

Ordinary Meeting Agenda

PUBLIC

To be held at McKinlay Shire Council, Boardroom
29 Burke Street, Julia Creek, Queensland 4823

Tuesday 21st June 2022, 8:00am

Notice is hereby given that an Ordinary Meeting will be held at the Council Chambers,
Civic Centre, Julia Creek on 21 June 2022 at 8:00am.

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1. OPENING BUSINESS

All Councillors having signed the Attendance Book, the Mayor declared the meeting open.

2. ATTENDANCE

Mayor: Cr. P Curr

Members: Cr. J Fegan, Cr. S Royes, Cr. T Pratt, Cr. J Lynch

Staff:

Chief Executive Officer, Mr. Trevor Williams

Director of Corporate and Community Services, Ms. Tenneil Cody

Director of Engineering, Environment and Regulatory Services, Mr. Cameron Scott

Executive Assistant, Melissa Mussig

Other people in attendance:

Keri Flecklington, Regional Development Officer, MITEZ

Maria James, CEO, MITEZ

Apologies:

Team Leader, Environmental and Regulatory Services, Ms. Megan Pellow

2.1 APPOINTMENT

Keri Flecklington, Regional Development Officer, MITEZ

Maria James, CEO, MITEZ at 09:00am

3. DECLARATION OF CONFLICT OF INTEREST

4. CONFIRMATION OF MINUTES

4.1 That the Minutes of the Ordinary Meeting 17 May 2022 be confirmed.

4.2 That the Minutes of the Special Meeting 7 June 2022 be confirmed.



MCKINLAY SHIRE COUNCIL

UNCONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

17 May 2022

ORDER OF BUSINESS

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
- 4.0 Confirmation of minutes
- 4.1 Confirmation of minutes of Ordinary Meeting on 28 April 2022
- 4.2 Business Arising out of minutes of previous Meeting

5. ENGINEERING REPORT

- 5.1 Engineering Work Monthly Report

6. ENVIRONMENTAL & REGULATORY SERVICES REPORT

- 6.1 Environmental and Regulatory Services Monthly Report
- 6.2 Application for Permit to Occupy – ‘Pony Club Paddock’
- 6.3 Review of Drinking Water Quality Policy
- 6.4 Relaxation of the standard building requirements for structures

7. COMMUNITY SERVICES REPORT

- 7.1 Community Services Monthly Report
- 7.2 Report - RADF Quick Response JCSS PC Mural
- 7.3 Report Sponsorship Request -Saxby Round-up
- 7.4 CBAS 2021-22 Report May Meeting 2022
- 7.5 Report Sponsorship Request - McKinlay Race Club
- 7.6 Report Council RADF Co-Contribution 2022-23

8. CORPORATE SERVICES REPORT

- 8.1 Corporate Services Monthly Report
- 8.2 Revocation of Policies
- 8.3 Fraud Management
- 8.4 Report 2021-2022 3rd Qtr Review

9. CHIEF EXECUTIVE OFFICERS REPORT

- 9.1 Chief Executive Officers Monthly Report

10. WORKPLACE HEALTH AND SAFETY

- 10.1 Workplace Health and Safety

11. CLOSE

1. OPENING BUSINESS ▲

All Councillors having signed the Attendance Book, Mayor Philip Curr declared the meeting open at 09:05am.

2. ATTENDANCE ▲

Mayor: Cr. P Curr

Members: Cr. J Fegan, Cr. S Royes (teleconference), Cr. T Pratt, Cr. J Lynch (teleconference)

Staff:

Chief Executive Officer, Mr. Trevor Williams

Director of Corporate & Community Services, Ms. Tenneil Cody

Director of Engineering, Environment and Regulatory Services, Mr. Cameron Scott

Environmental Regulatory Services, Team Leader, Ms. Megan Pellow

Apologies: Executive Assistant, Melissa Mussig

Appointments: Nil

3. DECLARATION OF CONFLICT OF INTEREST ▲

1. I Cr. P Curr inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009). The nature of my interest is as follows:

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter reference item 6.2 *Application for Permit to Occupy – ‘Pony Club Paddock.’*

Particulars:

(i) Name of related party: Jennifer Heslin

(ii) The nature of my relationship with this related party is Jennifer is my sister

(iii) The nature of the related party’s interests in this matter is that she stands to gain access to public land.

I propose to leave and stay away from the meeting while this matter is discussed and voted on.

and

2. I Cr. S Royes inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009) as follows*: -

This declarable conflict of interest arises with 6.2 *Application for Permit to Occupy – ‘Pony Club Paddock’* as I am the President of the Julia Creek Pony Club.

I propose to leave and stay away from the meeting while this matter is discussed and voted on.

and

3. I Cr. P Curr inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009) as follows*: -

This declarable conflict of interest arises with 7.3 *Report Sponsorship Request-Saxby Round-up* as I am a committee member.

I propose to leave and stay away from the meeting while this matter is discussed and voted on.

4. CONFIRMATION OF MINUTES

4.1 Confirmation of Minutes

Confirmation of Minutes of the Ordinary Meeting of Council held on 28th April 2022.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 28th April 2022 be confirmed.

Resolution No. 229/2122

That the Minutes of the Ordinary Meeting of Council held on 28th April 2022 be confirmed.

Moved Cr. J Lynch

Seconded Cr. S Royes

CARRIED 5/0

4.3 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

5. ENGINEERING SERVICES

5.1 Engineering Works Report

This report outlines the general activities for the Engineering Department for the month of April 2022.

RECOMMENDATION

That Council receives the Engineering Services monthly report for April 2022.

Resolution No. 230/2122

That Council receives the Engineering Services monthly report for April 2022.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 5/0



6.1 Environmental and Regulatory Services Report

This report outlines the general activities, revenue and expenditure for the department for the period April 2022.

RECOMMENDATION

That Council receives the April 2022 Environmental and Regulatory Services Report.

Resolution No. 231/2122

Council receives the April 2021 Environmental and Regulatory Services Report.

Moved Cr. J Fegan

Seconded Cr. T Pratt

CARRIED 5/0

Attendance – Having declared a conflict of interest in item 6.2 Application for Permit to Occupy – ‘Pony Club Paddock’, Cr. Philip Curr and Cr. Shauna Royes left the meeting at 09:17am.

Cr. J Fegan assumed position of Chair of meeting

6.2 Application for Permit to Occupy – ‘Pony Club Paddock’

Council has received correspondence from Connie Navarro Legal acting on behalf of Jennifer Mary Heslin requesting Council’s support for an application for a Permit to Occupy over part of the ‘Pony Club Paddock’ located over a section of a primary stock route.

RECOMMENDATION

That Council resolves to advise Connie Navarro Legal that Council, as Road Manager, does not consent to the application made by Jennifer Mary Heslin for a Permit to Occupy over part of the ‘Pony Club Paddock’ located over a section of a primary stock route.

Resolution No. 232/2122

That Council resolves to advise Connie Navarro Legal that Council, as Road Manager, does not consent to the application made by Jennifer Mary Heslin for a Permit to Occupy over part of the ‘Pony Club Paddock’ located over a section of a primary stock route.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 3/0

Attendance - Cr P Curr & Cr S Royes re-joined the meeting at 9:22am

Cr P Curr resumed position as Chair of the meeting.

6.3 Review of Drinking Water Quality Policy

This report makes recommendation to Council for the adoption of the revised Drinking Water Quality Policy.

RECOMMENDATION

That Council adopts the Drinking Water Quality Policy version 2.0 as presented

Resolution No. 233/2122

That Council adopts the Drinking Water Quality Policy version 2.0 as presented

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 5/0

6.4 Relaxation of the standard building requirements for structures – 45 Goldring Street

McKinlay Shire Council has received correspondence from Shayne Gabbert requesting a relaxation of Council's building requirements for the construction of a shed and veranda at 45 Goldring Street.

RECOMMENDATION

That Council responds to relaxation request made by Shayne Gabbert and advise him that the Council grants a relaxation permit to erect a veranda and shed on 45 Goldring Street on the following conditions;

1. The Property owners need to ensure that roof water and stormwater drainage systems comply with AS/NZS 3500.3:2003 Plumbing and Drainage Part 3: Stormwater Drainage and that no additional overland or artificial stormwater flows enter the adjoining properties.
2. 14 days before commencing work, submit to the owners and occupants of the adjoining properties- a written notice of intention to commence work and a description of the type and extent of work that may affect the adjoining property.
3. Encroachments- before commencing any works advise the owners and occupants of the adjoining properties by written notice of intention to encroach if the Works reveals encroachments of adjoining property to the site; or existing site structures on to adjoining properties.
4. The property owner is responsible to ensure that works undertaken do not impact on Council's Sewerage network.

Resolution No. 234/2122

That Council responds to relaxation request made by Shayne Gabbert and advise him that the Council grants a relaxation permit to erect a verandah and shed on 45 Goldring Street on the following conditions;

1. The Property owners need to ensure that roof water and stormwater drainage systems comply with AS/NZS 3500.3:2003 Plumbing and Drainage Part 3: Stormwater Drainage and that no additional overland or artificial stormwater flows enter the adjoining properties.
2. 14 days before commencing work, submit to the owners and occupants of the adjoining properties- a written notice of intention to commence work and a description of the type and extent of work that may affect the adjoining property.
3. Encroachments- before commencing any works advise the owners and occupants of the adjoining properties by written notice of intention to encroach if the Works reveals encroachments of adjoining property to the site; or existing site structures on to adjoining properties.

4. The property owner is responsible to ensure that works undertaken do not impact on Council's Sewerage network.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

Attendance - Environmental Regulatory Services, Team Leader, Ms. Megan Pellow left the meeting at 9:25am

7. COMMUNITY SERVICES ▲

7.1 Community Services Monthly Report

Council is presented with the monthly Community Services report, which provides an overview of the operations for the month of April 2022.

RECOMMENDATION

That Council receives the Community Services monthly report for April 2022.

Resolution No. 235/2122

That Council receives the Community Services monthly report for April 2022.

Moved Cr. J Fegan

Seconded Cr. T Pratt

CARRIED 5/0

7.2 RADF Quick Response Application Julia Creek Primary P&C Association

Council has been actively advertising three separate funding rounds throughout 2021/22 as well as an option for local organisations to submit 'Quick Response' applications for a maximum of \$5,000. Council has received a Quick Response Application from the Julia Creek Primary P&C Association for an indigenous mural project at Julia Creek State School. All applications were distributed to the RADF Committee for their assessment and members subsequently approved the project.

RECOMMENDATION

Council resolves to approve the Quick Response application from Julia Creek Primary P&C Association for \$2,200 to support an indigenous mural project at Julia Creek State School as per the recommendation from the RADF Committee.

Resolution No. 236/2122

Council resolves to approve the Quick Response application from Julia Creek Primary P&C Association for \$2,200 to support an indigenous mural project at Julia Creek State School as per the recommendation from the RADF Committee.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 5/0

Attendance – Having declared a conflict of interest in item 7.3 Community Sponsorship Request – Saxby Round Up, Cr. Philip Curr left the meeting at 09:39am.

Cr. J Fegan assumed position of Chair of meeting

7.3 Community Sponsorship Request – Saxby Round Up

Council has received a Community Sponsorship Request from Saxby Round-Up for a \$5,000 cash contribution to assist with covering the costs of paying a contractor for the hire of a water truck for their 2022 event.

RECOMMENDATION

Council resolves to approve the Community Sponsorship Request for Saxby Round-Up for a cash contribution of \$5,000 to assist with covering costs of hiring a water truck for the 2022 event.

Resolution No. 237/2122

Council resolves to approve the Community Sponsorship Request for Saxby Round-Up for a cash contribution of \$5,000 to assist with covering costs of hiring a water truck for the 2022 event.

Moved Cr. S Royes

Seconded Cr. J Lynch

CARRIED 4/0

Cr P Curr rejoined the meeting at 9:41am and resumed position as Chair of the meeting

7.4 Community Benefit Assistance Scheme 2021/22

The Community Benefit Assistance Scheme for 2021/22 has been advertised throughout the year seeking applications from local not-for-profit groups for assistance with equipment, infrastructure or volunteer support. Grants are available as dollar-for-dollar contributions with the group and Council co-contributing to the specific project. A total of three (3) applications were received from Sedan Dip Sports & Recreation Inc, McKinlay Shire Cultural Association and Julia Creek Isolated Children’s Parents Association.

RECOMMENDATION

That Council fund local organisations the following amounts under the Community Benefit Assistance Scheme program:

- Sedan Dip Sports & Recreation Inc - \$3,000 for a new PA Speaker System
- McKinlay Shire Cultural Association - \$2,433.08 for a Digital Arts Whiteboard and Computer
- Julia Creek ICPA - \$1,000 for volunteer support in attending 2022 State Conference

Resolution No. 238/2122

That Council fund local organisations the following amounts under the Community Benefit Assistance Scheme program:

- Sedan Dip Sports & Recreation Inc - \$3,000 for a new PA Speaker System
- McKinlay Shire Cultural Association - \$2,433.08 for a Digital Arts Whiteboard and Computer
- Julia Creek ICPA - \$1,000 for volunteer support in attending 2022 State Conference

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 5/0

7.5 Sponsorship Request – McKinlay Race Club

Council has received a Community Sponsorship Request from McKinlay Race Club for a cash contribution of \$4,630 plus the use of Council's 24 seater bus. This sponsorship will assist the club with running their annual race meeting and help to cover the costs of the ambulance, children's entertainment, live music for the event and to help transport patrons to and from the racetrack to the Walkabout Creek Hotel.

RECOMMENDATION

Council resolves to approve the Community Sponsorship Request for McKinlay Race Club for a \$4,630 cash donation and the use of Council's 24 seater bus to cover costs associated with an ambulance, children's entertainment, live music and transport patrons to and from the racetrack.

Resolution No. 239/2122

Council resolves to approve the Community Sponsorship Request for McKinlay Race Club for a \$5,000 cash sponsorship to cover costs associated with an ambulance, children's entertainment and live music.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

7.6 McKinlay Shire Council RADF co-contribution 2022/23

Council has been liaising with Arts Queensland to finalise available funding for the Regional Arts Development Fund in 2022/23 which is essential to allow Council to support community arts and cultural workshops and activities. Arts Queensland are currently in the process of altering the RADF application process from yearly applications to a multi-year application process to simplify the procedure for all parties involved. The roll out of this new process is expected to take some time to complete and as a result, organisations will receive the same amount received in 2021/22 to deliver projects in 2022/23. Council will be allocated a total of \$20,000 through the program and as per the guidelines is required to match 10% of the requested amount.

RECOMMENDATION

Council resolves to contribute \$2,000 to the 2022/23 RADF Program to support community arts and cultural projects.

Resolution No. 240/2122

Council resolves to contribute \$2,000 to the 2022/23 RADF Program to support community arts and cultural projects.

Moved Cr. P Curr

Seconded Cr. T Pratt

CARRIED 5/0



8.1 Corporate Services Report

The Corporate Services Report as of April 2022 which summarises the financial performance and position is presented to Council.

RECOMMENDATION

That Council receives the monthly Corporate Services Report for the period ending April 2022.

Resolution No. 241/2122

That Council receives the monthly Corporate Services Report for the period ending April 2022.

Moved Cr. J Lynch

Seconded Cr. S Royes

CARRIED 5/0

8.2 Revocation of Policies

Council is presented with this report seeking to rescind the Funeral Costs Policy with a view to reviewing and adopting a policy which more aligns with Council’s strategic vision and goals and current practices.

RECOMMENDATION

That Council revokes policy titled Funeral Costs Policy.

Resolution No. 242/2122

That Council revokes policy titled Funeral Costs Policy.

Moved Cr. J Fegan

Seconded Cr. T Pratt

CARRIED 5/0

8.3 Fraud Management

Council is presented with Fraud Policy, Fraud Control Plan, Fraud Investigation Procedure and Fraud Monitoring and Evaluation Procedure which will assist Council to prevent and detect fraud in the organisation.

RECOMMENDATION

That Council adopts the Fraud Policy, Fraud Control Plan Fraud Investigation Procedure and Fraud Monitoring and Evaluation Procedure version 1.2 as presented.

Resolution No. 243/2122

That Council adopts the Fraud Policy, Fraud Control Plan Fraud Investigation Procedure and Fraud Monitoring and Evaluation Procedure version 1.2 as presented.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 5/0

8.4 Third Quarter Review of the 2021-2022 Operational Plan

In accordance with section 174 (3) of the Local Government Regulation 2012, a written assessment of Council's progress towards implementing the annual operational plan for the quarter January to March 2022 is presented to Council.

RECOMMENDATION

That Council accepts the third quarter review of the 2021-2022 Operational Plan.

Resolution No. 244/2122

That Council accepts the third quarter review of the 2021-2022 Operational Plan.

Moved Cr. P Curr

Seconded Cr. J Fegan

CARRIED 5/0

9. CHIEF EXECUTIVE OFFICER



9.1 Chief Executive Officer's Report to Council

In addition to the information provided below, a verbal update will be given on current matters headlined in the body of the report which have arisen from the Office of the Chief Executive Officer.

RECOMMENDATION

That Council receive and note the report from the Chief Executive Officer for the period ending 13th May 2022 except where amended or varied by separate resolution of Council.

Resolution No. 245/2122

That Council receive and note the report from the Chief Executive Officer for the period ending 13th May 2022 except where amended or varied by separate resolution of Council.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 5/0

1. Establishment of a Cotton Gin in Julia Creek

A verbal update to be provided on discussions held since the last Council Meeting, and the next steps moving forward.

RECOMMENDATION

For Council Information

2. SES Support Grant for Upgrading SES Headquarters

Council has been successful in our application under the SES Support Grant to Upgrade the SES Headquarters. A verbal update to be provided by the CEO and Cr. Royes on the proposed work to be undertaken with the grant funding.

RECOMMENDATION

For Council Information

3. Current Staff Movements

A verbal update will be provided on current staff recruitment campaigns.

RECOMMENDATION

For Council Information

4. Round 2 of the Regional Connectivity Program

Council received advice that we have been successful in our application to upgrade internet services by the provision of nbn fibre to the door in Julia Creek.

The nbn will provide more information after the Federal Election.

RECOMMENDATION

For Council information

5. Certified Agreement Negotiations

Verbal update to be provided

RECOMMENDATION

For Council Information

6. Report on NWQROC Meeting held at Mt Surprise 5-6 May 2022

Cr. Lynch and I attended the NWQROC meeting held at Mt. Surprise on 5-6th May 2022 and will provide an update to Council from the meeting.

RECOMMENDATION

For Council Information

10. WORKPLACE HEALTH AND SAFETY

10.1 Workplace Health and Safety

This report outlines the general status of Work Health and Safety at McKinlay Shire Council for the period of April 2022.

RECOMMENDATION

That Council receives the April 2022 WHS Report.

Resolution No. 246/2122

That Council receives the April 2022 WHS Report.

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 5/0

General Business – Councillor Requests

Cr J Fegan

- Kitchen Table My Health Care – will be discussed following the CAN meeting to be held on 3rd June 2022. Office of Rural and Remote Health. Encourage Councillors to review the website *Access My Health Care*.
- LANA – Local Area Needs Assessment. Virtual meeting being held today for community engagement. Further, expressed an interest to be on the Steering Committee however was unsuccessful.
- MITEZ – Attended informal meeting held in Townsville. Board to make appointment of new CEO in coming weeks.

Cr J Lynch

- Next meeting request for an update on sewage treatment plant

Cr T Pratt

- Number of signage down in Southern parts of the shire following recent winds/storm activity
- Road damage from flooding event, when is possibility of repairs to commence.
- Floodway Crossing at Beeantha – follow up with regard to possible repairs or design change.
- Grid approaches scoured out on the Bunda/Pelham road following 7-8 inches of recent rain

11. CLOSURE OF MEETING



The Chair of the meeting Mayor Philip Curr declared the meeting closed at 11:18am.



MCKINLAY SHIRE COUNCIL

UNCONFIRMED MINUTES

OF THE

SPECIAL MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

7 June 2022

1. Opening
2. Attendance
3. Declaration of Conflict of Interest

4. ITEMS FOR DISCUSSION

- 4.1 Award - Sealing of Byramine and Taldora Roads
 - 4.1.1 Scope of Works
 - 4.1.2 RPQ – Quotation
 - 4.1.3 Stabilized Pavements of Australia – Quotation

5. CLOSE

1. OPENING BUSINESS ▲

All Councillors having signed the Attendance Book, Mayor Philip Curr declared the meeting open at 10:00am.

