

FINANCE & ADMINISTRATION COMMITTEE**15 JUNE 2011****7****115TH LOCAL GOVERNMENT ASSOCIATION QUEENSLAND
CONFERENCE – DRAFT MOTIONS****L.Kirchner : 1/3/87: #3176525****RECOMMENDATION:**

That Council endorse the following draft motions and attached motion submissions:

- **That LGAQ lobby the Queensland Government to seek a commitment from the government that when legislation is amended that will impact directly on Local Government that prior to the Bill being tabled that the government will have undertaken and provided to LGAQ, for comments, a impact assessment of how the proposed changes will impact on Local Government with regard to compliance actions and reporting, as well as financial and human resources.**
- **That LGAQ work closely with existing and incoming Councillors to develop strategies and training to better protect Council officers and Councillors from physical and emotional harm when dealing with confrontational members of the public particularly during public consultation events.**
- **That LGAQ lobby the Queensland Reconstruction Authority to reconsider its position with respect to day labour costs associated by Cyclone Yasi and that in any future event these costs be clearly recognised as a valid cost to Council claimable under NDRRA funding.**
- **That LGAQ lobby the federal government through ALGA to investigate the ongoing financial implications for local governments for maintenance of transmissions sites as a result of the digital television upgrade. Further to this that LGAQ lobby for a shared funding agreement for ongoing maintenance of this important community infrastructure.**

Furthermore, that the Chief Executive Officer be given delegated authority in accordance with Section 257 of the Local Government Act 2009 to make amendments as required to the above draft motions if required.

INTRODUCTION:

At the April 2011 Finance and Administration Committee Councillors considered the Governance Report card. At that time Councillors also agreed to give consideration to draft resolutions for the October LGAQ Conference.

In addition in General Business at the May 2011 Sports, Arts, Cultural and Community Services meeting Councillors raised concerns about the ongoing potential financial burden that the change to digital television reception will place on local government. It was resolved that

That Council submits a motion to the ALGA conference expressing its concern about the longer term cost implications of Councils having to maintain television sites as a result of the digital upgrade.

It is therefore appropriate that this issue also be tabled as a motion for discussion at the Queensland Local Government Association conference.

BACKGROUND:

Councillors have requested that officers prepare draft motions on the following matters:

- Impact of legislative changes on Council resources and priorities
- Increase personal and psychological threat to Councillors and officers
- Reimbursement of day labour costs arising from natural disaster recovery
- Ongoing capital and maintenance costs for Councils arising from digital television transmission.

COMMENT:

Officers have now drafted the attached motion proposal statement in accordance with LGAQ requirements (maximum 1 page for motion and background, arial font size 10).

It is noted that Infrastructure Services are currently working closely with relevant State Government bodies to review the Queensland Reconstruction Authority's position with respect to day labour costs. Should Council be successful in these negotiations the outcome may be specific to Cairns Regional Council (ie as a type two business). This may however not provide resolution on this matter for smaller councils. The proposed delegation to the Chief Executive Officer to make amendments as required to the draft motions will enable fine tuning, particularly of the background text.

CONSIDERATIONS:**Corporate and Operational Plans:**

This report has been prepared in accordance with Corporate Goal 6 – Striving for organisational excellence.

Statutory:

It is important that Councillors use this conference to inform the State and Federal Government of emerging issues and concerns.

Policy:

Not applicable.

Financial and Risk:

It is noted that there is increasing concern about the safety of Councillors and staff in their dealings with the general public. This risk is also specifically captured in Council Corporate Risk Register. Councillors attend *Facing the Music* training in early June to assist with their skills and abilities in dealing with difficult members of the public.

The table below illustrates the costs incurred by CRC for the three black spot towers in the far north from October 2010 to June 2011.

Black Spot Towers 7/10-6/11						
TV	Transmission Licence	Site Lease	Oper Repairs	Repairs Capital	Ergon	
Cow Bay		\$5,000 Telstra		\$39,017		
Daintree		\$3,100 Telstra		\$1,8678		
Mossman		\$2,300 Crown Castle				
	ACMA \$1,800 pa		\$50,637		\$3,000	
						Total
	1,800	10,400	50,637	57,695	3,000	123,532

Sustainability:

The substance of these draft motions is that Council is seeking to lobby for changes in State and Federal policy which will have a flow on effect to Council's operational activities. It is therefore difficult to assess what the long term balance scorecard implications will be for Council. It is however recognised in this assessment that the current lack of additional funding and resources is impacting on Council (eg not being able to recover day labour costs and the additional future costs associated with transmission of digital television). However by Council participation in these activities there are flow on benefits to the community sector.



