



## Agenda Notice

**Mayor** Her Worship Mayor Cr Danielle Slade (Chair)

**Councillors** Deputy Mayor Cr Phil Barwick  
Cr George Fortune  
Cr Kim Coghlan  
Cr Mick Tully  
Cr Paul Stretton  
Cr Peta MacRae

*Notice is hereby given that the Special Meeting of the Mount Isa City Council will be held at the Council Chambers, 23 West Street, Mount Isa on Wednesday, 4 August 2021 commencing at 9am*

Council Meeting Agenda is attached.

David Keenan  
Chief Executive Officer

**Dated:** 2 August 2021  
**Copied to:** Staff required to attend.

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*Local Government Regulation 2012, Chapter 8 Administration*

### **254I Meetings in public unless otherwise resolved**

A meeting is open to the public unless the local government or committee has resolved that the meeting is to be closed under section 254J.

### **254J Closed meetings**

- (1) A local government June resolve that all or part of a meeting of the local government be closed to the public.
- (2) A committee of a local government June resolve that all or part of a meeting of the committee be closed to the public.
- (3) However, a local government or a committee of a local government June make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—
  - (a) the appointment, discipline or dismissal of the chief executive officer;
  - (b) industrial matters affecting employees;
  - (c) the local government's budget;
  - (d) rating concessions;
  - (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that June be taken by or against the local government;
  - (f) matters that June directly affect the health and safety of an individual or a group of individuals;
  - (g) 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;
  - (h) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967;
  - (i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

# Agenda Contents

## Item 1 - Opening of the Meeting / Attendance / Acknowledgement of Country

Chair to open the meeting, welcoming those in attendance.  
Chair to make note of attendance for the record of the minutes.  
Chair to provide the meeting with an acknowledgement of country.

NOTE: Council's Special Meeting is recorded in accordance with Council's 'Recording of Council Meetings Policy'. Individuals must be recorded and by remaining in the public gallery it is assumed consent is given if their image is inadvertently broadcast.

## Item 2 - Council of Clergy Prayer

A Council representative to provide the meeting with a prayer.

## Item 3 - Conflict of Interest

Councillors are invited to declare any interests in relation to the Agenda, including any late items presented. Councillor interests are noted against the relevant items by the Minutes Clerk for action during the meeting.

## Item 4 - Development and Land Use - Cr George Fortune

### **4.1 – Liquor Licence Application for Detached Bottle Shop with Extended Trading Hours**

**Folder ID** 140513

**Provided by** Land Use Coordinator

#### **Executive Summary**

Council has received a request from the Office of Liquor and Gaming Regulations (OLGR) for Council's comments or objections regarding a new application for a detached bottle shop with extended trading hours at 17-19 Simpson Street. The Liquor Licence will be for a Commercial Hotel – detached bottleshop.

#### **Officer Recommendation**

**THAT** Council advises the Office of Liquor and Gaming Regulation that Council does NOT SUPPORT the application for a detached bottle shop with extended trading hours for a licensed premises at 17-19 Simpson Street, Mount Isa.

OR

**THAT** Council advises the Office of Liquor and Gaming Regulation that Council SUPPORTS the application for a detached bottle shop with extended trading hours for a licensed premises at 17-19 Simpson Street, Mount Isa.

## Item 5 – Corporate and Financial Services, Economic Development, Promotions and Development - Deputy Mayor, Cr Phil Barwick

### **5.1 – Enterprise Resource Planning (ERP) Tender**

**Folder ID** 18807

**Provided by** Director, Corporate & Community Services

#### **Executive Summary**

Council identified the need to upgrade corporate software systems and allocated funds in the 2021/22 Capital Works budget. The budget allows for the sourcing and implementation of a new Enterprise Resource Planning (ERP) solution which includes a Payroll and Human Resources system. The ERP will be implemented across the organisation to replace several legacy systems that have been used by Council for a number of years. The key outcome is to introduce a new set of applications to improve the efficiency with which Council manages the total operation of Council.

Given the specialist nature of council systems there are a limited number of Vendors capable of delivering all of Council's requirements and therefore it is recommended that Council seek a closed tender with selected Vendors. The Vendors in question have all been pre-qualified by Local Buy.

This report seeks Council approval to go a closed tender via Vendor Panel, pursuant to Local Buy's register of pre-qualified Suppliers (Contract number BUS274), for the replacement of current corporate systems with a new whole of Council ERP system.

#### **Officer's Recommendation**

**THAT** Council grants approval to go a closed tender via Vendor Panel, pursuant to Local Buy's register of pre-qualified Suppliers (Contract number BUS274), for the replacement of current corporate systems with a new whole of Council ERP system.

Or

**THAT** Council does not grant approval to go a closed tender via Vendor Panel, pursuant to Local Buy's register of pre-qualified Suppliers (Contract number BUS274), for the replacement of current corporate systems with a new whole of Council ERP system.

### **Item 6 – Executive Services – Chief Executive Officer, David Keenan**

#### **6.1 – Updated Special Paid Pandemic Leave Policy V2**

**Folder ID** 4755

**Provided by** Chief Executive Officer

#### **Executive Summary**

The proposed updated Special Paid Pandemic Leave Policy V2 extends the maximum of 10 days paid leave to employees who have been directed to complete mandatory hotel quarantine.

#### **Officer's Recommendation**

**THAT** Council approve the updated Special Paid Pandemic Leave Policy V2 as presented

And

**THAT** Council review the updated Special Paid Pandemic Leave Policy V2 in 12 months.

Or

**THAT** Council not approve the updated Special Paid Pandemic Leave Policy V2 as presented

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#### **6.2 – Submission of Motion to LGAQ Annual Conference – Complaint Fee**

**Folder ID** 5082

**Provided by** Chief Executive Officer

#### **Executive Summary**

Pursuant to Council Resolution OM26/05/21, Council proposes to formally submit a motion to LGAQ regarding the introduction application of a fee to lodge a complaint.

#### **Officer's Recommendation**

**THAT** Council endorse the finalised submission of motion to the LGAQ Annual Conference 2021 regarding the introduction of a fee to lodge a complaint.

Or

**THAT** Council does not endorse the finalised submission of motion to the LGAQ Annual Conference 2021 regarding the introduction of a fee to lodge a complaint.

*Meeting close*

# OFFICER'S REPORT



## ITEM 4.1

**TO** The Mayor, Deputy Mayor and Councillors  
**OFFICER** Land Use Coordinator  
**AGENDA** 04.08.2021 Council Special Meeting  
**FOLDER ID** # 140513, 06010-00000-000 & 04410-00000-000  
**SUBJECT** Liquor Licence Application for Detached Bottle Shop with Extended Trading Hours  
**LOCATION** 17-19 Simpson Street, Mount Isa

### EXECUTIVE SUMMARY

Council has received a request from the Office of Liquor and Gaming Regulations (OLGR) for Council's comments or objections regarding a new application for a detached bottle shop with extended trading hours at 17-19 Simpson Street. The Liquor Licence will be for a Commercial Hotel – detached bottle shop.

### OFFICER'S RECOMMENDATION

**THAT** Council advises the Office of Liquor and Gaming Regulation that Council does NOT SUPPORT the application for a detached bottle shop with extended trading hours for a licensed premises at 17-19 Simpson Street, Mount Isa.

OR

**THAT** Council advises the Office of Liquor and Gaming Regulation that Council SUPPORTS the application for a detached bottle shop with extended trading hours for a licensed premises at 17-19 Simpson Street, Mount Isa.

### BUDGET AND RESOURCE IMPLICATIONS

Council spends considerable funds to maintain the city centre and make it presentable to residents and visitors alike. This includes Parks and Gardens staff removing rubbish from the city centre on a regular basis. The vast majority of this rubbish is broken glass, bottles, empty wine casks and cans. Council employs officers to collect this rubbish on a Saturday and Sunday morning. It is envisaged that more rubbish will be generated from the establishment of another bottle shop and Council will be required to employ more staff to deal with the issue.

