



# **AGENDA**

**General Meeting**

**24 May 2023**

**NOTICE OF GENERAL MEETING**

To: Cr Leslie Hotz (Mayor)  
Cr Robert Radel (Deputy Mayor/Division 6)  
Cr Melinda Jones (Division 1)  
Cr Kingsley Mesner (Division 2)  
Cr Susan Payne (Division 3)  
Cr Dael Giddins (Division 4)  
Cr Michael Dingle (Division 5)

Please be advised that the General Meeting of the North Burnett Regional Council will be held at the Gayndah Boardroom on Wednesday, 24 May 2023 commencing at 9.00am.

An agenda is attached for your information.



Margot Stork  
Chief Executive Officer

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- 1 WELCOME/HOUSEKEEPING**
- 2 ATTENDEES**
- 3 APOLOGIES/LEAVE OF ABSENCE**
- 4 ACKNOWLEDGEMENT OF COUNTRY**
- 5 MOMENT OF SILENCE AND REFLECTION**

The Mayor to call for a moment of silence to pay respects to those who have passed in our region.

<i>Delphine Banfield</i>	<i>Biggenden</i>
<i>Graham Griggs</i>	<i>Biggenden</i>
<i>Troy Williams</i>	<i>Eidsvold</i>
<i>Craig McGilvery</i>	<i>Gayndah</i>
<i>Edna &amp; Noel Hunter</i>	<i>Gayndah</i>
<i>Geteno George (Kit)</i>	<i>Gayndah</i>
<i>Lillian Ball</i>	<i>Monto</i>
<i>Daniel McLennan</i>	<i>Mount Perry</i>
<i>Frederic Larner</i>	<i>Mundubbera</i>
<i>Jennifer Brown</i>	<i>Mundubbera</i>

## **6 DEPUTATIONS/PETITIONS**

There are nil deputations for this meeting.

Council will make time available at each General Meeting for public questions/representations commencing at 9.15am. This is an opportunity for members of the public to make a representation on a matter in which they have an interest on an item which is before the Council for decision e.g. development applications.

A deputation wishing to attend and address a meeting of the Council shall apply in writing to the CEO not less than seven (7) business days before the meeting. The CEO, on receiving an application for a deputation, shall notify the Chairperson who will determine whether the deputation may be heard. The CEO will inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time will be arranged for that purpose, and an appropriate time period allowed (e.g. 15 minutes).

Meetings proceed in accordance with the [Standing Orders Model Meeting Procedures PRO-5005](#), which is a Departmental directive outlining the procedures for meetings of local government.

## **7. DECLARATION OF INTERESTS**

The Mayor to call for any declaration of interests.

**8 CONFIRMATION OF MINUTES**

**8.1 MINUTES OF THE GENERAL MEETING HELD ON 26 APRIL 2023**

**Doc Id: 1150231**

**Author: Kat Bright, Senior Executive Assistant To The CEO**

**Authoriser: Margot Stork, Chief Executive Officer**

**Attachments: 1. Minutes of the General Meeting held on 26 April 2023**

**OFFICERS RECOMMENDATION**

That the Minutes of the General Meeting held on 26 April 2023 be confirmed.

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
GENERAL MEETING  
HELD AT THE BIGGENDEN BOARDROOM  
ON WEDNESDAY, 26 APRIL 2023 AT 9.00AM**

**1 WELCOME/HOUSEKEEPING**

The Mayor declared the meeting open at 9.04am and welcomed all attendees.

**2 ATTENDEES**

**COUNCILLORS:** Cr Leslie Hotz (Mayor)  
Cr Robert Radel (Deputy Mayor)  
Cr Dael Giddins  
Cr Kingsley Mesner  
Cr Melinda Jones  
Cr Michael Dingle  
Cr Susan Payne

**OFFICERS:** Margot Stork (CEO)  
Andrew Knight (Interim General Manager – Corporate and Community)^  
Anna Scott (General Manager - Works)  
Camille Summers (Revenue Stream Leder)\*^  
Garry Sharman (Strategic Relationships Manager)  
Kat Bright (Senior Executive Assistant to the CEO)  
Kelly Houston (Media Officer)\*^  
Marlene Carstens (Executive Assistant to the General Manager - Works)  
Michael Cartwright (Governance, Policy and Risk Advisor)\*^  
Michael Wallace (Contract and Leasing Officer)\*^  
Owen Jensen (Financial Services Manager)\*^  
Rhys Habermann (Business Analyst)\*  
Shaun Johnston (Water and Wastewater Manager)\*  
Taylor Applewaite (Administration Officer – Executive Services)  
Tegan Bauer (Executive Assistant to the Mayor)

*^ attended the meeting via Microsoft Teams \* attended part of the meeting only*

**3 APOLOGIES/LEAVE OF ABSENCE**

Nil.

**4 ACKNOWLEDGEMENT OF COUNTRY**

On behalf of Council, the Mayor extended an Acknowledgement of Country.

## 5 MOMENT OF SILENCE AND REFLECTION

The Mayor called for a moment of silence to pay respects to those who have passed in our region.

<i>Allan Downie</i>	<i>Monto</i>
<i>Dulcie Jamieson</i>	<i>Monto</i>
<i>Michael Raffin</i>	<i>Monto</i>
<i>Norma Gay</i>	<i>Monto</i>
<i>Stanley Roth</i>	<i>Monto</i>
<i>Brian Gerdes</i>	<i>Mount Perry</i>
<i>Gwendoline Pott</i>	<i>Mundubbera</i>
<i>Jan Davis</i>	<i>Mundubbera</i>
<i>George Lewis</i>	<i>Mundubbera</i>
<i>Neville Hastings</i>	<i>Mundubbera</i>

## 6 DEPUTATIONS/PETITIONS

Nil.

## 7 DECLARATIONS OF INTEREST

I, Cr Sue Payne inform this meeting that I have a declarable conflict of interest in relation to **Item 11.1 - Review of Public Washdown Facilities' Compliance and Operations**. The nature of my interest is as follows:

This declarable conflict of interest arises as I am a Director of our family grazing business, Lelant Grazing Pty Ltd which sporadically uses washdown facilities across the North Burnett region for biosecurity reasons and in particular the Mundubbera facility.

I ask fellow Councillors to consider me staying in the room to present some facts however I will leave the room during the debate and any subsequent motion.

### DECLARATION OF INTEREST – CR PAYNE

#### RESOLUTION 2023/41

Moved: Cr Kingsley Mesner

Seconded: Cr Robert Radel

That in accordance with Section 150ES of the *Local Government Act 2009*, Cr Payne remain in the room for the meeting to participate in the discussion but will leave the room for the debate and vote in relation to Item 11.1 - Review of Public Washdown Facilities' Compliance and Operations.

In Favour: Crs Leslie Hotz, Robert Radel and Kingsley Mesner

Against: Crs Melinda Jones, Dael Giddins and Michael Dingle

Abstained: Cr Susan Payne

**LOST 3/4**

Through the Chair, Margot Stork (CEO) clarified the above resolution was that Council was prepared to hear representations from Cr Payne.

With the above noted, Cr Payne voluntarily decided not to participate in the decision as per *Local Government Act 2009 150ES(2)* and intends to remain in the room for the discussion and leave the room for the debate and vote.



I, Cr Jones inform this meeting that I have a declarable conflict of interest in relation to **Item 11.1 - Review of Public Washdown Facilities' Compliance and Operations** due to being a part owner of a Cattle Breeding business and use the Washdown facilities across the region.

I ask fellow Councillors to consider me leaving the room during the debate and any subsequent motion.

#### DECLARATION OF INTEREST – CR JONES

##### RESOLUTION 2023/42

Moved: Cr Kingsley Mesner

Seconded: Cr Robert Radel

That in accordance with Section 150ES of the *Local Government Act 2009*, Cr Jones to leave the room for the discussion and vote in relation to Item 11.1 - Review of Public Washdown Facilities' Compliance and Operations.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones and Kingsley Mesner

Against: Crs Susan Payne, Dael Giddins and Michael Dingle

**CARRIED 4/3**

I, Cr Radel inform this meeting that I have a perceived conflict of interest in relation to **Item 11.1 - Review of Public Washdown Facilities' Compliance and Operations** due to being an owner of a Dairy Farm in the region that may use the Washdown Facilities across the region.

I ask fellow Councillors to consider me remaining in the room during the debate and any subsequent motion.

#### DECLARATION OF INTEREST – CR RADEL

##### RESOLUTION 2023/43

Moved: Cr Kingsley Mesner

Seconded: Cr Michael Dingle

That in accordance with Section 150ES of the *Local Government Act 2009*, Cr Radel remain in the room for the meeting for the debate and vote in relation to Item 11.1 - Review of Public Washdown Facilities' Compliance and Operations.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

**NOTE:** Mayor Hotz noted that he too utilises the Washdown facilities throughout the region.

Mayor Hotz had a matter of urgent business which he requested be dealt with concerning aspects of the possible closure of Biggenden National Australia Bank (NAB). This matter will be dealt with prior to the conclusion of the meeting under **Item 13 - Urgent Business**.

## 8 CONFIRMATION OF MINUTES

### 8.1 MINUTES OF THE GENERAL MEETING HELD ON 22 MARCH 2023

#### OFFICERS RECOMMENDATION

That the Minutes of the General Meeting held on 22 March 2023 be confirmed.

#### RESOLUTION 2023/44

Moved: Cr Kingsley Mesner

Seconded: Cr Dael Giddins

That the Minutes of the General Meeting held on 22 March 2023 be confirmed.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

### 8.2 MINUTES OF THE SPECIAL MEETING HELD ON 5 APRIL 2023

#### OFFICERS RECOMMENDATION

That the Minutes of the Special Meeting held on 5 April 2023 be confirmed.

#### RESOLUTION 2023/44

Moved: Cr Kingsley Mesner

Seconded: Cr Dael Giddins

That the Minutes of the Special Meeting held on 5 April 2023 be confirmed.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

## 9 OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 9.1 APPOINTMENT OF ACTING CEO

#### OFFICERS RECOMMENDATION

That Council, in accordance with Section 195 of the *Local Government Act 2009*, resolves to appoint Councils General Manager Works Ms Anna Scott, as Acting Chief Executive Officer effective from 5.00 pm Friday 28 April 2023 until 8.30 am Monday 8 May 2023 when Ms Margot Stork (CEO) will resume normal duties.

#### RESOLUTION 2023/46

Moved: Cr Robert Radel

Seconded: Cr Michael Dingle

That Council, in accordance with Section 195 of the *Local Government Act 2009*, resolves to appoint Councils General Manager Works Ms Anna Scott, as Acting Chief Executive Officer effective from 5.00 pm Friday 28 April 2023 until 8.30 am Monday 8 May 2023 when Ms Margot Stork (CEO) will resume normal duties.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

## **9.2 2022-2023 (FY23) - QUARTERLY PROGRESS REPORT (Q3)**

### **OFFICERS RECOMMENDATION**

That Council receive the 2022-23 (FY23) Q3 Progress Report for the period 1 January 2023 – 31 March 2023.

#### **202304\_1 Item 9.2 QON**

Cr Jones queried if the people counter statistics for the Mundubbera Customer Service and Library Centre and Art Gallery could be split (page 55 of the Agenda, point 3 of the 2022-23 (FY23) Q3 Progress Report). Through the Chair, Margot Stork (CEO) responded to Cr Jones noting that the current method of recording interactions is not optimum, and a review is currently underway to develop a better way of capturing data more accurately at the Mundubbera facility. Margot Stork (CEO) noted that the question would be taken on notice and an update would be provided to Councillors once a solution is established.

#### **202304\_2 Item 9.2 QON**

Cr Jones highlighted that the Illegal Dumping figures had doubled since the last quarter. However, there appeared to be no Compliance Notices issued (page 88 of the Agenda) and sought clarification on this. Through the Chair, Andrew Knight (Interim General Manager – Corporate and Community) responded to Cr Jones noting that the question would be taken on notice and a response would be provided in an upcoming Councillor Bulletin.

#### **202304\_3 Item 9.2 QON**

Cr Jones noted that on page 71 of the Agenda, Eidsvold was incorrectly referenced under the subheading of Monto Waste Facility Fencing – this should have been Monto Fencing. Through the Chair, Margot Stork (CEO) responded to Cr Jones noting that the correction would be made in the 2022-23 (FY23) Q3 Progress Report before publishing to the website.

#### **202304\_4 Item 9.2 QON**

Cr Jones requested clarification on the Workflow Measures where zero (0) was recorded against Grading Zones 1 and 3 on page 81 of the Agenda. Through the Chair, Anna Scott (General Manager – Works) noted that grading resources have been diverted across to construction teams which is overall improving the quality of the road network. Anna Scott (General Manager - Works) noted that in many cases Council is grading ahead of the schedule and there is no impact on programming. Margot Stork (CEO) noted that in future reports, commentary will be provided when workflow measures on Grading Zones are zero (0) to inform of any operational impacts.

#### **202304\_5 Item 9.2 QON**

Cr Payne expressed her disappointment regarding the commencement of a tender process for the Kerbside Waste Collection Contract without further engagement with Councillors. Through the Chair, Margot Stork (CEO) noted that this would be taken on notice and a further information Workshop with Councillors will be tabled.

#### **202304\_6 Item 9.2 QON**

Cr Payne queried the significant reduction in Purchase Orders raised in quarter 3 on page 110 of the Agenda. Through the Chair, Andrew Knight (Interim General Manager – Corporate and Community) noted that the Finance team are looking to change the main purchasing method to Credit Cards for low level purchases which will create more efficiencies in the financial system. Andrew Knight (Interim General Manager – Corporate and Community) noted that this change is

planned to be implemented by 30 June 2023.

#### **202304\_7 Item 9.2 QON**

Cr Payne queried if the Safer Internet Day hosted by the Monto Neighbourhood Centre will be presented across the region. Through the Chair, Andrew Knight (Interim General Manager – Corporate and Community) noted that the question would be taken on notice.

#### **202304\_8 Item 9.2 QON**

Cr Payne requested that the Quarterly Progress Report is published on Councils website and reference to the published report is mentioned through Media. Through the Chair, Margot Stork (CEO) confirmed that the Quarterly Progress Report will be published on Councils website and reference to the published report will be included in subsequent Mayoral Releases.

#### **RESOLUTION 2023/47**

Moved: Cr Susan Payne

Seconded: Cr Dael Giddins

That Council receive the 2022-23 (FY23) Q3 Progress Report for the period 1 January 2023 – 31 March 2023.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

At 9.54am, Rhys Habermann (Business Analyst) left the meeting.

### 9.3 COUNCIL OWNED HOUSING

#### OFFICERS RECOMMENDATION

That Council:

1. Adopt by Resolution Policy 2320 Council Owned Housing.
2. Endorses Administrative Direction Council Owned Housing.
3. Authorises the Chief Executive Officer to enter into an agreement to engage a local Real Estate Property Agent/s to assist in managing the tenancy arrangement for each 'Council Owned House', on terms most beneficial to Council.

#### QUESTIONS

##### 202304\_9 Item 9.3 QON

Cr Jones queried if the positions listed on page 124 of the Agenda, section 9 of the Policy Statement, could be extended to include other roles that may be allocated housing. Through the Chair, Michael Cartwright (Governance, Risk and Policy Advisor) noted that the roles would vary from time to time and housing would be allocated to positions based on operational needs. Michael Cartwright (Governance, Risk and Policy Advisor) noted other considerations such as the candidate's personal circumstances, their locality, role requirements and responsibilities. Michael Cartwright (Governance, Risk and Policy Advisor) noted that he would incorporate feedback from Cr Jones.

#### RESOLUTION 2023/48

Moved: Cr Dael Giddins

Seconded: Cr Robert Radel

That Council:

1. Adopt by Resolution Policy 2320 Council Owned Housing.
2. Endorses Administrative Direction Council Owned Housing.
3. Authorises the Chief Executive Officer to enter into an agreement to engage a local Real Estate Property Agent/s to assist in managing the tenancy arrangement for each 'Council Owned House', on terms most beneficial to Council.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

## 10 CORPORATE AND COMMUNITY

### 10.1 FINANCE REPORT TO 31 MARCH 2023

#### OFFICERS RECOMMENDATION

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 31 March 2023.

#### QUESTIONS

##### 202304\_10 Item 10.1 QON

Cr Payne requested that a breakdown be provided for the cash equivalents of the \$30million listed under Current Assets, Cash and Cash Equivalents on page 136 of the Agenda. Through the Chair, Andrew Knight (Interim General Manager – Corporate and Community) noted that a breakdown would be incorporated in future reports.

##### 202304\_11 Item 10.1 QON

Cr Payne queried why Sewerage has decreased under Operating Revenue on page 135 of the Agenda. Through the Chair, Owen Jensen (Financial Services Manager) responded to Cr Payne noting that the decrease is likely due to the timing in the budget phase. Through the Chair, Margot Stork (CEO) noted that the question would be taken on notice and a response would be provided prior to the next Council General Meeting.

#### RESOLUTION 2023/49

Moved: Cr Dael Giddins

Seconded: Cr Michael Dingle

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 31 March 2023.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

## 10.2 MUNDUBBERA DRIVER REVIVER

### OFFICERS RECOMMENDATION

That Council:

1. Resolves to grant a Licence Agreement over part of Lot 1 RP148105 to *The Lions Club of Mundubbera Inc.* for a period of ten years, for the purposes of conducting a driver reviver community service and storage;
2. Authorises the Chief Executive Officer to determine appropriate conditions of tenure; and
3. Consider formally thanking the club for their community initiative.

### RESOLUTION 2023/50

Moved: Cr Dael Giddins

Seconded: Cr Susan Payne

That Council:

1. Resolves to grant a Licence Agreement over part of Lot 1 RP148105 to *The Lions Club of Mundubbera Inc.* for a period of ten years, for the purposes of conducting a driver reviver community service and storage;
2. Authorises the Chief Executive Officer to determine appropriate conditions of tenure; and
3. Consider formally thanking the club for their community initiative.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

## 11 WORKS

At 10.19am, Cr Jones left the meeting having earlier declared a conflict of interest in relation to this item.



