

# **BOULIA SHIRE COUNCIL**



## **ORDINARY MEETING**

### **Wednesday 24 April 2024**



ALL COMMUNICATIONS MUST  
BE ADDRESSED TO  
THE CHIEF EXECUTIVE OFFICER,  
BOULIA SHIRE COUNCIL,  
18 HERBERT ST,  
BOULIA. QLD. 4829



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## BOULIA SHIRE COUNCIL

21<sup>st</sup> April 2024

### NOTICE FOR AN ORDINARY MEETING OF COUNCIL

NOTICE is hereby given that an **ORDINARY MEETING** of the Boulia Shire Council will be held on **Wednesday 24 April 2024** at the **Boulia Shire Hall** commencing at **9 am** for the transaction of the following business.

Councillor attendance via teleconference is deemed to be in attendance at the meeting with full voting rights (as per Council resolution 2015/4.9).

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Ms Lynn Moore  
Chief Executive Officer

Please note:

- Some reports contained in this agenda make reference to 'confidential redacted' attachments. These attachments are not for public display as they are of a confidential nature and for Council use only and are therefore not included within the agenda.
- In some instances, due to unforeseen circumstances, the sequence of the Ordinary Meeting of Council on the meeting day may vary from the order of the agenda issued. The corresponding meeting minutes will follow the outline of the originally issued agenda, however the resolution numbers noted will be in accordance with the actual sequence of the meeting on the day.

**COMMONLY USED ACRONYMS**

<b>ALGA</b>	Australian Local Government Association
<b>CWRPMG</b>	Central West Regional Pest Management Group
<b>DDMG</b>	District Disaster Management Group (Mt Isa)
<b>DRFA</b>	Disaster Recovery Funding Arrangements
<b>DTMR/TMR</b>	Department of Transport and Main Roads
<b>IPWEA</b>	Institute of Public Works Engineering Australia (NAMS.Plus)
<b>LDMG</b>	Local Disaster Management Group
<b>LGAQ</b>	Local Government Association of Queensland
<b>LGMA</b>	Local Government Managers Association
<b>ManEX</b>	Managers and Executive
<b>NAMS.Plus</b>	Asset Management System from IPWEA
<b>NDRP</b>	Natural Disaster Resilience Program
<b>NDRRA</b>	Natural Disaster Relief and Recovery Arrangements
<b>OHDC</b>	Outback Highway Development Council
<b>ORRG</b>	Outback Regional Road Group
<b>ORRTG</b>	Outback Regional Roads and Transport Group
<b>OQTA</b>	Outback Queensland Tourism Association
<b>QRA</b>	Queensland Reconstruction Authority
<b>QSNTS</b>	Queensland South Native Title Services
<b>QWRAP</b>	Queensland Water Regional Alliance Program
<b>R2R</b>	Roads to Recovery
<b>RAPAD</b>	Central West Queensland Remote Area Planning and Development
<b>RAPADWSA</b>	RAPAD Water and Sewerage Alliance
<b>REPA</b>	Restoration of Essential Public Assets
<b>RMPC</b>	Roads Maintenance Performance Contract
<b>TIDS</b>	Transport Infrastructure Development Scheme
<b>WQLGA</b>	Western Queensland Local Government Association

## **RISK MANAGEMENT**

Council's risk management process is based around the following principles:

Risk Identification: Identify and prioritise reasonably foreseeable risks associated with activities, using the agreed risk methodology.

Risk Evaluation: Evaluate those risks using the agreed Council criteria.

Risk Treatment/Mitigation: Develop mitigation plans for risk areas where the residual risk is greater than our tolerable risk levels.

The Risk Matrix below is used to assess the likelihood and consequence of any risk to Council, to then identify any necessary treatment actions. This matrix will also be used to assess any risk identified in Council's reports:

Likelihood	Consequence				
	Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain 5 Is expected to occur at most times	Medium M - 5	High H - 10	High H - 15	Extreme E - 20	Extreme E - 25
Likely 4 Will probably occur at most times	Medium M - 4	Medium M - 8	High H - 12	High H - 16	Extreme E - 20
Possible 3 Might occur at some time	Low L - 3	Medium M - 6	Medium M - 9	High H - 12	High H - 15
Unlikely 2 Could occur at some time	Low L - 2	Low L - 4	Medium M - 6	Medium M - 8	High H - 10
Rare 1 May occur in rare circumstances	Low L - 1	Low L - 2	Medium M - 3	Medium M - 4	Medium M - 5

## **1 Meeting Opening with the Acknowledgement of Traditional Owners**

The Mayor will acknowledge the traditional carers of the land on which Council meets, the 'Pitta Pitta' people, and pay Council's respects to the elders past and present.

The Mayor will also acknowledge past and present service personnel.

## **2 Present**

Councillors: Councillor Eric (Rick) Britton  
Councillor Sam Beauchamp  
Councillor Jack Neilson  
Councillor Jan Norton  
Councillor Julie Woodhouse

Officers: Ms Lynn Moore (Chief Executive Officer)  
Mrs Kaylene Sloman (Director of Corporate & Financial Services)  
Mr Henry Mascarenhas (Director of Works and Operations)  
Miss Pearl Pocock (Administration Officer)

## **3 Apologies / Leave of Absence**

This item on the agenda allows Council the opportunity to receive apologies/leave of absence from Councillors unable to attend the meeting.

## **4 Declaration of Interests**

To help ensure openness, accountability and transparency, in accordance with the *Local Government Act 2009*, Councillors must declare if they have a Prescribed Conflict of Interest or a Declarable Conflict of Interest in a matter. All declarations of interest are managed in accordance with the *Local Government Act 2009*.

This section also allows Councillors the opportunity to lodge new or make an amendment to their annual register of interests.

## **5 Mayoral Minutes**

### **5.1 Great Artesian Basin Carbon Sequestration Fight**

<b>REPORT BY:</b>	Rick Britton - Mayor	<b>DATE:</b> 2/03/2024
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#### **CORPORATE PLAN REFERENCE:**

Key Priority 4: Caring for the environment

4.1: Well managed

4.1.2: Facilitate land and infrastructure planning and development that meets the needs of the community

Key Priority 4: Caring for the environment

4.3: Sustainable

4.3.4: Caretake environmental impact areas of pests, weeds, water, resources, disasters and natural resources

Key Priority 8: Proactive and responsible leadership

8.1: Genuine community engagement

8.1.1: Develop and implement initiatives to encourage the community to become more informed and involved in issues that may affect them

Key Priority 8: Proactive and responsible leadership

8.2: Strong representation

8.2.1: To represent and collectively make decisions to benefit the entire community

#### **RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**.

#### **PURPOSE:**

To discuss with Councillors the Great Artesian Basin Carbon Sequestration Fight taking place at present and the request for financial support in the fight from Colin Boyce MP, Federal Member for Flynn.

#### **CONTENT:**

Glencore through its subsidiary Carbon Transport and Storage Corporation (CTSCo) has proposed a trial of capturing CO<sub>2</sub> in southern Queensland and injecting it deep underground into the Precipice Sandstone aquifer, a groundwater formation in the Great Artesian Basin.

Numerous parties, including AgForce, have expressed their grave concerns over this proposal and the potential impacts it will have on the Great Artesian Basin as a whole, given the importance of this water source for human water consumption and agriculture use.

Following the Federal Environment Department decision on February 9, 2022 that the Glencore proposal was not captured by the matter of national environmental significance (MNES) provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and listening to the concerns of the community surrounding the proposal, AgForce is now seeking a judicial review of the Federal Environment Department decision.

The attached correspondence has been received by Council from Colin Boyce MP, Federal Member for Flynn requesting Council's financial support of \$50,000 to help assist the legal battle.

Attached also for Council's review is the flyer produced by AgForce regarding the matter.

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** Environment Protection and Biodiversity Conservation Act 1999

**RECOMMENDATION:**

That Council consider Colin Boyce MP's request for financial support of AgForce's legal battle in the Great Artesian Basin Carbon Sequestration Fight.

**ATTACHMENTS:**

1. Letter from Office of Colin Boyce MP [**5.1.1** - 1 page]
2. Ag Force - Protect the GAB flyer [**5.1.2** - 1 page]





**Office of Colin Boyce MP**  
**Federal Member for Flynn**

*Reference: 240318 Council GAB update/CB:KW*

18 March 2024

Queensland's Rural and Regional Councils

*By email: as per mailing list*

**RE: UPDATE ON GREAT ARTESIAN BASIN CARBON SEQUESTRATION FIGHT**

Good afternoon Mayors of Queensland,

Thank you for your support in fighting against carbon sequestration in the Great Artesian Basin.

I write to ask for your financial support for AgForce as they commence their legal battle to prevent the GAB from being used as a test site for the 300,000 tonnes of industrial waste.

From their media release 16 March 2024:

*“AgForce is seeking a judicial review of the Federal Environment Department decision on February 9 2022 which determined the Glencore proposal was not captured by the matters of national environmental significance in the EPBC Act.”*

AgForce shares our concerns and believes that taking this matter to court is the only way to protect the GAB, with this precious water resource being too important to allow it to be left to chance.

Our regional communities and towns rely on this water source, and it is in our own best interests to support AgForce financially. If 10 councils could each contribute \$50,000 to help AgForce fight this legal battle, this would provide \$500K of assistance.

It is time to stand up and fight for what our communities need. Water is the lifeblood of regional Queensland and we cannot exist without it.

Regards,

**Colin Boyce MP**  
Federal Member for Flynn



# GLENCORE/CTSCO PROPOSAL FOR OUR GREAT ARTESIAN BASIN

**SAVE THE GAB, DONATE HERE:**

[bit.ly/agforce-protect-the-gab](http://bit.ly/agforce-protect-the-gab)

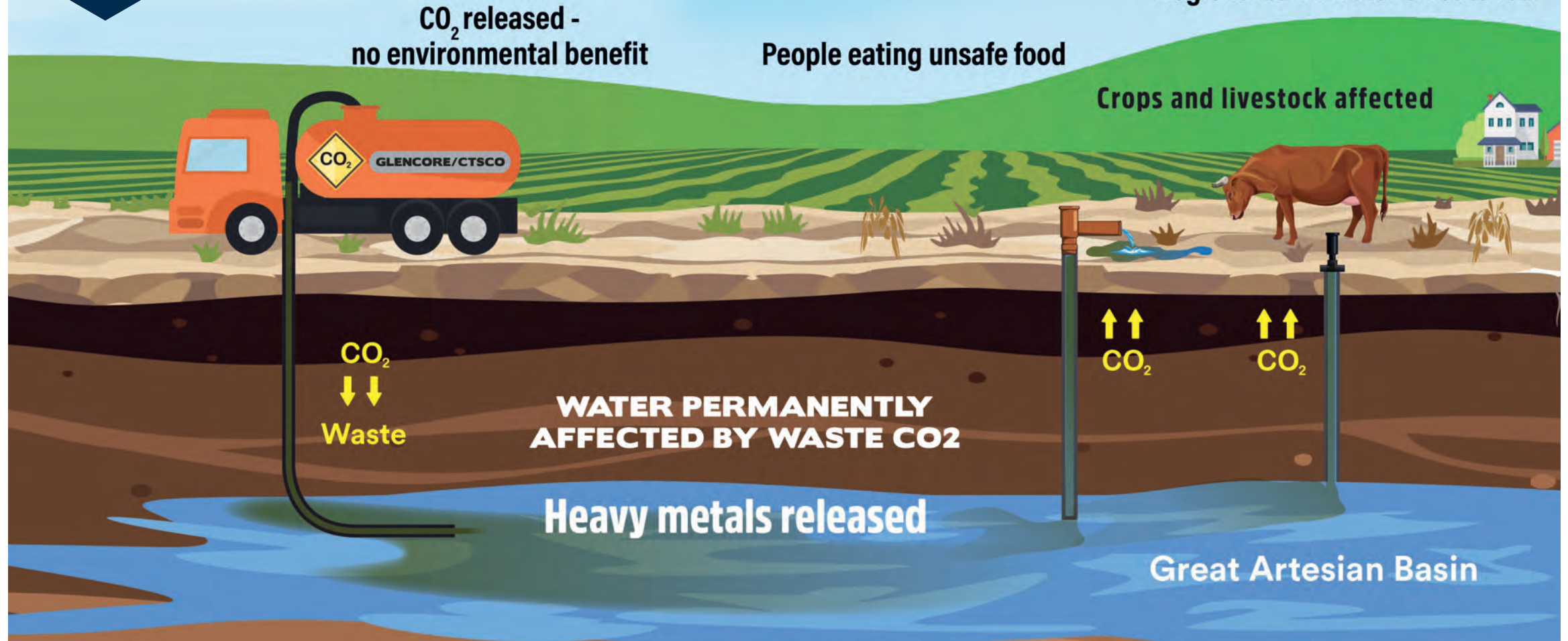


Regional town water threatened

CO<sub>2</sub> released -  
no environmental benefit

People eating unsafe food

Crops and livestock affected



Glencore makes **BILLIONS \$**

Great Artesian Basin (GAB) turned into a **WASTE DUMP**

Farmers' bores bringing up water tainted by **CO<sub>2</sub>** and **HEAVY METALS**

## **5.2 Australian Institute of Company Directors Training - Mayoral Training Brief**

<b>REPORT BY:</b>	Rick Britton Mayor	<b>DATE:</b> 17/04/2024
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### **CORPORATE PLAN REFERENCE:**

Key Priority 8: Proactive and responsible leadership

8.1: Genuine community engagement

8.1.2: Manage and govern to ensure transparency and responsiveness to the needs and views of our communities in decision making practices

Key Priority 8: Proactive and responsible leadership

8.2: Strong representation

8.2.1: To represent and collectively make decisions to benefit the entire community

8.2.3: Council acts in a coordinated manner to implement this Plan

### **RISK MANAGEMENT:**

Information Report only - not applicable.

### **PURPOSE:**

To provide to Councillors a brief on the Australian Institute of Company Directors (AICD) Training completed by the Mayor.

### **CONTENT:**

Following the recent Local Government elections, in an effort to support returning and incoming Mayors, the Department of Housing, Local Government, Planning and Public Works (the Department) provided Mayors the opportunity to attend a custom built two day training program designed with the Australian Institute of Company Directors (AICD), aimed to enhance skills in the areas of Leadership and Strategy and Risk. AICD is known to provide world-class governance education to build the capability of organisations, directors and executives and has developed its courses over many years.

This program is advised to be one part of a suite of support being offered to Councils which also includes the LG Leaders Program and Inductions for Councillors (Boulia Councillors to complete inductions on the 30<sup>th</sup> April 2024).

I took this opportunity and attended the program (program funded by the Department with Council responsible for travel and accommodation) which was scheduled to coincide with LGAQ's Special Mayors Forum on Wednesday 17 April 2024 so that travel time and costs could be managed effectively.

The course covered:

#### **Leadership: The Councillor's Role**

- Recognise leadership competencies and behaviours in oneself and others
- Examine leadership within a Council context
- Identify the differences in leadership for elected Councillor's and Executive managers
- Know how to use leadership competencies to build effective groups and teams
- Evaluate oneself as a leader
- Create an individual leadership development plan

#### **Strategy and Risk: Issues for Councillor's**

- The Known Known risks
- The Known Unknown risks

- The Unknown Unknown risks
- The Six government risks
  1. Government Action
  2. Resources
  3. Strategy
  4. Reputation
  5. Leadership
  6. Financial
- Operational Risks, Project Risks, Regulatory Risk, Financial Risks, Market Risk.

I would like to put forth that in the next budget, Council consider including an allocation to cover costs for Councillors and Management to do the course, as it would assist Councillors and Management to work as a team for delivery to the community in which we serve.

CEO Lynn Moore and I have also sent a request to RAPAD with the suggestion, under 'Due Diligence' for new and existing Councillors, that this course could be something which could be run by RAPAD for all the Councillors within the RAPAD area to attend.

The dynamics of just being a Councillor for your community has changed over the last 10-16 years, we are more than just Councillors for our individual Council area. The CO2 being proposed to be pumped into the Great Artesian Basin is an example of being more than just a Local Government representee role, this a 60% of Queensland issue not just a 'in our back yard' issue. I think the AICD course would give each individual Councillor across the seven RAPAD shires the tools to think beyond our local shire boundaries and be a stronger voice for our regions.

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** Nil

**RECOMMENDATION:**

1. That the Australian Institute of Company Directors Training - Mayoral Training Brief report be received for information.
2. That a future budget allocation be considered in the 2024-2025 budget for Councillor and Management attendance at future Australian Institute of Company Directors AICD (or like) training.

**ATTACHMENTS:** Nil

## **6 Notice of Motion**

This item on the agenda allows matters of which notice has been given by Councillors to be considered at the meeting.

## **7 Request to Address Council in a Public Forum**

A member of the public may take part in the proceeding of a meeting only when invited to do so by the Chairperson.

In each local government meeting, time may be required to permit members of the public to address the local government on matters of public interest related to local government. The time allotted shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at one meeting. The right of any individual to address the local government during this period shall be at the absolute discretion of the local government.

If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.

For any matter arising from such an address, the local government may take the following actions:

- refer the matter to a committee
- deal with the matter immediately
- place the matter on notice for discussion at a future meeting
- note the matter and take no further action.

Any person addressing the local government shall stand, and act and speak with decorum and frame any remarks in respectful and courteous language.

Any person who is considered by the local government or the Mayor to be unsuitably dressed may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

## **8 Petitions**

This item of the agenda allows a Councillor or Council Officer to present a petition to a meeting of the local government.

Where a petition is presented, no debate in relation to it will be allowed, and the only motion which may be moved is:

- that the petition be received
- received and referred to a committee or officer for consideration and a report to the Council, or
- not be received because it is deemed invalid.

## **9 Deputations**

A deputation wishing to attend and address a meeting of the Council shall apply in writing to the CEO not less than seven (7) business days before the meeting.

The CEO, on receiving an application for a deputation, shall notify the Chairperson who will determine whether the deputation may be heard. The CEO will inform the deputation of the

determination in writing. Where it has been determined the deputation will be heard, a convenient time will be arranged for that purpose, and an appropriate time period allowed (e.g. 15 minutes).

For deputations comprising three or more persons, only three persons shall be at liberty to address the Council meeting unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.

If a member of the deputation other than the appointed speakers interjects or attempts to address the Council meeting, the Chairperson may terminate the deputation.

The Chairperson may terminate an address by a person in a deputation at any time where:

- the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting
- the time period allowed for a deputation has expired, or
- the person uses insulting or offensive language or is derogatory towards Councillors or others.

The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

## **10 Confirmation of Minutes from Previous Meetings**

This item in the agenda enables previous minutes of Council meetings to be confirmed.



**MINUTES OF THE ORDINARY MEETING  
OF THE BOULIA SHIRE COUNCIL  
HELD ON Tuesday 12 March 2024  
COMMENCING AT 9:00 am**

**1 Meeting Opening with the Acknowledgement of Traditional Owners**

*Please note:*

*In some instances, due to unforeseen circumstances, the sequence of the Ordinary Meeting of Council on the meeting day may vary from the order of the agenda issued. The corresponding meeting minutes will follow the outline of the originally issued agenda, however the resolution numbers noted will be in accordance with the actual sequence of the meeting on the day.*

The Mayor opened the meeting at 9.03 am.

The Mayor acknowledged the traditional carers of the land on which Council meets, the 'Pitta Pitta' people, and paid Council's respects to the elders past and present.

The Mayor also acknowledged past and present service personnel.

It has been noted that the Mayor has reminded all Councillors in regards to registration of interests and declaration of contact with or engagement of lobbyists.

**2 Present**

Councillors: Councillor Eric (Rick) Britton  
Councillor Sam Beauchamp  
Councillor Tim Edgar  
Councillor Jack Neilson  
Councillor Jan Norton

Officers: Ms Lynn Moore (Chief Executive Officer)  
Mrs Kaylene Sloman (Director of Corporate & Financial Services)  
Mr Michael Pickering (Interim Director of Works and Operations)  
Miss Pearl Pocock (Administration Officer)

**3 Apologies / Leave of Absence**

There were no apologies or leaves of absence for this meeting.



#### **4 Declaration of Interests**

There were no declarations of interest relevant to reports at this meeting.

#### **5 Mayoral Minutes**

There were no Mayoral Minutes to be noted at this meeting.

#### **6 Notice of Motion**

There were no notices of motions to be noted at this meeting.

#### **7 Request to Address Council in a Public Forum**

There were no requests to address the Council.

#### **8 Petitions**

There were no petitions presented to Council.

#### **9 Deputations**

There were no deputations to Council.

#### **10 Confirmation of Minutes from Previous Meetings**

**Moved:** *Cr Neilson*

**Seconded:** *Cr Beauchamp*

That the minutes of the Ordinary Meeting held on 23rd February 2024 be accepted.

**Resolution No.:** *2024/03.1*

**Carried**

#### **11 Reports**

##### **11.1 Works and Operations**

<b>TITLE:</b>	Director of Works and Operations February 2024 Report	<b>DOC REF:</b> 11.1.1
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**PURPOSE:**

To inform Council of the current utilisation and activities of the Works and Operations Department in line with all works and operations being undertaken for February 2024.

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**Moved:** Cr Neilson

**Seconded:** Cr Norton

That Council receive the Director of Works and Operations February 2024 Report for information.

**Resolution No.: 2024/03.2**

**Carried**

<b>TITLE:</b>	Engineering Service Report – Newsbrief for February 2024	<b>DOC REF:</b> 11.1.2
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**PURPOSE:**

To inform Council on the progress of various projects by George Bourne & Associates on behalf of Council through an information update.

**Moved:** Cr Norton

**Seconded:** Cr Britton

That the Engineering Services Report – Newsbrief for February 2024 be noted.

**Resolution No.: 2024/03.3**

**Carried**

Mr Gordon Stumbris and Miss Jade Somerfield entered the meeting at 9.15 am. Mr Stumbris discussed with Council the recent works that have been completed as a result of the extensive flood damage that has recently occurred in the shire.

Mr Stumbris and Miss Somerfield left the meeting at 9.56 am.

<b>TITLE:</b>	Foreman Roads, Utilities and Services Report February 2024	<b>DOC REF:</b> 11.1.3
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**PURPOSE:**

To inform Council of the current utilisation and activities of the Town Department during the month of February 2024.

**Moved:** Cr Norton

**Seconded:** Cr Neilson

That Council receive the Foreman Roads, Utilities and Services February 2024 Report for information.

**Resolution No.: 2024/03.5**

**Carried**

<b>TITLE:</b>	Foreman Road Maintenance and Construction Report February 2024	<b>DOC REF:</b> 11.1.4
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**PURPOSE:**

To inform Council of the current utilisation and activities of the Works Department in line with the Council works program for February 2024.

**Moved:** Cr Britton

**Seconded:** Cr Edgar

That Council receive the Foreman Roads, Construction and Maintenance February 2024 Report for information.

**Resolution No.: 2024/03.6**

**Carried**

Mr Pickering left the meeting at 10.12 am.

<b>TITLE:</b>	QRA Flood Damage Works Department February 2024	<b>DOC REF:</b> 11.1.5
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**PURPOSE:**

To inform Council of the current utilisation and activities of the Flood Damage Program for February 2024.

**Moved: Cr Beauchamp**

**Seconded: Cr Edgar**

That the QRA Flood Damage Works Department February 2024 Report be received for information.

**Resolution No.: 2024/03.4**

**Carried**

<b>TITLE:</b>	Rural Lands Protection Officer February 2024 Report	<b>DOC REF:</b> 11.1.6
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**PURPOSE:**

To advise Council of current activities relating to weed management, pest control, animal management and stock routes.

**Moved: Cr Norton**

**Seconded: Cr Britton**

That the Rural Lands Protection Officer's Report for February 2024 be received for information.

**Resolution No.: 2024/03.7**

**Carried**

## **11.2 Office of the Chief Executive**

<b>TITLE:</b>	Chief Executives Report February 2024	<b>DOC REF:</b> 11.2.1
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**PURPOSE:**

To advise Council of relevant activities undertaken through the office of the CEO.

**Moved: Cr Neilson**

**Seconded: Cr Britton**

That the CEO Report for February 2024 be received for information.

**Resolution No.: 2024/03.8**

**Carried**

Meeting adjourned for Morning Tea at 10.45 am.

Meeting resumed at 11.15 am.

<b>TITLE:</b>	Action List Update February 2024	<b>DOC REF:</b> 11.2.2
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**PURPOSE:**

To present to Council an updated Action List.

**Moved: Cr Neilson**

**Seconded: Cr Britton**

That Council receive the Action List update for February 2024 for information.

**Resolution No.: 2024/03.9**

**Carried**

<b>TITLE:</b>	2024 Boulia Camel Races Special Holiday - approval of date change	<b>DOC REF:</b> 11.2.3
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**PURPOSE:**

To advise Council of the Minister's approval for the change in date of the 2024 Boulia Camel Races special holiday.

**Moved: nil**

**Seconded: nil**

That Council receive the 2024 Boulia Camel Races Special Holiday - approval of date change report for information.

**No resolution made for this report due to being for information only.**

<b>TITLE:</b>	Local Roads of Regional Significance - Statement of Intent Review	<b>DOC REF:</b> 11.2.4
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**PURPOSE:**

To present to Council a review the Statements of Intent (SOI) for Council's Local Roads of Regional Significance (LRRS).

**Moved: Cr Britton**

**Seconded: Cr Neilson**

1. That Council consider and endorse the Statements of Intent, attached to the Local Roads of Regional Significance - Statement of Intent Review Report.
2. That the new Statement of Intent be forwarded to the Outback Regional Road Transport Group

**Resolution No.: 2024/03.10**

**Carried**

### **11.3 Corporate Services**

<b>TITLE:</b>	Director of Corporate & Financial Services February 2024 Report	<b>DOC REF:</b> 11.3.1
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**PURPOSE:**

To advise Council of the activities of the Director of Corporate and Financial Services.

**Moved:** Cr Neilson

**Seconded:** Cr Norton

That the Director of Corporate & Financial Services February 2024 report be received for information purposes.

**Resolution No.: 2024/03.11**

**Carried**

<b>TITLE:</b>	Boulia Golf Club Rates	<b>DOC REF:</b> 11.3.2
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**PURPOSE:**

To advise Council of the request to waiver the rates relating to the Boulia Golf Club.

**Moved:** Cr Britton

**Seconded:** Cr Beauchamp

1. That all rates payable (general rates plus all services and the Emergency Services Levy) by the Boulia Golf Club Inc (Assessment A244) for the 2024/25 financial year, be paid by Council as a donation on the basis that the association is a volunteer association responsible for providing a recreational facility.
2. That the DCS write to the Golf Club and advise them of the outcome.
3. Action to be completed by Finance to make the donation to the Golf Club to cover the 2024/2025 financial years. Notation to be made in the rates system for future records.

**Resolution No.: 2024/03.12**

**Carried**

<b>TITLE:</b>	Policy Reviews - 112, 118, 131	<b>DOC REF:</b> 11.3.3
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**PURPOSE:**

To review and update Council's policies in accordance with the adopted procedure to ensure that policies made by Council are compliant with legislation and are reviewed in a timely manner.

**Moved:** Cr Britton

**Seconded:** Cr Edgar

1. That policies 112 Email and Internet, 118 Asset Management and Services, 131 Council Credit Card Policies be endorsed as presented.
2. That a copy of the policies be loaded into the Councillor Hub.

**Resolution No.: 2024/03.13**

**Carried**

Meeting adjourned for lunch at 12 noon.

Meeting resumed at 12.50 pm.

<b>TITLE:</b>	Financial Report for February 2024	<b>DOC REF:</b> 11.3.4
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**PURPOSE:**

Financial Summary as at 29<sup>th</sup> February 2024.

**Moved:** Cr Beauchamp

**Seconded:** Cr Neilson

That the Finance Report for February 2024 be received for information.

**Resolution No.: 2024/03.14**

**Carried**

## **11.4 Community Services**

<b>TITLE:</b>	Community Services Report February 2024	<b>DOC REF:</b> 11.4.1
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**PURPOSE:**

To provide Council with an update of the activities associated with Councils' community development activities.

**Moved:** Cr Norton

**Seconded:** Cr Neilson

That the Community Services Report for February 2024 be received for information.

**Resolution No.: 2024/03.15**

**Carried**

<b>TITLE:</b>	Min Min Encounter & Boulia Heritage Centre Report – February 2024	<b>DOC REF:</b> 11.4.2
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**PURPOSE:**

To report on the day-to-day operations of the Min Min Encounter and to promote tourism in the Shire and surrounding region.

**Moved:** Cr Britton

**Seconded:** Cr Beauchamp

That the Min Min Encounter & Boulia Heritage Centre Report February 2024 be received for information.

**Resolution No.: 2024/03.16**

**Carried**

## **12 Late Reports**

There were no late reports presented to Council.

## **13 Closed Session**

There were no closed session reports presented to Council.

## **14 General Business**

**End of term for Councillor Edgar** - Councillor Edgar expressed his thanks and Mayor Britton thanked Councillor Edgar for his time as Councillor and acknowledged how the Councillors have worked as a team for the betterment of the community.

**New branding for Council** - CEO Lynn Moore gave the Councillors a preview of the possible new branding proposal Council has received. The new branding covers such things as font types and colours to be used in all Council documents to ensure consistency across the organisation.

## **15 Meeting Closure**

The Mayor closed the meeting at 1.37 pm.

## **16 Confirmed**

Minutes to be confirmed at the next Ordinary Meeting of Council.



**MINUTES OF THE POST ELECTION COUNCIL MEETING  
OF THE BOULIA SHIRE COUNCIL  
HELD ON THURSDAY 28 MARCH 2024  
COMMENCING AT 10:00 AM**

**1 Declaration of Office**

**PURPOSE:**

To record the elected representatives taking of the Declaration of Office after the election on 16<sup>th</sup> March 2024.

It is to be noted that Councillors took the declaration of office under section 169(2) of the *Local Government Act 2009* in front of the Chief Executive Officer, Ms Lynn Moore, by reading in confirming the following:

*I, Eric Britton, having been elected as a Councillor of the Boulia Shire Council, declare that I will faithfully and impartially fulfil the duties of the office, in accordance with the local government principles and code of conduct for councillors under the Local Government Act 2009, to the best of my judgement and ability.'*

*I, George Samuel Beauchamp, having been elected as a Councillor of the Boulia Shire Council, declare that I will faithfully and impartially fulfil the duties of the office, in accordance with the local government principles and code of conduct for councillors under the Local Government Act 2009, to the best of my judgement and ability.'*

*I, Jack Neilson, having been elected as a Councillor of the Boulia Shire Council, declare that I will faithfully and impartially fulfil the duties of the office, in accordance with the local government principles and code of conduct for councillors under the Local Government Act 2009, to the best of my judgement and ability.'*

*I, Jan Norton, having been elected as a Councillor of the Boulia Shire Council, declare that I will faithfully and impartially fulfil the duties of the office, in accordance with the local government principles and code of conduct for councillors under the Local Government Act 2009, to the best of my judgement and ability.'*

*I, Julie Woodhouse, having been elected as a Councillor of the Boulia Shire Council, declare that I will faithfully and impartially fulfil the duties of the office, in accordance with the local government principles and code of conduct for councillors under the Local Government Act 2009, to the best of my judgement and ability.'*

**2 Meeting Opening with the Acknowledgement of Traditional Owners**

The Mayor acknowledged the traditional carers of the land on which Council meets, the 'Pitta Pitta' people, and paid Council's respects to the elders past and present.



The Mayor also acknowledged past and present service personnel.

### **3 Present**

Councillors: Councillor Eric (Rick) Britton  
Councillor Sam Beauchamp  
Councillor Jack Neilson  
Councillor Jan Norton  
Councillor Julie Woodhouse

Officers: Ms Lynn Moore (Chief Executive Officer)  
Miss Pearl Pocock (Administration Officer)

### **4 Reports**

#### **4.1 Office of the Chief Executive**

<b>TITLE:</b>	Nomination of Deputy and Acting Mayor	<b>DOC REF:</b> 4.1.1
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**PURPOSE:**

Following the elected representatives having taken the Declaration of Office and now holding the position of Councillor, the first duty of the new Council is to elect a Deputy Mayor and Acting Mayor in the absence of both the Mayor and the Deputy Mayor.

**Moved: Cr Norton      Seconded: Cr Beauchamp**

1. That in accordance with section 175 of the *Local Government Act 2009* Councillor Jack Neilson be appointed Deputy Mayor.
2. That in accordance with section 165(2) of the *Local Government Act 2009* Councillor Sam Beauchamp be appointed as Acting Mayor in the absence of both the Mayor and the Deputy Mayor.

**2024/PE.04.1      Carried**

<b>TITLE:</b>	Councillor Portfolio Nominations	<b>DOC REF:</b> 4.1.2
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**PURPOSE:**

To determine Council's Portfolio Representatives.

**Moved: Cr Britton**

**Seconded: Cr Norton**

That membership in the portfolio system be noted as follows:

<b>Portfolio</b>	<b>Primary Councillor Representative</b>	<b>Secondary Councillor Representative</b>	<b>Supporting Staff Member</b>
Communities, Housing & Public Open Spaces	ClIr Woodhouse	ClIr Norton	<ul style="list-style-type: none"><li>• Office of CEO (CEO)</li><li>• Community Services (CSM)</li></ul>
Economic Development & Planning	ClIr Britton	ClIr Neilson	<ul style="list-style-type: none"><li>• Office of CEO (CEO)</li><li>• Works and Operations Directorate (DWO)</li></ul>
Tourism & Events	ClIr Woodhouse	ClIr Beauchamp ClIr Norton	<ul style="list-style-type: none"><li>• Office of CEO (CEO)</li><li>• Community Services (CSM)</li></ul>
Rural Services & Environmental Management	ClIr Britton	ClIr Neilson ClIr Beauchamp	Works and Operations Directorate (DWO)
Infrastructure & Asset Management	ClIr Britton	ClIr Neilson ClIr Beauchamp	<ul style="list-style-type: none"><li>• Works and Operations Directorate (DWO)</li><li>• Corporate and Financial Services Directorate (DCS)</li></ul>
Finance & Governance	ClIr Britton	ClIr Neilson ClIr Woodhouse	<ul style="list-style-type: none"><li>• Corporate and Financial Services Directorate (DCS)</li><li>• Partial Office of CEO (CEO)</li></ul>

**2024/PE.04.2**

**Carried**

<b>TITLE:</b>	Council Meeting Dates 2024	<b>DOC REF:</b> 4.1.3
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**PURPOSE:**

To confirm the intended meeting dates for 2024 for the Ordinary Meetings of the Boulia Shire Council to enable participation in Council Meetings to the general public.

**Moved: Cr Britton**

**Seconded: Cr Woodhouse**

1. That the dates for the Council meetings from April 2024 until December 2024 noted below are adopted and displayed on Council's website and all other approved distribution methods.

Wednesday, 24th April 2024	Boulia Shire Hall	9 am
Friday, 31st May 2024	Boulia Shire Hall	9 am
Friday, 28th June 2024	Boulia Shire Hall	9 am
Friday, 26th July 2024	Boulia Shire Hall	9 am
Friday, 30th August 2024	Boulia Shire Hall	9 am
Friday, 27th September 2024	Boulia Shire Hall	9 am
Friday, 25th October 2024	Boulia Shire Hall	9 am
Friday, 29th November 2024	Boulia Shire Hall	9 am
Friday, 13th December 2024	Boulia Shire Hall	9 am

2. That the location be the Boulia Shire Hall with the commencement time of 9 am.

**2024/PE.04.3**

**Carried**

## **5 Meeting Closure**

The Mayor closed the meeting at 12.54 pm.

## **6 Confirmed**

Minutes to be confirmed at the next Ordinary Meeting of Council.

Unconfirmed Minutes

## 11 Reports

### 11.1 Works and Operations

<b>TITLE:</b>	Director of Works and Operations March 2024 Report	<b>DOC REF:</b> 11.1.1
<b>REPORT BY:</b>	Henry Mascarenhas Director of Works and Operations	<b>DATE:</b> 21/04/2024

#### **CORPORATE PLAN REFERENCE:**

Key Priority 6: Supporting local services and facilities

6.2: Support an active healthy community

6.2.1: Encourage and promote community wellbeing, including healthy and active lifestyles

6.2.2: Maintain a high quality of life by providing facilities and resources that encourage a secure, interactive and progressive community lifestyle

6.2.3: Improve disability access to facilities in each community

6.2.4: Facilitate health and medical service provision for Boulia and Urandangi

#### **RISK MANAGEMENT:**

Information Report only - not applicable.

#### **PURPOSE:**

To inform Council of the current utilisation and activities of the Works and Operations Department in line with all works and operations being undertaken for March 2024.

#### **CONTENT:**

##### Operations:

- 1) Operations are continuing across all major service departments within the Works & Operations domain.
- 2) Site Inspections carried out by Works & Operations Leadership across TMR and Shire Roads.
- 3) Dormant or Legacy Projects being chased up for closure or endpoint.
- 4) Inspection of Swimming Pool has been carried out, waiting on report and rectification measures to address "earthing" challenges.
- 5) Discussions with ACO to quantify benefits around cost of travel of moving Audit services to it from NCO for Spelling Yards.

##### SHEQ: (Safety, Health, Environment & Quality)

1. 1FTE on Light Duties, this will be an on-going activity that is being managed alongside work-cover.
2. Near Miss, Incidents, Site Visits, Toolboxes, Worked Man Hours, Mandatory Training Hours, Loss Time Injury (KPI's to be reported on by DWO going forward at future Council Meetings).

##### Water Services:

- 1) 'Business As Usual' for March, for water services within the Boulia Township.
- 2) GBA assisting Council with works to move Urandangi to Non-Potable Water service.

### People Services:

- 1) Traffic Management & Stop-Go training organised for various team members either for a refresher or as a fresh course.
- 2) Mat Leave Cover for DWO Admin to facilitate smooth handover between incumbent and new hire/existing staff member.

### Major Projects:

- 1) 58 Pituri Street Units are close to completion, anticipate for H/O end of April, Ergon to carry out finishing works Thursday 18<sup>th</sup> April 2024.
- 2) 26 Pituri Street Units, looking at close out by end of Financial Year.
- 3) Industrial Estate Ergon Easement work in progress, once Deed is signed BouSC will “execute” and lodge the Easement with Queensland Titles Office.
- 4) Donohue works pending due to water issues around Chainages 114 Georgina River as being cut-off from access to site & gravel pits.

### Challenges & Way Forward:

1. Saltwater Chlorinator getting installed by end of month of May 2024.
2. Completion of Ergon Easement to facilitate the Industrial Sub-Division works.
3. Close outs on 58 Pituri Street to ensure compliance with funding bodies requirements.
4. Work being carried out to bed down RMPC rates for the FY24/25, and also scope potential TMR works for next Financial Year.
5. Contingent on-site access, mobilize people, plant & resources to re-commence works on Donohue.
6. Investing in our people will commence by means of Toolbox BBQ's, Competency Up-Skilling, 1x1 and also on the job coaching.
7. New rounds of LGSSP Funding to become effective as of new financial year, and discussions commenced with funding bodies on BouSC allocation/submissions etc.

### **CONSULTATION:**

Council management and staff, George Bourne and Associates and contractors as required.

### **GOVERNANCE IMPLICATIONS:**

All work to be completed within guidelines and budget allocations.