2. ATTENDANCE ▲

Mayor: Cr. P Curr

Members: Cr. J Fegan, Cr. S Royes, Cr. J Lynch, Cr. T Pratt

Staff:

Chief Executive Officer, Mr. Trevor Williams

Executive Assistant, Mrs. Melissa Mussig

Director of Corporate & Community Services, Ms. Tenneil Cody

Director of Engineering, Environment and Regulatory Services, Mr. Cameron Scott

Apologies: Nil

3. DECLARATION OF CONFLICT OF INTEREST ▲

Nil

4. ITEMS FOR DISCUSSION ▲

4.1 Award Sealing Byramine and Taldora Roads

Vendor Panel quotations were sought from the relevant LocalBuy contract BUS-270 registered providers for sealing works on the Byramine and Taldora Road Projects.

RECOMMENDATION:

That Council resolves to;

Accept the quotation dated 27th May 2022, Byramine and Taldora Roads from RPQ.

Resolution No. 247/2122

That Council resolves to;

Accept the quotation dated 27th May 2022, Byramine and Taldora Roads from RPQ.

Moved Cr. John Lynch

Seconded Cr. Janene Fegan

CARRIED 5/0

5. CLOSURE OF MEETING ▲

The Chair of the meeting Mayor Philip Curr declared the meeting closed at 10:02am.



5.0 ENGINEERING SERVICES



Ordinary Meeting of Council Tuesday 21st June 2022

5.1 Subject: Engineering Services Monthly Report May 2022
Attachments: Nil
Author: Engineering Services Department
Date: 21st June 2022

Executive Summary:

This report outlines the general activities for the Engineering Department for the month of April 2022.

Recommendation:

That Council receives the Engineering Services monthly report for May 2022.

Background:

This report outlines the general activities of the department for the month of May 2022 and also provides an update on projects.

RMPC

	Actual	Budget YTD	Budget
1610 RMPC Works	\$860,876	\$1,375,550	\$1,500,600

- Oorindi bore is complete
- The 4 RMPC roads, normal maintenance, patching, guidepost and signage works completed.
- Contract slashing complete.
- Removal of dead animals

Cannington Road

	Actual	Budget YTD	Budget
1630 Cannington Road Works	\$158,122	\$407,916	\$445,000

- Routine maintenance
- Removal of dead animals.
- Pothole patching.
- Stabilizing works, sealing planned June 2022.

Roads Maintenance

	Actual	Budget YTD	Budget
1100 Repairs & Maintenance Shire Roads	\$876,610	\$1,372,250	\$1,497,000

- Taldora project, 4 km of gravel completed. Sealing planned June 2022.
- Byramine project, 5 km of gravel completed. Sealing planned June 2022.
- The north east of the shire and the south east of the shire had emergency work and light maintenance completed.



Water and Sewerage

	Actual	Budget YTD	Budget
1800 Operational Costs – Julia Creek Water	\$172,266	\$192,500	\$210,000

- Monthly water sampling in line with Councils DWQMP
- Daily checks on all bores
- Continued cleaning of Plumbers Shed
- Replaced submersible pump at residence at airport road
- Fit pump at sedan dip for work camp
- Filled tanks for camp at Byrimine
- Museum taps replacement
- Fixed leak at Caravan parks artesian bath houses
- Gate valve replacement on Normanton Road

	Actual	Budget YTD	Budget
1810 Operational Costs – McKinlay Water	\$28,197	\$27,000	\$30,000

- Monthly water sampling inline with Councils DWQMP
- Monthly checks on bore/storage tanks
- Septic tank pump out at the McKinlay truck stop toilets
- Fixed water service at McKinlay main road
- Inspect loss off water, rectify with diesel pump operation

	Actual	Budget YTD	Budget
1820 Operational Costs – Kynuna Water	\$60,614	\$67,833	\$74,000

- Monthly water sampling inline with Councils DWQMP
- Regular cleaning and replacement of filters in Kynuna

	Actual	Budget YTD	Budget
1830 Operational costs – Nelia Water	\$4,755	\$6,875	\$7,500

- Monthly water sampling inline with Councils DWQMP



Ordinary Meeting of Council Tuesday 21st June 2022

	Actual	Budget YTD	Budget
1900 Operational Costs – Julia Creek Sewerage	\$157,407	\$192,500	\$210,000

- Routine monitoring
- Caravan Park power site, multiple blockages on multiple days
- Repair toilet at unit A 4 Shaw St
- Replaced shower head and shower taps at 4 Amberley drive
- Toilet repair at unit 3-50 old Normanton Road
- Pumped out septic tank nine-mile road
- Refurbish and pump out septic tank at lion’s park
- Engineer residence blockage cleared

Workshop

	Actual	Budget YTD	Budget
1510 Repairs and Maintenance - Plant & Vehicles	\$1,078,315	\$1,141,250	\$1,245,000

- Ongoing repairs and maintenance to Council vehicles plant equipment.
- Julia creek Work camp has provided the workshop with 1 staff member for 2 weeks of each month, helping with any duties required.
- Plant NO 251 caterpillar 140 m issue with injector miss fire cylinder NO 1, unable to do midlife on this machine as NIL stock available, worldwide shortage estimate repair time 25 June 2022



Ordinary Meeting of Council Tuesday 21st June 2022

Parks and Gardens

		Actual	Budget YTD	Budget
2700	Parks & Gardens and Amenities – Operations	\$550,833	\$623,333	\$680,000

- Mowing and whipper snipping parks, oval, and town streets.
- Mow & maintained airport road
- Removal of rubbish and pruning at early learning center
- Cleaning of public toilets and park amenities
- Collection of rubbish
- Fertilize of various streets
- Cleaning of Oorindi toilets weekly
- Mowing at Nelia and Oorindi fortnightly
- Clean up and set up of the free camp for tourist season
- Irrigation maintenance
- Poison the weeds through the town
- Maintain the local cemetery
- Marked oval for town football
- Chopped and gathered firewood for caravan park
- Slashed waste water area

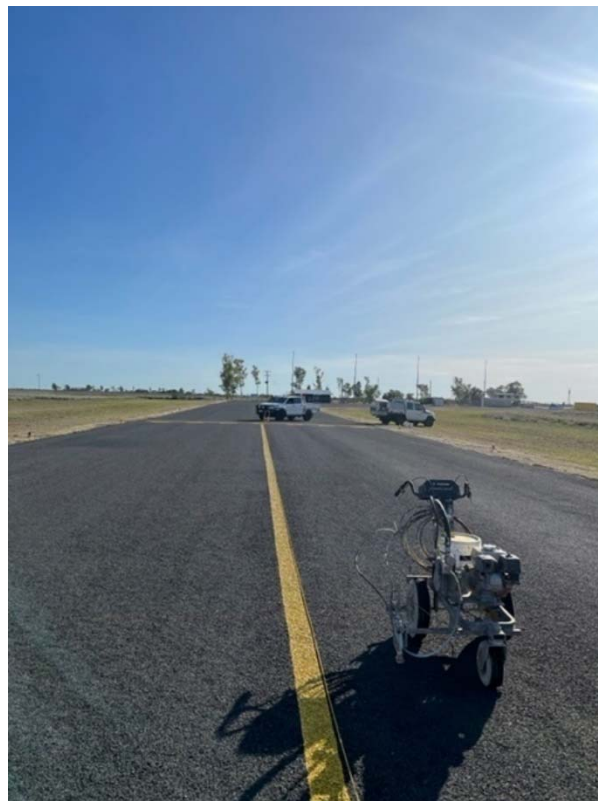
Airport

		Actual	Budget YTD	Budget
1300	Airport Operational Costs	\$117,292	\$137,500	\$150,000

- Serviceability Inspections of the facility are undertaken 3 days per week as required for RPT services.
- Aerodrome Design Services have been successful in their offer to undertake the Aerodrome Technical Inspections for the next three years (2022-2024). The inspection is scheduled to be completed 23-24 June 2022.
- Linemarking has been renewed under the Capital Works Program.



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Projects

DRFA 2022 Events

Evidence has been gathered and 2 submissions prepared, with further submissions being worked on. QRA Staff will attend Julia Creek 11-15th July for Infield assessment of the first 2 submissions with a view to getting these approved and to market for a September commencement of works.

Dalgonally/Millungera Floodways(QRRRF)

Design has been altered, alternate culverts have arrived on track to commence late June 2022.

Building our Regions Funding Round 6

An application for Sewerage Treatment Inlet works and upgrade has been submitted to this program(as previously resolved by Council). This application has made it through the first phase detailed application was submitted on 24th May 2022.

TMR CN-17292(Heavy Vehicle Stopping bays)

Council will arrange linemarking to finalise project. Delayed due to weather. Expected late June 2022

TMR CN-17698 78A Culvert Replacement

Weather and Covid have delayed progress. Base to be poured 19th June 2022.

TMR CN-18906 14D Pavement rehabilitation

Stabilisation and sealing complete. Linemarking expected late June 2022.

TMR Oorindi bore

Bore works complete.

Building Better Regions Funding Round 6 Planning Projects Applications Water and Sewerage

Application for water and sewerage Asset Management inspections and plan have been successful, funding \$295,000.

Burke St Kerb and Footpath upgrade

Durack Civil expected to commence mid to late May 2022. Traffic management plans have been submitted awaiting confirmation of commencement date for public notice.



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Julia St Footpath works

Tender to be released.

Expression of Interest QRRRF 2022 Program

Yorkshire Floodway has made it through to detailed application stage. Application submitted.

Local Government Grants and Subsidies program

A submission is being prepared to deliver 2 x 2 bedroom units on block behind 4 Netterfield. Application is focused on extra staff accommodation. Estimated value \$900,000 applying for reduced contribution of %10. Application has been submitted. Awaiting response.

Legal Implications:

Nil

Policy Implications:

Nil.

Financial and Resource Implications:

As provided in the report.

InfoXpert Document ID: 123016



6.0 ENVIRONMENTAL & REGULATORY SERVICES



Ordinary Meeting of Council Tuesday 21 June 2022

6.1 Subject: Environmental and Regulatory Services Report – May 2022
Attachments: None
Date: 1 June 2022

Executive Summary:

This report outlines the general activities, revenue and expenditure for the department for the period May 2022.

Recommendation:

That Council receives the May 2022 Environmental and Regulatory Services Report.

Background:

This report outlines the general activities of the department for the month of May 2022.

Detailed below are the general matters of interest that relate to the day-to-day activities of the department throughout the month.

Consultation: (internal/External)

Environmental & Regulatory Services Team Leader, Local Laws Officer, Water and Sewerage Officer, Ranger and Finance Officer.

Legal Implications:

Nil

Policy Implications:

Nil

Financial and Resource Implications:

As provided in the report.

InfoXpert Document ID: 123011



1 – Refuse Collection and Disposal

1.1 - Budget

		Actual	Budget YTD	Budget
ENVIRO1.1	3100 - Refuse Collection Revenue	\$88,374	\$79,700	\$86,946

		Actual	Budget YTD	Budget
ENVIRO1.2	3100 - Kerbside Rubbish Collection Expenditure	\$36,058	\$42,166	\$46,000

		Actual	Budget YTD	Budget
ENVIRO1.3	3110 - Refuse Disposal Revenue	\$46,472	\$42,121	\$45,951

		Actual	Budget YTD	Budget
ENVIRO1.4	3110 - Refuse Disposal Operational Costs	\$65,038	\$73,333	\$80,000

1.2 - Report

Julia Creek Waste Facility

The following works occurred at the facility during the month;

- Pushed up general waste area
- Picked up wind blown rubbish around facility
- Crocker Rural engaged to push the dump in the absence of Local Laws Officer

2 – Environmental Health Services

2.1 – Budget

		Actual	Budget YTD	Budget
ENVIRO2.1	3000 - Environmental Licence Fees (Revenue)	\$3,231	\$2,935	\$3,202

		Actual	Budget YTD	Budget
ENVIRO2.2	3000 - Environmental Health Services	\$129,435	\$149,416	\$163,000

2.2 – Report

Water and Sewage Monitoring

E.coli was not detected in sampling undertaken in May.

The fluoride levels in Julia Creek for the month of May were;

- McIntyre Park 2.83mg/L
- Coyne Street Depot 2.82mg/L

Staff have submitted an amendment application for its Drinking Water Quality Management Plan (DWQMP) to the Department of Regional Development, Manufacturing and Water on the 29 April 2022. The Department will review the plan and respond in the relevant timeframes.

Food Safety

No food recalls were received during May.



Food Audits were undertaken between 9-10 May 2022. The food auditor has noted an increase in compliance overall particularly with the food businesses that are consistent with staff. A gradual improvement was noted with respect to fixtures and fittings in the older kitchens.

Food handling practices and knowledge was observed as an ongoing issue. The businesses were advised of online refresher training that is available and encouraged them to participate in the training.

3 – Local Law Administration

3.1 – Budget

		Actual	Budget YTD	Budget
ENVIRO3.1	3210 - Animal Registration Fees	\$5,001	\$4,216	\$4,600
ENVIRO3.2	3210 - Fines & Penalties – Animal Control	\$1,107	\$366	\$400
ENVIRO3.3	3210 - Animal Boarding	\$14,491	\$10,541	\$11,500
ENVIRO3.4	3210 - Local Law Administration	\$91,377	\$123,750	\$135,000

3.2 - Report

General information of activities for Local Law/Animal Control matters is outlined the table below.

Table 1 - Local Law & Animal Control Summary

Activity	Number/Details
Impoundings and infringement notices	Four (4) dogs
Euthanized/Destroyed/Rehomed	Nil
Verbal/Written/Official warning	Two (2) warnings – Dogs at large
Complaints	Nil
Dog Boarding	Twelve (12) dogs
Removal of Dead Animals	Seventeen (17)
Trapping Locations & Results	Three cat traps loaned to Reg Sollitt
Compliance Notices (Untidy Allotments) issued	Nil
SPER Infringement Fines issued	Nil
Commercial Use of Roads Permit issued	Nil



Comments / Actions:

Hazard Inspections undertaken at the Nelia Dump, Julia Creek SES and McKinlay Cemetery.
Local Laws Officer has been assisting in Ranger duties

4 – Noxious Weeds and Pest Control

4.1 – Budget

		Actual	Budget YTD	Budget
ENVIRO4.1	3220 - Pest Plant & Animal Control Funding	\$7,936	\$39,358	\$42,936
ENVIRO4.2	3220 - Truck Washdown Bay Revenue	\$24,604	\$22,916	\$25,000
ENVIRO4.3	3220 - Dingo Baits (Revenue)	\$2,164	\$1,833	\$2,000
ENVIRO4.4	3220 - Feral Pig Baits (Revenue)	\$0	\$0	\$0
ENVIRO4.5	3220 - Pest Animal Rural Land Owners Fees	\$0	\$0	\$0
ENVIRO4.5	3220 - Pest Plant Control Program Exp	\$59,854	\$137,500	\$150,000
ENVIRO4.6	3230 - Pest Animal Control Program Exp	\$58,917	\$77,916	\$85,000

4.2 – Report

Pest Animal Control

There was one (1) Dingo Scalp presented in May.

Pest Plant Control

Macaroni Contractors continued spraying along various Council roads/reserves.

5 – Livestock Operations

5.1 – Budget



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		Actual	Budget YTD	Budget
ENVIRO5.1	3235 - Livestock Weighing Revenue	\$35,311	\$51,833	\$50,000

		Actual	Budget YTD	Budget
ENVIRO5.2	3235 - Livestock Cattle Train Loading Revenue	\$21,055	\$32,083	\$35,000

		Actual	Budget YTD	Budget
ENVIRO5.3	3235 - Livestock Operational Costs	\$77,289	\$82,958	\$90,500

5.2 - Report

Julia Creek Livestock Facility

The final May figures for weighing and scanning totals were unavailable due to staff absences.

Livestock Weighing Month and Year Totals

MONTH	2016	2017	2018	2019	2020	2021	2022
JANUARY	0	0	183	0	1401	0	624
FEBRUARY	525	467	3241	0	125	1779	77
MARCH	1497	1333	388	0	2788	4484	1139
APRIL	951	2487	2217	1034	10073	5458	1784
MAY	615	2062	3065	1768	10022	1772	586
JUNE	1456	1522	742	894	4507	1014	
JULY	2809	2003	1143	1569	3501	2229	
AUGUST	2582	2311	6291	3023	2839	3844	
SEPTEMBER	2665	1478	765	1280	2175	1348	
OCTOBER	4613	1127	4708	5492	80	239	
NOVEMBER	1011	2673	4788	3534	247	707	
DECEMBER	234	340		2776	0	0	
YEARLY TOTALS	18,958	17,803	27,531	21,370	37,758	22,874	4,210

6 – Stock Routes and Reserves

6.1 – Budget

		Actual	Budget YTD	Budget
ENVIRO6.3	3300 - Stock Route – Permit/Water Fees	\$7,797	\$9,166	\$10,000
		Actual	Budget YTD	Budget
ENVIRO6.2	3300 - Stock Route Recoverable Works (Revenue)	\$32,801	\$47,208	\$51,500



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		Actual	Budget YTD	Budget
ENVIRO6.4	3300 - Trustee Lease Fees (Revenue)	\$194,338	\$177,833	\$194,000
		Actual	Budget YTD	Budget
ENVIRO6.5	3300 - Reserves Agistment Fees (Revenue)	\$14,841	\$18,333	\$20,000
		Actual	Budget YTD	Budget
ENVIRO6.6	3300 - Precept Expenses (Revenue)	\$17,181	\$16,041	\$17,500
		Actual	Budget YTD	Budget
ENVIRO6.7	3300 - Stock Route Maintenance (Expenditure)	\$93,708	\$138,875	\$151,500
		Actual	Budget YTD	Budget
ENVIRO6.8	3300 - Reserves Expenses (Expenditure)	\$14,097	\$28,875	\$31,500

6.2 - Report

Reserves

Information was unavailable due to staff absences.

6.3 - Cemeteries

6.3.1 – Budget

		Actual	Budget YTD	Budget
ENVIRO6.9	3400 - Cemeteries	\$34,192	\$24,750	\$27,000

6.3.2 - Report

No enquiries or funerals during May.

7 – Work Program (Workcamp)

7.1 - Budget

		Actual	Budget YTD	Budget
ENVIRO7.1	3600 - Work Program	\$22,793	\$37,583	\$41,000

7.2 – Report

Below is a list of jobs that the Work Camp undertook in April 2022.

Community Group	Activity
McKinlay Shire Council	<u>Workshop</u> Assist with workshop duties
McKinlay Shire Council	<u>Saleyards</u> Assist with the regular upkeep of the facility Mowing/Whippersnipping Sand and paint cattle rails



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McKinlay Shire Council	<u>McIntyre Park</u> *Ground maintenance including mowing
McKinlay Shire Council	<u>Various</u> *Maintenance at Museum *Sand and varnish bench seats around Fr Bill Centre *Level and top dress yard at 7 Coyne Street *Mow/whippersnip 4 Netterfield Street and 71 Coyne Street *Mow/whippersnip runway strip and airport area *Repair gate at Peter Dawes Park and Lions Park *Disassemble old bore parts *Mow/whippersnip DND Area *Seal kitchen bench at 7 Coyne Street
Julia Creek State School	Mowing/Whipper snipping
Churches/RSL/CWA/SES	Mowing/whipper snipping

8 – Housing, FRB and Community Centre

8.1 – Budget

			Actual	Budget YTD	Budget
ENVIRO9.1	3810-1300	3810 - Council Property / Staff Housing Program Rev	\$88,419	\$91,666	\$100,000
ENVIRO9.2	3810-1301	3810 - Council Property / Subdivision Blocks Rent	\$4,400	\$3,666	\$4,000
	3810-1302	3810-Council Property / Subdivision Blocks outgoings	\$4,906		\$0
ENVIRO9.3	3810-2300	3810 - Council Property / Staff Housing Program Exp	\$155,302	\$201,666	\$220,000
ENVIRO9.4	3810-2300	3810 - Council Property / Sub Division Expense	\$7,360	\$4,583	\$5,000

8.2 - Report

Council Property / Staff Housing

Council Property / Staff Housing activities for the month are detailed in Table below.