## 11.1 REVIEW OF PUBLIC WASHDOWN FACILITIES' COMPLIANCE AND OPERATIONS

### OFFICERS RECOMMENDATION

That Council resolve to:

1. Close the Mundubbera Washdown Facility as soon as reasonably possible.
  - (a) That two (2) weeks' notice be provided to interested parties that the facility will close, and locations of alternative services be provided via site signage, social media, and newspaper advertisement.
  - (b) That the site be decommissioned and repurposed.
2. Authorise a two-stage rectification program of the three remaining washdown facilities at Gayndah, Eidsvold, and Monto with funds to be made available and authorised in subsequent years' budgets for this purpose.
  - (a) Stage 1 being the rectification of minor defects and implementation of a more viable operating model:
    - (i) Upgrade remaining sites to National Truckwash System status by installing AVDATA units at Gayndah and Monto to collect payment for all sites and provide usage data for future decision making.
    - (ii) Set payment rates at the same level for all sites and consistent with industry standards based on the National Truckwash System rates.
    - (iii) Implement minor upgrades and reinstate lapsed third-party waste management program to make the three remaining sites as compliant as possible in the short-term.
    - (iv) Engage suitably qualified consultants to develop Project Plans to be ready to access external funding for large capital upgrades to provide ongoing environmental compliance.
  - (b) Stage 2 being the completion of upgrades to meet full compliance and seeking alternate opportunities to ensure regional continuity for this non-core business activity:
    - (i) Access external funding to carry out compliance upgrades when available using pre-developed Project Plans
    - (ii) Seek to withdraw from this non-core service by transfer of facilities to appropriate stakeholder groups once sites are fully environmentally compliant.

Mayor Hotz opened the floor to Cr Payne for Council to hear representations.

At 10.34am, Cr Payne left the meeting having earlier declared a conflict of interest, voluntarily decided not to participate in the discussion further and left the meeting for the debate and vote.

At 10.41am, Shaun Johnston (Water and Wastewater Manager) joined the meeting.

**RESOLUTION 2023/51**

Moved: Cr Robert Radel

Seconded: Cr Michael Dingle

That Council:

- 1) Resolve to put an immediate temporary closure on the Mundubbera Washdown facility due to compliance concerns while investigations commence into a potential and compliant alternative for future use.
- 2) That notice be provided onsite that the facility has closed and that investigations will commence into a potential and compliant alternative for future use; and locations of alternative services be provided via site signage, social media, and newspaper advertisement.
- 3) That this matter be tabled at a future General Meeting of Council with outcomes of the investigation.

In Favour: Crs Leslie Hotz, Robert Radel, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 5/0**

At 11.18am, Shaun Johnston (Water and Wastewater Manager) left the meeting.

At 11.18am, Cr Jones and Cr Payne returned to the meeting.

**11.2 CEMETERY SERVICE LEVEL CHANGE - PROVISION OF TOILETS****OFFICERS RECOMMENDATION**

That Council resolves to retain the current level of service for cemeteries.

**RESOLUTION 2023/52**

Moved: Cr Susan Payne

Seconded: Cr Dael Giddins

That Council resolves to retain the current level of service for cemeteries.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

## 12 COUNCILLOR REPORTS

### 12.1 MAYOR AND COUNCILLORS REPORTS

#### OFFICERS RECOMMENDATION

That the Councillor Reports be received for the period of 1 March 2023 to 31 March 2023.

#### RESOLUTION 2023/53

Moved: Cr Dael Giddins  
Seconded: Cr Kingsley Mesner

That the Councillor Reports be received for the period of 1 March 2023 to 31 March 2023.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

## 13 URGENT BUSINESS

Mayor Hotz raised a matter of urgent business concerning correspondence received on 13 April 2023 in relation to a Senate inquiry into regional bank closures and the possible closure of the Biggenden National Australia Bank (NAB).

#### RESOLUTION 2023/54

Moved: Cr Robert Radel  
Seconded: Cr Dael Giddins

That Council request that the CEO write to the National Australia Bank (NAB) to voice concerns of closing regional service centres for rural and remote communities (specifically the Biggenden branch) and request reconsideration of their decisions.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

## 14 CONFIDENTIAL REPORTS

### OFFICERS RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275(1) of the *Local Government Regulation 2012*:

#### 14.1 Update - Recovery of Outstanding Rates

This matter is considered to be confidential under Section 254J(3) - e of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against local government.

#### RESOLUTION 2023/55

Moved: Cr Robert Radel

Seconded: Cr Dael Giddins

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275(1) of the *Local Government Regulation 2012*:

#### 14.1 Update - Recovery of Outstanding Rates

This matter is considered to be confidential under Section 254J(3) - e of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against local government.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

### THE MEETING MOVED INTO A CLOSED SESSION AT 10.14AM.

**NOTE:** During the confidential closed session, Councillors discussed the content in the confidential report listed above.

#### RESOLUTION 2023/56

Moved: Cr Melinda Jones

Seconded: Cr Robert Radel

That Council moves out of Closed Session into Open Session.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

### THE MEETING MOVED BACK INTO AN OPEN SESSION AT 10.43AM.

**14.1 UPDATE - RECOVERY OF OUTSTANDING RATES****OFFICERS RECOMMENDATION**

That Council:

1. Receives and Notes the Update – Recovery of Outstanding Rates report; and
2. Change the reporting cycle for progress updates from bimonthly to quarterly.

**RESOLUTION 2023/57**

Moved: Cr Kingsley Mesner

Seconded: Cr Michael Dingle

That Council:

1. Receives and Notes the Update – Recovery of Outstanding Rates report; and
2. Change the reporting cycle for progress updates from bimonthly to quarterly.

In Favour: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

**15 CLOSURE OF MEETING**

The Meeting closed at 11.44am.

The minutes of this meeting were confirmed at the General Meeting held on 24 May 2023.

.....  
**CHAIRPERSON**

**9 OFFICE OF THE CHIEF EXECUTIVE OFFICER****9.1 CURRENT OUTSTANDING COUNCIL RESOLUTIONS REPORT****Doc Id:** 1150591**Author:** Kat Bright, Senior Executive Assistant To The CEO**Authoriser:** Margot Stork, Chief Executive Officer**Attachments:** 1. Outstanding Resolutions Report as at 11052023 [1150598]**INTRODUCTION/BACKGROUND**

This report provides a summary of outstanding resolutions for North Burnett Regional Council from July 2020 to April 2023 (date range determined by oldest outstanding resolution).

**OFFICER COMMENTS/CONCLUSION**

A total of twenty-six (26) resolutions are outstanding for the period July 2020 to April 2023. The attached table details updates for each outstanding resolution.

This report will be tabled at the monthly General Meeting of Council to provide ongoing updates in relation to any resolution that remains outstanding.

**OFFICERS RECOMMENDATION**

That Council receive the Current Outstanding Council Resolutions Report from July 2020 to April 2023.

Outstanding Resolutions Report (by date)

Printed: Thursday, 11 May 2023 8.56AM

#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
<b>Outstanding Resolutions 2020</b>							
1	22/07/2020	2020/99	Sale Price of Mundubbera Lots (repeal of reserve price)	That Council resolves to: <ol style="list-style-type: none"> <li>a. repeal the portion of Council resolution 809-12-2012, that set the reserve price of any remaining saleable allotments on SP199370 (Elizabeth Street, Mundubbera) and RP883244 (Jack Parr Street, Mundubbera);</li> <li>b. endorse the remaining vacant allotments being made available for disposal in accordance with the Local Government Regulations 2012, by open tender.</li> </ol>	Contracts & Leasing	Work In Progress	Report scheduled for an upcoming General Meeting with an Officers recommendation to rescind resolution 2020/99 (this res) and seek endorsement of new recommendations.
2	23/09/2020	2020/115	Lease renewal via s236 LG Regs Exception - To existing tenants	1. That Council resolves the exception under s 236(1)(b)(ii) of the Local Government Regulation 2012 (Qld) applies to entering into a new lease or disposal arrangement over the following properties to the respective community entities: <ol style="list-style-type: none"> <li>a) for lease of Lot 133 RW223, with the Mungungo Sports and Recreation Club Inc, being a 'community organisation' (current lease No 447); and</li> <li>b) for lease of Lease C in Lot 3 RP28439, with the Central Burnett Motorcycle Club Inc., being a 'community organisation' (current lease No. 509)</li> </ol>	Contracts & Leasing	Work In Progress	Report scheduled for an upcoming Council Meeting: <ol style="list-style-type: none"> <li>a) Resolution redundant as Council's resignation of Trusteeship finalised 15/03/23; and</li> <li>b) New lease required.</li> </ol>



Outstanding Resolutions Report (by date)

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3	23/09/2020	2020/117	Lease renewal via s236 LG Regs Exception - To existing tenants	<p>2. That Council resolves the exception under s 236(1)(c)(iii) of the Local Government Regulation 2012 (Qld) applies to entering into a new lease or disposal agreement over the following properties to the respective entities, at market value:</p> <p>a) for lease of Lease B in Lot 107 RW 149, with WL, JP &amp; CW Hawken trading as Two Moon Farms (current lease 410); and</p> <p>b) for lease of Lease B in Lot 3 RP168734, with Mast Pastoral Company t/a Monto Veterinary Surgery (current lease 440).</p> <p>3. That the Chief Executive Officer or delegate be authorised to negotiate the terms and conditions of the lease renewals related to resolutions 1 and 2 of this report.</p>	Contracts & Leasing	Work In Progress	Valuations underway. Finalisation of new leases to be completed by end of May 2023.

Outstanding Resolutions Report (by date)

Printed: Thursday, 11 May 2023 8.56AM

#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
<b>Outstanding Resolutions 2021</b>							
4	26/05/2021	2021/52	Offer For Lease – Reginal Murray Williams Australian Bush Learning Centre	That Council receive this report as presented and resolves to: <ol style="list-style-type: none"> <li>1. Call Expressions of Interest for the possible disposal of the asset through lease or sale of the RM Williams Australian Bush Learning Centre in accordance with the requirements of Section 228 of the Local Government Regulation 2012; and</li> <li>2. Council conducts a community survey to gather community sentiment on the future of the RM Williams Australian Bush Learning Centre; and</li> <li>3. Further consider a report on the outcome of the Expressions of Interest and survey feedback at the August 2021 General Meeting.</li> </ol>	Contracts & Leasing	<b>Outstanding</b>	<ol style="list-style-type: none"> <li>1. Completed - Council resolution 2022/117 to decline to proceed with any of the EOI's submitted.</li> <li>2. Outstanding - Draft survey developed. Community consultation to be conducted following the endorsement of the Community Engagement Framework.</li> <li>3. Outstanding – Once community survey/feedback received, report to be tabled at a subsequent Council Meeting.</li> </ol>
5	30/06/2021	2021/64	Service Delivery- Showgrounds	That Council work with Show Societies and the Queensland Department of Resources to remove itself as trustee for the Gayndah, Eidsvold, Monto and Mt Perry Showgrounds and negotiate a model similar to that of the Biggenden and Mundubbera Showgrounds.	Contracts & Leasing	<b>Outstanding</b>	Initial meeting held with Monto Show Society, former Customer Service and Communities Manager, Cr Jones and Mayor Hotz after the resolution was endorsed.

Outstanding Resolutions Report (by date)

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
6	30/06/2021	2021/60	Service Delivery Review- Swimming Pools	That Council: <ol style="list-style-type: none"> <li>1. Continue to maintain and operate existing pools in Biggenden, Eidsvold, Gayndah, Monto and Mundubbera.</li> <li>2. Further investigation and condition assessment of the region's pools is undertaken.</li> <li>3. A fit for purpose asset management strategy is developed and funding sourced to replace existing pools over 10 years.</li> <li>4. Review the operating agreements to ensure the most effective delivery of the service to the community and report to Council on the outcomes.</li> </ol>	Water, Facilities & Assets	Work In Progress	<ol style="list-style-type: none"> <li>1. Noted – continuation as BAU.</li> <li>2. Investigations have confirmed that no immediate work is required on the pool structures, rather Council should commit to a monitoring program to assess water losses.</li> <li>3. Waiting on final structural report and the matter will then be referred to the budget process.</li> <li>4. Outstanding.</li> </ol>
7	28/07/2021	2021/97	Planning Scheme Amendment – Policy Position	That Council: <ol style="list-style-type: none"> <li>1. Receive the Policy Paper prepared by Insite SJC; and</li> <li>2. Resolve in accordance with section 20 of the Planning Act 2016 (the Act) and Chapter 2, Part 4, paragraph 16.1 of the Minister's Guidelines and Rules, to make a major amendment (Business Resilience) to the NB Regional Planning Scheme 2014 intended to reduce development assessment triggers and align content with recent QLD Treasury, Planning Group guidance material.</li> </ol>	Planning & Development	Work In Progress	<ol style="list-style-type: none"> <li>1. Policy paper was accepted. NFA</li> <li>2. Review commenced with the first draft of Major Amendments prepared. The scheme is currently on hold following the release of the Draft Wide Bay Regional Plan.</li> </ol> <p>Insite SJC to provide an update to Council following the Wide Bay Burnett Regional Plan meeting held early-May 2023.</p>

Outstanding Resolutions Report (by date)

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
8	28/07/2021	2021/98	Biosecurity Program Authorisation (Prevention and Control Program)	That Council: Pursuant to section 235 of the Biosecurity Act 2014 (the Act) authorise a Biosecurity Program (program authorisation) as presented and subject to any recommendations by the community and the Department of Agriculture and Fisheries for the prevention and control of Hymenachne and Rubber Vine during the period 16 August 2021 to 23 December 2022.	Environment	<b>Outstanding</b>	Waiting on advice from Department of Agriculture and Fisheries.

Outstanding Resolutions Report (by date)

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
<b>Outstanding Resolutions 2022</b>							
9	23/02/2022	2022/29	North Burnett Landcare Group Inc. <i>(Now legally known as Monto Landcare Group Inc.)</i>	<p>That Council:</p> <ol style="list-style-type: none"> <li>Note the contents of this report.</li> <li>Authorise the Chief Executive Officer to negotiate and finalise a Trustee Lease to North Burnett Landcare Group Inc on terms consistent with the Reserve purpose of "Public Halls" and the Land Act, including terms to ensure broad community access, with a lease term until 30 June 2033 for Lot 1 M74755.</li> <li>In the event, that after negotiations with North Burnett Landcare Group Inc that they do not wish to proceed with a new lease, resolve to relinquish Trusteeship of Reserve for Public Halls being Lot 1 M74755.</li> <li>Resolve to offer no objections to any application by North Burnett Landcare Group Inc to purchase or apply for Trusteeship of Reserve for Public Halls being Lot 1 M74755.</li> <li>Resolve to offer no objections to any application by North Burnett Landcare Group Inc to purchase or apply for Trusteeship of Reserve for Park being Lot 2 M74755.</li> <li>Resolve to offer no objections to any application by North Burnett Landcare Group Inc to purchase</li> </ol>	Contracts & Leasing	<b>Work In Progress</b>	<p>Negotiations ongoing with Monto Landcare Group Inc.</p> <p>Report scheduled for an upcoming General Meeting to coincide with budget discussions.</p>

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
				<p>or apply for Trusteeship of current Unallocated State Land being Lots 3 &amp; 4 M74755.</p> <p>7. Resolve to relinquish Trusteeship of Reserve for Park being Lot 2 M74755.</p> <p>8. Resolve to cease to supply North Burnett Landcare Group Inc with any no cost allocation of water effective, 01 March 2022.</p> <p>9. Resolve that from 01 March 2022, that North Burnett Landcare Group Inc be charged full water access and consumption charges pursuant to Council's adopted Revenue Statement.</p> <p>10. Authorise the Chief Executive Officer to request a report from North Burnett Landcare Group Inc with regards to the progress of the Wetlands Project, on current leases over Lot 2 RP153207 and Lot 7 SP155908, and take any actions deemed appropriate. This report is to be presented at a Councillor Information Workshop.</p>			

Outstanding Resolutions Report (by date)

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
10	27/01/2022	2022/19	Tender for Lease of Gayndah Airport Refuelling Facility	That Council: <ol style="list-style-type: none"> <li>1. Resolve to conduct a Tender for the lease of Gayndah Airport Refuelling Facility located at 2 John Taylors Road, Gayndah; being part of Lot 2 RP201121.</li> <li>2. Authorise the Chief Executive Officer to enter an agreement for the Gayndah Airport Refuelling Facility Depot (proposed Lease Area "A" 2 within RP201121), on terms to be negotiated by the Chief Executive Officer for period not exceeding ten years.</li> </ol>	Contracts & Leasing	Work In Progress	Internal consultation completed. Briefing to Solicitor undertaken and initial advice received.  Ongoing discussions with QFES.
11	14/12/2022	2022/182	Stock Route Management Policy – Feedback from Public Consultation Period	That Council notes: <ol style="list-style-type: none"> <li>1. The 2273 Stock Route Management Policy and Stock Route Management Procedure were placed on public display from 30 September 2022 until 8 November 2022.</li> <li>2. The public exhibition period for the 2273 Stock Route Management Policy and Stock Route Management Procedure did not generate any public submissions.</li> </ol>	Local Law Compliance	Work In Progress	Final report to be presented to Council at the General Meeting of Council on 24 May 2023.



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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
12	14/12/2022	2022/181	Mount Perry Community Development Board Incorporated – Request for Exemption from Hall Hire Fees	That Council: 1. Decline to grant Mount Perry Community Development Board Incorporated a fee waiver for use of the community hall. 2. Formal correspondence be sent to Mount Perry Community Development Board Incorporated advising them of Council's decision and that 2022/23 Fees and Charges will be upheld. 3. A review of policies relating to fees and charges for community groups hiring Council facilities be undertaken.	Customer Experience & Communities	Outstanding	1. Completed. 2. Completed. 3. Outstanding - Fees and charges have been reviewed and remain constant. The Policy will need to be reviewed to reconsider the spaces that Council offers as free to community groups.  Policy review will be undertaken in the third quarter of 2023.
13	23/11/2022	2022/172	Mount Perry State School P&C request for financial support	That: 1. The report, Mount Perry State School P&C Request for Financial Support, lay on the table. 2. The Chief Executive Officer to seek further information and table a report at a future General Meeting of Council early in the New Year.	Office of the CEO	Work In Progress	Matter progressing as part of Budget discussions.