### **RECOMMENDATION:**

That Council receive the Director of Works and Operations March 2024 Report for information.

### **ATTACHMENTS:** Nil

Reviewed and Approved by Chief Executive Officer	Ms Lynn Moore
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<b>TITLE:</b>	Engineering Service Report – News brief for March 2024	<b>DOC REF:</b> 11.1.2
<b>REPORT BY:</b>	Stuart Bourne GBA – Senior Civil Engineer	<b>DATE:</b> 21/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 2: Building and maintaining quality infrastructure

2.3: Well planned

2.3.1: Develop and implement a robust asset management plan to support effective long-term asset management

Key Priority 4: Caring for the environment

4.2: Resilient

4.2.1: Implement initiatives for flood mitigation and to plan, prepare, respond, recover and build resilience from disasters for the communities of our region

**RISK MANAGEMENT:**

Information Report only - not applicable.

**PURPOSE:**

To inform Council on the progress of various projects by George Bourne & Associates on behalf of Council through an information update.

**CONTENT:**

**1. Visits to the Shire**

N/A	N/A
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**2. Flood Damage Works**

For a detailed summary of all Flood Damage events and their status, see attachment.

BouSC has activated for the North and Central Queensland Monsoon and Flooding, 20 December 2022 – March 2023.

Slashers Creek Submission has been approved for \$292,926.90. – Works completed and completion photos picked up - ready to be uploaded to MARs.

Eastern Submission has been approved for \$2,746,669.39 – Works completed, acquittal photos completed – ready to be uploaded to MARs.

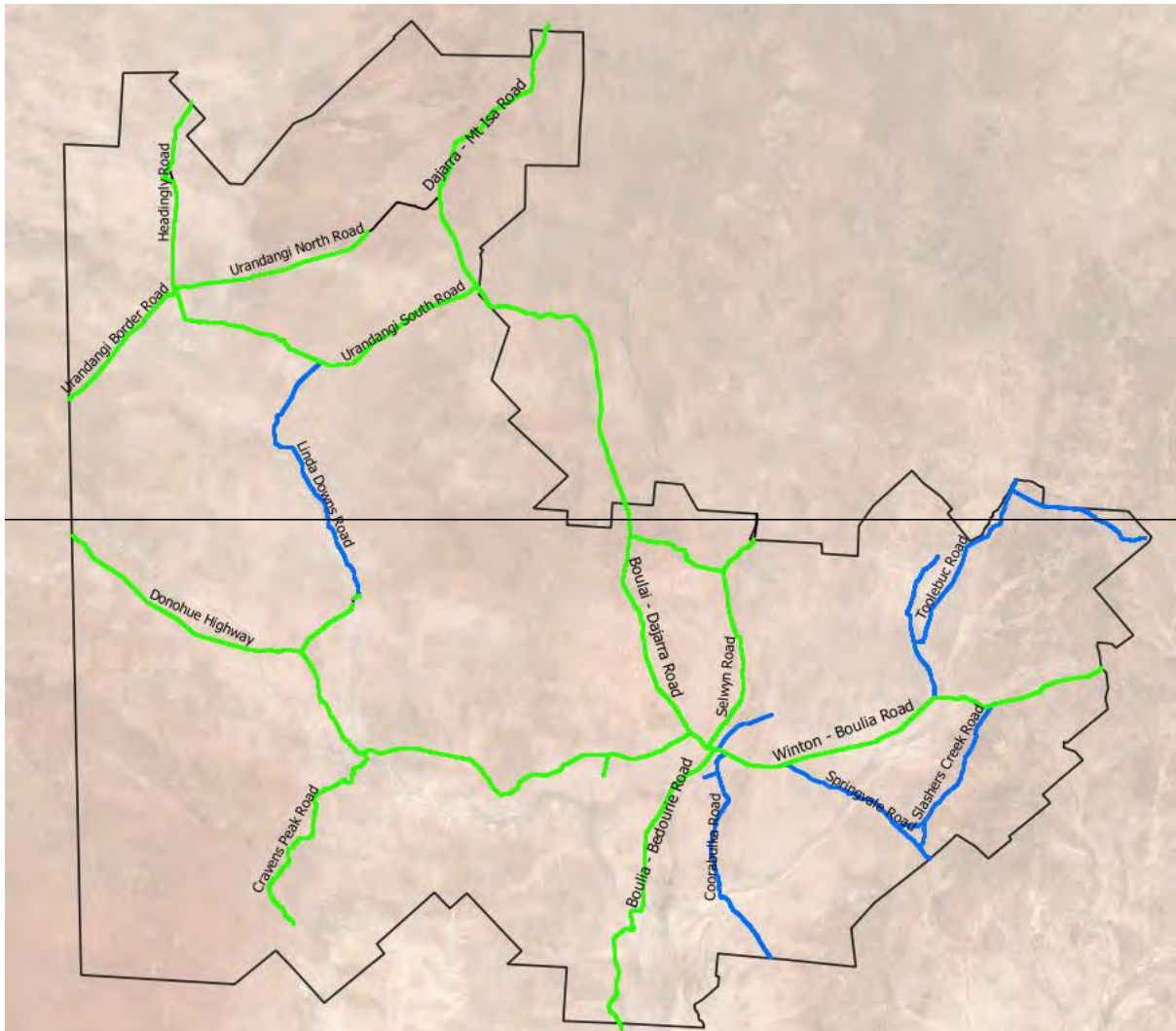
Western Submissions has been approved for \$3,838,088.82. Works have commenced.

Betterment Submission submitted for South Urandangi Road.

South West Queensland Flooding 6 - 23 January 2024 Activation lodged – Approved.

Tropical Cyclone Kirrily, associated rainfall and flooding – Activation Lodged – Approved. GBA has completed damage pick up of the Western Roads. Evidence collection to be completed in the coming weeks.

See Flood Damage Map for pick up progress. All Roads have now been picked up.



Damage assessment has been started.

### **3. Donohue Highway: Outback Way Funding Package 3**

There is 70.7 km left to seal which is about 30% (locations left are Lake Wanditti and Pituri to Kellys Ck and 2.7km near the emergency airstrip).

Design and CH clearance is complete for Stage 7 and 8. Works have commenced 5.5km sealed late October. The remaining 2.5km earth works has been postponed.

Works crew have moved to work on 23E works for DTMR.

Once 23E works are completed they will move to Donohue CH220.4 - CH223.5, then return to the remaining 2.5km.

Bitumen procurement Tender – T2023-24.1 assessed and awarded to RPQ.

Aggregate procured through the Panel of Providers and awarded to PE & GC Harris Road Contractors.

GBA to undertake reporting.



Donohue Reseals sections that are getting resealed in early May:

- CH111.10 - CH114.7
- CH116.45 – CH122.4
- CH206.45 – CH211.5
- CH223.5 – CH233

#### **4. Waverly Creek Widening**

DTMR have changed this project to Waverly Creek Widening and funding has been pushed into 24/25 FY.

#### **5. Industrial Subdivision**

All earthworks completed. Works awarded to KABZ Plumbing & Quality Electrical. Procurement of materials has been completed. KABZ and Quality Electrical has commenced on site. Sewer works completed.

Electrical works to be recommenced.

#### **6. Truck Pull Over**

Solar Lighting marked out on site by Trent, yet to be installed.

Line marking to be done with the Donohue Reseals late in May.

#### **7. 58 Pituri Street Duplex Units**

Design and Construction 95% complete, installation of Solar panels including inverters, connection of utilities and carports almost complete.

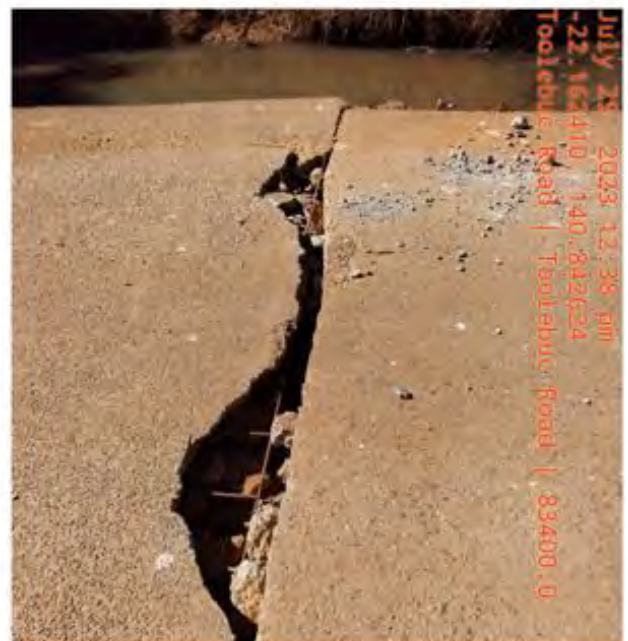
#### **8. Toolebuc Floodway**

Survey and detailed design for a new floodway to improve the damaged floodway located at CH83340-CH83450 Toolebuc Road.

Currently, water is undermining the structure, and the concrete floodway is in poor condition.

Survey to be completed April/May with a detailed design to follow.

Floodway to be submitted under betterment.



#### **9. Springvale Intersection**



To provide basic turning treatments, compliant intersection geometry and warning/regulatory signage at this intersection are required to increase safety of the road users and mitigate crash risk.

Scope: Realignment and intersection upgrade.

Survey to be completed April/May with a detailed design to follow.

**10. Wills Street Drainage**

Culverts to be installed to assist in the drainage of Wills Street. Estimate has been completed. Existing design to be amended in the coming months.

**CONSULTATION:** Nil – information update only

**GOVERNANCE IMPLICATIONS:**

All programmed works allocated within budget guidelines and/or new grant allocation.

**RECOMMENDATION:**

That the Engineering Services Report – News brief for March 2024 be noted.

**ATTACHMENTS:**

1. Flood Damage Events - Detailed Summary ( ID 489226) [**11.1.2.1** - 1 page]

Reviewed by Director of Works and Operations	Mr Henry Mascarenhas
Approved by Chief Executive Officer	Ms Lynn Moore

**Boulia Shire Council**

**Flood Damage Events - Detailed Summary (04/03/2024)**

QRA Event Code	Activation	Type	Submitted Value(Inc PM,Esc and Cont)	Approved Submission Value (Inc PM,Esc and Cont)	Final Expenditure (Acquittal)	Comments
North and Central Queensland Monsoon and Flooding, 20 December 2022 – Match 2023	Jan-23	CDO – Reservoir Cleaning				3 Submissions Uploaded 1. Slashers Creek - Works completed and completion photos picked up. Ready for Acquittal 2. Eastern Submission - approved 3. Western Submission - approved  Urandangi Bore Emergency Works Submission - approved  Reservoir Cleaning Submission abandoned due to lack of evidence
	Jan-23	REPA Slashers Creek	\$298,804.41	\$292,926.90		
	Jan-23	REPA Easter Submission	\$2,793,821.10	\$2,746,669.39		
	Jan-23	REPA Western Submission	\$4,055,018.32	\$3,838,088.82		
	Jan-23	Emergency Works				
			Betterment Application	\$1,482,250.02		
South West Queensland Flooding 6-23 January 2024	Jan-24	Counter Disaster Operations				Activation Request Lodged in MARs - Approved Likely to be no REPA
	Jan-24	REPA				
Tropical Cyclone Kirrily, associated rainfall and flooding	Feb-24	Counter Disaster Operations				Activation Request Lodged in MARs - Approved Shire roads damage pick up completed. Assessment started
	Feb-24	REPA				

<b>TITLE:</b>	Foreman Roads, Utilities and Services Report March 2024	<b>DOC REF:</b> 11.1.3
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<b>REPORT BY:</b>	Ron Callope Foreman Roads, Utilities and Services	<b>DATE:</b> 21/04/2024
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**CORPORATE PLAN REFERENCE:**

Key Priority 6: Supporting local services and facilities

6.2: Support an active healthy community

6.2.1: Encourage and promote community wellbeing, including healthy and active lifestyles

6.2.2: Maintain a high quality of life by providing facilities and resources that encourage a secure, interactive and progressive community lifestyle

6.2.3: Improve disability access to facilities in each community

6.2.4: Facilitate health and medical service provision for Boulia and Urandangi

**RISK MANAGEMENT:**

Information Report only - not applicable.

**PURPOSE:**

To inform Council of the current utilisation and activities of the Town Department during the month of March 2024.

**CONTENT:**

**Racecourse:**

Arena and Grounds	General maintenance by the Caretaker of the Racecourse grounds is ongoing. Racecourse track has been graded, hoping to have the dirt settled by the next race event. Preparation of the grounds for the Easter Races was ruined by rain on the day of the event, cancelling the horse races.
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**Town water testing and depot maintenance:**

Chlorine level testing	The plant has continued running at full capacity and levels are currently sitting in our desired range.
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**Town Entrances:**

Three Mile Campground	In general, tourists using the site are keeping the area tidy. Now that flooding has receded, one wheelie bin has been returned and continued monitoring of the grounds for rubbish is still being undertaken. Due to recent rain, regular Mosquito Fogging through the area will need to commence again in the near future.
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**Parks and Gardens:**

Council, Min Min Encounter, ANZAC and Airport gardens	Town gardens have been looking great due to warm weather, watering, and the consistent dedication of our Parks and Gardens Crew.  Planning for the proposed upgrade of both entrances to town is still ongoing.
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Mowing/Whipper Snipping	<p>Our crew was kept busy with mowing and whipper snipping. Works completed in the following areas on these days throughout March 2024:</p> <ul style="list-style-type: none"> <li>• 4<sup>th</sup> of March – Robinson Park, Sports Centre, Fire Station</li> <li>• 5<sup>th</sup> of March – Sports Centre, School Safety Park, Pituri Street</li> <li>• 19<sup>th</sup> of March – Fire Station</li> <li>• 27<sup>th</sup> of March – Main Office, School Safety Park</li> </ul>
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### RMPC/Works Crew:

The crew have been undertaking signage and guidepost installation on the Bedourie, Donohue and Mt Isa Roads. Winton Road signage and guidepost installation has now been completed.

The crew began slashing on the Mount Isa/Boullia Road in mid-March and continuing into April. Approximately 29km is to be completed overall.

RMPC Surface Correction and Edge Repair on the Bedourie Road has begun and is still ongoing. Recent rain has delayed this work.

The Waverly Creek Rest Area contract has been filled; however, the contractor has not been completing the work required, leaving the RMPC Crew to continue the mowing/whipper snipping & the rubbish collection etc. The issue has been raised with the Director of Works and the contract will need to be reviewed.

Concrete batching and other Private Works requests remain on a regular basis, however, are not currently an interruption to RMPC works.

Urandangi	<p>Council services continued over the month of March as required (Rubbish collection etc). Work remains focussed on the continued clean up and management of fire risk. Slashing is planned and will be ongoing based on availability of Council staff. There is a current Boil Water Alert in Urandangi and is in effect until further notice.</p>
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### Water and Sewerage: Boullia Township

Call outs – water	Nil
Call outs – sewer	Nil
Broken mains	Nil

### Urandangi Township

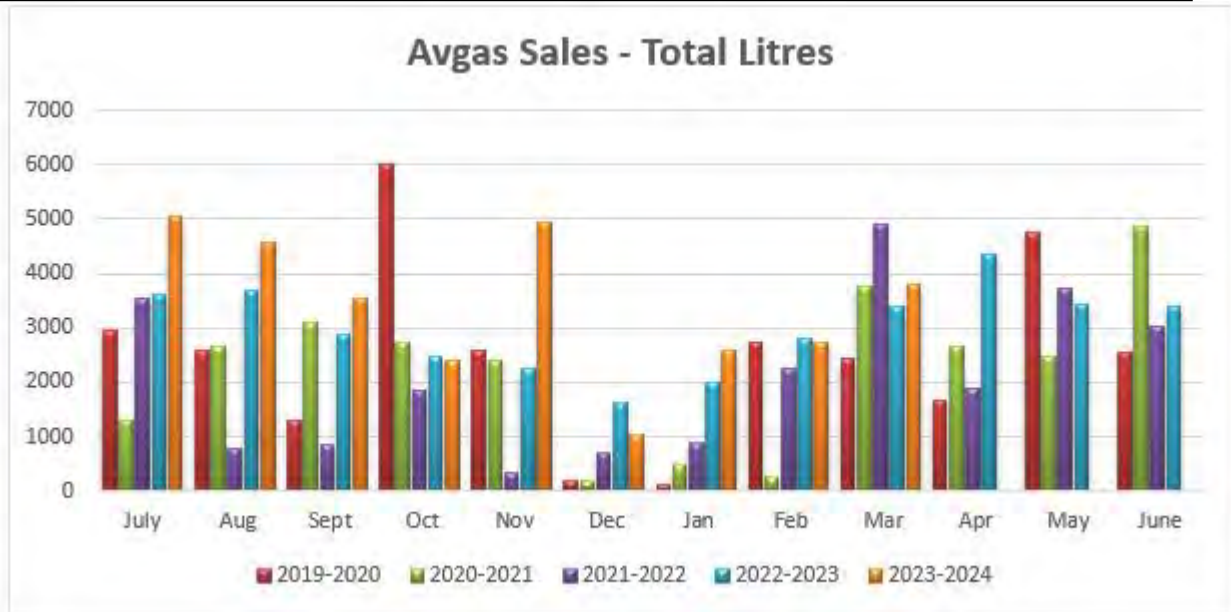
Call outs – water	Nil
Call outs – sewer	Nil
Broken mains	Nil

### Boullia Airport activity:

Number of call outs: RFDS/Life Flight Rescue	1
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Avgas/Jet A1 Refuelling

Total 22 – 22 self-fuelled through Compac.



**Road Report Closures Statistics:**

Mar 2024	Boulia/Dajarra	Dajarra/Mt Isa	Boulia/Winton	Boulia/Bedourie	Boulia/Qld Bord.
<b>Open</b>	31	31	15	31	2
<b>Closed</b>	0	0	9	0	29
<b>Restricted</b>	0	0	7	0	0

Mar 2024	Dangi Sth	Dangi Nth	Dangi Border	Toolebuc	Coorabulka
<b>Open</b>	0	0	0	8	8
<b>Closed</b>	31	31	31	23	23
<b>Restricted</b>	0	0	0	0	0

Mar 2024	Slashers Ck	Springvale	Selwyn
<b>Open</b>	25	8	31
<b>Closed</b>	6	23	0
<b>Restricted</b>	0	0	0

**Boulia Feral Animal Bounty Claims:**

Feral Pigs	0
Feral Dogs	0

**CONSULTATION:** Director of Works and Operations as required.

**GOVERNANCE IMPLICATIONS:** All work completed within budget allocations.

**RECOMMENDATION:**

That Council receive the Foreman Roads, Utilities and Services March 2024 Report for information.

**ATTACHMENTS:** Nil

Reviewed by Director of Works and Operations	Mr Henry Mascarenhas
Approved by Chief Executive Officer	Ms Lynn Moore

<b>TITLE:</b>	Foreman Road Maintenance and Construction Report March 2024	<b>DOC REF:</b> 11.1.4
<b>REPORT BY:</b>	Jimmy Newman Foreman Roads, Construction and Maintenance	<b>DATE:</b> 21/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 2: Building and maintaining quality infrastructure

2.1: Well connected

2.1.1: Develop, manage and maintain Council controlled roads and airport infrastructure to sustain and improve connectivity and safety

2.1.2: Deliver quality roadwork on non-Council roads within quality assurance guidelines

**RISK MANAGEMENT:**

Information Report only - not applicable.

**PURPOSE:**

To inform Council of the current utilisation and activities of the Works Department in line with the Council works program for March 2024.

**CONTENT:**

Current and upcoming projects are as follows:

- **Donohue Highway:** The camp was set up in January in preparation for the next section of pave and seal. Commencement of work has continued to be postponed due to wet weather and road closures.
- **Private Works:** Concrete batching and deliveries.
- **RMPC Works:** Instillation of guideposts and directional signs on the Boulia/ Mount Isa Road.
- **Pot whole patching** on the Boulia/Bedourie Road.
- **Flood Damage:** Winton Road Shoulder Works around Hamilton Channels



**CONSULTATION:** Director of Works and Operations as required.

**GOVERNANCE IMPLICATIONS:**

All work completed within guidelines and budget allocations.

**RECOMMENDATION:**

That Council receive the Foreman Roads, Construction and Maintenance March 2024 Report for information.

**ATTACHMENTS:** Nil

Reviewed by Director of Works and Operations	Mr Henry Mascarenhas
Approved by Chief Executive Officer	Ms Lynn Moore

<b>TITLE:</b>	Rural Lands Protection Officer March 2024 Report	<b>DOC REF:</b> 11.1.5
<b>REPORT BY:</b>	Graham Smerdon Rural Lands Protection Officer	<b>DATE:</b> 21/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 4: Caring for the environment

4.3: Sustainable

4.3.1: Ensure the region's sustainability through integrated weed and pest management practices

**RISK MANAGEMENT:**

Information Report only - not applicable.

**PURPOSE:**

To advise Council of current activities relating to weed management, pest control, animal management and stock routes.

**CONTENT:**

**RLPO:**

The month was spent doing street patrols looking for roaming dogs, mozzie fogging and chasing the hawks off the runway at the airport using the 12 Gauge ProScare Cartridges.

**TOWN COMMON:**

The feed on the common has had a good lift with more rainfalls.

I would like to propose to Council some suggested changes to the Town Common Policy (policy 124). Attached to this report is a copy of the policy with suggested changes highlighted in yellow. These include:

- In the 'Entitlement' section:
  - Including an age limit (18 years) and a per household clarification note for anyone to de-pasture stock. Following conversations had with people enquiring about stock numbers allowed and in reading the current policy wording, there is a grey area in that
    - children of ratepayers could be deemed as residents meaning they could each be entitled to run two head at no cost to them.
    - each household could also be deemed as numerous persons within the same household being entitled to run two head each at no cost to them

A rate payer with numerous children, or a household family with numerous people each having two head means that some families are getting to run a bigger number of stocks on the Common at no cost.
  - including a requirement that once someone has removed all their stock from the Common, regardless of the length of time stock were agisted, a new application form must be submitted to Council, stock cannot just be placed back onto the Common and notified to the RLPO later.
- In the 'Identification of Stock' section, clarify the need to advise Council of additional branding/ear marking details.
- In the 'Stock Type and Numbers' section, introduce a time frame for destocking once a destocking notice is issued and implications if the timeframe is not kept.
- In the 'Muster and Tally' section, clarification on how muster permits are to be made and how musters are to be carried out.



- New section called Liability making comment that Council is not responsible for damages, injury or loss of stock or for stock entering road reserves.

**PONY/CAMEL PADDOCKS:**

After some good rain falls both these paddocks are starting to show some good feed growth.

**DOMESTIC ANIMAL CONTROL:**

There has been plenty of things happening with dogs this month. A stray dog was found asleep under the DCS car one night, the dog was impounded, and the owner notified, and they paid all fees to get their dog back.

There was an incident where a resident's cat got under the fence between the two properties and the dog in the other yard attacked and the cat passed away later from injuries from this attack. An investigation was carried out and both parties have been informed of the outcome from the investigation.

The dates have been set for the Approved Systematic Inspection Program. The contractors will be doing the inspection of all resident's properties for unresisted dogs and anyone having more than the allowed number of 2 dogs. They will be carried out from the 3<sup>rd</sup> to 6<sup>th</sup> of May 2024. A separate report on this is in the April 2024 Ordinary Council Meeting Agenda.

**CWRPM (TECHNICAL GROUP):**

No meetings have been held.

**WEED SPRAYING SHIRE ROADS:**

I have not had a chance to do any weed spraying of the shire roads due to some of the roads being closed to all traffic. The roads that were open, I have inspected and there are next to no weeds growing there as of now. I will be checking the roads again and if needed I will then spray for weeds.

**RMPC:**

I have not carried out any weed spraying in the last month. I am thinking after the rain we have received over the last month or more that there could be quite a growth of pest weeds coming up in the next couple of months that will keep me quite busy.

**GRAVEL/BURROW PITS:**

I will be on the road checking on the growth of pest weeds in the pits and I will be revisiting the pits that I put Graslan Pellets in to check on the kill rate.

**STOCK ROUTES:**

I have had one enquiry for a travel permit from a drover who wants to bring cattle from the Northern Territory starting at Lake Nash and going to Cawnpore. Due to the flooding and the rain, I have not heard back from him.

**1080 BAITING:**

I was going to send the dates and times for the first round of 1080 baiting out by now but due to the wet weather and the flooding I will be sending the information on the first round out later this month and all things being fine I am looking at holding it in either the last week in May or the first week in June.

From the responses shown in the 1080 survey that Council recently completed, it is suggested that Council looks at purchasing the metal 1080 signs and selling them to the Properties that indicated that they would be happy to purchase them if Council had them in stock. I would be happy to get quotes for the cost of the signs.

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** Nil

**RECOMMENDATION:**

1. That the Rural Lands Protection Officers Report for March 2024 be received for information.
2. That Council proceeds with obtaining quotes to purchase metal 1080 signs for later resale to local properties.
3. That the Town Common Policy (policy 124) as presented be adopted.

**ATTACHMENTS:**

1. Town Common Policy Policy 124 DRAFT (1) [**11.1.5.1** - 12 pages]

Reviewed by Director of Works and Operations	Mr Henry Mascarenhas
Approved by Chief Executive Officer	Ms Lynn Moore



# BOULIA SHIRE COUNCIL

## Town Common Policy

Category:	Policy
Policy Number:	124
Document Version:	4
Obsolete Version:	2019/1.15, 23 <sup>rd</sup> January 2019 25 <sup>th</sup> June 2021
Keyword Classification:	Town Common
Summary:	Policy and guidelines for the use of the Town Common, Council Controlled land (except for leased areas) and Stock Route reserves in Boulia and Urandangi
Adoption Date:	
Resolution:	
Due for Revision:	Three years or as impacted by legislation.
Revision date:	March 2027
Date revoked:	n/a
Related documents:	Application to Depasture Stock on Boulia Town Common (form 1)
Responsible Section:	Executive
Responsible Officer:	Director of Works and Operations
Legislation:	Local Government Act 2009

## **POLICY:**

The Council has responsibility for care control and management of the area of land surrounding the Townships of Boulia and Urandangi for the purposes of a Town Common, Council Controlled land (except for leased areas) and reserves. The purpose of this policy is to establish guidelines for the grazing of animals on the Town Common and Stock Route reserves and Council Controlled land (except for leased areas).

The application for grazing animals on the Town Common and reserves is to be made on the Council's form '**Application to Depasture Stock on the Town Common – Council controlled land (except for leased areas).**' The common may, subject to this policy, be used for the grazing of stock including registered and branded (cattle/horses), ear tagged (cattle/camels) and ear marked (cattle/camels) and the young progeny thereof. Feral animals and declared pests are excluded and will, wherever practical, be humanely destroyed or removed. \*Refer to 'Stock Type and numbers – page 4 of this policy for further information'

### **Boulia Town Common:**

The Boulia Town Common is currently described as Lot 33 on CP 903938 and Lot 100, 106-108 on SP255329 Reserve/14 and comprises of an area of approximately 2,130ha surrounding the township of Boulia. Included in the area under control is the Stock Route which traverses the Common (Attachment 1 – map).

### **Urandangi Town Common:**

The Urandangi Town Common is currently described as Lot 8 SP 135892 and comprises an area of approximately 3,910ha surrounding the township of Urandangi.

Most of the area comprised in the Urandangi Town Common is currently leased and so the policy, where relevant, only applies to those areas not under lease.

## **ENTITLEMENT**

### **RESIDENT RATEPAYER:**

**Resident ratepayers who are aged 18 years and over and** living in Boulia who do not own or have access to grazing land in excess of 15 hectares are permitted to

agist up to a maximum of **30 stock** on the Town Common, subject to this policy and guidelines. This offer only applies to the principal place of residence and does not include other properties owned by applicant.

*\*\*Also refer to Increased Allocations above 30 head – page 3 of this policy.*

#### **RESIDENTS OF BOULIA:**

Persons who **are residents** of Boulia, for each household and have resided in the town for a period of at least 6 months and who do not own or have access to grazing land in excess of 15 hectares are permitted to agist up to a maximum of **2 stock** on the Town Common, subject to this policy and guidelines.

Each household in Boulia, that is not a resident ratepayer, (subject to this policy and guidelines) is permitted to agist up to a maximum of **2 stock** on the Town Common, providing the person applying for the permit is aged 18 years and over and has resided in the town for a period of at least 6 months and does not own or have access to grazing land in excess of 15 hectares. Only one person per household is eligible to agist stock.

Once a permit holder (Resident Ratepayer or Resident of Boulia) has depastured/removed all their stock from the Town Common, whether it be after 1 month or 12 months, the holder must complete a new application to depasture stock on the Town Common before returning any stock to the paddocks. No stock is to be placed back onto the Town Common without first notifying the RLPO.

#### **INCREASED ALLOCATIONS ABOVE 30 HEAD:**

Upon application to Council individual ratepayers may apply for an increased holding under the following conditions:

- That the **total holding for the common** does not exceed 170 based on Dept. of Primary Industries carrying capacity for the common.
- That the applicant can only use **unallocated holdings** while there are no other requests to agist stock on the common.
- Should a request be received by Council for another valid applicant then the 'extra' stock must be removed within a reasonable time but no longer than one month.
- That the agistment fees are paid and kept up to date for the total number of

stock held by the applicant or the stock are to be removed.

#### **OUTSTANDING DEBTS:**

Eligible applicants must not have any overdue debts to Boulia Shire Council at the time of application for a permit to agist stock on the Town Common. In this case the application will be refused until such debts are paid in full. Any change of eligibility status must be notified to the Chief Executive Officer WITHIN 7 DAYS.

#### **BREACH OF POLICY:**

Any applicant who Council determines has breached the policy conditions concerning the Town Common and Council Controlled land (except for leased areas) may be banned from use of the common for up to five years.

### **MANAGEMENT OF THE TOWN COMMON/RESERVES**

#### **Council Controlled land (except for leased areas)**

Council has overall responsibility for management of the Town Common/Reserves and Council Controlled land (except for leased areas) and has delegated that responsibility to the Chief Executive Officer who by authority can delegate to other staff.

The day to day control of the Town Commons, Council Controlled land (except for leased areas) and identified reserves will fall under the jurisdiction of the Rural Lands Protection Officer who reports to the Director of Works and Operations.

### **GUIDELINES FOR TOWN COMMON**

#### **IDENTIFICATION OF STOCK:**

- All stock irrespective of age shall have a Special Boulia Shire Tag affixed to the ear (same side as the brand). Tags are to be supplied by Boulia Shire Council at the owner's expense.
- Horses and Cattle must be clearly branded with a registered brand in the

applicant's name.

- Camels and other animals as permitted must be clearly branded and/or have distinguishing ear tags and ear marks
- All details of the permit holders registered brand marks/ear tags etc must be provided to the Council at the time of the agistment application. Permit holders are entitled to agist stock under more than one brand providing they do not exceed their per person permitted stock number (in accordance with the rules within this Town Common policy) and the RLPO is notified of all additional branding/ear marking details prior to any stock with the said additional brand/ear tag being placed on the Town Common.

#### **STOCK TYPE AND NUMBERS:**

- **Male Camels and Donkeys should be de-sexed** if on the Town Common **and/or** Council Controlled land (except for leased areas)
- **Stallions are not permitted** on the Town Common **and/or** Council Controlled land (except for leased areas)
- The first 2 head of stock agisted on any Town Common **and/or** Council controlled land (except for leased areas) are free as long as they are registered and branded (cattle/horses), ear tagged (cattle/camels) and ear marked (cattle/camels) and the young progeny thereof.
- The maximum number of stock to be permitted by each applicant, subject to entitlement as detailed above, shall be 30, being made up of a mixture of cows/horses/camels etc totalling no more than 30 head with a **maximum allowed on the Town Common, Council Controlled land (except for leased areas) to consist of 170.**
- If Council determines that any of the above mentioned lands are suffering from overgrazing, drought or any condition prejudicial to the continued wellbeing of the stock depastured thereon, it may reduce the stocking rate of each individual common user.
- ~~The Director of Works and Operations shall issue destocking notices, if required to all permit holders to reduce numbers to a level determined acceptable by the Council.~~ The Director of Works and Operations shall issue destocking notices, as required, to all permit holders to reduce numbers to a level determined acceptable by the Council, with a time limit of 2 weeks and no

longer than 4 weeks dependent on weather from the time when the destocking notice was issued. Permit holders will then need to apply for a permit to do a muster so stock numbers can be reduced. Failure to remove stock within the required time limit will result in Council needing to carry out a Council muster with the cost of the muster being passed onto the stock owners. Council will then remove the required number of stock and the removed stock will be treated as impounded stock and sustenance fees for the impounded stock will be charged to the stock owners by the Council.

- Poddy/Camel calves and foals irrespective of age shall be taken into account for permit and depasturage fee purposes in the same manner as adult Cattle and Horses.
- A muster is required to keep wild animals in check and unregistered animals may be culled.
- Camels are an asset to Boulia Shire due to their attraction for tourists especially during Camel Races. However, during such musters proper identification & fees must be paid on domesticated animals to avoid impounding and/or culling.
- Stock shall become eligible for a permit upon reaching the age of six (6) months. The Rural Lands Protection Officer (RLPO) or their representative appointed by the Chief Executive Officer will be the sole judge in this instance & their determination shall be final.
- Horses and camels shall be part of an annual muster and fees also need to be paid.

#### **MUSTER AND TALLY:**

- Musters will be carried out by the Rural Lands Protection Officer (RLPO), other staff and authorised contractor. When Council carries out the muster (not including a Council sponsored Compliance Muster), the cost will be charged to each owner on a per head basis at the date of each muster.
- Town Common, and Council Controlled land (except for leased areas) users, if able to assist the RLPO with the muster, will be credited with hours worked to assist with the muster at the Council's day labour rate which is to be deducted from their share of the muster cost (this is not to be a cash amount).
- **Stock owners are not permitted to carry out mustering a muster without a permit from Council.**



- The permit application must have the consent of the Rural Lands Protection Officer prior to the application being submitted to the Director of Works and Operations. The owner of the stock must inform the Rural Lands Protection Officer on what date and what time the muster will be carried out and into what yards the stock will be mustered into.
- A permit is for the muster will be issued by the Director of Works and Operations and the Permit Holder must give at least 7 day's notice to all neighbours and stockholders of stock on the Town Common.
- Council will publish a notice of an intention to muster on the Town Common, and/or Council Controlled land (except for leased areas) using email blast, Facebook and other forms of technology available.
- It is an express condition of the permit that all stock being mustered must be mustered to the designated or other Council approved yards (Paton or Racecourse Reserve yards). The Rural Lands Protection Officer must be present before the release of stock back on to the Town Common so a correct count of stock numbers can be taken. This is so the Town Common Register can be updated and the owners of the stock running on the Town Common can be billed for the right number of stock.

Failure to inform the Rural Lands Protection Officer gives Council the right to do a Council Muster with no input from the owners and the cost of this muster will be passed on to the owners of said stock running on the Town Common.

If any of the other owners of stock on the Town Common DO NOT wish to be involved with any muster that is not a Town Common Council Sponsored Muster and they informed the permit holder that they do not want anyone chasing/mustering their stock and a Non Council Muster is still carried out and they then bring it to Council notice, Council then reserves the right to issue the Applicant/Stock Owner who carried out their own muster with a Breach Of the Boulia Town Common Policy.

#### **ROLE OF RLPO:**

The Rural Lands Protection Officer will:

- Assess the condition of the Town Common, Council Controlled land (except for leased areas) and the appropriate stocking rate, subject to a **limit of 170**

**head** based on Dept. of Primary Industries carrying capacity for the common.

- Review the policy and guidelines and make recommendations to the Director of Works and Operations who will advise Council concerning changes or additions.
- Undertake a tally count at least twice annually which can be completed using current technology eg; drones/GPS cameras etc.
- Undertake a stock muster if stock exceed the quota or conditions require a change to the number of stock on the commons/reserves, Council Controlled land (except for leased areas) or as determined by the Director of Works and Operations.
- The Rural Lands Protection Officer shall report to the Director of Works and Operations full details of:
  - o stock numbers and movements within the Town Common, Council Controlled land (except for leased areas);
  - o details of stock owners exceeding the stocking rate in force at that time and;
  - o those in financial arrears at the conclusion of the tally/muster.
- The RLPO will have authority to impound stock. Stock may be sold to recover arrears with Council, with arrears to be deducted from the sale.

#### **HEALTH OF STOCK:**

- To minimise injury all horned cattle should be dehorned as young as possible and prior to weaning preferably under six (6) months of age. Older animals must be tipped (Ends of Horns removed without cutting into sensitive horn) without anaesthetic in order to reduce their potential to cause injury. It is the owner's responsibility to dehorn their own stock. Any cattle coming onto the common must also be dehorned as per policy.
- Diseased, maimed, aged or poor stock will not be permitted on the reserves and must be removed by the owner. Failure to remove those stock by the owner will result in the Council removing the stock and the cost charged to the owner. The welfare of the stock is the responsibility of the owner.

## FEES AND PERMITS:

- Concessions per households for Resident Ratepayers and Residents of Boulia are permitted to have 2 head of stock (regardless of type) at no cost to be depastured on the Town Common and Council controlled land (except leased areas). The signing of the agistment agreement is still required and acknowledgement to the conditions of this policy and its associated charges.
- In excess of 2 head of stock, there will be no concessions to fees payable to Council for charges incurred under this policy. The signing of the agistment agreement is an acknowledgement to the conditions of this policy and its associated charges.
- Stock shall not be placed on the above mentioned lands without the permission of the RLPO and Director of Works and Operations and/or before a permit in the prescribed form has been approved.
- Permits authorised by the Director of Works and Operations or the Chief Executive Officer will be the only recognised form of authority to depasture stock on the Town Common, and/or Council Controlled land (except for leased areas).
- All fees are determined at Council's Annual Budget Meeting and must be paid at least 30 days in advance with notices given by Council.
- Failure to observe all conditions contained in the permit shall result in immediate cancellation of any approval previously granted to stock owner and they will be requested to remove the stock. Failure to remove the stock within a prescribed time (no longer than one month) will result in the removal by Council with all costs charged to the owner.
- In case of stock depastured for the first time, fees will apply for the quarter in which a permit has been approved.
- Applications for a permit and fees for depasturage will not be accepted once a Council sponsored muster has commenced and non-acceptance will continue until such time as the muster is finalised.
- All pound fees together with depasturage fees shall be payable in respect of stock seized on the Town Common, and/or Council Controlled land (except for leased areas) for which no permit has been approved.

- Owners of uncontrollable stock as determined by the Rural Lands Officer will be required to have their stock removed at the direction of the Director of Works and Operations.

## **FENCING**

### **JOINTLY OWNED LAND - ADJOINING THE TOWN COMMON**

Council will provide an annual budget allocation of **\$5,000 per annum in total** which is to be used only for the renewing of jointly owned land adjoining the Town Common, **and/or** Council Controlled land (except for leased areas) (identified on the map – addendum).

Any landowners wishing to replace existing fencing may apply to Council and access funds if they are available. Fencing must be replaced within the same location (within reason).

Funds will be available at the beginning of each financial year and can be utilised for material purchase only. Landowners must provide labour to access this funding source.

When applying for funding to fix fencing adjoining the Common **and/or** Council Controlled land (except for leased areas), applicants must either supply the materials or supply the labour, both items cannot be supplied by Council.