Activity	Number
Properties Available for use	10 Shaw Street 3 Coyne Street



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	71 Coyne Street Unit B, 4 Shaw Street 7 Coyne Street
New Tenancies	4 Netterfield Street – Geoffrey Jackson, RMPC Foreman (PDM)
Finalised Tenancies	Nil
Remedy Breach	Nil
Notice to Leave	Nil
Notes/Repairs	Nil

Old Senior/Aged Care Housing

Old Senior/Aged Care Housing activities for the month are detailed in Table Below:

Activity	Number
Properties Available	Two (2)
New Tenancies	Nil
Finalised Tenancies	Nil
Remedy Breach	Nil
Notice to Leave	Nil
Notes/Repairs	Nil

Fr Bill Bussutin Community Centre and Seniors Living Units

Budget

	Actual	Budget YTD	Budget
ENVIRO10.4 3820 - Community Centre Hire Fees	\$6,451	\$5,958	\$6,500
ENVIRO10.4 3820 - FRB Centre RENT	\$34,534	\$36,666	\$40,000
ENVIRO10.5 3820 - FRB Units & Community Ctre Operational Costs	\$63,021	\$68,750	\$75,000



Report

Seniors Living Units

Seniors Living Unit activities for the month are detailed in Table Below:

Activity	Number
Properties Available	Two (2) – Unit 3, Unit 7
New Tenancies	Nil
Finalised Tenancies	Nil
Remedy Breach	Nil
Notice to Leave	Nil
Notes/Repairs	Nil

9 – Land and Building Development

9.1 – Budget

	Actual	Budget YTD	Budget
ENVIRO11.1 3900 - Revenue	\$709	\$1,833	\$2,000
ENVIRO11.2 3900 - Town Planning Program	\$17,296	\$75,166	\$82,000

9.2 - Report

Regulatory Services, Land and Building Development

No development applications were lodged during the month

<u>DA #</u>	<u>Applicant</u>	<u>Type of Development</u>	<u>Location</u>	<u>Application Details</u>

Updates on various land matters are as follows;

<u>Matter</u>	<u>Status</u>
Julia Creek STP Land Purchase	This matter has now been finalised with the easement being registered with the Lands Department on the 2 June 2022.
Kynuna Rodeo Grounds/Landfill	No further updates at this stage
Kynuna SES Shed	No further updates at this stage
McKinlay Landfill	No further updates at this stage



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Childcare Hub Land	The Department is currently assessing the land management plan and trustee lease. Council is expected to have a response to these matters by end of June 2022.
Lot 2 K3718 – Land beside Water Reserve in Kynuna	Email sent to the Department requesting the process required for the inclusion of Lot 2 on K3718 into the adjoining water reserve (Lot 1 on K3718).
Acquiring Land for Industrial Estate (part of Lot 8 on EN125)	<p>Application lodged with the Department of Resources.</p> <p>The Department will start the engagement with DBYD to ensure utilities are not an issue.</p> <p>CEO contacted the Vegetation Department with DNR to see how Council can address the issue of Remnant Vegetation B showing on the State Mapping. The land is identified as a least concern regional ecosystem and as so is not regulated under the Vegetation Management Act.</p> <p>Native Title is to be addressed via compulsory acquisition as part of the application process. Council staff will engage a solicitor to assist with this process.</p>
Road Opening through Malpas Station	Application lodged with the Department of Resources.

10 – Local Disaster Management

10.1 – Budget

		Actual	Budget YTD	Budget
ENVIRO12.1	2760 - SES Grants	\$20,568	\$18,853	\$20,567
ENVIRO12.2	2760 – SES Capital Grants	\$32,179	\$29,497	\$32,179
ENVIRO12.2	2760 - Natural Disaster Grants	\$0	\$6,149	\$6,780
ENVIRO12.3	2760 - Disaster Management Operational Costs	\$13,381	\$32,541	\$35,500

10.2 - Report

No events activated the LDMG during the month.



Ordinary Meeting of Council Tuesday 21st June 2022

Subject: Revoke Recycled Water Reuse Policy
Attachments: 6.2.1 – Recycled Water Reuse Policy
Author: Environmental & Regulatory Services Team Leader
Date: 15 June 2022

Executive Summary:

This report makes recommendation to Council for the revocation of the Recycled Water Reuse Policy 2011/2012 that was previously adopted by Council on 14 May 2012.

Recommendation:

That Council resolves to revoke the Recycled Water Reuse Policy 2011/2012 as presented

Background:

This report makes recommendation to Council for the revocation of the Recycled Water Reuse Policy 2011/2012 that was previously adopted by Council on 14 May 2012, Motion # 312/1112.

The purpose of this policy was to implement and maintain recycled water quality with minimum risks to the public and the environment, and consistent compliance with the Australian Water Quality Guidelines for Recycled Water Schemes for all recycled water supplies in the McKinlay Shire area.

Council do not treat or irrigate recycled water for re-use to the Julia Creek Community therefore this policy is not required.

Consultation:

DERS

Legal Implications:

Nil

Policy Implications:

Nil

Financial and Resource Implications:

Nil

InfoXpert Document ID: 123012

MCKINLAY SHIRE COUNCIL



Recycled Water Reuse Policy

(Statutory, Corporate, Organisation):

VERSION: (number)

ADOPTED BY COUNCIL: (date)

REVISED: (date)

NEXT REVISION DUE: (date)

CORPORATE PLAN REFERENCE: (to be arranged)

POLICY PURPOSE

To implement and maintain recycled water quality with minimum risks to the public and the environment, and consistent compliance with the Australian Water Quality Guidelines for Recycled Water Schemes for all recycled water supplies in the McKinlay Shire area.

AUTHORITY (LEGISLATION OR OTHER)

Local Government Act 2009
Environmental Protection (Water) Policy 2009
Water Supply (Safety and Reliability) Act 2008

POLICY STATEMENT

McKinlay Shire Council manages the recycled water quality for community health and safety and environmental protection in accordance with the Effluent Reuse Management Plan.

SCOPE

This policy applies to all recycled water activities associated with the treatment and irrigation of recycled water to the Julia Creek community in the McKinlay Shire, where a recycled water system is established.

DEFINITIONS

Recycled water supply - is a treated effluent system operated and maintained by council and does not include any privately operated and maintained systems.

POLICY CONTENT

It is agreed that Council will adopt a risk based approach to recycled water quality management, and identify and manage potential risks associated with recycled water reuse in the shire.

Council work together and communicate openly with all stakeholders, regulators, and employees to implement an effluent reuse management plan, using recognized audit practices.

Council will undertake regular monitoring and reporting on recycled water quality, to minimise and eliminate risks and promote confidence in the recycled water quality management.

Council will have appropriate contingency plans in place and incident response capabilities to respond to and manage recycled water quality incidents.

Council will provide the necessary training to employees to ensure that they are aware and implement this policy.

This policy assigns responsibility for recycled water quality management to all EHO staff, Chief Executive Officer and the elected representatives of Council.

FAILURE TO COMPLY

- A potential risk to the health of the community.
- A potential risk to the health of the environment.
- Intervention and disciplinary actions by the State Government of Queensland and its departments.



Ordinary Meeting of Council Tuesday 21 June 2022

Subject: Adoption of Revised Environmental Policy v4.0
Attachments: 6.3.1 - Environmental Policy - Version 4
Author: Environmental & Regulatory Services Team Leader
Date: 15 June 2022

Executive Summary:

This report makes recommendation to Council for the adoption of the revised Environmental Policy Version 4.

Recommendation:

That Council resolves to adopt the revised Environmental Policy Version 4.

Background:

This report makes recommendation to Council for the adoption of the revised Environmental Policy Version 4.

The purpose of the Environmental policy is to provide environmental direction in relation to people and leadership, governance and accountability, practices and processes for the organisation.

The previous Environmental Policy was adopted in 2017.

On review, Council should note that there have been minor amendments to the 'Policy Content' and referenced legislation under 'Legal Parameters' section of the policy.

Consultation:

Engineering, Environmental & Regulatory Services Department

Legal Implications:

Compliance with relevant legislation

Policy Implications:

The adoption of this policy will revoke all previous versions

Financial and Resource Implications:

Nil

InfoXpert Document ID: 123014



ENVIRONMENTAL POLICY

POLICY PURPOSE

The purpose of this policy is to provide environmental direction in relation to people and leadership, governance and accountability, practices and processes for the organisation.

It will detail the principles of the policy, whose responsibility it is for ensuring the policy is understood, the principles the policy is based on the legal parameters and associated documents that this policy has been developed from.

POLICY STATEMENT

McKinlay Shire Council recognises environmental protection as a guiding principle in its Corporate Plan and is committed to minimising the environmental impacts associated with its operations.

Council will seek opportunities to continually improve on its environmental performance and encourage a culture of environmental sustainability among its staff and the community.

PRINCIPLES

Council is committed to:

- demonstrated environmental leadership and encouraging its staff and the community to adopt more sustainable lifestyles; and
- effective management and protection of the natural and built environment through
- sustainable growth and development; and
- carrying out its operations in an environmentally sustainable manner and integrating sustainability into its processes and decision making.

SCOPE

This policy applies to all Council staff and all Council operations.

RESPONSIBILITY

The Chief Executive Officer, Directors, and Managers are responsible for ensuring that this policy is understood and adhered to by all.

DEFINITIONS

- **Ecological sustainability is a balance that integrates:**
 - (a) the protection of ecological processes and natural systems at local, regional, state and wider levels;
 - (b) economic development; and

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Approved By: Council Resolution

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Review Date: June 2025

(c) maintenance of the cultural, economic, physical, and social wellbeing of people and communities (*s3(2) Planning Act 2016*).

- **Staff:** includes employees, contractors, volunteers, and all others who perform work for Council.

POLICY CONTENT

People and Leadership

Fostering Sustainable Behaviours

Council will encourage the community to adopt a culture of environmental responsibility at work and at home and promote sustainable practices such as energy efficiency, water conservation, sustainable transport, waste reduction and recycling.

Community Leadership

Council will work in partnership with the community and industry stakeholders to promote environmental awareness, protection, and sustainability initiatives.

Organisational Leadership

Council will encourage all staff to adopt a culture of environmental responsibility at work and at home and promote sustainable practices such as energy efficiency, water conservation, sustainable transport, waste reduction and recycling.

Governance and Accountability

Compliance with Legislation

Council will comply with the environmental legislation, regulations and other permit and licence requirements relevant to its operations and will strive to achieve best practice in environmental management where it is feasible to do so.

Prevention of Pollution

Council will strive to implement processes and practices and provide services or products to help control the release of pollutants in order to reduce adverse environmental impacts. If incidents do occur, council will implement pollution response procedures and take action to reduce the likelihood of future occurrences.

When necessary, council deemed will exercise its regulatory powers to facilitate environmental protection.

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Review Date: June 2025

Continual Environmental Improvement

Council will continue to review policies and procedures to maintain and improve environmental management practices and will set environmental objectives and targets in its Operational Plan when required.

Council will use quarterly performance reports and the annual report to as record its progress.

Practices and Processes

Waste Reduction and Recycling

Council will promote the efficient use of resources by applying the principles of waste reduction in the first instance, followed by reuse, recycling and recovery options, and then disposal, the least preferred option.

Energy Efficiency and Greenhouse Gas Reduction

Council will work to reduce greenhouse gas emissions associated with its operations through sustainable energy practices and investigate options to utilise low emission technology where feasible.

Sustainable Design and Resilience of Projects

Council will encourage sustainable design and practices related to building, infrastructure, and maintenance projects to include consideration of tropical design, energy efficiency, demand management and greenhouse gas emissions to reduce the operating costs over the life of the asset.

Water Management

Council will strive to improve its management of the Council's water consumption and endeavour to reduce the impact of wastewater discharge and run off within its areas of operation.

Sustainable Planning and Climate Change Adaptation

Council will consider ecological sustainability principles in its strategic land use, infrastructure, and development planning to facilitate the protection of natural and urban environments and places of heritage significance.

Biodiversity Protection and Management

Council will work to manage and protect natural environments under council care through land, vegetation and water management practices. Council will seek to support and enable local Landcare, coast care and catchment groups.

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Purchasing Goods and Services

When purchasing goods and services, council will apply the contracting principles set out in the *Local Government Act 2009*, one of which is Environmental Protection. Consideration should be given to the effective, efficient use of materials and resources to minimise environmental impact.

Council expects high standards of environmental management from its suppliers and contractors.

LEGAL PARAMETERS

Aboriginal Cultural Heritage Act 2003
Environmental Protection Act 1994
Environmental Protection and Biodiversity Conservation Act 1999
Fisheries Act 1994
Land Protection (Pest & Stock Route Management) Act 2002
Local Government Act 2009
Nature Conservation Act 1992
Queensland Heritage Act 1992
Planning Act 2016
Vegetation Management Act 1999
Water Act 2000

ASSOCIATED DOCUMENTS

Australia's Biodiversity Conservation Strategy 2010-2030
Queensland Waste Reduction and Recycling Strategy 2010-2020
State Planning Policies - (relevant to council operations)
McKinlay Shire Council Planning Scheme 2019
Construction and Maintenance Environmental Management System
Corporate Plan
Operational Plan
ISO 14001:2004 Environmental Management Systems
Purchasing Policy

Date of Approval: June 2022
Approved By: Council Resolution

Effective Date: June 2022
Version: 4.0
Review Date: June 2025



7.0 COMMUNITY SERVICES



7.1 Subject: Community Services Monthly Report
Attachments: Nil
Author: Community Services Team Leader
Date: 9th June 2022

Executive Summary:

Council is presented with the monthly Community Services report, which provides an overview of the operations for the month: **May 2022**.

Recommendation:

That Council receives the Community Services monthly report for May 2022.

The following report highlights the data for each of the Functional Areas of the Community Services Department.

Grants & Funding

Council is currently awaiting the finalization and announcement of available funding programs and opportunities to be delivered throughout the 2022-23 financial year.

2022 Dirt and Dust Festival

Following a two year hiatus, the annual Julia Creek Dirt and Dust Festival returned in 2022. With a new committee at the helm, the format of the event changed with an adventure run replacing the famous triathlon and the addition of a Feature Saddle Bronc event on Friday evening to accompany a Feature Bull Riding event on Saturday evening following the completion of the Artesian Express Raceday. Council was again able to provide financial and in-kind support to this year's event and following the settling of the dust, was able to meet with committee members Sheree Pratt and Rachael Anderson. The committee extended their sincere thanks to Council for their ongoing support and discussed the weekend at large and discussed feedback, thoughts and ideas to assist with the progression of the event. The committee was also able to provide an in-depth Marketing and Media PR report of which some key statistics and highlights are presented below:

- A total crowd of 1,839 entered the Community Events Precinct (Dirt & Dust Central) over the course of the weekend with 1,170 people also attending the Artesian Express Raceday hosted by the Julia Creek Turf Club
- 8 committee members and 100 volunteers hosted 60 rodeo competitors, 91 adventure run competitors, 10 lighting and sound crew and key performers Mick Lindsay, Rachael Fahim and Deejay Bux
- Visitor Origins breakdown:
 - 78% from within Queensland
 - 15% McKinlay Shire residents
 - 6.5% interstate visitors
 - 0.5% international visitors
- Total estimated combined media reach – 25,347,967 (from 1 December 2021 – 30 April 2022)



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- Online news reach – 23,826,675
- Radio reach – 538,000
- TV reach – 982,492
- Facebook reach – 383,488
- Instagram reach – 80,773
- Total social media reach – 464,261

Julia Creek Caravan Park

Our Caravan Park has certainly seen increased visitation throughout May as we edge closer to our peak visitation season. A total of 1,335 guests enjoyed a stay during the month which increased from 1,033 in April. Park Manager's Garrie and Jodi have been extremely busy not only taking bookings and greeting guests but with keeping the Park looking tidy and vibrant. Council has been working with our reservation system RMS to create an online booking capability for the park which will hopefully reduce a bulk of the daily administration tasks. This will coincide with Council's new tourism website and both are planned to go live in June. Famous weekly Bush Dinners will also begin in the first week of June which will add another string to our bow and provide another unique outback experience for our visitors.

JC Caravan Park Revenues May 2022

Type of service	MARCH revenues (inc GST)	Total (inc)	APRIL revenues (inc GST)	Total (inc)	MAY revenues (inc GST)	Total (inc)
Twin Single Units	\$1,350		\$3,330		\$4,320	
Powered Sites	\$4,205		\$17,171		\$24,953.50	
Self-Contained Cabins	\$14,170		\$21,110		\$17,810	
Unpowered Sites	\$120		\$1,800		\$1,851	
Sub Total	\$19,845		\$43,411		\$48,934.50	
Artesian Baths incl. salts	\$5,827		\$12,357		\$18,323	
McIntyre Park						
Cheese Platters	\$570		\$1,110		\$1,685	
Laundry	\$157		\$642		\$631	
Long Term Stay	\$960		\$480			
Calculated Total	\$27,359		\$58,000		\$69,573.50	

JC Caravan Park Occupancy by Category May 2022

Type of Service	% Occupancy
Twin Single Units	40%
Cabin – 4 berth	83%
Cabin – 6 berth	70%
Unpowered site	14%
Powered Caravan site	49%
Powered camp site	17%
McIntyre Park	



JC Caravan Park Artesian Bathhouse Usage May 2022

Type of Service	Number of bookings
Boundary Rider Huts	74
Replica Rainwater Tank Bathhouses	231

Library & Funeral Services

The Library has continued to welcome a number of tourists at the facility who are using the services available and having a chat with staff. Our Librarian Chris was invited to once again be a part of the Julia Creek State School Under 8's Day to read a story that fit in with the theme of a teddy bears picnic. The children thoroughly enjoyed the story and thanked Chris for attending. A number of local school children are using the Library on a daily basis after school to engage in activities with their friends and the local Mums and Bubs group has also continued to use the facility for a couple of sessions.

JC Library Memberships May 2022

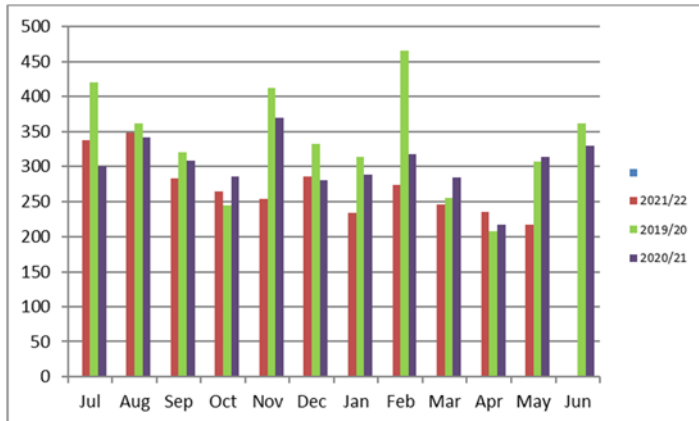
Type of Membership	Total Membership
Adult	296
Junior	68
Institutions	2
Tourists	

JC Library Services Provided May 2022

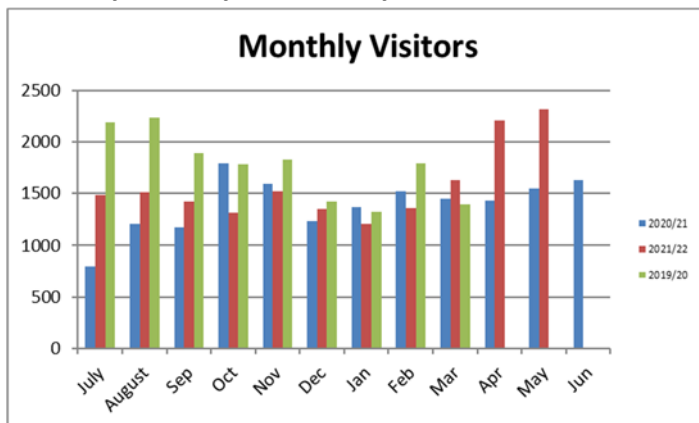
Services Provided	Total Amount
Reservations satisfied	26
Requests for books	37
Internet/Computer usage	
IPad usage	
WiFi usage	



JC Library Monthly Loans May 2022



JC Library Monthly Visitors May 2022



Tourism

Total Visitor Numbers for May 2022

There were 860 visitors to the Julia Creek Visitor Information Centre in May 2022 compared with 760 in May 2021. There have been 1404 visitors to the Julia Creek Visitor Information Centre this year to date (YTD) compared with 1285 over the same period in 2021.

Total Locals for May 2022

There were a total of 27 local visitors to the Julia Creek Visitor Information Centre in May. There have been 65 local visitors to the Julia Creek Visitor Information Centre this year to date (YTD) compared with 39 over the same period in 2021.