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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
14	23/11/2022	2022/169	Wandering Livestock Policy Review	That Council: 1. Endorse 2274 Wandering Livestock Policy for public display. 2. Place 2274 Wandering Livestock Policy on public display and invite feedback, for a period of twenty-eight (28) days. 3. Table the 2274 Wandering Livestock Policy; a summary of any community feedback; as well as any potential recommendations for Policy changes resulting from the public display period, at a General Council meeting after a public display period has concluded.	Local Law Compliance	Work In Progress	1. Completed. 2. Community consultation ended 23/12/22. 3. Report to be tabled at an upcoming Council Meeting.
15	26/10/2022	2022/163	Rural Fire Levy Expenditure	That Council: 1. Endorse Biggenden Rural Fire Brigade's request to utilise Rural Fire Levy funds to the value of \$35,813.15 towards construction of a suitably approved shed at Saleyards Road, Biggenden; and 2. Endorse Mount Perry Rural Fire Brigade's request to utilise Rural Fire Levy Funds to the value of \$900.00 to install a Wireless Access Point at 11 Elliot Street, Mount Perry.	Disaster Management	Outstanding	Pending outcome of discussions with QFES.

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
16	24/08/2022	2022/132	Mount Perry Caravan Park	That Council: 1. Resolves to terminate by mutual consent the lease for the period 01 September 2022 to 30 June 2028 with Maclean Parks Pty Ltd, over Lease A SP255553 within Lot 1 on SP117730, located at Heusman Street, Mount Perry, and alternate operating arrangements are explored to maintain this service. 2. Resolves to undertake a review of all Council caravan park operations within the North Burnett region.	Facilities & Assets	Work In Progress	1. Completed. Contract caretakers engaged and managing the park. 2. Contractor engaged to undertake the caravan park review. Awaiting review outcome.
17	21/07/2022	2022/117	Reginald Murray Williams Australian Bush Learning Centre – Expression of Interest Recommendation	That Council: 1. Decline to proceed with any of the Expressions of Interest submitted. 2. Delegate authority to the Chief Executive Officer to determine a tender process designed to attract innovative solutions for the future operation of the Reginald Murray Williams Australian Bush Learning Centre.	Contracts & Leasing	Outstanding	Refer notes per resolution 2021/52:  Once community survey/feedback received, report to be tabled at a subsequent Council Meeting to determine future directions.

Outstanding Resolutions Report (by date)

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
<b>Outstanding Resolutions 2023</b>							
18	25/01/2023	2023/04	Future Amalgamation for North Burnett Regional Council	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Confirm Councillor representation at the Service Planning Workshop for elected members sponsored by the Department of State Development, Infrastructure, Local Government and Planning and QTC; and</li> <li>2. Council confirms its ongoing support of the current North Burnett Region and advise the public by way of Mayoral Media Release of the full support of Council to continue along the path of consolidating the merger which resulted in the establishment of North Burnett Regional Council.</li> </ol>	Office of the Mayor	<b>Outstanding</b>	<ol style="list-style-type: none"> <li>1. Completed.</li> <li>2. Outstanding.</li> </ol>

Outstanding Resolutions Report (by date)

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
19	25/01/2023	2023/07	Gospel Hall Road – Grid Offer	<ol style="list-style-type: none"> <li>1. Reject the officer’s recommendation.</li> <li>2. Accept the landowners offer to supply grids with the following conditions:                             <ol style="list-style-type: none"> <li>a) New grids are supplied onsite at a mutually agreeable time.</li> <li>b) The landowner is to be responsible for all ongoing maintenance and replacement.</li> <li>c) Council to install two (2) grids as good will to prior agreement dated 7 December 1976.</li> <li>d) The landowner is to comply with Policy 2262 from the date of installation.</li> </ol> </li> </ol>	Civil Works	Work In Progress	<p>Email sent to customer advising outcome of resolution.</p> <p>Awaiting customer response on arrival date of ordered grids allowing Council staff to program installation.</p>
20	25/01/2023	2023/08	Road Register Classification Review	<ol style="list-style-type: none"> <li>1. That Council engages Shepherd Services to undertake a full review of the Road Register to identify assets potentially being overserviced, off alignment or incorrectly classified in the adopted road hierarchy set out in Council’s Road asset management plan.</li> <li>2. The findings are to be returned to Council for review before any service level change.</li> </ol>	Civil Works	Work In Progress	<ol style="list-style-type: none"> <li>1. Shepherds engaged and review underway.</li> <li>2. Outstanding – Awaiting review outcome.</li> </ol>
21	25/01/2023	2023/13	BIEDO 2023 Partnership Proposal	That Council lay the partnership agreement on the table until further clarification is provided, and a report is brought back to Council.	Strategic Relationships	Work In Progress	Currently reviewing partnership with BIEDO.

Outstanding Resolutions Report (by date)

Printed: Thursday, 11 May 2023 8.56AM

#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
22	6/02/2023	2023/16	Digital TV Retransmission	<p>That Council resolves to amend the resolution 2021/42 of 28 April 2021, item 7.1, bullet point 3 – to read as follows:</p> <ol style="list-style-type: none"> <li>To decommission all digital television retransmission equipment at the Eidsvold tower with a view to effecting shutdown on the following date - 30 June 2023.</li> <li>Should retransmission equipment fail at any time prior to 30 June 2023 that renders the retransmission inoperable, then retransmission shutdown will be from the date of the failure.</li> </ol>	ICT	Work In Progress	<ol style="list-style-type: none"> <li>Decommissioning will occur 30 June 2023 as per resolution.</li> <li>Noted.</li> </ol>
23	22/02/2023	2023/22	Monto Administration Building - Future Plan	<p>That Council:</p> <ol style="list-style-type: none"> <li>Resolves to undertake repairs to the Monto Administration Building at 51A Newton Street, Monto Queensland 4630, to the Design Specifications dated 16 March 2022 and Engineering and Architectural Drawings dated 06 April 2022 and 25 March 2022 respectively prepared by Council's consultant structural engineer.</li> <li>Allocate an additional budget of \$137,277 for the stabilising works for the Monto Administration Building.</li> </ol>	Facilities & Assets	Work In Progress	<p>Documentation has been reviewed and due diligence is being undertaken with the consulting engineer on the solution prior to releasing a tender.</p> <p>Repair works will be scheduled for 2023/24 financial year.</p>

Outstanding Resolutions Report (by date)

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
24	26/04/2023	2023/48	Council Owned Housing	That Council: <ol style="list-style-type: none"> <li>1. Adopt by Resolution Policy 2320 Council Owned Housing.</li> <li>2. Endorses Administrative Direction Council Owned Housing.</li> <li>3. Authorises the Chief Executive Officer to enter into an agreement to engage a local Real Estate Property Agent/s to assist in managing the tenancy arrangement for each 'Council Owned House', on terms most beneficial to Council.</li> </ol>	Governance, Policy & Risk	Work In Progress	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. Noted.</li> <li>3. Request for quotation will close at midday on the 17/5/23. Evaluation panel established and will assess offers and award.</li> </ol>
25	26/04/2023	2023/49	Mundubbera Drive Reviver	That Council: <ol style="list-style-type: none"> <li>1. Resolves to grant a Licence Agreement over part of Lot 1 RP148105 to The Lions Club of Mundubbera Inc. for a period of ten years, for the purposes of conducting a driver reviver community service and storage;</li> <li>2. Authorises the Chief Executive Officer to determine appropriate conditions of tenure; and</li> <li>3. Consider formally thanking the club for their community initiative.</li> </ol>	Contracts & Leasing	Work In Progress	Development of a draft Licence Agreement in progress.

Outstanding Resolutions Report (by date)

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#	General Meeting Date	Res #	Res Title	Res Details	Responsible Function	Status	Comments
26	26/04/2023	2023/50	Review of Public Washdown Facilities Compliance and Operations	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Resolve to put an immediate temporary closure on the Mundubbera Washdown facility due to compliance concerns while investigations commence into a potential and compliant alternative for future use.</li> <li>2. That notice be provided onsite that the facility has closed and that investigations will commence into a potential and compliant alternative for future use; and locations of alternative services be provided via site signage, social media, and newspaper advertisement.</li> <li>3. That this matter be tabled at a future General Meeting of Council with outcomes of the investigation.</li> </ol>	Planning & Environment	Work In Progress	<ol style="list-style-type: none"> <li>1. Completed.</li> <li>2. Completed.</li> <li>3. Outstanding.</li> </ol> <p>Report to be tabled at an upcoming Council General Meeting.</p>





## 9.2 COUNCILLOR PARTICIPATION AT UPCOMING LGAQ CONFERENCES AND PROPOSED CHANGE TO THE JULY 2023 ORDINARY COUNCIL MEETING DATE

**Doc Id:** 1144285

**Author:** Tegan Bauer, Executive Assistant to the Mayor  
Michael Cartwright, Governance Policy and Risk Advisor

**Authoriser:** Margot Stork, Chief Executive Officer

**Attachments:** Nil

### EXECUTIVE SUMMARY

There are a range of local government sector conferences, formal networking events and professional development workshops offered for Mayor and Councillor participation, during the calendar year. The intention of this report is to ensure that Councillors have an awareness of upcoming events. It is also intended to enable nomination and endorsement of North Burnett Regional Council representation at the respective events including the Local Government Association Queensland (LGAQ) Bush Councils Convention and LGAQ Annual Conference.

The LGAQ Bush Councils Convention conflicts with Council's Ordinary Meeting scheduled to be held on Wednesday 26 July 2023. This report seeks Council endorsement to change the date of this meeting to allow delegates to attend for the purposes of professional development.

### CORPORATE PLAN

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

#### OUR PRIORITY AREAS:

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

### OFFICERS RECOMMENDATION

That Council, in accordance with Statutory Policy 1003 *Reimbursement and Provision of Facilities for Mayor and Councillors*:

1. Appoint two (2) Councillors and the CEO as formal representatives to attend the Bush Councils Convention 2023 at Goondiwindi from 25-27 July 2023.
2. Appoint two (2) Councillors and the CEO as formal representatives to attend the Local Government Association Queensland Annual Conference in Gladstone from 16-18 October 2023.
3. Agree to pay for the necessary costs directly associated with representation at conferences. Such expenses may include registration fees, travel costs, accommodation, parking and meals.

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

1. Change the scheduled Ordinary Meeting of Council from Wednesday 26 July 2023, to Monday 31 July 2023; and
2. Confirm that Ordinary Meeting of Council will be held in the Council Boardroom, 36 Moreton Street, Eidsvold QLD 4627, commencing at 9.00am.

## REPORT

### **Councillor Participation at Conferences**

As outlined in Statutory Policy 1003 *Reimbursement and Provision of Facilities for Mayor and Councillors*, The Mayor attends the LGAQ Conference & ALGA National General Assembly as primary Delegate – and may attend any other Local Government hosted Conference/Seminar/Workshop/Forum if required and as resolved by the Council. The Mayor may be accompanied by any other Councillor as deemed necessary by the Council.

Upcoming opportunities for Elected Members to represent North Burnett Regional Council include:

#### **1. LGAQ Bush Councils Convention**

The Bush Councils Convention is an opportunity for Councils in rural Queensland to come together and in 2023 is being held in Goondiwindi from 25-27 July 2023 at Waggamba Community Cultural Centre, 26 Russell Street, Goondiwindi. The theme for the 2023 convention has not been released at the time of writing this report.

Cr Giddins and Cr Dingle attended the Bush Council Convention in 2022 at Barcaldine.

Registration: Full registration for the Bush Councils Convention is \$990.00 per person. The networking drinks is \$60.00 per person; and convention dinner is \$120.00 per person. *All quoted prices are inclusive of GST.*

#### **2. LGAQ Annual Conference**

The 2023 LGAQ Annual Conference will be held from 16-18 October 2023 at the Gladstone Entertainment Convention Centre in Gladstone.

Cr Jones, Cr Payne, Cr Giddins and Cr Dingle attended the LGAQ Annual Conference in 2022 at Cairns.

Registration: Registration costs have not yet been released. However, Council's membership with LGAQ provides the Mayor and Chief Executive Officer with complimentary registration.

### **Proposed Change in the July 2023 Council General Meeting Date**

Attendance at Council General Meetings is the core of Councillor civic duties. Due to a conflict of Bush Councils Convention event dates and the advertised date of the Council General Meeting, it is suggested that the Council General Meeting date be vacated and rescheduled.

The *Local Government Regulation 2012* establishes the requirements for Local Government meetings generally:

- a) A local government must meet at least once in each month (s.257(1));
- b) Must meet at one (1) of the local government's public offices; or for a particular meeting—at another place fixed by the local government, by resolution, for the meeting. (s.257(3));
- c) Must, at least once in each year, publish a notice of the days and times when— (a) its ordinary meetings will be held (s.254B(1));
- d) The notice must be published on the local government's website, and in other ways the local government considers appropriate (s.254B(2));
- e) A local government must display in a conspicuous place in its public office a notice of the days and times when its meetings will be held.

Notwithstanding the requirements above, a local government must, as soon as practicable, notify any change to the days and times of the meeting in the same way as the days and times were previously notified (s.254B(4)).

The LGAQ Bush Councils Convention conflicts with the General Meeting of Council scheduled to be held on Wednesday 26 July 2023. It is proposed that the General Meeting of Council be rescheduled to Monday 31 July 2023, enabling the Mayor, nominated Councillors and Chief Executive Officer to attend the Bush Councils Convention.

## **CONSULTATION**

Consultation has been undertaken with Councillors and the Executive Management Team.

## **RISK IMPLICATIONS**

### **Reputation / Political**

Local Government Association Queensland conferences provide Elected Members with an opportunity to information share and engage with counterparts from across the state. Professional conferences equip Councillors to undertake duties and responsibilities on behalf of rate payers and the broader community.

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

### **Occupational Health & Safety (WHS)**

Not applicable.

### **Financial Impact**

Attendance at Local Government sector conference outlined in this report, have been budgeted for as part of the 2023/2024 budget. Additionally, the Mayor and CEO do not pay conference fees to attend the LGAQ State Conference.

The allocated budget for 2022/2023 is \$70,000. As at 28 March 2023, expenditure was \$28,566 with a balance of \$41,434.

Further, a change of Council's General meeting date will have no material impact on Council's financial position.

### **Legal & Regulatory**

Council maintains a low-risk appetite for non-compliance with legal and regulatory requirements. Elected Member delegations at conferences is relevant to Council's Statutory Policy 1003 *Reimbursement and Provision of Facilities for Mayor and Councillors*

### **Environmental**

Not applicable.

### **Property & Infrastructure**

Not applicable.

### **Human Resources**

Not applicable.

### **Information Communications Technology**

Not applicable.

### **Service Delivery**

Councillor participation in formal Local Government Association Queensland events ensures greater capacity to suitably represent rate payers and the broader community.

### **Climate**

Not applicable.

**KEY MESSAGE**

Conferences Convened by Local Government Association Queensland provide an invaluable platform for education, debate and collaboration. The conferences enable North Burnett Regional Council Elected Members to liaise with counterparts from across Queensland and become more equipped with regard to representing rate payers and the broader community.

### 9.3 STOCK ROUTE MANAGEMENT POLICY AND PROCEDURE

**Doc Id:** 1150644

**Author:** Kat Bright, Senior Executive Assistant To The CEO

**Authoriser:** Margot Stork, Chief Executive Officer

**Attachments:** 1. 2273 Stock Route Management Policy [1128922]  
2. PRO-2273 Stock Route Management Procedure [1128921]

#### EXECUTIVE SUMMARY

The existing Stock Route and Road Easement Policy was due for review in 2018. Having considered the existing policy, a new Stock Route Management Policy was tabled for public display in September 2022. A report to Council was tabled in December 2022 noting that the exhibition period did not generate any public submissions.

This report seeks Councils endorsement of the 2273 Stock Route Management Policy and the Stock Route Management Procedure, replacing the existing Stock Route and Road Easement Policy.

#### CORPORATE PLAN

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

#### OUR PRIORITY AREAS:

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

#### OFFICERS RECOMMENDATION

That Council endorse the 2273 Stock Route Management Policy and the PRO-2273 Stock Route Management Procedure.

#### REPORT

There are two previous resolutions of Council.

1. General Meeting of Council held on 28 September 2022:

#### **RESOLUTION 2022/138**

That Council:

1. Endorse 2273 Stock Route Management Policy for public display.
2. Place 2273 Stock Route Management Policy on public display and invite feedback, for a period of twenty-eight (28) days.
3. Endorse the Stock Route Management Procedure for consultation.
4. Place the Stock Route Management Procedure on public display and invite feedback, for a period of twenty-eight (28) days.
5. That 2273 Stock Route Management Policy, the Stock Route Management Procedure and a summary of public feedback be brought to a Council meeting following the end of the public display period with recommendations for any changes to the policy which may result from public display and feedback.

This resolution was completed with the Policy Procedure documents on public display from 30 September 2022, until 8 November 2022. Council did not receive any submissions during the public display period.

## 2. General Meeting of Council held on 14 December 2022:

**RESOLUTION 2022/182**

That Council notes

1. The 2273 Stock Route Management Policy and Stock Route Management Procedure were placed on public display from 30 September 2022 until 8 November 2022.
2. The public exhibition period for the 2273 Stock Route Management Policy and Stock Route Management Procedure did not generate any public submissions.

This resolution was completed as noted.

In line with the above, Officers now seek Council endorsement of the 2273 Stock Route Management Policy and the Stock Route Management Procedure, replacing the existing Stock Route and Road Easement Policy.

**CONSULTATION**

There has been significant consultation with council's Land Protection Officers (LPOs) in relation to biosecurity and cultural heritage issues and the Compliance team regarding Local Laws.

Council sought legal advice before preparing the draft policy.

The draft policy and procedure were tabled at the Councillor Information Workshop held on 7 September 2022 in Mundubbera.

The endorsed 2273 Stock Route Management Policy and the Stock Route Management Procedure were placed on public display to seek community feedback. The advertised public display period was from 30 September 2022 until 8 November 2022. Council did not receive any submissions during the public display period.

**RISK IMPLICATIONS****Reputation / Political**

Having an endorsed Stock Route Management Policy mitigates risk for Council. A Stock Route Management Procedure underpins good governance practices.

**Occupational Health & Safety (WHS)**

The occupational health and safety of LPOs in the field enforcing the policy will be managed via proactive risk assessment protocols on a daily and as needed basis.

**Financial Impact**

Council has advertised fees and charges for the grazing and travelling permits. The cost to the applicant does not meet the cost of providing the administrative and field work. However, effective management of the stock route pasture results in an ongoing community benefit.

