



# Agenda

## Ordinary Meeting

**Tuesday, 4 July 2023**

**Time: 9.15 am**  
**Location: Council Chambers**  
**82 Brisbane Street**  
**BEAUDESERT QLD 4285**





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**Scenic Rim Regional Council**  
**Ordinary Meeting**  
**Tuesday, 4 July 2023**  
**Agenda**

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- 2 Attendance and requests for leave of absence**
- 3 Apologies**
- 4 Prayers**
- 5 Declarations of Prescribed or Declarable Conflict of Interest by Members**
- 6 Announcements / Mayoral Minutes**
- 7 Reception of Deputations by Appointment / Presentation of Petitions**
- 8 Confirmation of Minutes**
  - Special Meeting - 19 June 2023
  - Ordinary Meeting - 20 June 2023
- 9 Business Arising from Previous Minutes**

## **10 Consideration of Business of Meeting**

### **Customer & Regional Prosperity**

#### **10.1 Register of Active Grants and Subsidies**

**Executive Officer:** General Manager Customer and Regional Prosperity

**Item Author:** Special Projects Officer

**Attachments:** Nil

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#### **Executive Summary**

This report provides an overview of the level of administration required and risks associated with keeping the Register of Active Grants and Subsidies (the Register) accurate and current on the Council website. Information regarding alternative channels for the public to access this type of information is outlined in the report.

The report seeks to obtain support to no longer publish the Register on Council's website based on the reasons outlined.

#### **Recommendation**

That:

1. Council acknowledge adequate and relevant information on external grants and subsidies received by Council is provided via several channels such as, Council's Annual Report, Ordinary Meeting reports, 'Let's Talk Scenic Rim', media releases and social media platforms; and
2. Council endorse ceasing the labour-intensive publication of the Register of Active Grants and Subsidies on Council's website.

#### **Previous Council Considerations / Resolutions**

At the Ordinary Meeting held on 3 August 2021, it was resolved that:

1. Council adopt its first register of Active Grants and Subsidies, current as at 23 July 2021, that lists programs funded by Queensland Government, jointly funded by the Queensland and Australian Governments, and funded by the Australian Government;
2. Council publish the register of Active Grants and Subsidies on Council's website and note the register will be updated and presented to Council on a six-monthly basis, and updated on the Council's website, as required; and
3. Council acknowledge the preparation and publishing of the Register supports Council's deliberate strategy and ongoing commitment to being open and transparent, and ensures the community has clarity and an understanding of current grant and subsidy funded programs.

**Report / Background**

In August 2021, a register of all grants and subsidies received by Council from external bodies was developed and published on Council's website. The intention of publishing a register of these grants and subsidies was to provide the public with a list of active grants and subsidies at a program level with a list of projects that sit within each particular program and the amount of funding for each program.

The Register has been updated every six months, or as required, and although it appears to be a relatively easy task, that is not the case. Maintaining the Register is a labour intensive administrative process.

Council receives grants and subsidies from the Queensland Government, jointly funded by the Queensland and Australian Government, and grants funded by the Australian Government for approved Council projects. Each of these funding bodies and grant programs have different and complex schedules, including strict media and reporting protocols. Additionally, a grant program can run over a number of years with several funding rounds per program. This makes it difficult to accurately report on the status of grants from a program level in a simple format for the public to understand.

During the funding period costs, commitments, scope and even projects can change as risks are encountered and mitigated. Projects by nature change as they progress through their phases, especially ones with the scope and size of some of Councils. These changes may be challenging to report in a timely manner and can be confusing for the public to comprehend and are really only relevant to the Funding Body based on the executed Funding Agreements.

Council is under embargoed restrictions and must wait to announce successful grants until the funding body has made an announcement. Furthermore, Council cannot formally confirm successful grant funding until the funding agreement is fully executed, which can take several months and can be confusing as the public may be aware of a grant months before Council can confirm it.

The other issue identified is that publishing the funds available for the delivery of projects has the potential of undermining achieving the best possible pricing when projects go to tender or request for quote. With the available funds known publicly, the tender prices and quotes tend to come in with the exact value of the funds available. This does not necessarily present the best value for money.

The identified challenges mentioned above pose a certain level risk to Council to ensure the reporting remains accurate and current.

Research has been undertaken with other councils, revealing that no other councils report on externally funded grants at this level or this type of format.

Statistical information was collected on how many clicks were made on Council's website to the Register with the following results:

- From August 2021 (when first published) to April 2023 - total of 120 clicks; and
- From January 2022 to December 2022 - total of 25 clicks.

It is important to note that once the Register is removed from the website, this does not mean the public will lose access to information regarding external grant projects and funding amounts. There is a regulatory requirement that grants and subsidies are reported on as revenue in the financial statements of Council's Annual Report. They are located in Council's Annual Reports sections of Capital and Operating, depending on the grant, as well as throughout the report highlighting some key projects delivered from grant funding (including Council contributions to co-funded projects).

'Let's Talk Scenic Rim' also provides information on many of Council's large grant funded projects. Additionally, several project updates are released via the media, social media posts and Ordinary Meeting reports. It is considered that these channels combined, provide a more informative result and a deeper understanding on actual project delivery for the community.

Based on the rationale and information provided in this report, it is considered that removing the Register of Active Grants and Subsidies from Council's website will not impact the community's understanding of grant-funded projects or compromise on any level of transparency by Council.

### **Budget / Financial Implications**

There is limited impact on Council's budget, however it is a labour-intensive process using officer time that could be better invested in applying for grants. It should be noted that grants, as required by regulation, are reported in Council's Annual Report, which is in line with other councils.

### **Strategic Implications**

#### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: The provision of services that align to the current and long-term (20 year) service level requirements of the Scenic Rim community

#### *Legal / Statutory Implications*

Section 104(5)(b)(iii) of the *Local Government Act 2009* provides that a system of financial management established by a local government must include an annual report prepared for the local government.

Section 104(5)(b)(i) of the *Local Government Act 2009* provides that a system of financial management established by a local government must include the general purpose financial statements prepared for the local government.

Section 176 of the *Local Government Regulation 2012* requires the financial statements of a local government to contain the following statements:

1. a general purpose financial statement;
2. a current-year financial sustainability statement;
3. a long-term financial sustainability statement.

### **Risks**

#### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR51 Ineffective, inaccurate and/or inappropriate communication and relationship/stakeholder management impacting Council's ability to fulfil its strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership  There is a reputational risk should Council inadvertently publish in accurate information	3 Moderate	Unlikely	Low	Do not publish the Register on Council's website.	Low

**Consultation**

Consultation to develop this report was undertaken with General Manager, Customer and Regional Prosperity, Special Projects Officer, Customer and Regional Prosperity and Council's Grant Officer, Customer and Regional Prosperity.

**Conclusion**


The report seeks to cease the publication of Council's Register of Active Grants and Subsidies on Council's website. There are adequate alternative channels for the community to access information on grants received by Council and the projects the grants will deliver.

**10.2 Flying-fox Roost Management Planning - Beaudesert and Canungra**

**Executive Officer:** General Manager Customer and Regional Prosperity

**Item Author:** Principal Specialist Biodiversity and Climate Change

**Attachments:**

1. Canungra Creek Lions Park Flying-fox Roost Management Plan [↓](#) 
2. Beaudesert Lions Bicentennial Park Flying-fox Roost Management Plan [↓](#) 

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**Executive Summary**

Flying-fox management presents a challenge for local governments in delivering a balance of community and conservation outcomes within the region. When planning flying-fox management, local governments need to consider a variety of circumstances including impact, conflict and risk in developing a sensible and achievable approach.

During peak events throughout 2019, 2021 and 2022, Council has received multiple complaints regarding two high conflict flying-fox roosts located in Beaudesert and Canungra. Each roost has experienced an influx of in excess of 20,000 individuals during peak periods with flying-fox impacts such as noise and odour increasing human/flying-fox conflict

In an endeavour to develop appropriate management actions, Council applied for funding, and was successful, under Round 2 (Stream 2) of the Flying-Fox Roost Management Local Government Grants Program during 2022. The funding sought to provide Council with \$20,000 to develop long-term roost management plans and associated implementation actions for two high-conflict sites located in Canungra and Beaudesert.

During the last 12-months Council has been working with affected residents and expert ecologists in flying-fox behaviour to develop two roost management plans.

The development of these plans has occurred in co-ordination with the development a new whole-of-Council Regional Flying-fox Management Plan, which is anticipated for release for public consultation during July/August 2023.

Due to overwhelming requests for response to the high-conflict sites as well as small window for management actions during winter periods, priority has been given to the development of the roost management plans. It is anticipated that the Roost Management Plans for the Beaudesert and Canungra roosts will be provided for public consultation through Council's 'Let's Talk Scenic Rim' during June/July.



**Recommendation**

That:

1. Council adopt the Canungra Creek Lions Park Flying-fox Roost Management Plan for a pilot period of six months with the intent to undertake time critical works in the meantime.
2. Council adopt the Beaudesert Lions Bicentennial Park Flying-fox Roost Management Plan pilot period of six months with the intent to undertake time critical works in the meantime.
3. Council note the intent is to undertake further community consultation for each Roost Management Plan in conjunction with consultation for the Scenic Rim Regional Council Flying-fox Management Strategy.

**Previous Council Considerations / Resolutions**

On 1 May 2015, Council endorsed the Scenic Rim Regional Council Flying-fox Strategy.

**Report / Background**

Currently a total of 14 known roosts exist across the Scenic Rim region. These sites consist of variety of seasonal and permanent camps located in a variety of locations including Witheren, Tamborine Mountain, Beaudesert and Canungra. Each roost site is individual, often containing varying levels of conflict and risk associated with the type and number of species as well as adjoining land uses. These differences create challenges for creating well considered flying-fox management actions that achieve conservation outcomes while managing community conflicts and expectations.

During the last 12-months Council has been working with affected residents and expert ecologists in flying-fox behaviour to develop two roost management plans.

All species of flying-fox in Queensland are protected under the *Nature Conservation Act 1992* (NCA). Under the *Nature Conservation (Wildlife Management) Regulation 2006*, local governments in Queensland have an as-of-right authority to manage flying-fox roosts in a defined Urban Flying-Fox Management Area. In addition, the grey-headed flying-fox is listed as a Vulnerable species under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). It is an offence to undertake an action that is likely to have a significant impact this species.

Following on from discussions regarding flying-fox impacts during peak periods, a new operating initiative for the 2021-2022 period was proposed to strengthen Council's management intent to contemporise actions and develop a stronger position for response on public and private lands. The budget submission was proposed to support the development and delivery of new support mechanisms for private landholders expanding Council's current level of service for residents impacted by flying-foxes as part of roost management planning.

On 1 May 2015, Council endorsed the Scenic Rim Regional Council Flying-Fox Strategy, and as part of the development of the new strategy, a community survey was undertaken to better understand the type of animal/human conflict that was occurring. The survey sought to understand the nature of conflict at individual sites and also any potential for assistance to properties affected by flying-fox roosts.

Following the survey, a review of the current Flying-Fox Management Strategy was undertaken with several recommendations identified for inclusion in a new strategy. Council is now finalising the new Flying-Fox Management Strategy, which seeks to update the existing 2015 Flying-Fox Strategy to incorporate these new features.

During this review period, and continued requests from community, Council also took the opportunity to apply for funding, and was successful, under Round 2 (Stream 2) of the Flying-Fox Roost Management Local Government Grants Program to develop site based roost management plans (RMP) for the two highest conflict sites Beaudesert and Canungra.

The site-based management plans have been developed with consideration of the draft regional flying-fox management plan as well as results of public consultation.

### Roost Management Planning

The Beaudesert and Canungra roosts currently reside in high traffic parkland located within the centre of the township. Each roost has specific challenges associated with high conflict areas such as schools, hotels, business, homes and community spaces within proximity of the roost site. Each roost has a high risk of transference due to vegetated areas surrounding the site. In each instance, the roost can temporarily expand into higher conflict areas resulting in increasing community impact.

The Flying-Fox Roost Management Plans (Roost Management Plans) provide Council with a framework to manage conflict associated with each specific site whilst ensuring flying-foxes and their ecological services are conserved. The plans are designed to address the specific challenges faced at the roost sites, through providing a range of short and long term actions to support private landholders, minimise conflict between humans and flying-foxes, improve awareness, and facilitate flying-fox conservation in the region.

The plans provide contemporary and long-term strategies for the sites in consideration of the dynamic nature of each roost site. This is important during potential influx events where splintering of roosts has been observed.

The Roost Management Plans set out four key objectives:

- minimise impacts experienced by the community and impacted residents at/near the roosts through proven and new, innovative approaches that seek to achieve co-existence with flying-foxes;
- provide short- and long-term management strategies for each roost, considering the dynamic nature of the roost (eg. influxes) contribute to effective conservation of flying-fox populations across the Scenic Rim Local Government Area;
- achieve a long-term community co-existence through better understanding of the importance of flying-foxes for conservation; and
- ensure management actions reflect Council's revised Scenic Rim Regional Council Flying-Fox Management Strategy to support community co-existence with flying-foxes.

### Plan Outcomes

Each plan identifies a series of management actions to occur over the short and long term. These are summarised in table 3 (pages 33 and 34 within attachments one and two).

## Budget / Financial Implications

Funding totalling \$20,000 was made available through Round 2 (Stream 2) of the Flying-Fox Roost Management Local Government Grants Program. Officer time is funded within existing resources.

## Strategic Implications

### *Operational Plan*

Theme: 1. Spectacular Scenery and Healthy Environment

Key Area of Focus: Recognition, preservation and enhancement of the region's unique environment and natural resources, including its biodiversity

### *Legal / Statutory Implications*

All species of flying-fox in Queensland are protected under the NCA. Under section 88C of the Act a person cannot take (kill) or drive away flying-foxes or modify their roosts unless they are an authorised person or are authorised to do so under the Act.

Under the *Nature Conservation (Wildlife Management) Regulation 2006*, local governments in Queensland have an as-of-right authority to manage flying-fox roosts in a defined Urban Flying-Fox Management Area. This authority is restricted to actions within the Code of Practice Ecologically sustainable management of flying-fox roosts NCA. The code sets out particular non-lethal actions that Council may undertake in dispersing flying fox roosts or managing vegetation to reduce roost impacts.

In addition, the grey-headed flying-fox is listed as a Vulnerable species under the Commonwealth EPBC Act. It is an offence to undertake an action that is likely to have a significant impact this species.

All persons are authorised to undertake low impact activities at roosts in accordance with the Code of Practice: Low impact activities affecting flying-fox roosts. Low impact activities include weeding, mulching, mowing and minor tree trimming. Management of roosts by private landholders outside of this code require a Flying-fox Roost Management Plan irrespective of the location.

Depending upon the individual circumstances concerning each roost, various Australian and/or Queensland Government approvals and considerations may be required prior to undertaking roost management activities.

## Risks

### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR50 Failure to manage Environmental Sustainability (including climate change) through inappropriate and/or inadequate planning and operational considerations of impacts to the natural environment.

SR41 Inadequate or lack of appropriately defined service Levels in place resulting in failure to deliver or meet appropriate expectations of stakeholders.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial and Economic  Failure to communicate service limitations associated with flying-fox management.	Major	Unlikely	High	Develop regional plan that stipulates standard of service and prioritisation. Develop site specific Roost Management Plans that manage site based service limitations	Medium
Environmental  Failure to appropriately manage protected fauna.	Moderate	Likely	High	Develop regional plan and site specific plans.	Medium
Infrastructure & Assets  Failure to appropriately manage council property as part of flying-fox management actions	Moderate	Possible	Medium	Regional plan to identify management responsibilities based on tenure.	Low
Reputation  Failure to appropriately deliver management actions that meet community expectations.	Minor	Possible	Medium	Develop revised regional plan to address community expectations and identify and highlight complexities in flying-fox management.	Low
Legal Compliance and Liability  Failure to comply with legal responsibilities associated with flying-fox management.	Minor	Unlikely	Low	Regional and site based plans to address legal requirements for flying-fox management	Low

**Consultation**

A region-wide community survey was conducted in 2022 as part of the development of Council's revised Flying-Fox Management Strategy. The survey aimed to better understand the nature of flying-fox/human conflict in the region, as well as identify potential strategies for assistance to properties affected by flying-foxes. In addition to the region-wide community survey was conducted in 2022, directly affected residents were invited to consult with Council and consultants (Ecosure) during site inspections.

Council and Ecosure representatives undertook community consultation with heavily impacted residents during the site visits at:

- Canungra on Monday, 27 March 2023, and
- Beaudesert on Monday, 3 April 2023.

**Conclusion**

In conclusion, the Beaudesert and Canungra Roost Management Plans provide Council with site specific management actions that seek to reduce the overall community impact of flying-foxes while ensuring the conservation of the species. The Roost Management Plans provide well a measured approach that considers risk, cost and likelihood of success in flying-fox intervention.

It is anticipated that the Roost Management Plans for the Beaudesert and Canungra roosts will be provided for public consultation through Council's 'Let's Talk Scenic Rim' platform during July/August 2023, in conjunction with the consultation for the Scenic Rim Regional Council Flying-fox Management Strategy. Once the Roost Management Plans for the Beaudesert and Canungra roosts are adopted, they will be piloted for a period of six months with the intent to undertake time critical works in the meantime.





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improving ecosystems

**CANUNGRA CREEK LIONS PARK  
FLYING-FOX ROOST MANAGEMENT PLAN**

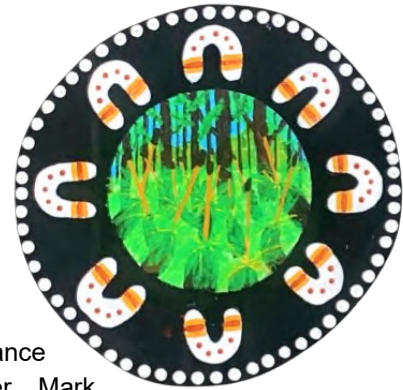
June 2023

SCENIC RIM REGIONAL COUNCIL



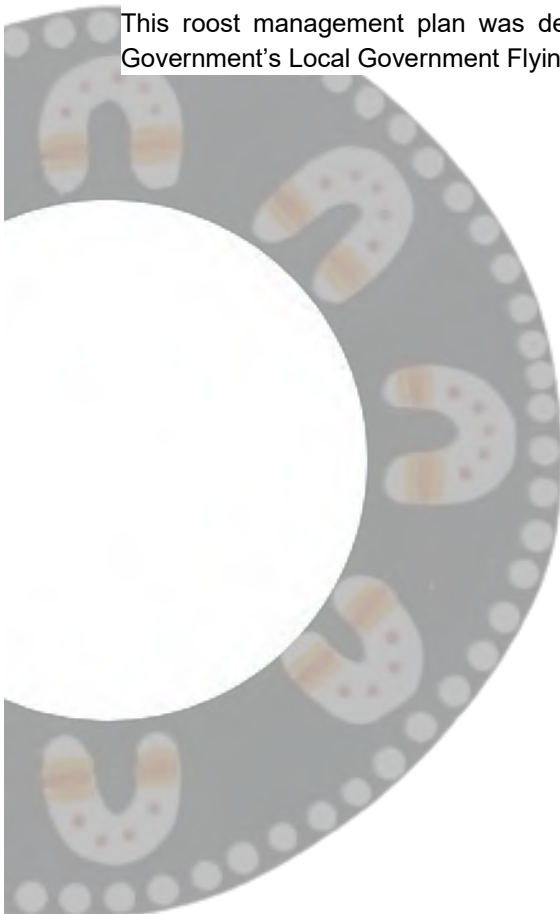
## Acknowledgements

Ecosure acknowledge the Traditional Custodians of the lands and waters where we work. We pay deep respect to Elders past and present who hold the Songlines and Dreaming of this Country. We honour and support the continuation of educational, cultural and spiritual customs of First Nations peoples.



We would like to thank Scenic Rim Regional Council for assistance during development of the plan, particularly Joshua Baker, Mark Lohmann and Councillor Virginia West. We gratefully acknowledge residents nearby the roost for providing feedback during the site visit which has informed planned management actions. We also thank everyone who participated in the flying-fox online survey in 2022 to inform the revised Council-wide Flying-fox Strategy, results of which are summarised within and have also been used to inform this Plan.

This roost management plan was developed with funding support from the Queensland Government's Local Government Flying-Fox Roost Management Grants Program.



## Acronyms and abbreviations

ABLV	Australian bat lyssavirus
ACP Act	<i>Animal Care and Protection Act 2001</i> (Queensland)
BFF	Black flying-fox ( <i>Pteropus alecto</i> )
Canungra roost	Canungra Creek Lions Park flying-fox roost
CMS	Canopy-mounted sprinklers
Council	Scenic Rim Regional Council
DCCEEW	Commonwealth Department of Climate Change, Energy, the Environment and Water
DES	Department of Environment and Science
EBV	Epstein-Barr virus
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
EVNT	Endangered, vulnerable and near threatened
FFRMP	Flying-fox roost management permit
GHFF	Grey-headed flying-fox ( <i>Pteropus poliocephalus</i> )
HeV	Hendra virus
HSE	Heat stress event
LGA	Local government area
Low Impact COP	Code of Practice – Low impact activities affecting flying-fox roosts
LRFF	Little red flying-fox ( <i>Pteropus scapulatus</i> )
Management COP	Code of Practice – Ecologically sustainable management of flying-fox roosts
MNES	Matters of national environmental significance
NC Act	<i>Nature Conservation Act 1992</i> (Queensland)
NSW	New South Wales
PPE	Personal protective equipment
RE	Regional Ecosystem
RMP	Roost Management Plan
SoMI	Statement of Management Intent
UFFMA	Urban Flying-fox Management Area
VM Act	<i>Vegetation Management Act 1999</i> (Queensland)



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# 1 Introduction

This Flying-fox Roost Management Plan (RMP) provides Scenic Rim Regional Council (Council) with a framework to manage issues associated with the Canungra Creek Lions Park flying-fox roost (Canungra roost), whilst ensuring flying-foxes and their ecological services are conserved. Intermittent influxes of flying-foxes at this site, as well as roost expansion onto private properties, has resulted in conflict with residents and the community. This RMP addresses the specific challenges faced at the Canungra roost, and provides a range of short- and long-term actions to support private landholders, minimise conflict between humans and flying-foxes, improve awareness, and facilitate flying-fox conservation in the region.

This RMP has been developed to align with Council's revised Flying-fox Management Strategy, which builds upon the previous 2015 strategy by strengthening Council's position for response on public and private lands. As outlined in the Statement of Management Intent (SoMI), Council recognises the ecological and cultural importance of flying-foxes in sustaining the region's unique biodiversity. Council also acknowledges the negative impact flying-foxes can have on nearby residents and the community, and is committed to implementing management actions that minimise impacts while also encourage co-existence. As detailed in the SoMI, Council's intent is to manage flying-fox roosts on Council-owned or managed land. Council does not undertake management actions on private land, however, may provide advice and assistance to residents and landowners affected by a flying-fox roost. Where a roost crosses Council and non-Council land, Council will work cooperatively with landowners to develop mitigation actions. Council may assist landholders with management if an overriding public benefit can be demonstrated.

Three species of flying-foxes occur within the Scenic Rim Local Government Area (LGA) at times: black flying-foxes (*Pteropus alecto*; BFF), grey-headed flying-fox (*Pteropus poliocephalus*; GHFF), and little red flying-foxes (*P. scapulatus*; LRFF) (seasonal visitor). All three species have been recorded roosting at the Canungra roost, though BFF and GHFF are the primary occupants, with LRFF only recorded once during a large influx.

## 1.1 Legislation overview

Flying-foxes are protected native wildlife that provide a critical ecological role in long-distance seed dispersal and pollination. As such, there is a range of legislation and policy that governs how flying-foxes and their habitat can be managed in Queensland. Like all native animals, flying-foxes are protected under Queensland's *Nature Conservation Act 1992* (NC Act). Under this legislation, administered by the Department of Environment and Science (DES), it is an offence to harm the animals, or disturb flying-foxes from daytime roosts<sup>1</sup> without approval.

All three flying-fox species located in the Scenic Rim LGA and their roost sites are protected in Queensland under the NC Act. The GHFF is also protected as a vulnerable species under

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<sup>1</sup> There are legislative differences between a 'roost', where breeding has been confirmed, and a daytime camp where breeding has not occurred, as outlined in Appendix 1. Canungra (Lions Park) is protected as a confirmed 'roost' and this will be the main collective term used throughout.

the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). To be considered a nationally important GHFF roost, a roost must have had more than one influx of 10,000+ GHFF within the last ten years, or have been occupied by more than 2,500 GHFF permanently or seasonally for the last ten years. Since the Canungra roost had an influx of over 10,000 GHFF in February 2021 (see Section 3.2), one more influx would put it within the category of a nationally important roost. Management actions at nationally important roosts may need to be referred to the Minister for approval (see Appendix 1).

In Queensland, local governments are authorised under the NC Act to manage roosts in areas subject to an urban zoning under a council planning scheme, inclusive of a one-kilometre buffer around such areas. This area of management is known as the Urban Flying-Fox Management Area (UFFMA).

Local governments have an 'as-of-right' authority under the NC Act to manage flying-fox roosts in mapped UFFMAs in accordance with the Code of Practice – Ecologically sustainable management of flying-fox roosts (Management COP) (DES 2020a). The Flying-fox Roost Management Guideline (DES 2020b) has also been developed to provide local government with additional information that may assist decision making and management of flying-fox roosts. Councils are required to apply for a flying-fox roost management permit (FFRMP) to manage flying-fox roosts outside an UFFMA, or for management actions not specified in the Management COP. It must be noted that this 'as-of-right' authority does not oblige Council to manage flying-fox roosts and does not authorise management under other relevant sections of the NC Act or other legislation (such as the *Vegetation Management Act 1999* [VM Act]).

Anyone other than local government is required to apply for a FFRMP for any management directed at roosting flying-foxes, or likely to disturb roosting flying-foxes. Certain low impact activities (e.g. mowing, minor tree trimming) do not require approval if undertaken in accordance with the Code of Practice – Low impact activities affecting flying-fox roosts (Low Impact COP) (DES 2020c).

The *Animal Care and Protection Act 2001* also provides for animal welfare, and any management must comply with this legislation.

Key Commonwealth and State legislation specific to flying-fox management is summarised in further detail in Appendix 1. Other legislatively significant ecological values of the site that need to be considered in management are outlined in Section 3.3.

## 1.2 Community concerns

A region-wide community survey was conducted in 2022 as part of the development of Council's revised Flying-fox Management Strategy. The survey aimed to better understand the nature of flying-fox/human conflict in the region, as well as identify potential strategies for assistance to properties affected by flying-foxes. Results from this survey are discussed in Section 4.1.

The Canungra roost footprint is large and extends across both Council and private land. Roosting on private land can cause negative impacts for residents, including noise, smell,



health concerns, and damage to properties (e.g. mess). In order to understand site-specific impacts to residents, Council and Ecosure representatives undertook one-on-one community consultation with heavily impacted residents during the site visit on Monday the 27<sup>th</sup> of March 2023. Primary concerns raised were fear of disease (for both humans and pets), noise, smell, and tree damage. Further detail of these concerns is provided in Section 4.

This RMP details measures to mitigate key concerns to reduce negative impacts to residents and the wider community.

### 1.3 Plan objectives

The objectives of this RMP are to:

- minimise negative impacts experienced by the community and impacted residents at/near the Canungra roost through proven and new, innovative approaches that seek to achieve co-existence with flying-foxes
- provide short- and long-term management strategies for the Canungra roost, considering the dynamic nature of the roost (e.g. influxes)
- contribute to effective conservation of flying-fox populations across the Scenic Rim LGA
- achieve a long-term community co-existence through better understanding of the importance of flying-foxes for conservation
- ensure management actions reflect Council's revised Flying-fox Management Strategy to support community co-existence with flying-foxes.

## 2 Flying-fox ecology

### 2.1 Ecological role

Flying-foxes, along with some birds, make a unique contribution to ecosystem health through their ability to move seeds and pollen over long distances (Southerton et al. 2004, DES 2020d). This contributes directly to the reproduction, regeneration, and viability of forest ecosystems (DAWE 2021). It is estimated that a single flying-fox can disperse up to 60,000 seeds in one night (DELWP 2015). Some plants, particularly *Corymbia* spp., have adaptations suggesting they rely more heavily on nocturnal visitors such as bats for pollination than daytime pollinators (Southerton et al. 2004).

Flying-foxes may travel 100 km in a single night with a foraging radius of up to 50 km from their roost (McConkey et al. 2012) and have been recorded travelling over 500 km in two days between roosts (Roberts et al. 2012). In comparison, bees, another important pollinator, move much shorter foraging distances of generally less than one kilometre (Zurbuchen et al. 2010).

Long-distance seed dispersal and pollination make flying-foxes critical to the long-term persistence of many plant communities (Westcott et al. 2008, McConkey et al. 2012), including eucalypt forests, rainforests, woodlands and wetlands (Roberts 2006). Seeds that are able to germinate away from their parent plant have a greater chance of growing into a mature plant (Ruxton & Schaefer 2012). Long-distance dispersal also allows genetic material to be spread between forest patches that would normally be geographically isolated (Parry-Jones and Augee 1992, Eby 1991, Roberts 2006). This genetic diversity allows species to adapt to environmental change and respond to disease pathogens. Transfer of genetic material between forest patches is particularly important in the context of contemporary fragmented landscapes.

Flying-foxes are considered 'keystone' species given their contribution to the health, longevity and diversity among and between vegetation communities. These ecological services ultimately protect the long-term health and biodiversity of Australia's bushland and wetlands. In turn, native forests act as carbon sinks (Roxburgh et al. 2006), provide habitat for other animals and plants, stabilise river systems and catchments, add value to the production of hardwood timber, honey and fruit (NSW Wildlife Council 2010), and provide recreational and tourism opportunities worth millions of dollars each year (DES 2020d).

### 2.2 Flying-foxes in urban areas

Flying-foxes appear to be roosting and foraging in urban areas more frequently. In a recent study of 654 known national flying-fox roosts, 55.1% occurred in urban areas and a further 23.5% in agricultural areas (Timmiss et al. 2020). Furthermore, the number of roosts increased with increasing human population densities (up to ~4000 people per km<sup>2</sup>) (Timmiss 2017). There are many possible drivers for this urbanising trend, as summarised by Tait et al. (2014):

- loss of native habitat from urban expansion and agriculture

- opportunities presented by year-round food availability from native and exotic species found in expanding urban areas
- disturbance events such as drought, fires, cyclones
- human disturbance or culling at non-urban roosts or orchards
- urban effects on local climate
- refuge from predation
- movement advantages, e.g. ease of manoeuvring in flight due to the open nature of the habitat or ease of navigation due to landmarks and lighting.

In the latest State of the Environment Report key findings (DES 2021b), the Brigalow Belt bioregion experienced the highest rates of woody vegetation clearing in 2016-2018 in Queensland. Landscape scale changes such as this are likely to have contributed to flying-foxes becoming more reliant on townships for both roost and foraging habitat, and it is likely that flying-foxes will continue to roost at times within township areas such as Canungra.

## 2.3 Roost preferences

Little is known about flying-fox roost preferences; however, research indicates that apart from being in close proximity to food sources, flying-foxes choose to roost in vegetation with at least some of the following general characteristics (SEQ Catchments 2012):

- closed canopy > 5 m high
- dense vegetation with complex structure (upper, mid and understorey layers)
- within 500 m of permanent water source
- within 50 km of the coastline or at an elevation < 65m above sea level
- level topography (< 5° incline)
- ideally greater than one hectare to accommodate and sustain large numbers of flying-foxes and allow the roost to shift its extent so vegetation can recover (note this does not appear to be a strong flying-fox preference, but more a consideration in roost habitat creation/improvement).

Recently, specific research into the roost habitat preferences of LRFF revealed that roosts were most often associated with the following attributes (MacDonald et al. 2021):

- marginally taller canopy; mean height of canopy trees was 19.9 m ( $\pm$  8.9 m) and of subcanopy trees was 9.9 m  $\pm$  4.8 m
- greater canopy and subcanopy cover/complexity
- marginally taller shrub layer with greater cover
- shorter, less dense ground cover layer
- preference for ten tree species (accounting for 68% of roost habitats), including *Eucalyptus*, *Melaleuca*, *Rhizophora*, *Avicennia*, *Corymbia*, and *Tamarandus* species

- generally located within 200 m of watercourse (50% of roosts).

Proximity to water is a key attribute in roost location (Hall & Richards 2000, Roberts 2005, MacDonald 2021) with one study suggesting that 94% of GHFF roosts in New South Wales (NSW) were (at that time) located adjacent to or on a waterway or waterbody (Eby & Lunney 2002).

Though these are general findings, flying-foxes have been known to roost in a variety of habitats outside the above criteria.

## 2.4 Flying-fox breeding cycle

Flying-foxes reach reproductive maturity in their second or third year of life. Reproductive cycles detailed below are indicative and can vary by several weeks between regions, are annually influenced by climatic variables, and births can occur at any time of the year. Expert assessment is required to accurately determine the phase in the breeding cycle to inform appropriate management timing.

### **Black and grey-headed flying-foxes**

Mating begins in January with peak conception occurring around March to April/May; this mating season represents the period of peak roost occupancy (Markus 2002). Young (usually a single pup) are born six months later from September to November depending on species (Churchill 2008). The birthing season becomes progressively earlier, albeit by a few weeks, in more northerly populations (McGuckin and Blackshaw 1991), however out of season breeding is not unusual and births may occur at any time of the year (Ecosure pers. obs. 2015-2022).

Young are highly dependent on their mother for food and thermoregulation. Young are suckled and carried by the mother until approximately four weeks of age (Markus & Blackshaw 2002). At this time, they are left at the roost during the night in a crèche until they begin foraging with their mother in January and February (Churchill 2008) and are usually weaned by six months of age around March. Sexual maturity is reached at two years of age with an average life expectancy of 5-7 years (Divljan et al. 2006, Fox et al. 2008). Individuals have been recorded to live to 18 years of age in the wild (Tidemann & Nelson 2011).

The critical reproductive period for BFF and GHFF is generally from August/September (when females are in late stages of pregnancy) to the end of peak conception around April/May. Dependent pups are usually present from September/October to February.

### **Little red flying-fox**

The LRFF breeding cycle is approximately six months out of phase with BFF and GHFF. Conception occurs around October to November, with peak birthing in April-June (McGuckin & Blackshaw 1991, Churchill 2008). Young are carried by their mother for approximately one month then left at the roost while she forages (Churchill 2008). Suckling occurs for several months while young are learning how to forage.

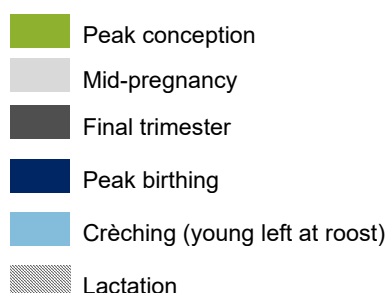
LRFF pups are particularly vulnerable to cold weather and can suffer hypothermia and fall



from their crèche trees. If LRFF pups are present, rescuers and carers should be on stand-by during cold weather.

Indicative flying-fox reproductive cycle

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
GHFF												
BFF												
LRFF												



## 2.5 Local and regional context

Flying-foxes are highly nomadic, moving across their east coast range between a network of roosts. Roosts may be occupied continuously, annually, irregularly or rarely (Roberts 2005), and numbers can fluctuate significantly on a daily (up to 17% daily colony turnover; Welbergen et al. 2020) and seasonal basis. A study by Welbergen et al. (2020) tracked individuals of all three species over a 60-month period and found that BFF and LRFF roosted in an average of 12 and 24 LGAs per year, respectively. Canungra and other Scenic Rim roosts form part of a network of roosts across the species' range (see Appendix 2). There are 14 known roosts within the Scenic Rim LGA (Figure 1).

Typically, the abundance of resources within a 20–50 km radius of a roost site will be a key determinant of the size of a roost (SEQ Catchments 2012). As such, flying-fox roosts are generally temporary and seasonal, tightly tied to the flowering of their preferred food trees. However, understanding the availability of foraging resources is difficult because flowering and fruiting may not occur each year and vary between locations (SEQ Catchments 2012).

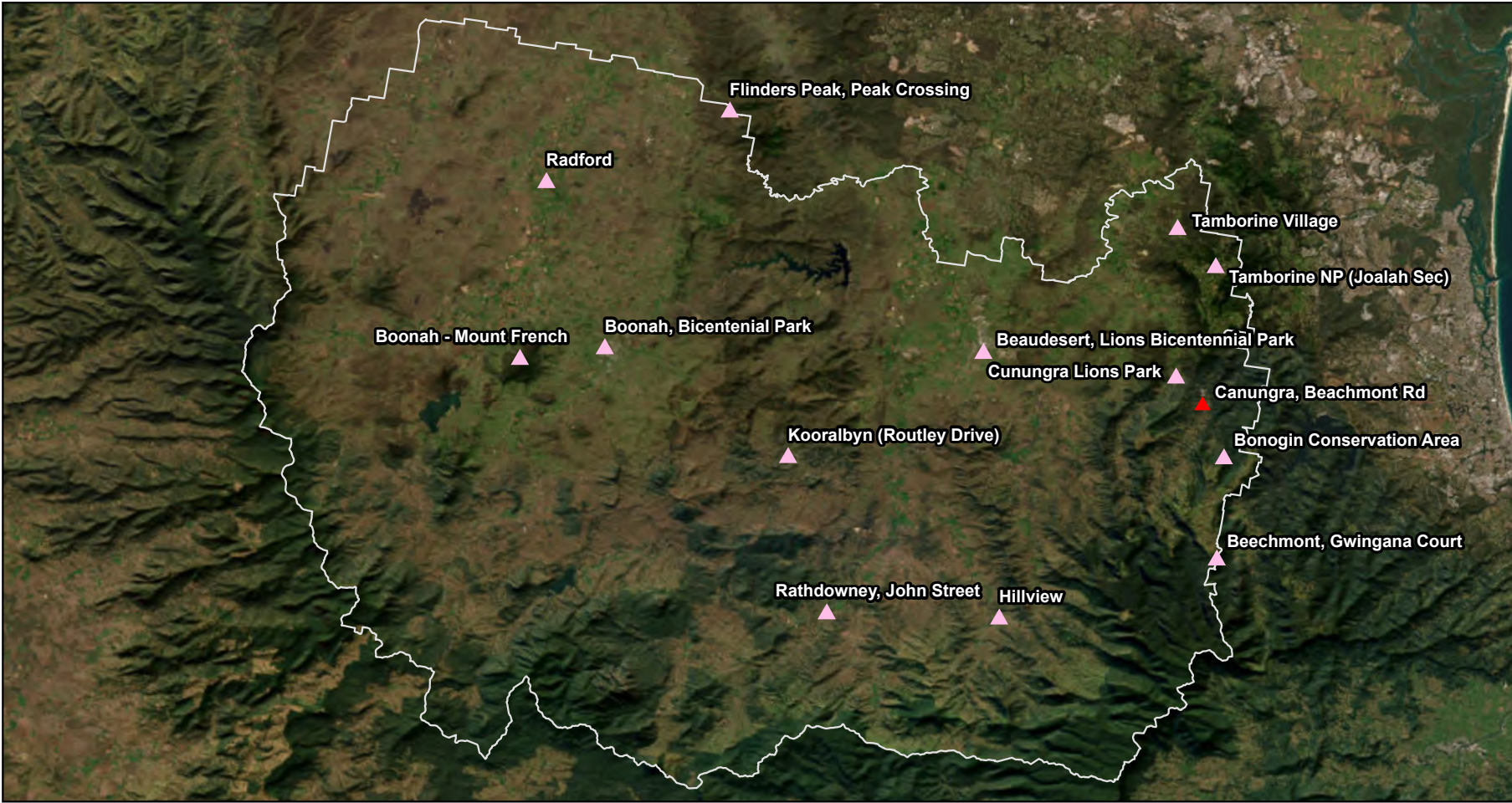
A Queensland Government funded study by the Queensland Herbarium and CSIRO incorporated data from a range of sources to rank LRFF diet trees in bioregions across Queensland (Eyre et al. 2020). This was done using the method developed by Eby and Law (2008) by assessing the relative importance of LRFF diet tree species, the abundance of nectar produced during peak flowering periods, and the frequency of substantial flowering by a species, to obtain an overall Diet Plant Nectar score. Figure 2 shows the distribution of overall static nectar scores for remnant vegetation within 50 km of the Canungra roost. While this analysis is based on LRFF diet, there is substantial overlap in dietary preferences between LRFF and BFF, and thus this mapping provides insight into flowering that will attract all species



into the area.

Between 2019 and 2020, flying-foxes experienced significant population impacts across the east coast of Australia due to extreme weather events. Prolonged drought caused a mass food shortage from Gladstone to Coffs Harbour, peaking around October 2019 (Mo et al. 2021), in which thousands of flying-foxes perished from starvation (Cox 2019, Huntsdale & Millington 2019). Following this, bushfires across the country resulted in the loss of large areas of native forest that provides natural foraging habitat for flying-fox populations. The total number of flying-foxes lost in these events is impossible to quantify but is likely to have been more than 100,000 individuals (M. Mo 2019, pers. comm.).

With these types of events severely impacting natural areas, foraging and roosting resources in and around urban locations become even more important for flying-fox conservation.



**Figure 1: Regional context**

Scenic Rim Regional Council  
Canungra Lions Park Roost Flying-fox Management Plan



Data Sources: Ecosure Pty Ltd. 2022; Imago: .

Job number: PR7870  
Revision: 0  
Author: EK  
Date: 28/04/2023



0 2.5 5 10  
Kilometers

GCS GDA 1994  
Datum: GDA 1994  
Units: Degree

PR7870 MP1 RegionalContext

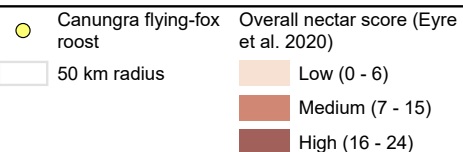




**Figure 2: Distribution of the overall static nectar scores for remnant (2015) vegetation within 50 km of Canungra roost**

Scenic Rim Regional Council

Canungra Lions Park Flying-fox Roost Management Plan



Job number: PR7870  
Revision: 0  
Author: TD  
Date: 27/04/2023



GDA 1994 MGA Zone 56  
Projection: Transverse Mercator  
Datum: GDA 1994  
Units: Meter

Data Sources: © Ecosure Pty Ltd 2021; State of Queensland 2021; Imase World Imagery; Earthstar Geographics.

PR7870\_MP2\_NectarScore

## 3 Canungra roost site context

### 3.1 Tenure

The Canungra roost stretches across both Council and private land. The majority of core roosting area includes Lions Park (Lot/Plan 92SP214554) and a private property (Lot/Plan 5SP278597) (Figure 4). Occasionally the roost extends over other private properties (Figure 4).

All private properties are mapped as Rural Residential Zones, while Lions Park is mapped as Recreation and Open Space Zone.

### 3.2 Flying-fox numbers and roost extent

The Canungra roost established around 2014. Establishment of this new roost may have been linked with known food shortages around this time (to which flying-foxes respond by moving closer to food resources available at that time). It also coincided generally with vegetation management at the edge of the Witherin roost, which was required for road safety. At the time of writing the Witherin roost canopy was also dominated by weeds which would be less attractive for roosting flying-foxes, and restoration of this site to improve diversity and structure should also be considered.

Prior to 2017-18, the flying-fox roost extent only occurred on the eastern side of Beaudesert-Nerang in Lions Park. However, flying-foxes began roosting on private properties on the western side of the road approximately five years ago, seemingly coinciding with an influx in numbers and plantings on private land potentially inadvertently making this area more attractive. The maximum and core roost extents are shown in Figure 4.

Flying-fox numbers have fluctuated between 0 and 19,500 (Figure 3). The roost typically consists of GHFF and BFF, but one influx of 9,000 LRFF was recorded in November 2020. Flying-foxes vacated the roost between April and October in 2021 and 2022.

This roost is a maternity roost for BFF and GHFF. Flying-fox pups are generally observed on the eastern portion of the roost footprint (east of Beaudesert-Nerang Road), though a few GHFF pups were observed adjacent to the creek line on a private property during the site visit.

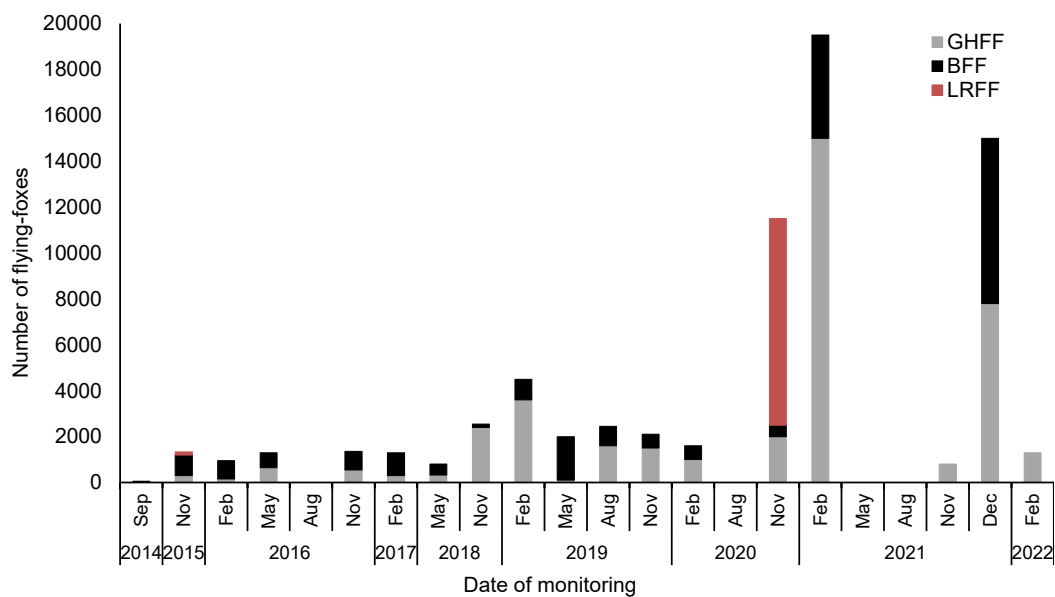


Figure 3 Historical flying-fox roost counts at the Canungra Lions Park roost (Source: DES)





**Figure 4: Canungra flying-fox roost**

Scenic Rim Regional Council

Canungra Lions Park Flying-fox Roost Management Plan

- Walking trail
- Watercourse
- Roost core
- Maximum roost extent
- Property boundaries



Job number: PR7870  
Revision: 1  
Author: TD  
Date: 15/06/2023



0 12.5 25 50  
Metres

GDA2020  
Datum: GDA2020  
Units: Degree

Data Sources: © Ecosure Pty Ltd 2023; State of Queensland 2021; Imago QLD Globe Imagery; Includes material © State of Queensland (Department of Resources); © Planet Labs Netherlands B.V.

PR7870 MP4 SiteContext



### 3.3 Ecological values

The Canungra roost predominantly consists of Regional Ecosystems (RE):

- 12.9-10.7: *Eucalyptus crebra* +/- *E. tereticornis*, *Corymbia tessellaris*, *Angophora* spp. and *E. melanophloia* woodland on sedimentary rocks (Of Concern)
- 12.9-10.7/12.9-10.17: as above / *E. acmenoides*, *E. major*, *E. siderophloia* +/- *Corymbia citriodora* subsp. *variegata* open forest on sedimentary rocks.

Riparian vegetation along Canungra Creek is mapped as RE 12.3.3 / 12.3.1 / 12.3.7 (60/30/10%): *E. tereticornis* woodland on Quaternary alluvium (Endangered) / Gallery rainforest (notophyll vine forest) on alluvial plains (Endangered) / *E. tereticornis*, *Casuarina cunninghamiana* subsp. *cunninghamiana* +/- *Melaleuca* spp. fringing woodland (Of Concern). The remaining roost vegetation is mapped as non-remnant vegetation, and includes a bamboo forest adjacent to the road (planted on private land as a screening buffer).

The majority of roost vegetation is mapped as core koala habitat. In addition, the entire local area is designated as a koala priority area, and the non-remnant vegetation surrounding the roost on private properties (western side of Beaudesert-Nerang Road) is mapped as a koala habitat restoration area. Vegetation clearing in core koala habitat and koala priority areas is prohibited under State legislation and requires approval. Similarly, vegetation clearing in areas mapped as regulated vegetation under the Scenic Rim Planning Scheme require Council approval.

The only threatened species records within 1 km of the roost (of confirmed records since 1980) are two koala sightings (WildNet 2023). Seven platypus (*Ornithorhynchus anatinus*) records (special least concern species) are also documented within 1 km of the roost (WildNet 2023).

Canungra Creek is also mapped as a wetland of high ecological significance (Matter of State Environmental Significance). Any management undertaken must carefully consider these other values and relevant legislative requirements.

### 3.4 Sensitive receptors

It is acknowledged that many land uses may conflict with flying-fox roosts, such as some residences, public parks and businesses. Sensitive receptors, as used in this context, differ in that there are vulnerable cohorts of people and/or animals where managing risk may be more complex than awareness programs and property modification. These include schools, childcare centres, hospitals with helipads, airports, and equine facilities. Identifying sensitive receptors is necessary to any management actions that could inadvertently cause the roost to splinter to surrounding undesirable locations (e.g. other conflict locations close to residents) or sensitive receptors.

There are seven individual sensitive receptors located within 1 km of the Canungra roost (Figure 5), plus one broad sensitive receptor group not mapped:





- 
- Canungra State School (located directly adjacent to roost on eastern boundary)
  - Canungra Veterinary Surgery
  - Canungra Show Grounds
  - C&K Canungra Community Kindergarten
  - Aussie Kindies Canungra
  - Canungra Town Medical Centre
  - Canungra Valley Medical Centre
  - Various privately owned horse properties.



**Figure 5: Sensitive receptors within 1 km of Canungra roost**

Scenic Rim Regional Council

Canungra Lions Park Flying-fox Roost Management Plan

\*Many land uses may conflict with flying-fox roosts, such as residences, public parks and businesses. The term sensitive receptor is used for locations with vulnerable cohorts of people and/or animals where managing risk may be more complex than awareness programs and property modification. These include schools, childcare centres, hospitals with helipads, airports, and equine facilities.



Job number: PR7870  
Revision: 1  
Author: TD  
Date: 15/06/2023



0 50 100 200 300  
Metres

GDA2020  
Datum: GDA2020  
Units: Degree

Data Sources: © Ecosure Pty Ltd 2023; Image QLD Globe Imagery. Includes material © State of Queensland (Department of Resources); © Planet Labs Netherlands B.V. reproduced under licence from

PR7870: MP5 SensitiveReceptors



### 3.5 Management response to date

Following establishment of the Canungra roost in 2014, community members and nearby residents called for action to manage the roost, citing a range of negative impacts including odour, noise, and perceived health risks associated with disease. Council determined that the roost would be managed through a series of dispersals, with the overall aim of relocating flying-foxes back to the Witherin roost. Dispersal attempts were undertaken in July 2016, consisting of intensive dispersal activities for three months (repeated cycles of two weeks dispersal followed by a week rest). Dispersals were undertaken in accordance with the Management COP and Council's Flying-fox Management Strategy. Light equipment, foggers (to produce smoke), movement, and sound equipment were used in a strategic manner to direct flying-foxes towards the Witherin roost.

While dispersal attempts were initially successful for 5 – 6 weeks, flying-foxes ultimately returned to Lions Park. Overall, the dispersal was a resource intensive exercise (10 – 12 people per night for several weeks) that stretched Council to full capacity. Dispersal activities were unsuccessful in dispersing flying-foxes from the Canungra roost long-term (J. Baker 2023, pers comm.) and were very costly. This is a key example of why dispersals are generally not recommended, particularly for a large, established roost such as this.

A large influx of around 15,000 flying-foxes in late 2019 caused heightened conflict with residents and community members. Following discussions surrounding this conflict, a new operating initiative was proposed to strengthen Council's flying-fox management intent and provide additional support for residents with flying-foxes roosting on private land. An LGA-wide survey was undertaken to understand the types of conflict occurring and to gauge the community's opinions on different flying-fox management techniques (e.g. potential for financial assistance via a subsidies program for eligible properties). Following this, Council undertook a review of the Flying-fox Management Strategy, which is currently being finalised. This RMP represents the next step in the management of the Canungra flying-fox roost.

In addition to these framework shifts, Council has undertaken some vegetation works at Lions Park. The cleared patch of grass directly adjacent the roost and Beaudesert-Nerang Road was turned into a garden (of species unattractive to flying-foxes) to provide a buffer between the roost and Council staff/contractors during mowing maintenance. This was done to minimise impacts to surrounding residents during mowing maintenance, as flying-foxes often lift and settle on the western side of the road in response to mowing noise/disturbance.

## 4 Community engagement

### 4.1 Online survey

Council undertook a region-wide online community survey to inform the development of the revised Flying-fox Management Strategy. The survey was open for 17 weeks between the 17<sup>th</sup> of January and 15<sup>th</sup> of May 2022, and was completed by 78 people. The survey consisted of 15 questions, including multiple choice questions (most of which allowed respondents to select multiple answers), and short answer questions. Of the 12 roosts in the region listed, 24.1% of respondents nominated the Canungra Lions Park roost as their key roost of concern.

When asked what flying-fox species people were most affected by (multiple selections allowed accounting for >100% total), 37.1% were unsure of the species affecting them. Of the 62.9% of respondents who were able to identify species, 77.6% reported being affected by BFF, 55.1% reported affects from GHFF, and 20.06 reported affects from LRFF.

The majority of respondents who lived less than 500 m from a roost (62.8%) reported noticing or being affected by flying-foxes daily. Of the respondents who lived within 500 m of a roost, the period of highest interaction was evening (6:00 pm onwards) during which 77.1% reported being affected during this time on a daily basis. Morning to midday and afternoon to evening also represented relatively high rates of daily affects with 62.9% of respondents that live within 500 m of a roost reporting affects during that time. Of the respondents living within 500 m of a roost, 17.1% reported affects sporadically and 11.4% reported monthly, seasonal or yearly affects. Figure 6 below outlines the time and frequency of interactions across all respondents regardless of their distance from a flying-fox roost.

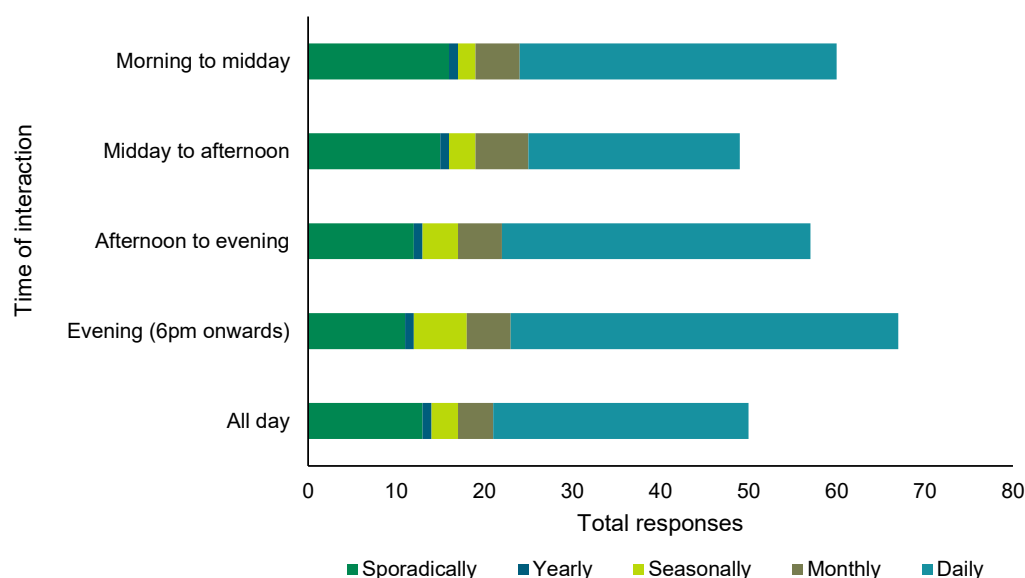


Figure 6 Time and frequency of human – flying-fox interaction, from 78 respondents

When asked to describe their relationship with flying-foxes, 46.3% reported a positive or very positive relationship and 45% a negative or very negative relationship, while 8.8% reported neutral feelings. When asked what the respondent's relationship was with flying-foxes in their everyday life, 48.1% of respondents identified as being a resident directly affected by flying-foxes, 37.9% identifies as a person who 'enjoys observing nature', 16.4% identified as being a Scenic Rim resident not directly affected, and 10% identified as being a wildlife carer. Respondents were able to select multiple answers.

When respondents were asked to describe their relationship with flying-foxes, 47.4% of all respondents reported having a positive or very positive relationship, whereas 43.5% reported a negative or very negative relationship. 7.7% of respondents were neither positive nor negative in their relationship with flying-foxes. Of all respondents, 60.2% identified the ecosystem services provided by flying-foxes as the most important positive factor. 34.6% identified that they 'love living with the natural environment' 23.4% identified that their 'lifestyle means I need to accept local wildlife'. 30.8% responded 'other' where they outlined that there were no positive aspects of living near a roost, and were concerned about flying-fox welfare and the importance of conserving flying-foxes.

When asked what the negative impacts of living near flying-foxes are, 43.5% of all respondents identified public health concerns as the most important negative factor, 25.6% identified that flying-foxes 'prevent me from participating in my regular activities', 16.6% reported they cause financial loss, and 29.5% reporting no negative impacts. 25.6% of respondents answered 'other' where they reiterated negative impacts from noise, smell, faecal droppings, concerns about diseases transmission and being unable to utilise their backyards or public spaces.

Of the 33 respondents who were concerned about public health issues, 100% were concerned the presence of faecal matter, 87.9% were concerned about smell and the potential for viral transmission to people/animals, 33.3% were concerned with ticks and lice, while 3% were concerned with damage to trees.

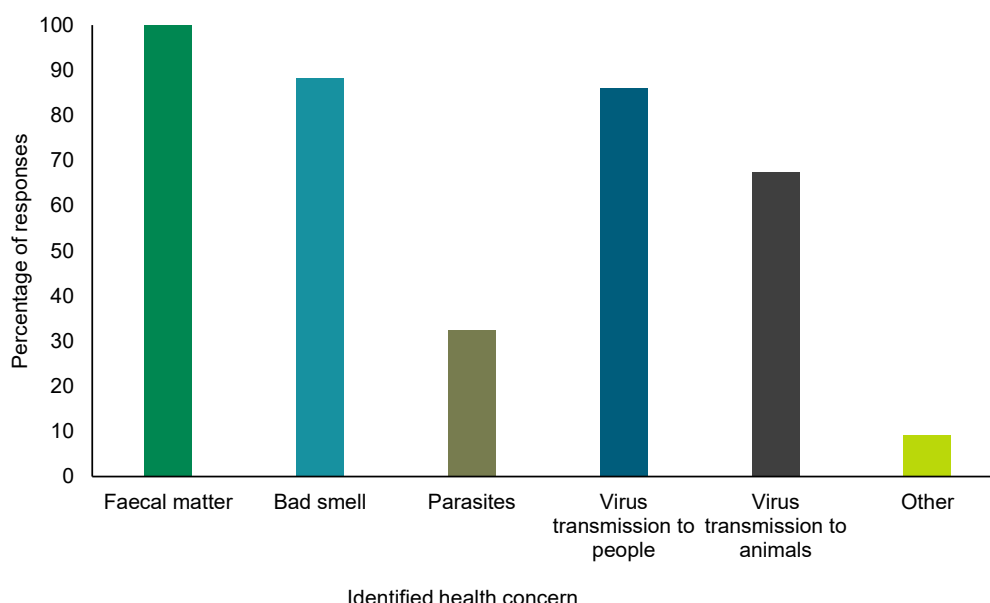


Figure 7 Identified areas of public health concerns. This was calculated from the 33 respondents who indicated their concern for public health issues related to flying-foxes.

18% of total participants reported financial impacts due to flying-foxes. Of these respondents the primary source of reported financial loss was 'additional maintenance and cleaning' (92.8%), damage to vegetation (78.5%) and damage to property (78.5%), while veterinary requirements were experienced by 21.4% of these respondents. 20.5% of all respondents reported flying-foxes prevented them from participating in regular activities. These activities include, being unable to use their own yard, public parks or public footpaths, being unable to drink their own rainwater, and disruptions to sleep. 28% of all respondents answered that there were not prevented from participating in regular activities. Many of the 28% conveyed that the roost had positive impacts on their emotional wellbeing and were concerned with flying-foxes being excluded from Scenic Rim, reducing the natural values of the region.

Responses provided for short response questions were broadly consistent with the results discussed above, identifying factors such as increased maintenance in response to droppings, risk of disease, as well as the ecological importance of flying-foxes locally. The following topics were commonly discussed in short responses:

- A feeling of unacceptable burden of increased cleaning or damage to property, particularly damage to paint, clogged gutters and garden plants by droppings.
- Impacts to outdoor lifestyle e.g. entertaining, gardening or using public spaces.
- Concerns flying-foxes pose a threat to children, particularly while unsupervised or playing in gardens.
- Perceived impacts to biodiversity around roosts, particularly the perceived reduction of birdlife and damage caused to roost vegetation.
- A desire to see flying-foxes relocated to another site away from dwellings or human infrastructure.

- Concerns that the local flying-fox population has increased to an unacceptable / unbearable size over the last five years.
- The smell and noise produced by nearby roosts becoming unbearable and interrupting dwelling use and appreciation, sleep and daily activities such as walking children to school.
- Feeling unfairly restricted from activities such as fires and trimming garden vegetation due to flying-fox protection.
- The need for flying-fox protection to encourage ecosystem services provided by flying-foxes.
- The positive response to education experienced by several respondents that have since changed their opinion regarding flying-foxes as pests.
- The potential for flying-foxes as an ecotourism resource.
- The importance of conserving flying-foxes in the region and moving away from dispersals.
- The need for education and a change in medias negative bias towards flying-foxes.

Despite the majority of the above points referring to negative impacts, a substantial proportion of respondents cited the ecological importance and the positive impacts to public amenity emotional wellbeing. Overall, respondents appear highly polarized, as indicated by the very high proportion (78.8%) of responses with 'very positive' or 'very negative' relationships with flying-foxes, with only seven respondents remaining neutral.

## 4.2 Resident meetings

Council and Ecosure representatives met with primary-impacted residents<sup>2</sup> during the site visit on the 27<sup>th</sup> of March 2023. One-on-one consultation was undertaken with primary-impacted residents, all of which have experienced flying-foxes roosting on their properties at some stage (some with core roost footprint).

A range of concerns were raised during these meetings, which are summarised in Section 4.3, Table 1 below. Key issues revolved around noise, smell, faecal mess, and human/animal health concerns, as well as loss of amenity (use of backyards) and loss of property value. Residents also raised concerns over disturbance to flying-foxes caused by streetsweepers that come through early in the morning, and from drivers speeding along Beaudesert-Nerang Road to intentionally cause flying-foxes to lift. Noise impacts are exacerbated when flying-foxes are disturbed, and thus these behaviours negatively impact residents. Conversely, two residents have flying-foxes roosting in their backyard but experience no negative impacts and have not raised any concerns with Council.

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<sup>2</sup> Primary-impacted residents are those with flying-foxes roosting on their property, or with properties directly adjacent the roost.

### 4.3 Key issues

Key issues associated with flying-foxes roosting at Lions Head Park and nearby residential properties are detailed in Table 1. These key concerns have been derived from the community survey (above), on-site community consultation, and ongoing community concerns raised to Council over past years. Management actions available/known to address these concerns are outlined in the third column, with the efficacy of each for the Canungra roost discussed further in Section 5.

Table 1 Key issues associated with flying-foxes roosting at Canungra Creek Lions Park.

Key issue	Details	Site-specific concerns	Potential management solutions
Odour	Flying-foxes use pheromones to communicate with each other, which is the source of the characteristic musky smell around their roosts and some foraging trees. Several factors affect odour detectability and intensity, such as the number of flying-foxes, time of year, weather conditions, wind direction, and site characteristics. Odour may be more intense at roosts during the breeding and rearing season as female flying-foxes use scent to find their pups after foraging, and males regularly mark their territories (Wagner 2008). Likewise, odour is stronger after rain as males remark branches in their territories.	<ul style="list-style-type: none"> <li>Odour is difficult for some residents to live with</li> <li>Odour is particularly noticeable during the breeding season</li> </ul>	<ul style="list-style-type: none"> <li>Double-glazed windows.</li> <li>Hostogel odour-neutralising pots.</li> <li>Airconditioning / ventilation system for indoors.</li> </ul>
Health & safety concerns	All animals carry bacteria and other microorganisms in their guts, some of which are potentially pathogenic to other species including humans. Key human and animal health risks associated with flying-foxes are Australian bat lyssavirus (ABLV) and Hendra virus (HeV); the latter being particularly important for flying-fox roosts located in close proximity to horse paddocks. Excluding those people whose occupations require contact with bats, such as wildlife carers and vets, human exposure to ABLV and HeV and frequency of infection is extremely rare. Health risks can be effectively mitigated through education, protocols, personal protective equipment (PPE), and basic hygiene measures (see Appendix 3).	<ul style="list-style-type: none"> <li>Health and safety concerns walking under roost on private property. Residents cited hospital visits following faecal drop in eye.</li> <li>Health/disease concerns for animals, including risks to pet pigs (Menangle virus), dogs (pet dog has previously picked up flying-foxes in its mouth), and horses (HeV; though there are no known horses on adjacent properties)</li> <li>Human health concerns regarding ABLV and potential transmission of Epstein-Barr virus from flying-foxes</li> <li>Safety concerns surrounding flying-foxes roosting directly adjacent to Beaudesert-Nerang Road. A minor car accident has occurred along this road when a driver swerved to avoid hitting a flying-fox.</li> </ul>	<ul style="list-style-type: none"> <li>Education to resolve concerns around Epstein-Barr virus and Menangle virus (see Section 4.3.1).</li> <li>HeV vaccination subsidised by Council.</li> <li>Wildlife signs and/or speed camera along Beaudesert-Nerang Road to discourage intentional vehicle disturbance.</li> </ul>





Key issue	Details	Site-specific concerns	Potential management solutions
Noise	A highly sociable and vocal animal, the activity heard from flying-foxes at roosts includes courting, parenting and establishing social hierarchy. Noise is often most disturbing pre-dawn, and during the breeding season (e.g. during mating March/April, and pup rearing in spring/summer).	<ul style="list-style-type: none"> <li>Intense noise from flying-foxes, generally starting around 2:45 am and continuing until fly-out at night.</li> <li>Noise impacts are worst during the breeding and pup-rearing season.</li> </ul>	<ul style="list-style-type: none"> <li>Double-glazed windows.</li> <li>Sound-proofing roost-facing and/or all external walls or installing noise-reducing curtains.</li> <li>Using white noise machine in residential homes to mask flying-fox noises at night.</li> </ul>
Faecal droppings / damage to property	Flying-foxes have an extremely fast digestive process with only 12-30 minutes between eating and excreting (SEQ Catchments 2012). Given that flying-foxes regularly forage 20 km from their roost (Markus & Hall 2004) and establish new roosts within 600 m – 6 km when dispersed (Roberts & Eby 2013, Ecosure 2014), attempting to relocate a roost will not reduce this impact. As such, faecal drop impacts are best managed at an individual property level. Faecal droppings can cause health concerns, reduced amenity, create a slip hazard, requires time and resources to clean, and can damage paint if not promptly removed.	<ul style="list-style-type: none"> <li>Reduced use of walkway under Lions Park roost footprint by school kids due to faecal droppings. School kids walk along Beaudesert-Nerang Road to avoid walking underneath the roost, which raises safety concerns</li> <li>Residents have to hose properties frequently (in some cases daily) to remove faecal mess and prevent long-term damage to property – costly and time-consuming</li> </ul>	<ul style="list-style-type: none"> <li>Shade sails to cover highly impacted areas.</li> <li>Regular cleaning by Council.</li> <li>Water rebates for residents.</li> <li>Council subsidies for cleaning service and/or equipment.</li> </ul>
Damage to vegetation	Large numbers of roosting flying-foxes can damage vegetation by stripping leaves and breaking branches, which can pose a serious human safety hazard. While damage can be problematic, most native vegetation is resilient and generally recovers well (e.g. casuarina and eucalypts), and flying-foxes naturally move within a roosting site allowing vegetation to recover.	<ul style="list-style-type: none"> <li>Vegetable garden dying from faecal droppings</li> <li>Damage to large canopy trees (predominantly eucalypts) from flying-foxes roosting in yard, including stripped branches</li> </ul>	<ul style="list-style-type: none"> <li>Selective removal/trimming of trees where there are safety concerns.</li> <li>Deterring flying-foxes from certain trees using permanent/semi-permanent deterrent methods.</li> </ul>
Loss of amenity	Loss of amenity refers to the reduced or ceased use of flying-fox roost areas resulting from flying-fox impacts (e.g. noise, odour, health concerns). This can occur on private and/or public land, and often results in negative relationships between community members/residents and flying-foxes.	<ul style="list-style-type: none"> <li>Not able to use garden due to overhanging flying-foxes.</li> <li>Property purchased as retirement plan – now unable to undertake a lot of planned activities due to flying-foxes</li> <li>Concerns regarding potential loss of property value since expansion of flying-fox roost across Beaudesert-Nerang Road</li> </ul>	<ul style="list-style-type: none"> <li>Conservation Agreement rebates for landholders.</li> <li>Flying-fox deterrents from some areas to increase amenity for primary-impacted residents.</li> </ul>



Key issue	Details	Site-specific concerns	Potential management solutions
Protecting flying-foxes and other fauna	There have been numerous community concerns about the protection and conservation of flying-foxes in the region. Along with anthropogenic impacts (e.g. land clearing), climate-driven impacts such as heat-stress events, droughts, bushfires, and flooding, can greatly impact flying-fox populations and habitat. One heat stress event alone in 2014 caused the death of at least 45,000 flying-foxes across 52 roosts in south-east Queensland. As such, protection of flying-foxes and their habitat needs to be a primary consideration in any RMP.	<ul style="list-style-type: none"> <li>Several community members raised concerns regarding welfare of flying-foxes during dispersal attempts in 2016, with many stating their opposition to all dispersal activities.</li> <li>Resident noted that the development of the Canungra Rise Estate (13 Beasley Way, adjacent to the end of Picnic Place) destroyed potentially suitable flying-fox habitat.</li> </ul>	<ul style="list-style-type: none"> <li>Education surrounding the ecological importance and cultural significance of flying-foxes.</li> <li>Develop LGA-wide heat stress response plan.</li> <li>Land-use zoning to protect flying-fox habitat.</li> </ul>

#### 4.3.1 Specific health concerns

To address specific questions regarding Menangle and Epstein-Barr viruses, a literature review was conducted to assess the risk of these viruses to humans and animals. Specifically, residents raised concerns regarding recent Epstein-Barr virus infections coinciding with flying-fox influxes, and potentially risks of Menangle virus infections to domestic pigs. The following information provides a summary of recently published and well-documented scientific research and literature. Further information regarding ABLV, HeV, and general health considerations can be found in Appendix 3.

