

CONFLICT OF INTEREST CHECKLIST

LOCAL GOVERNMENT MEETING AGENDA

[ATTACH TO THE FRONT OF ALL LOCAL GOVERNMENT MEETING AGENDAS (INCLUDING ADVISORY AND STANDING COMMITTEES)]

IMPORTANT NOTICE TO COUNCILLORS

As a local government councillor, it is your responsibility to always act in the public interest in ensuring the transparency, accountability, and integrity of council.

You can do this by managing your and your related person/ close associate conflicts of interest (your COIs). To do this you **MUST**:

BEFORE THE MEETING



READ this agenda and reports carefully (including late reports).



ASSESS whether you have any prescribed or declarable COIs on one or more proposed agenda items, or whether a fair-minded person in my community might think you do.

- Refer to Managing Conflicts of Interests in Meetings
- Refer to Decision Pathway 1 - Managing Conflicts of Interest – at Local Government Meetings



NOTIFY the Chief Executive Officer in writing of your COIs on the agenda. You may seek your own legal advice.

AT THE MEETING



DECLARE your COIs in open session before consideration of the relevant agenda item.



ACT to proactively manage your COIs by:

(a) if a prescribed COI –

- i. not influencing any decision-makers on the decision before or at the meeting; and
- ii. leaving the room and not voting on the decision at the meeting.

(b) if a declarable COI –

- i. not seeking to influence any decision-makers on the decision before or at the meeting; and
- ii. leaving the room and not voting on the decision at the meeting; or
- iii. asking eligible councillors (those who do not have a COI in the matter) to decide on whether you can participate in the meeting and/or vote on the matter.



ASSIST other councillors to proactively identify and manage their, and their related person/ close associate, COIs if known to you. You have a duty to report undisclosed councillor's COIs to the chairperson, if known to you.

PRACTICE TIP: "If in doubt, point it out!"

CAUTION:

A failure to comply can result in serious penalties including discipline for misconduct under section 150L of the *Local Government Act 2009*. This is also an integrity offence under section 201D of the *Local Government Act 2009*.



AGENDA

Additional Item

General Meeting

29 May 2024

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9 OFFICE OF THE CHIEF EXECUTIVE OFFICER

9.6 PROPOSED CHANGE TO THE BUDGET MEETING DATE

Doc Id: 1226125

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Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to seek Council endorsement to change the scheduled Budget Meeting date from 26 June 2024 to 10 July 2024. This adjustment ensures adequate time for thorough budget preparation, including essential workshops with staff and Councillors, while maintaining compliance with legislative requirements.

CORPORATE PLAN

OUR VISION: A prosperous future for generations built on a solid foundation of customer focused, efficient and effective service delivery.

OUR PRIORITY AREAS:

1. *Essential Service Delivery – Getting the basics right*

OFFICERS RECOMMENDATION

That Council, in accordance with provisions of Section 254B(4) of the *Local Government Regulation 2012*:

1. Reschedule the Budget Meeting of Council from Wednesday 26 June 2024, to Wednesday 10 July 2024; and
2. That the Budget Meeting of Council will be held in the Gayndah Boardroom, commencing at 9.00am.

REPORT

Legislative Requirements

Pursuant to section 169 of the *Local Government Regulation 2012* (the regulation), Council is required to prepare an annual budget each year.

Budget Adoption Timeline

The adoption timeline for the budget is detailed in sections 170(1) and 173(1) of the regulation.

A local government must adopt its budget after 31 May but before 1 August, or at a later date decided by the Minister.

Unauthorised Spending

Section 173 of the regulation addresses the issue of unauthorised spending before the budget is adopted. It allows local governments to spend funds prior to budget adoption, provided the expenditures are included in the subsequently adopted budget.

- a) *A local government may spend money in a financial year before adopting its budget for the financial year only if the local government provides for the spending in the budget for the financial year.*
- b) *However, the local government may spend money, not authorised in its budget, for genuine emergency or hardship if the local government makes a resolution about spending the money before, or as soon as practicable after, the money is spent.*

- c) *The resolution must state how the spending is to be funded.*
- d) *If the local government's budget for a financial year is amended after the money is spent, the amendment must take the spending into account.*

Proposed Timeline and Operational Impact

To ensure operational efficiency, the budget adoption is proposed to be delayed to no later than 10 July 2024, allowing just over two (2) working weeks. This extension will enable comprehensive preparation, including staff and Councillor workshops, without hindering necessary expenditures.

Managing Expenditures Prior to Budget Adoption

Any required spending prior to budget adoption, apart from routine operations, will be identified and managed by Council in accordance with section 173 of the regulation.

Flexibility in Budget Adoption

There are no regulations preventing Council from adopting the budget between 30 June and 1 August. This flexibility can be beneficial, allowing for a more thorough and considered budget preparation, which is crucial for the new Council.

CONSULTATION

A consultation process was initiated regarding the proposal to reschedule the Budget Meeting. On 20 May 2024, a discussion was held with Anna Scott (Acting CEO), Mayor Hotz, and Deputy Mayor Cr Jones to explore the possibility of adjusting the meeting date. A further discussion was held on 22 May 2024 with the Executive Leadership Team to gather additional insights and perspectives on the matter.

RISK IMPLICATIONS

Reputation / Political

Council meetings are of direct relevance to ratepayers and the community. Meetings must be programmed and held in accordance with legislative and statutory compliance.

Occupational Health & Safety (WHS)

Not Applicable.

Financial Impact

Council maintains a low-risk appetite for decisions that have a significant negative impact on Council's long-term financial sustainability.

A change to Council's meeting date will have no material impact on Council's financial position.

Legal & Regulatory

Council maintains a low-risk appetite for non-compliance with legal and regulatory requirements.

Environmental

Not Applicable.

Property & Infrastructure

Not Applicable.

Human Resources

Not Applicable.

Information Communications Technology

Not Applicable.

Service Delivery

Not Applicable.

Climate

Not Applicable.

KEY MESSAGE

The rescheduling of the Budget Meeting from 26 June 2024 to 10 July 2024 ensures adequate time for thorough budget preparation, including essential workshops with staff and Councillors, while maintaining compliance with legislative requirements.