The administration procedure allows for a reduction or waiving of fees for hardship, or other documented events such as during periods of drought.

**Legal & Regulatory**

The proposed Council policy is in keeping with the *Stock Route Management Act 2002* and *Stock Route Management Regulations 2003*.

Without the policy there is a risk of stock routes being mismanaged, or actions requiring third party approval (e.g., electricity, road, or water corridors) being overlooked, with legal or regulatory consequences.

**Environmental**

Without the policy there is potential for unchecked use of the stock route network which may negatively impact North Burnett through issues such as the spreading of invasive weeds, erosion, over grazing, or loss of habitat.

**Property & Infrastructure**

The policy will assist council to manage the road network verges and reduce incidents of wandering livestock.

**Human Resources**

Council will need to ensure suitable human resources are available to administer and regulate the use of the stock route network.

**Information Communications Technology**

The officers charged with regulating the road work network will require remote access and mapping technology.

**Service Delivery**

The policy is expected to enhance the current service levels delivered by the Planning and Environment team.

**Climate**

The efficient management of the grazing resources associated with the stock route is essential to ensuring climatic events do not impact the grazing industry.

**KEY MESSAGE**

Council has a responsibility to ensure the efficient use of the stock route network, for the benefit of stockholders and the community generally.

It is essential that council actively educates the community about the policy and administration procedure to reduce potential incidents of over grazing, wandering livestock, underutilised pasture, and the spread of invasive weeds.

## 2273 Stock Route Management

### Governance Policy



#### PURPOSE

- 1) The purpose of this Policy is to create a consistent approach for the ongoing management of Stock Routes, and Roads within the North Burnett Regional Council Area used for the purpose of grazing and/or moving livestock pursuant to the *Stock Route Management Act 2002* (Qld) and the North Burnett Regional Council Local Law No.2 (Animal Management).

#### SCOPE

- 2) This policy applies to all Relevant Land within Council's local government area where landowners or other individuals seek to move and/or graze their livestock and will be applied in accordance with the requirements of the Act.

#### DEFINITIONS

Term	Definition
Act	<i>Stock Route Management Act 2002</i> (Qld)
Community	The residents of any location occurring within the Council defined boundaries of the North Burnett Region.
Council	North Burnett Regional Council.
Effective Control	Control measures that restrict and prevent the movement of livestock from the areas they are permitted to occupy/graze. This may include fencing, tethering or other means to achieve such control, where failures to contain livestock do not occur.
Livestock	Cattle, horses, goats, sheep, pigs or any other animal used for agricultural purposes.
North Burnett Region	Includes all properties, roads and other land that fall within the defined boundary of the North Burnett Regional Council area.
Regulation	<i>Stock Route Management Regulation 2003</i> (Qld)
Relevant Land	Means a Stock Route, a reserve for travelling stock or a road under Council's control.
Reserve	Means a reserve for travelling stock which is land dedicated as a reserve under the <i>Land Act 1994</i> (Qld) and may be used for travelling stock.
Road	Includes all Council controlled roads within the North Burnett Local Government Area and includes Rural Road Easements.
Stock Route	A road or route ordinarily used for travelling stock or declared under a regulation to be a stock route.
Stock Route Agistment Permit	Permit for the agistment of stock for grazing purposes on Stock Routes and issued under Chapter 3, Part 4, Division 1 of the Act.
Stock Route Travel Permit	Permit to allow stock driven on foot on relevant land in Council's area and issued under Chapter 3, Part 5 of the Act.
Wandering Livestock / Unauthorised Grazing	The animal is not under the effective control of someone, and the animal is in either a public place or a private place without the consent of the occupier.



## POLICY

- 3) Council is responsible for the administration and management of Relevant Land across the North Burnett Region. The Act contains the legislative requirements for the administration and management of Stock Routes, Reserves and Roads by providing for an application, approval and renewal process for obtaining a Stock Route Agistment Permits and/or Stock Route Travel Permits (“Permit”).
- 4) Council is not required to adopt a Stock Route Network Management Plan as provided for in section 104 of the Act.

## OBJECTIVES

- 5) The objectives of this policy are to:
  - (a) Establish a transparent and consistent approach to stock route management;
  - (b) Ensure sufficient pasture resources are retained by providing greater access to available grazing resources;
  - (c) Reduce pasture resource wastage within the Relevant Land;
  - (d) Reduce incidents of wandering livestock and unauthorised grazing;
  - (e) Outline Council’s role as the administrator of applications for Stock Route Agistment and Stock Route Travel Permits as provided for under the Act.

## PRINCIPLES

- 6) Council aims to mitigate risks associated with incidents of wandering livestock and unauthorised grazing on Relevant Land through the assessment of applications and appropriate conditions imposed on Permits issued under the Act.
- 7) During times of declared drought, Council will promote the option for livestock owners and/or other individuals within the North Burnett Region to apply for the relevant Permit for stock grazing purposes on Relevant Land.
- 8) Council will promote the grazing of livestock on Relevant Land where there is sufficient width of the Relevant Land to support livestock grazing and minimise safety risks to persons and property.
- 9) Unless an exemption in section 133 of the Act applies, the grazing of stock can only occur once Council has approved a Permit pursuant to the requirements of the Act.
- 10) This policy operates in conjunction with Council’s Wandering Livestock Policy and associated procedures.
- 11) Council is authorised under section 128 of the Act to cancel a Permit if satisfied:
  - (a) the Permit was issued because of a materially false or misleading representation or document (either made verbally or in writing);
  - (b) the Permit Holder has not complied with a condition of the Permit; or
  - (c) the Relevant Land under the Permit can no longer provide enough pasture or water for the continued agistment and the use of travelling stock.

If cancelling a Permit under section 128, Council will follow the required procedure outlined in sub-section (2).

## ROLES AND RESPONSIBILITIES

- 12) Council is responsible for the management of the Stock Route Network within the North Burnett Region which is primarily achieved through the administration of its Permit assessment and compliance process.
- 13) As such, Council is responsible for appropriately assessing Permit applications and imposing relevant conditions on Permits in accordance with the requirements of the Act.
- 14) Livestock Owners and other individuals seeking to graze stock on Relevant Land are responsible for obtaining the required Permit and carrying out the activity in accordance with the Permit conditions.

- 15) Permit Holders (and Livestock Owners without a Permit) will assume all responsibility associated with grazing stock on Relevant Land and will be liable for any and all claims, damage and/or losses that arise in carrying out the activity.

**RELATED DOCUMENTS**

- 16) Related documents are:
  - a) Stock Route Permit Procedure;
  - b) Application for Stock Route Grazing (Agistment) Permit;
  - c) Application for Stock Route Travel Permit; and
  - d) Wandering Livestock Policy.

**RESPONSIBLE OFFICER**

General Manager Corporate and Community

**APPROVAL DATE**

28 September 2022

**REVIEW DATE**

September 2026 (Standard four year term)

**REVISION HISTORY**

Version	Meeting	Approval Date	History
1	General	28 September 2022	New

## PRO-2273 Stock Route Management Procedure



### 1. PURPOSE

The purpose of these procedures are to support the Stock Route Management Policy pursuant to the *Stock Route Management Act 2002 (Qld)* (the 'Act') *Stock Route Management Regulation 2003* and the North Burnett Regional Council Local Law No.2 (Animal Management).

### 2. SCOPE

This procedure establishes a framework for the assessment, approval and limitation by-way of conditions when processing Permits to be issued under the Act.

These procedures apply to the following permit types:

1. Short term Stock Route Travel Permit; and
2. Short term Stock Route Grazing (Agistment) Permit

### 3. DEFINITIONS

Term	Definition
Act	<i>Stock Route Management Act 2002 (Qld)</i>
Community	The residents of any location occurring within the Council defined boundaries of the North Burnett Region.
Council	North Burnett Regional Council
Effective Control	Control measures that restrict and prevent the movement of livestock from the areas they are permitted to occupy/graze. This may include fencing, tethering or other means to achieve such control, where failures to contain livestock do not occur.
Livestock	Cattle, horses, goats, sheep, pigs or any other animal used for agricultural purposes.
North Burnett Region	Includes all properties, roads and other land that fall within the defined boundary of the North Burnett Regional Council area.
Regulation	<i>Stock Route Management Regulation 2003 (Qld)</i>
Relevant Land	Means a Stock Route, a reserve for travelling stock or a road under Council's control.
Reserve	Means a reserve for travelling stock which is land dedicated as a reserve under the <i>Land Act 1994 (Qld)</i> and may be used for travelling stock.
Road	Includes all Council controlled roads within the North Burnett Local Government Area and includes Rural Road Easements.
Stock Route	A road or route ordinarily used for travelling stock or declared under a regulation to be a stock route.
Stock Route Grazing (Agistment) Permit	Permit for the agistment of stock for grazing purposes on Stock Routes and issued under Chapter 3, Part 4, Division 1 of the Act.
Stock Route Travel Permit	Permit to allow stock driven on foot on relevant land in Council's area and issued under Chapter 3, Part 5 of the Act.
Wandering Livestock / Unauthorised Grazing	The animal is not under the effective control of someone, and the animal is in either a public place or a private place without the consent of the occupier?

## 4. PROCEDURE

### PROCEDURE DETAIL

A stock route travel permit must be obtained to move stock on foot on:

- stock routes
- reserves for travelling stock
- roads and other land under local government control
- unallocated state land adjoining any of these listed land types.

### Exemptions

You do not need a permit when moving stock between properties if all the following apply:

- the properties are owned by the same landowner and worked as a single enterprise
- travel occurs during a single day in daylight hours
- travel is for animal husbandry or property management purposes only.

You also do not need a stock route network travel permit to transport stock by truck or rail, but other [legal requirements when transporting animals](#) may apply.

### Who can apply

Any stock owner or their authorised agent can apply for a travel permit.

You do not need to live in the local government area where the application is submitted. The stock owner is the holder of the permit.

### Stock Route Travel Permit Application

- *Complete Stock Route Travel Permit Application* – applicants to fill in all required fields including entire journey from place of origin of stock and destination.
- Applicants are required to provide a map of the proposed areas (grazing or travelling) in their application.
- Applicants must provide a copy of a current certificate of currency for \$20M Public Liability cover.
- The cost for each permit is currently \$30 but is subject to change. (As per Council's Schedule of Fees and Charges).
- Please allow 3-5 business days prior to intended stock travel dates for application/s to be assessed.

More information is available on the following link: [Stock route travel permits | Environment, land and water | Queensland Government \(www.qld.gov.au\)](#)

### Stock Route Grazing Permit Application

- *Stock Route Grazing Permit Application* – provide reasons for the request to graze livestock on a roadway/stock route including all/any Lot/Plan number nearest to the grazing location.
- Applicants are required to provide a map of the proposed areas (grazing or travelling) in their application.
- Applicants must provide a copy of a current certificate of currency for \$20M Public Liability cover.
- The cost for each permit is currently \$30 but is subject to change. (As per Council's Schedule of Fees and Charges).
- Please allow 3-5 business days prior to intended stock travel dates for application/s to be assessed.

Note: Applications can generally be lodged in person or by post, or via email.

### In person:

Gayndah: 34 Capper Street, Gayndah 8.30am -11.30am & 12.30pm – 4.30pm

Mundubbera: 30 Lyons Street, Mundubbera - 11.30am & 12.30pm – 4.30pm

Monto: 50 Newton Street, Monto - 11.30am & 12.30pm – 4.30pm

Mt Perry: 66 Heusman Street – 10am – 2pm

Biggenden: 47 Edward Street – 10am – 2pm

Eidsvold: 36 Moreton Street: – 10am – 2pm



**By Post:**

The Chief Executive Officer  
North Burnett Regional Council  
PO Box 390  
Gayndah Qld 4625

**By Email:**

[admin@northburnett.qld.gov.au](mailto:admin@northburnett.qld.gov.au)

Links to the above applications are included in the link below:

[North Burnett Regional Council - Stock Route Information](#)

**Before you apply**

Before moving stock, ensure that you:

- Understand the regulations for [transporting stock](#).
- Contact all the relevant local governments and consider inspecting the proposed route to determine its condition and suitability for travel.
- Apply for a [grazing \(agistment\) permit](#) if stock require spelling.
- Apply for a [waybill](#), unless an exception under the [Stock Act 1915](#) applies.

**Exceptions**

Fees are not charged for:

- infant stock that is less than 6 months old, unweaned and travelling with their mother
- stock travelling to a gymkhana or rodeo
- horses used for droving stock under a stock route permit.

In the case of infant stock, the application must demonstrate that any infants are travelling with, and reliant on, their mother. Young stock that are grazing and not reliant on their mother for feed and nutrients will not meet this criterion.

**Miscellaneous:**

- If for health reasons stock require spelling, the permit holder will need to apply for a 7-day grazing (agistment) permit. Alternative arrangements should be made for agistment or spelling in case a grazing (agistment) permit cannot be issued.
- Property owners may apply for partial relief from fees associated with Stock Route Grazing applications where it can be demonstrated the fees will impose financial hardship on the applicant or where it can be demonstrated the application will result in less pasture wastage as a result of drought or fires e.g., drought declaration or temporary changes to the State Government stock route management system.
- Council will seek advice with relevant third parties when assessing applications, to gain their approval and additional special conditions when permit is being requested on land relevant to that third party. Third Parties may include but not limited to Transport and Main Roads, Queensland Rail, Sunwater, Queensland Parks and Wildlife Service and Auburn Tick Eradication Association Inc.
- Application approvals could also be delayed, rejected or amended (e.g., grazing restricted to one side of the road over a restricted distance) where Council is undertaking Capital Works programs that impact the stock route network.

**Application Assessment**

The local government will assess the application by considering -

- pasture levels on the route;
- availability and suitability of water;
- likelihood the stock's travel will spread a declared pest or notifiable disease;
- whether the minimum travel rate of 10km per day can be met by the stock; or
- if a lesser rate is permitted, whether the lesser rate can be sustained for the entire journey;
- impacts on road traffic infrastructure and road safety
- Or any criterion determined of relevance by an Authorised Officer for the purposes of the Act.

Once an application has been assessed, the applicant will receive a written notice of the decision.

## 5. ROLES AND RESPONSIBILITIES

- Council's Authorised Officers within Land Protection operations are responsible for processing, monitoring and enforcing all requirements under the Act and Councils Local Laws where relevant.
- Lands Protection staff will be assisted by other employees of Council from time-to-time.

## 6. APPLICABLE LEGISLATION AND REGULATION

Applicable legislation and regulation:

- Biosecurity Act 2014*
- Stock Route Management Act 2002 (Qld)*
- Stock Route Management Regulation 2003*
- Local Law No.2 (Animal Management)

## 7. RELATED DOCUMENTS

Related documents are:

- North Burnett Regional Council Biosecurity Plan
- Application for Stock Route Grazing (Agistment) Permit
- Application for Stock Route Travel Permit
- Stock Route Permit Inspection Form
- Stock Route Permit Compliance Form

## 8. RESPONSIBLE OFFICER

General Manager Corporate and Community

## 9. REVIEW DATE

Standard four year term OR inline with Policy review.

## REVISION HISTORY

Version	Meeting	Approval Date	History
1	General	28 September 2022	New

## APPENDIX 1: LINK FOR COPY OF THE PERMIT APPLICATIONS FOR REFERENCE.

[Application for a Stock Route Grazing \(Agistment\) Permit \(resources.qld.gov.au\)](https://resources.qld.gov.au)

[Application for a Stock Route Grazing \(Agistment\) Permit \(resources.qld.gov.au\)](https://resources.qld.gov.au)

## 9.4 UNREASONABLE CUSTOMER CONDUCT - ADMINISTRATIVE DIRECTIVE

**Doc Id:** 1150221

**Author:** Michael Cartwright, Governance Policy and Risk Advisor

**Authoriser:** Margot Stork, Chief Executive Officer

**Attachments:** 1. Draft 3309 - Unreasonable Customer Conduct – Administration Directive.docx [1122498]

### EXECUTIVE SUMMARY

North Burnett Regional Council ('Council') is committed to delivering quality services to the community, meeting its obligations to provide a safe and healthy workplace for elected officials and staff, and to use resources equitably and efficiently. However, Council will take proactive and decisive action when customers conduct themselves unreasonably.

### CORPORATE PLAN

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

### OUR PRIORITY AREAS:

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

### OFFICERS RECOMMENDATION

That Council resolves to adopt Administrative Direction 3309 – Unreasonable Customer Conduct.

### REPORT

Unreasonable Customer Conduct ('UCC') - is any conduct by a complainant which, because of its nature raises health, safety, or equity issues for the Council or has a disproportionate and unreasonable impact on Councillors, staff, services, time or resources.

The Directive guides the Executive to effectively identify and manage UCC in a fair, consistent, transparent and appropriate way to:

- protect the health and safety of elected members, staff and customers;
- ensure fairness in the customer interaction process; and
- improve efficiency and commitment to appropriate resource allocation in all customer service delivery and complaints processes.

UCC can be divided into five categories of conduct:

1. Unreasonable persistence (Querulants) - continued, incessant and unrelenting conduct by a customer that has a disproportionate and unreasonable impact on the Council.
2. Unreasonable demand - demands (express or implied) that are made by a customer that have a disproportionate and unreasonable impact on the Council.
3. Unreasonable lack of cooperation - an unwillingness and/or inability by a customer to cooperate with us in good faith, that results in a disproportionate and unreasonable use of Council's services, time and/or resources.
4. Unreasonable argument - any argument that is not based on reason or logic, that is incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impacts upon Council
5. Unreasonable behaviour - is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated that a customer is – because it may

unreasonably compromise the health, safety and security of Council employees, other service users or the customer themselves.

UCC will generally be managed by limiting or adapting the ways that customers can interact with Councillors and staff and/or access council services including:

- Limiting Contact person/s – eg. appointing a sole contact person in Council for the customer.
- Limiting the subject matter – eg. limiting the subject matter of communications that will be considered and responded.
- Limiting contact times – eg. limiting a customer's contact to a particular time, day, length of time, or curbing the frequency.
- Limiting contact channels – eg. limiting or modifying the forms of contact that the customer can have with Council including face-to-face interviews, telephone and written communications, prohibiting access to Council premises, and making contact through a representative only.

