



**City of
Ipswich**

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**Mayor Harding presentation message for Australia Defence Force Employee
Support Award to Ipswich City Council**

Council Ordinary Meeting 23 February

I am very pleased to be able to present to Council the Australian Defence Force Employee Support Award.

The award recognises employers that are committed to supporting reservists in their workplace.

Together with their full-time colleagues, reservists make an enormous contribution to the nation's security and make a significant impact on assisting communities like ours during disasters.

During the rain event this time last year, Works and Field Services Branch - Maintenance Planning Technical Officer Jason Claassen was called to serve with Operation Flood Assist 2022.

Here at Council, Jason is part of the team that plans the maintenance works within our roads and drainage network. Jason is also a Corporal in the Army's Royal Australian Corps of Engineers, 11th Engineer Regiment, 104 Construction Squadron (Greenbank and Ipswich).

When Jason pulls on his Army uniform, he works as a plant operator and this specialised skill is often required during a disaster.

Last year, Jason's unit called to ask for his assistance for the flood clean-up effort around South East Queensland.

With one day's notice, Council released Jason for three weeks to help those desperately in need.

He started in Goodna where he removed damaged furniture and flood waste from homes, loading waste trucks.

He was then required in Rocklea where he used an excavator, front end loader and skid steer loader to remove tons of rotting frozen food from the warehouse after the stock was damaged because of power outages.

The valuable experience and skills he learned in the Army are also transferrable to his job here at Council.

I would also like to acknowledge Jason's colleagues who support him by backfilling the roster while he was completing his Reserve commitments.

As a garrison city we are keenly aware of the important role Defence plays in our community and we are proud to be able to support Defence Force members who are asked to contribute to the community, often at short notice, when they need it most.

Matter of Public Interest – One Year On From Flood

Ordinary Council Meeting 24 February 2023

One year ago, the 80-year highest February rainfall record was broken as 657mm of rain fell on Ipswich. More than 600 dwellings and 300 businesses were inundated, livestock was lost and livelihoods were ruined.

This heavy rainfall across the Ipswich region through the period of 22 February to 9 March, led to significant river and creek level rises along smaller creeks and tributaries, leading to extensive and significant flooding across Ipswich and surrounds.

In real terms, families were forced to move out of their homes and find accommodation with friends or family or in some cases leave Ipswich altogether. Businesses were forced to close or move, with more than 200 jobs lost – leaving a \$12.25 million hole in our local economy.

The Insurance Council of Australia received claims to the value of \$127.2 million and Ipswich residents were provided with grant assistance directly to the value of \$6.2 million.

This February 2022 rain event, soon followed by another in May, has been devastating to our community.

The immediate priority for many was the safety and welfare of their family, friends and neighbours and as a council, our priority was to coordinate the disaster response and then to help our community recover.

We joined with other government and community partners to open an evacuation centre, two places of refuge and two recovery hubs.

During the flood, around 400 people took refuge in council's evacuation centre – a place of safety, support and shelter for not only Ipswich residents but those from nearby Lockyer Valley, Somerset and west of Brisbane.

Council poured all resources into collecting flood waste from kerbsides including engaging an external contractor only days after the flood and accepted the offer of support by the Australian Defence Force.

More than 6,000 tonnes of waste was delivered to landfill, three times more than usual. There were 4,776 visits to Riverview and Rosewood Recycle and Refuse Centres, supported by council's offer to dispose of flood-related waste for free.

Council's field crews were on the ground restoring roads, filling about 3,000 potholes as the water receded while reopening more than 100 roads and bridges.

Long after the news crews left, we are still rebuilding the city and we have not lost sight of what is important to our community. We see you just 'getting on with it'. We see you rebuilding your lives, we know you are frustrated at times with insurers, builders and government.

We have listened to what you are telling us you need, and we are doing our best, with the resources we have.

We are building back better. We are buying back homes. We are redesigning open spaces to minimise the cost of damage when the next flood comes.

We are addressing each of the recommendations made in the Ipswich Integrated Catchment Plan and council's 2022 Flood Review.

The Federal and State Governments also reacted quickly with the \$741 million Resilient Homes Fund and the first homes to be bought back in the state were here in Goodna.

To date, 536 people have applied to the fund in Ipswich, with 239 of those for a voluntary buy-back. Of those, 27 have now settled and six homes have been demolished and more will follow in coming months.

There have been 98 homes register for raising and 104 for a resilient retrofit.

Rates relief was offered to hundreds of flood-impacted residents and businesses as part of Council's flood assistance package, with around \$357,000 provided in rates relief to date.

The total spend on the city's flood recovery as of 31 January 2023 is \$24 million. And, as we recover, we are also building back better and more flood resilient for next time.

We replaced the flood gauges that were destroyed but built the platforms 1.5 metres higher.

We have established a real-time flood monitoring camera network to keep our community, and disaster responders, better informed.

There have been improvements made to the Disaster Dashboard.