### **FENCING REPAIRS**

All fences which are shared between the Shire and adjoining properties for the Town Common Land, **and/or** Council Controlled land (except for leased areas) and bi-secting Stock Routes will be inspected by the RLPO on a bi-annual basis at which such time a report will be issued to the Director of Works and Operations on their condition. All properties adjoining the Town Common, **and/or** Council Controlled land (except for leased areas) and those which bi-sect the Stock Route and have fencing which is in need of repair will be issued with a notice to repair the fence within a reasonable timeframe. This timeframe will be advised in writing and

determined by the reason and extent of the damage: ie: neglect/lack of maintenance (for example approx. 3 months), damage by floods etc (for example approx. 6 months).

**If the fencing is not repaired sufficiently to prevent stock wandering onto the Town Common/Stock Route/Reserve/Council Controlled land (except for leased areas) then the Council will repair the fencing and costs associated with the repair will be then charged to the property owner/lessee.**

### **WANDERING STOCK - UNAUTHORISED ACCESS TO TOWN COMMON, Council Controlled land (except for leased areas)/STOCK ROUTE**

All applicants who agist stock on the Town Common, and/or Council Controlled land (except for leased areas) pay a fee to Council. Wandering stock, as a direct result of poor fencing management by adjacent landholders, creates an unfair situation to those who pay for the use of this land and the fodder it produces.

Any unauthorised stock located on the Town Common, Council Controlled land (except for leased areas)/Stock Route reserves described in this document will be impounded and/or identified (using available technology) and the owner will be charged a minimum of **one months agistment fee per head**. An administration charge to cover the cost of dealing with this infringement will be charged at the hourly rate for the RLPO for the time expended to remove/identify the stock.

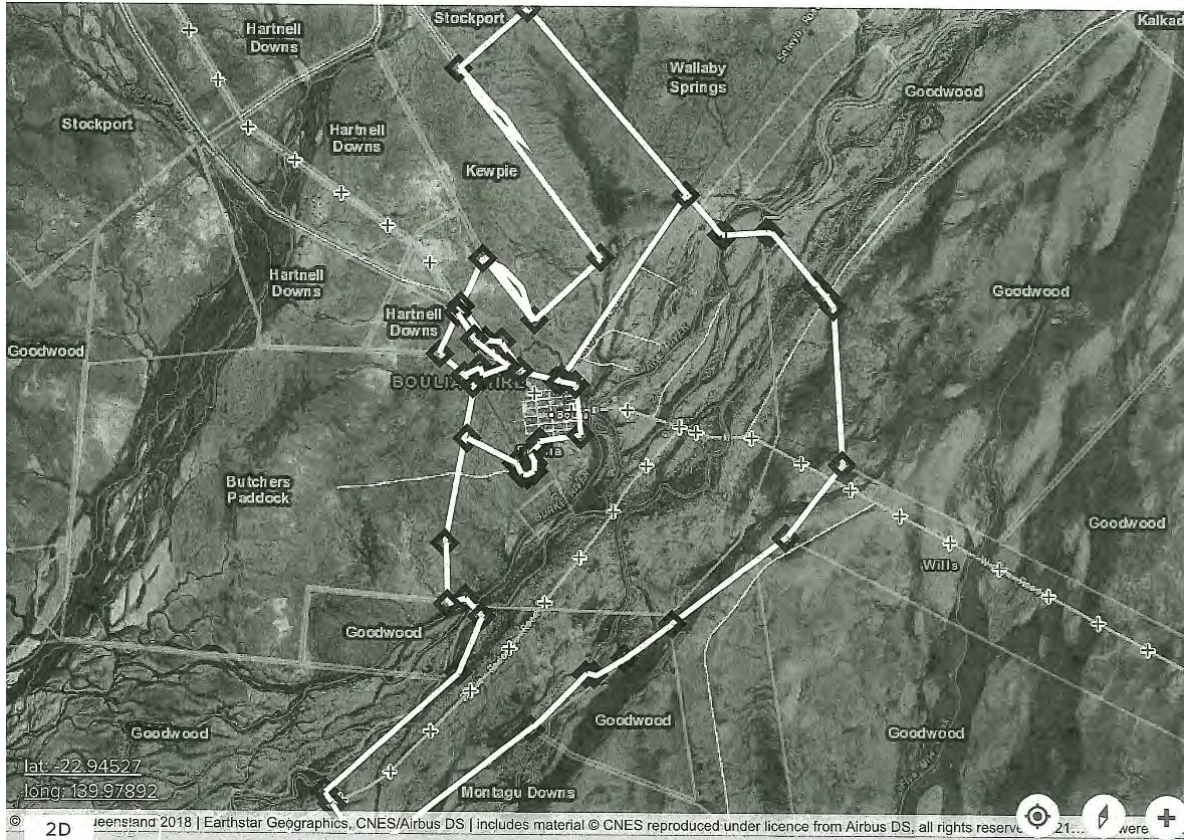
Secondary infringements by wandering stock will incur **double one months agistment fee per head** and the **charge for Council to repair the fencing** after identification by the RLPO and authorisation by the Director of Works and Operations.

### **LIABILITY**

**Boulia Shire Council will not be held responsible for any damages, injury or loss of stock, or for stock entering the road reserve.**

**ADDENDUM**

Town Common/Bi-sected Stock Route Map





<b>TITLE:</b>	Systematic Inspection Program - extension of time	<b>DOC REF:</b> 11.1.6
<b>REPORT BY:</b>	Graham Smerdon Rural Lands Protection Officer	<b>DATE:</b> 21/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 4: Caring for the environment

4.1: Well managed

4.1.3: Provide a safe and pleasant environment for families to live and work

**RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**.

**PURPOSE:**

To request Council endorsement of an extension of time on the Systematic Inspection Program that was to be carried out between October 2023 and March 2024.

**CONTENT:**

At the October Ordinary Meeting of Council 2023, the following resolution of Council was made:

Moved: Cr Britton

Seconded: Cr Neilson

*That Council formally pass resolution in reference to:*

1. *Pursuant to Section 113 of the Animal Management (Cats & Dogs) Act 2008, to approve the systematic inspection program of all properties within the boundaries of Boulia Shire*
  - a. *To be carried out from October 2023 to March 2024*
  - b. *For the primary purpose of achieving compliance with the registration and microchipping requirements of the Animal Management (Cats & Dogs) Act 2008; and,*
2. *Pursuant to Section 134 of the Local Government Act 2009, approving the systematic inspection program of all properties within the boundary of Boulia Shire*
  - a. *To be carried out from October 2023 to March 2024*
  - b. *For the primary purpose of monitoring the keeping of animals under Local Law No. 2 (Animal Management) 2011 and Subordinate Local Law No. 2 (Animal Management) 2011, including the keeping of excess or prohibited animals, and monitoring compliance with minimum standards.*

Resolution No.: 2023/10.18

Carried

Council's RLPO and CEO have been in communication with Longreach Regional Council staff who are assisting Boulia Shire carry out the inspection program which will be carried out by external contractors.

Unfortunately, due to road closures in January, the contractors were not able to reach Boulia as intended and their next availability will be November 2024.

As the new date falls outside of the original intended program dates of October 2023 to March 2024, it is recommended that Council endorse an extension of time on the program to

end of November 2024 to ensure that Council remains within the requirements of the *Animal Management (Cats & Dogs) Act 2008* and the *Local Government Act 2009*.

**CONSULTATION:** CEO, Longreach Regional Council

**GOVERNANCE IMPLICATIONS:**

Compliance with *Animal Management (Cats & Dogs) Act 2008* and the *Local Government Act 2009*.

**RECOMMENDATION:**

That Council endorse an extension of time to 30<sup>th</sup> November 2024 for the Systematic Inspection Program October 2023 to March 2024 (original Council resolution number.: 2023/10.18).

**ATTACHMENTS:** Nil

Reviewed and Approved by Chief Executive Officer
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Ms Lynn Moore
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## **11.2 Office of the Chief Executive**

<b>TITLE:</b>	Chief Executives Report March 2024	<b>DOC REF:</b> 11.2.1
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<b>REPORT BY:</b>	CEO (Lynn Moore) Chief Executive Officer	<b>DATE:</b> 21/04/2024
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### **CORPORATE PLAN REFERENCE:**

Key Priority 5: Robust Governance

5.2: Accountability

5.2.4: Ensure transparency and accountability through integrated performance management reporting

### **RISK MANAGEMENT:**

Information Report only - not applicable.

### **PURPOSE:**

To advise Council of relevant activities undertaken through the office of the CEO.

### **CONTENT:**

#### **Enterprise Bargaining Agreement**

Council's Certified Agreement expired in June 2023. Negotiations with the Unions are continuing, and finalisation is expected before May 2024. Good progress is now being made with the Unions which is expected to return a fair and equitable wage and allowance case to our staff which is sustainable to the Council. Many hours of work have gone into the initial preparation of this document which will go to a vote for the staff in late April/early May.

There has finally been a notification of the State Wage increase which is 5.75% increase which is normally advised in October each year - this affects all of our Award staff. By the time this report is delivered to Council the back payment to staff will have been effected going back to 1<sup>st</sup> September 2023.

#### **Grant - Boulia Shire Council Precinct - (1) Growing Our Regions funding**

Still waiting for a response. Submitted in December – advisory start date from the program brief was May 2024.

#### **Grant - Local Recovery and Resilience Grants (LRRG) - State Government Initiative - Monsoon Flood Event – Dec to April 2023**

Projects for \$1,000,000 have been submitted to the QRA which has now been approved in principle and awaiting sign off from the executive:

- Urandangi flood assistance – completed
- Clinic culvert crossing – designs completed
- Support for flood warning infrastructure to compliment QFFFGR2 application - awaiting final quotations (supported by grant QFFFG). Proposed sites are Valley Creek (commonly known as Christmas Creek) Camera, river gauge, rain gauge and Marion Downs bridge, Camera (river gauge already in existence).

#### **Grant - Queensland Flooding Flexible Funding Grant - (QFFFG) QFFFGR2L017**

Grant approved with first instalment received of \$80,000. Designs have now been provided by QTEQ. Potential locations will be Marion Downs bridge on the Bedourie Rd and Valley Creek on the Mt Isa Rd.

#### **Water Resilience and Security - Town water security - (Artesian Bores)**

Further action is on hold for the Hydrologist as we are currently looking for a complete review of what our options might look like into the future. Whole of life costing must be taken into consideration as this could be a significant issue if not researched in full.

**Sales Permits for Gravel 201309014 – Native Title and the Futures Act**

A meeting was held with the Department and several other parties (ROC's) in March. At that meeting LG reps were politely not included. Our RAPAD group has appointed myself as the proxy for the RAPAD region in this matter to attend the next meeting.

**Boulia Shire pit update:**

Two pits are specifically required to keep the Donohue Highway project going and our workforce in work. **Pituri 1 and Glen Ormiston 7** are the two pits in question. Unfortunately due to the recent flood events and the closing of the Donohue Highway the Wangkamahdla Group have been delayed and have only just completed inspections to approve those sites.

Final approval to access those two pits will need to be ratified at a general meeting by the T/O's which is not due to occur until the end of the month.

**Pit access for two other neighbouring shires**

Diamantina Shire and Cloncurry Shire approached Boulia to access two pits near their borders to enable them to access gravel to complete road works nearby. An MOU was developed and forwarded to both shires detailing the conditions of use and access to the pits. Cloncurry has signed and returned their MOU and are clear on the conditions of use. Diamantina is yet to return theirs and will not be able to access the pits until they do.

Conditions for consent as Boulia Shire is the Permittee:

- The road network to the pits are undamaged and repaired – like for like.
- Gravel is to be excavated and extracted from the culturally cleared areas only and existing stockpiles are not to be utilised.
- Restrictions as per the Site Based Management Plans are to be strictly adhered to.
- Load rites dockets for gravel removed to be provided.
- Signage installed for Pit name, Lat/Long details, and contact person.

**Signage – Outback Way and Winton Intersection**

- **OHDC (Longest Shortcut)** OHDC has onforward the high-resolution design to us, quote has been accepted and an order placed for the smaller size sign **3m x 2m** \$3,057.00 plus GST to be placed in the truck pull off bay.
- **Winton Intersection ('This way to Boulia')** – 362klm.... This is being looked at in conjunction with Winton Shire.

**Positions Vacant:**

Director Works and Operations	Position filled by Henry Mascarenhas who commenced 26 <sup>th</sup> February 2024.
Executive Assistant	Position filled by Lily Williams and will commence early in May.
Electrician	Position filled as a contractor – Kurt Smith and will commence in May.
Works Manager	Position filled by Andrew Spyrakis who will commence 12 <sup>th</sup> April.
Snr Administration Officer	Position filled by Korin Brown. Officer commencing in May 2024. Relief staff member Karen McGrath will be here in the interim.

### Events / Conferences / Training

<b>Date</b>	<b>Activity</b>	<b>Attendees</b>	<b>Location</b>
11 <sup>th</sup> April	Peak Services	Mayor Rick Britton CEO Lynn Moore	Boulia
14 <sup>th</sup> April/18 <sup>th</sup> April	Special Mayors/ CEO Forum plus AICD training	Mayor Rick Britton CEO Lynn Moore	Brisbane
19 <sup>th</sup> April	Budget Workshop	Mayor Rick Britton All Councillors	Boulia Shire Hall
24 <sup>th</sup> April	Council meeting	Mayor Rick Britton All Councillors	Boulia Shire Hall
30 <sup>th</sup> April	Queensland Treasury Corporation and Elected Members training	Mayor Rick Britton All Councillors Executive staff	Boulia Shire Hall
1 <sup>st</sup> May	RFDS meeting	Mayor Rick Britton CEO Lynn Moore	Wellbeing Centre
1 <sup>st</sup> May - 6pm	Senator McGrath	Mayor Rick Britton All Councillor's Executive Staff	Australian Hotel
2 <sup>nd</sup> May	Stock Route Working Management Group	Mayor Rick Britton	Boulia
17 <sup>th</sup> May	Budget Workshop	Mayor Rick Britton All Councillors	Boulia Shire Hall
21 <sup>st</sup> to 22 <sup>nd</sup> May	Civic Leader Forum	Mayor Rick Britton CEO Lynn Moore Dep Mayor Jack Neilson	Surfers Paradise
27 <sup>th</sup> May to 30 <sup>th</sup> May	RAPAD F2F plus Roads/Water/Pest	Mayor Rick Britton CEO Lynn Moore Dep Mayor Jack Neilson	Blackall
31 <sup>st</sup> May	Council meeting	All Councillors	Boulia Shire Hall
28 <sup>th</sup> June	Council meeting	All Councillors	Boulia Shire Hall
30 <sup>th</sup> June to 1 <sup>st</sup> July	Outback Way Forum	Mayor Rick Britton Dep Mayor Jack Neilson	Canberra
2 <sup>nd</sup> July to 4 <sup>th</sup> July	ALGA - National General Assembly	Mayor Rick Britton Dep Mayor Jack Neilson	Canberra
9 <sup>th</sup> to 11 <sup>th</sup> July	Rural Financial Counselling Service	Mayor Rick Britton	Canberra
26 <sup>th</sup> July	Council meeting	All Councillors	Boulia Shire Hall
20 <sup>th</sup> -21 <sup>st</sup> Aug	RAPAD F2F	Mayor Rick Britton CEO Lynn Moore Dep Mayor Jack Neilson	TBA
27 <sup>th</sup> -29 <sup>th</sup> Aug	LGMA conference	CEO Lynn Moore DCS Kaylene Sloman	Cairns
2 <sup>nd</sup> to 3 <sup>rd</sup> Sep	Outback Highway AGM	Mayor Rick Britton All Councillors	Boulia – Hosting event.
4 <sup>th</sup> Sep	Western Qld Alliance of Councils	Mayor Rick Britton CEO Lynn Moore Dep Mayor Jack Neilson	Mt Isa

26 <sup>th</sup> –27 <sup>th</sup> Nov	RAPAD AGM	Mayor Rick Britton CEO Lynn Moore Dep Mayor Jack Neilson	Brisbane
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**RECOMMENDATION:**

That the CEO Report for March 2024 be received for information.

**ATTACHMENTS:** Nil

Chief Executive Officer	Ms Lynn Moore
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<b>TITLE:</b>	Action List Update March 2024	<b>DOC REF:</b> 11.2.2
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<b>REPORT BY:</b>	Ms Lynn Moore Chief Executive Officer	<b>DATE:</b> 21/04/2024
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**CORPORATE PLAN REFERENCE:**

Key Priority 5: Robust Governance  
 5.2: Accountability  
 5.2.4: Ensure transparency and accountability through integrated performance management reporting

**RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**

**PURPOSE:**

To present to Council an updated Action List.

**CONTENT:**

Council maintains an Action List that outlines actions to be taken as a result of a Council resolution or a request for action made by Councillors in between meetings.

Items on the list are updated as progress on each item is made and is presented to Council on a monthly basis for information.

Once an action has been shown as completed it is removed from the list.

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** Nil

**RECOMMENDATION:**

That Council receive the Action List update for March 2024 for information.

**ATTACHMENTS:**

1. Action List [11.2.2.1 - 5 pages]

Chief Executive Officer	Ms Lynn Moore
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## Boulia Shire Council Action List

	DATE	RESOLUTION	SUGGESTION	RESPONSIBILITY	COMMENTS
<b>Friday, 27<sup>th</sup> August 2021</b>					
1.	27/08/2021		Look at creating a bigger passing-pad at the give-way sign and possibility of moving the sign to the Town side. 1. Waverley Creek	DWO-oversight WMgr-action Road crew-delivery Budget-TMR TIDS	19/4/2024 This program has been allocated to the 2024-2025 TIDS program – awaiting designs and scope of works from TMR.
<b>Friday, 16<sup>th</sup> December 2022</b>					
2.	16/12/2022		Min Min Encounter Entrance - the concrete entrance to the Encounter is showing noticeable signs of cracking which is a presentation issue for the tourist attraction.	RUS-action WMgr-investigate DWO-oversight CSM-Info Budget-Tourism	19/4/2024 Carpenter has major projects to complete before June. W/Mgr to investigate alternative options. 31/10/23: Planter boxes and seating ordered and received, to be installed by carpenter in off tourist season.
<b>Friday, 21<sup>st</sup> April 2023</b>					
3.	21/04/2023		Cars to be removed from Urandangi after flood event. <i>Ronnie to arrange this asap.</i>	RUS-action WMgr-oversight Budget-Flood?	15/2/2024 Further flood events have prevented this from occurring. 20/11/2023: removal in early 2024.
<b>Friday, 18<sup>th</sup> August 2023</b>					
4.	18/08/2023		Walkway from Caravan Park, Concrete Path around gate, new gate to install with a safety latch, for wheelchair access.	RUS-action WMgr-oversight Budget-Town Mtce	15/2/2024 Gate has been made and is due to be installed end of February along with concrete pathway. 20/11/2023: Ron Callope has advised contractor to build the gate. 5/9/23: RUS to get contractor to get quotes for making of gate.
5.	18/08/2023		Shade for Robinson Park – Concept brief to be completed by CSM. Council to get quotes, cost to dismantle one at Urandangi?	WMgr-investigate CSM-grant? Budget-Gen Res/town mtce or grant funding	19/4/2024 W/Mgr & DWO to visit Urandangi to investigate options (existing shed/new shade structure). 20/3/2024 Cllr Norton provided different option to 'shade sails'. This was forward to Council on 20/4 after budget review for their consideration.

Friday, 20 <sup>th</sup> October 2023					
6.	20/10/2023	<u>2023/10.18</u>	<p>That Council formally pass resolution in reference to:</p> <ol style="list-style-type: none"> <li>1. Pursuant to Section 113 of the Animal Management (Cats &amp; Dogs) Act 2008, to approve the systematic inspection program of all properties within the boundaries of Boulia Shire               <ol style="list-style-type: none"> <li>a. To be carried out from October 2023 to March 2024</li> <li>b. For the primary purpose of achieving compliance with the registration and microchipping requirements of the Animal Management (Cats &amp; Dogs) Act 2008;</li> </ol> </li> </ol>	<p><b>RLPO-action</b> <b>W/Mgr -oversight</b> <b>Budget- Animal mgmnt</b></p>	<p><b>17/04/2024 Refer to report in April Ordinary Council Meeting Agenda. Extension to dates of operation to Nov 2024</b></p> <p>4/3/2024 Dates advised for April, once confirmed flyers to be sent out – 2 weeks prior to event.</p>
Friday, 19 <sup>th</sup> January 2024					
7.	19/1/24	2024/01.20	<p><b>Tender: T2023-24.5 Sale of lots L404/B2671 and L405/B2671 Mulligan Street, Boulia (closed)</b></p> <p>(b) A survey for an access easement across the rear of lots L404/B2671 and L405/B2671 (to Council's requirements) be undertaken and registered by Boulia Shire Council.</p> <p><b>Action request from 23/2/24 Ordinary Meeting: Review on Easement to be completed – consider if Council should develop and possibly sell blocks. Divert water and develop road?</b></p>	<p><b>DWO-primary</b> <b>WMgr-delivery</b> <b>Budget-Land Dev</b></p>	<p><b>27/2/2024 Tony Morcom surveyor has been contacted to proceed with the easement survey for future land development.</b></p> <p>27/2/2024 No further interest has been shown by any applicants.</p> <p>22/1/24: Letter sent to tender applicants</p>
8.	19/01/2024		<p>Wash Down Bay   Council requested payment options to be investigated.</p>	<p><b>WMgr-action</b> <b>Budget-Gen Res</b></p>	<p><b>15/4/2024 WMgr to contact Winton Shire Council to review their facility.</b></p>
9.	19/01/2024		<p>Outback Way Funding   BSC to review Longreach Channel on the Donohue Hwy with the installation of culverts. This channel goes under water before the Georgina River crossing.</p>	<p><b>DWO-primary</b> <b>GBA-design</b> <b>WMgr-delivery</b> <b>Budget- subject to grant funding</b></p>	<p><b>15/4/2024 DWO to discuss with Stuart from GBA on his next visit for future upgrades to the Longreach Channel.</b></p>
10.	19/01/2024		<p>Boulia Household Water   BSC to investigate and advise on:</p> <ol style="list-style-type: none"> <li>1. Installation of a third water-storage tank.</li> <li>2. Cyclone separating system for debris.</li> <li>3. Modular filtration system (and Treatment Officer on a retainer basis). Dual water supply? To reduce treated water usage?</li> <li>4. Water filters for each residence and business in the township.</li> </ol>	<p><b>DWO-primary</b> <b>WMgr-investigation</b> <b>Budget- W4Q/LGGSP?</b></p>	<p><b>17/04/2024 Currently investigation work in progress.</b></p> <p>5/3/2024 On hold with further work from hydrologist. Further contact to be made with Carbon and Water to investigate ALL potential solutions to this ongoing problem.</p> <p>15/2/2024: CEO – Further report to Council on investigation being completed by Hydrologist on potential water supplies with 10-20km radius. Hold this item for consideration of all potential solutions for a better water supply to the town.</p>

Friday, 23 <sup>rd</sup> February 2024					
11.	23/02/2024		CLlr Norton: requested Council address the excessive mozzies in the man-made water hole <b>between Harris Yard and Burke River</b>	RLPO-investigation WMgr-oversight	<b>15/4/2024 Options to be brought to Council's May meeting.</b>
12.	23/02/2024		CLlr Norton: suggested Council consider pre fogging in waterways after water/rain events e.g. 4 days after	RLPO-action/delivery WMgr-oversight	<b>15/4/2024 Template has been developed for process and actions after the rain event. Another fogging round scheduled for 22/4/24.</b>
13.	23/02/2024		CLlr Norton: With Easter coming up consider slashing Isa Road (grading or slashing) to make it safer. Loader for bush removal.	RCM-action/delivery WMgr-oversight	<b>15/4/2024 20km of slashing has been completed.</b> 5/3/2024 Re-allocation of funding from TMR to complete slashing has been negotiated. The logistics/ accommodation etc are being worked through.
14.	23/02/2024		CLlr Beauchamp: Library plumbing issue – machine clearing sewer lines – should Council buy own water jetter	DWO/WMgr Plant Committee Budget-CAPEX 24/25	27/2/2024 Plant Committee will meet once the new DWO has settled in.
15.	23/02/2024	General Business	Councillor Norton - looking to hold Mental Health First Aid course with RFDS. Would be a free 2 day (weekend) course. Minimum of 8 participants needed. Councillor Norton is looking into this more. Details are to be confirmed.	WH&S Budget -n/a	<b>15/4/2024 WH&amp;S to contact CLlr Norton</b> 12/03/2024 CLlr Norton noted at the Ordinary Meeting of Council that the course has now moved to May 2024. No obligation for Council to assist.
Tuesday 12 <sup>th</sup> March 2024					
16.	12/03/2024		CLlr Britton: Suggested each Councillor attend one of the face to face RAPAD meetings	CEO-noting EA-action Budget-RAPAD	<b>17/04/2024 CLlr Neilson booked to attend next RAPAD F2F (May) in Blackall.</b>
17.	12/03/2024		CLlr Beauchamp: Rodeo Ground/Racecourse Reserve: camera #3 note getting feed and Wifi at Rodeo Area not working	DCS-oversight IT-action Budget-Racecourse Reserve	<b>17/04/2024 Issue reported &amp; fixed.</b>
18.	12/03/2024		CLlr Neilson: Investigate potential for footpaths to be done via TIDS funding	W/Mgr- investigate RUS-action Budget-TIDS/Gen Res	<b>17/04/2024 Yet to be actioned.</b>



COUNCILLOR INFORMATION REQUESTS BETWEEN MEETINGS				
NUMBER	DATE	Staff Member	PROJECT   ISSUE:	RESPONSE
1.	19/6/2020	<b>DWO/WMgr</b>	<b>TOURISM/ LIVEABILITY</b>   Cllr Edgar: Dam/recreational water park (boating etc)	15/2/2024: To be reviewed during the 'visioning' project - new Council March 2024 26/02/2021: Alternative dam location - obtain drone footage to identify potential location. This has been raised several times.
2.	19/06/2020	<b>EDO/WMgr</b>	<b>BRANDING/TOURISM</b>   Cllr Britton: Consider coloured directional signage (e.g., on street signs) to help show where things are within the town 17/08/20 Signage design to stand out and be broader width	15/2/2024: To be reviewed during the 'visioning' project - new Council - March 2024 31/10/23: Signs quite expensive, subject to funding?
3.	26/02/2021	<b>WMgr</b>	<b>TOURISM/LIVEABILITY</b>   Cllr Edgar – water at the Rodeo Grounds, consider installing automated sprinkling system	15/2/2024: To be reviewed during the 'visioning' project - new Council - March 2024
4.	17/08/2020	<b>WMgr</b>	<b>TOURISM</b>   Cllr Edgar: Consider possibility of installing a walking track from the Sports Centre (Burke River Bridge - suggested) to the Rodeo Grounds Stakeholders: Pitta Pitta, Ventia, Workcamp	15/2/2024 Pitta Pitta land compensation case will impact this and also the freehold land which intersects land between the Burke River Bridge and the Racecourse. 13/6/2023: Possible legacy project through Ventia (NBN) could get this off the ground. Discussions commenced. 24/11/22: idea for a bird hide along trail maybe eligible for funding from enviro grant in 2023. Depot working on costings for gravel, guideposts/labour, and plant. Indigenous story signs to be developed with locals.
5.	23/06/2023	<b>Councillors CEO/DWO</b>	<b>LIVEABILITY - FUTURE RESIDENTIAL LAND SIZING</b>   consideration to be given on what size blocks could be made.	15/2/2024: To be reviewed during the 'visioning' project - new Council - March 2024 20/11/2023: Discussion workshop held. Brainstorming ideas noted for future consideration.
6.	22/09/2023	<b>Cllrs</b>	<b>LIVEABILITY -FUTURE PLANNING</b>   Councillor Neilson suggested that boarding type accommodation be considering in Council's future planning.	15/2/2024: This is an option which needs to be considered by private individuals/organisations.
7.	22/09/2023	<b>CEO</b>	<b>ECNOMIC DEVELOPMENT - HEAVY DUTY TRUCK BAYS AND MOBILE TOWERS</b>   Councillor Britton suggested future consideration be given to heavy duty truck bays and mobile towers between Boulia and the Northern Territory.	15/2/2024 CEO: To be considered during the construction of the Donohue Highway as funding becomes available.
8.	21/10/2022	<b>WMgr</b>	<b>LIVEABILITY</b>   Cr Norton: Can we put in a 40km speed sign for Road Trains only – talk to TMR about this for the main street	10/11/2022: The request has been sent to TMR. Awaiting road inspection by TMR.

9.	23/02/2024	<b>CEO</b>	<b>LIVEABILITY   Post Office/Community Hub:</b> if Community Hub doesn't go ahead, consider Post Office being moved or refurbished and getting a container for mail (e.g 10x7 foot)	
10.	17/04/2024	<b>Mayor</b>	<b>Special Rating Category  </b> While attending the AICD course in Brisbane, a Council raised that they were looking at land that had been bought, locked up for carbon farming and bringing in a special rating for that category - would like it raised via RAPAD and Council, on how Councils can and who do we approach to assist, Council informing such a rating category.	<b>19/04/2024: To be raised 24<sup>th</sup> April Ordinary Council Meeting - general business.</b>

<b>TITLE:</b>	Endorsement of Council Support to 2024 Easter Racing Event	<b>DOC REF:</b> 11.2.3
<b>REPORT BY:</b>	CEO (Lynn Moore) Chief Executive Officer	<b>DATE:</b> 21/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 1: A strong supportive community environment

1.1: Promotion of community events, services and facilities

1.1.1: Build a strong sense of community, capacity and pride by supporting partnerships

Key Priority 1: A strong supportive community environment

1.3: Bouliia Shire to have active inclusive communities

1.3.2: Recognise the outstanding work done by volunteers by partnering with relevant groups to support volunteering services within the shire

1.3.3: Facilitate opportunities for learning, social activities, community events, grants and funding programs

1.3.4: Build social capital through provision of accessible community infrastructure and programs

**RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**.

**PURPOSE:**

To seek Council endorsement of the in-kind support provided for the 2024 Easter Races Event.

**CONTENT:**

The Bouliia Shire is fortunate to have a number of active community groups that work hard to host events for the enjoyment of the community. These community groups and events are run by volunteers and being not for profit organisations, rely heavily on the support of sponsors for funding and equipment. In keeping with the objectives of Council's Corporate Plan listed at the beginning of this report, Council, where feasible, always tries to support these organisations.

The Bouliia Turf Club is holding their annual Easter Races event on the 2024 Easter Weekend and has requested support from Council in the form of:

- Use of the entire Rodeo Grounds/Racecourse reserve facility
- Garbage Truck use
- Council Bus use
- Loader use
- EFTPOS machine and PA System use
- Provision of orange barricade fencing, pin boards, additional wheelie bins, tables, chairs, portable panels, marquee, bollards, printing and laminating
- Grading/clearing of the arena-use of grader and tractor

The total value of the in-kind support for all requested items comes to \$11,385.40. In accordance with Council Policy 103 Community Grants, the maximum value the Chief Executive Officer is able to approve for assets or in-kind support given to community clubs and organisations is \$5000. Therefore, this report seeks Council's endorsement of the in-kind support for the Easter Races Event.

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:**

Compliance with Council's adopted Policy 103 Community Grants.

**RECOMMENDATION:**

That Council endorse the in-kind support of \$11,385.40 for the Boulia Turf Club for the 2024 Easter Races event.

**ATTACHMENTS:** Nil

Chief Executive Officer	Ms Lynn Moore
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<b>TITLE:</b>	Councillors Remuneration Levels 2024-2025	<b>DOC REF:</b> 11.2.4
<b>REPORT BY:</b>	CEO (Lynn Moore) Chief Executive Officer	<b>DATE:</b> 21/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 8: Leadership

8.1: Genuine community engagement

8.1.3 To represent and collectively make decisions to benefit the entire community.

**RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Possible (Likelihood) giving an overall assessment as **Low L-3**.

**PURPOSE:**

Council to consider remuneration levels for 2024-2025 financial year. Review of remuneration is required by Chapter 8 - Administration, Part 1 - Councillors, Division 1 - Councillor remuneration, (s.247[1-7], s.248 [1-4]) of the *Local Government Regulation (LGR) 2012*.

**CONTENT:**

On 1<sup>st</sup> December 2023, the Local Government Remuneration Commission (Commission) concluded its determination of the levels of remuneration for mayors, deputy mayors and councillors of Queensland local governments (excluding Brisbane City Council) as required by section 177(c) of the *Local Government Act 2009* and Chapter 8, Division 1 of the *Local Government Regulation 2012*. Their determinations on these matters, together with the Remuneration Schedule to apply from 1 July 2024 were published in the Local Government Remuneration Commission Annual Report 2022-2023.

**Determination of maximum remuneration levels:**

The Commission has established maximum remuneration levels for Queensland mayors, deputy mayors and councillors for each of the new Council remuneration categories. In most cases maximum remuneration levels increase by between 3% and 5% from 2023-24. As a result of the outcomes of the review, and in the application of the new methodology determined by the Commission in setting the new Council remuneration categories, some Councils will receive a larger maximum remuneration level increase. No Councils receive a reduced maximum remuneration level.

Superannuation

The level of superannuation payments made to a councillor is a matter to be determined by each Council having regard to Commonwealth legislation and section 226 of the *Local Government Act 2009*:

*226 Super scheme for councillors*

- (1) *A local government (other than the Brisbane City Council) may, for its councillors -*
  - (a) *establish and amend a superannuation scheme; or*
  - (b) *take part in a superannuation scheme.*
- (2) *If it does so, the local government may pay an amount from its operating fund to the superannuation scheme as a contribution for its councillors.*
- (3) *However, the local government must not make contributions to the superannuation scheme -*
  - (a) *of more than the proportion of a salary that is payable by the local government for its standard permanent employees under this part; or*

- (b) for a person who is no longer a councillor.
- (4) A councillor of the local government may enter into an arrangement with the local government under which -
- (a) the councillor agrees to forgo a percentage or amount of the remuneration that the councillor is entitled to as a councillor; and
  - (b) the local government agrees to contribute the percentage or amount to the superannuation scheme for the councillor.
- (5) A superannuation scheme is a superannuation scheme that complies with the Commonwealth Super Act.

The Council has not resolved to become an 'eligible local governing body' under the *Taxation Administration Act* but is able to determine how it deals with superannuation payments to Councillors. A maximum contribution rate of 12% is applicable. In this instance a Councillor is not an employee but they are dealt with as if they are.

Council will contribute 12% of the Councillor salary to the Local Government Superannuation Fund or the Fund of the Councillors choice but will need to meet ATO requirements (no contribution by the Councillor).

#### Remuneration – Boulia Shire Council, Category A2

In accordance with the Tribunal remuneration schedule the following table applies to all Category 1 Councils from 1<sup>st</sup> July 2024.

Mayor	Deputy Mayor	Councillors
\$119,393	\$68,880	\$59,695

Mayors and Deputy Mayors in Category A1, A2 (Boulia) or A3 Councils are to receive the full annual remuneration level shown – unless otherwise agreed.

The Council has the discretion to make lower payments to Councillors but not to exceed these amounts without reference to the Tribunal (LGR 2012 s248).

The following meetings have been identified and used for the meeting fee calculation rate. It is estimated that councillors will attend 12 monthly Council meetings, 2 special budget review meetings and 2 special planning meeting days. Making a total of 16 meetings to be attended during the course of the year.

#### **Remuneration split between Base Fee and Meeting Fee**

Remuneration as determined by Table 1 will be further allocated as two thirds (2/3) of the payment as a 'Base' fee and the further one third (1/3) to be allocated as a 'Meeting' fee.

The meeting fee will only be payable at personal attendance at the meeting or by prior arrangement with the mayor to attend via telephone/video connection in exceptional circumstances. Meeting fee claims are the responsibility of the Councillor and must be claimed by the Councillor using the claim form.

#### **CONSULTATION:**

Nil

#### **GOVERNANCE IMPLICATIONS:**

Required to be considered under *Local Government Regulation 2012*, s247:

*247 Remuneration payable to councillors*

(1) *A local government must pay remuneration to each councillor of the local government.*

- (2) *The maximum amount of remuneration payable to a councillor under the remuneration schedule must be paid to the councillor, unless the local government, by resolution, decides the maximum amount is not payable to the councillor.*
- (3) *In a resolution made under subsection (2), the local government must also decide the amount of remuneration payable to the councillor.*
- (4) *The amount of remuneration decided under subsection (3) for each councillor must not be more than the maximum amount of remuneration payable to the councillor under the remuneration schedule.*
- (5) *The amount of remuneration for each councillor, other than a mayor or deputy mayor, must be the same.*
- (6) *The local government must make a resolution under subsection (2), for the remuneration payable from 1 July of a particular year, before 1 July of that year.*
- (7) *Subsections (4) and (5) are subject to section 248.*

**RECOMMENDATION:**

1. That the Council determine the Councillor remuneration payable to the Mayor, Deputy Mayor and Councillors for the 2024-2025 budget to be:

<b>Proposed rates as per the Tribunal Rates from 1/7/2024</b>	<b>2024-25</b>	<b>Annual Base meeting fee (75%)</b>	<b>Annual attendance at 12 meeting pa (25%)</b>	<b>Monthly Base meeting fee 75% split</b>	<b>Monthly meeting attendance (12) 25% split</b>
Mayor 100%	\$119,393	\$89,545	\$29,848	\$7,462.06	\$2,487.35
Dep Mayor 100%	\$68,880	\$51,660	\$17,220	\$4,305.00	\$1,435.00
Councillor 1 100%	\$59,695	\$44,771	\$14,924	\$3,730.94	\$1,243.65
Councillor 2 100%	\$59,695	\$44,771	\$14,924	\$3,730.94	\$1,243.65
Councillor 3 100%	\$59,695	\$44,771	\$14,924	\$3,730.94	\$1,243.65
<b>Total Annual cost</b>	<b>\$367,358</b>	<b>\$275,519</b>	<b>\$91,840</b>		

2. That the CEO advise the Chair of the Tribunal of the new remuneration for 2024-25 (via [LGRcenquiries@dlgrma.qld.gov.au](mailto:LGRcenquiries@dlgrma.qld.gov.au))
3. That the 2024-2025 budget allocation for Mayor, Deputy Mayor and Councillors be set at \$ 367,358 (excluding superannuation, travel and accommodation costs).

Attendance at meetings by the Mayor, Deputy Mayor or Councillors is taken to be part of the normal remuneration paid and will not be compensated further by Council. Payment of expenses as per the Councillor Remuneration and Expenses Re-imbursment policy (Policy 111) will still apply.

**ATTACHMENTS:** Nil

Chief Executive Officer	Ms Lynn Moore
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<b>TITLE:</b>	Delegations to CEO and CEO to Staff - review	<b>DOC REF:</b> 11.2.5
<b>REPORT BY:</b>	CEO (Lynn Moore) Chief Executive Officer	<b>DATE:</b> 21/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 5: Robust Governance

5.3: Stability

5.3.1: Provide a working environment for all in which risk is managed and monitored in all Council areas and facilities

**RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**.

**PURPOSE:**

Council as a Local Authority is required to undertake a wide range of powers and functions that are prescribed in legislation and necessary for the good governance of the Shire. Council is required to determine the functions of a Local Authority that are to be delegated to the CEO and to review those delegations on an annual basis.