In rare cases, and when all other strategies have been considered and/or attempted, it may be necessary to completely restrict a customer's contact and/or access to Council services.

In developing the Directive, Officers relied on the guidance and wealth of information available from the NSW Ombudsman's 'Managing Unreasonable Customer Conduct Practice Manual' which has been developed by the NSW Ombudsman's Office with the support and involvement of other State and Australasian Parliamentary Ombudsman Offices. The Manual is considered best practice in the public service industry. Staff have modelled this Directive on that manual.

## **CONSULTATION**

The draft Directive was developed in consultation with Council's Senior Management Team.

Independent legal advices were also obtained to ensure the Directive was sufficiently supportive of Queensland Anti-Discrimination laws, and any Human Right implications.

## **RISK IMPLICATIONS**

### **Reputation / Political**

The Directive is designed to have a comprehensive set of strategies to manage the risks to the Council's resource management, Councillor and staff health and productivity posed by a growing prevalence of unreasonable conduct by a small number of high-demand customers.

### **Occupational Health & Safety (WHS)**

The Directive addresses issues that if left, may result in unnecessary costs to the productivity and operational efficiency of the Council, in particular costs associated with stress-related impacts on elected members and staff health and productivity.

### **Financial Impact**

No direct financial implications arise from this Directive which have not already been considered in the development of Council's annual budget.

### **Legal & Regulatory**

Section 4(b) of the *Human Rights Act 2019* requires public entities to act and make decisions in a way compatible with human rights. The Act requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

### **Environmental**

Not Applicable.



**Property & Infrastructure**

Not Applicable.

**Human Resources**

Internal resources will be required to ensure that staff are educated on the Directive processes and procedures.

**Information Communications Technology**

Not Applicable.

**Service Delivery**

The Directive will annexure the North Burnett Regional Council Customer Service Charter, and will be published to Council's website.

A Take 5 training module will be circulated under Council's Work Health and Safety education program.

**Climate**

Not Applicable.

**KEY MESSAGE**

This Directive is aimed at unreasonable conduct that falls well outside of community norms and is expected to affect very few persons, who will receive prior warning of the consequences of the conduct.

**Draft 3309 - Unreasonable Customer Conduct  
Administration Directive**



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**ADMINISTRATIVE DIRECTIVE**  
Approved  Click or tap to enter a date.

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Doc ID 945729

## PURPOSE

This Directive guides Council employees to effectively identify and manage unreasonable customer conduct ('UCC') in a fair, consistent, transparent and appropriate way, to:

- Protect the health and safety of any person involved in a Council interaction;
- Ensure fairness in the interaction process; and
- Improve efficiency and commitment to appropriate resource allocation in all customer service delivery and complaints processes.

## SCOPE

North Burnett Regional Council is committed to delivering quality services to the community, meeting its obligations to provide a safe and healthy workplace for its employees and visitors, and to use its resources equitably and efficiently.

While Council has an expectation that its employees treat people with courtesy and respect, there is an expectation that this courtesy will be returned. Council does not tolerate behaviour that is offensive, abusive, threatening, psychologically harmful or in Council's opinion consumes disproportionate resources.

Council will consider the individual circumstances of an UCC interaction and provide reasonable and proportionate responses that are designed to manage the impacts of the conduct whilst attempting to resolve any underlying or substantive issue. Nothing in this directive limits the Council, or a legal requirement of Council, to take appropriate action where the circumstances require, such as where the UCC involves an imminent threat to the mental or physical health or well-being of an employee, or another visitor and/or customer, or the failure to obey a lawful instruction.

Council's response to UCC will, as far as is practicable, allow the individual or group involved with the UCC to continue to communicate with Council in a controlled and appropriate manner which will support Council's zero tolerance approach to any form of occupational violence or intimidation.

## DEFINITIONS

For the purposes of this directive the following definitions will apply.

Term	Definition
Council	Means North Burnett Regional Council (NBRC).
Employee	Has the same meaning as Worker under the <i>Work Health and Safety Act 2011</i> (Qld).  The term "Employee" for the purpose of this directive will include full time, part time and casual employees, contractors, labour hire employees, volunteers, work experience students and trainees.
UCC	Means unreasonable customer conduct.
Unreasonable customer conduct	Means any behaviour which, because of its nature or frequency, raises health, safety, resource or equity issues for Council, its staff, other service users and customers, or the customer themselves. Examples of unreasonable customer conduct are set out in this directive and broadly under five separate categories of conduct: <ol style="list-style-type: none"> <li>A. Unreasonable persistence</li> <li>B. Unreasonable demand</li> <li>C. Unreasonable lack of cooperation</li> <li>D. Unreasonable argument</li> <li>E. Unreasonable behaviour.</li> </ol>

ADMINISTRATIVE DIRECTIVE

Approved  Click or tap to enter a date.

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Doc ID 945729

Term	Definition
Visitor	Includes any person accessing Council worksite facilities for Council services or business activity.

## DIRECTION

### UNREASONABLE CUSTOMER CONDUCT

The majority of Council's customers act reasonably and responsibly in their interactions with us, even when they are experiencing high levels of distress, frustration and anger about their situation.

However, in a very small number of cases some customers behave in ways that are inappropriate and unacceptable – despite Council's best efforts to help them. They may be aggressive and/or verbally abusive. They may threaten harm and violence, bombard Council's offices with unnecessary and excessive phone calls and/or emails, make inappropriate demands on Council's time and/or Council's other resources, and/or refuse to accept Council's decisions and recommendations. When customers behave in these ways Council considers their conduct to be 'unreasonable'.

UCC can be divided into five categories of conduct:

- A. Unreasonable persistence (Querulants)
- B. Unreasonable demand
- C. Unreasonable lack of cooperation
- D. Unreasonable argument
- E. Unreasonable behaviour

#### A. Unreasonable Persistence (Querulants)

Unreasonable persistence is continued, incessant and unrelenting conduct by a customer that has a disproportionate and unreasonable impact on the Council, its employees, visitors, services, time and/or other resources.

Some examples of unreasonably persistent and querulant behaviour include:

- An unwillingness or inability to accept Council's explanations including final decisions that have been comprehensively considered and dealt with.
- Persistently contacting the Council about the same matter when it has previously been comprehensively considered and dealt with.
- Targeting the Council with multiple requests about a range of issues, whether related or not, which separately or together require an unreasonable or unfair allocation of Council resources.
- Refusing to accept Council's position when told that further action cannot or will not be taken on their issue.
- Reframing a complaint in an effort to get it taken up again.
- Repeatedly communicating with Council or its employees, including via phone calls, visits, letters, and emails (including cc'd correspondence), after repeatedly being asked not to do so.
- Contacting different people within Council and/or externally to seek a different outcome or response to their issue – (for example, internal and external "forum shopping").

#### B. Unreasonable Demands

Unreasonable demands are demands (express or implied) that are made by a customer that have a disproportionate and unreasonable impact on the Council, employees, services, time and/or resources.

Some examples of unreasonable demands include:

- Issuing instructions and making demands about how Council has/should handle their issue, the priority it was/should be given, or the outcome that was/should be achieved.
- Insisting on talking to a senior officer, General Manager or CEO personally when it is not appropriate or warranted.
- Emotional blackmail and manipulation with the intention to guilt trip, intimidate, harass, shame, seduce or portray themselves as being victimised – when this is not the case.
- Insisting on outcomes that are not possible or appropriate in the circumstances – e.g. for someone to be terminated or prosecuted, an apology and/or compensation when there is no reasonable basis for expecting this.
- Demanding services that are of a nature or scale that Council cannot provide when this has been explained to them repeatedly.
- Expecting responses to requests which separately or together require an unreasonable or unfair allocation of Council resources.

### **C. Unreasonable Lack of Cooperation**

Unreasonable lack of cooperation is an unwillingness and/or inability by a customer to cooperate with us in good faith, that results in a disproportionate and unreasonable use of Council's services, time and/or resources.

Some examples of unreasonable lack of cooperation include:

- Sending a constant stream of comprehensive and/or disorganised information without clearly defining any issues of complaint or explaining how they relate to the core issues being complained about – only where the customer is clearly capable of doing this.
- Providing little or no detail with a complaint or presenting information in 'drips and drabs'.
- Refusing to follow or accept Council's instructions, suggestions, or advice without a clear or justifiable reason for doing so.
- Arguing frequently and/or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations.
- Displaying unhelpful behaviour – such as withholding information, acting dishonestly, misquoting others, and similar.

### **D. Unreasonable Argument**

Unreasonable argument includes any argument that is not based on reason or logic, that is incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impacts upon Council, employees, services, time, and/or resources.

Arguments are unreasonable when they:

- Fail to follow a logical sequence.
- Are not supported by any evidence and/or are based on conspiracy theory.
- Lead a customer to reject all other valid and contrary opinion.
- Are trivial when compared to the amount of time, resources and attention that the customer demands.

### **E. Unreasonable Behaviour**

Unreasonable behaviour is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated that a customer is – because it may unreasonably compromise the health, safety and security of Council employees, other service users or the customer themselves.

A customer's access to Council's services and Council premises may be restricted (directly or indirectly) using the legal mechanisms such as trespass laws/legislation or legal orders to protect employees and



visitors from personal violence, intimidation or stalking by a customer. Any conduct of this kind referred to the appropriate authorities for example the Queensland Police Service, and/or other local or interstate agencies as appropriate, may be without notice to the person causing the behaviour.

Some examples of unreasonable behaviours include:

- Acts of aggression, verbal abuse and derogatory, racist, or defamatory remarks.
- Harassment, intimidation or physical violence.
- Rude, confronting and/or threatening face to face or phone contact or correspondence.
- Threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats.
- Stalking (in person or online).
- Emotional manipulation.

## RESPONDING TO AND MANAGING UNREASONABLE CONDUCT BY A CUSTOMER

The health and safety of Council's employees and visitors is a priority consideration when considering how to respond to and manage UCC.

When considering how to respond to and manage UCC, Council may also consider:

- the nature of the UCC;
- the particular circumstances of the customer and the matters being enquired about;
- the matters set out in this section of the directive;
- any other options available to Council at law (for example, if specific legislation allows Council to seek a specific remedy, such as Council's ability under the *Right to Information Act 2009* as an agency to apply to the Information Commissioner for a declaration that a person is a vexatious applicant).

The following sections of this directive sets out, in a non-exhaustive way, how Council might consider dealing with UCC.

## CHANGING OR RESTRICTING A CUSTOMER'S ACCESS TO THE COUNCIL

UCC incidents will generally be managed by limiting or adapting the ways that Council interacts with and/or deliver services to customers by restricting:

- Who they have contact with – for example, limiting a customer to a sole contact person.
- What they can raise with us – for example, restricting the subject matter of communications that Council will consider and respond to.
- When they can have contact – limiting a customer's contact with Council, for example, to a particular time, day, or length of time, or curbing the frequency of their contact with us.
- Where they can make contact – for example, limiting the locations where Council will conduct face-to-face interactions within secured facilities or areas of the office.
- How they can make contact – limiting or modifying the forms of contact that the customer can have with us. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to Council premises, contact through a representative only, taking no further action or terminating contact altogether.

When using the restrictions provided in this section, discretion will need to be used to adapt them to suit a customer's personal circumstances, level of competency, literacy skills, etc. In this regard, more than one strategy may need to be used in individual cases to ensure their appropriateness and efficacy.

## WHO – LIMITING THE CUSTOMER TO A SOLE CONTACT POINT

Where a customer tries to forum shop internally within Council, changes their issues repeatedly, reframes their complaint, or raises an excessive number of complaints, it may be appropriate to restrict their access to a single staff member (a sole contact point) who will exclusively manage their complaint(s) and interactions with Council. This aims to ensure the person is dealt with consistently and may minimise the risk of further UCC.

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Customers who are restricted to a sole contact person will be given the contact details of one additional staff member who they can contact if their primary contact is unavailable due to taking leave or is otherwise unavailable for an extended period of time.

### **WHAT – RESTRICTING THE SUBJECT MATTER OF COMMUNICATIONS THAT THE COUNCIL WILL CONSIDER**

Where customers repeatedly send written communications, letters, emails, or online forms that raise trivial or insignificant issues, contain inappropriate or abusive content or relate to a complaint/issue that has already been comprehensively considered and/or reviewed (at least once) by Council, Council may restrict the issues/subject matter the customer can raise with us or that Council will respond to. For example, Council may:

- Refuse to respond to correspondence that raises an issue that has already been dealt with comprehensively, that raises a trivial issue, or is not supported by clear evidence. (The customer will be advised that future correspondence of this kind will be read and filed without acknowledgement unless Council decides that it needs to pursue it further in which case, Council may do so on Council's 'own motion').
- Restrict the customer to communicating with Council at certain frequencies or intervals. Any attempts to circumvent this restriction, for example by raising multiple complaints/issues in the one complaint letter may result in modifications or further restrictions being placed on their access.
- Return correspondence to the customer and require them to remove any inappropriate content before Council will agree to consider its contents. (A copy of the inappropriate correspondence will also be made and kept for Council's records to identify repeat/further UCC incidents).

### **WHEN – LIMITING WHEN A CUSTOMER CAN CONTACT THE COUNCIL**

If a customer's telephone, written or face-to-face contact with Council places an unreasonable demand on Council's time or resources because it is overly lengthy (e.g. disorganised and voluminous correspondence), or affects the health safety and security of Council's employees because it involves behaviour that is persistently rude, threatening, abusive or aggressive, Council may limit when and/or how the customer can interact with us. This may include:

- Limiting their telephone calls or face-to-face interviews to a particular time of the day or days of the week.
- Limiting the length or duration of telephone calls, written correspondence or face-to-face interviews.
- Limiting the frequency of their telephone calls, written correspondence or face-to-face interviews.
- For irrelevant, overly lengthy, disorganised or frequent written correspondence Council may:
  - Require the customer to clearly identify how the information or supporting materials they have sent to us relate to the central issues that Council has identified in their complaint.
  - Restrict the frequency with which customers can send emails or other written communications to Council's office.
  - Restrict a customer to sending emails to a particular email account (e.g. the organisation's main email account) or block their email access altogether and require that any further correspondence be sent through Australia Post only.

### **HOW - LIMITING HOW A CUSTOMER CAN CONTACT THE COUNCIL**

#### **Writing only restrictions**

When a customer is restricted to 'writing only' they may be restricted to written communications through:

- Australia Post only
- Email only to a specific email or generic email account
- Fax only to a specific fax number, or
- Some other relevant form of written contact, where applicable.

Any communications that are received by Council in a manner that contravenes a 'write only' restriction will either be returned to the customer or read and filed without acknowledgement.

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**Face to face**

If a customer is violent or overtly aggressive, unreasonably disruptive, threatening or demanding or makes frequent unannounced visits to Council's premises, Council will consider restricting Council's face-to-face contact with them.

These restrictions may include:

- Restricting access to particular secured premises or areas of the office – such as the reception area or a secured room/facility.
- Restricting their ability to attend Council's premises to specified times of the day and/or days of the week only – for example, when additional security is available or to times/days that are less busy.
- Allowing them to attend Council's office on an 'appointment only' basis and only with specified employees. Note – during these meetings employees should always seek support and assistance of a colleague for added safety and security.
- Banning the customer from attending Council's premises altogether and allowing some other form of contact – e.g. 'writing only' or 'telephone only' contact.

**Contact through a representative only**

In cases where Council cannot completely restrict Council's contact with a customer and their conduct is particularly difficult to manage, Council may also restrict their contact to go through a support person or representative only. The support person may be nominated by the customer but must be approved by the CEO.

**COMPLETELY TERMINATING A CUSTOMER'S ACCESS TO THE COUNCIL**

In rare cases, and as a last resort when all other strategies have been considered and/or attempted, the CEO may decide that it is necessary for Council to completely restrict a customer's contact/access to Council's services.

A decision to have no further contact with a customer will only be made if it appears that the customer is unlikely to modify their conduct and/or their conduct poses a significant risk for Council's employees or other persons because it involves one or more of the following types of conduct:

- Acts of aggression, verbal and/or physical abuse, threats of harm, harassment, intimidation, stalking, assault.
- Intentional damage to property while on Council's premises.
- Threats with a weapon or another item that could be used to harm another person or themselves.
- Physically preventing a staff member from moving around freely either within their office or during an off-site visit – e.g. entrapping them.
- Conduct that is otherwise unlawful.

In these cases the customer will be sent a letter notifying them that their access has been terminated. The customer will still be provided with an ability to engage with Council at a defined minimum level based on necessity (for example, if the customer is a ratepayer who needs to pay rates, or so that the customer is able to make bona fide reports to Council of matters of interest to Council). In some circumstances the customer may be required to seek 3rd party representation to correspond with Council on their behalf.

**ALTERNATIVE DISPUTE RESOLUTION**

In certain circumstances that are considered by the CEO to be appropriate (for example, if the CEO determines that services to a customer cannot be terminated in a particular case, or that employees bear some responsibility for causing or exacerbating the customer's conduct), the CEO may consider using alternative dispute resolution strategies ('ADR') such as mediation and conciliation to resolve the conflict with the customer and attempt to rebuild the relationship with them.

A decision as to whether or not to participate in ADR is entirely at the discretion of the CEO and on a case-by-case basis.

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## WHEN CHANGING A CUSTOMER'S ACCESS TO THE COUNCIL

### Consulting with relevant employees

When determining if a customer's access should be changed Council will consult with relevant employees on the following:

- The circumstances that gave rise to the UCC/incident(s).
- The impact of the customer's conduct on Council, its employee/s, its time and resources, and other factors regarding the impact of the UCC.
- The customer's responsiveness to the employee's warnings/requests to stop the behaviour.
- The actions relevant employees have taken to manage the customer's conduct, if any.
- The suggestions made by relevant employees on ways that the situation could be managed.

