RISK ASSESSMENT

Applicants are fully responsible for event delivery and must provide a final acquittal report outlining any receipts for expenditure, photographs, print media coverage, publications or other forms of documentation.

CORPORATE/OPERATIONAL PLAN

1.4.1 – Streamline Council's funding for community not for profit organisations to ensure fairness and equity.

CONCLUSION

Upon assessment of the information provided in the application against the rating tool and the community value of the event it is recommended Council approve the Assessment Panel's recommended funding allocation of \$8,850.00. A copy of the application has been supplied separately to Councillors for consideration, along with the rating tool as adopted by Council.

**9.4 COMMUNITY ASSISTANCE PROGRAM - MAJOR SPONSORSHIP APPLICATION
- WOMEN THAT FISH BARRA CLASSIC INC****File No:** 12535**Attachments:** Nil**Authorising Officer:** Alicia Cutler - General Manager Community Services**Author:** Debbie Bulman - Administration Officer

SUMMARY

An application from the Women That Fish Barra Classic Inc for Major Sponsorship Assistance towards the Women That Fish Barra Classic 2021 event is presented for Council consideration.

OFFICER'S RECOMMENDATION

THAT Council considers the Major Sponsorship application from the Women That Fish Barra Classic Inc for funding to assist with the staging of Women That Fish Barra Classic 2021 from 30 September – 2 October 2021, and approves a sponsorship amount of \$10,000.00 towards the event.

COMMENTARY

A Major Sponsorship scheme application has been received from the Women That Fish Barra Classic Inc for assistance with the staging of Women That Fish Barra Classic 2021 event to be held on the Fitzroy River. The application seeks a cash sponsorship of \$10,000.00.

The event is promoted as Queensland's most prestigious women's barramundi tournament. The applicant states that this event has been successively run over the past 9 years in the Fitzroy River, Rockhampton. The Women That Fish Barra Classic is comprised of two dedicated ladies who each have assisted with the growth and promotion of this unique competition.

The event is a non-for-profit, 18 year and over women's barramundi competition in the Fitzroy River. The competition relies solely on sponsorship and grants to keep its ongoing success. The Women That Fish Barra Classic is a fun-filled competition with like-minded ladies all competing to catch the infamous CQ Barramundi. All competitors are all 18 years and over, and consist of only female competitors with male skippers available as an option.

The committee's purpose is to encourage women to compete, gain confidence on the water, build self-esteem and experience all the mighty Fitzroy River has to offer.

All barramundi caught in the competition are released. The application states the overall outlook for the Women that Fish Competition is to focus on their ability to bring infrastructure and tourism to the region and promote Rockhampton as the number 1 Barramundi destination in Queensland.

In 2019, there was a substantial increase in nominations from local, interstate and established entities around Australia. The year's event is estimated to attract 160 competitors and inject much needed funding back into the community.

Council will be acknowledged via media exposure, local newspapers, local news media, local radio, social media and national social media with brag mats, competition shirt, fishing buffs being exposed nationwide.

Assessment

In accordance with the adopted Policy and Procedure, applications received through the Major Sponsorship Scheme will be assessed by Council against the following criteria:

- Applicant's capacity to undertake the event including any experience with similar events, relevant approvals and permissions required
-

- Community need or desire for the event and how this was determined
- Economic and community outcomes anticipated from the event
- Number of participants, including out of area visitors
- Value for money, including realistic budget with projected cost recovery

The applicant has had experience with a previous event over the past 9 years with the organisation satisfactorily completing Major Sponsorship acquittal reports.

PREVIOUS DECISIONS

No previous decisions for this non-Council event.

BUDGET IMPLICATIONS

Independent assessment by a panel of four have indicated an average sponsorship amount for each of the projects/events, which is within Council's Community Assistance Program Operational Budget, as well as taking into consideration the community value of the event and the positive impact it will have on the community post-COVID-19.

LEGISLATIVE CONTEXT

Administered under the Major Sponsorship Policy and Procedure.

LEGAL IMPLICATIONS

Council administers the Community Assistance Program under a standard funding agreement and all funds are provided on a 'grants-basis'. Applicants are responsible for all aspects of event delivery.

STAFFING IMPLICATIONS

No staffing implications for this non-Council event.

RISK ASSESSMENT

Applicants are fully responsible for event delivery and must provide a final acquittal report outlining any receipts for expenditure, photographs, print media coverage, publications or other forms of documentation.

CORPORATE/OPERATIONAL PLAN

1.4.1 – Streamline Council's funding for community not for profit organisations to ensure fairness and equity.

CONCLUSION

Upon assessment of the information provided in the application against the rating tool and the community value of the event it is recommended Council approve the Assessment Panel's recommended funding allocation of \$10,000.00.

9.5 CONTRACT FOR THE OPERATION AND MANAGEMENT OF THE MOUNT MORGAN RAIL MUSEUM AND VISITOR INFORMATION CENTRE**File No:** 13405**Attachments:** Nil**Authorising Officer:** Alicia Cutler - General Manager Community Services**Author:** John Webb - Manager Communities and Culture

SUMMARY

In 2018 Rockhampton Regional Council contracted the operation and management of the Mount Morgan Rail Museum to a community based organisation. This contract is now due for renewal.

OFFICER'S RECOMMENDATION

THAT pursuant to s235(a) and s235(b) of the *Local Government Regulation 2012*, Council resolves:

- i. That 'it is satisfied that there is only one supplier who is reasonably available' and that 'because of the specialised nature of the services that are sought it would be impractical for Council to invite quotes for the management and operation of the site.
- ii. To enter into a contract for the Operation and Management of the Mount Morgan Rail Museum and Visitor Information Centre with Mount Morgan Promotion and Development Incorporated for a period of three years commencing on 1 July 2021 as detailed in the report.

COMMENTARY

In 2013 Council sought tenders for the operation and management of Mount Morgan Rail Museum. The contract was awarded to Mount Morgan Promotion and Development Incorporated (MMPAD) and commenced on 1 January 2014.

This contract was set to conclude 30 June 2016 with two single year options taken up and this original contract expired on 30 June 2018.

On the conclusion of the 2018 contract Council resolved that due to the nature of the service there was only one supplier reasonably available to provide the service and entered into a new contract expiring 30 June 2021.

Subsequently the contract was varied in consultation with Advance Rockhampton for MMPAD to fulfill the role of accredited Visitor Information Centre (VIC) for the Mount Morgan locality. This arrangement has been deemed successful and the ongoing combination of these service is an optimal arrangement and should continue.

MMPAD have indicated their willingness to continue operations of both areas of this service.

Further contracting for the services at this site should continue to include both the operation of the Rail Museum and service and VIC.

Previous experience indicates that it would seem unlikely that suitably experienced and qualified parties are available to meet the dual requirements of this service.

This view is strengthened by the still uncertain tourism and community environment due to the ongoing COVID19 crisis.

The contract fee for the Mount Morgan Rail Museum and Visitor Information Centre would commence at an estimated \$20,100 per quarter with appropriate CPI increase.

The service contract would be negotiated under the existing terms, including the Visitor Information Centre with additional clauses of a reasonable nature to ensure the secure and competent management heritage items within the collection.

PREVIOUS DECISIONS

On 29 May 2018 Council resolved

1. That 'it is satisfied that there is only one supplier who is reasonably available' and that 'because of the specialised nature of the services that are sought, it would be impractical for Council to invite quotes for the management and operation of the respective sites' as detailed in the report

To enter into a contract for the Operation and Management of the Mount Morgan Rail Museum with Mount Morgan Promotion and Development Incorporated for a period of three years commencing on 1 July 2018 as detailed in the report.

BUDGET IMPLICATIONS

Service payment cost are provided for within ongoing budgets

LEGISLATIVE CONTEXT

Type text

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

RISK ASSESSMENT

Nil

CORPORATE/OPERATIONAL PLAN

This recommendation support the following elements of the current corporate plan –

COMMUNITY EXPECTATION – An Engaged and Connected Community

Corporate Outcomes -

1.5 Inclusive, connected and informed community

1.6 Our sense of place, diverse culture, history and creativity are valued and embraced

COMMUNITY EXPECTATION – Regional Profile and Services Corporate Outcomes

Corporate Outcomes -

2.1 A destination sought for lifestyle, community events and tourism

CONCLUSION

That within the current environment it is appropriate to offer MMPAD a further three year contract for the operation of Mount Morgan Rail Museum and Visitor Information Centre.

9.6 CONTRACT FOR THE OPERATION AND MANAGEMENT OF THE ARCHER PARK RAIL MUSEUM**File No:** 13405**Attachments:** Nil**Authorising Officer:** Alicia Cutler - General Manager Community Services**Author:** John Webb - Manager Communities and Culture

SUMMARY

In 2018 Rockhampton Regional Council contracted the operation and management of the Archer Park Rail Museum to a community based organisation. This contract is now due for renewal.

OFFICER'S RECOMMENDATION

THAT pursuant to s235(a) and s235(b) of the *Local Government Regulation 2012*, Council resolves:

- i. That 'it is satisfied that there is only one supplier who is reasonably available' and that 'because of the specialised nature of the services that are sought it would be impractical for Council to invite quotes for the management and operation of the site.
- ii. To enter into a contract for the Operation and Management of the Archer Park Rail Museum with Friends of Archer Park Station and Steam Tram Museum Incorporated for a period of three years commencing on 1 July 2021 as detailed in the report.

COMMENTARY

In 2013 Council sought tenders for the operation and management of Archer Park Rail Museum.

The site failed to attract tenderers, Council continued to operate the site and entered into discussions with the Friends of Archer Park Station and Steam Tram Museum Inc. who agreed to enter into a management contract with Council for the site commencing on 1 April 2014.

This contract was set to conclude 30 June 2016 with two single year options taken up and this original contract expired on 30 June 2018.

On the conclusion of the 2018 contract Council resolved that due to the nature of the service there was only one supplier reasonably available to provide the service and entered into a new contract expiring 30 June 2021.

The operation of Archer Park Rail Museum can be deemed a success. Not only in the operating of the site but in the organizations approach to diversification of offering and business practice - including family fun days, evening activation and venue hire and their award winning commitment to the maintenance and presentation of the heritage collection.

Of particular note is the considerable organizational effort required to obtain and maintain certification through the Office of the National Safety Regulator (ONSR) as both Rolling Stock Operators and Track Maintenance.

The Friends of Archer Park Station and Steam Tram Museum Inc. have indicated their willingness to continue operation and presented a proposal to continue delivering this service but with an increase to the annual fees of approximately \$15,000 per annum.

The proposal outlines the recent impact of COVID on their revenue opportunities and the increase in required hours across the seven year of operation for a paid Coordinator to maintain ONSR certification. If this certification is not maintained steam tram rides, a point of difference for this site could not continue.

The proposal illustrates that while the operation initially provided for a surplus the previous two financial years has delivered a loss requiring depletion of retained earnings.

Previous experience indicates that it would seem unlikely that suitably experienced and qualified parties are available to meet the operating requirements of this service.

This view is strengthened by the still uncertain tourism and community environment due to the ongoing COVID19 crisis.

The proposal sees the contract fee for the Archer Park Rail Museum commencing at an estimated \$27,000 per quarter with appropriate CPI increase moving forward. This most recent amount is based upon April – June quarter 2021.

A new service contract should be negotiated under the existing terms. These terms should include either a suitable increase in fees or a reduction in pass through costs tied to the ongoing viability of rail infrastructure operation. The agreement will also be reviewed to ensure additional clauses of a reasonable nature to secure ongoing management of heritage items within the collection.

PREVIOUS DECISIONS

On 29 May 2018 Council resolved

1. That 'it is satisfied that there is only one supplier who is reasonably available' and that 'because of the specialised nature of the services that are sought it would be impractical for Council to invite quotes for the management and operation of the respective sites' as detailed in the report...

To enter into a contract for the Operation and Management of the Archer Park Rail Museum with the Friends of Archer Park Station and Steam Tram Museum Inc. for a period of three years commencing on 1 July 2018 as detailed in the report.

BUDGET IMPLICATIONS

Service payment cost are provided for within ongoing budgets

LEGISLATIVE CONTEXT

Nil

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

RISK ASSESSMENT

Nil

CORPORATE/OPERATIONAL PLAN

This recommendation support the following elements of the current corporate plan –

COMMUNITY EXPECTATION – An Engaged and Connected Community

Corporate Outcomes -

1.5 Inclusive, connected and informed community

1.6 Our sense of place, diverse culture, history and creativity are valued and embraced

COMMUNITY EXPECTATION – Regional Profile and Services Corporate Outcomes

Corporate Outcomes -

2.1 A destination sought for lifestyle, community events and tourism

CONCLUSION

That within the current environment it is appropriate to offer Friends of Archer Park Station and Steam Tram Museum Incorporated continue operations for a further three years with an appropriate increase in the management contract amount to accommodate their current operations.

INFRASTRUCTURE**Councillor Portfolio – Councillor Smith**

No items for consideration.

PARKS, SPORT AND PUBLIC SPACES**Councillor Portfolio – Councillor Rutherford**

No items for consideration.

PLANNING AND REGULATION**Councillor Portfolio – Councillor Mathers****9.7 D/15-2021 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR ANIMAL KEEPING (HORSE TRAINING)****File No:** D/15-2021

Attachments:

1. **Locality Plan** [↓](#)
2. **Site Plan** [↓](#)
3. **Elevations Plan** [↓](#)

Authorising Officer: Amanda O'Mara - Acting Coordinator Development Assessment
 Doug Scott - Manager Planning and Regulatory Services
 Alicia Cutler - General Manager Community Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/15-2021

Applicant: Matthew Brian Moffat and Teah Ashlee Beak

Real Property Address: Lot 3 on RP601057

Common Property Address: 24 Murphy Road, Kabra

Area of Site: 46.27 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015 (version 2.1)

Planning Scheme Zone: Medium Impact Industry Zone

Planning Scheme Overlays: Airport Environs Overlay;
 Biodiversity Areas Overlay;
 Bushfire Hazard Overlay;
 Flood Hazard Overlay; and
 Steep Land Overlay.

Existing Approvals: D/145-2017 – Dwelling House

Existing Development: Farm Shed

Approval Sought: Development Permit for a Material Change of Use for Animal Keeping (horse training for four (4) horses)

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency: Nil

Infrastructure Charges Area: Charge Area 1

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for a Material Change of Use for Animal Keeping (horse training for four (4) horses), made by Matthew Brian Moffat and Teah Ashlee Beak, located at 24 Murphy Road, Kabra, described as Lot 3 on RP601057, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	The proposed development is for a Material Change of Use for Animal Keeping (horse training for four (4) horses)	
Reasons for Decision	<p>a) The development does not involve a sensitive land use, therefore, will not be detrimental to industrial development establishing, expanding or intensifying in the surrounding area;</p> <p>b) The proposed use does not compromise the strategic framework in the <i>Rockhampton Region Planning Scheme 2015</i> (version 2.1);</p> <p>c) Assessment of the development against the relevant planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and</p> <p>d) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
Assessment Benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Strategic Framework; • Medium Impact Industry Zone Code; • Airport Environs Overlay Code; • Biodiversity Areas Overlay Code; • Bushfire Hazard Overlay Code; • Flood Hazard Overlay Code; • Steep Land Overlay Code • Access, Parking And Transport Code; • Filling and Excavation Code; • Landscape Code; • Stormwater Management Code; and • Water and Sewer Code. 	
Compliance with assessment benchmarks	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.	
	Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
	Medium Impact Industry Zone Code	<p><u>PO7</u></p> <p>The proposal does not include any formal landscaping and therefore does not meet the recommendations of Acceptable Outcome 2.1. This recommendation is for a landscaping strip to be provided for a minimum width of two (2) metres along</p>

		<p>all road frontages.</p> <p>However, the proposed unenclosed horse training structure is setback 50 metres from the Kabra Road frontage and is only approximately five (5) metres in height. Furthermore, despite the site being designated in the Medium Impact Industry Zone, the existing site and the surrounding area is predominantly used to accommodate Dwelling Houses on large parcels of land with associated rural uses.</p> <p>The development is appropriately located and designed to not represent the scale or bulk of an industrial built form. Therefore, the recommendation for a landscaping strip to be provided along all road frontages of the site is not appropriate for the subject development.</p>
Matters prescribed by regulation	<ul style="list-style-type: none"> • The <i>Rockhampton Region Planning Scheme 2015</i> (version 2.1); and • The common material, being the material submitted with the application. 	

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for Animal Keeping (horse training for four (4) horses), made by Matthew Brian Moffat and Teah Ashlee Beak, located at 24 Murphy Road, Kabra, described as Lot 3 on RP601057, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken and completed:
 - 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use, unless otherwise stated.
- 1.4 The following further Development Permit must be obtained prior to the commencement of any works associated with their purposes:
 - 1.4.1 Building Works.
- 1.5 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.6 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

Drawing/report title	Prepared by	Date	Reference number	Revision
Proposed Shed for Exercising & Training Horses	GSPC	12 February 2021	211100-01, Sheet 1 of 1	-
Proposed Shed – Site Plan	-	-	-	-
Floor Plan	ABC Sheds Global Pty Ltd	2 December 2020	#1388 Matt Moffat, Sheet 1 of 3	-
Section View	ABC Sheds Global Pty Ltd	2 December 2020	#1388 Matt Moffat Sheet 2 of 3	-
Elevation Plan	ABC Sheds Global Pty Ltd	2 December 2020	#1388 Matt Moffat Sheet 3 of 3	-

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.

3.0 ACCESS WORKS

- 3.1 All vehicles must ingress and egress the development in a forward gear.

4.0 STORMWATER WORKS

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

5.0 SITE WORKS

- 5.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 5.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.

6.0 BUILDING WORKS

- 6.1 A Development Permit for Building Works must be obtained for the construction of any new structure on the development site.
- 6.2 Structures must not be located within any on-site sewerage treatment and disposal area or conflict with the separation distances, in accordance with the *Queensland Plumbing and Wastewater Code*.
- 6.3 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.

7.0 ASSET MANAGEMENT

- 7.1 Any alteration necessary to electricity, telephone and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 7.2 Any damage to existing stormwater or roadway, that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer.

8.0 ENVIRONMENTAL

- 8.1 An Erosion Control and Stormwater Control Management Plan in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.

9.0 ENVIRONMENTAL HEALTH

- 9.1 Noise emitted from the activity must not cause an environmental nuisance.
- 9.2 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, odour, noise or dust.

10.0 OPERATING PROCEDURES

- 10.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Kabra Road or Murphy Road.
- 10.2 All waste storage areas must be:
- 10.2.1 kept in a clean and tidy condition; and
 - 10.2.2 maintained in accordance with *Environmental Protection Regulation 2019*.

ADVISORY NOTES**NOTE 1. Aboriginal Cultural Heritage**

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Compliance with Local Laws

The activity must be operated in accordance with Rockhampton Regional Council Local Laws Number 1 (Administration) and Number 2 (Animal Management) 2011.

RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Material Change of Use for Animal Keeping (horse training for four (4) horses), made by Matthew Brian Moffat and Teah Ashlee Beak, located at 24 Murphy Road, Kabra, described as Lot 3 on RP601057, Council resolves not to issue an Infrastructure Charges Notice.

PROPOSAL IN DETAIL

The proposal is for Animal Keeping (horse training) for up to four (4) horses at any given time. The horses will be brought to the site to undergo a training program for a period of time ranging from approximately six (6) to 26 weeks. The length of the training program will depend on the standard of training required for the particular horse, which can range from basic through to advanced training for competitions and the like. The proposal involves the construction of a 1,200 square metre unenclosed, roofed structure, which will be used for the horse training activities and is anticipated to be where the horses will be kept for the duration of their program. The development will gain access to Murphy Road via an existing access and internal driveway and will be connected to electricity services with the relevant service provider.

SITE AND LOCALITY

The subject site is approximately 46 hectares in size and currently used for rural grazing purposes. The subject site is designated in the Medium Impact Industry Zone and the surrounding area located east and west of the site is also within this zone designation. The surrounding area north and south of the site is designated in the Rural Zone. However despite the varied zone designations in the surrounding area, similar to the subject site, this land is predominantly used to accommodate Dwelling Houses on large parcels of land with associated rural uses.

PLANNING ASSESSMENT**MATTERS FOR CONSIDERATION**

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the assessment process provisions of the Development Assessment Rules, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

Development Engineering Comments

Support, subject to conditions.

Public and Environmental Health Comments

Support, subject to conditions.

Other Staff Technical Comments

Not applicable as the application was not referred to any other technical staff.

TOWN PLANNING COMMENTS**State Planning Policy 2017**

Section 2.1 of *Rockhampton Region Planning Scheme 2015* (version 2.1) noted the *State Planning Policy 2017* is integrated in the planning scheme. The State planning interests are therefore addressed as part of this assessment of the development against the *Rockhampton Region Planning Scheme 2015* (version 2.1).

Central Queensland Regional Plan 2013

The *Central Queensland Regional Plan 2013* is a statutory document, which came into effect on 18 October 2013. The Regional Plan is identified as being appropriately integrated with the Planning Scheme and therefore an assessment against the Planning Scheme is taken to be an assessment against the *Central Queensland Regional Plan 2013*.

Rockhampton Region Planning Scheme 2015 (version 2.1)**Strategic framework**

This application is situated within the Industrial (existing, new and future) designation under the scheme's strategic framework map. The strategic framework themes and their strategic outcomes, as identified within Part 3 of the *Rockhampton Region Planning Scheme 2015* (version 2.1) are applicable:

(i) Settlement pattern

- (1) The pattern of settlement is reinforced in accordance with the Strategic framework – settlement pattern maps (SFM-1 to SFM-4) and as defined in Table 3.3.2.2 – Strategic map designations and descriptions. Sufficient land has been allocated for residential, commercial, industrial and community uses to meet the needs of the region for at least twenty (20) years.
- (2) Residential development within Rockhampton and Gracemere will occur in urban areas, urban infill and intensification areas and new urban areas (greenfield areas). These areas are shown on the strategic framework maps SFM-2 to SFM-3.
- (3) Urban development in Mount Morgan will only occur within the urban area and local centre as shown on strategic framework map SFM-4.
- (4) Residential development is compact, encourages strong neighbourhoods with attractive places for residents, makes efficient use of land and optimises the delivery and use of infrastructure and services. Expansion beyond these identified areas will not occur to ensure a focus on urban infill and intensification areas and to avoid further encroachment on natural assets and ecologically vulnerable areas.
- (5) *Sufficient land for employment growth has been identified in industrial areas, new industrial areas and centres (including proposed centres) at locations that can be most efficiently serviced with infrastructure and facilities.***
- (6) *Future urban areas and future industrial areas are the preferred location for greenfield development beyond 2026.***
- (7) The settlement pattern provides for a diverse range of housing to meet changing demographic needs, and creates opportunities for more affordable living close to services and facilities. These housing options will help stimulate centres and community focal points, and assist in making the most efficient use of infrastructure and other public investment.
- (8) Higher density development is focussed around centres and public transport nodes and corridors. Increased residential densities will be encouraged in the urban infill and intensification areas in a range of dwelling types that are located to make public transport, walking and cycling more convenient, safe and viable.
- (9) The design of the built environment (including buildings, streets and public spaces) is consistent with the existing or desired character of the area and buildings are oriented to the street and public places. Development is undertaken in accordance with urban design principles.

- (10) Centres provide for employment, retail, accommodation, entertainment and community services that meet the needs of residential communities that are well connected by the public transport network.
- (11) Centres are based on a hierarchy that ensures the scale and form of development is appropriate to the location, and that the centres' roles and functions are appropriate within the wider planning scheme area.
- (12) Centres are consolidated within designated areas, and expansion does not occur into adjoining residential areas.
- (13) An integrated and high quality public open space network caters for the needs of residents, particularly in and around centres and higher density areas.
- (14) *The continuing viability of areas that provide for economic development such as industrial and specific use areas is protected from incompatible land uses.***
- (15) Limited rural residential areas provide for semi-rural living; however, these areas do not expand beyond the areas designated.
- (16) The productive capacity of all rural land is protected.
- (17) Rural lands and natural areas are maintained for their rural and landscape values.
- (18) The scenic and environmental values of areas identified as nature conservation or natural corridor link are protected.
- (19) The cultural heritage of Rockhampton is conserved for present and future communities.
- (20) *Development responds to natural hazards (flooding, bushfire, steep land, storm tide inundation and coastal erosion) by avoiding, mitigating, adapting and building resilience to natural hazards in areas mapped as being susceptible.***

3.3.7.1 Specific outcomes

- (1) *Industrial development will be consolidated within the industrial areas designated on the strategic framework maps (SFM-1 to SFM-3). These areas have sufficient land to accommodate growth beyond 2036 and provide for a full range of industrial use types. These areas are located to reduce land use conflicts in the medium- to long-term, and to allow the most efficient infrastructure delivery.***
- (2) Industrial areas have been planned in accordance with the following principles:
 - (a) the consolidation of uses on planned industrial land;
 - (b) good access to key transport networks;
 - (c) the timely and most efficient delivery of appropriate infrastructure services; and
 - (d) the minimisation of land use conflicts.
- (3) On larger sites a structure plan will be required in accordance with the relevant zone and planning scheme policies. These areas are well planned and demonstrate the following:
 - (a) subdivision occurs in a sequenced manner in coordination with future planned infrastructure and services;
 - (b) the land does not have significant environmental or ecological values, including but not limited to, areas of environmental significance, wildlife and environmental corridors and waterways and wetlands;
 - (c) new development does not expand into areas affected by natural hazards;

- (d) development minimises amenity impacts when located adjoining urban areas and zones intended to accommodate sensitive land use(s);
 - (e) development maintains the balance of land or future stages in large parcels, to assist in future development options;
 - (f) development of land within the industrial and new industrial areas occurs prior to future industrial areas; and
 - (g) development is consistent with the strategic framework maps (SFM-1 to SFM-3).
- (4) *The fragmentation of land that prevents or impedes the efficient and properly coordinated development of identified industrial land will not occur. The consolidation of smaller properties into larger land holdings will be encouraged.***
- (5) Sufficient land is identified to support the need for low impact and service industries in local communities where growth is forecast.
- (6) *The integrity of all industrial areas is maintained and not compromised by the establishment of sensitive land use(s) within or adjoining these areas.***
- (7) The functional needs of the industrial use prevail over the built form except where adjoining visually sensitive areas, including residential areas and major road corridors. Ancillary office and sales areas are to be sited and orientated towards the primary street frontage.
- (8) Development provides for vegetated buffers where sites adjoin major road corridors (including state controlled roads) into Gracemere and Rockhampton to ensure there are no adverse visual impacts and to maintain and enhance the entry points into these areas.
- (9) Sufficient off-street parking is provided to ensure the function and safety of industrial roads is protected. Customer and employee parking must not hinder heavy vehicle access necessary for successful operation of the intended level of industry.

Rockhampton

- (10) To eliminate land use conflicts within and bordering onto urban areas, it is preferred that historically located, medium impact, high impact and special industries at Lakes Creek, Depot Hill and Port Curtis are relocated to the Gracemere industrial area. In the interim, lawful uses on their current sites can continue to operate; however, increased production or any diversification must address impacts on adjoining sensitive land uses (including environmental nuisances) and maintain appropriate separation distances.
- (11) The Parkhurst and Lakes Creek precincts will continue to accommodate existing high impact industries (acknowledged by establishing precincts within the high impact industry zone). The future expansion of existing industries within these two (2) precincts must be controlled and environmental nuisances such as noise, dust, light and odour are contained onsite to ensure surrounding residential communities (including future residential communities) are not impacted upon.
- (12) The Parkhurst and Park Avenue industrial areas (excluding areas zoned high impact industry) will accommodate primarily low and medium impact industries due to their proximity to residential communities.
- (13) The industrial area off Alexandra Street (between Main Street and Richardson Road) is surrounded by low density residential development. The current use of the site for service industry and low impact industry can continue; however, the redevelopment of the entire site for residential or community/recreational related uses would be considered appropriate.

- (14) The South Rockhampton industrial area will continue to provide for predominantly service and low impact industries. Development within the South Rockhampton precinct will be limited due to the impact from flooding.
- (15) The Waterfront and marine industry zone and Fitzroy River industry precinct facilitates marine industry related uses. These areas will provide for boat storage, maintenance and marine servicing facilities.

Gracemere

- (16) ***The Gracemere industrial area (including the Stanwell Power Station) will be developed as a major regional industrial area by accommodating a range of industrial uses. Sufficient land has been identified to accommodate at least thirty (30) years of projected industrial growth. The continued expansion of infrastructure (including the grade-separated overpass) will provide a significant trigger for further development in accordance with the industrial, new industrial and future industrial designated areas as shown on strategic framework map SFM-3.***
- (17) To achieve effective separation from adjoining sensitive land use(s), new large-scale and intensive industrial uses (particularly high impact industry and special industry land uses) will be encouraged to establish in the Gracemere industrial area.
- (18) Large-scale development including the subdivision of land will be undertaken in accordance with an approved structure plan which will identify (inter alia) future infrastructure corridors, the preferred location of land uses and associated buffer areas.
- (19) The Gracemere saleyards is a significant regional facility (acknowledged by the Gracemere saleyards precinct) which is to be protected from incompatible land uses. The area situated along Hall Road, adjacent to the Gracemere saleyards precinct, which is unaffected by flooding, may be suitable for future service and low impact industrial uses. This will only occur if the development of a suitable standard road access and other trunk infrastructure can be viably established and a clear need can be demonstrated.

Complies.

The subject site is designated in the 'future' Industrial Area. The development will not fragment the subject site, with the large land parcel of over 46 hectares to be maintained which is capable of accommodating industrial uses in the future. The subject site's 'future' designation is in place to ensure there is sufficient industrial land for at least 30 years of projected industrial growth within the region. However, it is noted that the 'existing' Industrial Area of Gracemere, still has a number of unutilised parcels of industrial land, which have access to Council infrastructure services such as water and sewer. However, the subject site does not have access to these Council infrastructure services and furthermore this trunk infrastructure is not included in Council's Local Government Infrastructure Plan for projects up to and beyond the year 2036. Therefore, from a sequencing point of view, it is anticipated that sites within the 'existing' Industrial Area will be utilised before the subject site becomes a viable option for significant industrial uses to be established. Additionally, the subject development does not involve a sensitive land use and will maintain the integrity of the surrounding area to ensure industrial uses are not compromised from being established, expanded or intensified in the future.

(ii) Natural environment and hazards

- (1) The natural environment and landscape are highly valued by the community for their contribution to the planning scheme area's biodiversity, economic prosperity, culture, character and sense of place. These areas are to be protected from incompatible development.

- (2) Development does not create unsustainable impacts on:
 - (a) the natural functioning of floodplains;
 - (b) environmentally significant areas, including areas of state and locally significant vegetation, which provide fauna habitat and support biodiversity; and
 - (c) the quality of water entering waterways, wetlands and local catchments.
- (3) Development does not increase the risk to human life and property in areas that are affected, or potentially affected, by storm-surge, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide. This occurs through the avoidance of natural hazards in new development areas, particularly greenfield areas and the mitigation of risks in existing built up areas.
- (4) Strategic and iconic scenic and landscape values are protected from potential adverse impacts of development.

Complies.

The development has been suitably located to avoid natural hazards and protect natural environment features.

(iii) **Community identity and diversity**

- (1) The quality of life of residents is enhanced through equitable access to social infrastructure, community services and facilities necessary to support community health and well-being.
- (2) The community is self-sufficient and does not rely on services and facilities located in other regions. Development contributes to the provision of new social infrastructure, including land.
- (3) Cultural heritage including character housing and heritage buildings are conserved and enhanced.
- (4) Public places are safe, functional, characterised by good urban design, and include a range of facilities to encourage healthy and active lifestyles.
- (5) Crime prevention through environmental design is achieved in urban areas including public spaces to improve public safety.

Not applicable.

(iv) **Access and mobility**

- (1) Connectivity is achieved between residential uses, employment centres and services through the provision of active transport infrastructure integrated with efficient public transport services.
- (2) The trunk transport network (as shown on the strategic framework maps SFM-9 to SFM-12 and in plans for trunk infrastructure in the local government infrastructure plan) supports the settlement pattern and the local economy by facilitating the efficient and safe movement of people and goods both within the planning scheme area (especially between the main urban centres of Rockhampton and Gracemere), and to and from other locations.
- (3) The transport network encourages and supports active living in centres by providing for integrated walking, cycling, and public transport infrastructure to support a progressive reduction in car dependency.
- (4) ***The safety and efficiency of transport infrastructure, including the Bruce and Capricorn highways and other state and local roads, rail, airport and seaports, are not compromised by development.***

Complies.

The development is small in scale and intensity and is not anticipated to compromise the safety or efficiency of the local road network.

(v) **Infrastructure and services**

- (1) Infrastructure and services are planned and delivered in a logical and cost efficient manner in support of the planned settlement pattern. It is fit for purpose and is sensitive to cultural and environmental values. In particular:
 - (a) efficient, affordable, reliable, timely and lasting infrastructure makes best use of public resources;
 - (b) the long-term needs of the community, industry and business are met; and
 - (c) the desired standards of service in Part 4 — Local government infrastructure plan are achieved.

Not Applicable.

(vi) **Natural resources and economic development**

- (1) The economy of the planning scheme area continues to grow and provides the community with diverse and new employment opportunities. Rockhampton continues to strengthen as the retail, service, cultural and administrative centre for both the planning scheme area and the wider Central Queensland region.
- (2) The strategic importance of Rockhampton for transport and logistics industries is fostered, given its central location at the junction of the Bruce Highway, the Capricorn Highway (through to the Landsborough Highway) and the Burnett Highway (through to the Leichhardt Highway).
- (3) The local community continues to value its traditional economic assets and natural resources and protects and conserves them and the contribution they make to maintaining and growing the region's economic prosperity, culture, character and sense of place. The region's traditional economic sectors of tourism and agriculture (including the iconic beef industry) continue to strengthen.
- (4) Development protects and, where possible, leverages the intrinsic economic value of the region's natural resources, including productive grazing, agricultural and forestry land, extractive and mineral resources, marine and coastal resources, and existing and planned water resources, including watercourses, water bodies and groundwater.
- (5) Natural assets identified by this planning scheme are protected as they underpin current and emerging tourism opportunities and important lifestyle values for residents.

