



# **GENERAL MEETING**

**14 December 2022**

## **NOTICE OF MEETING**

Date: 14 December 2022

Cr AL Martin  
Cr BP Johnstone  
Cr PJ Pullos  
Cr LP Russell  
Cr JH Scobie  
Cr DA Hardie  
Cr GK Schluter

Please find attached the Agenda for the General Meeting to be held at the Blackall-Tambo Regional Council Chambers in Blackall, 14 December 2022 commencing at 8.30am.

A handwritten signature in blue ink, appearing to read 'DA Howard'.

**DA Howard**  
**Chief Executive Officer**

**CALENDAR OF EVENTS****December 2022**

14 December 2022	Council Meeting – Blackall
18 December 2022	Carols in the Park
25 December 2022	Christmas Day

**January 2023**

1 January 2023	New Year's Day
2 January 2023	Public holiday for New Year's Day
3 January 2023	Council Offices Open
9 January 2023	Council Depots Open
25 January 2023	Council Meeting – Tambo
26 January 2023	Australia Day

**February 2023**

15 February 2023	Council Meeting – Blackall
28 February 2023	RAPAD – F2F Winton

**March 2023**

1-2 March 2023	RAPAD – F2F Winton
15 March 2023	Council Meeting – Tambo
18 March 2023	Box Cars Rally – Tambo
24-26 March 2023	Ladies in the Field - Tambo

**April 2023**

1 April 2023	Tambo Outback Rodeo
7 April 2023	Good Friday
8 April 2023	Easter Sunday
10 April 2023	Easter Monday
19 April 2023	Council Meeting – Blackall
21 April 2023	Queensland Music Trails - Tambo
25 April 2023	ANZAC Day
29 April 2023	Tambo Stock Show

**May 2023**

1 May 2023	Labour Day
13-14 May 2023	Tambo Polocrosse – 60 years
14 May 2023	Opera Queensland's Tambo Concert
14 May 2023	Opera Queensland – Sing Sing Sing (The Lodge on Hawthorn)
17 May 2023	Council Meeting – Tambo
19-21 May 2023	Tambo Campdraft
23-24 May 2023	RAPAD – F2F Longreach
24 May 2023	Opera Queensland – Lady Sings the Maroons (Blackall Woolscour)
27 May 2023	Tambo Races – Tambo Cup

**June 2023**

21 June 2023	Council Meeting – Blackall
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**July 2023**

19 July 2023	Council Meeting – Tambo
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24-27 July 2023  
29 July 2023

Bush Councils Convention - Goondiwindi  
Tambo Races – Ladies Day

**August 2023**

16 August 2023  
22-23 August 2023

Council Meeting – Blackall  
RAPAD Board – F2F Boulia

**September 2023**

20 September 2023  
26-28 September 2023

Council Meeting – Tambo  
WQAC - Winton

**October 2023**

2 October 2023  
11 October 2023  
16-18 October 2023

Queen's Birthday  
Council Meeting – Blackall  
LGAQ Annual Conference - Gladstone

**November 2023**

2 November 2023  
11 November 2023  
15 November 2023  
28-30 November 2023

Melbourne Cup Day – Bank Holiday for BTRC  
Remembrance Day  
Council Meeting – Tambo  
RAPAD Board and Friends of RAPAD – F2F Brisbane

**December 2023**

20 December 2023

Council Meeting - Blackall

**Held at Blackall Council Chambers**  
**On Wednesday 14 December 2022**  
**Commencing at 8.30am**

## Order of Business

### Blue items are hyperlinked

Leave of absence/Signing of Attendance Book

Apologies:

Condolences:

- Margaret Irvine
- Margaret Ann Brown nee Mullins

Declarations of Conflicts of Interest

Deputations:

- Queensland Music Festival – Joel Edmondson – CEO and Creative Director, Simon Buchanan – Business Development Director, Sue Nelson – Government Partnerships Manager

## **BUSINESS**

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**MINUTES OF THE GENERAL MEETING OF  
BLACKALL-TAMBO REGIONAL COUNCIL  
HELD AT THE TAMBO COUNCIL CHAMBERS  
ON WEDNESDAY 16<sup>th</sup> NOVEMBER 2022  
AT 8.30AM**

**PRESENT:**

Councillors: Cr AL Martin (Mayor), Cr LP Russell (Deputy Mayor), Cr JH Scobie, Cr BP Johnstone, Cr PJ Pullos, Cr GK Schluter, Cr DA Hardie

**OFFICERS:**

Mr Alastair Rutherford, Acting Chief Executive Officer and Director of Finance Corporate and Community Services, Mr Garth Kath Director of Works and Services, Mrs Andrea Saunders, Governance Coordinator, Ms Piper Hansen, Minute Taker

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**CONDOLENCES:**

A minute's silence was observed to mark the passing of:

- Trevor John Austin
- Gwenda Markwell
- Gregory Farrows
- Kathleen Elliot

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**DECLARATIONS OF INTEREST:**

**Cr JH Scobie for item 4.1.5** – I, Councillor Scobie inform the meeting that I have a declarable conflict of interest in item 4.1.5 RADF Application - Better in Blackall Festival Inc. The nature of my interest is as follows:

- I am a member of the Better in Blackall Festival.

As a result of my conflict of interest, I will leave the meeting room while the matter is considered and voted on.

**Cr LP Russell for item 4.1.5** – I, Councillor Russell inform the meeting that I have a prescribed conflict of interest in item 4.1.5 RADF Application - Better in Blackall Festival Inc. The nature of my interest is as follows:

- My wife, Gillian Russell is the president of the Better in Blackall Festival.

As a result of my conflict of interest, I will leave the meeting room while the matter is considered and voted on.

**Cr AL Martin for item 4.1.4** – I, Councillor Martin inform the meeting that I have a prescribed conflict of interest in item 4.1.4 RADF Application - Tambo Isolated Children's Parents' Association (ICPA). The nature of my interest is as follows:

- My wife, Louise Martin is the president of the Queensland Isolated Children's Parent's Association (ICPA).

As a result of my conflict of interest, I will leave the meeting room while the matter is considered and voted on.

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### **Attendance by Audio Link**

Cr Johnstone has requested attendance to the November general meeting by audio link.

**MOTION:**      **Moved: Cr LP Russell**                      **Seconded: Cr PJ Pullos**

**That under section 254K - Participating in meetings by audio link or audio-visual link, Council permits Cr BP Johnstone to take part in the meeting.**

**Minute No. 01/11A/22**

**Carried 7/0**

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### **1.1 Confirmation of General Meeting Minutes**

**MOTION:**      **Moved: Cr PJ Pullos**                      **Seconded: Cr DA Hardie**

**That the minutes of the General Meeting held on 26 October 2022 be taken as read and confirmed, and that the Mayor be authorised to sign same.**

**Minute No. 02/11A/22**

**Carried 7/0**

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### **4.1.1 Financial Report for the Month of October 2022**

In accordance with s204 of the *Local Government Regulation 2012* a monthly financial report is required to be presented to Council. The financial report for October 2022 details Council's current financial position and compares its performance against the adopted budget for 2022-2023.

**MOTION:**      **Moved: Cr GK Schluter**                      **Seconded: Cr LP Russell**

**That Council receive the Financial Report for October 2022.**

**Minute No. 03/11A/22**

**Carried 7/0**

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**4.1.2 DFCCS Operations Report – October 2022**

The Director of Finance Corporate and Community Services operations report for October 2022 is presented to Council. The report includes housing and administration, community development program, Blackall aerodrome, libraries, visitor information centres, facility bookings, Tambo Multipurpose and Tambo Child Care Centre.

**MOTION:**      **Moved: Cr GK Schluter**                      **Seconded: Cr PJ Pullos**

**That Council receive the DFCCS Operations Report for October 2022.**

**Minute No. 04/11A/22**

**Carried 7/0**

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**4.1.3 RADF Meeting Minutes**

The second round of the 2022-2023 RADF program closed for applications on October 28<sup>th</sup> and the RADF Committee held a meeting on the 7<sup>th</sup> of November.

**MOTION:**      **Moved: Cr JH Scobie**                      **Seconded: Cr DA Hardie**

**That Council receive the meeting minutes of the RADF Committee dated 7 November 2022.**

**Minute No. 05/11A/22**

**Carried 7/0**

At this point, 8.55am, Cr Martin left the meeting.  
Cr Russell assumed the chair.

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**4.1.4 RADF Application - Tambo Isolated Children's Parents' Association (ICPA)**

The second round of the 2022-2023 RADF program closed for applications on October 28<sup>th</sup> and the Committee recommended the application from the Tambo Isolated Children's Parents' Association be approved.

**MOTION:**      **Moved: Cr BP Johnstone**                      **Seconded: Cr JH Scobie**

**That Council endorse the RADF Committee's recommendation to approve the application from Tambo Isolated Children's Parents' Association for \$5000.00.**

**Minute No. 06/11A/22**

**Carried 6/0**

At this point, 8.56am, Cr Russell and Cr Scobie left the meeting and Cr Martin returned to meeting.

Cr Martin resumed the chair.

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#### **4.1.5 RADF Application - Better in Blackall Festival Inc**

The second round of the 2022-2023 RADF program closed for applications on October 28<sup>th</sup> and the Committee recommended the application from the Better in Blackall Festival Inc. be approved.

**MOTION:**      **Moved: Cr PJ Pullos**                      **Seconded: Cr GK Schluter**

**That Council endorse the RADF Committee's recommendation to approve the application from Better in Blackall Festival Inc for \$4500.00.**

**Minute No. 07/11A/22**

**Carried 5/0**

At this point, 8.57am, Cr Russell and Cr Scobie returned to meeting.

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#### **4.1.6 Annual Report 2021/2022**

Section 182(2) of the *Local Government Regulation 2012* requires the Annual Report to be adopted by Council within one month after the day the Auditor-General issues the report on the local government's financial statements for the financial year.

**MOTION:**      **Moved: Cr GK Schluter**                      **Seconded: Cr DA Hardie**

**That Council adopt the Annual Report for the financial year 2021/2022.**

**Minute No. 08/11A/22**

**Carried 7/0**

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#### **4.1.7 QAO - Final Management Report to Mayor 2022**

Under section 213 of the *Local Government Regulation 2012* a copy of the final management report from the Queensland Audit Office to the Mayor must be presented to Council regarding the audit of Council's annual financial statements.

**MOTION:**      **Moved: Cr PJ Pullos**                      **Seconded: Cr JH Scobie**

**That Council receive the final 2022 Management Report to the Mayor.**

**Minute No. 09/11A/22**

**Carried 7/0**

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**4.1.8 Internal Audit and Risk Management Committee - Minutes of Meeting 20 October 2022**

The Internal Audit and Risk Management Committee meeting was held on 20 October 2022 and the minutes of the meeting are provided to Council.

**MOTION:**      **Moved: Cr LP Russell**                      **Seconded: Cr DA Hardie**

**That Council receive the minutes of the Internal Audit and Risk Management Committee's meeting 20 October 2022.**

**Minute No. 10/11A/22**

**Carried 7/0**

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**4.2.1 Director of Works and Services' Operations Report - October 2022**

The Director of Works and Services report for October 2022 is presented to Council.

**MOTION:**      **Moved: Cr LP Russell**                      **Seconded: Cr GK Schluter**

**That Council receive the Director of Works and Services' Operation Report for October 2022.**

**Minute No. 11/11A/22**

**Carried 7/0**

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**4.2.2 Work Health and Safety Report**

The Work Health and Safety report is provided to Council.

**MOTION:**      **Moved: Cr JH Scobie**                      **Seconded: Cr DA Hardie**

**That Council receive the Work Health and Safety report for October 2022.**

**Minute No. 12/11A/22**

**Carried 7/0**

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**5.1 Blackall Saleyards Monthly Report**

The Blackall Saleyards monthly report for October is provided to Council.

**MOTION:**      **Moved: Cr JH Scobie**                      **Seconded: Cr PJ Pullos**

**That Council receive the Blackall Saleyards monthly report for October 2022.**

**Minute No. 13/11A/22**

**Carried 7/0**

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## **5.2 Planning and Development Report**

The Planning and Development report provides a summary of building applications and planning and development activity in the Blackall-Tambo Regional Council area.

**MOTION:**      **Moved: Cr GK Schluter**                      **Seconded: Cr DA Hardie**

**That Council receive the Planning and Development Report for October 2022.**

**Minute No. 14/11A/22**

**Carried 7/0**

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## **5.3 Environmental Health/Local Laws Officer's Report - October 2022**

The Environmental Health/Local Laws Officer's report is provided to Council.

**MOTION:**      **Moved: Cr GK Schluter**                      **Seconded: Cr PJ Pullos**

**That Council receive the Environmental Health/Local Laws Officer's report.**

**Minute No. 15/11A/22**

**Carried 7/0**

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## **5.4 Investigation Policy and Vehicle Policy Review**

The Investigation Policy was last updated in May 2019 and required revision. The Vehicle Policy was last updated in July 2022, however the policy required changes.

**MOTION:**      **Moved: Cr LP Russell**                      **Seconded: Cr GK Schluter**

**That Council adopt:**  
**a) The revised Investigation Policy; and**  
**b) The revised Vehicle Policy.**

**Minute No. 16/11A/22**

**Carried 7/0**

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## **5.5 Tambo Town Common Advisory Group Meeting - 16 August 2022**

The Tambo Town Common Advisory Group held a meeting in the Tambo Council Boardroom on 16 August 2022.

**MOTION:**      **Moved: Cr LP Russell**                      **Seconded: Cr DA Hardie**

**That Council receive the minutes from the Tambo Town Council Common Advisory Group meeting held 16 August 2022.**

**Minute No. 17/11A/22****Carried 7/0**

At this point, 9.22am, the town planner joined the meeting via telephone link to address Council on item 5.6.

The Town Planner left the meeting at 9.30am.

**5.6    Development Application - DA 37-2021-2022 - Tourist Park - 18 Leek Street, Blackall**

The Applicant, New Beginnings Church Blackall, seeks a Development Permit for Material Change of Use for a Tourist Park and Reconfiguring a Lot (1 lot into 2 lots) over land at 18 Leek Street, Blackall, formally described as Lot 1 on CP900484. The subject site is occupied by the New Beginnings Church. The Applicant is proposing 16 caravan sites with ensuites and associated car parking. The proposal will also include caretakers' accommodation with an office. The reconfiguration of the lot will ensure the existing church and Tourist Park are on separate lots.

Under the Blackall-Tambo Region Planning Scheme 2020 (the Planning Scheme), the subject site is in the Mixed-Use Precinct of the Township Zone. The defined use that has been applied for, being a 'Tourist Park', is subject to Impact Assessment in the Township Zone. Reconfiguring a lot in the Township zone is subject to Code Assessment. The overall level of assessment for the application is Impact Assessment.

A development application that is subject to Impact Assessment is assessed against the entire Planning Scheme and is required to be publicly notified for a minimum of 15 business days. During the public notification period, seven (7) submissions and one (1) petition with 20 signatures was received. The issues raised in the submissions and petition have been addressed in the decision report.

The proposal has been assessed against the entire Planning Scheme and is consistent with the intent of the zone and all other relevant assessment benchmarks.

Based on an assessment of the proposal in accordance with the Impact Assessment process articulated in the Planning Act 2016, this decision report recommends approval of the development application, subject to the conditions stated herein.

**MOTION:**     **Moved: Cr LP Russell**

**Seconded: Cr GK Schluter**

**That Council considers the development application of 18 Leek Street but seeks further information from the town planners regarding objections received and postpones the decision as such until December 14<sup>th</sup> 2022 meeting, scheduled for Blackall.**



**Minute No. 18/11A/22****Carried 7/0**

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**5.7 Local Disaster Management Group**

The Blackall-Tambo Local Disaster Management Group (LDMG) held a meeting on Wednesday 9 November 2022. The revised Local Disaster Management Plan, Activation Guideline and Coordination Centre Guideline were adopted at the meeting.

**MOTION:**     **Moved: Cr LP Russell****Seconded: Cr PJ Pullos****That Council:**

1. Receive the minutes from the 9 November 2022 Local Disaster Management Group meeting; and
2. Adopt the revised Local Disaster Management Plan; and
3. Adopt the Blackall-Tambo Regional Council Activation Guideline; and
4. Adopt the Blackall-Tambo Regional Council Coordination Centre Guideline.

**Minute No. 19/11A/22****Carried 7/0**

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**5.8 Blackall Work Camp Community Advisory Committee Meeting - 8 November 2022**

The Work Camp Community Advisory Committee held a meeting on 8 November 2022.

**MOTION:**     **Moved: Cr JH Scobie****Seconded: Cr BP Johnstone**

**That Council receive the Blackall Work Camp Community Advisory Committee report for the 8 November 2022 meeting.**

**Minute No. 20/11A/22****Carried 7/0**

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**CLOSURE:**

There being no further business to consider, the Mayor declared the Meeting closed at 9.39am.

**CONFIRMATION OF MINUTES:**

Confirmed by Council as a true and correct record at the General Meeting held on Wednesday 14 December 2022.

Signed.....Mayor

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Minute No.	Report Number	Subject	Resolution	Action By	Result
06/11A/22	4.1.4	RADF Application – Tambo Isolated Children’s Parents’ Association (ICPA)	That Council endorse the RADF Committee’s recommendation to approve the application from Tambo Isolated Children’s Parents’ Association for \$5000.00.	DFCCS	The applicants have been provided the appropriate agreement.
07/11A/22	4.1.5	RADF Application – Better in Blackall Festival Inc	That Council endorse the RADF Committee’s recommendation to approve the application from Better in Blackall Festival Inc for \$4500.00.	DFCCS	The applicants have been provided the appropriate agreement.
08/11A/22	4.1.6	Annual Report 2021/2022	That Council adopt the Annual Report for the financial year 2021/2022.	DFCCS	The Annual Report has been placed on Council’s website.
16/11A/22	5.4	Investigation Policy and Vehicle Policy Review	That Council adopt: a) The revised Investigation Policy; and b) The revised Vehicle Policy.	CEO	The policies have been updated on the website and register.
18/11A/22	5.6	Development Application – DA 37-2021-2022 – Tourist Park – 18 Leek Street, Blackall	That Council considers the development application of 18 Leek Street but seeks further information from the town planners regarding objections received and postpones the decision as such until December 14 <sup>th</sup> 2022 meeting, scheduled for Blackall.	CEO	Held over to the 14 December 2022 meeting.
19/11A/22	5.7	Local Disaster Management Group	That Council: 1. Receive the minutes from the 9 November 2022 Local Disaster Management Group meeting; and 2. Adopt the revised Local Disaster Management Plan; and 3. Adopt the Blackall -Tambo Regional Council Activation Guideline; and	CEO	The Local Disaster Management Plan has been placed on the website.

			4. Adopt the Blackall-Tambo Regional Council Coordination Centre Guideline.		
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**BLACKALL-TAMBO REGIONAL COUNCIL**[Return to Agenda](#)[Next Item](#)**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: **4.1.1****SUBJECT HEADING: Financial Report for the Month of November 2022**

Author and Officer's Title: Alastair Rutherford, Director of Finance Corporate and Community Services

CLASSIFICATION: (if confidential)

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*Summary: In accordance with s204 of the Local Government Regulation 2012 a monthly financial report is required to be presented to Council. The financial report for November 2022 details Council's current financial position and compares its performance against the adopted budget for 2022-2023.*

**Officer's Recommendation: That Council receive the Financial Report for November 2022.**

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**Background**

In accordance with section 204 of the *Local Government Regulation 2012* the financial report of Council must be presented at the monthly meeting of Council. This ensures adequate oversight of Council's financial position and performance against the latest approved budget.

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**Link to Corporate Plan**

Governance

Outcome 4 – Financial

**Consultation (internal/external)**

CEO

Director of Finance

Manager of Finance

**Policy Implications**

Nil

**Budget and Resource Implications**

Nil

# **FINANCE REPORT TO A MEETING OF THE BLACKALL-TAMBO REGIONAL COUNCIL HELD ON 14 DECEMBER 2022**

## **Contents**

- 1. Cash Position**
- 2. Monthly Cash Flow Estimate**
- 3. Comparative Data**
- 4. Capital Funding - budget V's actual**
- 5. Road Works - budget V's actual**
- 6. Rates Arrears Summary**
- 7. Capital Projects Detail**
- 8. Revenue and Expenditure Summary**

# FINANCE REPORT TO A MEETING OF BLACKALL-TAMBO REGIONAL COUNCIL

## HELD ON 14 DECEMBER 2022

### 1. Cash Position as at 30 November 2022

**Cash at Bank**

Operating Accounts \$ 1,500,893

**Short Term Investments**

Queensland Treasury Corporation - Cash Fund \$ 21,000,000

**\$ 22,500,893**

The following items should be backed by cash and investments, plus any increases in the surplus of Debtors over Creditors and unspent grants.

Cash backed Current Liabilities (Employee Entitlements) \$ 2,684,923

Unspent Grants (Restricted Cash) \$ 1,951,806

**\$ 4,636,729**

	<i>Debtors</i>	<i>Creditors</i>	
Balance of recoverable <b>debtors</b> - estimated <b>creditors</b> :	1,422,765	28,951	\$ 1,393,814

Plus cash surplus	22,500,893	4,636,729	\$ 17,864,164
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**Working Capital** **\$ 19,257,978**

### 2. Monthly Cashflow Estimate: December 2022

**Receipts**

Rates & Fees & Charges \$ 50,000

Debtors \$ 1,200,000

Grants/Subsidies \$ 75,000

Total \$ 1,325,000

**Expenditure**

Payroll \$ 800,000

Creditor Payments \$ 800,000

Loan Payments \$ -

Total \$ 1,600,000

Therefore cash is expected to decrease by **-\$ 275,000** in the period.

### 3. Comparative Data:

	November 2022	November 2021
Cash position	22,500,893	22,809,404
Working capital	19,257,978	19,386,458
Rate arrears	28,621	62,499
Outstanding debtors	1,422,765	1,257,404
Current creditors	28,951	30,454

## FINANCE REPORT TO A MEETING OF BLACKALL-TAMBO REGIONAL COUNCIL

### HELD ON 14 DECEMBER 2022

#### 4. Capital Works Summary: 1 July 2022 to 30 June 2023

	Budget	YTD Actual	% of Budget
Buildings & Other Structures	2,109,600	129,706	6%
Plant & Equipment	995,000	812,525	82%
Road Infrastructure	4,853,065	945,689	19%
Water Infrastructure	930,000	7,179	1%
Sewerage Infrastructure	250,000	-	0%
<b>Total</b>	<b>9,137,665</b>	<b>1,895,099</b>	<b>21%</b>

#### 5. Road Works Expenditure : 1 July 2022 to 30 June 2023

	Budget	Expended YTD Actual	% of Budget Expended
1. Rural Roads	9,847,300	2,822,952	29%
2. Town Streets	400,000	206,460	52%
3. RMPC Works	2,871,795	939,438	33%
<b>Total Roads Expenditure</b>	<b>13,119,095</b>	<b>3,968,850</b>	<b>30%</b>

#### 6. Rate Arrears Summary

**Total Rates Outstanding Balance      \$      80,065**

Rates Outstanding Breakdown	Total	No. of Assessments
Current	\$ 51,444	56
1 Year	\$ 16,871	16
2 Years	\$ 9,238	6
3 Years and over	\$ 2,512	2

BTRC 2022-23 CAPITAL EXPENDITURE PROJECTS		1/07/22 to 30/06/23		SOURCES OF FUNDING			Comments
Particulars	Budget 2022-23	Expenditure YTD	% Expended	Capital Grants	Contributions	Council Contribution	
<b>BUILDINGS &amp; OTHER STRUCTURES</b>	<b>2,109,600</b>	<b>129,706</b>	<b>6%</b>	<b>878,600</b>	<b>-</b>	<b>1,231,000</b>	
Tambo Dam Tree Lights	100,000	-	0%	-	-	100,000	In progress
Tambo Dam Beautification	100,000	-	0%	-	-	100,000	Planning stage
Tambo Truck Museum	200,000	89,193	45%	200,000	-	-	In progress
Tambo Racecourse Rock Removal	60,000	-	0%	-	-	60,000	Complete
Tambo Historic House Shed	40,000	11,918	30%	-	-	40,000	In progress
Blackall Admin Office South Wall	100,000	-	0%	-	-	100,000	Planning stage
Blackall Cultural Centre Lighting & Accoustic matting	100,000	-	0%	-	-	100,000	Tender out
Banks Park snail structure, floor, tank and table	20,000	-	0%	-	-	20,000	Planning stage
Shade Structures - Blackall Carpark & TMPC	100,000	-	0%	-	-	100,000	Planning stage
LGA Entry Signs - Blackall & Tambo	40,000	-	0%	-	-	40,000	Planning stage
Four Mile Waterhole - culvert & grading	30,000	28,595	0%	-	-	30,000	Complete
Tambo TV Transmitters	35,000	-	0%	-	-	35,000	Planning stage
Blackall Campdraft Arena BBRF -subject to funding	392,600	-	0%	207,600	-	185,000	Subject to funding/amend scope.
Blackall Airport PAPI Lights - subject to funding	142,000	-	0%	71,000	-	71,000	Subject to funding
Tambo Childcare Building - subject to funding	100,000	-	0%	100,000	-	-	Subject to funding
Blackall Saleyards Upgrade - subject to funding	550,000	-	0%	300,000	-	250,000	Subject to funding
<b>PLANT &amp; EQUIPMENT</b>	<b>995,000</b>	<b>812,525</b>	<b>82%</b>	<b>-</b>	<b>-</b>	<b>995,000</b>	
Plant Replacement including committed orders	763,000	630,525	83%	-	-	763,000	As per plant replacement program
Plant New - Tractor	182,000	182,000	100%	-	-	182,000	New Plant
Plant New - Cherry Picker	50,000	-	0%	-	-	50,000	As per plant replacement program
<b>ROAD INFRASTRUCTURE</b>	<b>4,853,065</b>	<b>945,689</b>	<b>19%</b>	<b>4,003,065</b>	<b>-</b>	<b>850,000</b>	
R2R Emmet Road Works	808,300	-	0%	808,300	-	-	Planning Stage
LRCI Stage 3 Local Rd Reseals	1,200,000	-	0%	800,000	-	400,000	Planning Stage
LRCI Stage 3 Main Street Rehab	800,000	-	0%	800,000	-	-	Planning Stage
Remote Rds RRUP - Langlo Rd Resheet	600,000	-	0%	480,000	-	120,000	Planning Stage
TIDS Scrubby Creek Rd	400,000	175,992	44%	200,000	-	200,000	In Progress
Blackall Median Strip upgrade	100,000	-	0%	-	-	100,000	Planning Stage
Banks Park Footpath	30,000	20,970	70%	-	-	30,000	Complete
Heavy Vehicle Bypass Stage 2 (LRCI & HVSP)	914,765	748,727	82%	914,765	-	-	In Progress
<b>WATER INFRASTRUCTURE</b>	<b>930,000</b>	<b>7,179</b>	<b>1%</b>	<b>880,000</b>	<b>-</b>	<b>50,000</b>	
Water infrastructure renewals and upgrades	930,000	7,179	1%	880,000	-	50,000	Planning stage
<b>SEWERAGE INFRASTRUCTURE</b>	<b>250,000</b>	<b>-</b>	<b>0%</b>	<b>200,000</b>	<b>-</b>	<b>50,000</b>	
Sewerage infrastructure renewals and upgrades	250,000	-	0%	200,000	-	50,000	Planning stage
<b>TOTAL CAPITAL PROGRAM 22-23</b>	<b>9,137,665</b>	<b>1,895,099</b>	<b>21%</b>	<b>5,961,665</b>	<b>-</b>	<b>3,176,000</b>	



(Accounts: 0100-0001-0000 to 5245-2000-0000. All report groups. 42% of year elapsed. To Level 2. Excludes committed costs)  
 Blackall-Tambo Regional Council (Budget for full year) Financial Year Ending 2023 Printed(SDAYAL): 06-12-2022 3:56:43 PM

		REVENUE			EXPENDITURE		
		30 Nov 2022	AMENDED	ORIGINAL	30 Nov 2022	AMENDED	ORIGINAL
		ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET	BUDGET
1000-0001	ADMINISTRATION						
1000-0002	Administration	144,694	65%	222,500	1,738,194	47%	3,701,800
1100-0002	Finance	2,870,075	41%	7,046,000	273,199	369%	74,000
1200-0002	Oncosts	0	0%	0	240,393	-54%	(447,900)
1300-0002	Stores/Purchasing	0	0%	0	1,025	2%	52,800
2000-0002	Corporate Governance	50,590	---	0	344,802	46%	751,200
2100-0002	Business Activities	20,080	45%	45,000	49,344	99%	49,700
2150-0002	Saleyard Operations	696,881	45%	1,561,000	376,179	36%	1,036,200
2200-0002	Tambo Sawmill	3,055	17%	18,000	27,365	182%	15,000
2350-0002	Airports/Aerodromes	49,385	48%	102,000	122,989	40%	306,500
2450-0002	Tourism	25,341	60%	42,500	156,826	44%	360,300
2500-0002	Planning & Development	15,727	35%	45,000	19,204	30%	65,000
2580-0002	Economic & Community Develop	1,372,739	34%	4,038,600	86	0%	82,500
2600-0002	Environmental	40,145	48%	83,100	87,432	55%	160,000
2650-0002	Animal Control	18,122	79%	22,800	8,862	15%	58,000
2700-0002	Stock Routes	25,368	23%	108,500	91,593	27%	340,000
3000-0002	Work Scheme and Community	8,689	51%	17,000	62,790	50%	125,000
3100-0002	Council Housing	61,338	28%	220,000	118,352	40%	299,500
3300-0002	Child Care Services	137,814	50%	273,200	119,954	26%	469,500
3350-0002	Sport and Recreation	31,924	50%	64,400	14,042	13%	112,000
3400-0002	Youth Services	0	0%	0	0	0%	80,000
3415-0002	Tambo Multi-Purpose Centre	83,600	48%	173,600	145,627	54%	271,100
3445-0002	Disability	53,035	74%	71,500	33,947	68%	50,000
3460-0002	Community Services	140,599	45%	315,300	18,864	6%	325,800
3470-0002	Miscellaneous Care Services	0	0%	0	0	0%	2,000
3500-0002	Libraries, Education and Arts	13,349	139%	9,600	100,032	43%	232,300
3570-0002	Regional Arts Development Fund	49,990	98%	51,000	75,659	24%	314,000
3600-0002	Halls and Cultural Centres	827	28%	3,000	95,673	42%	230,200
3700-0002	Showgrounds & Sports Facilities	10,294	114%	9,000	270,892	39%	692,000
3740-0002	Funerals	36,256	66%	55,000	37,917	69%	55,000
3800-0002	Corporate Buildings	0	0%	0	66,503	34%	195,500
1000-0001	ADMINISTRATION	5,959,917	41%	14,597,600	4,697,745	47%	10,059,000
4000-0001	WORKS AND SERVICES						
4001-0002	Works Office and Depot	0	0%	0	1,403,747	46%	3,074,000
4100-0002	Town Street Maintenance	0	0%	0	206,460	52%	400,000
4200-0002	Rural Roads Maintenance	301,341	25%	1,193,500	252,373	32%	800,000
4500-0002	Recoverable Works	3,344,829	20%	16,769,600	4,124,634	26%	15,684,300
4550-0002	Plant Operations	1,362,853	38%	3,590,000	1,514,372	53%	2,838,500
4600-0002	SES - Disaster Mgmt	48,082	98%	49,000	31,430	20%	157,500
4700-0002	Cemeteries	0	0%	1,000	20,135	32%	62,400
4800-0002	Parks, Gardens and Reserves	0	0%	0	481,311	48%	1,012,900
4860-0002	Aquatic Centres	0	0%	0	215,758	43%	506,700
5000-0002	Cleansing	169,919	48%	351,400	124,277	43%	286,500
5100-0002	Water Supply	453,510	51%	893,600	216,397	43%	500,400
5200-0002	Sewerage Services	383,414	50%	767,100	206,007	61%	340,400
4000-0001	WORKS AND SERVICES	6,063,948	26%	23,615,200	8,796,901	34%	25,663,600
TOTAL REVENUE AND EXPENDITURE		12,023,865	31%	38,212,800	13,494,646	38%	35,722,600

*Account/Function Specific Comments for Revenue and Expenditure Summary Report*

Account	Description	Revenue	Expenditure
1000-0002	Administration	<i>Includes revenue from sale of railway building \$18,318</i>	
1100-0002	Finance	<i>Includes general rates levied for 6 months</i>	<i>Includes loss on write-off of road infrastructure assets \$ 253,885</i>
1200-0002	Oncosts		<i>Includes 1 - Insurance premiums paid for 12 months. 2 - Sick leave expense recognition on 1 July to bring to account liability provision.</i>
1300-0002	Stores/Purchasing		
2000-0002	Corporate Governance	<i>Includes circus grant \$46,000</i>	<i>Includes circus carnivale contribution exp \$80,829</i>
2100-0002	Business Activities		
2150-0002	Saleyard Operations		
2200-0002	Tambo Sawmill		<i>Includes annual environmental permit fees and rates for 6 months</i>
2350-0002	Airports/Aerodromes		
2450-0002	Tourism	<i>July to Sept -Peak tourist season takings</i>	
2500-0002	Planning & Development		
2580-0002	Economic & Community	<i>Includes State and Federal capital grants</i>	
2600-0002	Environmental		
2650-0002	Animal Control	<i>Annual animal registration fees issued in July</i>	
2700-0002	Stock Routes		
3000-0002	Work Scheme and Community		
3100-0002	Council Housing		
3300-0002	Child Care Services	<i>Includes sustainability grant received \$75,000</i>	
3350-0002	Sport and Recreation		
3400-0002	Youth Services		
3415-0002	Tambo MPC		
3445-0002	Disability		
3460-0002	Community Services		<i>Increase in program activities planned for 2nd quarter</i>
3470-0002	Miscellaneous Care		
3500-0002	Libraries, Education	<i>Increase in State subsidy</i>	
3570-0002	Regional Arts Dev. Fund	<i>Annual funding received</i>	
3600-0002	Halls and Cultural Centres		
3700-0002	Showgrounds & Sports	<i>Additional revenue from camping permits</i>	
3740-0002	Funerals		
3800-0002	Corporate Buildings		
4100-0002	Town Street Maintenance		
4200-0002	Rural Roads Maintenance	<i>Financial Assistance Grants (Roads component)</i>	
4500-0002	Recoverable Works	<i>Claims in progress</i>	
4550-0002	Plant Operations		
4600-0002	SES - Disaster Management	<i>Annual SES &amp; Get Ready grants received</i>	
4700-0002	Cemeteries		
4800-0002	Parks, Gardens and Reserves		
4860-0002	Aquatic Centres		
5000-0002	Cleansing	<i>Rate charges levied for 6 months</i>	
5100-0002	Water Supply	<i>Rate charges levied for 6 months</i>	
5200-0002	Sewerage Services	<i>Rate charges levied for 6 months</i>	

**BLACKALL-TAMBO REGIONAL COUNCIL**[Return to Agenda](#)[Next Item](#)**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: **4.1.2****SUBJECT HEADING: DFCCS Operations Report – November 2022**

Author and Officer's Title: Alastair Rutherford, Director of Finance Corporate and Community Services

CLASSIFICATION: (if confidential)

*Summary: The Director of Finance Corporate and Community Services operations report for November 2022 is presented to Council. The report includes housing and administration, Blackall aerodrome, libraries, visitor information centres, facility bookings, Tambo Multipurpose and Tambo Child Care Centre.*

**Officer's Recommendation: That Council receive the DFCCS Operations Report for November 2022.**

**Background****Blackall Buildings*****Building Maintenance***

- Monthly fire alarm system inspection at Cultural Centre completed
- Two pensioner units vacant at Bauhinia Lane
- Door inspected and repaired at the Sport & Recreation Building
- Pest control treatment carried out at all Council buildings and houses in Blackall.

**Tambo Buildings*****Building Maintenance***

- Painting of the exterior of the Tambo Childcare building has been awarded.
- Air-conditioners in Tambo Council buildings are to be cleaned before Christmas.
- Tenders have been received for the painting of the interior of the TMPC.
- The tender for the painting of the exterior of the Tambo Administration Building has been awarded. The Council's handyman is to repair the fascia boards beforehand.