### Criteria to be Considered

The following criteria may be considered depending on the circumstances. The following is a non-exhaustive list of criteria that Council may consider in these circumstances:

- Whether the conduct in question involved overt anger, aggression, violence or assault (which is unacceptable in all circumstances).
- Whether the customer's case or complaint has merit.
- The likelihood that the customer will modify their unreasonable conduct if they are given a formal warning about their conduct.
- Whether changing or restricting access to Council's services will be effective in managing the customer's behaviour.
- Whether changing or restricting access to Council's services will affect the customer's ability to meet their obligations, such as reporting obligations.
- Whether changing or restricting access to Council's services will have an undue impact on the customer's welfare, livelihood or dependents etc.
- Whether the customer's personal circumstances have contributed to the behaviour – for example, the customer is a vulnerable person who is under significant stress as a result of one or more of the following:
  - Homelessness
  - Physical disability
  - Illiteracy or other language or communication barrier
  - Mental or other illness
  - Personal crises
  - Substance or alcohol abuse.
  - Whether the customer's response/ conduct in the circumstances was moderately disproportionate, grossly disproportionate or not at all disproportionate.
  - Whether there any statutory provisions that would limit the types of limitations that can be put on the customer's contact/access to Council's services.

Once these factors have been thoroughly considered, a decision will be made on the appropriate course of action, pursuant to the roles and responsibilities within this directive.

### Providing a warning letter

Unless a customer's conduct poses a substantial risk to the health and safety of an employee or another person, they will be provided with a written warning about their conduct before any formal restrictive action is taken.

### Providing a notification letter

If a customer's conduct continues after they have been given a written warning, or in cases of aggression, violence, assault or other unlawful/unacceptable conduct, the Council may send a notification letter notifying the customer how the UCC is proposed to be dealt with by Council. Where necessary, police will be notified.

### Continued monitoring or oversight

Once a customer has been issued with a warning letter or notification letter the CEO may review the customer's record/restriction as the CEO considers appropriate to determine whether to modify (including

relax or lift) restrictions, impose further restrictions or terminate the customer's access to Council's services altogether.

## REVIEWING A DECISION TO CHANGE OR RESTRICT ACCESS TO THE COUNCIL

### Right of review

Customers are entitled to one review of a decision to change/restrict their access to Council's services. This review will be undertaken by a senior staff member who was not involved in the original decision to change or restrict the customer's access. This staff member will consider the customer's evidence along with all relevant records regarding the customer's past conduct. The customer will be advised of the outcome of their review by letter.

If a customer continues to be dissatisfied after the review process, they may seek an external review from an oversight agency such as the Ombudsman. The Ombudsman may accept the review (in accordance with its administrative jurisdiction) to ensure that Council has acted fairly, reasonably and consistently and have observed the principles of good administrative practice including, procedural fairness.

### Notifying the customer of an upcoming review

The Council might invite the customer to participate in the review process unless they determine that this invitation is reasonably likely to provoke a negative response from the customer (i.e. further UCC). The invitation if given, and the review, will be conducted in accordance with the customer's access restrictions (e.g. if contact has been restricted to writing only then the invitation to participate will be done in writing).

### Criteria to be considered during a review

When conducting a review the CEO will consider:

- Whether the customer has had any contact with Council during the restriction period.
- The customer's conduct during the restriction period.
- Any information or evidence put forward by the customer.
- Any other information that may be relevant in the circumstances.

**Note** – Sometimes a customer may not have a reason to contact Council during their restriction period. As a result, a review decision that is based primarily on the fact that the customer has not contacted Council during their restriction period (apparent compliance with Council's restriction) may not be an accurate representation of their level of compliance/reformed behaviour. This should be taken into consideration, in relevant situations.

### Notifying a customer of the outcome of a review

The Council will notify the customer of the outcome of their review in writing explaining the outcome, as applicable.

## HUMAN RIGHTS – GENERAL OBLIGATIONS

In order for the Council to ensure that all matters are dealt with fairly, efficiently and effectively and that work health and safety standards and duty of care obligations are adhered to, the following rights and responsibilities must be observed and respected by all of the parties to the UCC process.

Customers have the right to:

- Make a complaint and to express their opinions in ways that are reasonable, lawful and appropriate
- A reasonable explanation of the Council's complaints procedures, including details of the confidentiality, secrecy and/or privacy rights or obligations that may apply
- A fair and impartial assessment and, where appropriate, investigation of their issue based on the merits of the case
- A fair hearing
- A timely response
- Be informed in at least general terms about the actions taken and outcome of their matter
- Be given reasons that explain decisions affecting them

- At least one right of review of a decision
- Be treated with courtesy and respect
- Communicate valid concerns and views without fear of reprisal or other unreasonable response

Employees have the right to:

- Determine whether, and if so, how a matter will be dealt with
- Finalise matters on the basis of outcomes they consider to be satisfactory in the circumstances
- Expect honesty, cooperation and reasonable assistance from customers
- Be treated with courtesy and respect
- A safe and healthy working environment
- Seek to modify, curtail or decline service (if appropriate) in response to unacceptable behaviour by a customer.

### Mutual responsibilities

Customers are responsible for:

- Treating Council employees with courtesy and respect
- Clearly identifying to the best of their ability the matter causing the interaction
- Providing to the best of their ability the Council with all the relevant information available to them at the time of interaction
- Being honest in all communications with the Council
- Informing the Council of any other action they have taken in relation to their matter
- Cooperating with the staff who are assigned to assess/ investigate/resolve/determine or otherwise deal with their complaint.

The rights set out above include and are relevant to particular human rights set out in the *Human Rights Act 2019* ("**HR Act**"), including:

- the right to protection from torture and cruel, inhuman or degrading treatment;
- the right to freedom of expression;
- the right to take part in public life;
- the right to privacy and reputation.

Council has considered the application of the HR Act with respect to the development of this directive. Council considers that, to the extent this directive, if implemented, represents a limitation on the human rights of a customer, that limitation is reasonable and demonstrably justifiable in accordance with section 13 of the HR Act if this directive is applied. Specifically, Council considers the following factors in section 13(2) of the HR Act are relevant:

- the fact that the limitations included in this directive are consistent with a free and democratic society based on human dignity, equality, and freedom;
- the fact that the purposes of the limitation include the preservation of the health and safety of Council employees, and the preservation of Council resources, and the limitation helps to achieve the purpose;
- the fact that there are no less restrictive and reasonably available ways to achieve the purposes of the directive;
- the importance of the limitation having regard to the matters set out in this directive, and the fact that that matter outweighs the importance of preserving a customer's ability to engage in UCC.

## MANAGING CUSTOMERS SEEKING ACCESS TO INFORMATION

The *Right to Information Act 2009* (RTI Act) provides Council's customers with a general right of access to information held by the Council unless there is an overriding public interest consideration against disclosure of the information, and as long as releasing the information is consistent with privacy, copyright and other legislation. Information is provided proactively, and customers may make either an informal request or a formal access application under the Act.

Information may be provided via the informal process either directly by employees as part of business operations, or formally under the RTI process by Governance, as required. All requests for information are assessed and determined in accordance with the legislation.



For more information regarding Council's principles regarding public access to information and the process of managing requests for such access please refer to the Council's Right to Information Policy.

## ROLES AND RESPONSIBILITIES

To effectively administer this directive, there is a reliance on employees within this process to review and analyse a customer's contact with the Council. To enable this process employees are responsible for recording all contacts that they have with a customer; regardless of the customer being designated UCC.

To facilitate the recording of customer contacts, employees are to use Council's enterprise system.

### All Employees

- are responsible for familiarising themselves with this directive
- are responsible for speaking with their Manager about how this directive relates to any Business Unit specific procedures regarding managing customer behaviours
- are encouraged to explain the contents of this document to all customers particularly those who engage in UCC or exhibit the early warning signs for UCC
- give adequate warning of the consequences of unacceptable behaviour
- must report any UCC incident to their Manager within 24 hours of the incident occurring
- are responsible for familiarising themselves with Customer Service Standards and understanding the immediate measures that can be taken when confronted by abusive, offensive or threatening behaviours.
- completion of Risk Assessment
- completion of WHS Incident Report Form

While effective application of this directive relies on all employees identifying and reporting UCC incidents, it must be emphasised that any strategies that effectively change or restrict a customer's access to Council's services must be first considered at the Executive Management level.

### Managers

- the Manager, in consultation with relevant employees, has the responsibility and authority to provide advice to their General Manager, on changing or restricting a customer's access to the Council in the circumstances identified in this directive
- responsible for supporting their employees to apply the strategies in directive
- responsible for monitoring and reviewing all cases where UCC restrictions are applied within their business area to ensure consistency, transparency and accountability in the application of this directive
- Ensuring their employees complete a WHS Incident Report for every UCC interaction.
- Completion of a risk assessment that is to accompany any request to change or restrict a customer's access to the Council.

### People and Performance Partner

Depending on the circumstances, People and Performance may be responsible for arranging other forms of support for employees as required.

### Manager Customer Service

- Will act as a central point of escalation and will be notified by business unit managers of any **proposed** changes or restrictions to a customer's access.
- Notifying customers of any changes or restrictions to their access to the Council, and any outcomes of a review of changes to access restrictions that have been applied.
- responsible for maintaining currency and accuracy of information held centrally about UCC and changes to customer's access to Council's services.

### General Manager

- Responsible for determining the extent of limiting a person's contact / access to Council, other than deciding to completely terminate a customer's direct contact / access with the Council.

**UCC Review Panel**

The Review Panel will consist of the Executive Leadership team who will monitor and review on appeal all cases where these procedures are applied across all business areas to ensure consistency, transparency and accountability.

The Review Panel, in consultation with relevant employees, has the authority to change or restrict a customer’s access to Council services in the circumstances identified in this directive. When doing so they will consider the criteria and will aim to impose any service changes/restrictions in the least restrictive ways possible. Their aim, when taking such actions will not be to punish the customer, but rather to manage the impacts of the customers conduct.

When applying the directive the Review Panel will also aim to keep at least one open line of communication with the customer. However, Council does recognise that in extreme situations all forms of contact may need to be restricted for some time to ensure the health and safety and security of Council’s employees and/or third parties. In these circumstances the customer may be required to seek 3rd party representation to correspond with Council on their behalf.

**Chief Executive Officer**

The CEO is responsible for deciding to completely terminate a customer’s direct contact / access with the Council.

**APPLICABLE LEGISLATION AND REGULATION**

Applicable legislation and regulation:

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Human Rights Act 2019*
- *Right to Information Act 2009*
- *Information Privacy Act 2009*
- *Criminal Code Act 1899*
- *Work Health and Safety Act 2011*

**RELATED DOCUMENTS**

Related documents are:

- Risk Assessment Form
- WHS Incident Report Form

**APPROVAL**

This directive will be reviewed every four years by the Customer Experience & Communities Manager and is due for review in [Click here to enter a date.](#)

**REVISION HISTORY**

Version	Meeting	Approval Date	History
1		<a href="#">Click here to enter a date.</a>	New

## 10 CORPORATE AND COMMUNITY

### 10.1 FINANCE REPORT TO 30 APRIL 2023

**Doc Id:** 1149122

**Author:** Michelle A. Burns, Senior Accountant  
Owen Jensen, Financial Services Manager

**Authoriser:** Andrew Knight, Interim General Manager - Corporate And Community

**Attachments:** 1. Finance Report - April 2023.pdf [1149739]

#### EXECUTIVE SUMMARY

This report provides a summary of Council's financial performance against budget, for the financial year to 30 April 2023.

#### CORPORATE PLAN

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

#### OUR PRIORITY AREAS:

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

#### OFFICERS RECOMMENDATION

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 30 April 2023.

#### REPORT

The monthly financial report includes a Statement of Financial Performance, Statement of Financial Position and Rates Debtor Analysis. Exception reporting is noted within the reports comparing actual performance against budget. Key highlights as at the end of April 2023 include:

- Rates, Levies and Charges recorded in April 2023 totalling \$19.436m, are slightly lower than budget year-to-date figure of \$19,816m, resulting in a \$381,000 or 2% variance. Discounts take-up for 2022-2023 year-to-date is 88.09% compared to the discount take-up in the 2021-2022 year of 89.03%. The lower than budget figure relates to a lower water consumption billing per the meter readings completed in December 2022. This lower billing compared to forecast totalling \$219,882 is due to higher than average rainfalls received this year-to-date resulting in lower water consumption.
- Employee Benefits – The result in employee benefits has been impacted by the current level of vacancies, as compared to budget, from a forecast figure of \$12.125m to \$13.045m; with a \$919,419 and 7% variance.
- Materials and Services – The result in Materials & Services of \$13.669m from a budgeted \$11.802m (variance of \$1.867m, equivalent to 16%) relates primarily to additional recoverable works which were above budget. This increase in expenditure will eventually be offset by an increase in income over budget. This increase related predominantly to:
  1. Roadworks Performance Contract (RPC) Costs – Materials & Services over the forecasted expenditure by \$460,418, and
  2. Road Maintenance Performance Contract (RMPC) Cost – Materials & Services over the forecasted expenditure by \$523,379.

Additional materials and services relate to the grant funding program through the Local Roads and Community Infrastructure Program for grading and maintenance of rural roads.

- Depreciation is above the forecast budget of \$12,742m, at \$13,472m (resulting in a \$736,564 variance and 6% difference), due to the application of the revaluation for roads, bridges and drainage as at 30 June 2022.
- The expense coverage ratio has been included as recommended by the Queensland Audit Office as a good indicator of a Council's short-term liquidity. A target range is between three (3) and six (6) months. The ratio needs to be monitored as cost control measures would need to increase to maintain the ratio at acceptable levels. The ratio currently is at a good cash management level of four (4) months, within the target range. This has been calculated allowing for externally restricted funds such as unspent capital government grants and subsidies of \$4,124,000, landfill management levy of \$7,448,644, and state government prepaid waste management levy of \$1,314,085.
- The current ratio is a liquidity ratio that measures an organisation's ability to pay short-term obligations, or those due within one (1) year. A current ratio above one (1) is considered a minimum. It is anticipated that the current ratio will decrease in the latter half of the year as Council draws down on the operational assistance grants received. Council's current ratio, at 30 April 2023 is 2.65:1.
- Cash and investments as at 30 April 2023 totals \$27,401,000. After consideration of funds held for external restrictions (as above), the total unrestricted cash balance available for operational purposes is currently \$14,515,000.

## **CONSULTATION**

Report prepared with input from internal budget managers and delegation holders.

## **RISK IMPLICATIONS**

### **Reputation / Political**

Low risk if expenditure deviates slightly from budget or project delivery schedule.

### **Occupational Health & Safety (WHS)**

The operational budget enables funding to improve Council's compliance with workplace, health and safety.

### **Financial Impact**

Low risk as expenditure is broadly in line with budget. The report highlights the need to continue to closely monitor expenditure and incorporate identified efficiencies into operations.

### **Legal & Regulatory**

Council is required under s170 *Local Government Regulation 2012 (Qld)* to have an adopted budget in place for each financial year and by resolution can amend the budget for a financial year at any time before the end of the financial year.

### **Environmental**

Council is managing its landfill and quarry operations by completing closure plans for the end of their respective useful lives. This will enable compliance in accordance with environmental regulations.

### **Property & Infrastructure**

The capital expenditure budget allows for a program in accordance with respective infrastructure asset management plans.

### **Human Resources**

This operational budget enables resourcing to achieve Council's corporate plans and objectives.

**Information Communications Technology**

The capital expenditure budget includes an asset replacement program for information communication technology infrastructure to be maintained at a requires standard.

**Service Delivery**

Revenue is set at a level which considers the services which are to be provided to the community.

**Climate**

Not Applicable.

**KEY MESSAGE**

Council is presenting this monthly financial report to provide information on financial performance against budget and to comply with legislative requirements.



## FINANCIAL PERFORMANCE (as at April 2023)

### Areas to note

Overall, the council reported a YTD actual net operating loss before capital grants and contributions as at 30 April 2023 which is currently \$643,000 higher than predicted. The net difference is comprised of revenue higher than budget by \$1,024,000 and operating expenses above budget of \$1,667,000.

#### Operating Revenue

- Rates, levies, and charges revenue is below budget by \$381,011, *Natural Resource Management Levy* is higher than budget by \$34,29 and *Discounts* have decreased to budget by \$135,527. Whereas, *Water Consumption* has decreased to budget by \$219,882, *Waste Management* has decreased to budget by \$111,544, *General Rates* are lower than budget by \$88,236, *Sewerage* has decreased by \$62,696 to budget, *Water* has decreased to budget by \$57,087 and *Other Levies* - including Local Disaster Management Levy is lower than budget by \$11,385.
- Fees and Charges have increased to budget in April by \$433,983 due to additional *Caravan Park Takings* are above budget by \$193,982 mainly due to increases in Mt Perry but also Eidsvold, Biggenden & Paradise Dam, *Other Fees and Charges* have increased by \$123,824 mainly due to aviation fuel sales and rates search fees, *Trade Waste & Recycling* revenue has increased by \$91,445 which is mainly relating to the Mundubbera and includes slight increases in Biggenden and Gayndah waste facilities, *Building and Development Fees* of \$82,568, *Water and Sewer Fees* have increased by \$15,637 Whereas, *Licences and Registrations* have decreased to budget by \$55,812. *Community Service Fees* are below budget by \$15,637.
- Interest received is higher than anticipated mainly due to increased interest rates on our Queensland Treasury Corporation (QTC) cash funds, moving from an annual rate of 0.76% to 4.17%.
- Other Income is below budget by \$18,773 as *Lands Protection revenue* is above budget by \$50,567 due to a Rubber Vine & Hymenachne Project, *Waste - Regionwide Income* being above budget by \$9,627, which mainly relates to income for road litter signage and wheelie bin hire. Whereas *Bus Revenue* is below budget by \$19,339, *Reginald Murray Williams Centre* is below budget by \$6,595, *Stock Route Permits Revenue* is below budget by \$10,319, mainly due to the favourable weather conditions & increasing grass supplies and *Sale of Water* is below budget by \$3,750; other varying small amounts make up the difference.
- Recurrent Grants, subsidies, contributions, and donations is above budget by \$559,259, which relates to the receipt of \$100,000 from the State under the Department of Transport & Main Roads Walking Local Grants program to improve walking access in Council and operational grant funding for road works of \$450,000.
- Rental Income has decreased from budget by \$62,673, which relates to Council rental facilities being below budget by \$36,105 and Council housing being below budget by \$26,568. The reduction has arisen as properties are sold to previous lessee's and some leases are not being renewed.
- Sales revenue is on par with budget.