We conducted preparedness training with both Council, community centres and other agencies and networks to build everyone's capabilities. We are better resourced and equipped for both disaster response and recovery.

We have provided improved education to the community so they may be flood ready. We worked specifically with the disabled in mind and those who speak a different language.

With our major parks, Colleges Crossing and Riverheart parklands, we simply did not replace like for like. We are investing in redesigns to ensure we don't continue to pour millions of dollars into areas on floodplains that will be impacted in the future.

Because what we do know is there will be another flood and another one after that.

Council continues rebuilding with more than 300 community assets damaged by flooding. These include 169 sections of gravel road, 13 sporting clubs, community facilities and parks.

More than one third of recovery projects have now been completed, 143 out of 413.

As we enter the long-term recovery phase of restoring, rebuilding and reshaping our community, we are restoring our waterways and habitats with more than 5 tonnes of plastics, pallets, tyres and metal sheeting recovered from our rivers to date.

We anticipate another two years of work before our city can be considered 'rebuilt'.

On the anniversary of the flood, council continues to drive our recovery forward. The community can have confidence that we are rebuilding our city with sustainability, resilience and most importantly, the wellbeing of our community, as our focus.

Teresa Harding

From: Bronwyn Blagoev
Sent: Tuesday, 14 February 2023 12:18 PM
To: Mayor of Ipswich
Subject: CONFIDENTIAL Request for advice

Categories: [REDACTED]

Dear Mayor Harding

Thank you for your query regarding possible conflicts of interest in relation to referrals of suspected inappropriate conduct.

As you are aware, the *Local Government Act 2009* (the Act) provides that a councillor has an obligation to inform the Office of the Independent Assessor (OIA) about suspected improper conduct by another councillor.

The Act provides two relevant sections:

- Section 150P of the Act requires that when a local government entity (councillor) "receives a complaint about the conduct of a councillor", they must "refer the complaint to the assessor".
- Section 150R of the Act requires that if a local government official (councillor) "becomes aware of information indicating a councillor may have engaged in conduct...the local government official must give the assessor a notice about the councillor's conduct".

A councillor who refers or notifies a matter will only have a conflict of interest in the matter if they also have some further personal involvement in the matter. For example, if a councillor refers to or notifies the OIA about another councillor's alleged inappropriate conduct towards a council employee - then the referring councillor should not be considered to have a conflict of interest in the matter. The referring councillor has a statutory obligation to report and the threshold for reporting is low.

If, however, a councillor refers or notifies conduct of a councillor which is about conduct that was towards the referring councillor, then that referring councillor not only has a personal interest in the outcome of a matter, but may also be a relevant witness in the matter.

This means that if a councillor refers a complaint to the OIA under a statutory obligation, this of itself does not necessarily create a conflict of interest for the councillor in relation to deciding the matter of inappropriate conduct. In such cases, the councillor will generally have no personal interest in the complaint submitted to the OIA. However, a referring councillor should carefully consider all the circumstances and decide whether or not they should declare a declarable conflict of interest when the matter comes before the council.

Where, a councillor is a referrer or notifier of improper councillor conduct but does not have a personal interest in relation to the matter then: -

- A councillor is not required to declare a declarable conflict of interest; and
- Should not be excluded from participating in the matter following a suspected conflict of interest being reported under section 150EW of the Act.

In this particular case you have advised you became aware of possible improper conduct (being a breach of the Ipswich City Council's Media and Corporate Communication Policy) after the matter was brought to your attention by other people. It has been alleged that Councillor Madsen and [REDACTED] breached the council's Media and Corporate Communications Policy when they participated in joint formal media about bridge updates with the federal government representative and the two councillors would have been seen to be the council spokespersons.

As I understand the matter, under the council's policy, where it involves any position of the council, the spokesperson for council will be the Chair and Deputy Chair of the relevant committee. The relevant committee for

federal funding for bridge upgrades (in this case the council applied for the grant) is the Growth, Infrastructure and Waste Committee. You are the chair and Councillor Tully is the deputy chair of the Growth, Infrastructure and Waste Committee.

On the information provided, it is the department's view that you would not have a personal interest in this matter. It appears on the information before the department, that you sent the matter to the OIA as per your statutory obligation under the Act and your only interest in the matter has arisen through your role in council. Therefore, your interest in this matter is **not** a personal interest. This means, in the department's view, you do not have a declarable conflict of interest in the inappropriate conduct matter when it comes before council.

It is a matter for council to determine, but it is recommended that both a subject councillor in an inappropriate conduct matter, and a notifier or referrer *that also has a personal interest* in relation to the matter; should leave the room and not be present for the discussion or decision in relation to the matter (including dealing with conflicts of interest in relation to the matter).

It is also suggested that when a councillor is referring a matter to the OIA, that they provide some context as to the referral of the matter to the OIA whether the referring councillor does or does not have a personal interest in the matter. This may assist if the matter is referred back to the council as possible inappropriate conduct.