**CONTENT:**

The main areas of law relating to Council's administration are principally contained within the *Local Government Act 2009*, Council's Local Laws and over 40 other Acts of Parliament.

Council as a Local Authority is required to undertake a wide range of powers and functions that are prescribed in legislation and necessary for the good governance of the Shire. However, in the absence of delegations the manner in which those functions can be completed is by resolution of the Council at a properly constituted Council meeting.

The Chief Executive Officer is appointed by Council to manage the operations of the Council on a day to day basis and for this reason is required to have delegated power, pursuant to Section 257 of the *Local Government Act*, to make decisions and to give directions to staff in relation to issues as they arise in order to implement the decisions of the Council.

However, it is important that the CEO in exercising those directions and decisions of the Council does so in a way that is consistent with the decisions and policies of the Council.

It is important to note that a delegation is not abdication, an officer exercising a delegation from Council (or the CEO in the case of other staff) is acting *in the place of* the Council. In other words, the delegation is a method of empowerment with responsibility and links back to the Council and the legislation.

It is also clear that just because a delegation exists, does not mean that the officer will choose to exercise that delegation, he/she may choose to refer the matter to Council (or CEO) for decision, particularly if the issue may be contentious or be of interest to the Council.

Furthermore, the Mayor or Council may issue a direction to the CEO that a matter be referred to Council for decision and in such circumstances the CEO must comply with all the lawful directions of the Mayor or Council including those relating to matters subject to a delegation.



The delegations register is a document of Council that records the powers and functions of Council that are delegated to the CEO and that the CEO in turn has delegated to another person.

There are a number of ways in which delegations can be structured, some registers are prescriptive, that is each section of the Act is listed along with a respective delegation. A register of this type can comprise several hundreds of pages and be difficult to manage, update and distribute, particularly when legislation is amended on a regular basis.

The preference in this case, has been to embrace the concept of an empowering delegation, where the CEO is given a broad delegation in relation to each relevant piece of legislation or Local Law with the imposition of limits to that delegation as determined by Council.

The CEO is the only member of staff who can sub-delegate (Section 259) her powers to another member of staff or contractor and for this reason the Council decides on a broad delegation to the CEO who then determines the appropriate delegations to other staff. Attached to the report are the instruments of delegation from Council to the CEO and the register of delegation from the CEO to other staff.

The proposed delegation from the Council to the CEO has not changed since its last review in 2023.

The introduction of the role of the Works Manger, has resulted in the register of delegations being updated to reflect a new delegation to this role.

Delegations to the Technical Officer position and the Executive Assistant are no longer required as those positions are still able to requisition but not approve payments. Any requisitions submitted will be approved by a delegated officer with a specific budget accountability.

The register of delegations is a public document and is available on Council's website.

**CONSULTATION:**

Legislative database and other Local Authorities to verify the CEO delegated list is correct.

**GOVERNANCE IMPLICATIONS:**

It is a legislative requirement to review Delegations to the CEO annually (Section 257 (5) *Local Government Act 2009*)

**RECOMMENDATION:**

1. That all the powers referred to in the document entitled "Register of Delegations – Council to CEO" attached to this report are hereby delegated by Council to the Chief Executive Officer of Council pursuant to section 257 of the *Local Government Act 2009*.
2. That Council note in the Register of Delegations current delegations from the CEO to other staff.
3. That all previous delegations be updated to reflect the changes, accepted by delegates and then published on the website.

**ATTACHMENTS:**

1. Delegation - Council to CEO 2024 [11.2.5.1 - 5 pages]
2. Delegations CEO to W Mgr 2024 [11.2.5.2 - 3 pages]
3. Revoked 26.4.24 Delegations CEO to EA [11.2.5.3 - 2 pages]
4. Revoked 26.4.24 Delegations CEO to Technical Officer [11.2.5.4 - 2 pages]
5. Delegations Register effective until revoked April 2024 [11.2.5.5 - 1 page]

Chief Executive Officer	Ms Lynn Moore
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**DELEGATION BY THE COUNCIL TO  
THE CHIEF EXECUTIVE OFFICER  
Local Government Act 2009  
Section 257  
Instrument of Delegation**

**This delegation is made by the Boulia Shire Council pursuant to a resolution passed on  
26<sup>th</sup> April 2024**

Boulia Shire Council in order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities hereby delegates pursuant to the provisions of Section 257 of the Local Government Act 2009 to the person specified by resolution of the Council to have the functions of the **Chief Executive Officer** and to the person holding the aforementioned position in an acting capacity the authority to exercise, or to delegate pursuant to Section 259 of the Local Government Act to other employees or contractors of the Council, those delegations referred to in schedule 1 and all the lawfully delegable powers under each of the Local Laws listed in schedule 2 and Acts listed in Schedule 3 including any amendments, subordinate local laws, regulations and any statutory instruments made under those Acts or Local Laws.

**SUBJECT TO:**

1. The lawful directions of the Mayor and or
2. The policies and resolutions of the Council current at the time of the exercise of the functions herein delegated.

This delegation shall commence on 26<sup>th</sup> April 2024 and remain in force until specifically altered or revoked in writing in accordance with a resolution of the Council.

## **SCHEDULE 1.**

### **General Delegations:**

1. To manage the human, physical and financial resources of the Council to ensure that all resolutions of the Council are promptly carried into effect and that all operations and activities of the Council are conducted in accordance with established policies, local laws, State and Commonwealth Legislation.
2. To sign documents, contracts and agreements on behalf of Council including those requiring the affixing of the common seal, that are in accordance with terms and conditions that have been accepted by Council or by Committees or officers under delegated authority.
3. To seek legal advice from Council solicitors, and to complete affidavits and represent the Council in any matter where the Council is a party to legal proceedings.
4. To issue or cause to be published media and other public statements in relation to Council business
5. To exercise and perform any function or statutory duty delegated to other Officers of the Council when required.
6. To enter upon any land including any building, enclosed place or structure for the purposes of performing the Council's functions.
7. To prepare grant submissions, attend deputations and make representations to Members of Parliament, Ministers of the Crown and Government Departments in accordance with the policy and best interests of the Council.
8. To impose fees, taxes rates and charges where not otherwise specified by Council and to remit fees, rates and charges or debts due to the Council where determined appropriate up to a value of \$1,000.00.
9. To remit or excuse the payment of, in accordance with the provisions of the Local Government Act, the whole or any part of any rate or charge, where the amount cannot be collected or where the amount outstanding would be uneconomical to recover up to a value of \$1,000.00
10. To authorize the use of Council's plant and equipment in case of emergency.
11. To authorize the expenditure of Council funds not elsewhere provided for any lawful purpose up to a maximum of \$5,000.
12. To authorise the sale, write-off or disposal of surplus or unserviceable plant, stores, furniture or equipment subject to report to Council.
13. To manage tenancies and serve notices as required as lessor under the Residential Tenancies and Rooming Accommodation Act 2008.

## SCHEDULE 2

### Local Laws Current at time of delegation:

1. **Local Law No. 1 (Administration) 2014 A** (*amended 5/6/2015*)
2. **Local Law No 2 (Animal Management) 2014**
3. **Local Law No 3 (Communities and Environmental Management) 2014**
4. **Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014**
5. **Subordinate Local Law No. 1 (Administration) 2014**
6. **Subordinate Local Law No. 2 (Animal Management) 2014**
7. **Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014**

*Local Law No. 1 (Administration) 2014 A Amended by Resolution 2015/5.12, with effect from 5/6/2015*

### AMENDED SCHEDULE 3

#### Acts of Parliament current at time of Delegation

1. Acquisition of Land Act 1967
2. Animal Management (Cats and Dogs) Act 2008
3. Body Corporate and Community Management Act 1997
4. Biosecurity Act 2014
5. Building Act 1975
6. Disaster Management Act 2003
7. Environmental Protection Act 1994
8. Fire and Emergency Services Act 1990
9. Food Act 2006
10. Food production (Safety) Act 2000
11. Heavy Vehicle National Law act 2012
12. Information Privacy Act 2009
13. Integrity Act 2009
14. Land Act 1994
15. Land Valuation Act 2010
16. Liquor Act 1992
17. Local Government Act 2009
18. Local Government Electoral act 2011
19. Nature Conservation Act 1992
20. Planning Act 2016
21. Plumbing and Drainage Act 2018
22. Public Health (Infection Control for Personal Appearance Services) Act 2003
23. Public Health Act 2005
24. Public Interest Disclosure Act 2010
25. Public Sector Ethics Act 1994
26. Queensland Reconstruction Authority Act 2011
27. Residential Services (Accreditation) Act 2002
28. Right To Information Act 2009
29. State Penalties Enforcement Act 1999
30. Statutory Bodies Financial Arrangements Act 1982
31. Stock Route Management Act 2002

32. **Summary Offences Act 2005**
33. **Survey and Mapping Infrastructure Act 2003**
34. **Tobacco and other Smoking Products (Smoke Free Places) Act 2016**
35. **Transport Infrastructure Act 1994**
36. **Transport Operations (Road use Management) Act 1995**
37. **Trusts Accounts Act 1973**
38. **Waste Reduction and Recycling Act 2011**
39. **Water Act 2000**
40. **Water Fluoridation Act 2008**
41. **Water Supply (Safety and Reliability) Act 2008**
42. **Work Health and Safety Act 2011**
43. **Workers Compensation and Rehabilitation Act 2003**

**END OF DELEGATION.**

**Delegation adopted by Council at its meeting on 26<sup>th</sup> April 2024**



**Cr Rick Britton  
Mayor**



**BOULIA SHIRE COUNCIL  
REGISTER OF DELEGATIONS  
DELEGATIONS OF AUTHORITY  
SECTION 259, LOCAL GOVERNMENT ACT, 2009.  
FROM CHIEF EXECUTIVE OFFICER  
TO  
WORKS MANAGER**

In order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities, I, Lynn Moore, Chief Executive Officer, Boulia Shire Council, as provided under Section 259 of the Local Government Act, 2009, hereby delegate to the person holding the position of **Works Manager** and to the person holding that position in an acting capacity, the following functions, duties and authorities as specified in Schedule 1 subject to the limitations specified in Schedule 2. This delegation shall commence on **1st May 2024** and remain in force until specifically altered or revoked in writing.

**SCHEDULE 1.**

**Administration and Finance**

1. Authority to raise orders and authorise contract payments related to Operational works up to the value of seventy thousand dollars (\$70,000).  
For Limitations see Schedule 2.1
2. Authorise payment of petty cash up to the value of \$50.
3. To complete Council's external reports relating to roads functions and provide regular reports to Council on road matters.

**Human Resources:**

4. To implement safe work practices and to conduct risk assessments related to works functions.

**Works and Services**

5. Sign working documents, contractors and employees wage, invoices and plant sheets relating to road and construction services. See limitation 1.1 above.
6. Enter upon any land, building or structure within the Shire of Boulia for the purpose of exercising a function related to the operation of the Council.
7. Approve of the purchase for staff, where necessary, of personal protective clothing and equipment. See limitation 1.1 above.

8. To control and supervise all contracts in respect of authorised works, and to approve any expenditure authorised there under in the relevant budget. See limitation 1.1 above.
9. To determine whether day labour or contract labour is to be used for any authorised works in consultation with the Director of Works and Operations.
10. To authorise the carrying out by the Council of private works for other parties.
11. To close roads, or parts thereof, temporarily for repairs or construction and to put in place appropriate traffic management arrangements.
12. To conduct regular meetings with works staff for the purpose of establishing good work health and safety practices and to investigate and report to the Director of Works and Operations any workplace injury, accident or near miss.
13. To order contractors and staff to stop work and suspend work operations to address any work health safety concerns.



## SCHEDULE 2 - LIMITATIONS

1. Delegation 1 in Schedule 1 shall only be exercised for goods and services purchased within the budget approved by Council.
2. The Works Manager shall exercise the functions herein delegated in accordance with and subject to:-
  - a) the provisions of the Local Government Act, 2009, as amended;
  - b) the policies of the Council adopted by Resolution and current at the time of the exercise of the functions herein delegated.
  - c) any direction from the Director of Works and Operations and/or Chief Executive Officer.
3. The Director of Works and Operations is to be informed at the earliest possible time of :
  - Litigious matters and issues involving breaches of law.
  - Mistakes by staff or contractors of a significant or public nature
  - Contentious or sensitive matters
  - Matters which have non-budgeted, financial implications
  - Accidents involving staff, contractors or public which are reportable under Work Health and Safety legislation and
  - Any other matter which the Director of Works and Operations and /or the Chief Executive Officer should be kept informed.

This delegation is a personal delegation which you cannot transfer to any other person or body and is subject to review, amendment or withdrawal without notice at any time. All previous delegations are hereby withdrawn.

### END OF DELEGATION.

Dated this 26th April 2024



**Ms Lynn Moore**

**Chief Executive Officer**



**BOULIA SHIRE COUNCIL**  
**REGISTER OF DELEGATIONS**  
**DELEGATIONS OF AUTHORITY**  
**SECTION 259, LOCAL GOVERNMENT ACT, 2009.**  
**FROM CHIEF EXECUTIVE OFFICER**  
**TO**  
**EXECUTIVE ASSISTANT**

In order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities, I Lynn Moore, Chief Executive Officer, Boulia Shire Council, as provided under Section 259 of the Local Government Act, 2009, hereby delegate to the person holding the position of **Executive Assistant** and to the person holding that position in an acting capacity, the following functions, duties and authorities as specified in Schedule 1 subject to the limitations specified in Schedule 2. This delegation shall commence on *22<sup>nd</sup> February 2017* and remain in force until specifically altered or revoked in writing.

**SCHEDULE 1.**

**Administration and Finance**

1. Authority to raise orders and authorise payments for accommodation, travel, meals, conferences and seminar registration for Councillors and Staff as well as groceries, Council meeting expenses, printing and stationary and office supplies related to Council services up to the value of five thousand dollars (\$5,000).

For Limitations see Schedule 2.2.

## SCHEDULE 2 - LIMITATIONS

1. Delegation 1 in Schedule 1 shall only be exercised for goods and services and assets purchased within the budget approved by Council.
2. The Executive Assistant shall exercise the functions herein delegated in accordance with and subject to:-
  - a) the provisions of the Local Government Act, 2009, as amended;
  - b) the policies of the Council adopted by Resolution and current at the time of the exercise of the functions herein delegated.
  - c) any direction from the Chief Executive Officer.
3. The Chief Executive Officer is to be informed at the earliest possible time of :
  - Litigious matters and issues involving breaches of law.
  - Mistakes by staff or contractors of a significant or public nature
  - Contentious or sensitive matters
  - Matters which have non-budgeted, financial implications
  - Accidents involving staff, contractors or public which are reportable under Work Health and Safety legislation and
  - Any other matter which the Chief Executive Officer should be kept informed.

This delegation is a personal delegation which you cannot transfer to any other person or body and is subject to review, amendment or withdrawal without notice at any time. All previous delegations are hereby withdrawn.

### END OF DELEGATION.

Dated this 22<sup>nd</sup> February 2017



**Ms Lynn Moore**

**Chief Executive Officer**



**BOULIA SHIRE COUNCIL**  
**REGISTER OF DELEGATIONS**  
**DELEGATIONS OF AUTHORITY**  
**SECTION 259, LOCAL GOVERNMENT ACT 2009.**  
**FROM CHIEF EXECUTIVE OFFICER**  
**TO**  
**TECHNICAL OFFICER**

In order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities, I Lynn Moore, Chief Executive Officer, Boulia Shire Council, as provided under Section 259 of the Local Government Act, 2009, hereby delegate to the person holding the position of **Technical Officer** and to the person holding that position in an acting capacity, the following functions, duties and authorities as specified in Schedule 1 subject to the limitations specified in Schedule 2. This delegation shall commence on 21st January 2022 and remain in force until specifically altered or revoked in writing.

**SCHEDULE 1.**

**Administration and Finance**

1. Sign correspondence with respect to the day-to-day operations of the Council's Work Department. For limitations see Schedule 2.1
2. Authority to raise orders and authorise payments for Goods and Services and Assets related to Works Operational Services up to the value of five thousand (\$5,000). For Limitations see Schedule 2.2.
3. To monitor Council's, purchasing, stores, tendering to ensure that appropriate controls are in place to ensure compliance with legislative requirements and to protect against fraud or misappropriation.

**Human Resources:**

4. To review and monitor timesheets, staff leave, time off in lieu and allowances payable to Departmental staff in accordance with the Council's employment conditions.
5. To assist in the implementation of the Council's Workplace Health and Safety program.
6. To implement safe work practices and to conduct risk assessments related to Department functions.

## SCHEDULE 2 - LIMITATIONS

1. Delegation 1 in Schedule 1 related to the signing of correspondence shall not include correspondence to Members of Parliament, the Ombudsman, and any correspondence considered appropriate for signature personally by the Chief Executive Officer.
2. Delegation 2 in Schedule 1 shall only be exercised for goods and services and assets purchased within the budget approved by Council.
3. The **Technical Officer** shall exercise the functions herein delegated in accordance with and subject to:-
  - a) the provisions of the Local Government Act, 2009, as amended;
  - b) the policies of the Council adopted by Resolution and current at the time of the exercise of the functions herein delegated.
  - c) any direction from the Chief Executive Officer.
4. The Chief Executive Officer is to be informed at the earliest possible time of :
  - a) Litigious matters and issues involving breaches of law.
  - b) Mistakes by staff or contractors of a significant or public nature
  - c) Contentious or sensitive matters
  - d) Matters which have non-budgeted, financial implications
  - e) Accidents involving staff, contractors or public which are reportable under Work Health and Safety legislation and
  - f) Any other matter which the Chief Executive Officer should be kept informed.
  - g) This delegation is a personal delegation which you cannot transfer to any other person or body and is subject to review, amendment or withdrawal without notice at any time. All previous delegations are hereby withdrawn.

END OF DELEGATION.

Dated this 21<sup>st</sup> January 2022



Ms Lynn Moore  
Chief Executive Officer

## Boulia Shire Council - Summary of Purchasing Delegations and Limits

*(Effective until revoked)*  
**\*\* Please note this document cannot be changed unless it is approved under resolution of Council \*\***

<i>Position</i>	<i>Doc id</i>	<i>Delegation to Sign Orders &amp; Authorise Payments</i>	<i>Purpose</i>	<i>Other</i>	<i>EFFECTIVE from</i>
Chief Executive Officer	51773	No Limit subject to Regulations	Any Lawful purpose	Subject to Council Policy	7/15/2022
Director of Corporate Services	51776	Limit up to \$200,000	Restriction by CEO/Council/Policy	Subject to Council Policy	7/15/2022
Director of Works and Operations	51777	Limit up to \$200,000	Restriction by CEO/Council/Policy	Subject to Council Policy	7/15/2022
Works Manager		Limit up to \$70,000	For Operational Works	Subject to Council Policy	5/1/2024
Finance Manager	45200	Limit up to \$50,000	For Corporate Service responsibilities and Payroll	Subject to Council Policy	7/27/2020
Contract Works Overseer	45196	Limit up to \$70,000	For Flood Damage Restoration Works	Subject to Council Policy	2/22/2017
Foreman, Road Maintenance and Utility Services	51775	Limit up to \$10,000	For Works and Service responsibilities	Subject to Council Policy	7/15/2022
Foreman, Roads Maintenance and Construction	51774	Limit up to \$10,000	For Works and Service responsibilities	Subject to Council Policy	7/15/2022
Community Services Manager	45195	Limit up to \$10,000	For Community Services Operations	Subject to Council Policy	2/22/2017
Executive Assistant	Revoked 26/4/2024	Limit up to \$5,000	Revoked		Revoked
Stores Officer	45205	Limit up to \$5,000	For Stores and Materials	Subject to Council Policy	2/22/2017
Senior Administration Officer	45203	Limit up to \$5,000	For Corporate Service responsibilities	Subject to Council Policy	3/29/2021
Technical Officer	Revoked 26/4/2024	Limit up to \$5,000	Revoked		Revoked

<b>TITLE:</b>	Policy Reviews - Study Policy, Standing Orders and Model Meeting Procedures, Councillor Code of Conduct, Investigation Policy	<b>DOC REF:</b> 11.2.6
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<b>REPORT BY:</b>	CEO (Lynn Moore) Chief Executive Officer	<b>DATE:</b> 21/04/2024
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**CORPORATE PLAN REFERENCE:**

Key Priority 5: Robust Governance

5.1: Confidence

5.1.1: Manage Council's operations in an effective manner by clearly defining the functions, services, roles and responsibilities of Council

**RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**.

**PURPOSE:**

Regular review of Council policies ensures that Council maintains an up-to-date guide for staff to refer to in the day-to-day management of the Council. This report deals with the review of several policies.

**CONTENT:**

Council is required to conduct a review of policies on a regular basis to ensure that they are consistent with changes to regulations, employment conditions and Council's objectives. The following policies have been reviewed:

Policy 129 - Councillor Code of Conduct Policy

The Code of Conduct sets out the principles and standards of behaviour expected of Councillors when carrying out their roles, responsibilities and obligations as elected representatives of the Boulia Shire. This policy is an adoption of the Queensland Government's *Code of Conduct for Councillors in Queensland*. As the Queensland Government document version was updated in February 2024, the Boulia Shire Council policy version has been reviewed accordingly and is attached for Council's consideration. Suggested changes to be made are highlighted in yellow.

Policy 132 - Study Policy

It is proposed that the name of this policy be changed to Study and Training Policy, to more clearly identify that the content of the policy covers employee training also. In addition, references to webinars have been included to reflect the large amount of training that is now conducted online. It is also suggested that travel and accommodation dollar caps are removed from Category 2 and 3. These levels of assistance are only approved on a case by case basis so the level of spending can be monitored by management/Human Resources rather than referencing a dollar figure which can render obsolete during the validity period of the policy given the increasing costs associated with travel and accommodation from our remote location. A copy of the reviewed policy is attached to this report for Council's consideration with proposed changes highlighted in yellow.

Policy 150 - Investigation Policy

The Queensland Government has issued an updated version of their example local government Investigation Policy that Councils are able to adopt or use as a guide in preparing their own policies. This policy deals with how complaints about the suspected conduct breach of Councillors will be dealt with as required by section 150AE of the *Local Government Act 2009* (the Act). In order to ensure Council's full compliance with this section of the Act, our policy has been reformatted to be in line with the updated version issued by

the State Government. Attached to this report is the revised policy version for Council's review.

#### Policy 151 - Model Meeting Procedures and Standing Orders Policy

Under section 150F of the *Local Government Act 2009*, the chief executive of the department of local government must make model procedures for local government and committee meetings. To assist Councils to comply with this requirement, the Queensland Government has issued a set of Model Meeting Procedures and a set of Best Practice Example Standing Orders for local government use. Boulia Shire Council's Policy 151 – Model Meeting Procedures and Standing Orders Policy, is directly based on the content of the documents issued by the Queensland Government. While the most recent version of this Council policy was updated in February 2024, the Queensland Government issued a further update on their document version in March 2024, which results in Council needing to review our policy version again. We have taken this review opportunity to suggest a reassemble of the structure of our policy to be the same structure as the Queensland Government Best Practice Example Standing Orders document. We had previously based the structure of our document on the Model Meeting Procedures format and then added in additional information from the standing orders, however, during the policy review process, it was found that it was more efficient and effective to have the policy structured on the Standing Orders policy. The revised policy is attached for Council's review.

**CONSULTATION:** Nil

#### **GOVERNANCE IMPLICATIONS:**

Policies must be consistent with any relevant guidelines and legislation as issued.

#### **RECOMMENDATION:**

That the following policies, as presented, be adopted:

- Policy 129 Councillor Code of Conduct Policy
- Policy 132 Study Policy
- Policy 150 Investigation Policy
- Policy 151 Model Meeting Procedures and Standing Orders Policy

#### **ATTACHMENTS:**

1. Draft Councillor Code of Conduct Policy 129 [11.2.6.1 - 12 pages]
2. 132 Study Policy [11.2.6.2 - 5 pages]
3. Draft Investigation Policy Policy 150 [11.2.6.3 - 17 pages]
4. Model Meeting Procedures and Standing Orders Policy Policy 151 [11.2.6.4 - 22 pages]

Chief Executive Officer	Ms Lynn Moore
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# BOULIA SHIRE COUNCIL

## Councillor Code of Conduct

Category:	Policy
Policy Number:	129
Document Version:	3
Obsolete Version:	<del>20th November 2020</del> - 15 <sup>th</sup> July 2021
Keyword Classification:	Councillor Code of Conduct
Summary:	The policy outlines ethical behaviour for Councillors
Adoption Date:	
Resolution:	
Due for Revision:	Every three years or as impacted by legislation
Revision date:	March 2027
Date revoked:	n/a
Related documents:	<p>Department of Local Government, Racing and Multicultural Affairs Code of Conduct for Councillors in Queensland document (approved on 04/08/2020) - Queensland Government's Code of Conduct for Councillors in Queensland (Approved 22 February 2024)</p> <p>Policy 111 - Councillor Expenses Re-imbursment Policy  Policy 121 - Confidentiality (Use of Information) Procedure Policy  Policy 122 - Councillor Interaction Policy  Policy 127 - Complaints Management Policy and Process  Policy 139 - Related Party Disclosure Policy  Policy 140 - Statement of Business Ethics  Policy 141 - Conflict of Interest Policy  <del>Policy 148 - Standing Orders for Council Meetings Policy</del>  Policy 150 - Investigation Policy  Policy 151 - Model Meeting Procedures Policy and Standing Orders Policy  Boulia Shire Council Code of Conduct – handout (Employees)</p>
Responsible Section:	Executive
Responsible Officer:	Chief Executive Officer
Legislation:	Local Government Act 2009 Crime and Corruption Act 2001

## PURPOSE OF THE CODE OF CONDUCT

The Code of Conduct sets out the principles and standards of behaviour expected of Councillors and Mayors when carrying out their roles, responsibilities and obligations as elected representatives for their communities. By adhering to the behaviours set out below, Councillors will increase public confidence in Local Government and Council decisions.

## BACKGROUND

Under section 150D of the *Local Government Act 2009* (the LGA), the Minister for Local Government (the Minister) must make a Code of Conduct stating the standards of behaviour for Councillors in the performance of their responsibilities as Councillors. In addition to this, the Code of Conduct may contain anything the Minister considers necessary for, or incidental to, the standards of behaviour.

Before assuming public office, Councillors must understand and commit to complying with the Local Government principles and obligations of Councillors in accordance with section 169 of the LGA, as well as the standards of behaviour set out in this Code of Conduct. All Councillors are required to make a declaration of office under the applicable legislation. As part of that declaration, Councillors must declare that they will abide by this Code of Conduct.

## THE LOCAL GOVERNMENT PRINCIPLES AND VALUES

The legislation is founded on five Local Government principles with which Councillors must comply while performing their roles as elected representatives. These principles are listed below:

1. Transparent and effective processes, and decision-making in the public interest
2. Sustainable development and management of assets and infrastructure, and delivery of effective services
3. Democratic representation, social inclusion and meaningful community engagement
4. Good governance of, and by, Local Government
5. Ethical and legal behaviour of Councillors and Local Government employees.

This Code of Conduct provides a set of values that describe the types of conduct Councillors should demonstrate to ensure their compliance with the local government principles. These values are listed below:

1. In making decisions in the public interest, Councillors will:
  - make decisions in open Council meetings
  - properly inform relevant personnel of all relevant information
  - make decisions in accordance with law and policy
  - commit to exercising proper diligence, care and attention.
2. To ensure the effective and economical delivery of services, Councillors will:
  - manage Council resources effectively, efficiently and economically
  - foster a culture of excellence in service delivery.
3. In representing and meaningfully engaging with the community, Councillors will:
  - show respect to all persons
  - clearly and accurately explain Council's decisions
  - accept and value differences of opinion.

4. In exercising good governance, Councillors are committed to:
  - the development of open and transparent processes and procedures
  - keeping clear, concise and accessible records of decisions.
5. To meet the community's expectations for high level leadership, Councillors will:
  - be committed to the highest ethical standards while performing their official duties.
  - uphold the system of Local Government and relevant laws applicable to it.

This Code of Conduct also sets out standards of behaviour aimed at helping Councillors understand how the principles and values are put into practice while performing their official duties as elected representatives.

Each standard of behaviour is not intended to cover every possible scenario. However, they provide general guidance about the manner in which Councillors are expected to conduct themselves.

It is important to note that the principles, values and standards set out in the Code of Conduct are of equal importance.

## STANDARDS OF BEHAVIOUR

This Code of Conduct sets out the standards of behaviour applying to all Councillors in Queensland while acting in their official capacity. The behavioural standards relate to, and are consistent with, the Local Government principles and their associated values.

The standards of behaviour are summarised as the three R's, being:

- 1. RESPONSIBILITIES**
- 2. RESPECT**
- 3. REPUTATION**

Each standard of behaviour includes, but is not limited to, several examples to guide Councillors in complying with the Code of Conduct when carrying out their role as elected officials. Councillors are to understand and comply with the following standards of behaviour as set out in the Code of Conduct listed below.

### 1. Carry out *RESPONSIBILITIES* conscientiously and in the best interests of the Council and the community

For example, Councillors will, at a minimum, have the following responsibilities:

- 1.1 Attend and participate meaningfully in all Council meetings, committee meetings, informal meetings, briefings, relevant workshops and training opportunities to assist them in fulfilling their roles other than in exceptional circumstances and/or where prior leave of absence is given
- 1.2 Respect and comply with all policies, procedures and resolutions of Council

- 1.3 Use only official Council electronic communication accounts (e.g. email accounts) when conducting Council business
- 1.4 Report any suspected wrongdoing to the appropriate entity **in a timely manner within the required time periods.**
- 1.5 Ensure that their behaviour or capacity to perform their responsibilities **in their official capacity** as a Councillor is not impaired by the use of substances that may put them or others at risk while performing their duties (for example, alcohol, illegal drugs or prescribed/non-prescribed and/or restricted substances)
- 1.6 Cooperate with any investigation being undertaken by the Local Government or other entity.
- 1.7 Ensure that the Councillor's Advisor is aware of their obligations to comply with the standards of behaviour in the Code of Conduct for Councillor Advisors in Queensland.
- 1.8 **Awareness of responsibilities imposed on Councillors by the *Local Government Act 2009* and the relevant regulations**

## 2. Treat people in a reasonable, just, **RESPECTFUL** and non-discriminatory way

For example, Councillors will, at a minimum, act in the following ways:

- 2.1 Treat fellow Councillors, Council employees and members of the public with courtesy, honesty and fairness
- 2.2 Not use abusive, obscene or threatening language (either oral or written) or behaviour towards other Councillors, Council employees or members of the public
- 2.3 Have proper regard for other people's rights, obligations, cultural differences, safety, health and welfare

## 3. Ensure conduct does not reflect adversely on the **REPUTATION** of Council

For example, Councillors will, at a minimum, conduct themselves in the following manner:

- 3.1 When expressing an opinion dissenting with the majority decision of Council, respect the democratic process by acknowledging that the Council decision represents the majority view of the Council
- 3.2 When making public comment, clearly state whether they are speaking on behalf of Council or expressing their personal views
- 3.3 At all times strive to maintain and strengthen the public's trust and confidence in the integrity of Council and avoid any action which may diminish its standing, authority or dignity

## CONSEQUENCES OF FAILING TO COMPLY WITH THE CODE OF CONDUCT

Failure to comply with the standards of behaviour in this Code of Conduct, or other conduct prescribed in this Code of Conduct may give rise to a complaint against a Councillor's conduct and subsequent investigation and disciplinary action under the legislation if found to have engaged in a conduct breach, misconduct, or corrupt conduct.

A complaint about the conduct of a Councillor must be submitted reported to the Office of the Independent Assessor (OIA) within one year from when the conduct occurred, or within six months after the conduct comes to the knowledge of the complainant but within two years after the conduct occurred. who will assess the complaint and determine the category of the allegation. In order of least to most serious, the categories of complaint are unsuitable meeting conduct, inappropriate conduct, misconduct, and then corrupt conduct.

These time limitations do not reflect the fact that the OIA can look at a matter received late due to exceptional circumstances.

There is no time limit for reporting of corrupt conduct.

A preliminary assessment process must be undertaken by the Independent Assessor before progressing conduct matters. After the preliminary assessment the Independent Assessor must decide:

- to dismiss a complaint, notice or information, or
- take no further action in certain circumstances, or
- refer a suspected conduct breach to a local government for investigation, or
- investigate the conduct of the Councillor, or
- not deal with the complaint and give the Councillor counselling or recommend training or mediation.

If, after the preliminary assessment the Independent Assessor refers the complaint to the appropriate entity to deal with, the entity to which they refer the matter will depend on the category of the conduct complaint (conduct breach, misconduct, and corrupt conduct).

The Independent Assessor may take no further action about the conduct of a Councillor, following an investigation, if satisfied that taking further action would not be in the public interest.

## Unsuitable meeting conduct

Under the legislation *Local Government Act 2009*, any conduct by a Councillor that is contrary to the standards of behavior in the Code of Conduct that occurs within a meeting of Council (including standing committee meetings), is dealt with as **unsuitable meeting conduct**.

Unsuitable meeting conduct by a Councillor is dealt with by the Chairperson of the meeting. It is important that the Chairperson deal with matters of unsuitable meeting conduct locally immediately, and as efficiently and effectively as possible so that Council can continue with their business of making effective decisions in the public interest.

*Note: Chairpersons of meetings are carrying out a statutory responsibility under the legislation to manage and lead the meeting. As such, where a Chairperson behaves inappropriately in a meeting this involves a serious breach of the trust placed in them as the Chairperson of the meeting and may be dealt with as misconduct (see below).*

Unsuitable meeting conduct by the chairperson will be dealt with by the Councillors present at the meeting who will decide by resolution if the chairperson has engaged in unsuitable meeting conduct and if so how to deal with the matter. The Councillors may make an order to reprimand the chairperson.

### **Inappropriate conduct Conduct breach**

Under the legislation *Local Government Act 2009*, any conduct by a Councillor that is contrary to the standards of behavior in the Code of Conduct or a policy, procedure or resolution of a Council, and is not unsuitable meeting conduct, misconduct or corrupt conduct is dealt with as **inappropriate conduct a conduct breach**. The code of conduct only applies to conduct directly relevant to a Councillor's official duties.

The conduct of a Councillor is also **inappropriate conduct a conduct breach** if **the conduct it** contravenes an order by the Chairperson of a meeting of Council for the Councillor to leave the meeting, or is a series of conduct at Council meetings that leads to orders for the Councillor's unsuitable meeting conduct being made on three occasions within a period of one year. The local government is not required to notify the OIA **of these matters** and may deal with the conduct under section 150AG of the LGA.

The OIA is responsible for assessing allegations of suspected inappropriate conduct other than those arising from unsuitable meeting conduct. If the OIA chooses to refer the matter to the Council to deal with, the Council must deal with the matter as quickly and effectively as possible.

The Independent Assessor is responsible for conducting a preliminary assessment of the complaint about the conduct of a Councillor including the allegations of a suspected conduct breach, excluding those arising from unsuitable meeting conduct, referred to the Independent Assessor.

Following the preliminary assessment, if the Independent Assessor has decided not to dismiss, the Independent Assessor must refer a suspected conduct breach to the local government to deal with.

The local government may decide not to start, or to discontinue investigation if:

- the complainant withdraws the complaint or consents to the investigation not being started or being discontinued; or
- the complainant does not comply with a request by the local government for further information; or
- there is insufficient information to investigate the conduct; or
- the Councillor has vacated office (if re-elected within a 12 month period, the investigation must be recommenced).

### **Misconduct**

Councillors are required to comply with all laws that apply to Local Governments. This includes refraining from engaging in **misconduct**.

The OIA Independent Assessor is responsible for assessing and investigating instances of suspected misconduct. The OIA may make an application to the Councillor Conduct Tribunal (CCT) for the matter to be heard and determined. If the Councillor is found to have engaged in misconduct, the CCT may decide to take the disciplinary action it considers appropriate against the Councillor. The Independent Assessor may, at any time before an application is decided by the CCT, withdraw the application in whole or in part if satisfied the withdrawal is in the public interest.

If the office of a Councillor is vacated before an application is decided, the Independent Assessor must withdraw the application.

The conduct of a Councillor is misconduct if the conduct:

- adversely affects, directly or indirectly, the honest and impartial performance of the Councillor's functions or exercise of the Councillor's powers, or
- is, or involves:
  - a breach of trust placed in the Councillor, either knowingly or recklessly non-compliance with an Act by a Councillor
  - misuse of information or material acquired by the Councillor, in the performance of the Councillor's functions, whether the misuse is for the benefit of the Councillor or for the benefit or to the detriment of another person
    - a Councillor giving a direction to any Council employee (other than the Mayor giving direction to the Chief Executive Officer)
    - a release of confidential information outside of the Council
    - failure to declare a conflict of interest or appropriately deal with a conflict of interest in a meeting
    - attempting to influence a decision maker about a matter in which the Councillor has a conflict of interest
    - failure by a Councillor to report a suspected prescribed conflict of interest of another Councillor
    - failure to submit, update or review your registers of interests, or
  - is a failure by the Councillor to comply with:
    - an order made by the Council or the Councillor Conduct Tribunal
    - any acceptable request guidelines of the Council made under the legislation
    - the reimbursement of expenses policy of the Council.
- is:
  - a contravention of an order of a local government or the CCT
  - a contravention of a policy of the local government about the reimbursement of expenses
  - failure to notify particular conduct to the OIA
  - a failure to declare a conflict of interest or appropriately deal with a prescribed conflict of interest or a declarable conflict of interest in a meeting
  - participation in a decision when a prescribed or declarable conflict of interest exists without approval of the other Councillors in the matter
  - a failure to report another Councillor's potential conflict of interest in a matter in a meeting if the Councillor reasonably believes or suspects the other Councillor has a conflict of interest
  - a release of confidential information that the Councillor knows is confidential
  - an attempt to influence a decision maker about a matter in which the Councillor has a prescribed conflict of interest or a declarable conflict of interest

- o failure to declare particulars of interests at the start of the term or appointment, update or annually review

The conduct of a Councillor is also misconduct if the conduct leads to the Councillor being disciplined for ~~inappropriate conduct~~ a conduct breach on three occasions within a period of one year, or is conduct that is identified in an order of Council that it will be dealt with as misconduct if the Councillor engages in the same conduct breach again.

The conduct of a Councillor ~~may also be~~ is misconduct if a Councillor purports to direct the Chief Executive Officer in relation to disciplinary action regarding the conduct of a local government employee or Councillor Advisor.

The conduct of a Mayor is misconduct if an unlawful direction is given by a Mayor to the CEO under the Local Government Act 2009.

Councillors/Mayor may only give directions to local government employees that are in accordance with the guidelines made about the provision of administrative support.

## Corrupt conduct

**Corrupt conduct** is defined by, and dealt with, under the *Crime and Corruption Act 2001* (Section 15 (1) and (2)) and must be referred to the Crime and Corruption Commission (CCC).