#### Operating Expenditure

- The increase in Materials & Services costs relate to additional recoverable works which were above budget by \$1,866,938. These are increased materials and services costs associated with relate to Roadworks Performance Contract (RPC) and Road Maintenance Performance Contract (RMPC) received being higher than budget forecasts, due to emergent works. There has also been \$1,000,000 incurred for grading and maintenance of rural roads funded through the Local Roads and Community Infrastructure Program and \$450,000 from Roads to Recovery program.
- General Insurance costs have increased to \$994,967 in this financial year which represents an increase by 8.82%.
- Depreciation has increased due to comprehensive review done as part of the asset revaluation for roads, bridges and drainage completed as at 30th June 2022.

#### Capital revenue and expenses

- Capital Revenue includes gain on sale for the disposal of non-current assets.

### YTD FY2023

	Actual \$000	Budget \$000	Variance \$000	%	Impact on net result
<b>Recurrent Revenue</b>					
Rates, levies and charges	19,436	19,817	(381)	(2%)	
Fees and charges	1,490	1,056	434	41%	▲
Interest Received	791	300	491	>100%	▲
Other Income	897	916	(19)	(2%)	
Recurrent Grants, subsidies, contributions and donations	3,646	3,087	559	18%	▲
Rental Income	188	249	(61)	(25%)	▼
Sales Revenue	2,367	2,367	(0)	(0%)	
<b>Total Operating Revenue</b>	<b>28,815</b>	<b>27,791</b>	<b>1,024</b>	<b>4%</b>	
<b>Recurrent Expenses</b>					
Employee Benefits	(12,125)	(13,045)	919	7%	
Materials & Services	(13,669)	(11,802)	(1,867)	(16%)	▼
Depreciation	(13,472)	(12,742)	(731)	(6%)	
Finance Costs	(84)	(96)	11	12%	▲
<b>Total Operating Expense</b>	<b>(39,351)</b>	<b>(37,685)</b>	<b>(1,667)</b>	<b>(4%)</b>	
<b>Operating Profit / (Loss)</b>	<b>(10,537)</b>	<b>(9,894)</b>	<b>(643)</b>	<b>(6%)</b>	
<b>Capital Revenue and Expenses</b>					
Capital Revenue	1,725	1,225	500	41%	▲
Capital Expenses	0	0	0	0%	
<b>Net Capital Income Gain / (Loss)</b>	<b>1,725</b>	<b>1,225</b>	<b>500</b>	<b>41%</b>	▲
<b>Net Result</b>	<b>(8,812)</b>	<b>(8,669)</b>	<b>(143)</b>	<b>(2%)</b>	

#### Legend:

- ▲ favourable movement
- ▼ unfavourable movement

## FINANCIAL POSITION (as at April 2023)

	YTD FY2023	FY FY2023
	<i>Actual</i>	<i>Budget</i>
	<i>\$000</i>	<i>\$000</i>
<b>Current Assets</b>		
Cash and cash equivalents	27,401	20,584
Inventories	615	490
Trade and other receivables	5,024	2,239
Contract Assets	1,429	2,801
	<b>34,470</b>	<b>26,114</b>
<b>Non-Current Assets</b>		
Property, plant and equipment	910,914	924,779
	<b>910,914</b>	<b>924,779</b>
<b>Total Assets</b>	<b>945,383</b>	<b>950,893</b>
<b>Current Liabilities</b>		
Current Borrowings QTC	(203)	(163)
Contract Liabilities	(4,124)	(2,634)
Other Current Liabilities	(3,219)	(504)
Current Provisions	(2,113)	(3,095)
Trade and other payables	(3,368)	(2,538)
	<b>(13,026)</b>	<b>(8,934)</b>
<b>Non Current Liabilities</b>		
Borrowings Non Current	(1,505)	(1,502)
Other Non Current Liabilities	(891)	(1,314)
Provisions Non Current	(13,565)	(9,263)
	<b>(15,961)</b>	<b>(12,079)</b>
<b>Total Liabilities</b>	<b>(28,987)</b>	<b>(21,013)</b>
<b>Net Community Assets</b>	<b>916,396</b>	<b>929,880</b>
<b>Community Equity</b>		
Asset revaluation reserve	(176,757)	(166,891)
Retained surplus/(deficiency)	(739,639)	(762,989)
<b>Total Community Equity</b>	<b>(916,396)</b>	<b>(929,880)</b>

### Areas to note

#### Assets

- YTD Cash and cash equivalents has decreased from 31 March 2023 to 30 April 2023 by \$2,609,000. This is predominantly due to Council progressing the 2022-2023 capital expenditure program.

- Trade and other receivables have decreased from 31 March 2023 to 30 April 2023 by \$441,000. This is to be expected immediately after the rating period has ended.

- Contract assets represents predominantly works carried out for flood recoveries to date and payable through Disaster Recovery Funding Arrangements (DRFA) totalling \$548,889.

#### Liabilities

- Current Liabilities have increased 31 March 2023 to 30 April 2023 by \$236,000 in line with recognition of revenue received and work completed for grant funded projects. Contract liabilities of \$4,124,000 relates to capital grants received in advance and as respective projects are completed, the revenue is therefore able to be recognised for these grants.

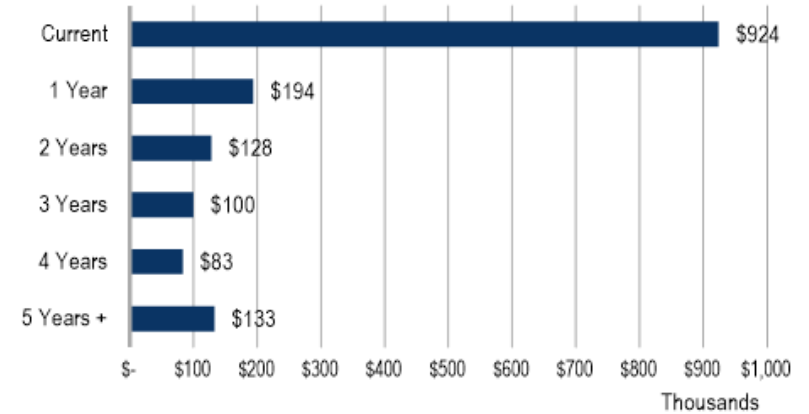
- Other non-current liabilities of \$891,535 relate to the prepayment of the state government waste levy charges for the years 2023-2024 to 2025-2026. These payments will be brought to account in their respective future years.

## RATES OVERDUE (as at April 2023)

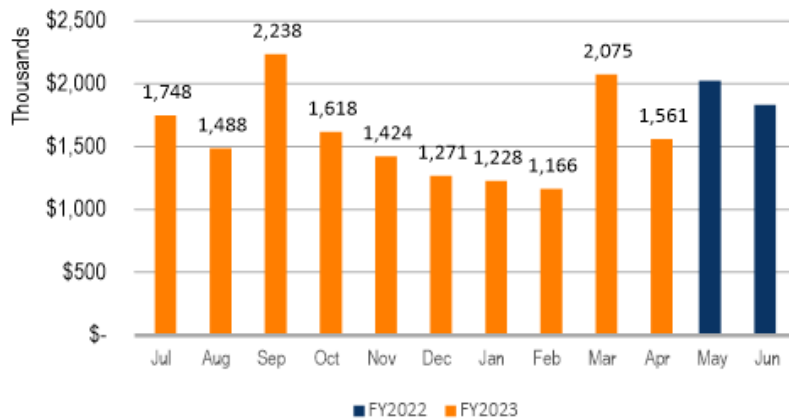
### Areas to note

- In April 2023 the rates overdue has decreased from March 2023. This has been a decrease from March (\$2,074,684) to April (\$1,560,649) of \$514,035.
- In April 2023 the overdue rates balance has decreased by 24.78%.
- Approximately 71.61% of rates overdue as at 30 April 2023 are less than one year overdue.
- Discount take up for 22/23 year to date is 89.23% compared to the discount take up in 21/22 year of 89.03%.

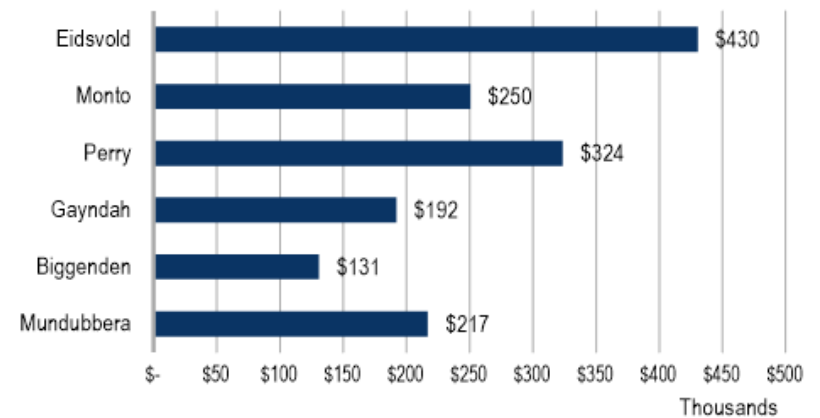
### Overdue rates by age



### Overdue rates balance



### Overdue rates by location





## 10.2 WANDERING LIVESTOCK POLICY AND PROCEDURE

**Doc Id:** 1150668

**Author:** Rachael Duncan, Acting Planning and Environment Manager

**Authoriser:** Andrew Knight, Interim General Manager - Corporate And Community

**Attachments:**

1. **Current 273 Wandering Livestock General Policy [733532]**
2. **Draft 2274 Wandering Livestock Policy [1126402]**
3. **Draft PRO-2274 Wandering Livestock Procedure [1126403]**

### EXECUTIVE SUMMARY

The existing Wandering Livestock Policy was due for review in 2018. Council developed a new Wandering Livestock Policy for Council's consideration and community consultation as tabled at the General Meeting of Council on 23 November 2022. Council's resolution was as follows:

#### **RESOLUTION 2022/169**

That Council:

1. Endorse 2274 Wandering Livestock Policy for public display.
2. Place 2274 Wandering Livestock Policy on public display and invite feedback, for a period of twenty-eight (28) days
3. Table the 2274 Wandering Livestock Policy; a summary of any community feedback; as well as any potential recommendations for Policy changes resulting from the public display period, at a General Council meeting after a public display period has concluded.

Council undertook community consultation for twenty-eight (28) days as per resolution 2022/169. If adopted, the Wandering Livestock Policy will supersede the existing Wandering Livestock General Policy 273.

### CORPORATE PLAN

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

#### **OUR PRIORITY AREAS:**

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

#### **OFFICERS RECOMMENDATION**

That Council:

1. Note the community feedback undertaken, and any potential recommendations for Policy changes resulting from the public display period.
2. Endorse the 2274 Wandering Livestock Policy and PRO-2274 2274 Wandering Livestock Procedure.

### REPORT

The new proposed Wandering Livestock Policy outlines in a transparent manner the responsibilities of land/stockholders to:

- prevent their livestock from wandering onto Council-controlled land, or private property without approval.
- remain responsible and liable for any damage or injury to property or person arising from wandering livestock on Council-controlled land, or private property.

- ensure that if grazing stock on Council controlled land, that the required permit is obtained under the Act and pursuant to Council's Stock Route Management framework; and that all compliance occurs with all conditions.
- ensure, pursuant to a Local Law, that they maintain a proper enclosure to prevent livestock from wandering at large or escaping from the livestock owner's land.

The procedure is intended to be a living document and may be administratively modified from time to time to ensure operational efficiencies are maintained.

## **CONSULTATION**

Pursuant to the Council resolution on 23 November 2022, community consultation was undertaken for twenty-eight (28) days. Two (2) responses were received during the community consultation process from two (2) Gayndah residents.

Following review of the community feedback and consultation process, Council proposes a minor amendment to the wording of Principal 5 to say; "Livestock owners remain responsible and liable at all times for any damage or injury to property or person arising from Wandering Livestock on Council controlled land or private property to the extent permitted by law".

## **RISK IMPLICATIONS**

### **Reputation / Political**

The new Policy reduces Council risk pertaining to health and safety considerations for personnel. The new Policy does not introduce any additional risk for road users. The new Policy and supporting procedural document enable Council to apply current legislative mechanisms to address reports of wandering livestock, build a data base of events and locations; and determine where land/stockholders are failing to fulfill their responsibilities.

### **Occupational Health & Safety (WHS)**

The new Policy and supporting procedure will reduce the risk of occupational health and safety incidents.

### **Financial Impact**

The new Policy and procedural document will reduce the cost of on-call teams, unnecessary travel, potential occupational health and safety claims, vehicle wear and tear/ damage relating to response to calls and vehicle commute, reallocation of resources within the Team; and may allow Council to recover some costs where land/stock owners are found to be negligent or breaching Local Laws/Stock Route Management Act.

### **Legal & Regulatory**

The Policy and Procedure development has been overseen by Council's Governance, Policy and Risk Advisor with intent of mitigating Council's liability where possible.

### **Environmental**

The Policy and procedural documents will equip Land Protection Officers to facilitate ongoing conversations with landowners and to undertake follow-up investigative processes. This will result in improved biosecurity measures through identification of inadequate fencing, illegal grazing on stock routes can be proactively prevented; and reduction in the spread of invasive weeds is probable.

### **Property & Infrastructure**

Not applicable.

### **Human Resources**

The new Policy will ensure improved health and wellbeing for Compliance staff. The risk of responding to wandering livestock reports will be minimised.

**Information Communications Technology**

The use of technology will become more prevalent in advising the community of wandering livestock events; mapping events; and gathering evidence at locations to support compliance actions.

**Service Delivery**

Not applicable.

**Climate**

Not applicable.

**KEY MESSAGE**

The proposed Policy and Procedures will enable Council to better address any incidences of wandering livestock and suitably consider the safety and wellbeing of Compliance staff, as well as other Council staff involved with wandering livestock incident management and follow-up, as well as resolution. Council endorsement of the new procedure will allow the Team to better utilise resources, reduce ongoing and emerging Workplace Health and Safety risks, and essentially reduce risk to the organisation.



## General Policy and Procedure

Policy Title: **Wandering Livestock**

Policy No:

Directorate: Engineering & Environmental Services

Responsible Officer: Manager – Environmental Services

Adopted Date:

Review Date:

VERSION	MEETING APPROVED	MEETING DATE	HISTORY
1			

Authorities: *Local Law No. 2 (Animal Management) 2011*  
*Land Protection (Pest and Stock Route Management) Act 2002*  
*Biosecurity Act 2014 (from 1<sup>st</sup> July 2016)*

### INTRODUCTION:

Council is often the first point of contact by members of the public to report wandering livestock. The North Burnett Regional Council is able to respond to and act upon any incidents of wandering livestock made known to it under Local Law No. 2 (Animal Management) 2011, and/ or the Land Protection (Pest and Stock Route Management) Act 2002 and or the Biosecurity Act 2014 (from 1<sup>st</sup> July 2016). Wandering livestock may affect the safety of pedestrians and motorists.

### OBJECTIVES:

The North Burnett Regional Council aims to establish an efficient and consistent approach to respond to incidents of wandering livestock. This policy will provide the steps to be followed by staff responding to wandering livestock complaints and processes for compliance measures. This policy does not cover domestic disputes of wandering livestock on private property as this is dealt with under the relevant legislation.

### DEFINITIONS:

<b>Wandering</b>	The animal is not under the effective control of someone and the animal is in either a public place, or a private place without the consent of the occupier.
<b>Livestock</b>	Cattle, horses, goats, sheep, pigs, or any animal used for agricultural purposes.

Doc ID 733532



<b>Customer Service Request</b>	A record of enquiry entered by Council staff via Council's record system.
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**RESPONSIBILITIES:**

- Chief Executive Officer
  - General Manager Engineering and Environmental Services
  - Manager Environmental Services
  - Natural Resources Management Officer
  - Land Protection Officers
  - Administration Officer (Natural Resources)
1. A direction to investigate and 'manage' a wandering livestock situation may come in several forms;
    - a. Call Out/ Emergency Call Out; an incident occurring after hours that requires immediate attention to ensure that there is not a threat to life, e.g. livestock wandering on the road at night.
    - b. Notification from Customer Service / Administrative staff; when an incident of wandering livestock occurs requires urgent attention and must be dealt with as soon as possible due to the safety risk to the general public.
  2. Order of operational response – during normal operating hours contact will be made with the local Land Protection Officer or other authorised officer as per the Wandering Livestock Order of Call Out List (Doc ID 655024).
  3. After hours customers call 1300 696 272 and select the appropriate numbers to go to the On-Call Authorised Officer.
  4. Community compliance with the appropriately required standard of land and/or livestock management will be administered in a reasonable and transparent manner as per the Wandering Livestock – Administration Procedure (Doc ID 742024). This may involve;
    - a. the engagement of landholders
    - b. issuing of verbal warnings,
    - c. letters,
    - d. compliance notices,
    - e. fines/charges and
    - f. the impounding of livestock.

## REFERENCE MATERIAL:

TITLE	DESCRIPTION	DOC ID
<b>North Burnett Regional Council – Local Law No 2. (Animal Management) 2011</b>	Animal Management -	
<b>Work Health &amp; Safety – Works Procedure</b>	Animal Control regarding to livestock.	<b>302184</b>
<b>Department of Transport and Main Roads – 450 form</b>	Emergency Call Out 450 form	<b>694423</b>
<b>Wandering Livestock Report Form</b>	Report form filled in by LPO's or Authorised Officers	<b>712974</b>
<b>Wandering Livestock Blanket Letter – Letter 1a</b>	To be used when identification of ownership of livestock is unknown and repeated occurrences on a road/are.	<b>720835</b>
<b>Wandering Livestock First Letter – 1b</b>	First Letter identifies the location and dates of when livestock were sited on the roadside. This is also accompanied by a Factsheet on responsibilities of wandering livestock.	<b>694437</b>
<b>Wandering Livestock Compliance Notice Letter No 2</b>	Compliance Notice sent for Third offence in 12 months.	<b>718666</b>
<b>Wandering Livestock Notice of Inspection Charges &amp; Penalty Infringement Notice No 3</b>	Compliance Notice sent for Fourth offence in 12 months.	<b>438937</b>
<b>DRAFT Wandering Livestock Procedure for LPO's</b>	Gives full details on how Wandering Livestock should be followed up for the correct outcome.	<b>735887</b>
<b>DRAFT Wandering Livestock Procedure for Customer Service</b>	Customer Service staff procedure to assist in steps to follow when responding to wandering livestock incidents	<b>735338</b>
<b>DRAFT Wandering Livestock – Administration Procedure</b>	Administrative procedure to provide reasonable and transparent processes to be followed in the administration of wandering livestock.	<b>742024</b>
<b>Wandering Livestock Fact Sheet</b>	Factsheet on the owner's responsibilities to ensure livestock don't wander.	<b>441215</b>
<b>Wandering Livestock Order of Call Out List</b>	Order of Call out for each area.	<b>655024</b>
<b>Wandering Livestock Procedure Flow Chart</b>	Flow chart showing procedures followed for wandering livestock	<b>712422</b>
<b>Wandering Livestock Register</b>	Register of all wandering livestock incidents which includes action taken	<b>704745</b>

Doc ID 733532

## Draft 2274 Wandering Livestock

### Governance Policy



### PURPOSE

- 1) The purpose of this Policy is to clearly outline the responsibilities of Livestock Owners and North Burnett Regional Council's obligations when dealing with wandering livestock, pursuant to the Act and Council's Local Law's.