Complies.

The development does not involve a sensitive land use and is not anticipated to be detrimental to industrial development establishing, expanding or intensifying in the surrounding area. Furthermore, the large balance area of the subject site is anticipated to be able to accommodate future industrial uses. Additionally, the unenclosed horse training structure will be capable of being repurposed for industrial uses in the future.

The performance assessment of the proposal demonstrates that the development will not compromise the *Rockhampton Region Planning Scheme 2015* (version 2.1) strategic outcomes.

Medium Impact Industry Zone

The subject site is situated within the Medium Impact Industry Zone under the *Rockhampton Region Planning Scheme 2015* (version 2.1). The purpose of the Medium Impact Industry Zone identifies that: -

- (1) The purpose of the medium impact industry zone code is to:

- (a) ensure that adequate, serviced and accessible land for medium impact industry is provided and developed in accordance with acceptable environmental standards and with minimal impacts on nearby sensitive land use(s); and
- (b) provide for medium impact industry zoned land in a number of locations throughout the region including Parkhurst, Park Avenue, and the Gracemere industrial area.

The purpose of the zone will be achieved through the following outcomes:

- (c) ***the zone accommodates a wide range of industrial uses that are likely to have off-site impacts, including manufacturing, transport and the like and require larger sites located away from sensitive land use(s);***
- (d) existing industrial uses which are not low or medium impact industry in nature continue to operate and expand in accordance with industry changes and demands, provided that any material changes in the intensity or scale of these uses do not worsen impacts and maintain appropriate separation distances. Should these industries cease to operate, new uses develop in accordance with the purpose for the zone;
- (e) the following uses are not located in the zone:
 - (i) high impact industries;
 - (ii) special industries; and
 - (iii) uses which are more appropriately located in centres including shops, stand-alone office, shopping centre, showrooms and retail hardware;
- (f) ***sensitive land use(s) will not occur within the zone;***
- (g) in the Parkhurst and Park Avenue medium impact industry zoned areas, service industry and low impact industry may be located within 250 metres of a residential or emerging community zone or an existing sensitive land use within a zone other than industrial;
- (h) a limited range of non-industry uses that are ancillary to and support industrial uses and people employed in the area are located in the zone. The scale of these uses does not compromise the role and function of existing or future planned centres and includes:
 - (i) caretaker's accommodation and ancillary administration offices associated with industrial uses;
 - (ii) warehousing and retail associated with, but ancillary to industrial uses carried out on the same site;
 - (iii) small-scale food and drink outlets servicing the day-to-day needs of the industrial zone;
 - (iv) non-resident workforce accommodation only when associated with an industrial use on the same site and located on an urban sub-arterial road or higher order road;
 - (v) service station;
 - (vi) uses which would be incompatible in a centres zone as a result of the size or nature of goods sold or the fitting services provided (for example agricultural supplies store, and bulk landscape supplies); and
 - (vii) uses that share similar characteristics and external impacts with low or medium impact industry uses such as hours of operation or the nature of the use (for example indoor sport and recreation facilities);
- (i) the viability of existing and future medium impact industry uses is not affected by the intrusion of incompatible uses;

- (j) ***large land holdings are provided to accommodate for large land consumptive industries;***
- (k) development is located, designed and managed to maintain safety to people, and to avoid significant adverse effects on the natural environment;
- (l) development minimises adverse impacts on nearby non-industrial zoned land and sensitive land use(s) through building design, hours of operation, screening and landscaping;
- (m) the scale, siting and form of development, including car parking areas and landscaping contributes to a high standard of amenity;
- (n) development maximises the use of existing transport infrastructure and has safe and practical access to all modes of transport infrastructure and facilities, including airports and seaports;
- (o) development is designed to incorporate sustainable practices including maximising opportunities for energy efficiency, water conservation, public and active transport use;
- (p) development is sited and designed to respond to natural landscape features and environmental constraints;
- (q) development is connected to all infrastructure services available in the area; and
- (r) the establishment of one (1) precinct within the zone where particular requirements are identified:
 - (i) Gracemere saleyards precinct.

The subject development for Animal Keeping (horse training for four (4) horses) is not categorised as a sensitive land use. The subject site's large land holding of over 46 hectares is anticipated to remain capable of accommodating a large land consumptive industry. The development is not anticipated to compromise the ability for industrial uses to establish within the balance area of the site or industrial uses establishing, expanding or intensifying in the surrounding area. However, despite this, Animal Keeping is not a supported land use within the Medium Impact Industry Zone.

Therefore, this application is not consistent with the purpose of the Zone.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application:

- Medium Impact Industry Zone Code;
- Airport Environs Overlay Code;
- Biodiversity Areas Overlay Code;
- Bushfire Hazard Overlay Code;
- Flood Hazard Overlay Code;
- Steep Land Overlay Code
- Access, Parking And Transport Code;
- Filling and Excavation Code;
- Landscape Code;
- Stormwater Management Code; and
- Water and Sewer Code.

An assessment has been made against the requirements of the abovementioned codes and the proposed development generally complies with the relevant Performance Outcomes and Acceptable Outcomes. An assessment of the Acceptable Outcome, which the application is in conflict with, is outlined below:

Medium Impact Industry Zone Code		
Performance Outcome		Officer's Response
PO7	Landscaping to road frontages must make a positive contribution to the streetscape and incorporate landscape elements that screen the scale and bulk of industrial forms.	<p>The proposal does not include any formal landscaping and therefore does not meet the recommendations of Acceptable Outcome 2.1. This recommendation is for a landscaping strip to be provided for a minimum width of two (2) metres along all road frontages.</p> <p>However, the proposed unenclosed horse training structure is setback 50 metres from the Kabra Road frontage and is only approximately five (5) metres in height. Furthermore, despite the site being designated in the Medium Impact Industry Zone, the existing site and the surrounding area is predominantly used to accommodate Dwelling Houses on large parcels of land with associated rural uses.</p> <p>The development is appropriately located and designed to not represent the scale or bulk of an industrial built form. Therefore, the recommendation for a landscaping strip to be provided along all road frontages of the site is not appropriate for the subject development.</p>

Based on a performance assessment of the abovementioned codes, it is determined that the proposal is acceptable and generally complies with the relevant Performance Outcomes and where there is deviation from the codes, sufficient justification has been provided.

INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No. 5) 2015 (AICR) for non-residential development applies to the application and it falls within Charge Area 1. However, the use for Animal Keeping falls within the ambit of the "Specialised Uses" category under the AICR, for which Council has discretion to decide the applicable infrastructure charges at the time of assessment. The proposed development does not have access to Council infrastructure services such as reticulated water and sewer, and is not anticipated to result in an increased demand to Council's transport infrastructure network.

Therefore, an Infrastructure Charges Notice is not required to be issued for the development.

CONSULTATION

The proposal was the subject of public notification between 19 March 2021 and 13 April 2021, in accordance with the requirements of the *Planning Act 2016* and the Development Assessment Rules, and no properly made submissions were received.

CONCLUSION

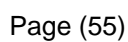
The proposed development is not anticipated to compromise the Strategic Framework of *Rockhampton Region Planning Scheme 2015* (version 2.1). Furthermore, the proposal generally complies with the provisions included in the applicable codes. The proposal is therefore, recommended for approval in accordance with the approved plans and subject to the conditions outlined in the recommendation.

**D/15-2021 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR ANIMAL
KEEPING (HORSE TRAINING)**

Locality Plan

Meeting Date: 22 June 2021

Attachment No: 1



**D/15-2021 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR ANIMAL
KEEPING (HORSE TRAINING)**

Site Plan

Meeting Date: 22 June 2021

Attachment No: 2

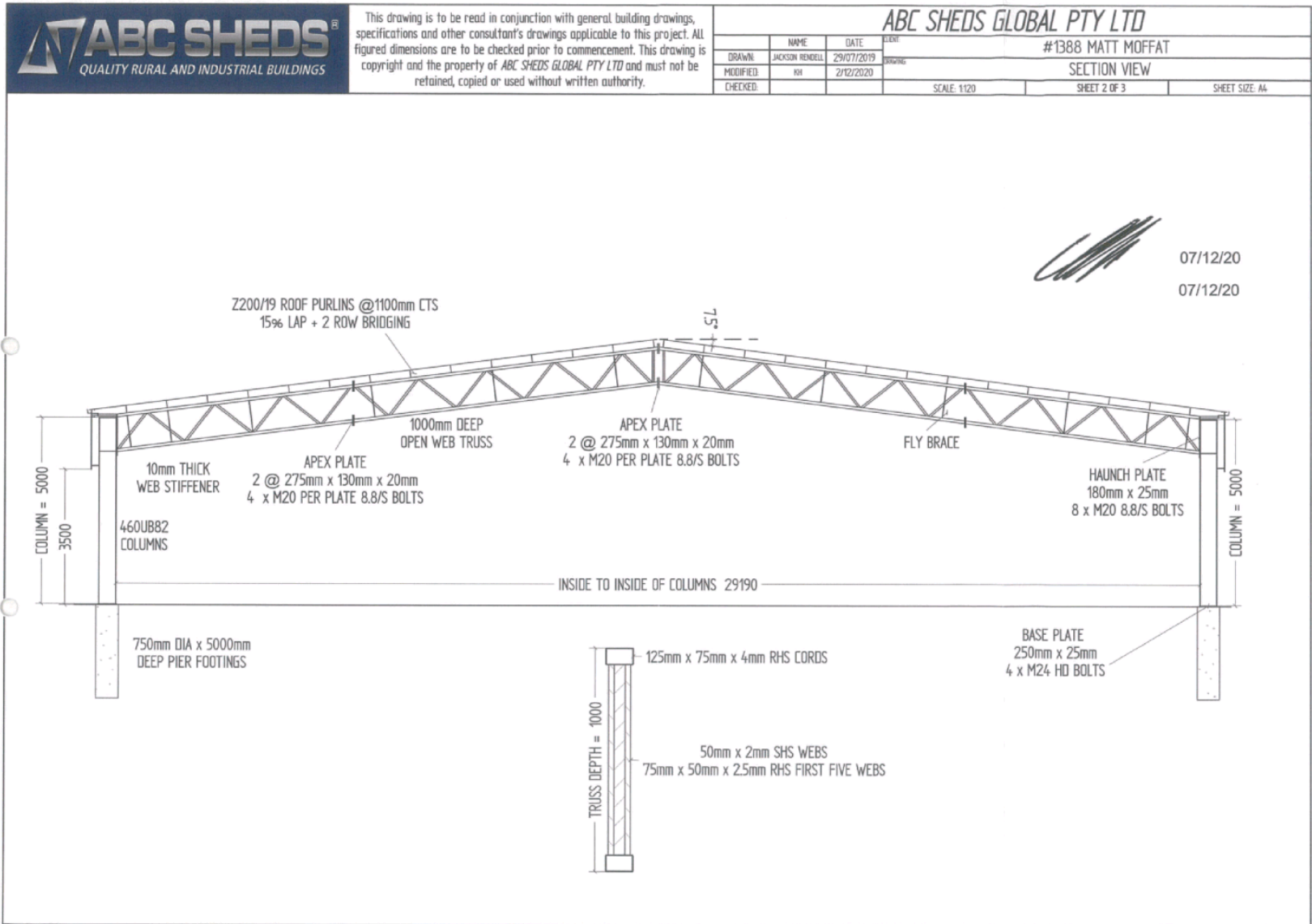


**D/15-2021 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR ANIMAL
KEEPING (HORSE TRAINING)**

Elevations Plan

Meeting Date: 22 June 2021

Attachment No: 3



WASTE AND RECYCLING**Councillor Portfolio – Councillor Latcham**

9.8 LOCAL AUTHORITY WASTE MANAGEMENT ADVISORY COMMITTEE (LAWMAC) MEMBERSHIP

File No: 7927
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Michael O'Keeffe - Manager Rockhampton Regional Waste and Recycling

SUMMARY

The purpose of this report is to provide Council with an update on the status of the Local Authority Waste Management Advisory Committee (LAWMAC), the proposal to transition LAWMAC to an incorporated association and to seek endorsement for Rockhampton Regional Council to continue to be a member of LAWMAC when it becomes an incorporated association.

OFFICER'S RECOMMENDATION

THAT:

1. Council continue to be a member of the Local Authority Waste Management Advisory Committee (LAWMAC) whilst it remains a sub-committee of the Northern Alliance of Councils Incorporated; and
2. Council provide in principle agreement to become a member of LAWMAC when it transitions to an incorporated association subject to Council being satisfied with the association rules.

BACKGROUND

The Local Authority Waste Management Advisory Committee (LAWMAC) is an organisation of 30 Northern Queensland Local Government Councils and 24 Associate Members dedicated to best practice waste management aiming to provide sustainable solutions through its regional forum and interactive participation across the LAWMAC region on current and future waste management practices and technologies.

LAWMAC comprises members from the North Queensland Local Government area from Cook Shire in the north to Gladstone in the south and extending inland to Mount Isa, Burke and Cloncurry shires.

LAWMAC General Meetings are held quarterly with the Annual General Meeting scheduled ASAP after the end of each financial year.

LAWMAC has been in existence since 1993 and is an endorsed sub-committee of the Northern Alliance of Councils Incorporated

COMMENTARY

On 30 November, 2020, the Northern Alliance of Councils Incorporated held a special meeting and resolved to rename the association to Regional Queensland Council of Mayors Inc and to amend the constitution. Due to these changes to the Northern Alliance of Councils Incorporated, LAWMAC have concerns about their ongoing legal existence.

As a result, the Executive Committee of LAWMAC have had discussions to agree on the best way forward in relation to the legal existence of LAWMAC and to ensure LAWMAC is a standalone entity (as opposed to a sub-committee of a different incorporated association).

In principal the Executive Committee have proposed that LAWMAC should become an incorporated association.

The Executive Committee, with the support of Mackay Regional Council, are working on the requirements relating to the transitional process.. Draft rules for LAWMAC, based on the model rules under the Associations Incorporation Act 1981, are currently being considered.

The proposed objectives for the association are:

- i. To achieve sustainable use of resources through continuous improvement of resource recovery/waste management practices by regional cooperation;
- ii. To facilitate positive environmental changes;
- iii. To collaborate and develop regional and other partnerships in the implementation of sustainable resource recovery/waste management solutions;
- iv. To foster and support the adoption of circular economy principles in implementing resource recovery/waste management solutions;
- v. To attract public/private investment and job creation through the adoption of innovative resource recovery/waste management practices and solutions in regional Queensland;
- vi. To advocate for and influence environmental and other policy outcomes that enhance and support resource recovery/waste management practices and solutions in line with the objectives, to all levels of Government;
- vii. To continue to enhance and develop the professionalism of the Association;
- viii. To do all and any things as may advance the objectives of the Association.

At the appropriate time, the transitional process with the necessary supporting information will be presented to the LAWMAC membership for agreement.

PREVIOUS DECISIONS

Council previously resolved on 25 July 2017 to adopt the recommendations from the minutes of the Airport, Water and Waste Committee on 18 July 2017 being that the Rockhampton Regional Council joins the Local Authority Waste Management Advisory Committee (LAWMAC) permitting the Chairperson of the Airport Water and Waste Committee and a Council officer to attend their meetings.

BUDGET IMPLICATIONS

The current annual membership fee is \$1,862.

LEGAL IMPLICATIONS

If established as an incorporated association, LAWMAC will be governed by the terms of its rules and relevant legislation.

The Mackay Regional Council is supporting the Executive Committee of LAWMAC with the transitional process, including; finance, legal, insurance, audit governance, etc.

The proposed incorporated association will be a beneficial enterprise, defined by the Local Government Act 2009 as “an enterprise that a local government considers is directed to benefiting, and can reasonably be expected to benefit, the whole or part of its local government area”.

Under section 40 of the Local Government Act 2009, a Council may conduct a beneficial enterprise by participating with an association. Under section 40, “participates” includes forming an association or becoming a member of an association, and an “association” includes “another association of persons that is not a corporation”.

CORPORATE/OPERATIONAL PLAN

Nil

CONCLUSION

In conclusion it is recommended that Council approve the items contained in this report as Council will continue to benefit positively from being a member of LAWMAC.

WATER AND ENVIRONMENTAL SUSTAINABILITY
Councillor Portfolio – Councillor Kirkland

9.9 FITZROY RIVER WATER SPECIALISED ITEMS - SOLE SUPPLIER REQUEST

File No: 1466
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

This report details a number of items of equipment or products that are important to Fitzroy River Water's water and sewerage operations for which Council approval is sought for these items to be provided by the listed sole suppliers in accordance with s235(b) of the Local Government Regulation (2012).

OFFICER'S RECOMMENDATION

THAT pursuant to s235(b) of the *Local Government Regulation 2012*, Council approves the use of the nominated suppliers for the items listed without the need to seek additional quotes or tenders.

BACKGROUND

Fitzroy River Water relies on specialised items in many of its water and sewerage assets to ensure standardization of design, operation and maintenance, and to help ensure optimal safety and reliability of services.

Table 1 lists items of such equipment or products and the suppliers. The previous engagement of the suppliers for this equipment has been completed based on seeking quotes on multiple occasions, however this process is not efficient or an effective use of Council and the Supplier's time and resources, as these suppliers are continually selected due to the specialist nature of the equipment they supply and the ability of this supplier and their equipment to meet Fitzroy River Water's operational needs.

Table 1. Items of equipment or products for water and sewerage operations and their suppliers

Item	Supplier	Justification
Access Chamber Bases (supply)	Coral Coast Composites	No other known supplier exists for these products which are required for the completion of sewer construction and refurbishment programs. The current financial year expenditure is approx. \$10,000. Future procurement of these items is expected to exceed \$15,000.
Metered Stand Pipes (supply and maintenance)	Flowtech Water Meters	Flowtech and one other company are the only known suppliers of this product and the other supplier does not perform any maintenance or servicing of these items. Accurate metered stand pipes are an essential part of the service that FRW provides to customers. The current financial year expenditure is approx. \$31,000.
Penstocks and Customised Valving (supply)	Australian Water Engineers	There are very limited suppliers of customised penstocks and other associated valving. Australian Water Engineers have proven to be a reliable source of this product and are capable of the design and manufacture of high quality items for the renewal of ageing components in water and sewerage assets. The expenditure in the 2018/2019 Financial Year was approx. \$13,000. Future procurement of these items is expected to exceed \$15,000.
Danfoss Variable Speed Drives and Power Quality Solutions (supply, servicing, technical support)	Electronic Power Solutions	Electronic Power Solutions are the authorised supplier and service provider for Danfoss drives which have become a standard component in smaller scale pump station or other motor control environments or both water and sewerage assets. As such they act as the OEM provider for these products. The current financial year expenditure is approx. \$46,000.

PREVIOUS DECISIONS

In December 2017, February 2019 and again in June 2020, Council approved the establishment of specialised item suppliers for Fitzroy River Water. This report seeks to add to this list of specialised item suppliers to further improve the efficiency of procurement activities for these important items and improve the reliability and performance of water and sewerage assets.

LEGISLATIVE CONTEXT

Local Government Regulation (2012) –

235 Other exceptions

“A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders

if—“

“(b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders;”

CONCLUSION

By approving the above suppliers as specialised suppliers of the stated items, Fitzroy River Water can procure important items that have demonstrated the ability to meet our operational needs in an efficient manner.

BUDGET, GOVERNANCE AND OTHER MATTERS

9.10 ANNUAL POLICY REVIEW - PURCHASING POLICY - ACQUISITION OF GOODS AND SERVICES

File No:	5883
Attachments:	1. Draft Purchasing Policy - Acquisition of Goods and Services ↓
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer
Author:	Drew Stevenson - Manager Corporate and Technology Services

SUMMARY

The annual review of the Purchasing Policy – Acquisition of Goods and Services is presented for consideration and adoption.

OFFICER'S RECOMMENDATION

THAT Council adopts the revised Purchasing Policy – Acquisition of Goods and Services.

COMMENTARY

Under s198 of the *Local Government Regulation (2012)*, Council is required to adopt a policy about procurement that includes the principles regarding its procurement practices and sound contracting principles. Council is also required to review its procurement policy annually.

The attached revised draft policy highlights a series of minor proposed changes viewable using track changes. The proposed changes include:

- The addition of *Sustainable Procurement, Whole of Life Cost and Supplier* definitions;
- Reference to sustainable procurement in *Environmental protection – 5(d)*; and
- Other minor terminology and referenced documents amendments.

PREVIOUS DECISIONS

The June 2020 version of the Purchasing Policy was adopted by Council at the 9 June 2020 Ordinary Meeting.

BUDGET IMPLICATIONS

No budget implications.

LEGISLATIVE CONTEXT

Local Government Regulation 2012:

“198 Procurement policy

- (1) A local government must prepare and adopt a policy about procurement (a procurement policy).*
- (2) The procurement policy must include details of the principles, including the sound contracting principles, that the local government will apply in the financial year for purchasing goods and services.*
- (3) A local government must review its procurement policy annually.”*

LEGAL IMPLICATIONS

In accordance with the Local Government Regulation (2012) s198, Council must adopt a procurement policy and review annually.

STAFFING IMPLICATIONS

No staffing implications.

RISK ASSESSMENT

Purchasing risk assessments are referenced in Council's Operational Risk Register and the Fraud and Corruption Risk Checklist.

CORPORATE/OPERATIONAL PLAN

5.3 Financially sustainable organisation.

5.3.1 Ensure the efficient and effective management of Council's finances.

CONCLUSION

In accordance with the Local Government Regulation, Council's Purchasing Policy – Acquisition of Goods and Services must be reviewed annually and adopted by Council. The attached revised policy is presented for Council's consideration and adoption.

ANNUAL POLICY REVIEW - PURCHASING POLICY - ACQUISITION OF GOODS AND SERVICES

Draft Purchasing Policy – Acquisition of Goods and Services

Meeting Date: 22 June 2021

Attachment No: 1

PURCHASING POLICY – ACQUISITION OF GOODS AND SERVICES

STATUTORY POLICY



1 Scope

This policy applies to Rockhampton Regional Council employees and encompasses all procurement activities throughout all of Council's operations.

2 Purpose

The purpose of this policy is to outline Council's approach to developing and maintaining procurement practices for the acquisition of goods and services which optimise value for money and promote effective supplier relationships.

3 Related Documents

3.1 Primary

Local Government Regulation 2012

3.2 Secondary

Local Government Act 2009

Public Sector Ethics Act 1994

Code of Conduct

[Conflicts of Interest Policy](#)

[Evaluating Quotes, Tenders and Expression of Interest Procedure](#)

Financial Delegations Policy

Fraud and Corruption Control Policy

Information and Communication Technology – Acquisition and Purchase of Equipment, Systems and Services Procedure

Inviting Quotes, Tenders and Expressions of Interest Guideline

Local Preference Policy

Plant Hire Engagement Guideline

Pre-Qualification of Suppliers [GuidelineProcedure](#)

Privacy Policy

Selecting the Procurement Method Procedure

Value for Money Guideline

4 Definitions

To assist in interpretation, the following definitions apply:

Council	Rockhampton Regional Council
---------	------------------------------

LEGAL & GOVERNANCE USE ONLY

Adopted/Approved:	Adopted, 6 August 2019 DRAFT	Department:	Corporate Services
Version:	10	Section:	Corporate and Technology Services
Reviewed Date:	9 June 2020	Page No:	Page 1 of 5

Employees	Local government employee: (a) The Chief Executive Officer; or (b) A person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .
Life Cycle Costing	A costing system which is concerned with the cost of life cycle ownership. It includes costs associated with acquiring, using, caring for and disposing of physical assets.
Preferred Supplier Arrangement	A form of standing offer arrangement where a supplier has provided a standing quotation for the goods or services.
Pre-Qualified Supplier	As defined in the <i>Local Government Regulation 2012</i>, a supplier who has been assessed by Council as having the technical, financial and managerial capability necessary to perform contracts on time and in accordance with agreed requirements.
Purchase Order	The official document, normally generated by Technology One R1 , Council's finance corporate enterprise system, used to authorise and record the purchase of goods or services by Council. It will often be the prime reference confirming the contractual situation between Council and the supplier.
RPQS	Register of Pre-Qualified Suppliers.
Sound Contracting Principles	As defined in the <i>Local Government Act 2009</i> , the sound contracting principles are: (a) Value for money; (b) Open and effective competition; (c) The development of competitive local business and industry; (d) Environmental protection; and (e) Ethical behaviour and fair dealing.
Standing Offer Arrangement	An agreement subject to specified terms and conditions whereby the purchaser agrees to purchase their requirements of a specified number or range of items goods or services, during a specified time period from the supplier at agreed prices or on an agreed price basis. Normally no obligation to purchase a specified quantity exists although estimates for the guidance of the supplier may be given.
Supplier	A person, organisation or entity that performs a specific act or acts including the provision of services and/or materials to another person, organisation or entity under an agreement enforceable by law.
Sustainable Procurement	A process where organisations meet their needs for goods, services and capital projects, in a way that achieves value for money over the whole of life cost basis in terms of generating benefits not only to the organisation, but also to society, the economy and the natural environment.
The Regulation	<i>Local Government Regulation 2012</i>
Whole of Life Cost	Total cost of a good or service over its entire lifecycle. This may include acquisition costs (associated with the initial procurement), operating costs, maintenance costs, cleaning costs, refurbishment costs, support costs and disposal costs.

5 Policy Statement

Section 198 of the Regulation stipulates that Council must adopt a procurement policy including the application of the sound contracting principles.

In undertaking any Council procurement activity, the objective is to obtain goods and services of the most suitable quality at the lowest whole of life cost which is consistent with the fitness for purpose of the requirements being procured and at an acceptable level of risk. This does not necessarily mean selecting the lowest priced goods or service.

LEGAL & GOVERNANCE USE ONLY			
Adopted/Approved:	Adopted, 6 August 2019 DRAFT	Department:	Corporate Services
Version:	10	Section:	Corporate and Technology Services
Reviewed Date:	9 June 2020	Page No:	Page 2 of 5

Value for money and promotion of effective supplier relationships in the procurement of goods and services is achieved by the following:

- (a) Open and effective competition. Requirements should be planned well in advance to enable them to be adequately sourced, competitive bids obtained utilising open and effective competition, and delivery achieved on time without the need for stocks to be held in inventory.
- (b) Value for money. Demand for goods and/or services which are required on a recurring basis should be forecast and aggregated using pre-qualified supplier and preferred supplier arrangements to improve negotiating leverage for Council as a whole and to enable suppliers to plan production and offer better prices and delivery times.
- (c) Ethical behaviour and fair dealing. Council will conduct contracting activities with impartiality, fairness, independence, openness and accountability for outcomes.
- (d) Environmental protection. Consideration and support to promote sustainable procurement development through-by ensuring the necessary balance between environmental, economic and social aspects of development-procurement and to maintain a high quality environment.
- (e) The development of competitive local business and industry. Enhancement of the capabilities of local business and industry. As shown in the Local Preference Policy, the benefits of encouraging and dealing with local suppliers should be taken into account and should form part of the evaluation process for all purchases.
- (f) Provision of a purchase order to suppliers prior to the receipt of goods and/or services. An authorised purchase order must be provided to suppliers at the time of the request for the goods and/or services. The purchase order should clearly specify the requirements and record an accurately estimated or actual price. Suppliers must reference the purchase order number on the respective tax invoice to ensure timely payment.
- (g) Requirements should not be over-specified. Specifications should be as explicit as possible, non-discriminatory and focus on performance, function, and/or technical and physical characteristics (as opposed to brand and manufacturer).
- (h) The terms and conditions governing the acquisition should allocate the risks to the party best able to manage them.
- (i) The market place should be continually researched to identify new suppliers/products and enable effective use of competition in seeking offers.
- (j) Whole of life cost ~~Life-cycle costing~~ should be an integral part of the procurement decision for major assets.
- (k) Decision analysis and risk assessment techniques should be employed where appropriate.
- (l) Negotiations should be conducted with suppliers to reduce cost and improve performance.
- (m) Good supplier relations (and where appropriate, partnering arrangements and long term relationships) should be established where considered beneficial.
- (n) Disputes with suppliers should be resolved expeditiously and in the best overall interests of Council.
- (o) Supplier performance should be a particular focus (using techniques such as value analysis and development of key performance indicators) and the supplier's compliance with their obligations should be regularly monitored and enforced.

LEGAL & GOVERNANCE USE ONLY

Adopted/Approved:	<u>Adopted, 6 August 2019 DRAFT</u>	Department:	Corporate Services
Version:	10	Section:	Corporate and Technology Services
Reviewed Date:	<u>9 June 2020</u>	Page No:	Page 3 of 5

5.1 Procurement Financial Thresholds

In accordance with the sound contracting principles and the Regulation, the following procurement financial thresholds have been adopted by Council. The below methods apply where the risks associated with the purchase are assessed as low to medium. Where the risk is assessed as high then the next higher level process should be used and careful consideration should be given to the terms and conditions governing the transaction.

Estimated Expenditure (excluding GST)	Form Of Procurement			Responsibility
	General Purchasing	Council Trades, Consultancy and Civil Construction RPQS (s232 of the Regulation)	All other Council RPQS, Local Buy or other Government Arrangements (s232, s234 and s235 of the Regulation)	
Greater than \$150,000 (large sized contract)	Formal tender (s226 of the Regulation)	Invite 3 or more written quotes from the RPQS or formal tender (determined by Contracts and Tenders Unit)	Invite 1 or more written quote(s) from the RPQS or arrangement*	Contracts and Tenders Unit or Procurement and Logistics Officers
Greater than \$15,000 but less than \$150,000 (medium sized contract)	Invite 3 or more written quotes (s225 of the Regulation)	Invite 3 or more written Quotes from the RPQS		
Greater than \$3,000 but less than \$15,000	Invite 2 or more written quotes	Invite 1 or more written quote(s) from the RPQS	Invite 1 or more written quote(s) from the RPQS or arrangement	Council Officer or Procurement and Logistics Officer
\$0 to \$3,000	Invite 1 verbal quote	Invite 1 verbal quote from the RPQS	Invite 1 verbal quote from the RPQS or arrangement	

*Whilst it is not mandatory to invite more than one written quote, it is recommended where possible that officers obtain multiple quotes to ensure value for money in accordance with the sound contracting principles.

5.2 Ethical Behaviour Relating to Procurement

All employees involved in procurement must behave with impartiality, openness, integrity and professionalism whilst maintaining confidentiality in their dealings with suppliers. In the context of Council procurement activity, behaving ethically is achieved by observing the Code of Conduct and by:

- Performing duties with impartiality and integrity in dealings with suppliers;
- Treating information relating to suppliers as "commercial in confidence" and only disclosing such information to other employees or parties on a strict "need to know" basis;
- Ensuring all written bids and other information submitted by suppliers is kept in a secure location when not in use;
- Utilising open and accountable procurement methods;
- Promoting professional procurement practices;

LEGAL & GOVERNANCE USE ONLY			
Adopted/Approved:	Adopted, 6 August 2019 DRAFT	Department:	Corporate Services
Version:	10	Section:	Corporate and Technology Services
Reviewed Date:	9 June 2020	Page No:	Page 4 of 5

- (f) Maintaining systems and procedures which ensure a consistent approach to procurement;
- (g) Providing advice to suppliers on how to do business with Council;
- (h) Not engaging in any misleading or deceptive conduct towards suppliers;
- (i) Not making improper use of information relating to suppliers or to Council;
- (j) Not taking personal advantage of an opportunity that properly belongs to Council or a supplier;
- (k) Not accepting or seeking gifts or other favours from suppliers;
- (l) Not entertaining approaches from suppliers that might be interpreted as attempts to influence the procurement process; and
- (m) Not participating in any transaction between Council and any supplier in which they have an undisclosed interest.

6 Review Timelines:

This policy will be reviewed when any of the following occur:

- (a) As required by legislation – June ~~2021~~2022;
- (b) The related information is amended or replaced;
- (c) Audit reports relating to Council purchasing and the acquisition of goods and services being undertaken by Council indicate that a review from a legislative compliance or governance perspective is required; or
- (d) Other circumstances as determined from time to time by the Council.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Manager Corporate Services and Technology
Policy Quality Control	Legal and Governance



LEGAL & GOVERNANCE USE ONLY			
Adopted/Approved:	Adopted, 6 August 2019 DRAFT	Department:	Corporate Services
Version:	10	Section:	Corporate and Technology Services
Reviewed Date:	9 June 2020	Page No:	Page 5 of 5

9.11 FRAUD AND CORRUPTION RISK CHECKLIST - ANNUAL PRESENTATION

File No: 8780
Attachments: 1. Annual Presentation of the Fraud and Corruption Risk Checklist as at 31 May 2021 [↓](#)
Authorising Officer: John Wallace - Chief Audit Executive
Ross Cheesman - Acting Chief Executive Officer
Author: Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Presentation of the Fraud and Corruption Risk Checklist for adoption by Council.

OFFICER'S RECOMMENDATION

THAT the Council adopts the Fraud and Corruption Risk Checklist as at 31 May 2021.

LEGISLATIVE CONTEXT

The *Local Government Regulation 2012, Chapter 5, s164*, requires... (1) a local government must keep a written record stating (a) the risks the local government's operations are exposed to...; and (b) the control measures adopted to manage the risks.