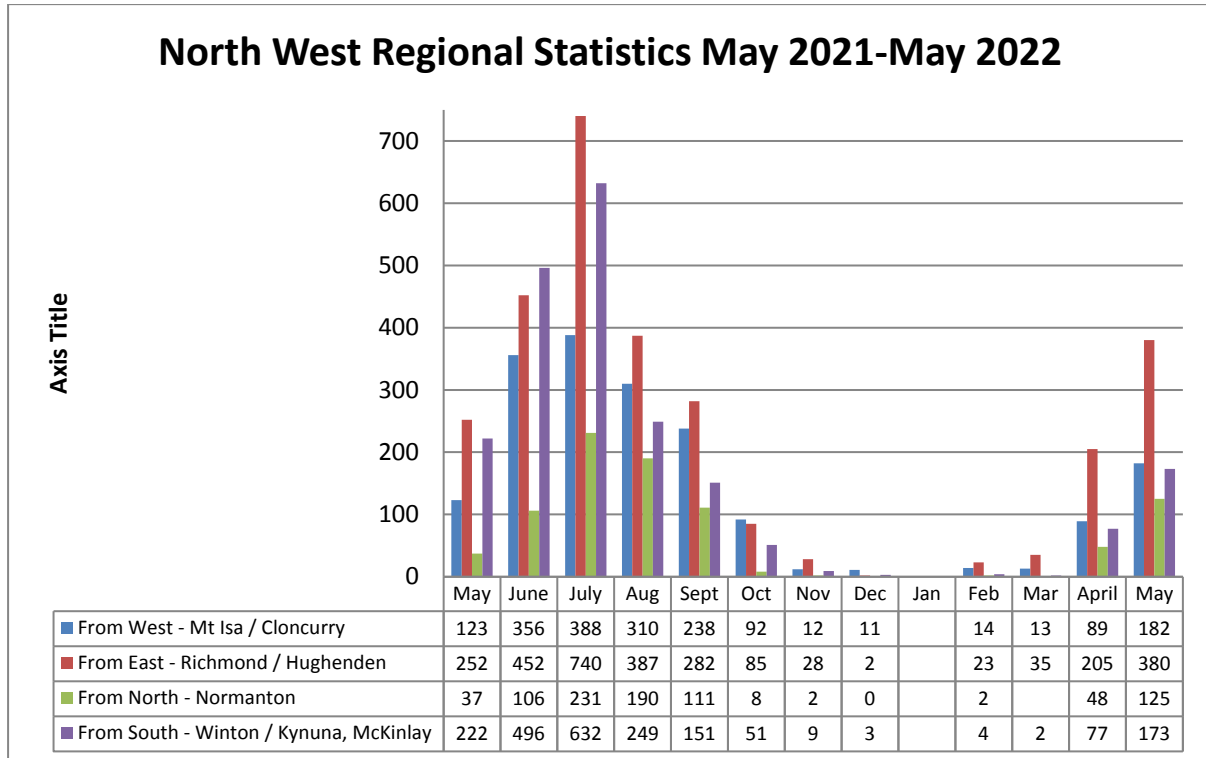


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Beneath the Creek Entries May 2022

There were a total of 253 adults and 23 children that attended dunnart feeding sessions in May. This is the first month dunnart feedings have been open for the year.

North West Regional Statistics for May 2022



RV Site Permits May 2022

There were 189 RV Site permits issued in May 2022 compared with 542 in May 2021. We have not had Camp Hosts on site throughout all of May therefore this will largely impact the number of travellers obtaining and/or filling in permits.



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Digital and Social Media Figures

	Facebook Page Likes		Instagram Likes	
	MSC	JC VIC	MSC	JC VIC
May 1	6,607	4,715	1,089	2,864
May 31	6,620	4,765	1,100	2,890

Julia Creek Early Learning Centre

Current enrolments

There are currently 15 children enrolled at the Service. Two new enrolments commenced during the month of May. We have also received a further enrolment for a child to commence care in June 2022.

Attendance

The centre had 106 attendances (actual) over the 16 days of care offered during May. This equated to an average of approx. 6 children per day.

The centre continued operation Tuesday to Friday 8.30am to 2.00pm, however opened on Monday 30th May as the new casual staff member had commenced.

Significant events:

We have successfully recruited a Director/Teacher who will commence in mid August. We are continuing to recruit for another Educator to allow us to return to full operating hours.

The centre had to close on two days during the month due to staff illness.



Swimming Pool

USUAGE

TOTAL NUMBERS FOR THE MONTH

ENTRIES	SWIMMERS
Adult Entry	2
Child Entry	2
Season Passes / Family Pass	
Adult	
Child	
Breakfast Club/ No Charge	
After School Care/ No Charge	
J/C Swimming Club/ No Charge	
Aged Care/ No Charge	
Triathlon Training/ No Charge	
Adult	
Child	
J/C State School/ No Charge	
Caravan Park Tokens	
Adult	257
Child	130
Free Sunday	
Adult	
Child	
Total Swimmers	404

Sport & Recreation

Council has unfortunately not been able to successfully fill the vacant Sport and Recreation Officer position. As a result, there are unfortunately no normal programs occurring at this stage. Council are hopeful of conducting further interviews in early June

Community Health

CHSP Clients	Occasions of Service	Time Spent (hrs)
Nursing Care	77	37.3
Personal Care	17	4.50
Other	--	--
TOTAL	94	41.8



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Non-CHSP Clients	Occasions of Service	Time Spent (hrs)
Nursing Care	23	12.05
Other	--	--
Other	--	--
TOTAL	23	12.05

TRANSPORTS	Number of one-way journeys
CHSP Clients	7
Non-CHSP Clients	NIL
TOTAL	7

Meetings
MPHS x5, Red Cross and MSC post 2019 flood event 9/5/22, Outback Futures 12/5/22, Sherryn Davis from Council On The Ageing 24/5/22.
Health Promotion
Worked on Non-NIP FLU jabs and how to get them in Julia Creek in the absence of a GP or pharmacist. Emailed NWHHS Pharmacy Dept 24/5/22 to advise of our unique GP set-up, and asked what we should do to help get our community members vaccinated. Didn't hear back from them.
General Business
Thanks to MPHS staff for facilitating timely FLU jabs for x14 of our CHSP clients on 5/5/22 under the National Immunisation Program (NIP). Report ENDS.

CHSP – Commonwealth Home Support Program

Events and Activities

Due to a rise in active COVID-19 cases within the community, games and luncheons were still put on hold in early May as a precaution to keep clients safe. As the cases started to decline all activities resumed with games, luncheons at Fr Bill and pub lunches all back to normal. Community Nurse Nicole has been actively participating in twice weekly gym sessions with CHSP clients and has 5 regular attendees.

Statistics April 2022



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CHSP currently have a total of **23** clients.

Service Offered	Number of Clients
Transport	58 Two-way trips
Social Support	54 Visits
Personal Care	28 visits 1 clients
Counselling/Support, Information and advocacy (client)	6 hours
Shopping	5 trips
GAMES	0 attended (sessions)
Luncheon	24 Attended (3 sessions)
Wednesday Meal	24 meals (including morning tea)
Meals on Wheels	42 Meals delivered
Home Maintenance	26 lawns mowed 13 clients
Domestic Assistance	6 clients, 42 visits
Pub Lunch	clients sessions
Clients Transported for Doctors Appointments	8 CHSP clients

InfoXpert Document ID: 123018



Ordinary Meeting of Council Tuesday 21st June 2022

7.2 Subject: Community Grants Policy
Attachments: 7.2.1 Community Grants Policy v5.0
Author: Community Services Team Leader
Date: 1st June 2022

Executive Summary:

Council approved and implemented the Community Grants Policy v4.0 in June 2018. This policy has been reviewed, updated, and presented to Council for adoption.

Recommendation:

That Council adopt the updated Community Grants Policy v5.0.

Background:

Council is required under Section 195 of the *Local Government Regulation 2012* to adopt a Community Grants Policy. This policy is designed to meet the statutory requirements and to outline Council's commitment to supporting community organisations in the Shire by providing financial and/or in-kind support. This policy documents the principles governing expenditure and in-kind support to community organisations to ensure support is provided in an equitable and accountable manner and produce the benefits towards which the support is aimed.

Whilst the bulk of the policy remained unchanged, a slight variation was made to the process for requests for Fee Waivers and/or reduction of hire fees for plant and equipment. It is recommended Council request that groups submit an application for sponsorship for the amount of the hire fees (as set out in the Fees & Charges) and if successful, the group will be allocated the amount as a cash contribution. Following this, the group must then follow the standard booking procedure and pay for the hire of the plant and/or equipment. This will enable Council to see the revenue raised for each area in its yearly financial reporting to gain a better understanding of costs to operate these areas.

Consultation:

Consultation was undertaken with Director Corporate Community Services and presented to June's Council Briefing Meeting.

Policy Implications:

Upon adoption this will revoke Community Grants Policy v4.0.

Financial and Resource Implications:

Nil

InfoXpert Document ID: 122900



COMMUNITY GRANTS POLICY

1. POLICY PURPOSE

Council is required under Section 195 of the *Local Government Regulation 2012* to adopt a Community Grants Policy.

This policy is designed to meet the statutory requirements and to outline Council's commitment to supporting community organisations in the Shire by providing financial and/or in-kind support.

This policy documents the principles governing expenditure and in-kind support to community organisations to ensure support is provided in an equitable and accountable manner and produce the benefits towards which the support is aimed.

Council recognises the important contribution community organisations and individuals make to the safety, health, equity, vibrancy and inclusiveness of their communities. Council's community grant programs will foster a community wide partnership approach to address social, cultural, environmental and economic objectives.

Council is committed to providing support to local community organisations for events, activities and infrastructure, by both in-kind and financial support.

This policy clearly defines the type of support that Council provides to community organisations and the criteria that organisations must meet to be eligible for funding.

2. SCOPE

This policy relates to all expenditure by Council in the form of grants or donations to community organisations, in-kind support to community organisations (such as free venue hire, use of Council equipment), and provides guidelines for both Council and community groups.

This policy affects all community organisations that operate within the McKinlay Shire and is inclusive of those external organisations that provide a service, event or activity within the Shire to Shire residents or in the region which will provide benefit to Shire residents.

3. DEFINITIONS

To assist in interpretation, the following shall apply:

Community Organisation shall mean an entity that carries on activities for a public purpose; or an entity whose primary objective is not directed at making a profit (non-profit).

Community Benefit Assistance Scheme is an annual funding program allocated each financial, or more if funding is available. Funding is available for equipment, infrastructure and volunteers which is

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Approved By: Council Resolution (insert resolution)

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essential to the core activities of the applicant. This program is also allocated on a dollar-for-dollar basis whereby groups must match the financial contribution received.

Donations shall mean gifts given in cash or in-kind which are unconditional, voluntary transfers of money or property.

In-kind Support shall mean the provision of support in the form of staff time, Council equipment and facility hire.

Not for Profit Organisation shall mean an organisation that does not operate for the profit or gain of its individual members. Any profit made by the organisation goes back into the operation of the organisation to help pursue its goals.

Sponsorship shall mean a formal reciprocal arrangement between individuals, groups or companies, which can include both cash and in-kind contributions in return for the right to associate the sponsor's name, product or service with the sponsored organisation's product or service.

Fee Waiver shall mean a formal reciprocal arrangement between individuals, groups or companies, which involves a reduction in fees set by Council's Fees & Charges Schedule. A fee waiver may be approved in return for the right to associate the sponsor's name, product or service with the sponsored organisation's product or service.

4. POLICY CONTENT

Council's financial and in-kind assistance is provided to assist community-based groups and organisations in providing programs, activities, events and projects that enrich the lives of McKinlay Shire residents.

Council provides assistance in the following categories:

1. Community Benefit Assistance Scheme
2. Community Sponsorship
3. Donations

Each category provides for differing levels of assistance for varied purposes.

Community Benefit Assistance Scheme

Council's Community Benefit Assistance Scheme is available on an annual basis, with funding allocated and advertised throughout the course of a financial year. The funding is to be distributed on a dollar-for-dollar basis where groups must match the contribution requested.

Funding is available to not-for-profit organisations situated within the McKinlay Shire. The main purpose of the program is to provide financial assistance to local community organisations for:

- (a) Infrastructure – Eligible groups can apply for a grant up to \$5,000 (excluding GST) for the renewal, development or upgrade of infrastructure utilised by the community organisation. Funds will be allocated on a dollar-for-dollar contribution for which the organisation can include volunteer wages, donated materials and use of equipment donated. Costs must be directly associated with the project which funding is being sought for.
- (b) Equipment – Eligible not for profit organisations are able to apply for a grant up to \$3,000 (excluding GST) for the purchase of equipment relevant to the community organisations

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operations and activities. The funds will be allocated on a dollar for dollar basis which must be a cash contribution.

- (c) Support for Volunteers – Eligible not for profit organisations are able to apply for a grant up to \$1,000 (excluding GST) for volunteer training relevant to the community organisations operations and activities. The funds will be allocated on a dollar for dollar basis which must be a cash contribution.

Funding available is capped in accordance with Council’s budget allocation for each financial year.

No applicant can be guaranteed funding nor can any applicant be guaranteed to receive the full amount requested.

Guidelines, including eligibility, assessment and allocation procedures, and application forms are supplied by Council to all interested organisations. It is mandatory for applicants to discuss their project with Community Services Team Leader prior to submitting an application.

Advertising of the funding round will be via email distribution, Council’s website and social media sites.

Any support provided under this category will require recognition of Council's contribution.

Eligibility Criteria

In order to be considered eligible to apply for a Community Benefit Assistance Scheme, the group or organisation must meet the following criteria:

- (a) Be a not for profit group or organisation based in the McKinlay Shire; and
- (b) Have no outstanding grant acquittals or payments owed to Council; and
- (c) The infrastructure or equipment for which the group or organisation is seeking funding must not be clearly the responsibility of Local, State or Federal Governments and must be relevant to the groups core operations and activities.

Procedure for approval by Council

All applicants must consult with Community Services Staff prior to submitting an application.

Applications will be assessed by Community Services staff and a Councillor (when available). Successful applications will be based on meeting the eligibility criteria and selection criteria.

The total Council allocated budget for the financial year will also be taken into consideration.

A summary of applications and the panel recommendations shall be presented to Council for ratification at either a Special or Ordinary meeting of Council.

Upon ratification, applicants will be notified of the outcome. If successful, a Funding Agreement will be put in place between the community organisation and the Council.

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Community Sponsorship

Council's Community Sponsorship program is available for not-for-profit local community groups, organisations and external organisations providing for an event or activity of benefit to the McKinlay Shire residents. It is mandatory for applicants to discuss their project with Community Services Team Leader prior to submitting an application.

Groups/organisations are eligible for one sponsorship contribution per financial year from Council. Groups/organisations wishing to seek a Fee Waiver or reduction in hire fees must submit an application for sponsorship to Council for ratification. If successful, Council will provide the financial contribution as a cash sponsorship and then the group is required to complete the appropriate booking procedure for the venue and/or plant & equipment requested.

The sponsorship provided may be either financial and/or in-kind support up to \$5000. Sponsorship for prize money for events is ineligible. Groups/organisations wishing to obtain Council sponsorship for an amount greater than \$5,000.00 must submit their application for consideration prior to the commencement of the financial year for which the organisation requires the sponsorship. Submitting an application for a Sponsorship/Fee Waiver request does not guarantee approval.

Any support provided under this category will require recognition of Council's contribution in advertising and/or media channels.

Eligibility Criteria

In order to apply for sponsorship/fee waiver the group or organisation must meet the following criteria:

- (a) Be a not-for-profit group or organisation based in the McKinlay Shire; or
- (b) Be a not-for-profit group or organisation based outside the McKinlay Shire providing a particular activity or event which will have significant positive impact on Shire residents; and
- (c) Have no outstanding payments owed to Council.

Procedure for Sponsorship Approval

Sponsorship Requests

All Sponsorship Requests, Fee Waivers and/or reduction in hire fees will be presented to Council for consideration. Approvals will be based on the eligibility criteria being met, merit of the event or activity, the demonstrated positive community impact and availability of budgeted funds.

Guidelines and Applications

It is mandatory for applicants to discuss their project with Community Services Team Leader prior to submitting an application.

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Guidelines including eligibility, selection criteria, assessment procedures and application forms are supplied by Council to all interested organisations and will vary in accordance with the amount of assistance requested.

Formal requests for sponsorship should be submitted to Council at least four weeks prior to an event or activity.

Community Donations

Council donations are made to an organisation for a specific purpose or cause. Such donations may include but are not limited to:

- (a) Natural Disasters
- (b) Non-Profit organisations that provide a recognised contribution to the Shire.

Donations may take the form of monetary donations and/or in-kind donations.

With the exception of specific allocations made by Council in its budget to community groups that may be regional in nature but who make a positive contribution to the quality of life within the McKinlay Shire, donations will only be given up to and including \$1,500.00. This amount is to be reviewed annually.

Donation requests will be accepted throughout the year, and forms are available from Council's website or administration office.

The level of assistance available to the community is limited by Council's budgetary allocation which is set each financial year.

No applicant can be guaranteed funding nor can any applicant be guaranteed to receive the full amount requested.

Eligibility Criteria

In order to apply for a donation the group/organisation must meet the following criteria:

- (a) Be a Non-Profit group or organisation
- (b) Have a current ABN or complete a Statement by a Supplier Form.

Procedure for approval

All Donation requests above \$500 will be presented to Council for consideration.

5. RELEVANT LEGISLATION

Local Government Act 2009

Local Government Regulation 2012

Date of Approval: 21st June 2022
Approved By: Council Resolution (insert number)

Effective Date: 21st June 2022
Version: 5.0
Review Date: June 2024

6. RELATED POLICIES

Community Engagement Policy

7. RELATED FORMS

Community Benefit Assistance Scheme Guidelines
Community Benefit Assistance Scheme Application Form
Community Benefit Assistance Scheme Funding Agreement
Community Benefit Assistance Scheme Acquittal Form
Community Sponsorship Guidelines
Community Sponsorship Application Form
Community Donations Guidelines
Community Donations Request Form

8. CONTACT OFFICER

Community Services Team Leader
Director Corporate and Community Services

Date of Approval: 21st June 2022
Approved By: Council Resolution (insert number)

Effective Date: 21st June 2022
Version: 5.0
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7.3 Subject: Community Sponsorship Request – Sedan Dip Sports and Recreation Club
Attachments: Nil
Author: Community Services Team Leader

Executive Summary:

Council has received a Community Sponsorship Request from Sedan Dip Sports and Recreation Club for a \$5,000 cash contribution to assist with covering the costs of paying a contractor for the hire of a water truck for their 2022 event.

Recommendation:

Council resolves to approve the Community Sponsorship Request for Sedan Dip Sports and Recreation Club cash contribution of \$5,000 to assist with covering costs of hiring a water truck for the 2022 event.

Background:

Council annually offers funding programs such as Community Sponsorship/Donations to provide additional support to community events which provide economic support, social interaction and community connectedness for residents of the Shire. Sedan Dip Sports and Recreation Club event provides a wonderful weekend of entertainment for the whole family with campdraft, rodeo, bush sprints and live entertainment. The event often sees large numbers of visitors and competitors travel through the Shire on their way north to collect supplies.

Consultation:

This report was completed with consultation from Director Corporate & Community Services.

Legal Implications:

Nil

Policy Implications:

Community Grants Policy

Financial and Resource Implications:

Council sets aside \$35,000 from its annual budget for community sponsorship and will request an invoice in July to coincide with the beginning of the 2022/23 financial year.

InfoXpert Document ID: 123019



8.0 CORPORATE SERVICES



8.1 Subject: Corporate Services May 2022 Report
Attachments: Nil
Author: Director Corporate & Community Services

Executive Summary:

The Corporate Services Report as of 31 May 2022 which summarises the financial performance and position is presented to Council.

Recommendation:

That Council receives the monthly Corporate Services Report for the period ending 31 May 2022.

Report:

The Corporate Services Report compares actual performance to date with the Council's 2021/2022 Budget and provides information, budget variances or any financial risks/concerns.

Financial information provided in this report is:

1. Summary of the Statement of Comprehensive Income (Profit & Loss Sheet) provides the total revenue versus expenditure which gives the operating result.
2. Statement of Financial Position (the Balance Sheet) "bottom line" discloses the Net Community Equity of Council, which represents its wealth as measured by a dollar value of its asset less liabilities.
3. Statement of Cash Flows indicates where Council's cash came from and where it was spent.
4. Summary by function provides the total year to date revenue and expenditure for each Department of Council.
5. Summary of year to date expenditure for the Capital Works program.
6. Outstanding balances for rates and debtors.

Income Statement Variances/Comments:

Final quarterly payment of the Financial Assistance Grant received in the month. There was a high increase of expenditure in infrastructure and works due to depreciation of shire roads being applied.