***Aged Housing***

- Two applications were received and approved for the two vacant units at the Coolibah Village

**Blackall Visitor Information Centre****Monthly Statistics:****Visitor Numbers to Blackall Tourist Information Centre**

<b>2021/2022</b>	<b>Visitor Numbers</b>	<b>2022/2023</b>	<b>Visitor Numbers</b>
July	3794	July	<b>3291</b>

<b>2021/2022</b>	<b>Visitor Numbers</b>	<b>2022/2023</b>	<b>Visitor Numbers</b>
August	2628	August	<b>3697</b>
September	2100	September	<b>1901</b>
October	904	October	<b>720</b>
November	185	November	<b>345</b>
December	93	December	
January	101	January	
February	164	February	
March	367	March	
April	928	April	
May	1710	May	
June	3119	June	
<b>Year to Date</b>	<b>16,093</b>	<b>Year to Date</b>	<b>9,954</b>

### Issue of Camping Permits

<b>Month</b>	<b>Information Centre</b>	<b>Self - Registration</b>	<b>Total for Month 2022/23</b>
July	426	615	<b>1041</b>
August	378	621	<b>999</b>
September	108	235	<b>343</b>
October	41	83	<b>124</b>
November	25	21	<b>46</b>
December			
January			
February			
March			
April			
May			
June			
<b>Year to Date</b>	<b>978</b>	<b>1575</b>	<b>2553</b>
<i>2021/2022</i>	<i>2354</i>	<i>2100</i>	<i>4454</i>

### Camping Ground Fees

<b>Month</b>	<b>\$ Amount</b>	<b>2022/2023 YTD \$</b>
July	\$13,710.25	\$13,710.25
August	\$10,613.00	\$24,323.24
September	\$4,060.68	\$29,503.75
October	\$1,309.00	\$30,812.74
November	\$559.75	\$31,372.48
December		

Month	\$ Amount	2022/2023 YTD \$
January		
February		
March		
April		
May		
June		

**Year ending 2021/2022 - \$44,561.60**

### **Blackall Library Report**

Month	Loans 2021/22	Loans 2022/23	Visitors 2021/22	Visitors 2022/23	Requests 2021/22	Requests 2022/23	Members Added 2021/22	Members Added 2022/23
July	248	<b>231</b>	471	<b>392</b>	21	<b>52</b>	8	<b>9</b>
August	367	<b>336</b>	508	<b>412</b>	62	<b>34</b>	6	<b>15</b>
September	346	<b>318</b>	479	<b>426</b>	27	<b>58</b>	9	<b>9</b>
October	277	<b>376</b>	389	<b>415</b>	30	<b>46</b>	14	<b>6</b>
November	300	<b>389</b>	415	<b>372</b>	41	<b>31</b>	10	<b>8</b>
December	278		155		43		2	
January	273		278		111		4	
February	358		320		77		10	
March	368		360		59		8	
April	207		341		65		5	
May	305		356		20		8	
June	289		296		42		10	
<b>Year to Date</b>	<b>3616</b>	<b>1740</b>	<b>4628</b>	<b>2017</b>	<b>598</b>	<b>221</b>	<b>94</b>	<b>47</b>

### **Tambo Library and Tourist Report**

	Loans 2021/22	Loans 2022/23	Visitors 2021/22	Visitors 2022/23	Requests 2021/22	Request s 2022/23	Members Added 2021/22	Member s Added 2022/23
July	396	<b>383</b>	103	<b>136</b>	53	<b>51</b>	4	<b>4</b>
August	381	<b>435</b>	113	<b>160</b>	52	<b>63</b>	3	<b>4</b>
September	425	<b>364</b>	115	<b>107</b>	58	<b>48</b>	9	<b>3</b>
October	375	<b>362</b>	115	<b>144</b>	62	<b>48</b>	3	<b>3</b>
November	400	<b>340</b>	122	<b>186</b>	70	<b>36</b>	1	<b>2</b>
December	326		123		29		1	
January	363		95		55		8	
February	445		109		67		1	
March	521		145		57		11	

April	346		120		55		6	
May	435		183		58		3	
June	398		122		51		2	
<b>Totals</b>	<b>4811</b>	<b>1884</b>	<b>1465</b>	<b>733</b>	<b>616</b>	<b>52</b>	<b>52</b>	<b>16</b>

	Visits 2021/22	Visits 2022/23
July	733	<b>750</b>
August	512	<b>754</b>
September	511	<b>432</b>
October	197	<b>240</b>
November	126	<b>161</b>
December	56	
January	85	
February	94	
March	203	
April	390	
May	609	
June	893	
<b>Totals</b>	<b>4409</b>	<b>2337</b>

### Council Facility Bookings

Blackall	Memorial Hall		Cultural Centre		Showgrounds		Racecourse		Bus	
	21/22	22/23	21/22	22/23	21/22	22/23	21/22	22/23	21/22	22/23
July	0	<b>1</b>	6	<b>7</b>	13	<b>1</b>	1	<b>1</b>	8	<b>4</b>
August	2	<b>1</b>	5	<b>11</b>	15	<b>3</b>	1	<b>0</b>	8	<b>4</b>
September	2	<b>2</b>	5	<b>8</b>	6	<b>6</b>	0	<b>0</b>	5	<b>4</b>
October	2	<b>1</b>	9	<b>8</b>	3	<b>5</b>	2	<b>3</b>	7	<b>11</b>
November	2	<b>1</b>	11	<b>8</b>	1	<b>3</b>	1	<b>1</b>	6	<b>7</b>
December	1		2		0		0		1	
January	1		0		1		0		0	
February	1		7		1		1		1	
March	1		6		1		0		3	
April	1		8		2		1		2	
May	4		10		4		0		5	
June	3		6		6		1		1	
<b>TOTAL</b>	<b>20</b>	<b>6</b>	<b>75</b>	<b>42</b>	<b>53</b>	<b>18</b>	<b>8</b>	<b>5</b>	<b>47</b>	<b>30</b>

Tambo	Shire Hall		Racecourse		Western Sports		Bus	
	21/22	22/23	21/22	22/23	21/22	22/23	21/22	22/23
July	11	<b>7</b>	2	<b>2</b>	2	<b>1</b>	2	<b>1</b>
August	7	<b>13</b>	2	<b>1</b>	0	<b>4</b>	0	<b>2</b>
September	7	<b>2</b>	4	<b>4</b>	0	<b>1</b>	0	<b>2</b>

<b>Tambo</b>	<b>Shire Hall</b>		<b>Racecourse</b>		<b>Western Sports</b>		<b>Bus</b>	
October	16	<b>7</b>	2	<b>1</b>	2	<b>2</b>	2	<b>4</b>
November	20	<b>10</b>	1	<b>1</b>	2	<b>0</b>	3	<b>4</b>
December	14		2		2		1	
January	2		2		0		0	
February	9		0		0		2	
March	8		0		3		2	
April	5		2		0		0	
May	11		2		0		1	
June	8		1		2		7	
<b>TOTAL</b>	118	<b>39</b>	20	<b>9</b>	13	<b>8</b>	20	<b>13</b>

### Tambo Childcare Centre

<b>Attendance</b>	<b>Month 2021-2022</b>	<b>YTD 2021-2022</b>	<b>Month 2022-2023</b>	<b>YTD 2022-2023</b>
July	255	255	<b>111</b>	<b>111</b>
August	262	517	<b>161</b>	<b>272</b>
September	185	702	<b>116</b>	<b>388</b>
October	191	889	<b>172</b>	<b>560</b>
November	180	1073	<b>208</b>	<b>768</b>
December	48	1121		
January	0	1121		
February	101	1222		
March	129	1351		
April	59	1410		
May	114	1524		
June	128	2165		

<b>Finance</b>	<b>Month Receipts 2022-2023</b>	<b>YTD Receipts 2022-2023</b>	<b>Month Expenditure 2022-2023</b>	<b>YTD Expenditure 2022-2023</b>
July	\$6,650.00	\$6,650.00	\$17,623.00	\$17,623.00
August	\$16,603.00	\$23,253.00	\$23,955.00	\$41,678.00
September	\$8,423.40	\$31,676.47	\$19,487.31	\$61,283.97
October	\$10,189.13	\$41,865.60	\$19,798.53	\$81,082.50
November	\$20,464.51	\$62,813.80	\$29,416.84	\$114,237.74
December				
January				
February				
March				
April				
May				
June				

**Qantas Report**

Month	Pax OFF	Pax ON	Total	YTD
July	113	115	228	228
August	115	99	214	442
September	133	97	230	672
October	145	140	285	957
November	111	100	211	1168
December				
January				
February				
March				
April				
May				
June				
6 Monthly Average	128.67	112.67	241.34	241.34
YTD	<b>619</b>	<b>551</b>	<b>1168</b>	<b>1168</b>
Total for 2021/2022	1069	888	1957	1957

- The roster has been distributed for airport employees.

**Tambo Multi-Purpose Centre**

- The Centre hosted an indigenous health equity meeting with Senior Planning Officers from the Longreach Central West Hospital and Indigenous Health unit.
- The Centre has arranged another resin and macrame workshop which will be available to the whole community.
- The Tambo MPC Clients' luncheon will be held in December with lunch provided thanks to Marmaladies from Blackall.
- The RADF round 2 funding has closed, with two applications received.
- RADF round 3 funding is to be advertised shortly and will close February 1st, 2023
- The centre will be closed from the 19th of December 2022 to 6th January 2023. Reopening on Monday 9th January 2023.
- Allied Health sessions for the month of November  
Physiotherapy – 32 sessions  
Remedial Massage – 17 sessions  
Podiatry – 19 sessions

**Link to Corporate Plan**

Economic Development  
Outcome 2 – Tourism

Vibrant Communities

Outcome 1 – Arts and culture  
Outcome 2 – Health and wellbeing  
Outcome 3 – Community Services



Outcome 4 – Youth

Governance

Outcome 5 – Customer service

Infrastructure

Outcome 2 – Airports

Outcome 5 – Council buildings

**Consultation (internal/external)**

Neighbourhood Centre Coordinator

Tambo Library and Tourism Officer

Customer Service Officers

Multi-Purpose Coordinator

Child Care Coordinator

Library Officer

Tourism Officer

**Policy Implications**

Nil

**Budget and Resource Implications**

Nil

**BLACKALL-TAMBO REGIONAL COUNCIL**

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**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 4.1.3

SUBJECT HEADING: **Review of Policies**

Author and Officer's Title: Alastair Rutherford, Director of Finance Corporate and Community Services

CLASSIFICATION: (if confidential)

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*Summary: The review of Council's policies is important. Reviews ensure that Council remains compliant with a variety of factors.*

**Officer's Recommendation: That Council:**

1. Retire Stat 31 – Community Services Policies and Procedures for HACC, CACP, NRCP, RPHS and Community Care Services; and
  2. Retire Admin 33 – Youth Centre Internet Policy; and
  3. Retire Admin 6 - Computer, Email and Internet Policy; and
  4. Adopt the Acceptable Use of Information Technology Policy.
- 

**Background**

Continuous policy review and development is critical. This ensures Council remains compliant with statutory obligations, new laws, social, ethical, economic and community issues and opportunities.

Council policies are reviewed in four ways:

1. Policy retirement – the policy is no longer required or has been combined with or superseded by another policy.
2. Minor amendments – changes to language, style, formatting, etc that do not impact on the application of the policy.
3. Major amendments – changes that significantly alter Council's position on an issue or change the strategic intent of the policy.
4. New policies – states Council's position on an issue or is a requirement under the appropriate legislation.

The following two policies have been reviewed and it has been determined that these policies are no longer required, therefore should be retired.

Stat 31 – Community Services Policies and Procedures for HACC, CACP, NRCP, RPHS and Community Care Services

This policy has been reviewed and has been found to be outdated and no longer valid. It is recommended that this policy be retired.

Admin 33 – Youth Centre Internet Policy

Council does not run a Youth Centre and there are not any computers for this service. It is recommended that Council retire this policy.

Acceptable Use of Information Technology Policy

The IT Officer has been updating Council's policies and procedures on computer and internet use. To date the following plans have been adopted by Council:

- Data Breach Response Plan
- Incident Response Plan
- Disaster Recovery & Business Continuity Plan for ICT Services.

At the 20 October 2022 Internal Audit and Risk Management Committee meeting the Acceptable Use of IT Policy had been approved and it was recommended that it be forwarded to Council for adoption.

#### Admin 6 – Computer, Email and Internet Policy

This policy related to matters which Council has adopted new and more relevant policies on, as such this policy is no longer required and it is recommended that Council retire this policy.

#### **Link to Corporate Plan**

Governance

Outcome 2 – Accountability

Outcome 3 – Leadership

#### **Consultation (internal/external)**

Director of Finance Corporate and Community Services

Manager of Finance

IT Officer

#### **Policy Implications**

Nil

#### **Budget and Resource Implications**

Nil

#### **Risk Assessment**

Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Financial	Low	Nil	Low
Legal & Regulatory	Low	Nil	Low
People	Low	Nil	Low
Operational	Medium	Nil	Low
Environmental	Medium	Nil	Low
Strategic	Medium	Nil	Low
Ethical	Low	Nil	Low
Reputation	Low	Nil	Low
Leadership	Low	Nil	Low

#### **Proposed Risk Treatment**

Nil. Outdated policies can leave Council exposed to non-compliance with legislative requirements and consequently reputation risk.



**Blackall-Tambo**  
Regional Council

# **Community Services Policies and Procedures for HACCP, CACP, NRCP, RPHS and Community Care Services**

## **14 August 2012**

Policy Number: Stat 31

Version Number: One

**Chief Executive Officer**  
**Ken Timms**

**Mayor**  
**Cr Barry Muir**

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.....



**Blackall-Tambo**  
Regional Council

**Community Services Policies and Procedures for HACC,  
CACP, NRCP, RPHS and Community Care Services**

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**Blackall-Tambo**  
Regional Council

**Community Services Policies and Procedures for HACC,  
CACP, NRCP, RPHS and Community Care Services**

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## **1 RESOLUTION**

22/08B/12

## **2 ATTACHED**

Attached is the Community Services Policies and Procedures for HACC, CACP, NRCP, RPHS and Community Care Services for Tambo Multipurpose Centre.

## **3 CHANGES SINCE LAST REVISION**

New Policy as of 14.08.2012 to reflect current procedures.

## **4 RECORDS**

When completed and approved the original, signed hard copy of the policy is filed in the Master File.

Electronic copies are saved in the appropriately labelled folder in InfoXpert.

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**Blackall-Tambo**  
Regional Council

# **Youth Centres Internet Policy**

**20 January 2015**

Policy Number: Admin 33

Version Number: Two

**Chief Executive Officer**  
**Ken Timms**

**Mayor**  
**Cr Barry Muir**

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**Blackall-Tambo**  
Regional Council

## Youth Centres Internet Policy

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**Blackall-Tambo**  
Regional Council

## Youth Centres Internet Policy

### Youth Centres Internet Policy

#### 1 RESOLUTION

10/01A/15

#### 2 OBJECTIVES

To provide a safe, controlled internet service for young people in the Blackall-Tambo Region to be used for study and leisure.

#### 3 SCOPE

All Council Employees and Volunteers who supervise at both Blackall and Tambo Youth Centres should be observant of, and attempt to monitor all internet usage at the Centres.

#### 4 IMPLEMENTATION OF OBJECTIVES

The objective of this policy is to:

- Provide Council Employees and Volunteers which supervise at the Youth Centres with direction and guidelines to help monitor the websites visited and internet used each day.

In order to maximise Internet availability, and to ensure equitable access to all clients, the following conditions apply:

- Free internet usage for all young people between the ages of 9 – 17.
- Young people needing the internet for study will have first priority.
- Supervisors may help young people to use the internet

Additional services and conditions

- Users must not download software from the internet on to the youth centre computers however downloading is permitted onto a removable device.
- Data downloaded from the Internet may contain viruses. The Blackall and Tambo Youth Centres will not be held responsible for viruses downloaded from the internet.
- Young people may not use their own personal software on Youth Centre Computers.
- E-mail is available to young people only if they have their own personal E-mail address.
- Young people should be aware that Internet communications are not secure, and the Youth Centres are not responsible for the privacy of electronic communication.
- Intentional misuse of these facilities may result in the removal of access privileges.

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## Youth Centres Internet Policy

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### 5 VISION AND PRINCIPLES

Blackall-Tambo Regional Council supports the enhancement of young people's lifestyles so that young people are able to realise their full potential through positive social, educational and recreational opportunities.

### 6 RELATED POLICIES AND PLANS

Blackall-Tambo Regional Council Sport and Recreation Plan

Blackall-Tambo Regional Council Youth Policy

### 7 CHANGES SINCE LAST REVISION

New Policy as of 20 January 2015 to reflect current procedures

### 8 RECORDS

When completed and approved the original, signed hard copy of the policy is filed in the Master File.

Electronic copies are saved in the appropriately labelled folder in InfoXpert.

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**Blackall-Tambo**  
Regional Council

# **Computer, Email and Internet Policy**

## **30 September 2016**

Policy Number: Admin 6

Version Number: Two

**Chief Executive Officer**  
**C D Blanch**

**Mayor**  
**Cr Andrew Martin**

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Blackall-Tambo  
Regional Council

## Computer, Email & Internet Usage Policy

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## Computer, Email & Internet Usage Policy

### Computer, Email & Internet Usage Policy

#### 1 RESOLUTION

05/09A/16

#### 2 PURPOSE

Blackall-Tambo Regional Council (BTRC) is a highly computerised organisation with various software programs being used to undertake core functions of Council. The Internet is recognised by government and business organisations as a serious and valuable information resource. It provides information on a wide variety of subjects that may be useful to council staff and Councillors. Computer access includes access to external electronic mail (email) for all staff and Councillors or other authorised persons with a PC login ID and access to the World Wide Web (WWW).

This document describes the access methods, services available and user and management responsibilities when using computers within Council. Staff and Councillors who have access to the internet have an obligation to use their access in a responsible and informed way. Managers and supervisors have a responsibility to ensure the internet is used appropriately by staff under their control.

All Council policies, procedures and requirements with regard to ethical behaviour, fraud, risk management and records management apply to the use of the internet and email. In addition, the provisions of the *Local Government Act 1993* regarding the use and confidentiality of Council information, apply to all staff and Councillors.

#### 3 DEFINITIONS

##### 3.1 "PRIVATE USE"

The term "private use" refers to the personal or unofficial use of council resources and includes anything that is not directly related to the work you do for BTRC. It excludes any personal use provisions contained in individual contracts of employment.

##### 3.2 "RESOURCES"

The term "resources" refers to **anything** owned, controlled or paid for by the Council regardless of its state of repair or future use within the organisation. This includes, but is not limited to:

##### 3.2.1 Physical Resources such as:

- Equipment e.g. Computer equipment, software, power tools, machinery, cameras, motor vehicles, fuel, spare parts and accessories, office equipment and stationery, consumable materials used in a process, off-cut materials
- Surplus materials that have been costed but not used on a project
- Waste products able to be recycled

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- Recyclable materials and items – including metals
- Packaging and storage items
- Materials subject to deterioration, which are regularly replaced to maintain safety or quality standards
- Perishable items that have exceeded their used by date
- Items deemed to be obsolete due to advances in new technology
- Items in good condition, but deemed unusable due to circumstance
- Damaged, inefficient or non-working items considered to be uneconomical to repair
- Seconds produced as part of a process
- Items of low value that are not controlled by the asset register
- Assets originally of high value that have diminished in value over time

### 3.2.2 Intellectual Resources such as:

- Council correspondence, reports or records (other than those documents on the public record).

### 3.2.3 Financial Resources such as:

- Petty cash, purchase orders, purchasing identification cards

### 3.2.4 People Resources such as:

- An employees work time or the work time of others

### 3.2.5 Natural Resources such as:

- Water, trees, shrubs, seedlings and flowers

## 4 ABBREVIATIONS

WWW	–	World Wide Web
BTRC	–	Blackall-Tambo Regional Council
PC	–	Personal Computer
ID	–	Identification Document
IT	–	Information Technology
ITO	–	Information Technology Officer
Email	–	Electronic Mail
HRO	–	Human Resource Officer

## 5 APPLICATION

### 5.1 THIS POLICY APPLIES TO:

- Any persons, whether a permanent, temporary, contracted or casual employee of BTRC who has access to BTRC Information Technology (IT) resources.
- All guest/visitors of the BTRC

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- c) Any other authorised Users or organisations accessing BTRC IT resources

### 5.2 COMPUTER SOFTWARE AND HARDWARE AND PROCEDURES

Council provides computer software and hardware to enable Councillors and staff to perform their various functions within Council.

#### 5.2.1 Software

All software installed on Council computers (desktops or notebooks) must have valid licences. Council is liable for any illegal software installed on computers. Harsh penalties exist for organisations that install and use illegal software.

Information Technology Officer (ITO) must be notified and licences verified prior to the installation of any software on Council computers (software includes programs, screen savers, utilities etc.). Personal software shall not be installed on Council computers.

ITO regularly undertakes audits for inclusion in the Software Registration database. Illegal software will be uninstalled, and departmental managers notified.

#### 5.2.2 Hardware

Computer hardware is defined as computer (desktop or notebook) equipment and attached peripherals including keyboard, mouse, printer etc.

Staff and Councillors are responsible for the good care of computers and equipment. Faults or problems shall be reported to ITO as soon as practical. Devices and peripherals shall not be connected without the approval of ITO.

ITO regularly undertakes audits and checks for inclusion in the Hardware Registration Database.

#### 5.2.3 Electronic Mail

Electronic mail (email) is an electronic message sent by one person to another person who has Internet mail access. The email service provided can be used for sending email messages to external organisations and within Council.

All electronic files should be presumed to be the property of Council. Immediacy of transmission does not always translate into immediacy of receipt. Where a response is required immediately or the matter is urgent, it might be advisable to consider using other means of communication.

Messages that concern matters of policy and official communication between Council and other organisations should be emailed to or printed and forwarded to Records for entry into the records management system.

#### 5.2.4 Message Formats

E-mail can be one of two formats, either informal or formal.

Informal email can be defined as brief messages that do not relate to the business of the sender or recipient. There is no necessity for either the sender

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## Computer, Email & Internet Usage Policy

or recipient to view such informal communications as an official Council record.

Formal email, however, should be viewed as an official Council record and should be constructed accordingly, using appropriate file references and staff designations. The sender or receiver, in accordance with records management procedures, should forward a copy to the records department.

Documentation may be subject to Freedom of Information and Judicial Review, and therefore, individual staff are responsible for anything they write.

### 5.3 ACCEPTABLE USE AND EMAIL ETIQUETTE

Staff should remember that body language, facial expressions and vocal inflections DO NOT travel with e-mail messages and be aware in composing messages, that their contents have the potential to be misconstrued by the recipient. When sending email:

- Act in a professional and courteous manner. Be discreet in what you send. Avoid gossip. Statements about others may find their way back to them. Avoid sarcasm.
- Use mixed case in email messages. DO NOT use uppercase only.
- Always proof read and spell check messages before sending them.
- Keep your email messages brief and to the point. DO NOT clutter other people's email accounts with unnecessary messages.

Practice good "house-keeping" by:

- Checking email daily.
- Deleting unwanted messages immediately.
- Keeping messages remaining in electronic mailboxes to a minimum.
- Downloading or extracting to private folders on your "C Drive", mail messages required for future reference.

Refrain from unacceptable practices, including:

- Publicising or sharing your password in any way.
- Using somebody else's account.
- Using your account or the facilities and capabilities of the internet to conduct any business or activity for commercial purposes or financial gain, including publishing material which contains any advertising or any solicitation of other network users or discussion group or list members to use goods or services.
- Council staff must be completely impartial when sending emails to commercial businesses in the Region. There must not be any suggestion that a Council officer being the sender of an email is favouring, promoting or endorsing one business over another.
- Publishing on or over the network any information that violates or infringes upon the rights of any other person, or any information of an abusive or profane nature, or material likely to be sexually offensive to an average person. (No Information should be published that infringes on State or Commonwealth *Anti-Discrimination Acts*.)
- Using offensive, discriminatory or defamatory language. (There are laws relating to written communication that apply equally to e-mail

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messages, including those for defamation, racial discrimination, fraud, sexual harassment, copyright and obscenity.)

- Using your account for political lobbying.
- Using your account to harass another person.
- Seeking or gaining unauthorised access to any resource or entity.
- Using your account for criminal purposes or for any illegal purposes or activity, including violation of copyright or other contracts.
- Invading the privacy of other individuals.
- Using your account to send anonymous messages defined either as messages that do not contain details of your name and affiliation, or messages sent through an anonymous re-mailing service.
- Vandalising the data of another user. (Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet or any agencies or other networks connected to the Internet.) This includes, but is not limited to, the uploading or creation of computer viruses.
- Posting to a discussion group or other public forum, personal communications without the author's consent.
- The sending of chain letters to groups or individuals and any other type of use which would cause congestion of the network or otherwise interfere with the work of others.
- Reading or attempting to modify e-mail belonging to others.
- Misrepresenting the Council.

**Established procedures regarding the signing of official correspondence also apply to email. Staff should NOT forward any official correspondence via email without their Manager's approval.**

All care should be taken to ensure that external email messages are addressed correctly.

It should be noted that the e-mail system is a communication tool provided by Council to carry out Council business (not personal business). Professional ethics and common sense require that personal messages be kept to a minimum. Personal email messages by staff and Councillors are to be confined to "out of work hours".

Council will install email-monitoring software. Initially the software will be configured to monitor and report on email usage. Attachments will be screened to prevent viruses corrupting Council hardware and software. Image files including JPEG, GIF, AVI etc will be quarantined and their suitability assessed before being forwarded.

Care should be taken when forwarding emails. The sender's permission may be required to be obtained prior to the message being forwarded.

### 5.4 PROCEDURES FOR THE USE OF EMAIL

1. Email should be treated with the same significance as the signed letter. The ability for you to send an email message has the same authority as signed correspondence.

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## Computer, Email & Internet Usage Policy

2. All emails shall have the authorised signature block which is approved by council which is that in the [Email Signature](#) section.
3. Email must be accessed at least once a day by each employee with access to a networked personal computer. Any unwanted email should be deleted.
4. Staff can maintain their own email address book.
5. Personal or private information such as personal notes or invitations, staff appraisals or job applications should not be included in an email message because it could be read by, or misdirected to, unauthorised persons. Messages may also continue to exist long after the sender has deleted them. Deletion eliminates the message or file name from your computer directory but the information itself exists in the back up system until it has been overwritten.
6. Remember that email is admissible as evidence in court so use good judgment and think carefully about what you write.
7. Make sure you follow [email etiquette](#).

### 5.5 EMAIL SIGNATURES

This standard email template must be used by all staff and this template have been provided for:

- a) Internal memos
- b) External correspondence

Regards  
**Your Name**  
**Job Title**

**P:** (07) 4621 6600  
**F:** (07) 46\*\* \*\*\*\*  
**M:** 04\*\* \*\*\* \*\* (make line blank if  
 no mob phone)  
**E:** \*\*\*\*@btrc.qld.gov.au



**Blackall-Tambo**  
 Regional Council

Exploring the past. Innovating the future.

Blackall-Tambo Regional Council – Confidential communication

This email and any files transmitted with it are confidential and are intended solely for the use of the addressee. If you are not the intended recipient be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this email and any file attachments is strictly prohibited. If you have received this email in error, please immediately notify us. You must destroy the original transmission and its contents.

Please think of the environment before printing this email. Thanks

### 5.6 FILE TRANSFERS

The transfer of files across the internet affects the performance of the Council computer network. It is important to realise that the bigger a file is, the longer

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## Computer, Email & Internet Usage Policy

it takes to transmit across the network and the more *bandwidth* is required. This can have a major effect on all other systems running on the network.

In order to avoid network congestion a **maximum file size of 5.5mb** has been determined and the firewall software will not permit files larger than this size to come in to or go out of the Council network.

A degree of caution should be exercised when sending files with email messages, to ensure that confidential or unrelated files are not inadvertently sent.

### 5.7 DISCLAIMER

The following Disclaimer shall be use when sending external email messages:

.....  
Blackall-Tambo Regional Council – Confidential communication

This email and any files transmitted with it are confidential and are intended solely for the use of the addressee. If you are not the intended recipient be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this email and any file attachments is strictly prohibited. If you have received this email in error, please immediately notify us. You must destroy the original transmission and its contents.

This Disclaimer is the same as that in the [Signature Section](#)

### 5.8 CONTRACTS

The use of email as a means of communicating contractual correspondence is NOT ACCEPTABLE unless the "contract" itself contains a clause or section specifically accepting email for such purpose. The acceptance of "contract documents", as being valid, when transmitted via email is always subject to the conditions of the contract itself.

### 5.9 EMAIL ADDRESSES FOR COUNCIL STAFF

Email addresses for individuals will be that of their job position, followed by Council's registered *domain name*, for example: [ceo@btrc.qld.gov.au](mailto:ceo@btrc.qld.gov.au). This email will only be with the individual while in their current position and will be transferred to whoever takes over that job position

Council's general address for all other email is: [admin@btrc.qld.gov.au](mailto:admin@btrc.qld.gov.au).

Email addresses **are NOT case sensitive**, however, spacing and punctuation should be observed when using email addresses to ensure they are correct prior to transmission.

### 5.10 INTERNET (WORLD WIDE WEB)

Outlined below are the conditions under which use of the internet has been provided.

The internet must only be used to carry out official duties and contribute to the accomplishment of Council goals. Unauthorised use of the internet is not permitted.

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## Computer, Email & Internet Usage Policy

### 5.11 UNAUTHORISED USE

Examples of unauthorised use are:

The use of or access to the internet for inappropriate use or obscene or illegal activities or in support of such activities.

Inappropriate use shall be defined as the violation of the intended use of the internet or use of the internet for other than the purpose and goals of Council.

Obscene activities shall be defined as a violation of generally accepted social standards.

Illegal activities shall be defined as a violation of State, Commonwealth or International laws.

Staff who have NOT been granted access to the internet through their own login ID should NOT attempt access via another login ID, unless directed to do so by their department Manager.

### 5.12 UNETHICAL OR UNACCEPTABLE ACTIONS

Any activity that is unethical and unacceptable would be just cause for taking action. This may include formal disciplinary measures, depending on the offence. Unacceptable action may include but is not limited to the following:

- Violation of institutional or third-party copyright, licence agreements or other contracts (refer also to the section on copyright in this document).
- Interference with the intended use of the information resources (internet).
- Seeking to gain unauthorised access to information resources i.e. breaking into unauthorised networks like NASA or ATO.

Using or knowingly allowing another to use your internet account to devise or execute any artifice or scheme to defraud or to obtain money, property, services, or other things of value by false pretences, promises, or representations.

Without authorisation destroy, alter, dismantle, disfigure, prevent rightful access to or otherwise interfere with the integrity of computer-based information and/or information resources.

Without authorisation invade the privacy of individuals or entities that are creators, authors, users, or subjects of the information resources transmit or cause to be transmitted communications that may be construed as harassment or disparagement of others based on the criteria of *Anti-Discrimination* legislation and Council policy.

Violate any laws pertaining to the unauthorised use of computing resources or computer networks.

Conducting any activity on the internet that is in breach of the BTRC Code of Conduct for Employees and Councillors.

### 5.13 MISUSE

It is the responsibility of Managers and Supervisors to ensure that staff under their control are using their computer and internet correctly. It is also the

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## Computer, Email & Internet Usage Policy

responsibility of each individual user to ensure that they have control over their computer and internet access and keep secure their login password.

When expressing views on the internet through email or forums, it is important that *this* be in accordance with the BTRC Code of Conduct for Employees and Councillors

Internet usage will be monitored, and details of users accessing prohibited web sites, obtained and forwarded to the appropriate manager for consideration. Prohibited web sites are those that contain inappropriate or obscene information as outlined in *this* document

Staff must ensure that any information or opinions obtained via the internet be independently validated, as they are generally provided with no responsibility held by the originator and /or provider.

### 5.14 DOWNLOADING FILES

Strict rules apply to the downloading of files from external sources, including email and the internet.

### 5.15 GAMES

No game will be downloaded from the Internet onto any Council machine.

### 5.16 OFFENSIVE MATERIAL

Pornographic or other material of an offensive nature is NOT to be searched for or downloaded. This restriction includes such material in textual, graphic and image format.

Staff and Councillors are advised that *Content Checking* software will be installed to quarantine such material and bring this event to the attention of the CEO. Persons attempting to access offensive web sites can easily be identified by their login ID.

Responsibility for internet usage is associated with your user ID and is similar to that used for speed cameras or parking infringements where the registered owner of a vehicle, not necessarily the driver, incurs the penalty for illegal activities.

### 5.17 EXECUTABLE FILES AND PROGRAMS

No computer programs or executable (.exe) files are to be downloaded onto any Council computer without permission of the ITO, and approval from your Manager or Supervisor.

### 5.18 SECURITY

Email is not always a secure medium, particularly when sent via the internet.

Email, along with other parts of the Council computer network, is regularly "backed up" and may therefore be preserved for some period of time on back-up tapes.

Anyone who in the course of their work has access to records, files, or data belonging to others should take reasonable precautions to avoid invading the privacy of individuals without their knowledge and should not divulge or

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## Computer, Email & Internet Usage Policy

disclose such information to others, unless required by Council policy or State or Commonwealth Law.

Security is essential for the effective and efficient operation of the internet and for the provision of services and is the responsibility of all users.

Security on any computer system is a high priority. If you feel you can identify a security problem on the internet, notify the ITO immediately – **do not** demonstrate the problem to other users.

### 5.19 LOGIN PASSWORDS

You are responsible for any email sent, files viewed, or sites visited via your username or login. It is therefore important to maintain security of your login password. Select only passwords that are not easy to guess or founded by simple password-cracking program.

It'll be set up that you'll have to adhere to the password guidelines. Passwords also will be set so they will be required to be changed every 6 weeks. This will be enforced via a policy on the server.

The following guidelines are provided to assist staff in selecting and safeguarding appropriate passwords:

- Do not use words that can be found in the dictionary;
- Do not use birthdays, pay or employee numbers, position numbers, addresses or any other identification code that might be easily guessed or found in other information about yourself;
- A combination of 6 or more letters (both uppercase and lowercase), numbers and symbols, or some of these should be selected;
- Keep your password confidential and do not write it down;
- When leaving your computer unattended, please remember to log off or lock your workstation, so that any other staff member cannot use your email account in your absence.

Responsibility for internet usage is associated with your user ID and is similar to that used for speed cameras or parking infringements where the registered owner of a vehicle, not necessarily the driver, incurs the penalty for illegal activities.

### 5.20 RESPONSIBILITIES

Staff must not give their password to another staff member or member of the public and must not access other staff members email without appropriate authority. Unauthorised access to programs or information will result in disciplinary action.

Each User is responsible for:

- The unique computer accounts which BTRC has authorised for the User's benefit. These accounts are not transferable.
- Selecting and keeping a secure password for each of these accounts, including not sharing passwords and logging off after using a computer or locking the computer.
- Familiarising themselves with legislative requirements which apply to the use of IT resources and acting accordingly. To the extent allowed

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## Computer, Email & Internet Usage Policy

by law, BTRC takes no responsibility for Users whose actions breach Federal or Queensland legislation.

### 5.21 ILLEGAL INTRUSIONS

As an account holder you should immediately notify the ITO if you have forgotten your password, had it stolen, or have reason to believe that someone has obtained unauthorised access to your account

The internet has the potential for illegal intrusions and email accounts are particularly vulnerable to break-in. All suspected violations should be treated seriously.

If you suspect your account has been tampered with, change your password immediately and contact the ITO with specific details.

Clues to determining unauthorised access may include:

- Strange files appearing in a directory;
- The system reporting a login when you weren't using your computer;
- Files or programs changing size or no longer functioning properly.

Council will implement content checking (text scanning) and tracking software as part of its internet connections and services.

These software programs detect viruses and prohibit inappropriate information from being exported or imported via email or the internet. Such items, when detected, are automatically quarantined from the Council network and the ITO is notified.

Content checking software will open encapsulated and zipped files of any format. Council staff should be aware that serious consequences would result if inappropriate material were detected being exported from or introduced to the Council network.

### 5.22 VIRUSES

It is important to be aware that some email messages may arrive with file attachments and that there are risks involved when downloading files from unknown sources.

Regardless of any virus protection measures that have been installed, it is always possible that newer virus strains may be able to penetrate virus scanning at the firewall or the desktop.

When forwarding files, you should maintain a record of whom you are sending it to and where these files are distributed in case there is a virus infestation. This will make it easier to contain the situation if this did occur. All downloaded data will be automatically scanned at *point of entry* to the network.

### 5.23 ACCESS AND AVAILABILITY

Access to email is available at all times to all staff through their normal login privileges. Mail is delivered and sent using Microsoft Outlook (Exchange Server). Access to the internet is available via Microsoft Internet Explorer and is restricted to staff who have a User ID.

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## Computer, Email & Internet Usage Policy

A program will be set up to disallow people going to certain sites during work hours (e.g. eBay, Facebook, Twitter).

It is the Human Resource Officer's (HRO) responsibility to inform the ITO of any new staff who will be starting that will need to have computer, email and internet access. This shall be done 1-2 weeks before their official starting date so as the ITO can have the username, user password and email address back to the HRO in time by the starting date.

### 5.24 USER SUPPORT

User support for technical difficulties ONLY, will be available from ITO during normal Council working hours (*Monday to Friday - 8.22am – 4.45pm*).

### 5.25 TRAINING SUPPORT

Help for MS Outlook is available from within Outlook or by contacting the ITO. Other users in your section may be able to assist with minor problems.

### 5.26 COPYRIGHT AND LICENSING

Copyright law applies to all material published on the Internet. You are responsible for complying with all copyright use and restrictions where noted on web documents. It is important to locate and read all copyright notices. Keep the following guidelines in mind:

- Search for copyright notices regarding any material you intended to use;
- Always seek permission before copying, redistributing, or editing any copyright material;
- Comply with any licenses or permissions that grant the right to redistribute or otherwise use any copyright material;
- Always include a copyright notice with any such material if the copyright owner (i.e. material courtesy of) requires it.

### 5.27 COUNCIL "WEBSITE"

Responsibility for the Council website and home page is shared between the ITO and selected staff members.

The address for this website is: [www.btrc.qld.gov.au](http://www.btrc.qld.gov.au)

## 6 SECURITY OF INFORMATION TECHNOLOGY (IT) RESOURCES AND DATA

### 6.1 AUTHORISED USER'S RESPONSIBILITIES

Users have a responsibility at all times to:

- Act lawfully.
- Keep all BTRC IT resources secure and to observe the BTRC's policy.
- Not compromise or attempt to compromise the security of any IT resource belonging to BTRC or other organisations or individuals, nor exploit or attempt to exploit any security deficiency.
- Take reasonable steps to ensure physical protection including damage from improper use, food and drink spillage, electrical power

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## Computer, Email & Internet Usage Policy

management, anti-static measures, protection from theft, and sound magnetic media practices.

- Ensure their computers are not left unattended without first logging-out and/or securing the entrance to the work area – particularly if the computer system to which they are connected contains sensitive or valuable information.

### 6.2 CONFIDENTIAL INFORMATION

Authorised Users have a duty to keep confidential:

- All BTRC's data unless the information has been approved for external publication.
- Information provided in confidence to BTRC by other entities.

Each staff member is bound by an obligation to not disclose BTRC's business information unless authorised to do so. Breach of confidentiality through accidental or negligent disclosure may expose a User to disciplinary action.

### 6.3 RESPONSIBILITY FOR GUIDELINES

These guidelines were approved by Council on 21 September 2016.

Amendments to these guidelines may only be made through written advice to the following contact officer:

**User Contact:** Chief Executive Officer

Authority for change approval:

#### Chief Executive Officer

Your Manager should first approve requests for amendments.

**Approved:** .....

**Name:** C D Blanch

**Position:** Chief Executive Officer

**Date:**

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## Computer, Email & Internet Usage Policy

### 7 USER DECLARATION FORM

#### Declaration of IT User Policy Acceptance

##### User Details:

Family Name: \_\_\_\_\_

Other Names: \_\_\_\_\_

Position: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

##### User Declaration - Conditions of Use:

- I understand that the information I will have access to is confidential and must not be shared or divulged to any unauthorised person.
- I will use only those IT facilities for which I have been authorised.
- I understand that IT facilities may only be used for the purposes for which they have been provided and are not to be used for other projects, games, 'hobby computing', or private or consulting work (unless authorised).
- I understand that IT facilities must not be wasted or consumed by inappropriate or irresponsible use.
- I must not attempt to tamper with any IT facility in any way which might alter or impede its use by others.
- I must not harass or offend others, including using computing facilities to send unlawful, obscene, abusive, offensive, fraudulent, threatening or unnecessarily repetitive messages.
- I will take every reasonable precaution to ensure that passwords, accounts and data are adequately secured.
- Any computer account allocated to me is for my exclusive use. I will not allow another person to use it without the authorisation of my manager.
- I agree to comply at all times with the IT User Policy.