CORPORATE/OPERATIONAL PLAN

Fraud and Corruption Control form components of Council's Corporate Plan objectives:

- 4.2 Practical and values based compliance frameworks; and
- 5.2 Strong leadership that provides quality governance to support and service the community

RISK ASSESSMENT

The Corporate Risk Register has identified Fraud and Corruption risk as a Major potential exposure to achieving the *Practical and values based compliance frameworks* Corporate Plan objective.

The exposure could be caused through – poorly designed/implemented or no controls; controls being overridden; lack of staff awareness and training; poor culture, ethics and values, just to name a few. However, with the current existing controls in place management has determined that they have reduced the exposure to Moderate 6. (Translation of Moderate 6 – Probability >30%-70% chance of fraud occurring. Consequences ranging from being financial loss from \$152,776 - <\$381,940 and reputation affected).

PREVIOUS DECISIONS

The Fraud and Corruption Risk Checklist was last adopted by Council 23 June 2020.

BUDGET IMPLICATIONS

The Officer is not aware that this report has any budget implications.

LEGAL IMPLICATIONS

The Officer is not aware of any legal implications that might be caused from this report.

STAFFING IMPLICATIONS

The Officer is not aware of any staffing implications caused by this report.

COMMENTARY

Council's Enterprise Risk management Framework requires that the Fraud and Corruption Risk Checklist be reviewed, at least annually, with the results presented to Council.

The Fraud and Corruption Risk Checklist, attached, has been reviewed by senior management as at 31 May 2021 and is now presented for adoption by Council.

The following provides an overview of changes made by management:

Cash Handling & Revenue

Risk Statement: *Ineffective cash handling at cash receiving points.*

Controls:

Two people assigned to collect money from Alma and Bolsover Streets paid parking... . This control has been listed as “no longer relevant” and will be removed next reporting period.

Regular independent reconciliations of cash balances and security processes against procedures, has changed from “commenced” to “implemented”.

Armoured guard reconciles Airport paid parking..., has had further details added to the control statement.

Information Management

Risk Statements:

Inappropriate use of network facilities or network breached.

Identity theft by customers...

New control added to both as “implemented”: *Proofpoint solution implemented...*

Risk Statement: *Misuse of all signatures for false authorisations.*

Control: *HRM Delegation Policy.* This control has been listed as “no longer relevant” and will be removed next reporting period.

Risk Statement: *Unauthorised access to HR systems...*

Two of the controls have had their statements tweaked to more accurately reflect what is in place.

Staff Supervision and Administration

Risk Statement: *Favouritism in the treatment of staff in the workplace.*

Control: *Random sampling of timesheets.* This control has been listed as “no longer relevant” and will be removed next reporting period.

New Risk: A new risk statement has been recorded against this category: *Employee submits timesheet...falsely claiming hours worked, leave, allowances, etc, with the expectation of personal gain.*

Management has assessed this as having a “Minor” Potential Exposure and once the implemented controls have been considered a Current Risk Rating of Moderate 6.

Travel Expenses

Risk Statement: Travel arrangements not being coordinated centrally.

Control: All travel to be coordinated centrally.... The additional statement that identified that there were exceptions to this is to be removed next reporting period.

Generally: reference to Cracking the Code is to be removed from Control statements as this has been merged into the Code of Conduct training and information.

CONCLUSION

The Fraud and Corruption Risk Checklist, having undergone its annual review conducted by management, is presented for adoption by Council.

FRAUD AND CORRUPTION RISK CHECKLIST - ANNUAL PRESENTATION

Annual Presentation of the Fraud and Corruption Risk Checklist as at 31 May 2021

Meeting Date: 22 June 2021

Attachment No: 1

Rockhampton Regional Council

Fraud and Corruption Summary as at 31 MAY 2021 (to be Adopted by Council 22 June 2021)

Risk Area	Highest Potential Exposure Rating	Highest Current Risk Rating		Number of Risks in Risk Area
Cash Handling & Revenue	4.Major	Moderate 5	\$0	4
Conflict of Interest	4.Major	Moderate 6	\$0	7
External or Secondary Employment	3.Moderate	Moderate 6	\$0	3
Information Management	4.Major	Moderate 6	\$0	14
Procurement - including Contract Management	4.Major	Moderate 6	\$0	13
Regulatory and Compliance Functions	3.Moderate	Moderate 5	\$0	10
Staff Supervision and Administration	4.Major	Moderate 6	\$0	8
Travel Expense - Financial Fraud	3.Moderate	Low 7		5
Other Misc Fraud and Corruption	4.Major	Moderate 6	\$0	1

1 new risk statement added

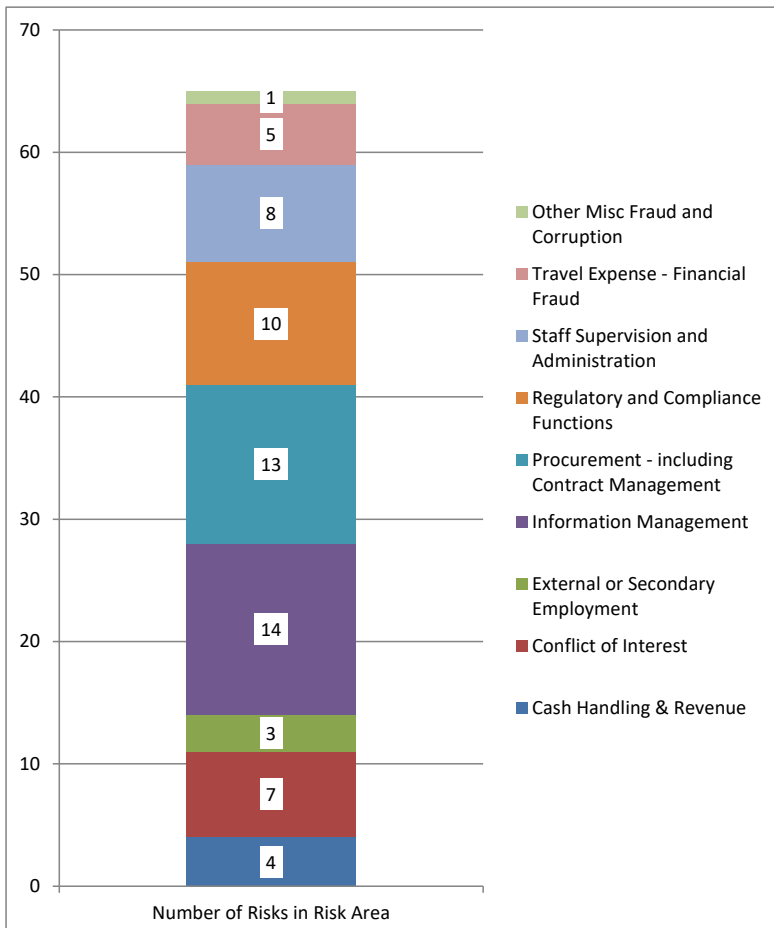
65

RANGE OF POTENTIAL EXPOSURE RATINGS

1.Insignificant | 2.Minor | 3.Moderate | 4.Major | 5.Catastrophic

RANGE OF CURRENT RISK RATINGS FROM LOWEST (Low 9) to HIGHEST (Very High 1)

Low 9 | Low 8 | Low 7 | Moderate 7 | Moderate 6 | Moderate 5 | High 5 | High 4 | High 3 | Very High 3 | Very High 2 | Very High 1



Rockhampton Regional Council

Risk Area:

Cash Handling & Revenue

Cash handling issues and misappropriation of funds have at times demonstrated a weakness in Council's cash handling controls.

Highest Potential Exposure Rating

4.Major

Highest Current Risk Rating

Moderate 5

As at Date:

31 May 2021

Date Previously Adopted:

23 June 2020

What is the risk	Impact	Corruption Type	Potential Exposure Rating	In place (existing) and planned (future) Key Controls	Refers to Key Controls Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Lack of effective cash handling security in the Customer Service Centres resulting in resulting in theft of cash namely: > Stealing from petty cash > Taking money from the till > Stealing incoming cash or cheques through an account set up to look like a bona fide payee	Council Reputation	Criminal Activity	4.Major	Cash handling policies and procedures.	Implemented	Could at some time	3	Moderate 5			Procedure is now implemented. It is up to each cash taking area to update the training for turnover of new staff. Spot audits will continue. (23/3/18)	Chief Financial Officer	CHIEF FINANCIAL OFFICER	31/5/2021: No Changes
				Employee cash handling training.	Implemented							Co-ordinator Customer Service		
				Formal end-of-day procedures including segregation oversight.	Implemented						Financial Services to conduct the reconciliation of sites cash balances and procedures in random fashion without prior advice of attendance.	Co-ordinator Customer Service		
				Independent and secure cash collection service.	Implemented							Co-ordinator Customer Service		
				Cash Safe security procedures (e.g. physical placement, regular combination changes and restricted access).	Implemented							Co-ordinator Customer Service		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
<p>Ineffective cash handling at cash receiving points (not Customer Service) resulting in theft of cash namely:</p> <ul style="list-style-type: none"> > Stealing from petty cash > Taking money from the till > Stealing money from paid parking. (12/4/16) > Stealing incoming cash or cheques through an account set up to look like a bona fide payee 	Council Reputation	Criminal Activity	4.Major	A cash handling policy is in place at 'Whole of Council' level providing 'cash handling principles'.	Implemented	Could at some time	3	Moderate 5			There are 25 'Cash floats' or receipting locations across Council excluding 3 Customer Service locations.	Co-ordinator Accounting Services	CHIEF FINANCIAL OFFICER	<p>31/5/2021: No Changes</p> <p>31/5/2021: Status to now reflect Implemented.</p> <p>31/5/21: CFO advises - No Paid parking in Bolsover St or Cash handling at Animal Management Centre. No keys required as parking machines are no longer in use.</p> <p>Status is now: No longer relevant, and this control will be removed next reporting period.</p> <p>31/05/2021: Key Control statement to be amended to include: Airport Management (Commerical) double check the cash collections and reconciliations against our figures.</p>
				Employee cash handling training.	Implemented						Training program has been implemented and will be ongoing for new starters and refreshers.	Co-ordinator Accounting Services		
				Formal procedures documented for each site including segregation oversight.	Implemented						Cash handling procedure and supporting information and resources now available on The Hub (23/3/18).	Co-ordinator Accounting Services		
				Regular independent reconciliations of cash balances and security processes against procedures.	Implemented						Accounting team to implement - and will be on ad-hoc basis. (3/2/17)	Co-ordinator Accounting Services		
				12/4/16: Two people (one Supervisor and another staff member) assigned to collect money from Alma Street and Bolsover Street paid parking. 2 sets of keys required.	No longer relevant						Looking into having the same sort of collection as the airport. (3/2/17)	Manager Planning and Regulatory Services		
				12/4/16: Armored guard reconciles Airport paid parking collection deposits. 2/6/21: Airport management (Commercial) double check the cash collections and reconciliations against our figures.	Implemented							Manager Airport (12/4/16)		
				Cash Safe security procedures (e.g. physical placement, regular combination changes and restricted access).	Implemented						Included in Cash handling procedure, and supporting information and resources now available on The Hub (23/3/18).	Co-ordinator Accounting Services		
EFT payment files could be skimmed when transferring from Bank files to receipts.	Council Reputation	Criminal Activity	4.Major	<p>Skimming to another bank account would require the usual bank transfer processes of 2 persons authorising. Water Accounts would show as outstanding on the next account.</p> <p>To skim to own rates account or one of an associate would be highlighted to the payee through the follow up of outstanding debts. This is done promptly after rates discount period.</p>	Implemented	Could at some time	3	Moderate 5				Co-ordinator Accounting Services	CHIEF FINANCIAL OFFICER	31/5/2021: No Changes

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Rates & Sundry Debtor levies and adjustments could be falsified to benefit relevant staff or associates.	Council Reputation	Financial Fraud	4.Major	Debtors: Monthly credit reports generated and verified by supervisor.	Implemented	Could at some time	3	Moderate 5				Rates and Revenue Supervisor (23/3/18)	CHIEF FINANCIAL OFFICER	31/5/2021: No Changes
				Separation from GL (general ledger) and AR (accounts receivable) functions as GL Journals are posted via Accounting Team.	Implemented							Co-ordinator Accounting Services		
				Separation of bad debts management from receipt data entry. All transactions as part of a batch (which is sequential) - batch reports attached to journal entry sheets - manually checked against Audit Report. Majority of receipts handled from Customer Service.	Implemented							Rates and Revenue Supervisor (23/3/18)		
				Rates: All adjustments are marked as a transaction in the rates system allowing the individual to be identified.	Implemented							Rates and Revenue Supervisor (23/3/18)		
				Processing of adjustments is done in batches and double checked by supervisor.	Implemented							Rates and Revenue Supervisor (23/3/18)		
				Separation of entry of transactions from authorisation of transactions. All transaction as part of batch (which is sequential) - batch reports attached to journal entry sheets - manually checked.	Implemented							Rates and Revenue Supervisor (23/3/18)		
				Separation of receiving cash/cheque function and preparing banking from system receipt entry/debt write-off function/bank account reconciliation. Any receipts posted by the Rates team are in a separate Rates draw that is reviewed by Customer Service and part of the daily totals.	Implemented							Co-ordinator Accounting Services and Rates and Revenue Supervisor (23/3/18)		
				Both: Separation of IT system modification functions from transaction entry. Changes to user Access separate within System Administration function.	Implemented							Rates and Revenue Supervisor (23/3/18)		

Rockhampton Regional Council

Risk Area:

Conflict of Interest

Allegations of conflict of interest are common within local government and may be directed at staff members and Councillors alike. Typically they involve situations where an individual's private business interests and/or personal relationships breach Council policies or conflict with the performance of Council duties.

Highest
Potential
Exposure
Rating

4.Major

Highest
Current Risk
Rating

Moderate 6

As at Date:

31 May 2021

Date Previously Adopted:

23 June 2020

				In place (existing) and planned (future)	Refers to Key Controls										
What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)	
Undeclared conflict of interest dealing with Council issues involving partners, spouses, family associates or friends. <i>Based on CCC Publication - "Corruption in Focus".</i>	Council Reputation	Conflict of Interest	4.Major	Clear strategies for dealing with conflicts of interest situations.	Implemented	Might at some time	3	Moderate 6				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: No changes	
				Document Conflict of Interest declarations on personal files for employees.	Implemented							Coordinator Human Resources and Payroll		31/5/2021: No changes	
				Assist staff who disclose conflicts of Interest to manage potential conflicts.	Implemented							Coordinator Human Resources and Payroll		31/5/2021: No changes	
				On-going education of employees and managers (Code of Conduct Cracking the Code).	Implemented						Update 31/5/21: Review of Code of Conduct (inclusive of Conflict of Interest) to commence October 2021. Following endorsement, all staff to be provided revised Code of Conduct and whole-of-Council training	Coordinator Human Resources and Payroll		31/5/2021: Reference to Cracking the Code will be removed as is now part of Code of Conduct training.	
				12/04/16: Related Party Disclosure Policy, Procedure and monitoring process.	Implemented							Chief Financial Officer (3/2/17)			
Conflict in relation to recruitment of employees <i>NB: Conflicts arise in the recruitment of staff where friends or relatives are involved in the recruitment process.</i>	Council Reputation	Conflict of Interest	3.Moderate	HR person on recruitment panel.	Implemented	Might at some time	2	Low 7				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: No changes	
				Segregation of approval process for recruitment.	Implemented							Coordinator Human Resources and Payroll			
				Clear guidelines for declaration of conflict of interest.	Implemented							Coordinator Human Resources and Payroll			
				Document Conflict of Interest declarations on personal files for employees.	Implemented							Coordinator Human Resources and Payroll			
				Clear policies on recruitment processes.	Implemented							Coordinator Human Resources and Payroll			
				12/04/16: Related Party Disclosure Policy, Procedure and monitoring process.	Implemented							Chief Financial Officer (3/2/17)			
Employees authorising payments for family members and associates.	Council Reputation	Misuse of Authority	3.Moderate	Separation of duties for ordering, processing and receipting.	Implemented	Rare	2	Low 8				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes	
				Use of preferred suppliers.	Implemented							Coordinator Procurement & Logistics			
				12/4/16: Australian Accounting Standard (AASB124) for Related Party Disclosure. Council must implement a Related Party policy and procedure as a new Key Control to monitor and report any incidents of related party transactions.	Implemented						23/3/18: Presented to ABIC for review and feedback 2/5/17; Council adopted 13/6/17. 3/2/17 An update will be given to Audit Committee. Only relevant for Key Management Personnel. Wider workforce will not be controlled through this action.	Chief Financial Officer (3/2/17)			
				Monthly purchasing compliance audits, including review of conflicts of interest in purchasing.	Implemented							Coordinator Procurement & Logistics			

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
External business or social activities which could conflict with the performance in the public interest.	Council Reputation	Bias or Favouritism	3.Moderate	Sponsorship and grant policy.	Implemented	Might at some time	2	Low 7				Chief Financial Officer	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: No Changes
				Procedure for declarations of potential conflicts of interest.	Implemented							Coordinator Human Resources and Payroll		31/5/2021: No Changes
				Applicable employees submitting Declarations of Material Interest.	Implemented						15/2/17: With change in structure, this will need to be changed to CEO as Control Owner	CEO		
				12/4/16: Australian Accounting Standard (AASB124) for Related Party Disclosure. Council must implement a Related Party policy and procedure as a new Key Control to monitor and report any incidents of related party transactions.	Implemented						23/3/18: Presented to ABIC for review and feedback 2/5/17; Council adopted 13/6/17.	Chief Financial Officer		31/5/2021: No Changes, all data updated annually for Related Parties for all Key Management Personnel
				Code of Conduct.	Implemented						31/5/21: Review of Code of Conduct and associated training to commence October 2021. Once endorsed, the revised Code of Conduct (inclusive of Conflict of Interest) will be distributed to all staff, along with a launch of the updated Code of Conduct training module.	Coordinator Human Resources and Payroll (Workforce and Governance)		31/5/2021: No change
Employees or councillors failing to declare ownership of or conducting businesses.	Council Reputation	Bias or Favouritism	4.Major	12/4/16: Australian Accounting Standard (AASB124) for Related Party Disclosure. Council must implement a Related Party policy and procedure as a new Key Control to monitor and report any incidents of related party transactions.	Implemented	Might at some time	2	Low 7			23/3/18: Presented to ABIC for review and feedback 26/5/17; Council adopted 13/6/17.	Chief Financial Officer	CEO	31/5/2021: No Changes, all data updated annually for Related Parties for all Key Management Personnel.
				Senior executives required to declare MPI (material personal interest).	Implemented						3/2/17 An update will be given to Audit Committee. Only relevant for Key Management Personnel. Wider workforce will not be controlled through this action.	CEO		
				MPI (material personal interest) register updated on a regular basis.	Implemented						3/2/17: Owing to a restructure Control Owner changed.	CEO		
				Tender evaluation plans include the provisions for the declaration of conflict of interest.	Implemented							Coordinator Procurement & Logistics		
				The tender evaluation plans include the option of appointing a probity auditor / adviser for substantial / sensitive projects.	Implemented							Coordinator Procurement & Logistics		
				Employment outside of Council procedure and approval process.	Implemented							Coordinator Human Resources and Payroll (Workforce and Governance)		31/5/2021: No change
				12/04/16: Related Party Disclosure Policy, Procedure and monitoring process.	Implemented						23/3/18: Presented to ABIC for review and feedback 26/5/17; Council adopted 13/6/17.	Chief Financial Officer		31/5/2021: No Changes, all data updated annually for Related Parties for all Key Management Personnel
				Code of Conduct, including the annual cracking of the code program.	Implemented						31/5/21: Review of Code of Conduct and associated training to commence October 2021. Once endorsed, the revised Code of Conduct (inclusive of Conflict of Interest) will be distributed to all staff, along with a launch of the updated Code of Conduct training module.	Coordinator Human Resources and Payroll (Workforce and Governance)		31/5/2021: Reference to Cracking the Code will be removed as is now part of Code of Conduct.

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Employees and Councillors failing to declare gifts	Poor Transparency	Erosion of Standards	3.Moderate	Code of Conduct, including the annual cracking of the code program.	Implemented	Could at some time	2	Moderate 6			31/5/21: Review of Code of Conduct and associated training to commence October 2021. Once endorsed, the revised Code of Conduct (inclusive of Conflict of Interest) will be distributed to all staff, along with a launch of the updated Code of Conduct training module.	Coordinator Human Resources and Payroll (Workforce and Governance)	CEO	31/5/2021: No change
				Regular reminders of policy around acceptance gifts.	Implemented						3/2/17: Policy presented to Council 12/4/16 and communicated to staff. Owing to a restructure Control Owner and Risk Owner to be changed to CEO.	CEO		
				12/04/16: Related Party Policy, Procedure and monitoring process.	Implemented						23/3/18: Presented to ABIC for review and feedback 26/5/17; Council adopted 13/6/17.	Chief Financial Officer		
				RRC website outlines code of conduct.	Implemented						31/5/21: Changes to website and internal intranet content to be included in October 2021 review processes.	Coordinator Human Resources and Payroll (Workforce and Governance)		
Employees issuing Council approvals for family members and associates. (Approvals can be in the form of development applications, licences and permits)	Council Reputation	Misuse of Authority	3.Moderate	Segregation of duties in receipting, evaluation and approvals processing.	Implemented	Could at some time	2	Moderate 6				Wider Leadership Team	CEO	31/5/2021: 31/5/2021: No Changes, all data updated annually for Related Parties for all Key Management Personnel
				Supervisory oversight of discretionary matters to ensure decision making is within regulatory frameworks.	Implemented							Wider Leadership Team		
				12/04/16: Related Party Disclosure Policy, Procedure and monitoring process.	Implemented						23/3/18: Presented to ABIC for review and feedback 26/5/17; Council adopted 13/6/17.	Chief Financial Officer		
				Monthly purchasing compliance auditing and reporting process.	Implemented							Coordinator Procurement & Logistics		

Rockhampton Regional Council

Risk Area:

External or Secondary Employment
Secondary employment can harbour undesirable outcomes such as diminished job performance, unacceptable conflicts of interest, theft and criminal deception and fraud. The significance of secondary employment as a factor in combating potential fraud and misconduct is illustrated by the typical situations met in local government. These include the misuse of Council resources and facilities; misuse of information; planning and regulatory staff preparing drawings and undertaking other inspection and certification functions for developers; and staff spending undue time on their private business affairs (which may involve other conflicts of interest).

Highest Potential Exposure Rating	3.Moderate
-----------------------------------	------------

Highest Current Risk Rating	Moderate 6
-----------------------------	------------

As at Date:

31 May 2021
23 June 2020

Date Previously Adopted:

				In place (existing) and planned (future)	Refers to Key Controls									MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resource	Comment / Update	Control Owner	Risk Owner	
Inappropriate employment outside of Council.	Council Reputation	Conflict of Interest	3.Moderate	Clearly defined policy around secondary employment.	Implemented	Might at some time	3	Moderate 6				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: No changes
				Code of Conduct awareness.	Implemented						31/5/21: Review of Code of Conduct and associated training to commence October 2021. Once endorsed, the revised Code of Conduct (inclusive of Conflict of Interest) will be distributed to all staff, along with a launch of the updated Code of Conduct training module.	Coordinator Human Resources and Payroll		31/5/2021: No change
				Reapplication for approval when there is a change of employment circumstances.	Implemented							Coordinator Human Resources and Payroll		31/5/2021: No change
				Use of MPI / COI registers for senior executives and contract employees.	Implemented							CEO		31/5/2021: No Changes, all data updated annually for Related Parties for all Key Management Personnel.
				12/4/16: Australian Accounting Standard (AASB124) for Related Party Disclosure. Council must implement a Related Party policy and procedure as a new Key Control to monitor and report any incidents of related party transactions.	Implemented						23/3/18: Presented to ABIC for review and feedback 26/5/17; Council adopted 13/6/17.	Chief Financial Officer		
				Implementation of administrative procedures and systems to ensure consistent applications of conflict of interest considerations in accordance with the Code of Conduct and Employment Outside of Council Procedure.	Implemented							Coordinator Human Resources and Payroll		31/5/2021: No change
An employee's outside employment impacts on personal health and welfare and diminishing work performance.	Council Reputation	Procedural Breach	3.Moderate	Education around secondary employment for all staff (Code of Conduct /-cracking the code).	Implemented	Might at some time	2	Low 7				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: Reference to Cracking the code will be removed as is now part of Code of Conduct.
				Investigation of any illness or injury claims takes into consideration the impact of any outside employment.	Implemented							Coordinator Safety and Training		31/5/2021: No change
				Employee required to declare any other employment or self employment on the application for worker's compensation.	Implemented							Coordinator Safety and Training		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resource	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Change of internal employment circumstances causes conflict of interest with approved secondary employment.	Council Reputation	Conflict of Interest	3.Moderate	New employees to Council are required to declare any secondary employment when commencing. Covered as part of Corporate Induction.	Implemented	Might at some time	2	Low 7				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: No change
				Central recording of secondary employment approvals.	Implemented							Coordinator Human Resources and Payroll		
				Employees are required to reapply for permission to undertake employment outside of Council if their Council employment conditions change.	Implemented							Coordinator Human Resources and Payroll		
				Current secondary employment applications are maintained on personal files.	Implemented							Coordinator Human Resources and Payroll		

Rockhampton Regional Council

Risk Area:

Information Management

Information management is at the centre of a majority of Council's interactions and business processes and if infiltrated can cause major disruption to service provision. Poor communication processes and record keeping practices may enable questionable conduct to be more easily hidden. Conversely, undue reliance on oral or undocumented arrangements may mean there is no evidence to help in quickly resolving any later allegations of impropriety.

Highest Potential Exposure Rating

4.Major

Highest Current Risk Rating

Moderate 6

As at Date:

31 May 2021

Date Previously Adopted:

23 June 2020

What is the risk	Impact	Corruption Type	Potential Exposure Rating	In place (existing) and planned (future) Key Controls	Refers to Key Controls Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Failure to identify, classify and handle sensitive information appropriately.	Council Reputation	Procedural Breach	3.Moderate	Clearly defined policies and procedures for dealing with (electronic and hardcopy) information.	Implemented	Could at some time	2	Moderate 6				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Clear procedures around record keeping and maintenance of material.	Implemented							Coordinator Information Systems		
				Access to records is controlled - authorisation process.	Implemented							Coordinator Information Systems		
				Process for the retention of material in accordance with relevant legislation, including implemented records disposal and retention schedules.	Implemented							Coordinator Information Systems		
				Procedures for the disposal of information, files and printed media.	Implemented							Coordinator Information Systems		
				Information released in accordance with adopted Right To Information and Privacy policies (as per RTI and the Information Privacy Acts).	Implemented							Coordinator Information Systems		
Fraudulent activity by an independent contractor or external programmer.	Council Reputation	Misuse of Information	4.Major	Terms and condition of contracts requiring confidentiality, non-disclosure, return of all materials, right to audit.	Implemented	Might at some time	3	Moderate 6				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Restricted network and information access based on contracted responsibility.	Implemented							Coordinator Information Systems		
				Network access controls requiring authorisation and authentication.	Implemented							Coordinator Information Systems		
				All security breach incidents are logged and reviewed (via ISSG).	Implemented							Coordinator Information Systems		
				Network accounts reconciled and reviewed.	Implemented							Coordinator Information Systems		
				Established segregation of duties for all Corporate Systems.	Implemented						12/4/16: Business systems segregation matrix completed and implemented.	Coordinator Information Systems		
				Contracts include acceptance of RRC Code of Conduct and all RRC policies and procedures.	Implemented							Coordinator Information Systems		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Inadequate policies and procedures on information management leading to fraudulent activity.	Council Reputation	Misuse of Information	3.Moderate	Comprehensive suite of policies and procedures relating to information management.	Implemented	Could at some time	2	Moderate 6				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Clear policies on acceptable email and internet usage.	Implemented							Coordinator Information Systems		
				Guidelines around consequences for breaching information policies.	Implemented							Coordinator Information Systems		
				Code of Conduct and annual Cracking the Code program.	Implemented							Coordinator Corporate Improvement & Strategy		
				Guidelines on password usage and computer user security.	Implemented							Coordinator Information Systems		
				Guidelines in place covering the archiving of material, including emails.	Implemented							Coordinator Information Systems		
				Employing file management procedures with a high order of traceability.	Implemented							Coordinator Information Systems		
				Clearly defined policies for dealing with requests under the RTI and IP legislation.	Implemented							Coordinator Information Systems		
				Publicised procedures for dealing with non-Council confidential information ie: tender information provided by tenderers.	Implemented							Coordinator Procurement & Logistics		
				Established information systems governance framework and processes.	Implemented							Coordinator Information Systems		
Inappropriate use of network facilities or network breached.	Council Reputation	Procedural Breach	3.Moderate	Peer to peer connections are blocked.	Implemented	Could at some time	2	Moderate 6				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: New control to be added: Proofpoint solution implemented to monitor and quarantine potential unsafe emails, provide cyber security awareness training via the learning management system and provide simulated email phishing programs for network users.
				Use of internet filters to block inappropriate websites.	Implemented							Coordinator Information Systems		
				Anti virus and patch management to reduce the vulnerability of malicious programmes.	Implemented							Coordinator Information Systems		
				Gateway monitoring and reporting on inward and outgoing emails.	Implemented							Coordinator Information Systems		
				Audit trails on high risk sites (generally blocked).	Implemented							Coordinator Information Systems		
				Regular review of user network access.	Implemented							Coordinator Information Systems		
				Monitoring and reporting of password breaches.	Implemented							Coordinator Information Systems		
				Monitoring for DVD / MP 3 / AVI files.	Implemented							Coordinator Information Systems		
				Transfer of emails to PDA's only allowed to Council equipment.	Implemented							Coordinator Information Systems		
				Implemented mobile device management software.	Implemented							Coordinator Information Systems		
				Regular review of all user accounts.	Implemented							Coordinator Information Systems		
				Audited controls over access to sensitive systems.	Implemented							Coordinator Information Systems		
				Proofpoint (software) solution implemented to monitor and quarantine potential unsafe emails, provide cyber security awareness training via the learning management system, and provide simulated email phishing programs for network users	Implemented							Coordinator Information Systems		
				Security cabinets and other computer storage systems are secured.	Implemented							Coordinator Information Systems		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Misuse of all signatures for false authorisations.	Legal Liability	Misuse of Authority	3.Moderate	Code of conduct.	Implemented	Might at some time	2	Low 7			31/5/21: Review of Code of Conduct and associated training to commence October 2021. Once endorsed, the revised Code of Conduct will be distributed to all staff, along with a launch of the updated Code of Conduct training module.	Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: No change 31/5/21: No longer relevant as delegations are all included in policy and procedures. To be removed next reporting period 31/5/2021: No changes
				HRM Delegation Policy.	No longer relevant							Coordinator Legal and Governance		
				Details of individual's delegated authority (including financial HR and signing of correspondence) can be checked on the various delegation registers, via the Hub. 3/2/17 Employee position descriptions detail individual delegated authority, including financial, HR and signing of correspondence.	Implemented						3/2/17 - Wording appears on every position description: " Financial, Administrative, and HRM Delegations may be applicable to this position and are detailed in the Delegations Corporate Register. Legislative Sub-Delegations and Authorisation may also be applicable to this position and are detailed in the external public registers. Both registers are available on Council's intranet".	Coordinator Human Resources and Payroll		
Misuse of telephone facilities for business / personal gain.	Resource Management	Procedural Breach	2.Minor	Telephone usage policies.	Implemented	Could at some time	2	Moderate 6				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Greater use of exception reporting on telephone accounts.	Implemented							Coordinator Information Systems		
				Monitoring on PDA and Stud mobiles usage for unauthorised numbers (1900) numbers.	Implemented							Coordinator Information Systems		
				Regular audits of telephones, mobile telephones and PDA records - customised reports of all users by department and section.	Implemented							Coordinator Information Systems		
Unauthorised access to HR systems (both electronic and manual) for personal benefit.	Council Reputation	Misuse of Information	3.Moderate	Physical HR files are secured. Employees' electronic data is stored securely in appropriate system. Access to the files is restricted.	Implemented	Rare	2	Low 8				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: Control statement to now reflect: Physical HR files are secured. Employees' electronic data is stored securely in appropriate system. Access to the files is restricted. 31/5/2021: Control statement to be amended to reflect: Full audit trail for employee's HR/personnel electronic data. 31/5/2021: No changes
				Full audit trail on HR systems. For employees' HR/peronnel electronic data.	Implemented							Coordinator Human Resources and Payroll		
				Levels of access are defined with individuals not being able to access their own files (without authorisation as per implemented policy).	Implemented							Coordinator Human Resources and Payroll		
Unauthorised access to systems to commit financial fraud.	Legal Liability	Financial Fraud	3.Moderate	Full audit trail on financial systems.	Implemented	Might at some time	2	Low 7				Coordinator Financial Systems	CHIEF FINANCIAL OFFICER	31/5/2021: No Changes
				Levels of access are defined program areas.	Implemented							Coordinator Financial Systems		
				Established segregation of duties in purchasing policy.	Implemented							Coordinator Procurement & Logistics		
				Financial delegations policy.	Implemented							Coordinator Procurement & Logistics		
				Account reconciliation and independent audit.	Implemented							Co-ordinator Accounting Services		
Use of RRC information for personal benefit (Logical Access). Logical access - defined as interactions with hardware through remote access - generally features identification, authentication and authorization protocols. Contrasted with the term "physical access," referring to interactions with hardware in the physical environment, where equipment is stored and used.	Council Reputation	Misuse of Information	3.Moderate	Documented policies and procedures.	Implemented	Might at some time	2	Low 7				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Identity management - user names, password rotation, authorisation controls.	Implemented							Coordinator Information Systems		
				Network controls on access.	Implemented							Coordinator Information Systems		
				Procedures to delete terminated employees from access to the network.	Implemented							Coordinator Information Systems		
				External network penetration tests.	Implemented							Coordinator Information Systems		
				Process for detecting and reporting password sharing.	Implemented							Coordinator Information Systems		
				Code of Conduct.	Implemented							Coordinator Human Resources and Payroll		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Use of unauthorised or unlicensed software.	Commercial Exposure	Theft	3.Moderate	Software auditing tools in place to conduct scheduled review and detection of unauthorised and unlicensed software.	Implemented	Might at some time	2	Low 7				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes. Comment covering Info Systems security - project underway to work towards Essential 8 compliance. Progress monitored by ISSG
				Documented ICT policies and procedures.	Implemented							Coordinator Information Systems		
				Rights restricted to ITS to install software.	Implemented							Coordinator Information Systems		
				Restricted access to physical media and software installation files.	Implemented							Coordinator Information Systems		
Use of hardware or software for private purposes.	Resource Management	Procedural Breach	3.Moderate	Monitoring of email gateway.	Implemented	Could at some time	2	Moderate 6				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Use of subject filters to block inappropriate internet sites ie: Movie, games and music sites.	Implemented							Coordinator Information Systems		
				Code of conduct.	Implemented						23/3/18: Awareness will be heightened once new Code of Conduct is approved . All employees will receive an individual copy of the Code of Conduct as well as undertaking a " quiz" on all elements of the code . Expected to commence May 2018	Coordinator Human Resources and Payroll		
				Acceptable use policy for ICT.	Implemented							Coordinator Information Systems		
Failure to adequately document policy decisions.	Poor Transparency	Procedural Breach	3.Moderate	Clear policy for ensuring accurate and retrievable records of all significant management and administrative decisions.	Implemented	Might at some time	2	Low 7				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Established Recordkeeping policy including disposal and retention schedules.	Implemented							Coordinator Information Systems		
Identity theft by customers to access Council information.	Legal Liability	Misrepresentation	3.Moderate	Customer requests for information covered by privacy legislation are challenged to provide their identity.	Implemented	Could at some time	2	Moderate 6				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: New control: Proofpoint solution implemented to monitor and quarantine potential unsafe emails, provide cyber security awareness training via the learning management system and provide simulated email phishing programs for network users.
				Process to determine customer's identity.	Implemented							Coordinator Information Systems		
				Complainant identity is not released without the complainants authority.	Implemented							Coordinator Information Systems		
				31/5/21: Proofpoint (software) solution implemented to monitor and quarantine potenial unsafe emails, provide cyber security awareness training via the learning management system, and provide simulated email phishing programs	Implemented							Coordinator Information Systems		
				Validation of Changes in the Accounts Payable Chart Procedure to ensure legitimate changes to the supplier details (23/3/18).	Implemented							Coordinator Procurement and Logistics		
Unauthorised document modification or disposal.	Council Reputation	Misuse of Authority	3.Moderate	Primary source for all records is contained in ECM.	Implemented	Could at some time	2	Moderate 6				Coordinator Information Systems	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Authorisation for the destruction of records.	Implemented							Coordinator Information Systems		
				Records management in accordance with Recordkeeping policy and Public Records Act.	Implemented							Coordinator Information Systems		
				Use of folio sheets on all paper based files.	Implemented							Coordinator Information Systems		
				Document authorship is clearly identified.	Implemented							Coordinator Information Systems		

Rockhampton Regional Council

Risk Area:

Procurement - including Contract Management
Procurement and contract management issues feature prominently in allegations of impropriety within local government. Others have alleged improper tendering and contract letting procedures, nepotism and conflicts of interest.
Council sourcing process must be able to demonstrate that due process has been followed and that all criteria have been met (consistent with the approved procedure's) for the value and complexity of a given contract or supply. Some Council complaints have alleged the diversion and misuse of Council resources or inappropriate expenditures and inadequate expenditure controls e.g. Ensuring that contractors are treated fairly, value for money, goods supplied are to the desired standards, services are performed.