### SCOPE

- 2) This policy applies only to Livestock that is found wandering on Council Controlled Land and/or private property without approval within the North Burnett Council Region.

### DEFINITIONS

Term	Definition
Act	Means <i>Stock Route Management Act 2002 (Qld)</i>
Council	Means North Burnett Regional Council
Council Controlled Land	Includes all roads within the North Burnett Region under the control of Council and all other land, facilities and other infrastructure owned, held in trust or otherwise controlled by Council, and includes part of a Council controlled area.
Livestock	Means cattle, horses, goats, sheep, pigs or any other animal used for agricultural purposes.
Livestock Owner	Means the owner of the livestock, or the owner's employee acting within the scope of employment who has immediate control or custody of the livestock.
Local Laws	Means <i>North Burnett Regional Council Local Law No. 1 (Administration) 2011 and Local Law No. 2 (Animal Management) 2011</i> , or any revised version thereof.
North Burnett Region	Includes all properties, roads and other land that fall within the defined boundary of the North Burnett Regional Council area.
Stock Route	Means a road or route ordinarily used for travelling stock or declared under a regulation to be a stock route.
Stock Route Network	Means the network of stock routes and reserves for travelling stock in the State.
Wandering Livestock	Has the same meaning as 'Wandering at Large' under the Local Law, which means the livestock is not under the effective control of someone and the livestock is in either: <ol style="list-style-type: none"> <li>(a) a public place; or</li> <li>(b) a private place without the consent of the occupier.</li> </ol>

### POLICY

#### OBJECTIVES

- 3) To outline the responsibilities of Livestock Owners to prevent their livestock from wandering onto Council Controlled Land, or private property without approval; and
- 4) To outline Council's obligations and limitations when dealing with Wandering Livestock.

## PRINCIPLES

- 5) Livestock Owners remain responsible and liable at all times for any damage or injury to property or person arising from Wandering Livestock on Council Controlled Land or private property.
- 6) It is the Livestock Owner's responsibility to ensure that if grazing stock on Council Controlled Land that the required permit is obtained under the Act and pursuant to Council's Stock Route Management framework, and that all conditions are complied with.
- 7) It is the Livestock Owner's responsibility to ensure, pursuant to a Local Law, that they maintain a proper enclosure to prevent livestock from Wandering at Large or escaping from the Livestock Owner's land.
- 8) Council has the challenging role of managing the costs of its services provided to the community in a way that supports the long-term financial sustainability of Council pursuant to the *Local Government Act 2009*.
- 9) It is acknowledged that Council's functions exercised as the local government authority are limited by both financial and human resources and as such, it does not have the available resources to seize and impound Wandering Livestock.
- 10) Council reserves all rights to take any enforcement action necessary to give effect to this Policy.

## POLICY STATEMENT

- 11) Council has a discretionary power to seize Wandering Livestock through the application of its Local Laws and, in some circumstances, the Act.
- 12) However, given the geographic location and size of the North Burnett Region, Council's availability of resources is limited, and it does not have the ability to seize and impound Wandering Livestock at a Council facility.
- 13) Council is not obliged to accept custody of Wandering Livestock taken under effective control by an occupier of private land or seizing and impounding Wandering Livestock found wandering at large.
- 14) Council may take enforcement action against the Livestock Owner in accordance with its powers under the Local Laws and/or the Act for any livestock found wandering to compel the Livestock Owners to ensure their livestock are contained within their property.
- 15) Council aims to mitigate the risk associated with incidents of Wandering Livestock on Council Land and private property pursuant to the permit process outlined in Council's Stock Route & Road Easement Management Policy and by imposing requirements on Livestock Owners to provide proper enclosures in accordance with Local Laws.
- 16) Council will consider risk mitigation measures on a case-by-case basis, and having regard to Council's financial and other resources, the broad range of its activities and any applicable standards for the exercise of its functions.
- 17) In considering what risk mitigation measures to implement, Council will also have regard to the level of training of its authorised officers in dealing with Wandering Livestock.

## ROLES AND RESPONSIBILITIES

- 18) Livestock Owners are responsible for their Livestock pursuant to Local Laws which includes (but is not limited to) ensuring:
  - (a) a proper enclosure is maintained to prevent Livestock from wandering or escaping from the Livestock Owner's land;
  - (b) the Livestock Owner's livestock are contained within their property at all times, either through regular fencing inspections and/or regular audits of livestock numbers; and
  - (c) compliance with the 'Minimum Standards for Keeping Animals' (where applicable).
- 19) Additionally, Livestock Owners are also responsible for ensuring their Livestock do not stray onto the Stock Route Network unless authorised under the Act.
- 20) On receipt of a complaint from a member of the public regarding Wandering Livestock, Council's authorised officer's response will be to:

- (a) determine whether the Livestock Owner can be identified from the details supplied by the customer;
  - (b) if the Livestock Owner can be identified, they will be contacted to immediately seize and return the livestock to their property;
  - (c) if the Livestock Owner cannot be identified or located through details supplied by the customer, the authorised officer will attend the location where the complaint was made to determine if they can identify the Livestock Owner;
  - (d) if the authorised officer can identify the Livestock Owner, they will contact the Livestock Owner to immediately seize and return their livestock to their property;
  - (e) if the Livestock Owner cannot be identified and the location of the Wandering Livestock presents an unacceptable risk of causing damage to property or person, the authorised officer will consider what risk mitigation measures, if any, are required to be implemented, to address the potential hazard.
  - (f) try to secure the Wandering Livestock by herding them into the nearest open paddock and secure them if possible; and
  - (g) where it is not possible to secure the Wandering Livestock, but the authorised officer reasonably believes the Wandering Livestock has the potential to create a hazard to road users, Council will consider what risk mitigation measures, if any, are required to be implemented.
- 21) In circumstances where Wandering Livestock are located on private property, the private property owner will be asked to contain the Wandering Livestock until such time as the Livestock Owner can seize and return the livestock to their property.

## APPLICABLE LEGISLATION AND REGULATION

- 22) Applicable legislation and regulation:
- a) *Local Government Act 2009 (Qld)*;
  - b) *Stock Route Management Act 2002 (Qld)*;
  - c) *North Burnett Regional Council Local Law No. 2 (Animal Management) 2011*;
  - d) *North Burnett Regional Council Subordinate Local Law No. 2 (Animal Management) 2011*; and
  - e) *Civil Liability Act 2003 (Qld)*.

## RELATED DOCUMENTS

- 23) Related documents are:
- a) Stock Route and Road Easement Management Policy; and
  - b) Stock Route Management Procedure.

## RESPONSIBLE OFFICER

General Manager Corporate and Community

## APPROVAL DATE

[To insert date]

## REVIEW DATE

[To insert date] (Standard four year term)

## REVISION HISTORY

Version	Meeting	Approval Date	History
1	General	[To insert date]	New



## Draft PRO-2274 Wandering Livestock Procedure



### 1. PURPOSE

The purpose of this procedure is to support the Wandering Livestock Policy pursuant to the Act, Regulation and Council's Local Laws.

### 2. SCOPE

North Burnett Regional Council has a discretionary power through the application of its Local Laws to address reports of wandering livestock and to determine actions to:

1. Reduce the number of wandering livestock events;
2. Determine if noncompliance with Council Local Laws is a contributing factor;
3. Make recommendations in consultation with stockowners to address wandering livestock events; and
4. Initiate enforcement actions where appropriate including seizure of wandering livestock.

### 5. DEFINITIONS

Term	Definition
Act	Means <i>Stock Route Management Act 2002 (Qld)</i>
Community	The residents within the Council defined boundaries of the North Burnett Region.
Council	Means North Burnett Regional Council
Effective Control	Means control measures that restrict and prevent the movement of livestock from the areas they are permitted to occupy/graze. This may include fencing, tethering or other means to achieve such control, where failures to contain livestock do not occur.
Livestock	Means cattle, horses, goats, sheep, pigs or any other animal used for agricultural purposes.
Livestock Owner	Means the owner of the livestock, or the owner's employee acting within the scope of employment who has immediate control or custody of the livestock.
Local Laws	Means <i>North Burnett Regional Council Local Law No. 1 (Administration) 2011 and Local Law No. 2 (Animal Management) 2011, Local Law No.4 (Local Government Controlled Areas, Facilities and Roads)</i> or any revised version thereof.
North Burnett Region	Includes all properties, roads and other land that fall within the defined boundary of the North Burnett Regional Council area.
Regulation	<i>Stock Route Management Regulation 2003 (Qld)</i>
Relevant Land	Means a Stock Route, a reserve for travelling stock or a road under Council's control.
Reserve	Means a reserve for travelling stock which is land dedicated as a reserve under the <i>Land Act 1994 (Qld)</i> and may be used for travelling stock.
Road	Includes all Council controlled roads within the North Burnett Local Government Area and includes Rural Road Easements.
Stock Route	Means a road or route ordinarily used for travelling stock or declared under a regulation to be a stock route.
Stock Route Grazing (Agistment) Permit	Permit for the agistment of stock for grazing purposes on Stock Routes and issued under Chapter 3, Part 4, Division 1 of the Act.
Stock Route Travel Permit	Permit to allow stock driven on foot on relevant land in Council's area and issued under Chapter 3, Part 5 of the Act.
Wandering Livestock /Unauthorised Grazing	The animal is not under the effective control of someone, and the animal is in either a public place or a private place without the consent of the occupier?

### 6. PROCEDURE

#### PROCEDURE DETAIL

Steps to follow when there is a report of wandering livestock:

- 1) Call received by the customer service (CS) team (business hours) or the afterhours call centre.
- 2) Details recorded
  - a. Name and contact details of caller
  - b. Date and time of wandering livestock call notice
  - c. Location (preferably with a cross street reference)
  - d. Number of wandering livestock and type of stock (cow, horse etc)
  - e. Any other information i.e., near a bridge, accident occurred etc
- 3) Details will be listed on Council's website as a general warning of wandering livestock in the area as soon as reasonably practicable following the notification.
- 4) Details of the wandering livestock will be tasked to the Compliance team via Customer Service for investigation.
- 5) A risk assessment will be conducted concurrently with the above actions to determine whether Compliance will attend the location.
- 6) Where a notification of wandering livestock is received during Council business hours, the task will be allocated to Compliance team who will attempt to contact the landowner (if known) or the adjacent landowners (where the location is unclear) by phone in the first instance (contact details sourced from Council's records). The purpose of the phone call is to advise the landowner of wandering livestock.
- 7) Where contact via a phone call is unsuccessful, Compliance will correspond with adjacent landowners in the area (if details are available from Council's systems) and advise them of wandering livestock.
- 8) Where a decision to attend or arrange other personnel to attend (during normal working hours) is made, the following is to occur:
  - a. The investigating officer is to complete a risk assessment based on their experience/training, identifying the site conditions and circumstances before progressing the investigation.
  - b. Land/stock owners should be advised (where possible) of their requirements to ensure stock do not stay beyond the property boundaries and they should also be made aware of the Stock Route Management Policy if they are considering moving/existing stock on the stock route.
- 9) The site will be inspected by a Compliance officer within 7 days of the initial wandering livestock report, to ensure measures are imposed on the livestock/property owner to prevent future occurrences from happening.

## 7. ROLES AND RESPONSIBILITIES

- Council's Authorised Officers within Land Protection operations are responsible for processing, monitoring, and enforcing all requirements under the Act and Councils Local Laws where relevant.
- Lands Protection staff will be assisted by other employees of Council from time-to-time.

## 8. APPLICABLE LEGISLATION AND REGULATION

Applicable legislation and regulation:

- a) *Stock Route Management Act 2002* (Qld)
- b) *Stock Route Management Regulation 2003*
- c) Local Law No.2 (Animal Management)
- d) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads)

## 9. RELATED DOCUMENTS

Related documents are:

- a) North Burnett Regional Council Biosecurity Plan

## 10. RESPONSIBLE OFFICER

General Manager Corporate and Community

## 11. REVIEW DATE

[<Month Year>] (Standard four year term OR inline with Policy or Directive review)

## REVISION HISTORY

Version	Meeting	Approval Date	History
1	[To specify Meeting]	[To insert date]	[To specify New OR Revised]

## APPENDIX 1: LINK FOR COPY OF THE PERMIT APPLICATIONS FOR REFERENCE.

[Application for a Stock Route Grazing \(Agistment\) Permit \(resources.qld.gov.au\)](https://resources.qld.gov.au)

[Application for a Stock Route Grazing \(Agistment\) Permit \(resources.qld.gov.au\)](https://resources.qld.gov.au)



**11 WORKS**

Nil

## 12 COUNCILLOR REPORTS

### 12.1 MAYOR AND COUNCILLORS REPORTS

**Doc Id:** 1149648

**Author:** Tegan Bauer, Executive Assistant to the Mayor

**Authoriser:** Margot Stork, Chief Executive Officer

**Attachments:** 1. Cr Giddins - Councillor Report for April 2023.pdf [1150362]  
2. Mayor Hotz - Councillor Report for April 2023.pdf [1150925]

#### INTRODUCTION/BACKGROUND

This report is a summary of the Mayor and Councillor's attendance at meetings and functions representing Council for the period 1 April 2023 to 30 April 2023.

In addition to the attached, Councillor Information Workshops were held throughout the period as noted below. These workshops are an opportunity for Council Officers to keep Councillors up to date with projects that are happening throughout the region.

- Wednesday 5 April 2023 in Gayndah
- Wednesday 19 April 2023 in Mundubbera

In addition to the 2023 Meeting Schedule, a Special Council Meeting was held on Wednesday 5 April 2023 in Gayndah.

As per the 2023 Meeting Schedule, the Council General Meeting was held on Wednesday 26 April 2023 in Biggenden.

#### OFFICER COMMENTS/CONCLUSION

Nil.

#### OFFICERS RECOMMENDATION

That the Councillor Reports be received for the period of 1 April 2023 to 30 April 2023.

## COUNCILLOR DAEL GIDDINS

APRIL, 2023

Date	Meeting/Function	Location	Comments
04/04/2023	Meeting with Resident of Bon Accord	Gayndah	Discussion regarding Bon Accord Bridge and the timeline of repairing such.
08/04/2023	Gayndah Show – Easter Saturday	Gayndah	Assisted on Gate, Canteen. Interaction with the Residents during the day to discuss their concerns
14/04/2023	Gayndah Youth Week	Gayndah	Attended the event at the Gayndah Tennis Courts & Gayndah Town Hall. Took part in the activities with the children. This event was extremely well attended by the Gayndah youth and Ted was extremely informative to them with his knowledge
15/04/2023	Mt Perry Show	Mt Perry	Attended Mt Perry Show, spoke with both Bryson Head & Colin Boyce and local Mt Perry residents
18/04/2023	Bundaberg DDMG – Doorknock Disaster Exercise	Gayndah	Attended this Disaster Exercise in conjunction with Bundaberg Regional Council LDMG. Cr Melinda Jones and I found this was a very valuable exercise with all parties engaging with the Disaster procedures. SES were extremely well prepared and the debrief following the exercise gave us all the opportunity to look at improvements where necessary.
21/04/2023	Washdown Facility – Meeting	Gayndah	Meeting was held to discuss the information supplied to Councillors for the General Council Meeting on Wednesday
22/04/2023	Gayndah Orange Festival Ball	Gayndah	Deputy Mayor Robbie Radel attended with the Hon. Mark Furner.
24/04/2023	Bundaberg Tourism Meeting	Gayndah	Meeting with Katherine Reid, CEO Margot, Strategic Manager, Garry, Cr Melinda Jones regarding Council's option of staying with Bundaberg Tourism or moving to Toowoomba Region now that zones are being realigned. Discussions around what the financial impact could be in our 2023/24 partnership.

Date	Meeting/Function	Location	Comments
24/04/2023	Burnett State College	Gayndah	Invited to present the 2023 School Captains leadership badges.
25/04/2023	Gayndah Anzac Day (4.30am to 2.30pm)	Gayndah	Attended Dawn Service, Gunfire Breakfast, Gooroolba Service, Gayndah Main Service & Lunch with the Gayndah RSL Sub Branch
25/04/2023	Coalstoun Lakes Anzac Day Service 4pm	Coalstoun Lakes	Was invited to be part of the Service Presentations

**MAYOR LES HOTZ****APRIL, 2023**

Date	Meeting/Function	Location	Comments
13/04/2023	Road Inspection – Cania Dam Road	Monto	Review of the water concerns on Cania Dam Road.
13/04/2023	Presentation at Ridgehaven	Monto	Recognising 20 years of volunteer service to two (2) residents at Monto
20/04/2023	Service Planning – Part 1	Rockhampton	
24/04/2023	Monto Ratepayers Association	Monto	
25/04/2023	ANZAC Day Service at 4.28am	Monto	Well attended by the Monto Community.
27/04/2023	Wide Bay Burnett Regional Planning Committee	Bundaberg	
26/04/2023	Community Information Session	Biggenden	
28/04/2023	Community Meeting	Eidsvold	Mr Colin Boyce MP also attended the community meeting regarding the Eidsvold television retransmission towers

**13 URGENT BUSINESS**

**14 CONFIDENTIAL REPORTS****OFFICERS RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275(1) of the *Local Government Regulation 2012*:

**14.1 MUNDUBBERA LAND DISPOSALS**

This matter is considered to be confidential under 254J - 254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**14.2 COUNCILLOR CONDUCT INVESTIGATION**

This matter is considered to be confidential under 254J - 254J(3)(e) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

**15 CLOSURE OF MEETING**