##### **Menangle virus**

Menangle virus (also known as bat paramyxovirus no. 2) was first isolated in stillborn piglets from a NSW piggery in 1997. Little is known about the epidemiology of this virus, except that it has been recorded in flying-foxes, pigs and humans (Field 2002, Kirkland 2017). The virus caused reproductive failure in pigs and severe flu-like illness in two piggery workers employed at the same Menangle piggery (Field 2002). The virus is thought to have been transmitted to the pigs from flying-foxes via an oral-faecal matter route (Kirkland 2017). Flying-foxes had been recorded flying over the pig yards prior to the occurrence of disease symptoms. Two piggery workers were affected, both making a full recovery, and this has been the only case of Menangle virus recorded in Australia.

Menangle virus is considered a reproductive disease in pigs, causing complications to breeding pigs, such as stillbirths, embryonic death, and infertility (WHA 2016). It has not been shown to cause any health impacts to pigs, nor has it caused any deaths of adult pigs (WHA 2016). There is also only a single documented spill-over event which occurred in an intensive production setting where animals were likely more susceptible to illness. As such, transfer to domestic pigs is considered highly unlikely, and if it were to occur it is not likely to impact non-breeding animals.

##### **Epstein-Barr virus**

Epstein-Barr virus (EBV; Human herpesvirus 4) is a common human virus readily transmitted between humans, primarily through saliva (CDC 2020). It is highly contagious and can be transmitted through close contact, sharing drinks/food, using the same eating utensils, sharing a toothbrush. EBV is so common that the majority of people are expected to be infected with EBV at some stage in their life (CDC 2020). Infection with EBV usually results in clinical development of infectious mononucleosis, also known as mono or glandular fever.

There is no evidence to suggest flying-foxes carry or transmit EBV in Australia or abroad. While herpesviruses have been detected in a wide range of fauna worldwide (James et al. 2020), EBV has never been detected in any species of bat, including Australian flying-foxes. Herpesviruses from the *Gammaherpesvirinae* subfamily (same subfamily as EBV) have been detected in range of animals, including native Australian mammals (e.g. quolls, kangaroos, possums, bats), though EBV has never been detected in Australian mammals (Holz et al. 2018, Douch et al. 2022). In addition, the majority of gammaherpesviruses are not known to infect humans; in fact, EBV is one of only two gammaherpesviruses that infect humans (Jung

& Speck 2014).

Given all of these factors, it is considered very highly unlikely that flying-foxes at the Canungra roost carry, or are able to transmit, EBV. Considering EBV is highly contagious amongst humans, it is far more likely that infections have derived from human – human interactions, rather than flying-fox – human interactions.

### **Q fever**

Q fever is a bacterial disease caused by *Coxiella burnetii* that naturally infects many domestic and wild animals (CDC 2019, Matthews et al. 2022). Q fever can be transmitted to humans through breathing in dust contaminated with bodily fluids, or direct contact with animal faeces, urine, milk and birth products (CDC 2019, Matthews et al. 2022). There is an increased risk of transmission for people in certain professions such as veterinarians, wildlife carers, dairy/livestock farmers and meat processing plant workers (CDC 2019, Matthews et al. 2022). Transmission from person to person is very rare (Qld Health 2019).

Though further research is needed to definitively conclude which animals are significant reservoirs of Q fever, the main known reservoirs in Australia for Q fever are ruminant animals (cows, horses, sheep and goats) (CDC 2019, Matthews et al. 2022). Other known reservoirs include cats, dogs, macropods, possums, bandicoots, small rodents, flying-foxes and ticks (Matthews et al. 2022, Tozer et al. 2013). Tozer et al. conducted PCR testing of urine samples from 90 flying-foxes and demonstrated 7.8% of the samples detected the presence of *C. burnetii*. Flying-foxes are not known to be a significant source of infection for Q fever, however low detection rates of *C. burnetii* in flyingfoxes suggests that transmission is possible, albeit extremely low. Q fever diagnoses are usually short term and treatable with antibiotics (Qld Health 2019). In rare cases, long-term chronic infections can develop (Qld Health 2019). People working in professions with increased risk of exposure can get vaccinated to reduce the risk of transmission (Qld Health 2019).

### **Health and flying-fox management**

The effects of stress are linked to increased susceptibility and expression of disease in both humans (AIHW 2012) and animals (Henry & Stephens-Larson 1985, Aich et. al. 2009, Hing et al. 2016), including reduced immunity to disease. Therefore, it can be assumed that management actions which may cause stress (e.g. dispersal), particularly over a prolonged period or at times where other stressors are increased (e.g. food shortages, habitat fragmentation, etc.), are likely to increase the susceptibility and prevalence of disease within the flying-fox population, and consequently the risk of transfer to humans.

Furthermore, management actions or natural environmental changes may increase disease risk by:

- forcing flying-foxes into closer proximity to one another, increasing the probability of disease transfer between individuals and within the population.
- resulting in abortions and/or dropped young if inappropriate management methods are used during critical periods of the breeding cycle. This will increase the likelihood



of direct interaction between flying-foxes and the public, and potential for disease exposure.

- adoption of inhumane methods with potential to cause injury which would increase the likelihood of the community coming into contact with injured/dying or deceased flying-foxes.

The potential to increase disease risk should be carefully considered as part of a full risk assessment when determining the appropriate level of management and the associated mitigation measures required.

As with any accumulation of animal excrement (bird, bat, domestic animals), care should be taken when cleaning. This includes wetting dried faeces before cleaning to avoid aerosoling dust, wearing appropriate PPE and maintaining appropriate hygiene. See '[Work with bird and bat droppings](#)' for detail.

## 5 Management options analysis

Table 2 outlines a site-specific assessment of flying-fox impact management options commonly used across Australia, and their suitability for the Canungra roost.

Table 2 Management options for the Canungra Creek Lions Park flying-fox roost. Further information on management options is provided in Appendix 4, and appraisal in Section 6.

Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal
Education and awareness programs	<p><b>Advantages:</b> Low cost compared to active management, promotes conservation of flying-foxes, contributes to attitude change which may reduce general need for roost intervention and reduce anxiety. Increasing awareness and providing options for the community to reduce impacts can be an effective long-term solution, can be undertaken quickly, will not impact on ecological or amenity value of the site.</p> <p><b>Disadvantages:</b> Education and advice itself will not mitigate all issues, and in isolation would not be acceptable to the community.</p>	Collecting and providing information should always be the first response to community concerns in an attempt to alleviate concerns without the need to actively manage flying-foxes or their habitat. Community engagement with residents and the wider community revealed some misinformation regarding flying-fox management and health impacts, therefore it is important to increase engagement with the community to alleviate concerns, address misinformation, and promote flying-fox conservation.	\$	Develop educational strategies targeting the wider community, adjacent Canungra State School, and primary-impacted residents.
Roost monitoring	<p><b>Advantages:</b> Allows for an understanding of population dynamics over time. Allows for data to be used to determine the efficacy of some management actions. Relatively inexpensive.</p> <p><b>Disadvantages:</b> Not a direct management action that will minimise impacts.</p>	Council does not currently undertake regular monitoring of the Canungra roost, though it is monitored as part of the National Flying-fox Monitoring program. Council would ideally undertake monthly monitoring when flying-foxes are present, including species present, numbers, roost extent, age of flying-foxes present (whether dependent or independent young are present). This monitoring data is important to know when management actions can be implemented and allows for important data to be collected over time to assess management efficacy.	\$	Adopt.



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal
Operational/park modifications	<p><b>Advantages:</b> Encourages tolerance of flying-foxes roosting in a public space, reduces the need for vegetation management, reduces disturbance and possible lifting of flying-foxes, improves site amenity.</p> <p><b>Disadvantages:</b> Will not resolve all community conflict, could be cost prohibitive, ongoing costs associated with operational maintenance.</p>	Undertaking park modifications to minimise impacts currently experienced (e.g. faecal drop on pathways) will foster coexistence of flying-foxes and the community at Lions Park. Council should consider undertaking park modifications as it can be more cost effective than active roost management.	\$ - \$\$	Continue park maintenance and adopt modifications.
Subsidy program for property modification and/or services	<p><b>Advantages:</b> Property-level impact mitigation (e.g. double-glazing windows, white noise machines, sound-proof curtains, Appendix 4) is one of the most effective ways to reduce amenity impacts. It provides more certain outcomes compared with attempting to manage flying-foxes or their habitat. It is relatively low cost, can be included in building design and materials, will not impact on the roost and may add value to the property.</p> <p>Service subsidies (e.g. conducting cleaning services, Appendix 4) may encourage tolerance of living near a roost, promotes conservation of flying-foxes, can be undertaken quickly, will not impact on the site, would reduce the need for property modification, or can be used in tandem with property modification to minimise impacts further.</p> <p><b>Disadvantages:</b> May be cost-prohibitive for private landholders, depending on subsidies offered, and unlikely to fully mitigate community concerns. Can be costly for Council over a large scale, with service subsidies being an ongoing cost.</p>	<p>Residents expressed positive interest in service and/or property modification subsidies during one-on-one consultation, citing that a lot of management options are cost-prohibitive. A subsidy program targeting primary-impacted residents could help alleviate some of the conflict experienced at a property level.</p> <p>See Appendix 4 for further information regarding subsidy programs at a private property level.</p>	\$ - \$\$\$ depending on subsidy offered	Investigate subsidies for primary-impacted residents experiencing impacts at their home (particularly for properties that contain core roost footprint)
Routine roost management	<p><b>Advantages:</b> Can improve amenity at the site as well as impacts to biodiversity such as weeds on the site and in downstream areas.</p> <p><b>Disadvantages:</b> Will not generally mitigate amenity impacts for nearby landholders.</p> <p>Weed removal and bushfire management has the potential to reduce roost availability and reduce numbers of roosting flying-foxes.</p> <p>Removing weeds also changes the microclimate which can increase roost temperature and therefore</p>	<p>Council currently undertakes maintenance activities at Lions Park including garden and lawn maintenance to maintain the amenity of the park. Council should continue maintenance at Lions Park, targeted at improving coexistence between flying-foxes and the community.</p> <p>Residents are able to maintain their properties in accordance with the Low Impact COP. Council should continue to encourage residents to maintain their vegetation when flying-foxes are not present to discourage them from roosting/foraging when they</p>	\$	Continue in suitable areas and at appropriate times (ideally in the non-breeding season or adapted during the breeding season to be less disruptive). Consider also reducing streetsweeping schedules or evening streetsweeping during influxes if causing disruption, which will increase impacts to



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal
	susceptibility to HSEs.	are in town.		residents.
Alternative habitat creation / habitat improvement	<p><b>Advantages:</b> If successful in attracting flying-foxes away from high conflict areas, dedicated habitat in low conflict areas can mitigate all impacts and helps flying-fox conservation. Rehabilitation of degraded habitat that is likely to be suitable for flying-fox use could be a more practical and faster approach than habitat creation.</p> <p><b>Disadvantages:</b> Generally costly, long-term approach so cannot be undertaken quickly, previous attempts to attract flying-foxes to a new site have not been known to succeed.</p>	Multiple sites were cited by Council and residents as promising locations for habitat improvement/creating, including the end of Picnic Place (adjacent to Canungra Creek), the end of Finch Road, the previously occupied Witherin roost, and the Kokoda Barracks near the Coomera River. Site-suitability assessments must be undertaken to assess the existing vegetation type/structure, waterways, and soil type of potential sites to determine suitability as flying-fox habitat. Facilitating habitat improvement at alternative sites may encourage flying-foxes to roost in lower conflict areas, once plantings are mature and provide a favourable microclimate.	\$ - \$\$\$	Adopt habitat improvement at Witherin and investigate suitability of vegetation at other locations.
Provision of artificial roosting habitat	<p><b>Advantages:</b> Artificial roosting habitat (e.g. ropes) can be used to supplement the canopy if weed removal or roost management affects available roosting space.</p> <p><b>Disadvantages:</b> No guarantee that flying-foxes would use artificial habitat but collaborating with a researcher on varying design options would increase the likelihood of success.</p>	To date, artificial habitat structures have not been effective and further trials are not a priority for this roost.	\$ - \$\$	Not currently appraised, though investigate if vegetation damage become so severe that it may prevent current roost trees in low conflict locations from recovering.
Protocols to manage incidents	<p><b>Advantages:</b> Protocols for managing incidents (e.g. heat stress events, [HSE]), unauthorised disturbances) can reduce the risk of negative human/pet-flying-fox interactions. Low cost, promotes conservation of flying-foxes, can be undertaken quickly.</p> <p>In some cases, infrastructure problems such as power black-outs from flying-foxes being electrocuted on powerlines may be avoided by proactive management (e.g. adding spacers on powerlines).</p> <p><b>Disadvantages:</b> Will not mitigate amenity impacts.</p>	Council should respond to HSEs as per the Flying-fox Heat Event Response Guideline for south-east Queensland (Bishop et al. 2019) or consider developing a region-specific HSE document. Council should engage with wildlife carers and nearby residents and park users, particularly during potential mass mortality events such as HSEs and post-storm recovery.	\$	Continue supporting wildlife carers, residents, and flying-foxes during HSEs.





Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal
Research	<p><b>Advantages:</b> Support research that improves understanding and more effectively mitigates impacts.</p> <p><b>Disadvantages:</b> Generally, cannot be undertaken quickly, management trials may require cost input.</p>	<p>New research should be reviewed at least annually and incorporated into flying-fox management where appropriate.</p> <p>Research can be used to identify native flowering events in the area and how this can impact flying-fox movements and roosting preferences.</p> <p>Council should continue liaising with other SEQ Councils to share ideas and discuss efficacy of trialled management options.</p> <p>Consider trialling rehabilitated flying-fox release into lower conflict areas (e.g. with a soft-release flying-fox aviary in a low conflict area) with the aim of encouraging roosting away from high conflict areas.</p>	\$	<p>Incorporate new flying-fox management research into ongoing management where appropriate.</p> <p>Continue sharing learnings with other SEQ Councils.</p>
Appropriate land-use planning	<p><b>Advantages:</b> Planning for future land use where possible will reduce potential for future conflict between community and flying-fox roosts.</p> <p><b>Disadvantages:</b> Will not generally mitigate current impacts.</p>	<p>Incorporate planning controls where possible for new development applications near known roosts / suitable roosting habitat. This may include requirements for buffers, noise attenuating building materials, covered car parks and clotheslines, bedrooms and outdoor areas positioned furthest from the roost, and lawn or gardens over hard surfaces to reduce cleaning.</p>	\$	Investigate.
Property acquisition	<p><b>Advantages:</b> Allows affected landholders to move away from a roost, mitigating all impacts. Supports flying-fox conservation.</p> <p><b>Disadvantages:</b> Costly. Property owners may not want to sell.</p>	<p>Cost prohibitive and not suitable to alleviate impacts experienced by park users.</p>	\$\$\$	Not suitable.



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal
Buffers through vegetation modification	<p><b>Advantages:</b> Can provide a buffer between the community and flying-fox roosts which can reduce concerns in some instances.</p> <p><b>Disadvantages:</b> Removing vegetation can reduce buffering benefits of the vegetation to noise, odour and visual impacts, with potential to create additional conflict.</p> <p>Vegetation removed may exacerbate the impacts of HSEs, and could deter flying-foxes from roosting at the site all together (as seen at Witherin).</p>	<p><b>Private property:</b> Given the roost size, footprint, and height of roosting flying-foxes in the canopy, it may be difficult to increase buffers on all roost edges on private properties. The roost footprint is difficult to manage, as reducing impacts for one property would likely increase impacts to another (i.e. flying-foxes shifting from one property to another). Buffers through vegetation removal on private properties should therefore be prioritised and limited to vegetation directly adjacent to housing (e.g. in a 10 m buffer surrounding occupied dwellings) and other high conflict areas on properties.</p> <p><b>Lions Park:</b> Due to the risk of colony splintering vegetation removal should be minimised, at least for the short-medium term until alternative sites can be improved to encourage roosting at lower conflict locations. Vegetation modification in buffers should be limited to trimming of low-lying branches and branches overhanging footpaths.</p>	\$-\$	<p>Prioritise support for private landholders to selectively trim/remove vegetation in strategic locations to reduce impacts.</p> <p>Maintain buffers within Lions Park where appropriate.</p>
Buffers without vegetation modification – visual deterrents, canopy mounted sprinklers (CMS)	<p><b>Advantages:</b> CMS to create buffers have been effective at many roost sites in Queensland with no welfare impacts observed during monitoring. Visual deterrents such as lights and balloons have shown localised effects.</p> <p><b>Disadvantages:</b> Can be logistically difficult (installation and water sourcing) and may be cost-prohibitive. Misting may increase humidity and exacerbate HSEs, and overuse may impact other environmental values of the site. Water restriction consideration required. The type and placement of visual deterrents need to be varied regularly to avoid habituation, and deterrents can appear an eye-sore and lead to increased rubbish in the natural environment.</p>	<p>Visual deterrents have not proven to be very successful to date with only localised effects and flying-foxes regularly habituating. Further trials are needed to identify potentially effective options.</p> <p>Given the current buffers and impacts on the eastern portion of the roost (i.e. Lions Park), CMS are not considered suitable within Lions Park. Vegetation management (e.g. trimming trees adjacent to the road) will more effectively manage impacts.</p> <p>CMS installation may be appropriate in some areas of the roost extent on private land. CMS would likely need to be offered as part of a subsidy grant for relevant landholders as installation and maintenance costs can be expensive.</p>	\$\$	<p>Not suitable for Lions Park, though CMS should be considered for private properties. Council to investigate potential for CMS subsidies.</p>



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal
Noise attenuation fencing	<p><b>Advantages:</b> Standard noise attenuation fencing is intended to alleviate amenity issues for residents. Advice from an acoustic consultant may provide site-specific alternatives.</p> <p><b>Disadvantages:</b> Noise attenuation fencing is costly and can be considered unsightly if not cleaned of faecal drop.</p>	Given the height of flying-fox roosting trees, and size/location of the roost, noise attenuation fencing is not appropriate at this site. Vegetation screening is already present at residential properties adjacent to Beaudesert-Nerang Road (e.g. bamboo planting originally planted to provide a screen between residential property and flying-foxes across the road). However, given the current roost footprint on private properties, additional screening vegetation would not be sufficient to reduce noise, smell or vision of flying-foxes.	\$\$	Not suitable.
Nudging using low intensity disturbance	<p><b>Advantages:</b> Can encourage flying-foxes to shift away from high conflict areas.</p> <p><b>Disadvantages:</b> May lead to inadvertent dispersal if not done at the correct time, frequency or duration. Resource intensive with flying-foxes quickly returning to their favoured roost trees.</p>	Given the very high risk of the roost splintering into other high conflict areas, nudging away from large areas is not suitable. Council may consider allowing a limited number of primary-impacted residents to (with DES permission) undertake nudging in specific areas under Council's 'as-of-right' authority, or assist private residents to obtain a flying-fox management permit. Buffers with vegetation management or deterrents (e.g. CMS) are preferable, however where these are not possible nudging can be considered. Nudging should be very targeted and limited to very specific areas to reduce major impacts (noise, smell, mess). Nudging may also be considered from private properties if there is known roost habitat available at Lions Park sufficient to accept animals from private properties. This would require a risk assessment and should be strategically managed by Council. See Appendix 4 for further information on nudging.	\$\$ - \$\$\$	Not suitable roost-wide, but may be suitable in localised areas on private properties.
Passive dispersal through vegetation removal	<p><b>Advantages:</b> If successful can mitigate all flying-fox impacts at that site.</p> <p><b>Disadvantages:</b> Likely less stressful on flying-foxes if done in a staged way than active dispersal, but risks as per active dispersal with additional impacts of losing native vegetation.</p>	Given the risk of the roost splintering into other high conflict areas (particularly sensitive receptors), and other ecological and amenity values, passive dispersal is not suitable.	\$\$ - \$\$\$	Not suitable.



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal
Active dispersal through disturbance	<p><b>Advantages:</b> If successful can mitigate all flying-fox impacts at that site.</p> <p><b>Disadvantages:</b> Multiple studies show that dispersal is rarely successful, especially without significant vegetation removal (not suitable for this site) or high levels of ongoing effort and significant expenditure (e.g. several years of daily works and over \$1M for Sydney Botanic Gardens).</p> <p>Flying-foxes will almost always continue to roost in the area (generally within 600 m, Roberts and Eby 2013), and often splinter into several locations which may result in more widespread impacts. Appendix 5 provides a summary of research conducted on flying-fox dispersals in Australia.</p>	Active dispersal is very resource intensive and costly with highly unpredictable outcomes that often worsen human-wildlife conflict (as demonstrated by previous dispersals across the state). Dispersals are very rarely effective long-term, and can cause splintering of roosts into other high conflict locations. For these reasons, active dispersal is not supported at this site. Further information about the low efficacy of dispersal can be found in Appendix 5.	\$\$\$\$	Not suitable.

## 6 Management approach

Table 3 and Figure 8 outlines management actions based on site-specific analysis of available flying-fox impact management options (Section 5). An overview of the approach is to use a range of short- and medium-term measures to reduce conflict through reducing impacts experienced by nearby residents and park users, as outlined in the table below, whilst improving lower conflict areas as part of a longer term strategy.

Education will form an important part of the ongoing management of flying-foxes to alleviate misconceptions and unnecessary fears. Fear of disease was identified as one of the main issues concerning community members and primary-impacted residents. Educational material should aim to cover key messages in a way that educates and informs, rather than cause alarm e.g. emphasising that there is no risk associated with living or playing near a flying-fox roost (Queensland Government 2021) – ‘no touch, no risk’ (BCRQ 2019). Council should aim to provide regular and easily accessible information, through educational signs, informational sheets, updates on Council’s website and school engagement programs. Community engagement will be particularly important during large influxes of flying-foxes.

The long-term plan for the site is to encourage flying-foxes to roost further away from residential properties by creating buffers, alongside improving/creating habitat at alternative sites. Two sites with potential for lower conflict roosting include Witherin (previously occupied) and a Council-owned site north of the end of Picnic Place, along Canungra Creek and adjacent to Finch Road. If habitat is created/restored to suitable flying-fox roosting habitat (see Section 2.3), and managed appropriately, these sites may offer lower conflict alternatives to the current Canungra roost location (further detail provided in Table 3). Habitat restoration may also be considered on the Kokoda Barracks property, though Council should liaise with the Department of Defence to determine the suitability of this option.

Habitat at these sites should be improved/created through:

- removing woody weeds, especially where they are creating a monoculture (e.g. Witherin)
- assisted regeneration / planting to replace weeds removed and create preferred complex structure
- ensuring canopy succession
- removing vines to improve canopy health and habitat values of the site, as well as preventing weed spread throughout the park, particularly in restoration areas
- maintaining sufficient water flow below the roost to allow flying-foxes access to pool areas when rainfall is sufficient to belly-dip during hot weather (e.g. removing fallen branches following storms, periodically removing debris from waterway and sediment if required).





Table 3 Management actions at the Canungra flying-fox roost. Further detail on general management options is provided in Appendix 4. Note: implementation must consider legislative requirements and measures to avoid impacts to flying-foxes outlined in Section 6.1.

Management type	Management action	Permits/DES notification permits required	Timeframe
Education and awareness programs	<ul style="list-style-type: none"> <li>· Increase engagement with the community to ensure up-to-date health information is available, and residents are aware of impact mitigation options available at a property level (e.g. double-glazing, odour-neutralising gel pots, sound-proof curtains, white noise machines) and legislative responsibilities.</li> <li>· Direct, one-on-one engagement should be ongoing for primary-impacted residents; particularly those with core roost footprint on their properties. Educational material should ensure residents understand the risk associated with undertaking management actions such as vegetation removal and the potential for loss of control of the roost.</li> <li>· Council should also provide regular updates on work being done by Council to manage the conflict.</li> </ul>	No.	ASAP and ongoing.
	Consider facilitating an educational program targeting sensitive receptors (such as Canungra State School given its proximity to the roost footprint). Information should include the ecological and cultural importance of flying-foxes, information on human health, and ways to coexist with flying-foxes. Educational material developed by the NSW Government and Hunter Joint Organisation as part of the Little Aussie Battler campaign may provide suitable material for distribution throughout the community and schools.		Consider by 2025.
	Install interpretive signage at high-traffic areas in Lions Park to convey key flying-fox information and promote conservation. Signs should be sturdy to prevent damage, and protected against vandalism (e.g. enclosed in a plastic box).		By August 2023.
Roost monitoring	Undertake monthly monitoring to assess species present, numbers, roost extent, and age of flying-foxes present (whether dependent or independent young are present). Though monitoring will not directly reduce conflict in the community, data from regular monitoring is valuable in identifying trends, evaluating management, and to predict influxes and pre-emptively engage with the community.	No.	Monthly.
Operational park modifications	Continue to maintain gardens in Lions Park to provide a buffer between the roost and Council workers/contractors during mowing maintenance.	No.	Ongoing.
	Relocate or cover the picnic table at Lions Park.		ASAP.
	Consider trimming in limited areas to reduce roosting over pathways and cover other impacted sections of the walkway. If this is not possible, Council should regularly clean the walkway using a high-pressured hose during flying-fox influxes. Council should liaise with DES for approval to conduct	Vegetation clearing approval from DES in koala priority area. If undertaking vegetation works	By October 2023.



Management type	Management action	Permits/DES notification permits required	Timeframe
	<p>vegetation management in a koala priority area.</p> <p>Note: Vegetation modification could potentially shift roosting to another area, therefore should be minimised to trimming over high-conflict areas. This should be undertaken in conjunction with buffering around private residences (e.g. through vegetation modification or CMS installation).</p>	outside the low impact COP, DES notification will be required.	
Subsidy program	<p><u>Property modifications (resident responsibility but a portion of costs could be subsidised by Council if subsidies program approved)</u></p> <ul style="list-style-type: none"> <li>Noise- and odour-reducing items such as odour-neutralising gel pots (Hostogel pots), sound-proof curtains, white noise machines.</li> <li>Property modifications such as double-glazed windows, air-conditioning units, and insulation to reduce noise and odour impacts.</li> <li>Shade sails over animal enclosures.</li> <li>Selective tree trimming/removal (see row for 'Buffers through vegetation removal' on private property).</li> <li>CMS in select areas to maintain a 10 m buffer from residences.</li> </ul>	<p>No.</p> <p>For vegetation modification see line 'Buffers through vegetation modification'.</p>	Establish program funding by February 2024.
	<p><u>Rebates</u></p> <ul style="list-style-type: none"> <li>Investigate options to provide water rebates to subsidise residents for increased water use required to clean faecal mess off property</li> <li>Investigate options to provide rebates to primary-impacted residents (i.e. those with core roost footprint on private property) under a Conservation Agreement (similar to Land for Wildlife).</li> </ul>	No.	Investigate efficacy of rebate scheme by February 2024.
	<p><u>Services</u></p> <ul style="list-style-type: none"> <li>Loan of Council owned pressure cleaners for residents to undertake cleaning of their properties</li> </ul>		ASAP.
Routine roost maintenance	<ul style="list-style-type: none"> <li>Continue maintenance of the park under the Low Impact COP, including trimming of branches near Beaudesert-Nerang Road to ensure safety to flying-foxes and drivers, at appropriate times.</li> <li>Reduce streetsweeping schedules or conduct evening streetsweeping during influxes</li> </ul>	No permit required for weed management or habitat improvement, and no notification required if tree trimming is in compliance with the Low Impact COP.	As required.
Alternative habitat creation / habitat	The Witherin roost is most likely to provide alternative roosting habitat given its historical flying-fox occupancy, though habitat restoration is required to encourage flying-foxes to return. Consider cost feasibility of habitat improvement / restoration at the Witherin roost, while also maintaining buffers between roads and houses to avoid impacts experienced in the past, to encourage roosting at this lower conflict site.	No.	Started by October 2023.



Management type	Management action	Permits/DES notification permits required	Timeframe
improvement	<ul style="list-style-type: none"> <li>Facilitate and/or support habitat creation and restoration works in suitable, low conflict locations in the local area. Of the options cited by Council and residents, the end of Picnic Place (Council land adjacent to Canungra Creek and Finch Road) may provide a long-term alternative roosting option with suitable habitat creation and restoration works. A site-suitability assessment should be undertaken to confirm this site (or any other site) as an appropriate location for restoration works. Habitat creation should ensure buffers between surrounding landholders to ensure minimal conflict.</li> <li>Habitat restoration may also be considered on the Kokoda Barracks property, though Council should liaise with the Department of Defence to determine the suitability of this option.</li> </ul>		Specific site selected by October 2023, with habitat creation works started by January 2024.
Reduce road speed along Beaudesert-Nerang Road	Liaise with the Department of Transport and Main Roads (DTMR) to discuss: <ul style="list-style-type: none"> <li>a bypass (already under investigation for other reasons) to avoid heavy traffic driving through the middle of the roost and causing disturbance</li> <li>other traffic calming measures e.g. signage, speed reduction, temporary/permanent speed cameras, speed humps etc., and specific signage for trucks to avoid exhaust brakes which is reportedly very disruptive.</li> </ul>	DTMR approval/ responsibility.	Start liaison by August 2023.
Research	<ul style="list-style-type: none"> <li>Undertake annual reviews of relevant flying-fox management literature (reputable news articles, scientific papers, council articles) to keep up-to-date with new and innovative management techniques, trials, and outcomes, movements (e.g. based on flowering) and anything that may inform ongoing flying-fox management at the Canungra roost.</li> <li>Consider trialling rehabilitated flying-fox release into lower conflict areas (e.g. with a soft-release flying-fox aviary in a low conflict area) with the aim of encouraging roosting away from high conflict areas.</li> </ul>	Research permit and Animal Ethics Committee (AEC) approval may be required for some research.	Ongoing with detailed review annually.
	Continue liaising with other SEQ Councils to share ideas and learnings.	No.	Quarterly.
	Incorporate planning controls where possible to avoid new developments being built on/near suitable roosting habitat.		As required.
Appropriate land-use planning	Investigate options to incorporate appropriate planning controls for new developments around known flying-fox roosts or suitable roost habitat.	No.	By December 2024.
Buffers through vegetation	Vegetation modification in a 10 m buffer surrounding occupied dwellings where the core roost is located (see management areas in Figure 8) could be considered, including whole or partial tree removal to reduce proximity between flying-foxes and residential dwelling and/or domestic animal	Vegetation clearing approval from DES and Council in koala priority area/regulated vegetation area.	By October 2023.



Management type	Management action	Permits/DES notification permits required	Timeframe
modification	<p>enclosures.</p> <p>Vegetation removal in core koala habitat and koala priority areas is prohibited, therefore approval from DES would be required. Areas also mapped at regulated vegetation under Scenic Rim Planning Scheme require Council approval.</p> <p>CMS may be considered around occupied dwellings if vegetation removal is not possible within the legislative framework (see next row). Buffers must consider potential impacts to neighbouring properties (i.e. risk of shifting flying-foxes to adjacent high conflict areas) and buffering value for traffic noise.</p> <p>As this vegetation management (if approved by DES and Council) will occur on private property, Council should consider subsidising the costs of vegetation management, and engage with DES to determine if landholders could undertake works under Council's 'as-of-right' authority. If this is not possible, private landholders will need to apply for an FFRMP.</p>	<p>If undertaking vegetation works on Council land outside the Low Impact COP, DES notification will be required.</p> <p>Vegetation works (other than minor trimming) on private land will require an FFRMP, or Council may permit landholders to work under their 'as-of-right' authority.</p>	
Buffers without vegetation modification – CMS	Consider installation of CMS (could be part of a subsidies program or joint-funded in line with Council's SoMI), prioritising areas where occupied dwellings are adjacent to the core roost (see Figure 8 for recommended placement based on historic roost extent). A temporary sprinkler system (e.g. hose with sprinkler connection) could be trialled, if water pressure is sufficient, before investing in more permanent fixtures.	Notification to DES for installation works and possible approval under the VM Act (if removing vegetation to install sprinklers).	Investigate by October 2023.
	Investigate need for additional CMS adjacent to occupied dwellings if roost extent changes.		As required.
Nudging using low intensity disturbance	Where buffers with vegetation modification / CMS are not possible, investigate options for primary-impacted residents to undertake nudging in specific areas (e.g. potentially under Council's 'as-of-right' authority, or assist private residents to obtain an FFRMP). Nudging should be limited to very specific areas to reduce major impacts (noise, smell, mess) while also avoiding the risk of roost splintering. All nudging activities must be approved by Council prior to any implementation (if private landholders are working under Council's 'as-of-right' authority). Nudging may also be considered from private properties if there is known roost habitat available at Lions Park sufficient to accept animals from private properties. This would require a risk assessment and should be strategically managed by Council.	Council's 'as-of-right' authority under the Roost Management COP does allow for nudging but should not be very early during the day to avoid inadvertent dispersal/splintering. DES notification is required prior to nudging activities and consultation with DES to determine if residents are able to operate under Council's as-of-right authority or a permit required.	As required (to be undertaken only when dependent young will not be impacted).





**Figure 8: Canungra roost management actions**

Scenic Rim Regional Council

Canungra Lions Park Flying-fox Roost Management Plan

- |   |  |
|---|--|
| ● CMS   | Management area (10 m buffer)          |
| ● Educational sign                            | Consider covering/trimming trees       |
| ● Picnic table (consider covering/relocating) | overhanging path in high-mess areas to |
| ● Pig enclosure                               | reduce cleaning                        |
| --- Walking trails                            | General park maintenance area          |
| ■ CMS 10 m buffer                             | Property boundaries                    |



Job number: PR7870  
Revision: 0  
Author: TD  
Date: 2/06/2023



0 10 20  
Metres

GDA 1994 MGA Zone 56  
Projection: Transverse Mercator  
Datum: GDA 1994  
Units: Meter

Data Sources: © Ecosure Pty Ltd 2022; State of Queensland 2021; Image Qld Imagery; Includes material © State of Queensland (Department of Resources); © Planet Labs Netherlands B.V. reproduced

PR7870 MP8 CanungraManagementActions

## 6.1 Avoiding impacts to flying-foxes

This RMP does not recommend dispersal as a viable management approach. During on-ground works, a person with experience in flying-fox behaviour will monitor for welfare triggers and direct works in accordance with the criteria outlined in Table 4. Following these welfare triggers and actions will ensure the welfare of flying-foxes during proposed minor works.

Table 4 Planned actions for potential impacts during any works under or near a flying-fox roost.

Welfare trigger	Signs	Action
Unacceptable levels of stress	If any individual is observed: <ul style="list-style-type: none"> <li>· panting</li> <li>· saliva spreading</li> <li>· located on or within two metres of the ground</li> </ul>	<ul style="list-style-type: none"> <li>· Works to cease for the day</li> </ul>
Fatigue	In situ management <ul style="list-style-type: none"> <li>· more than 30% of the roost takes flight</li> <li>· individuals are in flight for more than five minutes</li> <li>· flying-foxes appear to be leaving the roost</li> </ul>	<ul style="list-style-type: none"> <li>· In situ management</li> <li>· Works to cease and recommence only when flying-foxes have settled* / move to alternative locations at least 50 m from roosting animals</li> </ul>
	Dispersal <ul style="list-style-type: none"> <li>· low flying</li> <li>· laboured flight</li> <li>· settling despite dispersal efforts</li> </ul>	<ul style="list-style-type: none"> <li>· Dispersal</li> <li>· Works to cease for the day</li> </ul>
Injury/death	<ul style="list-style-type: none"> <li>· a flying-fox appears to have been injured/killed on-site (including aborted fetuses)</li> <li>· any flying-fox death is reported within one kilometre of the dispersal site that appears to be related to the dispersal</li> <li>· loss of condition evident</li> </ul>	<ul style="list-style-type: none"> <li>· Works to cease immediately and DES notified</li> <li>· Rescheduled</li> <li>· Adapted sufficiently so that significant impacts (e.g. death/injury) are highly unlikely to occur, as confirmed by an independent expert</li> <li>· Stopped indefinitely and alternative management options investigated.</li> </ul>
Reproductive condition	<ul style="list-style-type: none"> <li>· females in final trimester</li> <li>· dependent/crèching young present</li> </ul>	<ul style="list-style-type: none"> <li>· Works to cease immediately and DES notified</li> <li>· Rescheduled</li> <li>· Stopped indefinitely and alternative management options investigated.</li> </ul>

\*maximum of two unsuccessful attempts to recommence work before ceasing for the day.



## 7 Plan evaluation and review

### 7.1 Evaluation and review

A review of the RMP should be scheduled annually, with community consultation and expert input sought on an ad hoc basis. This RMP shall remain in force until superseded.

The following may trigger an earlier RMP update:

- changes to relevant policy/legislation
- new management techniques becoming available
- outcomes of research that may influence the RMP
- incidents associated with the roost.

Progress and priority of management actions in the RMP will be evaluated annually by Council.

### 7.2 Reporting

Council will complete the DES evaluation form for actions under its 'as-of-right' authority (excluding activities listed under the Low Impact COP), returned within six weeks of the date of actions being completed, and will comply with any reporting obligations under other permits or approvals obtained to implement the RMP. DES notification requirements are outlined in Table 2.

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## Appendix 1 Legislation

### Commonwealth

#### ***Environment Protection and Biodiversity Conservation Act 1999***

The Commonwealth's EPBC Act provides protection for the environment, specifically matters of national environmental significance (MNES). A referral to the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) is required under the EPBC Act for any action that is likely to significantly impact on an MNES. The GHFF is listed as a vulnerable species under the EPBC Act, meaning it is an MNES.

MNES under the EPBC Act that relate to flying-foxes include:

- world heritage sites (where those sites contain flying-fox roosts or foraging habitat)
- wetlands of international importance (where those wetlands contain flying-fox roosts or foraging habitat)
- nationally threatened species and ecological communities.

The GHFF is also considered to have a single national population. DAWE has developed the Referral guideline for management actions in GHFF and spectacled flying-fox (*P. conspicillatus*) roosts (DoE 2015) (the Guideline) to guide whether referral is required for actions pertaining to the GHFF.

The Guideline defines a nationally important GHFF roost as one that has either:

- contained  $\geq 10,000$  GHFF in more than one year in the last 10 years, or
- been occupied by more than 2500 GHFF permanently or seasonally every year for the last 10 years.

Provided that management at nationally important roosts follows the mitigation standards below, DAWE has determined that a significant impact to the population is unlikely, and referral is not likely to be required. Referral will be required if a significant impact to any other MNES is considered likely as a result of management actions outlined in the Plan. Self-assessable criteria are available in the Significant Impact Guidelines 1.1 (DoE 2013) to assist in determining whether a significant impact is likely; otherwise, consultation with DAWE will be required.

Mitigation standards:

- The action must not occur if the roost contains females that are in the late stages of pregnancy or have dependent young that cannot fly on their own.
- The action must not occur during or immediately after climatic extremes (HSE, cyclone event), or during a period of significant food stress.

- Disturbance must be carried out using non-lethal means, such as acoustic, visual and/or physical disturbance or use of smoke.
- Disturbance activities must be limited to a maximum of 2.5 hours in any 12-hour period, preferably at or before sunrise or at sunset.
- Trees are not felled, lopped or have large branches removed when flying-foxes are in or near to a tree and likely to be harmed.
- The action must be supervised by a person with knowledge and experience relevant to the management of flying-foxes and their habitat, who can identify dependent young and is aware of climatic extremes and food stress events. This person must assess the relevant conditions and advise the proponent whether the activity can go ahead consistent with these standards.
- The action must not involve the clearing of all vegetation supporting a nationally-important flying-fox roost. Sufficient vegetation must be retained to support the maximum number of flying-foxes ever recorded in the roost of interest.

## State

### ***Nature Conservation Act 1992***

As native species, all flying-foxes and their roosting habitat are protected in Queensland under the NC Act. State approval is required to:

- a) destroy a flying-fox roost;
- b) drive away, or attempt to drive away, a flying-fox from a flying-fox roost ('drive away' is defined to mean "cause the flying-fox to move away from the roost; or if the flying-fox has moved away from the roost, deter the flying-fox from returning to the roost"); and/or
- c) disturb a flying-fox in a flying-fox roost.

Note that the definition under Queensland law means that once a flying-fox roost is established, it remains as such even when it is unoccupied. The *Interim policy for determining when a flying-fox congregation is regarded as a flying-fox roost under section 88C of the NC Act* (DES 2021a) has recently been released and is currently in consultation. It is our understanding that the RMP aligns with this roost policy, however amendments can be made to the RMP in consultation with DES if required.

A 'flying-fox roost' is defined under the NC Act as 'a tree or other place where flying-foxes congregate from time to time for breeding or rearing their young'.

### Council 'as-of-right' management

Under the NC Act, local governments have an 'as-of-right' authority under the NC Act to manage flying-fox roosts in mapped Urban Flying-fox Management Areas (UFFMAs), without the requirement for a permit, in accordance with the *Code of Practice – Ecologically sustainable management of flying-fox roosts* (Roost Management COP) (DES 2020a).

Councils must however still notify DES of the planned management. Notification is by means of a completed 'flying-fox management notification form' from the DES website submitted at least two business days prior to commencing any management actions, unless an authorised person from DES provides written advice that these actions can commence earlier. Local governments may also choose to, with the relevant landholder's permission, exercise their 'as-of-right' authority on private land. Notification is valid for all notified management actions within a four-week timeframe.

The *Flying-fox Roost Management Guideline* (DES 2020b) has also been developed to provide local government with additional information that may assist decision making and management of flying-fox roosts. Councils are required to apply for a FFRMP to manage flying-fox roosts outside an UFFMA, or for management actions not specified in the COP. It must be noted that this 'as-of-right' authority does not oblige Council to manage flying-fox roosts, and does not authorise management under other relevant sections of the NC Act or other legislation (such as the *Vegetation Management Act 1999* [VM Act]).

Anyone other than local government is required to apply to DES for a FFRMP for any management directed at roosting flying-foxes, or likely to disturb roosting flying-foxes. Certain low impact activities (e.g. mowing, minor tree trimming) do not require approval if undertaken in accordance with the *Code of Practice – Low impact activities affecting flying-fox roosts* (Low Impact Code) (DES 2020c).

#### Flying-fox roost management permits

Councils wishing to manage flying-fox roosts located outside an UFFMA or to conduct flying-fox management activities that are not Code-compliant, must apply to DES for a FFRMP. Under the *Nature Conservation (Animals) Regulation 2020 (the Animals Regulation)*, a FFRMP may only be approved for management of a flying-fox roost where its resident flying-foxes are causing or may cause damage to property; or represent a threat or potential threat to human health or wellbeing. The Roost Management COP may generally also apply where such a requirement is stated on the FFRMP. Such a permit is valid for a period of one year, or up to three with a DES-approved flying-fox management plan (e.g. this RMP).

Anyone other than local government is required to apply for an FFRMP to conduct flying-fox roost management activities.

#### Low impact roost management

All landholders – private or public – can undertake low impact activities such as mulching, mowing and weeding near flying-fox roosts, as well as allowing trimming of up to 10% of the total canopy of the roost without a FFRMP if it is done in accordance with the Low Impact Code (DES 2020c). This authorisation is provided these activities not being undertaken with the intention of destroying the roost, or disturbing or driving away the flying-foxes.

#### Flying-fox management statements and planning

Council has a Statement of Management Intent (SoMI) to articulate the approach that Council will take to the management of flying-fox roosts in the Scenic Rim region. Local councils may



also opt to develop a RMP for the whole of their local government area (LGA). If the RMP is approved by DES, the local council can be granted three years' approval to manage flying-foxes outside their UFFMAs under an FFRMP.

The *Flying-fox roost management guideline* was developed to provide local councils and other entities wishing to manage flying-fox roosts with additional information that may assist their decision-making, including developing SOMIs and RMPs.

### **Vegetation under the NC Act 1992**

All plants native to Australia are protected under the NC Act. Prior to any clearing of protected plants, a person must refer to the flora survey trigger map to determine if the clearing is within a high-risk area.

- in a high-risk area, a flora survey must be undertaken and a clearing permit may be required for clearing endangered, vulnerable and near threatened (EVNT) plants and their supporting habitat.
- if a flora survey identifies that EVNT plants are not present or can be avoided by 100 m, the clearing activity may be exempt from a permit. An exempt clearing notification form is required.
- in an area other than a high-risk area, a clearing permit is only required where a person is, or becomes, aware that EVNT plants are present.
- clearing of least concern plants will be exempt from requiring a clearing permit within a low-risk area.

### **Vegetation under the Fisheries Act 1994**

All marine plants, including mangroves, seagrass, saltcouch, algae, samphire vegetation and adjacent plants (e.g. melaleuca and casuarina), are protected under Queensland law through provisions of the *Fisheries Act 1994*. Approval must be gained from Fisheries Queensland to destroy, damage, or disturb any marine plant. Under the Fisheries Act, a 'marine plant' includes:

- a) a plant (a 'tidal plant') that usually grows on, or adjacent to, tidal land, whether it is living or dead, standing or fallen;
  - The *Fisheries Act* does not define 'adjacent' as it relates to marine plants. In the absence of a definition, the Fish Habitat Management Operational Policy describes the application of 'adjacent' in terms of when a marine plant development permit application would be required for disturbance of plants in or adjacent to the tidal zone.
- b) the material of a tidal plant, or other plant material on tidal land;
- c) a plant, or material of a plant, prescribed under a regulation or management plan to be a marine plant.

**Vegetation Management Act 1999**

The clearing of native vegetation in Queensland is regulated by the VM Act, the *Sustainable Planning Act 2009* and associated policies and codes.

The type of clearing activity allowed, and how it is regulated, depends on:

- the type of vegetation (as indicated on the regulated vegetation management map and supporting maps)
- the tenure of the land (e.g. freehold or Indigenous land)
- the location, extent and purpose of the proposed clearing
- the applicant proposing to do the clearing (e.g. state government body, landholder).

Depending on these factors, clearing activities will either:

- be exempt from any approval or notification process
- require notification and adherence to a self-assessable code
- require notification and adherence to an area management plan
- require a development approval.

VM Act exemptions allow native vegetation to be cleared for a range of routine property management activities without the need for a development approval or notification. A number of VM Act exemptions may apply to clearing vegetation that is flying-fox roosting or foraging habitat. However, specific advice should be obtained from Department of Natural Resources and Mines for each proposed vegetation clearing activity.

No explicit VM Act exemptions for clearing flying-fox roosting or foraging vegetation were in place as of December 2021.

**Animal Care and Protection Act 2001**

The *Animal Care and Protection Act 2001* (ACP Act) provides for animal welfare. The ACP Act is administered by Biosecurity Queensland within the Department of Agriculture and Fisheries. The ACP Act applies to all living vertebrate animals, including wildlife. To comply with the ACP Act flying-fox management actions must not cause mental or physical suffering, pain or distress.

**Civil Aviation Act 1998**

The CA Act establishes Australia's Civil Aviation Safety Authority functions in relation to civil aviation, with particular emphasis on safety. Civil Aviation Safety Regulations 1998 Part 139 contains specific requirements for wildlife hazard management.

## Appendix 2 Species profiles

### Black flying-fox (*Pteropus alecto*)

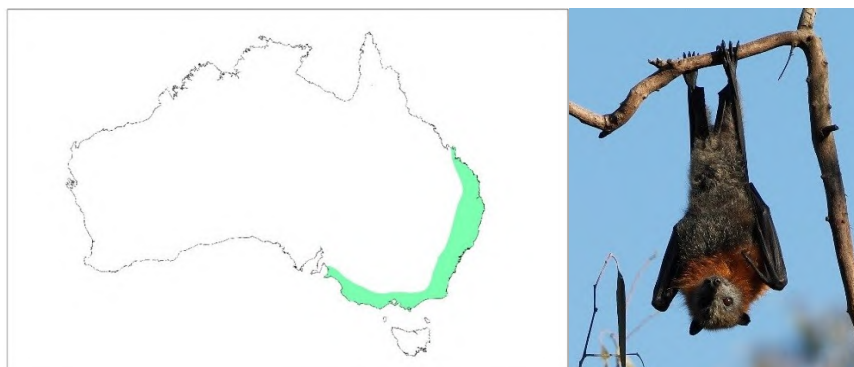


Black flying-fox indicative species distribution (DPE 2023)

The BFF has traditionally occurred throughout coastal areas from Shark Bay in Western Australia, across Northern Australia, down through Queensland and into NSW (Churchill 2008). Since it was first described there has been a substantial southerly shift by the BFF (Webb & Tidemann 1995). This shift has consequently led to an increase in indirect competition with the threatened GHFF, which appears to be favouring the BFF (DAWE 2021).

They forage on the fruit and blossoms of native and introduced plants (Churchill 2008), including orchard species at times. BFF are largely nomadic animals with movement and local distribution influenced by climatic variability and the flowering and fruiting patterns of their preferred food plants. Feeding commonly occurs within 20 km of the roost site (Markus and Hall 2004).

BFF usually roost beside a creek or river in a wide range of warm and moist habitats, including lowland rainforest gullies, coastal stringybark forests and mangroves. Roost sizes can change significantly in response to the availability of food and the arrival of animals from other areas.

**Grey-headed flying-fox (*Pteropus poliocephalus*)**

Grey-headed flying-fox indicative species distribution (DPE 2023)

The GHFF is found throughout eastern Australia, generally within 200 kilometres of the coast, from Finch Hatton in Queensland to the north to Melbourne, Victoria (OEH 2020). This species now ranges into South Australia and individual flying-foxes have been reported on the Bass Islands and mainland Tasmania (Driessen et al. 2011). It requires foraging resources and roost sites within rainforests, open forests, closed and open woodlands (including melaleuca swamps and banksia woodlands). This species is also found throughout urban and agricultural areas where food trees exist and will feed in orchards at times, especially when other food is scarce (OEH 2020).

All the GHFF in Australia are regarded as one population that moves around freely within its entire national range (Webb and Tidemann 1996, DAWE 2021). GHFF may travel up to 100 kilometres in a single night with a foraging radius of up to 50 kilometres from their roost (McConkey et al. 2012). They have been recorded travelling over 500 kilometres over 48 hours when moving from one roost to another (Roberts et al. 2012). GHFF generally show a high level of fidelity to roost sites, returning year after year to the same site, and have been recorded returning to the same branch of a particular tree (SEQ Catchments 2012). This may be one of the reasons flying-foxes continue to return to small urban bushland blocks that may be remnants of historically used larger tracts of vegetation.

The GHFF population has a generally annual southerly movement in spring and summer, with their return to the coastal forests of north-east NSW and south-east Queensland in winter (Ratcliffe 1932, Eby 1991, Parry-Jones & Augee 1992, Roberts et al. 2012). This results in large fluctuations in the number of GHFF in New South Wales, ranging from as few as 20% of the total population in winter up to around 75% of the total population in summer (Eby 2000). They are widespread throughout their range during summer, but in spring and winter are uncommon in the south. In autumn they occupy primarily coastal lowland roosts and are uncommon inland and on the south coast of New South Wales (OEH 2020).

There is evidence the GHFF population declined by up to 30% between 1989 and 2000 (Birt 2000, Richards 2000 cited in DPE 2019). There is a wide range of ongoing threats to the survival of the GHFF, including habitat loss and degradation, culling in orchards, conflict with humans, infrastructure-related mortality (e.g. entanglement in barbed wire fencing and fruit

netting, and power line electrocution) and competition and hybridisation with the BFF (DCCEEW 2021). For these reasons it is listed as vulnerable to extinction under NSW and federal legislation.

#### **Little red flying-fox (*Pteropus scapulatus*)**



Little red flying-fox indicative species distribution (DPE 2023)

The LRFF is widely distributed throughout northern and eastern Australia, with populations occurring across northern Australia and down the east coast into Victoria.

The LRFF forages almost exclusively on nectar and pollen, although will eat fruit at times and occasionally raids orchards (Australian Museum 2020). LRFF often move sub-continental distances in search of sporadic food supplies. The LRFF has the most nomadic distribution, strongly influenced by availability of food resources (predominantly the flowering of eucalypt species) (Churchill 2008), which means the duration of their stay in any one place is generally very short.

Habitat preferences of this species are quite diverse and range from semi-arid areas to tropical and temperate areas, and can include sclerophyll woodland, melaleuca swamplands, bamboo, mangroves and occasionally orchards (Australian Museum 2020). LRFF are frequently associated with other *Pteropus* species. In some colonies, LRFF individuals can number many hundreds of thousands and they are unique among *Pteropus* species in their habit of clustering in dense bunches on a single branch. As a result, the weight of roosting individuals can break large branches and cause significant structural damage to roost trees, in addition to elevating soil nutrient levels through faecal material (SEQ Catchments 2012).

Throughout its range, populations within an area or occupying a roost can fluctuate widely. There is a general migration pattern in LRFF, whereby large congregations of over one million individuals can be found in northern roost sites (e.g. Northern Territory, North Queensland) during key breeding periods (Vardon & Tidemann 1999). LRFF travel south to visit the coastal areas of south-east Queensland and NSW during the summer months. Outside these periods LRFF undertake regular movements from north to south during winter–spring (July–October) (Milne & Pavey 2011).

## Appendix 3 Human and animal health

All animals can carry pathogens that may pose human health risks. In Australian bats, the most well-defined of these include Australian bat lyssavirus (ABLV) and Hendra virus (HeV). Specific information on these viruses is provided below.

Excluding those people whose occupations require contact with bats, such as wildlife carers and vets, human exposure to ABLV and HeV, their transmission, and frequency of infection is extremely rare. These diseases are also easily prevented through vaccination, personal protective equipment, safe flying-fox handling (by trained and vaccinated personnel only) and appropriate horse husbandry. Therefore, despite the fact that human infection with these agents can be fatal, the probability of infection is extremely low, and the overall public health risk is also judged to be low (Qld Health 2022).

Below is current information at the time of writing. Please refer regularly to Queensland Health for up-to-date information on bats and health.

### Australian bat lyssavirus

ABLV is a rabies-like virus that may be found in all flying-fox species on mainland Australia. It has also been identified in yellow-bellied sheath-tail bats (*Saccolaimus flaviventris*), an insectivorous microbat, and seroconversion (development of virus-specific antibodies) has been found in seven microbat genera (WHA 2019). It is assumed that all bats may be capable of hosting ABLV (WHA 2019). The probability of human infection with ABLV is very low with less than 1% of the flying-fox population being affected (WHA 2019) and transmission requiring direct contact with an infected animal that is secreting the virus. In Australia, three people have died from ABLV infection since the virus was identified in 1996 (WHA 2019).

Transmission of the virus from bats to humans is through a bite or scratch but may have potential to be transferred if bat saliva directly contacts the eyes, nose, mouth or broken skin (WHA 2019, Merritt et al. 2018). ABLV is unlikely to survive in the environment for more than a few hours, especially in dry environments that are exposed to sunlight (DAF 2020). Transmission of closely related viruses suggests that contact or exposure to bat faeces, urine or blood does not pose a risk of exposure to ABLV, nor does living, playing or walking near bat roosting areas (DAF 2020).

The incubation period in humans is assumed to be similar to rabies, generally around three to eight weeks (Merritt et al. 2018). However, in few cases, the incubation period has ranged from a few days to several years (Merritt et al. 2018). The disease in humans presents essentially the same clinical picture as classical rabies. Once clinical signs have developed, the infection is invariably fatal. However, infection can easily be prevented by avoiding direct contact with bats (i.e. handling). Pre-exposure vaccination provides reliable protection from the disease for people who are likely to have direct contact with bats, and it is generally a mandatory workplace health and safety requirement that all persons working with bats receive pre-vaccination and have their level of protection regularly assessed. Like classical rabies, ABLV infection in humans also appears to be effectively treated using post-exposure





vaccination and so any person who suspects they have been exposed should seek immediate medical treatment. Post-exposure vaccination is usually ineffective once clinical manifestations of the disease have commenced.

Domestic animals are also at risk if exposed to ABLV. In 2013, ABLV infections were identified in two horses (Shinwari et al. 2014). A dog that caught and consumed a flying-fox also tested positive for ABLV antibodies in 2013 (Wright 2013). According to the Qld Government's ABLV factsheet for veterinarians, clinical symptoms are most likely to appear in animals within 1 – 6 months following exposure (DAF 2020). Given the incubation period variability, animals that are bitten or scratch by a flying-fox should monitor for clinical symptoms for months to years following potential exposure (DAF 2020). Consultation with a veterinarian should be sought if exposure is suspected.

If a person or pet is bitten or scratched by a bat they should:

- wash the wound with soap and water for at least five minutes (do not scrub)
- contact their doctor immediately to arrange for post-exposure vaccinations.

If bat saliva contacts the eyes, nose, mouth or an open wound, flush thoroughly with water and seek immediate medical advice.

Please refer to WHA's Australian bat lyssavirus fact sheet for further information.

### **Hendra virus**

Flying-foxes are the natural host for Hendra virus (HeV), which can be transmitted from flying-foxes to horses. Infected horses sometimes amplify the virus and can then transmit it to other horses, humans and on two occasions, dogs (WHA 2021). There is no evidence that the virus can be passed directly from flying-foxes to humans or to dogs (WHA 2021). Clinical studies have shown cats, pigs, ferrets and guinea pigs (as well as hamsters and African green monkeys – not applicable to Australia) can carry the infection, though there is no evidence of direct HeV transmission from flying-foxes to any species other than horses (WHA 2021). As of 2021, over 106 HeV infections in horses (confirmed or possible cases) have been reported (WHA 2021). These infections occurred across over 60 disease outbreak events, three of which also involved human infections. Although the virus is periodically present in flying-fox populations across Australia, the likelihood of horses becoming infected is low and consequently human infection is extremely rare.

The transmission of HeV from flying-foxes to horses is thought to be complex and involve several host and environmental factors (WHA 2021). The most likely route of transmission is through exposure of horse mucous membranes to infected flying-fox urine, body fluids, or excretion (WHA 2021). This may occur directly (direct contact of infected fluids with mucous membranes) or indirectly (e.g. ingestion of contaminated forage or water). The incubation period of HeV in horses is estimated to be 5 – 16 days (WHA 2021). The mortality rate of HeV in horses is approximately 80% (Qld Government 2021).

While considered very rare, humans may contract the disease after close contact with respiratory secretions (e.g. mucous) and/or blood of an infected horse (WHA 2021, Qld

Government 2023). Similarly, the dogs may become infected following close contact with infectious bodily fluids of infected horses (Qld Government 2023). HeV infection in humans presents as a serious and often fatal respiratory and/or neurological disease and there is currently no effective post-exposure treatment or vaccine available for people. The mortality rate of HeV in humans is approximately 70% (Qld Government 2023).

Previous studies have shown that HeV spillover events have been associated with foraging flying-foxes rather than roost locations. Therefore, risk is considered similar at any location within the range of flying-fox species and all horse owners should be vigilant. Vaccination of horses can protect horses and subsequently humans from infection (Qld Government 2023), as can appropriate horse husbandry (e.g. covering food and water troughs, fencing flying-fox foraging trees in paddocks, etc.).

Although all human cases of HeV to date have been contracted from infected horses and direct transmission from bats to humans has not yet been reported, particular care should be taken by select occupational groups that could be uniquely exposed. For example, persons who may be exposed to high levels of HeV via aerosol of heavily contaminated substrate should consider additional PPE (e.g. respiratory filters), and potentially dampening down dry dusty substrate.

Please refer to WHA's Hendra virus and Australian wildlife fact sheet for further information.

### **General health considerations**

All animals, including flying-foxes, can carry bacteria and other microorganisms in their guts, some of which are potentially pathogenic to other species. Bat urine and faeces should be treated like any other animal excrement. As with any accumulation of animal faeces (bird, bat, domestic animals), fungi or bacteria may be present and care should be taken when cleaning faeces. This includes wetting dried faeces before cleaning or mowing, wearing appropriate PPE and maintaining appropriate hygiene. If disturbing dried bird or bat droppings, particulate respirators should be worn to prevent inhalation of dust and aerosols. See '[Work with bird and bat droppings](#)' for detail.

Contamination of water supplies by any animal excreta (birds, amphibians and mammals such as flying-foxes) poses a health risk to humans. Household tanks should be designed to minimise potential contamination, such as using first-flush diverters to divert contaminants before they enter water tanks. Trimming vegetation overhanging the catchment area (e.g. the roof of a house) will also reduce wildlife activity and associated potential contamination. Tanks should also be appropriately maintained and flushed, and catchment areas regularly cleaned to remove potential contaminants. Public water supplies are regularly monitored for harmful microorganisms and are filtered and disinfected before being distributed. Management plans for community supplies should consider whether any large congregation of animals, including flying-foxes, occurs near the supply or catchment area. Where they do occur, increased frequency of monitoring should be considered to ensure early detection and management of contaminants.

## Appendix 4 Management options

Below is an overview of management options commonly used across Queensland and Australia which were considered in the development of the RMP.

### Low impact options

#### **Education and awareness programs**

This management option involves undertaking a comprehensive and targeted flying-fox education and awareness program to provide accurate information to the local community about flying-foxes.

Such a program would include information about managing risk and alleviating concern about health and safety issues associated with flying-foxes, options available to reduce impacts from roosting and foraging flying-foxes, an up-to-date program of works being undertaken at the roost, and information about flying-fox numbers and flying-fox behaviour at the roost.

Residents should also be made aware that faecal drop and noise at night is mainly associated with plants that provide food, independent of roost location. Staged removal of foraging species such as fruit trees and palms from residential yards, or management of fruit (e.g. bagging, pruning) will greatly assist in mitigating this issue.

Collecting and providing information should always be the first response to community concerns in an attempt to alleviate issues without the need to actively manage flying-foxes or their habitat. Where it is determined that management is required, education should similarly be a key component of any approach.

The likelihood of improving community understanding of flying-fox issues is high. However, the extent to which that understanding will help alleviate conflict issues is probably less so. Extensive education for decision-makers, the media and the broader community may be required to overcome negative attitudes towards flying-foxes.

It should be stressed that a long-term solution to the issue resides with better understanding flying-fox ecology and applying that understanding to careful urban planning and development.

An education program may include components shown below.



### Property modification

The managers of land on which a flying-fox roost is located would promote or encourage the adoption of certain actions on properties adjacent to or near the roost to minimise impacts from roosting and foraging flying-foxes:

- Create visual/sound/smell barriers with fencing or hedges. To avoid attracting flying-foxes, species selected for hedging should not produce edible fruit or nectar-exuding flowers, should grow in dense formation between two and five metres (Roberts 2006) (or be maintained at less than 5 metres). Vegetation that produces fragrant flowers can assist in masking roost odour where this is of concern.
- Manage foraging trees (i.e. plants that produce fruit/nectar-exuding flowers) within properties through pruning/covering with bags or wildlife friendly netting, early removal of fruit, or tree replacement.
- Cover vehicles, pools/spas, and clothes lines (e.g. with carports or tarp covers) where faecal contamination is an issue, or remove washing from the line before dawn/dusk (e.g. use clothes dryers)

- Move or cover eating areas (e.g. BBQs and tables) within close proximity to a roost or foraging tree to avoid contamination by flying-foxes.
- Install double-glazed windows, door seals, insulation, and sound-proof curtains, and use air-conditioners when needed to reduce noise disturbance and smell associated with a nearby roost.
- Use white noise machines and fragrance dispensers or deodorisers within the home to reduce noise and odour impacts.
- Include suitable buffers and other provisions (e.g. covered car parks) in planning of new developments.
- Install rainwater first-flush diverters on rainwater tanks to remove potentially harmful bacteria and microbes from flying-fox faecal drop
- Turn off lighting at night which may assist flying-fox navigation and increase fly-over impacts.
- Consider removable covers for swimming pools and ensure working filter and regular chlorine treatment.
- Appropriately manage rainwater tanks, including installing first-flush systems.
- Avoid disturbing flying-foxes during the day as this will increase roost noise.

The cost would be borne by the person or organisation who modifies the property; however, opportunities for funding assistance (e.g. environment grants) may be available for management activities that reduce the need to actively manage a roost.

### **Odour neutralising trial**

Odour neutralising systems (which modify odour-causing chemicals at the molecular level rather than just masking them) are commonly used in contexts such as waste management, food processing, and water treatment. They have the potential to be a powerful tool for managing odour impacts associated with flying-foxes. Two trials have been undertaken that utilised two different odour-neutralising systems. The indoor system uses a Hostogel™ pot containing a gel-based formula for neutralising indoor odour. These are inexpensive, only require replacement every few months, and may be sufficient to mitigate odour impacts in houses affected by flying-fox roosts. Initial results suggest there may be a positive localised effect in reducing flying-fox odour within homes. This option may be useful for affected residents (particularly those directly adjacent to the roost), as residents could choose whether or not they wish to have a gel-pot in their living space and can simply put the lid back on the pot when the odour is not impacting on them.

The outdoor system consists of a Vapourgard™ unit that dispenses an odour-neutralising vapour through diffuser pipes that are installed on boundary fences. A world-first trial was undertaken in April – June 2021 with the participation of residents living near a flying-fox roost at Porter Park, Sunshine Coast. The system followed a predetermined schedule (alternating on / off cycles) for 9 weeks and residents were asked to rate the flying-fox odour every day throughout the trial.