Highest
Potential
Exposure
Rating

4.Major

Highest
Current Risk
Rating

Moderate 6

As at Date:

31 May 2021
23 June 2020

Date Previously Adopted:

What is the risk	Impact	Corruption Type	Potential Exposure Rating	In place (existing) and planned (future)	Refers to Key Controls	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Bias selection of suppliers including: specifications; negotiation processes; and disclosure of sensitive information.	Council Reputation	Bias or Favouritism	4.Major	Trained staff to conduct all tenders.	Implemented	Might at some time	2	Low 7				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				12/4/16: Tender evaluation panel members must declare any actual or perceived conflicts of interest as part of the Tender Evaluation and Probity Plan declaration and execution.	Implemented							Coordinator Procurement & Logistics		
				Tender team are required to sign confidentiality and conflict of interest statements.										
				Code of Conduct.	Implemented							Coordinator Human Resources and Payroll		
				Peer review of specifications.	Implemented							Coordinator Procurement & Logistics		
				Clearly defined assessment weighting criteria before the tender evaluation process commences.	Implemented							Coordinator Procurement & Logistics		
				Independent person from contracts area on the selection panel.	Implemented							Coordinator Procurement & Logistics		
				Comprehensive approval process that includes pre and post market submissions and checks, including value for money evaluations.	Implemented							Coordinator Procurement & Logistics		
				Single points of contact during the tender process.	Implemented							Coordinator Procurement & Logistics		
				A minimum of two members of the tender panel must be present at all negotiations.	Implemented							Coordinator Procurement & Logistics		
				Formal process for tender negotiation.	Implemented							Coordinator Procurement & Logistics		
				Independent review of assessment panel recommendations.	Implemented							Coordinator Procurement & Logistics		
				Use of probity audits in complex and sensitive situations (part of evaluation plan).	Implemented							Coordinator Procurement & Logistics		
				Non acceptance of evaluation team assessment must be documented.	Implemented							Coordinator Procurement & Logistics		
				Documentation of variations provided to all tenderers (part of the notice to tenderer process).	Implemented							Coordinator Procurement & Logistics		
Biased use of suppliers/panels.	Council Reputation	Misuse of Authority	3.Moderate	Reasons for non-availability of panel contractor documented.	Implemented	Might at some time	2	Low 7				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Regular spend analysis on panels.	Implemented							Coordinator Procurement & Logistics		
				Regular performance meeting with contractors (as needs basis).	Implemented							Coordinator Procurement & Logistics		
				Approval process for purchase orders (established purchasing segregation).	Implemented							Coordinator Procurement & Logistics		
				Monthly purchasing compliance review.	Implemented							Coordinator Procurement & Logistics		
											23/3/18: Complaint Management Framework adopted by Council (Coord. Industrial Relations and Investigations)	Coordinator Workforce Relations and Ethics		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Collusion between employee and supplier including: fraudulent over payment; and payments to "bogus" contractors.	Legal Liability	Financial Fraud	4.Major	Superintendents' role in approval process is clearly defined.	Implemented	Might at some time	2	Low 7			Major contracts performing well however issues with minor contracts	Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Separation of duties in the invoice and payment approval process/system.	Implemented							Coordinator Procurement & Logistics		
				Auditing of delegated approval processes as part of monthly purchasing compliance review.	Implemented							Coordinator Procurement & Logistics		
				Standardised process for contractor claims and payments across Council (including variation statements).	Implemented							Coordinator Procurement & Logistics		
				Staff provided with appropriate fraud awareness training (part of staff induction and cracking the code program).	Implemented							Coordinator Human Resources and Payroll		
				Clearly defined and well understood contract terms and conditions centrally facilitated by the Contracts and Tenders team.	Implemented							Coordinator Procurement & Logistics		
				Induction training for contractors at the commencement of a contract.	Implemented							Coordinator Procurement & Logistics		
				Proof of work completed prior to the payment of invoices.	Implemented							Coordinator Procurement & Logistics		
				Process to ensure no duplication of payments via AP oversight.	Implemented							Coordinator Procurement & Logistics		
				Payment approved by Council's Representative following certification of the payment claim.	Implemented							Coordinator Procurement & Logistics		
				ABN / ACN numbers recorded for all contractors.	Implemented							Coordinator Procurement & Logistics		
				Checks of employee details against potential contractors during new creditor application assessment and tender/quote evaluation.	Implemented							Coordinator Procurement & Logistics		
				Comparison of invoice and purchase order dates (part of monthly purchasing compliance review).	Implemented							Coordinator Procurement & Logistics		
				Spend analysis of panel contractors.	Implemented							Coordinator Procurement & Logistics		
				Validation of changes in the Accounts Payable Chart Procedure to ensure legitimate changes to the supplier details (23/3/18)	Implemented							Coordinator Procurement & Logistics		
Collusion between suppliers.	Council Reputation	Misrepresentation	3.Moderate	Checks in quoting and pricing patterns as part of evaluation assessment.	Implemented	Might at some time	2	Low 7				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Declaration on non collusive behaviour by tenderers.	Implemented							Coordinator Procurement & Logistics		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Conflicts of interest are not declared (Potential or otherwise).	Poor Transparency	Procedural Breach	3.Moderate	12/4/16: Tender evaluation panel members must declare any actual or perceived conflicts of interest as part of the Tender Evaluation and Probity Plan declaration and execution. Evaluation teams required to complete a Conflict of Interest Declaration for sensitive procurements.	Implemented	Could at some time	2	Moderate 6				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Regular reviews and sign off on Code of Conduct (monthly Cracking the Code program).	Implemented							Coordinator Human Resources and Payroll		
				Declaration of conflict of interest for all persons involved in the procurement process.	Implemented							Coordinator Procurement & Logistics		
				Staff awareness around Public Interest Disclosure policy.	Implemented					12/4/16: Take 5 Paper - Fraud and Corruption Awareness	Implemented (3/2/17)	Coordinator Workforce Relations and Ethics		
Contract extended inappropriately.	Commercial Exposure	Misuse of Authority	3.Moderate	Centralised management and auditing of contracts.	Implemented	Might at some time	2	Low 7				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Authorised extension of contracts by the delegate.	Implemented							Coordinator Procurement & Logistics		
				Establishment of pre-qualified tenderers with agreed contract conditions.	Implemented							Coordinator Procurement & Logistics		
Contractors or suppliers appointed inappropriately including: no selection process; and/or appropriate qualifications or competencies.	Council Reputation	Procedural Breach	4. Major	Comprehensive approval process that includes checks and evaluations against preapproved evaluation criteria.	Implemented	Might at some time	2	Low 7				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Past performance, identity and qualifications of all tenderers verified as part of the assessment process.	Implemented							Coordinator Procurement & Logistics		
				Comprehensive checks of contractor licences, registrations and business documentations.	Implemented							Coordinator Procurement & Logistics		
				Centralised tendering and contracting functions overseeing the tender and contracting process.	Implemented							Coordinator Procurement & Logistics		
				Approval process for sole sourcing procurement (Council resolution).	Implemented							Coordinator Procurement & Logistics		
				Monitoring of leakage outside of approved suppliers (part of monthly purchasing compliance review).	Implemented							Coordinator Procurement & Logistics		
				Checks on purchases for contract compliance (part of monthly purchasing compliance review).	Implemented							Coordinator Procurement & Logistics		
Employees acting as contractors.	Council Reputation	Conflict of Interest	4. Major	Code of Conduct training for staff (Staff Induction and Cracking the Code program).	Implemented	Might at some time	2	Low 7				Coordinator Human Resources and Payroll	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No change except to remove reference to Cracking the Code as this now part of Code of Conduct training
				Conflict of interest declarations.	Implemented							Coordinator Procurement & Logistics		
				Check of ABN / ACN performed by AP.	Implemented							Coordinator Procurement & Logistics		
				Checks of employee details against potential contractors during new creditor application assessment and tender/quote evaluation.	Implemented							Coordinator Procurement & Logistics		
Inappropriate extension of scope.	Commercial Exposure	Misuse of Authority	3.Moderate	Superintendent/ delegate to review and approve variations.	Implemented	Might at some time	2	Low 7			Superintendents role must be clearly defined.	Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Documented procedures for pre-approvals.	Implemented							Coordinator Procurement & Logistics		
				Authorised extension of scope by the delegate.	Implemented							Coordinator Procurement & Logistics		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Kick back from contractors.	Council Reputation	Bribery	4.Major	Code of Conduct / Public Interest Disclosure (Whistle-blower) procedures awareness.	Implemented	Could at some time	2	Moderate 6		Take 5 Paper - Fraud and Corruption Awareness	23/3/18: Complaint Management Framework adopted by Council. Further training is being revised.	Coordinator Workforce Relations and Ethics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Spend analysis of panel contractors.	Implemented							Coordinator Procurement & Logistics		
				Clearly defined gifts policies.	Implemented					3/2/17 Also included in Cracking the Code Principle 1 (Accepting Gifts		Coordinator Human Resources and Payroll		
				Contract monitoring by authorised delegate.	Implemented							Coordinator Procurement & Logistics		
Overlook contract provisions to favour contractor.	Council Reputation	Procedural Breach	3.Moderate	Independent review of contracts to ensure adherence with contract conditions ie: insurance, security deposits.	Implemented	Might at some time	2	Low 7				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Claims against contractors are documented and reconciled.	Implemented							Coordinator Procurement & Logistics		
				Poor performance by a contractor is documented and addressed by the delegate.	Implemented							Coordinator Procurement & Logistics		
Payments for goods/services made to incorrect or fraudulent supplier/financial institution. <i>[This was originally listed as risk 236 in the Operational Register]</i> (This risk also links to:- Collusion between employee & supplier including: fraudulent over payment; and payments to "bogus" contractors ; and Short supply of goods; payment for false claims for service; and supply of goods and services inferior to those ordered and paid for.)	Legal Liability	Financial Fraud	4.Major	Adopted procedure guiding the process of testing the veracity of supplier requests prior to actioning changes - 'Changes to Supplier Details in the AP Chart Procedure'.	Implemented	Might at some time	3	Moderate 6			COMMENT FROM SNR RISK & ASSURANCE ADVISOR - This risk was listed on the Operational Risk Register (risk # 236) until such time as the future controls were completed. It has now been removed and placed in the Fraud Risk Checklist.	Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Process in place for monthly independent review of AP chart supplier masterfile changes.	Implemented							Coordinator Procurement & Logistics		
				Purchasing compliance included fraudulent supplier awareness in new purchaser training and standing agenda item on Key Purchasing Officer Training.	Implemented							Coordinator Procurement & Logistics		
				Coordinator Procurement & Logistics completes monthly review of all amendment to the Accounts Payable Supplier Masterfile.	Implemented							Coordinator Procurement & Logistics		
Short supply of goods; payment for false claims for service; and supply of goods and services inferior to those ordered and paid for.	Resource Management	Financial Fraud	4.Major	Inventory control to identify discrepancies in supply system.	Implemented	Might at some time	2	Low 7				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/5/2021: No changes
				Technical inspection of specialised goods and services.	Implemented							Coordinator Procurement & Logistics		
				Budget variations and audit checks used to identify discrepancies.	Implemented							Coordinator Procurement & Logistics		
				Defined outputs and associated performance outcomes that are regularly reviewed.	Implemented							Coordinator Procurement & Logistics		
				Bank guarantees for pre-payments to contractors.	Implemented							Coordinator Procurement & Logistics		
				Clear terms and conditions of the contract.	Implemented							Coordinator Procurement & Logistics		
				Recording of quantity of work as part of progress claims.	Implemented							Coordinator Procurement & Logistics		
				Established segregation of duties in the requisition, approval and receipting process with month purchasing compliance review.	Implemented							Coordinator Procurement & Logistics		
				Funding for variations limited to approved contingencies.	Implemented							Coordinator Procurement & Logistics		
				Payment approved by Council's Representative following certification of the payment claim.	Implemented							Coordinator Procurement & Logistics		
				Non-conformance notices as part of the contract (Ensuring QA processes are in place).	Implemented							Coordinator Procurement & Logistics		

Rockhampton Regional Council

Risk Area:

Regulatory and Compliance Functions

The commercial implications of regulatory processes have resulted in a perception that officers performing these functions are exposed to higher levels of risk and may become targets for untoward approaches and corrupt inducements. This perception applies to all Council personnel (including Councillors, consultants and agents) having an involvement in the decision-making processes

Highest Potential Exposure Rating

3.Moderate

Highest Current Risk Rating

Moderate 5

As at Date:

31 May 2021

Date Previously Adopted:

23 June 2020

Risk Owner Manager Development and Building changed to Manager Planning and Regulatory Services 3/2/17

What is the risk	Impact	Corruption Type	Potential Exposure Rating	In place (existing) and planned (future)	Refers to Key Controls	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources in \$	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Improper exercise of discretion. (Decisions could be biased or manipulated in some manner due to misconduct, with the consequent erosion of quality and safety standards).	Council Reputation	Misuse of Authority	3.Moderate	Highly visible internal reporting systems - maintain and accessible documentation to support decisions.	Implemented	Might at some time	3	Moderate 6				Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering	MANAGER PLANNING AND REGULATORY SERVICES	31/05/2021: Document being developed by Coordinator Development Engineering to ensure: compliance with Professional Engineers Act, appropriate level of direct supervision by Registered Professional Engineers Queensland's (RPEQs) and decision making.
				Well defined job descriptions that define responsibilities, relationships, authority levels and accountabilities.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering		31/5/21: no change
				Supervisory oversight of discretionary matters to ensure decision making is within regulatory frameworks.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering		31/05/2021: Document being developed by Coordinator Development Engineering to ensure: compliance with Professional Engineers Act, appropriate level of direct supervision by Registered Professional Engineers Queensland's (RPEQs).
				Unambiguous documentary requirements detailing all decision making.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering; Coordinator Health and Environment; Supervisors from Local Laws.		31/05/2021: Document being developed by Coordinator Development Engineering to ensure: compliance with Professional Engineers Act, appropriate level of direct supervision by Registered Professional Engineers Queensland's (RPEQs).
				Independent complaint process for clients to report unethical behaviour.	Implemented						23/3/18: Complaint Management Framework adopted by Council	Coordinator Workforce Relations and Ethics (Workforce and Governance)		31/5/21: No change
				Officers provided with and required to use appropriate equipment where relevant to minimise discretion required to be exercised ie: light meters to be carried to measure lighting levels inflood preparation.	Implemented							Coordinator Development Engineering; Coordinator Health and Environment; Supervisors from Local Laws.		31/5/21: No change
				Provision of training relating to decision making.	Implemented							Coordinator Building, Plumbing and Compliance and Coordinator Development Assessment Coordinator Local Law and Coordinator Health and Environment		31/5/21: No change
Improper provision of advice to other parties.	Council Reputation	Breach of Confidentiality	3.Moderate	Access control over case information.	Implemented	Could at some time	3	Moderate 5				Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering	MANAGER PLANNING AND REGULATORY SERVICES	31/05/2021: no change
				Code of conduct training and awareness (with particular reference to these exposures and circumstances)	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering		31/05/2021: Document being developed by Coordinator Development Engineering to ensure: compliance with Professional Engineers Act, appropriate level of direct supervision by Registered Professional Engineers Queensland's (RPEQs) and decision making.
				Clear instructions to staff on the limits of advice that can be provided by staff.	Implemented							Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering		31/5/21: No change
				Documented procedures defining information access.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Health and Environment		31/05/2021: Document being developed by Coordinator Development Engineering to ensure: compliance with Professional Engineers Act, appropriate level of direct supervision by Registered Professional Engineers Queensland's (RPEQs) and decision making.

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources in \$	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Inadequate separation of functions.	Poor Transparency	Misuse of Authority	3.Moderate	Independent reviews of decision making progress, quality control and other supervisory functions.	Implemented	Rare	3	Moderate 7				Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering	MANAGER PLANNING AND REGULATORY SERVICES	31/05/2021: Document being developed by Coordinator Development Engineering to ensure: compliance with Professional Engineers Act, appropriate level of direct supervision by Registered Professional Engineers Queensland's (RPEQs) and decision making.
				Separation of project oversight (no one person can certify / inspect all phases of a Project).	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering		31/5/21: No change
				Monitoring of file and plan handling by supervisors or team leaders.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering		31/5/21: No change
				Compilation, recording and maintenance of photographic evidence.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Health and Enviroment; Coordinator Development Engineering; Supervisors from Local Laws.		31/5/21: No change
				Provision of training including Code of Conduct and decision making.	Implemented							Coordinator Local Law; Coordinator Health and Environment		31/5/21: No change
				Processes legislated	Implemented							Coordinator Local Law; Coordinator Health and Environment		31/5/21: No change
				Work instructions that define responsibilities, relationships, authority levels and accountabilities.	Implemented							Supervisors from: Local Laws; Environment and Public Health; Pest Management; Vector Management		31/5/21: No change
				Independent complaints process.	Implemented						23/3/18: Complaint Management Framework adopted by Council	Coordinator Workforce Relations and Ethics (Workforce and Governance)		31/5/21: No change
Inappropriate approval of on-site works.	Council Reputation	Procedural Breach	2.Minor	Guidelines on how to respond to corrupt approaches.	Implemented	Might at some time	2	Low 7			23/3/18: Complaint Management Framework adopted by Council	Coordinator Workforce Relations and Ethics (Workforce and Governance)	MANAGER PLANNING AND REGULATORY SERVICES	31/5/21: No change
				Independent supervisory site checks and office audits.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Regular task rotation and reassignment of duties/ regions (including for types of approvals).	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Declaration of any conflict of interest.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
Inappropriate expediting or delaying of regulatory process.	Poor Transparency	Procedural Breach	3.Moderate	Recording and independent monitoring of relevant dates and durations.	Implemented	Might at some time	3	Moderate 6			1/2/19: Work instructions, workflows and Pathway provide this information - H & E	Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering	MANAGER PLANNING AND REGULATORY SERVICES	31/5/21: No change
				Planning Act-timeframes with ability for applicants to seek orders from Planning and Environment Court to direct Council to meet Planning Act times.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Provision of training including Code of Conduct and decision making.	Implemented							Coordinator Local Law; Coordinator Health and Environment		31/5/21: No change
				Work instructions that define responsibilities, relationships, authority levels and accountabilities.	Implemented							Coordinator Local Law; Coordinator Health and Environment		31/5/21: No change
				Processes legislated	Implemented							Coordinator Local Law; Coordinator Health and Environment		31/5/21: No change
Inappropriate staff advice or referrals to customers.	Commercial Exposure	Procedural Breach	3.Moderate	Clear instructions to staff on the limits of advice that can be provided by staff.	Implemented	Could at some time	1	Low 7				Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering	MANAGER PLANNING AND REGULATORY SERVICES	31/5/21: No change
				Code of conduct training for all relevant staff, with particular reference to these exposures and circumstances.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Standing agenda items in team meetings for discussion of ethical dilemmas.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources in \$	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Misleading expectations or misuse of perceived powers.	Council Reputation	Procedural Breach	3.Moderate	Appropriate induction and refresher training in Code of Conduct and ethical business behaviour.	Implemented	Might at some time	3	Moderate 6				Coordinator Human Resources & Payroll	MANAGER PLANNING AND REGULATORY SERVICES	31/05/2021: No change
				Delegations approved by Council.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering		31/5/21: No change
				Delegations/Authorisations defined and recorded in Council's delegation database. (1/2/19: LGAQ delegation service will be utilised to assist)	Implemented							Coordinator Legal and Governance (Workforce and Governance)		
				Delegations periodically reviewed and updated.	Implemented							Coordinator Legal and Governance (Workforce and Governance) in conjunction with Coordinator Local Laws and Coordinator Helath and Envirnment		
				Authorised officers issued with identification.	Implemented						Delegations under SPA are not included on the back of our authorisations (Coordinator DA). <i>Identity cards are issued to persons granted legislative authorised person powers to enter private property, subject to certain limitations. No legislative authorisations exist for the SPA; only legislative sub-delegations to positions exist for the SPA which are not required to be listed on the back of identification cards. (Coordinator CI&S)</i>	Coordinator Legal and Governance (Workforce and Governance)		
				Secure reporting of issued approvals, etc, providing management and audit trails.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Public Interest Disclosure (whistleblowing) process of which all staff are aware.	Implemented						23/3/18: Complaint Management Framework adopted by Council. Only minor parts in Cracking the Code (Coordinator DA)	Coordinator Workforce Relations and Ethics (Workforce and Governance)		31/5/2021: No change
				Manager reporting and communications Team meetings - managers discuss particular issues, eg: how to handle conflict of interest. Regular reporting to manager. Role model of ethical behaviour.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Display of notices in public areas showing Council's commitment to ethical behaviour, expected timelines and performance pledges.	Implemented						31/5/21: To be included in Code of Conduct review, scheduled for October 2021. 12/4/16: Will request a presentation to Leadership Team towards end of April	Coordinator Human Resources & Payroll		31/5/2021: No change To be included in Code of Conduct review, scheduled for October 2021.
				Appropriate Council policies and procedures developed and implemented.	Implemented							Coordinator Local Laws and Coordinator Health and Environment		31/5/21: No change
				Advisory publication clearly outlining staff power and due processes	Implemented							Coordinator Local Law and Coordinator Health an Environment		31/5/21: No change

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources in \$	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Misuse of power to recommend development, determine whether the submission to a development application are properly made and impose conditions of approval	Commercial Exposure	Procedural Breach	3.Moderate	Independent reviews of decision making, quality control and other supervisory functions. Feedback on process sought and evaluated, eg: Development forum and surveys.	Implemented	Rare	2	Low 8				Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering	MANAGER PLANNING AND REGULATORY SERVICES	No change - 31/05/2021: Document being developed by Coordinator Development Engineering to ensure: compliance with Professional Engineers Act, appropriate level of direct supervision by Registered Professional Engineers Queensland's (RPEQs) and decision making.
				Separation of project oversight (no one person can certify / inspect all phases of a Project).	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Monitoring of file and plan handling.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Processes for ensuring Community and Customer awareness of Council processes, purpose and extent of conditions, etc including rights to appear and complaints process.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Periodic customer surveys.	Implemented						12/4/16: These surveys are continuing in 2016. DA Health check project and at Development Forum.	Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				'Ombudsman' function to receive and respond to customer concerns or complaints. Can be escalated to CCC / Police.	Implemented						23/3/18: Complaint Management Framework adopted by Council (Coordinator Industrial Relations and Investigations)	Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
Regulator familiarity or close relationships with external organisations.	Council Reputation	Bias or Favouritism	3.Moderate	Guidelines relating to gifts, hospitality and other benefits Gift and hospitality register with periodic independent review.	Implemented	Could at some time	3	Moderate 5			3/2/17: Revised Entertainment & Hospitality Policy presented to Council 12/4/16 and communicated to staff. Owing to a restructure Control Owner to be changed to CEO.	CEO	MANAGER PLANNING AND REGULATORY SERVICES	31/05/2021:
				Guidelines relating to meetings with clients. Staff supported to raise issues regularly.	Implemented						No formal guideline, but staff are supported to raise issues regularly. Implemented in Development Assessment area. (Resources required: Probably W&S to produce guideline)	Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Guidelines on how to respond to corrupt approaches.	Implemented						23/3/18: Complaint Management Framework adopted by Council, revised training is being developed.	Coordinator Workforce Relations and Ethics (Workforce and Governance)		31/5/2021: No change
				Independent supervisory site checks and office audits.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering		31/5/21: No change
				Regular task rotation and reassignment of duties/ regions (including for types of approvals).	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering		31/5/21: No change
				Education of developers / regular customers on how Council does business, including what Council staff should not be doing / acting.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				Client Service Charter promulgated and made available through a variety of suitable channels.	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Customer Service; Coordinator Local Law and Coordinator Health and Environment		31/5/21: No change
				Documented and easily available complaints procedure for customers.	Implemented						23/3/18: Complaint Management Framework adopted by Council (Coord. Industrial Relations and Investigations)	Coordinator Workforce Relations and Ethics (Workforce and Governance)		31/5/2021: No change
				Inclusion of appropriate questions on periodic DA customer surveys.	Implemented							Coordinator Building, Plumbing and Compliance and Coordinator Development Assessment		31/5/2021: No change
				12/4/18: Australian Accounting Standard(AASB124) for Related Party Disclosure. Council must implement a Related Party policy and procedure as a new Key Contol to monitor and report any incidents of related party transactions.	Implemented						23/3/18: Presented to Audit and Business Improvement Committee for review and feedback 26/5/17; Council adopted 13/6/17. 3/2/17: Only relevant for Key Management Personnel. Wider workforce will not be controlled through this action.	Chief Financial Officer		31/5/2021: No Changes, all data updated annually for Related Parties for all Key Management Personnel.

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources in \$	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Variations in priority given to licence applications, or compliance monitoring.	Council Reputation	Bias or Favouritism	3.Moderate	Supervisor monitoring of applications for which they have responsibility.	Implemented	Could at some time	3	Moderate 5				Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Local Law; Coordinator Health and Environment; Coordinator Development Engineering	MANAGER PLANNING AND REGULATORY SERVICES	31/05/2021: Document being developed by Coordinator Development Engineering to ensure compliance with Professional Engineers Act, appropriate RPEQ supervision for the unit and signed off at relevant intervals.
				Random audits of applications.	Implemented						1/2/19: DA has now implemented random audits of MCU applications. 3/2/17: Restructure MCU audit timetable June 2017. (Development Assessment) ("Not Started" refers to Development Assessment)	Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change
				System run progress reports set against IDAS statutory timeframes and taking into account application complexity	Implemented							Coordinator Building, Plumbing and Compliance; Coordinator Development Assessment; Coordinator Development Engineering		31/5/21: No change

Rockhampton Regional Council

Risk Area:

Staff Supervision and Administration

Common factors in many project-related complaints are the (apparent) lack of adequate supervisory oversight and suspect monitoring of work quality and expenditure. Poor supervisory practices, if present, could pose substantial risks from the undisclosed use (or misuse) of resources.

Highest Potential Exposure Rating

4.Major

Highest Current Risk Rating

Moderate 6

As at Date:

31 May 2021

Date Previously Adopted:

23 June 2020

What is the risk	Impact	Corruption Type	Potential Exposure Rating	In place (existing) and planned (future)	Refers to Key Controls	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Breach of customer privacy.	Council Reputation	Procedural Breach	3.Moderate	All employees have a clear understanding of Council's Code of Conduct and Privacy policy (staff inductions, ECM training and annual cracking the code program).	Implemented	Could at some time	2	Moderate 6				Coordinator Human Resources and Payroll	MANAGER CORPORATE & TECHNOLOGY	31/05/2021: No change except to remove reference to Cracking the code program.
				The Records Supervisor (RTI Coordinator) and RTI & Privacy officer provide advice and conduct regular training of staff (Recordkeeping / ECM training).	Implemented							Coordinator Information Systems		
				Staff are trained in dealing with requests from any external authority.	Implemented							Coordinator Information Systems		
				Single point of contact for all external requests for sensitive information.	Implemented							Coordinator Information Systems		
Bias in recruitment and selection of staff.	Council Reputation	Procedural Breach	3.Moderate	Clearly defined recruitment and selection procedures.	Implemented	Might at some time	2	Low 7				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/05/2021: No change
				Segregation of approval process for recruitment.	Implemented							Coordinator Human Resources and Payroll		
				Random audits of recruitment processes.	Implemented							Coordinator Human Resources and Payroll		
				Staff trained in recruitment and selection procedures.	Implemented							Coordinator Human Resources and Payroll		
				Independent member of the recruitment panel.	Implemented							Coordinator Human Resources and Payroll		
Lack of effective supervision of staff.	Resource Management	Procedural Breach	3.Moderate	Clearly defined and up to date role statements and accountabilities in position descriptions.	Implemented	Could at some time	2	Moderate 6				EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	CEO	31/05/2021: PDs updated when position vacant or with position changes
				Effective use and understanding of performance management processes and tools.	Implemented							EXECUTIVE MANAGER WORKFORCE & GOVERNANCE		31/5/2021: No change
				Provision of appropriate leadership training to all supervisors.	Implemented							Coordinator Human Resources and Payroll		
				Availability of support mechanisms for managers and team leaders via the Workforce & Strategy Section.	Implemented							EXECUTIVE MANAGER WORKFORCE & GOVERNANCE		31/5/21: Support available from HR & IR
False or over-stated qualifications / experience provided by job applicant to secure Council position.	Erosion of Standards	Misrepresentation	4.Major	Conduct of qualifications checks where a qualification are required for a particular position.	Implemented	Might at some time	2	Low 7				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/05/2021: No change.
				Potential employees to provide evidence of qualifications.	Implemented							Coordinator Human Resources and Payroll		
				Criminal history and blue card checks are undertaken on identified positions.	Implemented							Coordinator Human Resources and Payroll		
				Mandatory reference checks as part of recruitment.	Implemented							Coordinator Human Resources and Payroll		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Misuse of Council resources for private use.	Council Reputation	Misuse of Authority	3.Moderate	Clearly defined policy around the borrowing of Council equipment included in the Code of Conduct.	Implemented	Could at some time	2	Moderate 6				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: No change
				Approval of usage included on employee files.	Implemented							Coordinator Human Resources and Payroll		
Unauthorised access to employee files.	Poor Transparency	Procedural Breach	3.Moderate	Policies dealing with staff access to personal file.	Implemented	Might at some time	3	Moderate 6				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/05/2021: No change
				Staff are only given access to their files under policy provisions.	Implemented							Coordinator Human Resources and Payroll		
				Confidentiality for staff and contractors covered in the Code of Conduct.	Implemented							Coordinator Human Resources and Payroll		
				All requests for copies of information on a personal file is dealt with via the Access to Employee Records Procedure or the IP access process.	Implemented							Coordinator Human Resources and Payroll		
Favouritism in the treatment of staff in the workplace.	Poor Transparency	Bias or Favouritism	3.Moderate	Defined work plans and documented expectations.	Implemented	Might at some time	3	Moderate 6				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/05/2021: No change 31/5/2021: Further training being roled out 2021. 31/5/2021: No change 31/5/2021: Remove details in "Comment / Update" as this no longer occurs. Control to be changed from "Implemented" to "No longer relevant" and will be removed next reporting period.
				Documented grievance procedures.	Implemented						23/3/18: Complaint Management Framework adopted by Council. 12/4/16: Complaints Management Framework and processes currently under review, includes grievance policy and awareness.	Workforce Relations and Ethics. Coordinator-Industrial Relations and Investigations- (12/4/16)- Coordinator Human Resources and Payroll		
				Training in Code of Conduct including equity and diversity awareness.	Implemented							Coordinator Human Resources and Payroll		
				Random sampling of timesheets.	No longer relevant						12/4/16: Fortnightly reports on overtime and allowances sent to the Leadership Team.	Coordinator Human Resources and Payroll		
Employee submits timesheet (either by return or exception) falsely claiming hours worked, leave, allowances, etc, with the expectation of personal gain	Resource Management	Financial Fraud	2.Minor	Timesheet processes, practices and controls are clearly documented (policies & procedures etc) stipulating how to complete timesheets and other relevant pay related processes so that employees understand what is required and they can be consistently performed across the organisation	Implemented	Could at some time	2	Moderate 6				Coordinator Human Resources and Payroll	EXECUTIVE MANAGER WORKFORCE & GOVERNANCE	31/5/2021: New fraud risk
				Overtime, TOIL etc pre-authorised.	Implemented							Coordinator Human Resources and Payroll		
				Supervisory review and monitoring of timesheets, OT applications etc, including authorisation of.	Implemented							Coordinator Human Resources and Payroll		
				Once authorised timesheet not to be given back to employee.	Implemented							Coordinator Human Resources and Payroll		
				Fraud awareness training for all employees - understanding consequences surrounding timesheet / payroll fraud.	Implemented							Coordinator Human Resources and Payroll		
				Payroll Team process authorised timesheets, leave types, start/finish times with supervisors where required.	Implemented							Coordinator Human Resources and Payroll		
				Payroll identify and resolve discrepancies in information submitted and processed during pay cycles.	Implemented							Coordinator Human Resources and Payroll		

Rockhampton Regional Council

Risk Area:

Travel Expense - Financial Fraud

The intent of travel expense fraud is to recover the cost of non-reimbursable expenses, to disguise inappropriate entertainment, a sense of entitlement, to conceal individual expenses considered too high for reimbursement or to receive reimbursement for actual expenses where either the original receipt has been lost or is non-existent.