**I understand and agree to the above Conditions of Use.**

**SIGNATURE:** .....

**PRINT NAME:** .....

**DATE:** .....

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## Computer, Email & Internet Usage Policy

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### 8 CHANGES SINCE LAST REVISION

New Policy as of 27 January 2010 to reflect current procedures.

Revised 30 September 2016 to prevent favouring, promoting, or endorsing one business over another.

### 9 RECORDS

When completed and approved the original, signed hard copy of the policy is filed in the Master File.

Electronic copies are saved in the appropriately labelled folder in InfoXpert.

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# **Blackall-Tambo Regional Council**

## **Acceptable Use of Information Technology Policy**

Policy Number:	Effective Date:
Version Number: 1	Review Date:
Policy Compiled by: Information Technology Officer	
Policy Approved by: Chief Executive Officer	

### **PURPOSE**

We believe information assets that process data electronically in conjunction with the Internet, if used properly in conducting business related purposes, can be an asset. The purpose of this policy is to define the requirements and responsibilities that all users connecting or using the Internet through the Blackall-Tambo Regional Council (hereinafter referred to as "Council," "we," "our," or "us") network must follow.

This policy provides awareness and notification of what we deem to be acceptable and unacceptable use of the Internet. It is necessary to make sure that the Internet is properly used to avoid distractions in the work environment, and to avoid certain risks including virus attacks, compromise of Council network systems and services, and legal issues.

### **SCOPE**

This policy is designed to provide guidance and assistance to Council employees involved in the safe usage of information technology products within Council.

### **APPLICATION**

This policy applies to all users, including administrative consultants, employees, contractors, administrators, and third parties that have access to the Internet through the Council network. Internet/intranet/extranet access is granted expressly for employees and other approved users for the purpose of conducting approved business purposes.

#### **1.1.6 Authorized and Unauthorized Usage**

Personal or incidental use is authorized for limited purposes and will be subject to the following guidelines:

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## Acceptable use of Information Technology Policy

- a. The use must not constitute a conflict of interest. Personal business or use for personal gain constitutes a conflict of interest.
- b. Personal use is on personal time (hours not charged to us) and must not interfere with our business or normal work activities, and not adversely affect performance of the employee, surrounding employees, the organization, or business functions.
- c. Illegal, obscene, pornographic, or offensive material must not be accessed, viewed, downloaded, or sent.
- d. Any access that could result in significant incremental cost, such as noticeable additional electronic mail traffic, large non-business-related file transfers, and the like are not permitted.
- e. Use must not involve any illegal or unethical activity (e.g., gambling, Warez sites containing pirated software, movies, games, or illegal hacking/cracking tools).
- f. Transmitting or sending sensitive or proprietary information, including software applications or personal information, to unauthorized persons or organizations is prohibited. Authorization for any transmission of personally identifiable information ("PII") must be approved by a supervisor prior to transmission and done using authorized protocols (e.g., encryption, VPN, SSL).
- g. Downloading or sending unapproved software, computer viruses, malicious code, or any unauthorized attempts to access another person's data or Council's intranet are prohibited.
- h. The addition of any hardware that would allow additional access to the Internet is prohibited.
- i. Users should not bring personal computers or data storage devices (such as CDs/DVDs, external hard drives, USB or flash drives, or other data storage media) to connect them to our systems without permission from Information Technology. Personal electronic devices are subject to inspection; if a user does not wish his or her personal computer or other devices inspected, then the user should not bring those items to work.
- j. Users may not download software from any outside systems without permission from the Information Technology. Users should not use any externally provided software without first getting approval from Information Technology. Users should not download unapproved or unauthorized software from the Internet. Users are responsible for determining the sensitivity and need for further encryption to secure Council confidential or sensitive information prior to posting, transmitting, or sending it via the Internet. If unsure, the user is responsible for contacting Information Security or Management for assistance.
- k. Blackall-Tambo Regional Council's privacy policy should be posted on all official Council websites to ensure that customers and clients are aware of our desire to maintain and protect the privacy of this data.
- l. Council websites or web servers are not to be used for posting non-business-related data or for illegal distribution of data, such as software, games, movies, code, or other inappropriate data.

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## Acceptable use of Information Technology Policy

### 1.1.7 Privacy and Monitoring

By using the Internet access provided by Council, users agree to this policy and acknowledge that records of Internet access, such as sites visited, images reviewed, and email sent, may be recorded, and monitored by us at any time with no expectation of privacy and that:

- a. Encrypted technology that meets our requirements will be employed.
- b. We own the rights to all data and files in our computers, network, or other information systems, subject to applicable laws. Users may not access networks, servers, drives, folders, or files to which the user has not been granted authorization. Users may not destroy, delete, erase, or conceal files or other data, or otherwise make files or data unavailable or inaccessible. In addition, users may not access another employee's computer, computer files, or electronic mail without authorization from their supervisor.
- c. We license the use of certain commercial software application programs from third parties for business purposes. Third parties retain the ownership and distribution rights to this software. Users may not use or distribute licensed software.
- d. Electronic mail ("email") messages sent and received using our equipment or Internet access provided by us are not private and are subject to viewing, downloading, inspection, release, and archiving by us. We have the right to inspect files stored in private areas of the Council network or on individual computers or storage media to assure compliance with our policies and applicable state and federal laws. We may monitor electronic mail messages (including personal/private/instant messaging systems).
- e. We may use software that allows us to monitor messages, files, or other information that is entered, received by, sent, or viewed on Council's network. By using our equipment or the Internet access provided by us, users consent to the monitoring of all network and information systems.

### 1.1.8 Reporting of Internet Abuse

- a. An email account link is established to receive complaints and concerns from external nonemployees pertaining to Internet activity possibly originating from Council network.
- b. Contractual documentation will specify the scope of the electronic transmissions and the services and devices required.
- c. Complaints to this account will be forwarded to Information Technology, where appropriate.

### 1.1.9 Electronic Mail and Instant Messaging

Policies and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software. Users are prohibited from creating or sending electronic mail:

- a. that may be considered offensive or harassing, or that may contribute to a hostile environment.
- b. that contains profanity, obscenities, or derogatory remarks.

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- c. that constitutes chain letters or spam.
- d. to solicit or sell products or services that are unrelated to our business; or
- e. to distract, intimidate or harass anyone, or to disrupt the workplace.

Users are instructed to use caution when operating electronic mail and attachments from unknown senders because these pieces of electronic mail and attachments may contain viruses, root kits, spyware or malware that can put our system and sensitive information at risk.

Users will be provided appropriate instructions about the proper use of instant messaging services ("IM") and measures to prevent unauthorised disclosure of Blackall-Tambo Regional Council sensitive information and PII if IM is used.

### 1.1.10 Social Media/Open Forums Policy

Blackall-Tambo Regional Council supports self-expression, including the right to express oneself to others via Internet blogs, social web pages, posting on open forums, or speaking during public events. Online social networking sites and other online communication platforms and technologies, such as Facebook, LinkedIn, Twitter, YouTube, and blogs, are primarily aimed at personal relationships and communications among individuals. While users may use these media to communicate with friends and family outside of work, users should be mindful that whatever users publish will be public for a long time and is available to Council and vendors and the community to view. Users may not use social networking sites while at work unless authorized by their supervisor. Some points that the Council wants users to consider when writing or expressing themselves publicly:

- a. Conduct themselves in a professional and businesslike manner, even if the communication is personal in nature.
- b. Do not reference or discuss the Council's suppliers, vendors, customers, associates, contractors, potential business relationships or opportunities, competitors, or any entity that the Council does business with, or anything that might adversely impact the Council's business relationships.
- c. Do not make statements about the Council's financial performance.
- d. Do not use these media for Council marketing or public relations.
- e. When users are participating in social networking sites, users must be transparent that their thoughts are their own. Unless the Council officially designates the user, in writing, to speak or write for the Council, users should never state that they write or speak on behalf of the Council or that their viewpoints are the same as the Council, and users should make this clear to those reading or listening to their points of view. Users may consider a disclaimer to this effect but note that it may not excuse improper or illegal conduct.
- f. Do not disclose private, internal-use only, copyrighted, or confidential information belonging to the Council or third parties, including employees, associates, suppliers, vendors, competitors, customers, or any other person or entity that associates or does business with the Council. Such information includes personally identifying information (such as telephone numbers, Social Security numbers, credit or debit card numbers, or financial account numbers). Users should also not mention customers, vendors, potential business relationships or opportunities, or competitors in their social media activity. Users should use common sense and courtesy and should follow strictly the Council's policy on preserving confidential information.

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## Acceptable use of Information Technology Policy

- g. For social networking sites such as LinkedIn where personal and professional references are the focus: If users are representing themselves as a Council employee, users may not provide professional references about any current or former employee, contractor, vendor, or contingent worker. Users may provide a personal reference or recommendation for current or former Council employees, contractors, vendors, and contingent works provided (1) the statements made, and information provided in the reference are factually accurate, and (2) users include the disclaimer "This reference is being made by me in a personal capacity. It is not intended and should not be construed as a reference from Council or any of its affiliated entities."
- h. In addition to our rules on confidentiality, the Council requests that users follow all other applicable guidelines when commenting in an open forum.
- i. What users write or say, and how users write or say something, is up to each user. However, the Council provides notice that it reserves the right to read what users write or say publicly and decide if it meets the professional standards of the Council or damages the Council. Written or stated comments harmful or damaging to the Council or to its employees, associates, suppliers, vendors, customers, or any other person or entity that associates or does business with the Council may lead to immediate termination.
- j. Do not use vulgar, obscene, offensive, threatening, harassing, or defamatory language. Offensive language or content would include, but is not limited to, discrimination, harassment, or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic. Offensive language or content also includes soliciting sex or otherwise violating the laws regarding minors and their protection. Users that violate child protection laws, including solicitation of sex from minors, or posting of illegal pornographic material, will be subject to discipline including, but not limited to, termination.

### COMPLIANCE

1. Non-Compliance: Violations of this policy may lead to the suspension or revocation of system privileges and/or disciplinary action up to and including termination of employment. We reserve the right to advise appropriate authorities of any violation of law.
2. Exceptions: Any exception to this policy must be approved by the CEO
3. User Acknowledgement: Information Technology is responsible for ensuring that a user acknowledgement or a non-disclosure agreement has been signed by all users acknowledging this Acceptable Use Policy before providing access to Council's sensitive computer resources.
4. Compliance Measurement: Information Technology will verify compliance to this policy through various methods, for example, business tool reports and audits.

### RELEVANT INFORMATION

*Information Privacy Act 2009*

*Local Government Act 2009*

*Integrity Act 2009*

*Blackall-Tambo Regional Council – Code of Conduct for Employees and Councillors*

### DATE NEXT REVIEW DUE

July 2026

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## Acceptable use of Information Technology Policy

### CHANGES SINCE LAST REVISION

New policy to reflect current procedures.

### RECORDS

Electronic copies are saved in the appropriately labelled folder in Magiq.

### ACKNOWLEDGMENT OF RECEIPT AND UNDERSTANDING OF ABOVE POLICY

I understand and agree to the above Conditions of Use.

SIGNATURE: .....

PRINT NAME: .....

DATE: .....

Managers Approval

SIGNATURE: .....

PRINT NAME: .....

DATE: .....

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## BLACKALL-TAMBO REGIONAL COUNCIL

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### OFFICER REPORTS

COUNCIL MEETING DATE: 14 December 2022

Item No: 4.2.1

**SUBJECT HEADING: Director of Works and Services' Operations Report – November 2022**

Author and Officer's Title: Garth Kath, Director of Works and Services

CLASSIFICATION: (if confidential)

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*Summary: The Director of Works and Services report for November 2022 is presented to Council.*

**Officer's Recommendation: That Council receive the Director of Works and Services' Operation Report for November 2022.**

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### Background

#### Construction

- HVSP - Heavy Vehicle Bypass Blackall - Road construction and first seal complete
- Barcoo River Bridge Project - 2nd seal
- Flood Damage - Emmet Road- Rehabilitation patches

#### Flood Damage Crews/Maintenance Grader Locations

- Flood Damage Crews
  - Alva Road
  - Adavale Road
  - Terrick Road
  - Ravensbourne Road
  - East West Road
  - Langlo Road
  - Scrubby Creek Road

#### Maintenance Crews

- Council - Town streets – Tractor Slashing
- RMPC - Tambo Augathella Road and Blackall Tambo Road – Pavement Repairs
- RMPC - Blackall Barcaldine Road – Tractor Slashing
- RMPC – Dawson Developmental Road – Heavy Formation Grading
- RMPC – Alpha Tambo Road – Heavy Formation Grading
- OSCR - Jericho and Isisford Roads – Pavement Repairs

#### Upcoming Works

- Blackall Isisford Rehabilitation – Side track commenced, Concrete Works complete, completion April 2023
- Blackall Emmet Road – Patches Sealed December 2022, Various Rehabilitation and Concrete Works February – June 2023
- Langlo Road Resheeting –January 2023, completion March 2023
- Springsure-Tambo Road Resheeting – March 2023, completion June 2023
- Blackall-Jericho Road Widening – Earthworks April 2023, completion June 2023

## Water and Sewerage

### Water Services

Number of interruptions to services	2
Water consumption total ML	23569
Number of customer requests received	2
Number of customer requests actioned	2

### Sewerage Services

Number of interruptions to services	1
Number of customer requests received	1
Number of customer requests actioned	1

### Parks and Gardens

- Maintenance of council facilities, town streets, parks and gardens

### Workshop/Fleet

- Preventative/Routine maintenance
- Brake relines - Tippers
- Scheduled/planned maintenance

### Monthly Statistics

Number of plant items serviced	12
Number of plant breakdowns	3
Hours downtime due to servicing	42
Hours downtime due to breakdown	57
Hours downtime due to parts availability	32

### Breakdown Register

Plant Number	Plant Description	DOM	Hrs Down	Breakdown description
4408	Superior Slasher	2021	4	Clutch pack on PTO shaft burnt out. Replaced with new clutch discs
4105	Kubota Tractor	2021	5	PTO drive shaft snapped. Replaced with new shaft and seal.
5103	Taxi	2018	48	Damaged radiator. Ordered in and fitted new radiator assembly.
			Total	57

### Link to Corporate Plan

Infrastructure

Outcome 1 – Roads

Outcome 3 – Water and sewerage systems

### Consultation (internal/external)

CEO

DWS

Works Supervisors

Parks & Garden Supervisors

Water Supervisors

Sewerage Supervisor  
Fleet Manager

**Policy Implications**

Nil

**Budget and Resource Implications**

Nil

**BLACKALL-TAMBO REGIONAL COUNCIL**[Return to Agenda](#)[Next Item](#)**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: **4.2.2****SUBJECT HEADING: Work Health and Safety Report**

Author and Officer's Title: Garth Kath, Director of Works and Services

CLASSIFICATION: (if confidential)

*Summary: The Work Health and Safety report is provided to Council.***Officer's Recommendation: That Council receive the Work Health and Safety report for November 2022.****Background****Incident Statistics**

The incident statistics provides a summary of the safety incident performance. Blackall-Tambo Regional Council aspires to achieve zero harm and zero injuries.

There were 2 incidents and 0 loss time injuries for the month of November.

**November 2022 Summary**

- 0 safety interactions were undertaken
- 0 safety inspections were undertaken

**Inductions**

Month	Employees	Contractors	Work Camp	Total
July 2022	1	5	2	8
August 2022	0	0	1	1
September 2022	2	2	2	6
October 2022	1	2	4	7
November 2022	0	2	0	2

Asbestos Safety Management plans have been updated for all Council owned buildings.

**Link to Corporate Plan**

Governance

Outcome 1 - Workforce

**Consultation (internal/external)**

Director of Works and Services

Work Health and Safety Advisor

**Policy Implications**

Nil

**Budget and Resource Implications**

Nil

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**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.1

**SUBJECT HEADING: Blackall Saleyards Monthly Report**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

*Summary: The Blackall Saleyards monthly report for November is provided to Council.*

**Officer's Recommendation: That Council receive the Blackall Saleyards monthly report for November 2022.**

**Background**

SALES	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	YTD	2021/22 Totals
Spelling Cattle	5154	3839	3893	4534	4285								21705	69364
Spelling Sheep	-	-	-	-	-								-	-
Prime & Store Sales	7793	2565	1857	3201	4992								20408	47912
Weaner & Store Sales	2988	2312	6152	2885	4734								19070	43255
Private Weigh (Same Day)	370	1917	3971	1361	2693								10312	18331
Private Weigh (Over-night)	725	1152	1014	701	3098								6690	11554
Private Scan	-	-	-	-	-								-	59
Bull Sales	-	-	54	218	-								272	331
<b>TOTALS 2022/23</b>	17030	11785	16941	12899	19802								78457	
<b>TOTALS 2021/22</b>	17473	23545	20141	19114	13704	6457	3048	11635	20602	15977	17979	21130	190806	

- The expressions of interest for the Saleyards Canteen closed on 30 November with 2 submissions received.

**Link to Corporate Plan**  
 Economic Development

Outcome 1 – Business Investment

Outcome 2 – Tourism

Outcome 3 – Employment

**Consultation (internal/external)**

CEO

Saleyards Manager

**Policy Implications**

Nil

**Budget and Resource Implications**

Nil



**BLACKALL-TAMBO REGIONAL COUNCIL**[Return to Agenda](#)[Next Item](#)**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.2

**SUBJECT HEADING: Planning and Development Report**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

*Summary: The Planning and Development report provides a summary of building applications and planning and development activity in the Blackall-Tambo Regional Council area.*

**Officer's Recommendation: That Council receive the Planning and Development Report for November 2022.**

**Background**

The table below provides the approved development applications for November 2022.

DATE	NUMBER	DEVELOPMENT TYPE	DEVELOPMENT DETAILS	TOWN
11/11/2022	DA-10-2022-2023	BUILDING/PLUMBING	DWELLING EXTENSION - LAUNDRY ONLY	TAMBO

This information report provides a monthly update on the planning services that Council provides to support planning and development activity across the local government area.

**1. DEVELOPMENT ASSESSMENT**

Three new development applications have been lodged since the last monthly report. There are six applications currently under assessment.

1.1 An application has been made by Andrew Bell C/- Murray & Associates Pty Ltd, seeking a Development Permit for Reconfiguring a Lot (1 lot into 3 lots) at 87 Thistle Street, Blackall. The application proposes to retain the existing house on a lot fronting Thistle Street and to create two new lots fronting Petunia Street.

The subject site is in the Township Zone and is subject to Code Assessment. As the application is subject to Code Assessment, public notification will not be required.

The application is in the decision stage and is required to be decided by 18 January 2023.

1.1	Council reference:	DA11-2022-2023
	Application:	Development Permit for a Reconfiguring a Lot (1 lot into 3 lots)
	Street address:	87 Thistle Street, Blackall
	Property description:	Lot 2 on RP611230
	Day application was made:	22 November 2022
	Category of assessment:	Code Assessment
	Public notification required:	No

	Applicant:	Andrew Bell C/- Murray & Associates Pty Ltd
	Status:	Decision Stage

1.2 An application has been made by Lifespring Outdoor Centre Pty Ltd, seeking a Development Permit for a Material Change of Use for Nature Based Tourism at 655 Glenusk Road, Blackall. The proposal involves the reuse of existing buildings on site for hosting groups of up to 25 people for camps and similar activities. Outdoor education will be offered through outdoor activities like initiatives, orienteering, raft building, geocaching and archery.

The subject site is in the Rural Zone and is subject to Code Assessment. As the application is subject to Code Assessment, public notification will not be required.

Council has to 20 December 2022 to decide if it requires any further information to assess the application.

1.2	Council reference:	DA13-2022-2023
	Application:	Development Permit for a Material Change of Use for Nature Based Tourism
	Street address:	655 Glenusk Road, Blackall
	Property description:	Lots 18 on EV42
	Day application was made:	30 November 2022
	Category of assessment:	Code Assessment
	Public notification required:	No
	Applicant:	Lifespring Outdoor Centre Pty Ltd
	Status:	Information Request Period

1.3 An application has been made by Joshua and Danae Phelps, seeking a Development permit for a Material Change of Use for a Warehouse at 65 Arthur Street, Tambo. The proposal involves the construction of a 450m<sup>2</sup> shed that will be used for storage purposes.

The site adjoins a state-controlled road and will require referral to the State Assessment and Referral Agency (SARA).

The subject site is in the Mixed Used Precinct of The Township Zone and is subject to Code Assessment. As the application is subject to Code Assessment, public notification will not be required.

The application is in the confirmation period and Council is required to issue confirmation notice by 15 December 2022.

1.3	Council reference:	DA12-2022-2023
	Application:	Development Permit for a Material Change of Use for a Warehouse
	Street address:	65 Arthur Street, Tambo
	Property description:	Lots 8 & 10 on T15032
	Day application was made:	1 December 2022
	Category of assessment:	Code Assessment
	Public notification required:	No
	Applicant:	Joshua and Danae Phelps
	Status:	Confirmation Period

1.4 An application has been made by Cliff and Tanya Reid, seeking a Development permit for Material Change of Use for an extension to a Tourist Park at 58 Arthur Street, Tambo. The proposal includes the addition of six (6) standalone cabins to complement the existing Tambo Caravan Park.

The site adjoins a state-controlled road and will require referral to the State Assessment and Referral Agency (SARA).

The subject site is in the Recreation and Open Space Zone and is subject to Impact Assessment.

The application is currently undertaking public notification which will finish on 16 December 2022.

1.4	Council reference:	DA08-2022-2023
	Application:	Development Permit for a Material Change of Use for an Extension to a Tourist Park
	Street address:	58 Arthur Street, Tambo
	Property description:	Lot 47 on SP110074
	Day application was made:	21 October 2022
	Category of assessment:	Impact Assessment
	Public notification required:	Yes
	Applicant:	Clifford and Tanya Reid
	Status:	Public Notification Period

1.5 An application has been made by Josh Phelps, seeking a Development permit for Material Change of Use for Short-term accommodation at 51 Arthur Street, Tambo. The proposal includes six (6) standalone transportable cabins and a common BBQ area. The proposal includes access from both Arthur Street and Charles Street.

The site adjoins a state-controlled road and will require referral to the State Assessment and Referral Agency (SARA).

The subject site is in the Township Zone and is subject to Impact Assessment. As the application is subject to Impact Assessment, public notification will be required.

The application has been referred to the SARA for assessment. SARA have issued their referral agency response which has no requirements. Public notification has been completed and Council is aware of two (2) submissions regarding the application. The submissions raised issues about the following matters:

- The proposal detracts from services provided in the Commercial precinct of Tambo
- Amenity impacts on adjoining owners
- The proposal is for a Commercial use in the Township zone.

The submissions have been addressed in the decision report. SARA has provided its referral agency response which does not have any requirements.

The application will be presented for decision at December's meeting.

1.5	Council reference:	DA05-2022-2023
	Application:	Development Permit for a Material Change of Use for Short-term accommodation
	Street address:	51 Arthur Street, Tambo
	Property description:	Lot 510 on T1501
	Day application was made:	12 September 2022
	Category of assessment:	Impact Assessment
	Public notification required:	Yes
	Applicant:	Josh Phelps
	Status:	Decision Stage

1.6 An application has been made by New Beginnings Church, seeking a development permit for Material Change of Use for a Caravan Park at 18 Leek Street, Blackall. The proposal includes 16 caravan sites with ensuites and a manager's house. The Caravan Park will be adjacent to the existing church on site.

The subject site is in the Township Zone and is subject to Impact Assessment, which means public notification of the application will be required.

The application has been properly made and Council issued a Confirmation Notice on 27 April 2022. The application did not include adequate information. Council issued an information request on 10 May 2022 requesting an assessment against the assessment benchmarks, details relating to parking, operation of the site, how the site will be serviced and how flooding has been addressed. The applicant provided a response to the information request on 26 May 2022.

Public notification has now been completed. Council received seven (7) submissions and one (1) petition with twenty (20) signatures objecting to proposal. The submissions raised issues about the following matters:

- Provision of infrastructure
- Amenity and privacy
- Stormwater
- Need of the development.

The applicant has been notified of the matters raised in the submissions and advised that Council will be requesting further information to address the matters raised in the submissions. Council issued an advice notice on 25 August 2022, requesting the following:

- Water and sewer capacity assessment
- Stormwater management plan
- Civil engineering plans
- Conceptual road work plans for upgrading Thistle Street
- Landscape concept plan

The applicant has provided a full response to the advice notice. The response included an Infrastructure Report which demonstrates the site can be appropriately serviced. The Infrastructure Report also includes a design for the upgrading of Thistle Street. A Landscape plan has been submitted which shows extensive landscaping, including dense landscaping to the northern boundary where the site adjoins residential dwellings.

The submissions have been addressed in the decision report.

The application will be presented for decision at December's meeting.

1.6	Council reference:	DA37-2021-2022
	Application:	Development Permit for a Material Change of Use for a Caravan Park
	Street address:	18 Leek Street, Blackall
	Property description:	Lot 1 on RP900484
	Day application was made:	8 April 2022
	Category of assessment:	Impact Assessment
	Public notification required:	Yes
	Applicant:	New Beginnings Church

	Status:	Decision Stage (extended to 16 December 2022)
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## 2. GENERAL PLANNING SERVICES, ENQUIRIES AND ADVICE

### 2.1 CUSTOMER REQUESTS

The following customer requests have been received and responded to over the past month:

PLANNING ENQUIRIES			
Date received	Customer Details	Details of Enquiry	Status
09/11/22	Land owner	<p><u>Proposal</u> Enquiry about establishing a coffee shop in an existing building.</p> <p><u>Planning details</u></p> <ul style="list-style-type: none"> <li>• The site is in the Commercial zone</li> <li>• The site adjoins a state-controlled road</li> <li>• The site is not subject to any overlays.</li> </ul> <p><u>Advice</u></p> <ul style="list-style-type: none"> <li>• A café is defined as a Food and drink outlet</li> <li>• A Food and Drink Outlet is accepted development where reusing an existing building and not involving any external building work</li> <li>• The proposal will involve a small deck extension, therefore being subject to Code assessment</li> <li>• Council could consider an exemption certificate as the proposal is minor.</li> </ul>	Closed
10/11/22		<p><u>Proposal</u> Enquiry about establishing a shed for storage.</p> <p><u>Planning details</u></p> <ul style="list-style-type: none"> <li>• The site is in the Mixed use precinct of the Township zone</li> <li>• The site adjoins a state-controlled road</li> <li>• The site is not subject to any overlays.</li> <li>• Advice</li> <li>• Using a shed for the storage of goods would be considered as a Warehouse</li> <li>• A warehouse in the Township zone (Mixed use precinct) is subject to Code assessment</li> <li>• Code assessment means a development application is required to be lodged with Council</li> <li>• A building approval will also be required</li> <li>• The application will require referral to the State Assessment and Referral Agency (SARA) for proximity to the state-controlled road.</li> </ul>	Closed

PLANNING ENQUIRIES			
Date received	Customer Details	Details of Enquiry	Status
15/11/22		<p><u>Proposal</u> Enquiry about using a cabin for short-term accommodation.</p> <p><u>Planning details</u></p> <ul style="list-style-type: none"> <li>The site is in the Township zone</li> <li>The site is not subject to any overlays.</li> </ul> <p><u>Advice</u></p> <ul style="list-style-type: none"> <li>If the proposal involved the reuse of an existing building the proposal would be subject to Code assessment</li> <li>If the proposal involved a new cabin which was used as Short-term accommodation it would be subject to Impact assessment</li> <li>Impact assessment is the highest level of assessment and requires public notification and is subject to third party appeal rights</li> <li>Subsequent building and plumbing approvals will also be required.</li> </ul>	Closed
29/11/2022	Land owner	<p><u>Proposal</u> Enquiry about establishing a shop and query on whether the shop would need to be connected to reticular sewer.</p> <p><u>Planning details</u></p> <ul style="list-style-type: none"> <li>The site is in the Township zone</li> <li>The site is not subject to any overlays.</li> </ul> <p><u>Advice</u></p> <ul style="list-style-type: none"> <li>The use would be defined as a shop</li> <li>The establishment of a shop would be considered a material change of use</li> <li>A material change of use for Shop in the Township zone is subject to Impact assessment</li> <li>Impact assessment is the highest level of assessment and is subject to public notification and third-party appeal rights</li> <li>A shop would generally be expected to be located in the Commercial precinct</li> <li>It may be difficult to support a shop in the Township zone where not in Commercial precinct</li> <li>Council would expect the development to be connected to reticulated sewer.</li> </ul>	
30/11/2022	Business operator	Council held a pre-lodgement meeting with a business operator who is proposing to operate	Completed

<b>PLANNING ENQUIRIES</b>			
<b>Date received</b>	<b>Customer Details</b>	<b>Details of Enquiry</b>	<b>Status</b>
		a Nature based tourism operation from a lot located in the Rural zone.	
<b>PLANNING AND DEVELOPMENT CERTIFICATES</b>			
<b>Date received</b>	<b>Customer details</b>	<b>Type</b>	<b>Status</b>
10/11/22	Conveyancing company	Council received a request for a limited planning and development certificate for a land holding in the Commercial precinct of the Township zone.	Issued
18/11/22	Conveyancing company	Council received a request for a limited planning and development certificate for a land holding in the Township zone.	Issued
21/11/22	Conveyancing company	Council received a request for three (3) limited planning and development certificate for three (3) separate land holdings in the Township zone.	Issued
<b>SURVEY PLAN APPROVALS</b>			
Nil			
<b>EXEMPTION CERTIFICATES</b>			
16/11/22	Landowner	Council received a request for an exemption certificate for a Food and Drink Outlet (café) in the Commercial zone. As the site adjoins a state-controlled road, the State Assessment and Referral Agency (SARA) was required to agree to Council giving the notice. SARA has agreed to the giving of the exemption certificate. Council issued the exemption certificate as the effects of the development are minor and inconsequential. A development approval is not required for assessable development on premises if there is an exemption certificate for the development.	Issued

**Link to Corporate Plan**

Economic Development  
Outcome 4 – Land development

**Consultation (internal/external)**

CEO  
Rates Officer  
Town Planners

**Policy Implications**

Nil

**Budget and Resource Implications**

Nil



## BLACKALL-TAMBO REGIONAL COUNCIL

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### OFFICER REPORTS

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.3

**SUBJECT HEADING: Environmental Health/Local Laws Officer's Report – November 2022**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

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*Summary: The Environmental Health/Local Laws Officer's report is provided to Council.*

**Officer's Recommendation: That Council receive the Environmental Health/Local Laws Officer's report.**

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### Background

#### Food premises

- EHO consulted with operators about two proposed new food business.
- A food business license application has been assessed, granted and permit issued to the applicant.
- Food safety assessments were carried out, minor issues were noted and raised with operators.

#### Environmental Management/ Public Health

- A substance was deposited into the road gutter. EHO consulted with alleged offender and issued verbal warning/education.
- The environmental authority amendment to enable the acceptance of asbestos at both landfills was approved by the department.
- EHO conducted site monitoring landfill sites.
- EHO removed litter along Council roads during weed management activities.
- EHO consulted with pool operators regarding water quality monitoring.

#### Local Laws

- LLO issued several compliance notices regarding overgrown allotments.
- Notices of entry were issued to property owners to remedy overgrown vegetation.
- Overgrown vegetation was removed at three properties through contractor.
- LLO consulted with resident about the resident's dog found wandering.
- LLO consulted with residents regarding their overgrown allotments.
- LLO consulted with a real estate agent regarding 'loose sheet metal' and its potential risk at a property.
- LLO consulted with a resident and requested the removal of an electric fence on Council controlled area.
- Complaints were received about overgrown allotments.
- LLO consulted with a resident about a noisy bird.

#### LLO assisted Rural Lands Officer

- Weed management undertaken for Parthenium along roads, about 50 plants eradicated. Spraying for sticky Florestina ongoing.

## **Ranger**

### ***Animal Control***

Several dead animals were removed from properties in Tambo.

### ***Weed Control***

Spray:

- Tambo streets
- Parthenium plants – 1 in Barcoo St., 1 on the Ward Road, 1 on Tambo-Blackall Road and 1 on Augathella Road.
- 2 Parkinsonia plants – Cemetery gully/river junction - Tambo Common.
- Guideposts, culverts etc. – Blackall Road.
- Road edges for reseals on Dawson Developmental Road.
- Road edges for reseals on Augathella Road.

### ***Wild Dog Control***

Scalps – Nil

### **1080**

Aerial baiting completed – pig 413kgs | dog 2265kgs

Ground baiting – pig 65kgs

## **Link to Corporate Plan**

Environment and Heritage

Outcome 3 – Pest Management

Outcome 4 – Waste Management

## **Consultation (internal/external)**

Environmental Health / Local Laws Officer

RLO

Department of Environment and Science

## **Policy Implications**

Nil

## **Budget and Resource Implications**

Nil

**BLACKALL-TAMBO REGIONAL COUNCIL**

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**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.4

**SUBJECT HEADING: Review of Delegations from Council to the Chief Executive Officer**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

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*Summary: Section 257(5) of the Local Government Act 2009 requires Council to review annual delegations to the Chief Executive Officer of Council.*

**Officer's Recommendation: That Council:**

1. **Receive the Delegations Register Council to Chief Executive Officer which details all the powers delegated to the Chief Executive Officer of Council pursuant to section 257 of the *Local Government Act 2009*.**
  2. **Note that the Delegations Register Council to Chief Executive Officer has been reviewed and updated as at 14 December 2022 to reflect any changes to the delegable powers under state legislation.**
- 

**Background**

Section 257(1)(b) of the *Local Government Act 2009* (the Act) states that:

*“A local government, may by resolution, delegate a power under this Act or another Act to:*

*(b) the Chief Executive Officer.”*

The process of Council sharing its legislative powers through delegation to the CEO is to allow officers to administer Council responsibilities and make decisions efficiently without the need for a formal Council resolution for each decision.

The Act also places the requirement on the local government to annually review the delegations to the Chief Executive Officer under section 257(5). This review is based on information provided by the Local Government Association of Queensland (LGAQ) Delegation Service.

The Delegation Register has now been reviewed and is ready for adoption.

New, amended or deleted delegations are highlighted for ease of reading, including:

- New and amended sections/wording are **highlighted**; and
- Repealed and deleted sections/wording are ~~struck through~~ and **highlighted**.

**New Legislation and their New Delegations:**

- Building Regulation 2021
- Building Fire Safety Regulation 2008
- Electrical Safety Act 2002
- Electrical Safety Regulation 2013

- Justice Act 1886
- Medicines and Poisons Act 2019
- Medicines and Poisons (Pest Management Activities) Regulation 2021
- Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021
- Retail Shop Leases Act 1994
- Retail Shop Leases and Other Commercial Leases (COVID-19) Emergency Response Regulation 2020
- Transport Operations (Road Use Management – Vehicle Registration) Regulation 2021
- Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2021
- Transport Infrastructure (State Controlled Roads) Regulation 2017
- Working with Children (Risk Management and Screening) Act 2000

Repealed Legislation (Acts or Regulations that have been abolished and/or replaced with new or amended legislation):

- Building Regulation 2006 (replaced with Building Regulation 2021)
- Environmental Protection (Water) Policy 2009
- Nature Conservation (Administration) Regulation 2006
- Nature Conservation (Administration) Regulation 2017
- Nature Conservation (Wildlife Management) Regulation 2006
- Transport Operations (Road Use Management – Vehicle Standards & Safety) Regulation 2010 (replaced with Transport Operations (Road Use Management – Vehicle Standards & Safety) Regulation 2021)

**Attachment:**

1. The Delegation Register – Council to Chief Executive Officer [5.4 –803 pages] – Due to file size will be uploaded separately. Access the document by clicking on the links:
  - Review of Delegations from Council to CEO – [Part 1](#)
  - Review of Delegations from Council to CEO – [Part 2](#)
  - Review of Delegations from Council to CEO – [Part 3](#)
  - Review of Delegations from Council to CEO – [Part 4](#)

**Link to Corporate Plan**

Governance

Outcome 2 – Accountability

Outcome 3 - Leadership

**Consultation (internal/external)**

Chief Executive Officer

LGAQ

**Policy Implications**

Nil

**Budget and Resource Implications**

Nil

**Risk Assessment**

Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Financial	Low	Nil	Low
Legal & Regulatory	Low	Section 257(5) of the <i>Local Government Act 2009</i> requires Council to annually review a delegation to the CEO. This review will meet the annual requirement.	Low
People	Low	Nil	Low
Operational	Medium	The review allows council to function efficiently.	Low
Environmental	Medium	Nil	Low
Strategic	Medium	Nil	Low
Ethical	Low	Nil	Low
Reputation	Low	Nil	Low
Leadership	Low	Nil	Low

**Risk Treatment**

Failure to review and update the delegation register may result in routine decisions having to be made by council which are more appropriately exercised at a council officer level and an inefficient use of council's time and resources.