For a Councillor, corrupt conduct involves behaviour that Corrupt Conduct means conduct of a person, regardless of whether the person holds or held an appointment, that:

- adversely affects or could adversely affect the performance of the Councillor's responsibilities, and
- involves the performance of the Councillor's responsibilities in a way that:
  - is not honest or impartial, or
  - involves a breach of the trust placed in the Councillor, or
  - involves the a misuse of information or material acquired by the Councillor through the performance of the Councillor's responsibilities, and
- is engaged in for the purpose of providing a benefit or a detriment to a person, and
- if proven would be a criminal offence.
- would if proved, be –
  - a criminal offence; or
  - a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment

Corrupt Conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that:

- impairs, or could impair, public confidence in public administration; and
- involves, or could involve, any of the following -
  - collusive tendering;
  - fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)
    - o protecting health or safety of persons;
    - o protecting the environment;



- o protecting or managing the use of the State's natural, cultural, mining or energy resources;
- dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;
- evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;
- fraudulently obtaining or retaining an appointment; and
- would, if proved, be—
  - a criminal offence; or
  - a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment

Councillors are reminded of their obligations under section 38 of the *Crime and Corruption Act 2001* to report suspected corrupt conduct.

The OIA has entered into a section 40 (of the *Crime and Corruption Act 2001*) arrangement with the CCC which allows the OIA to commence investigation into some allegations of corrupt conduct and report the matters to the CCC on a monthly basis, to provide the CCC with the opportunity to assume responsibility for or monitor an investigation, should the CCC consider that appropriate.

Further information about the CCC's jurisdiction and other topics in relation to local government is available at <https://www.ccc.qld.gov.au/sites/default/files/Docs/Publications/CCC/Corruption-in-focus-Guide-2020.pdf> (Chapter 4).

## MORE INFORMATION

The Department of Local Government, Racing and Multicultural Affairs website at [www.dlgrma.qld.gov.au](http://www.dlgrma.qld.gov.au) provides further information and resources for Councillors.

The Department also provides and facilitates training for Councillors and Council employees to assist them to develop the knowledge, skills and understanding necessary to undertake their roles and responsibilities effectively and in the best interests of their communities.

For more information, please contact your regional office within the Local Government Division of the Department of Local Government, Racing and Multicultural Affairs on:

### Southern office

Phone: (07) 3452 6762

Email: [southern@dlgrma.qld.gov.au](mailto:southern@dlgrma.qld.gov.au)

### Northern office

Phone: (07) 4758 3472

Email: [northern@dlgrma.qld.gov.au](mailto:northern@dlgrma.qld.gov.au)

For any further enquiries on this matter please contact the department.

## Office of the Independent Assessor – Inappropriate conduct: disciplinary action guideline

This guideline is provided to assist Queensland Councils to make consistent decisions about the appropriate disciplinary action to be taken against a Councillor who is found to have engaged in inappropriate conduct.

### What is inappropriate conduct?

According to section 150K of the *Local Government Act 2009* (LGA), inappropriate conduct occurs when a Councillor:

- breaches a behavioural standard (Code of Conduct for Councillors in Queensland)
- breaches a Council policy, procedure, or resolution
- contravenes an order to leave a Council meeting and stay away from the place at which it is being held
- is subject to unsuitable meeting conduct orders on three occasions within a one-year period.

Below are some examples of conduct which may constitute inappropriate conduct:

- a Councillor publicly makes derogatory comments about staff
- a Councillor purports to speak to the media on behalf of Council when not properly authorised under a Council policy
- a Councillor fails to comply with an order made by the chairperson of a meeting to leave and stay away from the meeting place.

### Decision

Section 150AG of the LGA provides that where an allegation of inappropriate conduct has been referred by the Office of the Independent Assessor (OIA) to Council for investigation, the local government must decide:

1. whether or not the Councillor has engaged in inappropriate conduct, *and*
2. what action the local government will take under s150AH of the LGA to discipline the Councillor if the Councillor has been found to have engaged in inappropriate conduct.

### Types of orders

Section 150AH of the LGA provides a list of the types of orders that the local government may make where it has found that a Councillor has engaged in inappropriate conduct:

- An order that no action be taken against the Councillor

- An order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct
- An order reprimanding the Councillor for the conduct
- *An order that the Councillor attend training or counselling addressing the Councillor's conduct including at the Councillor's expense\**
- *An order that the Councillor be excluded from a stated local government meeting\**
- *An order that the Councillor is removed or must resign from a position representing the local government other than the office of Councillor\**
- *An order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct\**
- An order that the Councillor reimburse the local government for all or some of the costs arising from the Councillor's inappropriate conduct.

\*Section 150AH(2) of the LGA provides that Council may not make the orders in *italics* in relation to a person who is no longer a Councillor.

#### **Factors that may be taken into account**

Section 150AG(2) of the LGA provides that in deciding what action to take, the local government may consider:

- Any previous inappropriate conduct of the Councillor
- Any allegation made in the investigation that was admitted
- Any allegation made in the investigation that was not challenged
- Any allegation made in the investigation that the local government is reasonably satisfied is true

The Independent Assessor advises that a local government may also consider:

- Whether the conduct was accidental, reckless, or deliberate
- The impact of the conduct (financial and reputational) on Council or others
- Whether the Councillor has demonstrated insight into their conduct
- Whether the Councillor cooperated with the investigation or not
- The Councillor's level of experience in local government
- Whether the Councillor has had the benefit of relevant training or not

#### **Guidance on appropriate disciplinary action**

It is open to Council to decide which order/s in section 150AH of the LGA are suitable when a Councillor is found to have engaged in inappropriate conduct. **The particular circumstances of a case must always be taken into consideration.**

As a guide, it is suggested that it may be appropriate for the local government to consider making an order or combination of orders depending on whether a Councillor has been found to have engaged in inappropriate conduct for the first time, or for a second, or third time.

Section 150L of the LGA provides that conduct is misconduct if the conduct is part of a course of conduct leading the local government to take action under s150AG to discipline the Councillor for inappropriate conduct on three occasions within a period of one year.

The table below may assist Councils to decide what disciplinary action is suitable in various circumstances.

Order	First instance engaging in inappropriate conduct	Second instance engaging in inappropriate conduct	Third instance engaging in inappropriate conduct
No action be taken against the Councillor	✓		
The Councillor makes a public admission that the Councillor has engaged in inappropriate conduct	✓*	✓*	✓*
A reprimand be recorded against the Councillor for the conduct	✓#	✓#	✓#
The Councillor attends training or counselling addressing the Councillor's conduct	✓#	✓#	✓#
The Councillor be excluded from a stated local government meeting		✓	✓
The Councillor is removed or must resign from a position representing the local government, other than the office of Councillor			✓
If the Councillor engages in the same type of conduct again, it will be treated as misconduct	✓△	✓	
The Councillor reimburses the local government for some of the costs arising from the Councillor's inappropriate conduct**		✓	✓

\*May be appropriate where there is heightened or particular public interest in the type of conduct or the subject matter relating to the conduct

# May be particularly appropriate where the conduct involves bullying or harassment or making inappropriate comments about another person

△ For more serious and deliberate inappropriate conduct by an experienced Councillor

\*\* Costs arising from the Councillor's inappropriate conduct includes investigative costs, legal costs, and support costs.



# BOULIA SHIRE COUNCIL

## Study and Training Policy

<b>Category:</b>	Policy
<b>Policy Number:</b>	132
<b>Document Version:</b>	1
<b>Obsolete Version:</b>	17 <sup>th</sup> August 2020 26 <sup>th</sup> March 2021
<b>Keyword Classification:</b>	Staff/Study/Education
<b>Summary:</b>	The purpose of this policy is to encourage staff to undertake education that improves their professional qualifications and enhances their ability to contribute to Council's corporate objectives.
<b>Adoption Date:</b>	
<b>Resolution:</b>	
<b>Due for Revision:</b>	Every three years or as impacted by legislation
<b>Revision date:</b>	
<b>Date revoked:</b>	n/a
<b>Related documents:</b>	Policy 115 Employee Travel and Training Expenses Policy
<b>Responsible Section:</b>	Executive
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Legislation:</b>	Local Government Regulation 2012

## OBJECTIVE

It is Council's policy to encourage staff to undertake education courses which will improve their ability to contribute to the corporate objectives of the organisation as well as improve their professional qualifications.

## SCOPE

This policy shall apply to all employees of Boulia Shire Council.

### Types of Assistance Offered

Given Council's geographic location and the nature of training courses on offer it is important that employees who request assistance from Council are willing to undertake training or attend seminars/webinars both during and outside normal working hours where travel or course requirements dictate.

The level of assistance offered to employees undertaking study or attending seminars/webinars shall be based on three categories, details of which are as follows:

#### Category 1 - Required Training and Seminars/Webinars and Study

A training course or seminar/webinar or study directly related to the employees current position and/or needs of the Council. It may also be a condition of employment that the employee obtains required qualifications or certificates.

#### Category 2 - Relevant Training and seminars Identified Training, Seminars/Webinars and Study

A training course or seminar/webinar or study not directly relevant to the employee's current position and/or immediate needs of the Council that is relevant to the employee's progression within the organisation or the future needs of the Council. Identified training opportunities are encouraged and supported through the performance review process.

#### Category 3 - Employee self education and development

A training course or seminar/webinar or study not directly relevant to the employee's current position and/or immediate needs of the Council that is of relevance to Local Government and may enhance the employee's professional qualifications and/or future job prospects within the industry.

### Determination of Category of Training

In the event that the Chief Executive Officer and the employee are unable to agree upon the relevant category for a particular training course or seminar/webinar or study, then Council's ManEx team may review the matter and make a recommendation to the Chief Executive Officer. However, the Chief Executive Officer may choose to accept or reject the recommendation of the ManEx team and the Chief Executive Officer's determination will be final.

### **Level of Assistance Category 1 - Required Training and Seminars/Webinars and Study**

Council will generally meet the cost of all reasonable out of pocket expenses associated with the training course or, seminar/webinar or study in accordance with Council policy and Award requirements.

This may include:

#### **Fees**

Council shall pay all compulsory course/seminar/webinar fees for approved employees undertaking such training provided however, where the employee is required to repeat a subject, no payment will be made unless previous course fees have been repaid to Council.

#### **Travel and Accommodation**

Travel, accommodation and reasonable out of pockets expenses in relation to required training and seminars Category 1 items will be fully reimbursed in accordance with Policy 115 Employee Travel and Training Expenses Policy. All claims for reimbursement must be supported by appropriate documentation. For individual expenses greater than \$50 a tax receipt is required. All travel and accommodation bookings will be arranged by the Executive Assistant. Employees are not to make their own booking arrangements.

#### **Leave**

Employees will not be required to take leave to participate in Required Training and Seminars Category 1 items unless:

- a) a subject is being repeated and they are required to re-sit an examination
- b) they are attending a graduation ceremony.

#### **Use of Council facilities**

The employee may make arrangements with their supervisor to utilise Council offices, printers, internet and computers etc for out of hours study or assignments as part of the course Category 1 items being undertaken. Council may also assist with the provision of a laptop or other computer if one is available for use for study at home.

#### **Textbooks and other expenses**

Council will meet the full cost of prescribed texts associated with the course and any incidental expenses directly related to the training/seminar/webinar.

### **Category 2 - Relevant Training and Seminars Identified Training, Seminars/Webinars and Study**

Council will generally assist with the cost of reasonable out of pocket expenses associated with the training course or, seminar/webinar or study as detailed below.

#### **Fees**

Council will reimburse the employee up to 50% of all compulsory course fees, including HECS-HELP fees, for approved employees undertaking such training upon satisfactory

completion of each unit of study. A higher reimbursement percentage (e.g. 75% or 100%) may be authorised by the CEO upon taking into account such factors as (but not limited to):

- The employee being able to successfully complete their studies in a shorter time frame than the maximum study period allowed by the training/education provider
- Whether or not the training/seminar/webinar was conducted entirely online (no accommodation or travel fees incurred)

For example, if a tertiary course that would normally take five years to complete is finished in half the time, 100% of course fees may be covered, if it is finished in 75% of the time allowed, 75% of course fees may be covered.

Approval of a higher reimbursement rate will be considered on a case by case basis.

### **Travel and Accommodation**

~~Subject to a limit of \$1,000 per annum, Where attendance at identified training, seminars/webinars and study is approved, Council will reimburse costs associated with travel, accommodation and out of pocket expenses, in accordance with Policy 115 Employee Travel and Training Expenses Policy. All claims for reimbursement must be supported by appropriate documentation. For individual expenses greater than \$50 a tax receipt is required. All travel and accommodation bookings will be arranged by the Executive Assistant. Employees are not to make their own booking arrangements.~~

### **Special Leave**

- a) Council will grant leave with pay to a staff member to allow attendance at relevant training or seminars/webinars to a maximum of three (3) days per annum.
- b) Council will grant leave with pay of one day to sit for examinations. Where a subject is being repeated no such leave with pay will be granted.
- c) The employee may utilise other approved leave for any additional time required for attendance or study, graduation ceremony attendance etc.

### **Use of Council facilities**

The employee may make arrangements with their supervisor to utilise Council offices, printers, internet and computers etc for out of hours study or assignments as part of the course/training being undertaken. Council may also assist with the provision of a laptop or other computer if one is available for use for study at home.

### **Textbooks and other expenses**

Council will reimburse up to 50% of the cost of prescribed texts associated with the course and any incidental expenses directly related to the training/seminar/webinar.

## **Category 3 - Employee self education and development**

Council will generally assist with the cost of reasonable out of pocket expenses associated



with the training course **or**, seminar/webinar **or** study as detailed below.

### **Fees**

Council will reimburse up to 25% towards course fees, including HECS-HELP fees, for approved employees undertaking such training upon satisfactory completion of each unit of study. A higher reimbursement amount may be authorised by the CEO upon taking into account such factors as (but not limited to):

- The employee being able to successfully complete their studies in a shorter time frame than the maximum study period allowed by the training/education provider
- Whether or not the training/seminar/webinar was conducted entirely online (no accommodation or travel fees incurred)

For example, if a tertiary course that would normally take five years to complete is finished in half the time, 75% of course fees may be covered, if it is finished in 75% of the time allowed, 50% of course fees may be covered.

Approval of a higher reimbursement rate will be considered on a case by case basis.

### **Travel and Accommodation**

~~Subject to a limit of \$500 per annum, Where attendance at identified training, seminars/webinars and study is approved, Council will reimburse costs associated with travel, accommodation and out of pocket expenses, in accordance with Policy 115 Employee Travel and Training Expenses Policy. All claims for reimbursement must be supported by appropriate documentation. For individual expenses greater than \$50 a tax receipt is required. All travel and accommodation bookings will be arranged by the Executive Assistant. Employees are not to make their own booking arrangements.~~

### **Special Leave**

The employee may utilise approved leave for any time required for attendance at training or study etc.

### **Use of Council facilities**

The employee may make arrangements with their supervisor to utilise Council offices, printers, internet and computers etc for out of hours study or assignments as part of the course being undertaken. Subject to CEO approval on a case by case basis, Council may also assist with the provision of a laptop or other computer if one is available for use for study at home.

### **Textbooks and other expenses**

Council will reimburse up to 25% of the cost of prescribed texts associated with the course and any incidental expenses directly related to the training/seminar/webinar.



# BOULIA SHIRE COUNCIL

## Investigation Policy

<b>Category:</b>	Policy
<b>Policy Number:</b>	150
<b>Document Version:</b>	2
<b>Obsolete Version:</b>	24 <sup>th</sup> November 2023
<b>Keyword Classification:</b>	Investigation
<b>Summary:</b>	This policy provides guidance for how complaints about the suspected conduct breach of Councillors will be dealt with (however, this policy does not relate to more serious Councillor conduct).
<b>Adoption Date:</b>	
<b>Resolution:</b>	
<b>Due for Revision:</b>	Three years unless otherwise impacted by legislation
<b>Revision date:</b>	April 2027
<b>Date revoked:</b>	n/a
<b>Related documents:</b>	Policy 121 Confidentiality (Use of Information) Procedure Policy Policy 127 Complaints Management Policy and Process Policy 128 Public Interest Disclosure Policy and Procedure Policy 129 Councillor Code of Conduct Policy 151 Model Meeting Procedures and Standing Orders Policy Policy 170 Privacy Policy
<b>Responsible Section:</b>	Executive
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Legislation:</b>	Local Government Act 2009 Local Government Regulation 2012 (LGR) Code of Conduct for Councillors in Queensland Crime and Corruption Act 2001

## 1. Authority

This is Boulia Shire Council's (Council) investigation policy (the policy) for how complaints about the suspected conduct breach of Councillors will be dealt with as required by section 150AE of the Local Government Act 2009 (LGA).

A local government must adopt, by resolution, a policy about how it deals with the suspected conduct breach of Councillors referred, by the independent assessor (the Assessor) under section 150AE (1), LGA, to the Council to be dealt with, and must be published on the Council's website, section 150AE (4), LGA.

## 2. Policy Statement

Chapter 5A of the LGA prescribes the Councillor conduct management system. Section 150CT of the LGA establishes an Independent Assessor (the Assessor) to carry out certain functions including the preliminary assessment, dismissal, referral, or investigation of complaints about Councillor conduct.

After undertaking a preliminary assessment on a Councillor conduct matter, if the Assessor reasonably suspects a Councillor has engaged in a conduct breach, the Assessor may decide to refer a suspected conduct breach to the Boulia Shire Council to deal with under section 150SD(4)(a) or 150W(b) of the LGA.

Upon receipt of the referral notice of a complaint of suspected conduct breach the Boulia Shire Council must deal with the Councillor's conduct as prescribed under section 150AF of the LGA unless a decision is made not to start or to discontinue the investigation under section 150AEA of the LGA. In conducting the investigation, the Boulia Shire Council must comply with this policy.

Council may decide not to start or discontinue the investigation if:

- the complaint is withdrawn by the complainant
- the complainant consents to the matter being withdrawn, for example, the matter has been resolved and it is unnecessary for the Council to investigate the matter
- the complainant refuses to cooperate by providing additional information during the investigation phase and not enough information is available to proceed
- the office of the Councillor becomes vacant for any reason, i.e. the person has resigned or was not re-elected and is no longer a Councillor.

## 3. Scope

### In Scope

This policy applies to investigations and determinations by the Boulia Shire Council about the suspected conduct breach of a Councillor including a Mayor, which has been referred by the Assessor.

The policy must:

- include a procedure for investigating the suspected conduct breaches of Councillors (see Appendix 3 – Investigation standards); and
- state the circumstances in which another entity may investigate the conduct; and
- be consistent with the principles of natural justice; and
- require the Council to prepare a report about each investigation (see Appendix 2 - Report template and summary report template); and
- require a notice about the outcome of investigations be provided to the Assessor, Councillor and persons who made complaint about the Councillors' conduct and include a procedure about when the Council may decide not to start, or to discontinue, an investigation under section 150AEA.

The policy must require the Boulia Shire Council:

- to give the Councillor information about the suspected conduct, including details about the evidence of the conduct; and
- to give the Councillor a notice if an investigation is not started or is discontinued; and
- for conduct the subject of a complaint - to give the person who made the complaint, if the contact details of the person are known, a notice if an investigation is not started or is discontinued; and
- to give the Councillor the preliminary findings of the investigation before preparing an investigation report about the investigation (see Appendix 4 - Statement of preliminary findings Template); and
- to allow the Councillor to give evidence or a written submission to the Council about the suspected conduct and preliminary findings; and
- to consider any evidence and written submission given by the Councillor in preparing the investigation report for the investigation; and
- to include in the investigation report:
  - if evidence is given by the Councillor - a summary of the evidence; and
  - if the Councillor gives a written submission - a full copy of the written submission.

#### **Out of Scope**

This policy does not relate to more serious Councillor conduct, such as misconduct or corrupt conduct, which are dealt with under separate legislative provisions.

This policy also does not deal with unsuitable meeting conduct, or any conduct undertaken in a personal capacity by a Councillor, for example, a sitting Councillor campaigning for re-election or attending a private social function.

## **4. Confidentiality**

Matters relating to the investigation of suspected conduct breach of a Councillor are confidential to the Council during the investigation period, except:

- to give the Councillor information about the suspected conduct, including details about the evidence of the conduct; and
- to give the Councillor the preliminary findings of the investigation before preparing an investigation report about the investigation; and
- to give the Councillor a notice if an investigation is not started or is discontinued; and
- for conduct the subject of a complaint - to give the person who made the complaint, and the Assessor a notice if an investigation is not started or is discontinued.

However, once the conduct is investigated and an investigation report is received, a summary of the investigation report must be made publicly available before any discussion is undertaken

by the Bouliia Shire Council. The published summary report must not contain any names or identifying information about the complainant and persons who were interviewed or a transcript of interview, or provided a statement or affidavit, unless the complainant is a Councillor or the Chief Executive Officer (CEO), whose identity was disclosed at the meeting at which the investigation report was considered.

Once the matter has been investigated and a report has been provided to the Council, the matter will be placed on the Council meeting agenda and the investigation report and any recommendations of the investigator may be debated in the Council meeting, which may be in a closed session under section 254J(j) of the LGR. At this point, the summary investigation report is not treated as confidential as it must be publicly available and attached to the agenda papers that are circulated before the meeting.

A final decision by resolution of the Council in an open Council meeting must take place when the decision is made about whether a Councillor engaged in a conduct breach and if so any decision about orders that are made under section 150AH of the LGA. Any decision that is not consistent with the recommendation of the investigation report must state in the meeting minutes, the reasons for the decision. The minutes must give sufficient information to demonstrate the logic that has been applied to justify the decision not to follow the recommendation of the investigation report.

The full investigation report must be made publicly available within 10 business days of the Council making a decision by resolution about whether the Councillor engaged in a conduct breach and if so, any orders made in relation to the matter. The published report must not contain any names or identifying information about the complainant, persons who were interviewed or a transcript of interview, or provided a statement or affidavit unless the complainant is a Councillor or CEO whose identity was disclosed at the meeting at which the investigation report was considered.

When deciding what action to take, the Council may consider:

- any previous conduct breach of the Councillor
- any allegation made in the investigation that was admitted or not challenged, and
- the Council is reasonably satisfied is true.

A notice about the outcome of the investigation must be given to the Assessor as soon as practicable that states the decision, the reasons for the decision and the details of any orders made under section 150AH of the LGA.

**Note:** For investigation report templates please refer to Appendix 2 - Report template & summary report template, and Appendix 4 - Statement of preliminary findings template. These templates should be used by the investigator.

## 5. Natural Justice

Any investigation of suspected conduct breach of a Councillor must be carried out in accordance with natural justice.

Natural justice, or procedural fairness, refers to three key principles:

- that the Councillor who is the subject of the suspected conduct breach matter has a chance to have his or her say before adverse formal findings are made and before any adverse action is taken i.e., fair hearing; and
- that the investigator should be objective and impartial i.e., absence of bias; and
- that any actions taken or decisions made are based on evidence i.e., not on

suspicion or speculation.

A fair hearing means the Councillor who is the subject of the suspected conduct breach matter will receive information about the suspected conduct, including:

- the preliminary findings of the investigation before the preparing of an investigation report about the investigation outcome; and
- a notice if an investigation is not started or is discontinued including the reasons for the decision
- allow the Councillor to give evidence or a written submission to the Council about the suspected conduct breach and preliminary findings; and
- require the Council to consider the evidence or written statement from the Councillor in preparing the investigation report, and
- include, if evidence is given by the Councillor, a summary of the evidence and, if a written submission is provided, a full copy of the written submission, in the investigation report.

The local government must give the following notices to the other parties if an investigation is not started or discontinued including the reasons for the decision:

- the person who made the complaint; and
- the Assessor

An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.

A proper examination of all issues means the investigation must give a proper and genuine consideration to each party's case.

**Note:** *It must be kept in mind that the matter when referred, is suspected, and not yet proven.*

## 6. Standard of proof

The civil standard of proof is applied by the investigator when determining whether a Councillor has engaged in a conduct breach.

The civil standard of proof is 'on the balance of probabilities', which means the weighing up and comparison of the likelihood of the existence of competing facts or conclusions.

An allegation is sustained 'on the balance of probabilities', if based on the evidence, the investigator and/or the Council, is reasonably satisfied that its existence is more probable than not.

## 7. Timeline

The Councillor conduct framework must be effective and efficient. The investigator will make all reasonable endeavours to complete the investigation and provide a report for inclusion on the agenda of the Council meeting within eight weeks of commencing the investigation, after the receipt of the complaint from the Assessor.

**Note:** *If the investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the Mayor or delegate (if the Mayor is managing the investigation) to seek an extension of time. Delay in procuring an investigator to undertake the investigation should be avoided by the Council.*

## **8. Expenses**

Council must pay the expenses associated with the investigation of suspected conduct breach of a Councillor including any costs of:

- an independent investigator engaged on behalf of the Boulia Shire Council
- travel where the investigator needed to travel to undertake the investigation, or to interview witnesses
- obtaining legal or expert advice.

*Note: Council may order the subject Councillor to reimburse them for all or some of the costs arising from a sustained conduct breach. These costs would usually only relate to obtaining legal or expert advice and reasonable costs for the investigator engaged to undertake the investigation. Any costs incurred by complainants, or the subject Councillor will not be met by Council. Where possible, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by, for example, the Councillor Conduct Tribunal or other jurisdictions who deal with conduct matters.*

## **9. Councillor conduct register**

The Chief Executive Officer must ensure decisions and any orders under section 150AH of the LGA made about a conduct breach by a Councillor or any decision to not start, or to discontinue an investigation of suspected conduct breach under section 150AEA of the LGA, are entered into the relevant Councillor conduct register.

## **Procedures for the Investigation**

### **10. Independent Assessor's referral**

Council will receive a referral notice from the Assessor about the suspected conduct breach of a Councillor. The referral notice will include details of the conduct and any complaint received about the conduct, state why the Assessor reasonably suspects that the Councillor has engaged in a conduct breach and include information about the facts and circumstances that form the basis of the Assessor's reasonable suspicion.

The Council must deal with the matter and the investigation must be conducted in a way that is consistent with this policy.

The Assessor must also give a notice to the Councillor that states the Councillor's conduct has been referred to the Boulia Shire Council to deal with and a copy of the referral notice must be attached.

### **11. Receipt of Assessor's referral**

On receipt of a referral notice about the suspected conduct breach of a Councillor from the Assessor, the CEO will forward a copy of that referral notice to the mayor and all Councillors, including the subject Councillor, as a confidential document.

The Councillor who is the subject of the complaint and the complainant, if the complainant is a Councillor, have a declarable conflict of interest and should manage it in a way that is consistent with the requirements of the model meeting procedures section 5.

The Mayor will manage the investigation process and may undertake the investigation



themselves, or engage an external investigator, to investigate the suspected conduct breach and prepare an investigation report with recommendations about whether the Councillor engaged in a conduct breach and how the conduct may be dealt with. If the Mayor has a conflict of interest in the matter, the Mayor's powers to manage the investigation must be delegated by Council resolution to the Deputy Mayor, or if the Deputy Mayor is conflicted, then an acting Mayor must be appointed from the other Councillors by resolution, to manage the investigation.

Where the Council meeting loses quorum due to conflicts of interest of Councillors or absent Councillors, then the conduct matter must be delegated to the Mayor or a standing committee to make a decision. If the referral notice is about the suspected conduct breach by the Mayor, then the matter must be delegated to a standing committee.

Council will consider establishing a standing committee under section 264 of the LGR to deal with decisions about conduct breach matters which are delegated by resolution to a standing committee. The standing committee will decide about the Mayor's conduct in all circumstances where there is a loss of quorum or more generally, may also deal with Councillors' conduct.

While section 12(4)(f) of the LGA provides that the Mayor has the extra responsibility of being a member of each standing committee, the Mayor could not be a decision-making member of a standing committee dealing with decisions about the Mayor's conduct because of the conflict of interest. The remainder of the unconflicted members of the committee will decide the matter.

The standing committee must be in existence before receiving the referral notice from the Assessor, in circumstances where there is no quorum to decide a matter under sections 150AEA or 150AG of the LGA due to conflicts of interest.

## **12. When the local government may decide not to start, or to discontinue, an investigation**

On receipt of the referral notice from the Assessor, the Mayor will manage the investigation unless it is delegated. If there are circumstances for considering not starting or discontinuing an investigation, the matter will be placed on the agenda for the next Council meeting. The Council may decide by resolution to not start, or discontinue, a suspected conduct breach matter. The resolution must state the decision and the reasons for the decision.

The only circumstances in which the Council can formally not start or discontinue a matter are under section 150AEA of the LGA:

*Note: The matters not started or discontinued must be reported in the annual report (including the reasons) and recorded in the Councillor conduct register.*

## **13. Local government investigating the suspected conduct breach of a Councillor**

Unless the matter has been delegated by the Council, the Mayor will manage the investigation of suspected conduct breach matters relating to other Councillors by either performing the role of investigator or engaging a suitably qualified person to undertake the investigation and provide an investigation report for the Council to consider. The Mayor is authorised by Council to expend money as reasonably needed to engage contractors in accordance with the Council's procurement policy.

If the investigator obtains information which indicates a Councillor may have engaged in



misconduct, the investigator must cease the investigation and advise the Mayor and CEO. The CEO will determine if the conduct is within the timeframe for reporting the matter. The CEO will then provide an information notice to the Assessor giving the details of the suspected misconduct. The notice must be given within one year after the conduct occurred, or within six months after the conduct comes to the knowledge of the CEO or another person who gave the information notice to the Assessor, but within two years after the conduct occurred.

If the investigator obtains information that indicates a Councillor may have engaged in corrupt conduct, the investigator must cease the investigation and advise the Mayor and CEO. The CEO will then provide an information notice to the Assessor giving the details of the suspected corrupt conduct or notify the Crime and Corruption Commission of the suspected corrupt conduct. There are no reporting time limits for corrupt conduct.

## **14. Engaging an Investigator**

Once an investigator has been selected to undertake the investigation, that investigator will follow the investigation standards of the Council (see Appendix 3 – Investigation standards) e.g. an investigation plan and file management system will be established.

Once the investigation is finalised the investigator will prepare a report for the Council including the following details:

- the investigation process
- any witnesses interviewed
- documents or other evidence obtained
- a statement of the relevant facts ascertained
- confirmation that the subject Councillor has been provided with an opportunity to respond to the complaint and the evidence compiled
- the investigation findings
- a statement of any relevant previous disciplinary history
- any recommendations about dealing with the conduct
- a record of the investigation costs.

## **15. Completion of investigation Findings and recommendations**

The investigator must prepare a statement of preliminary findings and must give the preliminary findings to the Councillor before preparing the Investigation Report and allow the Councillor to give evidence or a written statement about the conduct and preliminary findings.

The investigator must consider any evidence or written submission given by the Councillor in preparing the investigation report and include a summary of the evidence and a full copy of any written submission in the investigation report.

### **Investigation report**

The investigator must prepare an investigation report about the investigation of a suspected conduct breach matter referred by the Assessor to the Council under section 150AFA of the LGA. The investigation report must include the findings of the investigation, a summary of the evidence or a full copy of any written submission given by the Councillor and recommendations for consideration by the Council (see Appendix 2 – Report template).

A summary investigation report with the preliminary statement of findings and summary of the outcome of the investigation attached, must be prepared for public availability before the

meeting where the Councillors will consider the investigation report matter on or before the day and time prescribed by the LGR section 254C, which is:

- 5pm on the next business day after the notice of the meeting at which a decision is to be made has been provided to the Councillors, or
- the day and time when the agenda for the meeting at which a decision is to be made is publicly available.

Council must prepare a summary of the investigation report that must include:

- the name of the Councillor whose conduct has been investigated; and
- a description of the alleged conduct; and
- a statement of the facts established by the investigation; and
- a description of how natural justice was afforded to the Councillor during the conduct of the investigation; and
- a summary of the findings of the investigation; and
- any recommendations made by the investigator who investigated the conduct.

The following information must not be made publicly available:

- if the investigation relates to the conduct of a Councillor that was the subject of a complaint:
  - the name of the person who made the complaint or any other person, other than the Councillor; or
  - information that could reasonably be expected to result in identifying a person who made the complaint or any other person; or
  - if a person, other than the Councillor, provided information for the purposes of the investigation including, for example, by giving an interview or making a submission or affidavit:
    - the name of the person; or
    - information that could reasonably be expected to result in identifying the person or any other person, other than the Councillor
    - any other information the Council is entitled or required to keep confidential under a law

## **Making a decision about the investigation**

The Council must make a decision as to whether the subject Councillor has engaged in a conduct breach.

When debating this matter the subject Councillor who has a declarable conflict of interest in the matter, must declare the conflict of interest, and the eligible Councillors (those who do not have a conflict of interest in the matter) can decide by resolution for the subject Councillor to remain in the meeting during the debate and may answer questions put to the subject Councillor through the Chairperson to assist the eligible Councillors in making a decision. The resolution can include conditions that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed a conduct breach and what, if any, penalty to impose if the Councillor is found to have committed a conduct breach.

Should the complainant be a Councillor, that Councillor has a declarable conflict of interest in the matter and must follow the declarable conflict of interest procedures set out in the model meeting procedures.

If the Council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the LGA, or deferred to another date when a quorum will be present.

If a decision is reached that the Councillor has engaged in a conduct breach (with the exception of the subject Councillor and the complainant Councillor, who cannot participate in the decision), the eligible Councillors at the meeting will consider the findings and recommendations of the investigator's report and decide what, if any, action it will take under section 150AH of the LGA.

After making a decision about the conduct breach, the Council must make the investigation report for the investigation publicly available after the meeting at which the decision about the outcome of the investigation is made, by:

- on or before the day and time prescribed by regulation, or 5pm on the tenth day; or
- the day and time that the meeting minutes are made publicly available.

The following information contained in the investigation report must **not** be made publicly available:

- if the investigation relates to the conduct of a Councillor that was the subject of a complaint
  - the name of the person who made the complaint or any other person, other than the Councillor even if that person has a declarable conflict of interest; or
  - information that could reasonably be expected to result in identifying a person
- if a person, other than the Councillor, provided information for the purposes of the investigation including, for example, by giving an interview or making a submission or affidavit:
  - the name of the person; or
  - information that could reasonably be expected to result in identifying the person or any other person, other than the Councillor; or
  - the submission or affidavit of, or a record or transcript of information provided orally by, a person, including, for example, a transcript of an interview; or
  - any other information the Council is entitled or required to keep confidential under a law e.g. documents subject to legal professional privilege or information that is part of a public interest disclosure under the *Public Interest Disclosure Act 2010*.

The report made publicly available must include the name of the person who made the complaint if:

- the person is a Councillor or the CEO; and
- the person's identity as the complainant was disclosed at the meeting at which the report for the investigation was considered.

## 16. Disciplinary action against Councillors

If the Council decides that the Councillor has engaged in a conduct breach, any of the following orders may be imposed:

- order that no action be taken against the Councillor, or
- make an order outlining action the Councillor must undertake in accordance with section 150AH(1)(b) of the LGA.

**Note:** For further information refer to Appendix 5 - Conduct breach disciplinary action guideline

## 17. Notice about the outcome of the investigation

After an investigation is finalised, the Council must give a notice about the outcome decision of the investigation if the Council decides not to start or discontinue an investigation under section 150AEA of the LGA, or makes a decision about whether the Councillor has engaged

in a conduct breach under section 150AG of the LGA including the reasons for the decision and any orders made under section 150AH of the LGA to:

- the Assessor; and
- the person who made the complaint about the Councillor conduct that was the subject of the investigation; and
- the subject Councillor who was investigated.

## Appendix 1 – Index

**Assessor** means the Independent Assessor appointed under section 150CT of the LGA

**Behavioural standard** means a standard of behaviour for Councillors set out in the *Code of Conduct for Councillors in Queensland* approved under section 150D and 150E of the LGA

**Conduct** includes:

- failing to act; and
- a conspiracy, or attempt, to engage in conduct

**Councillor conduct register** means the register required to be kept by the Council as set out in section 150DX and 150DY of the LGA

**Conduct breach** as set out in section 150K of the LGA

**Investigation policy** refers to this policy, as required by section 150AE of the LGA

**Investigator** means the person responsible under this policy for carrying out the investigation of the suspected conduct breach of a Councillor or Mayor

**Summary of investigation report** means a summary of the full investigation report prepared before making a decision about the outcome of the investigation that must be publicly available on or before the day prescribed by regulation

**Investigation report** means a report provided by the investigator to the Council that must be publicly available within 10 business days after the Council makes a decision about the outcome of the investigation

**LGA** means the Local Government Act 2009

**Local government meeting or Council meeting** means a meeting of:

- Boulia Shire Council; or
- a committee of Boulia Shire Council

**Misconduct** see section 150L of the LGA

**Model meeting procedures** see section 150F of the LGA

**Referral notice** see section 150AB, AC and AD of the LGA

**Tribunal** means the Councillor Conduct Tribunal as established under section 150DK of the LGA

**Unsuitable meeting conduct** see section 150H of the LGA

## Appendix 2 - Report template and summary report template

### Conduct Breach Complaint Investigation and Recommendation Report to Boulia Shire Council

Reference number:

Date received from Council:

#### 1. The complaint

Description of the alleged conduct

*(Outline the allegation/s as referred for investigation, including date/s, time/s, place/s, description of alleged conduct. Succinct description of (full title and relevant sections) of policy (e.g. code of conduct) alleged to have been breached)*

#### 2. The complainant

Name of the complainant who made the complaint about the alleged conduct

*(Consider if Council indicates the matter relates to a public interest disclosure and ensure compliance with the Public Interest Disclosure Act 2010)*

#### 3. The subject Councillor

Name *(Reference level of experience as a Councillor and any past disciplinary history including for like matters)*

#### 4. Conflict of interest considerations

*(Declaration of any conflict of interest or 'no conflict of interest' by the investigator)*

#### 5. Summary of the investigation process

- scope of the investigation
- interviews conducted
- documents examined
- facts identified
- category of the conduct breach (set out relevant standards of sections considered).

#### 6. Investigation report

- date of the report
- wording of allegation for consideration
- a statement of the facts established by the investigation
- a description of how natural justice was afforded to the Councillor during the conduct of the investigation
- a summary of the findings of the investigation
- a summary of any relevant previous disciplinary history
- summary of the evidence or a full copy of any written submission given by the Councillor
- application of facts to the conduct breach outlined above
- a record of the investigation costs.

**Note:** *Insert discussion of sufficiency of evidence to sustain the allegation and whether the evidence is capable of supporting a finding that the Councillor has breached*

## 7. Recommendation to Council

Recommendations made by the investigator who investigated the conduct

It is recommended that:

- a) This report be submitted to the Boulia Shire Council for consideration, pursuant to section 150AG of the *Local Government Act 2009* (LGA), as to whether or not the Councillor has engaged in inappropriate conduct; and if they are found to have so engaged, what action the Council will take to discipline the Councillor pursuant to section 150AH of the LGA.
- b) Having analysed the material from this investigation, a conclusion might be drawn that:  
*Note: make a recommendation as to whether a conduct breach is made or not, with succinct reasons*
- c) If Boulia Shire Council finds the Councillor has engaged in inappropriate conduct, are there any aggravating or mitigating circumstances that should be taken into account?  
*For example, any action taken by the Councillor since the conduct, any Aboriginal traditions or Islander customs of the Councillor.*
- d) If Council finds the Councillor has engaged in a conduct breach, the following disciplinary action under section 150AH LGA is recommended (refer to the 'Guideline – conduct breach disciplinary action').