As at Date:

31 May 2021

Date Previously Adopted:

23 June 2020

Highest Potential Exposure Rating

3.Moderate

Highest Current Risk Rating

Low 7

Manager Governance Support changed to CEO for Control and Risk Ownership owing to restructure 3/2/17

What is the risk	Impact	Corruption Type	Potential Exposure Rating	In place (existing) and planned (future) Key Controls	Refers to Key Controls Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Claims made for travel expenses that have not been incurred or are in excess of entitlements.	Council Reputation	Financial Fraud	3.Moderate	Documented policy of travel expenses provided to employees before they travel (part of travel pack).	Implemented	Might at some time	2	Low 7				CEO	CEO	31/05/2021: No change
				Reconciliation of expenses undertaken required within 30 days of expenditure being incurred.	Implemented							CEO		
				Original invoices must be received.	Implemented							CEO		
				12/04/16: Provision of travel reports upon request from Council, CEO or General Manager.	Implemented							CEO		
				Provision of reports of proposed travel costs verses actual costs to GM's and CEO as appropriate. Costs in access of original approved travel referred to GM/CEO for re-approval.	Implemented							CEO		
				Escalation process for doubtful claims.	Implemented							CEO		
				Individuals required to repay unapproved travel expenses.	Implemented							CEO		
				Random auditing of travel expense claims and corporate cards.	Implemented							CEO		
Corporate cards being used for travel related expenses.	Resource Management	Procedural Breach	2.Minor	Monthly credit card compliance check performed centrally.	Implemented	Might at some time	2	Low 7				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/05/2021: No changes
				Policy on use of corporate credit card for travel related expenses.	Implemented							Coordinator Procurement & Logistics		
				Separation of duties in relation to review and approval of credit card expenditure reports.	Implemented							Coordinator Procurement & Logistics		
				Set Corporate Card block codes as per Corporate Card Procedure	Implemented							Coordinator Procurement & Logistics		
				Airline travel to be arranged corporately - not by the individual who is travelling.	Implemented							CEO		
Credit Cards are unblocked for some transactions.	Poor Transparency	Procedural Breach	2.Minor	All "unblocking" is to be authorised centrally and documented.	Implemented	Rare	2	Low 7				Coordinator Procurement & Logistics	MANAGER CORPORATE & TECHNOLOGY	31/05/2021: No changes
				Credit Card authority requires a limited group of Council authorising officers to administer corporate cards.	Implemented							Coordinator Procurement & Logistics		
				"Unblocking" to be subject to internal audit review.	Implemented							Coordinator Procurement & Logistics		

What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Travel arrangements not being coordinated centrally.	Poor Transparency	Procedural Breach	3.Moderate	All travel to be coordinated centrally. (12/4/16: With the exception of Regional Development Executive Manager, and Regional Promotions Manager who have been authorised to book their own travel).	Implemented	Rare	2	Low 8				CEO	CEO	31/05/2021: All travel is now required to be coordinated centrally. Remove 12/4/16 comment from key controls. No other changes to the rest of the controls for this risk statement
				12/4/16: Travel receive copies of any corporate card purchases related to travel bookings or expenses.	Implemented							CEO		
				Policy Policies and procedures for travel and conference processes and approvals.	Implemented							CEO		
				Travel data being captured and reported on centrally.	Implemented							CEO		
Breaches are not investigated by an appropriate authority.	Poor Transparency	Procedural Breach	3.Moderate	Documented escalation process for suspect claims.	Implemented	Might at some time	2	Low 7				CEO	CEO	31/05/2021: No Change
				Investigation of suspect claims referred to respective GM.	Implemented						23/3/18: Complaint Management Framework adopted by Council.	CEO		

Rockhampton Regional Council

Risk Area:

Other Misc Fraud and Corruption

For example: Theft, Asset Misappropriation or Misuse, Financial Statement Fraud, Bribery, Facilitation, etc. that doesn't fit under the other categories.

Highest Potential Exposure Rating

4.Major

Highest Current Risk Rating

Moderate 6

As at Date:

31 May 2021

Date Previously Adopted:

23 June 2020

				In place (existing) and planned (future)	Refers to Key Controls									
What is the risk	Impact	Corruption Type	Potential Exposure Rating	Key Controls	Status	Likelihood Rating	Consequence Rating	Current Risk Rating	Completion Due	Resources	Comment / Update	Control Owner	Risk Owner	MANAGEMENT'S UPDATE COMMENTS (Please identify any changes required to be made to columns A - N)
Developers knowingly/unknowingly use professionals who misrepresent or falsify their certifications and registrations.	Council Reputation	Misrepresentation	4.Major	Development Engineering Unit Officers required to check relevant registers to confirm registrations etc . Eg: RPEQ and board of professional enginners register.	Implemented	Rare	4	Moderate 6				Coordinator Development Engineering	MANAGER PLANNING AND REGULATORY SERVICES	31/5/2021: No change
				Unit Asset Management Plan includes assessment processes.	Implemented							Coordinator Development Engineering		

9.12 FEES AND CHARGES 2021-2022 AMENDMENTS

File No: 7816
Attachments: 1. [Summary of Proposed Changes](#)
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The intention of this report is to submit minor amendments to Council's Fees and Charges Schedule for the 2021-2022 financial year.

OFFICER'S RECOMMENDATION

THAT in accordance with the requirements of the *Local Government Act 2009*, Council adopts the amendments to the Fees and Charges Schedule for the 2021-2022 financial year.

COMMENTARY

The proposed amendments to the Fees and Charges 2021-2022 are provided below.

BACKGROUND

Since Council adopted the Fees and Charges for 2021-2022 on 8 June 2021, Rockhampton Heritage Village and the Regional Cemeteries have identified issues which require amendment as per the attached summary of proposed changes to fees and charges 2021-2022.

There are suggested changes for the Heritage Village include the removal of entrance fees in rows 2 to 18, and replacing as follows –

2 RHV General Entry

3 All patrons 3 years and over	\$5 per person
4 All patrons under 3 years	Free Entry

5 RHV Groups

6 Group minimum of ten with transport no guide	\$7 per person
7 School groups minimum of ten with tram and guide	\$10 per person

(Teachers and accompany person 1 Free of charge per 10 children or by negotiation for additional needs groups)

(Note all prices exclude special events, school holiday activities etc.)

The proposed changes for Regional Cemeteries are as follows –

Cancel all COVID-19 related fees and charges items and updated to below:

Chapel + Refreshment use (Maximum 2 hours Refreshment) \$88.00 per service
 Chapel (Maximum 2 hours) (no refreshments) \$70.00 per service.

Standard Garden Setting Funeral Service set up (includes marquee and up to 30 chairs) \$88.00 per service

Standard Garden Setting Funeral Service set up with additional marquee and chairs \$176.00 per service

BUDGET IMPLICATIONS

The effect of the changes will have minimal budget impact

LEGISLATIVE CONTEXT

The fees and charges in the schedules can be amended at any time throughout the year in accordance with legislation.

CONCLUSION

These minor amendments are recommended for inclusion in the 2021-2022 Fees and Charges Schedule.

Upon approval by Council, these amendments to the 2021-2022 Fees and Charges Schedule are to be uploaded and presented on the Council's website on 1 July 2021.

FEES AND CHARGES 2021-2022 AMENDMENTS

Summary of Proposed Changes

Meeting Date: 22 June 2021

Attachment No: 1

SUMMARY OF PROPOSED CHANGES**Rockhampton Heritage Village**

Fees proposed to be removed are:

SECTION:		Heritage Village					
Fee number	Item name	Fee Type	GST Authority	2021/2022 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
1	Rockhampton Heritage Village (RHV)						
2	RHV - General Entry						
3	Adults	Commercial	GST Applies	\$15.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
4	Concession - Pensioners, Seniors Card, Students (High School/University)	Commercial	GST Applies	\$12.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
5	Children - 3-14 years. Must be accompanied by an adult	Commercial	GST Applies	\$9.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
6	Family - 2 Adults & 2 Children over the age of 3 yrs	Commercial	GST Applies	\$40.00	per family	Local Government Act 2009	Part 6 S262 (3) (c)
7	Family Extra Children (over three years of age)	Commercial	GST Applies	\$6.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
8	LOCAL GENERAL ENTRY FEE (paid once retain ticket for 12 months if accompanied by tourist) Does not include entry to Special events, School Holiday activities, Tours)	Commercial	GST Applies	\$5.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
9	RHV - Tours (Groups of 10 or more paying participants)						
10	Adults - Groups of 10 or more	Commercial	GST Applies	\$17.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
11	Concessions - Groups of 10 or more	Commercial	GST Applies	\$15.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
12	High School - 1 FoC Adult per 10 Children	Commercial	GST Applies	\$13.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
13	Tertiary Students	Commercial	GST Applies	\$15.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
14	Primary School - 1 FoC Adult per 10 Children	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
15	Child Care Group - All Staff FOC per group	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
16	Extra Adults for Above Tours	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
17	School Holiday Activities - Children 18mths and up - includes rides. Must Be accompanied by an adult	Commercial	GST Applies	\$10.00	per child	Local Government Act 2009	Part 6 S262 (3) (c)
18	School Holiday Activities - Adult - 1 per family FOC - Extras to pay	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)

New fees proposed are:

SECTION:		Heritage Village					
Fee number	Item name	Fee Type	GST Authority	2021/2022 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
1	Rockhampton Heritage Village (RHV)						
2	RHV - General Entry						
3	All patrons 3 years and over	Commercial	GST Applies	\$5.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
4	All patron under 3 years	Commercial	GST Applies	-	per person	Local Government Act 2009	Part 6 S262 (3) (c)
5	RHV - Tours (Groups of 10 or more paying participants) (Note all prices exclude special events, school holiday activities, etc.)						
6	Group minimum of ten with transport no guide	Commercial	GST Applies	\$7.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
7	School groups minimum of ten with tram and guide. (Teachers and accompany person 1 FoC per 10 Children, or by negotiation for additional needs groups)	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)

Regional Cemeteries

Fees proposed to be removed are:

SECTION:		Regional Cemeteries						
Fee number	Item name	Fee Type	GST Authority	Current Fee (incl GST)	2021/2022 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
167	Chapel/Refreshment Area - Memorial Gardens							
168	Chapel/Refreshment area Use	Commercial	GST Applies	\$74.00	\$74.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
169	Chapel area use - EXTRA MARQUEE SET UP	Commercial	GST Applies	\$110.00	\$110.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
170	Chapel + Refreshment use (Maximum 2 hours Refreshment)	Commercial	GST Applies	\$88.00	\$88.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
171	Chapel + Refreshment use (Maximum 2 hours Refreshment)-COVID-19 Period	Commercial	GST Applies	Waive	Waive	per service	Local Government Act 2010	Part 6 S262 (3) (c)
172	Refreshment per hour after	Commercial	GST Applies	\$62.00	\$62.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
173	Garden Setting Funeral Service set up (includes marquees - over 30 attendees)	Commercial	GST Applies	\$284.00	\$284.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
174	Garden Setting Funeral Service set up (includes marquees) -COVID-19 Period	Commercial	GST Applies	\$88.00	\$88.00	per service	Local Government Act 2010	Part 6 S262 (3) (c)

New fees proposed are:

SECTION:		Regional Cemeteries					
Fee number	Item name	Fee Type	GST Authority	2021/2022 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
167	Chapel/Refreshment Area - Memorial Gardens						
168	Chapel + Refreshment use (Maximum 2 hours Refreshment)	Commercial	GST Applies	\$88.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
169	Chapel (Maximum 2 hours) (no refreshments)	Commercial	GST Applies	\$70.00	per service	Local Government Act 2010	Part 6 S262 (3) (c)
170	Refreshment per hour after	Commercial	GST Applies	\$62.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
173	Standard Garden Setting Funeral Service set up (includes marquee and 30 chairs)	Commercial	GST Applies	\$88.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
174	Standard Garden Setting Funeral Service set up with additional marquees and chairs	Commercial	GST Applies	\$176.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)

9.13 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2021**File No:** 8148**Attachments:**
1. **Income Statement May 2021** [↓](#)
2. **Key Indicator Graphs May 2021** [↓](#)**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer**Author:** Marnie Taylor - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 May 2021.

OFFICER'S RECOMMENDATION

That the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 May 2021 be 'received'.

COMMENTARY

The attached financial report and graphs have been compiled from information within Council's TechnologyOne system. The reports presented are as follows:

1. Income Statement (Actuals and Budget for the period 1 July 2020 to 31 May 2021), Attachment 1.
2. Key Indicators Graphs, Attachment 2.

The attached financial statement provides Council's position after eleven months of the 2020/21 financial year has passed. Results should be approximately 91.7% of the revised budget on an even monthly distribution basis.

The following commentary is provided in relation to the Income Statement:

Total Operating Revenue is at 97% of the revised budget. Key components of this result are:

- Net Rates and Utility Charges are 99% of the budget. Council's rates and utility charges for the second six months of the financial year ending 30 June 2021 have been raised and were due on 24 February 2021.
- Grants, subsidies and contributions are behind budget at 68%. This is due to the timing of receipt of the Federal Assistance Grant – half of the grant amount for 2021/22 is expected to be pre-paid in June.
- Interest revenue is ahead of budget at 98% and based on current trends actuals will slightly exceed budget at end of financial year.
- All other revenue items are in proximity to budget.

Total Operating Expenditure is at 86% of the revised budget. Key components of this result are:

- Employee costs are below budget at 85%, which is partly due to transactions for employee benefits only being completed at end of financial year. There is also currently a number of vacant positions across Council's operations, which has resulted in some savings.
- Contractors and consultants are at 85%. Professional consultancies and other contractors are below budget due to the timing of works planned during the year. It is expected as the financial year draws to an end these works will be completed and paid.

- Asset operational is at 84%. This is due to electricity, cleaning and security costs being below budget mostly due to the timing of billing. There has been some savings in security costs for the airport due to low passenger numbers earlier in the financial year.
- Administrative expenses are at 71% of budget attributable to reduced activity for Council's venues and events due to COVID-19 restrictions. Administrative expenses are also impacted by some delayed spending on replacement of ICT equipment and licensing renewals, this spend will continue into June.
- Other expenses are at 61% of the budget mostly due to the timing of Council grants, contributions and sponsorships.
- All other expenditure items are in proximity to budget.

The following commentary is provided in relation to capital income and expenditure, as well as investments and loans:

Total Capital Income is at 80% of the revised budget and in line with expectations at this stage of the financial year. The majority of capital revenue budgeted to be received in 2020/21 is from grants and subsidies tied to performance obligations. As capital works progress during the year and meet performance milestones, grants will be claimed.

Total Capital Expenditure is at 65% of the revised budget. Major projects such as the Art Gallery construction and the Airport Terminal refurbishment are progressing well. It is expected that the budget review undertaken during May will carry forward the budget for some project expenditure into next financial year.

Total Investments are \$64.3M at 31 May 2021.

Total Loans are \$121.7M at 31 May 2021.

CONCLUSION

After eleven months of the 2020/2021 financial year operational income and expenses are mostly in line with expectations.

The capital program saw \$9.6M spent during May. The level of capital expenditure is anticipated to increase in June as work continues to deliver the projects budgeted for 2020/21.

SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2021

Income Statement May 2021

Meeting Date: 22 June 2021

Attachment No: 1



Income Statement
For Period July 2020 to May 2021
91.7% of Year Gone

	Adopted Budget	Revised Budget	YTD Actual	Commitments	YTD Actuals (inc commitments)	% of Revised Budget
	\$	\$	\$	\$	\$	
OPERATING						
Revenues						
Net rates and utility charges	(153,000,167)	(153,000,167)	(151,809,508)	0	(151,809,508)	99%
Fees and Charges	(22,458,987)	(22,803,673)	(22,222,004)	0	(22,222,004)	97%
Private and recoverable works	(5,989,487)	(6,179,225)	(5,922,639)	0	(5,922,639)	96%
Rent/Lease Revenue	(3,017,353)	(2,990,743)	(2,826,929)	0	(2,826,929)	95%
Grants Subsidies & Contributions	(14,150,094)	(14,466,044)	(9,820,310)	0	(9,820,310)	68%
Interest revenue	(508,000)	(508,000)	(499,098)	0	(499,098)	98%
Other Income	(6,020,926)	(6,103,020)	(6,065,315)	0	(6,065,315)	99%
Total Revenues	(205,145,014)	(206,050,872)	(199,165,798)	0	(199,165,798)	97%
Expenses						
Employee Costs	85,489,929	85,383,046	72,678,555	199,510	72,878,064	85%
Contractors & Consultants	17,952,970	19,216,491	16,340,841	5,923,771	22,264,612	85%
Materials & Plant	13,518,209	13,373,696	12,160,742	2,374,882	14,535,623	91%
Asset Operational	25,608,718	25,808,285	21,507,481	2,037,541	23,545,022	84%
Administrative expenses	15,170,473	13,901,268	9,851,898	2,438,584	12,290,281	71%
Depreciation	54,969,352	55,851,316	51,197,057	0	51,197,057	92%
Finance costs	5,373,800	5,388,800	4,736,979	0	4,736,979	88%
Other Expenses	1,797,295	1,843,495	1,124,889	22,427	1,147,316	61%
Total Expenses	219,880,746	220,546,398	189,598,240	12,996,713	202,594,954	86%
Transfer / Overhead Allocation						
Transfer / Overhead Allocation	(9,303,324)	(9,355,480)	(7,821,811)	0	(7,821,811)	84%
Total Transfer / Overhead Allocation	(9,303,324)	(9,355,480)	(7,821,811)	0	(7,821,811)	84%
TOTAL OPERATING POSITION (SURPLUS)/DEFICIT	5,432,409	5,140,047	(17,383,370)	12,996,713	(4,392,656)	-338%
CAPITAL						
Total Developers Contributions Received	(2,940,300)	(2,719,800)	(929,285)	0	(929,285)	34%
Total Capital Grants and Subsidies Received	(61,409,409)	(44,171,585)	(36,637,766)	0	(36,637,766)	83%
Total Proceeds from Sale of Assets	0	0	0	0	0	0%
Total Capital Income	(64,349,709)	(46,891,385)	(37,567,050)	0	(37,567,050)	80%
Total Capital Expenditure	170,583,964	153,811,643	100,299,407	47,809,400	148,108,807	65%
Net Capital Position	106,234,255	106,920,278	62,732,357	47,809,400	110,541,757	59%
TOTAL INVESTMENTS			64,345,481			
TOTAL BORROWINGS			121,710,419			

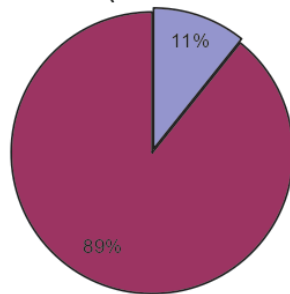
SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2021

Key Indicator Graphs May 2021

Meeting Date: 22 June 2021

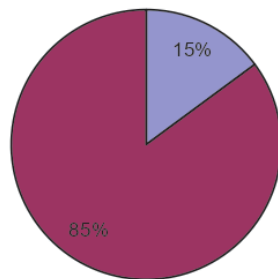
Attachment No: 2

Operating Revenue
(Excluding Net Rates and Utility Charges)
(91.7% of Year Gone)



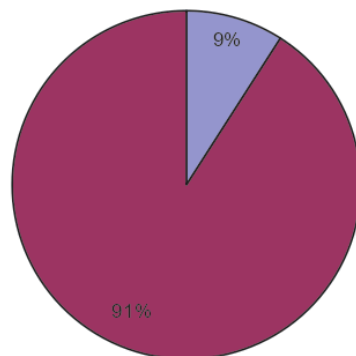
■ Uncollected Operating Revenue
■ Collected Operating Revenue

Operating Employee Costs
(91.7% of Year Gone)

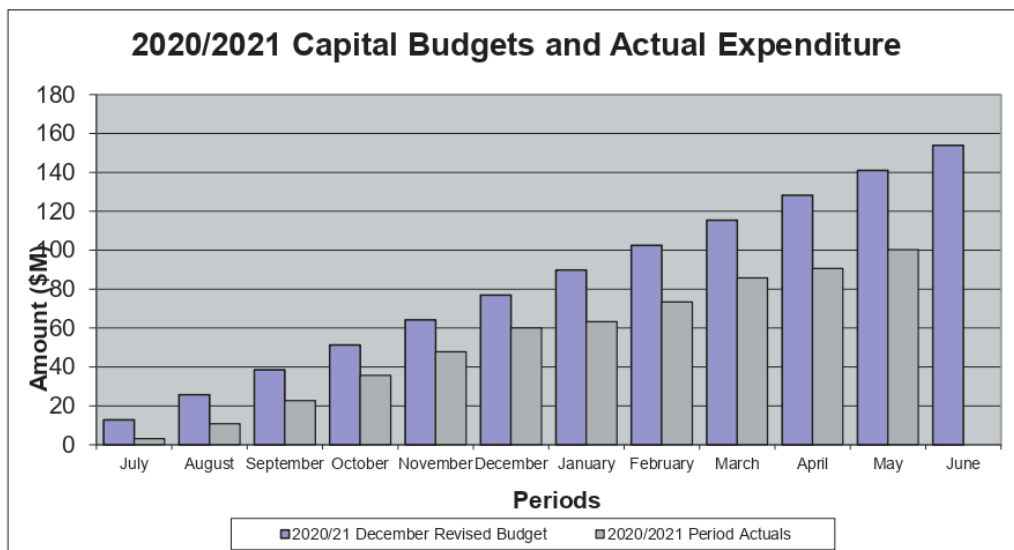
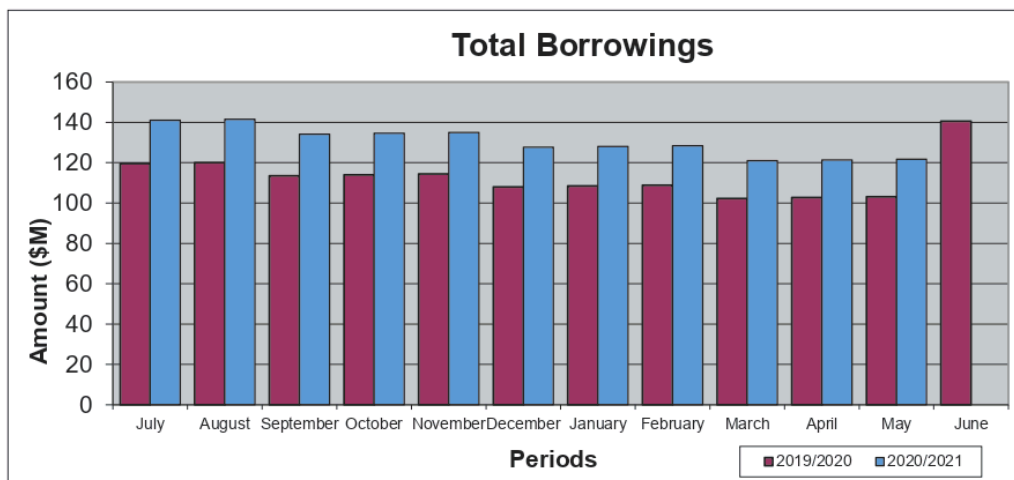
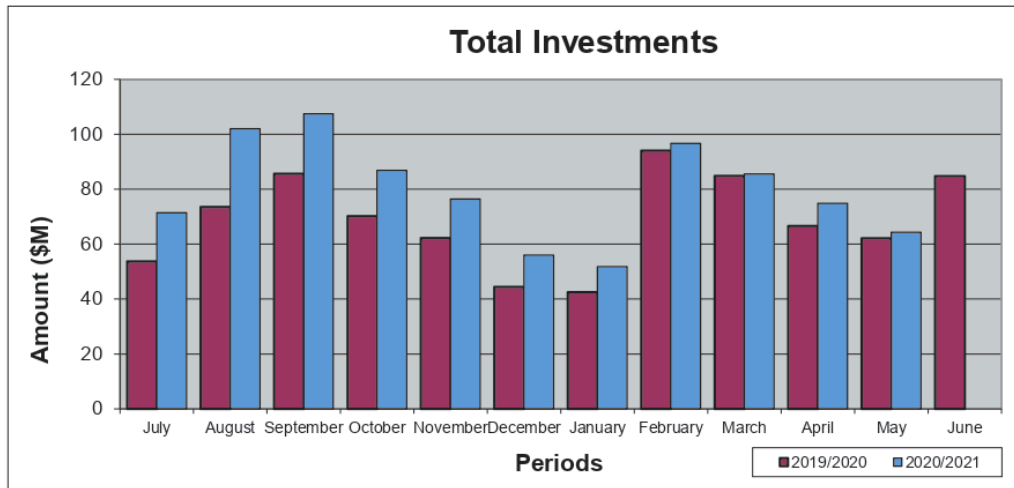


■ Unspent Employee Costs
■ Employee Costs YTD

Operating Materials & Plant
(91.7% of Year Gone)



■ Unspent Materials & Plant
■ Materials & Plant YTD



9.14 REGIONAL COUNCIL OF MAYORS - MEMBERSHIP INVITATION

File No:	11092
Attachments:	1. Estimated Financial Membership Contributions - RQCOM ↓
Authorising Officer:	Damon Morrison - Manager Office of the Mayor Ross Cheesman - Acting Chief Executive Officer
Author:	Emma Brodel - Senior Executive Assistant to the Mayor

SUMMARY

This report details an invitation for Council to become a member of the Regional Queensland Council of Mayors Incorporated.

OFFICER'S RECOMMENDATION

THAT Council:

1. approves and accepts the membership invitation from the Regional Queensland Council of Mayors Incorporated; and
2. appoints Mayor Tony Williams to represent Council at the Regional Queensland Council of Mayors Incorporated.

COMMENTARY

Council has received an invitation to become a financial member of the Regional Queensland Council of Mayors (RQCOM).

On 30 November 2020, the fifteen (15) member Councils of the then Northern Alliance of Councils resolved to amend its constitution and change the name of the organisation to RQCOM. The Northern Alliance of Councils was formerly known as the North Queensland Local Government Association.

Executive members of the new Regional Queensland Council of Mayors Incorporated include the Mayors of:

- Mackay Regional Council
- Whitsunday Regional Council
- Cook Shire Council
- Douglas Shire Council
- Cairns Regional Council
- Townsville City Council; and
- Charters Towers Regional Council

The RQCOM has already held two meetings is currently seeking expressions of interest from 28 prospective Councils (not previously members of the Northern Alliance of Councils) to become members of the RQCOM.

The cost of financial membership is estimated at \$15,008.00 (excluding GST) as outlined in the attached contributions estimation provided by RQCOM. This financial contribution is based on the population size of the prospective members' Local Government Area.

BACKGROUND

The purpose of the RQCOM is stated as a Council of Mayors working together to secure the future for all regional Queensland communities with the mission the influence Government policy to promote growth in regional Queensland through investment in infrastructure and social development.

Other similar organisations to RQCOM include the Western Alliance of Councils and the SEQ Council of Mayors.

The area covered by the respective organisations are as follows:

Organisation	Number of LG's	Population	Area
Western Queensland Alliance	23	64,451	1,051,615 km ²
SEQ Council of Mayors	11	3,667,954	34,404 km ²
RQCOM	43	1,357,772	664,153 km ²

The strategic direction and outcomes of the RQCOM includes:

- City Deals;
- Energy;
- Water;
- Tourism;
- Roads;
- Ports;
- Communication; and
- Social Infrastructure.

PREVIOUS DECISIONS

At its Ordinary Meeting on 25 February 2021 Council resolved to endorse a range of proposed advocacy priorities for further development and immediate action where appropriate.

BUDGET IMPLICATIONS

No budget allocation for membership has been included within the current draft 2021/22 operational budget. Additional operational savings post-adoption of Council's 2021/22 budget will be required to accommodate these membership costs.

LEGISLATIVE CONTEXT

There is no relevant legislation applicable.

LEGAL IMPLICATIONS

There are no legal implications relevant to this matter.

STAFFING IMPLICATIONS

There will be no implications to Council permanent staffing levels if Council adopts the proposed recommendation with Council's participation in RQCOM being administered and facilitated within existing resources in the Office of CEO.

RISK ASSESSMENT

There is no delegated authority provided through membership to RQCOM.

CORPORATE/OPERATIONAL PLAN

Corporate Plan 2017-2022 - Section 5.1 – Productive partnerships with all levels of government and relevant stakeholders

Corporate Plan 2017-2022 - Section 5.2 – Strong leadership that provides quality governance to support and service the community

Operational Plan 2020-2021 - 5.1.2 - Identify and pursue opportunities for advocacy for regional policy and associated outcomes that benefit the Region.

CONCLUSION

Membership to RQCOM provide an opportunity for Council to engage and collaborate with regional Local Governments to assist in Council's overarching advocacy efforts to advance a range of regional priority projects and to help shape public policy reform for the benefit of the Rockhampton Region.

REGIONAL COUNCIL OF MAYORS - MEMBERSHIP INVITATION

Estimated Financial Membership Contributions - RQCOM

Meeting Date: 22 June 2021

Attachment No: 1

	<i>Regional QLD Council of Mayors</i>	<i>Population Nos</i>	<i>Indicative Membership Contribution 2021/22</i>	<i>Indicative Membership Contribution 2022/23</i>
1	Townsville	195032	\$ 35,910	\$ 71,821
2	Cairns	166862	\$ 30,723	\$ 61,447
3	Mackay	116763	\$ 21,499	\$ 42,998
4	Fraser Coast	106712	\$ 19,648	\$ 39,297
5	Bundaberg	95856	\$ 17,650	\$ 35,299
6	Rockhampton	81512	\$ 15,008	\$ 30,017
7	Gladstone	63412	\$ 11,676	\$ 23,351
8	Noosa	55873	\$ 10,288	\$ 20,575
9	Gympie	52446	\$ 9,657	\$ 19,313
10	Livingstone	38078	\$ 7,011	\$ 14,022
11	Southern Downs	35452	\$ 6,528	\$ 13,055
12	Whitsunday	35357	\$ 6,510	\$ 13,020
13	Western Downs	34585	\$ 6,368	\$ 12,736
14	South Burnett	32521	\$ 5,988	\$ 11,976
15	Cassowary Coast	29794	\$ 5,486	\$ 10,972
16	Central Highlands	28701	\$ 5,285	\$ 10,569
17	Tabelands	25575	\$ 4,709	\$ 9,418
18	Mareeba	22730	\$ 4,185	\$ 8,370
19	Isaac	20886	\$ 3,846	\$ 7,691
20	Burdekin	16971	\$ 3,125	\$ 6,250
21	Banana	14156	\$ 2,606	\$ 5,213
22	Douglas	12367	\$ 2,277	\$ 4,554
23	Charters Towers	11739	\$ 2,161	\$ 4,323
24	Goondiwindi	10799	\$ 1,988	\$ 3,977
25	Hinchinbrook	10687	\$ 1,968	\$ 3,935
26	North Burnett	10599	\$ 1,952	\$ 3,903
27	Torres Strait Island	5104	\$ 940	\$ 1,880
28	Cook	4557	\$ 839	\$ 1,678
29	Torres	3887	\$ 716	\$ 1,431
30	Northern Peninsula Area	3163	\$ 582	\$ 1,165
31	Yarrabah	2901	\$ 534	\$ 1,068
32	Palm Island	2671	\$ 492	\$ 984
33	Aurukun	1418	\$ 261	\$ 522
34	Cherbourg	1331	\$ 245	\$ 490
35	Hope Vale	1117	\$ 206	\$ 411
36	Napranum	1077	\$ 198	\$ 397
37	Woorabinda	1016	\$ 187	\$ 374
38	Kowanyama	990	\$ 182	\$ 365
39	Pormpuraaw	845	\$ 156	\$ 311
40	Etheridge	793	\$ 146	\$ 292
41	Lockhart River	792	\$ 146	\$ 292
42	Mapoon	333	\$ 61	\$ 123
43	Wujal Wujal	312	\$ 57	\$ 115
	43	1357772	\$ 250,000	\$ 500,000

9.15 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No: 12660

Attachments: 1. [Delegation Register - Land Act 1994 - Clean](#)
2. [Delegation Register - Land Act 1994 - Tracked](#)

Authorising Officer: Tracy Sweeney - Executive Manager Workforce and Governance

Author: Allysa Brennan - Coordinator Legal and Governance

SUMMARY

This report seeks Council's approval for delegations under State legislation to the position of Chief Executive Officer.