### BACKGROUND

This liquor licensing application is for a detached bottle shop at 17-19 Simpson Street, Mount Isa, to be operated in conjunction with the primary license holder located at the Barkly Hotel, 55-65 Barkly Highway, Mount Isa.

### LINK TO CORPORATE PLAN

#### PRIORITIES

1. People & Communities
3. Services & Infrastructure

#### STRATEGIES

- 1.1 Continue to monitor and stay informed about matters that affect the community.
- 3.4 Develop a proactive approach to safety within town areas
- 3.5 Undertake a Resident Attraction project including strategic research and data analysis alongside a strategic marketing and communications plan which focuses on the liveability of the region and encourages a diverse range of new residents to the region including families, youth and migrants.



# OFFICER'S REPORT



## CONSULTATION (Internal and External)

- Councillors
- Chief Executive Officer
- Manager Development & Land Use
- Planning Officer

## LEGAL CONSIDERATIONS

Not Applicable.

## POLICY IMPLICATIONS

Not Applicable.

## RISK IMPLICATIONS

The introduction of another bottle shop in the central business district increases the risk of vandalism and in many ways impacts on safety in the central business district.

## HUMAN RIGHTS CONSIDERATIONS

Consideration has been given to protect human rights in accordance with Council's Human rights Policy.  
[Human Rights Policy.pdf](#)

## REFERENCE DOCUMENT

- Correspondence dated 27 July 2021.

<b>Report Prepared by:</b> Land Use Coordinator 29.07.2021	<b>Report Authorised by:</b> Chief Executive Officer 30.07.2021
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# OFFICER'S REPORT



## APPLICATION

This liquor licensing application is for a detached bottle shop at 17-19 Simpson Street, Mount Isa, to be operated in conjunction with the primary license holder located at the Barkly Hotel, 55-65 Barkly Highway, Mount Isa.

In accordance with section 117(3) of the *Liquor Act 1992*, Council's comments or objections must be provided to the State on or before 10 August 2021. The Office of Liquor and Gaming Regulation requires any objection to be based on facts, evidence, or reason upon which the objection is based.

## GENERAL & SITE-SPECIFIC INFORMATION

### Locality

#### Locality Plan



#### Subject Property



### Property Description

Lot 1 on plan SP147781

### Address

17-19 Simpson Street, Mount Isa

### Site Area

2,250m<sup>2</sup>

### Zoning

Principal Centre



# OFFICER'S REPORT



## **DEFINITION OF DETACHED BOTTLESHOP**

The following information has been sourced from the Australian Government's ABLIS business website relative to this application:

### **Description**

Where the applicant holds a commercial hotel licence and intends to open a detached bottle shop away from the main hotel premises, the following criteria applies:

- Sell liquor to the public for takeaway purposes
- Supply liquor free of charge promotion samples to the public for consumption on the premises
- The bottle shop must trade under the same trading name as the main hotel premises.

### **Eligibility requirements**

Where a detached bottle shop is applied for the applicant must already hold a commercial hotel licence. To be eligible for approval, a detached bottle shop must:

- be no more than 10km by road from the main hotel (unless the proposed bottle shop is in a remote area not serviced by takeaway facilities)
- be operated by the licensee of the main licensed premises
- have a floor area of not more than 150m<sup>2</sup>
- have no direct access from any other business premises
- have direct access from a public place
- have no drive-through facility.

The applicant must ensure that:

- have the sole right of occupancy of the bottle shop premises
- will derive the financial benefit from the bottle shop premises
- use the main hotel premises as your principal place of business
- have not requested exclusivity to conduct a bottle shop at the shopping centre in the tenancy agreement.

The Office of Liquor and Gaming Regulation requires any objection to be based on facts, evidence, or reason upon which the objection is based.

OLGR has advised that one (1) liquor license can support three (3) detached bottle shops within a ten (10) km radius, this does not include the original bottle shop attached to the Barkly Hotel.

## **Extended Trading Hours**

### **Proposed trading hours**

The application includes extended trading hours being 9.00am – 10.00pm. All liquor licences in Queensland are issued with approved trading hours—the times when liquor on licensed premises can be sold. For most licences, ordinary trading hours are from 10:00 am to 12:00 midnight and where businesses wish to trade outside of these hours an application for extended trading hours is required.

As it currently stands all bottleshops in Mount Isa open at 10:00am; this application is proposing to commence trading at 9:00am, allowing the bottle shop to be open one (1) hour prior to all existing Mount Isa bottleshops.

If approved this may have a number of ramifications including but not limited to:

- increasing opportunities for availability of alcohol to those persons most at risk for misuse
- increase in traffic congestion in the CBD area
- set precedence for other bottleshops to follow suit and apply for extended trading hours

Permanent extending trading hours requires the applicant to demonstrate a need in the community for this trading.





# OFFICER'S REPORT



## APPLICATION ASSESSMENT

### Existing Bottle Shops and Licensed Takeaway Facilities in CBD/Mount Isa

The Mount Isa CBD has a relatively small footprint of approximately 220,650m<sup>2</sup>. The CBD area currently contains a total of 3 bottle shops (2 located to the West and 1 located to the East of the CBD) and a number of restaurants and food outlets also holding a current liquor license within the CBD area.



Principal Centre (CBD)  
indicated in **Blue**

Current Bottleshops  
indicated with **Red** stars

### Impact on the CBD and Surrounding Community

As this is an application for a new liquor store location, it is difficult to gauge the full impact the licence will have on the CBD and the surrounding community. However, it is understood that over the years Council has struggled to control the side effects of the misuse of alcohol within the CBD area with this misuse leading to a number of social problems including public nuisance, littering and vandalism.

As it currently stands there is one (1) bottleshop on the eastern side of the CBD, which is a Club and requires membership to purchase, therefore, the majority of persons at high-risk of publicly misusing alcohol (transient/homeless/indigenous persons) tend to be situated in close proximity to the western end of the CBD in or near the Leichhardt River. With this proposed new location, this may change the status quo again.

However, it is noted that Council has approved drafting of a change to the by-laws that allows Council officers to ban intoxicating liquor on Council controlled areas, facilities and roads which will have a positive outcome for the CBD area as the misuse of alcohol has been a long-standing issue.

The Queensland Ombudsman "The Liquor Report" dated December 2013 stated that (*Chapter 1: Balancing harm minimisation and industry growth objectives*) that ".... The primary purpose of the Liquor Act is to regulate licensed premises in a way that is compatible with three primary sub-purposes:

- *minimising harm, and the potential for harm, from alcohol abuse and misuse and associated violence minimising adverse effects on the health or safety of members of the public minimising adverse effects on the amenity of the community."*

The report presented findings of a major investigation into the regulation of licensed premises in Queensland by the Office of Liquor and Gaming Regulation (OLGR) and concluded that systemic failures within the OLGR have hindered the effective regulation of licensed premises in Queensland in that the OLGR is unable to demonstrate how its strategies minimise harm to the community.

Whilst the primary purpose of the Liquor Act is to regulate licensed premises, the onus is on Council to provide justification as to why this liquor license should not be progressed including the likelihood of adverse health, public safety and amenity issues. Council has responded to some of these issues by increasing the

# OFFICER'S REPORT



level of CCTV coverage in the CBD. Council is also considering the introduction of community patrols to provide a higher level of safety to the community.

OLGR has also advised that compliance with local town planning requirements is requested to be confirmed. Please refer to "Planning Comments" on pages 7-8 of this report.