INCOME STATEMENT SUMMARY

	Actuals	Variance	YTD Budget	Full Year Budget
Total Income	25,105,213	138%	18,204,179	19,859,104
Total Expenses	(15,166,222)	90%	(16,778,776)	(18,304,119)
Net Result	9,938,991	697%	1,425,403	1,554,985
Less Capital Revenue	8,869,365	108%	8,238,052	8,986,966
Operating Result (excl. Capital	\$ 1,069,626	-16%	\$ (6,812,649)	\$ (7,431,981)

STATEMENT OF FINANCIAL POSITION

	2022 Actuals	2021 Actuals
Current Assets	30,339,889	24,104,426
Total Non-Current Assets	252,171,785	250,985,624
Total Assets	282,511,674	275,090,050
Total Current Liabilities	2,852,487	5,369,854
Total Non-Current Liabilities	268,931	268,932
Total Liabilities	3,121,418	5,638,786
Net Community Assets	\$ 279,390,256	\$ 269,451,264
<i>Community Equity</i>		
Asset Revaluation Surplus	79,973,716	79,973,715
Retained Surplus	199,016,540	189,477,549
Reserves	400,000	-
Total Community Equity	\$ 279,390,256	\$ 269,451,264

STATEMENT OF CASH FLOWS

	2021/22 Actuals	2020/21 Actuals
Cash Flows from Operating Activities	4,939,828	4,242,712
Receipts, Payments & Interest Received		
Borrowing Costs		
Cash Flows From Investing Activities	2,403,917	(5,344,531)
Payments and Proceeds for PPE		
Capital Income		
Cash Flows from Financing Activities	-	-
Loan Payments		
Net increase (decrease) in cash held	7,343,745	(1,101,819)
Cash at beginning of the financial year	17,733,602	18,835,421
Cash at the end of the period	\$ 25,077,347	\$ 17,733,602



Summary By Departments

Department	Revenue			Expenditure		
	Actuals	%	Budget	Actuals	%	Budget
Infrastructure & Works	13,160,037	83%	15,875,761	8,597,163	71%	12,126,700
Governance & Partnerships	-	0%	-	734,883	81%	907,987
Corporate Services	9,748,375	175%	5,556,317	1,358,012	75%	1,813,371
Economic Development	174,537	30%	585,900	810,299	83%	975,775
Community Services	1,525,652	98%	1,558,512	2,852,231	76%	3,768,681
Health Safety & Development	77,285	95%	81,228	456,229	71%	641,100
Environmental Management	419,327	88%	478,333	345,506	61%	565,500
	25,105,214	104%	24,136,051	15,154,323	73%	20,799,114

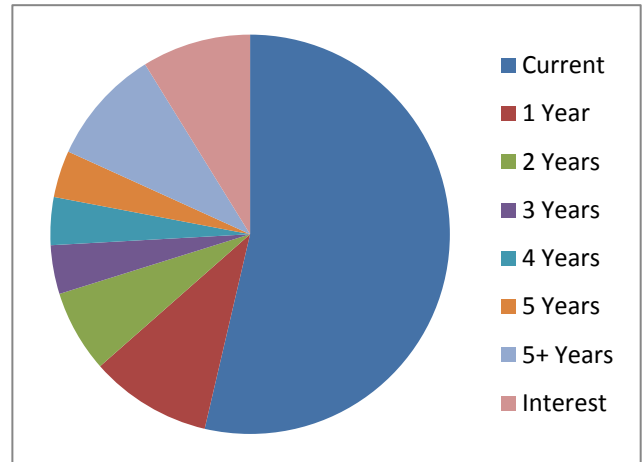
Capital Works Program 2021-2022 Version 2.0

Infrastructure & Works	Actuals	Budget	Grants/Other
Roads	\$6,373,898.98	\$8,798,545.00	\$8,699,665.00
Wastewater	\$0.00	\$50,000.00	\$0.00
Water	\$116,671.70	\$781,000.00	\$550,000.00
Transport	\$1,249.03	\$165,000.00	\$0.00
Other	\$146,592.93	\$1,350,000.00	\$0.00
Subtotal	\$6,638,412.64	\$11,144,545.00	\$9,249,665.00
Environmental Management	Actuals	Budget	Grants/Other
Reserves	\$80,510.82	\$134,300.00	\$0.00
Subtotal	\$80,510.82	\$134,300.00	\$0.00
Community Services & Facilities	Actuals	Budget	Grants/Other
Community Buildings & Other Structures	\$269,375.68	\$423,759.00	\$184,004.73
Parks & Gardens	\$49,447.31	\$80,000.00	\$50,000.00
Council Housing	\$217,032.68	\$294,871.00	\$0.00
Subtotal	\$535,855.67	\$798,630.00	\$234,004.73
Corporate Services	Actuals	Budget	Grants/Other
Corporate Buildings & Other Structures	\$66,845.53	\$121,000.00	\$0.00
Other	\$157,712.89	\$230,000.00	\$205,000.00
Economic Development	\$80,858.59	\$489,235.00	\$194,505.00
Subtotal	\$305,417.01	\$840,235.00	\$399,505.00
Total	\$7,560,196	\$12,917,710	\$9,883,175



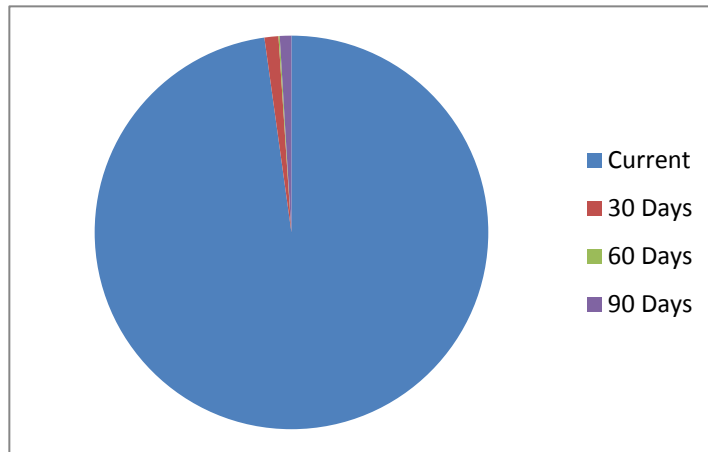
Outstanding Rates

	May-22	Apr-22
Current	56,418	78,958
1 Year	10,367	11,858
2 Years	6,995	7,395
3 Years	4,160	4,160
4 Years	4,069	4,069
5 Years	3,992	3,992
5+ Years	9,872	9,872
Interest	9,270	10,513
Total	105,143	130,817



Outstanding Debtors

Total	916,099.90
Current	895,986.34
30 Days	10,486.46
60 Days	883.94
90 Days	8,743.16



Comments:

Consultation:

Legal Implications:

Policy Implications:

Financial and Resource Implications:

InfoXpert Document ID: 122915



Ordinary Meeting of Council Tuesday 21 June 2022

8.2 Subject: Related Party Disclosure Policy

Attachments: Related Party Disclosures Policy V 2.0

Author: Director Corporate and Community Services

Date: 17 May 2022

Executive Summary:

The related party disclosure policy aims to assist council in complying with the disclosure requirements concerning key management personnel which are imposed upon council by the Australian Accounting Standard 124.

Council is presented with a reviewed policy for adoption.

Recommendation:

That Council adopts the Related Party Disclosures Policy version 2.0 as presented.

Background:

From 1 July 2016, the Australian accounting standards board determined that AASB 124 related party disclosures will apply to government entities, inclusive of local governments.

The AASB 124 requires local governments to disclose in the general purpose financial statements, for annual periods that commence on or after 1 July 2016, particular related party relationships and transactions, including information about the transactions.

Council initially developed, adopted and implemented the Related Parties Disclosures Policy in July 2016. A recent review of the policy has been undertaken and is presented to Council for adoption.

Consultation:

AASB 124

Policy Implications:

This will revoke Versions 1.0 of the Related Party Disclosures Policy.

Financial and Resource Implications:

Nil

InfoXpert Document ID: 122901



RELATED PARTIES DISCLOSURE POLICY

1. POLICY STATEMENT

The Related Party Disclosure Policy aims to assist Council in complying with disclosure requirements concerning key management personnel, their close family members and entities controlled or jointly controlled by any of them stipulated under the *Australian Accounting Standard AASB 124 Related Party Disclosures and the Australian implementation guidance for not-for-profit public sector entities (AASB 124)*.

2. SCOPE

This policy is to be applied in:

- (1) identifying related party relationships; related party transactions, and ordinary citizen transactions concerning key management personnel, their close family members and entities controlled or jointly controlled by any of them; and
- (2) identifying information about the related party transactions for disclosure;
- (3) establishing systems to capture and record the related party transactions and information about those transactions;
- (4) identifying the circumstances in which disclosure of the items in subparagraphs (1) and (2) are required;
- (5) determining the disclosures to be made about those items in the general purpose financial statements for the purpose of complying with the AASB 124.

3. POLICY OBJECTIVES

The objective of the policy is to ensure that the existence of certain related party relationships and related party transactions concerning key management personnel, their close family members and entities controlled or jointly controlled by any of them, and information about the transactions, necessary for users to understand the potential effects on the financial statements are properly identified, recorded in Council's systems, and disclosed in Council's general purpose financial statements in compliance with the AASB 124, the *Information Privacy Act 2009* and the *Right to Information Act 2009*.

4. BACKGROUND AND/OR PRINCIPLES

Local Government Regulation 2012, section 177, requires Council to prepare its general purpose financial statements in compliance with, relevantly, Australian Accounting Standards and, relevantly for the purpose of this policy, the AASB 124.

5. AASB 124 DISCLOSURE REQUIREMENTS

- (1) (**Disclosures**) Relevant to this policy, to comply with the AASB 124, for annual periods beginning on or after 1 July 2016, Council will disclose in its general purpose financial statements the information specified in section 5(2) for related party transactions with,

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amongst others¹, the following persons during the periods covered by the financial statement:²

- (a) Council's key management personnel;
 - (b) other related parties, comprising:
 - (i) a close family member of a key management person of Council;
 - (ii) entities controlled or jointly controlled by a key management person of Council;
 - (iii) entities controlled or jointly controlled by a close family member of a key management person of Council,
- (2) **(Disclosed Information)** For each category of related party transactions specified in section 1(1), Council will disclose the following information in Councils' general purpose financial statements:
- (a) the nature of the related party relationship;
 - (b) the amount of the transactions;
 - (c) the amount of outstanding balances, including commitments, and:
 - (i) their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in settlement; and
 - (ii) details of any guarantees given or received;
 - (d) provisions for doubtful debts related to the amount of outstanding balances; and
 - (e) the expense recognised during the period in respect of bad or doubtful debts due from related parties.
- (3) **(In Aggregate or Separate)** For each related party category specified in section 1(1), Council will disclose information specified in section 5(2) for related party transactions of a similar nature in aggregate except when separate disclosure is necessary for an understanding of the effects of related party transactions on the financial statements of Council, having regard to the following criteria:
- (a) the nature of the related party relationship;
 - (b) the significance of the transaction (individually or collectively) in terms of size or value (including where the materiality arises due to the fact that no consideration for the transaction is given or received by Council);
 - (c) whether the transaction is carried out on non-arm's length terms;

¹ For example, the AASB 124 also requires disclosure of related party transactions with Council subsidiaries, entities who are associates of Council or of a Council subsidiary, and joint ventures in which Council or a Council subsidiary is a joint venturer.

² See the AASB 124, paragraphs 18 to 24.

(d) whether the nature of the transaction is outside normal day-to-day business operations, based on the factors and thresholds determined by the Director Corporate and Community Services in consultation with the Chief Executive Officer.

6. IDENTIFYING RELATED PARTY TRANSACTIONS WITH KMPs AND THEIR CLOSE FAMILY MEMBERS

- (1) **(RPT Notifications)** Key management personnel (**KMP**) must provide a Related Party Transactions Notification (**RPT Notification**), in the form set out in Attachment A, notifying any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members, subject to section 6(6), to the Chief Executive Officer by no later than the following periods during a financial year (**specified notification period**):
 - (a) 30 days after the commencement of the application of this policy;
 - (b) 30 days after a KMP commences their term or employment with Council;
 - (c) 30 November;
 - (d) 30 June.
- (2) **(RPT Notification Form)** At least 30 days before a specified notification period, the Director of Corporate and Community Services will provide KMPs with a RPT Notification form and a Privacy Collection Notice as set out in Attachment B.
- (3) **(Additional RPT Notifications)** Also, during a financial year, if a KMP knows of:
 - (a) any new or potential related party transaction that is required or likely to be required to be disclosed in Council's financial statements; or
 - (b) any change to a previously notified related party transaction (including a change to a related party relationship),the KMP must provide additional RPT Notifications notifying of the new or potential related party transactions or changes, by no later than 30 days after the KMP knows of the transaction or change.
- (4) **(Suspected Related Party Transaction)** If a KMP suspects that a transaction may constitute a related party transaction, the KMP should provide a RPT Notification to the Chief Executive Officer for consideration and determination.
- (5) **(Other Notifications)** The notification requirements in this section 6 are in addition to the notifications a KMP must make to comply with:
 - (a) for councillors, sections 172 and 173 of the *Local Government Act* in relation to material personal interests and conflicts of interest; and
 - (b) for the CEO and other senior executive officers who are KMPs, the Employee Code of Conduct; and

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- (c) the recording of interests in a register of interests kept under the *Local Government Regulation 2012*.
- (6) **(Exclusions)** The notification requirements in this section 6 do not apply to:
- (a) related party transactions that are ordinary citizen transactions not assessed as being material as determined under section 6(8); and
 - (b) for councillors, expenses incurred and facilities provided to a councillor during the financial year, under Council's Councillors Expenses Reimbursement Policy, the particulars of which are contained in Council's annual report pursuant to the *Local Government Regulation*, section 186.
- (7) **(Digital Extraction)** The Senior Finance Officer will digitally identify and extract information specified in section 5(2) against each notified related party transaction in Council's computerised business systems for the purpose of recording the related party transactions and associated information in the register of related party transactions.
- (8) **(Other Sources of Information)** To ensure all related party transactions are captured and recorded, the Senior Finance Officer may review other sources of information held by Council including, without limitation:
- (a) a register of interests of a KMP and of persons related to the KMP;
 - (b) minutes of Council and committee meetings.
- (9) **(Manual Investigation and Recording of Information)** For notified related party transactions that are not captured by Council's computerised business systems, the Senior Finance Officer will manually review the transactional documentation and record the information specified in section 5(2) for the subject transaction in the register of related party transactions.

7. ORDINARY CITIZEN TRANSACTIONS

- (1) **(Non-material in Nature)** A KMP is not required to notify in a RPT Notification, and Council will not disclose in its financial statements, related party transactions that are ordinary citizen transactions assessed to be not material in nature.
- (2) **(Material in Nature)** A KMP is required to notify in a RPT Notification, and Council will disclose in its financial statements in accordance with section 5, related party transactions that are ordinary citizen transactions assessed to be material in nature.
- (3) **(Materiality Assessment)** The Director of Corporate and Community Services will review and assess the materiality of related party transactions that are ordinary citizen transactions to determine whether the disclosure of such transactions are necessary for an understanding of the effects of the related party transactions on the financial statements, having regard to the criteria specified in section 5(3).
- (4) **(Digital Extraction)** The Senior Finance Officer will digitally identify and extract information specified in section 5(2) against each notified related party transaction that is an ordinary citizen transaction assessed as being material in nature in Council's computerised business

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systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

8. REGISTER OF RELATED PARTY TRANSACTIONS

- (1) **(Maintain a Register)** The Senior Finance Officer must maintain and keep up to date a register of related party transactions that captures and records the information specified in section 5(2) for each existing or potential related party transaction³ (including ordinary citizen transaction assessed as being material in nature) during a financial year.
- (2) **(Contents of Register)** The contents of the register of related party transactions must detail for each related party transaction:
 - (a) the description of the related party transaction;
 - (b) the name of the related party;
 - (c) the nature of the related party's relationship with Council;
 - (d) whether the notified related party transaction is existing or potential;
 - (e) a description of the transactional documents the subject of the related party transaction;
 - (f) the information specified in section 5(2).
- (3) The Senior Finance Officer is responsible for ensuring that the information specified in section 5(2) is disclosed in Council's financial statements to the extent, and in the manner, stipulated by the AASB 124, subject to section 5(3).

9. INFORMATION PRIVACY

- (1) **(Confidential)** The following information is classified as confidential, and is not available for inspection by or disclosure to the public, including through a *Right to Information (RTI)* application:
 - (a) information (including personal information) provided by a key management person in a RPT Notification; and
 - (b) personal information contained in a register of related party transactions.
- (2) **(When Consent Required)** Except as specified in this policy, Council and other permitted recipients will not use or disclose personal information provided in a RPT Notification by a KMP or contained in a register of related party transactions, for any other purpose or to any other person except with the prior written consent of the subject KMP.

³ See footnote 6

- (3) **(Permitted Recipients)** The following persons are permitted to access, use and disclose the information (including personal information) provided in a RPT Notification or contained in a register of related party transactions for the purposes specified in section 9(4):
- (a) a councillor;
 - (b) the chief executive officer;
 - (c) the Director Corporate and Community Services being responsible for the preparation of financial reporting;
 - (d) financial officers within Council's unit of administration responsible for the preparation of financial reporting authorised by Director Corporate and Community Services;
 - (e) members of Council's audit committee;
 - (f) an auditor of Council (including an auditor from the Queensland Audit Office).
- (4) **(Permitted Purposes)** A person specified in section 9(3) may access, use and disclose information (including personal information) in a RPT Notification or contained in a register of related party transactions for the following purposes:
- (a) to assess and verify a notified related party transaction;
 - (b) to reconcile identified related party transactions against those notified in a RPT Notification or contained in a register of related party transactions;
 - (c) to comply with the disclosure requirements of the AASB 124;
 - (d) to verify compliance with the disclosure requirements of the AASB 124.
- (5) An individual may access their personal information provided by a KMP in a RPT Notification or contained in a register of related party transactions in accordance with Council's Information Privacy Policy.

10. RIGHT TO INFORMATION STATUS

- (1) **(No Public Inspection)** The following documents are not open to or available for inspection by the public:
- (a) RPT Notifications provided by a KMP; and
 - (b) a register of related party transactions.
- (2) **(Not RTI-accessible)** A RTI application seeking access to or release of:
- (a) a document or information (including personal information) provided by a KMP in a RPT Notification; or

(b) personal information contained in a register of related party transactions;

will be refused on the grounds the document or information comprises information the disclosure of which would, on balance, be contrary to the public interest under sections 48 and 49 of the *Right to Information Act*, item 8 of schedule 3 and items 2, 3 and 16 of part 3, schedule 4.

- (3) (***Transactional Documentation***) A RTI application seeking access to and release of transactional information and documentation the subject of a related party transaction with Council will be considered, assessed and decided in accordance with Council's usual procedures regarding applications made under the *Right to Information Act*.

11. DEFINITIONS

Each of the following expressions in bold to the left bears the meaning shown opposite:

arm's length terms

Terms between parties that are reasonable in the circumstances of the transaction that would result from:

- (a) neither party bearing the other any special duty or obligation; and
 - (b) the parties being unrelated and uninfluenced by the other; and
 - (c) each party having acted in its own interest.
-

associate	In relation to an entity (<i>the first entity</i>), an entity over which the first entity has significant influence.
close family members or close members of the family⁴	<p>In relation to a key management person, family members who may be expected to influence, or be influenced by, that key management person in their dealings with Council and include:</p> <ul style="list-style-type: none"> (a) that person’s children and spouse or domestic partner; (b) children of that person’s spouse or domestic partner; and (c) dependants of that person or that person’s spouse or domestic partner. <p>For the purpose of the AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) <i>if</i> they could be expected to influence, or be influenced by, the key management person in their dealings with Council.</p>
control	<p>Control of an entity is present when there is:</p> <ul style="list-style-type: none"> (a) power over the entity; and (b) exposure or rights to variable returns from involvement with the entity; and (c) the ability to use power over the entity to affect the amount of returns received, <p>as determined in accordance with AASB 10 <i>Consolidated Financial Statements, paragraphs 5 to 18, and Appendices A (Defined Terms) and B (Application Guidance)</i>.</p>
joint control	The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

⁴ The definition of “close members of the family of a person” as contained in the AASB 124 is broader than the definition of “related” in relation to a person for the purpose of a register of interests under the *Local Government Regulation*.

joint venture	An arrangement of which 2 or more parties have joint control and have right to the net assets of the arrangement.
joint venturer	A party to a joint venture that has joint control of that joint venture.
key management personnel or key management person or KMP	<p>Person(s) having authority and responsibility for planning, directing and controlling the activities of Council.</p> <p>Specifically, key management personnel of Council are:</p> <ul style="list-style-type: none"> (a) the mayor; (b) councillors; (c) the chief executive officer; (d) the directors of each department; (e) the Works Manager.
Ordinary transactions citizen	<p>Transactions that an ordinary citizen would undertake with Council, which is undertaken on arm's length terms and in the ordinary course of carrying out Council's functions and activities.</p> <p><i>Examples</i> of ordinary citizen transactions assessed to be not material in nature are:</p> <ul style="list-style-type: none"> (a) paying rates and utility charges; (b) using Council's public facilities after paying the corresponding fees.
related party	<p>A person or entity that is related to Council pursuant to the definition contained in the AASB 124, paragraph 9.</p> <p>Examples of related parties of Council are:</p> <ul style="list-style-type: none"> (a) Council subsidiaries; (b) key management personnel; (c) close family members of key management personnel; (d) entities that are controlled or jointly controlled by key management personnel or their close family members.

related party transaction

A transfer of resources, services or obligations between the Council and a related party, regardless of whether a price is charged.