**BLACKALL-TAMBO REGIONAL COUNCIL**[Return to Agenda](#)[Next Item](#)**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.5

**SUBJECT HEADING: Development Application – DA 37-2021-2022 – Tourist Park – 18 Leek Street, Blackall**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

*Summary: The Applicant, New Beginnings Church Blackall, seeks a Development Permit for Material Change of Use for a Tourist Park and Reconfiguring a Lot (1 lot into 2 lots) over land at 18 Leek Street, Blackall, formally described as Lot 1 on CP900484. The subject site is occupied by the New Beginnings Church. The Applicant is proposing 16 caravan sites with ensuites and associated car parking. The proposal will also include caretakers' accommodation with an office. The reconfiguration of the lot will ensure the existing church and Tourist Park are on separate lots.*

*Under the Blackall-Tambo Region Planning Scheme 2020 (the Planning Scheme), the subject site is in the Mixed Use Precinct of the Township Zone. The defined use that has been applied for, being a 'Tourist Park', is subject to Impact Assessment in the Township Zone. Reconfiguring a lot in the Township zone is subject to Code Assessment. The overall level of assessment for the application is Impact Assessment.*

*A development application that is subject to Impact Assessment is assessed against the entire Planning Scheme and is required to be publicly notified for a minimum of 15 business days. During the public notification period, seven (7) submissions and one (1) petition with 20 signatures was received. The issues raised in the submissions and petition have been addressed in the decision report.*

*The proposal has been assessed against the entire Planning Scheme and is consistent with the intent of the zone and all other relevant assessment benchmarks.*

*Based on an assessment of the proposal in accordance with the Impact Assessment process articulated in the Planning Act 2016, this decision report recommends approval of the development application, subject to the conditions stated herein.*

**Officer's Recommendation: That Council approves the application for a Development Permit for Material Change of Use for a Tourist Park and Reconfiguring a Lot (1 lot into 2 lots) over land at 18 Leek Street, Blackall, formally described as Lot 1 on CP900484, subject to the following conditions:**

**1.0 PARAMETERS OF APPROVAL**

- 1.1 The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor or invitee of the Developer at all times unless otherwise stated.**
- 1.2 Where these conditions refer to "Council" in relation to requiring Council to approve or be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by Council.**



- 1.3 All conditions, works, or requirements of this development approval must be undertaken and completed prior to commencement of the use and to Council's satisfaction, unless otherwise stated in a development condition.**
- 1.4 The cost of all works associated with the construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.**
- 1.5 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out for the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.**
- 1.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.**

## **2.0 APPROVED PLANS AND DOCUMENTS**

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:**

<b>Plan/Document Name</b>	<b>Plan/Document Number</b>	<b>Revision Number</b>	<b>Date</b>
<b>Thistle Street Aspect</b>	<b>Page 1</b>	<b>-</b>	<b>25/05/2022</b>
<b>Layout Proposed Site Plan</b>	<b>Page 3</b>	<b>-</b>	<b>26/05/2022 (Received date)</b>
<b>Caravan Park Proposed Site Plan</b>	<b>Page 4</b>	<b>-</b>	<b>26/05/2022 (Received date)</b>
<b>Type A &amp; Shower-WC-Vanity &amp; Elevations</b>	<b>Page 5</b>	<b>-</b>	<b>26/05/2022 (Received date)</b>
<b>Type B &amp; C &amp; Shower-WC-Vanity &amp; Elevations</b>	<b>Page 6</b>	<b>-</b>	<b>26/05/2022 (Received date)</b>
<b>Type D &amp; Laundry-WC-Shower &amp; Elevations</b>	<b>Page 7</b>	<b>-</b>	<b>26/05/2022 (Received date)</b>
<b>Proposed Dwelling – Lower and Upper Floor</b>	<b>Page 8</b>	<b>-</b>	<b>26/05/2022 (Received date)</b>
<b>Proposed Dwelling Aspects</b>	<b>Page 9</b>	<b>-</b>	<b>26/05/2022 (Received date)</b>
<b>Site Layout</b>	<b>DWG-S01</b>	<b>A</b>	<b>26/09/2022</b>
<b>General Arrangement</b>	<b>CE22056-301-GA</b>	<b>A</b>	<b>19/10/2022</b>
<b>Landscape Plan Planting Plan</b>	<b>IY-666-18LE</b>	<b>-</b>	<b>19/10/2022</b>

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.**

## **3.0 LIMITATIONS OF OPERATION**

- 3.1 Hours of operation are limited from 7:00am to 6:00pm Monday to Sunday. No new guests are to be accepted into the Tourist Park outside these hours.**

***Advisory note: This relates to office hours and when guests may be accepted into the Tourist Park. It is accepted the use is an accommodation activity and guests (already checked in) will be staying 24 hours a day.***

**3.2 The Tourist Park is limited to a maximum of 16 caravan sites.**

#### **4.0 ENGINEERING CERTIFICATION**

**4.1 Prior to commencement of any engineering works, a Development Permit for Operational Work must be obtained, where required, for the following engineering works:**

**4.1.1 Road works and access and parking works**

**4.1.2 Reticulated water supply connection**

**4.1.3 Reticulated sewer supply**

**4.1.4 Earthworks**

**4.1.5 Stormwater works**

**4.2 For the submission, detailed design documentation must be provided and a Registered Professional Engineer of Queensland (RPEQ) must certify the engineering drawings and specifications for the engineering work.**

**4.3 An Engineer's Certificate of Construction must be signed and submitted to Council by a RPEQ verifying that all works have been carried out in accordance with the relevant standards, drawings, the development permit for operational works, and any specifications that result from the submission for engineering certification.**

#### **5.0 ACCESS AND PARKING WORKS**

**5.1 Design, construct and maintain the Thistle Street crossover in accordance with the approved plans (see Condition 2.1) and generally in accordance with the standard drawing, Figure 2 – Vehicle Crossover – Piped, from the General Development Code of the Blackall-Tambo Region Planning Scheme.**

**5.2 Design and construct the upgrade to Thistle Street and the intersection of Leek and Thistle Street, at no cost to Council, in accordance with the approved plans (see Condition 2.1) and generally in accordance with the standards detailed in the *Capricorn Municipal Development Guidelines (including Standard Drawings and Specifications, Construction Specifications and Procedures, Design Specifications and Purchase Specifications)*.**

**5.3 Provide and maintain a minimum of eighteen (18) car parking spaces on-site for guests, four (4) car parking on-site for guests and two (2) car parking spaces for the caretaker's residence. All car parking spaces must be clearly delineated by either line-marking or signage.**

**5.4 Design and construct and maintain all car parking, service vehicle parking and manoeuvring areas in accordance with the approved plans (see Condition 2.1) and *AS2890.1 – Parking Facilities* and *Austroads Publication AP-G34-13 – Austroads Design Vehicle and Turning Path Templates*.**

**5.5 All car parking, caravan sites and vehicle manoeuvring areas must be either compacted gravel or concrete.**

- 5.6 Install and maintain directional signage within the site to ensure the orderly and efficient movement of vehicles.
- 5.7 Provide dedicated visitor car parking areas generally in accordance with the approved plans (Condition 2.1).

## 6.0 FLOOD

- 6.1 Maintain and implement a current Flood Evacuation Plan for the approved use.
- 6.2.1 The Flood Evacuation Plan must consider:
  - 6.2.1 Trigger conditions for evacuation;
  - 6.2.2 Flood free or low flood hazard access, by way of trafficable roads to facilitate evacuation or provision of supplies;
  - 6.2.3 Location of local evacuation centres; and
  - 6.2.4 Roles and responsibilities of the manager/employees in implementing the Flood Evacuation Plan.
- 6.4 Make available a copy of the Flood Evacuation Plan on site at all times.

## 7.0 SITE MANAGEMENT PLAN

- 7.1 Maintain and implement a site management plan for the Tourist Park. The site management plan is to include measures to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.

## 8.0 ROOF AND ALLOTMENT DRAINAGE

- 8.1 Discharge of all roof and allotment drainage such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure from the pre to the post-development condition.

## 9.0 STORMWATER WORKS

- 9.1 Undertake the development such that all stormwater, except for rainwater captured on-site in rainwater tanks, is to be drained from the site to a lawful point of discharge and carried without causing annoyance or nuisance to any person or property. All works must be designed, constructed and maintained in accordance with the *Queensland Urban Drainage Manual*.

## 10.0 SEWERAGE AND WATER

- 10.1 The premises must be connected to Council's reticulated water and sewerage network.
- 10.2 All works must be designed, constructed and maintained in accordance with the approved plans (refer to Condition 2.1), the *Plumbing and Drainage Act, Water Services Association of Australia (WSAA), 2011, "WSA 03-11 Water Supply Code of Australia" Version 3.1* and *Queensland Department of Energy and Water Supply, 2010, Planning Guidelines for Water Supply and Sewerage*.

- 10.3 Remove all redundant water supply and sewerage infrastructure, including but not limited to pipes and connection points.**
- 11.0 TELECOMMUNICATION AND ELECTRICITY SUPPLY**
- 11.1 The premises must be connected to electricity and telecommunication services in accordance with the standards and requirements of the relevant service provider.**
- 12.0 WASTE MANAGEMENT**
- 12.1 Store all waste within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera). The waste storage area must be:**
  - 12.1.1 Designed to not cause nuisance to neighbouring properties;**
  - 12.1.2 Screened from any road frontage or adjoining property;**
  - 12.1.3 Of a sufficient size to accommodate a waste bin/s suitable to service the Tourist Park.**
- 13.0 AMENITY AND ENVIRONMENTAL HEALTH**
- 13.1 Undertake the approved development so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, vibration, odour, fumes, smoke, vapour, steam soot, ash, wastewater, waste products, oil or otherwise**
- 13.2 Install and operate all outdoor lighting to comply with *AS4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting”*.**
- 14.0 LANDSCAPING**
- 14.1 Establish and maintain landscaping generally in accordance with the approved plans.**
- 14.2 The landscaping must predominantly contain species consisting of native, drought tolerant groundcovers, shrubs, small trees and trees.**
- 15.0 SITE WORKS AND EROSION AND SEDIMENT CONTROL**
- 15.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.**
- 15.2 Prepare and implement an Erosion and Sediment Control Strategy (ESCS) in accordance with the *IECA 2008 Best Practice Erosion and Sediment Control* (as amended).**
- 15.3 Implement the ESCS for the duration of the construction phase and until such time all exposed soils areas are permanently stabilised (for example, turfed, hydro mulched, concreted or landscaped).**

## **16.0 ASSET MANAGEMENT**

- 16.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.**

## **ADDITIONAL CONDITIIONS FOR RECONFIGURING OF A LOT (1 LOT INTO 2 LOTS)**

### **17.0 ENDORSEMENT OF SURVEY PLAN**

- 17.1 Council will not endorse or release the survey plan for this development until such time as:**
- (a) All conditions attached to this development approval for Reconfiguring a Lot have been fully satisfied;**
  - (b) A statement demonstrating compliance with all conditions attached to this development approval has been submitted to Council; and**
  - (c) All outstanding rates and charges relating to the site have been paid.**

### **18.0 APPROVED PLANS AND DOCUMENTS**

- 18.1 The approved reconfiguration of a lot must be completed and maintained generally in accordance with the lot layout shown on Layout Proposed Site Plan with reference Page 3 and dated 26/05/2022 (received date).**
- 18.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.**

### **19.0 ACCESS**

- 19.1 The existing access to Leek Street for the Church must be maintained.**

### **20.0 SERVICES**

- 20.1 Each proposed lot must have separate services.**

### **21.0 PUBLIC UTILITIES**

- 21.1 The applicant is responsible for the cost of any alteration to public utilities as a result of complying with conditions of this Development Permit.**
- 21.2 Any alteration of any public utility or other facilities necessitated by the development of the land or associated construction works external to the site shall be at no cost to Council.**
- 21.2 Any damage caused to any public utility during the course of construction shall be repaired to the satisfaction of Council's Delegated Officer and at no cost to Council prior to the sealing of the Survey Plan.**

**ADVISORY NOTES**

- A. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, and potentially for operational work, as required under relevant legislation for this work.
- B. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.
- C. General environmental duty under the Environmental Protection Act 1994 and subordinate legislation prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.
- D. This development approval does not authorise any activity that may harm Aboriginal cultural heritage. It is advised that under section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”).
- E. The Tourist Park will require approval to operate under Schedule 14 of the Blackall-Tambo Regional Council Subordinate Local Law No.1 (Administration) 2010.

**Background****1.0 DEVELOPMENT APPLICATION SUMMARY****TABLE 1 – OVERVIEW OF THE DEVELOPMENT APPLICATION**

<b>PROPERTY DETAILS</b>	
<b>Site address</b>	18 Leek Street, Blackall QLD 4472
<b>RPD</b>	Lot 1 on CP900484
<b>Site Area</b>	10,020m <sup>2</sup>
<b>Landowners</b>	New Beginnings Church
<b>Existing use of land</b>	Church
<b>Existing development approval</b>	<p>The site has been subject to previous applications.</p> <ul style="list-style-type: none"> <li>IPA 10 – 1999/2000 – George Borne &amp; Associates as Private Certifier approved a development application for building works for Future Building Pads</li> <li>001018-1 – T.T Building Consultants Pty Ltd as Private Certifier approved a development application for building works for a Proposed Place of Worship (Church)</li> </ul>
<b>APPLICATION DETAILS</b>	
<b>Application No.</b>	DA37-2021-2022
<b>Applicant</b>	New Beginnings Church

<b>Application description</b>	Development Permit for Material Change of Use for a Tourist Park and Reconfiguring a Lot (1 lot into 2 lots)
<b>Decision due date</b>	18 November 2022
<b>Main Issues/Resolution</b>	Sewer and water connections and upgrading of Thistle Street/Infrastructure Report provided that demonstrates that suitable services can be provided to the site without impacting on surrounding infrastructure. The Infrastructure Report also details how Thistle Street can be upgraded.
<b>STATUTORY DETAILS</b>	
<b>Planning Scheme</b>	Blackall-Tambo Region Planning Scheme 2020
<b>Overlays</b>	Blackall (and surrounds) Flood Hazard Map
<b>Zone</b>	Township Zone
<b>Precinct</b>	Mixed use
<b>Land use definition</b>	Tourist Park and reconfiguring a lot
<b>Category of Assessment</b>	Impact Assessment

## 2.0 PROPOSAL BACKGROUND

**TABLE 2 – OVERVIEW OF DEVELOPMENT ASSESSMENT PROCESS**

Application lodged	8 April 2022
Application properly made	26 April 2022
Confirmation Notice issued	27 April 2022
Public Notification Period	3 June to 24 June 2022
Decision Due (Decision Stage)	18 November 2022

## 3.0 SITE AND SURROUNDS DESCRIPTION

The subject site is located at 18 Leek Street, Blackall, formally known as Lot 1 on CP900484. The subject site has an area of 10,020m<sup>2</sup>, and has a 100m frontage to both Leek Street and Thistle Street. Thistle Street is currently unformed.

The site contains an established Church that has been in operation for approximately 20 years. The site is adjoined by vacant land to the west and south, Leek Street to the east and residential dwellings to the north. The immediate vicinity is made up of predominantly residential uses.





**Figure 1** – Aerial of subject site (Source: QLD Government DAMS Mapping)

#### **4.0 DESCRIPTION OF PROPOSAL**

The proposal involves two components:

##### Material change of use for a Tourist Park

This component involves the establishment of a Tourist Park on the western half of the lot. The proposal includes the provision of 16 caravan sites with ensuite facilities for each site. Each caravan site has parking for a vehicle and a caravan.

The proposal also includes an ancillary caretaker's residence. The caretaker's residence includes a foyer and office on the ground floor in addition to bedrooms, a living area, kitchen and bathrooms over two levels. The

The proposal will provide a total of 24 car spaces, 18 for guests, 4 for visitors and 2 for the caretaker's residence. Extensive landscaping is proposed, particularly to the northern boundary where it adjoins residential dwellings.

##### Reconfiguring a Lot (1 lot into 2 lots)

The component involves subdividing the land into two lots and will ensure the existing church and its parking and landscaping areas are fully contained within its lot.

Proposed lot 1 (Tourist Park) will have an area of 4,246.9m<sup>2</sup> and proposed lot 2 (Church site) will have an area of 5,128.96m<sup>2</sup>.

Attachment A provides a copy of the proposal plans referenced in the recommendation.

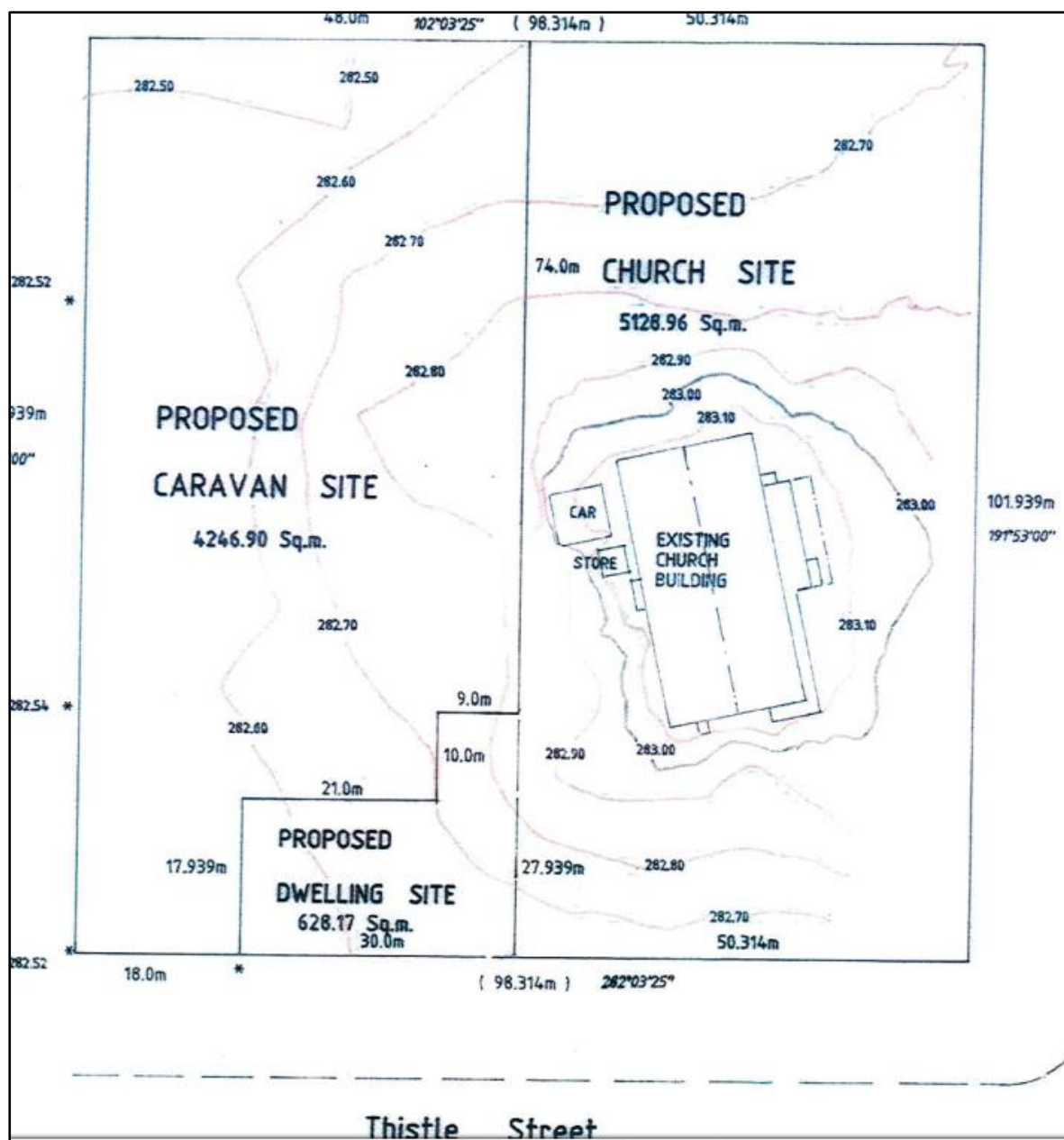
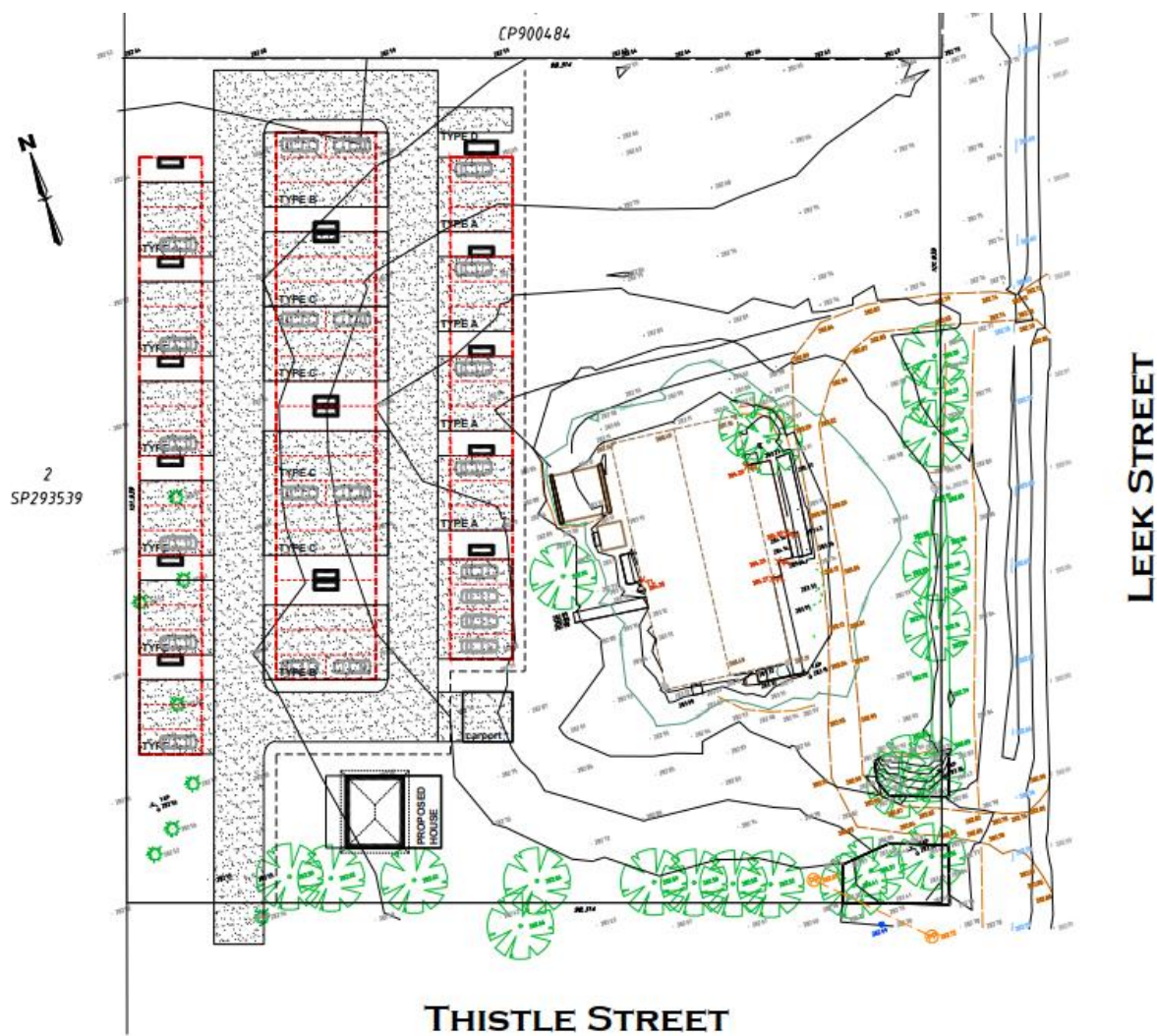


Figure 2 – Reconfiguration Layout (Source: Extract from approved plans)



**Figure 3:** Site Layout (Source: Extract from approved plans)





**Figure 4:** Proposed landscaping (Source: Extract from approved plans)

## 5.0 PLANNING ASSESSMENT

In accordance with section 45 (5) of the *Planning Act 2016* (the Act), Impact Assessment is an assessment that:

- (a) **must be** carried out—
  - (i) against the assessment benchmarks in a categorising instrument for the development; and
  - (ii) having regard to any matters prescribed by regulation for this subparagraph; and
- (b) **may be** carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

*Examples of another relevant matter— a planning need*

This framework for assessing impact assessable applications is clarified as follows –

The categorising instrument for the development is the *Blackall-Tambo Region Planning Scheme 2020*. The entire planning scheme must be assessed as relevant to the application. In this instance, relevant assessment benchmarks are encompassed by the Strategic Framework, the Township Zone Code, General Development Code, Reconfiguring a Lot Code and corresponding mapping and planning scheme policies. These benchmarks are addressed in section 5.2.

Where a conflict may be evident between the application and above assessment benchmarks, Council can consider any other relevant matter, such as planning need, to override the conflict and justify the non-compliance. This typically relates to matters that Council deems to be in the public interest, as opposed to personal circumstances.

The *Planning Regulation 2017* (sections 29-31) prescribes additional assessment benchmarks and other general assessment matters, which are addressed as follows:

The Central West Regional Plan and the State Planning Policy

The Regional Plan and SPP are identified as being appropriately integrated in the Planning Scheme and therefore do not require further assessment. The assessment of the proposal against the Planning Scheme in section 5.2 below also functions as an assessment of these State Planning Instruments.

The Local Government Infrastructure Plan

By Council resolution, there is no Local Government Infrastructure Plan in place for the Council Area and Council ceases to charge Adopted Infrastructure Charges for any new development. In turn, this assessment benchmark does not apply to the development and an Infrastructure Charges Notice does not form part of this recommendation.

Schedules 9 and 10 of the Planning Regulation

Schedule 9 relates to building work under the Building Act, which is not relevant to this application for material change of use but may be relevant to a subsequent building work application for the construction of the development.

Under Schedule 10, a referral to the State Assessment and Referral Agency (SARA) was not required. Although the site is mapped as containing native vegetation, the site area is less than 5 hectares and therefore does not require referral to SARA. It is noted that the site only contains very sparse vegetation and mature vegetation will be retained.

Approval history / lawful use of the premises and adjoining premises

The site has been subject to historic approvals for the establishment of a Church. The Church is established and is likely to have been in operation for approximately 20 years. The proposal will not impact the existing church and will ensure its preservation as the church, access, parking and landscaping will be self-contained on a single lot.

While the approval history of adjoining premises has not been investigated in detail, a general understanding of existing surrounding uses has been considered in this planning assessment and has informed the recommendation with a view to ensuring a compatible land use pattern if the development is approved.

Common material

The application material and subsequent correspondence with Council officers and the applicant has been considered in the preparation of this recommendation.

The planning assessment of the development considers the above assessment benchmarks and matters to the extent that the assessment benchmark and matter is relevant to the development.

### 5.1.1 Public Notification

The development application required Impact Assessment, which means public notification of the application was required. Public notification was undertaken by Council on behalf of the Applicant.

Seven (7) properly made submissions and one (1) petition with 20 signatures was received during the public notification. The following table includes the issues raised and how they have been addressed:

Matter raised in submission	Response to matter raised
Concern that the proposed development will affect water pressure in the locality.	<p>Council requested further information regarding the capacity of the existing water infrastructure and how the development will be managed. In response the applicant provided an Infrastructure Report.</p> <p>The Infrastructure Report concludes that the existing water network has capacity available to provide supply to an expected maximum transient population of 32 people.</p> <p>A condition has been included that requires the submission of an operational works application that will include detailed information regarding the design of any reticulated water works.</p>
What is the maximum capacity or people that can stay at the caravan park.	<p>The Tourist Park has capacity for 16 caravans and its occupants. The applicant has advised that it is expected that any one time the maximum number of occupants could be 32.</p>
How will sewerage be managed and is the existing sewerage infrastructure sufficient to manage the sewerage generated by the development.	<p>Council requested further information regarding the capacity of the existing sewer infrastructure and how the development will be managed. In response the applicant provided an Infrastructure Report.</p> <p>The Infrastructure Report concludes that the addition of the transient population and calculated flows to the existing Blackall gravity sewer network is not likely to generate any wider community impacts.</p>

	<p>A condition has been included that requires the submission of an operational works application that will include detailed information regarding the design of any reticulated sewer works.</p>
<p>Concern regarding stormwater run-off and how it will be managed.</p>	<p>Council requested further information regarding how stormwater will be managed. In response the applicant provided an Infrastructure Report.</p> <p>The Infrastructure Report concludes that in order to manage stormwater a detention basin will be required. The detention basin will capture all overland flow before it is discharged to a lawful point of discharge.</p> <p>A condition has been included to ensure stormwater from the approved development must drain to a lawful point of discharge. The condition also requires that stormwater run-off must not adversely affect adjoining land or infrastructure by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.</p>
<p>There is no need for another caravan park in Blackall.</p>	<p>It is considered that the proposal is a suitable development in the Mixed Use Precinct of the Township Zone. The Mixed Use Precinct functions as a transition space between residential and non-residential areas.</p> <p>It is considered that the site is ideally located to provide for a Tourist Park. The proposal will provide a different offering than currently in the Township and will add healthy competition. An additional Tourist park in Blackall will also have the potential to attract additional tourists in the tourist season which will have economic benefits for businesses.</p> <p>Conditions have been imposed to ensure that any potential impacts associated with the Tourist Park can be appropriately managed.</p>
<ul style="list-style-type: none"> <li>• Concerns with privacy of surrounding residents.</li> <li>• The existing fence will not provide adequate privacy.</li> </ul>	<p>Council requested further information regarding amenity and privacy, in particular details on proposed landscaping and fencing.</p>



	<p>In response the applicant has provided a detailed landscape plan that incorporates extensive landscaping, in particular to northern boundary where the site adjoins residential dwellings. The landscape plan also includes fencing to all boundaries.</p> <p>It is considered that the fencing and proposed vegetation will provide a clear barrier between the development and residential dwellings.</p>
Noise impacts generated from the proposal.	<p>The proposal is not expected to generate excessive noise. A condition has been included to ensure a site management plan is developed that includes measures to manage operational aspects of the development including noise generation.</p> <p>The Tourist Park will also require approval to operate under Schedule 14 of the Blackall-Tambo Regional Council Subordinate Local Law No.1 (Administration) 2010.</p> <p>The Local Law requires that caravan parks are operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land.</p>
Concerns the proposed fire pit will cause impacts in terms of smoke, embers and ash.	<p>A condition has been included that requires a Site Management Plan. The Site Management Plan will include measures to manage operational aspects of the Tourist Park.</p> <p>The Tourist Park will also require approval to operate under Schedule 14 of the Blackall-Tambo Regional Council Subordinate Local Law No.1 (Administration) 2010.</p> <p>The Local Law requires that caravan parks are operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land.</p>
Concern that the proposed development will cause impact on the local electricity supply.	<p>The locality is serviced by overhead electricity supply and the development has been conditioned to connect to this network.</p>

	Any work relating to electricity supply will be the responsibility of Ergon Energy as the local energy provider.
There is no detail regarding earthworks and potential impacts from earthworks.	Due to the relatively flat nature of the site, minimal earthworks are proposed. A condition has been included to ensure erosion and sediment measures are installed and maintained during site works.
Query on whether the zoning is zoned as business or residential.	<p>The site is located in the Mixed Use Precinct of the Township Zone.</p> <p>The purpose of the Township Zone is to provide a variety of uses and activities to service local residents, including business, community, education, industrial, open space, recreation, residential or retail uses or activities. Tourist attractions and short-term accommodation are also permitted where appropriate for the area.</p> <p>The Mixed Use Precinct functions as a transition space between residential and non-residential areas. It is considered that the Mixed Use Precinct is a suitable area for a use of this nature and scale, where its impacts are appropriately managed.</p>
The nature and scale of the development is not compatible with the residential nature of the area.	<p>The site is located in the Mixed Use Precinct of the Township Zone.</p> <p>The Mixed Use Precinct functions as a transition space between residential and non-residential areas. It is considered that the Mixed Use Precinct is a suitable area for a use of this nature and scale, where its impacts are appropriately managed.</p>
The proposed caretaker's accommodation is not consistent with buildings in the locality.	<p>Whilst it is noted that the caretaker's accommodation is two storeys it is below 8.5m in height. It is noted that a dwelling house is permitted to have a maximum height of 8.5m in the Township zone.</p> <p>The caretaker's accommodation incorporates timber and tin construction, in particular timber weather boards and a pitched Colourbond roof that is consistent with materials used in dwelling houses in the locality.</p>
The proposed design does not allow for passive surveillance of the streetscape, nor does it increase the	The proposal incorporates a caretaker's residence that includes windows that

safety of the neighbourhood with increased transient activity.	overlook Thistle Street. The proposal also includes a low fence to Thistle Street that will allow for casual surveillance.
<ul style="list-style-type: none"> <li>• The proposed access will impact traffic.</li> <li>• The proposed parking is not sufficient.</li> <li>• The existing church does not provide sufficient parking.</li> <li>• Will the applicant be accountable for the required road infrastructure upgrades that are needed to accommodate this proposal or Blackall-Tambo Regional Council and thus the Rate payer?</li> </ul>	<p>The new access will be from a previously unformed part of Thistle Street. The proposed access is located a reasonable distance from the intersection of Leek Street and Thistle Street and is unlikely to impact traffic.</p> <p>The applicant has provided plans that detail the extent of work required to upgrade Thistle Street. The works required to Thistle Street have been conditioned to be provided before the use commences and will be at the cost of the applicant.</p> <p>The proposal includes a reconfiguration of a lot component that will ensure the existing church will be self-contained including its parking, access and landscaping. The church has sufficient parking, and the proposed development will not impact on that parking.</p>
Threatened species of Flora and Fauna have been identified in the area. Has an impact assessment/consideration been given to the effect of such development in an area which back onto bushland in which these species potentially reside?	The proposal maintains mature vegetation and will incorporate additional vegetation that is endemic to the area. The proposal includes fencing to all boundaries to ensure no aspect of the proposal extends into the adjoining land.
Concerns that the site is affected by flooding.	<p>The applicant has carried out a site survey which demonstrates that the levels of the land are above the Blackall flood level of 282m AHD. The proposed caretaker's accommodation although located on land above the Blackall flood level will incorporate a minimum 300mm freeboard.</p> <p>A condition has been included to ensure a flood evacuation plan is developed and made available to guests staying at the Tourist Park.</p>

### 5.1.2 Internal Officer Comments

The application was internally referred to the Director of Works and Services who raised no issues with the proposal.

## 5.2 **BLACKALL-TAMBO REGION PLANNING SCHEME 2020**

Under the Planning Scheme the development constitutes a Material Change of Use, which is defined in the Planning Act as:

- a) the start of a new use of the premises;**
- b) the re-establishment on the premises of a use that has been abandoned;*
- c) a material increase in the intensity or scale of the use of the premises.*

The Tourist Park will result in the start of a new premises on the site. A Tourist Park is defined below:

**Tourist park** means the use of premises for—

- (a) holiday accommodation in caravans, self-contained cabins, tents or other similar structures; or*
- (b) amenity facilities, a food and drink outlet, a manager's residence, offices, recreation facilities for the use of occupants and their visitors, or staff accommodation, if the use is ancillary to the use in paragraph (a).*

In accordance with Table 4.4.1 of the Planning Scheme, a Tourist Park in the Township Zone is subject to Impact Assessment.

Under the Planning Scheme the development also constitutes reconfiguring a lot. Under the *Planning Act 2016* (the Planning Act), the definition of Reconfiguring a Lot relates to:

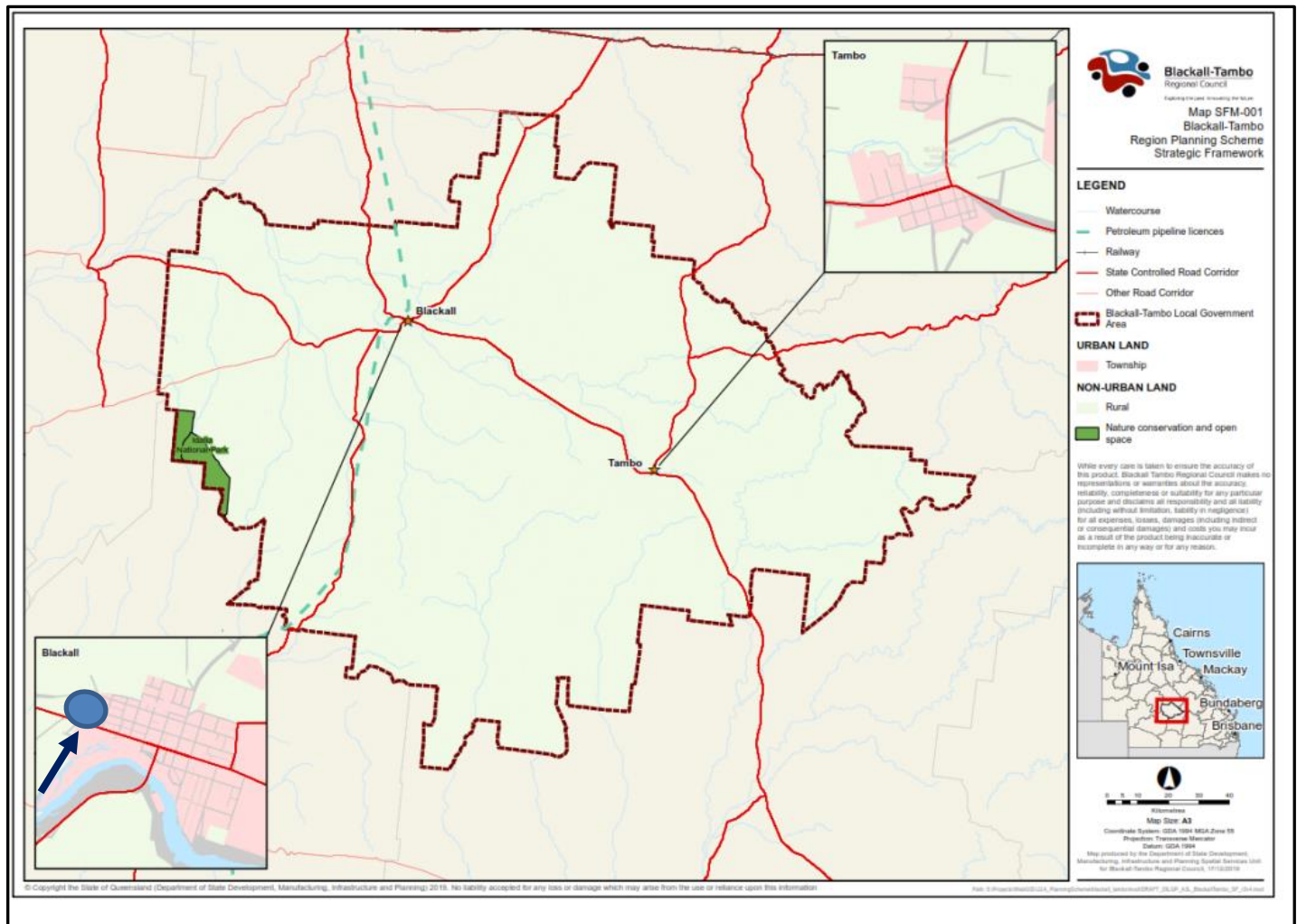
- (a) Creating lots by subdividing another lot; or**
- (b) Amalgamating 2 or more lots;*
- (c) Rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or*
- (d) Dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is:*
  - (i) A lease for a term, including renewal options, not exceeding 10 years; or*
  - (ii) An agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997; or*
- (e) Creating an easement giving access to a lot from a constructed road.**

In accordance with Table 4.5.1 of the Planning Scheme, the relevant assessment benchmarks for the development application is the Planning Scheme. When assessing this application, particular consideration has been given to the following assessment benchmarks:

- Strategic Framework
- Township Zone Code
- General Development Code
- Reconfiguring a Lot Code

### 5.2.1 Assessment of Strategic Framework

The Strategic Framework sets the policy direction for the Planning Scheme. As per the Strategic Framework Map in Figure 5, the subject site is designated as 'Urban Land', being within the township area (coloured pink) of Blackall.