Objective results were difficult to obtain due to the significant negative experience of residents as a consequence of the large influxes of flying-fox numbers during the trial, however initial results indicated both the indoor and outdoor systems were beneficial. If future trials confirm this technique is effective, the odour-neutralising system could be installed along the boundary of residential properties bordering the flying-fox roost.

### **Subsidy programs**

Subsidy programs provide Council with an opportunity to support impacted residents living near flying-fox roosts. There are a number of factors to consider when establishing a subsidy program, including who to offer subsidies to (i.e. who is eligible, generally based on proximity to roost), what subsidies to offer (e.g. service-based or property-based), how subsidies should be offered (e.g. reimbursements for purchases or upfront funding), and how the program will be evaluated to determine effectiveness for reducing flying-fox impacts to residents. A recent report published by the NSW Department of Planning, Industry & Environment (Mo & Roache 2019) summarised the implementation and efficacy of subsidy programs across six councils in NSW: Eurobodalla, Ku-ring-gai, Cessnock, Tamworth, and Sutherland councils. This report provides insight into the aforementioned factors for council's consideration, if a subsidy program is to be adopted.

Government initiatives that provide financial assistance commonly assess residents' eligibility based on a number of variables, including property distance from a roost, and deliver subsidies as partial or full reimbursements for purchases. It is important to consider that the popularity of certain subsidies likely varies across different communities, so affected residents should be consulted in the process of establishing an effective subsidy program. The NSW subsidy study (Mo & Roache 2019) found managers who design programs that best meet community needs have an increased probability of alleviating human-wildlife conflicts. Critical thresholds of flying-fox numbers at a roost and distance to a roost may also be used to determine when subsidies would apply.

While subsidies have the potential to alleviate flying-fox impacts within a community, they can be negatively received if residents believe there are broader issues associated with flying-foxes that are not being addressed (Mo & Roache 2019). As such, it is important (as with any community-based program) to assess the needs of residents and have open, ongoing communication throughout the program to ensure the subsidies are effectively reducing impacts, and if not, how the program can be adapted to address these needs.

A brief description and examples of property and service-based subsidies is provided below.

### **Property modification/item subsidies**

Fully funding or providing subsidies to property owners for property modifications may be considered to manage the impacts of the flying-foxes. Providing subsidies to install infrastructure may improve the value of the property, which may also offset concerns regarding perceived or actual property value or rental return losses. Focusing funds towards manipulating the existing built environment also reduces the need for modification and removal of vegetation. Property modifications/items listed under 'Property modifications' above may be included in a subsidy program. Of these, vehicle and clothesline covers and high-pressure



water cleaners were the most common subsidies taken by residents (Mo & Roache 2019).

When offered, double-glazing windows was popular amongst residents and was able to achieve a 65% reduction in flying-fox noise (Mo & Roache 2019). Furthermore, in a study by Pearson and Cheng (2018), it was found using infrastructure such as double-glazing windows significantly reduced the external noise level measured inside a house adjacent to a roost. This finding was supported by post-subsidy surveys undertaken by Port Macquarie Hastings Council that showed that double-glazed windows were rated as being more effective in mitigating impacts than any other subsidised option (e.g., high pressure cleaners, clothesline covers, shade cloths etc.) (Reynolds 2021).

Sunshine Coast Council undertook Round 1 of a private property grant trial in July 2021. The trial was used to facilitate property improvement or impact reduction infrastructure on eligible private properties. Feedback from this round confirmed that residents that have lived nearby a roost long-term are more likely to participate in the trial and experience more positive outcomes. It is acknowledged that residents that have only experienced short-term impacts may not be ready yet for this intervention. Council is currently implementing Round 2 of the grant trial where a one-off grant would be provided to eligible residents, which would be supported by ongoing roost management, education, research and monitoring.

### **Service subsidies**

This management option involves providing property owners with a subsidy to help manage impacts on the property and lifestyle of residents. The types of services that could be subsidised include clothes washing, cleaning outside areas and property, solar panel cleaning, car washing, removing exotic trees, or contributing to water/electricity bills. The NSW subsidy study showed that while many property modification subsidies proved popular amongst residents (e.g. high-pressure cleaners, air conditioners), many raised concerns over the increase in water/electricity bills. Increases in bills can be difficult to quantify and justify, and has not yet been effectively offered by a council in a subsidy program.

### **Routine roost maintenance and operational activities**

All persons are authorised to undertake low impact activities at roosts in accordance with the Code of practice—Low impact activities affecting flying-fox roosts. Low impact activities include weeding, mulching, mowing or minor tree trimming (not in a tree where flying-foxes are roosting).

Protocols should be developed for carrying out operations that may disturb flying-foxes, which can result in excess roost noise. Such protocols could include limiting the use of disturbing activities to certain days or certain times of day in the areas adjacent to the roost and advising adjacent residents of activity days. Such activities could include lawn-mowing, using chainsaws, whipper-snippers, using generators and testing alarms or sirens.

### **Revegetation and land management to create alternative habitat**

This management option involves revegetating and managing land to create alternative flying-fox roosting habitat through improving and extending existing low-conflict roosts or developing

new roosting habitat in areas away from human settlement.

Selecting new sites and attempting to attract flying-foxes to them has had limited success in the past, and ideally habitat at known roost sites would be dedicated as a flying-fox reserve. However, if a staged and long-term approach is used to make unsuitable current roosts less attractive, whilst concurrently improving appropriate sites, it is a viable option (particularly for the transient and less selective LRFF). Supporting further research into flying-fox roost preferences may improve the potential to create new flying-fox habitat.

Foraging trees planted amongst and surrounding roost trees (excluding in/near horse paddocks) may help to attract flying-foxes to a desired site. They will also assist with reducing foraging impacts in residential areas. Consideration should be given to tree species that will provide year-round food, increasing the attractiveness of the designated site. Depending on the site, the potential negative impacts to a natural area will need to be considered if introducing non-indigenous plant species.

The presence of a water source is likely to increase the attractiveness of an alternative roost location. Supply of an artificial water source should be considered if unavailable naturally, however this may be cost-prohibitive.

Potential habitat mapping using roost preferences and suitable land tenure can assist in initial alternative site selection. A feasibility study would then be required prior to site designation to assess likelihood of success and determine the warranted level of resource allocated to habitat improvement.

#### **Provision of artificial roosting habitat**

This management option involves constructing artificial structures to augment roosting habitat in current roost sites or to provide new roosting habitat. Trials using suspended ropes have been of limited success as flying-foxes only used the structures that were very close to the available natural roosting habitat. It is thought that the structure of the vegetation below and around the ropes is important.

#### **Protocols to manage incidents**

This management option involves implementing protocols for managing incidents or situations specific to particular roosts. Such protocols may include monitoring at sites within the vicinity of aged care or child care facilities, management of compatible uses such as dog walking or sites susceptible to heat stress incidents (when the roost is subjected to extremely high temperatures leading to flying-foxes changing their behaviour and/or dying).

#### **Participation in research**

This management option involves participating in research to improve knowledge of flying-fox ecology to address the large gaps in our knowledge about flying-fox habits and behaviours and why they choose certain sites for roosting. Further research and knowledge sharing at local, regional and national levels will enhance our understanding and management of flying-fox roosts.

### **Appropriate land-use planning**

Land-use planning instruments may be able to be used to ensure adequate distances are maintained between future residential developments and existing or historical flying-fox roosts. While this management option will not assist in the resolution of existing land-use conflict, it may prevent issues for future residents.

### **Property acquisition**

Property acquisition may be considered if negative impacts cannot be sufficiently mitigated using other measures. This option will clearly be extremely expensive, however is likely to be more effective than dispersal and in the long-term may be less costly.

### **Do nothing**

The management option to 'do nothing' involves not undertaking any management actions in relation to the flying-fox roost and leaving the situation and site in its current state.

## **Buffers**

Buffers can be created through vegetation removal, revegetation of non-flying-fox attractant vegetation and/or the installation of permanent/semi-permanent deterrents.

Creating buffers may involve planting low-growing, spiky, non-flowering plants between residents or other conflict areas and the flying-fox roost. Such plantings can create a physical and/or visual buffer between the roost and residences or make areas of the roost inaccessible to humans.

Previous studies have recommended that vegetation buffers consisting of habitat not used by flying-foxes, should be 300 m or as wide as the site allows to mitigate amenity impacts for a community (SEQ Catchments 2012). Buffers need to take into consideration the variability of use of a roost site by flying-foxes within and across years, including large, seasonal influxes of flying-foxes. The usefulness of a buffer declines if the flying-fox roost is within 50 m of human habitation.

### **Buffers through vegetation removal**

Vegetation removal aims to alter the area of the buffer habitat sufficiently so that it is no longer suitable as a roost. The amount required to be removed varies between sites and roosts, ranging from some weed removal to removal of most of the canopy vegetation.

Any vegetation removal should be done using a staged approach, with the aim of removing as little native vegetation as possible. This is of particular importance at sites with other values (e.g. ecological or amenity), and in some instances the removal of any native vegetation will not be appropriate. Thorough site assessment will inform whether vegetation management is suitable (e.g. can impacts to other wildlife and/or the community be avoided?).

Removing vegetation can also increase visibility into the roost and noise issues for neighbouring residents which may create further conflict.



Suitable experts should be consulted to assist selective vegetation trimming/removal to minimise vegetation loss and associated impacts.

The importance of under- and mid-storey vegetation in the buffer area for flying-foxes during heat stress events also requires consideration.

### **Buffers without vegetation removal**

Permanent or semi-permanent deterrents can be used to make buffer areas unattractive to flying-foxes for roosting, without the need for vegetation removal. This is often an attractive option where vegetation has high ecological or amenity value.

While many deterrents have been trialled in the past with limited success, there are some options worthy of further investigation:

- Visual deterrents – Visual deterrents such as plastic bags, fluoro vests (GeoLINK 2012) and balloons (Ecosure, pers. comm.) in roost trees have shown to have localised effects, with flying-foxes deterred from roosting within 1–10 metres of the deterrents. Lights tend to have limited effectiveness in deterring roosting. For example, a high-intensity strobe light was trialled in the Sydney Botanic Gardens to deter roosting; flying-foxes demonstrated only a slight reaction and lights did not deter flying-foxes from roosting (van der Ree & North 2009). However, a recent study identified a light that flying-foxes perceive as abnormal (Oikkola 2019), which PROVolitans trialled above the canopy of a roost tree, reporting an 80% decrease in the number of flying-foxes roosting in the tree. PROVolitans lights may offer a non-harmful method of flying-fox deterrence for future trials. Ultimately, the type and placement of visual deterrents would need to be varied regularly to avoid habituation. Potential for litter pollution should be considered and managed when selecting the type and placement of visual deterrents. In the absence of effective maintenance, this option could potentially lead to an increase in rubbish in the natural environment.
- Noise emitters on timers – Noise needs to be random, varied and unexpected to avoid flying-foxes habituating. As such these emitters would need to be portable, on varying timers and a diverse array of noises would be required. It is likely to require some level of additional disturbance to maintain its effectiveness, and ways to avoid disturbing flying-foxes from desirable areas would need to be identified. This is also likely to be disruptive to nearby residents.
- Smell deterrents – For example, bagged python excrement hung in trees has previously had a short-term localised effect (GeoLINK 2012). The smell of certain deterrents may also impact nearby residents, and there is potential for flying-foxes to habituate.
- Canopy-mounted water sprinklers – This method has been effective in deterring flying-foxes during dispersals (Ecosure personal experience), and current trials in Queensland are showing promise for keeping flying-foxes out of designated buffer zones. This option can be logistically difficult (installation and water sourcing) and may be cost-prohibitive. Design and use of sprinklers need to be considerate of animal welfare and features of the site. For example, misting may increase humidity

and exacerbate heat stress events, and overuse may impact other environmental values of the site. Further information regarding canopy-mounted sprinklers is detailed below.

- Screening plants – A ‘screen’ can be created by planting a row of trees along the edge of a roost, with the aim of reducing visual impacts associated with flying-foxes. This technique can be particularly useful in cases where residents can suffer extreme reactions triggered by the mere sight of flying-foxes.

#### Canopy-mounted sprinklers

Installing canopy-mounted sprinklers (CMS) can be used to deter flying-foxes from a buffer. CMS can be installed either:

- without any roost tree trimming/removal or
- accompanied by selective roost tree trimming/removal.



Canopy mounted sprinklers installed by Sunshine Coast Council (source: National Flying-fox Forum 2016, Ecosure).

As CMS are operated by residents, clear guidelines on sprinkler use need to be established with residents. To date CMS have been successful at other locations at discouraging flying-foxes from roosting in the buffer zone and enabling residents to have more control over flying-foxes near their properties.

Canopy-mounted sprinklers can be installed and effectively operated without the need for any vegetation removal, as long as the vegetation is not so thick as to restrict the extent of water spray. If vegetation thinning is required to allow sprinklers to operate effectively in some areas, approval will be required under the VM Act as exemptions do not exist for this purpose (see Appendix 1).



Water pressure must be firm so it is sufficient to deter flying-foxes, however, must not risk injuring flying-foxes (or other fauna) or knocking an animal from the tree. Water misting should be minimised as this is unlikely to deter flying-foxes and could exacerbate heat stress event effects. Flying-fox heat stroke generally occurs when the temperature reaches 42°C, however, can occur at lower temperatures in more humid conditions (Bishop 2015). Given that humidity is likely to increase with water in the environment, sprinklers may need to be turned off in higher temperatures (e.g. >30°C) to avoid exacerbating heat stress (N.B. A NSW government-funded trial through Western Sydney University is currently underway to determine if sprinklers increase humidity and potential heat stress impacts; results should be considered for sprinkler usage).

Sprinklers should release a jet of air prior to water, as an additional deterrent and to cue animals to move prior to water being released. The intention of the sprinklers is to make the buffer unattractive, and effectively 'train' individuals to stay out of the buffer area.

If installed, sprinklers should be programmed to operate on a random schedule and in a staggered manner (i.e. not all sprinklers operating at the same time, to avoid excessive disturbance). Each activation should be for approximately 30-45 seconds per sprinkler. Each sprinkler should be activated up to five times between 0630 and 1600 avoiding critical fly-in or fly-out periods. To avoid flying-foxes habituating to the stimuli, sprinklers should only be operated by residents when flying-foxes are within range. Sprinkler settings would also need to account for seasonal changes (e.g. not in the heat of the day during summer when they may be an attractant, and/or could increase humidity and exacerbate heat events). Individual sprinklers may also need to be temporarily turned off depending on location of creching young, or if it appears likely that animals will be displaced to undesirable locations.

Infrastructure should ideally be designed to accommodate additional sprinklers should they be required in the future. Sprinklers should be designed and attached in a way that allows for future maintenance, replacement, and sprinkler head adjustments, with consideration given to vandalism if located in a publicly accessible area.

### Noise attenuation fencing

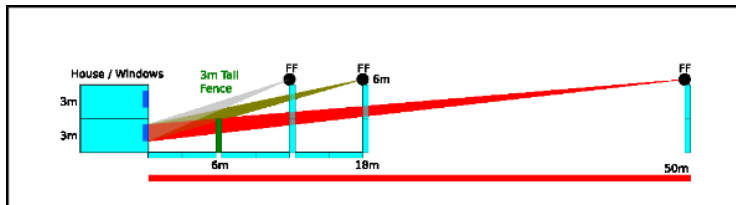
Noise attenuation fencing aims to reduce noise and potentially odour where the roost is close to residents.



Example of noise attenuation fencing (source: <http://www.slimwall.com.au/gallery>)



This may also assist with odour reduction, and perspex fencing could be investigated to assist fence amenity. Although expensive to install, this option could negate the need for habitat modification, maintaining the ecological values of the site, and may be more cost-effective than ongoing management.



Indicative scaled distances to achieve shielding for bats approximately 6 m elevated, to a typical window height (Air Noise Environment 2019). Image is indicative only with further investigation required.



Sound Block Acoustic Barrier (source: <https://fortressfencing.com.au/sound-block-acoustic-barrier-noise-barrier>)

## Disturbance or dispersal

### Nudging

Noise and other low intensity active disturbance restricted to certain areas of the roost can be used to encourage flying-foxes away from high conflict areas (e.g. using low intensity noise to keep effects localised as disturbing large areas of the roost will reduce the likelihood of successfully shifting flying-foxes out of a conflict area). This technique aims to actively 'nudge' flying-foxes from one area to another, while allowing them to remain at the roost site.

Unless the area of the roost is very large, nudging should not be done early in the morning as this may lead to inadvertent dispersal of flying-foxes from the entire roost site. Disturbance during the day should be limited in frequency and duration (e.g. up to four times per day for up to 10 minutes each) to avoid welfare impacts. As with dispersal, it is also critical to avoid periods when dependent young are present.

It is recommended that nudging occurs during daylight hours to avoid inadvertent dispersal and associated risks of splintering the roosts to other locations.

### Dispersal

Dispersal aims to encourage a roost to move to another location. Dispersing flying-foxes may be achieved in two ways:

- actively disturbing the roost pre-dawn as flying-foxes attempt to return from nightly foraging
- passively, by removal of all roosting habitat.

There is a plethora of research that demonstrates flying-foxes dispersals are not effective long-term, and often have unpredictable outcomes. A review of dispersal attempts between 1990 and 2013 found that flying-foxes only moved within 600 m of the original site in 63% of cases (Roberts & Eby 2013). Similarly, another review of 69 dispersal attempts undertaken between 1992 and 2020 found that in 88% of dispersals, new roosts established within 1 kilometre and resulted in new conflict sites (Roberts et al. 2021). In addition, a review of 25 dispersal attempts in Queensland between November 2013 and November 2014 found that when flying-foxes were dispersed, they did not move further than 6 km away from the original roost site (Ecosure 2014). Ultimately, these results indicate that, when dispersed, flying-foxes generally relocate within 600 m – 1 km of the original roost site, and do not travel further than 6 km away.

Driving flying-foxes away from an established roost is challenging and resource intensive. There are also a range of risks associated with roost dispersal. These include:

- shifting or splintering the roost into other locations that are equally or more problematic
- impacts on animal welfare and flying-fox conservation
- impacts on the flying-fox population including disease status and associated public health risk
- impacts to the community associated with ongoing dispersal attempts
- increased aircraft strike risk associated with changed flying-fox movement patterns
- high initial and/or ongoing resource requirement and financial investment
- negative public perception from some community members and conservationists opposed to dispersal.

Despite these risks, there are some situations where roost dispersal may be considered. 'Passive' or 'active' is described further below. See Appendix 5 for further information regarding dispersal attempts across Australia.

### **Passive dispersal**

Removing vegetation in a staged manner can be used to passively disperse a roost, by gradually making the habitat unattractive so that flying-foxes will disperse of their own accord over time with little stress (rather than being more forcefully moved with noise, smoke, etc.). This is less stressful to flying-foxes, and greatly reduces the risk of splinter colonies forming in other locations (as flying-foxes are more likely to move to other known sites within their roost network when not being forced to move immediately, as in active dispersal).

Generally, a significant proportion of vegetation needs to be removed in order to achieve dispersal of flying-foxes from a roost or to prevent roost re-establishment. For example, flying-



foxes abandoned a roost in Bundall, Queensland once 70% of the canopy/mid-storey and 90% of the understorey had been removed (Ecosure 2011). Ongoing maintenance of the site is required to prevent vegetation structure returning to levels favourable for colonisation by flying-foxes. Importantly, at nationally important roosts, sufficient vegetation must be retained to accommodate the maximum number of flying-foxes recorded at the site.

This option may be preferable in situations where the vegetation is of relatively low ecological and amenity value, and alternative known permanent roosts are located nearby with capacity to absorb the additional flying-foxes. While the likelihood of splinter colonies forming is lower than with active dispersal, if they do form following vegetation modification there will no longer be an option to encourage flying-foxes back to the original site. This must be carefully considered before modifying habitat.

There is also potential to make a roost site unattractive by removing access to water sources. However, at the time of writing this method had not been trialled so the likelihood of this causing a roost to be abandoned is unknown. It would also likely only be effective where there are no alternative water sources in the vicinity of the roost.

### **Active dispersal through disturbance**

Dispersal is more effective when a wide range of tools are used on a randomised schedule with animals less likely to habituate (Ecosure, pers. obs. 1997–2015). Each dispersal team member should have at least one visual and one aural tool that can be used at different locations on different days (and preferably swapped regularly for alternate tools). Exact location of these and positioning of personnel will need to be determined on a daily basis in response to flying-fox movement and behaviour, as well as prevailing weather conditions (e.g. wind direction for smoke drums).

Active dispersal will be disruptive for nearby residents given the timing and nature of activities, and this needs to be considered during planning and community consultation.

This method does not explicitly use habitat modification as a means to disperse the roost, however if dispersal is successful, some level of habitat modification should be considered. This will reduce the likelihood of flying-foxes attempting to re-establish the roost and the need for follow-up dispersal as a result. Ecological and aesthetic values will need to be considered for the site, with options for modifying habitat the same as those detailed for buffers above.

### **Early dispersal before a roost is established at a new location**

This management option involves monitoring local vegetation for signs of flying-foxes roosting in the daylight hours and then undertaking active or passive dispersal options to discourage the animals from establishing a new roost. Even though there may only be a few animals initially using the site, this option is still treated as a dispersal activity, however it may be simpler to achieve dispersal at these new sites than it would in an established roost. It may also avoid considerable issues and management effort required should the roost be allowed to establish in an inappropriate location.

It is important that flying-foxes feeding overnight in vegetation are not mistaken for animals

establishing a roost.

### **Maintenance dispersal**

Maintenance dispersal refers to active disturbance following a successful dispersal to prevent the roost from re-establishing. It differs from initial dispersal by aiming to discourage occasional over-flying individuals from returning, rather than attempting to actively disperse animals that have been recently roosting at the site. As such, maintenance dispersal may have fewer timing restrictions than initial dispersal, provided that appropriate mitigation measures are in place.

## **Unlawful activities**

### **Culling**

Culling is addressed here as it is often raised by community members as a preferred management method; however, culling is illegal under local, State, and Federal legislation and is not permitted as a method to manage flying-fox roosts.

## Appendix 5      Dispersal summary results

Multiple studies have clearly demonstrated the long-term ineffectiveness of flying-fox roosts dispersals. Dispersal via disturbance has been shown to reduce concerns and improve amenity in the short-term, however, roosts are usually recolonised, and the conflict remains (Roberts & Eby 2013, Currey et al. 2018).

Roberts and Eby (2013) summarised 17 known flying-fox dispersals between 1990 and 2013, and made the following conclusions:

- In all cases, dispersed animals did not abandon the local area<sup>3</sup>.
- In 16 of the 17 cases, dispersals did not reduce the number of flying-foxes in the local area.
- Dispersed animals did not move far (in approx. 63% of cases the animals only moved < 600 metres from the original site, contingent on the distribution of available vegetation). In 85% of cases, new roosts were established nearby.
- In all cases, it was not possible to predict where replacement roosts would form.
- Conflict was often not resolved. In 71% of cases, conflict was still being reported either at the original site or within the local area years after the initial dispersal actions.
- Repeat dispersal actions were generally required (all cases except where extensive vegetation removal occurred).
- The financial costs of all dispersal attempts were high, ranging from tens of thousands of dollars for vegetation removal to hundreds of thousands for active dispersals (e.g. using noise, smoke, etc.).

Ecosure, in collaboration with a Griffith University Industry Affiliates Program student, researched outcomes of management in Queensland between November 2013 and November 2014 (the first year since the current Queensland state flying-fox management framework was adopted on 29 November 2013).

An overview of findings<sup>4</sup> is summarised below.

- There were attempts to disperse 25 separate roosts in Queensland (compared with nine roosts between 1990 and June 2013 analysed in Roberts and Eby (2013)). Compared with the historical average (less than 0.4 roosts/year) the number of roosts dispersed in the year since the framework was introduced has increased by 6250%.

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<sup>3</sup> Local area is defined as the area within a 20-kilometre radius of the original site = typical feeding area of a flying-fox.

<sup>4</sup> This was based on responses to questionnaires sent to councils; some did not respond and some omitted responses to some questions.

- Dispersal methods included fog<sup>5</sup>, birdfrite, lights, noise, physical deterrents, smoke, extensive vegetation modification, water (including cannons), paintball guns and helicopters.
- The most common dispersal methods were extensive vegetation modification alone and extensive vegetation modification combined with other methods.
- In nine of the 24 roosts dispersed, dispersal actions did not reduce the number of flying-foxes in the LGA.
- In all cases, it was not possible to predict where new roosts would form.
- When flying-foxes were dispersed, they did not move further than six kilometres away.
- As at November 2014 repeat actions had already been required in 18 cases.
- Conflict for the council and community was resolved in 60% of cases, but with many councils stating they feel this resolution is only temporary.
- The financial costs of all dispersal attempts were considerable, regardless of methods used, ranging from \$7500 to more than \$400,000 (with costs ongoing).

Newly published research investigating the effectiveness of dispersal attempts (Roberts et al. 2021) has shown similar findings which are summarised below:

- In 95% of cases, dispersal did not reduce the number of flying-foxes from the local area.
- Of the 48 roost dispersals attempted, only 23% were deemed a success at reducing conflict with communities, and this generally only occurred after extensive destruction of roost habitat.
- No project with a budget less than A\$250,000 was deemed successful.
- Repeat actions were required in 58% of cases, some for months and years following the initial activities.
- In 88% of cases, replacement roosts were established within one kilometre of the original roost, transferring conflict to neighbouring communities.

---

<sup>5</sup> Fog refers to artificial smoke or vapours generated by smoke/fog machines. Many chemical substances used to generate smoke/fog in these machines are considered toxic.





## Revision History

Revision No.	Revision date	Details	Prepared by	Reviewed & approved by
00	25/05/2023	Canungra Lions Park Flying-fox Roost Management Plan draft	Ellie Kirke, Wildlife Biologist Tegan Dinsdale, Fauna Ecologist	Jess Bracks, Principal Wildlife Biologist
01	15/06/2023	Canungra Lions Park Flying-fox Roost Management Plan	Tegan Dinsdale, Fauna Ecologist	Jess Bracks, Principal Wildlife Biologist

## Distribution List

Copy #	Date	Type	Issued to	Name
1	16/06/2023	Electronic	Scenic Rim Regional Council	Joshua Baker
2	16/06/2023	Electronic	Ecosure	Administration

Citation: Ecosure, 2023, *Canungra Lions Park Flying-fox Roost Management Plan*, Report to Scenic Rim Regional Council, Brisbane

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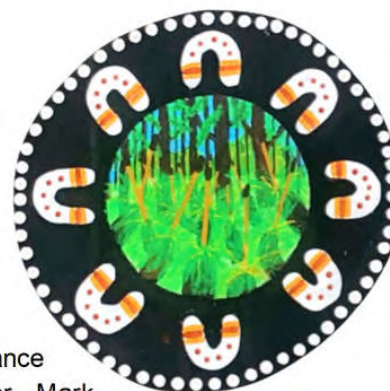
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FLYING-FOX ROOST MANAGEMENT PLAN**

June 2023

SCENIC RIM REGIONAL COUNCIL

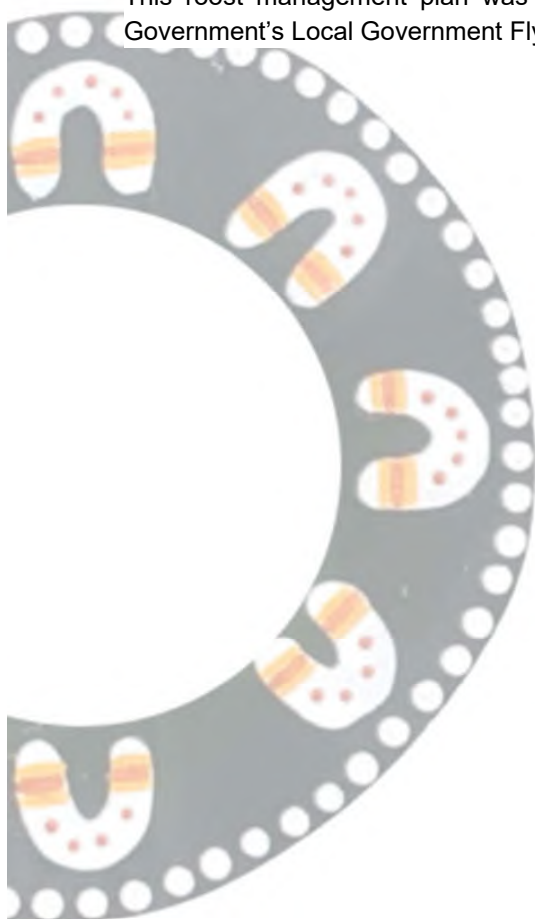
## Acknowledgements

Ecosure acknowledge the Traditional Custodians of the lands and waters where we work. We pay deep respect to Elders past and present who hold the Songlines and Dreaming of this Country. We honour and support the continuation of educational, cultural and spiritual customs of First Nations peoples.



We would like to thank Scenic Rim Regional Council for assistance during development of the plan, particularly Joshua Baker, Mark Lohmann and Councillor Michael Enright. We gratefully acknowledge residents and businesses nearby the roost for providing feedback during the site visit which has informed planned management actions. We also thank everyone who participated in the flying-fox online survey in 2022 to inform the revised Council-wide Flying-fox Strategy, results of which are summarised within and have also been used to inform this Plan.

This roost management plan was developed with funding support from the Queensland Government's Local Government Flying-Fox Roost Management Grants Program.



## Acronyms and abbreviations

ABLV	Australian bat lyssavirus
ACP Act	<i>Animal Care and Protection Act 2001</i> (Queensland)
BFF	Black flying-fox ( <i>Pteropus alecto</i> )
Beaudesert roost	Beaudesert Lions Bicentennial Park flying-fox roost
CMS	Canopy-mounted sprinklers
Council	Scenic Rim Regional Council
DCCEEW	Commonwealth Department of Climate Change, Energy, the Environment and Water
DES	Department of Environment and Science
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
EVNT	Endangered, vulnerable and near threatened
FFRMP	Flying-fox roost management permit
GHFF	Grey-headed flying-fox ( <i>Pteropus poliocephalus</i> )
HeV	Hendra virus
HSE	Heat stress event
LGA	Local government area
Low Impact COP	Code of Practice – Low impact activities affecting flying-fox roosts
LRFF	Little red flying-fox ( <i>Pteropus scapulatus</i> )
Management COP	Code of Practice – Ecologically sustainable management of flying-fox roosts
MNES	Matters of national environmental significance
NC Act	<i>Nature Conservation Act 1992</i> (Queensland)
NSW	New South Wales
PPE	Personal protective equipment
RE	Regional Ecosystem
RMP	Roost Management Plan
SoMI	Statement of Management Intent
UFFMA	Urban Flying-fox Management Area
VM Act	<i>Vegetation Management Act 1999</i> (Queensland)

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# 1. Introduction

This Roost Management Plan (RMP) provides Scenic Rim Regional Council (Council) with a framework to manage issues associated with the Beaudesert Lions Bicentennial Park flying-fox roost (Beaudesert roost), whilst ensuring flying-foxes and their ecological services are conserved. Intermittent influxes of flying-foxes at this site, as well as roost expansion and roosting in undesirable areas has resulted in conflict with park users, residents, businesses and the community. This RMP addresses the specific challenges faced at the Beaudesert roost, and provides a range of short- and long-term actions to support affected private landholders, nearby businesses, minimise conflict between humans and flying-foxes, improve awareness, and facilitate flying-fox conservation in the region.

This RMP has been developed to align with Council's revised Flying-fox Management Strategy, which builds upon the previous 2015 strategy by strengthening Council's role in supporting private landholders affected by flying-foxes. As outlined in the Statement of Management Intent (SoMI), Council recognises the ecological and cultural importance of flying-foxes in sustaining the region's unique biodiversity. Council also acknowledges the negative impact flying-foxes can have on nearby residents and the community, and is committed to implementing management actions that minimise impacts while also encourage co-existence. As detailed in the SoMI, Council's intent is to manage flying-fox roosts on Council-owned or managed land. Council does not undertake management actions on private land, however, may provide advice and assistance to residents and landowners affected by a flying-fox roost. Where a roost crosses Council and non-Council land, Council will work cooperatively with landowners to develop mitigation actions. Council may assist landholders with roost management if an overriding public benefit can be demonstrated.

Three species of flying-foxes occur within the Scenic Rim Local Government Area (LGA) at times: the black flying-foxes (*Pteropus alecto*; BFF), grey-headed flying-fox (*Pteropus poliocephalus*; GHFF), and little red flying-fox (*P. scapulatus*; LRFF) (seasonal visitor). All three species have been recorded roosting at the Beaudesert roost, though BFF and GHFF are the primary occupants, with LRFF only recorded once during a large influx.

## 1.1 Legislation overview

Flying-foxes are protected native wildlife that provide a critical ecological role in long-distance seed dispersal and pollination. As such, there is a range of legislation and policy that governs how flying-foxes and their habitat can be managed in Queensland. Like all native animals, flying-foxes are protected under Queensland's *Nature Conservation Act 1992* (NC Act). Under this legislation, administered by the Department of Environment and Science (DES), it is an offence to harm the animals, or disturb flying-foxes from daytime roosts<sup>1</sup> without approval.

All three flying-fox species located in the Scenic Rim LGA and their roost sites are protected

---

<sup>1</sup> There are legislative differences between a 'roost', where breeding has been confirmed, and a daytime camp where breeding has not occurred, as outlined in Appendix 1. Beaudesert (Lions Bicentennial Park) is protected as a confirmed 'roost' and this will be the main collective term used throughout.



in Queensland under the NC Act. The GHFF is also protected as a vulnerable species under the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). To be considered a nationally important GHFF roost, a roost must have had more than one influx of 10,000+ GHFF within the last ten years, or have been occupied by more than 2,500 GHFF permanently or seasonally for the last ten years.

In Queensland, local governments are authorised under the NC Act to manage roosts in areas subject to an urban zoning under a council planning scheme, inclusive of a one-kilometre buffer around such areas. This area of management is known as the Urban Flying-Fox Management Area (UFFMA).

Local governments have an 'as-of-right' authority under the NC Act to manage flying-fox roosts in mapped UFFMAs in accordance with the Code of Practice – Ecologically sustainable management of flying-fox roosts (Management COP) (DES 2020a). The Flying-fox Roost Management Guideline (DES 2020b) has also been developed to provide local government with additional information that may assist decision making and management of flying-fox roosts. Councils are required to apply for a flying-fox roost management permit (FFRMP) to manage flying-fox roosts outside an UFFMA, or for management actions not specified in the Management COP. It must be noted that this 'as-of-right' authority does not oblige Council to manage flying-fox roosts and does not authorise management under other relevant sections of the NC Act or other legislation (such as the *Vegetation Management Act 1999* [VM Act]).

Anyone other than local government is required to apply for a FFRMP for any management directed at roosting flying-foxes, or likely to disturb roosting flying-foxes. Certain low impact activities (e.g. mowing, minor tree trimming) do not require approval if undertaken in accordance with the Code of Practice – Low impact activities affecting flying-fox roosts (Low Impact COP) (DES 2020c).

The *Animal Care and Protection Act 2001* also provides for animal welfare, and any management must comply with this legislation.

Key Commonwealth and State legislation specific to flying-fox management is summarised in further detail in Appendix 1. Other legislatively significant ecological values of the site that need to be considered in management are outlined in Section 3.3.

## 1.2 Community concerns

The Beaudesert roost footprint is primarily on Council land, however during large influxes flying-foxes can roost on nearby private land. The Beaudesert roost footprint has shifted within Lions Bicentennial Park over time, causing conflict with park users and nearby residents and businesses.

In order to understand site-specific impacts to residents, Council and Ecosure representatives consulted with nearby residents during the site visit Monday the 3<sup>rd</sup> of April 2023. Primary concerns raised were health concerns (for humans and pets), noise, smell, tree damage/falling tree branches, financial impacts and feeling that the park or private backyards close to the roost can no longer be utilised. Further detail of these concerns is provided in Section 4.



A region-wide community survey was conducted in 2022 as part of the development of Council's new flying-fox strategy. The survey aimed to better understand the nature of human/flying-fox conflict in the region, and identify potential strategies for assistance to properties affected by flying-foxes. Results from this survey are discussed in Section 4.1.

This RMP details measures to mitigate key concerns to reduce negative impacts to affected residents, businesses, park users, and the wider community.

### 1.3 Plan objectives

The objectives of this RMP are to:

- minimise negative impacts experienced by impacted residents, businesses and park users at/near the Beaudesert roost through proven and new, innovative approaches that seek to achieve co-existence with flying-foxes
- provide short- and long-term management strategies for the Beaudesert roost, considering the dynamic nature of the roost (e.g. influxes)
- contribute to effective conservation of flying-fox populations across the Scenic Rim LGA
- achieve long-term co-existence through impact mitigation and community understanding of the ecological importance of flying-foxes
- ensure management actions reflect Council's revised Flying-fox Management Strategy to support community co-existence with flying-foxes.

## 2. Flying-fox ecology

### 2.1 Ecological role

Flying-foxes, along with some birds, make a unique contribution to ecosystem health through their ability to move seeds and pollen over long distances (Southerton et al. 2004, DES 2020d). This contributes directly to the reproduction, regeneration, and viability of forest ecosystems (DAWE 2021). It is estimated that a single flying-fox can disperse up to 60,000 seeds in one night (DELWP 2015). Some plants, particularly *Corymbia* spp., have adaptations suggesting they rely more heavily on nocturnal visitors such as bats for pollination than daytime pollinators (Southerton et al. 2004).

Flying-foxes may travel 100 km in a single night with a foraging radius of up to 50 km from their roost (McConkey et al. 2012) and have been recorded travelling over 500 km in two days between roosts (Roberts et al. 2012). In comparison, bees, another important pollinator, move much shorter foraging distances of generally less than one kilometre (Zurbuchen et al. 2010).

Long-distance seed dispersal and pollination make flying-foxes critical to the long-term persistence of many plant communities (Westcott et al. 2008, McConkey et al. 2012), including eucalypt forests, rainforests, woodlands and wetlands (Roberts 2006). Seeds that are able to germinate away from their parent plant have a greater chance of growing into a mature plant (Ruxton & Schaefer 2012). Long-distance dispersal also allows genetic material to be spread between forest patches that would normally be geographically isolated (Parry-Jones and Augee 1992, Eby 1991, Roberts 2006). This genetic diversity allows species to adapt to environmental change and respond to disease pathogens. Transfer of genetic material between forest patches is particularly important in the context of contemporary fragmented landscapes.

Flying-foxes are considered 'keystone' species given their contribution to the health, longevity and diversity among and between vegetation communities. These ecological services ultimately protect the long-term health and biodiversity of Australia's bushland and wetlands. In turn, native forests act as carbon sinks (Roxburgh et al. 2006), provide habitat for other animals and plants, stabilise river systems and catchments, add value to the production of hardwood timber, honey and fruit (NSW Wildlife Council 2010), and provide recreational and tourism opportunities worth millions of dollars each year (DES 2020d).

### 2.2 Flying-foxes in urban areas

Flying-foxes appear to be roosting and foraging in urban areas more frequently. In a recent study of 654 known national flying-fox roosts, 55.1% occurred in urban areas and a further 23.5% in agricultural areas (Timmiss et al. 2020). Furthermore, the number of roosts increased with increasing human population densities (up to ~4000 people per km<sup>2</sup>) (Timmiss 2017). There are many possible drivers for this urbanising trend, as summarised by Tait et al. (2014):

- loss of native habitat from urban expansion and agriculture

- opportunities presented by year-round food availability from native and exotic species found in expanding urban areas
- disturbance events such as drought, fires, cyclones
- human disturbance or culling at non-urban roosts or orchards
- urban effects on local climate
- refuge from predation
- movement advantages, e.g. ease of manoeuvring in flight due to the open nature of the habitat or ease of navigation due to landmarks and lighting.

In the latest State of the Environment Report key findings (DES 2021b), the Brigalow Belt bioregion experienced the highest rates of woody vegetation clearing in 2016-2018 in Queensland. Landscape scale changes such as this are likely to have contributed to flying-foxes becoming more reliant on townships for both roost and foraging habitat, and it is likely that flying-foxes will continue to roost at times within township areas such as Beaudesert.

## 2.3 Roost preferences

Little is known about flying-fox roost preferences; however, research indicates that apart from being in close proximity to food sources, flying-foxes choose to roost in vegetation with at least some of the following general characteristics (SEQ Catchments 2012):

- closed canopy > 5 m high
- dense vegetation with complex structure (upper, mid and understorey layers)
- within 500 m of permanent water source
- within 50 km of the coastline or at an elevation < 65m above sea level
- level topography (< 5° incline)
- ideally greater than one hectare to accommodate and sustain large numbers of flying-foxes and allow the roost to shift its extent so vegetation can recover (note this does not appear to be a strong flying-fox preference, but more a consideration in roost habitat creation/improvement).

Recently, specific research into the roost habitat preferences of LRFF revealed that roosts were most often associated with the following attributes (MacDonald et al. 2021):

- marginally taller canopy; mean height of canopy trees was 19.9 m ( $\pm$  8.9 m) and of subcanopy trees was 9.9 m  $\pm$  4.8 m
- greater canopy and subcanopy cover/complexity
- marginally taller shrub layer with greater cover
- shorter, less dense ground cover layer
- preference for ten tree species (accounting for 68% of roost habitats), including *Eucalyptus*, *Melaleuca*, *Rhizophora*, *Avicennia*, *Corymbia*, and *Tamarandus* species

- generally located within 200 m of watercourse (50% of roosts).

Proximity to water is a key attribute in roost location (Hall & Richards 2000, Roberts 2005, MacDonald 2021) with one study suggesting that 94% of GHFF roosts in New South Wales (NSW) were (at that time) located adjacent to or on a waterway or waterbody (Eby & Lunney 2002).

Though these are general findings, flying-foxes have been known to roost in a variety of habitats outside the above criteria.

## 2.4 Flying-fox breeding cycle

Flying-foxes reach reproductive maturity in their second or third year of life. Reproductive cycles detailed below are indicative and can vary by several weeks between regions, are annually influenced by climatic variables, and births can occur at any time of the year. Expert assessment is required to accurately determine the phase in the breeding cycle to inform appropriate management timing.

### **Black and grey-headed flying-foxes**

Mating begins in January with peak conception occurring around March to April/May; this mating season represents the period of peak roost occupancy (Markus 2002). Young (usually a single pup) are born six months later from September to November depending on species (Churchill 2008). The birthing season becomes progressively earlier, albeit by a few weeks, in more northerly populations (McGuckin and Blackshaw 1991), however out of season breeding is not unusual and births may occur at any time of the year (Ecosure pers. obs. 2015-2022).

Young are highly dependent on their mother for food and thermoregulation. Young are suckled and carried by the mother until approximately four weeks of age (Markus & Blackshaw 2002). At this time, they are left at the roost during the night in a crèche until they begin foraging with their mother in January and February (Churchill 2008) and are usually weaned by six months of age around March. Sexual maturity is reached at two years of age with an average life expectancy of 5-7 years (Divljan et al. 2006, Fox et al. 2008). Individuals have been recorded to live to 18 years of age in the wild (Tidemann & Nelson 2011).

The critical reproductive period for BFF and GHFF is generally from August/September (when females are in late stages of pregnancy) to the end of peak conception around April/May. Dependent pups are usually present from September/October to February.

### **Little red flying-fox**

The LRFF breeding cycle is approximately six months out of phase with BFF and GHFF. Conception occurs around October to November, with peak birthing in April-June (McGuckin & Blackshaw 1991, Churchill 2008). Young are carried by their mother for approximately one month then left at the roost while she forages (Churchill 2008). Suckling occurs for several months while young are learning how to forage.

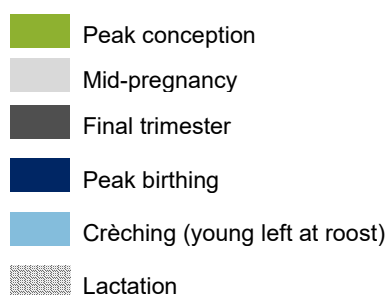
LRFF pups are particularly vulnerable to cold weather and can suffer hypothermia and fall



from their crèche trees. If LRFF pups are present, rescuers and carers should be on stand-by during cold weather.

Indicative flying-fox reproductive cycle

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
GHFF												
BFF												
LRFF												



## 2.5 Local and regional context

Flying-foxes are highly nomadic, moving across their east coast range between a network of roosts. Roosts may be occupied continuously, annually, irregularly or rarely (Roberts 2005), and numbers can fluctuate significantly on a daily (up to 17% daily colony turnover; Welbergen et al. 2020) and seasonal basis. A study by Welbergen et al. (2020) tracked individuals of all three species over a 60-month period and found that BFF and LRFF roosted in an average of 12 and 24 LGAs per year, respectively. Beaudesert and other Scenic Rim roosts form part of a network of roosts across the species' range (see Appendix 2). There are 14 known roosts within the Scenic Rim LGA (Figure 1).

Typically, the abundance of resources within a 20–50 km radius of a roost site will be a key determinant of the size of a roost (SEQ Catchments 2012). As such, flying-fox roosts are generally temporary and seasonal, tightly tied to the flowering of their preferred food trees. However, understanding the availability of foraging resources is difficult because flowering and fruiting may not occur each year and vary between locations (SEQ Catchments 2012).

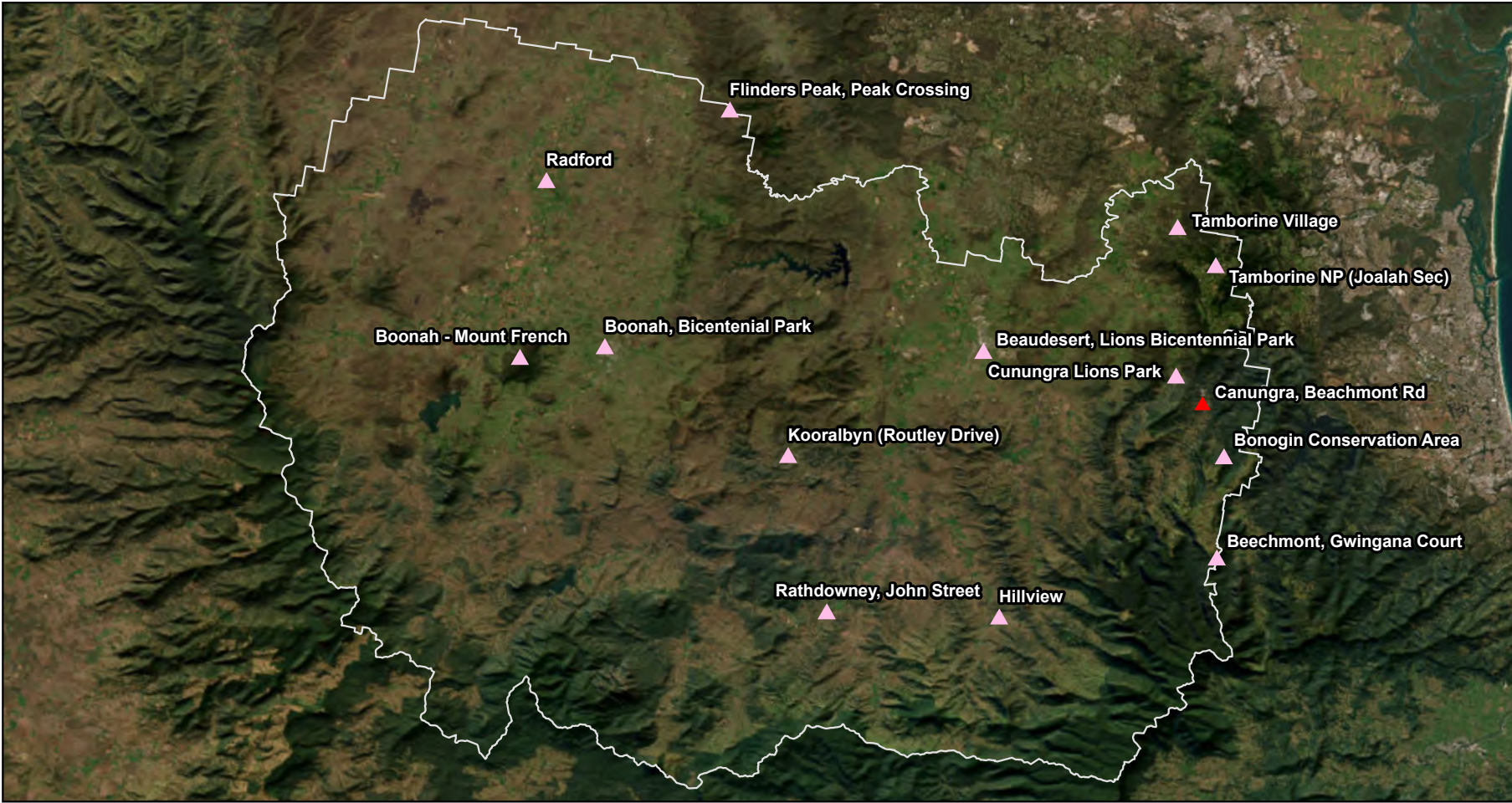
A Queensland Government funded study by the Queensland Herbarium and CSIRO incorporated data from a range of sources to rank LRFF diet trees in bioregions across Queensland (Eyre et al. 2020). This was done using the method developed by Eby and Law (2008) by assessing the relative importance of LRFF diet tree species, the abundance of nectar produced during peak flowering periods, and the frequency of substantial flowering by a species, to obtain an overall Diet Plant Nectar score. Figure 2 shows the distribution of overall static nectar scores for remnant vegetation within 50 km of the Beaudesert roost. While this analysis is based on LRFF diet, there is substantial overlap in dietary preferences between LRFF and BFF, and thus this mapping provides insight into flowering that will attract all species



into the area.

Between 2019 and 2020, flying-foxes experienced significant population impacts across the east coast of Australia due to extreme weather events. Prolonged drought caused a mass food shortage from Gladstone to Coffs Harbour, peaking around October 2019 (Mo et al. 2021), in which thousands of flying-foxes perished from starvation (Cox 2019, Huntsdale & Millington 2019). Following this, bushfires across the country resulted in the loss of large areas of native forest that provides natural foraging habitat for flying-fox populations. The total number of flying-foxes lost in these events is impossible to quantify but is likely to have been more than 100,000 individuals (M. Mo 2019, pers. comm.).

With these types of events severely impacting natural areas, foraging and roosting resources in and around urban locations become even more important for flying-fox conservation.



**Figure 1: Regional context**

Scenic Rim Regional Council  
Beaudesert Lions Bicentennial Park Roost Flying-fox Management Plan

- Flying-fox roosts within Scenic Rim**
- ▲ Nationally important flying-fox roost
  - ▲ Other flying-fox roosts
  - Scenic Rim LGA boundary



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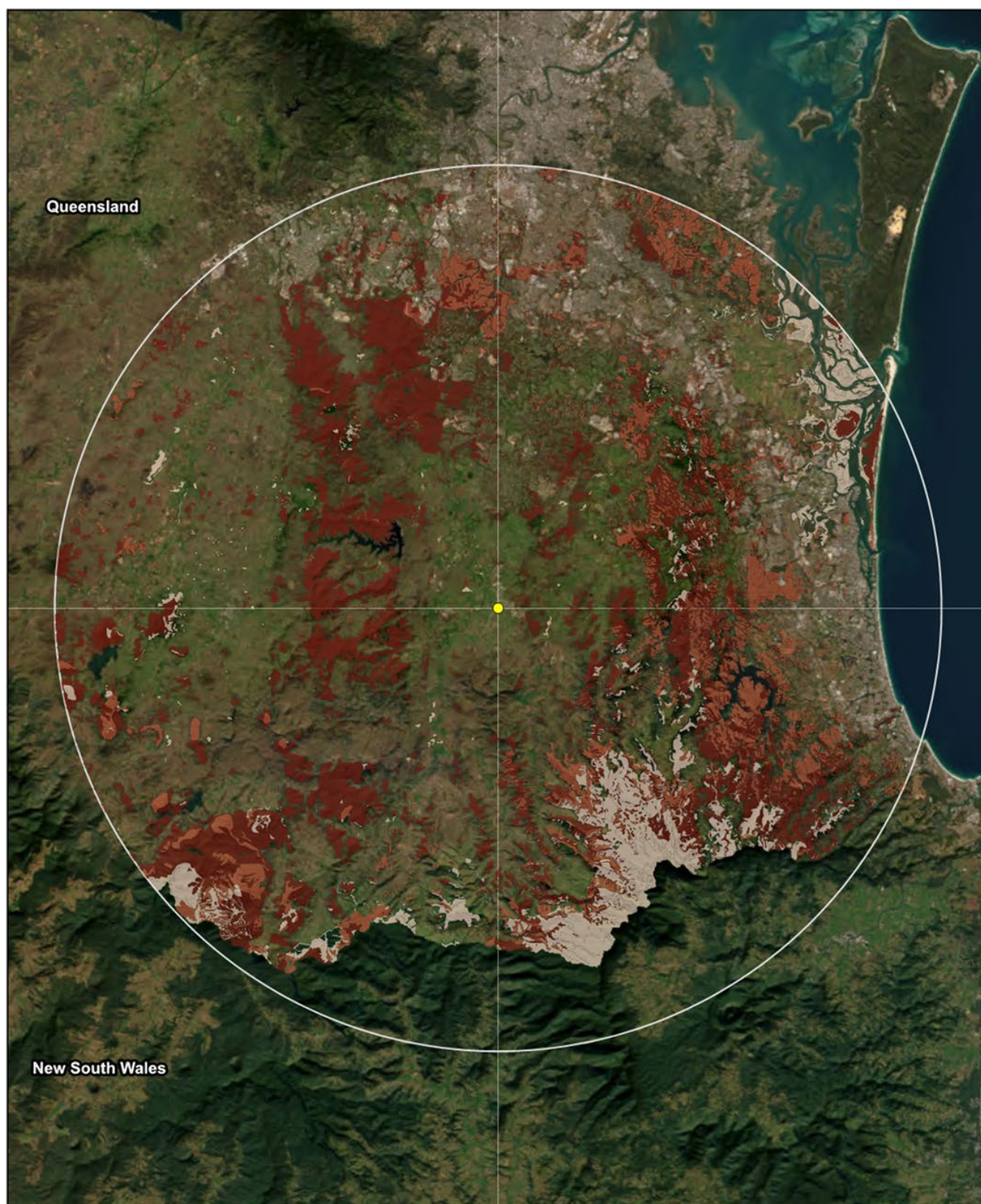
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PR7870 MP1 RegionalContext

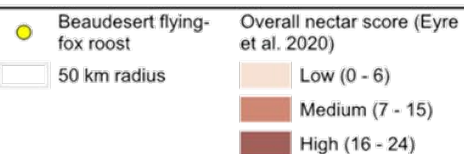




**Figure 2: Distribution of the overall static nectar scores for remnant (2015) vegetation within 50 km of Beaudesert roost**

Scenic Rim Regional Council

Beaudesert Lions Park Bicentennial Flying-fox Roost Management Plan



Job number: PR7870  
 Revision: 0  
 Author: TD  
 Date: 27/04/2023



0 2 4 6 8 12  
 Kilometers

GDA 1994 MGA Zone 56  
 Projection: Transverse Mercator  
 Datum: GDA 1994  
 Units: Meter

Data: Queensland Government (2015) State of Queensland 2015; (2015) State of Queensland 2015; (2015) State of Queensland 2015

(1407870) 13379 1407870

## 3. Beaudesert roost site context

### 3.1 Tenure

The Beaudesert roost primarily occupies Council land. The core roosting area includes Lions Bicentennial Park (Lot/Plan 2RP144307) with occasional spill over onto an adjacent private property (Lot/Plan 4RP127407). Flying-foxes have also been recorded roosting in Jubilee Park (Lot/Plan 4RP166162) on one occasion.

Lions Bicentennial Park and Jubilee Park is mapped as Recreation and Open Space Zone, with surrounding properties mapped as Rural Residential Zones.

### 3.2 Flying-fox numbers and roost extent

The Beaudesert roost was first officially recorded in 2014, however anecdotal records suggest occupation of this site a decade prior to this (Scenic Rim Regional Council 2014).

The roost is periodically monitored as part of the National Flying-fox Monitoring Program, with typically less than 2,000 flying-foxes (Figure 3). Council data since roost establishment in 2014 record a maximum influx of 20,000 LRFF.

In 2014 the flying-fox footprint occurred in the south-eastern section of Lions Bicentennial Park along the creek line. In mid-2014, vegetation removal and modification was undertaken in the roost footprint to increase the buffer to nearby private residences. The site remained unoccupied for two years before flying-foxes returned (J. Baker 2023, pers. comm.). Flying-foxes returned to roost towards the centre and western section of Lions Bicentennial Park around the lagoon. The roost is now located towards the centre and northern section of the park, closer to McKee Street. During larger influxes, flying-foxes have periodically spilled over onto an adjacent private property, and Jubilee Park on one occasion (Figure 4).

Residents have noted that flying-foxes typically leave the roost around winter, however in the last few years, flying-foxes have occupied the site for majority of the year. This roost is a maternity roost for BFF and GHFF. Crèching trees have been recorded in the western section of the park, in trees bordering the car sale yard.

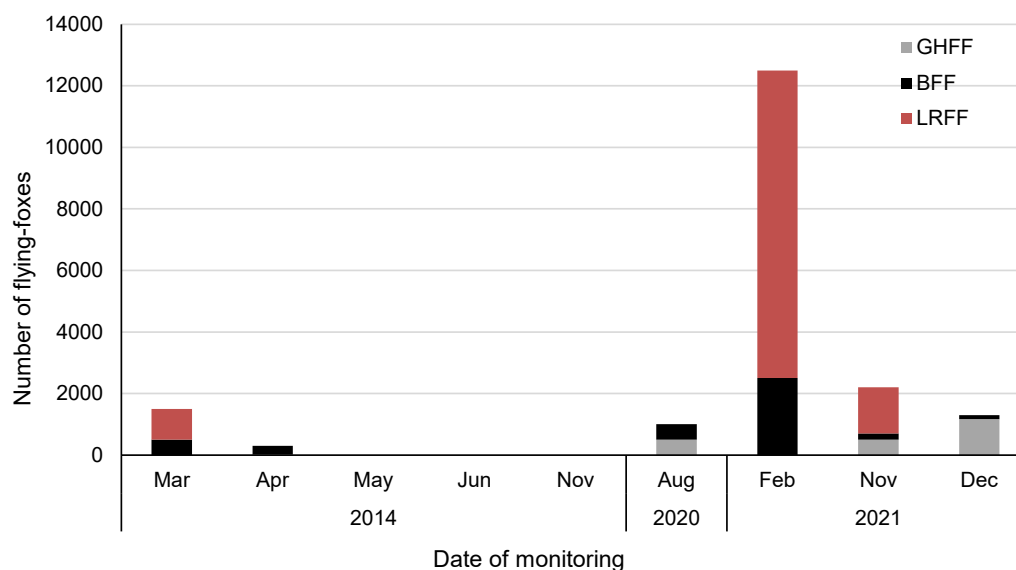


Figure 3 Historical flying-fox roost counts at the Beaudesert roost (Source: Councils interpretation of DES NFFMP data).





**Figure 4: Beaudesert flying-fox roost**

Scenic Rim Regional Council

Beaudesert Lions Bicentennial Park Flying-fox Roost Management Plan

**Roost extents**

- Current
- 2-5 years ago
- 5-10 years ago
- Expanding

- Property boundaries
- Watercourse



Job number: PR7870  
Revision: 1  
Author: TD  
Date: 15/06/2023



0 10 20 40  
Metres

GDA 1994 MGA Zone 56  
Projection: Transverse Mercator  
Datum: GDA 1994  
Units: Metre

### 3.3 Ecological values

The Beaudesert roost is mapped as non-remnant vegetation, and includes a variety of native tree species such as Queensland kauri pine (*Agathis robusta*), silky oak (*Grevillea robusta*), she-oak (*Casuarina glauca*), and Eucalyptus spp.

No threatened species were recorded within 1 km of the roost on the WildNet database (of confirmed records since 1980) (WildNet 2023), though, in addition to the GHFF, the white-throated needletail (*Hirundapus caudacutus*) is known to occur within 1 km of the roost based on the Protected Matters Search Tool (PMST 2023).

Based on habitat suitability modelling, the Beaudesert site is mapped as potentially suitable habitat for the koala (*Phascolarctos cinereus*), water mouse (*Xeromys myoides*), glossy black cockatoo (*Calyptorhynchus lathamii*), eastern ground parrot (*Pezoporus wallicus wallicus*), wallum froglet (*Crinia tinnula*), wallum rocketfrog (*Litoria freycineti*) and wallum sedgefrog (*Litoria longburensis*). Any vegetation works will need to be considerate of the potential for these species with appropriate impact avoidance measures. Significant vegetation modification (e.g. complete removal of native trees) would require further assessment to determine the likelihood of these species occurring and additional approvals may be required (e.g. Species Management Program).

### 3.4 Sensitive receptors

It is acknowledged that many land uses may conflict with flying-fox roosts, such as some residences, public parks and businesses (e.g. motels). Sensitive receptors, as used in this context, differ in that there are vulnerable cohorts of people and/or animals where managing risk may be more complex than awareness programs and property modification. These include schools, childcare centres, hospitals with helipads, airports, and equine facilities. Identifying sensitive receptors is necessary to any management actions that could inadvertently cause the roost to splinter to surrounding undesirable locations (e.g. other conflict locations close to residents) or sensitive receptors.

There are ten sensitive receptors located within 1 km of the Beaudesert roost (Figure 5), plus one broad sensitive receptor group not mapping:

- Beaudesert Swimming Pool
- Beaudesert Showground
- Beaudesert Hospital
- Edge Early Learning Beaudesert
- Goodstart Early Learning Beaudesert - Brisbane Street
- Goodstart Early Learning Beaudesert - Eaglesfield Street
- St Mary's Catholic Primary School and Kindergarten
- Beaudesert State Primary School



- HoofnPaws & Veresdale Equine Veterinary Services
- privately owned horse stable directly adjacent to the roost
- other various privately owned horse properties.

Additional potential sensitive receptors previously identified by Council surrounding Beaudesert include:

- Scenic Rim Vet
- Council Animal Management Facility
- Beaudesert Library
- Beaudesert Girl Guides
- Beaudesert Golf Club
- Beaudesert Racecourse.





**Figure 5: Sensitive receptors within 1 km of the Beaudesert roost**

Scenic Rim Regional Council

Beaudesert Lions Park Bicentennial Flying-fox Roost Management Plan

\*Many land uses may conflict with flying-fox roosts, such as residences, public parks and businesses. The term sensitive receptor is used for locations with vulnerable cohorts of people and/or animals where managing risk may be more complex than awareness programs and property modification. These include schools, childcare centres, hospitals with helipads, airports, and equine facilities.



Job number: PR7870  
Revision: 1  
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Date: 15/06/2023



0 50 100 200  
Metres

GDA 1994 MGA Zone 56  
Projection: Transverse Mercator  
Datum: GDA 1994  
Units: Meter

### 3.5 Management response to date

Following establishment of the roost in 2014, community members called for action to manage the roost, citing a range of negative impacts including odour, noise, and health concerns. Council determined at the time the most suitable action would be to manage the roost through vegetation removal and modification in the original roost footprint. Following vegetation removal and modification, flying-foxes vacated the roost for two years. Since flying-foxes returned, Council have managed the site through cleaning and tree trimming to manage dangerous trees. During recent influxes and changes in the roost footprint, Council has identified impacts to park facilities and arranged for removal of some facilities due to equipment end of life.

Following increased conflict over the last few years, a new operating initiative was proposed to strengthen Council's flying-fox management intent and provide additional support for residents with flying-foxes roosting on private land. An LGA-wide survey was undertaken to understand the types of conflict occurring and to gauge the community's opinions on different flying-fox management techniques (e.g. assistance for affected residents). Following this, Council undertook a review of the Flying-fox Management Strategy, which is currently being finalised. This RMP represents the next step in the management of the Beaudesert flying-fox roost.

## 4. Community engagement

### 4.1 Online survey

Council undertook a region-wide online community survey to inform the development of an updated flying-fox strategy. The survey was open for 17 weeks, between the 17<sup>th</sup> of January and 15<sup>th</sup> of May 2022, and was completed by 78 people. The survey consisted of 15 questions, including multiple choice questions (most of which allowed respondents to select multiple answers), and short answer questions. Of the 12 roosts in the region listed, 12.7% of respondents nominated the Beaudesert Bicentennial Park roost as their key roost of concern.

When asked what flying-fox species people were most affected by (multiple selections allowed accounting for >100% total), 37.1% were unsure of the species affecting them. Of the 62.9% of respondents who were able to identify species, 77.6% reported being affected by BFF, 55.1% reported affects from GHFF, and 20.06 reported affects from LRFF.

The majority of respondents who lived less than 500 m from a roost (62.8%) reported noticing or being affected by flying-foxes daily. Of the respondents who lived within 500 m of a roost, the period of highest interaction was evening (6:00 pm onwards) during which 77.1% reported being affected during this time on a daily basis. Morning to midday and afternoon to evening also represented relatively high rates of daily affects with 62.9% of respondents that live within 500 m of a roost reporting affects during that time. Of the respondents living within 500 m of a roost, 17.1% reported affects sporadically and 11.4% reported monthly, seasonal or yearly affects. Figure 6 below outlines the time and frequency of interactions across all respondents regardless of their distance from a flying-fox roost.

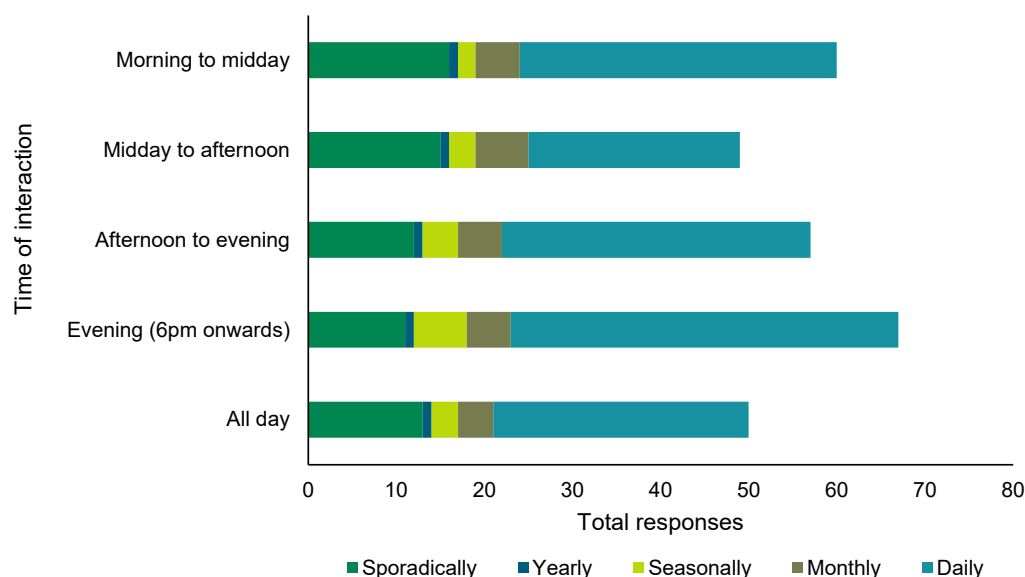


Figure 6 Time and frequency of human – flying-fox interactions (n = 78)





When asked to describe their relationship with flying-foxes, 46.3% reported a positive or very positive relationship and 45% a negative or very negative relationship, while 8.8% reported neutral feelings. When asked what the respondent's relationship was with flying-foxes in their everyday life, 48.1% of respondents identified as being a resident directly affected by flying-foxes, 37.9% identifies as a person who 'enjoys observing nature', 16.4% identified as being a Scenic Rim resident not directly affected, and 10% identified as being a wildlife carer. Respondents were able to select multiple answers.

When respondents were asked to describe their relationship with flying-foxes, 47.4% of all respondents reported having a positive or very positive relationship, whereas 43.5% reported a negative or very negative relationship. 7.7% of respondents were neither positive nor negative in their relationship with flying-foxes. Of all respondents, 60.2% identified the ecosystem services provided by flying-foxes as the most important positive factor. 34.6% identified that they 'love living with the natural environment' 23.4% identified that their 'lifestyle means I need to accept local wildlife'. 30.8% responded 'other' where they outlined that there were no positive aspects of living near a roost, and were concerned about flying-fox welfare and the importance of conserving flying-foxes.