Examples of related party transactions are:

- (a) purchases or sales of goods;
- (b) purchases or sales of property and other assets;
- (c) rendering or receiving of services;
- (d) rendering or receiving of goods;
- (e) leases;
- (f) transfers under licence agreements;
- (g) transfers under finance arrangements (example, loans);

Note: Financial arrangements are subject to the Statutory Bodies Financial Arrangements Act 1982

- (h) provision of guarantees (given or received);

Note: Guarantees are financial arrangements that are subject to the Statutory Bodies Financial Arrangements Act 1982.

- (i) commitments to do something if a particular event occurs or does not occur in the future;
- (j) settlement of liabilities on behalf of Council or by Council on behalf of that related party.

related party transactions notification or **RPT Notification**

A document entitled *Related Party Transactions Notification provided by Key Management Personnel* in the form set out in Attachment A.

significant influence

The power to participate in the financial and operating policy decisions of another entity but is not control or joint control of those policies, as determined in accordance with Australian Accounting Standard *AASB 128 Investments in Associates and Joint Ventures, paragraphs 3, 5 and 6.*

12. LEGISLATIVE REFERENCE

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Local Government Act 2009 and Local Government Regulation 2012
Accounting Standard AASB 124 Related Party Disclosures
Information Privacy Act 2009
Right to Information Act 2009

13. RELATED POLICIES/PROCEDURES

Sections 172 (Councillor's Material Personal Interests at a meeting) and 173 (Councillor's Conflict of Interest at a meeting), *Local Government Act 2009*
Employee Code of Conduct
Councillor Code of Conduct
Information Privacy Policy

14. APPLICATION DATE OF POLICY

This policy applies with effect on and from 1 July 2016.

15. NEXT REVIEW

This policy will be reviewed when any of the following occur:

1. The related legislation/documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council.
3. Periodic review – 3 years from date of adoption.

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Attachment A

[Related Party Transactions Notification]

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025

Attachment B

[Privacy Collection Notice]

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
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Attachment A

[Related Party Transactions Notification]



MCKINLAY SHIRE COUNCIL

**Related Party Transactions
Notification by Key Management
Personnel**

[Note: This document is confidential and is not RTI-accessible. See Council’s Related Party Disclosure Policy]

Name of Key Management Person:

Position of Key Management Person:

Please read the Privacy Collection Notice provided with this notification, which explains what is a related party transaction and the purposes for which Council is collecting, and will use and disclose, the related party information provided by you in this notification.

*Please complete the table below **for each related party transaction with Council** that you, or a close member of your family, or an entity related to you or a close member of your family:*

- (a) has previously entered into **and** which will continue in the 2021/2022 financial year; or*
- (b) has entered into, or is reasonably likely to enter into, in the 2021/2022 financial year.*

Description of Related Party Transaction	Is transaction existing/potential?	Related Party’s Name (Individual’s or entity’s name)	Related Party’s Relationship/ Reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship

Attachment A

[Related Party Transactions Notification]

Description of Related Party Transaction	Is transaction existing/potential?	Related Party's Name (Individual's or entity's name)	Related Party's Relationship/ Reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship

Notification

I _____, _____ notify that, to the best of my knowledge, information and belief,
(Full name) *(Position)*

as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the 2021/2022 financial year.

I make this notification after reading the Privacy Collection Notice provided by the McKinlay Shire Council, which details the meaning of the words “related party”, “related party transaction”, “close members of the family of a person” and, in relation to an entity, “control” or “joint control”, and the purposes for which this information will be used and disclosed.

I permit the Director of Corporate and Community Services Officer and the other permitted recipients specified in Council’s Related Party Disclosure Policy to access the register of interests of me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Person: _____

Dated: _____

Attachment B

[Privacy Collection Notice]



MCKINLAY SHIRE COUNCIL

PRIVACY COLLECTION NOTICE

RELATED PARTY TRANSACTIONS DISCLOSURES BY KEY MANAGEMENT PERSONNEL

Purpose of Collection, Use and Disclosure

Effective for annual periods beginning on or after 1 July 2016, Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general purpose financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures*.

Related parties include Council's key management personnel, their close family members, and any entities that they or any of their close family members control or jointly control.

A related party transaction is any transaction (whether a transfer of resources, services or obligations) between the reporting local government and any of the related parties, whether monetary or not.

If there is a related party transaction with Council applicable to a reporting financial year, the AASB 124 requires Council to disclose in the financial statements the nature of the related party relationship and information about the transaction, including outstanding balances and commitments associated with the transaction. Disclosure in the financial statements may be in the aggregate and/or made separately, depending on the materiality of the transaction. An example of related party disclosures Council may make can be found within Appendix 3 of the Department of Infrastructure, Local Government and Planning Related Party Disclosures Appendices 1 through to 8 document which can be located at <http://www.dilgp.qld.gov.au/newsletters-and-brochures/bulletin-02-16.html>.

For more information about Council's disclosure requirements under the AASB 124, please refer to Council's Related Party Disclosure Policy, which can be found at <http://www.mckinlay.qld.gov.au/policies>.

Notifications by Key Management Personnel

In order to comply with the AASB 124, Council has adopted a policy that requires all members of its key management personnel (**KMPs**) to periodically provide notifications to the Chief Executive Officer (**CEO**) of any existing or potential related party transactions between Council and any of their related parties during a financial year, and any changes to previously notified related party relationships and transactions relevant to the subject financial year.

To this end, each key management person (**a KMP**) must provide a Related Party Transactions Notification, in the approved form, notifying any existing or potential related party transactions between Council and any related parties of the KMP, to the Chief Executive Officer by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this policy;
- 30 days after a KMP commences their term or employment with Council;
- 30 November; and
- 30 June.

Attachment B

[Privacy Collection Notice]

Also, during a financial year, a KMP must proactively notify of any new or potential related party transactions that the person knows of, or any changes to previously notified related party relationships or transactions, relevant to the subject financial year by providing to the Chief Executive Officer, additional Related Party Transactions Notifications by no later than 30 days after the person knows of the transaction or change.

Note, these related party transaction notification requirements are in addition to the notifications KMPs are required to make to comply with:

- for councillors, the material personal interests and conflicts of interest obligations in the *Local Government Act 2009* and Councillor Code of Conduct; and
- for other KMPs, the Employee Code of Conduct; and
- the notification of interests for the register of interests required to be kept under the *Local Government Regulation 2012*.

The Queensland Audit Office may audit related party information as part of the annual external audit.

For privacy and right to information status of this information, please refer to Council's Related Party Disclosure Policy.

Who are KMPs?

KMPs are persons having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly.

For Council, KMPs include:

- the Mayor
- Councillors
- the CEO
- Department Directors
- Works Manager

Who are close family members of a KMP Person?

Close family members, or close members of the family, of a KMP are family members who may be expected to influence, or be influenced by, that person in their dealings with Council and include:

- (a) that person's children and spouse or domestic partner;
- (b) children of that person's spouse or domestic partner; and
- (c) dependants of that person or that person's spouse or domestic partner.

The definition of close members of the family of a person for the purpose of the AASB 124 is broader than the definition of "related" in relation to a person for the purpose of a register of interests under the *Local Government Regulation*. For the AASB 124, close family members could include extended members of a family (such as, without limitation, a parent, grandparent, siblings, etc) *if* they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

Attachment B

[Privacy Collection Notice]

For a related party transaction, unlike a register of interests, the related party and relationship must be disclosed for both the KMP and their close family member even if the same related party entity is held jointly or in common by them.

The following table may assist you in identifying your close family members:

Definitely a close family member	Maybe a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your children	Your aunts, uncles and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced, by you in their dealings with Council

What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

Control

You control an entity if you have:

- (a) power over the entity;
- (b) exposure, or rights, to variable returns from your involvement with the entity; and
- (c) the ability to use your power over the entity to affect the amount of your returns.¹

Example of control

Fred is the Mayor of Sunny Shire Council and owns 100% of the ordinary shares in Sunny Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party transaction notification.

¹ AASB 10 Consolidated Financial Statements, paragraphs 5 to 18, and Appendices A (Defined Terms) and B (Application Guidance).

Attachment B

[Privacy Collection Notice]

Joint control

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.²

Example of joint control

Fred is the Mayor of Sunny Shire Council and owns 50% of the ordinary shares in Sunny Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of the ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party transaction notification and the entity's related party relationship with Fred and Stan.

In some cases it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Chief Executive Officer for a confidential discussion.

[End of Privacy Collection Notice]

² AASB 128 *Investments in Associates and Joint Ventures*, paragraph 3 (Definitions).



8.3 Subject: Revenue Policy Review 2022/2023
Attachments: 2022/2023 Revenue Policy Version 1
Author: Director Corporate & Community Services
Date: 20 May 2022

Executive Summary:

In accordance with *Section 193 of the Local Government Regulations 2012*, Council must prepare a revenue policy for each financial year.

The 2022/23 Revenue Policy version 1 has been prepared in accordance with relevant legislation and is presented for Councils consideration.

Recommendation:

That Council adopt the 2022/2023 Revenue Policy Version 1 as presented, with an effective date of 1 July 2022. On adoption, it will revoke all other previous versions of policies titled 'Revenue Policy'.

Background:

A review of the current 2021/22 Revenue Policy version 1 was completed. Minor amendments have been made to reflect the financial year that the policy is to relate and to add detail to cover all requirements identified in section 193 of the *Local Government Regulation 2012*.

Consultation:

- Director of Corporate and Community Services
- Corporate Services Team Leader

Legal Implications:

Local Government Act 2009 Section 104 (5) (c)(iii) provides that *The system of financial management established by a local government must include – the following financial policies of the local government – revenue policy.*

Policy Implications: This will revoke the 2021/22 Revenue Policy Version 1, subsequent to the 2022-2023 Revenue Policy Version 1 adoption.

Financial and Resource Implications: Nil

InfoXpert Document ID: 122903



2022 – 2023 REVENUE POLICY

1. POLICY PURPOSE

Under the *Local Government Act 2009*, the Council is required to review and adopt a Revenue Policy for each financial year. The Revenue Policy is a component of Councils financial management system and is intended to be a strategic document. This policy will be of interest to ratepayers, federal and state departments, community groups and other interested parties seeking to understand the revenue policies and practices of Council.

2. SCOPE

This policy sets out the principles that Council intend to apply for the financial year for:

- Levying rates and charges;
- Granting concessions for rates and charges;
- Recovering overdue rates and charges; and
- Cost-recovery methods

The policy also highlights if the Council intends to grant any concessions for rates and charges and the purpose of those concessions. Further, it stipulates the extent to which physical and social infrastructure costs for new development are to be funded by charges for the development.

3. POLICY CONTENT

3.1 Principles used for the Making of Rates and Charges

Council makes rates and charges to fund the provision of valuable services to our community. In adopting its annual budget, Council may make rates and charges at a level that will provide for both current and future community requirements.

Representation – Council will act in the interest of the whole community that it serves taking into account all matters relevant to the making of the rate or charge.

Transparency – Council will be transparent in its revenue raising activities and will endeavor to use systems and practices able to be understood by the community.

Accountability – Council will be accountable to the providers of funds to ensure those funds are applied efficiently and effectively to satisfy the objective for which the funds were raised.

User Pays – where applicable Council will apply the principle that customers pay for the services they use.

3.2 Principles used for the Levying of Rates and Charges

In accordance with *Section 94 of the Local Government Act 2009* Council must levy general rates and charges on all rateable land within McKinlay Shire.

In Levying of Rates and Charges, Council will apply the principles of:

- Consistency by scheduling the issue of rate notices that include the date the notice was issued, the date by which time the rate must be paid and any discounts, rebates or concessions applied on a six monthly basis during the periods 01 July to 31 December, and 01 January to 30 June in the respective financial year.
- Timing the levy of rates to take into account the financial cycle of the local economic activity in order to assist smooth running of the local economy.
- Equity through flexible payment arrangements for ratepayers with lower capacity to pay.
- Making available the following methods of payment:
 - Cash or cheque payments at the Shire Administration office
 - Cheque or money orders via mail
 - BPAY
 - Direct Deposit
 - EFTPOS

3.3 Principles used for the Recovery of Overdue Rates and Charges

In accordance with *Section 132 of the Local Government Regulation 2012*, Council will exercise its rate recovery authority in order to reduce the overall rate burden on ratepayers.

Council will also be guided by the principles of –

- Transparency by making clear the obligations of ratepayers and the processes used by Council in assisting them meet their financial obligations.
- Making the processes used to recover outstanding rates and charges clear, simple to administer and cost effective.
- Flexibility by responding where necessary to changes in the local economy.

3.4 Granting Concessions for Rates and Charges

In accordance with *Section 119 of the Local Government Regulation 2012*, Council may grant a rate payer a concession for rates or charges.

In considering the application of concessions, Council will be guided by the principles of:

- The same treatment for ratepayers with similar circumstances.
- Transparency by making clear the requirements necessary to receive concessions.
- Flexibility to allow Council to respond to local economic issues.

In accordance with the above principles, Council may grant a concession for the owner categories and properties used for the listed purposes:

- Pensioner Concession – eligible pensioners as defined in Schedule 8 of the *Local Government Regulation 2012* may be granted a concession on general rates.
- Non-Profit Community Organisation Concession – the purpose of these concessions is to encourage and support not-for-profit and charitable organisations where the land use is considered to contribute to the health and well-being of the community and the social enrichment of residents.
- Special Concessions – maybe considered in accordance with Section 120 (1)(c) of the *Local Government Regulation 2012* in, amongst other things, the event of a declared natural disaster where the Council may consider rates or charges in accordance with Section 121 of the *Local Government Regulation 2012*.
- Other Concessions – Council will receive and consider applications from ratepayers where Council is satisfied that the application meets the eligibility criteria as stipulated in Section 120 of the *Local Government Regulation 2012*. Applications for concessions under this section will be considered and determined by Council on a case by case basis.

3.5 Cost Recovery Methods

In accordance with the *Local Government Act 2009 Section 97*, Council may under a Local Law or by resolution fix a cost-recovery fee.

Council will apply, as a minimum and as far as practicable, the principle of full cost recovery (including overheads) in setting charges for services and facilities.

Council may give consideration to charging at less than the full cost of the service / facility when it considers it appropriate to do so in order to achieve social, economic, environmental or other corporate goals.

3.6 Funding of Physical and Social Infrastructure

To minimise the impact of physical and social infrastructure charges on the efficiency of the local economy, Council will be guided by the principle of user pays in making of physical and social infrastructure charges for new development, to the extent permissible by law. Council may depart from applying this principle if it is determined by Council that it is in the community interest to do so.

4. DEFINITIONS

N/A

5. RELEVANT LEGISLATION

Local Government Regulation 2012

Local Government Act 2009

Date of Approval: 15 June 2021
Approved By: Council Resolution

Effective Date: 01/07/2021
Version: 1.0
Review Date: June 2022

6. RELATED POLICIES

Revenue Statement
Investment Policy
Debt Policy

7. RELATED DOCUMENTS

N/A

8. REVISION HISTORY

Version	Title	Date
1	Revenue Policy	April 2009
2.1	Revenue Policy	17 June 2010
2.2	Revenue Policy	1 August 2011
2.3	Revenue Policy	25 November 2011
2.4	Revenue Policy	Draft only
2.5	Revenue Policy	27 July 2012
2.6	Revenue Policy	24 July 2013
2.7	Revenue Policy	25 February 2014
2.8	Revenue Policy	16 June 2014
2.9	Revenue Policy	21 July 2015
1	Revenue Policy	22 June 2016
1	2017-18 Revenue Policy	16 June 2017
1	2018-19 Revenue Policy	26 June 2018
1	2019-20 Revenue Policy	18 June 2019
1	2020-21 Revenue Policy	23 June 2020
1	2021-2022 Revenue Policy	15 June 2021

9. CONTACT OFFICER

Director Corporate and Community Services

Date of Approval: 15 June 2021
Approved By: Council Resolution

Effective Date: 01/07/2021
Version: 1.0
Review Date: June 2022



Ordinary Meeting of Council Tuesday 21 June 2022

8.4 Subject: Asset Management Policy

Attachments: Asset Management Policy V 2.0

Author: Director Corporate and Community Services

Date: 24 May 2022

Executive Summary:

The Asset Management Policy provides a set of guidelines for implementing consistent asset management processes throughout McKinlay Shire Council.

Council is presented with a reviewed policy for adoption.

Recommendation:

That Council adopts the Asset Management Policy version 2.0 as presented.

Background:

Council previously adopted the Asset & Services Management Policy in April 2009 and has not been reviewed since. Council Executive Management recently completed a review and re-drafted a Asset Management Policy which set out the guidelines implementing asset management processes with Council.

Consultation:

Chief Executive Officer and Director Engineering, Environment & Regulatory Services.

Policy Implications:

This will revoke Versions 1.0 of the Asset and Services Management Policy.

Financial and Resource Implications:

Nil

InfoXpert Document ID: 122905



ASSET AND SERVICES MANAGEMENT POLICY

1. POLICY OBJECTIVES/PURPOSE

The purpose of this policy is to set guidelines for implementing consistent asset management processes throughout the McKinlay Shire Council area.

2. SCOPE

This policy applies to all Council departments, officers, employees and contractors.

3. POLICY STATEMENT

- A consistent Asset Management Strategy must exist for implementing systematic asset management and appropriate asset management best practice throughout all Departments of Council.
- All relevant legislative requirements together with political, social and economic environments are to be taken into account in asset management.
- Asset management principles will be integrated within existing planning and operational processes.
- An inspection regime will be used as part of asset management to ensure defined service levels are maintained and to identify asset renewal priorities.
- Assets will be managed at the lowest possible cost to meet defined levels of service and risk.
- Asset renewals required to meet defined service levels and identified in infrastructure and asset management plans and long term financial plans will be fully funded in the annual budget estimates.
- Asset renewal and upgrade plans will be prioritised and implemented progressively based on defined service levels and the effectiveness of the current assets to provide that level of service.
- Service levels agreed through the budget process and defined in Infrastructure and Asset Management Plans will be fully funded in the annual budget estimates.
- Systematic and cyclic reviews will be applied to all asset classes to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards.
- Yearly reviews will be applied to specific asset attributes such as depreciation rates, remaining useful lives and residuals to ensure that the asset valuations remain relevant.
- Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.
- Future service levels will be determined in consultation with the community
- Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025

4. ROLES AND RESPONSIBILITIES

Councillors adopt the policy and provide leadership and stewardship of asset Management principles and long term planning. The Chief Executive Officer has overall responsibility for developing asset management business processes, systems, organisational policies and procedures and reporting on the status and effectiveness of asset management within Council. Directors and Managers are responsible for developing asset management plans, implementing asset management business processes, systems, organisational policies and procedures. They will form the base of the Asset Management Steering Committee, with input from other officers as required. Employees with management or supervisory responsibilities will be held accountable for the management of assets within their areas of responsibility as determined under the asset management plans. Employees will be tasked based on the relevant Core Asset management Plans and will be responsible for the timely completion of allocated events.

5. BACKGROUND AND/OR PRINCIPLES

Council is committed to implementing a systematic asset management methodology in order to ensure that all Council assets are planned, constructed, operated, maintained, replaced and disposed of in accordance with Council's priorities for service delivery and financial sustainability. Asset management practices impact directly on the core business of Council and appropriate asset management is required to achieve our strategic service delivery objectives. A strategic approach to asset management will ensure that the Council delivers the highest appropriate level of service through its assets. This will provide positive impact on: A strategic approach to asset management will ensure that the Council delivers the highest appropriate level of service through its assets. This will provide positive impact on;

- Members of the public and staff;
- Council's financial position;
- The ability of Council to deliver the expected level of service and infrastructure;
- The political environment in which Council operates; and
- The legal liabilities of Council

6. LEGISLATION

Local Government Act 2009

Local Government Regulation 2012

7. Definitions

Assets - Non current assets are defined as

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Approved By: Council Resolution

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Version: 2.0
Review Date: June 2025

- A physical item of significant value;
- Possessing service potential or future economic benefit;
- Controlled by the entity; and
- Originating as a result of a past transaction or event.

Asset Management - The process of guiding the acquisition, use and disposal of assets to make the most of their service delivery potential and manage the related risks and costs over their entire life.

Service Management - The supply of appropriate services to the community, which is consistent with the Council's corporate goals and community needs.

Capital Renewal - expenditure on an existing asset, which returns, restores, rehabilitates the service potential or the life of the asset up to that which it had originally. As it reinstates existing service potential, it has no impact on revenue, but may reduce future operating and maintenance expenditure if completed at the optimum time, e.g. resurfacing or re-sheeting a material part of a road network, replacing a material section of a drainage network with pipes of the same capacity, resurfacing an oval.

Capital Upgrade - Expenditure, which enhances an existing asset to provide a higher level of service or expenditure that, will increase the life of the asset beyond that which it had originally. It will increase operating and maintenance expenditure in the future because of the increase in the council's asset base, e.g. Widening the sealed area of an existing road, replacing drainage pipes with pipes of a greater capacity, enlarging a grandstand at a sporting facility.