..... (SIGN)

NAME:

ATTACHMENTS:

## 8. Summary report template

Include the following:

- the name of the Councillor whose conduct has been investigated; and
- a description of the alleged conduct; and
- a statement of the facts established by the investigation; and
- a description of how natural justice was afforded to the Councillor during the conduct of the investigation; and
- a summary of the findings of the investigation; and
- any recommendations made by the investigator who investigated the conduct.

## Appendix 3 – Investigation standards

The investigation must be managed in a consistent manner.  
Documentation must be contained in an efficient records management system.  
Confidential information must be secured appropriately.

### 1. Case management file

The investigation must be supported by a recognised case management tool so that emails, letters, statements, and evidence can be stored and secured confidentially. File notes must be made in the case management system to document key milestones in the investigation such as when lines of inquiry are identified, witnesses are spoken to, when evidence is secured, and document key decisions.

### 2. Investigation plan

The Mayor or delegate will, prior to beginning the investigation, check that the investigator does not have a conflict of interest in the matter. Remove them immediately from the investigation should a conflict of interest become known.

The following investigation process must be followed by the investigator unless the Mayor or delegate agrees to vary the process in a particular case.

Take all necessary steps to protect the identity of the complainant(s) as far as possible during communications with the Councillor.

Consider the following:

- research the legislation and policy framework thoroughly
- identify lines of inquiry and record them as a file note in case file management system
- present all the evidence the Councillor provides or gives in a written statement
- gather further evidence (for example, from interviewing other witnesses, obtaining documents, or carrying out site inspections) when necessary
- secure evidence in case file management system, making a file note when lines of inquiry are followed up and key decisions are made during the course of in the investigation
- undertake a proper and impartial examination of the evidence gathered, including expert advice and analysis and/or legal advice if required
- draw conclusions based on the evidence and applying the appropriate legislative and policy frameworks.

### 3. Prepare an investigation report

Prepare the investigation report for the Council to consider on the template attached (Appendix 2).

If during the course of an investigation, the investigator obtains new information that a Councillor may have engaged in conduct that may give rise to a new allegation, the investigator must obtain particulars related to the conduct and then advise the Mayor and the Chief Executive Officer who will provide an information notice to the Assessor. The Assessor will undertake a preliminary assessment or alternative action on the matter.

The investigator will be informed of activities of the Bouliia Shire Council in relation to the investigation. For example, the investigator will be informed in the event the finalisation of a matter is delayed, or if the Council has to notify of a fresh allegation identified during the course of an investigation to the Assessor for a preliminary assessment.

If during the course of an investigation, the investigator obtains new information that a Councillor may have engaged in misconduct or corrupt conduct the investigation will cease and the investigator will notify the Mayor and Chief Executive Officer who will be responsible for providing an information notice to the Assessor/Crime and Corruption Commission.

## Appendix 4 - Statement of preliminary findings template

### Statement of preliminary findings

The investigator has assessed the evidence set out in the investigation report and, taking into account the seriousness of the allegations, has made findings on the balance of probabilities.

The table below contains a summary of the allegations and the investigator's findings.

A detailed summary of the evidence and findings is provided in the full investigation report.

#### CONDUCT ALLEGATIONS

<b>Allegation</b>	<b>Finding</b>
Allegation:	Substantiated/Not Substantiated
Particulars:	Summary of Evidence:
	Summary of reasons for finding:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Investigator's signature and name



## Appendix 5 - Conduct breach disciplinary action guideline

This guideline is provided to assist Council to make consistent decisions about the appropriate disciplinary action to be taken against a Councillor who is found to have engaged in a conduct breach.

### 1. What is a conduct breach?

According to section 150K of the *Local Government Act 2009* (LGA), a conduct breach occurs when a Councillor:

- breaches a behavioural standard (*Code of Conduct for Councillors in Queensland*)
- breaches a Council policy, procedure, or resolution
- contravenes an order by a Chairperson of Council to leave a Council meeting and stay away from the place at which it is being held
- is part of a course of unsuitable meeting conduct orders on three occasions, within a one-year period, taken together. Council is not required to notify the Assessor of these matters and may deal with the conduct as if an investigation has been undertaken, section 150J, and make a decision under section 150AG of the *Local Government Act 2009*.

### 2. Decision

Section 150AG of the LGA provides that where an allegation of a conduct breach has been referred by the Assessor to a Council for investigation, the Council must decide:

- whether or not the Councillor has engaged in a conduct breach, and
- what action the Council will take under section 150AH of the LGA to discipline the Councillor if the Councillor has been found to have engaged in a conduct breach.

### 3. Types of orders

Section 150AH of the LGA provides a list of the types of orders that the Council may make where it has found that a Councillor has engaged in inappropriate conduct:

- an order that no action be taken against the Councillor
- an order that the Councillor make a public apology, in the way decided by the Council, for the conduct
- an order reprimanding the Councillor for the conduct
- an order that the Councillor attend training or counselling addressing the Councillor's conduct including at the Councillor's expense
- an order that the Councillor be excluded from a stated Council meeting
- an order that the Councillor is removed or must resign from a position representing the Council other than the office of Councillor
- an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
- an order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's conduct breach.

### 4. Factors that may be taken into account

Section 150AG(2) of the LGA provides that in deciding what action to take, the Council may consider:

- any previous conduct breach of the Councillor
- any allegation made in the investigation that –
  - was admitted, or was not challenged; and
  - the Council is reasonably satisfied is true.

### 5. Guidance on appropriate disciplinary action

It is open to Council to decide which order/s in section 150AH of the LGA are suitable when a

Councillor is found to have engaged in a conduct breach. The particular circumstances of a case must always be taken into consideration.

As a guide, it is suggested that it may be appropriate for the Council to consider making an order or combination of orders depending on whether a Councillor has been found to have engaged in a conduct breach for the first time, or for a second, or third time.

Section 150L of the LGA provides that conduct is misconduct if the conduct is part of a course of conduct leading the Council to take action under section 150AG to discipline the Councillor for a conduct breach on three occasions within a one-year period.

The following table may assist Council to decide what disciplinary action is suitable in various circumstances.

<b>Order</b>	<b>First instance engaging in a conduct breach</b>	<b>Second instance engaging in a conduct breach</b>	<b>Third instance engaging in a conduct breach</b>
No action be taken against the Councillor	☐		
An order for the Councillor to make a public apology in the way decided by the Council for the conduct	☐*	☐*	☐*
An order reprimanding the Councillor for the conduct	☐#	☐#	☐#
An order that the Councillor attend training or counselling addressing the Councillor's conduct including at the Councillor's expense	☐#	☐#	☐#
An order that the Councillor be excluded from a stated Council meeting		☐	☐
An order that the Councillor is removed or must resign from a position representing the Council other than the office of Councillor			☐
An order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct	☐^	☐	
An order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's inappropriate conduct **		☐	☐

\* May be appropriate where there is heightened or particular public interest in the type of conduct or the subject matter relating to the conduct

# May be particularly appropriate where the conduct involves bullying or harassment or making inappropriate comments about another person

^ For more serious and deliberate conduct breaches by an experienced Councillor

\*\* Costs arising from the Councillor's conduct breach includes investigative costs, legal costs, and administrative costs. However, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by the Councillor Conduct Tribunal



# BOULIA SHIRE COUNCIL

## Model Meeting Procedures and Standing Orders Policy

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Responsible Section:	Executive
Responsible Officer:	Chief Executive Officer (CEO)
Legislation:	Local Government Act 2009 Local Government Regulation 2012 Acquisition of Land Act 1967 Information Privacy Act 2009

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## Introduction

The purpose of this document is to set out certain procedures to ensure all the local government principles are reflected in the conduct of Council meetings, standing and advisory committee meetings as defined in the *Local Government Act 2009* (LGA) and *Local Government Regulation 2012* (LGR) and to strengthen public confidence in the way Council meetings are conducted. Under section 150F of the LGA, the Chief Executive Officer (CEO) must make model procedures for Council and committee meetings and these must be adopted by Council.

However, model meeting procedures do not apply to meetings of the Council's Audit Committee.

Local government meetings must adhere to the following principles:

- Transparent and effective processes and decision making in the public interest
- Sustainable development management and delivery of effective services
- Democratic representation, social inclusion and community engagement
- Good governance of, and by the Council
- Ethical and legal behaviour of Councillors, Council employees and Councillor advisors.

### 1 Standing orders

- 1.1. These standing orders apply to Council meetings including standing committee meetings. These standing orders do not apply to meetings of the Audit Committee.
- 1.2. A provision of these standing orders may be suspended by resolution of any meeting of the Council except those sections that are mandatory under the model meeting procedures. A separate resolution is required for any suspension and must specify the application and duration of each suspension.
- 1.3. Where a matter arises at the Council meeting that is not provided for in these standing orders, the matter will be determined by resolution of the Council upon a motion which may be put without notice, but otherwise conforming with these standing orders.

## Procedures for meetings of local government

### 2 Presiding officer

- 2.1. The Mayor will preside at a meeting of a Council.
- 2.2. If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.3. If both the Mayor and the Deputy Mayor, or the Mayor's delegate, are absent or unavailable to preside, another Councillor chosen by the Councillors present at the meeting will preside at the meeting.
- 2.4. The Council will choose the Chairperson for a committee meeting. This Chairperson will preside over meetings of the committee.
- 2.5. If the Chairperson of a committee is absent or unavailable to preside, another Councillor chosen by the Councillors present will preside over the committee meeting.
- 2.6. Before proceeding with the business of the Council meeting, the person presiding at the meeting will undertake the acknowledgement and/or greetings deemed appropriate by the Council.

### 3 Order of business

- 3.1. The order of business will be determined by resolution of the Council from time to time. The order of business may be altered for a particular meeting where the Councillors at that meeting pass a procedural motion to that effect. A motion to alter the order of business may be moved without notice.
- 3.2. Unless otherwise altered, the order of business will be as follows:
- attendance
  - apologies and granting of leaves of absence
  - confirmation of previous minutes
  - business arising out of previous meetings
  - Officers' reports.

**Note:** *The minutes of a previous meeting, whether an ordinary or special meeting, not previously confirmed will be taken into consideration at every ordinary meeting of the Council in order that the minutes may be confirmed. No discussion will be permitted about these minutes except with respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. All Councillors present at the meeting can vote to confirm the minutes including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting. Once the minutes are confirmed by resolution of the meeting they cannot be changed. If the Council needs to make a correction to the confirmed minutes, that can be done by passing a rescinding motion or a new motion that states what the correction is, but the original minutes remain as they are recorded.*

### 4 Agendas

- 4.1. The agenda may contain:
- notice of meeting
  - amendments correcting the minutes of the previous meeting
  - adoption of the minutes of the previous meeting
  - business which the Mayor wishes to have considered at that meeting without notice
  - matters of which notice has been given
  - committees' reports referred to the meeting by the CEO
  - Officers' reports referred to the meeting by the CEO
  - Councillor conduct breach investigation reports provided by the investigator
  - deputations and delegations from the community that are approved to attend
  - any other business the Council determines by resolution be included in the agenda.
- 4.2. Business not on the agenda, or not fairly arising from the agenda, will not be considered at any Council meeting unless permission for that purpose is given by the Council at the meeting. Business must be in accordance with the adopted terms of reference for each committee.
- 4.3. The notice of the meeting and the agenda must be given to each Councillor at least two days before the meeting, unless it is impracticable to give the notice before that time.
- 4.4. The agenda for the Council must be made publicly available by 5pm on the business day after the notice of meeting is given to the Councillors. Any related reports, including any summary investigation report for a conduct breach matter, for the Council meeting must also be included and available to the public when the agenda for the meeting is made publicly

available, excluding confidential reports. If the related report is made available to Councillors or committee members during the period starting immediately after notice of the meeting is given and ending immediately before the meeting is held, then these reports must be made available to the public as soon as practicable after it is made available to the Councillors or committee members.

- 4.5. Matters on the agenda that may require the meeting to be in a closed session consistent with the provisions under section 254J LGR, can be identified on the agenda as 'may be closed by resolution of the meeting for the matter to be debated'.

## 5 Quorum

- 5.1. A quorum at a Council meeting is a majority of its Councillors. If the number of Councillors is even, then one half of the number is a quorum.
- 5.2. If a quorum is not present within 15 minutes after the time set for the meeting to begin, it may be adjourned to a later hour or a later day within 14 days after the day of the adjournment. The meeting may be adjourned by a majority of Councillors present, or if only one Councillor is present, then that Councillor, or if no Councillors are present then the CEO.

## 6 Petitions

- 6.1. Any petition presented to a meeting of the Council will:
  - be in legible writing or typewritten and contain a minimum of 10 signatures
  - include the name and contact details of the principal petitioner (i.e., the key contact)
  - include the postcode of all petitioners, and
  - have the details of the specific request/matter appear on each page of the petition.
- 6.2. Where a Councillor presents a petition to a meeting of the Council, no debate in relation to it will be allowed, and the only motion which may be moved is:
  - that the petition be received
  - received and referred to a committee or officer for consideration and a report to the Council, or
  - not be received because it is deemed invalid.
- 6.3. The Council will respond to the principal petitioner in relation to all petitions deemed valid.

## 7 Deputations

- 7.1. A deputation wishing to attend and address a meeting of the Council shall apply in writing to the CEO not less than seven business days before the meeting.
- 7.2. The CEO, on receiving an application for a deputation, shall notify the Chairperson who will determine whether the deputation may be heard. The CEO will inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time will be arranged for that purpose, and an appropriate time period allowed (e.g. 15 minutes).
- 7.3. For deputations comprising three or more persons, only three persons shall be at liberty to address the Council meeting unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 7.4. If a member of the deputation other than the appointed speakers interjects or attempts to



address the Council meeting, the Chairperson may terminate the deputation.

- 7.5. The Chairperson may terminate an address by a person in a deputation at any time where:
- the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting
  - the time period allowed for a deputation has expired, or
  - the person uses insulting or offensive language or is derogatory towards Councillors or others.
- 7.6. The CEO is responsible for the deputation, including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

## 8 Public participation at meetings

- 8.1. A member of the public may take part in the proceeding of a meeting only when invited to do so by the Chairperson.
- 8.2. In each Council meeting, time may be required to permit members of the public to address the Council on matters of public interest related to Council. An appropriate time period will be allowed (e.g. 15 minutes) and no more than three speakers shall be permitted to speak at one meeting. The right of any individual to address the Council during this period shall be at the absolute discretion of the Council Chairperson.
- 8.3. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
- 8.4. For any matter arising from such an address, the Council may take the following actions:
- refer the matter to a committee
  - deal with the matter immediately
  - place the matter on notice for discussion at a future meeting
  - note the matter and take no further action.
- 8.5. Any person addressing the Council shall stand, act and speak with decorum and frame any remarks in respectful and courteous language.
- 8.6. Any person who is considered by the Council or the Chairperson to be inappropriately presenting may be directed by the Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

## 9 Prescribed conflict of interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a Council or committee meeting (other than ordinary business matters as prescribed under section 150EF of the LGA). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

- 9.1. A Councillor who has notified the CEO in writing, including all the particulars, of a prescribed conflict of interest in a matter to be discussed in a Council meeting must also give notice during the meeting at the time when the matter is to be dealt with.
- 9.2. A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a Council meeting must immediately inform the meeting of the conflict of interest and the particulars.



9.3. When notifying the meeting of a prescribed conflict of interest, the following particulars must be provided:

- for a gift, loan, or contract - the value of the gift, loan, or contract
- for an application for which a submission has been made - the matters the subject of the application and submission:
  - the name of the entity, other than the Councillor, that has an interest in the matter
  - the nature of the Councillor's relationship with the entity
  - details of the Councillor's, and any other entity's, interest in the matter.

9.4. The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice of approval from the Minister for Local Government (the Minister) to participate in deciding the matter in a meeting including participating in the discussion and the vote.

*Note: Ministerial approval may be obtained when a quorum is lost due to the number of Councillors with a prescribed conflict of interest in the matter, and the matter cannot be delegated. The Councillor with the conflict of interest must apply to the Minister for approval to participate. The Minister may give the approval subject to the conditions stated in the notice of approval.*

9.5. Once the Councillor has either left the area where the meeting is being conducted or remains in the meeting under ministerial approval, the Council can continue discussing and deciding on the matter at hand. However, if the prescribed conflict of interest was reported to the meeting by a Councillor other than the subject Councillor, then the Councillor must disclose their belief or suspicion to the Chairperson and the processes, duty to report another Councillor's conflict of interest under section 150EW of the LGA, will apply. If more than one Councillor is reported by another Councillor to have a suspected prescribed conflict of interest in a matter, the meeting must deal with each Councillor individually. If the Councillor with the suspected declarable conflict of interest considers there is no conflict of interest, then the eligible Councillors (those who do not have a conflict of interest in the matter) must make a decision about whether or not the subject Councillor has a prescribed conflict of interest under section 150EX(2) of the LGA.

## 10 Declarable conflict of interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at Council or committee meetings that might lead to a decision that is contrary to the public interest (other than the interests that are not declarable conflicts of interest prescribed under section 150EO of the LGA and ordinary business matters prescribed under section 150EF of the LGA).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor or Councillors may disclose their belief or suspicion to the Chairperson and the processes, duty to report another Councillor's conflict of interest under section 150EW of the LGA will apply.

If more than one Councillor is reported by another Councillor to have a suspected declarable conflict of interest in a matter, the meeting must deal with each Councillor individually. The eligible Councillors must then make a decision under section 150EX(2) of the LGA. When dealing with a declarable conflict of interest, Councillors must abide by the following procedures:

10.1. A Councillor who has notified the CEO of a declarable conflict of interest in a matter to be

discussed at a Council meeting must also give notice during the meeting at the time when the matter is to be dealt with.

- 10.2. A Councillor who first becomes aware of a declarable conflict of interest in a matter during a Council meeting must stop participating in the decision on the matter and must inform the meeting of the conflict of interest including the particulars.
- 10.3. When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest.

The following details must be provided:

- the nature of the declarable conflict of interest
  - if it arises because of the Councillor's relationship with a related party:
    - the name of the related party to the Councillor; and
    - the nature of the relationship of the related party to the Councillor; and
    - the nature of the related party's interest in the matter
  - if it arises because of a gift or loan from another person to the Councillor or a related party:
    - the name of the other person; and
    - the nature of the relationship of the other person to the Councillor or related party; and
    - the nature of the other person's interest in the matter; and
    - the value of the gift or loan and the date the gift or loan was made.
- 10.4. After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have ministerial approval to participate, or they have reasons why their participation would improve making the decision in the public interest.
  - 10.5. If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision as prescribed in section 150ES of the LGA. In deciding on a Councillor's declarable conflict of interest in a matter, only eligible Councillors (those who do not have a prescribed or declarable conflict of interest in the matter) can participate in the decision making. The decision may be made even if the number of eligible Councillors is less than a majority, or does not form a quorum for the meeting, or is a single eligible Councillor, consistent with section 150ET of the LGA. If there is a single eligible Councillor deciding, then a seconder for the resolution is not required.

*Note: The ability to make a resolution without a seconder applies when making a resolution under section 150ES of the LGA.*

- 10.6. The eligible Councillor/s at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the eligible Councillors. The eligible Councillors may impose conditions on the Councillor to either participate or leave the meeting e.g. they may stay for the debate but must leave for the vote. The Councillor must comply with any decision and any condition imposed by the eligible Councillors. The Councillor must not participate in the decision unless authorised in compliance with section 150ES of the LGA or under an approval by the Minister for Local Government under section 150EV.
- 10.7. The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring about their ability to participate and can answer questions from the

Chairperson to assist the eligible Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the Chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.

- 10.8. When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the eligible Councillors should consider the particular circumstances of the matter including, but not limited to:
- how does the inclusion of the Councillor in the deliberation affect the public trust
  - how close or remote is the Councillor's relationship to the related party
  - if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
  - will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have a major or minor impact on them
  - how the benefit or detriment the subject Councillor stands to receive compares to others in the community
  - how this compares with similar matters that the Council has decided and have other Councillors with the same or similar interests decided to leave the meeting
  - whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- 10.9. If the eligible Councillors cannot decide about the Councillor's participation in the meeting with a declarable conflict of interest, they are taken to have decided that the Councillor must leave and stay away from the meeting while the eligible Councillors discuss and vote on the matter as prescribed in section 150ET(3) of the LGA.
- 10.10. A decision about a Councillor who has a declarable conflict of interest in a matter will apply to participating in the decision and all subsequent decisions about the same matter as prescribed in section 150ET(4) of the LGA, unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible Councillors decide by resolution the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a Council meeting about the same matter e.g. workshops.
- 10.11. In making the decision, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 10.12. A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister as prescribed in section 150EV of the LGA.

## 11 Reporting a suspected conflict of interest

If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or a declarable conflict of interest, and that Councillor is participating in a decision on that matter, the informing Councillor who believes that a conflict of interest exists must immediately inform the Chairperson of the meeting of their belief or suspicion and the facts and circumstances that led to their belief or suspicion. If more than one Councillor is reported by another Councillor to have a suspected personal interest in a matter, the meeting must deal with each Councillor individually.

- 11.1. The Chairperson then should ask the Councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the Councillor must follow the relevant

meeting procedures above for prescribed and declarable conflicts of interest.

- 11.2. If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 11.3. The eligible Councillors must then decide whether the relevant Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have any conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant meeting procedures above. If a Councillor with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible Councillors must make a decision about the Councillor's participation.
- 11.4. If the eligible Councillors at the meeting cannot make a decision about whether a Councillor has a declarable conflict of interest under section 150ER of the LGA or whether the Councillor may or may not participate in the decision despite the subject Councillor's declarable conflict of interest under section 150ES of the LGA, then they are taken to have determined that the Councillor must leave the meeting and stay away while the matter is being decided under section 150ET(3) of the LGA. A decision under these provisions about a Councillor participating in the meeting applies to the matter and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible Councillors decide by resolution that the subject Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a Council meeting about the same matter e.g. workshops.
- 11.5. When a Councillor informs a meeting that they or another Councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all the relevant details.

*Note: The minutes must include details of how the conflict of interest was dealt with, being (section 150FA of the LGA):*

- *the name of any Councillor and any other Councillor who may have a prescribed or declarable conflict of interest*
- *the particulars of the prescribed or declarable conflict of interest provided by the Councillor*
- *the actions taken by a Councillor after informing the meeting that they have, or they reasonably suspect another Councillor has a prescribed or declarable conflict of interest*
- *any decision then made by the eligible Councillors*
- *whether the Councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval*
- *the Council's decision on what actions the Councillor with a declarable conflict of interest must take and the reasons for the decision.*

- 11.6. The minutes of the meeting must record the name of each eligible Councillor who voted in relation to whether the Councillor has a declarable conflict of interest, and how each of the Councillors voted.

**Note:** *The eligible Councillors include a Councillor who has either been granted approval by the Minister or their fellow Councillors to participate and vote on a matter (e.g. the eligible Councillors in this subsection means all Councillors who were entitled to vote on the matter).*

*If the Councillor has a declarable conflict of interest, the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a Councillor's personal*

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*interest by someone other than the Councillor.*

11.7. Where a decision has been made under section 150ES of the LGA, the minutes must include the:

- decision and reasons for the decision
- name of each eligible Councillor who voted, and how each eligible Councillor voted.

## 12 Loss of quorum

12.1. In the event where one or more Councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the Council must resolve to:

- delegate the consideration and decision on the matter, as described in section 257 of the LGA, unless the matter cannot be delegated under subsection three, because an Act says it must be decided by resolution of the Council
- decide by resolution to defer the matter to a later meeting
- decide by resolution not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the Council must decide the matter.

12.2. The Council may by resolution delegate a power under section 257 of the LGA to:

- the Mayor or CEO
- a standing committee, or joint committee of the Council
- the Chairperson of a standing committee or joint standing committee of the Council
- another Council for a joint government activity

12.3. The Council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.

12.4. The Council may only delegate a power to make a decision about a Councillor's conduct under section 150AG of the LGA pursuant to section 257(2) of the LGA, to:

- the Mayor
- a standing committee

12.5. The Minister for Local Government may, by signed notice, give approval for a conflicted Councillor to participate in deciding a matter in a meeting including being present for the discussion and vote on the matter, if there is a loss of quorum and deciding the matter cannot be delegated, subject to any conditions the Minister may impose.

## Motions

### 13 Motion to be moved

13.1. A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion. When a motion has been moved and seconded, it will become subject to the control of the Council and cannot be withdrawn without the consent of the Council meeting.

13.2 Other Councillors can propose amendments to the motion, which must be voted on before voting on the final motion:

- a motion brought before a meeting of the Council in accordance with the LGA or these standing orders will be received and put to the meeting by the Chairperson.
- the Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.

- the Chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.

13.3 The Chairperson may call the notices of motion in the order in which they appear on the agenda. Where no objection is raised to a motion being taken as a formal motion, and the motion is then seconded, the Chairperson may put the motion to the vote without discussion and the vote can occur.

13.4 No more than one motion or one proposed amendment to a motion may be put before a meeting of a Council at any one time.

#### 14 Absence of mover of motion

14.1. Where a Councillor who has given notice of a motion is absent from the meeting of the Council at which the motion is to be considered, the motion may be:

- moved by another Councillor at the meeting
- deferred to the next meeting.

#### 15 Motion to be seconded

15.1. A motion or an amendment to a motion will not be debated at a meeting of the Council unless or until the motion or the amendment is seconded.

15.2. Procedural motions are an exception to this rule and do not need to be seconded.

#### 16 Amendment of motion

16.1. An amendment to a motion should maintain or further clarify the intent of the original motion and not contradict the motion.

16.2. Where an amendment to a motion is before a meeting of the Council, no other amendment to the motion will be considered until after the first amendment has been voted on.

16.3. Where a motion is amended, the original motion cannot be re-introduced as a subsequent amendment to the first amended motion.

#### 17 Speaking to motions and amendments

17.1. The mover of a motion or amendment will read it and state that it is moved but will not speak to it until it is seconded.

17.2. The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any other Councillors who wish to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.

17.3. A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.

17.4. The mover of a motion or amendment has the right to reply. Each Councillor will speak no more than once to the same motion or same amendment except as a right of reply. Once



the right of reply has been delivered the debate ends.

- 17.5. Each speaker will be restricted to not more than five minutes unless the Chairperson rules otherwise.
- 17.6. Where two or more Councillors indicate, they may wish to speak at the same time, the Chairperson will determine who is entitled to priority.
- 17.7. In accordance with section 254H of the LGR, if a decision made at the Council meeting is inconsistent with a recommendation or advice given to the Council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

*Note: If a report contains distinct recommendations, the decision of the Council may be taken separately on each recommendation. If a decision by the meeting is contra to a recommendation in a report the minutes must give the reasons for the decision.*

## 18 Method of taking vote

- 18.1. The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection.
- 18.2. A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minutes of the meeting will record the names of Councillors voting in the affirmative and of those voting in the negative. The Chairperson will declare the result of a vote or a division as soon as it has been determined.
- 18.3. Councillors have the right to request that their names and how they voted be recorded in the minutes if they request it when voting other than by division.
- 18.4. Except upon a motion to repeal or amend it, the resolution will not be discussed after the vote has been declared.

## 19 Withdrawing a motion

- 19.1. A motion or amendment may be withdrawn by the mover with the consent of the Council, which will be without debate, and a Councillor will not speak to the motion or amendment after the mover has been granted permission by the Council meeting for its withdrawal.

## 20 Repealing or amending resolutions

- 20.1. A resolution of the Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the legislation (five business days).
- 20.2. Councillors present at the meeting at which a motion to repeal or amend a resolution is put may defer consideration of that motion. The deferral may not be longer than three months.

## 21 Procedural motions

- 21.1. A Councillor at a meeting of the Council may during the debate of a matter at the meeting, move the following motions, as a procedural motion without the need for a seconder:
  - that the question/motion be now put before the meeting

- that the motion or amendment now before the meeting be adjourned
  - that the meeting proceeds to the next item of business
  - that the question lie on the table
  - a point of order
  - a motion of dissent against the Chairperson's decision
  - that this report/document be tabled
  - to suspend the rule requiring that [insert requirement]
  - that the meeting stands adjourned.
- 21.2. A procedural motion that 'the question be put' may be moved and, where the procedural motion is carried, the Chairperson will immediately 'put the question to the motion' or amendment to that motion under consideration. Where the procedural motion is lost, debate on the motion or amendment to that motion will resume.
- 21.3. A procedural motion that 'the motion or amendment now before the meeting be adjourned', may specify a time or date to which the debate will be adjourned. Where no date or time is specified:
- a further motion may be moved to specify a time or date; or
  - the matter about which the debate is to be adjourned, will be included in the agenda for the next meeting.
- 21.4. Where a procedural motion that 'the meeting proceed to the next item' is carried, debate on the matter that is the subject of the motion will cease and may be considered again by the Council on the giving of notice in accordance with the standing orders.
- 21.5. A procedural motion that 'the question lie on the table' will only be moved where the Chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of the Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council will proceed with the next matter on the agenda.
- 21.6. A motion that 'the matter be taken from the table', may be moved at the meeting at which the procedural motion was carried or at any later meeting.
- 21.7. Any Councillor may ask the Chairperson to decide on a point of order where it is believed that another Councillor:
- has failed to comply with proper procedures;
  - is in contravention of the legislation; or
  - is beyond the jurisdiction of the Council meeting.
- Note: Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a point of order is moved, consideration of the matter to which the motion was moved will be suspended. The Chairperson will determine whether the point of order is upheld.*
- 21.8. Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and then the Councillor against whom the point of order is raised, will immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising will, until decided, suspend the consideration and decision of every other question.
- 21.9. A Councillor may move a motion of dissent in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter will be suspended until after a ruling is made. For example, where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made will proceed as though that ruling had not been made. Where the opposite ruling is made, that the matter was



discharged as out of order, it will be restored to the agenda and be dealt with in the normal course of business.

- 21.10. The motion that 'a report/document be tabled' may be used by a Councillor to introduce a report or other document to the meeting only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.
- 21.11. A procedural motion 'to suspend the rule requiring that' may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule will specify the duration of the suspension.
- 21.12. A procedural motion that 'the meeting stands adjourned', may be moved by a Councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a Councillor's time for speaking to the matter, and will be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting, the Council meeting will continue with the business before the meeting at the point where it was discontinued on the adjournment.

## 22 Questions

- 22.1. At a Council meeting, a Councillor may ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting.
- 22.2. Questions will be asked categorically and without argument and no discussion will be permitted at the Council meeting in relation to a reply or a refusal to reply to the question.
- 22.3. A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.
- 22.4. A Councillor who asks a question at a meeting, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.
- 22.5. The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson's ruling be disagreed with, and if carried the Chairperson will allow the question.

## Meeting Conduct

### 23 Process for dealing with Unsuitable Meeting Conduct

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a Council meeting and contravenes a behavioural standard of the Code of Conduct for Councillors.

When dealing with an instance of unsuitable meeting conduct by a Councillor in a meeting, the following procedures must be followed:

- 23.1. When an instance of unsuitable meeting conduct has been engaged in by a Councillor at a meeting the following process for how the Chairperson of a Council meeting may deal with unsuitable meeting conduct by a Councillor must occur.
- 23.2. The Chairperson must reasonably believe that unsuitable meeting conduct has been engaged in by a Councillor during a meeting. The Chairperson may consider the severity of the conduct and whether the Councillor has been issued with any previous warnings for unsuitable meeting conduct. If the Chairperson decides the conduct is of a serious nature or another warning is unwarranted, the Chairperson can make an order in relation to the

conduct under section 23.7 below.

- 23.3. If the Chairperson decides unsuitable meeting conduct has occurred, but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
- ceasing and refraining from exhibiting the conduct
  - apologising for their conduct
  - withdrawing their comments.
- 23.4. If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- 23.5. If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request could result in an order of unsuitable meeting conduct being issued.
- 23.6. If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- 23.7. If the Councillor continues to fail to comply with the Chairperson's request for remedial action or the Chairperson decides a warning was not appropriate under 23.2, the Chairperson may make one or more of the orders below:
- an order reprimanding the Councillor for the conduct
  - an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- 23.8. If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting.
- 23.9. Following the completion of the meeting, the Chairperson must ensure the minutes record the information about unsuitable meeting conduct (see note below).

*Note: Details of any order issued must be recorded in the minutes of the meeting. If it is the third or more order made within a 12-month period against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are to be dealt with at the next Council meeting as a suspected conduct breach. The Council's CEO is advised to ensure details of any order made is updated in the Council's Councillor conduct register.*

- 23.10. Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 23.2, 23.3, 23.7 and 23.8 above.

## 24 Process for dealing with Unsuitable Meeting Conduct by a Chairperson

- 24.1. If a Councillor at the meeting reasonably believes that the conduct of the Chairperson during the meeting is unsuitable meeting conduct, the Councillor may raise the matter in the meeting by point of order.
- 24.2. The Chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the Councillor may move a motion that the Chairperson has engaged in unsuitable meeting conduct (a seconder for the motion is required). The Councillors present, excluding the Chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.
- 24.3. The Chairperson has a declarable conflict of interest in the matter and must declare the conflict of interest and leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the Chairperson wishes to remain in the meeting, the eligible Councillors must make a decision and follow the procedures set out above for declarable conflict of interest.

- 24.4. For the debate and vote on the motion, a Councillor other than the Councillor that moved the motion, is to act as the Chairperson.
- 24.5. If the original Chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible Councillors, they can put forward their reasoning about their conduct, and respond to questions through the Chairperson from the eligible Councillors.
- 24.6. The acting Chairperson of the meeting will preside over the meeting while the Councillors present at the meeting vote on whether the Chairperson has engaged in unsuitable meeting conduct (the acting Chairperson will have a casting vote on the resolution if required).
- 24.7. If it is decided that the Chairperson has engaged in unsuitable meeting conduct, the Councillors can decide to make an order reprimanding the Chairperson for the conduct.
- 24.8. Once the Councillors make a decision, the Chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting Chairperson.
- 24.9. The Chairperson then resumes the role of Chairperson, and the meeting continues.

*Note: Details of any reprimand order must be recorded in the minutes of the meeting. The Council's CEO is advised to ensure details of any order made is updated in Council's Councillor conduct register.*

*For conduct of a Chairperson at Council meetings that is part of a course of conduct leading to orders for unsuitable meeting conduct being made against the Chairperson, on three occasions within a 12-month period, the conduct that led to the orders being made, taken together, becomes a conduct breach.*

*If the conduct of a Councillor, including a Chairperson, at the meeting becomes a conduct breach (in accordance with section 150J of the LGA and is a conduct breach under section 150K of the LGA), the Council is not required to notify the Independent Assessor (the Assessor) about the conduct, and may deal with the conduct under section 150AG of the LGA as if an investigation had been conducted. It may be dealt with at the next Council meeting.*

## 25 Meeting Procedures for Dealing with a Suspected Conduct Breach including that which has been Referred to Council by the Independent Assessor

Under chapter 5A, part 3, division 3A of the LGA, the Assessor must make a preliminary assessment and dismiss a complaint, notice or information if satisfied that particular circumstances apply – see section 150SD of the LGA. If the Assessor finds that a matter is a suspected conduct breach it must refer the matter to the Council. The Assessor refers the Councillor's suspected conduct breach to the Council by giving a referral notice.

*Note: A conduct breach is conduct that:*

- *contravenes a behavioural standard of the Code of Conduct for Councillors, or a policy, procedure, or resolution of the Council; or*
- *the conduct contravenes an order of the Chairperson of a Council meeting for the Councillor to leave and stay away from the place at which the meeting is being held; or*
- *an instance of a suspected conduct breach that may arise from circumstances of three instances of unsuitable meeting conduct orders within a 12-month period.*

- 25.1. In relation to matters referred by the Assessor to the Council, the Council may decide not to start or discontinue an investigation if:
- the complainant withdraws the complaint
  - the complainant consents to the investigation not starting or discontinuing
  - the complainant does not provide extra information when requested
  - there is insufficient information to investigate the complaint
  - the Councillor vacates or has vacated their office as a Councillor.

*Note: The Council investigation must be conducted in a way that is consistent with the Council's Investigation Policy. An investigation report must be prepared to assist the Councillors in making a decision on the outcome under section 150AG of the LGA. Before debating a matter relating to making a decision, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the LGA on or before the day and time prescribed by regulation.*

25.2. The Council must decide in a Council meeting, whether the Councillor has engaged in a conduct breach, unless the decision has been delegated to the Mayor under section 257(2)(a) of the LGA, or to a standing committee, section 257(2)(b) of the LGA. Under the LGA, decisions about a conduct breach can only be delegated to the Mayor or a standing committee.

25.3. When dealing with an instance of a suspected conduct breach which has been referred to Council by the Assessor:

- the Council must act in a manner consistent with the local government principle of transparent and accountable decision making in the public interest, by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of the Council. However, where the matter requires debate a Council may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report under section 254J of the LGR.
- no resolution for a decision can be made in the closed session including a decision about a conflict of interest matter. All matters must be decided in an open session of the meeting or at a later meeting.
- where Council makes a decision about a conduct breach matter at a Council meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting under section 254H of the LGR.
- the subject Councillor has a declarable conflict of interest in the matter and must declare the conflict of interest. The eligible Councillors at the meeting can decide by resolution that the subject Councillor may remain in the meeting (unless the eligible Councillors decide otherwise) during the debate about the investigation report and may answer questions put to the subject Councillor through the Chairperson in relation to the evidence or written submission about the conduct breach provided by the Councillor to the Council.
- the subject Councillor who has a declarable conflict must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in a conduct breach and what, if any, penalty to impose if the Councillor is found to have engaged in a conduct breach.
- if the complainant is a Councillor, that Councillor has a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures. If the complainant Councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the eligible Councillors (who do not have a conflict of interest in the matter) must decide how to deal with the conflict of interest. The complainant Councillor can be required to leave the meeting place,

or conditions may be applied to allow that Councillor to participate in either the debate, the vote, or the decision on any disciplinary action to be applied under section 150AH of the LGA.

*Note: After making a decision under section 150AG of the LGA, the Council must make the full investigation report, publicly available within 10 business days after the decision is made, with redactions of the name of the complainant and any witnesses, but including the name of a Councillor or the CEO of the Council if they were the complainant/s, or any Councillor who declared a conflict of interest in the matter.*

25.4. If the Council has lost quorum due to the number of conflicted Councillors or another reason, the Council must do one of the following:

- delegate deciding the matter under section 257 of the LGA to the Mayor or a standing committee, whichever is the most appropriate in the circumstances, or
- decide, by resolution, to defer the matter to a later meeting, or
- decide, by resolution, not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the Council must decide the matter.

*Note: A Council cannot decide to take no further action on a decision about a conduct matter because it is required under the LGA. In order to reach a decision when a loss of quorum has occurred, the matter can be delegated to the Mayor or a standing committee, or the matter can be deferred to a later meeting when a quorum can be maintained.*

*If the conduct breach referral notice is about the suspected conduct breach by the Mayor, then the matter will need to be delegated to a standing committee for a decision.*

*Council should establish a standing committee under section 264 of the LGR to deal with decisions about conduct breach matters. The standing committee must be in existence before receiving the referral notice from the Assessor, in circumstances where there is no quorum to decide a matter under sections 150AEA or 150AG of the LGA due to conflicts of interest. The standing committee will decide about the Mayor's conduct. While section 12(4)(f) of the LGA provides that the Mayor has the extra responsibility of being a member of each standing committee, the Mayor could not be a decision-making member of a standing committee dealing with decisions about the Mayor's conduct because of a conflict of interest. The remainder of the unconflicted members of the committee will decide the matter.*

25.5. If a decision is reached that the subject Councillor has engaged in a conduct breach, then the Councillors must decide what penalty or penalties from the orders detailed in 150AH of the LGA, if any, to impose on the Councillor. In deciding what penalty to impose, Council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the Council is reasonably satisfied is true.