When asked what the negative impacts of living near flying-foxes are, 43.5% of all respondents identified public health concerns as the most important negative factor, 25.6% identified that flying-foxes 'prevent me from participating in my regular activities', 16.6% reported they cause financial loss, and 29.5% reporting no negative impacts. 25.6% of respondents answered 'other' where they reiterated negative impacts from noise, smell, faecal droppings, concerns about diseases transmission and being unable to utilise their backyards or public spaces.

Of the 33 respondents who were concerned about public health issues, 100% were concerned the presence of faecal matter, 87.9% were concerned about smell and the potential for viral transmission to people/animals, 33.3% were concerned with ticks and lice, while 3% were concerned with damage to trees (Figure 7).

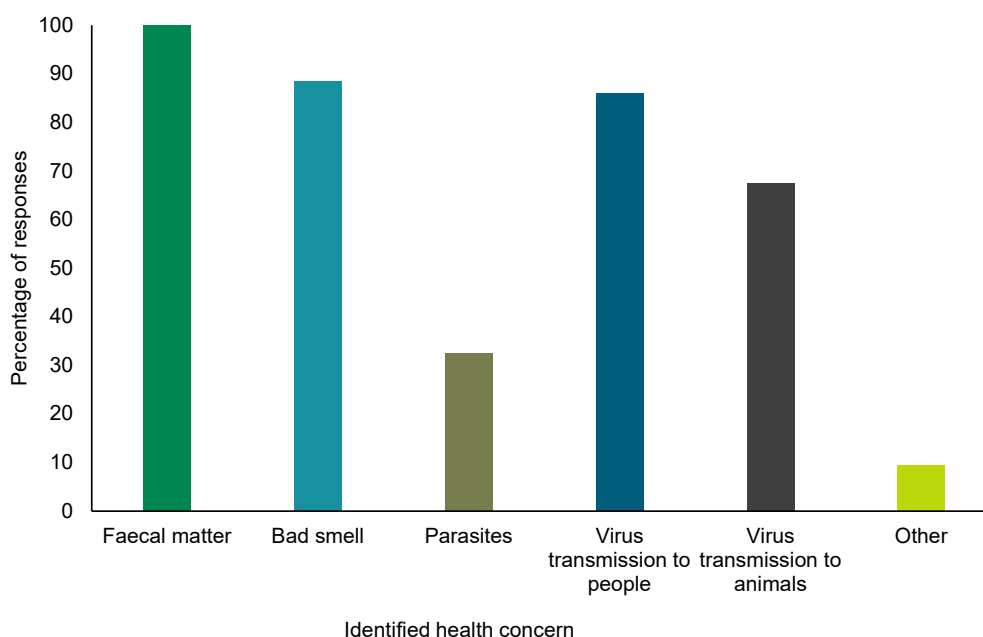


Figure 7 Identified areas of public health concerns. This was calculated from the 33 respondents who indicated their concern for public health issues related to flying-foxes.

18% of total participants reported financial impacts due to flying-foxes. Of these respondents the primary source of reported financial loss was 'additional maintenance and cleaning' (92.8%), damage to vegetation (78.5%) and damage to property (78.5%), while veterinary requirements were experienced by 21.4% of these respondents. 20.5% of all respondents reported flying-foxes prevented them from participating in regular activities. These activities include, being unable to use their own yard, public parks or public footpaths, being unable to drink their own rainwater, and disruptions to sleep. 28% of all respondents answered that there were not prevented from participating in regular activities. Many of the 28% conveyed that the roost had positive impacts on their emotional wellbeing and were concerned with flying-foxes being excluded from Scenic Rim, reducing the natural values of the region.

Responses provided for short response questions were broadly consistent with the results discussed above, identifying factors such as increased maintenance in response to droppings, risk of disease, as well as the ecological importance of flying-foxes locally. The following topics were commonly discussed in short responses:

- A feeling of unacceptable burden of increased cleaning or damage to property, particularly damage to paint, clogged gutters and garden plants by droppings
- Impacts to outdoor lifestyle e.g. entertaining, gardening or using public spaces.
- Concerns flying-foxes pose a threat to children, particularly while unsupervised or playing in gardens
- Perceived impacts to biodiversity around roosts, particularly the perceived reduction of birdlife and damage caused to roost vegetation

- A desire to see flying-foxes relocated to another site away from dwellings or human infrastructure
- Concerns that the local flying-fox population has increased to an unacceptable / unbearable size over the last five years
- The smell and noise produced by nearby roosts becoming unbearable and interrupting dwelling use and appreciation, sleep and daily activities such as walking children to school
- Feeling unfairly restricted from activities such as fires and trimming garden vegetation due to flying-fox protection
- The need for flying-fox protection to encourage ecosystem services provided by flying-foxes
- The positive response to education experienced by several respondents that have since changed their opinion regarding flying-foxes as pests
- The potential for flying-foxes as an ecotourism resource
- The importance of conserving flying-foxes in the region and moving away from dispersals
- The need for education and a change in media's negative bias towards flying-foxes.

Despite the majority of the above points referring to negative impacts, a substantial proportion of respondents cited the ecological importance and the positive impacts to public amenity emotional wellbeing. Overall, respondents appear highly polarized, as indicated by the very high proportion (78.8%) of responses with 'very positive' or 'very negative' relationships with flying-foxes, with only seven respondents remaining neutral.

## 4.2 Resident meetings

Council and Ecosure representatives met with impacted residents and surrounding businesses during the site visit on the 3<sup>rd</sup> of April 2023.

A range of concerns were raised during the meetings, which are summarised in Section 4.3, Table 1 below. Key issues for the residents revolved around noise, smell, faecal mess, and human/animal health concerns, as well as loss of property value and loss of income. The Analee Motel cited issues regarding reduced clientele due to noise, smell and health concerns, and as a result, loss of income associated with customer complaints. Residents also raised concerns about the loss of amenity and being unable to use the parklands while flying-foxes occupy the park. Residents also raised concerns about disturbance caused by mowing of the parklands, which occurs on a weekly basis in summer. This disturbance often causing lifting and increased noise, thereby increasing impacts to residents, the motel and parkland users.

The adjacent car sale yard cited minimal impacts from faecal mess, and noted that faecal mess is easily managed with their regular cleaning regimes. The adjacent early learning centre also cited no impacts, and has sufficient safety protocols in place in the unlikely circumstance a flying-fox was found roosting on the property.

### 4.3 Key issues

Key issues associated with flying-foxes roosting at Lions Bicentennial Park are detailed in Table 1. These key concerns have been derived from the community survey (above), on-site community consultation, and ongoing community concerns raised to Council over past years. Management actions available/known to address these concerns are outlined in the third column, with the efficacy of each for the Beaudesert roost discussed further in Section 5.

Table 1 Key issues associated with flying-foxes roosting at Beaudesert Lions Bicentennial Park.

Key issue	Details	Site-specific concerns (informed by resident consultation and community survey)	Potential management solutions
Odour	Flying-foxes use pheromones to communicate with each other, which is the source of the characteristic musky smell around their roosts and some foraging trees. There are several factors that affect odour detectability and intensity, such as the number of flying-foxes, time of year, weather conditions, wind direction, and site characteristics. Odour may be more intense at roosts during the breeding and rearing season as female flying-foxes use scent to find their pups after foraging, and males regularly mark their territories (Wagner 2008). Likewise, odour is stronger after rain as males remark branches in their territories.	<ul style="list-style-type: none"> <li>Odour is unpleasant to live with and decreases customer revenue at the motel.</li> <li>Odour is particularly bad during the breeding season and wet weather.</li> </ul>	<ul style="list-style-type: none"> <li>Double-glazed windows.</li> <li>Hostogel odour-neutralising pots.</li> <li>Airconditioning / ventilation system for indoors.</li> </ul>
Health & safety concerns	All animals carry bacteria and other microorganisms in their guts, some of which are potentially pathogenic to other species including humans. Key human and animal health risks associated with flying-foxes are Australian bat lyssavirus (ABLV) and Hendra virus (HeV); the latter being particularly important for flying-fox roosts located in close proximity to horse paddocks. Excluding those people whose occupations require contact with bats, such as wildlife carers and vets, human exposure to ABLV and HeV and frequency of infection is extremely rare. Health risks can be effectively mitigated through education, protocols, PPE, and basic hygiene measures (see Appendix 3).	<ul style="list-style-type: none"> <li>Health and safety concerns walking near/under roost trees in the parklands due to fear of falling branches.</li> <li>Health/disease concerns for humans and animals on adjacent properties, including:               <ul style="list-style-type: none"> <li>Risk of transmission of Hendra Virus (HeV) to horses on an adjacent property and transmission of HeV from horses to humans.</li> <li>Human health concerns regarding ABLV from flying-foxes to humans. A resident cited a flying-fox flying into their face after the roost had been spooked.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Education to resolve concerns around HeV, ABLV and diseases transmission via mosquitoes.</li> <li>HeV vaccination subsidised by Council.</li> </ul>



Key issue	Details	Site-specific concerns (informed by resident consultation and community survey)	Potential management solutions
		<ul style="list-style-type: none"> <li>○ Fear of disease being transmitted from flying-foxes to humans via mosquitoes.</li> <li>○ Residents have reported an increased frequency of overall sickness since the roost has been occupied.</li> </ul>	
Noise	A highly sociable and vocal animal, the activity heard from flying-foxes at roosts includes courting, parenting and establishing social hierarchy. Noise is often most disturbing pre-dawn, and during the breeding season (e.g. during mating March/April, and pup rearing in spring/summer).	<ul style="list-style-type: none"> <li>· Disruptive noise from flying-foxes generally from very early morning until after sunset.</li> <li>· Constant noise during breeding season due to crèching pups at the roost during the night.</li> </ul>	<ul style="list-style-type: none"> <li>· Double-glazed windows.</li> <li>· Sound-proofing roost-facing and/or all external walls or installing noise-reducing curtains.</li> <li>· Using white noise machine in residential homes to mask flying-fox noises at night.</li> </ul>
Faecal droppings / damage to property	Flying-foxes have an extremely fast digestive process with only 12-30 minutes between eating and excreting (SEQ Catchments 2012). Given that flying-foxes regularly forage 20 km from their roost (Markus & Hall 2004) and establish new roosts within 600 m – 6 km when dispersed (Roberts & Eby 2013, Ecosure 2014), attempting to relocate a roost will not reduce this impact. As such, faecal drop impacts are best managed at an individual property level. Faecal droppings can cause health concerns, reduced amenity, create a slip hazard, requires time and resources to clean, and can damage paint if not promptly removed.	<ul style="list-style-type: none"> <li>· Reduced use of parklands (footpaths, park benches, children's playground) due to faecal droppings.</li> <li>· Residents regularly have to clean properties and cars (in some cases daily) to remove faecal mess and prevent long-term damage to property – costly and time-consuming.</li> </ul>	<ul style="list-style-type: none"> <li>· Shade sails to cover highly impacted areas.</li> <li>· Regular cleaning by Council.</li> <li>· Water rebates for residents.</li> <li>· Council subsidies for cleaning service and/or equipment.</li> </ul>
Damage to vegetation	Large numbers of roosting flying-foxes can damage vegetation by stripping leaves and breaking branches. The dense roosting behaviour of LRFF in particular can cause significant damage, including broken limbs and tree fall, and poses a serious human safety hazard. While damage can be problematic, most native vegetation is resilient and generally recovers well (e.g. casuarina and eucalypts), and flying-foxes naturally move within a roosting site allowing vegetation to recover.	<ul style="list-style-type: none"> <li>· Damage to parkland trees (predominantly eucalypts and she-oaks) from flying-foxes roosting.</li> <li>· Fear of falling branches in the parklands causing a safety risk to the community.</li> </ul>	<ul style="list-style-type: none"> <li>· Selective removal/trimming of trees where there are safety concerns.</li> <li>· Installing covers over high traffic areas (e.g. covers over park walkways with overhanging trees).</li> <li>· Deterring flying-foxes from certain trees using</li> </ul>





Key issue	Details	Site-specific concerns (informed by resident consultation and community survey)	Potential management solutions
			permanent/semi-permanent deterrent methods.
Loss of amenity	Loss of amenity refers to the reduced or ceased use of flying-fox roost areas resulting from flying-fox impacts (e.g. noise, odour, health concerns). This can occur on private and/or public land, and often results in negative relationships between	<ul style="list-style-type: none"> <li>Not able to use the parklands due to overhanging flying-foxes, as well as noise, smell and faecal dropping impacts.</li> <li>Concerns that money spent improving the parklands has been wasted.</li> </ul>	<ul style="list-style-type: none"> <li>Flying-fox deterrents from some areas to increase amenity for primary-impacted residents<sup>2</sup>.</li> </ul>
Loss of income/property value decrease	Some concerns have been raised regarding the potential for property value decreases due to nearby roosting flying-foxes. This is due to the associated impacts that can be experienced when living close to a flying-fox roost (noise, smell, faecal droppings, concerns about diseases transmission etc.). Likewise, due to these associated issues, some businesses have reported a loss of income.	<ul style="list-style-type: none"> <li>Concerns regarding potential loss of private property value.</li> <li>Loss of income due to difficulty in selling horses stabled adjacent to a flying-fox roost.</li> <li>Loss of income due to motel customers not returning/asking for refunds due to noise and smell complaints.</li> </ul>	<ul style="list-style-type: none"> <li>Subsidised HeV vaccination and regular testing.</li> <li>Subsidies to assist husbandry practices to reduce transmission.</li> <li>Double-glazed windows and Hostogel pots for affected motel rooms.</li> <li>Subsidies for cleaning of motel guest cards/subsidies for car covers in hotel carpark.</li> <li>Land use planning (long-term option).</li> </ul>
Protecting flying-foxes and other fauna	There have been numerous community concerns about the protection and conservation of flying-foxes in the region. Along with anthropogenic impacts (e.g. land clearing), climate-driven impacts such as heat-stress events, droughts, bushfires, and flooding, can greatly impact flying-fox populations and habitat. One heat stress event alone in 2014 caused the death of at least 45,000 flying-foxes across 52 roosts in south-east Queensland. As such, protection of flying-foxes and their habitat needs to be a primary consideration in any RMP.	<ul style="list-style-type: none"> <li>Several community members raised concerns regarding welfare of flying-foxes and the importance of maintaining suitable flying-fox habitat.</li> </ul>	<ul style="list-style-type: none"> <li>Education surrounding the ecological importance and cultural significance of flying-foxes.</li> <li>Develop LGA-wide heat stress response plan.</li> <li>Land-use zoning to protect flying-fox habitat.</li> </ul>

<sup>2</sup> Primary-impacted residents are those with flying-foxes roosting on their property, or with properties directly adjacent the roost. This includes businesses.

#### 4.3.1 Specific health concerns

Human and animal health concerns were raised as a primary concern during community consultation. Concerns were raised about HeV due to the adjacent private property with horses, ABLV and disease transmission from mosquitoes.

Detailed information regarding HeV and ABLV and general health considerations can be found in Appendix 3.

A literature review was conducted to assess the risk of disease transmission from flying-foxes to mosquitoes, and subsequent transmission from mosquitoes to humans. The following information provides a summary of risks based on recently published and well-documented scientific research and literature.

##### **Disease transmission via mosquitoes**

A study investigated Japanese encephalitis (JeV) transmission from flying-foxes to mosquitoes and determined that flying-foxes do have the potential to infect mosquitoes, however the rate of infection of recipient mosquitoes was low (van den Hurk et al. 2009). The primary natural amplifying hosts for JeV are pigs and waterbirds (Mackenzie et al. 2022, van den Hurk et al. 2022), and a range of other host species have been identified such as horses, cattle and macropods. Though infected flying-foxes have the potential to transmit JeV to mosquitoes, flying-foxes pose no more risk than other domestic or wild animals, and certainly much less of a risk than pigs.

Ross River Virus (RRV) is another potential disease transmitted from mosquitoes to flying-foxes (or from mosquitoes to flying-foxes). Stephenson et al. 2018 and Ryan et al. 1997 suggest that flying-foxes likely do not act as important reservoir host of RRV due to the detection of very low transmission rates. The main hosts for RRV are macropods, horses, and birds. Domestic animals such as dogs and cats are also capable of transmitting the disease to and from mosquitoes, but also at a very low transmission rate. Therefore, flying-foxes pose a much lower risk for RRV transmission compared to macropods, birds and horses.

Mosquitoes have the potential to transfer many diseases (most of which are unrelated to flying-foxes) to humans, therefore vigilance with protection against mosquitoes (e.g. suitable clothing, bug spray and fly screens etc.) should always be prioritised to minimise the risk of disease transmission.

##### **Health and flying-fox management**

The effects of stress are linked to increased susceptibility and expression of disease in both humans (AIHW 2012) and animals (Henry & Stephens-Larson 1985, Aich et al. 2009, Hing et al. 2016), including reduced immunity to disease. Therefore, it can be assumed that management actions which may cause stress (e.g. dispersal), particularly over a prolonged period or at times where other stressors are increased (e.g. food shortages, habitat fragmentation, etc.), are likely to increase the susceptibility and prevalence of disease within the flying-fox population, and consequently the risk of transfer to humans.



Furthermore, management actions or natural environmental changes may increase disease risk by:

- forcing flying-foxes into closer proximity to one another, increasing the probability of disease transfer between individuals and within the population.
- resulting in abortions and/or dropped young if inappropriate management methods are used during critical periods of the breeding cycle. This will increase the likelihood of direct interaction between flying-foxes and the public, and potential for disease exposure.
- adoption of inhumane methods with potential to cause injury which would increase the likelihood of the community coming into contact with injured/dying or deceased flying-foxes.

The potential to increase disease risk should be carefully considered as part of a full risk assessment when determining the appropriate level of management and the associated mitigation measures required.

As with any accumulation of animal excrement (bird, bat, domestic animals), care should be taken when cleaning. This includes wetting dried faeces before cleaning to avoid aerosoling dust, wearing appropriate PPE and maintaining appropriate hygiene. See '[Work with bird and bat droppings](#)' for detail.

## 5. Management options analysis

Table 2 outlines a site-specific assessment of flying-fox impact management options commonly used across Australia, and their suitability for the Beaudesert roost.

Table 2 Management options for the Beaudesert Lions Bicentennial Park flying-fox roost. Further information on management options is provided in Appendix 4, and appraisal in Section 6.

Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal (see also Section 6)
Education and awareness programs	<p><b>Advantages:</b> Low cost compared to active management, promotes conservation of flying-foxes, contributes to attitude change which may reduce general need for roost intervention and reduce anxiety. Increasing awareness and providing options for the community to reduce impacts can be an effective long-term solution, can be undertaken quickly, will not impact on ecological or amenity value of the site.</p> <p><b>Disadvantages:</b> Education and advice itself will not mitigate all issues, and in isolation would not be acceptable to the community.</p>	Collecting and providing information should always be the first response to community concerns in an attempt to alleviate concerns without the need to actively manage flying-foxes or their habitat. Community engagement with residents and the wider community revealed some misinformation regarding flying-fox management and health impacts, therefore it is important to increase engagement with the community to alleviate concerns, address misinformation, and promote flying-fox conservation. Education options should include installation of educational signage in the park, maintaining up to date ecology and human/animal health information on Council website, providing educational flyers to the motel for guests to read etc.	\$	Develop educational strategies targeting the wider community and residents. Provide educational flyers to the motel guests.
Roost monitoring	<p><b>Advantages:</b> Allows for an understanding of population dynamics over time. Allows for data to be used to determine the efficacy of some management actions. Relatively inexpensive.</p> <p><b>Disadvantages:</b> Not a direct management action that will minimise impacts.</p>	Council does not currently undertake regular monitoring of the Beaudesert roost, though it is infrequently monitored as part of the National Flying-fox Monitoring program. Council would ideally undertake monthly monitoring when flying-foxes are present, including species present, numbers, roost extent, age of flying-foxes present (whether dependent or independent young are present). This monitoring data is important to know when management actions can be implemented and allows for important data to be collected over time to	\$	Adopt.



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal (see also Section 6)
Operational/park modifications	<p><b>Advantages:</b> Encourages tolerance of flying-foxes roosting in a public space, reduces the need for vegetation management, reduces disturbance and possible lifting of flying-foxes, improves site amenity.</p> <p><b>Disadvantages:</b> Will not resolve all community conflict, could be cost prohibitive, ongoing costs associated with operational maintenance.</p>	<p>assess management efficacy.</p> <p>Undertaking park modifications to minimise impacts currently experienced (e.g. faecal drop on pathways and park benches) will foster coexistence of flying-foxes and the community at Lions Bicentennial Park. Council should consider undertaking park modifications as it can be easier to budget for compared to active roost management. These park modifications could include covers over park benches, playground equipment and over highly trafficked walkways where faecal drop and falling branches are a concern. Council should also consider installing a cover for students at the school bus pick-up area. This can also act as an effective shade and shelter from sun and rain as students wait for the school bus.</p>	\$ - \$\$\$ depending on amount of modifications	Adopt park modifications.
Subsidy program for property modification and/or services	<p><b>Advantages:</b> Property-level impact mitigation (e.g. double-glazing windows, white noise machines, sound-proof curtains, Appendix 4) is one of the most effective ways to reduce amenity impacts. It provides more certain outcomes compared with attempting to manage flying-foxes or their habitat. It is relatively low cost, can be included in building design and materials, will not impact on the roost and may add value to the property.</p> <p>Service subsidies (e.g. conducting cleaning services, Appendix 4) may encourage tolerance of living near a roost, promotes conservation of flying-foxes, can be undertaken quickly, will not impact on the site, would reduce the need for property modification, or can be used in tandem with property modification to minimise impacts further.</p> <p><b>Disadvantages:</b> May be cost-prohibitive for private landholders, depending on subsidies offered, and unlikely to fully mitigate community concerns. Can be costly for Council over a large scale, with service subsidies being an ongoing cost.</p>	<p>A subsidy program targeting residents and the nearby hotel could help alleviate some of the conflict experienced at a property level. Council should consider subsidising property modifications, services or rebates such as double glazed windows, cleaning services, assistance with tree trimming, provision of Hostogel pots, subsidising HeV vaccinations etc, rebates for water/power. for primary-impacted residents</p> <p>See Appendix 4 for further information regarding subsidy programs at a private property level.</p>	\$ - \$\$\$ depending on subsidy offered	Investigate subsidies for residents experiencing impacts at their home/place of business.





Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal (see also Section 6)
Routine roost management	<p><b>Advantages:</b> Can improve amenity at the site as well as impacts to biodiversity such as weeds on the site and in downstream areas.</p> <p><b>Disadvantages:</b> Will not generally mitigate amenity impacts for nearby landholders.</p> <p>Weed removal and bushfire management has the potential to reduce roost availability and reduce numbers of roosting flying-foxes.</p> <p>Removing weeds also changes the microclimate which can increase roost temperature and therefore susceptibility to HSEs.</p>	<p>Council currently undertakes maintenance activities at Lions Bicentennial Park including garden and lawn maintenance to maintain the amenity of the park. Council should continue maintenance at Lions Bicentennial Park, targeted at fostering coexistence between flying-foxes and the community. Residents expressed concerns that flying-foxes were highly disturbed by mowing, therefore Council should reconsider the mowing schedule in highly disruptive areas when flying-foxes are present in order to avoid lifting and increased disturbance.</p> <p>Residents are able to maintain their properties in accordance with the Low Impact COP. Council should continue to encourage residents to maintain their vegetation when flying-foxes are not present to discourage them from roosting/foraging when they are in town.</p>	\$	<p>Continue in suitable areas and at appropriate times (ideally in the non-breeding season or adapted during the breeding season to be less disruptive).</p> <p>Consider also reducing mowing schedules or mowing in the evening during influxes if mowing is causing disruption, which will increase impacts to residents.</p>
Alternative habitat creation / habitat improvement	<p><b>Advantages:</b> If successful in attracting flying-foxes away from high conflict areas, dedicated habitat in lower conflict areas can mitigate all impacts and helps flying-fox conservation. Rehabilitation of degraded habitat that is likely to be suitable for flying-fox use could be a more practical and faster approach than habitat creation.</p> <p><b>Disadvantages:</b> Generally costly, long-term approach so cannot be undertaken quickly, previous attempts to attract flying-foxes to a new site have not been known to succeed.</p>	<p>Facilitating habitat improvement towards the lower conflict area of the park (based on a 50 m buffer from occupied dwellings, motel and horse property boundary. See Figure 8) should be undertaken to encourage flying-foxes to roost in this lower conflict areas in the future, once plantings are mature and provide a favourable microclimate. This area of the park provides an increased buffer from the community and nearby residents/businesses and would likely decrease conflict.</p> <p>As a long-term strategy Council should investigate alternative suitable roost sites (see 2.3) and undertake habitat improvement at these sites. Note: this does not guarantee flying-foxes will roost at the restored sites.</p>	\$\$	<p>Adopt habitat improvement and/or creation towards in the lower conflict area of the park.</p> <p>Investigate alternative low conflict roosting sites and undertake habitat improvement.</p>
Provision of artificial roosting habitat	<p><b>Advantages:</b> Artificial roosting habitat (e.g. ropes) can be used to supplement the canopy if weed removal or roost management affects available roosting space.</p> <p><b>Disadvantages:</b> No guarantee that flying-foxes</p>	<p>To date, artificial habitat structures have not been effective, however further trials could be considered to supplement lower conflict areas in Lions Bicentennial Park where the vegetation has previously been impacted. Artificial habitat</p>	\$ - \$\$	<p>Investigate provision of artificial structures in lower conflict area in park while trees recover.</p>



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal (see also Section 6)
	would use artificial habitat but collaborating with a researcher on varying design options would increase the likelihood of success.	structure design should be carefully considered prior to implementation to optimise the likelihood of utilisation by flying-foxes and ensure there is no risk of wildlife entanglement.		
Protocols to manage incidents	<p><b>Advantages:</b> Protocols for managing incidents (e.g. HSEs, unauthorised disturbances) can reduce the risk of negative human/pet-flying-fox interactions. Low cost, promotes conservation of flying-foxes, can be undertaken quickly.</p> <p>In some cases, infrastructure problems such as power black-outs from flying-foxes being electrocuted on powerlines may be avoided by proactive management (e.g. adding spacers on powerlines).</p> <p><b>Disadvantages:</b> Will not mitigate amenity impacts.</p>	Council should respond to HSEs as per the Flying-fox Heat Event Response Guideline for south-east Queensland (Bishop et al. 2019) or consider developing a region-specific HSE document. Council should engage with wildlife carers and nearby residents and park users, particularly during potential mass mortality events such as HSEs and post-storm recovery.	\$	Continue supporting wildlife carers, residents, and flying-foxes during HSEs.
Research	<p><b>Advantages:</b> Support research that improves understanding and more effectively mitigates impacts.</p> <p><b>Disadvantages:</b> Generally, cannot be undertaken quickly, management trials may require cost input.</p>	<p>New research should be reviewed at least annually and incorporated into flying-fox management where appropriate.</p> <p>Research can be used to identify native flowering events in the area and how this can impact flying-fox movements and roosting preferences.</p> <p>Consider trialling rehabilitated flying-fox release into lower conflict areas (e.g. with a soft-release flying-fox aviary in a low conflict area) with the aim of encouraging roosting away from high conflict areas.</p> <p>Council should continue liaising with other SEQ Councils to share ideas and discuss efficacy of trialled management options.</p>	\$	<p>Incorporate new flying-fox management research into ongoing management where appropriate.</p> <p>Continue sharing learnings with other SEQ Councils.</p>



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal (see also Section 6)
Appropriate land-use planning	<p><b>Advantages:</b> Planning for future land use where possible will reduce potential for future conflict between community and flying-fox roosts.</p> <p><b>Disadvantages:</b> Will not generally mitigate current impacts.</p>	<p>Incorporate planning controls where possible for to avoid new development applications being built on/near known roosts / suitable roosting habitat. This may include requirements for buffers, noise attenuating building materials, covered car parks and clotheslines, bedrooms and outdoor areas positioned furthest from the roost, and lawn or gardens over hard surfaces to reduce cleaning.</p> <p>Appropriately plan future park infrastructure/vegetation with consideration to the proximity to the roost extent (e.g. avoid planting suitable roosting trees in undesirable areas, avoid installing infrastructure close to suitable roosting trees).</p>	\$	Appropriate planning new park infrastructure/vegetation. Consider planning controls with surrounding developments.
Property acquisition	<p><b>Advantages:</b> Allows affected landholders to move away from a roost, mitigating all impacts. Supports flying-fox conservation.</p> <p><b>Disadvantages:</b> Costly. Property owners may not want to sell.</p>	<p>This is often not well received by the community and can be cost prohibitive. Other measures (mentioned above and below) are more affordable and allow for reduced impacts to residents, the community and nearby business. This is unlikely to resolve conflict at the site.</p>	\$\$\$	Not suitable.
Buffers through vegetation modification	<p><b>Advantages:</b> Can provide a buffer between the community and flying-fox roosts which can reduce concerns in some instances.</p> <p><b>Disadvantages:</b> Removing vegetation can reduce buffering benefits of the vegetation to noise, odour and visual impacts, with potential to create additional conflict.</p> <p>Vegetation removed may exacerbate the impacts of HSEs, and could deter flying-foxes from roosting at the site all together (as seen at Witherin).</p>	<p><b>Lions Bicentennial Park:</b> Due to the risk of colony splintering if nudged (potentially into higher conflict areas such as backyards), vegetation trimming should be minimised and conducted in a staged manner. Selective trimming should be staged and strategic in order to encourage flying-foxes to roost towards the lower conflict area of the park (Figure 8).</p> <p>Trimming should be kept to a minimum until improvement in the habitat improvement has matured, in order to avoid unintentional dispersal to other potentially higher conflict sites. Any level of tree trimming may result in colony splintering, therefore staging vegetation modification is critical.</p> <p>Vegetation modification of selective trees in Jubilee Park should be undertaken to discourage flying-foxes expanding north of McKee St.</p>	\$-\$	<p>Selectively trim strategic trees in a staged manner to encourage roosting in the lower conflict area of the park.</p> <p>Selectively trim dangerous vegetation as necessary.</p> <p>Support private landholders to selectively remove/trim vegetation in strategic locations to reduce impacts.</p>



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal (see also Section 6)
		<b>Private properties:</b> Selective trimming on private properties to increase buffer between flying-foxes and private properties.		
Buffers without vegetation modification – visual deterrents, canopy mounted sprinklers (CMS)	<p><b>Advantages:</b> CMS to create buffers have been effective at many roost sites in Queensland with no welfare impacts observed during monitoring. Visual deterrents such as lights and balloons have shown localised effects (Appendix 4)</p> <p><b>Disadvantages:</b> Can be logistically difficult (installation and water sourcing) and may be cost-prohibitive. Misting may increase humidity and exacerbate HSEs, and overuse may impact other environmental values of the site. Water restriction consideration required. The type and placement of visual deterrents need to be varied regularly to avoid habituation, and deterrents can appear an eye-sore and lead to increased rubbish in the natural environment.</p>	<p>Visual deterrents have not proven to be very successful to date with only localised effects and flying-foxes regularly habituating. Further trials are needed to identify potentially effective options.</p> <p>If flying-foxes begin roosting at an undesirable locations (e.g. across the road at Jubilee Park) deterrents could be considered to nudge flying-foxes back to the core roosting area.</p> <p>Deterrents may be considered once habitat improvement has matured enough to sustain the flying-fox roost.</p> <p>Temporary fencing can be used to increase the buffer between park users and the roost on an ad hoc basis as a short-term solution to reduce traffic in areas that are highly impacted (e.g. sectioning off park benches with faecal mess). However, this should only be a very short-term solution, and another solution should be implemented shortly after (e.g. pressure cleaning of the bench, or installation of small cover over bench).</p>	\$\$	Not suitable in the short-term. Deterrents could be used once habitat improvement has matured, or if flying-foxes roost in highly undesirable areas outside the current roost extent.
Noise attenuation fencing/vegetation on screening	<p><b>Advantages:</b> Standard noise attenuation fencing is intended to alleviate amenity issues for residents. Advice from an acoustic consultant may provide site-specific alternatives. Vegetation screening can also be planted to provide a natural and more affordable option to decrease noise.</p> <p><b>Disadvantages:</b> Noise attenuation fencing is costly and can be considered unsightly if not cleaned of faecal drop. Vegetation screening is not as effective as noise attenuating fences and may not reduce impacts adequately.</p>	Given the height of flying-fox roosting trees noise attenuation fencing is not likely appropriate at this site. Vegetation screening is also unlikely to alleviate impacts, although planting could be considered along the creek line to act as a visual barrier (Figure 8).	\$\$	Consider subsidising planting non-roosting vegetation along roost-facing boundary fences on private properties.
Nudging using low intensity	<b>Advantages:</b> Can encourage flying-foxes to shift away from high conflict areas.	Given the risk of the roost splintering into other high conflict areas (particularly sensitive receptors), nudging of the roost is not suitable.	\$\$ - \$\$\$	Not suitable but may be considered if roosting in highly undesirable



Management options	Advantages & disadvantages	Suitability for site	Indicative cost	Appraisal (see also Section 6)
disturbance	<b>Disadvantages:</b> May lead to inadvertent dispersal if not done at the correct time, frequency or duration. Resource intensive with flying-foxes quickly returning to their favoured roost trees.	Buffers with vegetation management or deterrents are preferable, however where these are not possible nudging can be considered. If flying-foxes being roosting in highly undesirable areas (e.g. in Jubilee Park), nudging could be considered but kept to a minimum to nudge them back to the roost core. Passive deterrents should be considered before low intensity nudging is considered. See Appendix 4 for further information on nudging.		areas.
Passive dispersal through vegetation removal	<b>Advantages:</b> If successful can mitigate all flying-fox impacts at that site. <b>Disadvantages:</b> Likely less stressful on flying-foxes if done in a staged way than active dispersal, but risks as per active dispersal with additional impacts of losing native vegetation.	Given the risk of the roost splintering into other high conflict areas, and other ecological and amenity values, passive dispersal is not suitable. This has been undertaken previously in Beaudesert and at other roost in Scenic Rim (e.g. Witherin), and has not resulted in long-term success, or has resulted in the formation of new roosts (Appendix 5)	\$\$ - \$\$\$	Not suitable.
Active dispersal through disturbance	<b>Advantages:</b> If successful can mitigate all flying-fox impacts at that site. <b>Disadvantages:</b> Multiple studies show that dispersal is rarely successful, especially without significant vegetation removal (not suitable for this site) or high levels of ongoing effort and significant expenditure (e.g. several years of daily works and over \$1M for Sydney Botanic Gardens). Flying-foxes will almost always continue to roost in the area (generally within 600 m, Roberts and Eby 2013), and often splinter into several locations which may result in more widespread impacts. Appendix 5 provides a summary of research conducted on flying-fox dispersals in Australia.	Active dispersal is very resource intensive and costly with highly unpredictable outcomes that can often worsen human-wildlife conflict (as demonstrated by previous dispersals across the state). Dispersals are very rarely effective long-term (as demonstrated with previous attempts at this site), and can cause splintering of roosts into other high conflict locations. For these reasons, active dispersal is not supported at this site. Further information about the low efficacy of dispersal can be found in Appendix 5.	\$\$\$\$	Not suitable.

## 6. Management approach

Table 3 and Figure 8 outline management actions for the Beaudesert roost based on site-specific analysis of available flying-fox impact management options (Section 5). An overview of the approach is to use a range of short-term and long-term measures to reduce conflict through reducing impacts experienced by nearby residents and business, as well as park users, as outlined in the table below.

Education will form an important part of the ongoing management of flying-foxes to alleviate misconceptions and unnecessary fears. Fear of disease was identified as one of the main issues concerning community members. Educational material should aim to cover key messages in a way that educates and informs, rather than cause alarm, e.g. emphasising that there is no risk associated with living or playing near a flying-fox roost (Queensland Government 2021) – ‘no touch, no risk’ (BCRQ 2019). Council should aim to provide regular and easily accessible information, through educational signs, informational sheets, updates on Councils website and school engagement programs. Community engagement will be particularly important during large influxes of flying-foxes.

The medium-term plan for the site is to encourage flying-foxes to roost further towards a lower conflict area of Lions Bicentennial Park (e.g. towards the west). This area provides a larger buffer in between residential properties/businesses, while impacts at the park can be minimised through park modifications. To encourage flying-foxes to roost towards this lower conflict area, Council should undertake habitat improvement around the creek line and lagoon. If this habitat is improved to suitable flying-fox roosting habitat (see Section 2.3), and managed appropriately, this area may offer a lower conflict alternative to the current roost extent (further detail provided in Table 3).

Habitat in the lower conflict area of the park should be improved/created through:

- planting additional fast-growing roost trees (e.g. *Casuarina glauca*) around the lagoon to encourage flying-foxes to roost in this lower conflict area (and potentially trialling artificial habitat to provide roost space in lower conflict areas while the canopy recovers and plantings establish)
- planting midstorey vegetation where weed management has greatly reduced the under and midstorey structure
- ensuring canopy succession
- removing vines to improve canopy health and habitat values of the site, as well as preventing weed spread throughout the park
- maintaining sufficient water flow below the roost to allow flying-foxes to belly-dip during hot weather (e.g. removing fallen branches following storms, periodically removing debris from waterway and sediment if required).

It is important to note that roost habitat improvement in lower conflict areas of the park will not increase the number of flying-foxes roosting in the park. The number of flying-foxes present





in a roost at any given time is driven by foraging resources in the local area (see Section 2.2 and 2.5). Habitat improvement in lower conflict areas of the park allows an increased buffer in between the roost and surrounding private properties in order to reduce the impacts experienced by residents, businesses and park users.

As a long-term strategy, suitable alternative roosting sites should be identified and improved in order to provide suitable habitat in low conflict areas. Alternative roosting sites must consider known preferences for roosting habitat and proximity to residential dwellings, businesses and other sensitive sites.

Though monitoring will not directly reduce conflict in the community, data from regular monitoring is valuable in identifying trends, evaluating management, and to predict influxes and pre-emptively engage with the community.

Nudging, dispersal or broadscale vegetation removal are not considered appropriate for the Beaudesert roost due to potential risk of causing colony splintering to areas which are more undesirable (such as backyards, schools etc.). Vegetation removal and active dispersal have been conducted at Beaudesert and other roosts in the region in the past, and only results in temporary relocation and has resulted in the establishment of new roosts. Nudging from problematic areas may be reconsidered in the long-term when habitat is restored and improved in lower conflict areas of Lions Bicentennial Park.



Table 3 Council management actions at the Beaudesert flying-fox roost. Further detail on general management options is provided in Appendix 4. Note: implementation must consider legislative requirements and measures to avoid impacts to flying-foxes outlined in Section 6.1.

Management type	Management action	Permits/DES notification permits required	Timeframe
Education and awareness programs	<ul style="list-style-type: none"> <li>Increase engagement with the community (e.g. via social media posts) to ensure access to up-to-date information is available (with a particular focus the low-health risk of living with flying-foxes, horse husbandry practices to minimise disease transmission, ecological importance of flying-foxes etc.), and residents are aware of impact mitigation options available at a property level (e.g. odour-neutralising gel pots, sound-proof curtains, white noise machines) and legislative responsibilities.</li> <li>Direct, one-on-one engagement should be ongoing for primary-impacted residents; particularly those with core roost footprint on their properties or businesses experiencing impacts.</li> <li>Council should also provide regular updates on work being done by Council to manage the conflict.</li> </ul>	No.	ASAP and ongoing.
	Ensure educational flyers are available to the motel for provision to guests.		ASAP and ongoing.
	Install interpretive signage at high-trafficked areas in Lions Bicentennial Park to convey key flying-fox information and promote conservation. Signs should be sturdy to prevent damage, and could be enclosed in a plastic box to prevent vandalism on the sign itself.		By August 2023.
	Consider facilitating an educational program at schools in the region. Information should include the ecological and cultural importance of flying-foxes, information on human health, and ways to coexist with flying-foxes. Educational material developed by the NSW Government and Hunter Joint Organisation as part of the Little Aussie Battler campaign may provide suitable material for distribution throughout the community and schools.		Consider by 2025.
Roost monitoring	Undertake monthly monitoring to assess species present, numbers, roost extent, and age of flying-foxes present (whether dependent or independent young are present). Though monitoring will not directly reduce conflict in the community, data from regular monitoring is valuable in identifying trends, evaluating management, and to predict influxes and pre-emptively engage with the community.	No.	Monthly.
Operational park modifications	Continuation of park cleaning services during flying-fox influxes or an ad hoc basis, including high-pressure cleaning of footpaths, removing vegetation debris, cleaning of park benches. Operational activities should be minimised in areas where flying-foxes lift from disturbance.	No.	Ongoing.
	<ul style="list-style-type: none"> <li>Install covers over areas where faecal mess and potential falling branches are especially problematic (e.g. over the footpath under the Eucalypt trees, over park benches etc.).</li> </ul>		Investigate possibility with



Management type	Management action	Permits/DES notification permits required	Timeframe
	<ul style="list-style-type: none"> <li>Installation of a shed/cover for students at the school bus pick-up area.</li> <li>Plant low-growing species to stabilise the bank next to 4RP127407 and any other areas where there is limited vegetation at the bank, plants with fragrant flowers can assist with roost odour masking. Higher growing species may be attractive for the resident to provide some visual and sound screening provided they are dense-growing to avoid roosting and do not attract foraging flying-foxes. Planted screens could also be considered on Council property, or as part of a subsidies program for private properties.</li> </ul>		budget considerations by October 2023.
Subsidy program	<p><u>Property modifications (resident responsibility but a portion of costs could be subsidised by Council if subsidies program approved)</u></p> <ul style="list-style-type: none"> <li>Purchase of noise- and odour-reducing items such as odour-neutralising gel pots (Hostogel pots), sound-proof curtains and white noise machines.</li> <li>Property modifications such as double-glazed windows, air-conditioning units, and insulation to reduce noise and odour impacts, especially focused on Lot/Plan 4RP127407 and the motel.</li> <li>Selective tree trimming and/or removal on private properties.</li> </ul>	No. For vegetation modification see line 'Buffers through vegetation modification'.	Establish program funding by February 2024.
	<p><u>Rebates</u></p> <ul style="list-style-type: none"> <li>Investigate options to provide water rebates to subsidise residents/businesses for increased water use required to clean faecal mess off property, increased power bill from using air-conditioners when smell impacts ability to use windows etc.</li> <li>Investigate subsidising cost of HeV vaccination for Lot/Plan 4RP127407.</li> </ul>	No	Investigate efficacy of rebate scheme by February 2024.
	<p><u>Services</u></p> <ul style="list-style-type: none"> <li>Loan of Council owned pressure cleaners for residents to undertake cleaning of their properties.</li> </ul>		ASAP.
Routine roost maintenance	<p>Continue regular park maintenance to maintain park amenity, including weed removal.</p> <p>Reduce scheduled mowing during influxes or undertake evening mowing during influxes if mowing is causing disruption, which will increase impacts to residents.</p>	No permit required for weed management or habitat improvement, and no notification required if tree trimming is in compliance with the Low Impact COP.	As required.
Habitat improvement	<ul style="list-style-type: none"> <li>Undertake habitat improvement in lower conflict areas of Lions Bicentennial Park where there is an increased buffer between the roost and residents/businesses. Patch size must be large enough to accommodate previous influxes to reduce spillover into higher conflict areas / splintering into backyards, including space for flying-foxes to move around as damaged vegetation recovers (ideally one ha, see Section 2.3). It is important to note that roost numbers</li> </ul>	No.	Start process by October 2023.

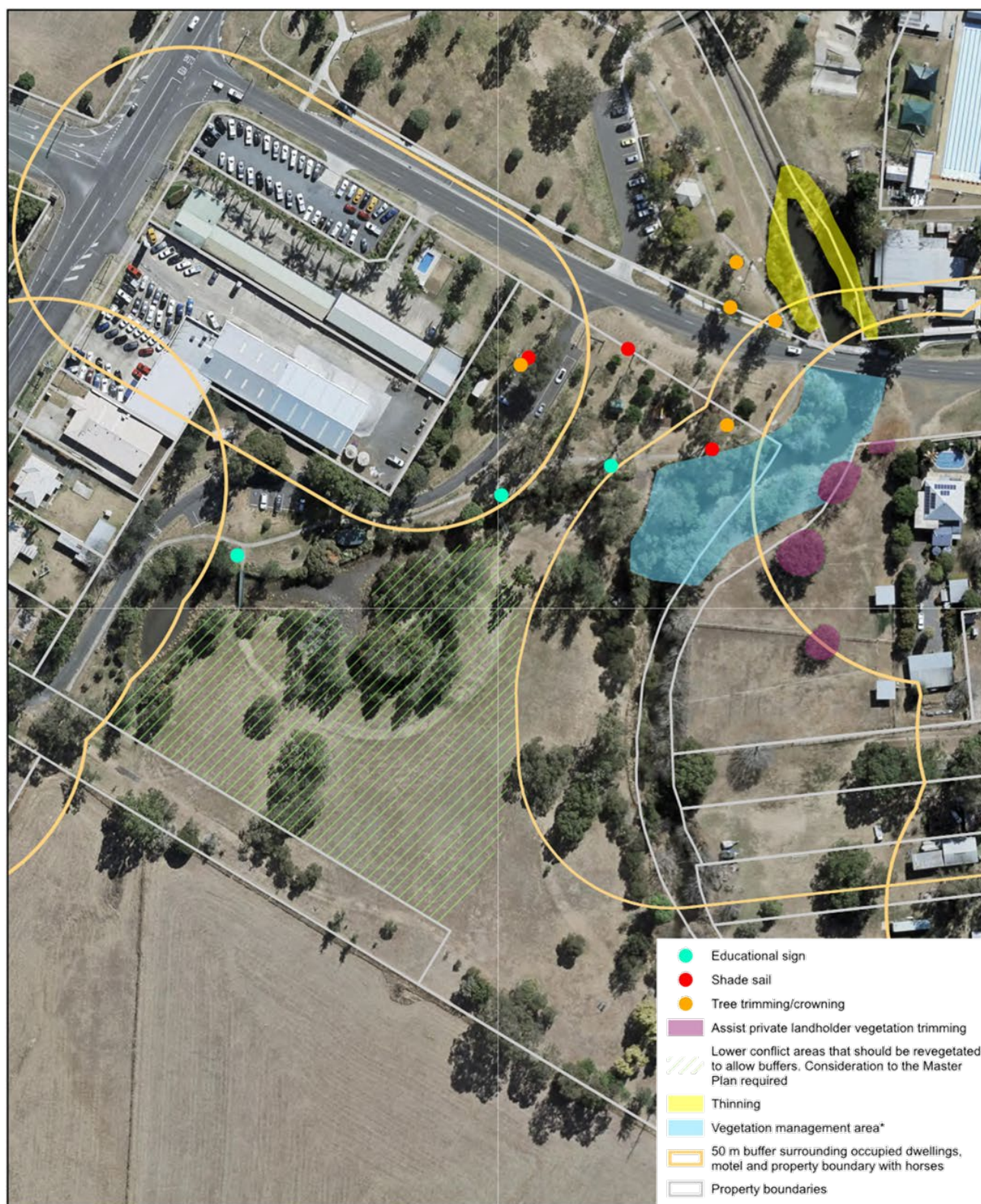


Management type	Management action	Permits/DES notification permits required	Timeframe
	are driven by fruiting/flowering in the area, completely independent of roost habitat patch size i.e. creating additional roost habitat will not encourage more animals to roost in the area but simply allow buffers to be maintained during food resource-driven influxes.		
	· Investigate and undertake habitat improvement at alternative potential roost sites in lower conflict areas, with consideration to known roost preference characteristics and proximity to sensitive sites.		Start process by February 2024.
Provision of artificial roosting habitat	Investigate potential of artificial structures in lower conflict area of the park (see Figure 8) while trees recover.	No.	Investigate by October 2023, or as needed.
Protocols to manage incidents	Continue supporting wildlife carers, residents, and flying-foxes during HSEs.	No.	Ongoing.
Research	· Undertake annual reviews of relevant flying-fox management literature (reputable news articles, scientific papers, council articles) to keep up to date with new and innovative management techniques, trials, and outcomes, to inform ongoing flying-fox management at the Beaudesert roost. · Consider trialling rehabilitated flying-fox release into lower conflict areas (e.g. with a soft-release flying-fox aviary in a low conflict area) with the aim of encouraging roosting away from high conflict areas.	Research permit and Animal Ethics Committee (AEC) approval may be required for some research.	Ongoing with detailed review annually.
	Continue liaising with other SEQ Councils to share ideas and learnings.	No.	Quarterly.
Appropriate land-use planning	· Incorporate planning controls to avoid new developments being built on/near suitable roosting habitat, or ensure incorporation of necessary property modifications in new development areas (noise-reducing insulation, double-glazed windows etc.). · Appropriately plan future park infrastructure/vegetation with consideration of proximity to the roost extent (e.g. avoid planting suitable roosting trees in undesirable areas, avoid installing infrastructure close to suitable roosting trees).	No.	As required.
Buffers through vegetation modification	· Selective tree trimming / topping in strategic locations in Lions Bicentennial Park to encourage flying-foxes to roost towards a lower conflict area of the park. Initially this should be limited to 1-2 Eucalypts while canopy in other areas recovers and improves to avoid pushing flying-foxes into backyards.	If Council undertakes vegetation works outside the Low Impact COP, DES notification will be required. Non roost trees (see	Initial stage of trimming by October 2023.



Management type	Management action	Permits/DES notification permits required	Timeframe
	<ul style="list-style-type: none"> <li>Trimming / topping of select trees (e.g. two large she-oaks and one silky oak) thinning of regrowth and midstorey species in the southern portion of Jubilee Park to make this area less attractive and avoid roost expansion into Jubilee Park.</li> <li>Trimming must be kept to a minimum and conducted in a staged manner to avoid unintentional dispersal.</li> <li>Further selective tree trimming / topping / removal can be conducted in the future once habitat improvement in a lower conflict area of the park has matured.</li> <li>Tree works should be undertaken at the least disruptive times (e.g. when flying-foxes are absent or not roosting in the immediate area). If tree trimming needs to be conducted while flying-foxes are present, night works should be prioritised (during the non-breeding season) to minimise disturbance.</li> <li>Selective tree trimming / removal on private properties where roosting occurs to increase buffer. Council to investigate undertaking works or providing subsidies to assist private landholders.</li> </ul>	<p>Appendix 1 for definitions) can be managed on private property as required provided flying-foxes are not nearby or likely to be harmed.</p> <p>Managing roost trees (other than minor trimming in accordance with the Low Impact COP) on private land will require an FFRMP, or there may be an option to operate under Council's 'as-of-right' authority (consultation with DES required).</p>	
Buffers without vegetation modification	Deterrents could be considered once habitat in a lower conflict area of the park is improved and matured, or if flying-foxes roost in highly undesirable areas outside the current roost extent.	Notification to DES for any deterrents.	As needed (if required).
Nudging using low intensity disturbance	Where buffers with vegetation modification are not possible, investigate options for nudging if flying-foxes begin roosting in highly undesirable areas (e.g. such as Jubilee Park or on adjacent private properties). Nudging should be limited to very specific areas to encourage flying-foxes to return to lower conflict areas while also avoiding the risk of roost splintering. All nudging activities must be approved by Council prior to any implementation (if private landholders are working under Council's 'as-of-right' authority).	Council's 'as-of-right' authority under the Roost Management COP does allow for nudging but should not be very early during in the day to avoid inadvertent dispersal/splintering. DES notification is required prior to nudging activities and consultation with DES to determine if residents are able to operate under Council's as-of-right authority or a permit required.	As required (to be undertaken only when dependent young will not be impacted).





**Figure 8: Beaudesert roost management actions**

Scenic Rim Regional Council

Beaudesert Lions Bicentennial Park Flying-fox Roost Management Plan

\*Vegetation management area includes planting low-growing non-foraging/roost vegetation for bank stabilisation, screening plants, and potential tree trimming once habitat restoration area has matured enough to sustain roosting.



Job number: PR7870  
Revision: 1  
Author: TD  
Date: 15/06/2023



GDA 1994 MGA Zone 56  
Projection: Transverse Mercator  
Datum: GDA 1994  
Units: Meter



## 6.1 Avoiding impacts to flying-foxes

This RMP does not recommend dispersal as a viable management approach. During on-ground works, a person with experience in flying-fox behaviour will monitor for welfare triggers and direct works in accordance with the criteria outlined in Table 4. Following these welfare triggers and actions will ensure the welfare of flying-foxes during proposed minor works.

Table 4 Planned actions for potential impacts during any works under or near a flying-fox roost.

Welfare trigger	Signs	Action
Unacceptable levels of stress	If any individual is observed: <ul style="list-style-type: none"> <li>· panting</li> <li>· saliva spreading</li> <li>· located on or within two metres of the ground</li> </ul>	<ul style="list-style-type: none"> <li>· Works to cease for the day</li> </ul>
Fatigue	In situ management <ul style="list-style-type: none"> <li>· more than 30% of the roost takes flight</li> <li>· individuals are in flight for more than five minutes</li> <li>· flying-foxes appear to be leaving the roost</li> </ul>	<ul style="list-style-type: none"> <li>· In situ management</li> <li>· Works to cease and recommence only when flying-foxes have settled* / move to alternative locations at least 50 m from roosting animals</li> </ul>
	Dispersal <ul style="list-style-type: none"> <li>· low flying</li> <li>· laboured flight</li> <li>· settling despite dispersal efforts</li> </ul>	<ul style="list-style-type: none"> <li>· Dispersal</li> <li>· Works to cease for the day</li> </ul>
Injury/death	<ul style="list-style-type: none"> <li>· a flying-fox appears to have been injured/killed on-site (including aborted fetuses)</li> <li>· any flying-fox death is reported within one kilometre of the dispersal site that appears to be related to the dispersal</li> <li>· loss of condition evident</li> </ul>	<ul style="list-style-type: none"> <li>· Works to cease immediately and DES notified</li> <li>· Rescheduled</li> <li>· Adapted sufficiently so that significant impacts (e.g. death/injury) are highly unlikely to occur, as confirmed by an independent expert</li> <li>· Stopped indefinitely and alternative management options investigated.</li> </ul>
Reproductive condition	<ul style="list-style-type: none"> <li>· females in final trimester</li> <li>· dependent/crèching young present</li> </ul>	<ul style="list-style-type: none"> <li>· Works to cease immediately and DES notified</li> <li>· Rescheduled</li> <li>· Stopped indefinitely and alternative management options investigated.</li> </ul>

\*maximum of two unsuccessful attempts to recommence work before ceasing for the day.

## 7. Plan evaluation and review

### Evaluation and review

A review of the RMP should be scheduled annually, with community consultation and expert input sought on an ad hoc basis. This RMP shall remain in force until superseded.

The following may trigger an earlier RMP update:

- changes to relevant policy/legislation
- new management techniques becoming available
- outcomes of research that may influence the RMP
- incidents associated with the roost.

Progress and priority of management actions in the RMP will be evaluated annually by Council.

### Reporting

Council will complete the DES evaluation form for actions under its as-of-right authority (excluding activities listed under the Low Impact COP), returned within six weeks of the date of actions being completed, and will comply with any reporting obligations under other permits or approvals obtained to implement the RMP. DES notification requirements are outlined in Table 2.

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## Appendix 1 Legislation

### Commonwealth

#### ***Environment Protection and Biodiversity Conservation Act 1999***

The Commonwealth's EPBC Act provides protection for the environment, specifically matters of national environmental significance (MNES). A referral to the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) is required under the EPBC Act for any action that is likely to significantly impact on an MNES. The GHFF is listed as a vulnerable species under the EPBC Act, meaning it is an MNES.

### State

#### ***Nature Conservation Act 1992***

As native species, all flying-foxes and their roosting habitat are protected in Queensland under the NC Act. State approval is required to:

- a) destroy a flying-fox roost;
- b) drive away, or attempt to drive away, a flying-fox from a flying-fox roost ('drive away' is defined to mean "cause the flying-fox to move away from the roost; or if the flying-fox has moved away from the roost, deter the flying-fox from returning to the roost"); and/or
- c) disturb a flying-fox in a flying-fox roost.

Note that the definition under Queensland law means that once a flying-fox roost is established, it remains as such even when it is unoccupied. The *Interim policy for determining when a flying-fox congregation is regarded as a flying-fox roost under section 88C of the NC Act* (DES 2021a) has recently been released and is currently in consultation. It is our understanding that the RMP aligns with this roost policy, however amendments can be made to the RMP in consultation with DES if required.

A 'flying-fox roost' is defined under the NC Act as 'a tree or other place where flying-foxes congregate from time to time for breeding or rearing their young'.

Trees that are contiguous to a roost tree, are also protected and cannot be modified without consultation/approval from DES. A contiguous tree is defined as 'trees immediately adjacent to, adjoining or touching the existing vegetation that form the roost, for e.g. a relatively continuous canopy, or where canopies nearly touch, often of similar species or part of a similar ecological setting' (DES 2021a).

#### Council 'as-of-right' management

Under the NC Act, local governments have an 'as-of-right' authority under the NC Act to manage flying-fox roosts in mapped Urban Flying-fox Management Areas (UFFMAs), without



the requirement for a permit, in accordance with the *Code of Practice – Ecologically sustainable management of flying-fox roosts* (Roost Management COP) (DES 2020a).

Councils must however still notify DES of the planned management. Notification is by means of a completed 'flying-fox management notification form' from the DES website submitted at least two business days prior to commencing any management actions, unless an authorised person from DES provides written advice that these actions can commence earlier. Local governments may also choose to, with the relevant landholder's permission, exercise their 'as-of-right' authority on private land. Notification is valid for all notified management actions within a four-week timeframe.

The *Flying-fox Roost Management Guideline* (DES 2020b) has also been developed to provide local government with additional information that may assist decision making and management of flying-fox roosts. Councils are required to apply for a FFRMP to manage flying-fox roosts outside an UFFMA, or for management actions not specified in the COP. It must be noted that this 'as-of-right' authority does not oblige Council to manage flying-fox roosts, and does not authorise management under other relevant sections of the NC Act or other legislation (such as the *Vegetation Management Act 1999* [VM Act]).

Anyone other than local government is required to apply to DES for a FFRMP for any management directed at roosting flying-foxes, or likely to disturb roosting flying-foxes. Certain low impact activities (e.g. mowing, minor tree trimming) do not require approval if undertaken in accordance with the *Code of Practice – Low impact activities affecting flying-fox roosts* (Low Impact Code) (DES 2020c).

#### Flying-fox roost management permits

Councils wishing to manage flying-fox roosts located outside an UFFMA or to conduct flying-fox management activities that are not Code-compliant, must apply to DES for a FFRMP. Under the *Nature Conservation (Animals) Regulation 2020 (the Animals Regulation)*, a FFRMP may only be approved for management of a flying-fox roost where its resident flying-foxes are causing or may cause damage to property; or represent a threat or potential threat to human health or wellbeing. The Roost Management COP may generally also apply where such a requirement is stated on the FFRMP. Such a permit is valid for a period of one year, or up to three with a DES-approved flying-fox management plan (e.g. this RMP).

Anyone other than local government is required to apply for an FFRMP to conduct flying-fox roost management activities.

#### Low impact roost management

All landholders – private or public – can undertake low impact activities such as mulching, mowing and weeding near flying-fox roosts, as well as allowing trimming of up to 10% of the total canopy of the roost without a FFRMP if it is done in accordance with the Low Impact Code (DES 2020c). This authorisation is provided these activities not being undertaken with the intention of destroying the roost, or disturbing or driving away the flying-foxes.



### Flying-fox management statements and planning

Council has a Statement of Management Intent (SoMI) to articulate the approach that Council will take to the management of flying-fox roosts in the Scenic Rim region. Local councils may also opt to develop a RMP for the whole of their local government area (LGA). If the RMP is approved by DES, the local council can be granted three years' approval to manage flying-foxes outside their UFFMAs under an FFRMP.

The *Flying-fox roost management guideline* was developed to provide local councils and other entities wishing to manage flying-fox roosts with additional information that may assist their decision-making, including developing SOMIs and RMPs.

### **Vegetation under the NC Act 1992**

All plants native to Australia are protected under the NC Act. Prior to any clearing of protected plants, a person must refer to the flora survey trigger map to determine if the clearing is within a high-risk area.

- in a high-risk area, a flora survey must be undertaken and a clearing permit may be required for clearing endangered, vulnerable and near threatened (EVNT) plants and their supporting habitat.
- if a flora survey identifies that EVNT plants are not present or can be avoided by 100 m, the clearing activity may be exempt from a permit. An exempt clearing notification form is required.
- in an area other than a high-risk area, a clearing permit is only required where a person is, or becomes, aware that EVNT plants are present.
- clearing of least concern plants will be exempt from requiring a clearing permit within a low-risk area.

### **Vegetation under the Fisheries Act 1994**

All marine plants, including mangroves, seagrass, saltcouch, algae, samphire vegetation and adjacent plants (e.g. melaleuca and casuarina), are protected under Queensland law through provisions of the *Fisheries Act 1994*. Approval must be gained from Fisheries Queensland to destroy, damage, or disturb any marine plant. Under the Fisheries Act, a 'marine plant' includes:

- a) a plant (a 'tidal plant') that usually grows on, or adjacent to, tidal land, whether it is living or dead, standing or fallen;
  - The *Fisheries Act* does not define 'adjacent' as it relates to marine plants. In the absence of a definition, the Fish Habitat Management Operational Policy describes the application of 'adjacent' in terms of when a marine plant development permit application would be required for disturbance of plants in or adjacent to the tidal zone.
- b) the material of a tidal plant, or other plant material on tidal land;



- c) a plant, or material of a plant, prescribed under a regulation or management plan to be a marine plant.

### ***Vegetation Management Act 1999***

The clearing of native vegetation in Queensland is regulated by the VM Act, the *Sustainable Planning Act 2009* and associated policies and codes.

The type of clearing activity allowed, and how it is regulated, depends on:

- the type of vegetation (as indicated on the regulated vegetation management map and supporting maps)
- the tenure of the land (e.g. freehold or Indigenous land)
- the location, extent and purpose of the proposed clearing
- the applicant proposing to do the clearing (e.g. state government body, landholder).

Depending on these factors, clearing activities will either:

- be exempt from any approval or notification process
- require notification and adherence to a self-assessable code
- require notification and adherence to an area management plan
- require a development approval.

VM Act exemptions allow native vegetation to be cleared for a range of routine property management activities without the need for a development approval or notification. A number of VM Act exemptions may apply to clearing vegetation that is flying-fox roosting or foraging habitat. However, specific advice should be obtained from Department of Natural Resources and Mines for each proposed vegetation clearing activity.

No explicit VM Act exemptions for clearing flying-fox roosting or foraging vegetation were in place as of December 2021.

### ***Animal Care and Protection Act 2001***

The *Animal Care and Protection Act 2001* (ACP Act) provides for animal welfare. The ACP Act is administered by Biosecurity Queensland within the Department of Agriculture and Fisheries. The ACP Act applies to all living vertebrate animals, including wildlife. To comply with the ACP Act flying-fox management actions must not cause mental or physical suffering, pain or distress.

### ***Civil Aviation Act 1998***

The CA Act establishes Australia's Civil Aviation Safety Authority functions in relation to civil aviation, with particular emphasis on safety. Civil Aviation Safety Regulations 1998 Part 139 contains specific requirements for wildlife hazard management.

## Appendix 2 Species profiles

### Black flying-fox (*Pteropus alecto*)

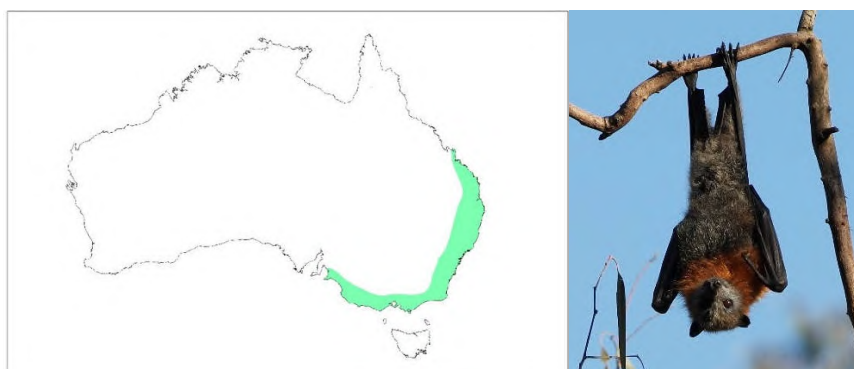


Black flying-fox indicative species distribution (DPE 2023)

The BFF has traditionally occurred throughout coastal areas from Shark Bay in Western Australia, across Northern Australia, down through Queensland and into NSW (Churchill 2008). Since it was first described there has been a substantial southerly shift by the BFF (Webb & Tidemann 1995). This shift has consequently led to an increase in indirect competition with the threatened GHFF, which appears to be favouring the BFF (DAWE 2021).

They forage on the fruit and blossoms of native and introduced plants (Churchill 2008), including orchard species at times. BFF are largely nomadic animals with movement and local distribution influenced by climatic variability and the flowering and fruiting patterns of their preferred food plants. Feeding commonly occurs within 20 km of the roost site (Markus and Hall 2004).

BFF usually roost beside a creek or river in a wide range of warm and moist habitats, including lowland rainforest gullies, coastal stringybark forests and mangroves. Roost sizes can change significantly in response to the availability of food and the arrival of animals from other areas.

**Grey-headed flying-fox (*Pteropus poliocephalus*)**

Grey-headed flying-fox indicative species distribution (DPE 2023)

The GHFF is found throughout eastern Australia, generally within 200 kilometres of the coast, from Finch Hatton in Queensland to the north to Melbourne, Victoria (OEH 2020). This species now ranges into South Australia and individual flying-foxes have been reported on the Bass Islands and mainland Tasmania (Driessen et al. 2011). It requires foraging resources and roost sites within rainforests, open forests, closed and open woodlands (including melaleuca swamps and banksia woodlands). This species is also found throughout urban and agricultural areas where food trees exist and will feed in orchards at times, especially when other food is scarce (OEH 2020).

All the GHFF in Australia are regarded as one population that moves around freely within its entire national range (Webb and Tidemann 1996, DAWE 2021). GHFF may travel up to 100 kilometres in a single night with a foraging radius of up to 50 kilometres from their roost (McConkey et al. 2012). They have been recorded travelling over 500 kilometres over 48 hours when moving from one roost to another (Roberts et al. 2012). GHFF generally show a high level of fidelity to roost sites, returning year after year to the same site, and have been recorded returning to the same branch of a particular tree (SEQ Catchments 2012). This may be one of the reasons flying-foxes continue to return to small urban bushland blocks that may be remnants of historically used larger tracts of vegetation.

The GHFF population has a generally annual southerly movement in spring and summer, with their return to the coastal forests of north-east NSW and south-east Queensland in winter (Ratcliffe 1932, Eby 1991, Parry-Jones & Augee 1992, Roberts et al. 2012). This results in large fluctuations in the number of GHFF in New South Wales, ranging from as few as 20% of the total population in winter up to around 75% of the total population in summer (Eby 2000). They are widespread throughout their range during summer, but in spring and winter are uncommon in the south. In autumn they occupy primarily coastal lowland roosts and are uncommon inland and on the south coast of New South Wales (OEH 2020).

There is evidence the GHFF population declined by up to 30% between 1989 and 2000 (Birt 2000, Richards 2000 cited in DPE 2019). There is a wide range of ongoing threats to the survival of the GHFF, including habitat loss and degradation, culling in orchards, conflict with humans, infrastructure-related mortality (e.g. entanglement in barbed wire fencing and fruit

netting, and power line electrocution) and competition and hybridisation with the BFF (DCCEEW 2021). For these reasons it is listed as vulnerable to extinction under NSW and federal legislation.

### **Little red flying-fox (*Pteropus scapulatus*)**



Little red flying-fox indicative species distribution (DPE 2023)

The LRFF is widely distributed throughout northern and eastern Australia, with populations occurring across northern Australia and down the east coast into Victoria.