New – expenditure that creates a new asset providing a new service to the community that did not exist beforehand. As it increases service potential, it may impact revenue and will increase future operating and maintenance expenditure.



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8.5 Subject: Advertising Spending Policy Review
Attachments: Advertising Spending Policy
Author: Director Corporate & Community Services
Date: 24 May 2022

Executive Summary:

Council is required by legislation to have a policy about local government's spending on advertising. The Advertising Spending Policy was last adopted in June 2019 and has been reviewed and is presented by Council's adoption.

Recommendation:

That Council adopt the Advertising Spending Policy Version 4.0 as presented.

Background:

This policy is to establish guidelines on Council's advertising expenditure pursuant to section 197 of the Local Government Regulation 2012. The policy applies to any paid advertisement or notice in any media, to promote goods or services (including facilities) provided by Council.

Consultation:

Chief executive Officer

Legal Implications:

- *Local Government Regulation 2012 Section 197 (1) provides that a local government must prepare and adopt a policy about the local government's spending on advertising.*
- *Local Government Act 2009*

Policy Implications:

On adoption of Advertising Spending Policy V4.0 it will revoke all previous version of the similar name.

Financial and Resource Implications:

N/A

InfoXpert Document ID:122909



Advertising Spending Policy

1. POLICY OBJECTIVES/PURPOSE

The purpose of this policy is to establish guidelines on Council's advertising expenditure pursuant to *Section 197* of the *Local Government Regulation 2012*. The policy establishes the principles governing expenditure on advertising which will ensure that public monies are utilised prudently and appropriately.

2. SCOPE

This policy applies to any paid advertisement or notice in any media, to promote goods or services (including facilities) provided by Council. The policy does **not** apply to:

- Advertising for employees;
- Advertising for the acquisition or disposal of property, plant or equipment, used or to be used by Council in its business;
- Advertisements for tenders or expressions of interest under Councils Procurement Policy; or
- Reports published in the media where no payment is made for the report.

3. POLICY STATEMENT

In accordance with *Section 197(2)* of the *Local Government Regulation 2012*:

A local government may spend money on advertising only –

(a) if –

- (i) the advertising is to provide information or education to the public; and*
- (ii) the information or education is provided in the public interest*

This means that Council Officers authorising expenditure must confirm that the expenditure will benefit the public generally or facilitate Council business.

Acceptable advertising purposes are:

3.1 Display Advertisements

- Public advice on scheduled meetings of Council, decisions made by Council at its meetings and request for public comment in proposed policies or activities of Council;
- Provide the public with information on new and change to existing services or facilities provided by Council;
- Operating times for council;
- Advertising of events and festivals
- Public consultation
- Community workshops

Date of Approval: 21st June 2022
Approved By: Council Resolution
Authorisation: Statutory

Effective Date: 23/06/2022
Version: 4.0
Review Date: June 2025



Advertising Spending Policy

3.2 Legislative Requirements

Advertise Legislative Requirements as a result of obligations under various Acts and Regulations.

3.3 Public Notices

Public Notices that have a low creative content and seek to impart specific information in a direct and unembellished manner. This type of advertising includes but is not limited to Impounded Stock, Road Closures, Abandoned Vehicles and naming of Parks and Reserves. Respective Council departments are responsible for arranging advertising of this type.

3.4 Cooperative

Cooperatives (e.g. Regional Arts Development Fund – RADF) are sometimes placed in conjunction with another organization or agency. In these instances, because joint branding may be necessary, the CEO must be given the opportunity to review the advertisement before it is published.

4. RELEVANT LEGISLATION

Local Government Act 2009

Local Government Regulation 2012

5. RELATED DOCUMENTS

Procurement Policy

6. DEFINITIONS

Advertising as defined in the *Local Government Regulation 2012* is promoting, for the payment of a fee, an idea, goods or services to the public.

Date of Approval: 21st June 2022
Approved By: Council Resolution
Authorisation: Statutory

Effective Date: 23/06/2022
Version: 4.0
Review Date: June 2025



Ordinary Meeting of Council Tuesday 21st June 2022

8.6 Subject: Council Briefing Sessions Policy Review
Attachments: Council Briefing Sessions Policy
Author: Director Corporate & Community Services
Date: 31 May 2022

Executive Summary:

Council first adopted a policy regarding Council Briefing Sessions in 2019. This policy sets out a clear guidelines for the conduct of Briefing Sessions.

Recommendation:

That Council adopt the Council Briefing Sessions Policy version 2.0 as presented.

Background:

Council typically hold monthly Briefing Sessions on the first Tuesday of each month. This policy aims to provide a frameworks and guidelines around the conduct of these sessions. It covers matters of decision making, dealing with conflicts of interests, participants of the meetings and the administration of the meetings.

The existing policy has been reviewed and amended slightly to reflect the timeframe for delivery of the agenda, changed from three days to two days prior to the the scheduled Briefing session and removal of a set timeframe for each agenda item.

Consultation:

Chief executive Officer

Legal Implications:

Nil

Policy Implications:

On adoption of Council Briefing Sessions Policy version 2.0 it will revoke all previous policy versions of the similar name.

Financial and Resource Implications:

N/A

InfoXpert Document ID: 122908



Council Briefing Sessions Policy

1. BACKGROUND AND PRINCIPLES

It is important to establish a clear operating framework to ensure that there is clarity and transparency associated with the conduct of Council Briefing Sessions.

2. SCOPE

This policy applies to all Councillors (including the Mayor) and employees of McKinlay Shire Council.

3. POLICY OBJECTIVES

The objective of this policy is to establish guidelines for the conduct of non-decision making discussion forums, which create an opportunity for:

- Councillors and officers to discuss matters and obtain and exchange information; and
- Councillors to otherwise better inform themselves as to:
 - a) the implementation of previous decisions of Council;
 - b) the ongoing operations of Council; and
 - c) matters coming before future Council meetings.

4. POLICY STATEMENT

Intent

4.1 There are no formal decisions made at Council Briefing Sessions.

4.2 Any matters requiring a Council decision (i.e. matters not able to be dealt with by a Council Officer under delegated authority) will be reported by the responsible officer to a meeting of Council for determination.

Councillors shall deal with conflicts of interest (COI) and material personal interests (MPI) in the same manner as at a Council Meeting; by leaving the meeting and not taking part in the content or discussion of the subject matter.

Schedule

4.3 Council Briefing Sessions are generally scheduled on the first Tuesday of the month.

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Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025



Council Briefing Sessions Policy

4.4 The Briefing Session held on the first Tuesday of the month shall nominally be for the purpose of discussing business in all departments.

4.5 The Mayor or CEO may call briefing sessions as necessary for discussion of emergent matters.

Participants

4.6 Council Briefing Sessions are generally attended by all Councillors, the CEO (or a delegate of the CEO), the Directors, any Managers who have an interest in an item on the agenda and any other relevant officers.

4.7 External persons may attend Council Briefing Sessions upon invitation.

Administration

4.8 For each agenda item, the Agenda shall state the title of the item, the name of the officer who will lead the discussion and whether a briefing note is attached.

4.9 A copy of the Agenda and any briefing notes/attachments shall be circulated to Councillors at least two (2) working days prior to the Briefing Session.

4.10 Where (due to urgency or a Council resolution) no briefing note or agenda has been circulated in accordance with paragraph 4.9, the responsible Director shall provide hard copies of the briefing note to each Councillor at the briefing session with an additional copy provided to the Office of the Mayor and CEO to distribute to Councillors not present at the Briefing Session.

4.11 Agenda items relevant to the department/s to which the briefing session is nominally assigned shall receive precedence over agenda items submitted by other departments with the exception of agenda items from the Office of the Mayor and CEO which can be included on any agenda and which take precedence over all other agenda items.

4.12 The Mayor shall chair the Briefing Sessions. In the event that the Mayor is not present, the Deputy Mayor shall chair the Briefing Session. In the event that the Mayor and Deputy Mayor are absent, Councillors shall appoint a chair.

4.13 Minutes or notes of discussion at the Briefing Session will not be recorded as Briefing Sessions are an informal meeting and no decisions are taken.

4.14 If an external person (for example a consultant, contractor or guest) is to be present at the Briefing Session, the person's name, title and company shall be included on the Agenda.

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025



Council Briefing Sessions Policy

4.15 An external person who will be attending a Briefing Session shall only be present at the Briefing Session during discussion of the agenda item that their name appears next to on the agenda.

4.16 If a Director believes it is necessary to schedule a Briefing Session with Councillors outside of the scheduled Briefing Sessions, the Director shall liaise with the Mayor and CEO who shall decide whether to call a Briefing Session.

4.17 In the event that a Briefing Session is cancelled, the Office of the Mayor and CEO shall advise Councillors of the cancellation as soon as practicable.

4.18 Information presented or discussed at a Briefing Session shall be considered confidential.

5. RELEVANT LEGISLATION

Local Government Act 2009.

6. DEFINITIONS

CEO refers to a person who holds an appointment as Chief Executive Officer of McKinlay Shire Council, under section 194 of the Local Government Act 2009. This includes a person acting in this position.

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025



Ordinary Meeting of Council Tuesday 21st June 2022

8.7 Subject: Dealing with Complaints about the Public Official Policy
Attachments: Dealing with Complaints about the Public Official Policy
Author: Director Corporate & Community Services
Date: 31 May 2022

Executive Summary:

As part of the requirements of section 48A of the *Crime and Corruption Act 2001 (Qld)* (CC Act), a public official (the Chief Executive Officer of Council) must prepare a policy about how the unit of public administration (being Council) will deal with a complaint that involves or may involve corruption of the public official. A policy covering this was initially adopted in 2018 and has now been reviewed and presented for adoption.

Recommendation:

That Council adopts the Dealing with complaints about the public official policy V2.0 as presented.

Background:

An initial policy regarding dealing with complaints about the Public Official was first adopted in August 2018. A recent review has been undertaken and with minimal changes made. A link to the Corruption in Focus resource on the Crime and Corruption Commission website was updated. This policy was drafted using template policy provided by the Crime and Corruption Commission. The drafted policy contains all the required information in order to be compliant with the requirements of section 48A of the CC Act.

The policy nominates the Mayor of the local government as the nominated person, who is responsible to notify the Crime and Corruption Commission and to deal with any complaints that allege corrupt conduct of the CEO

Consultation:

Crime and Corruption Commission

Chief Executive Officer

Legal Implications:

The policy and associated documents have been compiled to meet the requirements of the *Crime and Corruption Act 2001 (Qld)*.



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Policy Implications:

On adoption of the Dealing with Complaints about the Public Official Policy version 2.0 it will revoke all previous policy versions of the similar name.

Financial and Resource Implications:

Nil

InfoXpert Document ID: 122912



DEALING WITH COMPLAINTS ABOUT THE PUBLIC

OFFICIAL POLICY (Crime and Corruption Act 2001, S48A)

1. Objective

The objective of this policy is to set out how McKinlay Shire Council (Council) will deal with a complaint (also information or matter)¹ that involves or may involve corrupt conduct of its public official as defined in the *Crime and Corruption Act 2001* (CC Act).

For the purpose of this policy, the Chief Executive Officer (CEO) is the public official of McKinlay Shire Council.

2. Policy rationale

The policy is designed to assist Council to:

1. Comply with s48A of the *Crime and Corruption Act 2001*
2. Promote public confidence in the way suspected corrupt conduct of the CEO for the Council is dealt with (s34(c) CC Act)
3. Promote accountability, integrity, and transparency in the way in which Council deals with a complaint that is suspected to involve, or may involve, corrupt conduct of the CEO.

3. Definitions

Crime and Corruption Commission (CCC)	the Commission continued in existence under the <i>Crime and Corruption Act 2001</i>
CC Act	<i>Crime and Corruption Act 2001</i>
Chief Executive Officer (CEO)	The Chief Executive Officer of McKinlay Shire Council
Complaint	includes information or matter. See definition provided by s48A(4) of the <i>Crime and Corruption Act 2001</i>
Contact details	Contact Details of the nominated person are: Telephone 07 4746 4223 Email address mayor@mckinlay.qld.gov.au Postal address PO Box 177, Julia Creek Qld 4823
Corruption	see Schedule 2 (Dictionary) of the <i>Crime and Corruption Act 2001</i>
Corrupt conduct	see s15 of the <i>Crime and Corruption Act 2001</i>
<i>Corruption in Focus</i>	https://www.ccc.qld.gov.au/publications/corruption-focus ; see chapter 2, (2.6)

¹ See s48A of the CC Act and definitions below

Deal with	see Schedule 2 (Dictionary) of the <i>Crime and Corruption Act 2001</i>
Nominated person	see item 5 of this policy
Police misconduct	see Schedule 2 (Dictionary) of the <i>Crime and Corruption Act 2001</i>
Public Official/CEO	see Schedule 2 (Dictionary) and also s48A of the <i>Crime and Corruption Act 2001</i>
Unit of public administration (UPA)	see s20 of the <i>Crime and Corruption Act 2001</i>

4. Policy application

This policy applies:

- if there are grounds to suspect that a complaint may involve corrupt conduct of the CEO of Council
- to all persons who hold an appointment in, or are employees of Council

For the purpose of this policy a complaint includes information or matter.²

5. Nominated person

Having regard to s48A(2) and (3) of the CC Act, this policy nominates the Mayor of McKinlay Shire Council as the nominated person to notify³ the Crime and Corruption Commission (CCC) of the complaint and to deal with the complaint under the CC Act.⁴

Once the Council nominates a person, the CC Act applies as if a reference about notifying or dealing with the complaint to the public official/CEO is a reference to the nominated person⁵.

6. Complaints about the CEO

If a complaint may involve an allegation of corrupt conduct of the CEO of Council, the complaint may be reported to:

- the nominated person, or
- a person to whom there is an obligation to report under an Act⁶ (this does not include an obligation imposed by ss37, 38 and 39(1) of the CC Act).

If there is uncertainty about whether or not a complaint should be reported, it is best to report it to the nominated person.

² See s48(4) CC of the CC Act

³ Under ss37 or 38 of the CC Act

⁴ Under Chapter 2, Part 3, Division 4, Subdivisions 1 & 2 of the CC Act

⁵ See s48A(3) CC Act

⁶ See s39(2) of the CC Act

If the nominated person reasonably suspects the complaint may involve corrupt conduct of the CEO, they are to:

- (a) notify the CCC of the complaint⁷, and
- (b) deal with the complaint, subject to the CCC's monitoring role, when —
 - directions issued under s40 apply to the complaint, if any, or
 - pursuant to s46, the CCC refers the complaint to the Mayor to deal with⁸.

If the CEO reasonably suspects that the complaint may involve corrupt conduct on their part, and there is a nominated person, the CEO must:

- (i) report the complaint to the nominated person as soon as practicable and may also notify the CCC, and
- (ii) take no further action to deal with the complaint unless requested to do so by the Mayor.

If directions issued under s40 apply to the complaint:

- (i) the nominated person is to deal with the complaint, and
- (ii) the CEO is to take no further action to deal with the complaint unless requested to do so by the Mayor.

7. Resourcing the Nominated Person

If pursuant to ss40 or 46, the CEO or Mayor has responsibility to deal with the complaint⁹:

- (i) the Council will ensure that sufficient resources are available to the CEO or Mayor to enable them to deal with the complaint appropriately¹⁰, and
- (ii) the CEO or Mayor is to ensure that consultations, if any, for the purpose of securing resources sufficient to deal with the complaint appropriately are confidential and are not disclosed, other than to the CCC, without:
 - authorisation under a law of the Commonwealth or the State, or
 - the consent of the CEO or Mayor responsible for dealing with the complaint
- (iii) the CEO or Mayor must, at all times, use their best endeavours to act independently, impartially and fairly having regard to the:
 - purposes of the CC Act¹¹
 - the importance of promoting public confidence in the way suspected corrupt conduct in the Council is dealt with¹², and
 - the Council's statutory, policy and procedural framework.

⁷ Under ss37 or 38, subject to s40 of the CC Act

⁸ Under ss41 and 42 and/or ss43 and 44 of the CC Act

⁹ Under ss41 and 42 and/or ss43 and 44 of the CC Act

¹⁰ See the CCC's corruption purposes and function set out in ss4(1)(b), 33, 34, 35 and the Council's relevant statutory, policy and procedural framework which help inform decision making about the appropriate way to deal with the complaint

¹¹ See ss57 and the CCC's corruption purposes and function set out in ss4(1)(b), 33, 34, 35 of the CC Act

¹² See s34(c) CC Act

If the Mayor has responsibility to deal with the complaint, they:

- are delegated the same authority, functions and powers as the CEO to direct and control staff of the Council as if the nominated person is the CEO of the Council for the purpose of dealing with the complaint only
- are delegated the same authority, functions and powers as the CEO to enter into contracts on behalf of the Council for the purpose of dealing with the complaint
- do not have any authority, function or power that cannot — under the law of the Commonwealth or the State — be delegated by either the elected Council or to the nominated person; and

If the CEO has responsibility to deal with the complaint, they must:

- disclose the complaint to the Mayor
- deal with the complaint, and
- before finally dealing with the complaint, report to the Mayor about
 - the action taken or not taken
 - the reasons the CEO considers the action to be appropriate in the circumstances and
 - the results of the action taken that are known at the time of the report¹³.

8. Liaising with the CCC

The CEO is to keep the CCC and the nominated person/s (if any) informed of:

- the contact details for the public official/CEO and the nominated person/s (if there is a nominated person)
- any proposed changes to this policy.

9. Consultation with the CCC

The CEO will consult with the CCC when preparing any policy about how the Council will deal with a complaint that involves or may involve corrupt conduct of the public official/CEO.¹⁴

10. Statutory references

Unless otherwise stated, all statutory references are to the *Crime and Corruption Act 2001*.

¹³ See ss42 and 44 of the CC Act

¹⁴ Section 48A of the CC Act



Ordinary Meeting of Council Tuesday 21st June 2022

8.8 Subject: Council Legal Assistance Defamation Policy
Attachments: Council Legal Assistance Defamation Policy
Author: Director Corporate & Community Services
Date: 1 June 2022

Executive Summary:

Council adopted a policy in 2019 to provide a framework to assist Council in making decisions around providing legal assistance for defamation actions that are commenced by Council members and employees. This policy has been reviewed and presented for Council for adoption

Recommendation:

That Council adopts the Council Legal Assistance Defamation policy V2.0 as presented.

Background:

This policy was initially implemented in 2019 following advice from LGAQ and a legal opinion from King & Company.

It recognizes the councillors and employees may at times as a result of their duties be the subject of defamatory publications. Depending on the circumstance of the defamatory publications, councillors and employees may seek to take legal action. In exceptional circumstances it may be appropriate for Council to provide financial assistance to meet the costs of obtaining the legal representation to initiate defamation proceedings against third parties.

The review of the policy seen no major change apart from date changes.

Consultation:

Chief Executive Officer

Legal Implications:

The policy has been compiled based on the guide provided by LGAQ.

Policy Implications:

On adoption of the Council Legal Assistance Defamation Policy version 2.0 it will revoke all previous policy versions of the similar name.

Financial and Resource Implications:

Nil

InfoXpert Document ID: 122913



Council Legal Assistance (Defamation) Policy

1. AUTHORITY

This is McKinlay Shire Council's Legal Assistance (Defamation) Policy for how Council handles the provision of legal assistance for defamation actions that are commenced by council members and employees. It is designed to ensure compliance with council's obligations under the *Local Government Act 2009* and the *Local Government Regulation 2012*.

2. BACKGROUND AND PRINCIPLES

2.1 As a result of their functions and duties, councillors and employees may be the subject to defamatory publications. In some cases of defamatory publication, councillors and employees may seek to take legal action. It may be appropriate for the Council to provide financial assistance to meet the cost of councillors or employees obtaining the legal representation to institute defamation proceedings against third parties.

2.2 Section 9 and 28 of the *Local Government Act 2009* give a local Council, wide powers to take executive action in respect of local government matters, including to fund legal assistance to councillors or employees.

3. SCOPE

This policy applies to all Councillors (including the Mayor) and employees of McKinlay Shire Council.

3. POLICY OBJECTIVES

The objective of this policy is to establish guidelines to receive, assess, and decide any requests for legal assistance from a councillor or employee concerning defamatory publications.

4. Roles and Responsibilities

4.1 The CEO is appointed to receive, assess, and decide any requests for legal assistance from a councillor or employee in accordance with this policy. The CEO then makes any other related decisions, on behalf of the Council under this policy.

4.2 If the applicant is the CEO, the Mayor will receive, assess, and decide the request for legal assistance from the CEO. The Mayor then makes any other related decisions, on behalf of the Council under this policy.

4.3 Any application made is assessed in the first instance by an appropriate employee so nominated by either the CEO or the Mayor.

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025



Council Legal Assistance (Defamation) Policy

4.4 The CEO and the Mayor are delegated by the Council to make the relevant decisions provided for under this policy, and incur the relevant liabilities on behalf of the Council in accordance with this policy.