## **EXISTING STUDIES**

### **Action on Alcohol** (October 2015 Submission to Discussion Paper)

In the 2015 QCAA Submission to the Discussion Paper Reducing alcohol and other drug impacts in Queensland mentions Mount Isa and states that *"...it was the disproportionate nature by which Aboriginal and Torres Strait Islander people are affected by alcohol harm such as alcohol-related violence, domestic violence, a range of health conditions and death. For alcohol-related health conditions, Aboriginal and Torres Strait Islander men are hospitalised at rates between 1.2 and 6.2 times than other Australian men, and Aboriginal and Torres Strait Islander women at rates between 1.3 and 33.0 times greater. Deaths from alcohol-related causes are overall 7.5 times greater than those of other Australians."*

*Many of the alcohol restrictions were introduced into Queensland without providing support to the community to ensure their success. The design of the alcohol management plans (AMPs) varied between communities and implementation appears to have been piecemeal, with success observed in some communities but not in others. In Mount Isa, the impact of restrictions were mixed with an evaluation surmising that the lack of a sustained positive effect was possibly due to a focus on supply measures without providing adequate support or input from local agencies."*

*In 2018 the Northern Territory Government introduced its harm minimisation legislation to help reduce alcohol misuse, which is a disproportionately large contributor to death and disease in the Northern Territory.*

*As at January 2021 Alice Springs Hospital found alcohol-related intensive care unit admissions had since fallen by 38%. It is noted that from 2018 to 2020 when this legislation was introduced, the number of patients presenting to the emergency department in Mount Isa increased by 5.36% over the same time frame. It is unclear however, if these are alcohol related presentations.*

Furthermore, the submission included the following:

*A recent federal government Inquiry into the harmful consumption of alcohol in Aboriginal and Torres Strait Islander communities tabled its report in June 2015 and made 23 recommendations relating to social and economic determinants of harmful alcohol use, the need for a public awareness campaign highlighting the risks of alcohol consumption, best practice strategies to minimise harmful use of alcohol and related harm, best practice treatments and support, FAS and FASD, and supply and demand issues. It recognised the range of impacts that alcohol has on children in communities such as FASD, incarceration of parents, violence, neglect, out of home care, missed schooling, and use of substances themselves, and like the Strategy, it recognised that community led flexible solutions are the key to success.*

*Importantly, the report acknowledged that without addressing the drivers of alcohol consumption, it would be difficult to achieve significant change and therefore recommended that action should be taken on price, availability and advertising.*

*The findings of the Inquiry are aligned with previous work which identified successful strategies in reducing supply, demand and harm reduction strategies for Aboriginal and Torres Strait Islander people which included effective supply reduction strategies by (amongst other things) restrictions on trading hours and fewer alcohol outlets.*

<https://www.health.gov.au/sites/default/files/documents/2019/12/national-alcohol-strategy-2019-2028.pdf>



# OFFICER'S REPORT



## National Alcohol Strategy 2019-2028

Extract as follows:

### Purpose

*The Strategy builds on the existing efforts and responses to prevent and minimise alcohol-related harms, and provides a guide for focusing and coordinating population-wide and locally appropriate responses to alcohol-related harm by governments, communities and service providers. The Strategy also reiterates Australia's commitment to the World Health Organization (WHO) Global Action Plan for the Prevention of and Control of Non-Communicable Diseases 2013–2020, which includes a voluntary target of a reduction in harmful alcohol consumption of 10% by 2025.<sup>1</sup>*

*Importantly, in this Strategy it is recognised that preventing and minimising alcohol-related harms in Australia cannot be achieved by governments alone, and that coordination and collaboration across jurisdictions, portfolios and the community is essential. Alcohol harms can be closely intertwined with mental health problems, a lack of social connection, experiences of trauma and exacerbated by a lack of income, employment, housing and/or education. Effective interventions require a cross-agency response, including health care, education, social services, liquor regulators, law enforcement, the justice system and local government.*

### **Aboriginal and Torres Strait Islander people**

*Overall, Aboriginal and Torres Strait Islander people are more likely to abstain from drinking alcohol than non-Aboriginal and Torres Strait Islander people (31% compared with 23% respectively). However, among those who did drink, higher proportions drank at risky levels (20% exceeding the lifetime risk guidelines) and were more likely to experience alcohol-related injury than non-Aboriginal and Torres Strait Islander people (35% compared to 25% monthly, respectively).<sup>9</sup>*

*For this reason, Aboriginal and Torres Strait Islander people experience disproportionate levels of harm from alcohol, including general avoidable mortality rates that are 4.9 times higher than among non-Aboriginal and Torres Strait Islander people, to which alcohol is a contributing factor.<sup>20</sup>*

*The poorer overall health, social and emotional wellbeing of Aboriginal and Torres Strait Islander people than non-Aboriginal and Torres Strait Islander people are also significant factors which can influence drinking behaviours.<sup>21</sup>*

### **People in remote areas**

*People residing in remote areas have reported drinking alcohol in quantities that place them at risk of harm at higher levels than those living in less remote regions. People in remote and very remote areas were 1.5 times as likely as people in major cities to consume five or more drinks at least monthly and 2.4 times as likely to consume 11 or more drinks (at least monthly).<sup>9</sup>*

## MOUNT ISA LGA STATISTICS OVERVIEW

According to the Regional Profiles Summary generated through the Qld Government Statistician's Office, as at 30 June 2020, the estimated resident population (ERP) for Mount Isa LGA was projected at 18,578 persons.

A total of 16.9% of the resident Mount Isa LGA population identifies as Aboriginal peoples and/or Torres Strait Islander peoples as compared to 4.0% overall in Queensland.

The unemployment rate for Aboriginal and Torres Strait Islander persons aged 15-64 years was 21.0% with 3.9% having a profound or severe disability.

Overcrowding of housing is also higher with 12.8% compared to 2.7% for the State average.



# OFFICER'S REPORT



## **PLANNING COMMENTS**

### **Development Approval**

On 4 June 2021, Council received a Change Application for 17-19 Simpson Street to change the use of the former Video Rental Shop into a Liquor Shop. The development involved a proposed fitout of 148.93m<sup>2</sup> of the existing shop space.

Council's Planning Officer prepared the report and recommended planning approval (subject to conditions) and the Change Application Decision Notice approving the change was issued on 14 July 2021.

### **Town Planning Principles**

In applying planning principles to the assessment of a development application, the following must be understood:

- Arrangements that explicitly or implicitly favour particular operators are anti-competitive.
- Competition between individual businesses is not in itself a relevant planning consideration.
- Restrictions on the number of a particular type of retail store contained in any local area is not a relevant planning consideration.
- The impact on the viability of existing businesses is not a relevant planning consideration.
- Proximity restrictions on particular types of retail stores are not a relevant planning consideration.

### **Planning Schemes**

Further to the above, a planning scheme guides what purpose the land can be used for (eg apartments, shops and industry) and how land may be developed (eg construction of a new building or subdividing land into smaller lots), to assist in achieving that vision. Planning schemes set the direction for new development and seek to balance competing objectives. They aim to:

- make sure there is sufficient land and spaces available in the right locations to support communities' needs (including housing, services and business areas)
- maximise the liveability of our communities by ensuring there is sufficient green space, community facilities, places to work and shop and housing options
- ensure infrastructure is planned for and used efficiently
- protect natural and manmade features such as heritage buildings
- make communities more resilient to natural hazards such as floods and bushfires.

Basically, social issues cannot be regulated by a planning scheme and where there are no valid planning grounds to refuse an application, the application must be approved or approved with conditions.

Where Council refuses an application without reasonable valid planning reasons, their decision may be challenged in the Planning & Environment Court (who will also make their decision on valid planning reasons).

Under Queensland legislation, development applications are assessed against the Acceptable Outcomes of the relevant Planning Scheme codes and where they are unable to achieve the outcome, must provide an alternative solution that is consistent with the corresponding Performance Outcomes.