The LRFF forages almost exclusively on nectar and pollen, although will eat fruit at times and occasionally raids orchards (Australian Museum 2020). LRFF often move sub-continental distances in search of sporadic food supplies. The LRFF has the most nomadic distribution, strongly influenced by availability of food resources (predominantly the flowering of eucalypt species) (Churchill 2008), which means the duration of their stay in any one place is generally very short.

Habitat preferences of this species are quite diverse and range from semi-arid areas to tropical and temperate areas, and can include sclerophyll woodland, melaleuca swamplands, bamboo, mangroves and occasionally orchards (Australian Museum 2020). LRFF are frequently associated with other *Pteropus* species. In some colonies, LRFF individuals can number many hundreds of thousands and they are unique among *Pteropus* species in their habit of clustering in dense bunches on a single branch. As a result, the weight of roosting individuals can break large branches and cause significant structural damage to roost trees, in addition to elevating soil nutrient levels through faecal material (SEQ Catchments 2012).

Throughout its range, populations within an area or occupying a roost can fluctuate widely. There is a general migration pattern in LRFF, whereby large congregations of over one million individuals can be found in northern roost sites (e.g. Northern Territory, North Queensland) during key breeding periods (Vardon & Tidemann 1999). LRFF travel south to visit the coastal areas of south-east Queensland and NSW during the summer months. Outside these periods LRFF undertake regular movements from north to south during winter–spring (July–October) (Milne & Pavey 2011).

## Appendix 3 Human and animal health

All animals can carry pathogens that may pose human health risks. In Australian bats, the most well-defined of these include Australian bat lyssavirus (ABLV) and Hendra virus (HeV). Specific information on these viruses is provided below.

Excluding those people whose occupations require contact with bats, such as wildlife carers and vets, human exposure to ABLV and HeV, their transmission, and frequency of infection is extremely rare. These diseases are also easily prevented through vaccination, personal protective equipment, safe flying-fox handling (by trained and vaccinated personnel only) and appropriate horse husbandry. Therefore, despite the fact that human infection with these agents can be fatal, the probability of infection is extremely low, and the overall public health risk is also judged to be low (Qld Health 2022).

Below is current information at the time of writing. Please refer regularly to Queensland Health for up-to-date information on bats and health.

### Australian bat lyssavirus

ABLV is a rabies-like virus that may be found in all flying-fox species on mainland Australia. It has also been identified in yellow-bellied sheath-tail bats (*Saccolaimus flaviventris*), an insectivorous microbat, and seroconversion (development of virus-specific antibodies) has been found in seven microbat genera (WHA 2019). It is assumed that all bats may be capable of hosting ABLV (WHA 2019). The probability of human infection with ABLV is very low with less than 1% of the flying-fox population being affected (WHA 2019) and transmission requiring direct contact with an infected animal that is secreting the virus. In Australia, three people have died from ABLV infection since the virus was identified in 1996 (WHA 2019).

Transmission of the virus from bats to humans is through a bite or scratch but may have potential to be transferred if bat saliva directly contacts the eyes, nose, mouth or broken skin (WHA 2019, Merritt et al. 2018). ABLV is unlikely to survive in the environment for more than a few hours, especially in dry environments that are exposed to sunlight (DAF 2020). Transmission of closely related viruses suggests that contact or exposure to bat faeces, urine or blood does not pose a risk of exposure to ABLV, nor does living, playing or walking near bat roosting areas (DAF 2020).

The incubation period in humans is assumed to be similar to rabies, generally around three to eight weeks (Merritt et al. 2018). However, in few cases, the incubation period has ranged from a few days to several years (Merritt et al. 2018). The disease in humans presents essentially the same clinical picture as classical rabies. Once clinical signs have developed, the infection is invariably fatal. However, infection can easily be prevented by avoiding direct contact with bats (i.e. handling). Pre-exposure vaccination provides reliable protection from the disease for people who are likely to have direct contact with bats, and it is generally a mandatory workplace health and safety requirement that all persons working with bats receive pre-vaccination and have their level of protection regularly assessed. Like classical rabies, ABLV infection in humans also appears to be effectively treated using post-exposure



vaccination and so any person who suspects they have been exposed should seek immediate medical treatment. Post-exposure vaccination is usually ineffective once clinical manifestations of the disease have commenced.

Domestic animals are also at risk if exposed to ABLV. In 2013, ABLV infections were identified in two horses (Shinwari et al. 2014). A dog that caught and consumed a flying-fox also tested positive for ABLV antibodies in 2013 (Wright 2013). According to the Qld Government's ABLV factsheet for veterinarians, clinical symptoms are most likely to appear in animals within 1 – 6 months following exposure (DAF 2020). Given the incubation period variability, animals that are bitten or scratch by a flying-fox should monitor for clinical symptoms for months to years following potential exposure (DAF 2020). Consultation with a veterinarian should be sought if exposure is suspected.

If a person or pet is bitten or scratched by a bat they should:

- wash the wound with soap and water for at least five minutes (do not scrub)
- contact their doctor immediately to arrange for post-exposure vaccinations.

If bat saliva contacts the eyes, nose, mouth or an open wound, flush thoroughly with water and seek immediate medical advice.

Please refer to WHA's Australian bat lyssavirus fact sheet for further information.

### **Hendra virus**

Flying-foxes are the natural host for Hendra virus (HeV), which can be transmitted from flying-foxes to horses. Infected horses sometimes amplify the virus and can then transmit it to other horses, humans and on two occasions, dogs (WHA 2021). There is no evidence that the virus can be passed directly from flying-foxes to humans or to dogs (WHA 2021). Clinical studies have shown cats, pigs, ferrets and guinea pigs (as well as hamsters and African green monkeys – not applicable to Australia) can carry the infection, though there is no evidence of direct HeV transmission from flying-foxes to any species other than horses (WHA 2021). As of 2021, over 106 HeV infections in horses (confirmed or possible cases) have been reported (WHA 2021). These infections occurred across over 60 disease outbreak events, three of which also involved human infections. Although the virus is periodically present in flying-fox populations across Australia, the likelihood of horses becoming infected is low and consequently human infection is extremely rare.

The transmission of HeV from flying-foxes to horses is thought to be complex and involve several host and environmental factors (WHA 2021). The most likely route of transmission is through exposure of horse mucous membranes to infected flying-fox urine, body fluids, or excretion (WHA 2021). This may occur directly (direct contact of infected fluids with mucous membranes) or indirectly (e.g. ingestion of contaminated forage or water). The incubation period of HeV in horses is estimated to be 5 – 16 days (WHA 2021). The mortality rate of HeV in horses is approximately 80% (Qld Government 2021).

While considered very rare, humans may contract the disease after close contact with respiratory secretions (e.g. mucous) and/or blood of an infected horse (WHA 2021, Qld





Government 2023). Similarly, the dogs may become infected following close contact with infectious bodily fluids of infected horses (Qld Government 2023). HeV infection in humans presents as a serious and often fatal respiratory and/or neurological disease and there is currently no effective post-exposure treatment or vaccine available for people. The mortality rate of HeV in humans is approximately 70% (Qld Government 2023).

Previous studies have shown that HeV spillover events have been associated with foraging flying-foxes rather than roost locations. Therefore, risk is considered similar at any location within the range of flying-fox species and all horse owners should be vigilant. Vaccination of horses can protect horses and subsequently humans from infection (Qld Government 2023), as can appropriate horse husbandry (e.g. covering food and water troughs, fencing flying-fox foraging trees in paddocks, etc.).

Although all human cases of HeV to date have been contracted from infected horses and direct transmission from bats to humans has not yet been reported, particular care should be taken by select occupational groups that could be uniquely exposed. For example, persons who may be exposed to high levels of HeV via aerosol of heavily contaminated substrate should consider additional PPE (e.g. respiratory filters), and potentially dampening down dry dusty substrate.

Please refer to WHA's Hendra virus and Australian wildlife fact sheet for further information.

### **General health considerations**

All animals, including flying-foxes, can carry bacteria and other microorganisms in their guts, some of which are potentially pathogenic to other species. Bat urine and faeces should be treated like any other animal excrement. As with any accumulation of animal faeces (bird, bat, domestic animals), fungi or bacteria may be present and care should be taken when cleaning faeces. This includes wetting dried faeces before cleaning or mowing, wearing appropriate PPE and maintaining appropriate hygiene. If disturbing dried bird or bat droppings, particulate respirators should be worn to prevent inhalation of dust and aerosols. See '[Work with bird and bat droppings](#)' for detail.

Contamination of water supplies by any animal excreta (birds, amphibians and mammals such as flying-foxes) poses a health risk to humans. Household tanks should be designed to minimise potential contamination, such as using first-flush diverters to divert contaminants before they enter water tanks. Trimming vegetation overhanging the catchment area (e.g. the roof of a house) will also reduce wildlife activity and associated potential contamination. Tanks should also be appropriately maintained and flushed, and catchment areas regularly cleaned to remove potential contaminants. Public water supplies are regularly monitored for harmful microorganisms and are filtered and disinfected before being distributed. Management plans for community supplies should consider whether any large congregation of animals, including flying-foxes, occurs near the supply or catchment area. Where they do occur, increased frequency of monitoring should be considered to ensure early detection and management of contaminants.

## Appendix 4 Management options

Below is an overview of management options commonly used across Queensland and Australia which were considered in the development of the RMP.

### Low impact options

#### **Education and awareness programs**

This management option involves undertaking a comprehensive and targeted flying-fox education and awareness program to provide accurate information to the local community about flying-foxes.

Such a program would include information about managing risk and alleviating concern about health and safety issues associated with flying-foxes, options available to reduce impacts from roosting and foraging flying-foxes, an up-to-date program of works being undertaken at the roost, and information about flying-fox numbers and flying-fox behaviour at the roost.

Residents should also be made aware that faecal drop and noise at night is mainly associated with plants that provide food, independent of roost location. Staged removal of foraging species such as fruit trees and palms from residential yards, or management of fruit (e.g. bagging, pruning) will greatly assist in mitigating this issue.

Collecting and providing information should always be the first response to community concerns in an attempt to alleviate issues without the need to actively manage flying-foxes or their habitat. Where it is determined that management is required, education should similarly be a key component of any approach.

The likelihood of improving community understanding of flying-fox issues is high. However, the extent to which that understanding will help alleviate conflict issues is probably less so. Extensive education for decision-makers, the media and the broader community may be required to overcome negative attitudes towards flying-foxes.

It should be stressed that a long-term solution to the issue resides with better understanding flying-fox ecology and applying that understanding to careful urban planning and development.

An education program may include components shown below.



### Property modification

The managers of land on which a flying-fox roost is located would promote or encourage the adoption of certain actions on properties adjacent to or near the roost to minimise impacts from roosting and foraging flying-foxes:

- Create visual/sound/smell barriers with fencing or hedges. To avoid attracting flying-foxes, species selected for hedging should not produce edible fruit or nectar-exuding flowers, should grow in dense formation between two and five metres (Roberts 2006) (or be maintained at less than 5 metres). Vegetation that produces fragrant flowers can assist in masking roost odour where this is of concern.
- Manage foraging trees (i.e. plants that produce fruit/nectar-exuding flowers) within properties through pruning/covering with bags or wildlife friendly netting, early removal of fruit, or tree replacement.
- Cover vehicles, pools/spas, and clothes lines (e.g. with carports or tarp covers) where faecal contamination is an issue, or remove washing from the line before dawn/dusk (e.g. use clothes dryers)

- Move or cover eating areas (e.g. BBQs and tables) within close proximity to a roost or foraging tree to avoid contamination by flying-foxes.
- Install double-glazed windows, door seals, insulation, and sound-proof curtains, and use air-conditioners when needed to reduce noise disturbance and smell associated with a nearby roost.
- Use white noise machines and fragrance dispensers or deodorisers within the home to reduce noise and odour impacts.
- Include suitable buffers and other provisions (e.g. covered car parks) in planning of new developments.
- Install rainwater first-flush diverters on rainwater tanks to remove potentially harmful bacteria and microbes from flying-fox faecal drop
- Turn off lighting at night which may assist flying-fox navigation and increase fly-over impacts.
- Consider removable covers for swimming pools and ensure working filter and regular chlorine treatment.
- Appropriately manage rainwater tanks, including installing first-flush systems.
- Avoid disturbing flying-foxes during the day as this will increase roost noise.

The cost would be borne by the person or organisation who modifies the property; however, opportunities for funding assistance (e.g. environment grants) may be available for management activities that reduce the need to actively manage a roost.

### **Odour neutralising trial**

Odour neutralising systems (which modify odour-causing chemicals at the molecular level rather than just masking them) are commonly used in contexts such as waste management, food processing, and water treatment. They have the potential to be a powerful tool for managing odour impacts associated with flying-foxes. Two trials have been undertaken that utilised two different odour-neutralising systems. The indoor system uses a Hostogel™ pot containing a gel-based formula for neutralising indoor odour. These are inexpensive, only require replacement every few months, and may be sufficient to mitigate odour impacts in houses affected by flying-fox roosts. Initial results suggest there may be a positive localised effect in reducing flying-fox odour within homes. This option may be useful for affected residents (particularly those directly adjacent to the roost), as residents could choose whether or not they wish to have a gel-pot in their living space and can simply put the lid back on the pot when the odour is not impacting on them.

The outdoor system consists of a Vapourgard™ unit that dispenses an odour-neutralising vapour through diffuser pipes that are installed on boundary fences. A world-first trial was undertaken in April – June 2021 with the participation of residents living near a flying-fox roost at Porter Park, Sunshine Coast. The system followed a predetermined schedule (alternating on / off cycles) for 9 weeks and residents were asked to rate the flying-fox odour every day throughout the trial.



Objective results were difficult to obtain due to the significant negative experience of residents as a consequence of the large influxes of flying-fox numbers during the trial, however initial results indicated both the indoor and outdoor systems were beneficial. If future trials confirm this technique is effective, the odour-neutralising system could be installed along the boundary of residential properties bordering the flying-fox roost.

### **Subsidy programs**

Subsidy programs provide Council with an opportunity to support impacted residents living near flying-fox roosts. There are a number of factors to consider when establishing a subsidy program, including who to offer subsidies to (i.e. who is eligible, generally based on proximity to roost), what subsidies to offer (e.g. service-based or property-based), how subsidies should be offered (e.g. reimbursements for purchases or upfront funding), and how the program will be evaluated to determine effectiveness for reducing flying-fox impacts to residents. A recent report published by the NSW Department of Planning, Industry & Environment (Mo & Roache 2019) summarised the implementation and efficacy of subsidy programs across six councils in NSW: Eurobodalla, Ku-ring-gai, Cessnock, Tamworth, and Sutherland councils. This report provides insight into the aforementioned factors for council's consideration, if a subsidy program is to be adopted.

Government initiatives that provide financial assistance commonly assess residents' eligibility based on a number of variables, including property distance from a roost, and deliver subsidies as partial or full reimbursements for purchases. It is important to consider that the popularity of certain subsidies likely varies across different communities, so affected residents should be consulted in the process of establishing an effective subsidy program. The NSW subsidy study (Mo & Roache 2019) found managers who design programs that best meet community needs have an increased probability of alleviating human-wildlife conflicts. Critical thresholds of flying-fox numbers at a roost and distance to a roost may also be used to determine when subsidies would apply.

While subsidies have the potential to alleviate flying-fox impacts within a community, they can be negatively received if residents believe there are broader issues associated with flying-foxes that are not being addressed (Mo & Roache 2019). As such, it is important (as with any community-based program) to assess the needs of residents and have open, ongoing communication throughout the program to ensure the subsidies are effectively reducing impacts, and if not, how the program can be adapted to address these needs.

A brief description and examples of property and service-based subsidies is provided below.

### **Property modification/item subsidies**

Fully funding or providing subsidies to property owners for property modifications may be considered to manage the impacts of the flying-foxes. Providing subsidies to install infrastructure may improve the value of the property, which may also offset concerns regarding perceived or actual property value or rental return losses. Focusing funds towards manipulating the existing built environment also reduces the need for modification and removal of vegetation. Property modifications/items listed under 'Property modifications' above may be included in a subsidy program. Of these, vehicle and clothesline covers and high-pressure

water cleaners were the most common subsidies taken by residents (Mo & Roache 2019).

When offered, double-glazing windows was popular amongst residents and was able to achieve a 65% reduction in flying-fox noise (Mo & Roache 2019). Furthermore, in a study by Pearson and Cheng (2018), it was found using infrastructure such as double-glazing windows significantly reduced the external noise level measured inside a house adjacent to a roost. This finding was supported by post-subsidy surveys undertaken by Port Macquarie Hastings Council that showed that double-glazed windows were rated as being more effective in mitigating impacts than any other subsidised option (e.g., high pressure cleaners, clothesline covers, shade cloths etc.) (Reynolds 2021).

Sunshine Coast Council undertook Round 1 of a private property grant trial in July 2021. The trial was used to facilitate property improvement or impact reduction infrastructure on eligible private properties. Feedback from this round confirmed that residents that have lived nearby a roost long-term are more likely to participate in the trial and experience more positive outcomes. It is acknowledged that residents that have only experienced short-term impacts may not be ready yet for this intervention. Council is currently implementing Round 2 of the grant trial where a one-off grant would be provided to eligible residents, which would be supported by ongoing roost management, education, research and monitoring.

### **Service subsidies**

This management option involves providing property owners with a subsidy to help manage impacts on the property and lifestyle of residents. The types of services that could be subsidised include clothes washing, cleaning outside areas and property, solar panel cleaning, car washing, removing exotic trees, or contributing to water/electricity bills. The NSW subsidy study showed that while many property modification subsidies proved popular amongst residents (e.g. high-pressure cleaners, air conditioners), many raised concerns over the increase in water/electricity bills. Increases in bills can be difficult to quantify and justify, and has not yet been effectively offered by a council in a subsidy program.

### **Routine roost maintenance and operational activities**

All persons are authorised to undertake low impact activities at roosts in accordance with the Code of practice—Low impact activities affecting flying-fox roosts. Low impact activities include weeding, mulching, mowing or minor tree trimming (not in a tree where flying-foxes are roosting).

Protocols should be developed for carrying out operations that may disturb flying-foxes, which can result in excess roost noise. Such protocols could include limiting the use of disturbing activities to certain days or certain times of day in the areas adjacent to the roost and advising adjacent residents of activity days. Such activities could include lawn-mowing, using chainsaws, whipper-snippers, using generators and testing alarms or sirens.

### **Revegetation and land management to create alternative habitat**

This management option involves revegetating and managing land to create alternative flying-fox roosting habitat through improving and extending existing low-conflict roosts or developing



new roosting habitat in areas away from human settlement.

Selecting new sites and attempting to attract flying-foxes to them has had limited success in the past, and ideally habitat at known roost sites would be dedicated as a flying-fox reserve. However, if a staged and long-term approach is used to make unsuitable current roosts less attractive, whilst concurrently improving appropriate sites, it is a viable option (particularly for the transient and less selective LRFF). Supporting further research into flying-fox roost preferences may improve the potential to create new flying-fox habitat.

Foraging trees planted amongst and surrounding roost trees (excluding in/near horse paddocks) may help to attract flying-foxes to a desired site. They will also assist with reducing foraging impacts in residential areas. Consideration should be given to tree species that will provide year-round food, increasing the attractiveness of the designated site. Depending on the site, the potential negative impacts to a natural area will need to be considered if introducing non-indigenous plant species.

The presence of a water source is likely to increase the attractiveness of an alternative roost location. Supply of an artificial water source should be considered if unavailable naturally, however this may be cost-prohibitive.

Potential habitat mapping using roost preferences and suitable land tenure can assist in initial alternative site selection. A feasibility study would then be required prior to site designation to assess likelihood of success and determine the warranted level of resource allocated to habitat improvement.

#### **Provision of artificial roosting habitat**

This management option involves constructing artificial structures to augment roosting habitat in current roost sites or to provide new roosting habitat. Trials using suspended ropes have been of limited success as flying-foxes only used the structures that were very close to the available natural roosting habitat. It is thought that the structure of the vegetation below and around the ropes is important.

#### **Protocols to manage incidents**

This management option involves implementing protocols for managing incidents or situations specific to particular roosts. Such protocols may include monitoring at sites within the vicinity of aged care or child care facilities, management of compatible uses such as dog walking or sites susceptible to heat stress incidents (when the roost is subjected to extremely high temperatures leading to flying-foxes changing their behaviour and/or dying).

#### **Participation in research**

This management option involves participating in research to improve knowledge of flying-fox ecology to address the large gaps in our knowledge about flying-fox habits and behaviours and why they choose certain sites for roosting. Further research and knowledge sharing at local, regional and national levels will enhance our understanding and management of flying-fox roosts.

### **Appropriate land-use planning**

Land-use planning instruments may be able to be used to ensure adequate distances are maintained between future residential developments and existing or historical flying-fox roosts. While this management option will not assist in the resolution of existing land-use conflict, it may prevent issues for future residents.

### **Property acquisition**

Property acquisition may be considered if negative impacts cannot be sufficiently mitigated using other measures. This option will clearly be extremely expensive, however is likely to be more effective than dispersal and in the long-term may be less costly.

### **Do nothing**

The management option to 'do nothing' involves not undertaking any management actions in relation to the flying-fox roost and leaving the situation and site in its current state.

## **Buffers**

Buffers can be created through vegetation removal, revegetation of non-flying-fox attractant vegetation and/or the installation of permanent/semi-permanent deterrents.

Creating buffers may involve planting low-growing, spiky, non-flowering plants between residents or other conflict areas and the flying-fox roost. Such plantings can create a physical and/or visual buffer between the roost and residences or make areas of the roost inaccessible to humans.

Previous studies have recommended that vegetation buffers consisting of habitat not used by flying-foxes, should be 300 m or as wide as the site allows to mitigate amenity impacts for a community (SEQ Catchments 2012). Buffers need to take into consideration the variability of use of a roost site by flying-foxes within and across years, including large, seasonal influxes of flying-foxes. The usefulness of a buffer declines if the flying-fox roost is within 50 m of human habitation.

### **Buffers through vegetation removal**

Vegetation removal aims to alter the area of the buffer habitat sufficiently so that it is no longer suitable as a roost. The amount required to be removed varies between sites and roosts, ranging from some weed removal to removal of most of the canopy vegetation.

Any vegetation removal should be done using a staged approach, with the aim of removing as little native vegetation as possible. This is of particular importance at sites with other values (e.g. ecological or amenity), and in some instances the removal of any native vegetation will not be appropriate. Thorough site assessment will inform whether vegetation management is suitable (e.g. can impacts to other wildlife and/or the community be avoided?).

Removing vegetation can also increase visibility into the roost and noise issues for neighbouring residents which may create further conflict.



Suitable experts should be consulted to assist selective vegetation trimming/removal to minimise vegetation loss and associated impacts.

The importance of under- and mid-storey vegetation in the buffer area for flying-foxes during heat stress events also requires consideration.

### **Buffers without vegetation removal**

Permanent or semi-permanent deterrents can be used to make buffer areas unattractive to flying-foxes for roosting, without the need for vegetation removal. This is often an attractive option where vegetation has high ecological or amenity value.

While many deterrents have been trialled in the past with limited success, there are some options worthy of further investigation:

- Visual deterrents – Visual deterrents such as plastic bags, fluoro vests (GeoLINK 2012) and balloons (Ecosure, pers. comm.) in roost trees have shown to have localised effects, with flying-foxes deterred from roosting within 1–10 metres of the deterrents. Lights tend to have limited effectiveness in deterring roosting. For example, a high-intensity strobe light was trialled in the Sydney Botanic Gardens to deter roosting; flying-foxes demonstrated only a slight reaction and lights did not deter flying-foxes from roosting (van der Ree & North 2009). However, a recent study identified a light that flying-foxes perceive as abnormal (Oikkola 2019), which PROVolitans trialled above the canopy of a roost tree, reporting an 80% decrease in the number of flying-foxes roosting in the tree. PROVolitans lights may offer a non-harmful method of flying-fox deterrence for future trials. Ultimately, the type and placement of visual deterrents would need to be varied regularly to avoid habituation. Potential for litter pollution should be considered and managed when selecting the type and placement of visual deterrents. In the absence of effective maintenance, this option could potentially lead to an increase in rubbish in the natural environment.
- Noise emitters on timers – Noise needs to be random, varied and unexpected to avoid flying-foxes habituating. As such these emitters would need to be portable, on varying timers and a diverse array of noises would be required. It is likely to require some level of additional disturbance to maintain its effectiveness, and ways to avoid disturbing flying-foxes from desirable areas would need to be identified. This is also likely to be disruptive to nearby residents.
- Smell deterrents – For example, bagged python excrement hung in trees has previously had a short-term localised effect (GeoLINK 2012). The smell of certain deterrents may also impact nearby residents, and there is potential for flying-foxes to habituate.
- Canopy-mounted water sprinklers – This method has been effective in deterring flying-foxes during dispersals (Ecosure personal experience), and current trials in Queensland are showing promise for keeping flying-foxes out of designated buffer zones. This option can be logistically difficult (installation and water sourcing) and may be cost-prohibitive. Design and use of sprinklers need to be considerate of animal welfare and features of the site. For example, misting may increase humidity

and exacerbate heat stress events, and overuse may impact other environmental values of the site. Further information regarding canopy-mounted sprinklers is detailed below.

- Screening plants – A ‘screen’ can be created by planting a row of trees along the edge of a roost, with the aim of reducing visual impacts associated with flying-foxes. This technique can be particularly useful in cases where residents can suffer extreme reactions triggered by the mere sight of flying-foxes.

#### Canopy-mounted sprinklers

Installing canopy-mounted sprinklers (CMS) can be used to deter flying-foxes from a buffer. CMS can be installed either:

- without any roost tree trimming/removal or
- accompanied by selective roost tree trimming/removal.



Canopy mounted sprinklers installed by Sunshine Coast Council (source: National Flying-fox Forum 2016, Ecosure).

As CMS are operated by residents, clear guidelines on sprinkler use need to be established with residents. To date CMS have been successful at other locations at discouraging flying-foxes from roosting in the buffer zone and enabling residents to have more control over flying-foxes near their properties.

Canopy-mounted sprinklers can be installed and effectively operated without the need for any vegetation removal, as long as the vegetation is not so thick as to restrict the extent of water spray. If vegetation thinning is required to allow sprinklers to operate effectively in some areas, approval will be required under the VM Act as exemptions do not exist for this purpose (see

Appendix 1).

Water pressure must be firm so it is sufficient to deter flying-foxes, however, must not risk injuring flying-foxes (or other fauna) or knocking an animal from the tree. Water misting should be minimised as this is unlikely to deter flying-foxes and could exacerbate heat stress event effects. Flying-fox heat stroke generally occurs when the temperature reaches 42°C, however, can occur at lower temperatures in more humid conditions (Bishop 2015). Given that humidity is likely to increase with water in the environment, sprinklers may need to be turned off in higher temperatures (e.g. >30°C) to avoid exacerbating heat stress (N.B. A NSW government-funded trial through Western Sydney University is currently underway to determine if sprinklers increase humidity and potential heat stress impacts; results should be considered for sprinkler usage).

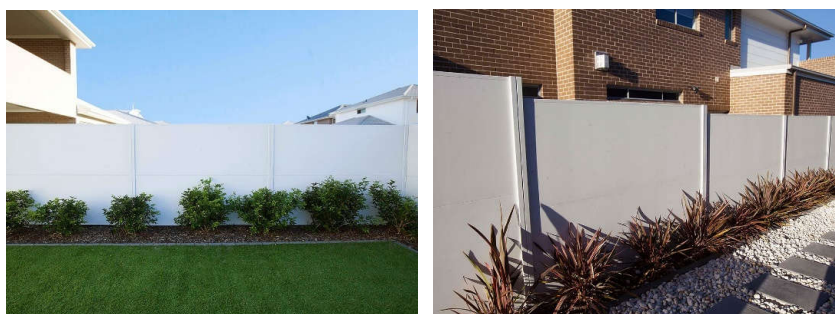
Sprinklers should release a jet of air prior to water, as an additional deterrent and to cue animals to move prior to water being released. The intention of the sprinklers is to make the buffer unattractive, and effectively 'train' individuals to stay out of the buffer area.

If installed, sprinklers should be programmed to operate on a random schedule and in a staggered manner (i.e. not all sprinklers operating at the same time, to avoid excessive disturbance). Each activation should be for approximately 30-45 seconds per sprinkler. Each sprinkler should be activated up to five times between 0630 and 1600 avoiding critical fly-in or fly-out periods. To avoid flying-foxes habituating to the stimuli, sprinklers should only be operated by residents when flying-foxes are within range. Sprinkler settings would also need to account for seasonal changes (e.g. not in the heat of the day during summer when they may be an attractant, and/or could increase humidity and exacerbate heat events). Individual sprinklers may also need to be temporarily turned off depending on location of creching young, or if it appears likely that animals will be displaced to undesirable locations.

Infrastructure should ideally be designed to accommodate additional sprinklers should they be required in the future. Sprinklers should be designed and attached in a way that allows for future maintenance, replacement, and sprinkler head adjustments, with consideration given to vandalism if located in a publicly accessible area.

### Noise attenuation fencing

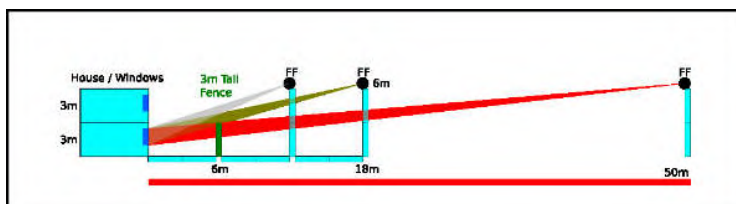
Noise attenuation fencing aims to reduce noise and potentially odour where the roost is close to residents.



Example of noise attenuation fencing (source: <http://www.slimwall.com.au/gallery>)



This may also assist with odour reduction, and perspex fencing could be investigated to assist fence amenity. Although expensive to install, this option could negate the need for habitat modification, maintaining the ecological values of the site, and may be more cost-effective than ongoing management.



Indicative scaled distances to achieve shielding for bats approximately 6 m elevated, to a typical window height (Air Noise Environment 2019). Image is indicative only with further investigation required.



Sound Block Acoustic Barrier (source: <https://fortressfencing.com.au/sound-block-acoustic-barrier-noise-barrier>)

## Disturbance or dispersal

### Nudging

Noise and other low intensity active disturbance restricted to certain areas of the roost can be used to encourage flying-foxes away from high conflict areas (e.g. using low intensity noise to keep effects localised as disturbing large areas of the roost will reduce the likelihood of successfully shifting flying-foxes out of a conflict area). This technique aims to actively 'nudge' flying-foxes from one area to another, while allowing them to remain at the roost site.

Unless the area of the roost is very large, nudging should not be done early in the morning as this may lead to inadvertent dispersal of flying-foxes from the entire roost site. Disturbance during the day should be limited in frequency and duration (e.g. up to four times per day for up to 10 minutes each) to avoid welfare impacts. As with dispersal, it is also critical to avoid periods when dependent young are present (as identified by a flying-fox expert).

It is recommended that nudging occurs during daylight hours to avoid inadvertent dispersal and associated risks of splintering the roosts to other locations.

### Dispersal

Dispersal aims to encourage a roost to move to another location. Dispersing flying-foxes may be achieved in two ways:



- actively disturbing the roost pre-dawn as flying-foxes attempt to return from nightly foraging
- passively, by removal of all roosting habitat.

There is a plethora of research that demonstrates flying-foxes dispersals are not effective long-term, and often have unpredictable outcomes. A review of dispersal attempts between 1990 and 2013 found that flying-foxes only moved within 600 m of the original site in 63% of cases (Roberts & Eby 2013). Similarly, another review of 69 dispersal attempts undertaken between 1992 and 2020 found that in 88% of dispersals, new roosts established within 1 kilometre and resulted in new conflict sites (Roberts et al. 2021). In addition, a review of 25 dispersal attempts in Queensland between November 2013 and November 2014 found that when flying-foxes were dispersed, they did not move further than 6 km away from the original roost site (Ecosure 2014). Ultimately, these results indicate that, when dispersed, flying-foxes generally relocate within 600 m – 1 km of the original roost site, and do not travel further than 6 km away.

Driving flying-foxes away from an established roost is challenging and resource intensive. There are also a range of risks associated with roost dispersal. These include:

- shifting or splintering the roost into other locations that are equally or more problematic
- impacts on animal welfare and flying-fox conservation
- impacts on the flying-fox population including disease status and associated public health risk
- impacts to the community associated with ongoing dispersal attempts
- increased aircraft strike risk associated with changed flying-fox movement patterns
- high initial and/or ongoing resource requirement and financial investment
- negative public perception from some community members and conservationists opposed to dispersal.

Despite these risks, there are some situations where roost dispersal may be considered. 'Passive' or 'active' is described further below. See Appendix 5 for further information regarding dispersal attempts across Australia.

### **Passive dispersal**

Removing vegetation in a staged manner can be used to passively disperse a roost, by gradually making the habitat unattractive so that flying-foxes will disperse of their own accord over time with little stress (rather than being more forcefully moved with noise, smoke, etc.). This is less stressful to flying-foxes, and greatly reduces the risk of splinter colonies forming in other locations (as flying-foxes are more likely to move to other known sites within their roost network when not being forced to move immediately, as in active dispersal).

Generally, a significant proportion of vegetation needs to be removed in order to achieve dispersal of flying-foxes from a roost or to prevent roost re-establishment. For example, flying-



foxes abandoned a roost in Bundall, Queensland once 70% of the canopy/mid-storey and 90% of the understorey had been removed (Ecosure 2011). Ongoing maintenance of the site is required to prevent vegetation structure returning to levels favourable for colonisation by flying-foxes. Importantly, at nationally important roosts, sufficient vegetation must be retained to accommodate the maximum number of flying-foxes recorded at the site.

This option may be preferable in situations where the vegetation is of relatively low ecological and amenity value, and alternative known permanent roosts are located nearby with capacity to absorb the additional flying-foxes. While the likelihood of splinter colonies forming is lower than with active dispersal, if they do form following vegetation modification there will no longer be an option to encourage flying-foxes back to the original site. This must be carefully considered before modifying habitat.

There is also potential to make a roost site unattractive by removing access to water sources. However, at the time of writing this method had not been trialled so the likelihood of this causing a roost to be abandoned is unknown. It would also likely only be effective where there are no alternative water sources in the vicinity of the roost.

#### **Active dispersal through disturbance**

Dispersal is more effective when a wide range of tools are used on a randomised schedule with animals less likely to habituate (Ecosure, pers. obs. 1997–2015). Each dispersal team member should have at least one visual and one aural tool that can be used at different locations on different days (and preferably swapped regularly for alternate tools). Exact location of these and positioning of personnel will need to be determined on a daily basis in response to flying-fox movement and behaviour, as well as prevailing weather conditions (e.g. wind direction for smoke drums).

Active dispersal will be disruptive for nearby residents given the timing and nature of activities, and this needs to be considered during planning and community consultation.

This method does not explicitly use habitat modification as a means to disperse the roost, however if dispersal is successful, some level of habitat modification should be considered. This will reduce the likelihood of flying-foxes attempting to re-establish the roost and the need for follow-up dispersal as a result. Ecological and aesthetic values will need to be considered for the site, with options for modifying habitat the same as those detailed for buffers above.

#### **Early dispersal before a roost is established at a new location**

This management option involves monitoring local vegetation for signs of flying-foxes roosting in the daylight hours and then undertaking active or passive dispersal options to discourage the animals from establishing a new roost. Even though there may only be a few animals initially using the site, this option is still treated as a dispersal activity, however it may be simpler to achieve dispersal at these new sites than it would in an established roost. It may also avoid considerable issues and management effort required should the roost be allowed to establish in an inappropriate location.

It is important that flying-foxes feeding overnight in vegetation are not mistaken for animals



establishing a roost.

### **Maintenance dispersal**

Maintenance dispersal refers to active disturbance following a successful dispersal to prevent the roost from re-establishing. It differs from initial dispersal by aiming to discourage occasional over-flying individuals from returning, rather than attempting to actively disperse animals that have been recently roosting at the site. As such, maintenance dispersal may have fewer timing restrictions than initial dispersal, provided that appropriate mitigation measures are in place.

## **Unlawful activities**

### **Culling**

Culling is addressed here as it is often raised by community members as a preferred management method; however, culling is illegal under local, State, and Federal legislation and is not permitted as a method to manage flying-fox roosts.

## Appendix 5      Dispersal summary results

Multiple studies have clearly demonstrated the long-term ineffectiveness of flying-fox roosts dispersals. Dispersal via disturbance has been shown to reduce concerns and improve amenity in the short-term, however, roosts are usually recolonised, and the conflict remains (Roberts & Eby 2013, Currey et al. 2018).

Roberts and Eby (2013) summarised 17 known flying-fox dispersals between 1990 and 2013, and made the following conclusions:

- In all cases, dispersed animals did not abandon the local area<sup>3</sup>.
- In 16 of the 17 cases, dispersals did not reduce the number of flying-foxes in the local area.
- Dispersed animals did not move far (in approx. 63% of cases the animals only moved < 600 metres from the original site, contingent on the distribution of available vegetation). In 85% of cases, new roosts were established nearby.
- In all cases, it was not possible to predict where replacement roosts would form.
- Conflict was often not resolved. In 71% of cases, conflict was still being reported either at the original site or within the local area years after the initial dispersal actions.
- Repeat dispersal actions were generally required (all cases except where extensive vegetation removal occurred).
- The financial costs of all dispersal attempts were high, ranging from tens of thousands of dollars for vegetation removal to hundreds of thousands for active dispersals (e.g. using noise, smoke, etc.).

Ecosure, in collaboration with a Griffith University Industry Affiliates Program student, researched outcomes of management in Queensland between November 2013 and November 2014 (the first year since the current Queensland state flying-fox management framework was adopted on 29 November 2013).

An overview of findings<sup>4</sup> is summarised below.

- There were attempts to disperse 25 separate roosts in Queensland (compared with nine roosts between 1990 and June 2013 analysed in Roberts and Eby (2013)). Compared with the historical average (less than 0.4 roosts/year) the number of roosts dispersed in the year since the framework was introduced has increased by 6250%.

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<sup>3</sup> Local area is defined as the area within a 20-kilometre radius of the original site = typical feeding area of a flying-fox.

<sup>4</sup> This was based on responses to questionnaires sent to councils; some did not respond and some omitted responses to some questions.



- Dispersal methods included fog, birdfrite, lights, noise, physical deterrents, smoke, extensive vegetation modification, water (including cannons), paintball guns and helicopters.
- The most common dispersal methods were extensive vegetation modification alone and extensive vegetation modification combined with other methods.
- In nine of the 24 roosts dispersed, dispersal actions did not reduce the number of flying-foxes in the LGA.
- In all cases, it was not possible to predict where new roosts would form.
- When flying-foxes were dispersed, they did not move further than six kilometres away.
- As at November 2014 repeat actions had already been required in 18 cases.
- Conflict for the council and community was resolved in 60% of cases, but with many councils stating they feel this resolution is only temporary.
- The financial costs of all dispersal attempts were considerable, regardless of methods used, ranging from \$7500 to more than \$400,000 (with costs ongoing).

Newly published research investigating the effectiveness of dispersal attempts (Roberts et al. 2021) has shown similar findings which are summarised below:

- In 95% of cases, dispersal did not reduce the number of flying-foxes from the local area.
- Of the 48 roost dispersals attempted, only 23% were deemed a success at reducing conflict with communities, and this generally only occurred after extensive destruction of roost habitat.
- No project with a budget less than A\$250,000 was deemed successful.
- Repeat actions were required in 58% of cases, some for months and years following the initial activities.
- In 88% of cases, replacement roosts were established within one kilometre of the original roost, transferring conflict to neighbouring communities.



## Revision History

Revision No.	Revision date	Details	Prepared by	Reviewed & approved by
00	25/05/2023	Beaundesert Lions Bicentennial Park Flying-fox Roost Management Plan draft	Tegan Dinsdale, Fauna Ecologist	Jess Bracks, Principal Wildlife Biologist
01	16/06/2023	Beaundesert Lions Bicentennial Park Flying-fox Roost Management Plan	Tegan Dinsdale, Fauna Ecologist	Jess Bracks, Principal Wildlife Biologist

## Distribution List

Copy #	Date	Type	Issued to	Name
1	16/06/2023	Electronic	Scenic Rim Regional Council	Josh Baker
2	16/06/2023	Electronic	Ecosure	Administration

Citation: Ecosure, 2023, *Beaundesert Lions Bicentennial Park Flying-fox Roost Management Plan*, Report to Scenic Rim Regional Council. Publication Location – Brisbane

Report compiled by Ecosure Pty Ltd

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## Asset & Environmental Sustainability

### 10.3 Black Spot Funding Submission 2024-2025

**Executive Officer:** General Manager Asset and Environmental Sustainability

**Item Author:** Manager Capital Works and Asset Management

**Attachments:**

1. Concept Design - Kooralbyn Road, Kooralbyn CH0-1320 [↓](#) 
2. Concept Design - Intersection Albert Street and Anna Street, Beaudesert [↓](#) 

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### Executive Summary

The Australian Government has an ongoing funding commitment to the Black Spot Program of approximately \$110 million annually until 2025-2026.

In Queensland, the Black Spot Program is administered by the Department of Transport and Main Roads on behalf of the Australian Government Department of Infrastructure, Transport, Regional Development and Communications and the Arts.

Applications for the 2024-2025 Black Spot Program were recently invited, with proposed applications to submit for two eligible transport infrastructure projects totalling \$3,109,500. Based on an analysis of currently available data, two identified projects were eligible under the funding guidelines. The Department of Transport and Main Roads advised that for the year 2024-2025, approximately \$18 million is allocated for Black Spot Program.

### Recommendation

That:

1. Council endorse the application of the following projects to improve driver and road user safety for funding under the Australian Government 2024-2025 Black Spot Program:
  - Kooralbyn Road Ch 0.0 - Ch 1320, Kooralbyn; and
  - Intersection Albert Street and Anna Street, Beaudesert; and
2. Council note a contribution of \$60,000 would be required if the Kooralbyn Road Ch 0.0 - Ch 1320, Kooralbyn, project was approved for inclusion in the Australian Government 2024-2025 Black Spot Program.

### Previous Council Considerations / Resolutions

Not applicable.

## Report / Background

Council officers monitor crash data within the Scenic Rim region as part of the ongoing capital works program development, for potential Black Spot funding nominations and to respond to requests from the community for infrastructure upgrades.

In past Black Spot funding applications, single standout road safety issues typically emerged from analysis of crash data, which were readily prioritised as road upgrade project for nomination for funding.

In the assessment of crash statistics for the current round of Black Spot funding, two nominations were allocated similar priorities due to the number/severity of crashes and the involvement of vulnerable road users, such as school children, pedestrians and motorists. Due in part to the success of the Black Spot Program in addressing driver safety issues on roads in the regional network, the scale and consequence of crash statistics are becoming lower and less severe, respectively.

At Albert and Anna Street, there were three more accidents reported by members of the public apart from accidents recorded on the Department of Transport and Main Roads' (TMR) Crash Analytics Reporting System (CARS). Accidents will be reported to TMR's Crash Analytics Reporting System (CARS) if anyone gets injured in an accident. Accident type, where no injury is sustained, do not form part of the project BCR calculation, however, these three accidents, reported by members of the public, will be highlighted in the Black Spot funding nomination form to support the project funding application. Council Engineer already discussed these accidents with TMR.

Should any of these projects be unsuccessful for funding due to being determined through the Black Spot assessment as a low priority, this will serve as a benchmarking exercise for Council.

The following projects have been identified as priorities for nominations for Black Spot funding grants:

<i>Project</i>	<i>Requested Funding 2024-2025</i>		
	<i>Core Treatments</i>	<i>Added Value Treatment</i>	<i>Total</i>
Kooralbyn Road Ch 0 - Ch 1320	\$1,307,000	\$60,000	\$1,367,000
Albert Street and Anna Street, Beaudesert Roundabout	\$1,742,500	—	\$1,742,500
<i>Total Funding Requested</i>	<i>\$3,049,500</i>	<i>\$60,000</i>	<i>\$3,109,500</i>

Given the timeline for the submission to Black Spot funding, the preparation of these submissions has commenced. The details regarding each project are presented in the following sections.

Kooralbyn Road Ch 0 - Ch 1320

The 1,320m section of Kooralbyn Road from the intersection of Mount Lindesay Highway and Kooralbyn Road is a location in Beaudesert where a high number of crashes were reported between 1 January 2017 to 21 December 2021. There were four accidents recorded at this location (one hospitalisation, two requiring medical treatment and one minor injury).

The scope of the nominated project, which is depicted in Attachment 1, involves:

*Core Treatments*

- Improve the horizontal alignment between chainage 425 and chainage 1100;
- Install shoulder between chainage 425 and chainage 1100;
- Install new W-beam guardrail;
- Improved line marking between chainage 0 and chainage 1320 including audio tactile line marking to improve road safety; and
- Installation of new warning signs and Chevron Alignment Markers.

*Added Value Treatments*

- Install Motorcycle Barrier System; and
- Install RRPMs on Centre Line and Edge Lines.

Albert Street and Anna Street, Beaudesert Roundabout

The intersection of Albert and Anna Streets at Beaudesert, which is predominately used by children, experiences high traffic volumes and high recorded vehicle speeds; with two (hospitalisation) crashes recorded at this location.

The scope of the nominated project, which is depicted in Attachment 2, involves:

*Core Treatments*

- Install a single-lane roundabout to create deflection and therefore control the speed and manage the traffic effectively through the intersection at Albert and Anna Streets;
- Install compliant kerb ramp and pedestrian refuge on all four legs on the intersection;
- Reduce conflict angles and required all approaches to give way; and
- Install new two stormwater inlets only.

For this project, the combined BCR value, proposed core treatments, and added value treatments are 1.8. The project does not meet the BCR criteria for requirements. The project is not eligible for Black Spot funding due to the combined BCR being less than 1.8.

**Budget / Financial Implications**

The projects listed in this report are nominated for Black Spot funding on the basis each is fully funded under the grant program if both treatments, core treatment and added value treatment, are approved by Black Spot funding body.

## Strategic Implications

### *Operational Plan*

Theme: 6. Accessible and Serviced Region

Key Area of Focus: Accessibility and reliability of Council-controlled transport, flood mitigation and drainage infrastructure, with enhanced resilience

### *Legal / Statutory Implications*

The *Queensland Professional Engineers Act 2002* require decisions made by Council engineers to:

- a) protect the public by ensuring professional engineering services are provided by a registered professional engineer in a professional and competent way; and
- b) to maintain public confidence in the standard of services provided by registered professional engineers; and
- c) to uphold the standards of practice of registered professional engineers.

The considerations described in this report meet these obligations.

## Risks

### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR43 Inadequate or ineffective planning, delivery and maintenance of infrastructure resulting in risk to public and staff safety and potential financial implications.

### Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Infrastructure, Assets & Service Delivery  Lack of or inadequate infrastructure planning	4 Major	Possible	High	10 Year Capital Works Program; Asset Management Framework (Plans, Policies, Procedures)	High

### Financial Risk

Albert Street and Anna Street intersection, there are some risks identified at nomination stage which may become reality at the detail design stage are listed below:

- Watermain, Telstra and electrical services relocation; and
- Improvement of the existing stormwater network and install additional inlets.

It is anticipated costs to address the risk would be in the vicinity of \$175,000.

Apart from this, TMR has introduced 'Core Treatment' and 'Added Value' Treatments to address the cause of accidents for the projects. For Albert Street and Anna Street roundabout project, Council Engineers anticipate all proposed treatments are core treatments. There are two added-value treatments included in the Kooralbyn road upgrade project:

- Install Motorcycle Barrier System for \$58,000; and
- Install RRPMs on Centre Line and Edge Lines for \$2,000.

These added-value treatments are not guaranteed for funding by Black Spot. Council may have to fund \$60,000 if these treatments are not approved and the council wishes to install these treatments on Kooralbyn Road.

### **Consultation**

The nominated projects were compiled through liaison between officers from the Asset Management, Design, Maintenance and Capital Works business units.

Consultation with community stakeholders forms part of the delivery of this project prior to and during work.

Black Spot funded projects are opportunities to develop media releases and other communications to raise public awareness of the important investment in community safety for all road users

### **Conclusion**

The following projects to improve driver and road user safety have been nominated for 100 per cent funding from the Black Spot Program for both, Core Treatments and Added Value Treatments:

- Kooralbyn Road Ch0 - Ch1320, Kooralbyn; and
- Albert Street and Anna Street, Beaudesert Roundabout.

Should the funding application be successful, these projects will be delivered within the 2024-2025 financial year.

Scenic Rim Regional Council  
**Blackspot Submission 22/23**  
**Kooralbyn Road, LARAVALE**  
**Road Reconstruction, CH0-CH1320 (1320m)**

Job #

CODE	DESCRIPTION	QTY	UNIT	RATE	COST
Site Facilities	9910 Survey Setout	8	hr	100.00	\$800
	9930 O/H Allocation	1	%	2.25	\$22,790
Provision for traffic	1001 Site Establishment	1	%	1.50	\$15,193
	1005 Provision for traffic (road/street construction) (40k/week spend rate)	120	Day	880.00	\$105,600
Drainage	<b>Drainage Removal</b>				
	2010 Removal or Demolition of Culverts/Pipes	1	LS	5,000.00	\$5,000
	<b>Drainage Supply and Install</b>				
	2140 Headwalls (450 RCP)	2	Ea	850.00	\$1,700
	2240 450 SW Supply & Install	14	m	650.00	\$9,100
	<b>Other Drainage Works</b>				
Earthworks	2920 Downstream Protection Works	1	LS	2,500.00	\$2,500
	2930 Form Table Drain	680	m	20.00	\$13,600
	<b>Earthworks Preparation</b>				
	3090 Sedimentation & Erosion Control	1	LS	2,000.00	\$2,000
	3100 Clearing and Grubbing (Grassed area with few shrubs)	2000	m2	10.00	\$20,000
	<b>Earthworks Excavation</b>				
Pavements	3240 Rural Road Excavation (Select Fill or Spoil on site)	2680	m3	12.00	\$32,160
	<b>Embankment</b>				
	3320 Supply of select fill (CBR > 10)	120	m3	70.00	\$8,400
	3330 Selected Fill (Placement)	120	m3	30.00	\$3,600
	<b>Sub-base Pavements</b>				
	4050 Sub-base Type 2 sub-base 2.3 - add 75mm to exist sub-base and stabilise	1355	m3	150.00	\$203,250
Bitumen	<b>Base Pavements</b>				
	4110 Base Type 2 sub-Type 2.1	920	m3	180.00	\$165,600
Road Furniture	4360 Primer Seal Class E30HR 10 mm cover	6850	m2	7.00	\$47,950
	4370 First Coat S45R 14mm cover	6850	m2	7.00	\$47,950
	4380 Top coat S45R 7 mm cover	6850	m2	7.00	\$47,950
Landscaping	4631 Guardrail with Motorcycle Protection Rail	430	m	350.00	\$150,500
	4640 Guardrail End unit	2	Ea	3,600.00	\$7,200
	4650 Guide Posts	62	Ea	60.00	\$3,720
	4691 Road Signs	8	Ea	600.00	\$4,800
	4700 Line marking & RRPM's	5150	m	10.00	\$51,500
	7040 Watering after completion (up to 3 months)	1	LS	5,000.00	\$5,000
Utilities	7080 Hyrdo Mulching (Supply & Placement)	2800	m2	5.00	\$14,000
	7150 Service Utilities Location	16	hr	250.00	\$4,000
	<b>Entrances to Private Property</b>				
	7260 Entrance Restoration	1	Ea	5,000.00	\$5,000
	<b>Telstra Plant</b>				
	7400 Relocate Telstra Plant	1	LS	50,000.00	\$50,000

**SUB-TOTAL \$1,050,863**

9991 Contingencies	30%	\$315,259
--------------------	-----	-----------

**TOTAL \$1,366,122**

Prepared by: James Douyere  
Civil Design Drafter

Signed: \_\_\_\_\_  
Dated: \_\_\_\_\_

Verified by: Craig Heck  
Design Engineer

Signed: \_\_\_\_\_  
Dated: \_\_\_\_\_

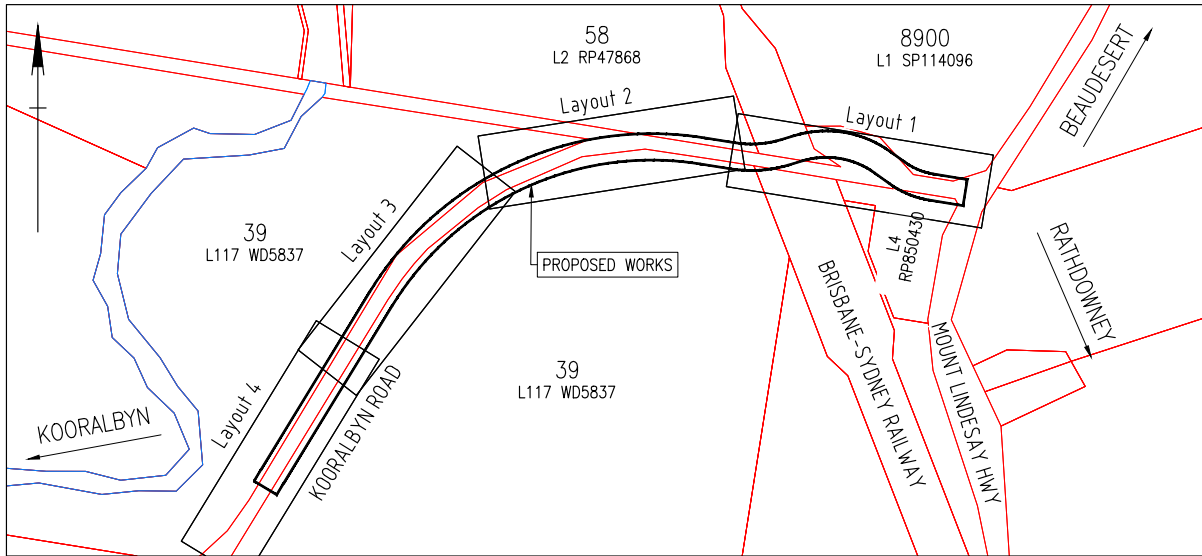
SRRC Estimate



SCENIC RIM REGIONAL COUNCIL  
BLACKSPOT SUBMISSION  
KOORALBYN ROAD, LARA VALE  
CH0-CH1320



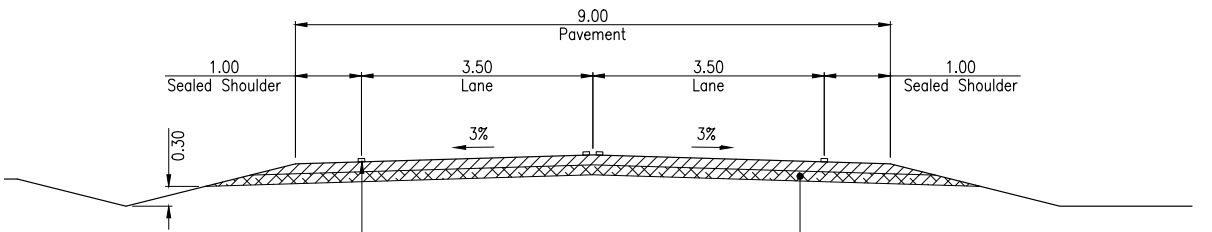
LOCALITY PLAN  
N.T.S.



DETAIL A  
N.T.S.

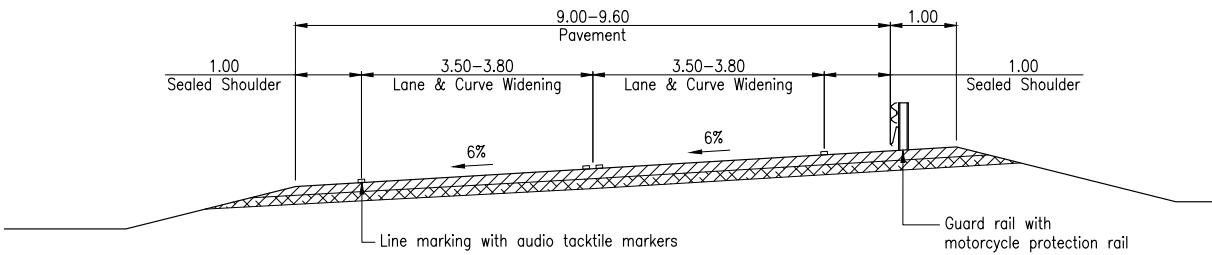
DRAWING INDEX

DRAWING No.	DRAWING TITLE
SK01	Locality plan, drawing schedule and typical section
SK02	General arrangement plan 1
SK03	General arrangement plan 2



FULL ROAD RECONSTRUCTION  
CH425-CH1320  
SRRC Class 4a - Rural Connector  
Scale 1:50

- Preliminary Pavement Design
- 2 coat 14/10 spray seal wearing surface
  - 145mm Type 2.1 Base Course
  - 200mm Scarify, add type 2.3 and compact to homogeneous layer

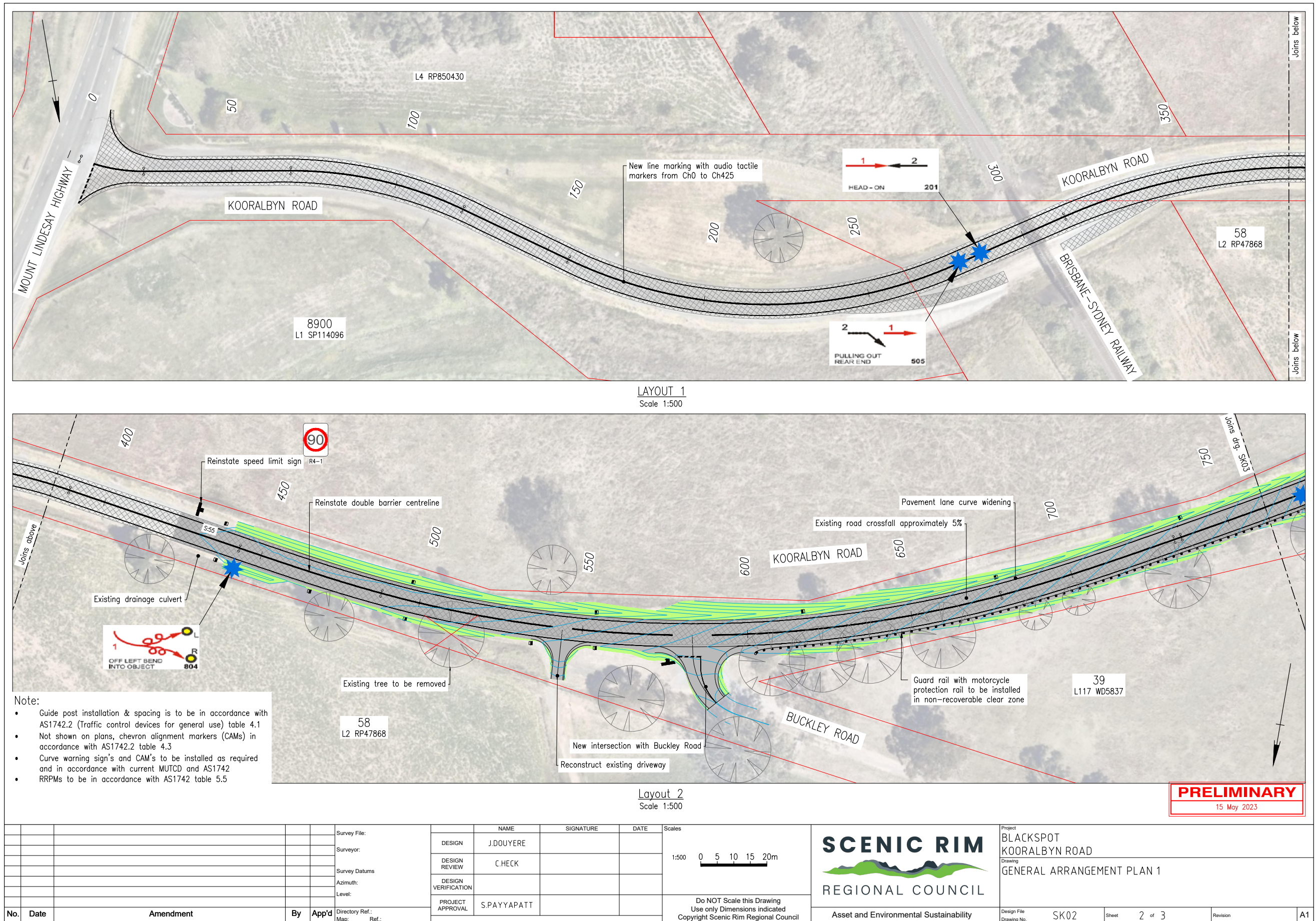


FULL ROAD RECONSTRUCTION - SUPERELEVATION  
SRRC Class 4a - Rural Connector  
Scale 1:50

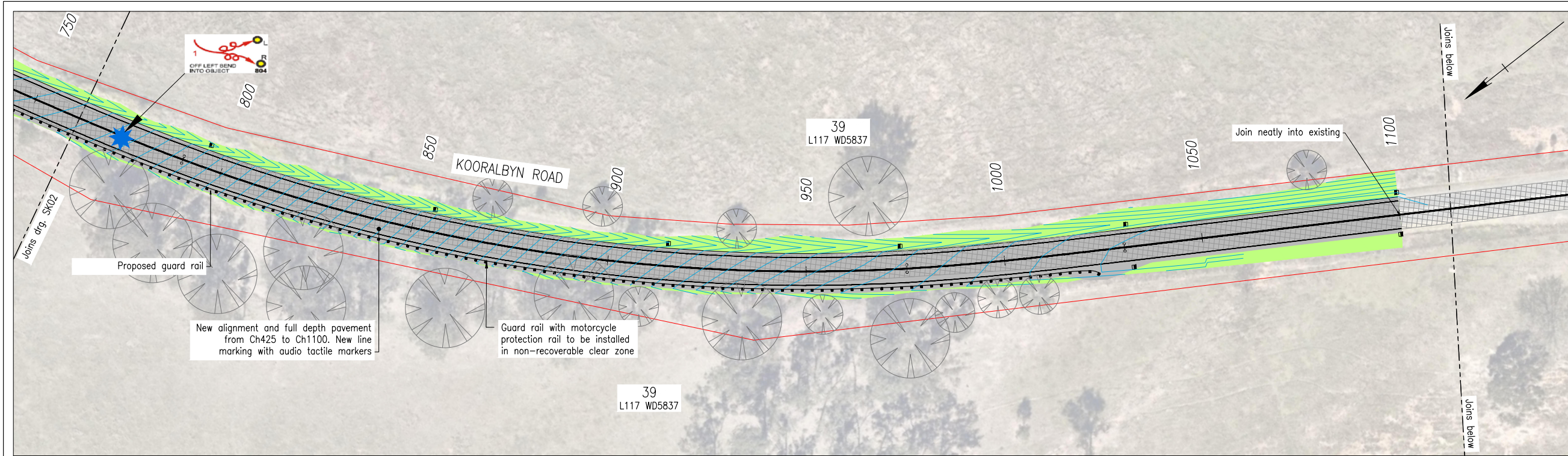
**PRELIMINARY**  
15 May 2023

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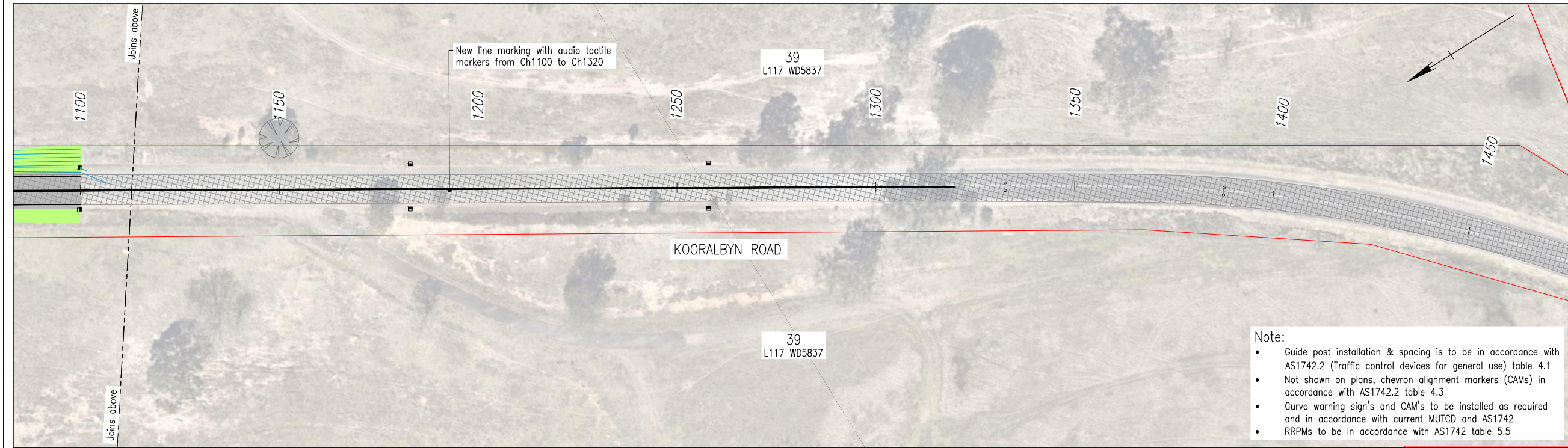








LAYOUT 3  
Scale 1:500



LAYOUT 4  
Scale 1:500

**PRELIMINARY**  
15 May 2023

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Scenic Rim Regional Council  
**Blackspot Submission**  
**Albert and Anna Street, Beaudesert**  
**Roundabout**

Job #

CODE	DESCRIPTION	QTY	UNIT	RATE	COST
<b>Site Facilities</b>	9910 Survey Setout	50	hr	103.00	\$5,150
	9930 O/H Allocation	1	%	2.50	\$28,827
<b>Provision for traffic</b>	1001 Site Establishment	1	%	5.00	\$57,653
	1005 Provision for traffic (road/street construction) (40k/week spend rate)	50	Day	2,000.00	\$100,000
<b>Drainage</b>	<b>Drainage Removal</b>				
	2050 Removal or Demolition of Concrete, Kerb & Channel	166	m	120.00	\$19,920
<b>Earthworks</b>	2060 Removal or Demolition of Concrete, Gullies	2	Ea	850.00	\$1,700
	<b>Pavement Drainage</b>				
	2600 Concrete Kerb, Type B5 (175 mm ht)	392	m	206.00	\$80,752
	2610 Concrete Kerb, Type M6 (300mm wide)	46	m	206.00	\$9,476
	2670 Concrete Kerb & Channel, Type B1 (450 mm Channel)	297	m	292.00	\$86,724
	2700 Supply and Install Gully Pit - Lip-in-Line	2	Ea	5,500.00	\$11,000
<b>Pavements</b>	<b>Earthworks Preparation</b>				
	3090 Sedimentation & Erosion Control	1	LS	2,000.00	\$2,000
<b>Bitumen</b>	3100 Clearing and Grubbing	1	LS	6,500.00	\$6,500
	<b>Earthworks Excavation</b>				
<b>Asphalt wt=2.5t/m3</b>	3260 Urban Street Excavation	50	m3	1,015.00	\$50,750
	<b>Base Pavements</b>				
<b>Road Furniture</b>	4101 Base Type 2 sub-Type 2.1 (0 - 500 m <sup>2</sup> ) including under kerb and channel	460	m3	322.00	\$148,120
	<b>Other Pavement Works</b>				
<b>Landscaping</b>	4201 Reinforced Concrete Pavement - Island infill (125mm Thick)	32	m3	350.00	\$11,200
	4260 Concrete Footpath (1.5m wide, 100mm Thick)	302	m2	205.00	\$61,910
<b>Utilities</b>	4380 First coat under asphalt (1.0 L/m <sup>2</sup> ) 10mm cover	1710	m2	21.00	\$35,910
	4461 Asphalt 40 mm AC 10 mm	171	t	489.00	\$83,619
<b>Design and Contract Admin</b>	4681 Road Signs (Standard dual post)	4	Ea	592.25	\$2,369
	4691 Road Signs (Standard single post)	24	Ea	360.50	\$8,652
<b>Design and Contract Admin</b>	4700 Line marking & RRPm's	880	m	9.50	\$8,360
	7010 Loaming/Topsoiling	60	m3	150.00	\$9,000
<b>Design and Contract Admin</b>	7020 Turfing	687	m2	20.00	\$13,740
	7040 Watering after completion (up to 3 months)	1	LS	6,500.00	\$6,500
<b>Design and Contract Admin</b>	7150 Service Utilities Location	16	hr	700.00	\$11,200
	<b>Entrances to Private Property</b>				
<b>Design and Contract Admin</b>	7240 Install New Entrance Urban (Concrete)	1	Ea	3,500.00	\$3,500
	<b>Electrical</b>				
<b>Design and Contract Admin</b>	7320 Street Lighting	1	LS	250,000.00	\$250,000
	9936 Project Management Contract Works	1	Ls	125,000.00	\$125,000
<b>Design and Contract Admin</b>	9950 Design and Approval	1	Ls	100,000.00	\$100,000

**SUB-TOTAL      \$1,339,532**

9991 Contingencies      30%      \$401,860

**TOTAL      \$1,741,392**

Prepared by: Kevin Domjahn  
Traffic Safety Officer

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Verified by: Craig Heck  
Design Engineer - RPEQ 18983

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Recommended by: Vasu Pardeshi  
Acting Manager Capital Works and Asset Management

Signed: \_\_\_\_\_

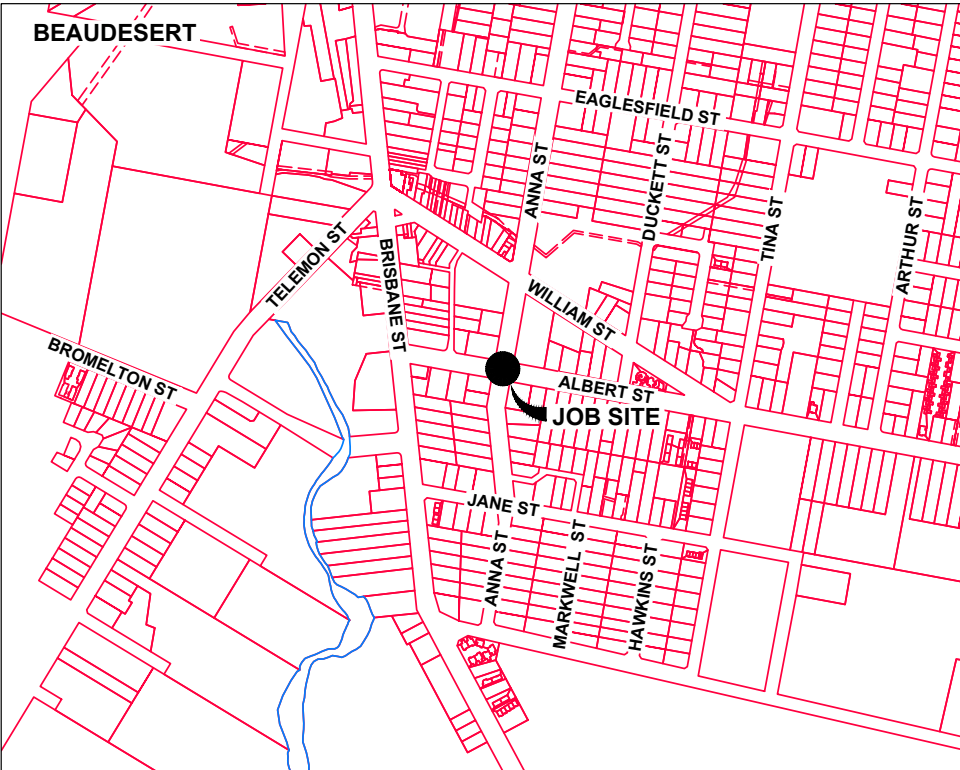
Dated: \_\_\_\_\_

Approved by: Chris Gray  
General Manager Asset and Environmental Sustainability - RPEQ 15805

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

SRRC Estimate Albert & Anna.xlsm




**LOCALITY PLAN**  
Not to Scale

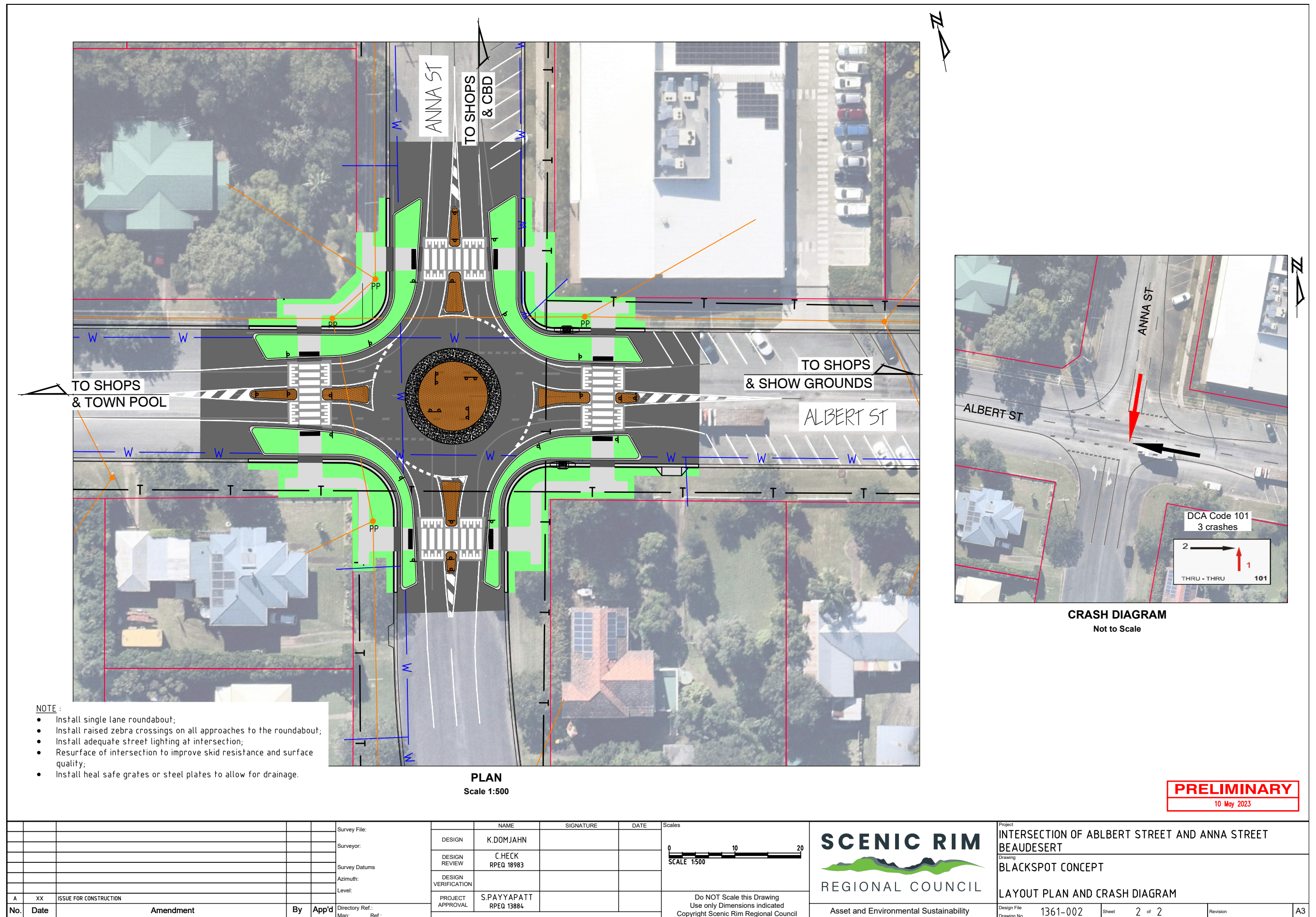
DRAWING INDEX				
Drawing Number	Revision	Date	Sheet Number	Drawing Description
1361-001	1	10.05.2023	1 of 2	Locality Plan & Drawing Index
1361-002	1	10.05.2023	2 of 2	Layout Plan

Total Number of Drawings = 2

**PRELIMINARY**  
10 May 2023

						Survey File:		NAME	SIGNATURE	DATE	Scales		Project INTERSECTION OF ABLBERT STREET AND ANNA STREET BEAUDESERT				
						Surveyor:		DESIGN K.DOMJAHN					NOT TO SCALE	Drawing BLACKSPOT CONCEPT			
						Survey Datums		DESIGN REVIEW C.CHECK RPEQ 18983						LOCALITY PLAN & DRAWING INDEX			
						Azimuth:		DESIGN VERIFICATION						Design File Drawing No. 1361-001			
						Level:		PROJECT APPROVAL S.PAYYAPATT RPEQ 13884			Do NOT Scale this Drawing Use only Dimensions indicated Copyright Scenic Rim Regional Council	Asset and Environmental Sustainability		Sheet 1 of 2	Revision	A3	
A	XX	ISSUE FOR CONSTRUCTION					Directory Ref.: Map: Ref.:										
No.	Date	Amendment			By	App'd											







**Council Sustainability****10.4 Proposed Ordinary Meeting Dates October 2023 - February 2024**

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Governance Officer

**Attachments:** Nil

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**Executive Summary**

This report proposes dates for Ordinary Meetings to be held in October 2023 - February 2024.