25.6. Council may order that no action be taken against the Councillor or make one or more of the following:

- an order that the Councillor make a public apology, in the way decided by the Council, for the conduct
- an order reprimanding the Councillor for the conduct
- an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
- an order that the Councillor be excluded from a stated Council meeting
- an order that the Councillor is removed, or must resign, from a position representing

- the Council, other than the office of Councillor
- an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
- an order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's conduct breach.

25.7. Council may not make an order in relation to a person who has vacated their office as a Councillor.

25.8. The subject Councillor, and where relevant, the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the Chairperson must advise them of the decision made by the Council and if relevant any orders made by resolution.

*Note: The minutes of the meeting must reflect the decision and any orders made. A notice must be given to the Assessor as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.*

## 26 General conduct during meetings

26.1. After a meeting of the Council has been formally constituted and the business commenced, a Councillor will not enter or leave from the meeting without first notifying the Chairperson.

26.2. Councillors will speak to each other or about each other during the Council meeting by their respective titles ('Mayor' or 'Councillor'), and when speaking of or addressing officers, will call them by their respective official or departmental title and will confine their remarks to the matter under consideration.

26.3. No Councillor who is speaking will be interrupted except upon a point of order being raised either by the Chairperson or by another Councillor.

26.4. When the Chairperson speaks during the process of a debate, the Councillor speaking or offering to speak will immediately cease speaking, and each Councillor present will observe strict silence so that the Chairperson may be heard without interruption.

## 27 Disorder

27.1. The Chairperson may adjourn the meeting of the Council, where disorder arises at a meeting other than by a Councillor.

27.2. On resumption of the meeting, the Chairperson will move a motion, to be put without debate, to determine whether the meeting will proceed. Where the motion is lost, the Chairperson shall declare the meeting closed, and any outstanding matters will be deferred to a future meeting.

## Attendance and non-attendance

### 28 Attendance of public and the media at a Council meeting

28.1. An area shall be made available at the place where any meeting of the Council is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area will be permitted to attend the meeting.

28.2. When the Council is sitting in closed session, the public and representatives of the media



will be excluded from the meeting.

## 29 Closed session

29.1. A Council meeting, standing committee meeting and advisory committee meeting may resolve that a meeting be closed to the public if its Councillors and members consider it necessary to discuss any of the following matters pursuant to section 254J(3) of the LGR:

- appointment, dismissal, or discipline of the CEO
- industrial matters affecting employees
- the Council's budget (which does not include the monthly financial statements)
- rating concessions
- legal advice obtained by the Council or legal proceedings involving the Council, including for example, legal proceedings that may be taken by or against the Council
- matters that may directly affect the health and safety of an individual or a group of individuals
- negotiations relating to a commercial matter involving the Council for which a public discussion would be likely to prejudice the interests of the Council
- negotiations relating to the taking of land by the Council under the *Acquisition of Land Act 1967*
- a matter that the Council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or State
- a matter relating to the consideration of an investigation report for a conduct breach matter given to the Council by the Assessor under the LGA chapter 5A, part 3, division 5.

29.2. A Council or committee meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.

29.3. Further, the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting. The Council must instead:

- delegate consideration and decision on the matter, under section 257 of the LGA, unless the matter cannot be delegated
- decide by resolution to defer the matter to a later meeting when a quorum may be available
- decide by resolution not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the Council must decide the matter.

29.4. None of the above will be considered, discussed, voted on or made during a closed session.

29.5. If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting (a failure to do so could be a contravention of section 171(3) of the LGA).

29.6. To take a matter into a closed session the Council must abide by the following process:

- pass a resolution to close the meeting
- the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered
- if it is known in advance, the agenda should clearly identify that the matter may be considered in closed session, and an explanation of why the Councillors at the

meeting may consider it necessary to take the issue into closed session must be stated

- no resolution can be made while in a closed meeting (other than a procedural resolution).

### 30 Teleconferencing of meetings

30.1. If a Councillor wishes to be absent from a Council meeting place during a meeting, the Councillor must apply to the Council to participate by teleconference, at least three business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The Council may allow a Councillor to participate in a Council or committee meeting by teleconference.

*Note: There is no legislative requirement for a resolution by a Council to allow a Councillor to participate by audio link or audio-visual link. This means the Council may delegate the matter. For example, the Council may delegate to the Chairperson of the Council or a committee meeting the ability to decide whether a Councillor can attend a meeting by audio link or audio-visual link.*

30.2. The Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

**Note:** *Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.*



<b>TITLE:</b>	Request for Views - Proposed Declaration of Special Wildlife Reserves - Pilungah and Ethabuka	<b>DOC REF:</b> 11.2.7
<b>REPORT BY:</b>	CEO (Lynn Moore) Chief Executive Officer	<b>DATE:</b> 21/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 4: Caring for the environment

4.1: Well managed

4.1.1: Employ efficient development planning processes and practices

4.1.2: Facilitate land and infrastructure planning and development that meets the needs of the community

4.1.3: Provide a safe and pleasant environment for families to live and work

**RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**.

**PURPOSE:**

To advise Council of the request for views received regarding the proposed declaration of special wildlife reserves at Pilungah and Ethabuka.

**CONTENT:**

The Department of Environment, Science and Innovation (the Department) is seeking Council's views on the proposal to make two properties within the Boulia Shire, Pilungah and Ethabuka, special wildlife reserves under the provisions of the *Nature Conservation Act 1992* (NC Act).

A special wildlife reserve is a voluntary, binding and perpetual agreement between a landholder and the Minister for the State (the Minister) that acknowledges private land with exceptional natural and cultural resources and values. The declaration of a special wildlife reserve provides statutory protections equivalent to that of a national park and excludes incompatible land uses such as mining, commercial grazing, and native timber harvesting. For the Minister to declare a special wildlife reserve, they must be satisfied that all relevant economic, environmental and community interests (State interests) in relation to the land, have been considered.

Prior to a special wildlife reserve being declared, the landholder must develop a management program for the area that is to be approved by the Minister. The management program details management actions including pest animal control, pest plant control and fire management strategies in order to maintain the reserve's exceptional natural and cultural values. These management actions, and measures to monitor their efficacy, are reported regularly to the Department and, should they prove insufficient, the Department can direct the revision of actions described within the management program to adapt to emerging threats. The Department also assesses the landholder's suitability to manage the land and deliver upon the expectations as set out in the management program. A landholder must demonstrate they have the necessary expertise and resourcing to appropriately manage the proposed special wildlife reserve and to meet the department's stringent reporting expectations in an ongoing capacity.

Further information about special wildlife reserves is available at:

<https://www.qld.gov.au/environment/parks/protected-areas/private/special-wildlife-reserves>.

Attached to the report are the explanatory maps illustrating the location of the proposals and overviews (Statements of Significance) of the exceptional natural and cultural resources and

values relating to the proposals issued by the Department. The Statements of Significance have been marked confidential in accordance with the notations stated by the Department and are therefore only available for Councillor review in the Bigtincan Councillor Document Portal.

It is to be noted that both proposals are currently declared nature refuges under the NC Act, covering the whole of each lot.

Proposal name	Lot/s on Plan/s	Proposal area	Local Government	Tenure
Pilungah Reserve (formerly Cravens Peak)	5358 on SP272858	Whole of lot	Boulia	Rolling Term Lease
Ethabuka Reserve	5321 on Crown Plan PH1731	Whole of lot	Boulia	Rolling Term Lease

The Department has requested a response in writing from Council stating either nil objection or objection (providing a full explanation) by close of business on 1 May 2024.

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** *Nature Conservation Act 1992*

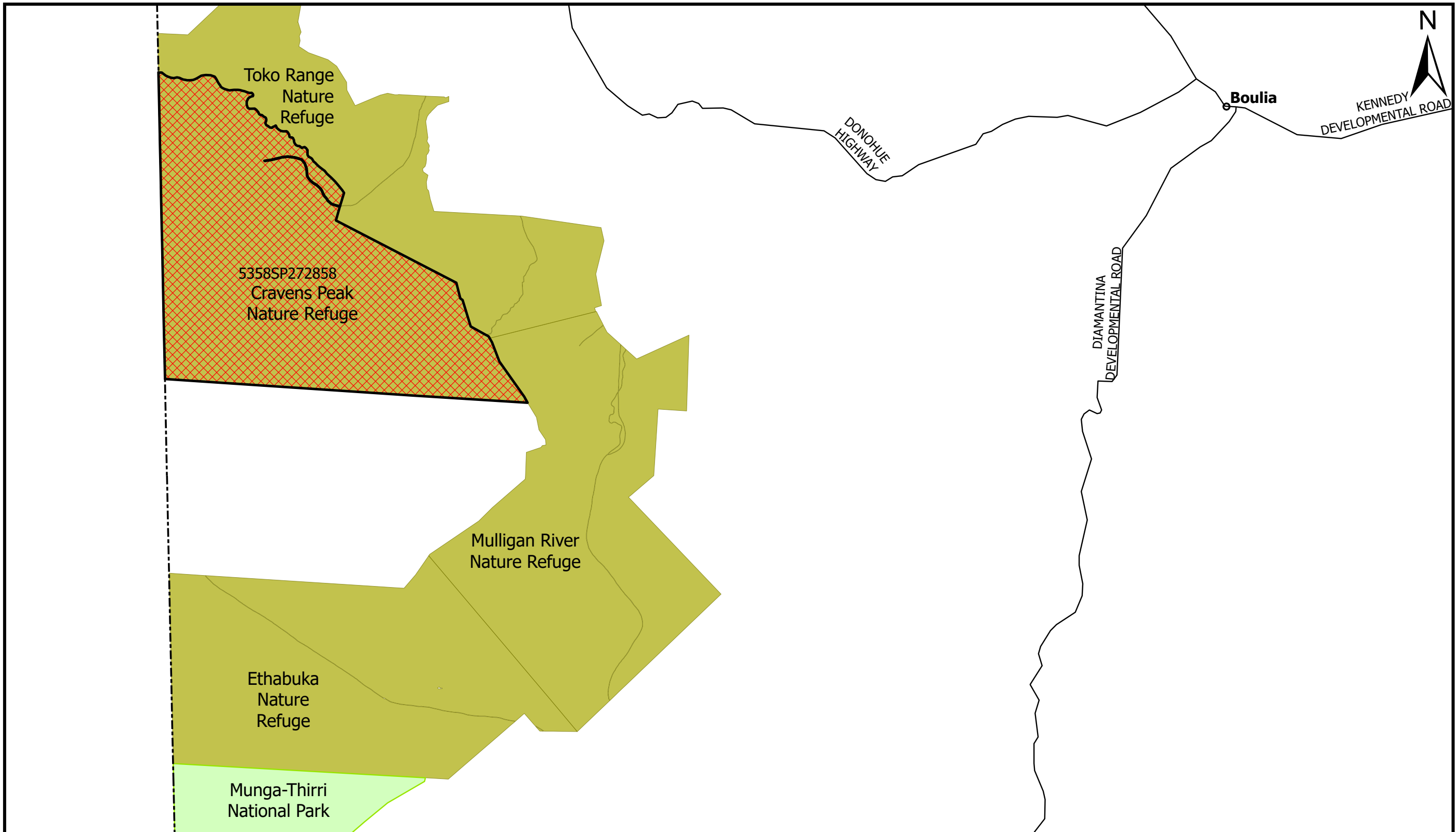
**RECOMMENDATION:**

That Council consider what response is to be sent to the Department of Environment, Science and Innovation regarding the proposed declaration of special wildlife reserves at Pilungah and Ethabuka, noting the response is required to be returned by close of business on 1 May 2024.

**ATTACHMENTS:**

1. Pilungah Explanatory Map [**11.2.7.1** - 1 page]
2. CONFIDENTIAL REDACTED - Pilungah Statement of Significance [**11.2.7.2** - 2 pages]
3. Ethabuka Explanatory Map [**11.2.7.3** - 1 page]
4. CONFIDENTIAL REDACTED - Ethabuka Statement of Significance [**11.2.7.4** - 2 pages]

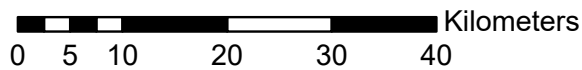
Chief Executive Officer	Ms Lynn Moore
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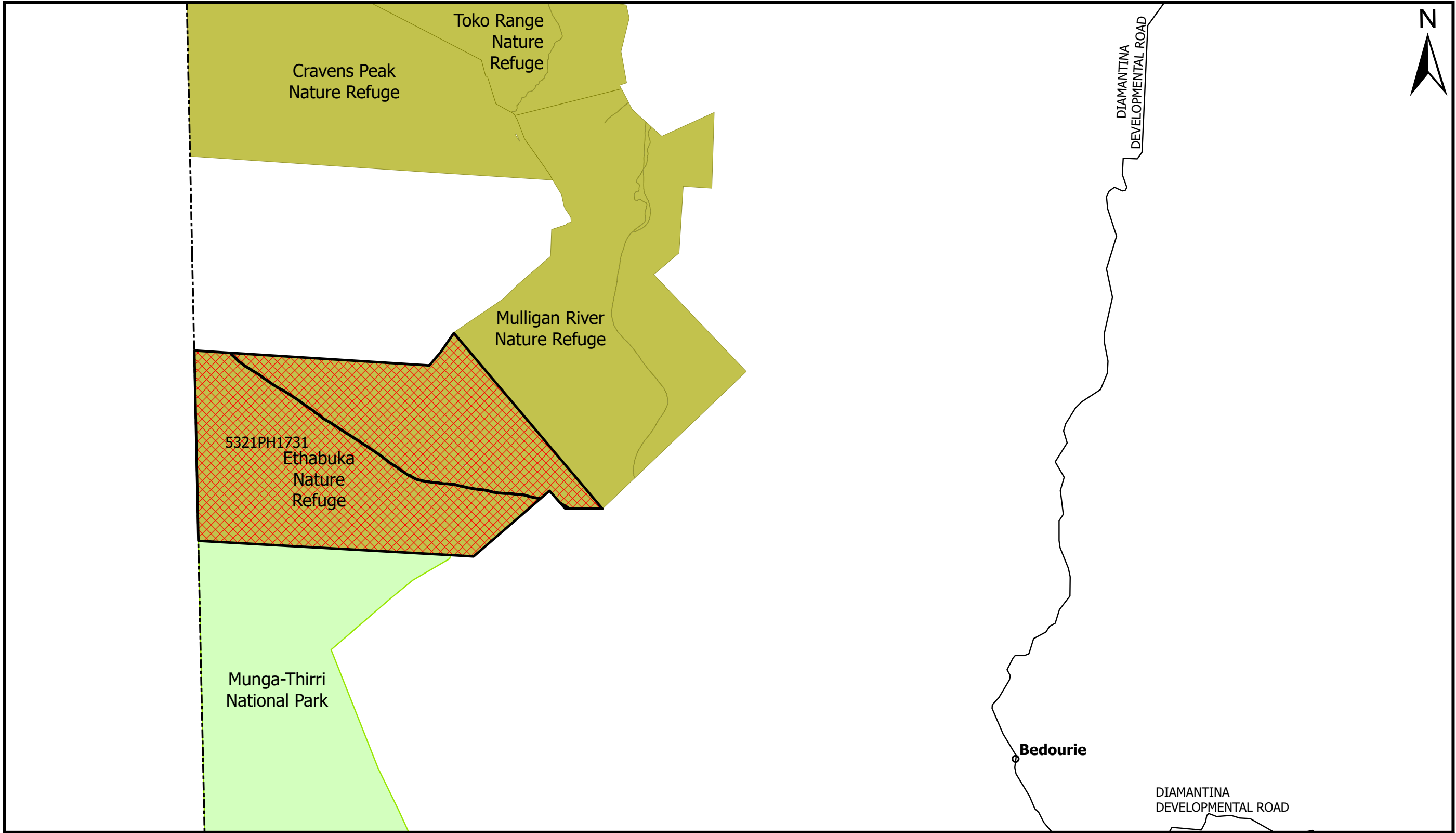


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 Date: 20/03/2024 10:40 AM  
 Spatial Reference  
 PCS: GDA2020 MGA Zone 54

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 Department of Environment, Science and Innovation

PROPOSED PILUNGAH SPECIAL WILDLIFE RESERVE

- |                       |                  |               |
|-----------------------|------------------|---------------|
| Pilungah Lot boundary | Major Roads      | Nature refuge |
| Proposed Pilungah SWR | Cities and Towns |               |
| Queensland Border     | National park    |               |



0 5 10 20 30 40 Kilometers

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 Date: 20/03/2024 10:41 AM  
 Spatial Reference  
 PCS: GDA2020 MGA Zone 54

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 Department of Environment, Science and Innovation

### PROPOSED ETHABUKA SPECIAL WILDLIFE RESERVE

- Ethabuka lot boundary
- Queensland Border
- Cities and Towns
- Nature refuge
- Proposed Ethabuka SWR
- Major Roads
- National park

<b>TITLE:</b>	WHS Report	<b>DOC REF:</b> 11.2.8
<b>REPORT BY:</b>	David Parker WHS Advisor	<b>DATE:</b> 18/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 7: Valuing our greatest asset – people

7.1: An innovative culture

7.1.1: Adopt employment practices that develop and support a motivated and focused workforce

7.1.3: Ensure the workforce is adequately trained and staff have access to development programs and continually support Workplace, Health and Safety practices

Key Priority 7: Valuing our greatest asset – people

7.2: A great place to work

7.2.4: Provide a safe, healthy working environment and be proactive in all Work Health and Safety matters

**RISK MANAGEMENT:**

Information Report only - not applicable.

**PURPOSE:**

To inform Council of progressions and or issues of concerning regarding WH&S. Ongoing monitoring with projects to ensure correct and completed WHS paperwork is submitted and identify potential hazards and any documentation requirement shortfalls with evidentiary documents held in Magiq and Pulse. Adopt various alerts/updates into regular toolbox talks and training.

**CONTENT:**

LGW – (TMR Audit requirements)	<ul style="list-style-type: none"> <li>Sustainability work being done on the ongoing audit upkeep will now be reported here in line with the Audit rectification Plan.</li> </ul>
Toolbox talks / Presentations	<ul style="list-style-type: none"> <li>Toolbox talks/presentations to Council staff</li> <li>Office staff – 12<sup>th</sup> April – Office safety, ergonomics</li> <li>Depot staff - 8<sup>th</sup> April – Safe work practices</li> <li>Casual Tourism Staff – March – Office safety and Fire Evacuation process</li> </ul>
Compliance and Education	<ul style="list-style-type: none"> <li>Present WHS actions/issues/iAuditor/Audit rectification plan to ManEx meetings weekly.- <ul style="list-style-type: none"> <li>March – nil issues.</li> </ul> </li> <li>On-going review of existing WHS documentation <ul style="list-style-type: none"> <li>Procedures reviewed - xx</li> <li>Inspection schedules reviewed- xx</li> </ul> </li> <li>Face-to-face Inductions: 0</li> <li>Online Inductions: 0</li> </ul>
Assistance to Staff/ Contractors/ Compliance	<ul style="list-style-type: none"> <li>CWO/Flood Damage Foreman tasked to check contractor compliance via iAuditor.</li> <li>Schedule regular alerts and inspections in iAuditor for relevant staff to perform (Alerts sent out weekly to assigned staff/managers).</li> </ul>

Near Misses, Incidents and issues	Total iAuditor WHS actions/issues since last Council meeting: <ul style="list-style-type: none"> <li>• Near Miss – 1</li> <li>• Hazards – 0</li> <li>• Damage – 0</li> <li>• Incidents – 0</li> </ul>		
Category	Description	Site	Outcome
Hazards	Nil		
Damage	Nil		
Incidents	Nil	Office	Staff member felt faint – taken to the clinic. Home for rest for the rest of the day. RTW following day
Works in Progress	<ul style="list-style-type: none"> <li>• Weekly consultation with DWO and supervisors on current and upcoming projects and what is required from a WHS perspective.</li> <li>• Regularly monitor the Boullia Shire Council Hazard Risk Register.</li> <li>• Continue to upload evidentiary documents from iAuditor and hard copy documents into Magiq (our document retention software) and Pulse (linked to WHS Plan) to ensure they are available for regulatory compliance checks (Docs uploaded weekly - LGW SMS, iAuditor reports from Man Ex meetings)</li> <li>• Setting up Safety Hub Safety Videos, Assessments and Certificates, for staff WHS Training</li> </ul>		
Identified future work required and/or improvement areas	<ul style="list-style-type: none"> <li>• LGW- to review the recification plan.</li> </ul>		
Training Required	<ul style="list-style-type: none"> <li>• RAPAD will be conducting an on-site visit to work with trainees.</li> <li>• Review opportunities where E-Learning and face-to-face courses are offered to the shire.</li> <li>• Consult with Supervisors if competencies or extra training may be required and future toolbox topics.</li> </ul>		

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** Nil

**RECOMMENDATION:**

That the Workplace Health and Safety Report for March 2024 be received for information.

**ATTACHMENTS:** Nil

Reviewed and Approved by Chief Executive Officer	Ms Lynn Moore
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## **11.3 Corporate Services**

<b>TITLE:</b>	Director of Corporate & Financial Services March 2024 Report	<b>DOC REF:</b> 11.3.1
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<b>REPORT BY:</b>	Kaylene Sloman Director of Corporate & Financial Services	<b>DATE:</b> 21/04/2024
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### **CORPORATE PLAN REFERENCE:**

Key Priority 5: Robust Governance

5.1: Confidence

5.1.1: Manage Council's operations in an effective manner by clearly defining the functions, services, roles and responsibilities of Council

5.1.2: Effective internal and external communication and records management

Key Priority 5: Robust Governance

5.2: Accountability

5.2.1: Ensure Council's financial activities are monitored and well managed

Key Priority 5: Robust Governance

5.4: Sustainability

5.4.1: Council's offices, depots and business enterprises are operated under 'value for money' principles

5.4.3: Ensure the long-term financial sustainability of the Council through prudent financial management and budgeting

### **RISK MANAGEMENT:**

Information Report only - not applicable.

### **PURPOSE:**

To advise Council of the activities of the Director of Corporate and Financial Services.

### **CONTENT:**

#### **[Insurance Claims](#)**

##### **1. Lightning Storm Damage 27<sup>th</sup> January 2022 PRO034450**

Council Depot was hit with lightning, damage was done to Connectivity from Depot to Water Tower and to Administration building plus a number of computers were damaged. 5 CCTV cameras were replaced as well as 3 printers/copiers. *Final submission for this damage has now been submitted to LGMS, total claim request \$87,131.79.* Morgan is working on this.

##### **2. Burnt Track Loader at Dump - MO0067977**

Lodged claim, sent off CCTV footage to assessors, report received, offer of payout given, \$226,772.73 (excl. of GST). *Payment received. New replacement machine arrived 11/4/2024*

##### **3. P128 Garbage Truck Damage 15/01/2024 MO0070727**

Lodged claim, waiting on quotes to submit to Insurance for approval. Assessment completed, works underway, agreed to repairs of \$18,546.76, Council will pay the \$500 excess fee. Scott is sourcing parts now. *Works have been completed, Council has paid the excess of \$500, truck should be back on the road.*

#### **Regional University Hub for Bouliá**

This has been approved by the Government as per Media reports, awaiting further information to come to hand.

### **Budget 2024/2025**

Work has started on the next Budget for 2024/2025 financial year. Operational budgets will shortly be under review whilst the Capital budget is being put together. Reviews are underway by the Executive in preparation for the Councillor workshop.

19<sup>th</sup> April 2024 will be our first Councillor workshop on the budget.

### **2023/2024 End of Financial Year**

Work is underway on the skeleton financial statements for our external auditor to review.

Planning and timelines are being put in place both internally and externally with the Draft External Audit Plan being worked on by PKF Auditors. Waiting to receive the Draft EAP from the External Auditor.

Skeleton statements are nearly completed ready for Auditors.

9<sup>th</sup> April 2024 Tropical training is being held in Longreach of which both the Finance Manager and I will be attending to receive updates from the Department of Local Government & QAO.

### **Meetings**

I have attended the following meetings during March:

- Quality Industries – Tim Edgar, schedule of works and priorities
- SurePact – Georgie Craft – management meetings x 2
- LGFP – Committee Meeting, teams
- LGFP – LGD Support Initiatives – Deanne Stewart
- ReadyTech (was IT Vision),
  - Angelo Nardi, Account Manager, management meeting
- SurePact – PDAG Meeting, teams
- QTC – Economic Update Webinar
- Records Management Group – strategies
- RMPC Rates 2023/24 - GBA and DWO
- PID (Public Interest Disclosure) Awareness, Assessment & Managing Organisation Risk training

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** Nil

**RECOMMENDATION:**

That the Director of Corporate & Financial Services March 2024 report be received for information purposes.

**ATTACHMENTS:** Nil

Reviewed and Approved by Chief Executive Officer	Ms Lynn Moore
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<b>TITLE:</b>	Policy Review - 115 Employee Travel and Training, 125 Telecommunication Policy, 135 Flag Flying Policy	<b>DOC REF:</b> 11.3.2
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<b>REPORT BY:</b>	Kaylene Sloman Director of Corporate & Financial Services	<b>DATE:</b> 21/04/2024
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**CORPORATE PLAN REFERENCE:**

Key Priority 5: Robust Governance

5.1: Confidence

5.1.1: Manage Council's operations in an effective manner by clearly defining the functions, services, roles and responsibilities of Council

**RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**.

**PURPOSE:**

To review and update Council's policies in accordance with the adopted procedure to ensure that policies made by Council are compliant with legislation and are reviewed in a timely manner.

**CONTENT:**

Council reviews policies on a regular basis to ensure they remain compliant with relevant legislation and acts, and are up to date. The following policies are due for review.

Policy 115 - Employee Travel and Training Expenses Policy

Council's Employee Travel and Training Expenses Policy provides employees with guidelines of what are considered to be reasonable expenses incurred when travelling on official Council business and to ensure consistency, accountability and transparency in the payment of these expenses.

The revised policy with suggested changes (highlighted in yellow) is attached for Council consideration.

A change to the title of the policy has been put forward as guidance for expenses relating to employee training is more broadly covered in Council's Study Policy (please see separate CEO policy review report in the April 2024 Ordinary Council Meeting Agenda for further information relating to the Study Policy).

Other key changes are in relation to the updated *Queensland Government Domestic Travelling and Relieving Expenses Directive* including accommodation standards and meal and incidentals expense values.

Policy 125 - Telecommunication Policy

The purpose of this policy is to provide direction for the use of supplied and private mobile phones, landline phones, satellite phones and voice mail facilities by Bouli Shire Council for staff and Councillors.

A review of this policy has been completed and minor changes are proposed. They have been highlighted in yellow in the attached policy copy for Council review.

Policy 135 - Flag Flying Policy

The objective of this policy is to provide Council staff with guidelines on the protocols surrounding the flying of flags so that staff members can carry out flag raising duties accordingly.

The policy has been reviewed and no changes are required to be made. The policy is attached for Council reference.

It is recommended that the policies as presented, be adopted.

**RECOMMENDATION:**

That policy 115 Employee Travel Policy, policy 125 Telecommunication Policy and policy 135 Flag Flying Policy be adopted as presented and that a copy of the updated policies be made available in the Councillor Information Hub.

**ATTACHMENTS:**

1. Draft Employee travel and training policy Policy 115 (1) [11.3.2.1 - 7 pages]
2. 125 Telecommunication Policy [11.3.2.2 - 7 pages]
3. Flag Flying Policy Policy 135 [11.3.2.3 - 4 pages]

Reviewed and Approved by Chief Executive Officer
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Ms Lynn Moore
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# BOULIA SHIRE COUNCIL

## EMPLOYEE TRAVEL AND TRAINING EXPENSES POLICY

<b>Category:</b>	Policy
<b>Policy Number:</b>	115
<b>Document Version:</b>	4
<b>Obsolete Version:</b>	Policy version as adopted <del>21<sup>st</sup> November 2018</del> 26 <sup>th</sup> March 2021
<b>Keyword Classification:</b>	Employee Travel and Training
<b>Summary:</b>	To provide guidelines of what are considered to be reasonable expenses incurred when travelling on official Council business.
<b>Adoption Date:</b>	
<b>Resolution:</b>	
<b>Due for Revision:</b>	3 years or as legislation changes
<b>Revision Date:</b>	April 2027
<b>Date Revoked:</b>	n/a
<b>Related Documents:</b>	<ul style="list-style-type: none"> <li>- Policy 105 Entertainment and Hospitality</li> <li>- Policy 111 Councillor Expenses Reimbursement Policy</li> <li>- Policy 125 Telecommunication Policy</li> <li>- Policy 131 Council Credit Card Policy</li> <li>- Policy 132 Study and Training Policy</li> <li>- Policy 146 Code of Conduct</li> <li>- Travel Movement Form</li> <li>- Form 72: Employee Expense Claim Form</li> </ul>
<b>Responsible Section:</b>	Executive
<b>Responsible Officer:</b>	Director of Corporate Services
<b>Legislation:</b>	<ul style="list-style-type: none"> <li>- Queensland Government Domestic Travelling and Relieving Expenses (Directive No 09/11 13/23)</li> <li>- Local Government Act 2009</li> <li>- Queensland Local Government Industry Award – State 2017</li> </ul>

## OBJECTIVE

To provide employees with guidelines of what are considered to be reasonable expenses incurred when travelling on official Council business and to ensure consistency, accountability and transparency in the payment of these expenses.

## SCOPE

This policy applies to all employees of Boulia Shire Council.

It does not apply to situations where staff are directed to stay in a Council provided camp as this is addressed under the relevant Award.

Failure to comply with the policy or misappropriation of expenses or facilities could give rise to an offence under the Criminal Code and/or a breach of Council's Code of Conduct.

Reimbursement of expenses or provisions of facilities outside these guidelines will not be considered unless preapproval has been granted by the Chief Executive Officer. Should you encounter a situation outside the scope of this policy it is expected that you make travel arrangements in the spirit of the guidelines below and seek Manager approval before embarking.

## DEFINITIONS

*Employee:* This policy applies to all employees of the Boulia Shire Council including those employed under the Queensland Local Government Industry Award - State 2017 or contract. It does not apply to Councillors, contractors, volunteers, and other Council representatives.

*Training:* A training course provided by a registered training provider or equivalent. E.g. LGAQ, LGMA.

*Conference:* An event usually provided for networking and professional development for members/observers of associations such as LGAQ, LGMA, IPWEA or LGFPQ.

*Official Duty:* Includes training and conferences and any other meeting or business trip related to Council's official duties such as meetings with state government representatives and regional groups.

*Family:* Includes spouse/defacto and children.

## APPROVAL PROCESS

Staff must have received prior written approval to attend a training course, conference or meeting to be eligible to claim reimbursement of expenses **associated with travel/being away from the workplace**. This approval may be given in the form of an email upon receipt of a request detailing the purpose of travel and expected travel times and dates.

## FAMILY

Council believes a family friendly policy is an integral part of retaining and attracting employees. Family members may accompany employees when they participate in approved official functions. Where airfares are involved, this will be at a cost to the employee.

Council will pay the standard room rate sufficient to accommodate one person and the employee will be responsible for the difference between a standard room rate and extra costs for extra persons.

Council will pay the Partner's meal at any official dinner, however, the partner will be responsible for all other costs.

## ENTITLEMENT

An employee who is required to travel on official duty shall be allowed actual and reasonable expenses for accommodation, meals and incidental expenses necessarily incurred.

An employee undertaking travel to attend authorised training or conference is, unless otherwise provided for in the Study Policy, **and following CEO/Director approval**, entitled to be paid, or to accrue TOIL/RDO in the case of weekend or out of hours travel, at their ordinary hourly rate to a maximum of 8 hours per day (Queensland Local Government Industry Award – State 2017, Division 2 – Section 1, Part 8, Clause 31 (b)).

Travel time when driving or flying will be accrued as per the recommended travelling time shown on the RACQ travel planner or such appropriate site, and shall where practical, be not longer than the employees ordinary working day. For safety reasons, employees are advised not to drive/travel after sunset, or during sunset/sunrise particularly when heading in an east/west bound direction (eg: Winton Rd).

Should the employee be required to stay over a weekend to undertake a separate course, Council will provide the accommodation, however Council will not pay for meals as the weekend will be free time. Should the course actually be held on the

weekend then Council will pay/reimburse the employee for meals not provided for at the venue.

## TRAVEL

Employees will be provided with a Council vehicle or provided with air travel to attend official engagements. The employee will obtain the Chief Executive Officer's prior approval to use their own vehicle. The CEO will determine how the employee will be reimbursed at this time. On occasions where private vehicles are used the employee should be aware that, in the event of any accident, all claims must be covered by the employee's own insurance on their vehicle. Council's insurance does not cover vehicles not owned by Council.

Should the employee require car hire this will also be arranged prior to travel by the delegated Council Officer.

When using a Council vehicle, the vehicle should be fully fuelled at the Council Depot prior to departure and any fuel purchased during travel should be purchased using the vehicle's fuel card. If an officer requires fuel for a Council vehicle and is in a location where fuel is not able to be purchased using a fuel card, the expense can be paid for using a corporate credit card or reimbursement for the fuel expenses can be claimed upon submission of the receipt and the relevant claim form.

When refuelling a hire vehicle, the expense can be paid for using a corporate credit card or reimbursement can be claimed upon submission of the receipt and the relevant claim form.

Employees travelling by air will have arrangements made by the delegated Council Officer. Ideally airfares for accompanying family members should be booked and paid for separately outside of Council processes, however if any air fare bookings are made for family members accompanying employees on conferences/meetings, employees will be required to reimburse Council for the value of the accompanying person's air fares.

Council will not pay for membership to frequent flyer or loyalty programs nor can employees use their booking to accumulate points towards their existing frequent flyer or loyalty programs.

All employees will be required to complete a Travel Movement Form prior to any journey taken outside of their normal place of work.

## ACCOMMODATION

All employee accommodation bookings will be made by the delegated Council Officer and will be made taking into consideration:

- value for money
- availability
- distance from training/conference/meeting

Where possible, accommodation will be arranged at the training/conference/course venue or where this is not an available option, as close to the venue as possible.

In accordance with the *Queensland Government Domestic Travelling and Relieving Expenses (Directive No 09/11 13/23)*, employees will be provided with accommodation that is of at least a 3 star rating as used in the RACQ accommodation directories, except where this star rating may not be available.

Employees are to be provided with reasonable accommodation in well appointed establishments offering a comfortable standard of accommodation, including individual sleeping quarters and ensuite, except where this standard is not available at a particular centre. Employees may be offered a higher standard of accommodation where appropriate (e.g. conference venue, location of hotel in relation to work site, competitive rates negotiated with a higher standard establishment).

Should an officer choose to stay in private accommodation (e.g. with friends or family), the officer is not entitled to claim costs for accommodation.

Should an officer choose to upgrade their accommodation (e.g. to a higher rated property or to a larger suite to accommodate family) the officer is responsible for paying the upgrade cost difference.

## MEALS

The actual and reasonable costs allowed for meals are not to exceed the *Queensland Government Domestic Travelling and Relieving Expenses (Directive No. 09/11 13/23)* which may be viewed at <https://www.forgov.qld.gov.au/documents/directive/0911/domestic-travelling-and-relieving-expenses> <https://www.forgov.qld.gov.au/pay-benefits-and-policy/directives-policies-circulars-and-guidelines/domestic-travelling-and-relieving-expenses-directive-1323> (or as updated).

An employee is not entitled to claim expenses for a meal that is provided as part of a conference, training course or meeting.

Meal allowances shall be claimable to the value below upon production of receipts, however, the CEO may approve payment beyond these amounts under certain circumstances.

Breakfast	\$25.00	\$30.00
Lunch	\$30.00	\$35.00
Dinner	\$50.00	\$60.00

Alcoholic beverages are the employees' responsibility. The employee will be responsible for all mini bar expenses.

## TELEPHONE CALLS, FACSIMILES AND POSTAGE

Official telephone calls, facsimiles and postage costs will be reimbursed by the Council upon production of receipts. A miscellaneous expenses total of \$15 \$22 per day including telephone calls (for e.g. to phone home) is claimable with receipts to be provided.

## INCIDENTIAL EXPENSES

Incidental expenses will be reimbursed to employees upon production of receipts to cover costs such as:

- Taxi fares/rail fares/bus fares etc
- Toll fees
- Parking fees
- Laundry

## EXTENDING OF TRAVEL PERIOD

Employees seeking to extend their stay for annual leave, RDO, TOIL or leave without pay or over a weekend shall be responsible for the extra costs associated with the extended time.

## TRAVEL INSURANCE

Should travel insurance be required for travel, this is to be arranged on a case by case basis with the approval of the CEO.

## ILLNESS OR INJURY WHILST TRAVELLING

If an officer becomes ill whilst travelling they are to notify their Manager as soon as possible. The officer will then commence on sick leave if required. In the event of an injury, the officer is to notify their Manager and Council's Workplace Health and Safety Officer as soon as possible.

## OPTIONS FOR PAYMENT

Council will where possible, arrange for accommodation, travel and meals to be paid in advance on corporate credit card or by Council purchase order.

If an officer holds a corporate credit card, the officer may use this card to pay for accommodation, fuel, meals or incidentals (up to the value of any applicable allowances mentioned above) where prepayment was not available. The officer is responsible for providing receipts for credit card reconciliation.

The officer is not to pay for meals for accompanying people on the corporate credit card unless that person is a Council Officer or Official Council guest to the meeting or conference being held. Should the cost of the meals exceed the meal expense limit, the officer is responsible for the additional expense and this amount must be paid back immediately to Council upon return from travel. If an officer is travelling with a Councillor, the officer's meals or other expenses are not to be paid for using the Councillor's corporate credit card.



## METHOD OF REIMBURSEMENT

Before an expense is paid, the employee is required to produce documentary evidence that the expenditure has occurred by way of:

- Receipts
- Tax Invoices
- Itemised statements

An EFTPOS receipt is not sufficient to claim reimbursement of expenses for payments in excess of \$50.00.

Reimbursement will be made by completion of the appropriate form (accessible on Council's [intranet page records management system, Magiq](#)) and reimbursed through creditors on the next available run.

## TIME LIMIT ON CLAIM

A claim shall not be paid unless it is submitted within three months of the date the expense is incurred.

## CONDUCT

Staff shall at all times adhere to Council's Code of Conduct provisions and act in a professional manner so as not to harm Council's reputation.