# OFFICER'S REPORT



## HOW TO OBJECT TO LIQUOR LICENCE APPLICATION

To object to this liquor licence application Council must have a proper interest in the locality or are likely to be affected if the application is granted. Only valid objections will be processed by the Office of Liquor and Gaming Regulation (OLGR).

### Grounds for objection

Under section 119 of the *Liquor Act 1992*, valid reasons to object to a liquor licence application include:

- undue offence, annoyance, disturbance or inconvenience to those who live or work within the area
- undue offence, annoyance, disturbance or inconvenience to persons in, or travelling to or from, an existing or proposed place of public worship, hospital or school
- harm from alcohol abuse and misuse or associated violence
- an adverse effect on the health or safety of members of the public
- an adverse effect on the amenity of the community.

### Lodging an objection

Objections must be submitted in writing to the OLGR regional office and it is to be noted that copies of objections and submissions (including the objector's details) will be forwarded to the applicant.

### Requirements for objections

Where Council lodges an objection, the submission must be in writing and clearly state the grounds for the objection prior to the closing date of **10 August 2021**.

## CONCLUSION

There is no doubt that the misuse of alcohol has an impact on Mount Isa's CBD area leading to public nuisance, littering and vandalism, with the latter two (2) placing pressure on Council's resources to ensure the CBD area is maintained to the community's level of expectations.

Whilst the primary purpose of the Liquor Act is to regulate licensed premises, the onus falls to Council to provide justification as to why this liquor license should not be progressed including the likelihood of adverse health, public safety and amenity issues. Council is expending significant funds to provide a safe environment for everyone that visits the Mount Isa CBD. Council has invested significantly in the provision of CCTV to increase safety levels and awareness. Council continues to spend ratepayers funds on staff to collect rubbish from the city centre, of which alcohol containers may up a sizeable component. It is envisaged that with the establishment of this bottle shop there will be a higher level of rubbish generated, as well as potentially increased vandalism.

Permanent extending trading hours (9:00am to 10:00pm) will require the applicant to demonstrate there is a need in the community for this extended trading hours.

In regard to OLGR request for Council to confirm that compliance with the local town planning requirements has been achieved, the planning approvals process addresses purely planning matters with social impacts difficult to be considered reasonable grounds to refuse a development application, hence Council approving this lodged Change Application.



# OFFICER'S REPORT



## ITEM 5.1

**O** The Mayor, Deputy Mayor and Councillors  
**OFFICER** Director, Corporate & Community Services  
**AGENDA** 04.08.2021 Council Special Meeting  
**FOLDER ID** # 18807

**SUBJECT** Enterprise Resource Planning (ERP) Tender  
**LOCATION** Not Applicable

### EXECUTIVE SUMMARY

Council identified the need to upgrade corporate software systems and allocated funds in the 2021/22 Capital Works budget. The budget allows for the sourcing and implementation of a new Enterprise Resource Planning (ERP) solution which includes a Payroll and Human Resources system. The ERP will be implemented across the organisation to replace several legacy systems that have been used by Council for a number of years. The key outcome is to introduce a new set of applications to improve the efficiency with which Council manages the total operation of Council.

Given the specialist nature of council systems there are a limited number of Vendors capable of delivering all of Council's requirements and therefore it is recommended that Council seek a closed tender with selected Vendors. The Vendors in question have all been pre-qualified by Local Buy.

This report seeks Council approval to go a closed tender via Vendor Panel, pursuant to Local Buy's register of pre-qualified Suppliers (Contract number BUS274), for the replacement of current corporate systems with a new whole of Council ERP system.

### OFFICER'S RECOMMENDATION

**THAT** Council grants approval to go a closed tender via Vendor Panel, pursuant to Local Buy's register of pre-qualified Suppliers (Contract number BUS274), for the replacement of current corporate systems with a new whole of Council ERP system.

**OR**

**THAT** Council does not grant approval to go a closed tender via Vendor Panel, pursuant to Local Buy's register of pre-qualified Suppliers (Contract number BUS274), for the replacement of current corporate systems with a new whole of Council ERP system.

### BUDGET AND RESOURCE IMPLICATIONS

The 2021/22 Council budget includes an allocation for the supply and installation of a new ERP system. The final cost to Council will be determined once the tenders have closed and been evaluated. This report is being presented to the Council as it is estimated that the tender value will exceed \$200,000.

### LINK TO CORPORATE PLAN

The seeking of tenders supports the Ethical and Inclusive Governance strategy (5.7, and 5.10) of the current Corporate Plan.

**5.7** *Promote a proactive approach to risk management, including business continuity*

**5.10** *Investigate upgrades to Council's Information and Communication technology network structure*



# OFFICER'S REPORT



## CONSULTATION (Internal and External)

The need for the new ERP was discussed with Council and an allocation in the 2021/22 Capital Works was approved by Council in June 2021. Discussions have been held with Directors, Managers and Team Leaders during the development of the tender specification to ensure that the specification meets the needs of the organisation.

## LEGAL CONSIDERATIONS

Not applicable at this stage of the process

## POLICY IMPLICATIONS

Nil at this stage

## RISK IMPLICATIONS

There are several risks that the organisation will face if the current systems are not replaced. The major risk is that the current systems will no longer be developed or maintained by the Vendor which will leave Mount Isa exposed especially in terms of financial management. There is also a risk that the main application used by Council (PCS–Practical) will fail and not be able to be restored which will expose Council to a severe disruption to providing services to the Community. The other potential risk is that the Vendors do not tender for the ERP

## HUMAN RIGHTS CONSIDERATIONS

Consideration has been given to all human rights under the Council's Human Rights Policy.

## ATTACHMENTS

- Draft Specification

## REFERENCE DOCUMENT

- Nil

<b>Report Prepared by:</b> Director Corporate and Community Services 30.07.2021	<b>Report Authorised by:</b> Chief Executive Officer 30.07.2021
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## PART 2

### SPECIFICATION OVERVIEW

<b>Request for Tender (RFT)</b>	Supply of a fully integrated Enterprise Software Solution
<b>RFT Number:</b>	RFT 2021-02 CFS ERP
<b>Pursuant to Local Buy Register of Pre-Qualified Suppliers Contract Number</b>	ICT Solutions & Services BUS274
<b>Council Address:</b>  <b>Contact Person:</b>	Mount Isa City Council 23 West St Mount Isa Qld 4825  <a href="mailto:procurement@mountisa.qld.gov.au">procurement@mountisa.qld.gov.au</a>

## 1 INTRODUCTION

Mount Isa City Council ("MICC") is seeking to introduce an Enterprise Resource Planning system across the organisation to replace several legacy systems that have been used by MICC for a number of years and to introduce a new set of applications to improve the efficiency with which MICC manages Council's total operations.

This RFT is to determine what software is available to maximise the way Council conducts its business and to reduce a significant number of manual processes that are currently in use and to modernise the systems that are currently in place.

It is expected the successful Supplier will commit to a partnership that plays a major role in the implementation of the ERP by assisting with organisational change management, process analysis and re-engineering, configuration, training, and documentation. Council is not just looking for ERP software but rather a supplier who will assist and enable Council to shift the paradigm to deliver contemporary, efficient, and effective systems across the organisation that will enable Council to be more efficient.

For the ERP solution being proposed, it will be mandatory that the supplier is able to demonstrate significant experience of installing proposed solution in Queensland local government. A list of those Councils (current and former) will need to be part of your proposal. Council would expect to contact any of those Councils on the list to solicit feedback on the solution, the implementation and support.

## 2 BACKGROUND INFORMATION

Mount Isa City Council ("MICC") requires a technology solution provider who can offer a proven local government ERP solution. With a focus on innovation and a desire to reach better practice outcomes, Council is seeking proven solutions that improve the efficiency, effectiveness and productivity of our business processes and practices.