**Recommendation**

That:

1. Council endorse a new meeting schedule, by holding one Ordinary Meeting per month to be held generally on the fourth Wednesday of each month commencing from 1 October 2023;
2. Council adopt the following October 2023 - February 2024 dates for Ordinary Meetings, with the meetings to commence at 9.00am:
  - Wednesday, 25 October 2023;
  - Wednesday, 22 November 2023;
  - Wednesday, 20 December 2023;
  - Wednesday, 31 January 2024;
  - Wednesday, 28 February 2024; and
3. Council acknowledge that Ordinary Meetings scheduled in October 2023 - February 2024, will be held in the Council Chambers, 82 Brisbane Street, Beaudesert.

**Previous Council Considerations / Resolutions**

At the Ordinary Meeting held on 4 April 2023 (Item 10.1), Council resolved to:

1. Adopt the following dates for Ordinary Meetings, with the meetings commencing at 9.15am:
  - 6 and 20 June 2023;
  - 4 and 18 July 2023;
  - 8 and 22 August 2023;
  - 5 and 19 September 2023; and
2. Council endorse that Ordinary Meetings scheduled in June-September 2023, will be held in the Council Chambers, 82 Brisbane Street, Beaudesert, with the exception of the Ordinary Meeting scheduled on 22 August 2023, which will be held at the Cultural Centre, 3 High Street, Boonah.

At the Ordinary Meeting held on 24 January 2023 (Item 10.20), Council resolved that the transition to revised a meeting and committee schedule, be placed on hold until such time as the Chief Executive Officer (in consultation with the Governance Advisor) provides an updated report to Council on potential meeting and committee options, being cognisant of the Council's intent in proposing this change previously.

At the Ordinary Meeting held on 22 November 2022 (Item 10.1), Council resolved to adopt the following dates for Ordinary Meetings:

- 17 January 2023;
- 7 and 21 February 2023;
- 7 and 21 March 2023;
- 4 and 18 April 2023; and
- 9 and 23 May 2023.

At the Ordinary Meeting held on 8 November 2022 (Item 9.1), Council resolved that the resolution of Item 9.1 from the Ordinary Meeting Minutes 20 September 2022, be amended to read:

- "1. *That Council, in the interest of enhanced public transparency, commit to the transition of its present two weekly meeting system, comprising one Ordinary Meeting per fortnight and one Confidential Briefing over two days, per fortnight, to a committee system to include a Planning and Development Committee and other committees as decided.*
2. *Confidential Workshops be retained but limited to the formulation of Strategy and Policy and other matters defined as confidential under the Local Government Regulations.*
3. *That a new meeting system implementation workshop group, comprising all Councillors, be established, to be chaired by the Deputy Mayor, the purpose of which is to determine the identity and scope of proposed Committees.*
4. *That, following the provision of adequate information by the workshop group Chair to the Chief Executive Officer, the Chief Executive Officer be requested to commence consultation with the Executive and the implementation workshop group to develop Terms of Reference for each of the proposed new Committees, for presentation to Council for consideration of a formal resolution on or before 22 November 2022.*
5. *That the Chief Executive Officer, following the Council's adoption of the Committee Terms of Reference documents, consult with the Executive to develop a workable and agreed transition plan for presentation to Council that includes a timeline for delivery of:*
  - *updated Policy or Policies, as relevant, and related Procedures;*
  - *meeting cycle;*
  - *resourcing requirements to support the new structure of meetings; and*
  - *any other considerations deemed necessary by the Chief Executive Officer;**for consideration of a formal resolution on or before the first meeting of Council in February 2023.*
6. *That the transition plan identifies a targeted implementation date for the new committee system of meetings that is as soon as practical following 1 June 2023."*

## Report / Background

A comprehensive review of Council's meeting framework was undertaken in 2019, following which Council resolved to hold two Ordinary Meetings (rather than one Ordinary meeting and three Committee meetings) per month, effective from 1 July 2019. That scheduling has been followed for Ordinary Meetings up to and including September 2023.

Since June 2022, at the request of and in consultation with Councillors, a further review of Council's meeting schedule has been ongoing. Consideration has been given to a system that enables an efficient reporting workflow and effective corporate planning.

It is proposed that one Ordinary Meeting be held generally on the fourth Wednesday of each month, commencing from 1 October 2023. With the local government election set down for 16 March 2024, it is proposed the scheduling continue through to February 2024. The dates have been proposed in consideration of the dates of known events, and Council's adoption of the proposed dates for Ordinary Meetings in October 2023 - February 2024, will enable effective corporate planning.

Council is requested to consider holding Ordinary Meetings on the following dates, with the meetings to commence at 9.00am:

- Wednesday, 25 October 2023;
- Wednesday, 22 November 2023;
- Wednesday, 20 December 2023;
- Wednesday, 31 January 2024; and
- Wednesday, 28 February 2024.

To ensure adequate time for readers to review the reports to be considered at each meeting, it is proposed that the Ordinary Meeting Agendas will be released by the close of business on the Friday prior to each meeting.

To ensure compliance with relevant legislation and the continuity of Council's decision-making responsibilities, it is necessary for Council to resolve the scheduling of Ordinary Meetings.

Following adoption of the Ordinary Meeting dates for October 2023 - February 2024, the dates will be advertised on Council's website and in various local newspapers, ensuring compliance with the relevant subsections of s.254B of the *Local Government Regulation 2012* ("the Regulation"), set out below.

## Budget / Financial Implications

Not applicable.

## Strategic Implications

### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: To be a high-quality customer-focused organisation that provides high-quality customer-focused services

*Legal / Statutory Implications*

Section 254B of the Regulation provides:

- "(1) A local government must, at least once in each year, publish a notice of the days and times when -
- (a) its ordinary meetings will be held; and
  - (b) the ordinary meetings of its standing committees will be held.
- (2) The notice mentioned in subsection (1) must be published on the local government's website, and in other ways the local government considers appropriate."

**Risks**Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Governance, Risk & Compliance  Non-compliance with statutory requirement of publication of Council meeting dates.	3 Moderate	Unlikely	Medium	Adoption and publication of future Ordinary Meeting dates.	Low

**Consultation**

Mayor and Councillors  
Chief Executive Officer  
General Manager Council Sustainability  
Principal Specialist Governance and Assurance

**Conclusion**










A review of Council's meeting schedule has been undertaken and dates proposed for Ordinary Meetings to be held in October 2023 - February 2024 (inclusive).

## 10.5 Review of Standing Orders - Policy and Procedures

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Principal Specialist Governance and Assurance

**Attachments:**

1. Standing Orders - Policy as adopted 19 January 2021 [↓](#) 
2. Standing Orders - Procedure as adopted 19 January 2021 [↓](#) 
3. Standing Orders - Administration and Conduct as adopted 19 January 2021 [↓](#) 
4. New Draft Standing Orders Model Rules (with tracked changes) [↓](#) 
5. New Draft Standing Orders Model Rules [↓](#) 
6. Meetings and Other Forums - Council Policy as adopted 14 December 2020 [↓](#) 
7. Meetings and Other Forums - Administration and Participation Procedure as adopted 14 December 2020 [↓](#) 
8. Draft revised Meeting and other Forums Administration and Participation (with tracked changes) [↓](#) 
9. Draft revised Meeting and other Forums Administration and Participation Procedure [↓](#) 

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### Executive Summary

Following feedback received from the Governance Advisor in relation to Council's current adopted meeting suite of documents, including the Standing Orders Policy and Procedure, these documents have been reviewed and this report now provides those policy documents for consideration by Council.

### Recommendation

That:

1. Council rescind the Council Policy - Standing Orders CM03.01CP;
2. Council rescind the Council Procedure - Standing Orders CM03.01PR.01;
3. Council rescind the Council Procedure - Standing Orders - Administration and Conduct CM03.01PR.02;
4. Council rescind the Council Policy - Meeting and Other Forums - Administration and Participation CM03.07CP;
5. Council adopt the Council Policy - Standing Orders for Council Meetings CM03.01CP; and
6. Council adopt the revised Council Procedure - Meeting and Other Forums - Administration and Participation CM03.07PR.01.

**Previous Council Considerations / Resolutions**

At the Ordinary Meeting held on 19 January 2021 (Item 11.9), Council resolved that:

1. Council note the legislative requirement to adopt certain meetings procedures;
2. Council rescind the current Council Policy - Standing Orders;
3. Council adopt the revised Council Policy - Standing Orders;
4. Council adopt the Council Procedure Standing Orders;
5. Council adopt the Council Procedure Standing Orders - Administration and Conduct; and
6. Council note that the current Standing Order Procedure dated 27 May 2019 will be formally rescinded by the Chief Executive Officer.

**Report / Background**

Pursuant to section 150F of the *Local Government Act 2009* (LGA) the Chief Executive of the Department of State Development, Infrastructure, Local Government and Planning (the Department) must make model meeting procedures for Council. Under section 150G of the LGA, Council must either adopt the model meeting procedures or develop its own set of procedures. Council procedures cannot be inconsistent with model procedures. If there is an inconsistency, the model meeting procedures prevail.

In January 2021, Council adopted a suit of policies and procedures relating to Council's meetings.

They are listed as follows:

- Council Policy - Standing Orders;
- Council Procedure - Standing Orders; and
- Council Procedure - Standing Orders – Administration.

A thorough review of these documents against the Model Meeting Procedures (Version November 2022) which are provided by the Department of State Development, Infrastructure, Local Government and Planning (the Department) has been undertaken by the Department appointed Governance Advisor.

Following the review of the feedback provided by the Governance Advisor, it is recommended that Council rescind the existing suite of documents and present for adoption a new version.

For the Council's Meetings and Other Forums Administration and Participation Procedure, there is a reference to Council Workshops and to Public Question Time. The Standing Orders will allow for deputations and public participation, however, a proposed amendment to Ordinary Meeting Agendas will be for the inclusion of a section for Public Question Time. Previously, Public Question Time has been not part of the formal Ordinary Meeting. The inclusion of Public Question Time will allow members of the community to write to Council and request that a public response to that question be provided at an Ordinary Meeting.

A change to the meeting structure is also being proposed and the scheduling of the Ordinary Meeting is provided for in a separate report. The function of the Workshops and Briefing Sessions has been included in the attached draft Meetings and Other Forums - Administration and Participation Procedure.



A brief outline of each of those meeting types is provided below:

### Workshops

Workshops are a forum where Councillors, employees, and external parties collaborate, develop or advance proposals, such as masterplans and include topics of strategic importance along with collectively developing proposals prior to the formal decision-making process commencing.

### Briefing Sessions

Briefing sessions provide a valuable opportunity to enhance the decision-making process and are a forum for the Chief Executive Officer and Council Officers to address any Councillor requests and provide additional background on matters coming before Council for decision. No decision-making or voting takes place at these meetings.

## **Budget / Financial Implications**

There will be a cost associated with making changes to the Infocouncil platform, however, this has been budgeted for in the Governance budget.

## **Strategic Implications**

### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

### *Legal / Statutory Implications*

Under the *Local Government Act 2009*, Council is required to adopt meeting procedures, which can either be the 'model' meeting procedures or another version created by Council.

## **Risks**

### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Governance, Risk & Compliance  Failure to comply with legislative requirements to have meeting Standing Orders.	4 Major	Almost certain	High	Council adopts meeting Standing Orders in compliance with Local Government Act	Low
Reputation, Community & Civic Leadership  Community loses faith and trust in Council decision making due to ineffective meeting protocols	4 Major	Almost certain	High	Council adheres to adopted meeting Standing Orders in compliance with Local Government Act	Low

**Consultation**

The Governance Advisor conducted a review of Council's meeting suite of documents and identified improvements, which are mainly consistent with the Department's model procedures, along with enhancements to meeting protocols.

**Conclusion**

The meeting suite of documents has been reviewed and amended in line with recommendations from the Governance Advisor.



## COUNCIL POLICY - STANDING ORDERS

### OBJECTIVES

The objectives of this Policy are to support the statutory meeting provisions of the *Local Government Act 2009* and *Local Government Regulation 2012* and provide a framework to ensure that all meetings of Council are conducted in an efficient, effective, fair and transparent manner to facilitate appropriate contributions from elected members in a way that supports the highest standards of democratic governance.

### PURPOSE

This Policy provides the written rules to create a framework for the orderly conduct of Council Ordinary Meetings. It addresses the legislative requirements as outlined in the *Local Government Act 2009* and provides for all processes required to ensure Ordinary Meetings of Council are conducted in a predictable, transparent and orderly manner.

In acknowledgement of the important role of members of the public and in acknowledging Council's customer focus a process to enable direct participation by way of petitions, deputations and public question time is incorporated into Council's Standing Orders and meetings procedures.

Provisions are made to enable Council Ordinary Meetings to be made accessible via live stream to afford members of the public the ability to listen to the local government process, debate and decision making as they happen.

Council is committed to:

1. Conducting its meetings in accordance with the principles of the *Local Government Act 2009* to ensure an accountable, effective, efficient and sustainable system of local government;
2. Councillors performing their responsibilities as required under the *Local Government Act 2009*; and
3. Providing meeting processes that support effective contributions from elected members, staff and residents in the best interest of the community.

In accordance with Section 150F of the *Local Government Act 2009* related to this Policy are the Council Procedures for Standing Orders and Standing Orders - Administration and Conduct, which adopt as far as appropriate for the Scenic Rim Regional Council the best practice model Standing Orders as published by the Department of State Development, Infrastructure, Local Government and

**Policy Reference Number:** CM03.01CP  
**Portfolio:** Council Sustainability  
**Business Unit:** Governance

**Adoption/Approval Date:** 19/01/2021  
**Review Date:** 19/01/2024  
**File References:** 2196309  
Page 1 of 4

Planning<sup>1</sup>. The Standing Orders Policy is supplemented by two Procedures, which will govern the way in which Ordinary Meetings of Council are planned, prepared and conducted.

### **CONSIDERATION OF HUMAN RIGHTS UNDER *HUMAN RIGHTS ACT 2019***

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the articulated human rights, determines that the human right participation in public life may be limited but only to the extent that is reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedoms.

The right to participate in public life by members of the public is limited pursuant to the procedures associated with this Policy to the extent necessary to allow all Councillors to be informed of the context and content of matters for their consideration by requiring appropriate notice periods and requiring the speaker of a deputation to limit any verbal submission to a specified time frame. In addition, the right to participate in public life has been limited by requiring members of the public who are invited to participate in a meeting to act in a manner suitable for the occasion.

### **COMPLIANCE, MONITORING AND REVIEW**

Overall responsibility for the maintenance of this Policy is vested in Governance who is responsible to ensure that this Policy:

- Aligns with relevant legislation, and Departmental Model Procedures;
- Is implemented and monitored and reflects the changing policy environment, and emerging issues are identified as they arise; and
- Is reviewed to evaluate its continuing compliance with Departmental directives as produced from time to time.

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<sup>1</sup> As changed from time to time with the Administrative Arrangements by the State Government.

**DEFINITIONS**

**Act** means *Local Government Act 2009*.

**Departmental Model Procedures** means the model procedures defined in s150F of the *Local Government Act 2009* as amended from time to time by the Department of Local Government, Racing and Multicultural Affairs.

**Ordinary Meeting (including Special Meetings)** means a local government meeting as defined in the *Local Government Act 2009* Schedule 4 or a Special Meeting as defined in s254C(4) .

**Regulation** means *Local Government Regulation 2012* as amended from time to time.

**RELATED LEGISLATION AND DOCUMENTS**

1. *Local Government Act 2009*;
2. *Local Government Regulation 2012*;
3. *Evidence Act 1977*;
4. Standing Orders Procedure;
5. Standing Orders - Administration and Conduct Procedure;
6. Meetings and Other Forums Policy
7. Meetings and Other Forums Procedure- Administration and Participation;
8. Acceptable Requests Policy; and
9. Acceptable Requests Procedure.

**APPROVAL AND REVIEW DETAILS**

Approval and Review	Details
Approval Authority	Council
Administrator	Principal Specialist Governance and Assurance
Next Review Date	3 years, unless legislative changes require earlier review

Approval and Amendment History	Details
Original Approval Authority and Date	08/04/2008
Amendment Authority and Date	28/10/2008, 23/10/2008, 23/02/2010, 22/11/2011, 26/06/2012, 30/04/2013, 22/10/2014, 18/12/2017, 27/05/2019, 19/01/2021.
Notes	This updated Policy incorporates Human Rights Considerations into the Council Ordinary Meetings processes and acknowledges legislative updates.

**Approved By:**

**SCENIC RIM REGIONAL COUNCIL**

**Adopted: 19 January 2021**

**Policy Reference Number:** CM03.01CP  
**Portfolio:** Council Sustainability  
**Business Unit:** Governance

**Adoption/Approval Date:** 19/01/2021  
**Review Date:** 19/01/2024  
**File References:** 2196309  
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## Version Information

Version No.	Date	Key Changes
1	8/4/2008	Post-election Meeting 8 April 2008 Item 5.4 New Policy adopted.
2	28/10/2008	Corporate and Community Services Committee 21 October 2008 Item 1.4 Recognition of the establishment of Standing Committees and the adoption of the Meetings and Other Forums Policy.
3	23/2/2010	Corporate and Community Services Committee 16 February 2010 Item 1.5 Amendment to allow a procedural motion that a question be put, enabling a meeting to come to a decision when the debate might otherwise be ongoing.
4	22/11/2011	Corporate and Community Services Committee 15 November 2011 Item 1.3 References to legislation and local laws updated.
5	26/6/2012	Corporate and Community Services Committee 19 June 2012 Item 1.2 Subsections 41 "Public participation at meetings" and 44 "Public participation at committee meetings" were deleted.
6	30/4/2013	Corporate and Community Services Committee 23 April 2013 Item 1.1 References to Local Government (Operations) Regulation 2010 amended to reflect the Regulations being superseded. Order of Business section updated. Various sectional headings amended to better portray their relevance.
7	22/10/2014	Corporate and Community Services Committee 15 October 2014 Item 1.3 Policy renewed for 3 years with superficial updates to policy header.
8	18/12/2017	Corporate and Community Services Committee 11/12/2017 Item No. 3.2 Policy reproduced in new policy format. Objectives and Policy Statement updated. References to "days" changed to "business days" in sections 6, 9 and 15. Section 40 is amended to read that Councillors must officially record their attendance at meetings.
9	27/5/2019	Ordinary Meeting Policy amended to reflect Council's decision to disband Standing Committees from 1 July 2019 and relevant information incorporated into new Procedure.
10	19/01/2021	Updates to include Human Rights considerations, update to incorporate legislative changes to the <i>Local Government Act 2009</i> and <i>Local Government Regulations 2012</i>

Policy Reference Number: CM03.01CP  
Portfolio: Council Sustainability  
Business Unit: Governance

Adoption/Approval Date: 19/01/2021  
Review Date: 19/01/2024  
File References: 2196309  
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## STANDING ORDERS

### OBJECTIVES

The objectives of this Procedure are to provide a firm procedural structure to ensure formal Council meetings are predictable and provide the opportunity to engage in the process of formal Council decision making from a fully informed position. This Procedure applies to all Ordinary Meetings which are required to be held under s257 of the *Local Government Regulation 2012*. The Procedure is designed to ensure that the people of the Scenic Rim are ably represented by their Councillors by promoting informed and structured decision-making during the course of participating in Ordinary Meetings.

The Procedure Actions outlined in this Procedure are designed to:

1. Provide for the orderly conduct of meetings in providing a clear and concise structure to debating and voting on matters before Council for a decision;
2. Provide for the orderly conduct of meetings by defining the powers and authority in managing the meetings for the Chairperson of the Meeting; and
3. Promote transparency by limiting opportunities to raise matters without due notice to the public.

### SCOPE

This Procedure applies to all participants in the submissions, planning, organising and participation in Ordinary Meetings of Council.

### PROCEDURE ACTIONS

#### Standing Orders

##### 1. Application

- 1.1. These Standing Orders apply to all Ordinary Meetings of Council.
- 1.2. 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 the suspension.

Reference Number: CM03.01PR.01  
Portfolio: Council Sustainability  
Business Unit: Governance

Adoption Date: 19/01/2021  
Review Date: 19/01/2024  
File References: 10973974  
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- 1.3. Where a matter arises at a Council Meeting which is not provided for in the Standing Orders, the matter may be determined by resolution upon a procedural motion which may be put without notice, but otherwise in conformity with the Standing Orders.

## **Procedures for Meetings of Council**

### **2. Presiding Officer**

- 2.1. The Mayor will preside at a meeting of Council and shall be known as the Chairperson of the meeting.
- 2.2. If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.3. If both the Mayor and the Deputy Mayor, or the Mayors' delegate, are absent or unavailable to preside, a Councillor chosen by the Councillors present at the meeting will preside at the meeting.

### **3. Notice of Meetings and agendas for Councillors**

- 3.1. Notice of each Ordinary Meeting or adjourned Ordinary Meeting will be given two days before the day of the meeting<sup>1</sup>. Organisational representatives will aim to give four or more days' notice before the day of the meeting to assist Councillors in their preparation.
- 3.2. The agenda and any associated reports must be published on Council's website by 5:00pm the next business day<sup>2</sup> (following the notice provided to the Councillors) and all efforts will be made to publish the agenda and associated reports to the public immediately following release to the Councillors (excluding confidential reports).

### **4. Order of Business**

- 4.1. 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.
- 4.2. 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.
- 4.3. Unless otherwise altered, the order of business in an Ordinary Meeting shall be as follows:
- Declaration of Opening
  - Attendance and the granting of leaves of absence
  - Apologies
  - Prayers
  - Declarations of Prescribed or Declarable Conflict of Interest by Members<sup>3</sup>

<sup>1</sup> See s254D *Local Government Regulation 2012*

<sup>2</sup> See s254C(1)(b) *Local Government Regulation 2012*

<sup>3</sup> Meetings and other Forums Procedure - Administration and Conduct

- Announcements / Mayoral Minutes
- Reception of Deputations by Appointment / Presentation of Petitions
- Confirmation of Minutes
- Business Arising from Previous Minutes
- Consideration of Business of Meeting
- Confidential Matters

4.4. Unless otherwise altered the order of business for a Special Meeting shall be as follows:

- Declaration of Opening
- Attendance and granting of leaves of absence
- Apologies
- Declarations of Prescribed or Declarable Conflict of Interests by Members
- Consideration of the Business of the Special Meeting

4.5. The Minutes of a preceding meeting, whether an Ordinary or a Special Meeting, not previously confirmed will 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<sup>4</sup>.

## 5. Petitions

5.1. Any petition presented to a meeting of Council will:

- be in legible writing or typewritten and contain a minimum of ten (10) signatures;
- include the name and contact details of the Principal Petitioner ie (one person who is the organiser and who will act as 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.

5.2. 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 an officer for consideration and a report to Council; or not be received because it is deemed invalid.

5.3. Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

## 6. Deputations

6.1. A deputation wishing to attend and address a meeting of Council shall apply in writing to the Chief Executive Officer not less than seven business days before the meeting.

6.2. The Chief Executive Officer, on receiving an application for a deputation, shall notify the Chairperson who shall determine whether the deputation may be heard. The Chief Executive Officer 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.

6.3. For deputations comprising three or more persons, only three persons shall be at liberty

<sup>4</sup> See s245F(4) *Local Government Regulation 2012*

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.

- 6.4. If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may finalise the deputation.
- 6.5. 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.
- 6.6. The Chief Executive Officer is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

## 7. Reporting a suspected Conflict of Interest

- 7.1. 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 Councillor 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.
- 7.2. The Chairperson 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 connected with the declaration in accordance with the requirements as set out in the Standing Order Procedure - Administration and Conduct.
- 7.3. 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.
- 7.4. The 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 as set out in the Standing Order Procedure – Administration and Conduct.
- 7.5. If the Councillors cannot reach a majority decision then they are taken to have determined that the Councillor has a declarable conflict of interest.

## 8. Loss of Quorum

- 8.1. 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, Council must resolve to:

8.1.1. delegate the consideration and decision on the matter<sup>5</sup>;

<sup>5</sup> See s257 of the *Local Government Act 2009*

- 8.1.2. defer the matter to a later meeting;
- 8.1.3. not decide the matter and take no further action in relation to the matter.
- 8.2. 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.
- 8.3. If the matter cannot be delegated under an Act, 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.

## 9. Recording Prescribed and declarable conflicts of interest

- 9.1. 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:
  - 9.1.1. the name of any Councillor and any other Councillor who may have a prescribed or declarable conflict of interest;
  - 9.1.2. the particulars of the prescribed or declarable conflict of interest provided by the Councillor;
  - 9.1.3. 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;
  - 9.1.4. any decision then made by the eligible Councillors;
  - 9.1.5. whether the Councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval;
  - 9.1.6. the Council's decision on what actions the Councillor with a declarable conflict of interest must take and the reasons for the decision;
  - 9.1.7. the name of each Councillor who voted on the matter and how each voted;
  - 9.1.8. 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, 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; and
  - 9.1.9. where a decision has been made under section 10 in the Standing Order Procedure - Administration and Conduct, the minutes must include the decision and reasons for the decision, and the name of each eligible Councillor who voted and how each eligible Councillor voted.

## 10. Teleconferencing meetings

10.1. 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 by teleconference.

10.2. 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.

10.3. In order for Councils to manage the safety rules during the COVID-19 pandemic, changes have been added to the *Local Government Regulation 2012* that will expire in June 2021<sup>6</sup>. This provision in these Standing Orders also expire. These provisions allow the Council:

10.3.1. the option to conduct the entire Council meeting via phone, teleconference or video conference;

10.3.2. 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;

10.3.3. Chairperson the option to close the meeting on health and safety grounds to protect participants or observers from risk of exposure to COVID-19.

## Motions

### 11. Pre-Motion Clarification

11.1. As part of an Ordinary Meeting any topic or report may be introduced by the content expert or a General Manager.

11.2. Upon the introduction of a report or topic for consideration, Councillors may seek clarifying information connected to the topic prior to considering any motion.

11.3. The Chairperson will facilitate the seeking of further clarifications in a fair and respectful manner so as to explore all clarifying questions concerning the report and any attachments.

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<sup>6</sup> See s277F *Local Government Regulation 2012*

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**12. Moving a Motion**

- 12.1. A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- 12.2. 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.
- 12.3. Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- 12.4. 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.
- 12.5. 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, the Chairperson may put the motion to the vote without discussion.
- 12.6. The Chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.

**13. Absence of Mover of Motion**

- 13.1. 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.

**14. Motion to be Seconded**

- 14.1. 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.

**15. Amendment of a Motion**

- 15.1. An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and does not contradict the motion.
- 15.2. Not more than one motion or one proposed amendment to a motion may be put before a meeting of Council at any one time.
- 15.3. 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 put.
- 15.4. Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

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- 15.5. A Councillor who proposes or seconds a motion must not propose or second an amendment to the motion.

## 16. Speaking to Motions or Amendments

- 16.1. 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.
- 16.2. A Councillor may make a request to the Chairperson for further information before the motion or amendment is seconded. The request for further information must be received prior to the seconding of the motion and the Chairperson must ask if any Councillors have a request for information.
- 16.3. The Chairperson will ask for the motion to be seconded and the process outlined at clause 20.4 - 20.8 shall commence where relevant.
- 16.4. 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 and then alternatively who wishes to speak for or against the motion and facilitates the debate. The Chairperson will ensure that all Councillors who wish to speak have had the opportunity.
- 16.5. 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.
- 16.6. 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.
- 16.7. Each speaker shall be restricted to not more than five minutes unless the Chairperson rules otherwise.
- 16.8. Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority. 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<sup>7</sup>:
- 16.8.1. if the decision relates to entering a contract the total value of which is more than the greater:
- (a) \$200,000 excluding GST; or
  - (b) 1% of the local government net rate and utility charge as stated in the audited financial statements included in the most recently adopted annual report; or
- 16.8.2. If the decision is inconsistent with a Council Policy or the approach ordinarily followed for such decisions.

<sup>7</sup> See s254H *Local Government Regulation 2012*

## 17. Questions

- 17.1. 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 after the matter has become subject to a motion. 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.
- 17.2. 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.
- 17.3. 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.

## 18. Method of taking a vote

- 18.1. All votes are open to each Councillor, each matter that requires a vote is to be decided by majority of the Councillors present and if all votes are even the Chairperson has the deciding vote<sup>8</sup>.
- 18.2. 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. A Councillor who is present and entitled to vote and fails to vote is taken to have voted in the negative<sup>9</sup>. The Chairperson shall declare the result of the vote.
- 18.3. 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 minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative.
- 18.4. 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.
- 18.5. Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.
- 18.6. If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation or collectively.

## 19. Repealing or Amending a Resolution

- 19.1. A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the *Local Government Act 2009* or the *Local Government Regulation 2012*<sup>10</sup>.

<sup>8</sup> See s254E *Local Government Regulation 2012*

<sup>9</sup> See s25E(c) *Local Government Regulation 2012*

<sup>10</sup> See s262 *Local Government Regulation 2012*

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- 19.2. 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 months.

## 20. Procedural Motions

- 20.1. 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 matter be deferred to a future meeting
  - 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.
- 20.2. 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.
- 20.3. 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.
- 20.4. 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.
- 20.5. 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.
- 20.6. 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 Standing Orders, Local Government Act<sup>11</sup>/Regulation; or
  - is beyond the jurisdiction power of Council.

<sup>11</sup> See Chapter 6 part 2 Division 6 Conduct and Performance of Councillors- *Local Government Act 2009*

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.

- 20.7. 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.
- 20.8. 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.
- 20.9. 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.
- 20.10. 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 Councillor's 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.

## 21. Conduct during Meetings

- 21.1. Councillors will conduct themselves in accordance with the principles of the *Local Government Act 2009*<sup>12</sup> 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. See also Council Procedure Standing Orders - Administration and Conduct.
- 21.2. 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.

<sup>12</sup> See Chapter 5A part 1 Division 1

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- 21.3. 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.
- 21.4. No Councillor who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson or by a Councillor.
- 21.5. 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.

## 22. Closed Council Meetings

The Chief Executive Officer has the responsibility of preparing the confidential sub-agenda for an Ordinary Meeting. The confidential sub-agenda will indicate which items are to be considered in open and closed session, however, this is a recommendation and the final decision of what is handled in closed session is determined by the Council at the Meeting.

- 22.1. Council may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss any of the following matters<sup>13</sup>:
  - a. the appointment, dismissal or discipline of employees; or
  - b. industrial matters affecting employees; or
  - c. the local government's budget; or
  - d. rating concessions; or
  - e. legal advice obtained by the local government or legal proceedings involving the local government
  - f. matters that may directly affect the health and safety of an individual or group of individuals
  - g. negotiations relating to a commercial matter involving the local government for with a public discussion would be likely to prejudice the interests of the local government;
  - h. negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*; or
  - i. a matter the local government is required to keep confidential under a law or formal arrangement with the Commonwealth or a State<sup>14</sup>.

The resolution that a meeting be closed must specify the nature of the matters to be considered while the meeting is closed.

- 22.2. A Council 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.
- 22.3. 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:

<sup>13</sup> See s254J(1) *Local Government Regulation 2012*

<sup>14</sup> See s254J(3) (a)-(i) *Local Government Regulation 2012*

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- 22.3.1. Delegate the matter;
- 22.3.2. Decide by resolution to defer to a later meeting;
- 22.3.3. Decide by resolution to take no further action on the matter.
- 22.4. 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. To take a matter into a closed session Council must abide by the following:
  - 22.4.1. Pass a resolution to close the meeting;
  - 22.4.2. 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;
  - 22.4.3. 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;
  - 22.4.4. Not make a resolution while in a closed meeting (other than a procedural resolution).
- 22.5. If there are a series of matters on the Agenda to be dealt with in closed session the agenda will reflect:
  - 22.5.1. matters expected to be discussed in open session; and
  - 22.5.2. matters expected to be discussed in closed session; and
  - 22.5.3. the Chairperson will call for a resolution to close the meeting and exclude the public prior to commencing a closed session.
- 22.6. The meeting will only be closed for the purposes of discussion between Councillors. Following the discussion of the closed item/s the Chairperson will call for a resolution to return into open session:
  - 22.6.1. Each matter identified for resolution during closed session will be tabled and the Chairperson will call for a motion to adopt each of the identified resolutions as discussed during the closed session.
  - 22.6.2. Council has the option to make any reports or material prepared about the matter available to members of the public by resolving that a confidential report considered in closed meeting be published with the minutes of the meeting.
  - 22.6.3. Council shall make a resolution to either release reports to the public or maintain confidentiality over the information and must do so on each occasion a resolution has been made as a result of consideration of matters in a closed meeting. When resolving to keep reports confidential, Councillors must define a time for release that is reasonable in all the circumstances having regard to the content.

22.6.4. Council must not make a resolution (other than procedural) in a closed session. If a closed session includes attendance by audio<sup>15</sup> or audio visual link<sup>16</sup>, the Councillor/s attending by audio or audio visual link must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

22.7. To take a matter into a closed session, Council must abide by the following:

22.7.1. Pass a resolution to close the meeting.

22.7.2. 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.

22.7.3. 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.

22.7.4. Not make a resolution while in a closed meeting (other than a procedural resolution).

## Maintenance of Good Order

### 23. Disorder

23.1. 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

### 24. Attendance of public

24.1. 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.

24.1.1. Members of the public and representatives of the media are not permitted to make recordings or live streams of the Council meeting.

24.1.2. Members of the public and representatives of the media are not permitted to take photos or other visual recordings of the Council meeting.

<sup>15</sup> See s277AA Local Government Regulation 2012, Evidence Act 1977, s39C

<sup>16</sup> See s277AA Local Government Regulation 2012, Evidence Act 1977 Schedule 3

24.1.3. Members of the public and representatives of the media are expected to be suitably attired in recognition of the dignity of the chamber.

24.2. When Council is sitting in Closed Session, the public and representatives of the media shall be excluded.

24.3. The Chairperson may direct any persons improperly present to withdraw immediately.

## **25. Public Participation at meetings**

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

25.2. 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.

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

25.4. For any matter arising from such an address, Council may take the following actions:

- refer the matter to an officer to prepare a report in response;
- deal with the matter immediately;
- place the matter on notice for discussion at a future meeting; or
- note the matter and take no further action.

25.5. Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.

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

## **Mayoral Minute**

### **26. Mayoral Minute**

26.1. The Mayor may direct the attention of the Councillors at a meeting of the Council to a matter or subject not on the agenda by a minute (a Mayoral Minute) signed by the Mayor.

26.2. The Mayor must deliver a copy of the Mayoral Minute for a meeting of Council to the Chief Executive Officer.

26.3. The Mayoral Minute shall, when introduced, take precedence over all business before, or to come before, the meeting of Council.

26.4. The motion comprising the Mayoral Minute will be put by the Mayor:

- (a) to the meeting of Council without being seconded; and
- (b) at the time set aside for Announcements and Mayoral Minute as part of the ordinary agenda as outlined in clause 4.3 above.

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- 26.5. If the motion comprising the Mayoral Minute is passed by Council, the Mayoral Minute becomes a resolution of Council.

**Procedure not provided for**

**27. Procedure not provided for**

If an appropriate or adequate method of dealing with a matter is not provided for in the Standing Orders, the method of dealing with the matter may be determined by resolution of Council upon a motion which may be put without notice in conformity with the Standing Orders.

**DEFINITIONS**

**Act means** the *Local Government Act 2009*.

**Chief Executive Officer (CEO)** means the Chief Executive Officer of the local government as appointed from time to time.

**Council** means the assembled Councillors who are authorised to make decisions by resolution.

**Councillors** means the Mayor and the Divisional Representatives of the Scenic Rim.

**Debate** means a formal dialogue between participants on a particular motion in a public meeting in which opposing arguments are put forward and which ends in a formal vote.

**Local Government** means the Council and has been used when direct quotes from the legislation have been replicated.

**Minute** means the proper record prepared to reflect the process of the Ordinary Meeting and as outlined at s254F of the *Local Government Regulation 2012*.

**Ordinary Meeting (including Special Meetings)** means a local government meeting as defined in the *Local Government Act 2009* Schedule 4 or a Special Meeting as defined in s254C(4).

**Post-election meeting** means the first meeting held after a quadrennial Local Government Election s175 of the *Local Government Act 2009*.

**Pre Motion Clarification** means the action or process of seeking information or refining the content of a report including any attachments, that is before Council in order to clarify the substantive matter before Council for resolution.

**Previous Minutes** means the Minutes connected to the meeting preceding the meeting at which the minutes are considered.

**Quorum** means the majority of the members, unless there is an even number of Councillors then half of the numbers.

**Regulation** means *Local Government Regulation 2012* as amended from time to time.

**Resolution** means a resolution made by the elected representatives of Council in accordance with these Standing Orders.

**RELATED DOCUMENTS**

1. *Local Government Act 2009*
2. *Local Government Regulation 2012*;
3. *Evidence Act 1977*;
4. Standing Orders Policy;
5. Standing Orders - Administration and Conduct Procedure;
6. Meetings and Other Forums Policy;
7. Meetings and Other Forums - Administration and Participation Procedure;
8. Acceptable Requests Policy; and
9. Acceptable Requests Procedure.

This Procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme – Open and Responsive Government.

**APPROVAL AND REVIEW DETAILS**

Approval and Review	Details
Approval Authority	Council
Administrator	Principal Specialist, Governance and Assurance
Next Review Date	3 years, unless further legislative changes require earlier review

Approval and Amendment History	Details
Original Approval Authority and Date	Council Procedure to complement and Support Standing Orders Council Policy. 27/05/2019
Amendment Authority and Date	Council adopted 19 January 2021
Notes	Simplification of the Standing Orders and changes as a result of Amendments to the Regulations

**Adopted By:**

**SCENIC RIM REGIONAL COUNCIL**

**Adopted: 19 January 2021**

**Version Information**

Version No.	Date	Key Changes
1	27/05/2019	New Procedure- Relevant information transferred from Standing Orders Policy CM03.01CP
2	19/01/2021	Simplification of the Standing Orders and review as result of amendments to Regulation; Updated to Council Procedure.

**Reference Number:** CM03.01PR.01  
**Portfolio:** Council Sustainability  
**Business Unit:** Governance

**Adoption Date:** 19/01/2021  
**Review Date:** 19/01/2024  
**File References:** 10973974  
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## STANDING ORDERS - ADMINISTRATION AND CONDUCT

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### OBJECTIVES

This Procedure supports Councillors in performing their duties as elected officials. It is designed to enhance the flow of information and allow Councillors to be provided with timely information in anticipation of attending Ordinary Meetings. This Procedure is designed to reflect the requirements of the legislation and to outline formal timeframes within which information will be provided to Councillors and to members of the Public.

The objectives of this Procedure are:

1. To provide for specific timeframes within which Councillors will be provided with information to enable informed debate;
2. To promote transparency by providing agendas and supporting documents to the public in a timely manner;
3. To provide the process for managing meeting conduct, including dealing with unsuitable meeting conduct by a Councillor in a meeting; and
4. To provide the process for managing conflicts of interest for Councillors.

### SCOPE

This Procedure applies to all participants in the submissions, planning, organising and participating in Ordinary Meetings of Council.

### PROCEDURE ACTIONS

#### ADMINISTRATION

##### 1. Times of Ordinary Meetings

Council may, by resolution, fix dates and times for its Ordinary Meetings<sup>1</sup>. 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. Before the Chief Executive Officer fixes the date and time for an Ordinary Meeting, the Chief Executive Officer must, if practicable:

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<sup>1</sup> See s254B *Local Government Regulation 2012* and s175 (post- election meeting) *Local Government Act 2009*

- a. consult with the Mayor about the proposed date and time for the meeting;
- b. set a meeting date and time; and
- c. inform all Councillors of the meeting date and time.

## 2. Arrangements for Special Meetings

Special Meetings of Council may be called by resolution of Council or by special request and the Chief Executive Officer will set a meeting time and date for the special meeting following the process outlined at section 1 above. Arrangements for a special meeting will be made by the Chief Executive Officer in the following circumstances.

- 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; or
- c. if it is required to comply with a legislative requirement.

2.1. A written request for a Special Meeting of the Council must:

- a. be signed by the Mayor or three or more Councillors; and
- b. specify the business to be conducted at the Special Meeting; and
- c. delivered to the Chief Executive Officer.

## Agendas for meetings of the local government

### 3. Agendas for Meetings

3.1. Each Ordinary meeting of a Council shall be planned and coordinated in accordance with the Order of Business as outlined in the Standing Orders Procedure. For each Ordinary meeting an Agenda is to be prepared which must at minimum address the following:

- a. Items required under the *Local Government Act 2009*<sup>2</sup>;
- b. Items required under these Procedures or the Standing Orders Procedure to be included in the agenda;
- c. Items that are by resolution of the Council to be included in the agenda; and
- d. Each item which has been requested to be included by a Councillor by providing notice:
  - i. in writing at least 5 business days before the meeting;
  - ii. containing sufficient information of the nature of the business;
  - iii. to the Chief Executive Officer.

3.2. Business not on the agenda, or not fairly arising from the agenda, will not be considered at any Council meeting unless permission for that purpose is given by the Councillors at the meeting.

3.3. The agenda and any associated reports must be published on Council's website by 5:00pm the next business day (following the notice provided to the Councillors) and all efforts will be made to publish the agenda and associated reports to the public immediately following release to the Councillors (excluding confidential reports).

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

<sup>2</sup> Such as declarations of Prescribed or Declarable conflicts of interest

#### 4. Attendance

Attendance sheets for each Ordinary Meeting will be prepared for the Mayor and Councillors to sign. All prior requests for a leave of absence from Ordinary Meetings and requests for leave under exceptional circumstances, must be made in writing to the Mayor. In the case of the Mayor requesting a leave of absence or leave under exceptional circumstances, the request must be made in writing to the Deputy Mayor or the Chief Executive Officer. All absences will be recorded in the Minutes of the relevant Ordinary Meeting.

#### 5. Ordinary Meeting Papers

##### 5.1 Background

In accordance with the provisions of the *Local Government Act 2009* and Council's Standing Orders Policy, the Chief Executive Officer is required to prepare a meeting agenda for each meeting of Council. The Chief Executive Officer is responsible for organising the presentation of agendas and reporting to Council.

This does not affect the right of Council to discuss or deal with, at any meeting, items arising after the agenda for the meeting is made available to Councillors<sup>3</sup>.

##### 5.2. Meeting Notice

Council is committed to informed decision-making and community engagement as part of an open and accountable system of government. Every endeavour will be made to ensure the community is appropriately informed of the matters coming before Council for consideration<sup>4</sup>.

Notice of each Council Ordinary meeting will be given to each Councillor four days before the meeting and if not four days before, at minimum two days before the date of the meeting<sup>5</sup>. The Agenda will be made available to the public by 5:00pm on the business day following the notice<sup>6</sup>. Any accompanying reports will be made publicly available on the website either:

- a. If the report is made available with the notice, by 5:00pm on the business day following the notice to the Councillors; or
- b. If the report does not accompany the notice, then as soon as practicable after the report is provided.

Some items on the agenda may be recommended to be discussed in closed session<sup>7</sup>. The detail of these items may be confidential and may not be made publicly available except under Right to Information provisions.

On occasion, it may be necessary for Council to consider late items of business that may not have been included in the Agenda for that meeting. All efforts will be made to provide as much notice as possible to Council and the community. Late items will be the exception and not the norm. Late items will be added to the Agenda at the discretion of the Chief Executive Officer and will only be considered where there is a pressing

<sup>3</sup> See s254D *Local Government Regulation 2012*

<sup>4</sup> See s254D *Local Government Regulation 2012*

<sup>5</sup> See s254C *Local Government Regulation 2012*

<sup>6</sup> See s254D(a) *Local Government Regulation 2012*

<sup>7</sup> See s254J of the *Local Government Regulation 2012*

deadline that requires the matter to be referred to Council for determination prior to the next scheduled meeting.

### 5.3 Meeting Minutes

In accordance with the Regulation, Minutes<sup>8</sup> from an Ordinary Meeting will be available for inspection at Council's public offices within 10 days after the end of the meeting. These unconfirmed Minutes will also be placed on Council's website at that time but will be noted as being unconfirmed.

Minutes of an Ordinary Meeting will be confirmed at the next Ordinary Meeting, at which time they will be made available for viewing and/or purchase from Council's public offices. Photocopying charges for confirmed Minutes will apply, based on the relevant charges as detailed in Council's current Register of Fees and Charges plus actual postage charges if applicable.

When the Ordinary Minutes are confirmed, Council's website will be updated and any reference to the Minutes being unconfirmed will be removed.

## CONDUCT

### 6. Meeting Conduct

6.1. 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:

6.1.1. The Chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.

6.1.2. 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 a serious nature, or another warning is unwarranted proceed to clause 6.1.7 for the steps to be taken.

6.1.3. If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:

- (a) Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
- (b) Apologising for their conduct;
- (c) Withdrawing their comments.

6.1.4. If the Councillor complies with the Chairperson's request for remedial action, no further action is required.

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<sup>8</sup> See s254F *Local Government Regulation 2012*

- 6.1.5. 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 request could result in an order being issued.
- 6.1.6. If the Councillor complies with the Chairperson's warning and request for remedial action no further action is required.
- 6.1.7. 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 6.1.3 the Chairperson may make one or more of the orders below:
  - (a) an order reprimanding the Councillor for the conduct;
  - (b) 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<sup>9</sup>;
  - (c) the Chief Executive Officer is advised to ensure details of any order made must be updated in Council's Councillor Conduct Register pursuant to the *Local Government Act 2009*.
- 6.1.8. Any Councillor aggrieved with any order issued by the Chairperson can move a motion of dissent for parts 6.1.1, 6.1.7 and 6.1.9.
- 6.1.9. 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. The meeting must be adjourned whilst the Councillor is being removed<sup>10</sup>.
- 6.1.10. Following the completion of the meeting, the Chairperson must ensure:
  - (a) details of any order issued is recorded in the minutes of the meeting<sup>11</sup>;
  - (b) if it is the third or more order within a 12 month period made against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are to be dealt with at the next Ordinary meeting and treated as inappropriate conduct<sup>12</sup>;
  - (c) The Chief Executive Officer is advised to ensure details of any order made must be updated in Council's Councillor Conduct Register pursuant to the *Local Government Act 2009*.
- 6.1.11. Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for paragraph 6.1.1, 6.1.7 and 6.1.8 above.

**Note:** Chairpersons of a meeting are carrying out a statutory responsibility under the *Local Government Act 2009* 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 (OIA) to be dealt with. However, breaches of trust

<sup>9</sup> See s150I(2) *Local Government Act 2009*

<sup>10</sup> See s150I(2)(c) *Local Government Act 2009*

<sup>11</sup> See s150I(3) *Local Government Act 2009*

<sup>12</sup> See s150K *Local Government Act 2009*

don't arise because Councillors disagree with the Chairperson's decision or ruling during the meeting.

**7. Meeting process for dealing with suspected inappropriate conduct which has been referred to Council by the Independent Assessor**

After receiving a referral by the Independent Assessor or under subparagraph 6.1.10(b) of this document of an instance of suspected inappropriate conduct, Council must complete an investigation into the alleged conduct<sup>13</sup>.

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

- consistent with any recommendations from the IA; and
- consistent with the Council's Investigation Policy; or
- in another way decided by resolution of Council.

After the completion of the investigation, Council must decide in a Council meeting, whether the Councillor has engaged in inappropriate conduct in a Council meeting, unless it has delegated responsibility for this decision<sup>14</sup>.

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

- 7.1. Council must 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. However, 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<sup>15</sup>.
- 7.2. 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.
- 7.3. 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 9 of this document. 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 how to deal with the conflict of interest under section 9. 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.

<sup>13</sup> See Chapter 5A, Division 5 *Local Government Act 2009*

<sup>14</sup> See s257 *Local Government Act 2009*

<sup>15</sup> See s254J *Local Government Regulations 2012*



- 7.4. 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 *Local Government Act 2009* or deferred to another date when a quorum will be present.
- 7.5. 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 7.6, if any, to impose on the Councillor. In deciding what penalty to impose, Council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that Council is reasonably satisfied is true.
- 7.6. Council may order that no action be taken against the Councillor or make one or more of the following:
  - 7.6.1. an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct;
  - 7.6.2. an order reprimanding the Councillor for the conduct;
  - 7.6.3. an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense;
  - 7.6.4. an order that the Councillor be excluded from a stated Council meeting;
  - 7.6.5. an order that the Councillor is removed, or must resign, from a position representing Council, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing Council on a State board or committee;
  - 7.6.6. an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct;
  - 7.6.7. an order that the Councillor reimburse Council for all or some of the costs arising from the Councillor's inappropriate conduct.
- 7.7. A local government may not make an order under 7.6.3; 7.6.4; 7.6.5; 7.6.6 in relation to a person who is no longer a Councillor.
- 7.8. 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.
- 7.9. The Chairperson must ensure the meeting minutes reflect the resolution made.

## 8. 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, (other than ordinary business matters). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

- 8.1. 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.
- 8.2. 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.

Reference Number: CM03.01PR.02  
Portfolio: Council Sustainability  
Business Unit: Governance

Adoption Date: 19/01/2021  
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8.3. When notifying the meeting of a prescribed conflict of interest, the following details must, at a minimum, be provided:

- 8.3.1. If it arises because of a gift loan or contract, the value of the gift loan or contract;
- 8.3.2. If it arises because of an application or submission, the subject of the application or submission;
- 8.3.3. The name of any entity, other than the councillor, that has an interest in the matter;
- 8.3.4. The nature of the Councillor's relationship with the entity that has an interest in a matter;
- 8.3.5. Details of the Councillor's and any other entity's interest in the matter.

8.4. 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.

8.5. Once the councillor has left the area where the meeting is being conducted, Council can continue discussing and deciding on the matter at hand.

## 9. Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at Council meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

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 may disclose their suspicion and the processes under section 150EW of the *Local Government Act 2009* applies.

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

9.1. 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.

9.2. 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.

9.3. 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 minimum details must be provided :

- 9.3.1. The nature of the declarable conflict of interest;
- 9.3.2. 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;

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- iii. the nature of the related party's interest in the matter;
  - iv. the value of the gift or loan and the date of the gift or loan was made.
- 9.4. 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.
- 9.5. 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.
- 9.6. If 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 non-conflicted Councillors. The 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.
- 9.7. 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 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<sup>16</sup>.
- 9.8. 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.
- 9.9. 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:
  - 9.9.1. How does the inclusion of the Councillor in the deliberation affect the public trust;
  - 9.9.2. How close or remote is the Councillor's relationship to the related party;
  - 9.9.3. If the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received;
  - 9.9.4. Will the benefit or detriment which the subject Councillor or their related party stands to receive from the decision have a major or minor impact on them;
  - 9.9.5. How does the benefit or detriment the subject Councillor stands to receive compare to others in the community;

<sup>16</sup> See s150ET *Local Government Act 2009*

- 9.9.6. 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;
- 9.9.7. Whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- 9.10. If the 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.
- 9.11. 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 a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the 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.
- 9.12. In making the decision under 9.6 and 9.9, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 9.13. A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

## Reporting a suspected Conflict of Interest

### 10. Participating in decision Making

The Prescribed Conflict of Interest Regime and the Declarable Conflict of interest Regime are related to participating in decision making. A decision that requires consideration of declaring a Prescribed Conflict of Interest or a Declarable Conflict of Interest is a decision with the following characteristics:

- 10.1. The Councillor is wholly or partly responsible for making the decision – considering or discussing the matter to which the decision relates before the decision is made;
- 10.2. Considering, discussing or voting on the decision in an ordinary meeting.
- 10.3. Considering or making the decision under:
  - a. An Act; or
  - b. A delegation; or
  - c. Another authority
- 10.4. Councillors may not directly influence, attempt to influence or discuss the matter with another person who is participating in the decision in relation to a matter to be decided by Council if the Councillor has a Prescribed or Declarable conflict of interest<sup>17</sup>.

<sup>17</sup> See s150EZ *Local Government Act 2009*

**DEFINITIONS**

**Act** means *Local Government Act 2009*.

**Close Associate** means :

- (a) a spouse;
- (b) a parent, child or sibling;
- (c) a partner in a partnership;
- (d) an employer, other than a government entity;
- (e) an entity, other than a government entity, for which the Councillor is an executive officer or board member; and
- (f) an entity in which the Councillor, or any of the above other people, has an interest, other than an interest of less than 5% in a listed corporation.

**Eligible Councillor** means Councillors who are in a meeting making a decision on a matter in which one or more councillors have given notice that they have a Declarable Conflict of Interest, who do not have a Declarable Conflict of Interest.

**Independent Assessor** means the Office of the Independent Assessor as provided for under Part 5 Division 1 starting at s150C of the *Local Government Act 2009*.

**Ordinary Meeting (including Special Meetings)** means a local government meeting as defined in the *Local Government Act 2009* Schedule 4 or a Special Meeting as defined in s254C(4).

**Regulations** means *Local Government Regulation 2012* as amended from time to time.

**Related Party** includes close associates, any person with a close personal relationship, in-laws, or an entity in which the Councillor or one of the related parties has an interest.

**Relevant term** means the Councillor's current term.

**Unsuitable Conduct** is the conduct described in s150H of the *Local Government Act 2009*.

**RELATED DOCUMENTS**

1. *Local Government Act 2009*;
2. *Local Government Regulations 2012*;
3. *Evidence Act 1977*;
4. Standing Orders Policy;
5. Standing Orders Procedure;
6. Meetings and Other Forums Policy;
7. Meetings and Other Forums – Administration and Participation Procedure;
8. Acceptable Requests Policy; and
9. Acceptable Requests Procedure.

This Procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - Open and Transparent Government

#### APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Council
Administrator	Principal Specialist Governance and Assurance
Next Review Date	3 years
Approval and Amendment History	Details
Original Approval Authority and Date	This Procedure is new arising from a review of Council Meetings and other Forums and Standing Orders-
Amendment Authority and Date	Council 19 January 2021
Notes	This procedure is one of a number of Policies and Procedures adopted to provide standard processes for Councillors in the conduct of their public duties.

Adopted By:

**SCENIC RIM REGIONAL COUNCIL**

**Date: 19 January 2021**

#### Version Information

Version No.	Date	Key Changes
1	19/01/2021	Newly implemented

Reference Number: CM03.01PR.02  
Portfolio: Council Sustainability  
Business Unit: Governance

Adoption Date: 19/01/2021  
Review Date: 19/01/2024  
File References: 11069838  
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## SCENIC RIM REGIONAL COUNCIL STANDING ORDERS FOR COUNCIL MEETINGS POLICY

<b>Reference Number</b>	CM03.01CP	<b>Adoption Date</b>	XX/XX/2023
<b>Portfolio</b>	Council Sustainability	<b>Review Date</b>	Xx/xx/2026
<b>Business Unit</b>	Governance and Assurance	<b>Document ID</b>	<a href="#">Click to enter text.</a>

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## Intent

To assist local governments, the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) provides best practice standing orders that local governments can choose to adopt to provide written rules for the orderly conduct of local government meetings. These best practice standing orders incorporate the DSDILGP model meeting procedures that deal with matters during council meetings that must be adhered to under the *Local Government Act 2009* (LGA) including the model meeting procedures and the *Local Government Regulation 2012* (LGA). The Scenic Rim Regional Council incorporates the model meeting procedures with some amendments as its Standing Orders.

### 1. Standing orders

- 1.1 These standing orders apply to local government meetings including standing committee meetings. These standing orders do not apply to meetings of the audit committee.
- 1.2 A provision of these standing orders may be suspended by resolution of any meeting of the local government except those sections that are mandatory under the model meeting procedures. A separate resolution is required for any suspension and must specify the application and duration of each suspension.
- 1.3 Where a matter arises at the local government meeting that is not provided for in these standing orders, the matters shall be determined by resolution of the local government upon a motion which may be put without notice but otherwise conforming with these standing orders.

## Procedures for meetings of local government

### 2. Presiding officer

- 2.1 The Mayor will preside at a meeting of local government.
- 2.2 If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.3 If both the Mayor and the Deputy Mayor, or the Mayor's delegate, are absent or unavailable to preside a Councillor chosen by the Councillors present at the meeting will preside at the meeting.
- 2.4 The local government will choose the chairperson for a committee meeting. This chairperson will normally preside over meetings of the committee.
- 2.5 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.
- 2.6 Before proceeding with the business of the local government meeting, the person presiding at the meeting will undertake the acknowledgement and/or greetings deemed appropriate by the local government.

### 3. Order of business

- 3.1 The order of business will be determined by resolution of the local government from time to time. The order of business may be altered for a particular meeting where the Councillors at that meeting pass a procedural motion to that effect. A motion to alter the order of business may be moved without notice.

3.2 Unless otherwise altered, the order of business will be as follows:

- ~~notice~~ Opening of meeting
- Acknowledgment of Country
- Attendance and requests for leave of absence
- Apologies
- ~~minutes of the previous meetings~~ Prayers
- ~~business arising out of previous meetings~~ Public Question Time
- ~~business which the mayor wishes to have considered at that meeting without notice~~ Declarations of Prescribed or Declarable Conflicts of Interests
- ~~matters of which notice has been given~~ Announcements / Mayoral Minutes
- ~~deputations and delegations from the community that are approved to attend~~
- Confirmation of Minutes
- Business arising from previous meetings
- ~~committees' Committees' reports referred to the meeting by the Chief Executive Officer (CEO)~~
- ~~officers' Officers' reports referred to the meeting by the CEO~~
- ~~deputations and delegations from the community that are approved to attend~~
- ~~any deputations and delegations from the community that are approved to attend~~
- Any other business the council determines by resolution be included in the agenda.

**Note:** The minutes of a preceding meeting, whether an ordinary or a special meeting, not previously confirmed will be taken into consideration, at every ordinary meeting of the local government, in order that the minutes may be confirmed. No discussion will be permitted about these minutes except with respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. All councillors present at the meeting can vote to confirm the minutes including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting.

## 4. Agendas

4.1 The agenda may contain:

- notice of meeting
- minutes of the previous meetings
- business arising out of previous meetings
- business which the mayor wishes to have considered at that meeting without notice
- matters of which notice has been given
- committees' reports referred to the meeting by the chief executive officer (CEO)
- officers' reports referred to the meeting by the CEO
- deputations and delegations from the community that are approved to attend
- any other business the council determines by resolution be included in the agenda.

4.2 Business not on the agenda, or not fairly arising from the agenda, will not be considered at any Council meeting unless permission for that purpose is given by the local government at the meeting. Business must be in accordance with the adopted terms of reference for each committee.