**Figure 5:** Site (denoted in blue) on Strategic Framework Map (Source: Blackall-Tambo Regional Planning Scheme)

The proposal is consistent with Strategic Intent statements relating to infill development in the township areas that result in high quality and inclusive living environments that meet a broad range of community needs and occur in serviceable locations. The Tourist Park will contribute to the Region's tourism industry by adding an additional and different option for tourists. Relevant extracts from the Planning Scheme are as follows -

*'The planning scheme seeks to provide for development which meets and is relevant to community needs...'*

*'The planning scheme builds upon the region's established communities, existing natural and historical features and traditional economic strengths, which include agriculture and tourism.'*

*Infill and renewal development within the established towns of Blackall and Tambo is encouraged ....'*

*'Development in the region should not expose people or property to unacceptable risks of flood hazards.'*

The proposal is also able to meet the Strategic Framework intent relating to avoiding and mitigating the risk of flood hazard impacts. The proposed development site is mapped as being located within the flood hazard overlay, however the site levels exceed the Blackall flood level. The development has been located, sited and designed to not worsen flood risks. A condition has been included to ensure a flood evacuation plan is development and maintained on site.

On this basis, there is no conflict between the development and the Strategic Framework as it relates to the site and the proposal development.

### 5.2.2 Assessment of Codes

The following codes are relevant to the proposed development.

#### Township Zone Code

The site is located in the Mixed Use Precinct of the Township Zone, as shown on the Zone Map for Blackall in Figure 6.



**Figure 6:** Site (denoted in blue) located within Township Zone (Source: Blackall-Tambo Regional Planning Scheme)

The development complies or can be conditioned to comply with the purpose, performance criteria and acceptable solutions of the Township Zone Code. In particular:

- The Mixed Use Precinct functions as a transition space between residential and non-residential areas, therefore it is considered the site is reasonable location for a Tourist Park
- Conditions have been imposed to ensure any impacts associated with the Tourist Park are appropriately managed
- The proposal will not compromise the safety or efficiency of the local road network, in fact the proposal will improve the road network as the proposal includes the upgrading of Thistle Street which is currently unformed. The upgrade will be carried out at no cost to Council.
- The development is of a reasonable scale and does not include extensive built form
- With the imposition of conditions, the development will not cause adverse impacts on residential amenity in terms of privacy, safety, noise, odour and fumes, lighting and traffic generation
- The development will provide accommodation that is of a good standard
- The proposed caretaker's residence will be below 8.5m in height and will use timber and tin materials, which complement development in the locality
- A condition has been included to ensure waste disposal areas are screened
- Conditions have been included to manage any impacts, including the provision of a Site Management Plan which will manage operational aspects of the development.

### **General Development Code**

The development complies or can be conditioned to comply with the purpose, performance criteria and acceptable solutions of the General Development Code. In particular:

- The site cover is below the permitted 50%
- The proposal provides setbacks that can comply with QDC requirements
- Includes extensive landscaping to the northern and western boundaries. Noting that additional landscaping has been provided to the northern boundary where it adjoins residential dwellings
- The proposed caretaker's residence will be below 8.5m in height
- The proposed caretaker's residence incorporates materials that are consistent with buildings in the locality
- The caretaker's residence includes windows to Thistle Street frontage therefore allowing for causal surveillance
- The proposal includes the upgrading of Thistle Street to make it a fully formed road and it is considered that traffic to and from the site will be of a reasonable volume
- The proposal provides sufficient carparking for the scale of development. The proposal is required to provide 22 car spaces in total, which it does, and it also provides an additional two car spaces for the caretaker's residence
- The proposed access to the site from Thistle Street will be provided in accordance with Council standards
- The development will be able to connect to existing reticulated water and sewer as well as telecommunications and electricity services
- The proposal incorporates measures to manage stormwater to ensure it is conveyed to a lawful point of discharge
- The development has been sited to avoid the flood hazard overlay onsite. The applicant submitted a survey plan of the site which demonstrates that even though the



site is within the flood hazard overlay the site is actually higher than the Blackall flood level of 282m AHD

- The site is not located within a Bushfire prone area.

## Flood Hazard Area



**Figure 7:** Site located in Flood Hazard Overlay (Source: Blackall-Tambo Regional Planning Scheme)

Parts of the site are mapped as being subject to flooding as it is located within the Flood Hazard Overlay, as shown in Figure 7 above. The applicant has engaged a surveyor to confirm the levels of the site. The survey plan demonstrates that even though the site is mapped as being in the overlay the actual levels of the site are higher than the Blackall flood level of 282m AHD. In any case the applicant has designed the caretaker's residence and ensuite buildings to include a minimum 300mm freeboard. A condition has also been included to ensure a flood evacuation plan is prepared and a copy is maintained onsite.

## Reconfiguring a Lot Code

The development complies or can be conditioned to comply with the purpose, performance criteria and acceptable solutions of the Reconfiguring a Lot Code. In particular:

- The proposal creates lots that are functional, suitable and consistent with the existing zone and precinct intent. The proposed lots are substantially larger than the required minimum lot size of 800m<sup>2</sup>

- The proposed upgrade to Thistle Street is conditioned to be carried out with the relevant standards
- Each lot will have access, the existing access from Leek Street to the Church will be maintained and the Tourist Park will have a new access from the upgraded Thistle Street
- Stormwater will be appropriately managed
- Each lot will be appropriately serviced, including provision for access, reticulated water and sewer, electricity and telecommunications
- The reconfiguration will not create significant adverse impacts on the regions important biodiversity
- Although mapped as being in the flood hazard overlay, the site levels are above the Blackall flood level of 282m AHD.

In summary, this planning assessment demonstrates that the development is consistent with the relevant assessment benchmarks of the Planning Scheme. Conditions of approval reflect the elements of the assessment benchmarks to ensure on-going compliance in terms of land use, amenity and servicing.

## 6.0 CONCLUSION

This Impact assessable Development Application for a Development Permit for Material Change of Use for a Tourist Park and Reconfiguring a Lot (1 lot into 2 lots) over land at 18 Leek Street, Blackall, formally described as Lot 1 on CP900484, is recommended for approval, subject to the conditions outlined in this report.

This recommendation is based on an assessment of the proposal in accordance with the Planning Act for applications requiring Impact assessment, which demonstrates the proposal's consistency with the Planning Scheme and other relevant assessment matters.

In accordance with the requirements for a decision notice under section 63 the Act, the notice must state the reasons for the decision. For this development, the statement of reasons, being the grounds for approval, will feature on the decision notice as follows:

- a) The site is contained within the Mixed Use Precinct which functions as a transition space between residential and non-residential areas, therefore it is considered the site is reasonable location for a Tourist Park
- b) The Tourist Park will contribute to the Region's tourism industry by adding an additional and different option for tourists
- c) The proposal will not compromise the safety or efficiency of the local road network, in fact the proposal will improve the road network as the proposal includes the upgrading of Thistle Street which is currently unformed. The upgrade will be carried out at no cost to Council
- d) The proposal can be adequately serviced without impacting surrounding development
- e) Although mapped as being in the flood hazard overlay, the site levels are above the Blackall flood level of 282m AHD
- f) The proposal incorporates extensive landscaping, in particular to northern boundary where the site adjoins residential dwellings.
- g) Conditions have been imposed to ensure any impacts associated with the Tourist Park are appropriately managed
- h) Development does not conflict with the State Planning Policy 2017 and Central West Regional Plan 2009.

Attachment A – Proposal Plans

---

**Link to Corporate Plan**

Economic Development

Outcome 1 – Business Investment

Outcome 2 – Tourism

Outcome 4 – Land Development

**Consultation (internal/external)**

Chief Executive Officer

Town Planners

Rates Officer

Blackall Community

**Policy Implications**

Nil

**Budget and Resource Implications**

Nil

**Risk Assessment**

Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Financial	Low	Nil	Low
Legal & Regulatory	Low	The application has been assessed in accordance with the Planning Act and the Blackall-Tambo Planning Scheme.	Low
People	Low	Nil	Low
Operational	Medium	Nil	Medium
Environmental	Medium	Nil	Low
Strategic	Medium	Nil	Low
Ethical	Low	The application has been assessed against the relevant requirements and public notification was undertaken.	Low
Reputation	Low	Nil	Low
Leadership	Low	Nil	Low

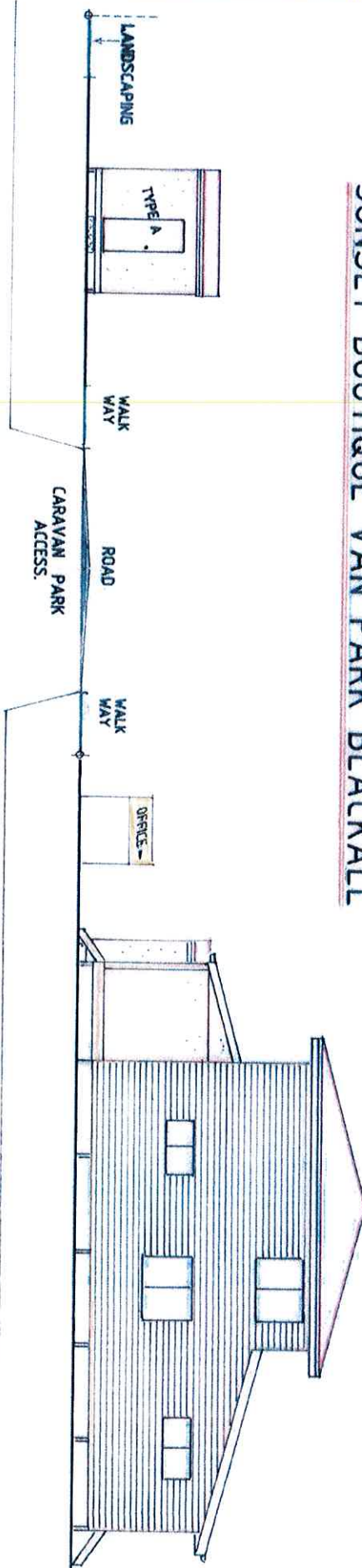
**Risk Treatment**

Nil

**RECEIVED**  
26 MAY 2022

BY: .....

# SUNSET BOUTIQUE VAN PARK BLACKALL



## THISTLE STREET ASPECT

- CONTENTS:
- 1/Heading page
  - 2/Existing site plan
  - 3/Proposed subdivision layout
  - 4/Proposed Caravan park layout
  - 5/Type A layout small caravans
  - 6/Type B and C layout large caravans
  - 7/Type D layout laundry
  - 8/Dwelling floor plan
  - 9/Dwelling elevations
  - 10/Masters surveying showing the allotment
- Is all above Blackall flood level RL 282m AHD.

PROPOSED CARAVAN PARK AT LOT 1  
CORNER OF LEEK STREET & THISTLE STREET  
BLACKALL 4472 QUEENSLAND.  
FOR NEW BEGINNINGS CHURCH BLACKALL

DATE	11-03-2022
SCALE	1:100 and as marked.
DRAWN	John Butler
LOCAL AUTHORITY	BLACKALL-TAMBO REGIONAL COUNCIL

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MB 0411.190.019  
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AMENDED PLAN  
25/5/2022

PAGE 1

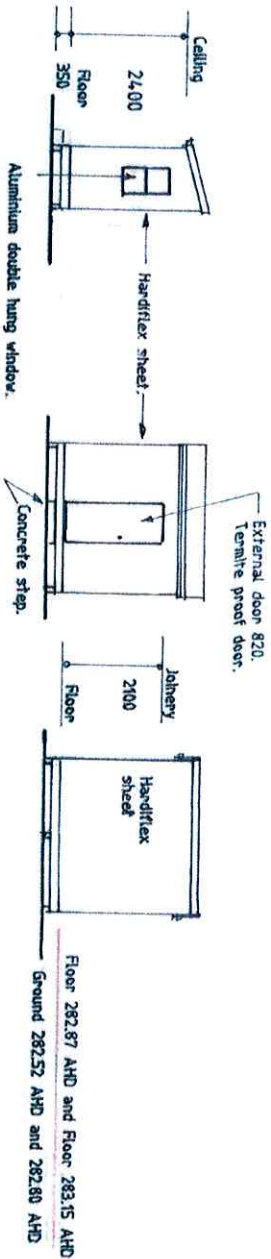
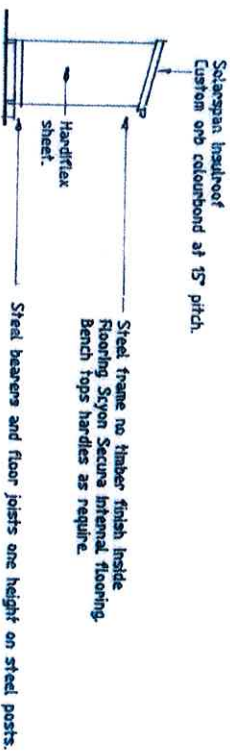
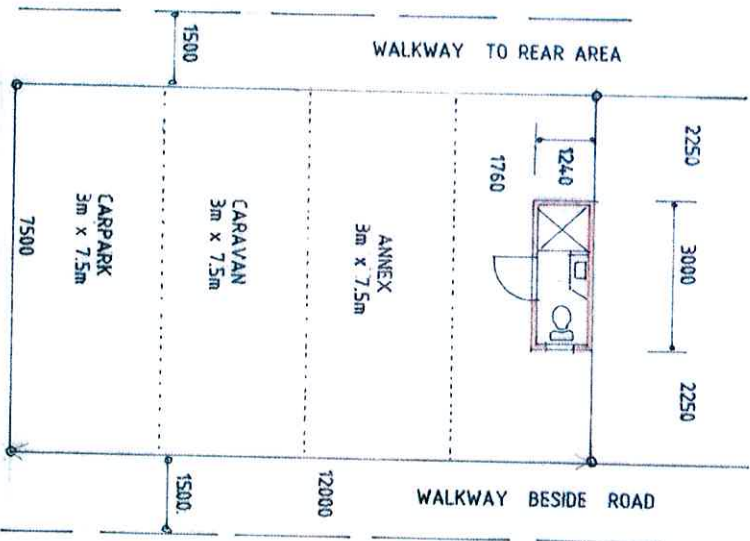






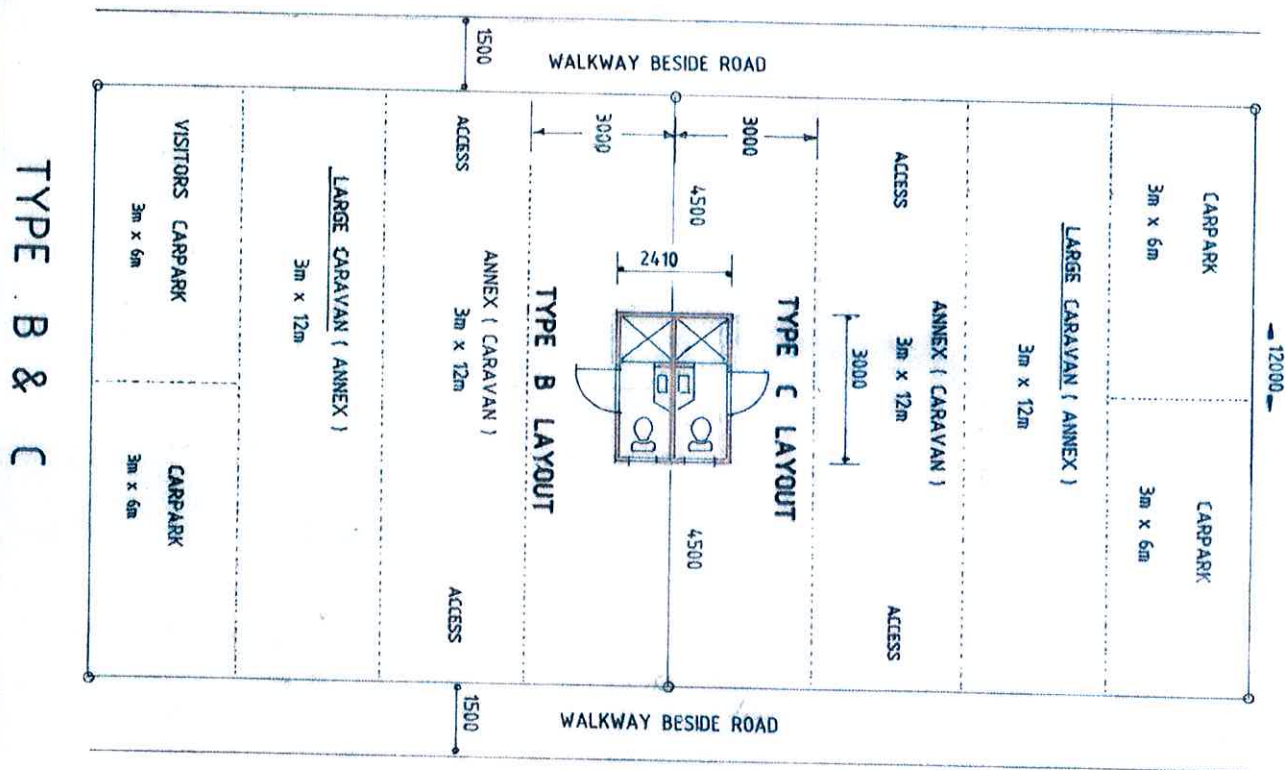
SHOWER-WC-VANITY 1:100

TYPE A

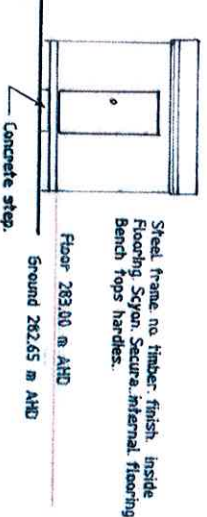
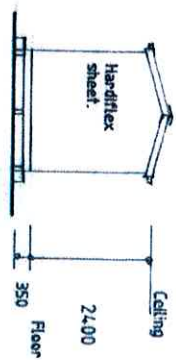
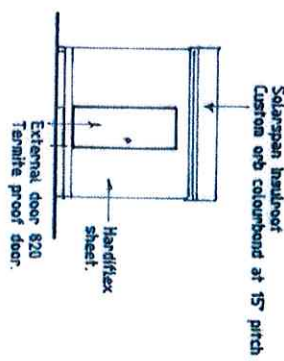
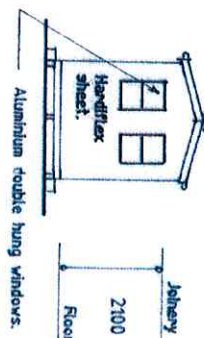


The floor level is 870/1150mm above the defined Blackall flood level of 282.00m AHD.





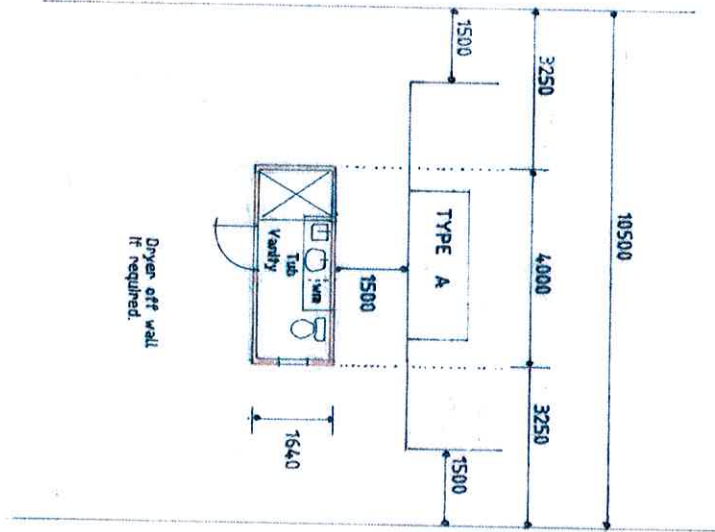
## SHOWER-WC-VANITY 1:100



The floor level is 1000mm above the defined Blackall flood level of 282.00m AHD

## TYPE B & C LARGE CARAVANS

# LAUNDRY-WC-SHOWER 1:100



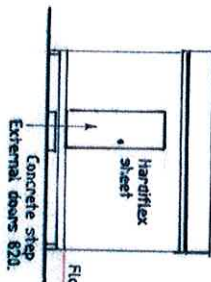
## REAR ELEVATION



Steel frame no timber finish inside  
Flooring Scyon Secure internal flooring  
Bench tops hardies as required

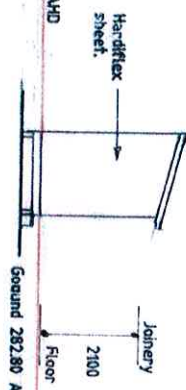
Steel bearers and floor joists one height on steel posts.

## FRONT ELEVATION



Concrete step  
External doors 820.

## L.H. SIDE ELEVATION



Joinery  
2100  
Floor  
Ground 282.80 AHD

## R.H. SIDE ELEVATION

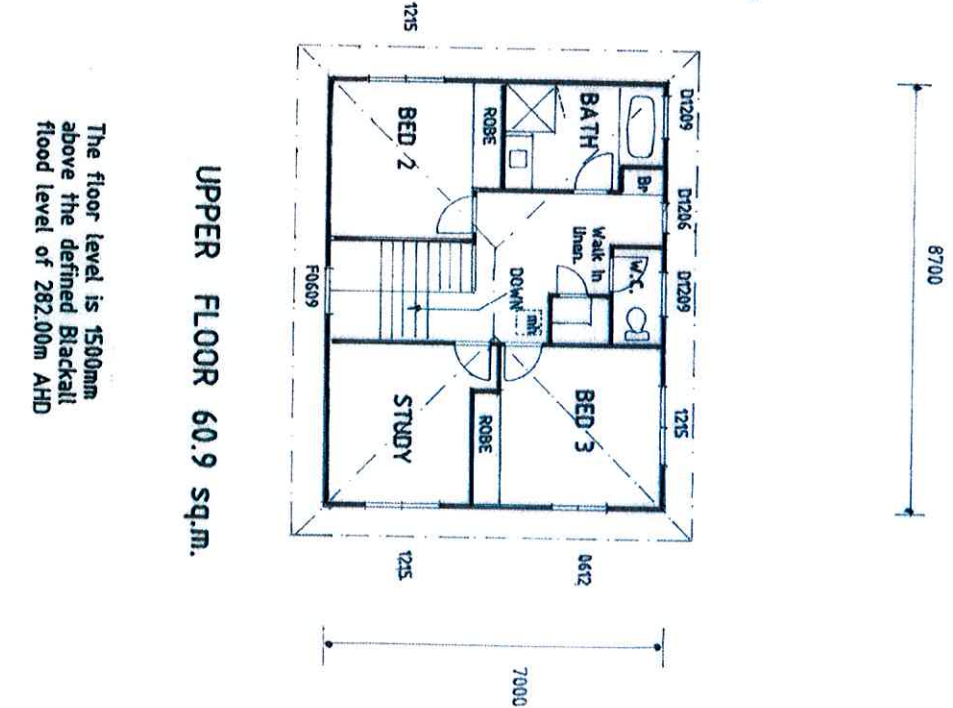
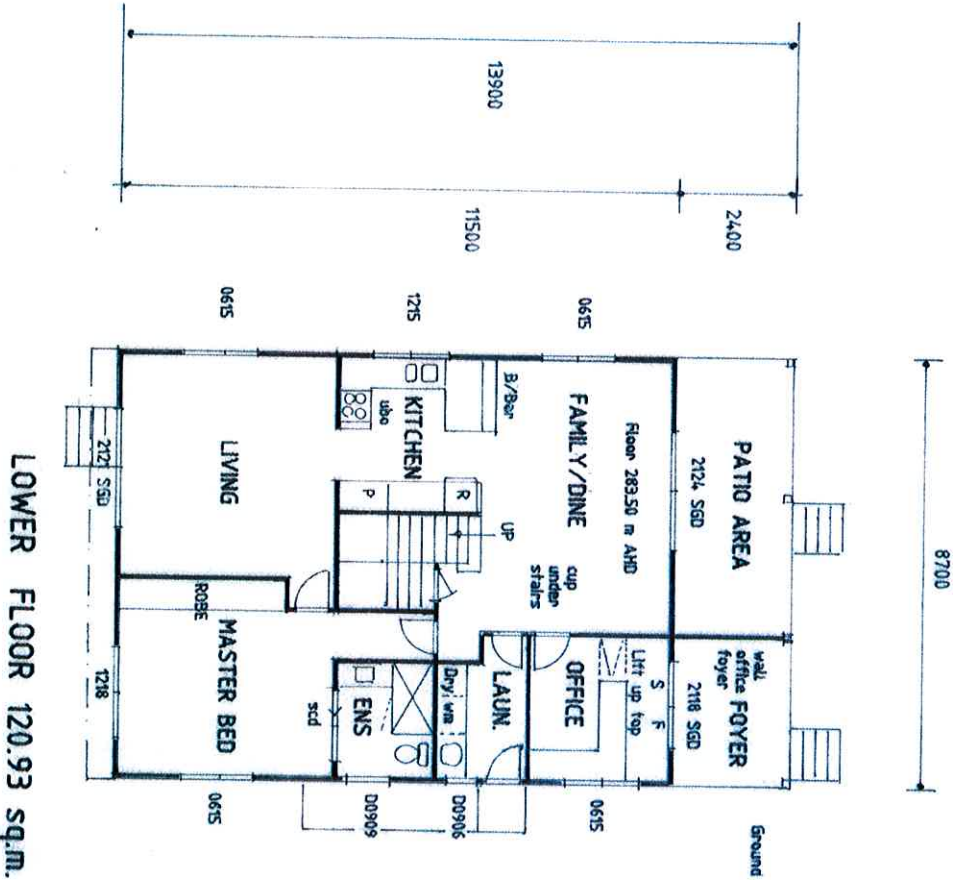


Ceiling  
2400  
Floor  
350  
Aluminium double hung windows.

Solarspan Insulroof  
Custom one colourbond at 15° pitch.

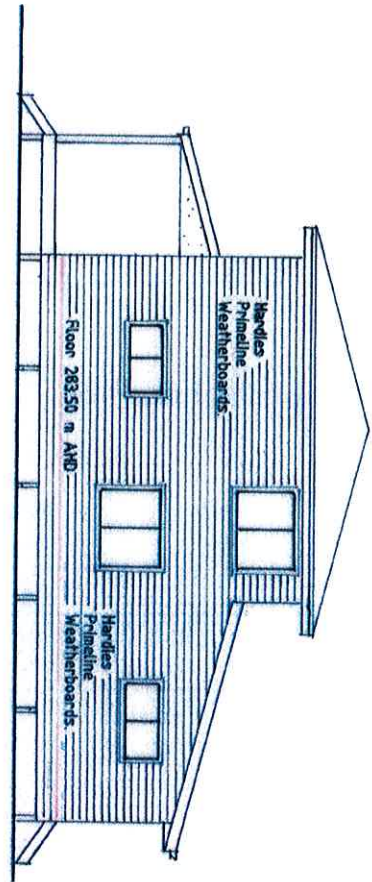
## TYPE D

The floor level is 1150mm  
above the defined Blackall  
flood level of 282.00m AHD

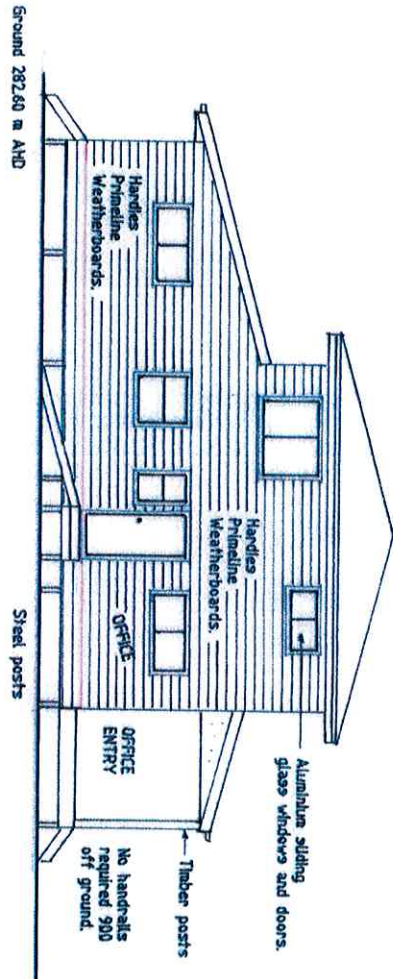


PROPOSED DWELLING 1:100 181.83 sq.m.

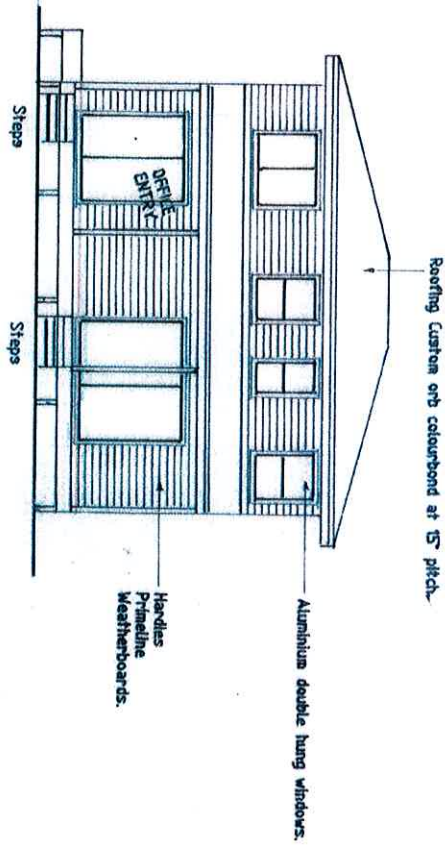




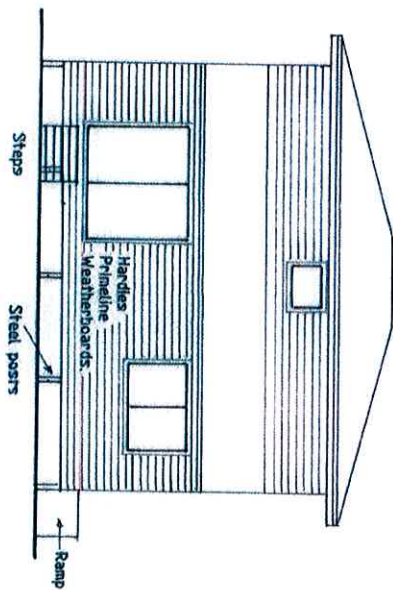
THISTLE STREET ASPECT



CARAVAN PARK ASPECT



CARAVAN PARK ACCESS ASPECT



LEEK STREET ASPECT



CATCHMENT PARAMETERS

CONDITION	CATCH ID	AREA (ha)	FRACTION IMP %
POST-DEVELOPMENT	A1	1.000	8.00

IMPORTANT:  
ALL CONNECTIONS TO EXISTING LIVE SEWER AND WATER LINES  
ARE TO BE CARRIED OUT BY BLACKALL - TAMBO REGIONAL  
COUNCIL. FOLLOWING THE APPLICATION AND APPROVAL FOR  
LIVE WORKS.

A1

1  
CP900484

38  
B1388

LEEK ST

0 1.25 5.0m 1:250 (A1)  
0 2.5 10.0m 1:500 (A3)

www.dialbeforeyoudig.com.au

ALL UNDERGROUND SERVICES  
SHOULD BE LOCATED ON SITE  
BEFORE ANY WORK IS COMMENCED



DIAL 1100  
BEFORE YOU DIG

NOTES:

- ALL CONSTRUCTION SET-OUT IS TO BE VERIFIED AND SET-OUT BY A REGISTERED CONSTRUCTION SURVEYOR BASED ON THE 3D ELECTRONIC FILES PROVIDED, ANY DISCREPANCIES BETWEEN MODEL & CERTIFIED DRAWINGS IS TO BE CLARIFIED BY THE CERTIFYING ENGINEER PRIOR TO CONSTRUCTION.
- EXISTING IN-SITU CUT MATERIAL MAY BE USED FOR EMBANKMENT/SELECT FILL LAYERS, HOWEVER MUST COMPLY WITH SPECIFICATION TESTING REQUIREMENTS AND ENSURE DISPERSIVE SOILS ARE NOT TO BE USED. ALL CONSTRUCTION TO BE DONE IN ACCORDANCE WITH CONTRACT SPECIFICATIONS AND TECHNICAL STANDARDS.
- ALL FILL BATTERS TO BE 1 IN 4, 1 IN 2 MAY BE ADOPTED IN CONSTRAINED ENVIRONMENTS SUBJECT TO SUPERINTENDENTS APPROVAL.
- WHERE WORKS ABUTS EXISTING, ALL WORK SHALL BE NEAT, SMOOTH, WORKMANLIKE AND TO THE SUPERINTENDENTS SATISFACTION.

2  
SP293539

PROPOSED BASIN AREA  
REFER DRG CE22056-101-TC.

GRAVEL ACCESS ROAD IN  
ACCORDANCE WITH IPWEA  
STD DRG RS-056.

FIRST ISSUE	CALCS DRAWN	DATE	AMENDMENT DETAILS
A	LM	AB 10/22	
	LM	AB 19/10/22	PRELIMINARY ISSUE FOR APPROVAL

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	JAS-ANZ ISO 9001
	PROJECT No.
	CE22056
	FOR & ON BEHALF OF MOLONEY & SONS ENGINEERING



DATUM	ISSUED FOR APPROVAL
	114

CLIENT	PROJECT
NEW BEGINNING CHURCH	18 LEEK ST CAR PARK DEVELOPMENT BACKALL QLD

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DRAWING TITLE	DRAWING NUMBER	ISSUE
GENERAL ARRANGEMENT	CE22056-301-GA	A



2  
SP293539

Leek Street

Thistle Street



# Leek Street





**BLACKALL-TAMBO REGIONAL COUNCIL**[Return to Agenda](#)[Next Item](#)**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.6

**SUBJECT HEADING: Sale of the Tambo Sawmill and Council's Sales Permit to Get Cypress Sawlogs**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

*Summary: Council requested tenders for the Tambo Sawmill and Sales Permit in February 2022 with tenders closing on 31 March 2022. One submission was received. Council accepted the tender subject to approval by the Department of Agriculture and Fisheries. The successful tenderer negotiated with the Department of Agriculture and Fisheries to change the sawmill location from Tambo to Mitchell. This negotiation was unsuccessful.*

**Officer's Recommendation: That Council under section 227 of the Local Government Regulation 2012:**

- a) invites written tenders for the Tambo Sawmill, Lot 6 on SP276172 and Sales Permit 20130440.
- b) invites written tenders for the Sales Permit 201304400.

**Background**

At the 12 January 2022 General Council meeting Council resolved the following:

*That Council, under section 227(1)(a) of the Local Government Regulation 2012, invites written tenders for the sale of the Tambo Sawmill and Sales Permit 201304400.*

Moved: Cr LP Russell

Seconded: Cr JH Scobie

Minute No. 19/12A/21

Carried: 7/0

Subsequently a tender document was drafted by Council's solicitors in consultation with the Department of Agriculture and Fisheries (DAF) and the Chief Executive Officer. The tender dealt with the Sawmill and Sales Permit as non-separable items, with the Tenderer obligated to make an offer for the acquisition of both.

Tenders were invited with a closing date of 31 March 2022. Only one tender, HAB Timber Pty Ltd, was received and Council resolved the following at the April 2022 general meeting:

*That Council, subject to approval from the Department of Agriculture and Fisheries, accept the tender for the Tambo Sawmill and Council's Sales Permit from HAB Timber Pty Ltd for \$422,576.00 (ex GST).*

Moved: Cr LP Russell

Seconded: Cr GK Schluter

Minute No. 35/04A/22

Carried: 6/0

HAB Timber Pty Ltd provided notice at the time of submitting their tender that they would seek approval from the DAF to have the nominated location of the acceptable sawmill for Cypress Sawlog Value (royalties/price) changed from the Tambo Sawmill to their sawmill located in Mitchell.

Council's acceptance of the tender was, at all times, subject to approval from the DAF. Council's solicitors acted for Council in this matter and sought the necessary approval. The

DAF conducted a financial implication analysis of the requested change for the sawmill location and provided the following response to Council:

- *The DAF confirmed that HAB Timber Pty Ltd meets the definition of a fit and proper person and would be an acceptable novatee for Council's Sales Permit.*
- *Forest Products DAF cannot agree to amend the definition of Sawmill as requested. After careful evaluation and consideration to the request Forest Products DAF is of the view that in this instance, changing the location of the Sawmill is not in the State's interest. Factors that have influenced the decision include resource availability and location and potential equity between Permittees.*

Council officers notified HAB Timber Pty Ltd of the DAF's response after which they requested that the DAF undertake an Internal Review of the decision. An internal review decision was provided by the DAF and subsequently given to Council by HAB Timber Pty Ltd. The Director of DAF stated that:

*"Having regard to all the information available and as detailed, I believe that DAF's decision as made and communicated to BTRC is consistent with the department's policies and procedures and therefore, the earlier decision made not to change the location of the sawmill is upheld."*

HAB Timber Pty Ltd have advised Council they do not plan to recommence operations of the Tambo Sawmill as they believe it is not economically viable to do so. HAB Timber Pty Ltd have also advised they can only proceed with the purchase of the Sales Permit if the location was changed to Mitchell and considering the DAF has denied the request to change the location, HAB Timber Pty Ltd have provided written notice to Council that they cannot proceed with the proposed purchase.

Council is to consider how to proceed with the potential sale of the Tambo Sawmill and Sales Permit.

#### Section 227 of the *Local Government Regulation*

##### *Valuable non-current asset contract-tenders or auction needed first*

- (1) *A local government cannot enter into a valuable non-current asset contract unless it first-*
  - (a) *Invites written tender for the contract under section 228; or*
  - (b) *Offers the non-current asset for sale by auction.*
- (2) *This section is subject to division 4. (See below.)*

Under division 4, Exception for valuable non-current asset contracts; a local government may dispose of a valuable non-current asset other by tender or auction if-

- (a) *The valuable non-current asset-*
  - (i) *Was previously offered for sale by tender or auction but was not sold; and*
  - (ii) *Is sold for more than the highest tender or auction bid that was received.*

It is unlikely that Council would be able to dispose of the non-current valuable asset without going to tender or auction as only one tender was submitted and the tender document stipulated the Sawmill and Sales Permit were not separable portions.

It is recommended that Council retender the Sales Permit and Sawmill as a combined tender and offer tenderers the option to tender for the Sales Permit as a separate item. If Council wishes to proceed with these options the tender process would commence in accordance with section 228(4) of the *Local Government Regulation 2012*.