To date, MICC has a total work-base of 220 employees (between contract, office based and labour force), 7189 rateable properties and a Local Government Area population of approximately 19,000 residents.

## 3 SCOPE OF WORK

### Scope of Work:

MICC requires a fully integrated Enterprise software solution that must support all Council processes in the areas of:

- People management tools – such as employee on-boarding and records management, workplace health and safety, learning and development and workforce planning.
- Internal finance services – such as administrative and financial asset accounting, payables, receivables, timesheets and payroll, and financial reporting.
- Council services – such as animal management, rates, planning and property services, permits, inspections and other regulatory functions, water, sewerage, and waste management.
- Corporate governance – such as enterprise planning, budgeting, and monitoring, project management, records management.
- Asset Management – asset accounting, maintenance, asset modelling, mobile applications, fleet and plant management.

The Enterprise Software solution must allow for integration with ESRI Australia's ArcGIS Enterprise Program and have the capacity to integrate with any other application that MICC may select in the future. Your proposal must include project transition costs, training, and annual costs over a five (5) year period.

Refer **Appendix A** for a detailed functional organisational chart.

## Other Information:

MICC will consider submissions that are of a partnered nature. That being, if Suppliers opt to partner up there must be a clear lead who will be responsible for post implementation support. For example, if a supplier has a solution that doesn't have a Records Management system in its ERP, they can partner with a Records Management supplier. The submission must be presented as one proposal and the Supplier should take responsibility for ensuring the two systems work together.

## Deliverables:

The primary objectives of the implementation of a new ERP system are:

- Greater or improved access to information by ensuring that this information is available in a single environment and can be accessed and processed via mobile devices by all areas of the organisation.
- Improved reporting that allows for flexibility and the ability to report across all levels of the business, including dashboard reporting, to easily demonstrate the performance and efficiency of the organisation.
- Review and implement recommended processes that make optimum use of the new software efficiently and effectively by limited human resources. To this end, preferences will be applied to those suppliers who have documented 'pre-defined processes' for the use of their software that can be tailored for Council's use.
- Using technology to achieve process improvements and efficiencies.
- Reduce the amount of paper flow and manual processes.
- Ensure a high level of governance is delivered across the ERP system by applying disciplines through process re-engineering, standard systems configuration and audit controls and reporting.
- Deliver an ERP system that ensures Council can meet all current and future compliance with State and Federal laws, Acts, and regulations.
- Provide an ERP system that ensures stability, integrity, and security for all users.
- Easy to use functionality (intuitive processing) that reduces the need for formal training in the basic use of the software. (Particularly in the use of self-serve functionality).
- To partner with a supplier which will allow Council to support innovation in how it does business, with sufficient flexibility to adapt to emerging and future technologies and enable Council to be more responsive to business change.
- To reduce risk Council is exposed to with legacy systems and limited staff resources.
- Training and Implementation – given restricted resources and capacity the Respondent will be required to provide ongoing end user training and play an extensive role in the set up and implementation of the software.
- Provide ongoing support and development of the proposed solution.

## Phasing of ERP:

- The successful Vendor will need to work closely with MICC to develop the implementation plan considering limitation of resources.
- Refer to Section 5 for details of key dates.

Note: Council reserves the right not to proceed with every module on offer.

## 4 CRITERIA FOR EVALUATING RESPONSES

To be able to measure the effectiveness of the responses objectively they will be scored against every one of the criteria shown in the table below.

Your proposal needs to clearly articulate the benefits and key features of the modules of software being proposed.

For Assessment, MICC have confirmed that the evaluation process will be a two-part process. The first part (Part 1 – Initial Assessment) will be based on the initial submission of the Respondent against the Compliance Criteria and Qualitative Criteria detailed below.

Based on the outcome of Part 1, the Evaluation Panel will short-list a number of Respondents to progress through to Part 2 – Shortlisted Respondents of the Evaluation process. The shortlisted Respondents will be required to provide a demonstration of the proposed solution to the MICC's evaluation panel.

Respondents are to allocate sufficient resources and time to adequately demonstrate the proposed solution to Mount Isa City Council.

## Part 1 – Initial Assessment

Qualitative Criteria	Weighting %
<p><b>A. Suitability of Product Offering</b></p> <p>Respondents should detail the detail the suitability of their proposed product/solution.</p> <ul style="list-style-type: none"> <li>i. Demonstrate the suitability of your recommended Product offering.</li> <li>ii. A project schedule/timeline.</li> <li>iii. The process/methodology for the delivery of the Goods/Services.</li> <li>iv. Quality Assurance/Testing methodology.</li> <li>v. Training processes.</li> <li>vi. Demonstrated understanding of the Scope of Work.</li> </ul>	50%
<p><b>B. Demonstrated Experience</b></p> <p>Respondents should detail a minimum of two (2) Queensland Local Government examples where the proposed solution has been implemented. Respondents should include:</p> <ul style="list-style-type: none"> <li>i. Contracted start and completion dates (month and year) of the contract.</li> <li>ii. Actual start and completion dates (month and year) of the contract.</li> <li>iii. Scope of goods and/or services delivered.</li> <li>iv. Key objectives.</li> <li>v. Any issues that arose and how they were resolved.</li> <li>vi. Contract achievements (I.e., Delivered ahead of schedule, under budget or within budget, etc).</li> <li>vii. A reference person for each contract (Including: Contact name, position, contact number, and email).</li> </ul>	30%
<p><b>C. Key Personnel Skills</b></p> <p>Respondents should provide as a minimum information of proposed personnel to be allocated to this project, such as:</p> <ul style="list-style-type: none"> <li>a) Their role in the performance/success of the Contract.</li> <li>b) Curriculum vitae.</li> <li>c) Membership to any professional or business associations.</li> <li>d) Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement.</li> </ul> <p>Any additional information.</p>	20%

## Part 2 – Shortlisted Respondents

Respondents who are shortlisted from part 1, will be required to provide a presentation (at the Respondent's own cost) to Mount Isa City Council's Evaluation Panel based on the functionality of their proposed solution in Part 1.

Shortlisted Respondents will be evaluated on the following criteria:

Qualitative Criteria	Weighting %
<p><b>A. Product Offering</b></p> <ul style="list-style-type: none"> <li>i. Demonstrate the suitability of your recommended Product offering.</li> <li>ii. The Principal appreciates Respondent's solutions have other capabilities not pertinent to the identified needs or requirements. Respondents are invited to provide details of features, benefits and other advantages their solution offers or could offer the Principal as it moves toward greater customer-centricity.</li> </ul>	60%
<p><b>B. Service Delivery</b></p> <ul style="list-style-type: none"> <li>i. Detail the following:               <ul style="list-style-type: none"> <li>a) Your organisations engagement process from initial enquiry through to project delivery ensuring a quality service is delivered that meets the required standards and client expectations.</li> <li>b) Number of technical support staff in Australia.</li> <li>c) Number of personnel in Queensland currently trained to implement and support the solution.</li> <li>d) The support facilities (e.g., phone, on-site etc.) the vendor provides locally and the proposed support structure; User Help Desk, first, second and third level problem resolution procedures and SLA'.</li> </ul> </li> <li>ii. If you are a distributor, please provide what contractual guarantees the International Software Vendor will give to support the distributor and eliminate risk if local distributor is unwilling or unable to meets it obligations. Please state your actions to accept penalties based on failure to meet deadlines, deliver functionality, or deliver work at a quality level agreed to by both parties.</li> </ul>	40%

## 5 KEY DATES

Task	Target Date
Tender Closes	23 September 2021
Part 1 Evaluation of Supplier proposals	From 24 September 2021
Part 2 Evaluation and System Demonstrations	From 1 November 2021
Final review and select 'preferred' supplier	15 November 2021
Council Approval	15 December 2021
Finalise Contract negotiations	22 December 2021
Initial implementation briefing with Vendor	January 2022

## 6 COST SCHEDULE

Respondents are to provide pricing for the proposed solution. The Respondent also needs to provide the minimum infrastructure required for the tendered solution.