OFFICER'S RECOMMENDATION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer, the exercise of powers contained in schedule 1 of Attachment 1 - Delegation Register – *Land Act 1994*.
2. These powers must be exercised subject to any limitations contained in schedule 2 of the Delegation Register attached to this report.

COMMENTARY

LGAQ, with the assistance of King and Company Solicitors have identified powers under the *Land Title Act 1994*.

Subsequently, the delegation register containing the legislative powers under this legislation has been prepared. The attached delegation register recommends which powers should be delegated to the Chief Executive Officer (CEO) and which powers should be made at a Council meeting.

Changes to Existing Delegable Powers

Council's *Land Act 1994* delegation register has been reviewed to be consistent with the powers listed in the LGAQ/King & Co delegation register.

For Councillors' convenience, the changes to Council's existing registers are shown in red in attachment 2.

A column of recommendations has been included outlining the following recommendations for the power for Council's consideration:

- (a) Exercised by Council only; or
- (b) Delegation from Council to CEO.

The recommendations in attachment 1 are for Council's consideration and adoption.

PREVIOUS DECISIONS

The *Land Act 1994* was last considered and adopted by Council on 9 March 2021.

BUDGET IMPLICATIONS

Not applicable.

LEGISLATIVE CONTEXT

Section 257 of the *Local Government Act 2009* allows Council to delegate its powers to one or more individuals, including to the CEO. In accordance with section 257(5) of the *Local Government Act 2009* a delegation to the CEO must be reviewed annually by Council.

To further streamline the decision making process, section 259 of the *Local Government Act 2009* allows the CEO to sub-delegate powers (including those delegated by Council) to another Council position where appropriate.

LEGAL IMPLICATIONS

Important legal principles which apply to the delegation proposal set out in this report are:

- Council at all times retains power to revoke the delegation. Accordingly, Council retains ultimate control.
- Council, as delegator, has responsibility to ensure that the relevant power is properly exercised. Council will therefore continue to supervise and oversee the exercise of its powers.
- A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council to impose checks and balances on its delegations, however, the delegated power cannot be unduly fettered.

The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.

STAFFING IMPLICATIONS

There will be no impact on staffing numbers or changes to positions.

RISK ASSESSMENT

Without powers being delegated to the CEO and subsequently sub-delegated to relevant positions, Council operations would be impeded significantly as separate resolutions would be required to allow decisions to be made for a vast number of operational activities that are undertaken on a daily basis.

CORPORATE/OPERATIONAL PLAN

Not applicable.

CONCLUSION

This report includes the Delegation Register for the *Land Act 1994* incorporating sections to be delegated from the Council to the CEO.

Once Council has resolved to delegate to the CEO, the exercise of powers contained in schedule 1 of the Delegation Register attached to this report subject to any limitations contained in schedule 2 of the Delegation Register, the sub-delegates will be given specific delegations according to their respective areas of responsibility subject to the same general conditions and, where appropriate, specific limitations.

COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

Delegation Register - Land Act 1994 - Clean

Meeting Date: 22 June 2021

Attachment No: 1

Delegations Register – Land Act 1994 {LANA}

Under section 257 of the Local Government Act 2009, ROCKHAMPTON REGIONAL COUNCIL resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2. All prior resolutions delegating the same powers are repealed.

Schedule 1

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 13A(4)	Entity Power Given To: Person who may take water under the Water Act 2000, Section 96	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as a person who may take water under the Water Act 2000, section 96, to exercise a right of access, a right of grazing and a right to bring an action for trespass over the adjacent land.	Delegation to the CEO
Section 13AC(1)(a)	Entity Power Given To: Adjacent owner for the land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as an adjacent owner for the land, to consent to the dedication of non-tidal watercourse land or non-tidal lake land as a reserve.	Delegation to the CEO
Section 13B(1)	Entity Power Given To: A person (Applicant) who is the owner of land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as an owner of land (the relevant land) having a non-tidal boundary (watercourse) to apply to the Chief Executive (water) to have land adjoining the relevant land (the watercourse land) declared to be former watercourse land.	Delegation to the CEO
Section 13B(2)	Entity Power Given To: A person (Applicant) who is the owner of land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power to give notice of the person's intention to make an application pursuant to section 13B to the owners of any land that adjoins the watercourse land.	Delegation to the CEO
Section 13B(6)	Entity Power Given To: A person (Applicant) who is the owner of land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as an applicant under section 13B(1), to appeal against the refusal of the application.	Delegation to the CEO
Section 18(1)	Entity Power Given To: Registered Owner	Chapter 2 – Land Allocation Part 1 – Allocation Powers	Power, as registered owner of land, to enter an agreement with the Governor in Council to exchange all or part of the freehold land for the grant of unallocated State land.	Delegation to the CEO
Section 18(2)	Entity Power Given To: Lessee Of A Freeholding Lease	Chapter 2 – Land Allocation Part 1 – Allocation Powers	Power, as lessee of a freeholding lease, to enter an agreement with the Governor in Council to exchange all or part of a freeholding lease over unallocated state land.	Delegation to the CEO
Section 18(3)	Entity Power Given To: Lessee Of A Term Lease	Chapter 2 – Land Allocation Part 1 – Allocation Powers	Power, as lessee of a term lease (other than a State lease or a perpetual lease), to enter an agreement with the Minister to exchange all or part of the term lease for a lease of unallocated State land for a term of years or in perpetuity.	Delegation to the CEO
Section 23A(1)	Entity Power Given To: A Person seeking to have a plan of subdivision registered	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as a person seeking to have a plan of subdivision registered in relation to the land contained in a deed of grant, deed of grant in trust or lease, to apply to the chief executive for the allocation of a floating reservation to some or all of the lots created by the plan.	Delegation to the CEO
Section 23A(6)	Entity Power Given To: Applicant	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as an applicant under section 23A(1), to appeal against the chief executive's decision.	Delegation to the CEO
Section 24(3)	Entity Power Given To: Registered Owner or Lessee	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as registered owner of the deed of a grant or lessee of a freeholding lease of a reservation for a public purpose to be sold under section 24(1), to apply to the Governor in Council to buy the land.	Delegation to the CEO
Section 25(2)	Entity Power Given To: Registered Owner or Lessee	Chapter 2 – Land Allocation Part 2 – Reservations	Power to appeal against the Minister's determination of the unimproved value of land to be sold under section 24(1) of the Land Act 1994.	Delegation to the CEO
Section 26(2)	Entity Power Given To: Registered Owner, Lessee Or Trustee	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as trustee, lessee or registered owner, to agree to the Minister's proposal to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries on the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 26(4)	Entity Power Given To: Lessee, Registered Owner Or Trustee	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as lessee, registered owner or trustee, to appeal the Minister's decision to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Delegation to the CEO
Section 26B(2)	Entity Power Given To: Lessee or Registered Owner	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as lessee or registered owner, to buy a forest entitlement area under sections 24 and 25.	To Remain with Council
Section 26B(8)	Entity Power Given To: Lessee Or Registered Owner	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as lessee or registered owner, to appeal against the value decided by the Minister for the commercial timber on a forest entitlement area that the local government is buying.	Delegation to the CEO
Section 31C(1)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, to apply to the Minister for the dedication of a reserve.	Delegation to the CEO
Section 31C(2) and 31C(3)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power to give notice of the person's intention to apply for the dedication of a reserve.	Delegation to the CEO
Section 31D(1)	Entity Power Given To: Trustee Of A Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as trustee, to apply to the Minister to change the boundary of a reserve or the purpose of a reserve.	Delegation to the CEO
Section 31D(2) and 31D(3)	Entity Power Given To: Trustee Of A Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, to give notice of the intention to change the boundary of a reserve or the purpose of a reserve.	Delegation to the CEO
Section 32	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.	Delegation to the CEO
Section 34(1)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, to apply to the Minister to revoke the dedication of all or part of a reserve.	Delegation to the CEO
Section 34(2) and 34(3)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power to give notice of the intention to apply to the Minister to revoke the dedication of all or part of a reserve.	Delegation to the CEO
Section 34H(1)	Entity Power Given To: Owner of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as owner of improvements on a reserve the dedication to which has been revoked, to apply, in writing to the chief executive, to remove improvements on the reserve.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 34H(2)	Entity Power Given To: Owner of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as owner of improvements on a reserve the dedication to which has been revoked, to remove improvements with the written approval of the chief executive.	Delegation to the CEO
Section 34I(1)	Entity Power Given To: Trustee Of An Operational Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 2 – Operational Reserves	Power, as trustee of an operational reserve, to apply for a deed of grant over a reserve.	Delegation to the CEO
Section 34I(3) and 34I(4)	Entity Power Given To: Trustee Of An Operational Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 2 – Operational Reserves	Power, as trustee of an operational reserve, to give notice of the intention to apply for a deed of grant over the reserve.	Delegation to the CEO
Section 38A(1)	Entity Power Given To: Trustee Of Deed Of Grant In Trust	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.	Delegation to the CEO
Section 38A(2)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as trustee to apply for the cancellation of a deed of grant in trust under section 38.	Delegation to the CEO
Section 38A(3) and 38A(4)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as trustee, to give notice of the intention to apply under section 38A.	Delegation to the CEO
Section 38G(1)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, an owner of improvements on a deed of grant in trust that has been cancelled, to apply, in writing to the chief executive, to remove the improvements on a deed of grant in trust.	Delegation to the CEO
Section 38G(2)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as owner of improvements on a deed of grant in trust that has been cancelled, to remove the improvements with the chief executive's approval.	Delegation to the CEO
Section 44	Entity Power Given To: Proposed Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power to accept appointment as trustee.	Delegation to the CEO
Section 45	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power, as trustee, to advise the chief executive of change in details.	Delegation to the CEO
Section 46 and 47	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power, as trustee, to comply with the administrative, accounting function and other directions provided by Minister.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 48	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power, as trustee, to: (a) comply with a request of the chief executive to apply for the approval of a management plan for the trust land; (b) comply with a request of the chief executive to make all records available for inspection by the chief executive and allow copies and notes of the records to be made; and (c) register any management plan in the appropriate register.	Delegation to the CEO
Section 49	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power as trustee, to: (a) allow the auditor-general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the Chief Executive of a Department, to audit the trust's financial accounts; and (b) help the conduct of the audit, including the disclosure of financial institution accounts necessary for the audit.	Delegation to the CEO
Section 52(1)	Entity Power Given To: Trustee of Trust Land	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power to take all necessary action for the maintenance and management of trust land.	Delegation to the CEO
Section 55(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as trustee, to surrender all or part of a deed of grant in trust on terms agreed with the Minister and with the Minister's written approval.	Delegation to the CEO
Section 55A(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as trustee, to apply to surrender all or part of a deed of grant in trust.	Delegation to the CEO
Section 55A(2) and 55A(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as trustee, to give notice of the intention to apply to surrender all or part of a deed of grant in trust.	Delegation to the CEO
Section 55H(1)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as owner of improvements on a deed of grant in trust that has been surrendered, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust	Delegation to the CEO
Section 55H(2)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as owner of improvements on a deed of grant in trust that has been surrendered, to remove the improvements on the deed of grant in trust with the written approval of the chief executive.	Delegation to the CEO
Section 57(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to lease all or part of the trust land if the trustee first obtains the Minister's written 'in principle' approval to the lease.	Delegation to the CEO
Section 57(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power as trustee to, without the Minister's approval, grant a trustee lease (construction) or a trustee lease (State or statutory body) over all or part of the trust land.	Delegation to the CEO
Section 57(7)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to register a trustee lease in the appropriate register.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 57A(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to seek the Minister's approval to amend a trustee lease.	Delegation to the CEO
Section 58(1)	Entity Power Given To: Trustee Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee lessee, to transfer, mortgage or sublease a trustee lease subject to the written approval of: (a) the Minister for a sublease; or (b) otherwise, the chief executive.	Delegation to the CEO
Section 58(7)	Entity Power Given To: Trustee Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to appeal against the Minister's or chief executive's decision to refuse to allow a transfer, mortgage or sublease of a trustee lease.	Delegation to the CEO
Section 60(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to issue a trustee permit to use all or part of the trust land.	Delegation to the CEO
Section 60(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to lodge a trustee permit in the appropriate register.	Delegation to the CEO
Section 62	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to seek consent to group trust land reserved for similar purposes together.	Delegation to the CEO
Section 63(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to seek the Minister's approval for rent from a trustee lease or trustee permit to be applied to costs other than on maintenance and enhancement of the trust land.	Delegation to the CEO
Section 64(1)	Entity Power Given To: Relevant Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as a relevant person, to apply to the Minister for written authority dispensing with the need to obtain the Minister's or chief executive's approval for relevant leases.	Delegation to the CEO
Section 64(4)	Entity Power Given To: Relevant Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as a relevant person, to apply for approval to lease, sublease or sub-sublease trust land even if an authority is in force.	Delegation to the CEO
Section 65(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to cancel a trustee lease or trustee permit if the lessee or permittee does not comply with the conditions of the lease or permit.	Delegation to the CEO
Section 66(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to allow the trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 67(2)	Entity Power Given To: Trustee of a Deed of Grant in Trust	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 8 – Mortgaging Trust Land	Power, as trustee of a deed of grant in trust, to mortgage a deed of grant in trust issued prior the commencement of the Land Act 1994, subject to the Minister's approval under section 67(4).	Delegation to the CEO
Section 67(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 8 – Mortgaging Trust Land	Power to mortgage a deed of grant in trust issued after the commencement of the Land Act 1994 subject to section 67(3)(a) and (b) and the Minister's approval under section 67(4).	Delegation to the CEO
Section 80(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power, as trustee of trust land for cemetery purposes, to repair or remove structures, monuments or tombstones from a cemetery on trust land.	Delegation to the CEO
Section 81(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to ask the Minister that a cemetery on trust land be closed to further burials.	To Remain with Council
Section 81(4)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to ask the Minister to re-open a cemetery previously closed for further burials.	To Remain with Council
Section 82	Entity Power Given To: Local Government	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to agree to take on the trusteeship of a cemetery and to agree on the terms of the transfer.	Delegation to the CEO
Section 83(1)	Entity Power Given To: Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to seek approval from the Minister to exhume a body from a cemetery, in the absence of any local law covering the matter.	Not Relevant to Council
Section 84(1)	Entity Power Given To: Trustee Of Land Granted For An Estate In Fee Simple For Some Community, Public Or Similar Purpose	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 11 – Other Grants For Public Purposes	Power to apply to the Minister seeking approval to surrender land granted for an estate in a fee simple for some community, public, or similar purpose, the land to the State, and for the issue of a deed of grant in trust under this Act for a community or public purpose.	Delegation to the CEO
Section 94(2)	Entity Power Given To: Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 1 – Deciding And Opening Roads	Power to apply for land to be dedicated as a road for public use.	Delegation to the CEO
Section 99(1)	Entity Power Given To: Public Utility Provider Or Adjoining Owner For The Road	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power to apply to the minister to permanently close a road.	Delegation to the CEO
Section 99(3)	Entity Power Given To: Adjoining Owner For The Road Or, In Certain Circumstances, Another Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power to apply to the Minister to temporarily close a road.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 99(4)	Entity Power Given To: Adjoining Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power as an adjoining owner of land who makes an application to permanently close a road pursuant to section 99(1) of the Land Act 1994, to ask that the land be amalgamated with the adjoining owner's adjoining land upon its closure.	Delegation to the CEO
Section 100	Entity Power Given To: A Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power to object to a road closure application in response to a public notice.	Delegation to the CEO
Section 105(3)	Entity Power Given To: Road Licensee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 3 – Road Licenses	Power, as a road licensee, to surrender all or part of a road licence.	Delegation to the CEO
Section 109A(1)	Entity Power Given To: Registered Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as registered owner of land, to apply for the simultaneous opening and closing of roads subject to the conditions in section 109A(1)(a), (b) and (c).	Delegation to the CEO
Section 109A(2)	Entity Power Given To: Registered Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as registered owner, to ask the Minister to include certain matters in the deed of grant in trust issued under section 358.	Delegation to the CEO
Section 109A(3)	Entity Power Given To: Registered Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as registered owner, to appeal against any conditions the Minister imposes under section 420L.	Delegation to the CEO
Section 109B(1)	Entity Power Given To: Trustee Or Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as trustee of lessee, to apply for the simultaneous opening and closing of roads subject to section 109B(1)(a), (b) and (c).	Delegation to the CEO
Section 109B(2)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power to ask the Minister to include certain matters in the deed of grant in trust issued under section 358 or dedicated as a reserve under section 31A (whichever is applicable).	Delegation to the CEO
Section 109B(3)	Entity Power Given To: Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as lessee, to ask that the land in the road being closed be amalgamated in accordance with section 109B(3)(a) or (b) (whichever is applicable).	Delegation to the CEO
Section 109B(4)	Entity Power Given To: Trustee Or Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420L.	Delegation to the CEO
Section 120A(1)	Entity Power Given To: Any Person	Chapter 4 – Land Holdings Part 1 – Making Land Available Division 2 – Interests In Land Available Without Competition	Power to apply for an interest in land that may be granted without competition.	Delegation to the CEO
Section 154	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1 – Preliminary	Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.	Delegation to the CEO
Section 155A(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1B – Extension Of Particular Term Leases	Power, as lessee, to apply to for extension of a term lease (40 years).	Delegation to the CEO
Section 155B(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1B – Extension Of Particular Term Leases	Power, as lessee, to apply for extension of a term lease (50 years).	Delegation to the CEO
Section 155B(A)(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1B – Extension Of Particular Term Leases	Power, as lessee, to apply for extension of a term lease (75 years).	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 158	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 2 – Renewal	Power, as lessee, to apply for an offer of a new lease (a renewal application).	Delegation to the CEO
Section 160(3)	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 2 – Renewal	Power, as an applicant for a renewal application, to appeal against the Chief Executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Delegation to the CEO
Section 164C(1)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 3 – Extensions Of Rolling Term Leases	Power, as a lessee under a rolling term lease, to apply to the Minister for an extension of the term.	Delegation to the CEO
Section 164C(7)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 3 – Extensions Of Rolling Term Leases	Power, as a lessee under a rolling term lease, to appeal to the Minister's refusal of an extension of the term.	Delegation to the CEO
Section 166(1)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 3 – Conversion Of Tenure	Power, as lessee, to apply to convert a perpetual lease to freehold land and a term lease to a perpetual lease or to freehold land.	Delegation to the CEO
Section 168(5)	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 3 – Leases Division 3 – Conversion Of Tenure	Power, as applicant for a conversion application, to appeal against the Chief Executive's decision to refuse the conversion application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Delegation to the CEO
Section 176(1)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 4 – Subdividing Leases	Power, as lessee, to apply for approval to subdivide the lease.	Delegation to the CEO
Section 176(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 4 – Subdividing Leases	Power to provide a statement of Council's views on the proposed subdivision.	Delegation to the CEO
Section 176E	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 3 – Leases Division 4 – Subdividing Leases	Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.	Delegation to the CEO
Section 176K(1)	Entity Power Given To: Lessee Of Two Or More Leases	Chapter 4 – Land Holdings Part 3 – Leases Division 5 – Amalgamating Leases	Power, as lessee of 2 or more leases, to apply to the Minister for approval to amalgamate the leases.	Delegation to the CEO
Section 176K(3)(b)	Entity Power Given To: Local Government	Chapter 4 – Land Holdings Part 3 – Leases Division 5 – Amalgamating Leases	Power, as a local government, to prepare a statement of Council's views on the amalgamation of 2 or more leases.	Delegation to the CEO
Section 176N	Entity Power Given To: Local Government	Chapter 4 – Land Holdings Part 3 – Leases Division 5 – Amalgamating Leases	Power to give the chief executive an opinion in respect of a proposed road closure.	Delegation to the CEO
Section 177	Entity Power Given To: Trustee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power to consult with the chief executive regarding the issue of a permit to occupy unallocated State land, a road or a reserve.	Delegation to the CEO
Section 177A(1)	Entity Power Given To: Any Person	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power to apply for a permit to occupy unallocated State land, a reserve or a road.	Delegation to the CEO
Section 177A(2)	Entity Power Given To: Any Person	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power to give notice of an intention to apply for a permit to occupy unallocated State land, a reserve or a road.	Delegation to the CEO
Section 179	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as an applicant for a permit, to enter an agreement with an adjoining owner about the maintenance of a fence.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 180(2)	Entity Power Given To: Permittee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a permittee, to surrender a permit to occupy on terms agreed to between the Chief Executive and the permittee and with the Chief Executive's written approval.	Delegation to the CEO
Section 180A	Entity Power Given To: Relevant Entity	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a relevant entity, to apply to surrender or cancel a permit to occupy.	Delegation to the CEO
Section 180H(1)	Entity Power Given To: Permittee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a permittee for a permit that is cancelled or surrendered, to apply to remove the permittees improvements on the permit land.	Delegation to the CEO
Section 180H(2)	Entity Power Given To: Permittee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a permittee, to remove improvements with the chief executive's written approval.	Delegation to the CEO
Section 201	Entity Power Given To: Lessee, Licensee Or Permittee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 1 – General Mandatory Conditions	Power, as lessee, licensee or permittee, to give the Minister or chief executive the information asked for about the lease, licence or permit.	Delegation to the CEO
Section 210	Entity Power Given To: Lessee, Licensee Or Permittee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 3 – Changing And Reviewing Imposed Conditions	Power, as lessee, licensee or permittee, to apply to change an imposed condition of the lease, licence or permit.	Delegation to the CEO
Section 212(3)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 3 – Changing And Reviewing Imposed Conditions	Power to appeal against the Minister's decision to change an imposed condition about the protection and sustainability of the lease land.	Delegation to the CEO
Section 214A	Entity Power Given To: Lessee Or Licensee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power to make written submissions to the Minister in response to a warning notice.	Delegation to the CEO
Section 214B	Entity Power Given To: Lessee Or Licensee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power, as a lessee or licensee to whom a remedial action notice has been given, to appeal against the decision to give the notice.	Delegation to the CEO
Section 214D	Entity Power Given To: Lessee Or Licensee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power, as a lessee or licensee to whom a remedial action notice has been given, to comply with the notice.	Delegation to the CEO
Section 214F(3)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power, as lessee, to appeal against the Minister's decision to reduce the term of, or impose additional conditions on, a lease.	Delegation to the CEO
Section 219(3)	Entity Power Given To: A Person Who Has A Lawful Interest In The Matters	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption and Compensation Division 1 – Resumption of a Lease of Easement	Power, as a person who has a lawful interest in the matters listed at section 219(3)(a), (b) and (c), to claim compensation as prescribed by the Acquisition of Land Act 1967.	Delegation to the CEO
Section 222(6)	Entity Power Given To: A Compensation Claimant	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption and Compensation Division 1 – Resumption of a Lease of Easement	Power, as a compensation claimant, to appeal the Minister's decision about the amount of loss, costs and expenses the claimant is entitled to claim.	Delegation to the CEO
Section 225(2)	Entity Power Given To: Owner of Lawful Improvements on a Lease or Part of Lease	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 2 – Resumption Of A Lease Under A Condition Of The Lease	Power, as owner of lawful improvements on a lease or part of lease resumed under the division, to claim compensation.	Delegation to the CEO
Section 226(5)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 2 – Resumption Of A Lease Under A Condition Of The Lease	Power, as lessee, to appeal against the Minister's decision on compensation payable.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 230(2)	Entity Power Given To: Owner Of The Improvement	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 3 – Resumption Of A Reservation For A Public Purpose	Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.	Delegation to the CEO
Section 232(5)	Entity Power Given To: Owner	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 3 – Resumption Of A Reservation For A Public Purpose	Power, as owner, to appeal against the Minister's decision on compensation payable.	Delegation to the CEO
Section 233(4)	Entity Power Given To: Relevant Local Government	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 2A – Forfeiture Of Leases By Referral To Court Or For Fraud	Power, as a relevant local government of a term or perpetual lease, to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease.	Delegation to the CEO
Section 240E(1)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 3A – Sale Of Lease Instead Of Forfeiture Subdivision 1 – Sale By Lessee	Power, after receiving a notice under section 235(1) or 238(3), as a lessee of a lease, to apply in writing to the chief executive for permission to sell the lease.	Delegation to the CEO
Section 240G	Entity Power Given To: Local Government	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 3A – Sale Of Lease Instead Of Forfeiture Subdivision 3 – Sale By Local Government	Power, as a local government, to apply to the chief executive to sell a lease.	Delegation to the CEO
Section 243(1A)	Entity Power Given To: Lessee Of A Forfeited Lease	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 4 – Forfeiture	Power, as lessee of a forfeited lease, to apply, in writing to the chief executive, to remove the lessee's improvements on the lease.	Delegation to the CEO
Section 243(1)	Entity Power Given To: Lessee Of A Forfeited Lease	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 4 – Forfeiture	Power, as lessee of a forfeited lease, to remove the improvements with the written approval of the chief executive.	Delegation to the CEO
Section 288(1)	Entity Power Given To: Transferor or a Person Creating the Interest	Chapter 6 – Registration and Dealings Part 1 – Land Registry and Registers Division 3 – General Requirements for Documents in Registers	Power, as a transferor or a person creating the interest, or the transferee or the person in whose favour the interest is to be created, to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease.	Delegation to the CEO
Section 288(1)(b)	Entity Power Given To: Transferee or the Person in Whose Favour the Interest is to be Created	Chapter 6 – Registration and Dealings Part 1 – Land Registry and Registers Division 3 – General Requirements for Documents in Registers	Power, as a transferee or the person in whose favour the interest is to be created, to authorise a legal practitioner to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease on Council's behalf.	Delegation to the CEO
Sections 318 and 319	Entity Power Given To: Person	Chapter 6 – Registration And Dealings Part 3 – Documents Division 2 – Documents Forming Part Of Standard Terms Documents	Power to lodge a standard terms document and amend the standard terms document by lodging a further document.	Delegation to the CEO
Section 322(3)	Entity Power Given To: Lessee, Licensee Or The Holder Of A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 1 – Transfers	Power, as a lessee, licensee or the holder of a sublease, to apply to transfer a lease, sublease or license under the Act with the approval of the chief executive.	Delegation to the CEO
Section 322(5)	Entity Power Given To: Lessee, Licensee Or The Holder Of A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 1 – Transfers	Power, as a lessee, licensee or the holder of a sublease, to apply to the chief executive to extend the time mentioned in subsection 322(4).	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 322(8)	Entity Power Given To: Lessee, Licensee Or The Holder Of A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 1 – Transfers	Power, as a lessee, licensee or the holder of a sublease, to appeal a decision of the chief executive not to grant the transfer of a lease, sublease or licence.	Delegation to the CEO
Section 327	Entity Power Given To: Registered Owner	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power to surrender freehold land on terms agreed between the chief executive and the registered owner and with the chief executive's written approval.	Delegation to the CEO
Section 327A	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power to surrender a lease or part of a lease on terms agreed between the chief executive and the lessee and with the chief executive's written approval.	Delegation to the CEO
Section 327B	Entity Power Given To: Registered Owner	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as a registered owner, to apply in writing to the chief executive to surrender freehold land.	Delegation to the CEO
Section 327C(1)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as a lessee, to apply in writing to the chief executive to surrender all or part of a lease.	Delegation to the CEO
Section 327C(2)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as a lessee, to give notice of an intention to apply to any other person with a registered interest in the lease.	Delegation to the CEO
Section 327(1)	Entity Power Given To: Owner Of Improvements On A Lease That Has Been Surrendered	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as owner of improvements on a lease that has been surrendered, to apply in writing to the chief executive to remove the owner's improvements on the lease.	Delegation to the CEO
Section 327(2)	Entity Power Given To: Owner Of Improvements On A Lease That Has Been Surrendered	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as owner of improvements on a lease that has been surrendered, to remove the owner's improvements with the chief executive's written approval.	Delegation to the CEO
Section 329(1)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as lessee, to give notice of the intention to surrender a lease.	Delegation to the CEO
Section 332(1) and (2)	Entity Power Given To: Lessee or Sublessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3 – Subleases	Power to seek the Minister's approval to sublease a lease issued under the Act.	Delegation to the CEO
Section 332(7)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3 – Subleases	Power to appeal against the Minister's refusal to approve the sublease of a lease issued under the Act.	Delegation to the CEO
Section 336	Entity Power Given To: Lessee or Sublessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3 – Subleases	Power to seek the Minister's approval to amend a sublease.	Delegation to the CEO
Section 339F	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 2 – Notice of Disputes	Power, as party to a sublease, to give another party to the sublease a dispute notice and ask the responder to give information reasonably required for resolving the dispute.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 339G	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 2 – Notice of Disputes	Power, as a party to a sublease who has received a dispute notice, to respond to the dispute notice and ask for further information reasonably required for resolving the dispute.	Delegation to the CEO
Section 339H(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 2 – Notice of Disputes	Power, as a party to a sublease and where the circumstances of section 339H(1) apply, to attempt to resolve the dispute by mediation.	Delegation to the CEO
Section 339I(1)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, to jointly appoint a mediator to mediate the dispute.	Delegation to the CEO
Section 339J(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to appoint a mediator to mediate the dispute.	Delegation to the CEO
Section 339J(1)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, to agree to a time for the mediation.	Delegation to the CEO
Section 339J(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to set a time for the mediation of the dispute.	Delegation to the CEO
Section 339K	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to participate in the mediation, agree to adjourn the mediation, and agree to a later time for the mediation.	Delegation to the CEO
Section 339L	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to pay Council's share of the mediator's costs of the mediation or otherwise agree with the other parties to the dispute how the costs of the mediator will be paid.	Delegation to the CEO
Section 339O(1)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, to jointly appoint an arbitrator to decide the dispute.	Delegation to the CEO
Section 339O(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339O(2) apply, to request the prescribed dispute resolution entity to appoint an arbitrator to decide the dispute.	Delegation to the CEO
Section 339Q(3)(c)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, to agree to extend the period for the arbitrator to decide the dispute by issuing an award.	Delegation to the CEO
Section 339R(1)(b)	Entity Power Given To: Party To A Sublease and A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, and where the arbitrator has required, to give an appointed expert access to or copies of any relevant information, documents or other property.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 339R(2)	Entity Power Given To: Party To A Sublease And A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, to request that an appointed expert participate in a hearing.	Delegation to the CEO
Section 339T	Entity Power Given To: Party To A Sublease And A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute that has been decided by arbitration, to apply to the Supreme Court to set aside the decision in certain circumstances.	Delegation to the CEO
Section 339U	Entity Power Given To: Party To A Sublease And A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute that is the subject of arbitration, to pay Council's share of the arbitration costs or otherwise agree with the other parties to the dispute how the arbitration costs will be paid.	Delegation to the CEO
Section 358(1)	Entity Power Given To: Registered Owner Or Trustee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power, as the registered owner of trustee, to surrender land if the description of the land is no longer correct, because of the reasons listed in section 358(1)(a) to (f).	Delegation to the CEO
Section 358(2)	Entity Power Given To: Registered Owner Or Trustee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power as registered owner or trustee, to surrender land contained in the registered owner's deed of grant or trustee's deed of grant in trust if, on resurvey of the land, the boundaries described in the existing deed or appropriate plan, and no doubt exists about the boundaries of the land, with the written approval of the chief executive.	Delegation to the CEO
Section 360C(1)	Entity Power Given To: Lessee Or A Person Acting For The Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).	Delegation to the CEO
Section 360C(2)	Entity Power Given To: Lessee Or A Person Acting For The Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power to apply to amend the description in a term lease or a perpetual lease, other than a State lease, if the description of the lease may be amended under section 360A(2)(a), (b) or (c).	Delegation to the CEO
Section 360C(3)	Entity Power Given To: Lessee Or A Person Acting For The Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B(1)(a), (b), (c) or (d).	Delegation to the CEO
Section 360D	Entity Power Given To: Lessee or a Person Acting for a Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power, as a lessee or a person acting for a lessee, to give notice of an intention to make an application under section 360C to amend the description of a lease.	Delegation to the CEO
Section 363(1)(b)	Entity Power Given To: Owner Of Land Or Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to sign the document creating the easement where Council is the public utility provider or the owner of the land to be burdened.	Delegation to the CEO
Section 371(2)	Entity Power Given To: Owner Of Land Or Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to sign a document surrendering an easement in favour of Council, where Council is one or more of the entities listed in subsections 371(2)(a) to (c).	Delegation to the CEO
Section 372(2)	Entity Power Given To: Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the deed of grant in trust, lease or license ends or the dedication of the reserve is revoked.	Delegation to the CEO
Section 372(5)	Entity Power Given To: Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the freehold land is surrendered.	Delegation to the CEO
Section 373A	Entity Power Given To: Trustee, Lessee or Sublessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8A – Covenants	Power, as the trustee, lessee or sublessee of non-freehold land the subject of a trust, lease or sublease, to consent to the creation of a covenant on the land.	Delegation to the CEO
Section 415	Entity Power Given To: Trustee, Lessee, Licensee Or Permittee	Chapter 7 – General Part 2 – Unlawful Occupation Of Non-Freehold And Trust Land Division 3 – Action By Lessee, Licensee, Permittee Or Trustee	Power, as trustee of trust land, or as a lessee, licensee or permittee to start a proceeding in the Magistrates Court for unlawful occupation or trespass of the trust land, or a lease, licence or permit.	To Remain with Council

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 420CB	Entity Power Given To: Entity Given a Notice	Chapter 7 – General Part 2A – General Provisions For Applications	Power to make a submission in response to a notice received under the Act about a proposed application.	Delegation to the CEO
Section 420E	Entity Power Given To: Applicant	Chapter 7 – General Part 2A – General Provisions For Applications	Power to respond to a request from the Chief Executive for information listed in sections 420E(1)(a) and 420E(1)(b).	Delegation to the CEO
Section 423	Entity Power Given To: Person Who Has A Right Of Appeal Against An Original Decision	Chapter 7 – General Part 3 – Review Of Decisions And Appeals Division 2 – Internal Review Of Decisions	Power to apply to the Minister for a review of a decision.	Delegation to the CEO
Section 427	Entity Power Given To: A Person Who Has Applied For The Review Of A Decision Under Division 2	Chapter 7 – General Part 3 – Review Of Decisions And Appeals Division 3 – Appeals	Power to appeal to the Court against a decision.	Delegation to the CEO
Section 431V(2)	Entity Power Given To: Local Government	Chapter 7 – General Part 3B – Making Land Available For Public Use As Beach	Power to consult with the Minister about whether Council wishes to be the manager of a declared beach area.	Not Relevant to Council
Section 431V(3)	Entity Power Given To: Local Government	Chapter 7 – General Part 3B – Making Land Available For Public Use As Beach	Power to consult with the public and the owner of the lot about the use conditions to be contained in a local law applying to a declared beach area.	Not Relevant to Council
Section 431ZG	Entity Power Given To: An Interested Person and Owner of Adjacent Land	Chapter 7 – General Part 3C – Access to State Land Division 3 – Damage to Adjacent Land	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZG(1) apply, to give the chief executive written notice of the damage.	Delegation to the CEO
Section 431ZH(2)	Entity Power Given To: An Interested Person and Owner of Adjacent Land	Chapter 7 – General Part 3C – Access to State Land Division 3 – Damage to Adjacent Land	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply, to enter a remediation agreement with the chief executive.	Delegation to the CEO
Section 431ZH(5)	Entity Power Given To: An Interested Person and Owner of Adjacent Land	Chapter 7 – General Part 3C – Access to State Land Division 3 – Damage to Adjacent Land	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply and a remediation agreement has not been made, to apply to the court to decide what remediation action, if any, will be taken.	To Remain with Council
Section 481A	Entity Power Given To: Licensee	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as licensee, to surrender all or part of an occupation licence on terms agreed to between the Minister and the licensee and with the Minister's written approval.	Delegation to the CEO
Section 481B(1) and 481B(2)	Entity Power Given To: Public Utility Provider or a Licensee	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as a public utility provider or a licensee to apply to cancel or surrender all or part of an occupation licence.	Delegation to the CEO
Section 481B(4) and 481B(5)	Entity Power Given To: Applicant	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, to give notice of an intention to apply to as a public utility provider or a licensee, apply to cancel or surrender all or part of an occupation licence.	Delegation to the CEO
Section 481J(1)	Entity Power Given To: Licensee Of Occupation Licence	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as a licensee of an occupation licence that is cancelled or surrendered absolutely, to apply to remove licensee's improvements on the licence.	Delegation to the CEO
Section 481J(2)	Entity Power Given To: Licensee	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as a licensee, to remove the licensee's improvements on the licence with the written approval of the Minister.	Delegation to the CEO
Section 482	Entity Power Given To: Licensee Of Occupation Licence	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as licensee of an occupation licence, to carry out improvements or development work on the licence only with the Minister's written approval.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 492(1)	Entity Power Given To: Local Government	Chapter 8 – Continued Rights And Tenures Part 7 – Tenures Under Other Acts Division 1 – Sale To Local Authorities Land Act 1882	Power, as a local government, to apply to exchange the conditional deed for a reserve or deed of grant in trust with the local government as trustee or a lease granted under the Land Act 1994.	Delegation to the CEO
Section 505(2)	Entity Power Given To: Local Government	Chapter 8 – Continued Rights And Tenures Part 7 – Tenures Under Other Acts Division 3 – Port and Harbour Lands	Power to agree to an allocation or dedication of land from the State, where the land has become an asset of the State by virtue of section 231 (repealed) of the Transport Infrastructure Act 1994.	Delegation to the CEO

Schedule 2

Limitations to the Exercise of Power	
1	Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2	The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3	The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4	The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
5	The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6	The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

Delegation Register - Land Act 1994 - Tracked

Meeting Date: 22 June 2021

Attachment No: 2

Delegations Register – Land Act 1994 (LANA)

Under section 257 of the Local Government Act 2009, ROCKHAMPTON REGIONAL COUNCIL resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2. All prior resolutions delegating the same powers are repealed.