**Link to Corporate Plan**

Governance

Outcome 2 – Accountability

Outcome 3 – Leadership

**Consultation (internal/external)**

Department of Agriculture and Fisheries

HAB Timber Pty Ltd

King &amp; Company Solicitors

Chief Executive Officer

Mayor

**Policy Implications**

Procurement and Disposals Policy

**Budget and Resource Implications**

Yet to be determined

**Risk Assessment**

Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Financial	Low	Reoffering the items for sale could incur more legal costs.	Low
Legal & Regulatory	Low	Offering the non-current valuable assets for sale would be conducted in accordance with the relevant legislation.	Low
People	Low	Nil	Low
Operational	Medium	Nil	Medium
Environmental	Medium	Nil	Low
Strategic	Medium	Council is not experienced nor equipped to harvest the sawlogs as required by the Sales Permit and does not retain appropriately qualified staff to operate the mill.	Low
Ethical	Low	Nil	Low
Reputation	Low	Nil	Low
Leadership	Low	Nil	Low

**Risk Treatment**

Nil

## BLACKALL-TAMBO REGIONAL COUNCIL

[Return to Agenda](#)  
[Next Item](#)

### OFFICER REPORTS

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.7

**SUBJECT HEADING:** Revised Standing Orders Policy and Meeting Procedures

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

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*Summary: The Meeting Procedure Policy and Standing Orders Policy have been reviewed following an update to the Model Policies by the Department of State Development, Infrastructure, Local Government and Planning.*

**Officer's Recommendation: That Council adopt the revised Standing Orders Policy and Meeting Procedures.**

---

### Background

Under section 150G of the *Local Government Act 2009* a local government must either adopt the model procedures as provided by the chief executive of the department or prepare and adopt other procedures for the conduct of its meetings and meetings of its committees.

The Blackall-Tambo Regional Council has adopted Meeting Procedures that are based on the Model Meeting Procedures. This is in alliance with the requirements under section 150G(2)(a) of the Act.

The Department of State Development, Infrastructure, Local Government and Planning recently updated with Model Meeting Procedures for local governments which necessitated amendments to the BTRC Meeting Procedures and Standing Orders Policy.

Version 2 of the BTRC Meeting Procedures made allowances for the safety rules during the COVID-19 pandemic after changes had been made to the *Local Government Regulation 2012*. These changes to the Regulation expired in June 2021. The Meeting Procedures have now been amended to suit.

Marked-up copies of the Meeting Procedures and Standing Orders Policy are attached to this report.

---

### Link to Corporate Plan

Governance

Outcome 2 – Accountability

Outcome 3 – Leadership

### Consultation (internal/external)

Department of State Development, Infrastructure, Local Government and Planning

### Policy Implications

Nil

**Budget and Resource Implications**

Nil

**Risk Assessment**

<b>Risk Category</b>	<b>Risk Tolerance</b>	<b>Summary of Risks Involved</b>	<b>Risk Rating</b>
Financial	Low	Nil	Low
Legal & Regulatory	Low	The revised policy and procedure ensures Council is compliant with the relevant legislation and models as provided by the State.	Low
People	Low	Nil	Low
Operational	Medium	Nil	Low
Environmental	Medium	Nil	Low
Strategic	Medium	Nil	Low
Ethical	Low	Nil	Low
Reputation	Low	Nil	Low
Leadership	Low	Nil	Low

**Risk Treatment**

There is no risk associated with the approval of the revised policy and procedures.



# Blackall-Tambo Regional Council

## Standing Orders Policy

Policy Number: Stat 47	Effective Date: <del>18 November 2020</del>
Version Number: <del>2.1</del> <u>Two</u>	Review Date: <del>17 November 2024</del>
Policy Compiled by: Chief Executive Officer	
Policy Approved by: Chief Executive Officer	

### PRELIMINARY

#### Background

Chapter 8 Part 2 of *Local Government Regulation 2012* provides core requirements for the conduct of meetings of Council and the committees of Council.

#### Objective

These standing orders supplement the statutory requirements by providing standard processes to be observed and to set out the arrangements that govern the conduct of business and proceedings at Council and Council committee meetings.

#### Application of Standing Orders

1. These Standing Orders apply to all meetings of Council and any standing Committees. These standing orders do not apply to meetings of the audit committee.
2. Any provision of these Standing Orders may be suspended by resolution of any meeting of Council except those sections that are mandatory under the model meeting procedures. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
3. Where at a Council meeting a matter arises which is not provided for in these Standing Orders, such matters shall be determined by resolution of Council upon a motion which may be put without notice but otherwise in conformity with these Standing Orders.

### REFERENCES

*Local Government Act 2009*  
*Local Government Regulation 2012*  
 BTRC Model Meeting Procedures  
 BTRC Councillor Code of Conduct  
 BTRC Investigation Policy

Policy Number: Stat 47	Version number: <del>Two</del> <u>2.1</u>	Adopted by Blackall-Tambo Regional Council	Page 1 of 20
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**Blackall-Tambo**  
Regional Council

## Standing Orders Policy

### LOCAL GOVERNMENT MEETINGS

#### Ordinary Meetings

1. The local government may, by resolution, fix dates and times for its Ordinary Meetings.
2. If there is no resolution fixing the date and time for an Ordinary Meeting, the Chief Executive Officer must fix the date and time for the meeting.
3. Before the Chief Executive Officer fixes the date and time for an Ordinary Meeting, the Chief Executive Officer must, if practicable, consult with the Mayor about the proposed date and time for the meeting.

#### Time of Special Meetings

1. The Chief Executive Officer must call a special meeting of the local government if –
  - a) the special meeting is required by a resolution of the local government; or
  - b) a written request for the special meeting is lodged with the Chief Executive Officer under subsection (2)
2. A written request for a special meeting of the local government must –
  - a) Be signed by the Mayor or three or more Councillors; and
  - b) specify the purpose of the special meetings; and
  - c) propose a day and time for the holding of the special meeting.
3. The Chief Executive Officer calls a special meeting by giving written notice of the date and the time of the meeting, and the business to be conducted at the meeting, to each Councillor.
4. The Chief Executive Officer may call for a special meeting to discuss any matter the Chief Executive Officer considers should be brought before Council.

### AGENDA

#### Agenda for Ordinary Meetings

1. The Chief Executive Officer must ensure that each statutory notice of meeting includes an agenda listing the items to be discussed at the meeting.
2. The agenda may include –
  - a) Notice of meeting
  - b) Minutes of the previous meetings
  - c) Business arising out of previous meetings
  - d) Business which the Mayor wishes to have considered at that meeting without notice
  - e) Matters of which notice has been given
  - f) Committees' reports referred to the meeting by the chief executive officer (CEO)
  - g) Officers' reports referred to the meeting by the CEO
  - h) Deputations and delegations from the community that are approved to attend

Policy Number: Stat 47	Version number: <u>2.1</u> <del>Two</del>	Adopted by Blackall-Tambo Regional Council	Page 2 of 20
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**Blackall-Tambo**  
Regional Council

## Standing Orders Policy

i) Any other business the Council determines by resolution to be included in the agenda.

3. The notice of the meeting and agenda must be given to each councillor at least 2 days before the meeting.

3.4. A Councillor who wants an item of business included on the agenda for a particular meeting must give written notice of the nature of the business to the Chief Executive Officer at least seven days before the date of the meeting.

4.5. The Chief Executive Officer may include in the agenda a matter the Chief Executive Officer considers should be brought before the meeting.

5.6. The agenda for the local government must be made publicly available by 5pm on the business day after the notice of meeting is given to the Councillors. The related reports for the local government meeting must also be included and available to the public excluding confidential reports.

6.7. Matters on the agenda that will require the meeting to be in closed session will be clearly identified including the reasons why the session will be closed.

7.8. Business not on the Agenda or not fairly arising from the Agenda shall not be considered at any meeting unless permission for that purpose is given by Council at such meeting. Business must be in accordance with the adopted Terms of Reference for each Committee.

### PROCEDURES FOR MEETINGS OF COUNCIL

#### Presiding Officer

1. The Mayor will preside at a meeting of Council.
2. If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
3. If both the Mayor and the Deputy Mayor, or the Mayors' delegate, are absent or unavailable to preside, a Councillor chosen by the Councillors present at the meeting will preside at the meeting.
4. Council will choose the Chairperson for a Committee meeting. This Chairperson will normally preside over meetings of the Committee.
5. If the Chairperson of a Committee is absent or unavailable to preside, a Councillor chosen by the Councillors present will preside over the Committee meeting.

#### Order of Business

1. Before proceeding with the business of the meeting, the person presiding at the meeting shall undertake the acknowledgement and/or greetings deemed appropriate by the Council.
2. The order of business shall be determined by resolution of Council from time to time. The order of business may be altered for a particular meeting where the Councillors at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.
3. Unless otherwise altered, the order of business shall be as follows:
  - Attendance

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- Apologies and granting of leaves of absence
  - Condolences
  - Declaration of Conflicts of Interest
  - Reception of Deputations
  - Confirmation of Minutes or Previous Meeting
  - Business Arising from the Minutes
  - Business which the Mayor wishes to have considered at that meeting without notice
  - Reception of Petitions
  - Reception of Deputations
  - ~~Reception and Consideration of Committee Reports~~
  - Reception and Consideration of Officer Reports and any other business referred to the meeting by the CEO.
4. Business not on the agenda, or not fairly arising from the agenda, will not be considered at any council meeting unless permission for that purpose is given by the local government at the meeting.
  5. The order of business may be altered for a particular meeting where the Councillors at the meeting pass a motion to that effect.
  6. A motion to alter the order of business may be moved without notice.
  7. The minutes of a preceding meeting whether an ordinary or a special meeting, not previously confirmed shall be taken into consideration, at every ordinary meeting of Council, in order that such minutes may be confirmed, and no discussion shall be permitted with respect to such minutes except with respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. The must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. All Councillors present at the meeting can vote to confirm the minutes including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting.

### Quorum

1. A quorum at a council meeting is a majority of the councillors. If the number of councillors is even then one half of the number is a quorum.
2. If a quorum is not present within 15 minutes after the time set for the meeting to begin, it may be adjourned to a late hour or a later day within 14 days after the day of the adjournment. The meeting may be adjourned by a majority of councillors present, or if only one councillor is present, then that councillor, or if no councillors are present then the Chief Executive Officer.

### **Petitions**

1. Any petition presented to a meeting of Council shall:
  - be in legible writing or typewritten and contain a minimum of ten (10) signatures
  - include the name and contact details of the Principal Petitioner (i.e. the key contact for the issue)
  - include the postcode of all petitioners, and
  - have the details of the specific request/matter appear on each page of the petition.

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2. Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is:
  - that the petition be received;
  - or received and referred to a committee or officer for consideration and a report to Council;
  - or not be received because it is deemed invalid.
3. Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

### Deputations

1. A deputation wishing to attend and address a meeting of Council shall apply in writing to the CEO not less than seven (7) business days before the meeting.
2. The CEO, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The CEO shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed.
3. For deputations comprising three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
4. If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may terminate the deputation.
5. The Chairperson may terminate an address by a person in a deputation at any time where:
  - the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting
  - the time period allowed for a deputation has expired, or
  - the person uses insulting or offensive language or is derogatory towards Councillors or staff members.
6. The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

### MOTIONS

#### Motion to be Moved

1. A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
2. When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.
3. Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.

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- A motion brought before a meeting of Council in accordance with the *Local Government Act 2009* or these Standing Orders shall be received and put to the meeting by the Chairperson.
  - The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
  - The Chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.
4. The Chairperson may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, and the motion is then seconded, the Chairperson may put the motion to the vote without discussion and the vote can occur.
  5. Not more than one motion or one proposed amendment to a motion may be put before a meeting of Council at any one time.

### Absence of Mover of Motion

Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:

- moved by another Councillor at the meeting, or
- deferred to the next meeting.

### Motion to be Seconded

A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, with the exception of Procedural Motions which do not need to be seconded.

### Amendment of Motion

1. An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
2. Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been voted on put.
3. Where a motion is amended by another motion, the original motion cannot be reintroduced as a subsequent amendment for the first amended motion, shall not be put as a subsequent motion to amend that other motion.

### Speaking to Motions and Amendments

1. The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded.
2. The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any other Councillor

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who wishes to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.

3. A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.

~~4. A motion or amendment may be withdrawn by the mover thereof with the consent of Council, which shall be signified without debate, and a Councillor shall not speak upon such motion or amendment thereof after the mover has been granted permission by Council for its withdrawal.~~

~~5.4.~~ The mover of a motion or amendment shall have the right to reply. Each Councillor shall speak no more than once to the same motion or same amendment except as a right of reply. Once the right of reply has been delivered the debate ends.

~~6.5.~~ Each speaker shall be restricted to not more than five (5) minutes unless the Chairperson rules otherwise.

~~7.6.~~ Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.

~~7.~~ In accordance with Section ~~254H273~~ of the *Local Government Regulation 2012*, if a decision made at a meeting is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

Note: if a report contains distinct recommendations, the decision of the council may be taken separately on each recommendation. If a decision by the meeting is contra to a recommendation in a report the minutes must give the reason for the decision.

#### Method of Taking Vote

~~1.~~ The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection.

~~4.2.~~ A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minutes ~~of the meeting~~ ~~secretary~~ shall record the names of Councillors voting in the affirmative and of those voting in the negative. The Chairperson shall declare the result of a vote or a division as soon as it has been determined.

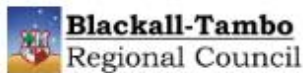
~~2.3.~~ Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by Division.

~~3.4.~~ Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.

~~4. If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation. If a decision by the meeting is contra to a recommendation in a report the minutes must give the reasons for the decision.~~

#### Withdrawing A Motion

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A motion or amendment may be withdrawn by the mover with the consent of the Council, which will be without debate, and a Councillor will not speak to the motion or amendment after the mover has been granted permission by the Council for its withdrawal.

### Repealing or Amending Resolutions

1. A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of legislation, the Local Government Act 2009 or the Local Government Regulation 2012.
2. Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three (3) months.

### Procedural Motions

1. A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move, as a procedural motion, without the need for a seconder the following motions:
  - that the question/motion be now put
  - that the motion or amendment now before the meeting be adjourned
  - that the meeting proceed to the next item of business
  - that the question lie on the table
  - a point of order
  - a motion of dissent against the Chairpersons decision
  - that this report/document be tabled
  - to suspend the rule requiring that (insert requirement)
  - that the meeting stand adjourned.
2. A procedural motion, that the question be put, may be moved and where such a procedural motion is carried, the Chairperson shall immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion shall continue.
3. The procedural motion, that the motion or amendment now before the meeting be adjourned, may specify a time or date, to which the debate shall be adjourned. Where no date or time is specified:
  - a further motion may be moved to specify such a time or date, or
  - the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.
4. Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
5. A procedural motion, that the question lie on the table, shall only be moved where the Chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.

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6. Any Councillor may ask the Chairperson to decide on a 'point of order' where it is believed that another Councillor:
- has failed to comply with proper procedures
  - is in contravention of the Local Government Act/Regulations, or
  - is beyond the jurisdiction power of Council.

Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a 'point of order' is moved, consideration of the matter to which the motion was moved shall be suspended. The Chairperson shall determine whether the point of order is upheld.

Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising shall, until decided, suspend the consideration and decision of every other question.

7. A Councillor may move 'a motion of dissent' in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made. Where as a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.
8. The motion, 'that this report/document be tabled', may be used by a Councillor to introduce a report or other document to the meeting, only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.
9. A procedural motion, "to suspend the rule requiring that ....", may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.
10. A procedural motion, that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillors time for speaking to the matter, and shall be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

### Questions

1. A Councillor may at a Council meeting ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting. A question shall be asked categorically and without argument and no discussion shall be permitted at the meeting of Council in relation to a reply or a refusal to reply to the question. A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next Meeting.
2. A Councillor who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates.

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3. The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson's ruling be disagreed with, and if such motion be carried the Chairperson shall allow such question.

### GENERAL CONDUCT DURING MEETINGS

1. Councillors will conduct themselves in accordance with the principles of the *Local Government Act 2009* and the standards of behaviour set out in the Code of Conduct. The Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct.
2. After a meeting of Council has been formally constituted and the business commenced, a Councillor shall not enter or leave from such meeting without first notifying the Chairperson.
3. Councillors shall speak of each other during the Council meeting by their respective titles, "Mayor" or "Councillor", and in speaking of or addressing officers shall designate them by their respective official or departmental title and shall confine their remarks to the matter then under consideration.
4. No Councillor who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson or by a Councillor.
5. When the Chairperson speaks during the process of a debate, the Councillor then speaking or offering to speak shall immediately cease speaking, and each Councillor present shall preserve strict silence so that the Chairperson may be heard without interruption.

### MEETING CONDUCT

#### Process for dealing with unsuitable meeting conduct

The conduct of a councillor is unsuitable meeting conduct if the conduct happens during a council meeting and contravenes a behavioural standard of the code of conduct for councillors. When dealing with an instance of unsuitable conduct by a Councillor in a meeting, the following procedures must be followed:

1. The Chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.
2. If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature or another warning is unwarranted, proceed to step 11.
3. If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
  - 3.1 Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
  - 3.2 Apologising for their conduct
  - 3.3 Withdrawing their comments

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8. If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
9. If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order for unsuitable meeting conduct being issued.
10. If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
11. If the Councillor still continues to fail to comply with the Chairperson's request for remedial actions or the Chairperson decided a warning was not appropriate under 2, the Chairperson may make one or more of the orders below:
  - 11.1 an order reprimanding the Councillor for the conduct
  - 11.2 an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
12. If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting.
13. Following the completion of the meeting, the Chairperson must ensure:
  - 13.1 details of any order issued is recorded in the minutes of the meeting
  - 13.2 if it is the third or more order within a 12-month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting, these matters are to be dealt with at the next meeting of the Local Government and treated as inappropriate conduct.
  - 13.3 the Local Government's Chief Executive Officer is advised to ensure details of any order made must be updated in the Local Governments Councillor Conduct Register.
14. Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 1, 3, 11 and 12 above.

Note: Chairpersons of a meeting are carrying out a statutory responsibility under the LGA to manage and lead the meeting. As such, where a chairperson behaves inappropriately in a meeting this involves a serious breach of the trust placed in them as the chairperson of the meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent Assessor to be dealt with. However, breaches of trust don't arise because councillors disagree with the chairperson's decision or ruling during the meeting.

### Meeting Process for Dealing with Suspected Inappropriate Conduct Which has been Referred to a Council by the Independent Assessor (IA)

Pursuant to Chapter 5A, Division 5 of the LGA (Referral of conduct to a local government) a referral from IA of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph 13.2 – Process of dealing with unsuitable meeting conduct, of this document.

When dealing with an instance of suspected inappropriate conduct which has been referred to a Local Government by the Independent Assessor, the Local Government must:

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1. Be consistent with the Local Government principle of transparent and accountable decision making in the public interest, by dealing with suspected inappropriate conduct in an open meeting of the Council. Where the complainant or other parties may be adversely affected due to the nature of the complaint, the Council may resolve to go into closed session under section ~~254J(f)275~~ of the Local Government Regulation 2012 (the LGR) to discuss the allegation.
2. The subject Councillor has a declarable conflict of interest in the matter and is permitted by Council to remain in the meeting during the debate about whether the Councillor engaged in the inappropriate conduct and answer questions put to the subject Councillor by the Chairperson to assist the other Councillors in making a decision. This permission to remain in the meeting for the debate is on the condition that the subject Councillor must leave the place where the being is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the Councillor is found to have committed inappropriate conduct.
3. Should the complainant be a Councillor, that Councillor ~~also has~~ may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures as per the declarable conflict of interest section in this policy. ~~If the complainant Councillor who has a declarable conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other Councillors must decide how to deal with the conflict of interest under the declarable conflict of interest section of this policy.~~ The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.
4. The Council must debate the issue and decide whether the accused Councillor engaged in inappropriate conduct. If the Council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the LGA or deferred to another date when a quorum will be present.
5. If the Local Government decides that the subject Councillor has engaged in inappropriate conduct, the Local Government is then required to decide what penalty or penalties from the following orders, if any, to impose on the subject Councillor. In deciding what penalty to impose, the council may consider any previous inappropriate conduct of the councillor and any allegation made in the investigation that was admitted, or not challenged, and that the Council is reasonably satisfied is true.
- 5.6. The Council may order that no action be taken against the Councillor or make one or more of the following:
  - ~~5.46.1~~ an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct
  - ~~5.26.2~~ an order reprimanding the Councillor for the conduct
  - ~~5.36.3~~ an order that the Councillor attend training or counselling to address the Councillor's conduct, included at the Councillor's expense
  - ~~5.46.4~~ an order that the Councillor be excluded from a stated Council Local Government meeting
  - ~~5.56.5~~ an order that the Councillor is removed, or must resign, from a position representing the Local Government, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing the Local Government on a State board or committee
  - ~~5.66.6~~ an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct

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~~5.7.6.7~~ an order that the Councillor reimburse the Local Government for all or some of the costs arising from the Councillor's inappropriate conduct.

~~6. When making an order, the Local Government can take into consideration any previous inappropriate conduct of the Councillor, and any allegation made in the investigation that was admitted, or not challenged and that the Local Government is reasonably satisfied is true.~~

7. A Council may not make an order that the Councillor attend training/counselling, be suspended from a meeting, be removed or resign from a position or that the same conduct will be treated as misconduct in future, in relation to a person who is no longer a Councillor.

8. The subject Councillor and where relevant the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the Chairperson must advise them of the details of the decision.

9. The Local Government must ensure the meeting minutes reflect the resolution made.

### CONFLICTS OF INTEREST

Councillors are ultimately responsible for informing of a prescribed conflict of interest or declarable conflict of interest on matters to be discussed at a Council or committee meeting (other than ordinary business matters as prescribed under 150EF of the LGA). When dealing with a conflict of interest, Councillors must abide by the following procedures

#### Prescribed Conflict of Interest

1. A Councillor who has notified the chief executive officer in writing, including all the particulars, of a prescribed conflict of interest in a matter to be discussed in a Council meeting must also give notice during the meeting.
2. A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a Council meeting must immediately inform the meeting of the conflict of the interest and the particulars.
3. When notifying the meeting of a prescribed conflict of interest, the following details must be provided:
  - if it arises because of a gift, loan or contract, the value of the gift, loan or contract
  - if it arises because of an application or submission, the matter the subject of the application or submission
  - the name of any entity other than the Councillor that has an interest in the matter
  - the nature of the Councillor's relationship with the entity that has an interest in a matter
  - details of the Councillor's and any other entity's interest in the matter.
4. The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in deciding the matter in a meeting including participating in the discussion and the vote.
5. Once the Councillor has left the area where the meeting is being conducted or remains in the meeting under ministerial approval, the Council can continue discussing and deciding on the matter at hand. However, if the prescribed conflict of interest was reported to the meeting by

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a councillor other than the subject councillor, then the councillor must disclose their belief or suspicion to the chairperson and the processes, duty to report another councillor's conflict of interest under section 150EW of the LGA will apply. If the councillor with the suspected COI considers there is no conflict of interest then the eligible councillors must make a decision whether or not the subject councillors has a prescribed conflict of interest under 150EX(2) of the LGA.

### Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at Council or committee meetings that might lead to a decision that is contrary to the public interest (other than ~~ordinary business matters~~ the interests that are not declarable conflicts of interest prescribed under section 150EO of the LGA and ordinary business matters prescribed under 150EF of the LGA).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor or Councillors may disclose their suspicion and the processes under section 150EW of the LGA. The eligible councillors must then make a decision under 150EX(2) of the LGA.

When dealing with a declarable conflict of interest, Councillors must abide by the following procedures:

1. A Councillor who has notified the chief executive officer of a declarable conflict of interest in a matter to be discussed at a Council meeting must also give notice during the meeting.
2. A Councillor who first becomes aware of a declarable conflict of interest in a matter during a Council meeting must stop participating in the decision on the matter and must inform the meeting of the conflict of interest including the particulars.
3. When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following details must be provided:
  - the nature of the declarable conflict of interest
  - if it arises because of the Councillor's relationship with a related party:
    - i. the name of the related party to the Councillor
    - ii. the nature of the relationship of the related party to the Councillor
    - iii. the nature of the related party's interest in the matter
  - if it arises because of a gift or loan from another person to the Councillor or a related party:
    - i. the name of the other person
    - ii. the nature of the relationship of the other person to the Councillor or related party
    - iii. the nature of the other person's interest in the matter
    - iv. the value of the gift or loan and the date the gift or loan was made.
4. After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.

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5. If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision as prescribed in section 150ES of the LGA.
6. In deciding on a councillor's declarable conflict of interest in a matter, only councillors who do not themselves have a prescribed or declarable conflict of interest in the matter and eligible to participate in the decision making. The decision may be made even if the number of eligible councillors is less than a majority to not form a quorum for the meeting or is a single eligible councillor consistent with section 150ET of the LGA. If there is a single eligible councillor deciding, then a seconder for the resolution is not required. The ability to make a resolution without a seconder applies when making a resolution under 150ES of the LGA.
- ~~6.7.~~ The other eligible non-conflicted Councillors or councillor at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the eligible non-conflicted Councillors. The eligible non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The Councillor must comply with any decision or condition imposed by the eligible non-conflicted Councillors.
- ~~7.~~ In deciding on a Councillor's declarable conflict of interest in a matter, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the LGA.
8. The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the Chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
9. When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the particular circumstances of the matter including, but not limited to:
  - how does the inclusion of the Councillor in the deliberation affect the public trust
  - how close or remote is the Councillor's relationship to the related part
  - if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
  - will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them
  - how does the benefit or detriment the subject Councillor stands to receive compare to others in the community
  - how does this compare with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting
  - whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.

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10. If the ~~eligible non-conflicted~~ Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter as prescribed in 150ET(3) of the LGA.
11. A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the Councillor for participating in the decision, and all subsequent decisions, about the same matter as prescribed in 150ET(4) of the LGA, unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the ~~eligible non-conflicted~~ Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a Council meeting about the same matter e.g. briefing sessions or workshops.
12. In making the decision, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
13. A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister as prescribed in 150EV of the LGA.

### Reporting a Suspected Conflict of Interest

1. If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that Councillor is participating in a decision on that matter, the ~~informing~~ Councillor who believes that a conflict of interest exists must immediately inform the Chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.
2. The Chairperson then should ask the relevant Councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the Councillor must follow the relevant procedures for prescribed and declarable conflicts of interest above.
3. If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
4. The ~~eligible non-conflicted~~ Councillors must then decide whether the relevant Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have prescribed or declarable conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above. If a Councillors with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible Councillors make a decision about the Councillor's participation.
5. If the Councillors cannot make reach a majority decision about whether the Councillor does or does not have a declarable conflict of interest, then they are taken to have determined that the Councillor has a declarable conflict of interest and the relevant Councillor must leave the meeting and stay away while the matter is being decided on. A decision under these provisions about a Councillor participating in the meeting applies to

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the matter and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible Councillors decide that the subject Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter.

### Loss of Quorum

1. In the event where one or more Councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the Council must resolve to:
  - delegate the consideration and decision on the matter, pursuant to section 257 of the LGA unless the matter cannot be delegated under this section
  - decide by resolution to defer the matter to a later meeting
  - decide by resolution not decide the matter and take no further action in relation to the matter.
2. All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.
3. The Council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
4. If the matter cannot be delegated under an Act, the Councillors with a conflict of interest Council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister may impose.

### DISORDER

The Chairperson may adjourn the meeting of Council, where disorder arises at a meeting other than by a Councillor. On resumption of the meeting, the Chairperson shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed. Where such a motion is lost, the Chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

### ATTENDANCE AND NON-ATTENDANCE

#### Attendance of Public and the Media at Meeting

1. An area shall be made available at the place where any meeting of Council is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
2. When the Council is sitting in Closed Session, the public and representatives of the media shall be excluded.

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3. The use of mobile phones by members, Council employees or members of the public is prohibited during local government meetings, unless by permission of the Chairperson.

### Public Participation at Meetings

1. A member of the public may take part in the proceeding of a meeting only when invited to do so by the Chairperson.
2. In each Meeting, time may be required to permit members of the public to address the Council on matters of public interest related to local government. The time allotted shall not exceed fifteen minutes and no more than three speakers shall be permitted to speak at any one meeting. The right of any individual to address the Council during this period shall be at the absolute discretion of Council's Chairperson.
3. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
4. For any matter arising from such an address, Council may take the following actions:
  - refer the matter to a committee
  - deal with the matter immediately
  - place the matter on notice for discussion at a future meeting
  - note the matter and take no further action.
5. Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.
6. Any person who is considered by the Council or the Mayor to be ~~unsuitably dressed~~ inappropriately presenting may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

### CLOSED SESSION

1. Council and standing committee meetings may resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss any of the following matters:
  - Appointment, dismissal or discipline of the CEO
  - Industrial matters affecting employees
  - The Council's budget
  - Rating concessions
  - Legal advice obtained by Council, including legal proceedings that may be taken by or against Council
  - Matters that may directly affect the health and safety of an individual or a group of individuals
  - Negotiations relating to a commercial matter involving Council for which the public discussion could prejudice the interest of Council
  - Negotiations relating to the taking of land by Council under the *Acquisition of Land Act 1967*

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- A matter that the Council is required to keep confidential under a law of, or a formal agreement with, Commonwealth or state.
- 2. A Council or committee meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.
- 3. Further, a meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and the Council must:
  - Delegate the matter
  - Decide by resolution to defer to a later meeting
  - Decide by resolution to take no further action on the matter.

**Note:** None of the above will be considered, discussed, voted on or made during a closed session. If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

- 4. To take a matter into a closed session the Council must abide by the following:
  - pass a resolution to close the meeting
  - the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered
  - if the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated
  - not make a resolution while in a closed meeting (other than a procedural resolution).

### TELECONFERENCING OF MEETINGS

1. If a Councillor wishes to be absent from a Council meeting place during a meeting, the Councillor must apply to the ~~Council chairperson~~ to participate by teleconference, at least three business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The ~~Chairperson-Council~~ may allow a Councillor to participate in a Council or committee meeting by teleconference.
2. A Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

### COMMITTEE MEETINGS

#### Local Government committee meetings

Local government committees established by Council are subject to the provisions of these Standing Orders.

### RECORD OF MEETINGS

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### Audio and video recording of meetings

1. No person shall operate any electronic or similar image, voice or camera recording device, during any meeting of the local government or a local government committee without the prior approval of the Chairperson.
2. Where recording is approved, the Chairperson shall, before the commencement of such meeting, or the commencement of such recording, announce to the members present that such approval has been granted.

### PROCEDURES NOT PROVIDED FOR

If an appropriate or adequate method of dealing with any matter is not provided for in these Standing Orders, the method of dealing with the matter may be determined by a ruling of the Chairperson or by a resolution of the local government upon a motion which may be put with notice in conformity with these Standing Orders.

### POLICY REVIEW

This policy is to be reviewed when any of the following occur:  
 As required by legislation  
 Other circumstances as determined by the Chief Executive Officer.

Notwithstanding the above, this policy is to be review at intervals of no more than four (4) years.

### VERSION CONTROL

Version One	15 May 2019
Version Two	18 November 2020
Version Three	

### RECORDS

When completed and approved the original, signed hard copy of the policy is filed in the Master File.

Electronic copies are saved in the appropriately labelled folder in Magiq.

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# Blackall-Tambo Regional Council

## Meeting Procedures

Policy Number: Stat 46	Effective Date: <del>48 November 2020</del>
Version Number: <del>2.1 Two</del>	Review Date: <del>17 November 2024</del>
Policy Compiled by: Chief Executive Officer	
Policy Approved by: Chief Executive Officer	

### SCOPE

This policy applies to Blackall-Tambo Regional Council, its Councillors and employees.

### PURPOSE

The purpose of the meeting procedures is to set out certain procedures to ensure the local government principles are reflected in the conduct of council meetings, standing and advisory committee meetings as defined in the *Local Government Regulation 2012* (LGR). However, meeting procedures do not apply to meetings of the council's audit committee.

It is not intended that the meeting procedures would deal with all aspects of meeting conduct but only those required to strengthen public confidence in council to deal with the conduct of councillors in meetings.

### REFERENCE

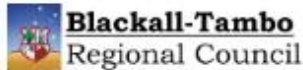
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- Model Meeting Procedures – Department of Local Government, Racing and Multicultural Affairs
- BTRC Standing Orders Policy
- BTRC Councillor Code of Conduct Policy

### BACKGROUND

As required under section 150F of the *Local Government Act 2009* (LGA) this document sets out:

- the process for how a chairperson of a council meeting may deal with instances of unsuitable meeting conduct by councillors, ~~and~~
- the process for how suspected inappropriate conduct of a councillor referred to the local government by the Independent Assessor is to be dealt with at a council meeting.
- the process for dealing with conflicts of interests and recording them.
- the process for dealing with a loss of quorum, and
- procedures for closed meetings.

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## Meeting Procedures

### APPLICATION

A council must either adopt the model meeting procedures or prepare and adopt other procedures for the conduct of its council meeting, standing and advisory committee meetings that are consistent with the model meeting procedures.

If there is any inconsistency, then Council is taken to have adopted the model meeting procedures to the extent of the inconsistency.

A council must conduct its meetings in a manner that is consistent with the model meeting procedures.

### PROCESSES

#### 1. Process for dealing with unsuitable meeting conduct by a councillor in a meeting

The conduct of a councillor is unsuitable meeting conduct if the conduct happens during a council meeting and contravenes a behavioural standard of the code of conduct for councillors. When dealing with an instance of unsuitable conduct by a councillor in a meeting, the following procedures must be followed:

- 1.1 The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a councillor at a meeting.
- 1.2 If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the councillor has had any previous warnings for unsuitable meeting conduct issued. If the chairperson decides the conduct is of serious nature or another warning is unwarranted, proceed to step 1.7.
- 1.3 If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the councillor take remedial action such as:
  - 1.3.1 Cease the unsuitable meeting conduct and refraining from exhibiting the conduct
  - 1.3.2 Apologising for their conduct
  - 1.3.3 Withdrawing their comments.
- 1.4 If the councillor complies with the chairperson's request for remedial action, no further action is required.
- 1.5 If the councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the councillor that failing to comply with the requests could result in an order being issued.
- 1.6 If the councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- 1.7 If the councillor continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 1.3, the chairperson may make one or more of the orders below:

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- 1.7.1 An order reprimanding the councillor for the conduct
- 1.7.2 An order requiring the councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- 1.8 If the councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the councillor be removed from the meeting.
- 1.9 Following the completion of the meeting, the chairperson must ensure:
  - 1.9.1 Details of any order issued is recorded in the minutes of the meeting
  - 1.9.2 If it is the third or more order made within a 12-month period against a councillor, or the councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the council and treated as inappropriate conduct.
  - 1.9.3 The council's chief executive officer is advised to ensure details of any order made is updated in the council's councillor conduct register.
- 1.10 Any councillor aggrieved with an order issued by the chairperson can move a motion of dissent for parts 1.1, 1.7 and 1.8 above.

**Note:** Chairpersons of a meeting are carrying out a statutory responsibility under the LGA to manage and lead the meeting. As such, where a chairperson behaves inappropriately in a meeting, this involves a breach of the trust placed in them as the chairperson of the meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent Assessor to be dealt with. However, breaches of trust don't arise because councillors disagree with the chairperson's decision or ruling during the meeting.

### 2. Meeting process for dealing with suspected inappropriate conduct which has been referred to the local government by the Independent Assessor

Pursuant to Chapter 5A, Division 5 of the LGA (Referral of conduct to local government) a referral from the Independent Assessor of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph 1.9.2 of this document.

In either case, the council must complete an investigation into the alleged conduct:

- Consistent with any recommendation from the Independent Assessor; and
- Consistent with the council's investigation policy; or
- In another way decided by resolution of the council.

After the completion of the investigation, the council must decide in a council meeting, whether the councillor has engaged in inappropriate conduct, unless it has delegated responsibility for this decision under section 257 of the LGA.

When dealing with an instance of suspected inappropriate conduct which has been referred to a council by the Independent Assessor:

- 2.1 The council must be consistent with the local government principle of transparency and accountable decision making in the public interest by dealing with suspected inappropriate conduct in an open meeting of the council. However, where the matter may directly affect

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the health and safety of the complainant due to the nature of the complaint, the council may resolve to go into closed session under section 254J of the LGR to discuss the allegation.

- 2.2 The subject councillor has a declarable conflict of interest in the matter and is permitted by the council to remain in the meeting during the debate about whether the councillor engaged in the inappropriate conduct and answer questions put to the subject councillor through the chairperson to assist the other councillors in making a decision. The permission to remain in the meeting for the debate is on the condition that the subject councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the councillor is found to have committed inappropriate conduct.
- 2.3 Should the complainant be a councillor, that councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 4. If the complainant councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other councillors must decide on how to deal with the conflict of interest under section 4. The complainant councillor can be ordered to leave the meeting place or conditions may be applied to allow that councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.
- 2.4 The council must debate the issue and decide whether the subject councillor engaged in inappropriate conduct. If the council has lost quorum due to the number of conflicted councillors or another reason, the matter must be delegated consistent with section 257 of the LGA or deferred to another date when a quorum will be present.
- 2.5 If a decision is reached that the subject councillor has engaged in inappropriate conduct, then the councillors must decide what penalty or penalties from the orders detailed in 2.6, if any, to impose on the councillor. In deciding what penalty to impose, the council may consider any previous inappropriate conduct of the councillor and any allegation made in the investigation that was admitted, or not challenged, and that the council is reasonably satisfied is true.
- 2.6 The council may order that no action be taken against the councillor or make one or more of the following:
  - 2.6.1 An order that the councillor make a public admission that the councillor has engaged in inappropriate conduct
  - 2.6.2 An order reprimanding the councillor for the conduct
  - 2.6.3 An order that the councillor attend training or counselling to address the councillor's conduct, including at the councillor's expense
  - 2.6.4 An order that the councillor be excluded from a stated council meeting
  - 2.6.5 An order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor, for example that the councillor is ordered to resign from an appointment representing the local government on a state board or committee.
  - 2.6.6 An order that if the councillor engages in the same type of conduct again, it will be treated as misconduct
  - 2.6.7 An order that the councillor reimburse the council for all or some of the costs arising from the councillor's inappropriate conduct.

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- 2.7 A local government may not make an order under 2.6.3, 2.6.4, 2.6.5, 2.6.6 in relation to a person who is no longer a councillor.
- 2.8 The subject councillor, and where relevant, the complainant councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the details of the decision.
- 2.9 The chairperson must ensure the meeting minutes reflect the resolution made.