Council needs to clearly identify the cost of each key module that makes up the offered solution.

The following price schedule is a proposed template. If Respondents have their own template, they may use it. The price schedule is required to clearly articulate each component of the project for the first five years.

All prices to be quoted exclusive of GST.

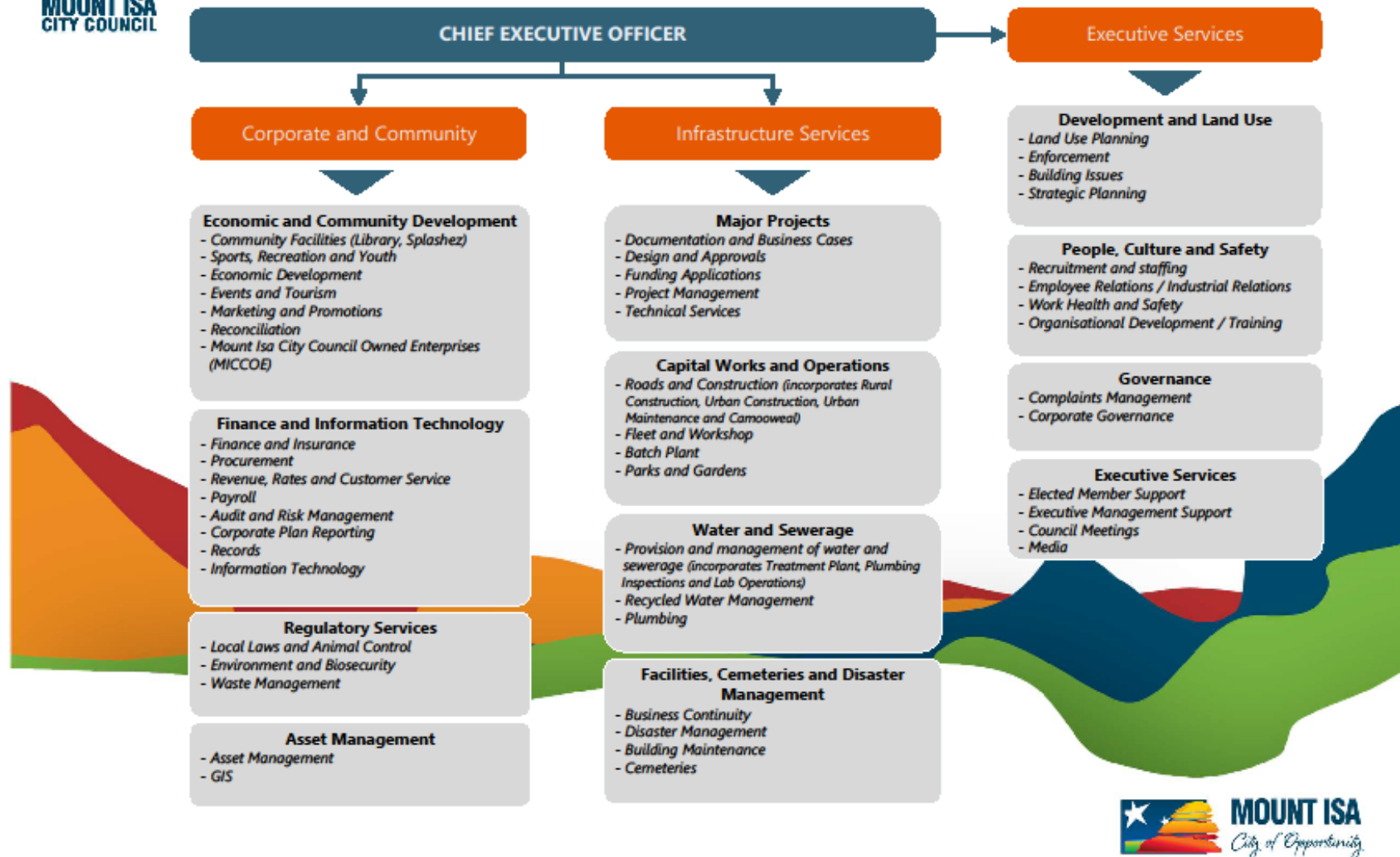
Details	Price \$	Year 1	Year 2	Years 3,4,5	Total – 5 Years
<b>Licence Fees</b>					
Base System - incorporating all modules requested (Please provide a full list of all modules included)					
Other modules that may be needed to handle the requirements defined					
Optional recommended modules (Please specify)					
<b>Implementation Costs</b>					
Transition					
Implementation and configuration					
Training					
Other Costs - please specify					
<b>Ongoing support</b>					
Annual Maintenance					
Optional extra support (Please define)					
<b>Totals</b>					



## Appendix A



### Our Functional Organisational Structure



# OFFICER'S REPORT



## ITEM 6.1

**TO** The Mayor, Deputy Mayor and Councillors  
**OFFICER** Chief Executive Officer, Executive Services  
**AGENDA** 04.08.2021 Special Council Meeting  
**FOLDER ID** # 133189

**SUBJECT** Updated Special Paid Pandemic Leave Policy V2  
**LOCATION** Not Applicable

### EXECUTIVE SUMMARY

The proposed updated Special Paid Pandemic Leave Policy V2 extends the maximum of 10 days paid leave to employees who have been directed to complete mandatory hotel quarantine.

### OFFICER'S RECOMMENDATION

**THAT** Council approve the updated Special Paid Pandemic Leave Policy V2 as presented

And

**THAT** Council review the updated Special Paid Pandemic Leave Policy V2 in 12 months.

Or

**THAT** Council not approve the updated Special Paid Pandemic Leave Policy V2 as presented

### BUDGET AND RESOURCE IMPLICATIONS

Depending on the number of employees who have been directed by the Queensland government to undertake mandatory hotel quarantine, there may be an impact on Council's budget as this paid leave has not been budgeted for and is in addition to current budgeted entitlements.

### BACKGROUND

Mount Isa City Council adopted the original Special Paid Pandemic Leave Policy in April 2020. Council proposes to extend the paid leave to employees who have been directed to undertake mandatory hotel quarantine by the Queensland government

### LINK TO CORPORATE PLAN

There is no direct link to Council's Corporate Plan as this policy relates only to Council employees.

### CONSULTATION (Internal and External)

Consultation took place internally with the executive management team, Manager People, Culture and Safety and the Corporate Governance Coordinator.

### LEGAL CONSIDERATIONS

N/A

### POLICY IMPLICATIONS

The proposed update to this policy does not impact on any other Council policies.

# OFFICER'S REPORT



## RISK IMPLICATIONS

N/A

## HUMAN RIGHTS CONSIDERATIONS

The proposed update to the is policy does not impact on any protected human rights.

## ATTACHMENTS

- DRAFT Special Paid Pandemic Leave Policy V2

## REFERENCE DOCUMENT

- N/A

<b>Report Prepared by:</b> Corporate Governance Coordinator Executive Services 23 July 2021	<b>Report Authorised by:</b> Chief Executive Officer Executive Services 23 July 2021
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STRATEGIC POLICY  
**MOUNT ISA CITY COUNCIL**  
**Special Paid Pandemic Leave Policy**

RESOLUTION NO. OM19/04/20-VERSION **V4**

**V2**

**APPLIES TO STRATEGIC POLICIES ONLY**

This an official copy of the **Special Paid Pandemic Leave Policy**, made in accordance with the provisions of *Local Government Act 2009*, *Local Government Regulation 2012*, and current Council Policies.