Sustainability Assessment report

SUSTAINABILITY SCORECARD

Activity / Project:	Council report LGAQ conference motions
Department:	Corporate Services
Branch:	Governance
Project manager:	Linda Kirchner
Assessment owner:	Linda Kirchner
Assessment date:	6/06/2011
Budget:	\$0.00
Approval status:	Pending
Project stage:	Four draft motions in relation to Councillor safety, impact of changing legislation, recovery of disaster day labour costs and financial implications of digital television
Project count:	1



CONSULTATION:

The draft motions were mooted at the Councillors May Governance meeting with the Executive Team.

OPTIONS:

That Councillors endorse the draft motion submissions.

That Councillors provide further clarification of the wording of the motion or the supporting background information.

CONCLUSION:

That these motions be submitted in accordance with LGAQ conference executives requirements.

ATTACHMENTS:

4 Draft Motion proposals.

Linda Kirchner
Manager Governance

Sarah Philpott
General Manager Corporate Services



MOTION 1

That LGAQ lobby the Queensland Government to seek a commitment from the government that when legislation is amended that will impact directly on Local Government that prior to the Bill being tabled that the government will have undertaken and provided to LGAQ, for comments, a impact assessment of how the proposed changes will impact on Local Government with regard to compliance actions and reporting, as well as financial and human resources.

BACKGROUND

In the last decade there has been significant legislative changes which have resulted in cost shifting to Local Government. Examples include requirements for stricter animal management controls, imposition of the waste levy, reporting on Council managed activity to the state such as Public Interest Disclosures, dealings with lobbyists, and Department of Local Government and Planning returns. Whilst the intent of these changes is understood there is a negative flow on effect to Council's in terms of compliance, reporting and utilisation of limited resources.



MOTION 2

That LGAQ work closely with existing and incoming Councillors to develop strategies and training to better protect Council officers and Councillors from physical and emotional harm when dealing with confrontational members of the public particularly during public consultation events.

BACKGROUND

Officers and Councillors are experiencing increasing unacceptable behaviour from members of the community at public forums and events. This places considerable stress and potential physical harm and needs to be address across all local councils. It is recommended that coping strategies and techniques need to be provided to both staff and Councillors to prevent any form of distress or harm.



MOTION 3

That LGAQ lobby the Queensland Reconstruction Authority to reconsider its position with respect to day labour costs associated by Cyclone Yasi and that in any future event these costs be clearly recognised as a valid cost to Council claimable under NDRRA funding.

BACKGROUND

Urgent action is required on the following:

Councils are granted authority by the Queensland Reconstruction Authority to claim reimbursement of day labour costs for Cyclone Yasi emergent and asset restoration works inclusive of all overheads and on costs similar to those allowed by the Department of Local Government and Planning historically ie Labour on costs (approx 42%) plus overheads and Margins of no more than 14% . This will negate the need for each Council to submit a business case to the Queensland reconstruction Authority before day labour costs can be reimbursed as is currently the case.

Cairns Regional Council actively seeks support for LGAQ preparing a Business Case showing the value for money which the utilisation of ordinary day labour costs provides. A determination from the Queensland Reconstruction Authority would then be negotiated seeking that all outdoor Labour costs(including on Costs) incurred by Councils inclusive of reasonable margins and overheads limited to a maximum of 14% be allowed automatically for all future Natural Disaster Relief and Recovery Arrangements activations.

The current prohibition of day Labour is causing significant delays in the delivery of recovery Works. Due to the significant additional time required in both design and contract/project management Council has reached it's limit in the number of NDRRA tenders that can be resourced. Continuation of this prohibition will place in jeopardy finalisation of the programme within the required timeframes.



MOTION 4

That LGAQ lobby the federal government through ALGA to investigate the ongoing financial implications for local governments for maintenance of transmissions sites as a result of the digital television upgrade. Further to this that LGAQ lobby for a shared funding agreement for ongoing maintenance of this important community infrastructure.

BACKGROUND

While RBA has agreed to fund the upgrade and manage Redlynch and Goldsborough Valley transmission sites for five years with an option to extend the agreement for a further five years, they have chosen not to upgrade the South Mossman, Daintree Village and Alexandra Range sites. The justification for this decision is that the population that the three northern sites transmit to is not substantial enough to warrant the cost of upgrading. The Federal Government had offered a Satellite Subsidy for those sites not being upgraded to digital; however, this was not appropriate in the three northern sites due to extensive foliage, high rainfall and mountainous terrain. To accept the offer would have resulted in an inequitable provision of service.

The cost to Council to maintain the three northern sites is in excess of \$120,000 per annum. While accessing free to air television should be the right of all rural residents it should not be Council's responsibility to provide this service.