# BOULIA SHIRE COUNCIL

## Telecommunication Policy

<b>Category:</b>	Policy
<b>Policy Number:</b>	125
<b>Document Version:</b>	1
<b>Obsolete Version:</b>	2016 version 1, 2018 version 1, 2021/3.15
<b>Keyword Classification:</b>	Telecommunication
<b>Summary:</b>	This policy aims to provide direction for the use of supplied & private mobile phones, landline phones, satellite phones and voice mail facilities by Boulia Shire Council for staff and Councillors.
<b>Adoption Date:</b>	26 <sup>th</sup> March 2024
<b>Resolution:</b>	
<b>Due for Revision:</b>	Every three years unless impacted by legislation or as required.
<b>Revision date:</b>	March 2024 April 2027
<b>Date revoked:</b>	n/a
<b>Related documents:</b>	Policy 129 Councillor Code of Conduct Policy 146 Code of Conduct
<b>Responsible Section:</b>	Corporate Services
<b>Responsible Officer:</b>	Administration Supervisor
<b>Legislation:</b>	Local Government Act 2009

## Policy Statement

The purpose of this policy is to provide direction for the use of supplied & private mobile phones, landline phones, satellite phones and voice mail facilities by Boulia Shire Council for staff and Councillors.

Boulia Shire Council appreciates that there are circumstances in which employees need to make and receive personal phone calls during working hours. This Policy sets out the circumstances under which employees may make and receive personal phone calls at work, and the limits of acceptable usage.

This Policy applies to employees, agents and contractors (including temporary contractors) of Boulia Shire Council, collectively referred to in this Policy as "workplace participants".

### 1. REASONABLE USE OF COUNCILS' TELECOMMUNICATIONS FACILITIES

- 1.1 The Boulia Shire Council's telecommunications facilities are provided for the conduct of its activities. Any use of Council's telecommunications facilities for the conduct of any other business for the financial gain of any other party is expressly prohibited.
- 1.2 All personal telephone calls should be kept as short as possible in the interests of minimising disruption to work. The Council reserves the right to recover costs associated with personal use.
- 1.3 Only local outgoing personal telephone calls are permitted unless the specific permission of your immediate supervisor is obtained and payment must be made for the call directly after.
- 1.4 Telecommunication facilities are not to be used in any way that offends the law or as a device for delivery of offensive or objectionable communications. Offences of this nature may result in dismissal.
- 1.5 Telecommunication facilities are not to be used to access 'charge-for' services or the like.
- 1.6 Personal phone calls should be made where possible in a workplace participant's designated break time.
- 1.7 If a workplace participant is on a personal phone call and a client or customer is waiting, the personal call should be terminated immediately and can be resumed, if urgent, at a later time.
- 1.8 International calls must not be made by a workplace participant without the permission of the Department Manager. Permission will only be granted in extenuating circumstances.
- 1.9 Under no circumstances may workplace participants use Boulia Shire Council's telephones to conduct any business activities, other than for Boulia Shire Council's

benefit.

- 1.10 Workplace participants must limit their personal calls to matters which, as a matter of urgency, must be dealt with during working hours and defer other calls to time outside work hours or to break times.

## **2. CONDITIONS OF USE – COUNCIL PROVIDED MOBILE AND SATELLITE TELEPHONES**

- 2.1 An employee may be eligible to have a mobile or satellite phone if, in the view of Boulia Shire Council, it is deemed necessary for the appropriate performance of their position. For example, if the employee's duties require them to spend time out of the office and/or to be contactable outside the normal hours of work.
- 2.2 Alternatively, Boulia Shire Council may reimburse an employee for the cost of work-related phone calls made from an employee's personal mobile phone where the employee is not provided with a Boulia Shire Council mobile phone.
- 2.3 A mobile or satellite phone provided by the Council remains the property of the Council at all times and any theft or loss must be reported immediately to your direct supervisor and the Director of Corporate Services.
- 2.4 The mobile or satellite phone is provided primarily to allow contact with the employee by other employees or customers or to enable the employee to contact Boulia Shire Council and its customers.
- 2.5 Employees must not use the mobile or satellite phone while operating a motor vehicle.
- 2.6 Employees who have been provided with a mobile phone with email and internet access must comply with Boulia Shire Council's policies dealing with email and internet access where relevant.
- 2.7 The replacement cost of the lost or stolen mobile or satellite phone is to be covered by the designated user where such loss or damage is deliberate, or the result of willful or careless negligence.
- 2.8 Mobile or satellite telephones should not be used for outgoing calls when a landline telephone is available.
- 2.9 If customers expect to find an employee on their Boulia Shire Council's mobile phone rather than on a regular fixed telephone in the office, then the Boulia Shire Council's mobile phone should be kept on, even when in the office.
- 2.10 The designated user is responsible for the cost of personal calls made from Council mobile or satellite phones where such use is other than a nominal amount. i.e. in excess of \$10 per month.
- 2.11 Minimal use of voicemail is recommended.
- 2.12 On the cessation of their employment with the Council, staff must return all Council mobile and satellite phone handsets including accessories (charger,

case, in car charger etc) to their supervisor.

- 2.13 Obsolete, outdated or faulty handsets and/or accessories are to be handed in to the office to be disposed of in an environmentally friendly manner.
- 2.14 Use of mobile phones while overseas is prohibited unless authorised by the Chief Executive Officer.
- 2.15 Use of mobile and satellite phones is subject to the Reasonable Use of Telecommunications Facilities provided in Clause 1 of this policy.
- 2.16 Private Use
  - a) A Boulia Shire Council mobile phone is provided predominantly for work purposes. Therefore, private usage of the mobile phone should be kept to a minimum.
  - b) If Boulia Shire Council believes an employee is using a Boulia Shire Council mobile phone irresponsibly or unreasonably, then the employee may have the phone removed or be requested to reimburse Boulia Shire Council for excessive personal calls.
  - c) In those circumstances, the employee's phone use will continue to be closely monitored until a more reasonable proportion of work-related versus private use is achieved.
  - d) Employees are required to secure council provided devices with strong passwords if biometric authentication, if available.
  - e) Sensitive information should not be stored on the devices unless absolutely necessary, and encryption must be used for any stored or transmitted data.

### 3. OWNERSHIP

- 3.1 All telecommunication facilities, and information collected as a result of usage of such devices, remain the property of the Council.
- 3.2 Any theft or loss of Council telecommunications facilities must be reported immediately to your supervisor.

### 4. MONITORING

- 4.1 The use of Council telecommunication facilities will be treated as Council related. Authorised persons may examine records of telecommunication usage for operational, maintenance, compliance, auditing, security or investigative purposes.
- 4.2 The Council may collect and utilise statistics based on telecommunication facilities provided and used by staff. These user profiles will be provided regularly to the Department Heads when collected.

- 4.3 Monitoring will not include listening to the content of calls where prohibited by applicable legislation.
- 4.4 Use of Council telecommunication facilities constitutes consent to monitoring in accordance with this policy.

## **5. ENQUIRIES, FAULTS, ACTIVATIONS & DISCONNECTIONS**

- 5.1 Any enquiries, faults, activations or disconnections regarding Council telecommunication facilities are to be reported to the Administration Supervisor.

## **6. BREACH OF POLICY**

- 6.1 Violations of this policy may result in restriction of access to the Council's mobile phone service and/or disciplinary action under the Council's Code of Conduct policy.

## **7. PROVISION OF COUNCIL MOBILE PHONES**

- 7.1 Council mobile phone purchases must be authorised by the Chief Executive Officer (CEO).
- 7.2 Council mobile phones will be one of the three **two** standard phones (handsets) evaluated and approved by the Administration Supervisor **and IT Officer**. The CEO must approve any exceptions to this.
- 7.3 The provision of a mobile phone to a staff member must be authorised by the CEO.
- 7.4 Council mobile phones are to be purchased through the Council's Director of Corporate **and Financial** Services.
- 7.5 Council mobile phones will be connected via the Council's preferred carriers. Under no circumstances are staff authorised to connect their units to any other provider.
- 7.6 The Council's Administration Supervisor **/IT Officer** will complete all connections. An account code, authorisation details and an authorised signature must accompany every request for a purchase.
- 7.7 Charges for the Council mobile phone service will be distributed to the appropriate cost centre by the **Finance Officer** ~~Administration Supervisor~~. All account payments will be reviewed and approved by authorised officer prior to payment.

## **8. MANAGEMENT OF STAFF LANDLINE**

- 8.1 Landline telephones where required by Council to be provided to an employee's house are to be approved by CEO and are to be managed through the

Administration Supervisor.

- 8.2 If a landline is to be relocated, connected or disconnected it is to be arranged through the Administration Supervisor.
- 8.3 Restrictions on access to STD and international calls are to be decided by the CEO and arranged through the Administration Supervisor.
- 8.4 The Council does not provide a landline for contractors or builders on building projects.
- 8.5 Records are kept by the Council of all outgoing calls made from Council supplied phones.
- 8.6 Any obsolete, outdated or faulty handsets are to be handed to the Administration Supervisor to be disposed of in an environmentally friendly manner.
- 8.7 The Finance Manager will be provided with monthly bills for all landline connections for monitoring purposes.

## **9. MANAGEMENT OF VOICE MAIL DEVICES**

- 9.1 Voicemail is available to all staff and is to be arranged through the Administration Supervisor.
- 9.2 An employee must activate the voicemail set up on their Boulia Shire Council phone so that calls diverted to voicemail when unanswered or busy. Missed calls should be reviewed in a timely manner (i.e. within 2 hours) and employees should ensure they clear their voicemail regularly. Voicemail set up on Boulia Shire Council's mobile phone should say "Hello, this is (name) of Boulia Shire Council. I am unable to take your call right now so please leave your name, number and a short message and I will return your call shortly". This message should be modified if an employee is on leave.

## **10. PERSONAL MOBILE PHONES IN WORKPLACE**

- 10.1 Personal mobile phones are permitted in the workplace subject to the following conditions:
  1. They are primarily for work use or emergency contact
  2. Private Calls are to be kept to a minimum
  3. Phones must be on silent or turned off during meetings or when serving customers/front counter.
  4. Phones cannot be used to access the internet, Facebook etc during working hours

Employees who regularly use their personal mobile phones for private purposes during working hours, will be cautioned and where necessary disciplinary action will be taken.

## 11. WORKPLACE HEALTH AND SAFETY

- 11.1 The use of mobile phones in certain parts of the workplace and in vehicles can create illegal or potentially unsafe situations. Supervisors and managers may issue general notices or particular notices to staff regarding the use of mobile phones if they perceive a real or potential occupational health and safety risk. Staff are required to comply with such orders, directions and notices issued by supervisors or managers.





# BOULIA SHIRE COUNCIL

## Flag Flying Policy

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Category:	Policy
Policy Number:	135
Document Version:	1
Obsolete Version:	2, 2018/2.15, 2021/3.15, 2021/5.16
Keyword Classification:	Flag Flying, Flag Protocol
Summary:	To provide Council staff with a guideline on the protocols surrounding flying of flags
Adoption Date:	<del>21<sup>st</sup> May 2021</del>
Resolution:	
Due for Revision:	Every three years or as required by legislation.
Revision date:	<del>21<sup>st</sup> May 2024</del> – April 2027
Date revoked:	n/a
Related documents:	Nil
Responsible Section:	Administration
Responsible Officer:	Administration Supervisor
Legislation:	Department of the Prime Minister and Cabinet – Excerpt from the booklet Australian flags – Part 2: The protocols for the appropriate use and the flying of the flag Flags Act 1953

## PURPOSE

The objective of this policy is to provide Council staff with guidelines on the protocols surrounding the flying of flags so that staff members can carry out flag raising duties accordingly.

## WHEN FLAGS ARE FLOWN

Boulia Shire Council currently has a number of flag poles located in Boulia.

- The Australian National Flag, the Australian Aboriginal Flag and Boulia Shire Council's Flag is to be flown each working day.
- The Australian National Flag shall be flown on the middle Flag pole in Herbert St.

## FLAG RAISING AND DISPLAY

The following protocols should be adhered to when raising or displaying flags:

- Flags should be raised briskly and lowered with dignity. Flags should always be flown aloft and free, as close as possible to the top of the flag mast and the rope should be tightly secured.
- Flags should be raised no earlier than first light and lowered no later than dusk. The flying of a flag at night is only permitted if it is illuminated.
- Two flags should not be flown on the same flag pole.
- Flags should not be flown upside down, even as a signal of distress.
- Unless all flags are being raised simultaneously, the Australian National Flag should always be raised first and lowered last.
- The canton is the position of honour on the flag and should be in the uppermost left quarter as viewed by a person facing the flag. This applies whether the flag is displayed flat against a surface (horizontally or vertically), on a staff or flagpole or suspended vertically in the middle of the street. For example, when flying the Australian National Flag, the Union Jack should be seen in the top left quarter of the flag (even when being hung vertically although it may appear to be back to front).
- If the Australian National Flag is being displayed alone behind a speaker, it should be positioned on the right of the speaker as they face the audience.
- When flying the Australian National Flag with other (National) flags, all flags should be of the same size and raised on flag poles of the same height.
- When flying the Australian National Flag with other flags the order of the flags should follow the rules of precedence.

## FLYING THE FLAG AT HALF MAST

Flags are to be flown at half-mast

- As directed by the Australian Government
- As directed by the Mayor/CEO/DWO/DCS

To bring the flag to the half-mast position, the flag must first be raised to the top of the mast, then immediately lowered slowly to the half-mast position (this position is estimated by imagining another flag flying above the half-masted flag). The flag must be lowered to a position recognisably half-mast so that it does not simply appear to have slipped down from the top of the flagpole. When lowering the flag from a half-mast position, it should first be raised briefly to the top of the flag pole then lowered ceremoniously.

Flags should not be flown half-mast at night, even when illuminated. When flying the Australian National flag with other flags, all flags in the set should be flown at half-mast.

The following protocol is to be followed on Remembrance and ANZAC Day:

Remembrance Day (11 <sup>th</sup> November)	On Remembrance Day, flags are flown at the top of the mast from 8 am, then at half-mast from 10.30 am to 11.02 am and then at the top of the mast again from 11.02 am.
ANZAC Day (25 <sup>th</sup> April)	On ANZAC Day, flags are flown at half-mast until noon then at the top of the mast until close of business.

## RULES OF PRECEDENCE

In Australia, the Australian National Flag takes precedence over all other flags where more than one flag is being flown. When flown in the company of other flags the rules of precedence are:

1. Australian National Flag
2. National Flag of other nations
3. State and Territory Flags
4. Other Flags prescribed by the 'Flags Act 1953' including the Australian Aboriginal Flag and the Torres Strait Islander Flag; the Defence Ensigns (order of precedence for the Defence Ensigns is the Australian Defence Force Ensign, the Australian White Ensign, the Royal Australian Air Force Ensign)
5. Other Ensigns and pennants (i.e. local government flags; Commonwealth, State and Territory agencies; non-government organisations)

Flags should be flown in the above order. In the absence of a flag/s higher in the order, the next flag is flown in accordance with its position in the rules of precedence (for example, the Australian Aboriginal Flag can follow the Australian National Flag if there is no other National Flag or State/Territory Flag to be flown). The order of precedence may be varied on Commonwealth occasions; Aboriginal or Torres Strait Island occasions for their peoples and military occasions.

## FLAG HANDLING AND APPEARANCE

- Flags should not be allowed to fall or lie on the ground
- Flags should be folded in half then quarters when being removed from the flagpoles each evening.
- The Australian National Flag should not be used to cover a statue, monument or plaque for an unveiling ceremony, to cover a table or seat or to mask boxes, barriers or the space between the floor and the ground level on a dais or platform.
- Flags should not be flown when in a damaged, faded or dilapidated condition. When the condition of a flag is no longer suitable, it should be destroyed privately and in a dignified manner.

For further information and explanations on flag flying protocols, staff should refer to the Department of the Prime Minister and Cabinet's Excerpt from the booklet Australian flags – Part 2: The protocols for the appropriate use and the flying of the flag.

<b>TITLE:</b>	Budget Review Operational and Capital Budgets as at 31st March 2024	<b>DOC REF:</b> 11.3.3
<b>REPORT BY:</b>	Kaylene Sloman Director of Corporate & Financial Services	<b>DATE:</b> 11/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 5: Governance

5.2: It is clearly evident in how Council does business

5.2.1: Council's financial activities are monitored and managed well

Key Priority 5: Governance

5.3: Sustainability - our focus on value for money outcomes across the organisation

5.3.3: Ensure the long-term financial sustainability of the Council through prudent financial management and budgeting

**RISK MANAGEMENT:**

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**.

**PURPOSE:**

To provide a Budget Review to 31<sup>st</sup> March 2024 based on trends to date.

**CONTENT:**

The Budget review has been completed based on the best estimate of income and expenditure as known to 31<sup>st</sup> March 2024 for both Operational and Capital.

The review examines each line item and highlights changes based on trend or known variations as approved by Council or anticipated based on best estimate. A short comment against each item provides a brief outline of the basis for the revision and the summary on the last page provides an overall anticipated result, based on the information current at the time of preparation.

The budget review is recommended to Council for adoption.

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:**

Revision of Budget requires Council's endorsement.

**RECOMMENDATION:**

That the Budget Review to 31<sup>st</sup> March 2024 as presented to Council be received and that the revised budget variations for Operational and Capital Budgets as shown be adopted.

**ATTACHMENTS:**

1. CONFIDENTIAL REDACTED - Budget Review 31-03-2024 Operational Amended 23-24 Budget [11.3.3.1 - 3 pages]
2. CONFIDENTIAL REDACTED - Amended Budget Capital Budget 2023-2024 31 March 2024 [11.3.3.2 - 4 pages]

Reviewed and Approved by Chief Executive Officer	Ms Lynn Moore
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<b>TITLE:</b>	Financial Report for March 2024	<b>DOC REF:</b> 11.3.4
<b>REPORT BY:</b>	Graeme Gillam Finance Manager	<b>DATE:</b> 21/04/2024

**CORPORATE PLAN REFERENCE:**

Key Priority 5: Robust Governance

5.2: Accountability

5.2.1: Ensure Council's financial activities are monitored and well managed

5.2.2: Maintain high standards of Corporate Governance through effective audits

5.2.3: Decisions on new or enhanced community assets or facilities are viewed with the future financial impact on Council

5.2.4: Ensure transparency and accountability through integrated performance management reporting

**RISK MANAGEMENT:**

Information Report only - not applicable.

**PURPOSE:**

Financial Summary as at 31 March 2024.

**CONTENT:**

**Cash Position:**

The Cash Position determines the expected money the Council should have after every period.

	31-Mar-24	29-Feb-24
Cash at Hand	15,826,891	21,366,276
Net Cash Equivalent (Debtors-Creditors)	2,487,608	144,069
<b>Total</b>	<b>\$18,314,499</b>	<b>\$21,510,345</b>

**Income**

Total revenues to 31 March 2024 are \$21,446,802. This equates to 134% of this year's budget.

**Expenditure**

Operating expenses to 31 March 2024 are \$19,285,357. This equates to approx. 94% of this year's budget.

<b><u>Liquidity</u></b>			
CBA			\$519,684
Floats			\$1,150
<b><u>Investments</u></b>			
CBA At Call	4.35%	\$3,625,572	
QTC	4.93%	\$11,680,485	\$15,306,058
		<b>Total</b>	<b>\$15,826,891</b>

**Additional Information on Cash Position:**

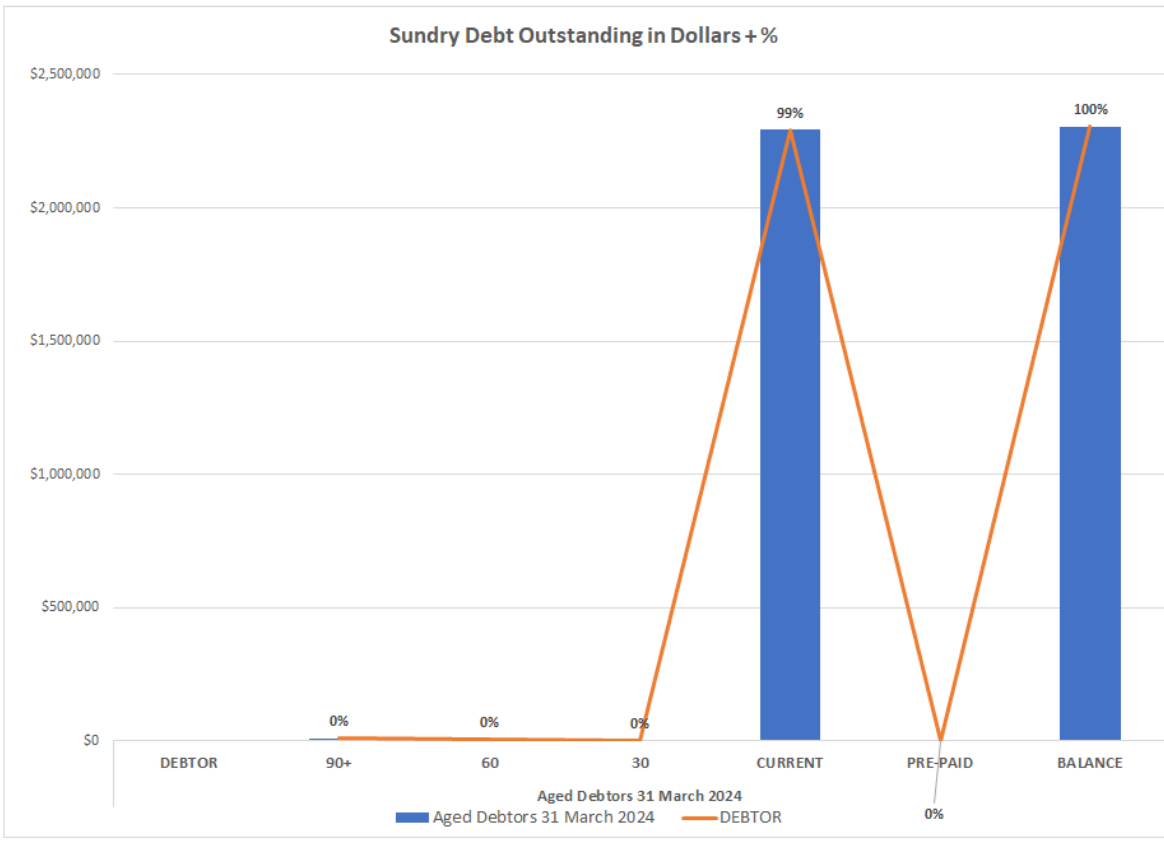
Cash Balances as at 31 March 2024		15,826,891
The following items need to be backed by cash		
Reserves 30th June		2,328,551
Funded Depreciation		5,275,610
Less Depreciation accrued		(3,706,047)
Funded		
Funded Employee Entitlements (Current and Non-Current)		(218,629)
Grant Funding (paid in Advance)		1,119,850
Working Capital Cash		1,500,000
Capital Grants		6,894,853
Operating Result for 2023/2024		(4,733,409)
Less Capital Expenditure 2023/2024		(9,214,950)
	<b>Backed by Cash</b>	<b>(754,170)</b>
<b>Cash unallocated as at 31 March 2024</b>		<b>16,581,061</b>

**Aged Debtors 31 March 2024**

DEBTOR	90+	60	30	CURRENT	PRE-PAID	BALANCE
	\$ 8,769	\$ 3,670	\$ 93	\$ 2,292,573	0	\$ 2,305,106

**90+ Days Outstanding**

For this month, amounts greater than 90+ days total \$8,769, which constitute 0% of the total debtors. Payment arrangements are in place.



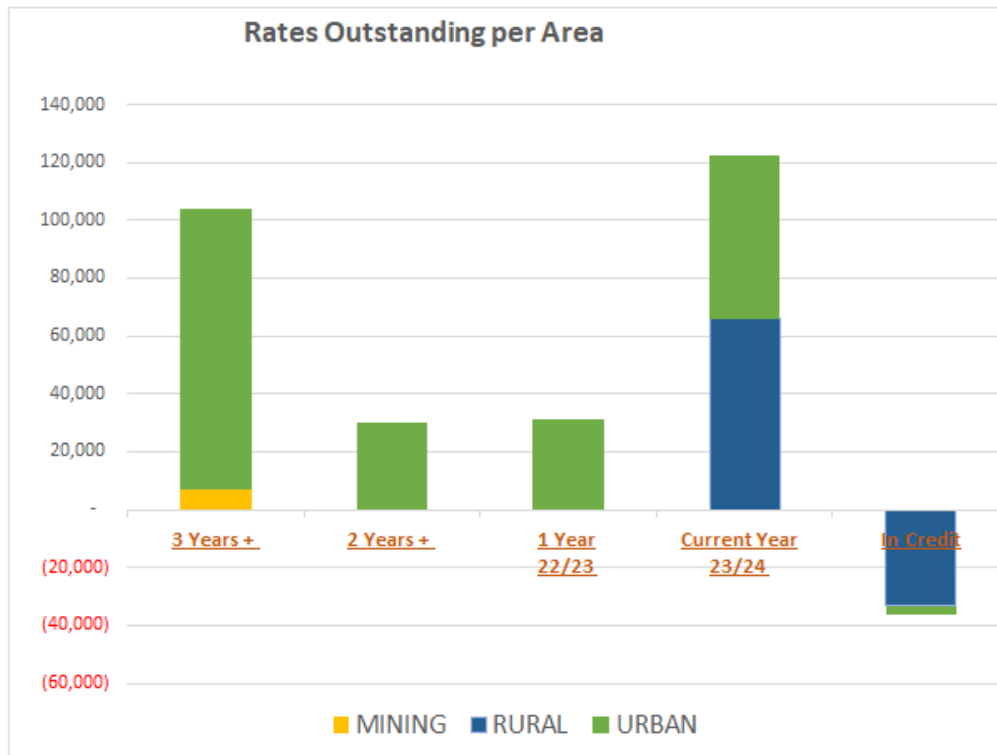
**Creditors**

Total amount waiting for payment, not yet due \$0.

**Rates 31 March 2024**

Total Outstanding \$251,576

RATES	3 Years +	2 Years +	1 Year 22/23	Current Year 23/24	In Credit	Total Outstanding
URBAN	\$96,919	\$30,229	\$31,041	\$56,658	\$(2,783)	\$212,065
RURAL	-	-	-	\$65,934	\$(33,292)	\$32,642
MINING	\$6,831	-	-	\$38	-	\$6,869
ALL	\$103,750	\$30,229	\$31,041	\$122,630	\$(36,074)	\$251,576



**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** Nil

**RECOMMENDATION:**

That the Finance Report for March 2024 be received for information.

**ATTACHMENTS:**

1. 1. FS Income Statement ME Mar-24 [11.3.4.1 - 1 page]
2. 2. Balance Sheet as at 31 Mar-24 Final [11.3.4.2 - 1 page]
3. 3. Cash Flow Statement ME Mar-24 Final [11.3.4.3 - 1 page]
4. CONFIDENTIAL REDACTED - 4. CONFIDENTIAL Income & Expenditure Report ME Mar-24 [11.3.4.4 - 2 pages]
5. CONFIDENTIAL REDACTED - 5. CONFIDENTIAL Capital Budget 2023-2024 ME Mar-24 [11.3.4.5 - 2 pages]
6. CONFIDENTIAL REDACTED - 6. CONFIDENTIAL LRCI Phase 2 Progress ME Mar-24 [11.3.4.6 - 1 page]
7. CONFIDENTIAL REDACTED - 7. CONFIDENTIAL LRCI Phase 3 Progress ME Mar-24 [11.3.4.7 - 1 page]



- 8. CONFIDENTIAL REDACTED - 8. CONFIDENTIAL LRCI Phase 4 Progress ME Mar-24 [**11.3.4.8** - 1 page]
- 9. CONFIDENTIAL REDACTED - 9. CONFIDENTIAL OW PPR Stage 7 Progress ME Mar-24 [**11.3.4.9** - 1 page]
- 10. CONFIDENTIAL REDACTED - 10. CONFIDENTIAL W 4 Q Progress 21-24 ME Mar-24 [**11.3.4.10** - 3 pages]
- 11. CONFIDENTIAL REDACTED - 11. CONFIDENTIAL LGSSP 2022-2024 Progress ME Mar-24 [**11.3.4.11** - 1 page]

Reviewed by Director of Corporate & Financial Services	Mrs Kaylene Sloman
Approved by Chief Executive Officer	Ms Lynn Moore

**BOULIA SHIRE COUNCIL**  
**Income Statement**  
**For the period ended 31 March 2024**

	<i>2023/2024</i>	<i>2023/2024</i>
	<i>Actual</i>	<i>Budget</i>
<b>Income</b>		
<b>Revenue</b>		
<b>Recurrent Revenue</b>		
Net rate and utility charges	1,841,580	1,782,240
Fees and charges	362,745	504,900
Rental income	214,237	248,700
Interest received	639,553	301,900
Sales - contract and recoverable works	1,569,143	1,796,990
Other Income	291,587	304,500
Grants, subsidies, contributions and donations	2,344,292	7,212,550
<b>Total Recurrent Revenue</b>	<u>7,263,136</u>	<u>12,151,780</u>
<b>Capital Revenue</b>		
Grants, subsidies, contributions and donations	6,894,853	10,416,324
Sale of property, plant and equipment	-	-
<b>Total Capital Revenue</b>	<u>6,894,853</u>	<u>10,416,324</u>
<b>Total Revenue</b>	<u>14,157,989</u>	<u>22,568,104</u>
<b>Total Income</b>	<u>14,157,989</u>	<u>22,568,104</u>
<b>Expenses</b>		
<b>Recurrent Expenses</b>		
Employee benefits	(3,089,621)	(8,668,070)
Materials & Services	(5,107,387)	(2,687,580)
Finance Costs	(166,915)	(45,100)
Depreciation	(3,706,047)	(5,275,610)
<b>Total Recurrent Expenses</b>	<u>(12,069,969)</u>	<u>(16,676,360)</u>
<b>Capital Expenses</b>	-	-
Sale of property, plant and equipment	73,424	-
<b>Total Expenses</b>	<u>(11,996,545)</u>	<u>(16,676,360)</u>
<b>Net Result Attributable to Council</b>	<u><u>2,161,444</u></u>	<u><u>5,891,744</u></u>

**BOULIA SHIRE COUNCIL****Balance Sheet****as at 31 March 2024***2023/2024 Actuals***Current Assets**

Cash and cash equivalents	15,826,891
Trade and other receivables	2,554,699
Inventories	472,538

**Total Current Assets** 18,854,129**Non-current Assets**

Property, plant and equipment	198,725,804
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**Total Non-current Assets** 198,725,804**TOTAL ASSETS** 217,579,933**Current Liabilities**

Trade and other payables	(67,092)
Borrowings	(47,330)
Provisions	(1,233,068)
Contract Liabilities	(1,598,473)

**Total Current Liabilities** (2,945,964)**Non-current Liabilities**

Borrowings	(1,196,587)
Provisions	(132,832)

**Total Non-current Liabilities** (1,329,419)**TOTAL LIABILITIES** (4,275,383)**NET COMMUNITY ASSETS** 213,304,550**Community Equity**

Asset revaluation reserve	97,863,455
Other reserves	2,328,551
Retained surplus	113,112,544

**TOTAL COMMUNITY EQUITY** 213,304,550

**BOULIA SHIRE COUNCIL**  
**Statement of Cash Flows**  
**For the period ended 31 March 2024**

	<i>2023/2024</i> <i>Actuals</i>	<i>Adopted Budget</i> <i>2023-24</i>
<b>Cash Flows from Operating activities:</b>		
Receipts from customers	3,312,465	5,726,000
Payments to suppliers and employees	<b>(8,868,020)</b>	<b>(11,832,000)</b>
	<b>(5,555,556)</b>	<b>(6,106,000)</b>
Interest received	639,553	715,000
Rental income	214,236.68	357,000
Non-capital grants and contributions	2,344,292	5,766,000
Borrowing costs	<b>(25,760)</b>	<b>(36,000)</b>
<b>Net Cash Inflow (Outflow) from Operating Activities</b>	<b>(2,383,234)</b>	696,000
<b>Cash Flows from Investing activities:</b>		
Payments for property, plant and equipment	<b>(9,214,950)</b>	<b>(45,968,000)</b>
Proceeds from sale of property, plant and equipment		
Grants, subsidies, contributions and donations	6,894,853	40,829,000
<b>Net Cash Inflow (Outflow) from Investing activities</b>	<b>(2,320,097)</b>	<b>(5,139,000)</b>
<b>Cash Flows from Financing activities</b>		
Proceeds from borrowings		2,000,000
Repayment of borrowings	<b>(45,455)</b>	<b>(631,000)</b>
<b>Net Cash Inflow (Outflow) from Financing activities</b>	<b>(45,455)</b>	1,369,000
<b>Net Increase (Decrease) in Cash and Cash Equivalents held</b>	<b>(4,748,786)</b>	<b>(3,074,000)</b>
<b>Cash and Cash Equivalents at beginning of Reporting period</b>	20,575,678	20,575,678
<b>Cash and Cash Equivalents at end of Reporting period</b>	<b>\$ 15,826,891</b>	<b>\$ 17,501,678</b>

## 11.4 Community Services

<b>TITLE:</b>	Community Services Report March 2024	<b>DOC REF:</b> 11.4.1
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<b>REPORT BY:</b>	Rebecka Britton Assisting in Community Services Manager Role	<b>DATE:</b> 08/04/2024
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### **CORPORATE PLAN REFERENCE:**

Key Priority 1: A strong supportive community environment

1.1: Promotion of community events, services and facilities

1.2: Respecting our culture and heritage, past, present and future

Key Priority 3: Economic Development - A sustainable local economy

3.1: Facilitate employment and investment opportunities

3.4: Promote Bouliia Shire and the RAPAD region as a region for tourism and development opportunities

Key Priority 6: Supporting local services and facilities

6.1: Facilitate opportunities

6.1.2: Provide community services through government funded programs for the benefit of disadvantage members of the community

6.2: Support an active healthy community

Key Priority 7: Valuing our greatest asset – people

7.4: Tourism

7.4.1: Make Bouliia the place on everyone's bucket list

### **RISK MANAGEMENT:**

Information Report only - not applicable.

### **PURPOSE:**

To provide Council with an update of the activities associated with Councils' community development activities.

### **CONTENT:**

Current housing available:

<u>ACTIVITY</u>	<u>Number</u>
Total houses available for occupation currently	0
Total units available	0
Total Council units are always kept vacant for use by visiting professionals	0
Total Council furnished units/houses being used by contractors	2
Houses/units being renovated/painted.	2
Formal applications for rental for March	0
Enquiries re housing availability for March	0

### **Housing update:**

- Prioritising works according to Asset Management Plan, budget & W4Q allocation
- Last units being refurbished – 5/26 Pituri Street
- 7 Wills Street & 40 Hamilton Street (Priority upgrades for staff tenancies)
- CWHHS will be transferring tenancy from house to new unit

- Inspections to be undertaken in April – notices sent out
- Natarsha Shaw supporting housing role

**Tourism:**

- 2024 advertisement proofs coming in for approval

**Grants:**

- Current submissions (JW):
  - Minor Infrastructure & Inclusive Facilities – Shade @ skate park  
**UNSUCCESSFUL**
  - Qld Day 2024 – Pineapple Day (June 24)
  - Building Bush Tourism – Upgrade jail cells in park

**Community**

**Sports Centre:**

Pool patron numbers: **March: 84** (by Dave Karel)

Casual employee has been engaged at Sports Centre for 25 hours per fortnight.

Monday, Wednesday & Friday 2:45pm to 5:45pm – active recreational programs targeted at youth in aspects of team building, gross motor development and primary focus of structured fun.

Active Afternoons numbers: **March 100** (by Rachel Evans)

Community survey sent out via email blast for consultation of interested activities from community perspective. 20+ responses received to date.

**Library report by Tarsha Shaw:**

This month our First 5 Forever program was held twice a week. Set days being Wednesday and Fridays. We have started to plan ahead and have a month-to-month calendar that we send to all the local mums.

This month we have held Clean-Up Australia Day and Harmony Day. We have also held Easter Activities including an Easter Egg Hunt. These events have been very well attended with the school also participating in the 2 major events. We have begun the planning for ANZAC Day with just the final touches needing to be done

Library patron numbers for **March: 237 | Wifi Users: 32**

	Ja	Fe	Ma	Apr	Ma	Ju	Jul	Au	Se	Oct	No	De
2022	54	74	49	18	137	135	170	64	67	75	71	42
2023	51	137	86	131	129	88	131	197	275	182	205	152
2024	101	140	237									

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** Nil

**RECOMMENDATION:**

That the Community Services Report for March 2024 be received for information.

**ATTACHMENTS:** Nil

Reviewed and Approved by Chief Executive Officer Ms Lynn Moore
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<b>TITLE:</b>	Min Min Encounter & Boulia Heritage Centre Report – March 2024	<b>DOC REF:</b> 11.4.2
<b>REPORT BY:</b>	Karen Savage Tourism Officer	<b>DATE:</b> 04/03/24

**CORPORATE PLAN REFERENCE:**

Key Priority 1: A strong supportive community environment

1.2: Respecting our culture and heritage, past, present and future

1.2.1: To preserve and promote the heritage and diverse cultures of our community

1.2.2: To maintain, preserve, develop and provide access to our region's history

Key Priority 6: Supporting local services and facilities

6.2: Support an active healthy community

6.2.2: Maintain a high quality of life by providing facilities and resources that encourage a secure, interactive and progressive community lifestyle

**RISK MANAGEMENT:**

Information Report only - not applicable.

**PURPOSE:**

To report on the day-to-day operations of the Min Min Encounter and to promote tourism in the Shire and surrounding region.

**CONTENT:**

**Monthly Activity Statistics: March 2024**

Sales – tickets/merchandise	\$2102.24
MME total Visitor Stats	66
MME Tickets	21
BHC Tickets	0
COMBO Tickets	12
Rezdy Online Bookings during the month (no payment taken)	2

**Social Media Statistics: March 2024**

Social media pages	Reached
TripAdvisor Review	64% excellent
Google Business Profile	277 profile views, 91 interactions 22 website visits from the profile

**REPORT ON ACTIVITIES HELD FOR MARCH**

Visitor Statistic Reporting:

- Explore Queensland Network survey to be completed on the 1<sup>st</sup> of each month
- Outback Queensland (OQTA) monthly report email by the 10<sup>th</sup> of each month

There are minimal visitors to town at the present time mainly due to the various weather events around us, we did see some visitors to town over Easter despite the rain which

closed various roads for periods at the end of the month. Tourists are beginning to trickle in and have been very enthusiastic about the show. Weekend opening commenced (half day only) on 16<sup>th</sup> March.

**Group Bookings:** no group bookings at this time of year however bookings in place from the month of May onwards.

**Social Media**

Facebook posts reached 4.3K people this month with 563 engaging in posts.

**Explore Queensland Network:** n/a

**Merchandise:**

Merchandise has been fully restocked ready for the upcoming tourist season. We continue to explore new avenues of merchandise.

**Bouliá Heritage Centre:**

The Heritage Complex continues to be popular especially as a combination ticket with the Min Min Encounter. Weekend opening restarted on the 16<sup>th</sup> March.

**General:**

We have had many telephone enquiries this month from people wishing to visit the town, enquiries have been both general and around Camel Races. The enquiries have been considerably higher in volume than is usual so hoping for an excellent season!

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:** Nil

**RECOMMENDATION:**

That the Min Min Encounter & Bouliá Heritage Centre Report March 2024 be received for information.

**ATTACHMENTS:** Nil

Reviewed by Acting Community Services Manager	Ms Rebecka Britton
Approved by Chief Executive Officer	Ms Lynn Moore



## **12 Late Reports**

Nil

## **13 Closed Session**

## **14 General Business**

This item on the agenda allows Councillors to raises any other general business matters for discussion or future consideration.