The notice of the meeting and the agenda ~~must will~~ be given to each Councillor at least ~~2-two~~ days before the meeting ~~and in the case of indigenous regional councillors, at least four days prior to the meeting~~ unless it is impracticable to give the notice before that time. The ~~meeting~~ agenda ~~for the local government must will~~ be made publicly available by 5pm on the business day after the notice of meeting is given to the Councillors. ~~Any related reports for the local government meeting must also be included and available to the public when the agenda for the meeting is made publicly available, excluding confidential reports. If the related report is made available to councillors or committee members during the period starting immediately after notice of the meeting is given and ending immediately before the meeting is held, then these reports must be made available to the public as soon as practicable after it is made available to the councillors or committee members.~~

- 4.3 Matters on the agenda that will require the meeting to be in a closed session consistent with the provisions under section 254J LGR, will be clearly identified on the agenda including the reasons why the session will be closed.

## 5. Quorum

- 5.1 A quorum at a local government meeting is a majority of its Councillors. If the number of Councillors is even then one half of the number is a quorum.
- 5.2 If a quorum is not present within 15 minutes after the time set for the meeting to begin, it may be adjourned to a later hour or a later day within 14 days after the day of the adjournment. The meeting may be adjourned by a majority of Councillors present, or if only one Councillor is present, then that Councillor, or if no Councillors are present then the Chief Executive Officer.

## 6. Petitions

- 6.1 Any petition ~~to be~~ presented to a meeting of the local government will:
- 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);
  - include the postcode of all petitioners; ~~and~~
  - have the details of the specific request/matter appear on each page of the petition; ~~and~~
  - be submitted to a Councillor for presentation at an Ordinary Meeting.
- 6.2 Where a Councillor presents a petition to a meeting of the local government, no debate in relation to it will be allowed, and the only motion which may be moved is:
- that the petition be received;
  - received and referred to a committee or officer for consideration and a report to the council; ~~or~~
  - not be received because it is deemed invalid.
- 6.3 The local government will respond to the principal petitioner in relation to all petitions deemed valid. For petitions to be valid they need to comply with the requirements list in 6.1.

## 7. Deputations



- 7.1 [Members of the community may wish to publicly raise an issue to Councillors at an Ordinary Meeting of Council.](#) A deputation wishing to attend and address a meeting of the Council shall apply in writing to the CEO not less than seven (7) business days before the meeting.
- 7.2 The CEO, on receiving an application for a deputation, shall notify the chairperson who will determine whether the deputation may be heard. [Deputations will only be considered for matters that relate to Council activities. The chairperson will determine if the deputation is appropriate or whether there is a preferable alternative method of dealing with the issue.](#) The CEO will inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time will be arranged for that purpose, and an appropriate time period allowed (e.g., 15 minutes).
- 7.3 For deputations comprising three or more persons, only three persons shall be at liberty to address the council meeting unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 7.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the council meeting, the chairperson may terminate the deputation.
- 7.5 The chairperson may terminate an address by a person in a deputation at any time where:
- the chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting,
  - the time period allowed for a deputation has expired, or
  - the person uses insulting or offensive language or is derogatory towards Councillors or others.
- 7.6 The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

## 8. Public participation at meetings

- 8.1 A member of the public may take part in the proceeding of a meeting only when invited to do so by the chairperson.
- 8.2 In each local government meeting, time may be required to permit members of the public to address the local government on matters of public interest related to local government. An appropriate time period shall be allowed (e.g. 15 minutes) and no more than three (3) speakers shall be permitted to speak at one meeting. The right of any individual to address the local government during this period shall be at the absolute discretion of the local government chairperson.
- 8.3 If any address or comment is irrelevant, offensive, or unduly long, the chairperson may require the person to cease making the submission or comment.
- 8.4 For any matter arising from such an address, the local government may take the following actions:
- refer the matter to a committee
  - deal with the matter immediately
  - place the matter on notice for discussion at a future meeting
  - note the matter and take no further action.
- 8.5 Any person addressing the local government shall stand [if able to do so](#), and act and

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speak with decorum and frame any remarks in respectful and courteous language.

- 8.6 Any person who is considered by the local government or the chairperson to be inappropriately presenting may be directed by the chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

## 9. Prescribed conflict of interest

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

- 9.1 A Councillor who has notified the 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.
- 9.2 A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a council meeting must immediately inform the meeting of the conflict of interest and the particulars.
- 9.3 When notifying the meeting of a prescribed conflict of interest, the following particulars must be provided:
- for a gift, loan or contract—the value of the gift, loan or contract
  - for an application for which a submission has been made—the matters, the subject of the application and submission
  - the name of the entity, other than the Councillor, that has an interest in the matter,
  - the nature of the Councillor's relationship to the other entity
  - details of the Councillor's, and any other entity's, interest in the matter.
- 9.4 The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice of approval from the Minister to participate in deciding the matter in a meeting including participating in the discussion and the vote.

**Note:** Ministerial approval may be obtained when a quorum is lost due to the number of Councillors with a conflict of interest in the matter, and the matter cannot be delegated. The Councillor with the conflict of interest must apply to the Minister for approval to participate. The Minister may give the approval subject to the conditions stated in the notice of approval.

- 9.5 Once the Councillor has either left the area where the meeting is being conducted or remains in the meeting under ministerial approval, the Council can continue discussing and deciding on the matter at hand. However, if the prescribed conflict of interest was reported to the meeting by a Councillor other than the subject Councillor, then the Councillor must disclose their belief or suspicion to the chairperson and the processes, duty to report another Councillor's conflict of interest under section 150EW of the LGA, will apply. If 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 Councillor has a prescribed conflict of interest under 150EX(2) of the LGA.

## 10. Declarable conflict of interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on

matters to be discussed at council or committee meetings that might lead to a decision that is contrary to the public interest (other than the interests that are not declarable conflicts of interest prescribed under section 150EO of the LGA and ordinary business matters prescribed under 150EF of the LGA).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor or Councillors may disclose their belief or suspicion to the chairperson and the processes, duty to report another Councillor's conflict of interest under section 150EW of the LGA, will apply. 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:

- 10.1 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.
- 10.2 A Councillor who first becomes aware of a declarable conflict of interest in a matter during a council meeting must stop participating in the decision on the matter and must inform the meeting of the conflict of interest including the particulars.
- 10.3 When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following details must be provided:
  - the nature of the declarable conflict of interest;
  - if it arises because of the Councillor's relationship with a related party:
    - I. the name of the related party to the Councillor; ~~and~~
    - II. the nature of the relationship of the related party to the Councillor; and
    - III. the nature of the related party's interest in the matter; ~~and~~
  - 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; ~~and~~
    - II. the nature of the relationship of the other person to the Councillor or related party; ~~and~~
    - III. the nature of the other person's interest in the matter; and
    - IV. the value of the gift or loan and the date the gift or loan was made.
- 10.4 After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have ministerial approval to participate, or they have reasons why their participation would improve making the decision in the public interest.
- 10.5 If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision as prescribed in section 150ES of the LGA. In deciding on a Councillor's declarable conflict of interest in a matter, only 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 eligible Councillors is less than a majority or do not form a quorum for the meeting or is a single eligible Councillor consistent with section 150ET of the LGA. If there is a single eligible Councillor deciding, then a seconder for the resolution is not required.

**Note:** The ability to make a resolution without a seconder applies when making a resolution under 150ES of the LGA.

- 10.6 The other eligible 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 Councillors. The eligible 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 Councillors.
- 10.7 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 eligible Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- 10.8 When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the eligible Councillors should consider the particular circumstances of the matter including, but not limited to;
  - how does the inclusion of the Councillor in the deliberation affect public trust,
  - how close or remote is the Councillor's relationship to the related party,
  - if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received,
  - will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them,
  - how the benefit or detriment the subject Councillor stands to receive compares to others in the community,
  - how this compares with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting,
  - whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- 10.9 If the eligible Councillors cannot decide about the 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 eligible Councillors discuss and vote on the matter as prescribed in 150ET(3) of the LGA .
- 10.10 A decision about a Councillor who has a declarable conflict of interest in a matter will apply to participating in the decision and all subsequent decisions about the same matter as prescribed in 150ET(4) of the LGA, unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible Councillors decide 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.
- 10.11 In making the decision, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 10.12 A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister as prescribed in 150EV of the LGA.

## 11. Reporting a suspected conflict of interest

If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or a declarable conflict of interest, and that Councillor is participating in a decision on that matter, the informing Councillor who believes that a conflict of interest exists must immediately inform the chairperson of the meeting of their belief or suspicion and the facts and circumstances that led to their belief or suspicion.

- 11.1 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 relevant Councillor agrees they have a conflict of interest, the Councillor must follow the relevant meeting procedures above for prescribed and declarable conflicts of interest.
- 11.2 If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 11.3 The eligible Councillors must then decide whether the relevant Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have any conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant meeting procedures above. If a Councillor with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible Councillors must make a decision about the Councillors participation.
- 11.4 If the eligible Councillors at the meeting cannot make a decision about, whether a Councillor has a declarable conflict of interest under 150ER of the LGA, or whether the Councillor may or may not participate in the decision despite the subject Councillor's declarable conflict of interest under 150ES of the LGA, then they are taken to have determined that the Councillor must leave the meeting and stay away while the matter is being decided under 150ET(3) of the LGA. A decision under these provisions about a Councillor participating in the meeting applies to the matter and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible Councillors decide that the subject Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. workshops.

## 12. Loss of quorum

- 12.1 In the event where one or more Councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the Council must resolve to:
  - delegate the consideration and decision on the matter, as described in 257 of the LGA unless the matter cannot be delegated under this section, or
  - decide by resolution to defer the matter to a later meeting, or
  - decide by resolution not to decide the matter and take no further action in relation to the matter.
- 12.2 All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.
- 12.3 The Council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.

- 12.4 If the matter cannot be delegated under an Act, the Councillors with a conflict of interest should seek ministerial approval to be able to consider and vote on the matter, subject to any conditions the Minister may impose.

## Motions

### 13. Motion to be moved

- 13.1 A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- 13.2 When a motion has been moved and seconded, it will become subject to the control of the Council and cannot be withdrawn without the consent of the council meeting.
- 13.3 Other Councillors can propose amendments to the motion, which must be voted on before voting on the final motion:
- A motion brought before a meeting of the local government in accordance with the LGA or these standing orders will be received and put to the meeting by the chairperson.
  - The chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
  - The chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.
- 13.4 The chairperson may call the notices of motion in the order in which they appear on the agenda. Where no objection is raised to a motion being taken as a formal motion, and the motion is then seconded, the chairperson may put the motion to the vote without discussion and the vote can occur.
- 13.5 No more than one motion or one proposed amendment to a motion may be put before a meeting of a local government at any one time.

### 14. Absence of mover Councillor for Notice of Motion

- 14.1 Where a Councillor who has given notice of a motion is absent from the meeting of the local government 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.

### 15. Motion to be seconded

- 15.1 A motion or an amendment to a motion shall not be debated at a meeting of the local government unless or until the motion or the amendment is seconded.
- 15.2 Procedural motions are an exception to this rule and do not need to be seconded.

### 16. Amendment of motion

- 16.1 An amendment to a motion should maintain or further clarify the intent of the original motion and does not contradict the motion.

- 16.2 Where an amendment to a motion is before a meeting of the local government, no other amendment to the motion will be considered until after the first amendment has been voted on.
- 16.3 Where a motion is amended, the original motion cannot be re-introduced as a subsequent amendment to the first amended motion.

## 17. Speaking to motions and amendments

- 17.1 The mover of a motion or amendment will read it and state that it is so moved but will not speak to it until it is seconded.
- 17.2 The chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The chairperson will then call on any other Councillors who wish to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.
- 17.3 A Councillor may make a request to the chairperson for further information before or after the motion or amendment is seconded.
- 17.4 The mover of a motion or amendment has the right to reply. Each Councillor will speak no more than once to the same motion or same amendment except as a right of reply. Once the right of reply has been delivered the debate ends.
- 17.5 Each speaker will be restricted to not more than five (5) minutes unless the chairperson rules otherwise.
- 17.6 Where two or more Councillors indicate they may wish to speak at the same time, the chairperson will determine who is entitled to priority.
- 17.7 In accordance with section 254H of the LGR, if a decision made at the council meeting is inconsistent with a recommendation or advice given to the council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

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

## 18. Method of taking vote

- 18.1 The chairperson will call for all Councillors in favour of the motion to indicate their support. The chairperson will then call for all Councillors against the motion to indicate their objection.
- 18.2 A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minutes of the meeting will record the names of Councillors voting in the affirmative and of those voting in the negative. The chairperson will declare the result of a vote or a division as soon as it has been determined.
- 18.3 Councillors have the right to request that their names and how they voted be recorded in the minutes if they request it when voting other than by division.
- 18.4 Except upon a motion to repeal or amend it, the resolution will not be discussed after the vote has been declared.



## 19. Withdrawing a motion

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

## 20. Repealing or amending resolutions

- 20.1 A resolution of the local government may not be amended or repealed unless notice of motion is given in accordance with the requirements of the legislation.
- 20.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is put may defer consideration of that motion. The deferral may not be longer than three (3) months.

## 21. Procedural motions

- 21.1 A Councillor at a meeting of the local government may, during the debate of a matter at the meeting, move the following motions, as a procedural motion without the need for a seconder:
- I. that the question/motion be now put before the meeting;
  - II. that the ~~motion or amendment~~[item of business](#) now before the meeting be ~~adjourned~~[deferred to a future meeting](#);
  - III. that the meeting proceeds to the next item of business,
  - IV. that the question lie on the table;
  - V. a point of order;
  - VI. a motion of dissent against the chairperson's decision;
  - VII. that this report/document be tabled;
  - VIII. to suspend the rule requiring that (insert requirement);
  - ~~IX.~~ [that the meeting stands adjourned.](#)
- ~~IX.~~ [A councillor at a meeting may also move a procedural motion to alter the order of business for that meeting.](#)
- 21.2 A procedural motion that 'the question be put' may be moved and, where the procedural motion is carried, the chairperson will immediately 'put the question to the motion' or amendment to that motion under consideration. Where the procedural motion is lost, debate on the motion or amendment to that motion will resume.
- 21.3 A procedural motion that the motion or amendment now before the meeting be ~~adjourned~~[deferred](#), may specify a time or date to which the debate will be adjourned. Where no date or time is specified:
- a further motion may be moved to specify a time or date; or
  - the matter about which the debate is to be adjourned, will be included in the business paper for the next meeting.
- 21.4 Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion will cease and may be considered again by the local government on the giving of notice in accordance with the standing orders.
- 21.5 A procedural motion that the question lie on the table will only be moved where the chairperson or a Councillor requires additional information on the matter before the

meeting (or the result of some other action of the council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council will proceed with the next matter on the business paper. A motion that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.

21.6 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 legislation; or
- is beyond the jurisdiction power of the council meeting.

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

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

21.8 A Councillor may move a motion of dissent in relation to a ruling of the chairperson on a point of order. Where such motion is moved, further consideration of any matter will be suspended until after a ruling is made. [For example:](#)

21.9 Where a motion of dissent is carried, the matter to which the ruling of the chairperson was made will proceed as though that ruling had not been made. Where the opposite ruling is made, that the matter was discharged as out of order, it will be restored to the business paper and be dealt with in the normal course of business.

21.10 The motion that a report/document be tabled may be used by a Councillor to introduce a report or other document to the meeting only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.

21.11 A procedural motion 'to suspend the rule requiring that.', may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule will specify the duration of the suspension.

21.12 A procedural motion that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor's time for speaking to the matter, and will be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting, the council meeting will continue with the business before the meeting at the point where it was discontinued on the adjournment.

## 22. Questions

22.1 At a local government meeting, a Councillor may ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting.

22.2 Questions will be asked categorically and without argument and no discussion will be permitted at the council meeting in relation to a reply or a refusal to reply to the question.

- 22.3 A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.
- 22.4 A Councillor who asks a question at a meeting, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.
- 22.5 The chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the chairperson's ruling be disagreed with, and if carried the chairperson will allow the question.

## Meeting Conduct

### 23. Process for dealing with Unsuitable Meeting Conduct

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

- 23.1 The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.
- 23.2 If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the Councillor has been issued with any previous warnings for unsuitable meeting conduct. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, proceed to step 23.7.
- 23.3 If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the Councillor take remedial actions such as:
- ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
  - apologising for their conduct; and/or
  - withdrawing their comments.
- 23.4 If the Councillor complies with the chairperson's request for remedial action, no further action is required.
- 23.5 If the Councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the Councillor that failing to comply with the request could result in an order for unsuitable meeting conduct being issued.
- 23.6 If the Councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- 23.7 If the Councillor still continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 23.2 the chairperson may make one or more of the orders below:
- an order reprimanding the Councillor for the conduct; and/or.
  - an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.

23.8 If the Councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the Councillor be removed from the meeting.

23.9 Following the completion of the meeting, the chairperson must ensure:

- details of any order issued is recorded in the minutes of the meeting
- if it is the third or more order made within a 12-month period against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the council and treated as inappropriate conduct
- the council's Chief Executive Officer (CEO) is advised to ensure details of any order made is updated in the council's Councillor conduct register.

23.10 Any councillor aggrieved with an order issued by the chairperson can move a motion of dissent for parts 23.2, 23.3, 23.7 and 23.8 above.

**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 (OIA) to be dealt with. However, breaches of trust don't arise because councillors disagree with the chairperson's decision or ruling during the meeting.

## 24. General conduct during meetings

24.1 After a meeting of the council has been formally constituted and the business commenced, a Councillor will not enter or leave from the meeting without first notifying the chairperson.

24.2 Councillors will speak to each other or about each other during the local government meeting by their respective titles ('Mayor' or 'Councillor'), and when speaking of or addressing officers will call them by their respective official or departmental title and will confine their remarks to the matter under consideration.

24.3 No Councillor who is speaking will be interrupted except upon a point of order being raised either by the chairperson or by another Councillor.

24.4 When the chairperson speaks during the process of a debate, the Councillor speaking or offering to speak will immediately cease speaking, and each Councillor present will observe strict silence so that the chairperson may be heard without interruption.  
Officers in attendance at the meeting shall only speak when invited to do so by the chairperson. Councillors are permitted to ask questions of officers by making a request through the chairperson.

## 25. Meeting process for dealing with suspected inappropriate conduct which has been referred to a local government by the Independent Assessor (IA)

Pursuant to Chapter 5A, Division 5 of the LGA (Referral of conduct to a local government) a referral from the Independent Assessor (IA) of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph 23.9 dot

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point two of this document.

25.1 When dealing with an instance of suspected inappropriate conduct which has been referred to a local government by the IA:

- 25.1.1 Consistent with the local government principle of transparent and accountable decision making in the public interest, a local government must deal with suspected inappropriate conduct in an open meeting of the council. However, where the matter may directly affect 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(f) of the LGR to discuss the allegation.
- 25.1.2 The subject Councillor ~~has-is deemed to have~~ a declarable conflict of interest in the matter but is permitted to remain in the meeting ~~during the debate about whether the councillor engaged in the inappropriate conduct and only to~~ answer questions from the chairperson to assist the other Councillors in making a decision. This permission to remain in the meeting is conditional on the subject Councillor leaving the place where the meeting is being held, including any area set aside for the public, during the ~~debate and~~ 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.
- 25.1.3 If the complainant is a Councillor, that Councillor also has a declarable conflict of interest in the matter and must follow the declarable conflict of interest meeting procedures in section 10. If the complainant Councillor 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 section 10. 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.
- 25.1.4 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.
- 25.1.5 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 below, 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.

25.2 The Council may order that no action be taken against the Councillor or make one or more of the following:

- an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct;
- an order reprimanding the Councillor for the conduct;
- an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense;
- an order that the Councillor be excluded from a stated council meeting;
- an order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, (e.g. that the Councillor is ordered to resign from an appointment representing the local government on a state board or committee);
- an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct;

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- an order that the Councillor reimburse the council for all or some of the costs arising from the Councillor's inappropriate conduct.
- 25.3 In relation to a person who is no longer a Councillor, a local government may not make an order that the former 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.
- 25.4 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.
- 25.5 The chairperson must ensure the meeting minutes reflect the resolution made.

## 26. Disorder

- 26.1 The chairperson may adjourn the meeting of the local government, where disorder arises at a meeting other than by a Councillor.
- 26.2 On resumption of the meeting, the chairperson will move a motion, to be put without debate, to determine whether the meeting will proceed. Where the motion is lost, the chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

## Attendance and non-attendance

### 27. Attendance of public and the media at meeting

- 27.1 An area shall be made available at the place where any meeting of the local government is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area will be permitted to attend the meeting. [Persons present in the gallery are not permitted to take photographs, video or audio recordings while in the chamber regardless of whether the Council meeting is in progress or not.](#)
- 27.2 When the local government is sitting in closed session, the public and representatives of the media will be excluded from the meeting.

### 28. Closed session

- 28.1 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 which does not include the monthly financial 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;
  - 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

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formal agreement with, the Commonwealth or State.

28.2 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.

28.3 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,
- 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 voted on 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.*

28.4 To take a matter into a closed session the council must abide by the following process:

- pass a resolution to close the meeting;
- the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered;
- if 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;
- no resolution can be made while in a closed meeting (other than a procedural resolution).

## 29. Teleconferencing of meetings

29.1 If a Councillor wishes to be absent from a council meeting place during a meeting, the Councillor must apply to the local government to participate by teleconference, at least three (3) business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The local government may allow a Councillor to participate in a council or committee meeting by teleconference of the LGR.

**Note:** *There is no legislative requirement for a resolution by Council to allow a Councillor to participate by audio link or audio visual link. This means the Council may delegate the matter. For example, Council may delegate to the chairperson of the council or a committee meeting the ability to decide whether a Councillor can attend a meeting by audio link or audio visual link.*

29.2 The Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

**Note:** *Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.*



## SCENIC RIM REGIONAL COUNCIL STANDING ORDERS FOR COUNCIL MEETINGS POLICY

<b>Reference Number</b>	CM03.01CP	<b>Adoption Date</b>	XX/XX/2023
<b>Portfolio</b>	Council Sustainability	<b>Review Date</b>	Xx/xx/2026
<b>Business Unit</b>	Governance and Assurance	<b>Document ID</b>	<a href="#">Click to enter text.</a>

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## Intent

To assist local governments, the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) provides best practice standing orders that local governments can choose to adopt to provide written rules for the orderly conduct of local government meetings. These best practice standing orders incorporate the DSDILGP model meeting procedures that deal with matters during council meetings that must be adhered to under the *Local Government Act 2009* (LGA) including the model meeting procedures and the *Local Government Regulation 2012* (LGA). The Scenic Rim Regional Council incorporates the model meeting procedures with some amendments as its Standing Orders.

### 1. Standing orders

- 1.1 These standing orders apply to local government meetings including standing committee meetings. These standing orders do not apply to meetings of the audit committee.
- 1.2 A provision of these standing orders may be suspended by resolution of any meeting of the local government except those sections that are mandatory under the model meeting procedures. A separate resolution is required for any suspension and must specify the application and duration of each suspension.
- 1.3 Where a matter arises at the local government meeting that is not provided for in these standing orders, the matters shall be determined by resolution of the local government upon a motion which may be put without notice but otherwise conforming with these standing orders.

## Procedures for meetings of local government

### 2. Presiding officer

- 2.1 The Mayor will preside at a meeting of local government.
- 2.2 If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.3 If both the Mayor and the Deputy Mayor, or the Mayor's delegate, are absent or unavailable to preside a Councillor chosen by the Councillors present at the meeting will preside at the meeting.
- 2.4 The local government will choose the chairperson for a committee meeting. This chairperson will normally preside over meetings of the committee.
- 2.5 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.
- 2.6 Before proceeding with the business of the local government meeting, the person presiding at the meeting will undertake the acknowledgement and/or greetings deemed appropriate by the local government.

### 3. Order of business

- 3.1 The order of business will be determined by resolution of the local government from time to time. The order of business may be altered for a particular meeting where the Councillors at that meeting pass a procedural motion to that effect. A motion to alter the order of business may be moved without notice.

3.2 Unless otherwise altered, the order of business will be as follows:

- Opening of meeting
- Acknowledgment of Country
- Attendance and requests for leave of absence
- Apologies
- Prayers
- Public Question Time
- Declarations of Prescribed or Declarable Conflicts of Interests
- Announcements / Mayoral Minutes
- Deputations and delegations from the community that are approved to attend
- Confirmation of Minutes
- Business arising from previous meetings
- Committees' reports referred to the meeting by the Chief Executive Officer (CEO)
- Officers' reports referred to the meeting by the CEO
- Any other business the council determines by resolution be included in the agenda.

**Note:** *The minutes of a preceding meeting, whether an ordinary or a special meeting, not previously confirmed will be taken into consideration, at every ordinary meeting of the local government, in order that the minutes may be confirmed. No discussion will be permitted about these minutes except with respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. All councillors present at the meeting can vote to confirm the minutes including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting.*

## 4. Agendas

4.1 The agenda may contain:

- notice of meeting
- minutes of the previous meetings
- business arising out of previous meetings
- business which the mayor wishes to have considered at that meeting without notice
- matters of which notice has been given
- committees' reports referred to the meeting by the chief executive officer (CEO)
- officers' reports referred to the meeting by the CEO
- deputations and delegations from the community that are approved to attend
- any other business the council determines by resolution be included in the agenda.

4.2 Business not on the agenda, or not fairly arising from the agenda, will not be considered at any Council meeting unless permission for that purpose is given by the local government at the meeting. Business must be in accordance with the adopted terms of reference for each committee.

The notice of the meeting and the agenda will be given to each Councillor at least two days before the meeting unless it is impracticable to give the notice before that time. The meeting agenda will be made publicly available by 5pm on the business day after the notice of meeting is given to the Councillors.



- 4.3 Matters on the agenda that will require the meeting to be in a closed session consistent with the provisions under section 254J LGR, will be clearly identified on the agenda including the reasons why the session will be closed.

## 5. Quorum

- 5.1 A quorum at a local government meeting is a majority of its Councillors. If the number of Councillors is even then one half of the number is a quorum.
- 5.2 If a quorum is not present within 15 minutes after the time set for the meeting to begin, it may be adjourned to a later hour or a later day within 14 days after the day of the adjournment. The meeting may be adjourned by a majority of Councillors present, or if only one Councillor is present, then that Councillor, or if no Councillors are present then the Chief Executive Officer.

## 6. Petitions

- 6.1 Any petition to be presented to a meeting of the local government will:
- 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);
  - include the postcode of all petitioners;
  - have the details of the specific request/matter appear on each page of the petition; and
  - be submitted to a Councillor for presentation at an Ordinary Meeting.
- 6.2 Where a Councillor presents a petition to a meeting of the local government, no debate in relation to it will be allowed, and the only motion which may be moved is:
- that the petition be received;
  - received and referred to a committee or officer for consideration and a report to the council; or
  - not be received because it is deemed invalid.
- 6.3 The local government will respond to the principal petitioner in relation to all petitions deemed valid. For petitions to be valid they need to comply with the requirements list in 6.1.

## 7. Deputations

- 7.1 Members of the community may wish to publicly raise an issue to Councillors at an Ordinary Meeting of Council. A deputation wishing to attend and address a meeting of the Council shall apply in writing to the CEO not less than seven (7) business days before the meeting.
- 7.2 The CEO, on receiving an application for a deputation, shall notify the chairperson who will determine whether the deputation may be heard. Deputations will only be considered for matters that relate to Council activities. The chairperson will determine if the deputation is appropriate or whether there is a preferable alternative method of dealing with the issue. The CEO will inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time will be arranged for that purpose, and an appropriate time period allowed (e.g., 15 minutes).



- 7.3 For deputations comprising three or more persons, only three persons shall be at liberty to address the council meeting unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 7.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the council meeting, the chairperson may terminate the deputation.
- 7.5 The chairperson may terminate an address by a person in a deputation at any time where:
- the chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting,
  - the time period allowed for a deputation has expired, or
  - the person uses insulting or offensive language or is derogatory towards Councillors or others.
- 7.6 The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

## 8. Public participation at meetings

- 8.1 A member of the public may take part in the proceeding of a meeting only when invited to do so by the chairperson.
- 8.2 In each local government meeting, time may be required to permit members of the public to address the local government on matters of public interest related to local government. An appropriate time period shall be allowed (e.g. 15 minutes) and no more than three (3) speakers shall be permitted to speak at one meeting. The right of any individual to address the local government during this period shall be at the absolute discretion of the local government chairperson.
- 8.3 If any address or comment is irrelevant, offensive, or unduly long, the chairperson may require the person to cease making the submission or comment.
- 8.4 For any matter arising from such an address, the local government may take the following actions:
- refer the matter to a committee
  - deal with the matter immediately
  - place the matter on notice for discussion at a future meeting
  - note the matter and take no further action.
- 8.5 Any person addressing the local government shall stand if able to do so, and act and speak with decorum and frame any remarks in respectful and courteous language.
- 8.6 Any person who is considered by the local government or the chairperson to be inappropriately presenting may be directed by the chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

## 9. Prescribed conflict of interest

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

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- 9.1 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.
- 9.2 A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a council meeting must immediately inform the meeting of the conflict of interest and the particulars.
- 9.3 When notifying the meeting of a prescribed conflict of interest, the following particulars must be provided:
  - for a gift, loan or contract—the value of the gift, loan or contract
  - for an application for which a submission has been made—the matters, the subject of the application and submission
  - the name of the entity, other than the Councillor, that has an interest in the matter,
  - the nature of the Councillor's relationship to the other entity
  - details of the Councillor's, and any other entity's, interest in the matter.
- 9.4 The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice of approval from the Minister to participate in deciding the matter in a meeting including participating in the discussion and the vote.

**Note:** Ministerial approval may be obtained when a quorum is lost due to the number of Councillors with a conflict of interest in the matter, and the matter cannot be delegated. The Councillor with the conflict of interest must apply to the Minister for approval to participate. The Minister may give the approval subject to the conditions stated in the notice of approval.
- 9.5 Once the Councillor has either left the area where the meeting is being conducted or remains in the meeting under ministerial approval, the Council can continue discussing and deciding on the matter at hand. However, if the prescribed conflict of interest was reported to the meeting by a Councillor other than the subject Councillor, then the Councillor must disclose their belief or suspicion to the chairperson and the processes, duty to report another Councillor's conflict of interest under section 150EW of the LGA, will apply. If 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 Councillor has a prescribed conflict of interest under 150EX(2) of the LGA.

## 10. Declarable conflict of interest

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

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor or Councillors may disclose their belief or suspicion to the chairperson and the processes, duty to report another Councillor's conflict of interest under section 150EW of the LGA, will apply. 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:

- 10.1 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.
- 10.2 A Councillor who first becomes aware of a declarable conflict of interest in a matter during a council meeting must stop participating in the decision on the matter and must inform the meeting of the conflict of interest including the particulars.
- 10.3 When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following details must be provided:
- the nature of the declarable conflict of interest;
  - if it arises because of the Councillor's relationship with a related party:
    - I. the name of the related party to the Councillor;
    - II. the nature of the relationship of the related party to the Councillor; and
    - 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; and
    - IV. the value of the gift or loan and the date the gift or loan was made.
- 10.4 After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have ministerial approval to participate, or they have reasons why their participation would improve making the decision in the public interest.
- 10.5 If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision as prescribed in section 150ES of the LGA. In deciding on a Councillor's declarable conflict of interest in a matter, only 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 eligible Councillors is less than a majority or do not form a quorum for the meeting or is a single eligible Councillor consistent with section 150ET of the LGA. If there is a single eligible Councillor deciding, then a seconder for the resolution is not required.
- Note:** The ability to make a resolution without a seconder applies when making a resolution under 150ES of the LGA.
- 10.6 The other eligible 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 Councillors. The eligible 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 Councilors.
- 10.7 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 eligible Councillors in making their decision. The subject Councillor must not

vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.

10.8 When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the eligible Councillors should consider the particular circumstances of the matter including, but not limited to;

- how does the inclusion of the Councillor in the deliberation affect public trust,
- how close or remote is the Councillor's relationship to the related party,
- if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received,
- will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them,
- how the benefit or detriment the subject Councillor stands to receive compares to others in the community,
- how this compares with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting,
- whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.

10.9 If the eligible Councillors cannot decide about the 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 eligible Councillors discuss and vote on the matter as prescribed in 150ET(3) of the LGA .

10.10 A decision about a Councillor who has a declarable conflict of interest in a matter will apply to participating in the decision and all subsequent decisions about the same matter as prescribed in 150ET(4) of the LGA, unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible Councillors decide 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.

10.11 In making the decision, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).

10.12 A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister as prescribed in 150EV of the LGA.

## 11. Reporting a suspected conflict of interest

If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or a declarable conflict of interest, and that Councillor is participating in a decision on that matter, the informing Councillor who believes that a conflict of interest exists must immediately inform the chairperson of the meeting of their belief or suspicion and the facts and circumstances that led to their belief or suspicion.

11.1 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 relevant Councillor agrees they have a conflict of interest, the Councillor must follow the relevant meeting procedures above for prescribed and declarable conflicts of interest.

- 11.2 If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 11.3 The eligible Councillors must then decide whether the relevant Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have any conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant meeting procedures above. If a Councillor with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible Councillors must make a decision about the Councillors participation.
- 11.4 If the eligible Councillors at the meeting cannot make a decision about, whether a Councillor has a declarable conflict of interest under 150ER of the LGA, or whether the Councillor may or may not participate in the decision despite the subject Councillor's declarable conflict of interest under 150ES of the LGA, then they are taken to have determined that the Councillor must leave the meeting and stay away while the matter is being decided under 150ET(3) of the LGA. A decision under these provisions about a Councillor participating in the meeting applies to the matter and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible Councillors decide that the subject Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. workshops.

## 12. Loss of quorum

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

## Motions

### 13. Motion to be moved

- 13.1 A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- 13.2 When a motion has been moved and seconded, it will become subject to the control of the Council and cannot be withdrawn without the consent of the council meeting.

13.3 Other Councillors can propose amendments to the motion, which must be voted on before voting on the final motion:

- A motion brought before a meeting of the local government in accordance with the LGA or these standing orders will be received and put to the meeting by the chairperson.
- The chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- The chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.

13.4 The chairperson may call the notices of motion in the order in which they appear on the agenda. Where no objection is raised to a motion being taken as a formal motion, and the motion is then seconded, the chairperson may put the motion to the vote without discussion and the vote can occur.

13.5 No more than one motion or one proposed amendment to a motion may be put before a meeting of a local government at any one time.

## 14. Absence of Councillor for Notice of Motion

14.1 Where a Councillor who has given notice of a motion is absent from the meeting of the local government 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.

## 15. Motion to be seconded

15.1 A motion or an amendment to a motion shall not be debated at a meeting of the local government unless or until the motion or the amendment is seconded.

15.2 Procedural motions are an exception to this rule and do not need to be seconded.

## 16. Amendment of motion

16.1 An amendment to a motion should maintain or further clarify the intent of the original motion and does not contradict the motion.

16.2 Where an amendment to a motion is before a meeting of the local government, no other amendment to the motion will be considered until after the first amendment has been voted on.

16.3 Where a motion is amended, the original motion cannot be re-introduced as a subsequent amendment to the first amended motion.

## 17. Speaking to motions and amendments

17.1 The mover of a motion or amendment will read it and state that it is so moved but will not speak to it until it is seconded.

17.2 The chairperson will manage the debate by allowing the Councillor who proposed the



motion the option of speaking first on the motion. The chairperson will then call on any other Councillors who wish to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.

- 17.3 A Councillor may make a request to the chairperson for further information before or after the motion or amendment is seconded.
- 17.4 The mover of a motion or amendment has the right to reply. Each Councillor will speak no more than once to the same motion or same amendment except as a right of reply. Once the right of reply has been delivered the debate ends.
- 17.5 Each speaker will be restricted to not more than five (5) minutes unless the chairperson rules otherwise.
- 17.6 Where two or more Councillors indicate they may wish to speak at the same time, the chairperson will determine who is entitled to priority.
- 17.7 In accordance with section 254H of the LGR, if a decision made at the council meeting is inconsistent with a recommendation or advice given to the council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

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

## 18. Method of taking vote

- 18.1 The chairperson will call for all Councillors in favour of the motion to indicate their support. The chairperson will then call for all Councillors against the motion to indicate their objection.
- 18.2 A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minutes of the meeting will record the names of Councillors voting in the affirmative and of those voting in the negative. The chairperson will declare the result of a vote or a division as soon as it has been determined.
- 18.3 Councillors have the right to request that their names and how they voted be recorded in the minutes if they request it when voting other than by division.
- 18.4 Except upon a motion to repeal or amend it, the resolution will not be discussed after the vote has been declared.

## 19. Withdrawing a motion

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

## 20. Repealing or amending resolutions

- 20.1 A resolution of the local government may not be amended or repealed unless notice of motion is given in accordance with the requirements of the legislation.
- 20.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is

put may defer consideration of that motion. The deferral may not be longer than three (3) months.

## 21. Procedural motions

21.1 A Councillor at a meeting of the local government may, during the debate of a matter at the meeting, move the following motions, as a procedural motion without the need for a seconder:

- I. that the question/motion be now put before the meeting;
- II. that the item of business now before the meeting be deferred to a future meeting;
- III. that the meeting proceeds to the next item of business,
- IV. that the question lie on the table;
- V. a point of order;
- VI. a motion of dissent against the chairperson's decision;
- VII. that this report/document be tabled;
- VIII. to suspend the rule requiring that (insert requirement);
- IX. that the meeting stands adjourned.

A councillor at a meeting may also move a procedural motion to alter the order of business for that meeting.

21.2 A procedural motion that 'the question be put' may be moved and, where the procedural motion is carried, the chairperson will immediately 'put the question to the motion' or amendment to that motion under consideration. Where the procedural motion is lost, debate on the motion or amendment to that motion will resume.

21.3 A procedural motion that the motion or amendment now before the meeting be deferred, may specify a time or date to which the debate will be adjourned. Where no date or time is specified:

- a further motion may be moved to specify a time or date; or
- the matter about which the debate is to be adjourned, will be included in the business paper for the next meeting.

21.4 Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion will cease and may be considered again by the local government on the giving of notice in accordance with the standing orders.

21.5 A procedural motion that the question lie on the table will only be moved where the chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of the council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council will proceed with the next matter on the business paper. A motion that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.

21.6 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 legislation; or
- is beyond the jurisdiction power of the council meeting.

*Note: Points of order cannot be used as a means of contradicting a statement made by*

*the Councillor speaking. Where a point of order is moved, consideration of the matter to which the motion was moved will be suspended. The chairperson will determine whether the point of order is upheld.*

- 21.7 Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and then the Councillor against whom the point of order is raised, will immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising will, until decided, suspend the consideration and decision of every other question.
- 21.8 A Councillor may move a motion of dissent in relation to a ruling of the chairperson on a point of order. Where such motion is moved, further consideration of any matter will be suspended until after a ruling is made.
- 21.9 Where a motion of dissent is carried, the matter to which the ruling of the chairperson was made will proceed as though that ruling had not been made. Where the opposite ruling is made, that the matter was discharged as out of order, it will be restored to the business paper and be dealt with in the normal course of business.
- 21.10 The motion that a report/document be tabled may be used by a Councillor to introduce a report or other document to the meeting only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.
- 21.11 A procedural motion 'to suspend the rule requiring that.', may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule will specify the duration of the suspension.
- 21.12 A procedural motion that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor's time for speaking to the matter, and will be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting, the council meeting will continue with the business before the meeting at the point where it was discontinued on the adjournment.

## 22. Questions

- 22.1 At a local government meeting, a Councillor may ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting.
- 22.2 Questions will be asked categorically and without argument and no discussion will be permitted at the council meeting in relation to a reply or a refusal to reply to the question.
- 22.3 A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.
- 22.4 A Councillor who asks a question at a meeting, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.
- 22.5 The chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the chairperson's ruling be disagreed with, and if carried the chairperson will allow the question.

## Meeting Conduct

## 23. Process for dealing with Unsuitable Meeting Conduct

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

- 23.1 The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.
- 23.2 If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the Councillor has been issued with any previous warnings for unsuitable meeting conduct. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, proceed to step 23.7.
- 23.3 If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the Councillor take remedial actions such as:
  - ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
  - apologising for their conduct; and/or
  - withdrawing their comments.
- 23.4 If the Councillor complies with the chairperson's request for remedial action, no further action is required.
- 23.5 If the Councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the Councillor that failing to comply with the request could result in an order for unsuitable meeting conduct being issued.
- 23.6 If the Councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- 23.7 If the Councillor still continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 23.2 the chairperson may make one or more of the orders below:
  - an order reprimanding the Councillor for the conduct; and/or.
  - an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- 23.8 If the Councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the Councillor be removed from the meeting.
- 23.9 Following the completion of the meeting, the chairperson must ensure:
  - details of any order issued is recorded in the minutes of the meeting
  - if it is the third or more order made within a 12-month period against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the council and treated as inappropriate conduct
  - the council's Chief Executive Officer (CEO) is advised to ensure details of any order made is updated in the council's Councillor conduct register.
- 23.10 Any councillor aggrieved with an order issued by the chairperson can move a motion of dissent for parts 23.2, 23.3, 23.7 and 23.8 above.

**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 (OIA) to be dealt with. However, breaches of trust don't arise because councillors disagree with the chairperson's decision or ruling during the meeting.

## 24. General conduct during meetings

- 24.1 After a meeting of the council has been formally constituted and the business commenced, a Councillor will not enter or leave from the meeting without first notifying the chairperson.
- 24.2 Councillors will speak to each other or about each other during the local government meeting by their respective titles ('Mayor' or 'Councillor'), and when speaking of or addressing officers will call them by their respective official or departmental title and will confine their remarks to the matter under consideration.
- 24.3 No Councillor who is speaking will be interrupted except upon a point of order being raised either by the chairperson or by another Councillor.
- 24.4 When the chairperson speaks during the process of a debate, the Councillor speaking or offering to speak will immediately cease speaking, and each Councillor present will observe strict silence so that the chairperson may be heard without interruption. Officers in attendance at the meeting shall only speak when invited to do so by the chairperson. Councillors are permitted to ask questions of officers by making a request through the chairperson.

## 25. Meeting process for dealing with suspected inappropriate conduct which has been referred to a local government by the Independent Assessor (IA)

Pursuant to Chapter 5A, Division 5 of the LGA (Referral of conduct to a local government) a referral from the Independent Assessor (IA) of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph 23.9 dot point two of this document.

- 25.1 When dealing with an instance of suspected inappropriate conduct which has been referred to a local government by the IA:
  - 25.1.1 Consistent with the local government principle of transparent and accountable decision making in the public interest, a local government must deal with suspected inappropriate conduct in an open meeting of the council. However, where the matter may directly affect 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(f) of the LGR to discuss the allegation.
  - 25.1.2 The subject Councillor is deemed to have a declarable conflict of interest in the matter but is permitted to remain in the meeting only to answer questions from the chairperson to assist the other Councillors in making a decision. This permission to remain in the meeting is conditional on the subject Councillor leaving the place where the meeting is being held, including any area set aside for the public, during the debate and 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.

- 25.1.3 If the complainant is a Councillor, that Councillor also has a declarable conflict of interest in the matter and must follow the declarable conflict of interest meeting procedures in section 10. If the complainant Councillor 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 section 10. 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.
- 25.1.4 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.
- 25.1.5 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 below, 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.
- 25.2 The Council may order that no action be taken against the Councillor or make one or more of the following:
- an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct;
  - an order reprimanding the Councillor for the conduct;
  - an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense;
  - an order that the Councillor be excluded from a stated council meeting;
  - an order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, (e.g. that the Councillor is ordered to resign from an appointment representing the local government on a state board or committee);
  - an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct;
  - an order that the Councillor reimburse the council for all or some of the costs arising from the Councillor's inappropriate conduct.
- 25.3 In relation to a person who is no longer a Councillor, a local government may not make an order that the former 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.
- 25.4 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.
- 25.5 The chairperson must ensure the meeting minutes reflect the resolution made.

## 26. Disorder

- 26.1 The chairperson may adjourn the meeting of the local government, where disorder arises at a meeting other than by a Councillor.
- 26.2 On resumption of the meeting, the chairperson will move a motion, to be put without



debate, to determine whether the meeting will proceed. Where the motion is lost, the chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

## Attendance and non-attendance

### 27. Attendance of public and the media at meeting

- 27.1 An area shall be made available at the place where any meeting of the local government is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area will be permitted to attend the meeting. Persons present in the gallery are not permitted to take photographs, video or audio recordings while in the chamber regardless of whether the Council meeting is in progress or not.
- 27.2 When the local government is sitting in closed session, the public and representatives of the media will be excluded from the meeting.

### 28. Closed session

- 28.1 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 which does not include the monthly financial 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;
  - 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.
- 28.2 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.
- 28.3 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,
  - 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 voted on 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.*

28.4 To take a matter into a closed session the council must abide by the following process:

- pass a resolution to close the meeting;
- the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered;
- if 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;
- no resolution can be made while in a closed meeting (other than a procedural resolution).

## 29. Teleconferencing of meetings

29.1 If a Councillor wishes to be absent from a council meeting place during a meeting, the Councillor must apply to the local government to participate by teleconference, at least three (3) business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The local government may allow a Councillor to participate in a council or committee meeting by teleconference of the LGR.

*Note: There is no legislative requirement for a resolution by Council to allow a Councillor to participate by audio link or audio visual link. This means the Council may delegate the matter. For example, Council may delegate to the chairperson of the council or a committee meeting the ability to decide whether a Councillor can attend a meeting by audio link or audio visual link.*

29.2 The Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

**Note:** *Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.*



## COUNCIL POLICY - MEETINGS AND OTHER FORUMS

### OBJECTIVE

This Policy provides a structure and a method to demonstrate transparency for all Councillors who engage in Council business as part of an informal meeting or associations with other Councillors or informally convened information sharing forums. The Policy provides direction and assistance to Councillors to identify situations that might be classified as an informal meeting to which the *Local Government Regulation 2012* may apply.

The objectives of this Policy are to:

1. Provide a framework under which meetings of Council, informal workshops and other forums will operate;
2. Connect this Policy to the Meetings and other Forums – Administration and Participation Procedure with specific reference to attendance at informal meetings which may result in a Councillor influencing another Councillor;
3. Provide a framework to allow Councillors to identify the situation and arrangements which requires specific adherence to the conduct and behaviours provided for in the Councillor Code of Conduct;
4. Provide for community participation by way of Public Question Time; and
5. Demonstrate Council's commitment to open and accountable governance.

### POLICY STATEMENT

The broad principles of this Policy acknowledge that there is significant benefit from convening non-decision making meetings at which Councillors are provided with information and are afforded an opportunity to ask questions and seek further information to assist in formulating a comprehensive foundation connected to matters that are of strategic importance to Council. As well as matters that may be presented for a decision by Councillors in an Ordinary Meeting at a future Ordinary Meeting.

This Policy acknowledges the benefit that the involvement of members of the public can bring to Council. It provides for members of the public to attend a public question time to informally ask questions. This Policy additionally provides for a member of the public to address all Councillors and the Mayor in an informal setting. Council recognises the value to Councillors from this public engagement.

Council is committed to:

1. Conducting its meetings in accordance with the principles of the *Local Government Act 2009* to ensure an accountable, effective, efficient and sustainable system of local government;

Reference Number: CM03.07CP  
Portfolio: Council Sustainability  
Business Unit: Governance

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2. Informed decision-making and community engagement as part of an open and accountable system of government; and
3. Councillors performing their responsibilities as required under the *Local Government Act 2009* and be able to perform their public functions from a fully informed position.

### **CONSIDERATION OF HUMAN RIGHTS UNDER *HUMAN RIGHTS ACT 2019***

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the articulated human rights, determined that no human rights are limited.

### **COMPLIANCE, MONITORING AND REVIEW**

Overall responsibility for the maintenance of this Policy is vested in Governance who is responsible to ensure that this Policy:

- Aligns with relevant legislation, and Departmental policy;
- Is implemented and monitored and reflects the changing policy environment, and emerging issues are identified as they arise; and
- Is reviewed to evaluate its continuing effectiveness.

### **DEFINITIONS**

Nil

### **RELATED LEGISLATION AND DOCUMENTS**

1. *Local Government Act 2009*;
2. *Local Government Regulation 2012*;
3. Standing Orders Policy;
4. Standing Orders Procedure;
5. Standing Orders – Administration and Conduct Procedure; and
6. Meetings and Other Forums - Administration and Participation Procedure.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - Open and Responsible Government.

**APPROVAL AND REVIEW DETAILS**

Approval and Review	Details
Approval Authority	Council
Administrator	Principal Specialist Governance and Assurance
Next Review Date	3 years

Approval and Amendment History	Details
Original Approval Authority and Date	28/10/2008
Amendment Authority and Date	28/10/2008, 23/10/2008, 23/02/2010, 22/11/2011, 26/06/2012, 30/04/2013, 22/10/2014, 18/12/2017, 27/05/2019, 09/11/2020.
Notes	All versions until 27/07/2019 had intermingling of numerous concepts with very limited connection to a formal non-decision making forum. This review focuses the Policy so that it is relevant to all non-decision making meetings

Approved By:

**SCENIC RIM REGIONAL COUNCIL**

Adopted: 14 December 2020

**Version Information**

Version No.	Date	Key Changes
1	27/05/2019	Ordinary Meeting Objectives amended to include reference to Public Question Time. References to Meetings and Other Forums Procedure and Standing Orders Procedure updated
2	14/12/2020	Ordinary meeting Full review of entire suite of Standard Orders, Meetings and other Forums documents. Review of Policy to reflect changes to the Local Government Regulations and general alignment between related documents

Reference Number: CP03.07CP  
Portfolio: Council Sustainability  
Business Unit: Governance

Adoption Date: 14/12/2020  
Review Date: 14/12/2023  
File References: 2191925  
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## MEETINGS AND OTHER FORUMS ADMINISTRATION AND PARTICIPATION

### OBJECTIVES

This Procedure supports Councillors in performing their duties as elected officials. It is designed to enhance the flow of information and allow Councillors to be provided with timely information in anticipation of attending forums other than Ordinary Meetings which require organisation by way of a program. This Procedure outlines the notice periods that are to be afforded to Councillors to allow participation in all activities from an informed position. In recognition of the contribution the community makes to the decision-making of Council this Procedure enables members of the public to attend a public question time forum. This forum allows for members of the public to directly address Councillors on matters of public concern. In recognition that there are some matters that require confidentiality and sensitivity Council may debate matters in closed session.

The objectives of this Procedure are:

1. To provide for specific timeframes within which Councillors will be provided with information to enable the effective and timely provision of information to Councillors prior to attending an information sharing forum;
2. To provide for an agreed approach and structure to non-decision making forums;
3. To ensure that the Local Government Principles are reflected in the conduct of non-decision making forums; and
4. To enable members of the public to participate in the democratic process.

### SCOPE

This Procedure applies to all Councillors and all Council officers who are involved in the organisation or participation in the non-decision making forums.



**Non-Decision Making Forum (Workshop)****1. Background**

Council has committed to a formal process of information sharing at which Councillors are to be provided with formal reports and information to assist in meeting the requirements of their role as elected official. Councillors and the Executive officers of the organisation attend this forum.

**1.1. Process**

1.1.1. A Workshop Program for each Councillor and Executive Workshop will be provided to the Councillors and will follow this order of presentation:

- a. Executive
- b. People and Strategy
- c. Customer and Regional Prosperity
- d. Asset and Environmental Sustainability
- e. Council Sustainability
- f. Matters raised by Councillors
- g. Miscellaneous Business

1.1.2. Each General Manager is at liberty to introduce a matter for discussion connected to the Portfolio responsibilities by way of a report with or without attachments for the express purpose of providing information to assist Councillors to perform their public duties in accordance with the principles of *Local Government Act 2009*.

1.1.3. Each Councillor is at liberty to approach any General Manager or the Chief Executive Officer (CEO) to request a report on a particular topic.

1.1.4. Each General Manager may invite a content matter expert or any number of officers who are able to provide information to Councillors to attend the Workshop for the purposes of assisting in the workshop process.

1.1.5. Any questions the Councillors may have can be asked in this forum and a Councillor is not required to follow the procedures outlined in the Acceptable Requests Policy or Procedure within this forum.

1.1.6. A Councillor may not ask questions unrelated to the information that is the topic of the presentation and must conduct themselves at all times in accordance with the Councillor Code of Conduct.

1.1.7. The Workshop is not a forum at which any decisions are made.

**1.2. Schedule**

1.2.1. Generally, two Councillor and Executive Workshops will be scheduled each month.

1.2.2. Councillor and Executive Workshops may also be held on other days as agreed by the Councillors and the Executive.

1.2.3. Each Councillor and Executive Workshop shall be held at the Council Chamber in Beaudesert or at another place as agreed by the Councillors and the Executive.

- 1.2.4. The Mayor, Councillors or the Chief Executive Officer may, from time to time, request a Councillor and Executive Workshop be arranged as necessary for discussion of an urgent matter.

## **2. Public Question Time**

### **2.1. Background**

Council has committed through its Community Plan and Corporate Plan to develop initiatives and processes to communicate and engage with the region's diverse community.

Public Question Time is not a formal meeting of Council and Councillors cannot make any decisions on behalf of Council during Public Question Time. Public Question Time provides an opportunity for questions to be submitted to Councillors as a collective group and for responses to be provided where possible.

A broad range of other options for communication with Council are listed on Council's website. Councillors are also available individually to receive and respond to questions from members of the Scenic Rim community by telephone or email.

Council's Standing Orders Procedure details how a member of the public may have a matter considered at a Council Meeting by way of a formal deputation.

### **2.2. Procedure**

#### **2.2.1. When Public Question Time will be held:**

- (a) Public Question Time will be held immediately prior to the opening of the scheduled Ordinary Meetings of Council. The forum will be conducted in the venue where the Ordinary Meeting has been held and will be chaired by the Mayor (or in their absence, the Deputy Mayor);
- (b) A period of 30 minutes is set aside for Public Question Time;
- (c) The Chairperson may close Public Question Time when either the 30 minute period allocated has ended or all questions accepted for discussion in accordance with this procedure have, in his or her opinion, been duly heard.

#### **2.2.2. Participation in Public Question Time**

- (a) Subject to prior commitments and other considerations, all Councillors and Executive officers of Council in attendance at the preceding Ordinary Meeting, will attend Public Question Time. Additional Council officers may attend Public Question Time at the invitation of the Chairperson; and
- (b) Questions will only be accepted from residents of the Scenic Rim Regional Council area or other people directly affected by Council decisions.

#### **2.2.3. Submitting a Question**

Members of the public wishing to attend Public Question Time to put a question to Councillors for consideration and response, should submit their question in writing in accordance with the following process:

- (a) Proposed questions should be submitted with reasonable notice to allow for a response to be prepared. Reasonable notice is:

- (i) a minimum of five full business days prior to the scheduled date of the Ordinary Meeting; and
- (ii) determined at the discretion of the Chairperson with consideration as to the complexity of proposed question(s) and any other relevant factors. Complex questions should be lodged early to provide reasonable notice;
- (b) Proposed questions must be submitted in writing to the Chief Executive Officer and clearly identified as questions for Public Question Time;
- (c) The Chairperson may refer questions which are not accepted for discussion at Public Question Time directly to a Council Department for a formal response, or refer the question to a future Public Question Time;
- (d) Where the number of questions received for a Public Question Time may exceed the allotted time, questions may be referred to the next Public Question Time at the discretion of the Chairperson;
- (e) The Chairperson will be assisted by Council's Chief Executive Officer to determine whether each submitted question will be accepted for discussion at Public Question Time. The decision to accept questions at Public Question Time is made at the discretion of the Chairperson;
- (f) The Chairperson may accept questions at Public Question Time without notice at his or her discretion.

2.2.4. Questions may not be accepted in certain circumstances

- (a) If a question includes submission or comment which is inappropriate, the Chairperson may:
  - i) decide not to refer a written question to public question time; and/or
  - ii) if the question is asked from the floor, require the person to cease making or withdraw the question or comment;
- (b) An inappropriate question is a question which:
  - i) does not relate to Council activities;
  - ii) is offensive, defamatory or includes improper language;
  - iii) requests Council make a decision on a matter;
  - iv) is unduly long; or
  - v) includes or requests information which may constitute a breach of privacy or confidentiality;
- (c) The Chairperson may refuse to accept any question about a matter which:
  - i) is subject to current legal or regulatory compliance process;

- ii) relates to an application which is awaiting Council determination;
  - iii) is more appropriately dealt with through other established Council processes (eg. Complaints Management);
  - iv) has already been responded to by Council; or
  - v) involves participation in lobbying activity contrary to the requirements of the *Integrity Act 2009*;
- (d) A person who has submitted a proposed question may be notified prior to the meeting if their question will not be accepted for discussion at Public Question Time.

#### 2.2.5 How Public Question Time will be run

Public Question Time will run as follows:

- (a) The Chairperson will facilitate Public Question Time and exercise absolute control of the conduct of proceedings including the determination of:
  - i) priority of speakers; and
  - ii) whether a person shall be further heard;
- (b) Priority will be given to questions submitted on notice;
- (c) Questions may be delivered from the public gallery only at the invitation of the Chairperson and must be addressed to the Chairperson;
- (d) Questions may be answered, reserved for answer or refused for answer by the Chairperson or, at the request of the Chairperson, by another Councillor or a Council officer;
- (e) At any time the Chairperson may require a question to be produced in writing prior to further consideration;
- (f) At any time the Chairperson may direct any question be placed on notice for response after further consideration by Council and/or its officers;
- (g) During Public Question Time, the Chairperson or nominated respondent may provide information only in relation to the question. Decisions of Council may only be made at an Ordinary Meeting;
- (h) Where directed by the Chairperson, the Chief Executive Officer will provide a written response to a person who has submitted a question;
- (i) No recordings may be made or images taken during Public Question Time;
- (j) Public Question Time will conclude once 30 minutes has elapsed, or at the discretion of the Chairperson.

**DEFINITIONS**

NIL

**RELATED DOCUMENTS**

1. *Local Government Act 2009*;
2. *Local Government Regulation 2012*;
3. Standing Orders Policy;
4. Standing Orders Procedure - Standing Orders;
4. Standing Orders Procedure - Administration and Conduct;
5. Meetings and Other Forums Policy;
6. Confidentiality of Council Information; and
7. Acceptable Requests Policy.

This Procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme – Open and Responsive Government

**APPROVAL AND REVIEW DETAILS**

Approval and Review	Details
Approval Authority	Council
Administrator	Principal Specialist Governance and Assurance
Next Review Date	3 years unless further legislative changes require earlier review

Approval and Amendment History	Details
Original Approval Authority and Date	Approved 27 May 2019
Amendment Authority and Date	Adopted 14 December 2020
Notes	This Procedure is extracted from Standing Orders and Meetings and Other Forums to demonstrate a concise reference framework. For the way programs are prepared and shared and non-decision making meetings .

**Adopted By:**

**Scenic Rim Regional Council**  
**Adopted: 14 December 2020**

**Version Information**

Version No.	Date	Key Changes
1	27/05/2019	New as a result of review due to changes in Local Government Act and Regulations
2	14/12/2020	Revised and amended with new model templates.

Reference Number: CM03.07PR.01  
 Portfolio: Council Sustainability  
 Business Unit: Governance

Adoption Date: 14/12/2020  
 Review Date: 14/12/2023  
 File References: 10974184  
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# PROCEDURE

**SCENIC RIM**  
REGIONAL COUNCIL

## Meetings and Other Forums

### Administration and Participation

Reference Number	CM03.07PR.01	Adoption Date	XX/XX/2023
Portfolio	Council Sustainability	Review Date	Xx/xx/2026
Business Unit	Governance and Assurance	Document ID	10974184

### Objectives

This Procedure supports Councillors in performing their duties as elected officials. It is designed to enhance the flow of information and allow Councillors to be provided with timely information in anticipation of attending forums other than Ordinary Meetings which require organisation by way of a program.

This Procedure outlines the notice periods that are to be afforded to Councillors to allow participation in all activities from an informed position. ~~In recognition of the contribution the community makes to the decision making of Council this Procedure enables members of the public to attend a public question time forum. This forum allows for members of the public to directly address Councillors on matters of public concern. In recognition that there are some matters that require confidentiality and sensitivity Council may debate matters in closed session.~~

The objectives of this Procedure are:

1. To provide for specific timeframes within which Councillors will be provided with information to enable the effective and timely provision of information to Councillors prior to attending an information sharing forum;
2. To provide for an agreed approach and structure to non-decision making forums; and
3. To ensure that the Local Government Principles are reflected in the conduct of non-decision making forums; and
4. ~~To enable members of the public to participate in the democratic process.~~

### Scope

This Procedure applies to all Councillors and all Council officers who are involved in the organisation or participation in the non-decision making forums.



## Procedure Actions

### ~~Non-Decision Making Forum (Workshop Briefing Session)~~

#### ~~1. Background~~

#### ~~SoCCorP Workshops~~

~~Workshops are a process for Councillors, employees and external parties to collaborate, develop or advance proposals, such as masterplans, and include topics of strategic importance to collectively develop proposals prior to formal decision-making.~~

~~Examples of workshops include:~~

- ~~• Discussions to determine strategic priorities;~~
- ~~• The development of the budget for the coming financial year;~~
- ~~• The initial development of a new Planning Scheme;~~
- ~~• Initial input into the development or review of a Council Policy.~~

~~While workshops are not formal decision-making forums they may be used as the basis for officers to develop a more firm proposal which will be considered formally by Council in the future. Where a report is presented to Council that has been in part developed by collaborating in a workshop, it will be a requirement to note this in the 'Consultation' section of the report template.~~

~~Council has committed to a formal process of information sharing at which Councillors are to be provided with formal reports and information to assist in meeting the requirements of their role as elected official. Councillors and the Executive officers of the organisation attend this forum.~~

#### ~~Briefing Sessions~~

~~Briefing sessions provide a valuable opportunity to enhance the decision-making process and are a forum for the Chief Executive Officer and Senior Officers to address any Councillor questions and provide additional background on matters coming before Council for decision. No decision-making or voting takes place at these meetings.~~

~~Briefing sessions provide a forum for:~~

- ~~• Councillors to be fully informed on complex matters that will allow for more effective discussion and debate during subsequent formal meetings;~~
- ~~• Councillors to share their views with each other; and for Councillors to seek further information, clarification and background details from Council officers or any guest presenters;~~
- ~~• Officers to advise Councillors of their professional opinions and reasoning behind their intended recommendations; or~~
- ~~• Presentations by an external party.~~

#### ~~1.1. Process~~

- ~~•~~
  - ~~1.1.1. A Workshop Program for each Councillor and Executive Workshop Briefing Session will be provided to the Councillors and will follow this order of presentation:~~
    - ~~a. Executive~~
    - ~~b. People and Strategy~~

- ~~e. Customer and Regional Prosperity~~
- ~~d. Asset and Environmental Sustainability~~
- ~~e. Council Sustainability~~
- ~~f. Matters raised by Councillors~~
- ~~g. Miscellaneous Business~~

~~1.1.2. Each General Manager is at liberty to introduce a matter for discussion connected to the Portfolio responsibilities by way of a report with or without attachments for the express purpose of providing information to assist Councillors to perform their public duties in accordance with the principles of *Local Government Act 2009*.~~

~~1.1.3. Each Councillor is at liberty to approach any General Manager or the Chief Executive Officer (CEO) to request a report on a particular topic.~~

~~1.1.4. Each General Manager may invite a content matter expert or any number of officers who are able to provide information to Councillors to attend the Workshop Briefing Session for the purposes of assisting in the workshop process.~~

~~1.1.5. Any questions the Councillors may have can be asked in this forum and a Councillor is not required to follow the procedures outlined in the Acceptable Requests Policy or Procedure within this forum.~~

~~1.1.6. A Councillor may not ask questions unrelated to the information that is the topic of the presentation and must conduct themselves at all times in accordance with the Councillor Code of Conduct.~~

~~1.1.7. The Workshop Briefing Session is not a forum at which any decisions are made.~~

## **~~1.2. Schedule~~**

~~1.2.1. Generally, two Councillor and Executive Workshops will be scheduled each month.~~

~~1.2.2. Councillor and Executive Workshops may also be held on other days as agreed by the Councillors and the Executive.~~

~~1.2.3. Each Councillor and Executive Workshop shall be held at the Council Chamber in Beaudesert or at another place as agreed by the Councillors and the Executive.~~

~~1.2.4. The Mayor, Councillors or the Chief Executive Officer may, from time to time, request a Councillor and Executive Workshop be arranged as necessary for discussion of an urgent matter.~~

## **Schedule**

Briefing Sessions and Workshops shall be held in accordance with the Scenic Rim Regional Council Meeting schedule.

A notice of meeting for each ~~b~~Briefing Session and ~~w~~Workshop will be provided to Councillors as part of the Agendalist of topics, including:

- a) The day, time and location of the meeting;
- b) The purpose of the meeting; and
- c) List of officers or external parties presenting.

The Mayor or Chief Executive Officer may call a Briefing Session and Workshop session as necessary for the discussion of emergent matters. If a member of the Executive Team believes it is necessary to schedule a Briefing Session or Workshop with Councillors outside of the scheduled sessions, the

General Manager shall liaise with the Chief Executive Officer who shall decide whether to call an additional Briefing Session or Workshop.

The CEO is responsible for preparing a list of topics for each of these forums.

### Participants

Briefing Sessions and Workshops are not formal meetings of Council and are generally not open to the public unless otherwise invited. There is no live streaming of these meetings. While no quorum is required, all Councillors are required to attend Briefing Sessions and Workshops. In order to make the best use of time, resources and people, the Chief Executive Officer shall determine what Council officers are required to attend any given meeting.

A register of attendance will be recorded to support transparent and accountable processes. External persons may attend a Briefing Session or Workshop upon invitation from the Mayor or Chief Executive Officer. If an external person (for example a consultant, contractor or guest) is to be present at a Briefing Session or Workshop the person's name, title and company shall be included on the list of topics. The external person shall only be present at the Briefing Session or Workshop during discussion of the item for which their name appears next to on the Alist of topics.

### Administration

The Chief Executive Officer in consultation with the Mayor and Councillors will determine the matters to be presented at a Briefing Session or Workshop. The types of matters deemed appropriate for consideration include matters that are:

- a) of particular strategic significance for Council;
- b) involve notable community engagement, impact or concern;
- c) involve complex procedural, legal or factual considerations; or
- d) the Chief Executive Officer considers appropriate for a Councillor Briefing Session.

The Chief Executive Officer will ensure that a copy of the list of topics and any briefing notes/attachments are circulated to Councillors at the earliest opportunity.

Presentations and background material presented as part of a Briefing Session or Workshop that is confidential in nature shall be clearly marked 'CONFIDENTIAL' by the officer preparing the material. Matters arising from Briefing Sessions or Workshops will be recorded with a response regarding the outcome provided to Councillors if required. Where the matter arising relates to the business of an upcoming Council meeting the response will be provided prior to the commencement of the Council meeting.

Council will publish a list of topics to be discussed at each of these forums on Council's website unless it is not permitted to do so due to confidentiality reasons. Council will not publish any reports, presentations or associated material unless otherwise approved by the CEO.

Brief notes will be taken at Briefing Sessions and Workshops to include:

- a) the name of each Councillor who attended the meeting;
- b) other persons (e.g. members of the public, council officers) who attended the meeting;
- c) description of matters discussed at the meeting;
- d) any conflicts of interest declared;

e) a copy of presentation material provided during the briefing (including slide decks, handouts);and

f) any matters arising as a result of the discussion

### **Chairperson**

The CEO is the chairperson for all Briefing Sessions or Workshops. The CEO, as chairperson, can ensure that Councillor comments are not mistaken as directions to employees and is best placed to provide advice to Councillors on how they can obtain more information if required.

The chairperson will ensure that discussions relate to policy issues, community views and possible options for consideration of Councillors. As Briefing Sessions and Workshops are not formal Council meetings, talks should not extend to comments on recommendations from officers as these types of discussions must be in formal Council meetings where they are open to the public.

### **Conflicts of Interest**

While Briefing Sessions or Workshops are not formal decision-making forums, Councillors are still obligated to manage their conflicts of interest. Councillors are not permitted to take part in discussions on matters where they have a conflict of interest. The only exception is where Council have previously determined, at an Ordinary Meeting of Council, that a Councillor has a conflict of interest but is permitted to participate in the decision making. This exception is only valid if circumstances surround the conflict of interest have not changed since the decision on the conflict was made. In all other cases, it is the responsibility of the Councillor to advise the CEO of their conflict of interest and not participate in the relevant item. It is not the role of Councillors present at a Briefing Session or Workshop to determine another Councillor's conflict of interest.