The information provided above is the department's view based on the information it has before it. You may wish to seek your own independent legal advice on this matter.

Kind Regards



Bronwyn Blagoev

Executive Director

Strategy and Service Delivery

Department of State Development, Infrastructure,
Local Government and Planning

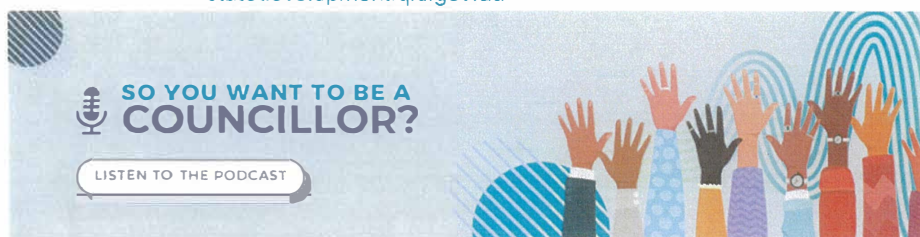
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statedevelopment.qld.gov.au



From: Teresa Harding

Sent: Thursday, 9 February 2023 8:00 PM

To: Bronwyn Blagoev

Subject: CONFIDENTIAL Request for advice

Bronwyn,

Thank you for taking my call yesterday.

I seek your advice regarding a suspected inappropriate conduct matter coming to Council on 23 Feb 2023 and whether I have a declared conflict of interest.

In this matter I am the complainant. I received two verbal complaints about the media coverage that the divisional councillors did with the Australian Government Bridge Renewal Program, which is a 50/50 funding arrangement with council. I then sought advice from the A/General Manager, Coordination and Performance who is the Media and Corporate Communication Policy owner. The A/GM responded (see the email I attached to the OIA complaint, Attachment 1):

“Had the Communications and Engagement Branch assessed a request for coverage under the media policy, its initial assessment would have been that delegated spokespeople were:

- o Mayor Harding and Cr Tully, as the chair and deputy chair of the Growth, Infrastructure and Waste Committee (7.3.4)
- o Cr Madsen and [REDACTED] as councillors representing a division where committee matter relate to an issue, initiative or activity principally within or affecting a particular division”

And:

“However, in the context of the whole release and subsequent media articles, it is likely that they would be taken as representing the official position of council especially given that the media release states it’s a joint release from the Federal Government and Ipswich City Council (Deputy Mayor/Divisional Councillors). Its from this joint media release (by the local Federal member) that was the catalyst for the two media articles referenced in your initial email below.”

With the advice that Cr Madsen was not the delegated spokesperson as per Council’s Media and Corporate Communication Policy, this was a suspected breach of *LGA s150K (1)(b) What is inappropriate conduct* and under *LGA s150R Local government official must notify assessor about particular conduct* and the Qld Councillor Code of Conduct, I was obligated to submit a complaint on 1 Dec 22, Attachment 1.

I subsequently found out that council did not invite, advise or liaise with the federal Dept of Infrastructure that publicity would be conducted and thereby breaching the signed Project Agreement. The Agreement was specific that events and publicity must be done directly through the Dept not the local MP, Attachment 2.

My query is, do I have a declarable conflict of interest?

It was my duty as per the Act to report the matter once I received the advice from the A/GM. I note that the Act gives me zero discretion if a local government policy has been contravened. I did not even think to make a complaint until I received two verbal complaints about the media coverage.

As for “personal interest” and “public interest”, my only personal interest is that I would have been on the media statement along with Crs Tully, Madsen and Ireland instead of it just being Crs Madsen and Ireland.

As for “public interest”, the view I shared with the CEO when we communicated for the first time after the OIA correspondence arrived on 16 Jan 23 (the CEO was on leave when the OIA corro was received 21 Dec 22), was for this matter to be resolved by early resolution, working with the subject councillor to remind them to follow the media policy. It was my personal opinion that this was a minor matter and did not warrant going to a full Council meeting.

Advice from council’s Executive Services Branch today

This afternoon council’s Executive Services Branch issued advice that the complainant has a declared conflict of interest, Attachment 3.

Attachments:

1. CONFIDENTIAL Complaint against Cr Madsen and [REDACTED] – Pls note the matter against [REDACTED] was dismissed, 1 Dec 22
2. FOR NOTING: Info Request – Bridges Renewal Program, 22 Dec 22
3. Councillor Briefing Note – Handling a referral of suspected Inappropriate Conduct from the OIA, 9 Feb 23

Thank you for taking the time to receive this request.

Kind regards, Teresa



Mayor Teresa Harding

Ipswich City Council

T | 07 3810 6011

Ipswich City Council respectfully acknowledges the Traditional Owners as custodians of the land and waters we share. We pay our respects to their Elders past, present and emerging, as the keepers of the traditions, customs, cultures and stories of proud peoples.



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