Strategic policies are adopted by Council due to its desire to influence the direction of an issue or assist in the delegated decision making of Council officers. Strategic policies should follow the jurisdiction provided to Council through its Corporate Plan; the **Special Paid Pandemic Leave Policy** is approved by the Mount Isa City Council for the operations and procedures of Council.

**Sharon Ibarrolaza**  
**Chief Executive Officer**

**DOCUMENT VERSION CONTROL**

Governance/Policies/Strategic		DocFolder ID# 69106314992	POLICY TYPE	Strategic (Council)
VERSION	DATE	RESOLUTION NO.	DETAILS	
V1	29.04.2020	OM19/04/20	Responsible Officer – Manager Human Resources	
<b>V2</b>			<b>Responsible Officer – Manager People, Culture and Safety</b>	
		<b>REVIEW DUE</b>	06.2024	

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**DISTRIBUTION AND DISSEMINATION**

Internal email to all employees	X	Section meetings / Toolbox talks	X
Internal email to all Councillors		Included in employee inductions	
Staff noticeboards	X	Uploaded to Council website	
Internal training to be provided		External training to be provided	



STRATEGIC POLICY  
**MOUNT ISA CITY COUNCIL**  
**Special Paid Pandemic Leave Policy**

RESOLUTION NO. **QM19/04/20-VERSION V4**

**V2**

Registered in Magiq	X	
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1. **PURPOSE**

Mount Isa City Council ("Council") will make every effort to ensure the employment conditions of our employees are not adversely affected during a health pandemic. Existing conditions of employment as provided for under the Mount Isa City Council Certified Agreement 2018 ("Certified Agreement") continue to apply during a health pandemic. This policy will detail where employees may be eligible for additional special paid pandemic leave.

2. **COMMENCEMENT**

This policy will commence on and from 29 April 2020. It replaces all other policies or arrangements governing pandemic leave (whether written or not).

3. **APPLICATION**

This policy applies to all employees of Council including full time, part time, maximum term and employees engaged under a contract of employment, excluding employees engaged on a casual basis, labour hire placements, work experience placements and volunteers.

4. **COUNCIL RESPONSIBILITIES**

- 4.1 Council is responsible for balancing the requirement of delivering essential services to the community with the well-being of our employees during a health pandemic.
- 4.2 Where workplace arrangements need to be varied to accommodate business continuity planning for a health pandemic, Council will ensure these arrangements, where possible:
  - a) Will take place in advance with employees and employee organisations where required;
  - b) Are made within the relevant legislative framework; and
  - c) Are applied fairly and equitably at the workplace.

5. **SPECIAL PAID PANDEMIC LEAVE**

- 5.1 Employees may apply for a maximum 10 days special paid pandemic leave for use where the employee is unable to attend work and unable to perform work under a flexible work arrangement due to:

- a) having a confirmed case of Covid-19
- b) being directed to by the government to complete a mandatory hotel quarantine, when this requirement was not in place upon commencement of leave.-

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- 5.2 All applications for special paid pandemic leave are to be made in writing on the approved Leave Application Form in line with Council's Leave Procedure. The following evidence is required to be attached to the leave form:

- a) medical certificate for positive result for Covid-19 or
- b) quarantine direction notice from Queensland Government

- 5.3 Special paid pandemic leave may only be approved by the CEO.
- 5.4 Where an employee has been diagnosed with a confirmed case of Covid-19 and the employee is already on approved paid annual or long service leave, they may have special paid pandemic leave paid retrospectively with previous type of paid leave hours being debited back to their accruals.



STRATEGIC POLICY  
**MOUNT ISA CITY COUNCIL**  
**Special Paid Pandemic Leave Policy**

RESOLUTION NO. **QM19/04/20** VERSION **V4**

**V2**

5.5 Where an employee has been issued with a Quarantine Direction notice from the Queensland Government when this requirement was not in place upon commencement of leave, they may have special paid pandemic leave paid retrospectively with previous type of paid leave hours being debited back to their accounts.

**6. RETURNING TO WORK FROM SPECIAL PAID PANDEMIC LEAVE**

6.1 Where an employee is prepared to return to work from special paid pandemic leave due to having a confirmed case of Covid-19, they must first provide a medical clearance confirming they do not have the Covid-19 coronavirus. This medical clearance must be provided to the CEO at least 24 hours prior to the employee returning to work.

6.2 Where an employee can return to work from directed hotel quarantine, they must first provide a copy of the direction notice with the quarantine end date. The direction notice must be provided to the CEO at least 24 hours prior to the employee returning to work.

**7. ENTITLEMENT**

- 7.1 The entitlement of special paid pandemic leave is a maximum of 10 ordinary working days for an employee provided for in clause 5. This entitlement does not transfer or convert to hours.
- 7.2 All approved special paid pandemic leave will be paid at the employee's ordinary hourly rate of pay.
- 7.3 Special paid pandemic leave will be paid to part time employees on a pro-rata basis, at the employee's ordinary hourly rate of pay for a maximum of 10 days.
- 7.4 Where an employee is rostered to work a specific number of ordinary hours on a day and the employee is absent from duty on that day, or part of that day, the period of special paid pandemic leave will be the number of hours the employee was rostered on to work but did not work.
- 7.5 Special paid pandemic leave is only payable on the employee's ordinary hours and not on any scheduled/regular overtime or allowances.
- 7.6 Where an employee has exhausted the maximum 10 days special paid pandemic leave employees are expected to access their existing accrued sick leave, annual leave or long service leave.
- 7.7 Where an employee is eligible to access their accrued long service leave, they must ensure their application complies with the Certified Agreement, Council's Leave Policy and Leave Procedure.
- 7.8 Where an employee has exhausted all their accrued paid leave, they may apply for unpaid leave in line with Council's Leave Without Pay Policy.

**7. VARIATIONS**

Council reserves the right to vary, replace or terminate this policy from time to time.

**8. BREACH OF POLICY**

8.1 Where Council reasonably believes an employee has breached this policy, the matter will be dealt with under the Performance and Misconduct Policy.

**9. COMMUNICATION AND DISTRIBUTION**

9.1 Supervisors will ensure this policy is distributed as per the Distribution and Dissemination table on this policy.

**10. DEFINITIONS**



STRATEGIC POLICY  
**MOUNT ISA CITY COUNCIL**  
**Special Paid Pandemic Leave Policy**

RESOLUTION NO. ~~QM19/04/20~~ VERSION ~~V1~~

V2

- a) **Health Pandemic** – means a critical health issue, as identified by a declaration of a public health emergency made under section 319 of the *Public Health Act 2005* with respect to an actual or potential health pandemic.
- b) **Ordinary working days** – means the hours the employee would have ordinarily worked and been paid for (eg 7.25 hours or 7.6 hours for full time employees or the normal scheduled working hours for part time employees)
- c) **Sick Leave** – means an entitlement to paid sick leave in accordance with our Certified Agreement, and *Industrial Relations Act 2016*.

**ASSOCIATED LEGISLATION AND POLICIES**

- *Industrial Relations Act 2016*
- *Public Health Act 2005*
- Mount Isa City Council Certified Agreement 2018
- Leave Policy
- Leave Procedure
- Leave Without Pay Policy

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# OFFICER'S REPORT



## ITEM 6.2

**TO** The Mayor, Deputy Mayor and Councillors  
**OFFICER** Chief Executive Officer, Executive Services  
**AGENDA** 04.05.2021 Special Council Meeting  
**FOLDER ID** #5082

**SUBJECT** Submission of Motion to LGAQ Annual Conference – Complaint Fee  
**LOCATION** Not Applicable

### EXECUTIVE SUMMARY

Pursuant to Council Resolution OM26/05/21, Council proposes to formally submit a motion to LGAQ regarding the introduction application of a fee to lodge a complaint.