Schedule 1

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 13A(4)	Entity Power Given To: Person who may take water under the Water Act 2000, Section 96	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as a person who may take water under the Water Act 2000, section 96, to exercise a right of access, a right of grazing and a right to bring an action for trespass over the adjacent land.	Delegation to the CEO
Section 13AC(1)(a)	Entity Power Given To: Adjacent owner for the land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as an adjacent owner for the land, to consent to the dedication of non-tidal watercourse land or non-tidal lake land as a reserve.	Delegation to the CEO
Section 13B(1)	Entity Power Given To: A person (Applicant) who is the owner of land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as an owner of land (the relevant land) having a non-tidal boundary (watercourse) to apply to the Chief Executive (water) to have land adjoining the relevant land (the watercourse land) declared to be former watercourse land.	Delegation to the CEO
Section 13B(2)	Entity Power Given To: A person (Applicant) who is the owner of land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power to give notice of the person's intention to make an application pursuant to section 13B to the owners of any land that adjoins the watercourse land.	Delegation to the CEO
Section 13B(6)	Entity Power Given To: A person (Applicant) who is the owner of land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as an applicant under section 13B(1), to appeal against the refusal of the application.	Delegation to the CEO
Section 18(1)	Entity Power Given To: Registered Owner	Chapter 2 – Land Allocation Part 1 – Allocation Powers	Power, as registered owner of land, to enter an agreement with the Governor in Council to exchange all or part of the freehold land for the grant of unallocated State land.	Delegation to the CEO
Section 18(2)	Entity Power Given To: Lessee Of A Freeholding Lease	Chapter 2 – Land Allocation Part 1 – Allocation Powers	Power, as lessee of a freeholding lease, to enter an agreement with the Governor in Council to exchange all or part of a freeholding lease over unallocated state land.	Delegation to the CEO
Section 18(3)	Entity Power Given To: Lessee Of A Term Lease	Chapter 2 – Land Allocation Part 1 – Allocation Powers	Power, as lessee of a term lease (other than a State lease or a perpetual lease), to enter an agreement with the Minister to exchange all or part of the term lease for a lease of unallocated State land for a term of years or in perpetuity.	Delegation to the CEO
Section 23A(1)	Entity Power Given To: A Person seeking to have a plan of subdivision registered	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as a person seeking to have a plan of subdivision registered in relation to the land contained in a deed of grant, deed of grant in trust or lease, to apply to the chief executive for the allocation of a floating reservation to some or all of the lots created by the plan.	Delegation to the CEO
Section 23A(6)	Entity Power Given To: Applicant	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as an applicant under section 23A(1), to appeal against the chief executive's decision.	Delegation to the CEO
Section 24(3)	Entity Power Given To: Registered Owner or Lessee	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as registered owner of the deed of a grant or lessee of a freeholding lease of a reservation for a public purpose to be sold under section 24(1), to apply to the Governor in Council to buy the land.	Delegation to the CEO
Section 25(2)	Entity Power Given To: Registered Owner or Lessee	Chapter 2 – Land Allocation Part 2 – Reservations	Power to appeal against the Minister's determination of the unimproved value of land to be sold under section 24(1) of the Land Act 1994.	Delegation to the CEO
Section 26(2)	Entity Power Given To: Registered Owner, Lessee Or Trustee	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as trustee, lessee or registered owner, to agree to the Minister's proposal to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries on the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 26(4)	Entity Power Given To: Lessee, Registered Owner Or Trustee	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as lessee, registered owner or trustee, to appeal the Minister's decision to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Delegation to the CEO
Section 26B(2)	Entity Power Given To: Lessee or Registered Owner	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as lessee or registered owner, to buy a forest entitlement area under sections 24 and 25.	To Remain with Council
Section 26B(8)	Entity Power Given To: Lessee Or Registered Owner	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as lessee or registered owner, to appeal against the value decided by the Minister for the commercial timber on a forest entitlement area that the local government is buying.	Delegation to the CEO
Section 31C(1)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, to apply to the Minister for the dedication of a reserve.	Delegation to the CEO
Section 31C(2) and 31C(3)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power to give notice of the person's intention to apply for the dedication of a reserve.	Delegation to the CEO
Section 31D(1)	Entity Power Given To: Trustee Of A Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as trustee, to apply to the Minister to change the boundary of a reserve or the purpose of a reserve.	Delegation to the CEO
Section 31D(2) and 31D(3)	Entity Power Given To: Trustee Of A Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, to give notice of the intention to change the boundary of a reserve or the purpose of a reserve.	Delegation to the CEO
Section 32	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.	Delegation to the CEO
Section 34(1)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, to apply to the Minister to revoke the dedication of all or part of a reserve.	Delegation to the CEO
Section 34(2) and 34(3)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power to give notice of the intention to apply to the Minister to revoke the dedication of all or part of a reserve.	Delegation to the CEO
Section 34H(1)	Entity Power Given To: Owner of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as owner of improvements on a reserve the dedication to which has been revoked, to apply, in writing to the chief executive, to remove improvements on the reserve.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 34H(2)	Entity Power Given To: Owner of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as owner of improvements on a reserve the dedication to which has been revoked, to remove improvements with the written approval of the chief executive.	Delegation to the CEO
Section 34I(1)	Entity Power Given To: Trustee Of An Operational Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 2 – Operational Reserves	Power, as trustee of an operational reserve, to apply for a deed of grant over a reserve.	Delegation to the CEO
Section 34I(3) and 34I(4)	Entity Power Given To: Trustee Of An Operational Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 2 – Operational Reserves	Power, as trustee of an operational reserve, to give notice of the intention to apply for a deed of grant over the reserve.	Delegation to the CEO
Section 38A(1)	Entity Power Given To: Trustee Of Deed Of Grant In Trust	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.	Delegation to the CEO
Section 38A(2)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as trustee to apply for the cancellation of a deed of grant in trust under section 38.	Delegation to the CEO
Section 38A(3) and 38A(4)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as trustee, to give notice of the intention to apply under section 38A.	Delegation to the CEO
Section 38G(1)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, an owner of improvements on a deed of grant in trust that has been cancelled, to apply, in writing to the chief executive, to remove the improvements on a deed of grant in trust.	Delegation to the CEO
Section 38G(2)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as owner of improvements on a deed of grant in trust that has been cancelled, to remove the improvements with the chief executive's approval.	Delegation to the CEO
Section 44	Entity Power Given To: Proposed Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power to accept appointment as trustee.	Delegation to the CEO
Section 45	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power, as trustee, to advise the chief executive of change in details.	Delegation to the CEO
Section 46 and 47	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power, as trustee, to comply with the administrative, accounting function and other directions provided by Minister.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 48	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power, as trustee, to: (a) comply with a request of the chief executive to apply for the approval of a management plan for the trust land; (b) comply with a request of the chief executive to make all records available for inspection by the chief executive and allow copies and notes of the records to be made; and (c) register any management plan in the appropriate register.	Delegation to the CEO
Section 49	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power as trustee, to: (a) allow the, auditor-general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the Chief Executive of a Department, to audit the trust's financial accounts; and (b) help the conduct of the audit, including the disclosure of financial institution accounts necessary for the audit.	Delegation to the CEO
Section 52(1)	Entity Power Given To: Trustee of Trust Land	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power to take all necessary action for the maintenance and management of trust land.	Delegation to the CEO
Section 55(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as trustee, to surrender all or part of a deed of grant in trust on terms agreed with the Minister and with the Minister's written approval.	Delegation to the CEO
Section 55A(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as trustee, to apply to surrender all or part of a deed of grant in trust.	Delegation to the CEO
Section 55A(2) and 55A(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as trustee, to give notice of the intention to apply to surrender all or part of a deed of grant in trust.	Delegation to the CEO
Section 55H(1)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as owner of improvements on a deed of grant in trust that has been surrendered, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.	Delegation to the CEO
Section 55H(2)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as owner of improvements on a deed of grant in trust that has been surrendered, to remove the improvements on the deed of grant in trust with the written approval of the chief executive.	Delegation to the CEO
Section 57(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to lease all or part of the trust land if the trustee first obtains the Minister's written 'in principle' approval to the lease.	Delegation to the CEO
Section 57(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power as trustee to, without the Minister's approval, grant a trustee lease (construction) or a trustee lease (State or statutory body) over all or part of the trust land.	Delegation to the CEO
Section 57(7)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to register a trustee lease in the appropriate register.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 57A(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to seek the Minister's approval to amend a trustee lease.	Delegation to the CEO
Section 58(1)	Entity Power Given To: Trustee Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee lessee, to transfer, mortgage or sublease a trustee lease subject to the written approval of: (a) the Minister for a sublease; or (b) otherwise, the chief executive.	Delegation to the CEO
Section 58(7)	Entity Power Given To: Trustee Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to appeal against the Minister's or chief executive's decision to refuse to allow a transfer, mortgage or sublease of a trustee lease.	Delegation to the CEO
Section 60(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to issue a trustee permit to use all or part of the trust land.	Delegation to the CEO
Section 60(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to lodge a trustee permit in the appropriate register.	Delegation to the CEO
Section 62	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to seek consent to group trust land reserved for similar purposes together.	Delegation to the CEO
Section 63(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to seek the Minister's approval for rent from a trustee lease or trustee permit to be applied to costs other than on maintenance and enhancement of the trust land.	Delegation to the CEO
Section 64(1)	Entity Power Given To: Relevant Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as a relevant person, to apply to the Minister for written authority dispensing with the need to obtain the Minister's or chief executive's approval for relevant leases.	Delegation to the CEO
Section 64(4)	Entity Power Given To: Relevant Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as a relevant person, to apply for approval to lease, sublease or sub-sublease trust land even if an authority is in force.	Delegation to the CEO
Section 65(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to cancel a trustee lease or trustee permit if the lessee or permittee does not comply with the conditions of the lease or permit.	Delegation to the CEO
Section 66(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to allow the trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 67(2)	Entity Power Given To: Trustee of a Deed of Grant In Trust	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 8 – Mortgaging Trust Land	Power, as trustee of a deed of grant in trust, to mortgage a deed of grant in trust issued prior the commencement of the Land Act 1994, subject to the Minister's approval under section 67(4).	Delegation to the CEO
Section 67(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 8 – Mortgaging Trust Land	Power to mortgage a deed of grant in trust issued after the commencement of the Land Act 1994 subject to section 67(3)(a) and (b) and the Minister's approval under section 67(4).	Delegation to the CEO
Section 80(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power, as trustee of trust land for cemetery purposes, to repair or remove structures, monuments or tombstones from a cemetery on trust land.	Delegation to the CEO
Section 81(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to ask the Minister that a cemetery on trust land be closed to further burials.	To Remain with Council
Section 81(4)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to ask the Minister to re-open a cemetery previously closed for further burials.	To Remain with Council
Section 82	Entity Power Given To: Local Government	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to agree to take on the trusteeship of a cemetery and to agree on the terms of the transfer.	Delegation to the CEO
Section 83(1)	Entity Power Given To: Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to seek approval from the Minister to exhume a body from a cemetery, in the absence of any local law covering the matter.	Not Relevant to Council
Section 84(1)	Entity Power Given To: Trustee Of Land Granted For An Estate In Fee Simple For Some Community, Public Or Similar Purpose	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 11 – Other Grants For Public Purposes	Power to apply to the Minister seeking approval to surrender land granted for an estate in a fee simple for some community, public, or similar purpose, the land to the State, and for the issue of a deed of grant in trust under this Act for a community or public purpose.	Delegation to the CEO
Section 94(2)	Entity Power Given To: Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 1 – Deciding And Opening Roads	Power to apply for land to be dedicated as a road for public use.	Delegation to the CEO
Section 99(1)	Entity Power Given To: Public Utility Provider Or Adjoining Owner For The Road	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power to apply to the minister to permanently close a road.	Delegation to the CEO
Section 99(3)	Entity Power Given To: Adjoining Owner For The Road Or, In Certain Circumstances, Another Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power to apply to the Minister to temporarily close a road.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 99(4)	Entity Power Given To: Adjoining Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power as an adjoining owner of land who makes an application to permanently close a road pursuant to section 99(1) of the Land Act 1994, to ask that the land be amalgamated with the adjoining owner's adjoining land upon its closure.	Delegation to the CEO
Section 100	Entity Power Given To: A Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power to object to a road closure application in response to a public notice.	Delegation to the CEO
Section 105(3)	Entity Power Given To: Road Licensee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 3 – Road Licenses	Power, as a road licensee, to surrender all or part of a road licence.	Delegation to the CEO
Section 109A(1)	Entity Power Given To: Registered Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as registered owner of land, to apply for the simultaneous opening and closing of roads subject to the conditions in section 109A(1)(a), (b) and (c).	Delegation to the CEO
Section 109A(2)	Entity Power Given To: Registered Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as registered owner, to ask the Minister to include certain matters in the deed of grant in trust issued under section 358.	Delegation to the CEO
Section 109A(3)	Entity Power Given To: Registered Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as registered owner, to appeal against any conditions the Minister imposes under section 420L.	Delegation to the CEO
Section 109B(1)	Entity Power Given To: Trustee Or Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as trustee of lessee, to apply for the simultaneous opening and closing of roads subject to section 109B(1)(a), (b) and (c).	Delegation to the CEO
Section 109B(2)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power to ask the Minister to include certain matters in the deed of grant in trust issued under section 358 or dedicated as a reserve under section 31A (whichever is applicable).	Delegation to the CEO
Section 109B(3)	Entity Power Given To: Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as lessee, to ask that the land in the road being closed be amalgamated in accordance with section 109B(3)(a) or (b) (whichever is applicable).	Delegation to the CEO
Section 109B(4)	Entity Power Given To: Trustee Or Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420L.	Delegation to the CEO
Section 120A(1)	Entity Power Given To: Any Person	Chapter 4 – Land Holdings Part 1 – Making Land Available Division 2 – Interests In Land Available Without Competition	Power to apply for an interest in land that may be granted without competition.	Delegation to the CEO
Section 154	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1 – Preliminary	Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.	Delegation to the CEO
Section 155A(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1B – Extension Of Particular Term Leases	Power, as lessee, to apply to for extension of a term lease (40 years).	Delegation to the CEO
Section 155B(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1B – Extension Of Particular Term Leases	Power, as lessee, to apply for extension of a term lease (50 years).	Delegation to the CEO
Section 155BA(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1B – Extension Of Particular Term Leases	Power, as lessee, to apply for extension of a term lease (75 years).	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 158	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 2 – Renewal	Power, as lessee, to apply for an offer of a new lease (a renewal application).	Delegation to the CEO
Section 160(3)	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 2 – Renewal	Power, as an applicant for a renewal application, to appeal against the Chief Executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Delegation to the CEO
Section 164C(1)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 3 – Extensions Of Rolling Term Leases	Power, as a lessee under a rolling term lease, to apply to the Minister for an extension of the term.	Delegation to the CEO
Section 164C(7)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 3 – Extensions Of Rolling Term Leases	Power, as a lessee under a rolling term lease, to appeal to the Minister's refusal of an extension of the term.	Delegation to the CEO
Section 166(1)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 3 – Conversion Of Tenure	Power, as lessee, to apply to convert a perpetual lease to freehold land and a term lease to a perpetual lease or to freehold land.	Delegation to the CEO
Section 168(5)	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 3 – Leases Division 3 – Conversion Of Tenure	Power, as applicant for a conversion application, to appeal against the Chief Executive's decision to refuse the conversion application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Delegation to the CEO
Section 176(1)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 4 – Subdividing Leases	Power, as lessee, to apply for approval to subdivide the lease.	Delegation to the CEO
Section 176(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 4 – Subdividing Leases	Power to provide a statement of Council's views on the proposed subdivision.	Delegation to the CEO
Section 176E	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 3 – Leases Division 4 – Subdividing Leases	Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.	Delegation to the CEO
Section 176K(1)	Entity Power Given To: Lessee Of Two Or More Leases	Chapter 4 – Land Holdings Part 3 – Leases Division 5 – Amalgamating Leases	Power, as lessee of 2 or more leases, to apply to the Minister for approval to amalgamate the leases.	Delegation to the CEO
Section 176K(3)(b)	Entity Power Given To: Local Government	Chapter 4 – Land Holdings Part 3 – Leases Division 5 – Amalgamating Leases	Power, as a local government, to prepare a statement of Council's views on the amalgamation of 2 or more leases.	Delegation to the CEO
Section 176N	Entity Power Given To: Local Government	Chapter 4 – Land Holdings Part 3 – Leases Division 5 – Amalgamating Leases	Power to give the chief executive an opinion in respect of a proposed road closure.	Delegation to the CEO
Section 177	Entity Power Given To: Trustee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power to consult with the chief executive regarding the issue of a permit to occupy unallocated State land, a road or a reserve.	Delegation to the CEO
Section 177A(1)	Entity Power Given To: Any Person	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power to apply for a permit to occupy unallocated State land, a reserve or a road.	Delegation to the CEO
Section 177A(2)	Entity Power Given To: Any Person	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power to give notice of an intention to apply for a permit to occupy unallocated State land, a reserve or a road.	Delegation to the CEO
Section 179	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as an applicant for a permit, to enter an agreement with an adjoining owner about the maintenance of a fence.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 180(2)	Entity Power Given To: Permittee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a permittee, to surrender a permit to occupy on terms agreed to between the Chief Executive and the permittee and with the Chief Executive's written approval.	Delegation to the CEO
Section 180A	Entity Power Given To: Relevant Entity	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a relevant entity, to apply to surrender or cancel a permit to occupy.	Delegation to the CEO
Section 180H(1)	Entity Power Given To: Permittee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a permittee for a permit that is cancelled or surrendered, to apply to remove the permittees improvements on the permit land.	Delegation to the CEO
Section 180H(2)	Entity Power Given To: Permittee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a permittee, to remove improvements with the chief executive's written approval.	Delegation to the CEO
Section 201	Entity Power Given To: Lessee, Licensee Or Permittee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 1 – General Mandatory Conditions	Power, as lessee, licensee or permittee, to give the Minister or chief executive the information asked for about the lease, licence or permit.	Delegation to the CEO
Section 210	Entity Power Given To: Lessee, Licensee Or Permittee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 3 – Changing And Reviewing Imposed Conditions	Power, as lessee, licensee or permittee, to apply to change an imposed condition of the lease, licence or permit.	Delegation to the CEO
Section 212(3)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 3 – Changing And Reviewing Imposed Conditions	Power to appeal against the Minister's decision to change an imposed condition about the protection and sustainability of the lease land.	Delegation to the CEO
Section 214A	Entity Power Given To: Lessee Or Licensee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power to make written submissions to the Minister in response to a warning notice.	Delegation to the CEO
Section 214B	Entity Power Given To: Lessee Or Licensee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power, as a lessee or licensee to whom a remedial action notice has been given, to appeal against the decision to give the notice.	Delegation to the CEO
Section 214D	Entity Power Given To: Lessee Or Licensee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power, as a lessee or licensee to whom a remedial action notice has been given, to comply with the notice.	Delegation to the CEO
Section 214F(3)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power, as lessee, to appeal against the Minister's decision to reduce the term of, or impose additional conditions on, a lease.	Delegation to the CEO
Section 219(3)	Entity Power Given To: A Person Who Has A Lawful Interest In The Matters	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption and Compensation Division 1 – Resumption of a Lease of Easement	Power, as a person who has a lawful interest in the matters listed at section 219(3)(a), (b) and (c), to claim compensation as prescribed by the Acquisition of Land Act 1967.	Delegation to the CEO
Section 222(6)	Entity Power Given To: A Compensation Claimant	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption and Compensation Division 1 – Resumption of a Lease of Easement	Power, as a compensation claimant, to appeal the Minister's decision about the amount of loss, costs and expenses the claimant is entitled to claim.	Delegation to the CEO
Section 225(2)	Entity Power Given To: Owner of Lawful Improvements on a Lease or Part of Lease	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 2 – Resumption Of A Lease Under A Condition Of The Lease	Power, as owner of lawful improvements on a lease or part of lease resumed under the division, to claim compensation.	Delegation to the CEO
Section 226(5)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 2 – Resumption Of A Lease Under A Condition Of The Lease	Power, as lessee, to appeal against the Minister's decision on compensation payable.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 230(2)	Entity Power Given To: Owner Of The Improvement	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 3 – Resumption Of A Reservation For A Public Purpose	Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.	Delegation to the CEO
Section 232(5)	Entity Power Given To: Owner	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 3 – Resumption Of A Reservation For A Public Purpose	Power, as owner, to appeal against the Minister's decision on compensation payable.	Delegation to the CEO
Section 239(4)	Entity Power Given To: Relevant Local Government	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 2A – Forfeiture Of Leases By Referral To Court Or For Fraud	Power, as a relevant local government of a term or perpetual lease, to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease.	Delegation to the CEO
Section 240E(1)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 3A – Sale Of Lease Instead Of Forfeiture Subdivision 1 – Sale By Lessee	Power, after receiving a notice under section 235(1) or 238(3), as a lessee of a lease, to apply in writing to the chief executive for permission to sell the lease.	Delegation to the CEO
Section 240G	Entity Power Given To: Local Government	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 3A – Sale Of Lease Instead Of Forfeiture Subdivision 3 – Sale By Local Government	Power, as a local government, to apply to the chief executive to sell a lease.	Delegation to the CEO
Section 243(1A)	Entity Power Given To: Lessee Of A Forfeited Lease	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 4 – Forfeiture	Power, as lessee of a forfeited lease, to apply, in writing to the chief executive, to remove the lessee's improvements on the lease.	Delegation to the CEO
Section 243(1)	Entity Power Given To: Lessee Of A Forfeited Lease	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 4 – Forfeiture	Power, as lessee of a forfeited lease, to remove the improvements with the written approval of the chief executive.	Delegation to the CEO
Section 288(1)	Entity Power Given To: Transferor or a Person Creating the Interest	Chapter 6 – Registration and Dealings Part 1 – Land Registry and Registers Division 3 – General Requirements for Documents in Registers	Power, as a transferor or a person creating the interest, or the transferee or the person in whose favour the interest is to be created, to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease.	Delegation to the CEO
Section 288(1)(b)	Entity Power Given To: Transferee or the Person in Whose Favour the Interest is to be Created	Chapter 6 – Registration and Dealings Part 1 – Land Registry and Registers Division 3 – General Requirements for Documents in Registers	Power, as a transferee or the person in whose favour the interest is to be created, to authorise a legal practitioner to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease on Council's behalf.	Delegation to the CEO
Sections 318 and 319	Entity Power Given To: Person	Chapter 6 – Registration And Dealings Part 3 – Documents Division 2 – Documents Forming Part Of Standard Terms Documents	Power to lodge a standard terms document and amend the standard terms document by lodging a further document.	Delegation to the CEO
Section 322(3)	Entity Power Given To: Lessee, Licensee Or The Holder Of A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 1 – Transfers	Power, as a lessee, licensee or the holder of a sublease, to apply to transfer a lease, sublease or license under the Act with the approval of the chief executive.	Delegation to the CEO
Section 322(5)	Entity Power Given To: Lessee, Licensee Or The Holder Of A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 1 – Transfers	Power, as a lessee, licensee or the holder of a sublease, to apply to the chief executive to extend the time mentioned in subsection 322(4).	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 322(8)	Entity Power Given To: Lessee, Licensee Or The Holder Of A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 1 – Transfers	Power, as a lessee, licensee or the holder of a sublease, to appeal a decision of the chief executive not to grant the transfer of a lease, sublease or licence.	Delegation to the CEO
Section 327	Entity Power Given To: Registered Owner	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power to surrender freehold land on terms agreed between the chief executive and the registered owner and with the chief executive's written approval.	Delegation to the CEO
Section 327A	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power to surrender a lease or part of a lease on terms agreed between the chief executive and the lessee and with the chief executive's written approval.	Delegation to the CEO
Section 327B	Entity Power Given To: Registered Owner	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as a registered owner, to apply in writing to the chief executive to surrender freehold land.	Delegation to the CEO
Section 327C(1)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as a lessee, to apply in writing to the chief executive to surrender all or part of a lease.	Delegation to the CEO
Section 327C(2)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as a lessee, to give notice of an intention to apply to any other person with a registered interest in the lease.	Delegation to the CEO
Section 327(1)	Entity Power Given To: Owner Of Improvements On A Lease That Has Been Surrendered	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as owner of improvements on a lease that has been surrendered, to apply in writing to the chief executive to remove the owner's improvements on the lease.	Delegation to the CEO
Section 327(2)	Entity Power Given To: Owner Of Improvements On A Lease That Has Been Surrendered	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as owner of improvements on a lease that has been surrendered, to remove the owner's improvements with the chief executive's written approval.	Delegation to the CEO
Section 329(1)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as lessee, to give notice of the intention to surrender a lease.	Delegation to the CEO
Section 332(1) and (2)	Entity Power Given To: Lessee or Sublessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3 – Subleases	Power to seek the Minister's approval to sublease a lease issued under the Act.	Delegation to the CEO
Section 332(7)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3 – Subleases	Power to appeal against the Minister's refusal to approve the sublease of a lease issued under the Act.	Delegation to the CEO
Section 336	Entity Power Given To: Lessee or Sublessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3 – Subleases	Power to seek the Minister's approval to amend a sublease.	Delegation to the CEO
Section 339F	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 2 – Notice of Disputes	Power, as party to a sublease, to give another party to the sublease a dispute notice and ask the responder to give information reasonably required for resolving the dispute.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 339G	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 2 – Notice of Disputes	Power, as a party to a sublease who has received a dispute notice, to respond to the dispute notice and ask for further information reasonably required for resolving the dispute.	Delegation to the CEO
Section 339H(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 2 – Notice of Disputes	Power, as a party to a sublease and where the circumstances of section 339H(1) apply, to attempt to resolve the dispute by mediation.	Delegation to the CEO
Section 339I(1)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, to jointly appoint a mediator to mediate the dispute.	Delegation to the CEO
Section 339J(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to appoint a mediator to mediate the dispute.	Delegation to the CEO
Section 339J(1)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, to agree to a time for the mediation.	Delegation to the CEO
Section 339J(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to set a time for the mediation of the dispute.	Delegation to the CEO
Section 339K	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to participate in the mediation, agree to adjourn the mediation, and agree to a later time for the mediation.	Delegation to the CEO
Section 339L	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to pay Council's share of the mediator's costs of the mediation or otherwise agree with the other parties to the dispute how the costs of the mediator will be paid.	Delegation to the CEO
Section 339O(1)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, to jointly appoint an arbitrator to decide the dispute.	Delegation to the CEO
Section 339O(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339O(2) apply, to request the prescribed dispute resolution entity to appoint an arbitrator to decide the dispute.	Delegation to the CEO
Section 339Q(3)(c)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, to agree to extend the period for the arbitrator to decide the dispute by issuing an award.	Delegation to the CEO
Section 339R(1)(b)	Entity Power Given To: Party To A Sublease and A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, and where the arbitrator has required, to give an appointed expert access to or copies of any relevant information, documents or other property.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 339R(2)	Entity Power Given To: Party To A Sublease and A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, to request that an appointed expert participate in a hearing.	Delegation to the CEO
Section 339T	Entity Power Given To: Party To A Sublease and A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute that has been decided by arbitration, to apply to the Supreme Court to set aside the decision in certain circumstances.	Delegation to the CEO
Section 339U	Entity Power Given To: Party To A Sublease and A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute that is the subject of arbitration, to pay Council's share of the arbitration costs or otherwise agree with the other parties to the dispute how the arbitration costs will be paid.	Delegation to the CEO
Section 358(1)	Entity Power Given To: Registered Owner Or Trustee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power, as the registered owner of trustee, to surrender land if the description of the land is no longer correct, because of the reasons listed in section 358(1)(a) to (f).	Delegation to the CEO
Section 358(2)	Entity Power Given To: Registered Owner Or Trustee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power as registered owner or trustee, to surrender land contained in the registered owner's deed of grant or trustee's deed of grant in trust if, on resurvey of the land, the boundaries described in the existing deed or appropriate plan, and no doubt exists about the boundaries of the land, with the written approval of the chief executive.	Delegation to the CEO
Section 360C(1)	Entity Power Given To: Lessee Or A Person Acting For The Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).	Delegation to the CEO
Section 360C(2)	Entity Power Given To: Lessee Or A Person Acting For The Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power to apply to amend the description in a term lease or a perpetual lease, other than a State lease, if the description of the lease may be amended under section 360A(2)(a), (b) or (c).	Delegation to the CEO
Section 360C(3)	Entity Power Given To: Lessee Or A Person Acting For The Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B(1)(a), (b), (c) or (d).	Delegation to the CEO
Section 360D	Entity Power Given To: Lessee or a Person Acting for a Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power, as a lessee or a person acting for a lessee, to give notice of an intention to make an application under section 360C to amend the description of a lease.	Delegation to the CEO
Section 363(1)(b)	Entity Power Given To: Owner Of Land Or Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to sign the document creating the easement where Council is the public utility provider or the owner of the land to be burdened.	Delegation to the CEO
Section 371(2)	Entity Power Given To: Owner Of Land Or Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to sign a document surrendering an easement in favour of Council, where Council is one or more of the entities listed in subsections 371(2)(a) to (c).	Delegation to the CEO
Section 372(2)	Entity Power Given To: Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the deed of grant in trust, lease or licence ends or the dedication of the reserve is revoked.	Delegation to the CEO
Section 372(5)	Entity Power Given To: Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the freehold land is surrendered.	Delegation to the CEO
Section 373A	Entity Power Given To: Trustee, Lessee or Sublessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8A – Covenants	Power, as the trustee, lessee or sublessee of non-freehold land the subject of a trust, lease or sublease, to consent to the creation of a covenant on the land.	Delegation to the CEO
Section 415	Entity Power Given To: Trustee, Lessee, Licensee Or Permittee	Chapter 7 – General Part 2 – Unlawful Occupation Of Non-Freehold And Trust Land Division 3 – Action By Lessee, Licensee, Permittee Or Trustee	Power, as trustee of trust land, or as a lessee, licensee or permittee to start a proceeding in the Magistrates Court for unlawful occupation or trespass of the trust land, or a lease, licence or permit.	To Remain with Council