### 3. Prescribed conflict of interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a council meeting, standing or advisory committee meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, councillors must abide by the following procedures:

- 3.1 A councillor who has notified the chief executive officer of a prescribed conflict of interest in a matter to be discussed in a council meeting must also give notice during the meeting.
- 3.2 A councillor who first becomes aware of a prescribed conflict of interest in a matter during a council meeting must immediately inform the meeting of the conflict of interest.
- 3.3 When notifying the meeting of a prescribed conflict of interest, the following details must, at a minimum, be provided:
  - 3.3.1 If it arises because of a gift, loan or contract, the value of the gift, loan or contract
  - 3.3.2 If it arises because of an application or submission, the subject of the application or submission
  - 3.3.3 The name of any entity, other than the councillor, that has an interest in the matter
  - 3.3.4 The nature of the councillor's relationship with the entity mentioned in 3.3.3 that has an interest in a matter
  - 3.3.5 Details of the councillor's and any other entity's interest in the matter.
- 3.4 The councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject councillor has written notice from the Minister to participate in the matter.
- 3.5 Once the councillor has left the area where the meeting is being conducted, the council can continue discussing and deciding on the matter at hand.

### 4. Declarable conflict of interest

Councillors are ultimately responsible for informing any declarable conflict of interest on matters to be discussed at council meetings, standing or advisory committee meetings that might lead to a decision that is contrary to the public interest (other than the interests prescribed under 150EO of the Local Government Act 2009, and ordinary business matters prescribed in 150EF of the Local Government Act).

A councillor may raise their personal interests in a matter at the meeting to canvas the view of the other councillors prior to deciding to declare a conflict of interest. If the other councillors suspect the personal

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interest might be a conflict of interest, the other councillors may disclose their suspicion and the processes under section 150EW of the LGA.

When dealing with a declarable conflict of interest, councillors must abide by the following procedures:

- 4.1 a councillor who has notified the chief executive officer of a declarable conflict of interest in a matter to be discussed at a council meeting must also give notice during the meeting.
- 4.2 A councillor who first becomes aware of a declarable conflict of interest in a matter during a council meeting must inform the meeting of the conflict of interest.
- 4.3 When notifying the meeting of a declarable conflict of interest, councillor should provide sufficient detail to allow the other councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following minimum details must be provided:
  - 4.3.1 The nature of the declarable conflict of interest
  - 4.3.2 If it arises because of a councillor's relationship with a related party:
    - 4.3.2.1 The name of the related party to the councillor
    - 4.3.2.2 The nature of the relationship of the related party to the councillor
    - 4.3.2.3 The nature of the related party's interest in the matter
  - 4.3.3 if it arises because of a gift or loan from another person to the councillor or a related party:
    - 4.3.3.1 the name of the other person
    - 4.3.3.2 the nature of the relationship of the other person to the councillor or related party
    - 4.3.3.3 the nature of the other person's interest in the matter
    - 4.3.3.4 the value of the gift or loan and the date the gift or loan was made.
- 4.4 After a councillor has declared a conflict of interest, the councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- 4.5 If the councillor chooses not to leave the meeting, the councillor may advise the other councillors of their reasons for seeking permission to participate in making the decision.
- 4.6 The other councillors at the meeting must then decide, by resolution, whether the councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the eligible non-conflicted councillors.

The eligible non-conflicted councillors may impose conditions on the councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The councillor must comply with any decision or condition imposed by the non-conflicted councillors.

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**Blackall-Tambo**  
Regional Council

## Meeting Procedures

4.64.7 In deciding on whether a councillor may participate in a decision about a matter in which the councillor has a declarable conflict of interest, only councillors who do not themselves have prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the LGA.

4.74.8 The councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the other councillors in making their decision. The subject councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the councillor may remain and participate in deciding the matter in which the councillor has a declarable conflict of interest.

4.84.9 When deciding whether a councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other councillors should consider the circumstances of the matter including, but not limited to:

- 4.3.4 How does the inclusion of the councillor in the deliberation affect the public trust
- 4.3.5 How close or remote is the councillor's relationship to the related party
- 4.3.6 If the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
- 4.3.7 Will the benefit or detriment the subject councillor or their related party stands to receive from the decision have major or minor impact on them
- 4.3.8 How does the benefit or detriment the subject councillor stands to receive compare to others in the community
- 4.3.9 How does this compare with similar matters that council has decided and have other councillors with the same or similar interests decided to leave the meeting
- 4.3.10 Whether the subject councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.

4.94.10 If the ~~eligible non-conflicted~~ councillors cannot decide ~~whether the subject councillor has a about the~~ declarable conflict of interest ~~of a councillor, then~~ they are taken to have decided that the councillor must leave and stay away from the meeting while the ~~eligible non-conflicted~~ councillors discuss and vote on the matter.

4.104.11 A decision about a councillor who has a declarable conflict of interest in a matter applies in relation to the councillor for participating in the decision, and subsequent decisions, about the same matter unless there is change to the councillor's personal interests and/or the nature of the matter being discussed. If the ~~eligible non-conflicted~~ councillors decide that the councillor can act in the public interest on the matter, then the councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. briefing sessions or workshops.

4.114.12 In making the decision under 4.6 and 4.9, it is irrelevant how the subject councillor intended to vote on the issue or any other issue (if known or suspected).

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4.124.13 A councillor does not contravene the above procedures if the councillor participates in a decision under written approval from the Minister as prescribed in 150EV of the Local Government Act.

### 5. Reporting a suspected conflict of interest

5.1 If a councillor at a meeting reasonable believes or suspects that another councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that councillor is participating in a decision on that matter, the councillor who believes or suspects this, must immediately inform the chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.

5.2 The chairperson should ask the relevant councillor with the suspected personal interest of whether they have any prescribed or declarable conflict of interest in the matter. If the councillor agrees they have a conflict of interest, the councillor must follow the relevant procedures above.

5.3 If the councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.

5.35.4 The ~~eligible non-conflicted~~ councillors must then decide whether the councillor has a prescribed conflict of interest, a declarable conflict of interest or that the councillor does not have a prescribed or declarable conflict of interest in the matter. If the meeting decides the councillor has a conflict of interest, the councillor must follow the relevant procedures above. If a councillor with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible councillors must make a decision about the councillor's participation.

5.45.5 If the councillors cannot reach a majority decision about the conflict of interest, or the subject councillor's participation in the matter despite a declarable conflict of interest, then they are taken to have determined that the councillor must leave and stay away from the place where the meeting is being held while the eligible councillors discuss and vote on the matter. This decision will continue to apply in relation to all subsequent decisions about the same matter, where the conflict of interest remains unchanged, has a declarable conflict of interest.

### 6. Loss of quorum

6.1 In the event where one or more councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of quorum for deciding the matter, the council must resolve to:

6.1.1 Delegate the consideration and decision on the matter, pursuant to section 257 of the LGA unless the matter cannot be delegated; or

6.1.2 Defer the matter to a later meeting

6.1.3 Not to decide the matter and take no further action in relation to the matter.

All councillors including the conflicted councillors, may participate in deciding to delegate or defer a matter.

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**Blackall-Tambo**  
Regional Council

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- 6.2 The council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 6.3 If the matter cannot be delegated under an Act, the councillors with a conflict of interest council should seek ministerial approval ~~for the councillors~~ to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.

### 7. Recording prescribed and declarable conflicts of interest

When a councillor informs a meeting that they or another councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all of the relevant details of how the conflict of interest was dealt with, being:

- The name of any councillor and any other councillor who may have a prescribed or declarable conflict of interest
- The particulars of the prescribed or declarable conflict of interest provided by the councillor
- The actions taken by a councillor after informing the meeting that they have, or they reasonably suspect another councillor has a prescribed or declarable conflict of interest
- Any decision then made by the eligible councillors
- Whether the councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval
- The council's decision on what actions the councillor with a declarable conflict of interest must take and the reasons for the decision
- The name of each councillor who voted on the matter and how each voted.

If the councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a councillor's personal interest by someone other than the councillor:

- a) the name of each councillor who voted in relation to whether the councillor has a declarable conflict of interest, and how each of the councillors voted.

Where a decision has been made under section 4.6 above – the minutes must include:

- a) -the decision and reasons for the decision, and  
a)b) the name of each eligible councillor who voted and how each eligible councillor voted.

### 8. Closed meetings

Council meetings, standing and advisory committee meetings may resolve that a meeting be closed to the public if its councillors consider it necessary to discuss any of the following matters:

- Appointment, dismissal or discipline of the CEO
- Industrial matters affecting employees
- The council's budget, which does not include the monthly fortnightly statements
- Rating concessions
- Legal advice obtained by the council, including legal proceedings that may be taken by or against the council
- Matters that may directly affect the health and safety of an individual or a group of individuals

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- Negotiations relating to a commercial matter involving the council for which a public discussion could prejudice the interests of the council
- Negotiations relating to the taking of land by the council under the *Acquisition of Land Act 1967*
- A matter that the council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or State.

A council meeting, standing and advisory committee meeting cannot resolve that a meeting be closed where the meeting is informed of a councillor's personal interest in the matter by another person and the eligible councillors at the meeting must decide whether the councillor has a declarable conflict of interest in the matter.

Further, the meeting must not be closed if a quorum is lost due to the number of conflicted councillors who leave the meeting and the council must:

- Delegate the matter unless the matter cannot be delegated
- Decide by resolution to defer to a later meeting
- Decide by resolution to take no further action on the matter.

None of the above will be considered, discussed, voted on or made during a closed session.

If a closed session includes attendance by teleconference, the councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in a closed meeting.

To take a matter into a closed session the council must abide by the following:

- 8.1 pass a resolution to close the meeting.
- 8.2 The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered.
- 8.3 If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated.
- 8.4 Not make a resolution while in a closed meeting (other than a procedural resolution).

### 9. Teleconferencing meetings

- 9.1 If a councillor wishes to be absent from a council meeting place during a meeting, the councillor must apply to the chairperson to participate by teleconference, at least three business days prior to the meeting or as soon as practicable once the councillor becomes aware of their intended absence. The chairperson may allow a councillor to participate in a council meeting, standing or advisory committee meeting by teleconference.
- 9.2 A councillor taking part by teleconference is taken to be present at the meeting if the councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the councillor must be recorded in the minutes as present at the meeting.

**Note:** Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.

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## Meeting Procedures

~~9.3 In order for councils to manage the safety rules during the COVID-19 pandemic, changes have been added to the LGR that will expire in June 2021. These provisions allow the council:~~

- ~~• The option to conduct the entire council meeting via phone, teleconference or video conference~~
- ~~• Where possible, that they must provide streaming or other facilities so that the public can observe or hear the meeting as it is happening, at one of the council's public offices or on the council's website~~
- ~~• Chairperson the option to close the meeting on health and safety grounds to protect participants or observers from risk of exposure to COVID-19.~~

### POLICY REVIEW

This policy is to be reviewed when any of the following occur:

1. As required by legislation
2. Other circumstances as determined by the Chief Executive Officer.

Notwithstanding the above, this policy is to be review at intervals of no more than four (4) years.

### VERSION CONTROL

Version One	15 May 2019
Version Two	18 November 2020
Version Three	

### RECORDS

When completed and approved the original, signed hard copy of the policy is filed in the Master File.

Electronic copies are saved in the appropriately labelled folder in Magiq.

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**BLACKALL-TAMBO REGIONAL COUNCIL**

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**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.8

**SUBJECT HEADING: Land Protection Fund Annual Payment**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

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*Summary: The Department of Agriculture and Fisheries have provided the tax invoice for the Land Protection Fund for the 2022-2023 financial year totalling \$88,437.00 as provided for under section 84 of the Biosecurity Act 2014.*

**Officer's Recommendation: That Council receive the letter from the Department of Agriculture and Fisheries and note that the Blackall-Tambo Regional Council's 2022-2023 contribution to the Land Protection Fund is \$88,437.00.**

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**Background**

The *Biosecurity Act 2014* provides for the Department of Agriculture and Fisheries to collect funds as annual payments from Local Governments to maintain the Land Protection Fund. Biosecurity Queensland works in partnership with many groups to prevent or minimise the impacts of invasive plants and species on Queensland human health, social amenity, economy and environment.

There are 36 species currently being managed towards eradication.

Blackall-Tambo Regional Council's payment is divided into two categories as follows:

- |                           |             |
|---------------------------|-------------|
| 1. On-ground research     | \$25,510.00 |
| 2. Wild Dog Barrier Fence | \$62,927.00 |

The Wild Dog Barrier Fence (WDBF) program is responsible under the *Biosecurity Act 2014* for the upgrading and maintenance of the Wild Dog Barrier Fence. The fence runs for approximately 2,500 kilometres from Jandowae to 50 kilometres west of Hungerford on the New South Wales border.

The WDBF is funded by nine local governments, Balonne, Barcoo, Blackall-Tambo, Bulloo, Maranoa, Murweh, Paroo, Quilpie and Western Downs.



Picture from the Local Government Annual Report – Operational Highlights – Biosecurity Queensland 2021-2022

The 2021-2022 Annual Report states that 40 kilometres of replacement fence was erected in 2021-22. The capital works activities were completed by contractors by 30 June 2021.

### Link to Corporate Plan

Environment & Heritage

Outcome 3 – Pest Management

### Consultation (internal/external)

Nil

### Policy Implications

Nil

### Budget and Resource Implications

\$88,437.00 – budgeted

### Risk Assessment

Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Financial	Low	The Land Protection Fund amount is allocated with the adopted budget.	Medium
Legal & Regulatory	Low	Compliant with section 84 of the <i>Biosecurity Act 2014</i> .	Low
People	Low	Nil	Low
Operational	Medium	Nil	Low
Environmental	Medium	Local governments have a legislative requirement to manage invasive pests and weeds in their region.	Low
Strategic	Medium	Nil	Low
Ethical	Low	Nil	Low
Reputation	Low	Nil	Low
Leadership	Low	Nil	Low

### Risk Treatment

Nil

Our ref: CTS 19399/22

28 November 2022

Mr Des Howard  
Chief Executive Officer  
Blackall-Tambo Regional Council  
PO Box 21  
BLACKALL QLD 4472

Dear Mr Howard

I am writing to you regarding the Land Protection Fund annual payments for the 2022-23 financial year. The *Biosecurity Act 2014* provides for funds to be collected as annual payments from Local Governments to maintain the Land Protection Fund.

The Department of Agriculture and Fisheries (the Department) supports Local Governments and their communities through its investment in invasive plants and animal management policy, planning, research and regional services. Local Governments have a primary legislative function and responsibility to ensure that invasive plants and animals are managed in their local area.

There are four components to the Land Protection Fund:

- On-ground and Research
- Wild Dog Barrier Fence
- Darling Downs-Moreton Rabbit Board (Rabbit Board)
- Plague Pest Contingency Fund.

The On-ground and Research component will be increasing in line with six per cent Consumer Price Index for the 2022-23 financial year. This enables the Department to undertake invasive plant and animal management research, strategic invasive plant and animal control and local and regional technical services that support Local Governments in the delivery of invasive plant and animal management functions.

A calculation methodology determines the proportion of contributions paid into the On-ground and Research component. As previously agreed by the Statewide Oversight Group, a new methodology was previously phased in over three years. Currently there is a recommendation before the Statewide Oversight Group to recalculate this methodology using the most recent data sets.

The Wild Dog Barrier Fence component will be increasing in line with six per cent Consumer Price Index for the 2022-23 financial year and is apportioned among the nine Local Governments whose areas benefit from the Fence.

The Rabbit Board component provides funding to maintain the rabbit fence and to ensure that rabbits are managed within the Rabbit Board's operational area. It is apportioned among



the eight Local Governments in the rabbit district. The Rabbit Board requested a 2.5 per cent increase to its operational budget for 2022-23 financial year, as provided for under section 85 of the *Biosecurity Act 2014*.

Councils who contribute into the Wild Dog Barrier Fence and the Rabbit Board were advised that Synergies Consultancy were appointed by the LGAQ to undertake a review of the beneficiaries and methodology. This review has not yet been completed.

The Plague Pest Contingency Fund component allows the Department to undertake strategic control and prevention of locust swarms. The Department is not collecting contributions as the fund has reached its ceiling.

Please find attached your Land Protection Fund Tax Invoice for 2022-23, the Local Government Annual Report - Operational Highlights for 2021-22 and the Technical Highlights, Invasive Plant and Animal research 2021-22.

If you require any further information about any of the matters above, I encourage you to contact [REDACTED], Acting Director, Invasive Plants and Animals, on telephone [REDACTED] or email [REDACTED]

Yours sincerely



Tim Farry

**Acting General Manager**

**Biosecurity Queensland, Department of Agriculture and Fisheries**

**BLACKALL-TAMBO REGIONAL COUNCIL**[Return to Agenda](#)[Next Item](#)**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.9

**SUBJECT HEADING: 2023 Special Holidays**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

*Summary: Council made a request to the Office of Industrial Relations for a Special Holiday in 2023 as 7 November 2023 for the purpose of Melbourne Cup Day. The request has been approved by the Minister for Education and Minister for Industrial Relations.*

**Officer's Recommendation: That Council receive the letter from the Office of Industrial Relations and notes the 7 November 2023 has been approved as a Special Holiday for the Blackall-Tambo Region.**

**Background**

At the 20 July 2022 general meeting Council resolved the following:

*That Council request a special holiday for the Blackall-Tambo Regional Council area as Melbourne Cup Day, 7 November 2023.*

*Moved: Cr BP Johnstone*

*Seconded: Cr DA Hardie*

*Minute No. 27/07A/22*

*Carried 6/0*

Council officers made the request to the Office of Industrial Relations for Ministerial approval. The Minister for Education and Minister for Industrial Relations has approved the request and correspondence has been received confirming this.

The holidays notification has also been published in the Queensland Government Gazette.

**Link to Corporate Plan**

Nil

**Consultation (internal/external)**

CEO

**Policy Implications**

Nil

**Budget and Resource Implications**

Nil

**Risk Assessment**

Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Financial	Low	Nil	Low
Legal & Regulatory	Low	Nil	Low
People	Low	Nil	Low

Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Operational	Medium	Nil	Low
Environmental	Medium	Nil	Low
Strategic	Medium	Nil	Low
Ethical	Low	Nil	Low
Reputation	Low	Nil	Low
Leadership	Low	Nil	Low

**Risk Treatment**

Nil



Office of  
Industrial Relations

Department of Education

2 December 2022

Mr Des Howard  
Chief Executive Officer  
Blackall-Tambo Regional Council  
Via Email: [ceo@btrc.qld.gov.au](mailto:ceo@btrc.qld.gov.au)  
[PA@btrc.qld.gov.au](mailto:PA@btrc.qld.gov.au)

Dear Mr Howard

I refer to your request for special holidays for 2023.

Pursuant to Section 4 of the *Holidays Act 1983*, the Minister for Education and Minister for Industrial Relations has appointed:

- 7 November 2023 a holiday for the Blackall-Tambo Region for the purpose of the Melbourne Cup Day

Please note that it is only special holidays appointed in respect of an annual agricultural, horticultural or industrial show (show holidays) which are public holidays. On a public holiday, employees will be entitled to refuse to work in reasonable circumstances without loss of pay and to be paid penalty rates for work performed.

Should there be a need to request repeal of one or more of the above special holidays (whether or not appointment of a replacement special holiday is also requested) or appointment of an additional special holiday, 30 days prior notice of the requested repeal or appointment is to be given to the Minister. This will allow time for the Minister to decide the request, notify any repeals and/or appointments in the Queensland Government Gazette and for the requesting local government to give notice of holiday changes to its community.

Replacement of a show holiday with a special holiday on another date should be carefully considered as the replacement show holiday will only be a public holiday if it continues to be in respect of an annual agricultural, horticultural or industrial show.

1 William Street Brisbane  
Queensland 4000 Australia  
GPO Box 69 Brisbane  
Queensland 4001 Australia  
**Telephone** 13 QGOV (13 74 68)  
**WorkSafe** +61 7 3247 4711  
**Website** [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au)  
[www.business.qld.gov.au](http://www.business.qld.gov.au)  
ABN 94 496 166 963

2

Notification of the appointment of the 2023 special holidays was published in the Queensland Government Gazette on 2 December 2022.

A copy of the gazette can be accessed on the [Queensland Government's publications website](#), the special holidays notifications commence on page 433 of the gazette.

Should you require further information, please contact Ms Jacqui McGuire, Senior Industrial Officer on telephone (07) 3406 9854.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A J (Tony) James', with a stylized flourish at the end.

**A J (Tony) James**  
Assistant Director-General  
Office of Industrial Relations



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COUNCIL MEETING DATE: 14 December 2022

Item No: 5.10

**SUBJECT HEADING: Development Application – DA05-2022-2023 – Short Term Accommodation – 51 Arthur Street, Tambo**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

*Summary: The Applicant, J & DS Phelps, seeks a Development Permit for Material Change of Use for Short-term Accommodation (6 units) over land at 51 Arthur Street, Tambo, formally described as Lot 510 on T1501. The subject site is currently vacant. The Applicant is proposing six (6) Short-term accommodation units. Each unit will be self-contained and have an area of approximately 26m<sup>2</sup>. The proposal also includes a common undercover BBQ area.*

*Under the Blackall-Tambo Region Planning Scheme 2020 (the Planning Scheme), the subject site is in the Township Zone. The defined use that has been applied for, being a 'Short-term accommodation', is subject to Impact Assessment in the Township Zone.*

*A development application that is subject to Impact Assessment is assessed against the entire Planning Scheme and is required to be publicly notified for a minimum of 15 business days. During the public notification period, two (2) submissions were received. The issues raised in the submissions have been addressed in the decision report.*

*The proposal has been assessed against the entire Planning Scheme and is consistent with the intent of the zone and all other relevant assessment benchmarks.*

*Based on an assessment of the proposal in accordance with the Impact Assessment process articulated in the Planning Act 2016, this decision report recommends approval of the development application, subject to the conditions stated herein.*

**Officer's Recommendation: That Council THAT Blackall-Tambo Regional Council approves the application for a Development Permit for Material Change of Use for Short-term Accommodation (6 units) over land at 51 Arthur Street, Tambo, formally described as Lot 510 on T1501, subject to the following conditions:**

**1.0 PARAMETERS OF APPROVAL**

- 1.1 The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor or invitee of the Developer at all times unless otherwise stated.**
- 1.2 Where these conditions refer to "Council" in relation to requiring Council to approve or be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by Council.**
- 1.3 All conditions, works, or requirements of this development approval must be undertaken and completed prior to commencement of the use and to Council's satisfaction, unless otherwise stated in a development condition.**

- 1.4 The cost of all works associated with the construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.
- 1.5 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out for the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.
- 1.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

## 2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Plan/Document Name	Plan/Document Number	Revision Number	Date
Site Plan and Elevations	001 Sheet 1 of 1	1	16/08/2022

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

## 3.0 LIMITATIONS OF OPERATION

- 3.1 Guests of the Short-term accommodation are limited to a maximum stay of three (3) consecutive months at any one time.
- 3.2 The Short-term accommodation is limited to a maximum of six (6) units.

## 4.0 ACCESS AND PARKING WORKS

- 4.1 Design, construct and maintain the Charles Street and Arthur Street crossovers in accordance with the approved plans (see Condition 2.1) and generally in accordance with the standard drawing, Figure 1 or 2, from the General Development Code of the Blackall-Tambo Region Planning Scheme.
- 4.2 Provide and maintain a minimum of six (6) car parking spaces on-site for guests. All car parking spaces must be clearly delineated by either line-marking or signage.
- 4.3 Design and construct and maintain all car parking and manoeuvring areas in accordance with the approved plan (see Condition 2.1) and *AS2890.1 – Parking Facilities* and *Austroads Publication AP-G34-13 – Austroads Design Vehicle and Turning Path Templates*.
- 4.4 All car parking and vehicle manoeuvring areas must be either compacted gravel or concrete.

**5.0 SITE MANAGEMENT PLAN**

- 5.1** Maintain and implement a site management plan for the Short-term accommodation. The site management plan is to include measures to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.

**6.0 ROOF AND ALLOTMENT DRAINAGE**

- 6.1** Discharge of all roof and allotment drainage such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure from the pre to the post-development condition.

**7.0 STORMWATER WORKS**

- 7.1** Undertake the development such that all stormwater, except for rainwater captured on-site in rainwater tanks, is to be drained from the site to a lawful point of discharge and carried without causing annoyance or nuisance to any person or property. All works must be designed, constructed and maintained in accordance with the *Queensland Urban Drainage Manual*.

**8.0 SEWERAGE AND WATER**

- 8.1** The premises must be connected to Council's reticulated water and sewerage network.
- 8.2** All works must be designed, constructed and maintained in accordance with the approved plans (refer to Condition 2.1), the *Plumbing and Drainage Act, Water Services Association of Australia (WSAA), 2011, "WSA 03-11 Water Supply Code of Australia" Version 3.1* and *Queensland Department of Energy and Water Supply, 2010, Planning Guidelines for Water Supply and Sewerage*.
- 8.3** Remove all redundant water supply and sewerage infrastructure, including but not limited to pipes and connection points.

**9.0 TELECOMMUNICATION AND ELECTRICITY SUPPLY**

- 9.1** The premises must be connected to electricity and telecommunication services in accordance with the standards and requirements of the relevant service provider.

**10.0 WASTE MANAGEMENT**

- 10.1** Store all waste within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera). The waste storage area must be:

- 10.1.1** Designed to not cause nuisance to neighbouring properties;
- 10.1.2** Screened from any road frontage or adjoining property;
- 10.1.3** Of a sufficient size to accommodate a waste bin/s suitable to service the Short-term accommodation.

**11.0 AMENITY AND ENVIRONMENTAL HEALTH**

- 11.1 Undertake the approved development so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, vibration, odour, fumes, smoke, vapour, steam soot, ash, wastewater, waste products, oil or otherwise
- 11.2 Install and operate all outdoor lighting to comply with *AS4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting”*.
- 12.0 LANDSCAPING
- 12.1 Establish and maintain landscaping to all boundaries of the site.
- 12.2 The landscaping must predominantly contain species consisting of native, drought tolerant groundcovers, shrubs, small trees and trees.
- 13.0 SITE WORKS AND EROSION AND SEDIMENT CONTROL
- 13.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 13.2 Prepare and implement an Erosion and Sediment Control Strategy (ESCS) in accordance with the *IECA 2008 Best Practice Erosion and Sediment Control* (as amended).
- 13.3 Implement the ESCS for the duration of the construction phase and until such time all exposed soils areas are permanently stabilised (for example, turfed, hydro mulched, concreted or landscaped).
- 14.0 ASSET MANAGEMENT
- 14.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.

#### ADVISORY NOTES

- A. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, and potentially for operational work, as required under relevant legislation for this work.
- B. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.
- C. General environmental duty under the Environmental Protection Act 1994 and subordinate legislation prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries

of the development site during all stages of the development including earthworks, construction and operation.

- D. This development approval does not authorise any activity that may harm Aboriginal cultural heritage. It is advised that under section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”).

## Background

### 1.0 DEVELOPMENT APPLICATION SUMMARY

**TABLE 1 – OVERVIEW OF THE DEVELOPMENT APPLICATION**

PROPERTY DETAILS	
Site address	51 Arthur Street, Tambo QLD 4478
RPD	510 on T1501
Site Area	2,023m <sup>2</sup>
Landowners	Danae Sarah Phelps and Joshua Phelps
Existing use of land	Vacant
Existing development approval	N/A - The site is currently vacant
APPLICATION DETAILS	
Application No.	DA05-2022-2023
Applicant	J & DS Phelps
Application description	Development Permit for Material Change of Use for Short-term accommodation (6 units)
Decision due date	13 December 2022
Main Issues/Resolution	Consistency of use in the Township zone – addressed in assessment report Submissions – addressed in the assessment report
STATUTORY DETAILS	
Planning Scheme	Blackall-Tambo Region Planning Scheme 2020
Overlays	Nil
Zone	Township Zone
Precinct	N/A
Land use definition	Short-term accommodation
Category of Assessment	Impact Assessment

### 2.0 PROPOSAL BACKGROUND

**TABLE 2 – OVERVIEW OF DEVELOPMENT ASSESSMENT PROCESS**

Application properly made	15 September 2022
Confirmation Notice issued	15 September 2022
Referral Agency Response	5 October 2022



Public Notification Period	14 October to 4 November 2022
Decision Due (Decision Stage)	13 December 2022

### 3.0 SITE AND SURROUNDS DESCRIPTION

The subject site is located at 51 Arthur Street, Tambo, formally known as Lot 501 on T1501. The subject site has an area of 2,023m<sup>2</sup>, and has a 50m frontage to Charles Street and a 40m frontage to Arthur Street.

The site is adjoined to the:

- north by a residential dwelling that fronts Albert Street
- south by Arthur Street (Landsborough Highway)
- east by vacant land
- west by Charles Street

The site is located in close proximity to the Mixed use precinct to the west which contains a mix of residential and industrial uses. The site is also in close proximity to the Commercial precinct and to the Recreation and open space zone to the south west. The locality contains a mix of uses and the use is not expected to unduly impact residential amenity due to the diverse nature of uses in proximity to the site.



**Figure 1** – Aerial of subject site (Source: QLD Government DAMS Mapping)



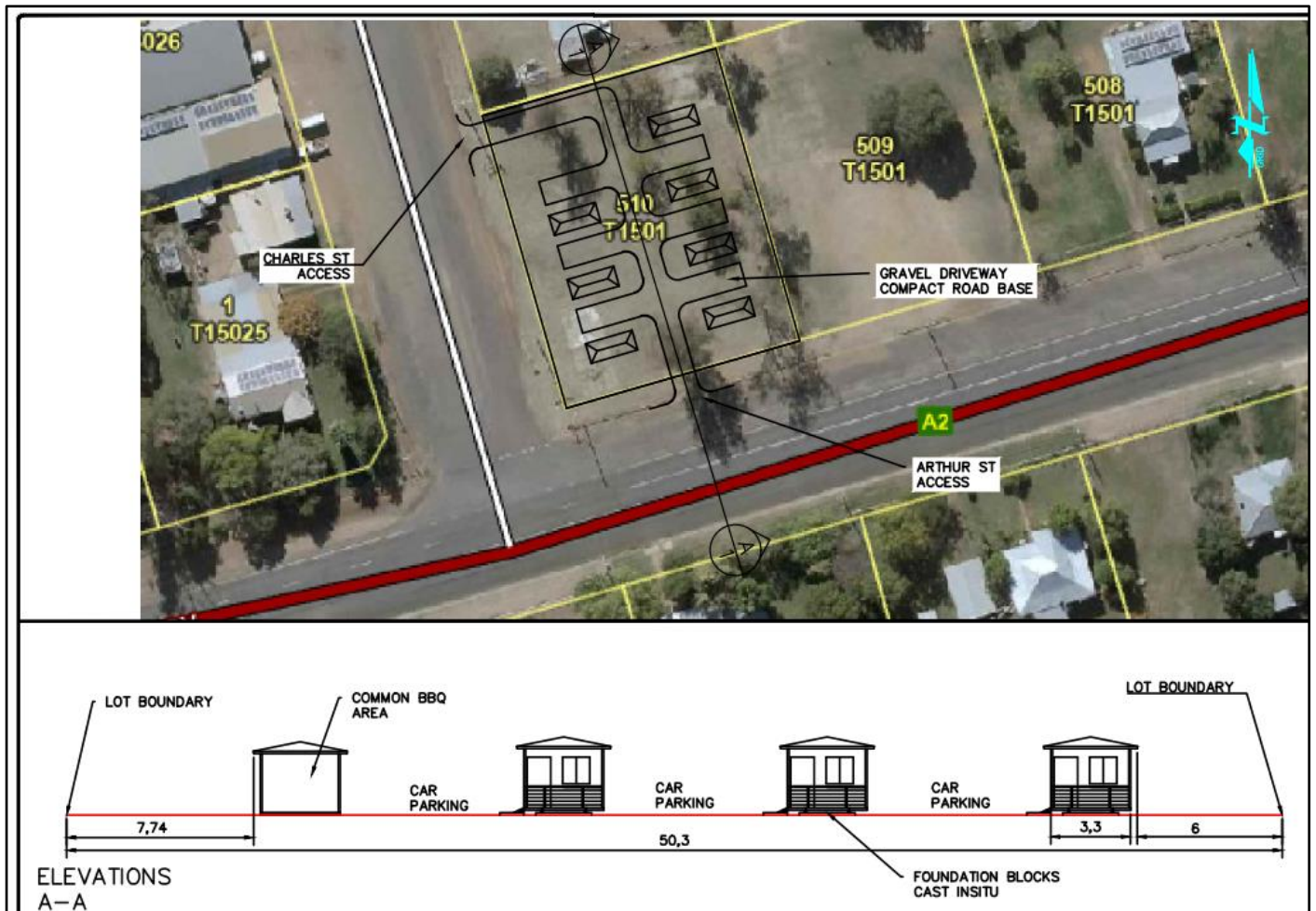
**Figure 2 – Site location** (Source: QLD Government Blackall-Tambo Planning Scheme mapping)

## 4.0 DESCRIPTION OF PROPOSAL

The proposal is for Short-term accommodation (6 units). Each unit will be self-contained and have an area of approximately 26m<sup>2</sup>. Each unit is transportable and does not require earthworks to create a building pad. The proposal also includes a common undercover BBQ area.

The site has an area of 2,023m<sup>2</sup>. The proposal includes access from both Arthur Street and Charles Street.

Attachment A provides a copy of the proposal plans referenced in the recommendation.



**Figure 3:** Site Layout (Source: Extract from approved plans)

## 5.0 PLANNING ASSESSMENT

In accordance with section 45 (5) of the *Planning Act 2016* (the Act), Impact Assessment is an assessment that:

- (a) **must be** carried out—
  - (i) against the assessment benchmarks in a categorising instrument for the development; and
  - (ii) having regard to any matters prescribed by regulation for this subparagraph; and
- (b) **may be** carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

*Examples of another relevant matter— a planning need*

This framework for assessing impact assessable applications is clarified as follows –

The categorising instrument for the development is the *Blackall-Tambo Region Planning Scheme 2020*. The entire planning scheme must be assessed as relevant to the application. In this instance, relevant assessment benchmarks are encompassed by the Strategic Framework, the Township Zone Code, General Development Code, and corresponding mapping and planning scheme policies. These benchmarks are addressed in section 5.2.



Where a conflict may be evident between the application and above assessment benchmarks, Council can consider any other relevant matter, such as planning need, to override the conflict and justify the non-compliance. This typically relates to matters that Council deems to be in the public interest, as opposed to personal circumstances.

The *Planning Regulation 2017* (sections 29-31) prescribes additional assessment benchmarks and other general assessment matters, which are addressed as follows:

The Central West Regional Plan and the State Planning Policy

The Regional Plan and SPP are identified as being appropriately integrated in the Planning Scheme and therefore do not require further assessment. The assessment of the proposal against the Planning Scheme in section 5.2 below also functions as an assessment of these State Planning Instruments.

The Local Government Infrastructure Plan

By Council resolution, there is no Local Government Infrastructure Plan in place for the Council Area and Council ceases to charge Adopted Infrastructure Charges for any new development. In turn, this assessment benchmark does not apply to the development and an Infrastructure Charges Notice does not form part of this recommendation.

Schedules 9 and 10 of the Planning Regulation

Schedule 9 relates to building work under the Building Act, which is not relevant to this application for material change of use but may be relevant to a subsequent building work application for the construction of the development.

Under Schedule 10, a referral to the State Assessment and Referral Agency (SARA) was required as the site is within 25m of a state transport corridor being Arthur Street (Landsborough Highway), which is a state-controlled road. The application was referred to SARA and on 5 October 2022, SARA issues a referral agency response with no requirements.

Approval history / lawful use of the premises and adjoining premises

The site is currently vacant.

While the approval history of adjoining premises has not been investigated in detail, a general understanding of existing surrounding uses has been considered in this planning assessment and has informed the recommendation with a view to ensuring a compatible land use pattern if the development is approved.

Common material

The application material and subsequent correspondence with Council officers and the applicant has been considered in the preparation of this recommendation.

The planning assessment of the development considers the above assessment benchmarks and matters to the extent that the assessment benchmark and matter is relevant to the development.

### **5.1.1 Public Notification**

The development application required Impact Assessment, which means public notification of the application was required. Public notification was undertaken by Council on behalf of the Applicant.

Two (2) properly made submissions were received during the public notification. The following table includes the issues raised and how they have been addressed:

Matter raised in submission	Response to matter raised
No issue with the development. Request that guests don't feed or complain about animals or destroy the fencing.	The applicant has been advised of the content of this submission. As this is a private matter, Council cannot impose a condition to address this matter.
Detracts from services provided within the commercial precinct of the Township.	The development is for six (6) Short-term accommodation units. It is not anticipated that this small-scale proposal will detract from other services provided in the Commercial precinct. It is anticipated that the proposal will allow additional Tourists to stay in town and support commercial uses in the township.
Does not complement the existing character of the area.	The proposed Short-term accommodation units will be of a similar form and scale of buildings in the locality through limiting the height to one storey. The units will also incorporate materials and features that are commonly used in nearby development, including the incorporation of a pitched roof and a balcony.
Will have an adverse impact on adjoining residential area particularly with the barbeque joining residential properties.	It is not anticipated that the barbeque area will unduly impact the surrounding residential properties. A condition has been included for a Site Management Plan to be developed for the site. The Site Management Plan requires measures to be included to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.
In future this sort of development outside the commercial precinct will lead to a reduced quality of accommodation experiences.	Council has assessed this application based on the assessment benchmarks contained within the Blackall-Tambo Region Planning Scheme 2020 and cannot comment on future scenarios.
This is a commercial venture and without management it is no way compatible or controllable with existing residential uses.	A condition has been included for a Site Management Plan to be developed for the site. The Site Management Plan requires measures to be included to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and



Matter raised in submission	Response to matter raised
	maintenance, complaints management and refuse management.
The adjoining residential uses will be impacted not only to privacy but to noise and lighting.	<p>A condition has been included for a Site Management Plan to be developed for the site. The Site Management Plan requires measures to be included to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.</p> <p>A condition has also been included to ensure all outdoor lighting is consistent with <i>AS4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting”</i>.</p>
The nominated barbeque area will overlook the living areas of adjoining residential uses.	<p>The barbeque area is an open structure that is limited to approximately 3m in height and will be setback approximately 8m from the closest residential boundary. A structure of this form and scale and is not expected to cause overlooking issues. Council has imposed a condition that requires landscaping to all boundaries, which will assist with any potential overlooking issues.</p>
With no onsite management hours of operation cannot be limited.	<p>A condition has been included for a Site Management Plan to be developed for the site. The Site Management Plan requires measures to be included to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.</p>
Shows no screening for waste disposal and servicing areas.	<p>A condition has been included that that requires a waste storage area to be provided that is screened from neighbouring properties and roads.</p>
Have the existing Boab trees been cleared of any cultural significance. As the overlayed plans seem to indicate some removal might be required.	<p>Although not protected vegetation, the application material indicates that the trees will be retained.</p>
There is no building code design or hydraulic design within the application	<p>A condition has been included that requires all stormwater to be dispersed to a lawful point of discharge as to ensure no nuisance for adjoining properties.</p>

Matter raised in submission	Response to matter raised
	A separate building approval will be required prior to the commencement of the use. The building application will be required to be assessed against the building code provisions.
Would not a building compliance be required or is the intent to put dongers on concrete blocks	A separate building approval will be required prior to the commencement of the use. The building application will be required to be assessed against the building code provisions.
We see no mention of the Tambo Caravan Park for other accommodation in the Proposal which would not complement that existing service or it's intended use.	The applicant is not required to describe or note surrounding uses.  Council has assessed this application based on the assessment benchmarks contained within the Blackall-Tambo Region Planning Scheme 2020.
We believe to approve Short Term Accommodation in the Township zoning will create a precedent where the entire Township could be open to short term accommodation applications which is not in the Public Interest nor the intent of the current town plan	Council has assessed this application based on the assessment benchmarks contained within the Blackall-Tambo Region Planning Scheme 2020 and cannot comment on future scenarios.  Applications are assessed on merit and on a site by site basis.
The applicant notes Oakwood House as an approved-existing short-term accommodation, we are not aware of that one when was it approved?	Council does not have any record of a development application for the property known as Oakwood House. Council will be required to advise the operator that they will need to seek a development approval for Short-term accommodation.