### OFFICER'S RECOMMENDATION

**THAT** Council endorse the finalised submission of motion to the LGAQ Annual Conference 2021 regarding the introduction of a fee to lodge a complaint.

Or

**THAT** Council does not endorse the finalised submission of motion to the LGAQ Annual Conference 2021 regarding the introduction of a fee to lodge a complaint.

### BUDGET AND RESOURCE IMPLICATIONS

N/A

### BACKGROUND

Mount Isa City Council receives complaints on a variety of issues from a variety of internal and external complainants with the majority of complaints being made in good faith, regarding valid matters. There are however, a small number of complainants who consistently make complaints to Council and oversight agencies such as the Crime and Corruption Commission, Office of the Independent Assessor and the Queensland Ombudsman. These complaints are mostly without merit and without any evidence or even relevant information, made with the intention to cause harm to an individual or to tie up Council resources both financial and in staffing.

Pursuant to Council Resolution OM26/05/21 Council proposes to formally submit a motion to LGAQ regarding the introduction application of a fee to lodge a complaint.

### LINK TO CORPORATE PLAN

Strategy 5.12 – Explore/Review potential efficiencies and opportunities for Council's operations, infrastructure, and assets.

### CONSULTATION (Internal and External)

Councillors

### LEGAL CONSIDERATIONS

N/A

### POLICY IMPLICATIONS

N/A



# OFFICER'S REPORT



## RISK IMPLICATIONS

N/A

## HUMAN RIGHTS CONSIDERATIONS

The proposed update to the is policy does not impact on any protected human rights.

## ATTACHMENTS

- DRAFT Submission of Motion to LGAQ Annual Conference

## REFERENCE DOCUMENT

- N/A

<b>Report Prepared by:</b> Chief Executive Officer 27 July 2021	<b>Report Authorised by:</b> Chief Executive Officer 27 July 2021
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## 2021 Annual Conference - Motions Template

Please use this template to prepare and submit your motion using the link below.  
Please use text only – no images or tables.

<b>Submitting Council (required)</b>	Mount Isa City Council
<b>Supporting ROC (if applicable)</b>	North West Queensland Regional Organisation of Councils
<b>Category (required)</b>	Governance
<b>Council resolution # (required)</b>	TBA
<b>Date of council resolution (required)</b>	4/08/2021
<b>Title of motion (required)</b>	Complaint Reform
<b>Motion (required)</b>	<p>The LGAQ calls on the Office of the Independent Assessor to consider applying an administration/lodgement fee to complaints made by elected members of a local government authority about other members of the same local government authority. It is suggested that an administration/lodgement fee of \$200 be applied to each complaint. If any of the allegations made in the complaint were substantiated, then the \$200 administration/lodgement fee would be refunded to the elected member that made the complaint. If the allegations made by the complainant were not substantiated, then the \$200 administration/lodgement fee would be forfeited.</p> <p>The LGAQ calls on the Office of the Independent Assessor to not deal with or respond to anonymous complaints or compel local government authorities to deal with or respond to anonymous complaints. There are many avenues through which a person(s) can lodge a complaint with the appropriate protections, and these should be utilised rather than accepting and processing anonymous complaints.</p> <p>The LGAQ calls on the Office of the Independent Assessor to consider applying an administration/lodgement fee of \$200 to individuals that make a complaint about an elected official.</p>

	<p>The administration/lodgement fee of \$200 would be refunded if the allegations contained in the complaint were substantiated. If the allegations were not substantiated, then the \$200 administration/lodgement fee would be forfeited.</p>
<p><b>Background (required) 350 word limit</b></p>	<p>Mount Isa City Council is in a similar position to a number of other Queensland local government authorities. Council has in the past and continues to receive a significant number of complaints about elected officials. In broad terms the complaints are made by Councillors about other Councillors, anonymous people and former or current employees.</p> <p>Since 2017 there have been 14 complaints made to the Office of the Independent Assessor. Each one of these 14 complaints has been dismissed. Whilst many of the investigations have been dealt with in relatively short periods of time, there is one complaint that took eleven months to be determined by the Office of the Independent Assessor. There may be other complaints that Council is not aware of as well. Most recently officers were required to provide information on an investigation from 2019.</p> <p>In addition to the complaints dealt with by the Office of the Independent Assessor, Council has had to work with the Crime and Corruption Commission in relation to further 14 additional complaints over the same period of time.</p> <p>It is estimated that over the last twelve months over \$200,000 has been expended on undertaking investigations on behalf of the Crime and Corruption Commission and the Office of the Independent Assessor. This excludes the hours contributed by Council staff. The amount expended represents approximately 1% rate rise and clearly these funds could be used effectively elsewhere. The amount expended is not accounted for in the operational budget and means that the required funds must be sourced within the budget, often at the expense of other scheduled activities or initiatives.</p> <p>Council believes that there must be some sort of mechanism or process that can be developed to triage or assess the validity of a complaint. Council believes that by requiring a monetary contribution to accompany a complaint (to the Office of the Independent Assessor) this may be one means of reducing the number of complaints and in turn reducing the level of expenditure for local government authorities.</p>

	It is noted that there is an application fee to have a matter heard at the Queensland Civil and Administrative Tribunal, and in relation to accessing Right to Information there is an application fee of \$52.60.
<b>What is the desired outcome sought? (required) 350 word limit</b>	<p>Mount Isa City Council is seeking to have a process established that limits or screens the number of frivolous and vexatious complaints that are submitted to the Office of the Independent Assessor and the subsequent impacts financially and culturally on a local government authority.</p> <p>Mount Isa City Council would welcome the opportunity to work with key stakeholders to develop a process that would allow valid complaints to be assessed. Mount Isa City Council seeks to place a \$200 application fee on complaints as is outlined within the draft motion above.</p>

# Policy Executive endorsed motions for the 2021 LGAQ Annual Conference

## Federal Government

1. The LGAQ calls on the Federal Government to restore Federal Assistance Grants to at least 1% of Commonwealth Taxation Revenue to address the serious financial sustainability issues experienced by all councils.
2. The LGAQ calls on the Federal Government to restore the voice of local communities by giving local government full membership of the National Cabinet and a guaranteed seat in other National Ministerial forums.
3. The LGAQ calls on the Federal Government to provide \$200 million per year for four years for targeted disaster mitigation and to future-proof community infrastructure.
4. The LGAQ calls on the Federal Government to allocate \$100 million per year for five years to increase housing supply in remote and discrete Aboriginal and Torres Strait Islander communities.

## State Government

5. The LGAQ calls on the State Government to amend the *Civil Liabilities Act 2003* to strengthen indemnity provisions and address concerns that the Goondiwindi v Tait case has created for councils with RMPCs.
6. The LGAQ calls on the State Government to urgently amend the *Local Government Act 2009* and the *City of Brisbane Act 2010* to address the unintended consequences of current Conflict of Interest requirements that continue to negatively impact the ability of councillors to effectively represent their communities.
7. The LGAQ calls on the State Government to maintain Works for Queensland funding at \$100 million a year for the next four years.
8. The LGAQ calls on the State Government to maintain SEQ Stimulus Funding at \$50 million for the next four years.

## ILF Motions

9. The LGAQ lobby the state government and the National Indigenous Australians Agency to establish and periodically release to councils the relevant data sets for each local government area against each of the Closing the Gap targets.
10. That the LGAQ lobby the Federal Government to work with the Office of the Registrar of Indigenous Corporations to establish a mechanism for regularly informing and educating Prescribed Bodies Corporate across Australia on any legislation, regulatory changes, governance and performance arrangements, and to ensure that a similar mechanism is in place at state level to inform Deed of Grant in Trust trustees.