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 420CB	Entity Power Given To: Entity Given a Notice	Chapter 7 – General Part 2A – General Provisions For Applications	Power to make a submission in response to a notice received under the Act about a proposed application.	Delegation to the CEO
Section 420E	Entity Power Given To: Applicant	Chapter 7 – General Part 2A – General Provisions For Applications	Power to respond to a request from the Chief Executive for information listed in sections 420E(1)(a) and 420E(1)(b).	Delegation to the CEO
Section 423	Entity Power Given To: Person Who Has A Right Of Appeal Against An Original Decision	Chapter 7 – General Part 3 – Review Of Decisions And Appeals Division 2 – Internal Review Of Decisions	Power to apply to the Minister for a review of a decision.	Delegation to the CEO
Section 427	Entity Power Given To: A Person Who Has Applied For The Review Of A Decision Under Division 2	Chapter 7 – General Part 3 – Review Of Decisions And Appeals Division 3 – Appeals	Power to appeal to the Court against a decision.	Delegation to the CEO
Section 431V(2)	Entity Power Given To: Local Government	Chapter 7 – General Part 3B – Making Land Available For Public Use As Beach	Power to consult with the Minister about whether Council wishes to be the manager of a declared beach area.	Not Relevant to Council
Section 431V(3)	Entity Power Given To: Local Government	Chapter 7 – General Part 3B – Making Land Available For Public Use As Beach	Power to consult with the public and the owner of the lot about the use conditions to be contained in a local law applying to a declared beach area.	Not Relevant to Council
Section 431ZG	Entity Power Given To: An Interested Person and Owner of Adjacent Land	Chapter 7 – General Part 3C – Access to State Land Division 3 – Damage to Adjacent Land	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZG(1) apply, to give the chief executive written notice of the damage.	Delegation to the CEO
Section 431ZH(2)	Entity Power Given To: An Interested Person and Owner of Adjacent Land	Chapter 7 – General Part 3C – Access to State Land Division 3 – Damage to Adjacent Land	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply, to enter a remediation agreement with the chief executive.	Delegation to the CEO
Section 431ZH(5)	Entity Power Given To: An Interested Person and Owner of Adjacent Land	Chapter 7 – General Part 3C – Access to State Land Division 3 – Damage to Adjacent Land	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply and a remediation agreement has not been made, to apply to the court to decide what remediation action, if any, will be taken.	To Remain with Council
Section 481A	Entity Power Given To: Licensee	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as licensee, to surrender all or part of an occupation licence on terms agreed to between the Minister and the licensee and with the Minister's written approval.	Delegation to the CEO
Section 481B(1) and 481B(2)	Entity Power Given To: Public Utility Provider or a Licensee	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as a public utility provider or a licensee to apply to cancel or surrender all or part of an occupation licence.	Delegation to the CEO
Section 481B(4) and 481B(5)	Entity Power Given To: Applicant	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, to give notice of an intention to apply to as a public utility provider or a licensee, apply to cancel or surrender all or part of an occupation licence.	Delegation to the CEO
Section 481J(1)	Entity Power Given To: Licensee Of Occupation Licence	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as a licensee of an occupation licence that is cancelled or surrendered absolutely, to apply to remove licensee's improvements on the licence.	Delegation to the CEO
Section 481J(2)	Entity Power Given To: Licensee	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as a licensee, to remove the licensee's improvements on the licence with the written approval of the Minister.	Delegation to the CEO
Section 482	Entity Power Given To: Licensee Of Occupation Licence	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as licensee of an occupation licence, to carry out improvements or development work on the licence only with the Minister's written approval.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 492(1)	Entity Power Given To: Local Government	Chapter 8 – Continued Rights And Tenures Part 7 – Tenures Under Other Acts Division 1 – Sale To Local Authorities Land Act 1882	Power, as a local government, to apply to exchange the conditional deed for a reserve or deed of grant in trust with the local government as trustee or a lease granted under the Land Act 1994.	Delegation to the CEO
Section 505(2)	Entity Power Given To: Local Government	Chapter 8 – Continued Rights And Tenures Part 7 – Tenures Under Other Acts Division 3 – Port and Harbour Lands	Power to agree to an allocation or dedication of land from the State, where the land has become an asset of the State by virtue of section 231 (repealed) of the Transport Infrastructure Act 1994.	Delegation to the CEO

Schedule 2

Limitations to the Exercise of Power	
1	Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2	The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3	The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4	The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
5	The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6	The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.

9.16 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC ANNUAL CONFERENCE, 25-27 OCTOBER 2021, MACKAY**File No:** 8291**Attachments:**

1. LGAQ - 2021 Conference email[↓](#)
2. LGAQ 2021 Conference Program[↓](#)
3. LGAQ - Motion Request[↓](#)
4. LGAQ - Certificate of Service[↓](#)

Authorising Officer: Evan Pardon - Chief Executive Officer**Author:** Evan Pardon - Chief Executive Officer

SUMMARY

Local Government Association of Queensland Inc advising the Annual Conference will be held at the Mackay Entertainment and Convention Centre from 25 to 27 October 2021.

OFFICER'S RECOMMENDATION

THAT:

1. Councillor _____ and Councillor _____ be authorised to attend the Local Government Association of Queensland's Annual Conference to be held at the Mackay Entertainment and Convention Centre from 25 to 27 October 2021 as a matter of Council business;
2. Councillor _____ and Councillor _____ be appointed as delegates with voting rights for Rockhampton Regional Council;
3. Application for Certificate of Service be submitted for Councillor Neil Fisher;
4. Council submit any Conference Motions prior to 16 August 2021.

COMMENTARY

The Local Government Association of Queensland Inc (LGAQ) has advised that registrations are now open for their Annual Conference to be held at the Mackay Entertainment and Convention Centre from 25 to 27 October 2021.

The 2021 Annual Conference program has allocated more time than in previous years for the Council Forums (now held on Monday) as will the Regional Roads and Transport Group Assembly and Indigenous Leaders Forum.

Program highlights include a look at 'Life Beyond 2021', through the eyes of in-demand futurist and entrepreneur Ross Dawson, and a keynote address from celebrated demographer and commentator, Bernard Salt, assessing the current state of play and challenges ahead for our sector.

An extra highlight this year will be the announcement of two Local Government Community Champions, the culmination of a 125th anniversary project that fittingly, highlights the contributions to our communities of councils' 40,000-strong workforce

Certificates of Service

Deputy Mayor, Councillor Neil Fisher is eligible for Certificate of Service. Councillor Fisher has to date served for 13.5 years, having served with Rockhampton City Council from 2000 to 2004 and Rockhampton Regional Council from 2012 to present.

Motions for Consideration

Councillors are asked to give consideration to any motions to be submitted prior to deadline of 16 August 2021.

PREVIOUS DECISIONS

Council resolved on 11 August 2020 as follows:

THAT:

- 1. Mayor Strelow, Deputy Mayor Councillor Fisher, Councillor Kirkland and Councillor Latcham be authorised to attend the Local Government Association of Queensland's Annual Conference to be held at the Gold Coast Convention and Exhibition Centre from 19 to 21 October 2020 as a matter of Council business; and*
- 2. Mayor Strelow and Deputy Mayor Councillor Fisher be appointed as delegates with voting rights should all four representatives be able to attend; alternately if a lesser number of representatives be required, Mayor Strelow and Councillor Kirkland be appointed as delegates with voting rights for Rockhampton Regional Council.*

BUDGET IMPLICATIONS

Council's membership subscription includes a conference levy, entitling Council to be represented at the Annual Conference by two (2) delegates, which is valued at \$3,520. Should more than two delegates wish to attend, an observer registration fee of \$1,540 including GST) per person will apply. The Gala Dinner on Tuesday evening is not included in the registration fee (\$175 per person).

Early bird registrations close 20 August 2021.

LEGISLATIVE CONTEXT

No known legislative implications.

LEGAL IMPLICATIONS

No known legal implications.

STAFFING IMPLICATIONS

No staff will be attending this conference.

RISK ASSESSMENT

LGAQ work closely with all involved to adhere to COVID-19 requirements.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Outcomes 'Local Government Leader'

- 1. Productive partnerships with all levels of government and relevant stakeholders*
- 2. Strong leadership that provides quality governance to support and service the community*

CONCLUSION

For consideration on attendance and whether Council will be submitting any Motions.

**LOCAL GOVERNMENT ASSOCIATION
OF QUEENSLAND INC ANNUAL
CONFERENCE, 25-27 OCTOBER 2021,
MACKAY**

LGAQ - 2021 Conference Email

Meeting Date: 22 June 2021

Attachment No: 1

From: LGAQ CEO Greg Hallam <ask@lgaq.asn.au>
Sent: Wednesday, 9 June 2021 10:44 AM
To: CEO Rockhampton Regional Council <CEO@rrc.qld.gov.au>
Subject: LGAQ Annual Conference 2021 – program now available



Hi Evan,

LGAQ Annual Conference program out now + Motions + Certificate of Service request

We are excited to announce we will be bringing the 125th LGAQ Annual Conference and Annual General Meeting (AGM) to you, together with our host council Mackay Regional Council, on 25-27 October at the Mackay Entertainment & Convention Centre (MECC).

Based on this year's theme: "Together", the program is jam-packed with something for everyone:

- Annual General Meeting including debate of motions
- Council showcases
- The Future of Local Government – presented by leading futurist and entrepreneur Ross Dawson
- Keynote address from Bernard Salt AM
- Australian Local Government Association update from the President, Councillor Linda Scott
- Gala Dinner and networking opportunities
- Trade exhibition

...plus much more.



Your membership subscription includes a conference levy, entitling your council to be represented at Conference by two (2) delegates, which is valued at \$3,520.

All the information you need – the program, early bird registration and [accommodation options](#) – can be found in the links below or on the [Conference webpage](#).

[Click to register](#)[View the program](#)

Motions

Submissions will open Wednesday 30 June and close Monday 16 August. Find out more about motions and information on how to submit.

[Read more](#)

Certificates of Service

Applications are now open and will close Friday 1 October. Find out more about the certificates of service and how to submit your request.

[Read more](#)

We look forward to seeing you in beautiful Mackay in October.

Greg Hallam AM

Chief Executive Officer
Local Government Association of Queensland



Copyright © 2021 Local Government Association of Queensland, all rights reserved.

25 Evelyn Street, Newstead, Brisbane Qld 4006
ask@lgag.asn.au · 1300 542 700

Click [here to unsubscribe](#) or change your preferences.

**LOCAL GOVERNMENT ASSOCIATION
OF QUEENSLAND INC ANNUAL
CONFERENCE, 25-27 OCTOBER 2021,
MACKAY**

LGAQ 2021 Conference Program

Meeting Date: 22 June 2021

Attachment No: 2

A promotional poster for the 125th Annual Conference. The background is a deep blue with abstract geometric patterns, including circles, squares, and lines. Several small, semi-transparent images of people are overlaid: a woman smiling, a man smiling, and a woman in a police uniform. The text is white and bold. The hashtag #LGAQ2021 is in the top right. The main title '125TH ANNUAL CONFERENCE TOGETHER' is in the upper left. The dates 'Monday 25 – Wednesday 27 October 2021' and the venue 'Mackay Entertainment & Convention Centre (MECC)' are in the lower left. A disclaimer '*This event will adhere to all COVID Safe rules' is at the bottom left. The LGAQ 125 Years 1896 - 2021 logo is at the bottom right.

#LGAQ2021

125TH ANNUAL CONFERENCE TOGETHER

Monday 25 – Wednesday 27
October 2021

Mackay Entertainment &
Convention Centre (MECC)

*This event will adhere to all COVID Safe rules

LGAQ
125 YEARS
1896 - 2021



PLATINUM



GOLD



LGAQ 125th ANNUAL CONFERENCE MACKAY ENTERTAINMENT & CONVENTION CENTRE

TOGETHER

PRESIDENT'S WELCOME

MAYOR MARK JAMIESON
PRESIDENT



Welcome to the **Local Government Association of Queensland's 2021 Annual Conference** and Annual General Meeting in Mackay.

This year we will mark 125 years since the inaugural meeting of Queensland's 21-member Local Authorities Association on 30 October 1896. That body, in time, became the Local Government Association of Queensland. This year's Annual Conference theme – 'Together' – reflects not just why your Association came into being in 1896 but also that this commitment is every bit as relevant today, more than a century later.

Our level of government is at its most effective when we work together and speak with one voice.

We are now well into the second year of this local government term and together, we have provided unprecedented support for our communities through the darkest days of COVID-19 and continue to sustain and foster the wellbeing and future opportunities for our communities as we begin to emerge from the pandemic.

The 2021 Annual Conference program has allocated more time than in previous years for the Councils Forums – which will now be held on Monday – as will the Regional Roads and Transport Group Assembly and Indigenous Leaders Forum.

Program highlights include a look at 'Life Beyond 2021', through the eyes of in-demand futurist and entrepreneur Ross Dawson, and a keynote address from celebrated demographer and commentator, Bernard Salt, assessing the current state of play and challenges ahead for our sector.

An extra highlight this year will be the announcement of two Local Government Community Champions, the culmination of a 125th anniversary project that fittingly, highlights the contributions to our communities of councils' 40,000-strong workforce.

I encourage you to make the most of our time together in Mackay – not just by learning from the array of speakers and presentations, but also through the opportunities to meet and network with your council colleagues from across Queensland.

WELCOME TO MACKAY

**MAYOR GREG
WILLIAMSON**
MACKAY REGIONAL COUNCIL

It is a great pleasure to host the
125th anniversary of the LGAQ
Annual Conference in Mackay in
2021.

After operating for more than a year and half
with COVID-19 restrictions, we have plenty to
discuss while we reflect on key outcomes of
local government COVID-19 recovery programs
and share feedback on issues that continue to
present challenges going forward.

This event is an excellent opportunity for
local governments to collaborate and share
their knowledge, successes and learnings in
creating a bright and prosperous future for all
Queenslanders.

The event also provides a platform to introduce
the local government sector's policy priorities
for the year ahead and meet with trade
exhibitors.

I would like to encourage all guests to take
some time to discover our region during their
visit.

The Mackay region is home to unique tourism
experiences that can't be found anywhere else
in the world, such as feeding the wallabies on
the beach at sunrise at Cape Hillsborough,
spotting a platypus in the wild at Broken River,
or touring the region's unique miniature working
sugar mill and distillery at Sarina Sugar Shed
and sampling their award-winning rum.

So, join me in our beautiful part of the state
as we collaboratively strive to create a better
future for all Queenslanders.

LGAQ 125th ANNUAL CONFERENCE MACKAY ENTERTAINMENT & CONVENTION CENTRE

TOGETHER



DAY 1

SUNDAY
24th October 2021

9:00am – 12:00pm

Peak Services Professional Development Course
De-escalating aggressive and hostile language

1:00pm – 4:00pm

Peak Services Professional Development Course
De-escalating aggressive and hostile language

Course repeated

Attendees must register with Peak Training prior to arriving at Conference

12:00pm – 4:30pm

Policy Executive Meeting

12:00pm – 4:30pm

Registration

Delegates, observers, trade, corporate and accompanying persons

LGAQ 125th ANNUAL CONFERENCE MACKAY ENTERTAINMENT & CONVENTION CENTRE

TOGETHER

DAY 2

MONDAY

25th October 2021

8:00am – 5:00pm **Registration**
Delegates, observers, trade, corporate and accompanying persons

10:30am – 5:00pm **Indigenous Leaders Forum**

10:30am – 11:00am **Morning tea**

11:00am – 12:30pm **Trade Investment Queensland workshop**

12:30pm – 1:00pm **Lunch**

1:00pm – 2:45pm **Regional Roads and Transport Group Assembly**

2:45pm – 3:15pm **Afternoon tea**

3:15pm – 5:00pm **Council Forums**
Rural and Remote Councils
Resources Councils
SEQ Councils
Coastal Councils

CONTINUED

5:15pm – 6:30pm

Welcoming ceremony

5:25pm

Welcome to Country

5:30pm

Welcome to Mackay

Mayor Greg Williamson

5:35pm

Response

Mayor Mark Jamieson
President, LGAQ

5:40pm

Sponsor address

Tim-Fynes Clinton, Managing Partner
King & Company

5:45pm

2021 LGAQ Journalism award

The LGAQ Regional Journalism Award is dedicated to showcasing excellence in reporting in regional Queensland. The award honours the memory of ABC journalists John Bean, Paul Lockyer and Gary Ticehurst. The 2021 winner will receive a \$15,000 prize

5:55pm – 7:30pm

Networking drinks

Trade exhibition

DAY 3**TUESDAY**
26th October 2021**8:00am – 5:00pm****Registration****8:30am****Security briefing**Masters of Ceremonies – Mr Tim Cox, Communications Advisor,
LGAQ**8:31am****Call to order by the President****8:33am****Presentation of Policy Executive****8:45am****Official opening**Hon Steven Miles MP (Invited)
Deputy Premier and Minister for State Development,
Infrastructure, Local Government and Planning**8:55am****Presidential address**Mayor Mark Jamieson
President, LGAQ**9:15am****Keynote address: The future of Local Government**Ross Dawson
Leading Futurist, Entrepreneur and Strategy Advisor
Chairman of the Advanced Human Technologies group of
companies**9:55am****Sponsor address – Telstra****10:00am****Morning tea**LGAQ 125th ANNUAL CONFERENCE MACKAY ENTERTAINMENT & CONVENTION CENTRE

TOGETHER

CONTINUED

10:30am

Panel session: Council showcases

11:55am

Sponsor address – LGIA Super

12:00pm

Harnessing value from appropriate implementation of digital technologies and analytics in local government

Professor Rodney Stewart
Griffith University

12:30pm

Lunch

1:30pm

LGMS Member update and risk management awards

Ian Leckenby, Chair, LGMS
Mayor Rachel Chambers, North Burnett Regional Council and Board Member

1:50pm

Conflicts done better

Kathleen Florian, Independent Assessor

June Anstee, President, Councillor Conduct Tribunal

Panel discussion:

Facilitated by Glen Beckett, Head of Assist, LGAQ

Kathleen Florian, Independent Assessor

June Anstee, President, Councillor Conduct Tribunal

Tim Fynes-Clinton, Executive Partner, King & Company Solicitors

Natalie Wilde, Deputy Director-General Local Government and Regional Services, Department, Infrastructure, Local Government and Planning

Brett de Chastel, CEO, Noosa Shire Council, President, LGMA

3:00pm

Domestic and Family Violence Award

LGAQ 125th ANNUAL CONFERENCE MACKAY ENTERTAINMENT & CONVENTION CENTRE

TOGETHER

CONTINUED

3:15pm

Sponsor address

3:20pm

Keynote address – Boost your personal brand

Jodie Bache-McLean, Managing Director of June Dally Watkins and Chic Management Brisbane

4:05pm

Program concludes

6:15pm for 7:15pm

Gala Dinner

The Big Shed, Mackay Showgrounds
supported by Hastings Deering

7:45pm

Presentation

Butch Lenton Memorial Bush Council Innovation Award

11:30pm

Dinner concludes

LGAQ 125th ANNUAL CONFERENCE MACKAY ENTERTAINMENT & CONVENTION CENTRE

TOGETHER

DAY 4

WEDNESDAY

27th October 2021

8:30am

Conference resumes

8:35am

Annual General Meeting including debate of motions

10:00am

Australian Local Government Association update

Councillor Linda Scott, President, ALGA

10:10am

Sponsor address

10:15am

Morning tea

10:35am

Peak Services update

Brent Reeman, Managing Director

Teresa Handicott, Non – Executive Director

10:55am

Sponsor address

11:00am

Motions debate

12:00pm

Opposition update

Ms Ann Leahy, Shadow Minister for Local Government (Invited)

12:30pm

Lunch

1:30pm

Council community champions

1:40pm

Motions debate

3:00pm

Keynote address – Demographic destiny

Bernard Salt AM

3:45pm

Plenary concludes

LGAQ 125th ANNUAL CONFERENCE MACKAY ENTERTAINMENT & CONVENTION CENTRE

TOGETHER

WORKSHOPS

MONDAY
25th October 2021

INDIGENOUS LEADERS FORUM

Hosts: Cr Wayne Butcher and Cr Jason Woibo

Since 2011, the Indigenous Leaders Forum has been a valuable way for Aboriginal and Torres Strait Islander councils to come together to discuss specific challenges and to put forward issues they would like the LGAQ to assist them in addressing.

The Forum is held twice-yearly.

TIQ WORKSHOP

Councils can play a significant role in ensuring that their regions are best placed to attract and retain investment in a highly competitive market.

This session is perfect for those seeking a more sophisticated understanding of the investment attraction market as well as the practical skills needed for success.

You will hear from a world leading practitioner to understand the investment trends and the decision making process behind site selection. Obtain real-life insights about current world's best practices and how other leading investment promotion agencies are remaining competitive and successfully engaging with investors.

COUNCIL FORUMS

Come and join with your council peers in one of three forums to discuss, share and debate key issues. This is also your opportunity to talk with each other and your Policy Executive members about ways the LGAQ can help and support your council.

The forums will be hosted by the LGAQ Policy Executive members.

Please register for the forum that you believe will most interest your council – if you can't decide, you are welcome to send delegates to separate forums.

RURAL AND REMOTE COUNCILS

Hosts: Cr Robyn Fuhrmeister, Cr Robert Dare and Cr Jane McNamara

RESOURCE COUNCILS

Hosts: Cr Paul McVeigh

COASTAL COUNCILS

Hosts: Cr Jack Dempsey, Cr Matt Burnett, Cr Jenny Hill, Cr Peter Scott and Cr Andrew Willcox

SOUTH EAST QUEENSLAND COUNCILS

Hosts: Cr Peter Matic, Cr Karen Williams, Cr Paul Tully and Cr Peter Flannery

CONFERENCE SHIRT

(Council delegates/observers only)

Council delegates and observers will be issued with ONE shirt whilst at Conference. These need to be ordered online as part of your conference registration.

The sizing is as follows:

MENS MODERN FIT	S	M	L	XL	2XL	3XL	5XL
GARMENT ½ CHEST (CM)	52	55	58	62	65	71	79

LADIES MODERN FIT	8	10	12	14	16	18	20	22	24
GARMENT ½ CHEST (CM)	46.5	49	52	54	56.5	59	62	65	68

Please select your size carefully as there won't be the opportunity to change your size once at Conference.

CONFERENCE REGISTRATION

Early Bird Registration – prior to and including 20 August 2021

Council or State Government observer	\$ 1540.00
5 or more observers from one council/Government Department	\$ 1430.00
Corporate (private sector)	\$ 3000.00

After 20 August 2021

Council or State Government observer	\$ 1740.00
5 or more observers from one Council/Government Department	\$ 1600.00
Corporate (private sector)	\$ 3240.00

Early Bird One Day Registration – prior to and including 20 August 2021

Council or State Government observer	\$ 770.00
Corporate (private sector)	\$ 1210.00

After 4 September 2020

Council or State Government observer	\$ 880.00
Corporate (private sector)	\$ 1600.00

FUNCTIONS

Welcoming Ceremony (accompanying persons, day registrations and additional trade exhibitors)	\$ 75.00
---	----------

DINNER

Gala Dinner – Tuesday evening (26 October 2021)	\$ 175.00
---	-----------

Please note that the Welcoming Ceremony on the Monday evening is included in the conference fee for delegates, observers and corporates attending the full three days of Conference.

Accompanying persons are welcome to attend the Welcoming Ceremony and Gala Dinner.

Register via links below or online at www.lgaq.asn.au under the Events Tab.

Register via links below or online at
www.lgaq.asn.au
under the Events Tab 125th LGAQ Annual
Conference.



The graphic features a dark blue background with faint, abstract patterns of dots and lines. In the center, the LGAQ logo is prominently displayed, consisting of the letters 'LGAQ' in a bold, sans-serif font, with a stylized flame or drop shape above the 'Q'. Below the logo, the text '125 YEARS' and '1896 - 2021' are written in a smaller, white, sans-serif font. To the left of the logo, there are several small, light blue squares and a larger, light blue circle. To the right, there is a large, light blue square with a white plus sign inside it. Below the logo, there is a section titled 'CONTACT US' in white, bold, sans-serif font. Underneath this title, the following information is listed in white, sans-serif font: 'MEMBERS HOTLINE: 1300 542 700', 'WEB: LGAQ.ASN.AU', and 'ADDRESS: LOCAL GOVERNMENT HOUSE, 25 EVELYN STREET, NEWSTEAD, QLD 4006'. To the right of the contact information, there is a section for social media. It features four rows, each with a social media icon (Twitter bird, Instagram camera, Facebook 'f', and LinkedIn 'in') followed by the platform name in white, bold, sans-serif font, and then the handle or URL in white, sans-serif font: 'TWITTER @LGAQ', 'INSTAGRAM @localgovqld', 'FACEBOOK @LocalGovernmentAssociationofQueensland', and 'LINKED IN local-government-association-of-queensland/'.

LGAQ
125 YEARS
1896 - 2021

CONTACT US

MEMBERS HOTLINE:
1300 542 700

WEB:
LGAQ.ASN.AU

ADDRESS:
LOCAL GOVERNMENT HOUSE
25 EVELYN STREET
NEWSTEAD, QLD 4006

TWITTER @LGAQ

INSTAGRAM @localgovqld

FACEBOOK @LocalGovernmentAssociationofQueensland

LINKED IN local-government-association-of-queensland/

**LOCAL GOVERNMENT ASSOCIATION
OF QUEENSLAND INC ANNUAL
CONFERENCE, 25-27 OCTOBER 2021,
MACKAY**

LGAQ - Motion Request

Meeting Date: 22 June 2021

Attachment No: 3



9 June 2021

The Chief Executive Officer
ALL MEMBER COUNCILS

Policy Executive Members
LOCAL GOVERNMENT ASSOCIATION

Dear Sir/Madam

LGAQ 125th ANNUAL CONFERENCE: MOTION REQUEST

It's that time of year when the LGAQ requests member councils to bring forward for discussion at the Annual Conference any subject connected with the objects of the Association or pertaining to matters of common concern to Members. Pursuant to procedural practice member councils are requested to provide this in writing to the Chief Executive Officer with six (6) weeks' notice.

Motions are therefore requested to be submitted no later than **16 August 2021**. This will enable the Agenda Committee to review all submitted motions and provide a Preliminary Agenda for Member Councils four (4) weeks prior to the commencement of Conference.

The LGAQ will only be accepting motions from **Wednesday 30 June** using an automated process to support councils seeking to put forward agenda items, using the LG Online system.

Please use the following link <https://lgonline.lgaq.asn.au/motions-submission> to submit your motions.

When preparing motions, please give attention to providing succinct but relevant facts and references to inform delegates of the issue you wish to raise. There are many ways in which a member council can inform the work program of the Association, and therefore it is important that consideration should also be given to prior resolutions that may have been tabled at previous Annual Conferences on the topic. It is preferable that matters raised through this process are local government issues are strategic, relevant to the business of local government and with state-wide impact.

Where two or more-member councils bring forward a similar motion, the Agenda Committee is authorised to draft and submit composite motions, in consultation with the submitting councils.

Please note that each registered Delegate and Observer will receive a complete agenda document at Conference via the conference app.

Should you have any questions or concerns about submitting motions, please do not hesitate to contact the Members Services Centre by phone 1300 542 700 or email ask@lgaq.asn.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg Hallam', is written over a faint, circular, dotted background.

Greg Hallam AM
CHIEF EXECUTIVE OFFICER

**LOCAL GOVERNMENT ASSOCIATION
OF QUEENSLAND INC ANNUAL
CONFERENCE, 25-27 OCTOBER 2021,
MACKAY**

LGAQ - Certificate of Service

Meeting Date: 22 June 2021

Attachment No: 4



9 June 2021

The Chief Executive Officer

Dear Sir/Madam

CERTIFICATES OF SERVICE

The Association issues to Member Councils at their request a Certificate of Service to Elected Members who have served in Local Government.

The following is the relevant information regarding application criteria for a long service certificate.

1. Service Requirement

Certificate of Service

The period of service necessary to entitle an Elected Member to a Certificate **must be 10 years or more.**

Certificate of Extensive Service

The minimum **additional** period of service necessary to entitle an Elected Member to a Certificate of Extensive Service shall be:

- 4 years - where the Elected Member retires, resigns, or for some other reason ceases to be a member of the Local Government; or
- 4 years - for a service Member

In ascertaining the period of an Elected Member's service:

- It is not necessary for the service to be continuous, and
- It is not necessary that such service be with the Council making requests

2. Procedure

Please complete the attached application form and send it back to Nicole Johnson via email nicole_johnson@lgaq.asn.au.

Requests for Certificates to be presented at the Annual Conference must be received in this office no later than **Friday 1st October 2021.**

Yours sincerely

Greg Hallam AM
CHIEF EXECUTIVE OFFICER

P 07 3000 2222
F 07 3252 4473
W www.lgaq.asn.au

Local Government House
25 Evelyn Street
Newstead Qld 4006

PO Box 2230
Fortitude Valley BC
Qld 4006

Local Government Association Of Queensland Ltd.
ABN 11 010 883 293 **ACN** 142 783 917

10 NOTICES OF MOTION

10.1 NOTICE OF MOTION - COUNCILLOR NEIL FISHER - PROPOSED TRAVEL: LAWMAC EXECUTIVE MEETING, MACKAY 2 JULY 2021

File No: 8291

Attachments: 1. LAWMAC Executive Meeting Email Invitation [↓](#)

Responsible Officer: Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Neil Fisher has indicated his intention to move the following Notice of Motion at the next Council Meeting, as follows:

COUNCILLOR'S RECOMMENDATION

THAT Councillor Neil Fisher be approved to attend the LAWMAC Executive meeting in Mackay on 2 July 2021.

BACKGROUND

As LAWMAC is going through its transition to a standalone organisation the Executive Members are meeting prior to each LAWMAC general meeting to discuss and report the framework for the new LAWMAC structure. This includes;

- the draft rules of incorporated association for the new LAWMAC structure
- interim membership
- projected budget as an incorporated association
- planning for Minister Meaghan Scanlon's attendance at the LAWMAC General Meeting in Barcaldine on 22-23 July 2021
- plus other items of discussion that will be raised from the floor

The meeting will also include a presentation from the CFO of Mackay Regional Council on the financial transition of LAWMAC from the Northern Alliance of Councils to a standalone organisation.

Rockhampton Regional Council (RRC) is part of a leading group of local government Waste and Recycling departments that in collaboration are working to the goal of a circular economy and zero waste. This collaboration has already seen RRC gain a number of projects funded by the State, with most recently, the Organics Trial.

Associated costs shall be expended from the Councillor's Travel Expenses Allocation. Councillor Neil Fisher and Michael O'Keefe, Manager RRWR, will be carpooling to Mackay and return on the same day with meals being the only expense.

**NOTICE OF MOTION –
COUNCILLOR NEIL FISHER -
PROPOSED TRAVEL: LAWMAC
EXECUTIVE MEETING, MACKAY
2 JULY 2021**

**LAWMAC Executive Meeting –
Email Invitation**

Meeting Date: 22 June 2021

Attachment No: 1

From: [Mary Field](#)
To: [Neil Fisher](#); b.moller@cairns.qld.gov.au; belinda.hassan@mackay.qld.gov.au; Andrea.Friend@livingstone.qld.gov.au; "Russ Cook"; "Sean Dillon"; "Jason Grandcourt - Mackay R/C"; "Matthew McCarthy"; Michael O'Keeffe; "Cosatto Steve"
Subject: LAWMAC Executive Meeting in Mackay
Date: Tuesday, 15 June 2021 3:46:37 PM

[External Email] This email was sent from outside the organisation – be cautious, especially with links and attachments.

Attn Executive

Just a quick reminder that a LAWMAC Executive Meeting is scheduled for **Friday 2nd July hosted by Mackay Regional Council.**

Jason will have more details in coming weeks regarding the venue/time etc and I will circulate a brief agenda leading up to the meeting.

This was agreed at the Cairns LAWMAC meeting so just making sure everyone is aware of this date as some executive members were not present in Cairns.

Regards Mary

Mary Field
LAWMAC Secretary
Cairns Administration Support Service

e: lawmacsec@bigpond.com
e: dmfield@bigpond.net.au
<http://www.lawmac.org.au>

11 QUESTIONS ON NOTICE

Nil

12 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting.

13 CLOSED SESSION

In accordance with the provisions of section 254J(3) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

RECOMMENDATION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

14.1 Property Matter

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government. (Proposal to purchase property)

14 CONFIDENTIAL REPORTS

14.1 PROPERTY MATTER

File No: 2021
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Angus Russell - Manager Strategy and Planning

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government. (Proposal to purchase property)

SUMMARY

The report presents discussion of and recommendations on a property matter.

15 CLOSURE OF MEETING