### 5.1.2 Internal Officer Comments

The application was not internally referred as the site is able to be serviced by all urban services.

## 5.2 BLACKALL-TAMBO REGION PLANNING SCHEME 2020

Under the Planning Scheme the development constitutes a Material Change of Use, which is defined in the Planning Act as:

- d) the start of a new use of the premises;**
- e) the re-establishment on the premises of a use that has been abandoned;*
- f) a material increase in the intensity or scale of the use of the premises.*

The establishment of Short-term accommodation will result in the start of a new premises on the site. Short-term accommodation is defined below:

### Short-term accommodation:

*(a) means the use of premises for—*

- (i) *providing accommodation of less than 3 consecutive months to tourists or travellers; or*
  - (ii) *a manager's residence, office, or recreation facilities for the exclusive use of guests, if the use is ancillary to the use in subparagraph (i); but*
- (b) does not include a hotel, nature-based tourism, resort complex or tourist park.*

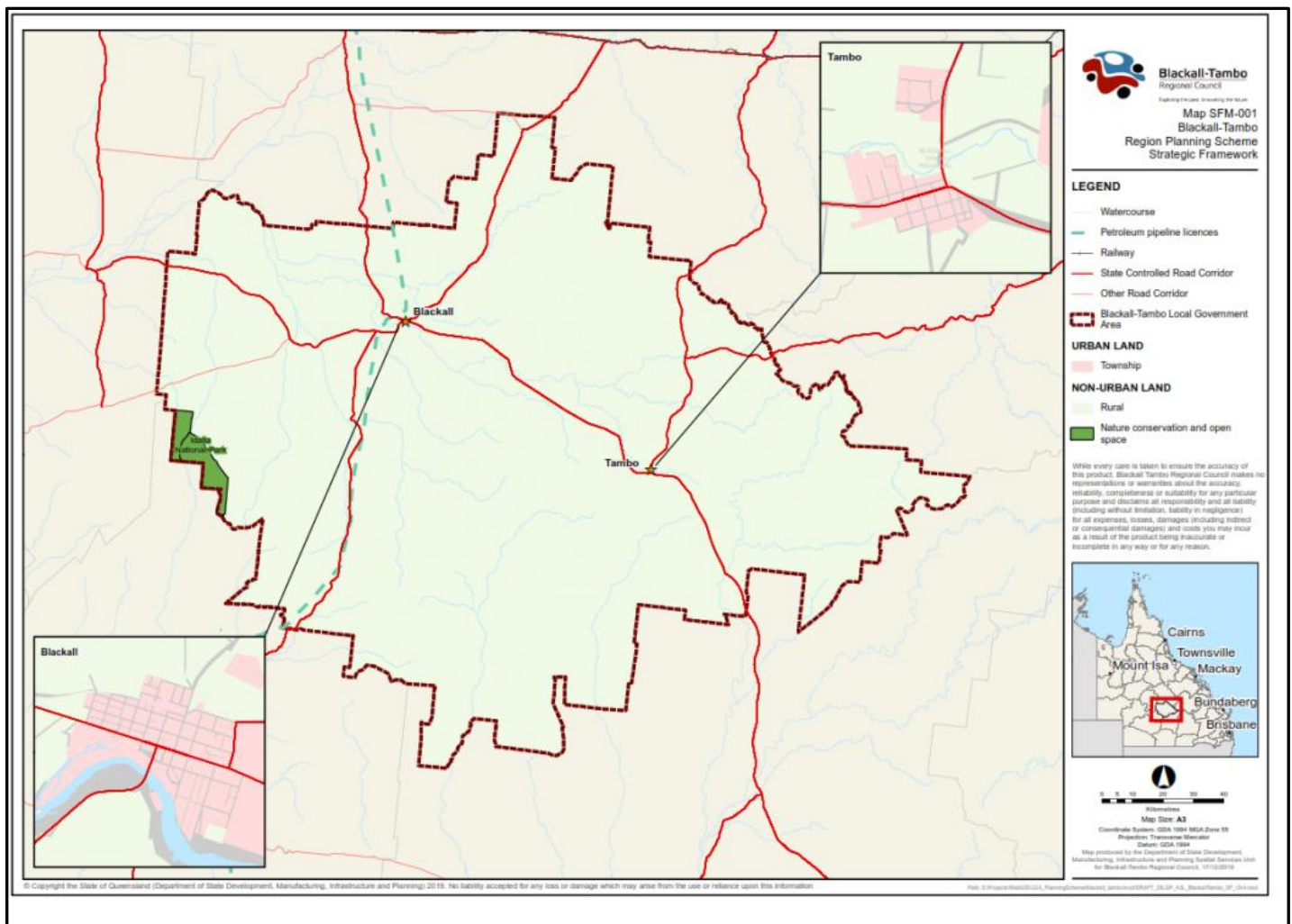
*In accordance with Table 4.4.1 of the Planning Scheme, Short-term accommodation in the Township Zone is subject to Impact Assessment, where not involving the reuse of an existing building.*

In accordance with Table 4.5.1 of the Planning Scheme, the relevant assessment benchmarks for the development application is the Planning Scheme. When assessing this application, particular consideration has been given to the following assessment benchmarks:

- Strategic Framework
- Township Zone Code
- General Development Code

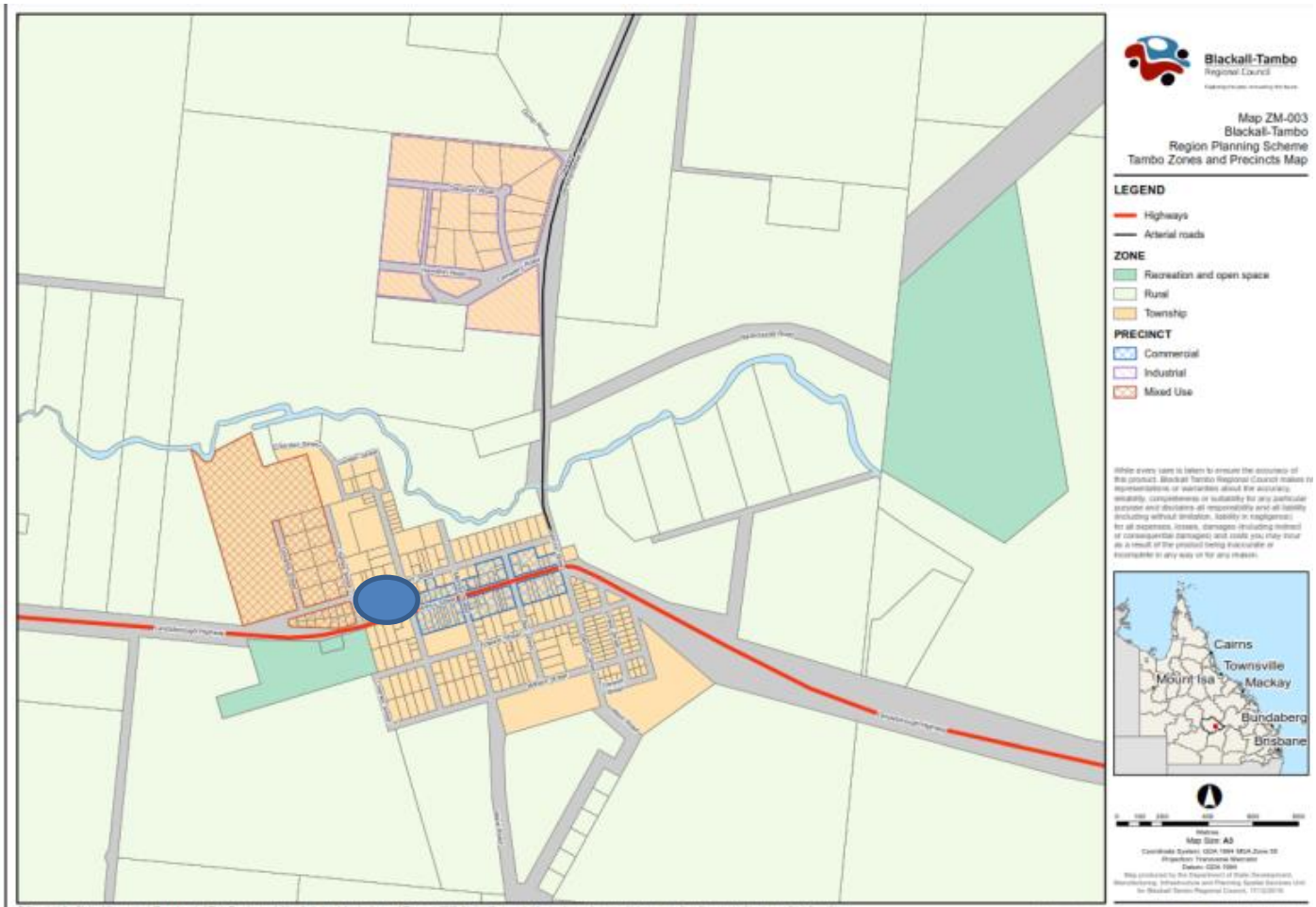
### **5.2.1 Assessment of Strategic Framework**

The Strategic Framework sets the policy direction for the Planning Scheme. As per the Strategic Framework Map in Figure 5, the subject site is designated as 'Urban Land', being within the township area (coloured pink) of Blackall.



## Township Zone Code

The site is located in the Township Zone, as shown on the Zone Map for Tambo in Figure 5.



**Figure 5:** Site (denoted in blue) located within Township Zone (Source: Blackall-Tambo Regional Planning Scheme)

The development complies or can be conditioned to comply with the purpose, performance criteria and acceptable solutions of the Township Zone Code. In particular:

- The Purpose of the Township zone allows for tourist attractions and short-term accommodation, if appropriate for the area. The proposal is considered appropriate for the area due to the diverse nature of surrounding uses
- Conditions have been imposed to ensure any impacts associated with the Short-term accommodation are appropriately managed
- The proposal will not compromise the safety or efficiency of the local road network
- The development is of a reasonable scale and will be consistent with built form in the locality, through limiting the height to one storey, incorporation of a pitched roof and a balcony
- With the imposition of conditions, the development will not cause adverse impacts on residential amenity in terms of privacy, safety, noise, odour and fumes, lighting and traffic generation
- The development will provide accommodation that is of a reasonable standard
- A condition has been included to ensure waste disposal areas are screened



- Conditions have been included to manage any impacts, including the provision of a Site Management Plan which will manage operational aspects of the development.

### **General Development Code**

The development complies or can be conditioned to comply with the purpose, performance criteria and acceptable solutions of the General Development Code. In particular:

- The site cover is below the permitted 50%
- The proposal provides setbacks that can comply with QDC requirements
- A condition has been included to ensure landscaping is provided to all boundaries. The landscaping is particularly important on the northern boundary to reduce any potential impact from the BBQ area
- The units include windows and a balcony to both Charles Street and Arthur Street allowing for causal surveillance
- The proposal provides sufficient carparking for the scale of development. The proposal is required to provide 6 car spaces in total, which it does
- The proposed access points to the site will be provided in accordance with Council standards
- The development will be able to connect to reticulated water and sewer as well as telecommunications and electricity services
- A condition has been included to manage stormwater to ensure it is conveyed to a lawful point of discharge
- The site is not impacted by flooding
- The site is not located within a Bushfire prone area.

In summary, this planning assessment demonstrates that the development is consistent with the relevant assessment benchmarks of the Planning Scheme. Conditions of approval reflect the elements of the assessment benchmarks to ensure on-going compliance in terms of land use, amenity and servicing.

## **6.0 CONCLUSION**

This Impact assessable Development Application for Development Permit for Material Change of Use for Short-term Accommodation (6 units) over land at 51 Arthur Street, Tambo, formally described as Lot 510 on T1501, is recommended for approval, subject to the conditions outlined in this report.

This recommendation is based on an assessment of the proposal in accordance with the Planning Act for applications requiring Impact assessment, which demonstrates the proposal's consistency with the Planning Scheme and other relevant assessment matters.

In accordance with the requirements for a decision notice under section 63 the Act, the notice must state the reasons for the decision. For this development, the statement of reasons, being the grounds for approval, will feature on the decision notice as follows:

- i) The Purpose of the Township zone allows for tourist attractions and short-term accommodation, if appropriate for the area. The proposal is considered appropriate for the area due to the diverse nature of surrounding uses
- j) Conditions have been imposed to ensure any impacts associated with the Short-term accommodation are appropriately managed
- k) The development is of a reasonable scale and will be consistent with built form in the locality, through limiting the height to one storey, incorporation of a pitched roof and a balcony

- l) The development will be able to connect to reticulated water and sewer as well as telecommunications and electricity services
- m) Development does not conflict with the State Planning Policy 2017 and Central West Regional Plan 2009.

**Attachments:**

DA05-2022-2023 Attachment A – Proposal Plan  
 DA05-2022-2023 Attachment B – SARA Referral Agency Response  
 DA05-2022-2023 Attachment C – Submissions  
 DA05-2022-2023 Attachment D – Submission Summary

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**Link to Corporate Plan**

Economic Development  
 Outcome 1 – Business Investment  
 Outcome 2 – Tourism  
 Outcome 4 – Land Development

**Consultation (internal/external)**

Chief Executive Officer  
 Town Planners  
 Rates Officer  
 Tambo Community

**Policy Implications**

Nil

**Budget and Resource Implications**

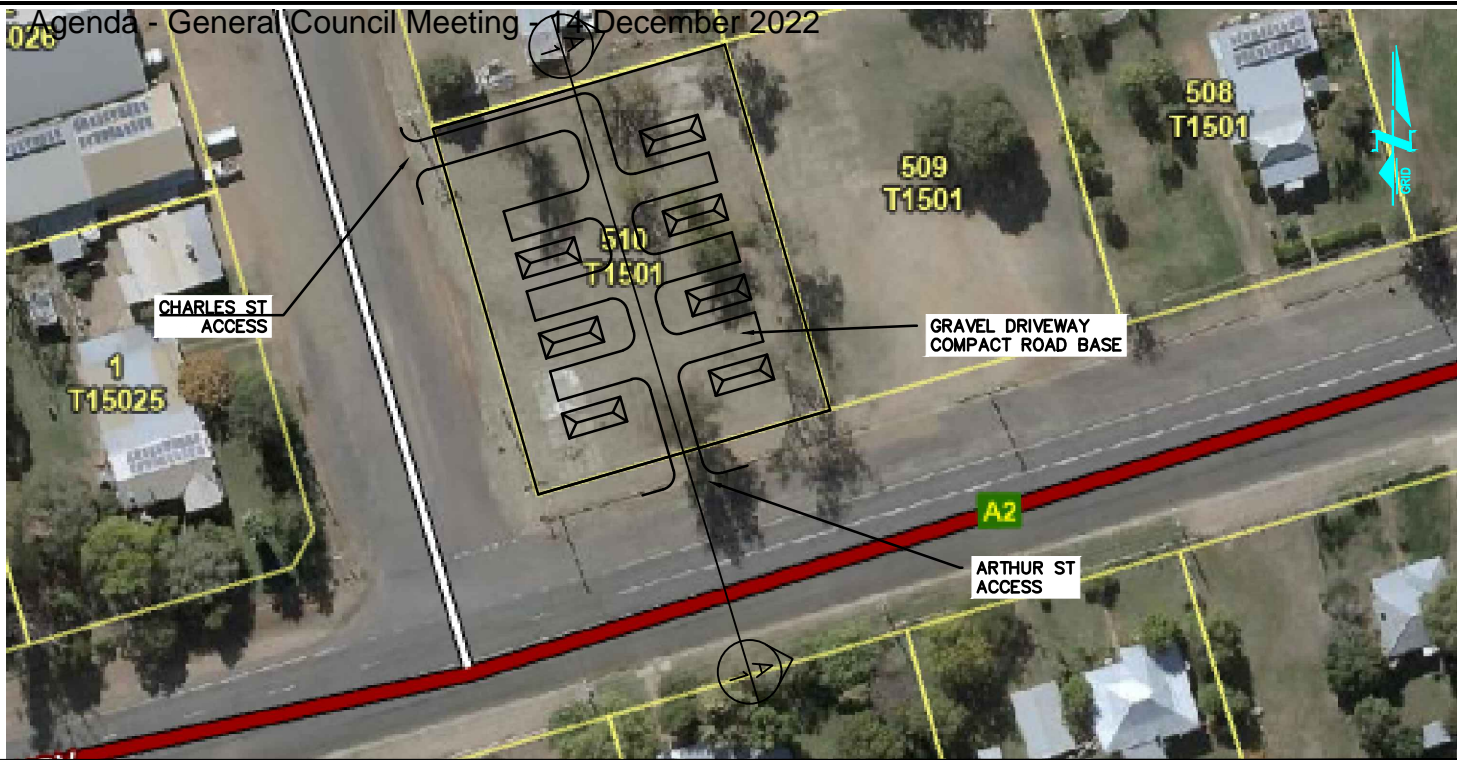
Nil

**Risk Assessment**

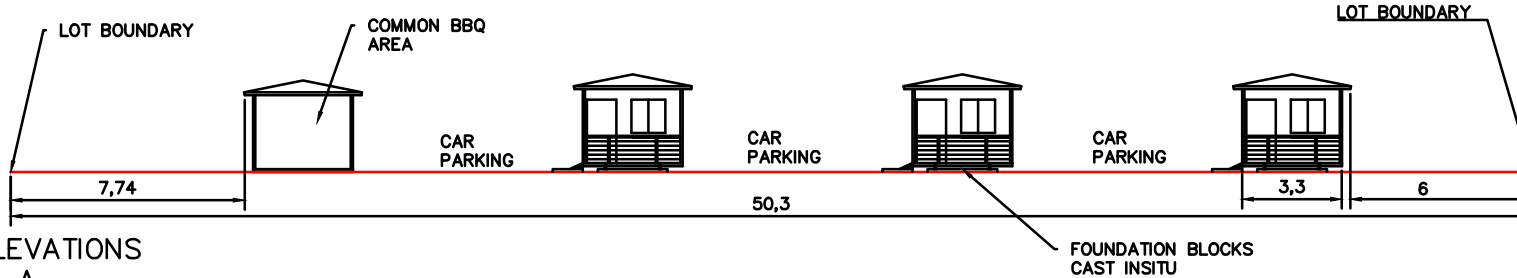
Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Financial	Low	Nil	Low
Legal & Regulatory	Low	The application has been assessed in accordance with the Planning Act and the Blackall-Tambo Planning Scheme.	Low
People	Low	Nil	Low
Operational	Medium	Nil	Low
Environmental	Medium	Nil	Low
Strategic	Medium	Nil	Low
Ethical	Low	The application has assessed against the relevant requirements and public notification was undertaken.	Low
Reputation	Low	Nil	Low
Leadership	Low	Nil	Low

**Risk Treatment**

Nil

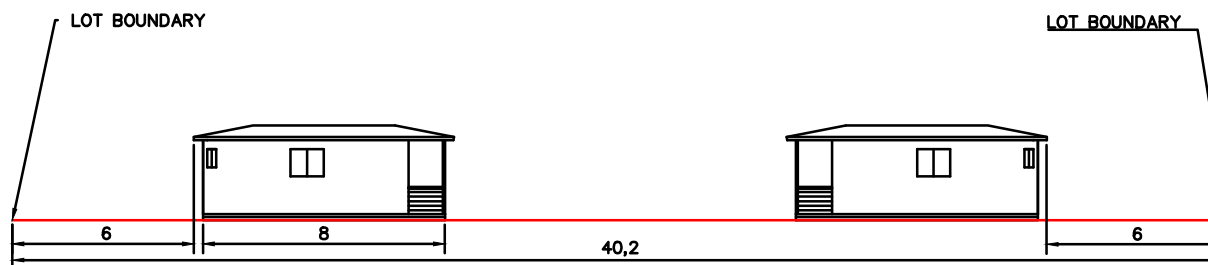


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ELEVATIONS  
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PROJECT TITLE  
**LOT 510 TAMBO  
SHORT TERM  
ACCOMMODATION**



ELEVATIONS  
ARTHUR ST

DRAWING TITLE  
**SITE PLAN AND  
ELEVATIONS**

CLIENT <b>BOTTLE TREE PASTORAL CO</b>		
SCALE	DATE <b>16:08:2022</b>	
PROJECT NO.	CAD FILE:	
DRAWING NO. <b>001</b>	REVISION <b>1</b>	NO. OF SHEETS <b>SHEET 1 OF 1</b>

RA9-N



SARA reference: 2209-31169 SRA

Council reference: DA05-2022-2023

5 October 2022

Chief Executive Officer  
 Blackall Tambo Regional Council  
 PO Box 21  
 Blackall Qld 4472  
 admin@btrc.qld.gov.au

Attention: Kathy Dendle

Dear Sir/Madam

## SARA response—51 Arthur Street, Tambo

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 26 September 2022.

### Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	5 October 2022
Advice:	Advice to the applicant is in <b>Attachment 1</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b> .

### Development details

Description:	Development permit	Material change of use for short-term accommodation (6 units)
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 9, division 4, subdivision 2, table 4 (Planning Regulation 2017)	
	Development application for a material change of use near a State transport corridor or that is a future State transport corridor	
SARA reference:	2209-31169 SRA	

Assessment Manager: Blackall Tambo Regional Council  
Street address: 51 Arthur Street, Tambo  
Real property description: 510T1501  
Applicant name: Josh and Denae Phelps  
Applicant contact details: Jynoomali, Langlo Rd  
Tambo QLD 4478  
jdpgrazing@gmail.com

State-controlled road access permit: This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Approved
- Reference: TMR22-037513
- Date: 05/10/2022

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at Gerard.j.arthur@tmr.qld.gov.au

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules).

Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Carl Porter, Principal Planning Officer, on 07 4924 2918 or via email RockhamptonSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh  
Manager Planning

cc Josh and Denae Phelps, annette@homesteadagri.com.au

enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations provisions  
Attachment 4 - S.62 *Transport Infrastructure Act 1994* decision notice



## Attachment 1—Advice to the applicant

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General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v3.0. If a word remains undefined it has its ordinary meaning.

## Attachment 2—Reasons for referral agency response

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(Given under section 56(7) of the *Planning Act 2016*)

### The reasons for SARA's decision are:

- The development is for short term accommodation (6 units).
- The site is located adjacent to a State-controlled road (SCR), being Arthur Street / the Landsborough Highway.
- The site is adjacent to a local road (Charles Street) and in proximity to the intersection with the SCR.
- The development is unlikely to have any detrimental impacts on the intersection or state-controlled road.
- The development complies with State code 1: Development in a state-controlled road environment.

### Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 3.0)
- The Development Assessment Rules
- SARA DA Mapping system

## **Attachment 3—Change representation provisions**

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## **Attachment 4— S.62 *Transport Infrastructure Act 1994* decision notice**

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30<sup>th</sup> October 2022



Blackall-Tambo Regional Council

PO Box 21, Blackall QLD 4472.

Dear Sir / Madam,

Having received the Public Notice of Application for the block adjoining to ours, we have no issues with this.

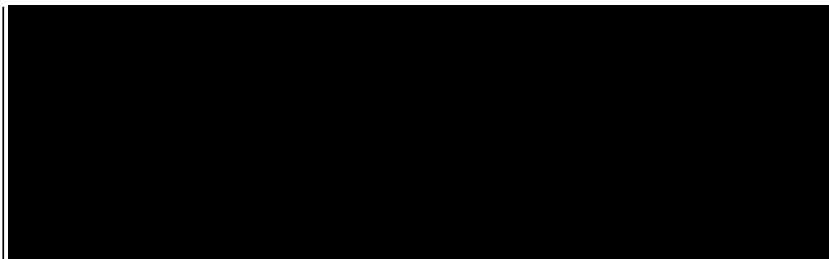
Our only concern is that we have livestock as in pet sheep. These were here prior to the block being purchased and asked that they not complain about or feed these animals or destroy the fencing.

Failing that all is fine on our behalf and thank you for the notification on 11<sup>th</sup> October 2022.

If you need to contact on



Yours sincerely,





**Sent:** Tuesday, 1 November 2022 5:48 PM

**To:** Des Howard <[ceo@btrc.qld.gov.au](mailto:ceo@btrc.qld.gov.au)>; Kathy Dendle <[rates@btrc.qld.gov.au](mailto:rates@btrc.qld.gov.au)>

**Subject:** Opposing approval of Development Application - DA 05-2022-2023

**CAUTION:** This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

CEO / Planning- Blackall Tambo Regional Council - 1/11/2022.

We are opposing the approval of the above Development Application in what we believe, with the following points.

Detracts from services provided within the commercial precinct of the Township.  
Commercial development being in Arthur Street between Barcoo and Garden Streets.

Assessment benchmarks for Township zone:

PO1 -

B. Does not compliment the existing character of the area.

C. Will have an adverse impact on adjoining residential area particularly with the barbeque joining residential properties.

D. Accommodation vacancy rate within the Tambo commercial precinct within the last 18 months has been extremely high(along with the rest of Queensland) due to the global effects, which we are now seeing to start to balance.

The previous years prior to Covid 2015-2020 showed most of the accommodation within the township struggling with occupancy.

In future this sort of development outside the commercial precinct will lead to a reduced quality of accommodation experiences.

PO3-

This is a commercial venture and without management it is no way compatible or controllable with existing residential uses. AO20 how would the control of the hours of operation be managed.

PO4 -

The adjoining residential uses will be impacted not only to privacy but to noise and lighting.

The nominated barbeque area will overlook the living areas of adjoining residential uses. AO3-2 noted shaded common barbeque area.

PO8-

With no onsite management hours of operation cannot be limited.

PO10-

I don't believe has been answered or described.

PO22-

Shows no screening for waste disposal and servicing areas.

General and in Public Interest.

The property is within the township zone.

Cabin parks are a commercial venture .

Cabin parks have late arrivals/early departing/as the application is promoting camp drafts-more street vehicles/animals/more guest visitors to Barbeque area how would this be suitable in a residential area. No employment details to the town's permanent economic improvement.

No vehicle covers as a requirement, short term accommodation, one covered space per guest room, 1 additional space per 30 sq meters of gross dining area (barbeque area) and one space per employee. Have the existing Boab trees been cleared of any cultural significance. as the overlayed plans seem to indicate some removal might be required. PO25

I do not believe PO7 has been answered correctly.

Was the site ever on the EPA register contaminated site, if so, has the clearance been provided.

There is no building code design or hydraulic design within the application.

The cost of building(as in strategic framework offer) 6 cabins as described at present market value is \$50,000 per cabin, with external works, total building works would be excess \$400,000 would not a building compliance be required or is the intent to put dongers on concrete blocks.

We see no mention of the Tambo Caravan Park for other accommodation in the Proposal which would not complement that existing service or it's intended use.

As at our Core Business being Builders /Developer's and Trade Contractors, it is in our interest not to oppose development but we have also seen development(of little detail) that is not correct and approved( if lost in appeal) generate unwanted changes to townships.

As we are transparent by nature, we have an interest in a short-term cabin site(adjacent Mill Motel and old tyre shop- 42 Arthur street) within the Commercial precinct , we had design competed 2018-2019 when constructed our intent was to hand management over to the new owners of the Mill Motel at the time, sadly Anthony passed away young and we have delayed proceeding until present considering the covid event in-between.

One of the most wanted important measures a regional council could achieve in the future is affordable residential house , not short-term accommodation in residential areas.

We believe to approve Short Term Accommodation in the Township zoning will create a precedent where the entire Township could be open to short term accommodation applications which is not in the Public Interest nor the intent of the current town plan.

At present there is a move in Queensland against air BnB's and short-term accommodation by councils in residential areas to help with the Housing crisis.

The applicant notes Oakwood House as an approved-existing short-term accommodation, we are not aware of that one when was it approved?

Our experience extends back to the relocation of 180 homes (the entire Amberley Airforce Base Accommodation Houses) in 1999-2000 some of which when to Tambo.

[REDACTED]

### Attachment D - Submission Summary

Two (2) properly made submissions were received during the public notification. The following table includes the issues raised and how they have been addressed:

Matter raised in submission	Response to matter raised
No issue with the development. Request that guests don't feed or complain about animals or destroy the fencing.	The applicant has been advised of the content of this submission. As this is a private matter, Council cannot impose a condition to address this matter.
Detracts from services provided within the commercial precinct of the Township.	The development it is for six (6) Short-term accommodation units. It is not anticipated that this small-scale proposal will detract from other services provided in the Commercial precinct. It is anticipated that the proposal will allow additional Tourists to stay in town and support commercial uses in the township.
Does not complement the existing character of the area.	The proposed Short-term accommodation units will be of a similar form and scale of buildings in the locality through limiting the height to one storey. The units will also incorporate materials and features that are commonly used in nearby development, including the incorporation of a pitched roof and a balcony.
Will have an adverse impact on adjoining residential area particularly with the barbeque joining residential properties.	It is not anticipated that the barbeque area will unduly impact the surrounding residential properties. A condition has been included for a Site Management Plan to be developed for the site. The Site Management Plan requires measures to be included to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.
In future this sort of development outside the commercial precinct will lead to a reduced quality of accommodation experiences.	Council has assessed this application based on the assessment benchmarks contained within the Blackall-Tambo Region Planning Scheme 2020 and cannot comment on future scenarios.

<p>This is a commercial venture and without management it is no way compatible or controllable with existing residential uses.</p>	<p>A condition has been included for a Site Management Plan to be developed for the site. The Site Management Plan requires measures to be included to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.</p>
<p>The adjoining residential uses will be impacted not only to privacy but to noise and lighting.</p>	<p>A condition has been included for a Site Management Plan to be developed for the site. The Site Management Plan requires measures to be included to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.</p> <p>A condition has also been included to ensure all outdoor lighting is consistent with <i>AS4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting”</i>.</p>
<p>The nominated barbeque area will overlook the living areas of adjoining residential uses.</p>	<p>The barbeque area is an open structure that is limited to approximately 3m in height and will be setback approximately 8m from the closest residential boundary. A structure of this form and scale and is not expected to cause overlooking issues. Council has imposed a condition that requires landscaping to all boundaries, which will assist with any potential overlooking issues.</p>
<p>With no onsite management hours of operation cannot be limited.</p>	<p>A condition has been included for a Site Management Plan to be developed for the site. The Site Management Plan requires measures to be included to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.</p>

Shows no screening for waste disposal and servicing areas.	A condition has been included that that requires a waste storage area to be provided that is screened from neighbouring properties and roads.
Have the existing Boab trees been cleared of any cultural significance. As the overlayed plans seem to indicate some removal might be required.	Although not protected vegetation, the application material indicates that the trees will be retained.
There is no building code design or hydraulic design within the application	<p>A condition has been included that requires all stormwater to be dispersed to a lawful point of discharge as to ensure no nuisance for adjoining properties.</p> <p>A separate building approval will be required prior to the commencement of the use. The building application will be required to be assessed against the building code provisions.</p>
Would not a building compliance be required or is the intent to put dongers on concrete blocks	A separate building approval will be required prior to the commencement of the use. The building application will be required to be assessed against the building code provisions.
We see no mention of the Tambo Caravan Park for other accommodation in the Proposal which would not complement that existing service or it's intended use.	<p>The applicant is not required to describe or note surrounding uses.</p> <p>Council has assessed this application based on the assessment benchmarks contained within the Blackall-Tambo Region Planning Scheme 2020.</p>
We believe to approve Short Term Accommodation in the Township zoning will create a president where the entire Township could be open to short term accommodation applications which is not in the Public Interest nor the intent of the current town plan	<p>Council has assessed this application based on the assessment benchmarks contained within the Blackall-Tambo Region Planning Scheme 2020 and cannot comment on future scenarios.</p> <p>Applications are assessed on merit and on a site by site basis.</p>
The applicant notes Oakwood House as an approved-existing short-term accommodation, we are not aware of that one when was it approved?	Council does not have any record of a development application for the property known as Oakwood House. Council will be required to advise the operator that they will need to seek a development approval for Short-term accommodation.



**BLACKALL-TAMBO REGIONAL COUNCIL**[Return to Agenda](#)[Next Item](#)**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.11

**SUBJECT HEADING: Relocation of the Tambo Library and Visitor Information Centre to the Grassland Building**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

*Summary: Council decided at the 20 July 2022 meeting to continue consultation with the Tambo Arts Council regarding the possible relocation of the Tambo Library and Visitor Information Centre to the Grassland Gallery building. The consultation with the Tambo Arts Council will continue.*

**Officer's Recommendation: That Council:**

- 1. approves of the relocation of the Tambo Library and Visitor Information Centre to the Grassland building; and**
- 2. authorises the Chief Executive Officer to commence the process of the relocation of the Tambo library and Visitor Information Centre.**

**Background**

Council was provided with a report at the 20 July 2022 meeting where it was proposed to move the Tambo Library and Visitor Information Centre (VIC), which are currently located in the Old Courthouse, to the Grassland building. Both buildings are owned by Council.

The following was resolved at the meeting:

*Moved: Cr LP Russell**Seconded: Cr BP Johnstone*

*That Council continues consultation with the Tambo Arts Council regarding possible relocation of the Tambo Library and Visitor Information Centre to the Grassland Gallery building.*

*Minute No. 10/07A/22**Carried 6/0*

The Mayor and Chief Executive Officer have continued to consult with the Tambo Arts Council.

Since the 20 July meeting the adjoining shop, which is also owned by Council, has become vacant. The proposal is to undertake minor building work to enable the flow of customers from the entry foyer to the previously tenanted shop which will be refurbished as the library. This will provide a modern and spacious area for the library.

Moving the Library and VIC to the Grassland building will mean the Grassland building will be manned consistently during normal Council business hours. Tourists will be centrally located in Tambo which will be beneficial to the local businesses.

The Courthouse would be restored to replicate a court session and provide another point of interest for visitors to the region.

**Link to Corporate Plan**

Infrastructure

## Outcome 5 – Council Buildings

**Consultation (internal/external)**

Tambo Arts Council

Councillors

Chief Executive Officer

Director of Finance Corporate and Community Services

Council Officers

**Policy Implications**

Nil

**Budget and Resource Implications**

\$50,000 estimated cost

**Risk Assessment**

Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Financial	Low	Cost for minor alterations.	Low
Legal & Regulatory	Low	Nil	Low
People	Low	Nil	Low
Operational	Medium	Moving the library and VIC would be a more efficient use of Council's resources.	Low
Environmental	Medium	Nil	Low
Strategic	Medium	Nil	Low
Ethical	Low	Nil	Low
Reputation	Low	Consultation has been conducted with the Tambo Arts Council.	Low
Leadership	Low	Nil	Low

**Risk Treatment**

Nil

**BLACKALL-TAMBO REGIONAL COUNCIL**[Return to Agenda](#)**OFFICER REPORTS**

COUNCIL MEETING DATE: 14 December 2022

Item No: 5.12

**SUBJECT HEADING: Queensland Music Trails 2023 Proposal**

Author and Officer's Title: Des Howard, Chief Executive Officer

CLASSIFICATION: (if confidential)

*Summary: Queensland Music Festival have provided a proposal for a Queensland Music Trails 2023 event for Blackall-Tambo.*

**Officer's Recommendation: That Council supports/does not support the Queensland Music Trails 2023 event.**

**Background**

At the 26 October 2022 general meeting Council resolved the following:

*That Council in principle support the Queensland Music Festival's Outback Music Trail in 2023 subject to more information.*

*Moved: Cr AL Martin  
Minute No. 21/10A/22*

*Seconded: Cr BP Johnstone  
Carried 7/0*

Council officers held a videoconference with representatives of Queensland Music Festival (QMF) on 24 November 2022 and subsequently a proposal has been provided for Council's consideration.

The Queensland Music Trails are drivable regional itineraries of music events, interspersed with other local tourism experiences along the way. The concept is for people to register for the Music Trail and travel together experiencing the places on the trail, a camping experience and learning campfire songs.

The proposal contains the following:

- QMF would like to partner with Blackall-Tambo Regional Council to stage an event in 2023 that is planned to build into a signature annual event.
- QMF are requesting a cash contribution of \$5000.00 (plus GST) for 2023 and have advised the request for the 2024 event will be \$10,000.00 (plus GST). They also request support through in-kind.
- The area behind the Tambo Hall is proposed as the venue for the 2023 event.
- QMF estimate attendance of between 400 and 600.
- Free event for local and Trail-goers.

**Link to Corporate Plan**

Economic Development  
Outcome 2 - Tourism

**Consultation (internal/external)**

Queensland Music Festival  
Mayor  
Chief Executive Officer

Director of Finance Corporate and Community Services  
Customer Service Officer

### Policy Implications

Request for Council Assistance Under \$10,000 Policy

### Budget and Resource Implications

\$5,500.00 plus in-kind

### Risk Assessment

Risk Category	Risk Tolerance	Summary of Risks Involved	Risk Rating
Financial	Low	There are funds available through the Neighbourhood Centre and the event is within the guidelines of the Department of Communities funding.	Low
Legal & Regulatory	Low	Nil	Low
People	Low	Nil	Low
Operational	Medium	The event will require in-kind support from Council.	Low
Environmental	Medium	Nil	Low
Strategic	Medium	Nil	Low
Ethical	Low	Nil	Low
Reputation	Low	Nil	Low
Leadership	Low	Nil	Low

### Risk Treatment

Clarification needs to be provided on future commitments required by Council.