5. Exceptional Circumstances

5.1 While the categories of exception circumstances are not closed, it will generally be the case that providing financial assistance to a councillor or employee to undertake defamation proceedings will be appropriate only if:

- (a) the publication:
 - (i) is persistent;
 - (ii) would lower or harm the councillor or employees' personal or professional reputation, hold the councillor or employee up to ridicule, or lead others to shun and avoid the person;
 - (iii) is causing, or is likely to cause, the councillor or employee distress in the workplace;
- (b) a concerns notice under the Defamation Act 2005 (**Defamation Act**) has been provided by the councillor or employee to the publisher;
- (c) the councillor or employee has not refused to accept a reasonable offer to make amends by the publisher under the Defamation Act;
- (d) the resources of Council have been, or are likely to be, unreasonably directed towards dealing with the publications; and
- (e) there is no other reasonable legal cause of action or course available to the person to prevent the ongoing publication.

6. Types of legal representation costs that may be approved

6.1 If the exceptional circumstances outlined in section 5 exist, the CEO or the Mayor may approve the payment of legal representation costs for a councillor or employee to institute or consider the institution of a defamation action against a third party seeking damages under the Council's Legal Assistance (Defamation) Policy.

6.2 The CEO or the Mayor should not approve a funding decision under clause 6.1, unless there are exceptional circumstances that justify the expenditure of public funds.

Exceptional circumstances – Example

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025



Council Legal Assistance (Defamation) Policy

John Smith is a councillor. Terry Murphy is a local environmentalist and has made on-going and persistent publications indicating that the councillor has a drinking problem and alleging that he is drunk at every Council meeting – which he asserts explains Council’s pitiful response to environmental issues in the City. He also says that the Councillor has no morals and regularly cheats people of the City, by accepting bribes and gifts from developers. He says that something serious has to be done about the Councillor to save the City from environmental and economic ruin. Terry posts these publications on line and also has been leaving flyers around the City.

John has given Terry a concerns notice under the Defamation Act, but has not received any reasonable offer to make amends from Terry. John has also raised the matter with the police, but no action has been taken because Terry’s behaviour is not considered sufficiently threatening.

John has indicated to Council that he is concerned about the impact of the publications on his family and that it is causing him stress in performing his duties and functions as a councillor. Council is spending a lot of time responding to John’s concerns and in trying to manage the issue. For example, Council is continually fielding calls from journalists and ratepayers about the publications.

Not exceptional circumstances – Example

Mary Bloggs is a councillor. Bob James, her neighbour, was dissatisfied at the state of Mary’s garden, which had trees overhanging on Bob’s property. Bob sent Mary an email in which he asked her to get the trees cut, but Mary did not respond. Bob then complained about the state of Mary’s garden on social media and suggested that the poor delivery of council services was a direct result of Mary’s incompetence as a councillor.

Mary is frustrated that the post was made. Some local newspapers have reported the comments about the neighbourly dispute, but the council have not fielded any calls from residents and ratepayers.

6.3 The Council will not approve for a councillor, unless there are exceptional circumstances, the payment of legal representation costs that arise from, or are associated with, election issues or the conduct of an election campaign especially having regard to the implied freedom of political communication that has been recognised by the Australian Courts.

7. Application of Payment

7.1 A councillor or employee who seeks assistance for the payment of legal representation costs under the Council’s policy is required to make an application(s) in writing, in a form similar to that set out in Schedule 1. If the applicant is the CEO, the application will be made to the Mayor.

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025



Council Legal Assistance (Defamation) Policy

7.2 A written application under the policy for the payment of legal representation costs should provide the required details which may include:

- (a) the details of the matter for which legal representation is sought;
- (b) how that matter relates to the Council functions and duties of the councillor or employee making the application;
- (c) the steps that the councillor or employee have taken in respect of the publication (e.g. whether a concerns notice has been served and/or whether an offer to make amends has been received);
- (d) the lawyer (or law firm) who is to be asked to provide the legal representation;
- (e) the nature of legal representation to be sought (such as legal advice, representation in court, preparation of legal proceedings etc);
- (f) an estimate of the cost of the relevant legal representation; and
- (g) why the council should provide the relevant support and assistance.

7.3 The application should include a declaration by the applicant that they have acted in good faith.

7.4 Any application should normally be made before the incurring of any legal costs to which the application relates.

7.5 The application should be accompanied by a signed written statement by the applicant that he or she:

- (a) has read, and understands the terms of council's Legal Assistance (Defamation) Policy;
- (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions (see guidance in clauses 10.1 – 10.2) and any other conditions which are provided for in any approval given under the policy; and
- (c) the applicant undertakes to repay to the council any legal representation costs (see guidance in clauses 10.1 – 10.2)

7.6 In relation to clause 7.5(c), if the amount of the legal assistance is material, then an applicant will be requested to sign a more formal document which requires repayment of monies to the Council in return for the provision of assistance.



Council Legal Assistance (Defamation) Policy

8. Limitation of Legal Representation Costs

8.1 Council requires the CEO or the Mayor to set a limit on legal costs that will be paid when approving an application.

8.2 A councillor or employee is allowed to make a further or subsequent application to the council in respect of the same matter.

9. Possible Decisions

9.1 The CEO or the Mayor may:

- (a) refuse;
- (b) grant; or
- (c) grant subject to conditions,

an application for the payment of legal representation costs.

9.2 The CEO or the Mayor may, in appropriate circumstances, decide to approve the provision of legal representation to a councillor or employees, but may require that the Council's legal team provide the relevant advice or representation using internal or external resources.

9.3 The conditions that may be imposed under clause 9.1 may include, but are not restricted to, setting a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment of the legal representation costs paid for by the Council.

9.4 In assessing an application, the CEO or the Mayor can have regard to any insurance benefits that may be available to the applicant under the Council's insurance policies or other similar arrangements.

9.5 The CEO or the Mayor may, subject to clause 9.6, determine that a councillor or employee whose application for legal representation costs has been approved:

- (a) did not act in good faith; or
- (b) provided false or misleading information in respect of their application for assistance.

9.6 A determination under clause 9.5 should be made only on the basis of, and consistently with, the finding of a court, tribunal inquiry, regulatory investigation or other similar independent body.

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025



Council Legal Assistance (Defamation) Policy

9.7 Where a determination is made under clause 9.5, the legal representation costs paid by the Council should be required to be repaid by the councillor or employee in accordance with clauses 10.1 – 10.2.

10. Repayment of Legal Representation Costs

10.1 A councillor or employee whose legal representation costs have been paid by the Council will be required to repay to the Council:

- (a) all or part of those legal costs – in accordance with a determination made under clause 9.7; and
- (b) if the councillor or employee receives monies from costs orders, damages, or any settlement, in respect of the matter for which the council has paid legal representation costs then the councillor or employee is to repay such sum to the council up to the amount of legal representation costs that have been paid by the council under the policy.

10.2 The Council reserves its rights to take action in a court of competent jurisdiction to recover any monies due and owing to it by a councillor or employee.

11. RELEVANT LEGISLATION

Local Government Act 2009.

Local Government Regulation 2012.

Defamation Act 2005.

12. DEFINITIONS

CEO refers to a person who holds an appointment as Chief Executive Officer of McKinlay Shire Council, under section 194 of the Local Government Act 2009. This includes a person acting in this position.

Approved Lawyer is to be –

- (a) an ‘Australian legal practitioner’ under the *Legal Profession Act 2007* (QLD);
- (b) from a law firm on the Council’s panel of legal service providers, unless the Council considers that this is not appropriate in the circumstances; and
- (c) as otherwise approved in writing by the Council or the CEO under delegated authority.

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025



Council Legal Assistance (Defamation) Policy

Councillor or **employee** means a current or former councillor, non-elected member of a council committee or employee of the Council.

Legal Representation Costs are the costs, including reasonable professional fees and disbursements, that are properly incurred in providing the approved legal representation and the associated legal costs arising therefrom.

Legal Services includes advice, representation or the preparation of documentation that is provided by an approved lawyer.

Payment by the Council of the legal representation costs may be either by:

- (a) a direct payment to the approved lawyer; or
- (b) a reimbursement to the councillor or employee.



Council Legal Assistance (Defamation) Policy

SCHEDULE 1

APPLICATION FOR LEGAL ASSISTANCE (DEFAMATION)

FROM: Name of Councillor or Employee:

- Current Position:
- Current Department or entity:
- Position at the time of the incident:
- Department at the time of the incident:
- Address:
- Telephone:
- Fax:
- Email:
- Include brief details of assigned duties and functions:
- If applicable, include details of legal representatives:

TO: Name of Decision Maker:

- Position:
- Department or entity:
- Address:

Details of Matter

I am applying for Legal Assistance in relation to the following matter/s:

- (a) [insert the details of the matter for which legal representation is sought];
- (b) [how that matter relates to the council functions and duties of the councillor or employee making the application];
- (c) [the steps that the councillor or employee have taken in respect of the publication (e.g. whether a concerns notice has been served and/or whether an offer to make amends has been received)];
- (d) [the lawyer (or law firm) who is to be asked to provide the legal representation];
- (e) [an estimate of the cost of the relevant legal representations]; and
- (g) [why the council should provide the relevant support and assistance].

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 2.0
Review Date: June 2025



Council Legal Assistance (Defamation) Policy

Undertakings by Councillor or Employee:

1. I have diligently and conscientiously endeavoured to carry out my Council functions and duties in good faith.
2. I have not been convicted of a criminal offence nor had a finding of official misconduct against me in relation to this matter
3. I am / am not aware of any criminal, official misconduct or disciplinary proceedings being brought against me in relation to this matter. Include details if applicable.
4. I have attached a copy of any relevant documents (e.g. copies of publications, concerns notice, offer to make amends, cost estimate from legal representative etc.).
5. I agree to provide any further information requested by the decision maker and to keep the decision maker informed of any change in circumstances which may affect my application.

I agree that any grant that I receive of legal assistance under this policy will be subject to any terms and conditions placed on the grant by the relevant decision maker as well as the terms and conditions of the Policy on the Provision of Legal Assistance for Councillors and Employees

Signature of councillor/employee: _____

Date: _____



Ordinary Meeting of Council Tuesday 21st June 2022

8.9 Subject: Relocation Assistance Policy
Attachments: Relocation Assistance Policy Version 5.0
Author: Director Corporate & Community Services
Date: 8 June 2022

Executive Summary:

Council offer relocation assistance to an attempt to overcome the difficulties of recruiting staff to vacant positions of Council. The current policy has been reviewed and updated and presented to Council for endorsement.

Recommendation:

That Council resolve to adopt the Relocation Assistance Policy V5, as presented.

Background:

Council acknowledges the difficult employment climate faced with geographical seclusion and inter-industry competition impacting the candidate pool. To remedy this Council offers assistance with relocation expenses for senior Management staff, staff subject to individual contracts or workplace agreements.

The financial assistance limits have been the same for many years and with ever increasing costs e.g. fuel, we have reviewed these and increased the financial assistance for different levels of staff within the organisation. The financial assistance is now based more on seniority as opposed to location.

Comments:

Nil

Consultation:

Chief Executive Officer

Legal Implications:

Nil

Policy Implications:

Nil

Financial and Resource Implications:

Maximum \$10,000 relocation assistance provided to any one employee.

InfoXpert Document ID: 122956



RELOCATION ASSISTANCE POLICY

1. INTRODUCTION

McKinlay Shire Council (MSC) acknowledges the difficult employment climate faced by Council, with geographical seclusion and inter-industry competition impacting the candidate pool.

MSC is committed to attracting and recruiting the best possible candidates for available positions and in order to do so offers assistance with relocation expenses for Senior Management staff, staff subject to individual contracts or workplace agreements and any other employees that the CEO deems suitable.

2. POLICY OBJECTIVE

To provide guidelines for the payment of relocation expenses for employees relocating to McKinlay Shire.

4. POLICY

MSC will pay the reasonable costs associated with the relocation of an incoming employee from their current place of residence (Origin) to an address within the Shire boundaries (Destination) up to the amount of \$10,000 depending on distance travelled, or otherwise specified in writing by the CEO.

The Human Resources Officer will discuss the relocation assistance with eligible staff as part of their offer of employment.

The conditions of the financial assistance, as such approved by the CEO, must be presented to the eligible employee in writing. This [Relocation Assistance Confirmation Letter](#) is to be signed by both parties (employer and employee) to signify their acceptance of the terms therein.

Where there is an agreed skill shortage this policy may be applied to positions other than those identified in the Introduction. On this occasion the CEO's approval must be sought.

An agreement to repay the relocation expense assistance payment, if the employee leaves Council within the first year of employment, must be included in and form a condition of employment as outlined in the Relocation Assistance Confirmation Letter.

InfoXpert ID: 107327

Date of Approval: 17th September 2019
Approved By: Council Resolution
Authorisation: Organisation

Effective Date: 18/09/19
Version: 4.0
Review Date: September 2020



4.1 Relocation Assistance Approval

Financial assistance for relocation expenses will be approved subject to the submission of three appropriate quotes and justification if the employee's desire is not to go with the cheapest quote. All invoices from the recognised removalist must be supplied and Council will pay the removalist company directly. Council's purchasing policy applies in respect of the removal expenses to be incurred by Council.

4.2 What is Covered

Council will pay for the reasonable costs to transport household goods, personnel effects and furniture, including Inter-state relocation. The relocation expenses of an incoming employee from outside of Australia will be paid for with the expressed authority of the Chief Executive Officer.

Council will only provide relocation assistance in respect of costs incurred by a commercial removal organisation and hire of appropriate vehicles. Relocation assistance will not be available in respect of those removal costs attributable to the employee's own time, labour and vehicle expenses.

The Chief Executive Officer will have the discretion in identifying positions which will be covered by this policy. A sliding scale of assistance has been endorsed by Council as follows:

Chief Executive Officer and Directors - \$10,000

Manager, Team Leader, Individual Contract Employee - \$8,000

Hard to Fill Roles, Qualified Staff - \$5,000

All other roles - \$3,000

The maximum relocation assistance available to any employee in a continuous term of employment shall be no more than \$10,000. Any relocation expenses incurred in excess of this amount will be payable by the employee receiving the assistance.

Relocation expenses can only be accessed once throughout employment with MSC and will not be valid for multiple return trips between the Place of Origin and Destination.

InfoXpert ID: 107327

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 5.0
Review Date: June 2024



4.3 What is Not Covered

Unless varied by the CEO;

MSC will not pay for:

- Multiple trips for any person between the incoming employees Place of Origin and Destination;
- The transport costs for the incoming employee;
- The travel and accommodation costs of persons who will be residing with the employee;
- Transportation of motor vehicles or motor vehicle spare parts.

4.4 Repatriation

MSC will not pay for costs associated with returning an employee to their place of origin, or any other location after termination of employment.

4.5 Reimbursement of Relocation Expenses

The relocation assistance is paid on condition that if within twelve (12) months of commencement of employment:

- a) The employee resigns from their employment with McKinlay Shire Council; or
- b) The employee's employment is terminated due to a breach of their employment contract;

Council will deduct the relocation contribution on a pro-rata basis from the employee's termination pay. In the event of insufficient funds being available the employee shall within seven (7) days of the termination of the employment, repay to Council the relocation contribution on a pro-rata basis.

If the employee leaves their position with MSC for the above reasons, repayments will be made at the following rates:

- | | |
|--|------|
| • The first three (3) months of employment | 100% |
| • The first six (6) months of employment | 75% |
| • The first nine (9) months of employment | 50% |
| • The first twelve (12) months of employment | 25% |



5. RELATED DOCUMENTS

Procurement Policy

Date of Approval: 21st June 2022
Approved By: Council Resolution

Effective Date: 22/06/2022
Version: 5.0
Review Date: June 2024



Ordinary Meeting of Council Tuesday 21st June 2022

8.10 Subject: Corporate Plan Review
Attachments: Corporate Plan
Author: Director Corporate & Community Services
Date: 17 June 2022

Executive Summary:

As part of the requirements Local Government Act, Council must adopt a Corporate Plan for a five year period. We have recently reviewed the plan and made minor adjustments and present for Council adoption.

Recommendation:

That Council adopts the Corporate Plan 2018-2023 as presented.

Background:

Council's current Corporate Plan covered the period 2016-2021, hence needs updating to cover future years. Staff have made a review and made minor adjustments to reflect Councillor and Staff changes and ensure it still aligns with Council objectives.

Consultation:

Chief Executive Officer

Legal Implications:

Compliance with Local Government Regulation 2012, section 166

Policy Implications:

Nil

Financial and Resource Implications:

Nil

InfoXpert Document ID: 123040



9.0 CHIEF EXECUTIVE OFFICER



Ordinary Meeting of Council Tuesday 21st June 2022

9.1 Subject: Chief Executive Officer's Report to May Meeting of Council

Attachments: NIL

Author: CEO

Date: 16th June 2022

Executive Summary:

In addition to the information provided below, a verbal update will be given on current matters headlined in the body of the report which have arisen from the Office of the Chief Executive Officer.

Recommendation:

That Council receive and note the report from the Chief Executive Officer for the period ending 16th June 2022 except where amended or varied by separate resolution of Council.

1. Establishment of a Cotton Gin in Julia Creek

A verbal update to be provided on discussions held since the last Council Meeting, and the next steps moving forward.

Recommendation:

For Council Information

2. LGAQ Annual Conference – Conference Motions Portal Open

The motions portal is now open for us to submit our council's motions for this year's Annual Conference and AGM. Please remember, all motions must have a council resolution prior to being lodged. Motions close on Wednesday 10 August.

Recommendation:

For Council Information



Ordinary Meeting of Council Tuesday 21st June 2022

3. LGAQ Bush Councils Convention – Barcaldine 26th – 28th July

The Bush Councils Convention is being held in Barcaldine from the 26th to 28th July. The Convention gives Queensland’s rural and remote councils a chance to come together and share what they have learned as they strive to enhance the vibrancy and vitality of many communities across Queensland. The program allows good opportunity to learn and mix with all levels of government and the local government industry.

It is recommended two Councillors attend the conference, together with the CEO. There is budget allowance for attendance at this conference.

Recommendation:

Council approves the attendance of two Councillors and the CEO to the LGAQ Bush Councils Convention in Barcaldine from 26th to 28th July.

4. Certified Agreement Negotiations

The McKinlay Shire Council Certified Agreement was ratified in the Industrial Commission on 3rd June. The agreement commenced on that day and will remain in place for two years.

Recommendation:

For Council Information

5. Appointment of Acting CEO During CEO Leave from 22nd – 26th August

In the absence of the CEO on Leave commencing 22nd August – 26th August 2022 it is desired that Council appoints an Acting CEO.

Recommendation:

Council appoints Mr. Cameron Scott as Acting CEO from 22nd – 26th August 2022.

Policy/Legislative:

LG Act 2009 & LG Regulation 2012

Policies

Awards

Operational Financial and Resource Implications:

To be further advised

Consultation and engagement:

Councillors

Directors

Relevant Council staff

External agencies

InfoXpert Document ID: 123017



10. WORKPLACE HEALTH AND SAFETY



Ordinary Meeting of Council Tuesday, 21st of June 2022

10.1 Subject: WHS Report – May 2022

Attachments: Nil

Author: WHS Officer

Date: 21 June 2022

Executive Summary:

This report outlines the general status of Work Health and Safety at McKinlay Shire Council for the period of May 2022.

Recommendation:

That Council receives the May 2022 WHS Report.

Background:

This report outlines the general status of Work Health and Safety at McKinlay Shire Council for the period of May 2022.

Detailed below are the general areas of importance to the safety of workers at McKinlay Shire Council throughout the month.

Consultation: (internal/External)

Nil

Legal Implications:

Nil

Policy Implications:

Nil

Financial and Resource Implications:

As provided in the report.

InfoXpert Document ID: 123021



Ordinary Meeting of Council Tuesday, 21st of June 2022

•

		Actual	Budget
3700	Workplace Health and Safety	\$165,071	\$245,000

- Enrolled in LGW SMS Masterclass in Cairns 6th and 7th of July
 - Sent Alcometer away for recalibration
 - Organised LGW Claims
 - Organised Traffic Control Training Sign off Practicals
 - Requested quotes for Drug and Alcohol testing kits
 - Ordered new Metro Count supplies
 - Re installed Metro Counts on Cannington Road, Combo Water hole and Gidgee bug Highway.
 - Completed Drug and Alcohol testing on the Office Staff.
 - Reviewed Self insurance Audit Draft
-
- **LGW WorkCare** There has been a total of 2 Claims the year with a total amount incurred of \$7,879.
 - **Incidents** in May there have been a total of (2) new incident for the month.
 - **Outstanding Actions** total of 58 outstanding Actions (in Rectification Action Plan) and, Total of 8 outstanding Actions (in Skytrust).



11. CLOSE