Councillors who believe they have a conflict of interest should notify the CEO in writing prior to the Briefing Session or Workshop in order for the appropriate advice to be provided.

## **2. Public Question TimePublic Question Time**

### **2.1. Background**

Council has committed through its Community Plan and Corporate Plan to develop initiatives and processes to communicate and engage with the region's diverse community.

~~Public Question Time is not a formal meeting of Council and Councillors cannot make any decisions on behalf of Council during Public Question Time. Public Question Time provides an opportunity for questions to be submitted to Councillors as a collective group and for responses to be provided where possible.~~

A broad range of other options for communication with Council are listed on Council's website. Councillors are also available individually to receive and respond to questions from members of the Scenic Rim community by telephone or email.

Council's Standing Orders for Council Meetings details how a member of the public may have a matter considered at a Council Meeting by way of a formal deputation.

Members of the community are also encouraged to ask questions of Council with the intention of having those questions, and any answer given, read out at an Ordinary Meeting.

~~Council's Standing Orders Procedure for Council Meetings details how a member of the public may have a matter considered at a Council Meeting by way of a formal deputation.~~

## **~~2.2. Procedure~~**

### ~~2.2.1. When Public Question Time will be held:~~

~~(a) Public Question Time will be held immediately prior to the opening of the scheduled Ordinary Meetings of Council. The forum will be conducted in the venue where the Ordinary Meeting has been held and will be chaired by the Mayor (or in their absence, the Deputy Mayor); forms part of the Ordinary Meeting of Council. During Public Question time, the CEO will read out the public question and then provide a response to that question.~~

~~(b) A period of 30 minutes is set aside for Public Question Time;~~

~~(c) The Chairperson may close Public Question Time when either the 30 minute period allocated has ended or all questions accepted for discussion in accordance with this procedure have, in his or her opinion, been duly heard.~~

### ~~2.2.2. Participation in Public Question Time~~

~~(a) Subject to prior commitments and other considerations, all Councillors and Executive officers of Council in attendance at the preceding Ordinary Meeting, will attend Public Question Time. Additional Council officers may attend Public Question Time at the invitation of the Chairperson; and~~

~~(b) Questions will only be accepted from residents of the Scenic Rim Regional Council area or other people directly affected by Council decisions.~~

### ~~2.2.3. Submitting a Question~~

Members of the public ~~wishing to attend Public Question Time to put a question to Councillors for consideration and response,~~ should submit their question in writing in accordance with the following process:

~~(a) Proposed questions should be submitted with reasonable notice to allow for a response to be prepared. Reasonable notice is:~~

- ~~• (i) a minimum of at least five full business days prior to the scheduled date of the Ordinary Meeting; and~~

~~•~~

~~(ii) determined at the discretion of the Chairperson with consideration as to the complexity of proposed question(s) and any other relevant factors. Complex questions should be lodged early to provide reasonable notice;~~

- ~~• (b) Proposed questions must be submitted in writing to the Chief Executive Office CEO and clearly identified as questions for Public Question Time;~~

~~• The author of the question must provide their name and address along with the question.~~

~~• The author of the question must consent to their name and suburb being read out along with the question.~~

- ~~• (c) The Chairperson may refer questions which are not accepted for discussion at Public Question Time directly to a Council Department for a formal response, or refer the question to a~~

~~future Public Question Time; The CEO will determine whether the question is suitable for Public Question Time or whether it is best referred to a Council officer to make a direct response to the person asking the question.~~

- ~~(d)~~ — Where the number of questions received for a Public Question Time may exceed the allotted time, questions may be referred to the next Public Question Time at the discretion of the ~~Chairperson~~CEO;
- ~~For complex questions requiring research the CEO may take that question on notice and delay the response to a future meeting of Council;~~
- ~~(e)~~ — The ~~Chairperson will be assisted by Council's Chief Executive Officer~~EO ~~to will~~ determine whether each submitted question will be accepted for ~~discussion at~~ Public Question Time. ~~The decision to accept questions at Public Question Time is made at the discretion of the Chairperson;~~

~~(f) The Chairperson may accept questions at Public Question Time without notice at his or her discretion.~~

#### 2.2.4. Questions may not be accepted in certain circumstances

~~(a) If a question includes submission or comment which is inappropriate, the Chairperson may. The CEO may have regard to the following criteria for refusing to accept and answer a question at Public Question Time.~~

~~— decide not to refer a written question to public question time; and/or~~

~~— if the question is asked from the floor, require the person to cease making or withdraw the question or comment;~~

~~(b) An inappropriate question is a question which:~~

- i)• ~~d~~Does not relate to Council activities;
- ii)• ~~i~~Is offensive, defamatory or includes improper language;
- iii)• ~~requests Council make a decision on a matter;~~
- iv)• ~~i~~Is unduly long; or
- v)• ~~i~~Includes or requests information which may constitute a breach of privacy or confidentiality;

~~(c) The Chairperson may refuse to accept any question about a matter which:~~

- i)• ~~i~~Is subject to current legal or regulatory compliance process;
- ii)• ~~r~~Relates to an application which is awaiting Council determination;
- iii)• ~~i~~Is more appropriately dealt with through other established Council processes (eg. Complaints Management);
- iv)• ~~H~~Has already been responded to by Council; or
- v)• ~~i~~Involves participation in lobbying activity contrary to the requirements of the *Integrity Act 2009*;

~~The CEO is to advise the Mayor of all proposed questions and answers prior to the Ordinary Meeting. The Chairperson has the final determination of what questions are to be answered at an Ordinary Meeting.~~



~~(d)~~ A person who has submitted a proposed question may be notified prior to the meeting if their question is not accepted for discussion at Public Question Time.

~~2.2.5~~ How Public Question Time will be run

Public Question Time will run as follows: Public Question Time is recognised in Council's meeting agenda section titled "Public Question Time." During this session, the CEO is to read out the letters received for Public Question Time and read out the answer to each question. Public Question Time should take no longer than 15 minutes but is subject to extension on approval of the Chairperson.

- ~~(a) The Chairperson will facilitate Public Question Time and exercise absolute control of the conduct of proceedings including the determination of:
  - ~~i) priority of speakers; and~~
  - ~~ii) whether a person shall be further heard;~~~~
- ~~(b) Priority will be given to questions submitted on notice;~~
- ~~(c) Questions may be delivered from the public gallery only at the invitation of the Chairperson and must be addressed to the Chairperson;~~
- ~~(d) Questions may be answered, reserved for answer or refused for answer by the Chairperson or, at the request of the Chairperson, by another Councillor or a Council officer;~~
- ~~(e) At any time the Chairperson may require a question to be produced in writing prior to further consideration;~~
- ~~(f) At any time the Chairperson may direct any question be placed on notice for response after further consideration by Council and/or its officers;~~
- ~~(g) During Public Question Time, the Chairperson or nominated respondent may provide information only in relation to the question. Decisions of Council may only be made at an Ordinary Meeting;~~
- ~~(h) Where directed by the Chairperson, the Chief Executive Officer will provide a written response to a person who has submitted a question;~~
- ~~(i) No recordings may be made or images taken during Public Question Time;~~
- ~~(j) Public Question Time will conclude once 30 minutes has elapsed, or at the discretion of the Chairperson.~~

## Definitions

Nil.

## Related Documents

1. Local Government Act 2009;
2. Local Government Regulation 2012;
3. Standing Orders [for Council Meetings Policy](#);
- ~~4. Standing Orders Procedure – Standing Orders;~~
- ~~4. Standing Orders Procedure – Administration and Conduct;~~
- ~~5. Meetings and Other Forums Policy;~~
6. Confidentiality of Council Information; and
7. Acceptable Requests [Guidelines](#) Policy.

This Procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - Open and Responsive Government.

## Approval and Review Details

Approval and Amendment History	Details
Original Approval Authority and Date	Council <a href="#">27/xx/05xx/20192023</a>
Amendment Authority and Date	<a href="#">Council xx/xx/202322</a>
Notes	<a href="#">Amendment details here</a> <a href="#">Reviewed and updated to new meeting structure.</a>

## Adopted By:

### SCENIC RIM REGIONAL COUNCIL

Date: [xx/xx/20223](#)

## VERSION INFORMATION

Version No	Date	Key Changes
1	27/05/2019	Corporate and Community Services Committee, 21/05/2019 Item No. 1.2 New as a result of review due to changes in Local Government Act and Regulations. Ordinary Meeting Item No. 6
2	14/12/2020	Ordinary Meeting Item No. 11.9 Revised and amended with new model templates.
3	<a href="#">Xx/xx/20223</a>	Ordinary Meeting Item No. <a href="#">xx</a> ; <a href="#">Reviewed and updated to new meeting structure.</a>

# PROCEDURE

**SCENIC RIM**  
REGIONAL COUNCIL

## Meetings and Other Forums

### Administration and Participation

<b>Reference Number</b>	CM03.07PR.01	<b>Adoption Date</b>	XX/XX/2023
<b>Portfolio</b>	Council Sustainability	<b>Review Date</b>	Xx/xx/2026
<b>Business Unit</b>	Governance and Assurance	<b>Document ID</b>	10974184

### Objectives

This Procedure supports Councillors in performing their duties as elected officials. It is designed to enhance the flow of information and allow Councillors to be provided with timely information in anticipation of attending forums other than Ordinary Meetings which require organisation by way of a program.

This Procedure outlines the notice periods that are to be afforded to Councillors to allow participation in all activities from an informed position.

The objectives of this Procedure are:

1. To provide for specific timeframes within which Councillors will be provided with information to enable the effective and timely provision of information to Councillors prior to attending an information sharing forum;
2. To provide for an agreed approach and structure to non-decision making forums; and
3. To ensure that the Local Government Principles are reflected in the conduct of non-decision making forums.

### Scope

This Procedure applies to all Councillors and all Council officers who are involved in the organisation or participation in the non-decision making forums.

### Procedure Actions

#### Workshops

Workshops are a process for Councillors, employees and external parties to collaborate, develop or advance proposals, such as masterplans, and include topics of strategic importance to collectively develop proposals prior to formal decision-making.

Examples of workshops include:

- Discussions to determine strategic priorities;
- The development of the budget for the coming financial year;
- The initial development of a new Planning Scheme;
- Initial input into the development or review of a Council Policy.

While workshops are not formal decision-making forums they may be used as the basis for officers to develop a firmer proposal which will be considered formally by Council in the future. Where a report is presented to Council that has been in part developed by collaborating in a workshop, it will be a requirement to note this in the 'Consultation' section of the report template.

### **Briefing Sessions**

Briefing sessions provide a valuable opportunity to enhance the decision-making process and are a forum for the Chief Executive Officer and Senior Officers to address any Councillor questions and provide additional background on matters coming before Council for decision. No decision-making or voting takes place at these meetings.

Briefing sessions provide a forum for:

- Councillors to be fully informed on complex matters that will allow for more effective discussion and debate during subsequent formal meetings;
- Councillors to share their views with each other; and for Councillors to seek further information, clarification and background details from Council officers or any guest presenters;
- Officers to advise Councillors of their professional opinions and reasoning behind their intended recommendations; or
- Presentations by an external party.

### **Schedule**

Briefing Sessions and Workshops shall be held in accordance with the Scenic Rim Regional Council Meeting schedule.

A notice of meeting for each Briefing Session and Workshop will be provided to Councillors as part of the list of topics, including:

- a) The day, time and location of the meeting;
- b) The purpose of the meeting; and
- c) List of officers or external parties presenting.

The Mayor or Chief Executive Officer may call a Briefing Session and Workshop session as necessary for the discussion of emergent matters. If a member of the Executive Team believes it is necessary to schedule a Briefing Session or Workshop with Councillors outside of the scheduled sessions, the General Manager shall liaise with the Chief Executive Officer who shall decide whether to call an additional Briefing Session or Workshop.

The CEO is responsible for preparing a list of topics for each of these forums.

### **Participants**

Briefing Sessions and Workshops are not formal meetings of Council and are generally not open to the public unless otherwise invited. There is no live streaming of these meetings. While no quorum is required, all Councillors are required to attend Briefing Sessions and Workshops. In order to make the best use of time, resources and people, the Chief Executive Officer shall determine what Council officers

are required to attend any given meeting.

A register of attendance will be recorded to support transparent and accountable processes. External persons may attend a Briefing Session or Workshop upon invitation from the Mayor or Chief Executive Officer. If an external person (for example a consultant, contractor or guest) is to be present at a Briefing Session or Workshop the person's name, title and company shall be included on the list of topics. The external person shall only be present at the Briefing Session or Workshop during discussion of the item for which their name appears next to on the list of topics.

### **Administration**

The Chief Executive Officer in consultation with the Mayor and Councillors will determine the matters to be presented at a Briefing Session or Workshop. The types of matters deemed appropriate for consideration include matters that are:

- a) of particular strategic significance for Council;
- b) involve notable community engagement, impact or concern;
- c) involve complex procedural, legal or factual considerations; or
- d) the Chief Executive Officer considers appropriate for a Councillor Briefing Session.

The Chief Executive Officer will ensure that a copy of the list of topics and any briefing notes/attachments are circulated to Councillors at the earliest opportunity.

Presentations and background material presented as part of a Briefing Session or Workshop that is confidential in nature shall be clearly marked 'CONFIDENTIAL' by the officer preparing the material. Matters arising from Briefing Sessions or Workshops will be recorded with a response regarding the outcome provided to Councillors if required. Where the matter arising relates to the business of an upcoming Council meeting the response will be provided prior to the commencement of the Council meeting.

Council will publish a list of topics to be discussed at each of these forums on Council's website unless it is not permitted to do so due to confidentiality reasons. Council will not publish any reports, presentations or associated material unless otherwise approved by the CEO.

Brief notes will be taken at Briefing Sessions and Workshops to include:

- a) the name of each Councillor who attended the meeting;
- b) other persons (e.g. members of the public, council officers) who attended the meeting;
- c) description of matters discussed at the meeting;
- d) any conflicts of interest declared;
- e) a copy of presentation material provided during the briefing (including slide decks, handouts); and
- f) any matters arising as a result of the discussion

### **Chairperson**

The CEO is the chairperson for all Briefing Sessions or Workshops. The CEO, as chairperson, can ensure that Councillor comments are not mistaken as directions to employees and is best placed to provide advice to Councillors on how they can obtain more information if required.

The chairperson will ensure that discussions relate to policy issues, community views and possible

options for consideration of Councillors. As Briefing Sessions and Workshops are not formal Council meetings, talks should not extend to comments on recommendations from officers as these types of discussions must be in formal Council meetings where they are open to the public.

### **Conflicts of Interest**

While Briefing Sessions or Workshops are not formal decision-making forums, Councillors are still obligated to manage their conflicts of interest. Councillors are not permitted to take part in discussions on matters where they have a conflict of interest. The only exception is where Council have previously determined, at an Ordinary Meeting of Council, that a Councillor has a conflict of interest but is permitted to participate in the decision making. This exception is only valid if circumstances surrounding the conflict of interest have not changed since the decision on the conflict was made. In all other cases, it is the responsibility of the Councillor to advise the CEO of their conflict of interest and not participate in the relevant item. It is not the role of Councillors present at a Briefing Session or Workshop to determine another Councillor's conflict of interest.

Councillors who believe they have a conflict of interest should notify the CEO in writing prior to the Briefing Session or Workshop in order for the appropriate advice to be provided.

### **Public Question Time**

#### **Background**

Council has committed through its Community Plan and Corporate Plan to develop initiatives and processes to communicate and engage with the region's diverse community.

A broad range of other options for communication with Council are listed on Council's website. Councillors are also available individually to receive and respond to questions from members of the Scenic Rim community by telephone or email.

Council's Standing Orders for Council Meetings details how a member of the public may have a matter considered at a Council Meeting by way of a formal deputation.

Members of the community are also encouraged to ask questions of Council with the intention of having those questions, and any answer given, read out at an Ordinary Meeting.

#### When Public Question Time will be held:

Public Question Time forms part of the Ordinary Meeting of Council. During Public Question time, the CEO will read out the public question and then provide a response to that question.

#### Submitting a Question

Members of the public should submit their question in writing in accordance with the following process:

- Proposed questions should be submitted at least five full business days prior to the scheduled date of the Ordinary Meeting; and
- Proposed questions must be submitted in writing to the CEO and clearly identified as questions for Public Question Time;
- The author of the question must provide their name and address along with the question.



- The author of the question must consent to their name and suburb being read out along with the question.
- The CEO will determine whether the question is suitable for Public Question Time or whether it is best referred to a Council officer to make a direct response to the person asking the question.
- Where the number of questions received for a Public Question Time may exceed the allotted time, questions may be referred to the next Public Question Time at the discretion of the CEO;
- For complex questions requiring research the CEO may take that question on notice and delay the response to a future meeting of Council;
- The CEO will determine whether each submitted question will be accepted for Public Question Time.

#### Questions may not be accepted in certain circumstances

The CEO may have regard to the following criteria for refusing to accept and answer a question at Public Question Time.

- Does not relate to Council activities;
- Is offensive, defamatory or includes improper language;
- Is unduly long; or
- Includes or requests information which may constitute a breach of privacy or confidentiality;
- Is subject to current legal or regulatory compliance process;
- Relates to an application which is awaiting Council determination;
- Is more appropriately dealt with through other established Council processes (eg. Complaints Management);
- Has already been responded to by Council; or
- Involves participation in lobbying activity contrary to the requirements of the *Integrity Act 2009*;

The CEO is to advise the Mayor of all proposed questions and answers prior to the Ordinary Meeting. The Chairperson has the final determination of what questions are to be answered at an Ordinary Meeting.

A person who has submitted a proposed question may be notified prior to the meeting if their question is not accepted for discussion at Public Question Time.

#### How Public Question Time will be run

Public Question Time is recognised in Council's meeting agenda section titled "Public Question Time." During this session, the CEO is to read out the letters received for Public Question Time and read out the answer to each question. Public Question Time should take no longer than 15 minutes but is subject to extension on approval of the Chairperson.

## Definitions

Nil.

## Related Documents

1. *Local Government Act 2009*;
2. *Local Government Regulation 2012*;
3. Standing Orders for Council Meetings;
6. Confidentiality of Council Information; and
7. Acceptable Request Guidelines Policy.

This Procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - Open and Responsive Government.

## Approval and Review Details

Approval and Amendment History	Details
Original Approval Authority and Date	Council xx/xx/2023
Amendment Authority and Date	Council xx/xx/2023
Notes	Reviewed and updated to new meeting structure.

## Adopted By:

**SCENIC RIM REGIONAL COUNCIL**

Date: xx/xx/2023

## VERSION INFORMATION





Version No	Date	Key Changes
1	27/05/2019	Corporate and Community Services Committee, 21/05/2019 Item No. 1.2 New as a result of review due to changes in Local Government Act and Regulations. Ordinary Meeting Item No. 6
2	14/12/2020	Ordinary Meeting Item No. 11.9 Revised and amended with new model templates.
3	Xx/xx/2023	Ordinary Meeting Item No. xx; Reviewed and updated to new meeting structure.

## 10.6 Councillor Administrative Support Policy and Review of Acceptable Requests Policy and Procedure

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Principal Specialist Governance and Assurance

**Attachments:**

1. Councillor Administrative Support Policy [↓](#) 
2. Acceptable Requests Policy as adopted 9 November 2020 [↓](#) 
3. Acceptable Requests Procedure as adopted 9 November 2020 [↓](#) 
4. Draft New Acceptable Request Guidelines Policy [↓](#) 

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### Executive Summary

Following the review of Council Policies by the recently appointed Governance Advisor, the creation of a new policy outlining the role and function of Administrative Support provided to Councillors has now been created and is provided for consideration.

The current Acceptable Requests Policy and Procedure have also been reviewed as part of the Governance Advisor appointment and based on the feedback and recommendations received, a revised Council Policy - Acceptable Request Guidelines has been created and is now also provided for consideration by Councillors.

### Recommendation

That:

1. Council adopt the Council Policy - Councillor Administrative Support;
2. Council adopt the new Council Policy CM03.17CP - Acceptable Request Guidelines, which will replace the previous version adopted on 9 November 2020; and
3. Council rescind the Acceptable Requests Procedure CM3.17PR.01 which was adopted on 9 November 2020.

### Previous Council Considerations / Resolutions

Not applicable.

### Report / Background

The recently appointed Governance Advisor reviewed Council's Acceptable Request Policy and Procedure and provided feedback and recommendations for inclusion in future versions.

It was identified that without a clear policy position on the administrative support provided to Councillors, at times there was an inconsistent view on what was covered by administrative support duties and/or acceptable requests made by Councillors.

To remove any doubt, a new policy named Councillor Administrative Support has been created, pursuant to section 170AA of the *Local Government Act 2009*, which identifies the functions provided to Councillors by way of administrative support and the relevant Council officers to undertake such functions.

The recommendations received in relation to the Acceptable Requests Policy and Procedure resulted in a complete rewrite of the Policy and therefore a tracked changes version is not applicable in this instance. The newly drafted Council Policy - Acceptable Request Guidelines adequately considers each item of feedback provided by the Governance Advisor.

### **Budget / Financial Implications**

Not applicable.

### **Strategic Implications**

#### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

#### *Legal / Statutory Implications*

Section 170A *Local Government Act 2009* requires Council to adopt by resolution, acceptable request guidelines.

Section 170AA *Local Government Act 2009* states that the CEO may provide guidelines about the provision of administrative support by employees to a councillor.

### **Risks**

#### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

#### Risk Assessment

<b>Category</b>	<b>Consequence</b>	<b>Likelihood</b>	<b>Inherent Risk Rating</b>	<b>Treatment of risks</b>	<b>Residual Risk Rating</b>
Governance, Risk & Compliance  Failure to comply with local government legislative requirements for acceptable requests and administrative support.	3 Moderate	Possible	Medium	Have a policy position that is complied with regarding acceptable requests and administrative support.	Low

**Consultation**

Governance Advisor, Chief Executive Officer, Governance

**Conclusion**

The new and revised documents, which are provided to Council for consideration, ensure that Council's policies are in accordance with legislative requirements.

# POLICY



## Council Policy

### Councillor Administrative Support

<b>Policy Reference Number</b>	TBA	<b>Adoption Date</b>	XX/XX/2023
<b>Portfolio</b>	Office of the Mayor and CEO	<b>Next Review Date</b>	XX/XX/2026
<b>Business Unit</b>	Chief Executive Officer	<b>Document ID</b>	TBA

#### Purpose / Objective

The objective of this Policy is to establish guidelines for Councillors and employees about the provision of administrative support to Councillors to assist them to carry out their responsibilities under the *Local Government Act 2009* (the Act).

The Act includes prohibitions on Councillors giving direction to employees of the local government. These provisions may be perceived as restricting the ability of Councillors to ask administrative support staff to undertake administrative functions.

Section 170AA of the Act provides that a Councillor may give a direction to a local government employee who provides administrative support to the Councillor in accordance with guidelines made by the Chief Executive Officer (CEO). For the purposes of the requirements of section 170AA of the Act, this Policy is deemed to be the guideline which outlines the process of accessing administrative support by Councillors.

#### Scope

This Policy applies to all Councillors and employees of Scenic Rim Regional Council.

#### Policy Statement

It is acknowledged that Councillors may require administrative support to efficiently carry out their responsibilities. Administrative support and resources are provided to Councillors for the sole purpose of the undertaking of legitimate Council business, and should be used responsibly and appropriately.

Administrative support will be provided from the Office of the Mayor and CEO.

The Mayor will be provided with an Executive Assistant.

The Councillors will primarily receive administrative support from the Executive/Councillor Support Officer. If that officer is not available, the Councillors may request assistance from the Executive Assistant to the Mayor.



The Senior Executive Assistant - Office of the Mayor and CEO will assist the Mayor and Councillors if neither of the above officers are available.

At times, councillor support officers may have other duties outside of providing administrative support to Councillors, and this work may take priority. Staff will be guided by the CEO when prioritising their support to Councillors.

If urgent assistance is required outside of standard working hours, contact should be made initially via the Mayor and CEO.

When a Councillor's request for administrative assistance:

- Is considered to be outside the scope of a Councillor's official duties;
- Will take a significant amount of resources to fulfil; or
- Will cause an undue impact on the workload of the councillor support staff;

in accordance with Council's Policy - Acceptable Requests Guidelines, the matter is to be escalated to the CEO to consider whether the request is to be completed.

Councillors' requests will be acknowledged within two working days. If the task cannot be completed immediately, the acknowledgement will include an estimated timeframe for the request to be filled. Should further information be required from the Councillor before the task can be undertaken, a revised timeframe will be provided on receipt of that information.

It is preferred that requests for administrative support are made in writing. These should be emailed to [crsupport@scenicrim.qld.gov.au](mailto:crsupport@scenicrim.qld.gov.au). If a meeting or consultation with an executive/senior staff member is required as part of the request, the councillor support staff will facilitate this.

Office facilities for the Mayor and Councillors will be made available in the Office of the Mayor and CEO, situated on Level 4 of Council's Beaudesert Administration Building. Dedicated Councillor meeting rooms within the Office of the Mayor and CEO will be provided for interactions with internal and external stakeholders. Wherever possible, Councillors should seek to hold meetings with staff within the dedicated Councillor meeting rooms and restrict their movements within the staff workplaces.

Should a Councillor have concerns regarding the level of administrative support offered by the councillor support staff, they must submit their concerns directly to the CEO.

## Consideration of Human Rights under Human Rights Act 2019

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the human rights determined that no human rights are limited or affected by this Policy.

## Compliance, Monitoring and Review

The Chief Executive Officer is responsible for ensuring the Policy:

- Aligns with all relevant legislation and government Policy;
- Aligns with requirements, strategies and values;
- Is implemented and monitored; and
- Is reviewed to evaluate its continuing effectiveness.

## Definitions

**Act** means the *Local Government Act 2009*.

**Administrative Support** means providing assistance, information and advice that ensures that Councillors are able to carry out their responsibilities. It includes (but is not limited to) assistance with correspondence, diary management, logging of customer requests, locating information, and coordinating meetings associated with the Councillor's appointed roles on the schedule of Councillor Representation on Committees and Forums as well as their Portfolio and Committee responsibilities.

**Councillors** shall mean the Mayor, Deputy Mayor and Councillors as elected representatives of Scenic Rim Regional Council.

**Councillor Administrative Support Staff (Support Staff)** shall mean a Scenic Rim Regional Council employee who assists the Mayor and Councillors in meeting the responsibilities of their roles and delivery of important services and infrastructure for local communities.

**Employee** shall mean all persons employed by Scenic Rim Regional Council on a permanent, temporary or casual basis and includes persons engaged under a contract of service and volunteers.

## Related Legislation and Documents

- 1) *Crime and Corruption Act 2001*;
- 2) *Information Privacy Act 2009*;
- 3) *Local Government Act 2009*;
- 4) *Public Interest Disclosure Act 2010*;
- 5) *Public Sector Ethics Act 1994*;
- 6) Council Policy - Acceptable Requests Guideline;
- 7) Caretaker Policy;
- 8) Councillor Code of Conduct;
- 9) Councillor Portfolios Policy;
- 10) Complaints Management Policy;
- 11) Employee Code of Conduct; and
- 12) Management of Confidential Information of Council by Councillors Policy.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2026, in particular theme - Choose an item

## Approval and Review Details

Approval and Review	Details
Original Approval Authority and Date	Council xx/xx/2023
Amendment Authority and Date	
Notes	New Policy

### Approved By:

SCENIC RIM REGIONAL COUNCIL

Adopted: XX/YY/ZZ

## Version Information

Version No	Date	Key Changes
1	Xx/xx/2023	Ordinary Meeting Item No. xx; New Policy



## COUNCIL POLICY - ACCEPTABLE REQUESTS

### PURPOSE

It is acknowledged that it is necessary for Councillors and Council employees to formally interact so that Councillors are in an optimum position to exercise their decision-making authority and formulate the strategic vision for the benefit of the Scenic Rim Regional Council ratepayers.

This Policy provides Councillors with the structure to enable Councillors to exercise their ability to request advice and information under section 170A of the *Local Government Act 2009* (the Act). Information or assistance may be sought by any Councillor to assist in exercising their civic duties. For the purposes of the requirements of section 170A(7) of the Act, this Policy is deemed to be the guideline adopted by Council resolution which outlines a specific process and imposes reasonable limitations.

Section 150L(1)(c)(ii) of the Act prescribes that the conduct of a Councillor is misconduct if the conduct contravenes the Acceptable Request Guideline of the Council. Therefore, any conduct by a Councillor that contravenes this Acceptable Request Policy or associated Procedure is considered to be misconduct.

The objectives of this Policy is to:

- Provide for a structured approach to Councillor and Council employee interactions for the purposes of a Councillor seeking advice or information.
- The advice and/or information must contribute to the body of information necessary for a Councillor to carry out his/her responsibilities under the *Local Government Act 2009*;
- Outline reasonable limits on requests made by Councillors; and
- Assist Councillors in carrying out their responsibilities as elected representatives in an open and transparent manner.

### POLICY STATEMENT

This Policy provides a set of strategies to ensure that Councillors are provided with all relevant advice or information and an appropriate level of access to Council employees in order to exercise the functions of an elected official and to facilitate informed decision making.

All Councillors and Council employees are bound by the provisions of this Policy in addition to all other obligations under legislation, regulations and related Council Procedures. This Policy recognises that Councillors have a right to inspect any record of Council provided that it is relevant to the exercising of the Councillor's responsibility in his/her official capacity. Any limitations to access

**Policy Reference Number:** CM03.17CP  
**Portfolio:** Council Sustainability  
**Business Unit:** Governance

**Adoption Date:** 9/11/2020  
**Review Date:** 9/11/2022  
**File References:** 10456050  
Page 1 of 4

information comply with privacy, confidentiality, or legal restraint. Reasonable limitations are also imposed if the request for advice is unreasonably onerous or a significant impost on Council resources.

Council is committed to:

1. Facilitate access to information by Councillors to Council Information to enable the appropriate and informed discharge of civic duties;
2. Adopt a process of appropriate interactions between Councillors and Council Employees; and
3. Determine limits and minimum requirements to facilitate access to information.

### CONSIDERATION OF HUMAN RIGHTS UNDER *HUMAN RIGHTS ACT 2019*

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the human rights determined that no human rights are limited or affected by this Policy, because this Policy does not inhibit Councillors' participation in public life. Any limitations are imposed by legislation.

### COMPLIANCE, MONITORING AND REVIEW

The Council's Governance Business Unit is responsible for ensuring this Policy:

- Aligns with relevant legislation, government policy or contemporary theories on decision-making;
- Aligns with the values and strategies of Council;
- Is monitored and reflects the changing policy environment, and emerging issues are identified; and
- Is reviewed to evaluate its continuing effectiveness by achieving its purpose and remains current.

### DEFINITIONS

**Act** means *Local Government Act 2009*.

**Advice** means the provision of knowledge or opinion by a Council employee to assist a Councillor to carry out their duties under the Act.

**Council Employee** means any person employed by Scenic Rim Regional Council either permanent, temporary, casual or under contract.

**Complex Advice** means requests of a complex nature that require substantial research and analysis by an individual.

**General Access Advice** means any routine advice or information that is readily available to members of the public.

**Information** means information related to Council that Council has access to. It includes records and documents, in printed or electronic, form that is in possession of Council and not otherwise protected by law or excluded

**Personal information** has the meaning defined in the *Information Privacy Act 2009*.

**Protected information** means information that may not be disclosed to a Councillor under this Procedure because it is information deemed confidential because it relates to a Crime and Corruption Commission investigation, an active investigation or a Public Interest Disclosure.

**Public Interest Disclosure** has the meaning as defined in the *Public Interest Disclosure Act 2010*.

**Reasonable Requests** are requests which in the opinion of the Chief Executive Officer will not require excessive or unwarranted use of Council resources.

**Relevant Officer** includes persons temporarily acting in those positions.

**Senior Executive Officer** means the Chief Executive Officer or a General Manager of Council.

**Senior Officer** means any officer with the designation Manager as their title.

#### RELATED DOCUMENTS

1. *Crime and Corruption Act 2001*;
2. *Local Government Act 2009*;
3. *Public Interest Disclosure Act 2010*;
4. *Public Sector Ethics Act 1994*;
5. *Information Privacy Act 2009*;
6. Acceptable Requests Procedure;
7. Caretaker Policy;
8. Complaints Management Policy;
9. Management of Confidential Information of Council by Councillors Policy;
10. Councillor Code of Conduct;
11. Councillor Expenses and Reimbursement Policy;
12. Employee Code of Conduct;
13. Meetings and other Forums Policy;
14. Meetings and other Forums - Administration and Participation Procedure;
15. Public Interest Disclosures Policy;
16. Public Interest Disclosures Procedure and Management Plan;
17. Standing Orders Policy;
18. Standing Orders Procedure; and
19. Standing Orders - Administration and Conduct Procedure.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - Open and Responsible Government.



# APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Council
Administrator	Governance
Next Review Date	09/11/2022

Approval and Amendment History	Details
Original Approval Authority and Date	Council 26/02/2013
Amendment Authority and Date	Council 25/03/2014, 24/05/2016, 18/09/2018
Notes	This document consolidates and replaces Acceptable Requests Policy and Guideline

Approved by:

**SCENIC RIM REGIONAL COUNCIL**

Adopted: 9 November 2020

## Version Information

Version No.	Date	Key Changes
1.	26/02/2013	New Guideline implemented.
2.	25/03/2014	Reviewed to include how responses will be provided.
3.	24/05/2016	Relevant Officer titles updated.
4.	18/09/2018	Updated into New Policy and Guideline.
5.	9/11/2020	Updated into new policy framework , revised for legislative compliance.

Policy Reference Number: CM03.17CP  
Portfolio: Council Sustainability  
Business Unit: Governance

Adoption Date: 9/11/2020  
Review Date: 9/11/2022  
File References: 10456050  
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## ACCEPTABLE REQUESTS

### OBJECTIVES

The objectives of this procedure are to provide a structured approach to communications between Councillors and Council employees. This Procedure is aimed at facilitating access to information and advice from council staff to enable Councillors to discharge their civic duties from an informed position. This Procedure sets reasonable limits on requests based on legislative limitations and operational efficiency.

The purpose of this Procedure is to:

1. Acknowledge that Councillors may require Council information to effectively discharge their duties;
2. Facilitate access to information for Councillors in an open and transparent manner;
3. Facilitate access to nominated Council employees;
4. Provide a rational process to make requests and receive the information or advice;
5. Provide a process of analysis and validation of requests and allow the Chief Executive Officer (CEO) to deny such a request if it is not connected to the role of a Councillor; and
6. Allow for a determination that a request is unreasonably onerous or an unreasonable impost on the organisational capacity.

For the purposes of the requirements of the *Local Government Act* 2009 (the Act) at section 170A(7) this Procedure is deemed to be the guideline referred to in that section.

### SCOPE

This Procedure provides a structure to ensure Councillors are provided with all relevant advice or information to exercise their duties as a Councillor and provide for an appropriate level of access to Council employees in order to exercise the functions of civic office and to facilitate informed decision making. This Procedure applies to all Councillors and Council employees.

Reference Number: CM03.17PR.01  
Portfolio: Council Sustainability  
Business Unit: Governance

Adoption Date: 9/11/2020  
Review Date: 9/11/2022  
File References: 11076359  
Page 1 of 6

## PROCEDURE ACTIONS

### Councillor Responsibilities

A Councillor may ask for advice or information to assist the Councillor to carry out his or her responsibilities under the Act by lodging a request in writing in the following way:

- Direct request via email addressed to the [crsupport@scenicrim.qld.gov.au](mailto:crsupport@scenicrim.qld.gov.au);
- Completing the Request for Advice or Information form as it is made available from time to time; or
- Completing the paper version of the request form scanned and submitted to [crsupport@scenicrim.qld.gov.au](mailto:crsupport@scenicrim.qld.gov.au)

Councillors may direct their requests for advice or assistance in accordance with section 170A(1) to any of the following listed officers:

- a. The CEO;
- b. Senior Executive Officers;
- c. Any Senior Officer;
- d. A Councillor Support Officer;
- e. Principal Specialist Governance and Assurance.

Councillors should not seek to circumvent the acceptable requests process by asking a Councillor Support Officer to provide the Councillor with the advice, information or documents sought from Council's systems.

### Officer Responsibilities

Requests for advice will be triaged by a Councillor Support Officer and sent to the appropriate General Manager or Manager for advice or information. All requests information requests and advice requests will be sent via the CEO for response.

The timeframes as required by the *Local Government Act 2009* will be adhered to in all circumstances except in the case of a genuine emergency. In an emergency the CEO and the Councillor will agree on appropriate timeframes. Any request made under the Policy and Procedure will be acknowledged within one business day and a response will be provided within 10 business days, except where the request is of a complex nature or requires substantial research. Requests of a complex nature will be responded to within 20 business days or as agreed between the CEO and the requestor.

### Advice or Information

Councillors are limited to asking for advice or information that is connected to their role as an elected representative of Council. The connection to the role as an elected member is a pre-requisite for Council officers to provide the requested information.

Both terms have a particular meaning in the context of this Procedure.

### Access and use of Advice and Information

Councillors have a right to inspect any record of Council provided that it is relevant to the exercising of the Councillor's responsibility in his/her official capacity and is not subject to privacy, confidentiality or legal restraint. It is expected that Councillors will act reasonably in making any request. This right to access does not extend to an entitlement to disclose any information obtained pursuant to this Procedure to any other person, unless that information is already in the public domain.

Reference Number: CM03.17PR.01  
Portfolio: Council Sustainability  
Business Unit: Governance

Adoption Date: 9/11/2020  
Review Date: 9/11/2022  
File References: 11076359  
Page 2 of 6

### General requirements for requests

When asking for advice or information Councillors must act in accordance with the following guiding principles:

- the local government principles prescribed in section 4(2) of the Act;
- the Code of Conduct for Councillors in Queensland;
- all of the obligations set out in Chapter 6, Division 5 of the Act;
- not direct, or attempt to direct any Council employee to do anything (except for the Mayor, who is entitled to direct only the CEO in accordance with sections 170 and 12(4) of the Act);
- not behave towards Council employees in an overbearing or threatening manner;
- not coerce or entice, or attempt to coerce or entice any Council employee to do anything that does not comply with this Procedure;
- not unduly disrupt a Council employee in the undertaking of that Council employee's routine employment obligations;
- not place, or attempt to place any Council employee in a position that would create a conflict of interest for that Council employee, or that would compromise the integrity and honest performance of that Council employee;
- comply with all laws that apply to the local government, as well as Council policies, procedures and guidelines;
- not breach any confidentiality obligations under legislation whereby information is not to be disclosed by Councillors (for example, the Information Privacy Act 2009, Crime and Corruption Act 2001, Public Interest Disclosure Act 2010, Workers' Compensation and Rehabilitation Act 2003);
- during the caretaker period not request information or advice that involves or relates to major policy decisions of Council or which will result in or be likely to result in any inappropriate political gain or advantage for the Councillor (as per sections 90A – 90D of the Act);
- act in good faith; and
- be respectful, reasonable and professional.

Councillors may request advice or information with assistance from a Councillor Support Officer. However, when doing so, the Councillor Support Officer must comply with this Procedure as if the Councillor Support Officer was the Councillor making the request directly.

### Provision of Advice, Information and assistance

The preferred access is to be facilitated by providing the information in electronic format and Councillors are responsible for the secure destruction of any print or electronic documents that are produced by the Councillor after being provided with the requested information, advice or assistance.

View only access may be provided in circumstances where:

- A document is of historical significance and could be damaged if copied or scanned;
- If copying or scanning a document would unreasonably divert the resources of the relevant department from its other operations;
- If an Act or agreement signed by Council states that the document is not to be copied or reproduced;
- The contents of the document are considered by the CEO to be of such a confidential nature, that a risk could arise in the provision of the document in hardcopy or electronic format.

### Refusal to provide Advice or Information

Should a request for advice or information be raised that is considered to be outside of the scope of a Councillor's official duties or a request for advice or information be received which, upon consideration, will take a significant amount of resources to satisfy or cause an undue impact on employees' 'business as usual' responsibilities, the matter is to be escalated to the CEO via the General Manager of the affected portfolio.

The CEO will make an initial assessment and decision to determine whether the request is required to allow the Councillor to perform their duties. The CEO will inform the Councillor of the decision either directly or via his Executive Assistant. The CEO will not unreasonably deny access to information based on the preliminary assessment.

The second-tier decision may be made if the request is an unreasonable impost on the business as usual or if the information is protected information. Reasons for that decision will be provided by the CEO to the Councillor. The CEO may seek any advice or information to inform the decision from any Council employee.

A Councillor may appeal to the CEO to review the decision and provide any additional information to the CEO to inform the reviewed decision. The CEO will provide the reviewed decision within 10 business days from the date of the request for review. If after the review, the CEO confirms that the advice or information requested is not deemed to be required for the Councillor to carry out their official duties, or is an unreasonable impost on the business as usual, that the matter be referred to Council for determination, or the Councillor has the opportunity to apply for access to the documents via Council's Right to Information process. Such an application is made by the Councillor as a member of the public rather than in their formal capacity of elected member.

A full record of requests for information and any resulting interactions will be maintained and all Councillors are entitled to view this record in the interests of transparency.

### Suspected Breaches of Procedure

Any suspected breach of this Procedure is to be communicated immediately, in writing, as follows:

- Any suspected breach by employees may constitute a breach of the Employee Code of Conduct and is reported to the relevant General Manager who is to:
  - Advise the CEO and the General Manager People and Strategy;
  - Investigate the matter;
  - Document the outcome of the investigation;
  - Inform the CEO and the General Manager People and Strategy of the outcome so that appropriate action may be taken to resolve the issue.
- Any suspected breach of this Procedure by a Councillor may constitute Councillor Misconduct under s 150L(1)(c)(ii) of the *Local Government Act 2009* or a breach of the Councillor Code of Conduct, and will be referred to the Office of the Independent Assessor, Queensland Government for investigation and action as appropriate.

**DEFINITIONS**

**Act** means *Local Government Act 2009*.

**Advice** means the provision of knowledge or opinion by a Council employee to assist a Counsellor to carry out their duties under the Act.

**Advice of a complex nature** means requests of a complex nature that require substantial research and analysis by an individual.

**Council employee** means any person employed by Scenic Rim Regional Council either permanent, temporary, casual or under contract.

**General advice** means any routine advice or information that is readily available to members of the public.

**Information** means information related to Council that Council has access to, it includes records and documents, in printed or electronic, form that is in possession of Council and not otherwise protected by law or excluded.

**Personal information** has the meaning defined in the *Information Privacy Act 2009*.

**Protected information** means information that may not be disclosed to a Councillor under this Procedure because it is information deemed confidential because it relates to a Crime and Corruption Commission investigation, a confidential referral to the Office of the Independent Assessor, or is otherwise protected because it is part of an active investigation.

**Public Interest Disclosure** has the meaning as defined in the *Public Interest Disclosure Act 2010*.

**Reasonable Requests** are requests which in the opinion of the CEO will require excessive or unwarranted use of Council resources.

**Relevant Officer** includes persons temporarily acting in those positions.

**Senior Executive Officer** means the Chief Executive Officer or a General Manager of Scenic Rim Regional Council.

**Senior Officer** means any officer who has the designation of Manager as part of their official title.



**RELATED DOCUMENTS**

1. *Crime and Corruption Act* 2001;
2. *Local Government Act* 2009;
3. *Information Privacy Act* 2009;
4. *Public Interest Disclosure Act* 2010;
5. *Public Sector Ethics Act* 1994;
6. Acceptable Requests Policy;
7. Caretaker Policy;
8. Complaints Management Policy;
9. Management of Confidential Information of Council by Councillors Policy;
10. Councillor Code of Conduct;
11. Councillors Expenses and Reimbursement Policy;
12. Employee Code of Conduct;
13. Meetings and other Forums Policy;
14. Meetings and other Forums - Administration and Participation Procedure;
15. Public Interest Disclosures Policy;
16. Public Interest Disclosures Procedure and Management Plan;
17. Standing Orders Policy;
18. Standing Orders Procedure; and
19. Standing Orders - Administration and Conduct Procedure.

This procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme – Open and Responsive Government.

**APPROVAL AND REVIEW DETAILS**

Approval and Review	Details
Approval Authority	Council
Administrator	Principal Specialist Governance and Assurance
Next Review Date	2 years 9/11/2022

Approval and Amendment History	Details
Original Approval Authority and Date	Council 26/02/2013
Amendment Authority and Date	Council 25/03/2014, 24/05/2016, 18/09/2018, 9/11/2020
Notes	Rescind previous version, update documents into the current Policy Framework. This document updates, consolidates and replaces Acceptable Request Policy and Guideline.

Approved by:

**SCENIC RIM REGIONAL COUNCIL**

Adopted: 9 November 2020

**Version Information**

Version No.	Date	Key Changes
1.	9/11/2020	New Procedure to replace Acceptable Requests Guideline.

Reference Number: CM03.17PR.01  
Portfolio: Council Sustainability  
Business Unit: Governance

Adoption Date: 9/11/2020  
Review Date: 9/11/2022  
File References: 11076359  
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# POLICY



## Council Policy

### Acceptable Request Guidelines

<b>Policy Reference Number</b>	CM03.17CP	<b>Adoption Date</b>	Xx/xx/2023
<b>Portfolio</b>	Council Sustainability	<b>Next Review Date</b>	Xx/xx/2026
<b>Business Unit</b>	Governance and Assurance	<b>Document ID</b>	10456050

### Purpose / Objective

Council is committed to ensuring that its elected representatives have appropriate access to relevant advice or information they require to perform their roles and to facilitate informed decision-making.

The purpose of this Policy is to establish 'acceptable request guidelines' as required by section 170A of the *Local Government Act 2009* (the Act) to establish:

- (a) the way in which Councillors may ask Council employees for advice, to help a Councillor carry out their responsibilities under the Act;
- (b) the way in which a Councillor may ask the Chief Executive Officer to provide information, that the local government has access to, relating to the local government; and
- (c) the reasonable limits on requests that a Councillor may make.

A request by a Councillor for advice or information has no effect if the request does not comply with this Policy. However, a request does not need to comply with the Policy if it is made by:

- (a) the Mayor; or
- (b) the chairperson of any committee of Council if the request relates to their role as the chairperson.

### Scope

This Policy applies to all Councillors, Councillor Advisors, employees, and contractors working for Council regardless of whether they are permanent, temporary, full time, part time, or casual.

### Policy Statement

It is necessary for Councillors and Council employees to interact so that informed decisions that deliver positive outcomes for the community are achieved.

Councillors may ask for advice or information to help them carry out their responsibilities under the Local Government Act 2009. Only the Officers listed in the below table can be requested to provide advice, and only if the advice relates to the role and function of the Council business unit to which that officer is attached or is within that Officer's area of expertise.

Nature of Request	Who requests can be made to	How request is made
<p><b>Advice</b></p> <p>The provision of knowledge or opinion by a Council employee to assist a Councillor to carry out their duties under the Act.</p> <p>Example 1. A Councillor may ask a Council employee to advise the Councillor on the process to be followed for an application for a permit.</p> <p>Example 2. A Councillor may ask a Council employee for advice on the process for a community group to apply for a sporting grant.</p>	<p>(a) The Chief Executive Officer</p> <p>(b) General Manager</p> <p>(c) Manager</p> <p>(d) Principal Specialist</p> <p>(e) Coordinator</p> <p>(f) Councillor Support Officers</p> <p>(g) Any other local government employee authorised in writing by the Chief Executive Officer from time to time, to provide advice in accordance with this Policy.</p>	<p>(a) Email</p> <p>(b) Telephone</p> <p>(c) In person</p> <p>(d) Online form</p>
<p><b>Information</b></p> <p>Information relating to Council that the local government has access to. It includes records and documents (in printed and electronic form) that Council possesses or can access.</p> <p>Example 1. A Councillor may ask the Chief Executive Officer for a copy of an application that was submitted for a road closure permit.</p> <p>Example 2. A Councillor may ask the Chief Executive Officer for a copy of a lease agreement for a sporting facility owned by Council.</p>	<p>(a) The Chief Executive Officer</p> <p>(b) Any other local government employee authorised in writing by the Chief Executive Officer from time to time, to provide information in accordance with this Policy.</p>	<p>(a) Email</p> <p>(b) Telephone</p> <p>(c) In person</p> <p>(d) Online form</p>

Should the request be complex, the officers listed above may require that the request be in writing.

All requests for advice and information are required to be:

- (a) submitted to the appropriate employee;
- (b) acknowledged – within 2 business day (unless unable to do so e.g. an employee is on leave); and
- (c) within 10 business days (or within 20 days where the request is of a complex nature or requires substantial research and it is not reasonably practicable to reply sooner):
  - accepted;
  - referred; or
  - Declined.

#### 1) Reasonable Limits

When asking for advice or information Councillors must:

- (a) act in accordance with the local government principles prescribed in section 4(2) of the Act;
- (b) act in accordance with the Code of Conduct for Councillors in Queensland;
- (c) not breach section 171 of the Act (Use of Information by Councillors);
- (d) not direct, or attempt to direct any Council employee to do anything (except for the Mayor, who is entitled to direct only the Chief Executive Officer in accordance with sections 170 and 12(4) of the Act);
- (e) not behave towards Council employees in a threatening manner, attempt to coerce or entice any Council employee to do anything that does not comply with this Policy;
- (f) not place, or attempt to place any Council employee in a position that would create a conflict of interest for that Council employee, or that would compromise the integrity and honest performance of that Council employee;
- (g) comply with Council policies, procedures and guidelines; and
- (h) act in good faith and be respectful, reasonable and professional.

If a Councillor is not satisfied with a response to their request for advice or information, the Councillor should in the first instance raise the concern with the Chief Executive Officer or relevant General Manager.

Under no circumstances is it permitted for a Councillor to directly contact a Council employee regarding a complaint about their request for advice or information.

## 2) Exceptions

A Councillor may not ask for advice or information that:

- (a) will place an unreasonable burden on Council's resources;
- (b) is a record of the Councillor Conduct Tribunal;
- (c) would be contrary to an order of a court or tribunal;
- (d) would be privileged from production in a legal proceeding on the grounds of legal professional privilege;
- (e) would disclose Personal Information, including employees' bank accounts details, child support deductions or tax file number;
- (f) is confidential information under the *Crime and Corruption Act 2001*;
- (g) is about matters relating to the conduct of any Councillor pursuant to Part 3, Chapter 5A of the Act;
- (h) is a record in relation to an employee's recruitment and performance, with the exception of the recruitment and performance of the Chief Executive Officer.

These matters may be escalated to the Chief Executive Officer to make a decision as to whether it is appropriate for a Councillor to access the documents.

## 3) Access to Documents

The Chief Executive Officer may determine that 'view only' access to information should be provided to a Councillor when:

- (a) a document is of historical significance and could be damaged if copied or scanned;
- (b) if copying or scanning a document would unreasonably divert the resources of the relevant Council business area from its other operations;

- (c) if an Act or agreement signed by Council states that the document is not to be copied or reproduced.

Where this occurs, the Chief Executive Officer will determine a suitable time and place for the Councillor to be provided with 'view only' access and may require the Councillor to sign a register recording when the information was viewed.

While not every document will be considered 'Confidential', Councillors should be aware that information provided may contain confidential material and must be handled appropriately to ensure that Council maintains its reputation and good standing within the community.

Councillors must ensure that hardcopy documents provided by Council are securely destroyed when the documents are no longer required.

#### **4) Council Offices and Building Access**

As elected representatives of Council, Councillors are entitled to have access to:

- Council Chambers;
- Dedicated spaces for meetings, briefings and official functions;
- Nominated Councillor office space, work areas and Councillors' Administrative Support areas;
- All publicly accessible areas in Council buildings.

Councillors are encouraged not to enter any other work areas of Council without prior arrangement. Councillors wishing to meet with officers should first make a request to the CEO or relevant General Manager.

#### **5) Non business related interactions between Councillors and Council Employees**

It is recognised that Councillors and Council employees often live in the same community, interact as members of the community and form relationships outside of Council. The requirements of this Policy do not in any way impact on the ability of Councillors and employees, as community members, to interaction in social or informal settings. However, it must also be recognised that the abovementioned interactions should not be used as a forum to discuss Council related matters.

If during the course of general conversation, a Council related matter is raised by either party, it is appropriate to terminate that topic of discussion and advise the Councillor or Council employee to raise the matter through the appropriate Council channels.

Should this behaviour become repetitive, these matters need to be raised to the Chief Executive Officer.

#### **6) Breach**

Any suspected breach of this Policy is to be communicated immediately, in writing, as follows:

- (a) Any suspected breach by a Council employee may constitute a breach of the Code of Conduct and is reported to the CEO, General Manager or Governance team member for investigation and action as appropriate.
- (b) Any suspected breach of this Policy by a Councillor may constitute a breach of the Councillor Code of Conduct and is to be reported to the CEO for consideration of whether a referral to the Office of the Independent Assessor is required.

### **Consideration of Human Rights under Human Rights Act 2019**

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy/ Administrative (delete if not applicable) Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to

develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the human rights determined that no human rights are limited or affected by this Policy, because outline how the topic of this Policy does or does not affect the human rights.

## Compliance, Monitoring and Review

The Principal Specialist Governance and Assurance is responsible for ensuring the Policy:

- Aligns with all relevant legislation and government Policy;
- Aligns with requirements, strategies and values;
- Is implemented and monitored; and
- Is reviewed to evaluate its continuing effectiveness.

## Definitions

**Act** means *Local Government Act 2009*.

**Advice** means the provision of knowledge or opinion by a Council employee to assist a Councillor to carry out their duties under the Act.

**Complex Advice** means requests of a complex nature that require substantial research and analysis by an individual.

**Personal information** has the meaning defined in the *Information Privacy Act 2009*.

## Related Legislation and Documents

- 1) Code of Conduct for Councillors in Queensland;
- 2) *Crime and Corruption Act 2001*;
- 3) *Information Privacy Act 2009*;
- 4) *Local Government Act 2009*;
- 5) *Local Government Regulation 2012*;
- 6) *Public Interest Disclosure Act 2010*;
- 7) *Public Sector Ethics Act 1994*;
- 8) Caretaker Policy;
- 9) Complaints Management Policy;
- 10) Councillor Portfolios Policy;
- 11) Councillor Administrative Support Policy;
- 12) Councillor Expenses and Reimbursement Policy;
- 13) Employee Code of Conduct;
- 14) Management of Confidential Information of Council by Councillors Policy;
- 15) Public Interest Disclosures Policy;
- 16) Public Interest Disclosures Procedure and Management Plan; and
- 17) Standing Orders for Council Meetings.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2026, in particular theme - Open and Responsive Government

## Approval and Review Details

Approval and Review	Details
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Original Approval Authority and Date Council 26/02/2013

Amendment Authority and Date Council xx/xx/2023

Notes Policy re-write based on recommendations from Governance Advisor.

## Approved By:

SCENIC RIM REGIONAL COUNCIL

Adopted: XX/YY/ZZ

## Version Information

Version No	Date	Key Changes
1	26/02/2013	Corporate and Community Services Meeting 19/02/2013; Item No. 1.2; Ordinary Meeting Item No. 6
2	25/03/2014	Corporate and Community Services Meeting 19/02/2013; Item No. 1.2; Ordinary Meeting; Item No. 6
3	24/05/2016	Corporate and Community Services Meeting 17/05/2016; Item No. 3.1; Ordinary Meeting; Item No. 6
4	24/09/2018	Corporate and Community Services Meeting 18/09/2018; Item No. 3.2; Ordinary Meeting; Item No. 6
5	09/11/2020	Ordinary Meeting; Item No. 11.7
6	Xx/xx/2023	Ordinary Meeting; Item No. xxx

## 10.7 Council Policy - Live Streaming of Council Meetings

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Principal Specialist Governance and Assurance

**Attachments:**

1. Draft Council Policy - Livestreaming of Council Meetings [↓](#) 

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### Executive Summary

To facilitate the live streaming of Council meetings, a Live Streaming of Council Meetings Policy (the Policy) has been drafted for consideration. The Policy outlines the framework under which meetings will be live streamed, recorded and made available on Council's website.

The Policy is now submitted for consideration by Council.

### Recommendation

That Council adopt Council Policy - Live Streaming of Council Meetings CM03.37CP.

### Previous Council Considerations / Resolutions

Not applicable.

### Report / Background

#### Public attendance at Ordinary Meetings

Council currently permits visitors into the public gallery in the Council Chambers to watch Ordinary Meetings, as a requirement under the *Local Government Regulation 2012*. The public can attend all Ordinary Meetings, unless Council closes the meeting by resolution pursuant to section 254J.

#### Live streaming and recording of meetings

There is no legislative requirement for Council to live stream or record and publish Ordinary Meetings, however, several Councils have adopted a policy position and undertake the practice of live-streaming Ordinary Meetings. Scenic Rim Regional Council introduced live streaming of the audio of Ordinary Meetings during the restrictions imposed due to the Covid pandemic. This practice continued once restrictions were lifted.

The intent is now to live stream both video and audio of Ordinary Meetings. To ensure consistency and appropriate endorsement, a policy has been drafted for the consideration of Council. The Policy provides the platform for enhanced transparency of and access to decision-making and debate on Council matters determined at Ordinary Meetings. It further provides access to members of the community who would otherwise be unable to attend in person.

## Budget / Financial Implications

There will be a financial cost to implementing the Policy. Costs will be confirmed after further consultation with Councillors and the Manager Information Services and Technology .

## Strategic Implications

### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

### *Legal / Statutory Implications*

Capturing of video and audio of participants at Ordinary Meetings will be classed as personal information, and consent to publish will be required in order to meet Information Privacy obligations. To safeguard against any potential breaches, a statement should be included on Council's website advising of how the information is being captured and the intended use of that information. Signage is also required to be placed at the entrance to Council Chambers advising that the meeting is being recorded and live streamed (video).

Under the draft Policy, the Chair of the Ordinary Meeting is to announce that the meeting is being recorded and the purpose and use of the recording.

Should any officer have concerns about privacy matters by attending the Ordinary Meeting, the officer will need to raise these concerns with the Manager, General Manager or the Chief Executive Officer prior to attending the meeting. This will allow for alternative arrangements to be considered.

## Risks

### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

### Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Governance, Risk & Compliance  Failure to comply with legislative obligations.	3 Moderate	Likely	High	Ensure the live streaming of meetings is done in line with Information Privacy principles.	Low

**Consultation**

Manager Information Services and Technology

**Conclusion**

Council can adopt a policy position to live stream and record Ordinary Meetings. Once adopted, officers can implement the policy and commence live streaming and recording of video and audio of Ordinary Meetings. Council will need to be aware of potential Information Privacy obligations relating to live streaming.

# POLICY



## Council Policy

### Live Streaming of Council Meetings

<b>Policy Reference Number</b>	CM03.37CP	<b>Adoption Date</b>	XX/XX/2023
<b>Portfolio</b>	Council Sustainability	<b>Next Review Date</b>	Xx/xx/2025
<b>Business Unit</b>	Governance / Information Services and Technology	<b>Document ID</b>	TBA

#### Purpose / Objective

The purpose of this Policy is to ensure a consistent approach to the live streaming of Ordinary and Special Meetings of Council and other meetings as determined by the Chief Executive Officer to promote transparency and accountability in Council's decision-making processes. It aims to provide the community with the greatest degree of access to Council decisions and debate, eliminating barriers that may prevent members of the public from otherwise attending meetings in person.

#### Scope

This Policy applies to:

- All Ordinary and Special Meetings and other meetings as determined by the Chief Executive Officer;
- Councillors and Officers of the Scenic Rim Regional Council; and
- Members of the public, both as visitors in the gallery and when invited to speak in the meeting.

Council will not live stream Meetings of Council closed in accordance with section s254J of the *Local Government Regulation 2012* for confidential items of business.

#### Policy Statement

Ordinary and Special Meetings will be live streamed with a link provided on Council's website.

A link to the recording of a meeting will be available for viewing on Council's website within approximately 48 hours after the meeting where possible.

There may be situations where, due to technical difficulties beyond Council's control, a live stream or recording of a meeting may not be available. Every reasonable effort will be made to ensure live streams and meeting recordings are made available on Council's website. Council takes no responsibility for and accepts no liability in the event that live streaming of a meeting, a recording of a meeting, or Council's website is unavailable.

Technical issues may include but are not limited to, the availability of the internet and network or device

failure or malfunction.

At any time during a meeting, the Chair (through the Chief Executive Officer) has the discretion and authority to direct the termination or interruption of live streaming if they believe it is advisable to do so. Such direction will only be given in exceptional circumstances, for example, where statements are or are likely to be made that are considered inappropriate to be published (by streaming or recording) or where disorder arises at a meeting.

In recognition of any potential reputational, legal and financial risk to Council, recorded meetings may be edited in post-production prior to uploading to Council's website where it is required to prevent inappropriate opinions, behaviour or statements (including discriminatory and defamatory statements) made during the course of the meeting to be published.

Archived recordings that are prepared for publishing on Council's website may be edited to ensure that the content remains consistent with the above standard and where a temporary adjournment or short break in the council meeting is edited out to seamlessly merge items in the agenda for ease and convenience in public viewing. If the archived recording has been edited, a note should be provided next to the link to the archive providing an explanation for the edit.

### **Privacy**

Councillors, Council employees and members of the public in attendance at the meeting may be seen and heard on the live stream and on the recording of the meeting that is published on Council's website.

Appropriate signage will be placed at the entrance to the meeting location, notifying all attendees that the meeting will be live streamed and recorded for publication on Council's website. Notice will also be given on Council's website and printed in the Council Meeting Agenda and on Deputation Request forms.

At the commencement of each meeting, the Chair will state that the meeting will be live streamed and that a recording of the meeting will be made publicly available for viewing on Council's website.

When live streaming, it is intended that the standard camera position(s) will only provide vision of the Councillors who are present at the meeting. As far as practically possible, it is not intended that there be either live or recorded vision of the public or Council officers, however this Policy recognises that there might be incidental capture, for example, in the background behind a Councillor and the audio of a member of the public addressing the meeting.

At the appropriate point in the meeting, if a member of the public has been granted a Deputation, the Chair will call on the person to speak, and they will be directed to a specific location within the Council Chamber. Members of the public who address a meeting will be heard on the live stream, and audio of them speaking will be recorded.

By attending a Council meeting attendees will be taken as having consented to their image, speech and statements being live streamed and published on Council's website.

### **Closed Meetings**

If Council resolve to close a meeting to the public in accordance with Section 275 of the *Local Government Regulation 2012* for the whole of the meeting or any item of business, live streaming and recording will cease.

### **Disclaimer**

It is possible that statements could be made which may be regarded as offensive, defamatory, or contrary to law. Statements such as these made in a Council meeting by Councillors, Council officers or members of the public are not protected and may be the subject of legal proceedings and potential liability.



Unless otherwise decided by resolution, Council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a Council meeting and which may be contained in a live stream or recording of a Council meeting.

Council does not accept any responsibility for any verbal comments made during Council meetings that may be inaccurate, incorrect or defamatory and do not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.

## Consideration of Human Rights under Human Rights Act 2019

In acknowledgement of the fundamental human rights recognised in international covenants, this Council Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against human rights determined that no human rights are limited or affected by this Policy.

## Compliance, Monitoring and Review

The Principal Specialist Governance and Assurance is responsible for ensuring the Policy:

- Aligns with all relevant legislation and government Policy;
- Aligns with requirements, strategies and values;
- Is implemented and monitored; and
- Is reviewed to evaluate its continuing effectiveness.

## Definitions

**Council** means Scenic Rim Regional Council.

## Related Legislation and Documents

1. *Information Privacy Act 2009 (Qld)*;
2. *Information Privacy Regulation 2009*;
3. *Local Government Act 2009*;
4. *Public Records Act 2002 (Qld)*;
5. Security Camera Privacy Management Policy; and
6. Security Camera Privacy Management Guideline.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2026, in particular, theme – Open and Responsive Government

## Approval and Review Details

Approval and Review	Details
Original Approval Authority and Date	Council xx/xx/2023; Item No. xx;
Amendment Authority and Date	
Notes	New Policy

**Approved By:**

SCENIC RIM REGIONAL COUNCIL

Adopted: XX/YY/2023

**Version Information**


Version No	Date	Key Changes
1	Xx/xx/2023	Ordinary Meeting Item No. xx; New Policy

## 10.8 Establishment of a Councillor Portfolio System

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Principal Specialist Governance and Assurance

**Attachments:**

1. Draft Council Policy - Councillor Portfolios CM03.35CP [↓](#) 

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### Executive Summary

Councils across Queensland have established a Councillor Portfolio System whereby Councillors are assigned to specific areas of responsibility. Portfolios do not have any specific legislative basis apart from being aligned to the local government principles and Councillor responsibilities under the *Local Government Act 2009* (LGA). To establish a Councillor Portfolio System for Scenic Rim Regional Council, the Council could adopt a policy, which would outline Council's intent and the operating framework for portfolios.

Some examples of the types of portfolios are provided in this report, along with suggestions for the method for choosing the type of portfolio and appointment of the appropriate Councillor to that portfolio.

### Recommendation

That Council adopt the Council Policy - Councillor Portfolios CM03.35CP.

### Previous Council Considerations / Resolutions

Not applicable.

### Report / Background

Local Governments operate a variety of meetings, forums and other governance systems that facilitate the discharge of Councillor responsibilities under the LGA. Some of these meetings, forums and systems are established pursuant to the LGA while others have no specific statutory basis other than being founded in accordance with local government principles. One such system is the Councillor Portfolio System.

#### Councillor Portfolio System

A Councillor Portfolio System allows for nominated Councillors to be assigned to areas of responsibility linked to Council's key strategic priorities. The portfolio system enhances the ability of the Mayor and Councillors to discharge their responsibilities under the LGA. This is achieved by providing Councillors with an opportunity to not only use existing skills and experience but to develop an increased level of knowledge in a specific area of responsibility or "portfolio". By focusing on specific portfolios, Councillors are able to provide more effective leadership and representation across the region relating to the particular area of responsibility.

By utilising a portfolio system Councillors will:

- Be better informed of initiatives, proposals, issues and activities relevant to their portfolio;
- Be the official Council spokesperson or representative for portfolio-related matters;
- Impart advice and knowledge to Council officers for consideration of proposals relevant to their portfolio.

#### Mayor's Portfolio

Unlike Councillors, the Mayor has a portfolio by virtue of the elected position. The Mayor already has responsibility to be the spokesperson on issues across the region. These include the following areas where the Mayor would be expected to take the lead role with the support of a relevant Portfolio Councillor:

- Emergency management, for example floods, fires, cyclones;
- Major reputation management;
- State and/or Federal Government matters, policies, plans, initiatives and relationships;
- Civic events;
- Initiatives and projects of major regional significance;
- Region wide planning matters;
- Major regional events and promotions;
- General commentary on the performance of the regional economy and Council finances which impact on or are relevant to the Region generally; and
- Matters of regional environmental significance.

#### Alignment with Corporate Plan and Strategies

In order to comply with local government principles, it is good practice to align portfolios with particular corporate goals and Council strategies. Councillors would decide on the subject matter of a portfolio and nominate and vote on a Councillor deemed most suitable. Portfolios can be aligned with a term of Council, and it is suggested that the appointment of each Portfolio Councillor be reviewed annually. Each portfolio may have a linked Council department that carries the operational responsibility for the performance of the relevant corporate goal or strategy. Officers from within that department would provide the necessary support to the Portfolio Councillor.

#### Councillor Portfolio Policy

A policy should be adopted to outline the Council's intent and to provide for operating parameters, including the roles of the Mayor and Councillors in the discharge of their portfolio responsibilities. The Policy can also document the types of portfolios along with each assigned Portfolio Councillor. The Policy also provides guidance on the engagement and assistance of Council officers and the subsequent reporting requirements.

The policy will be linked to the Acceptable Requests Policy and Media Policy which have been amended to reflect this new policy position.

### Suggested Portfolios

Several Councils across Queensland have established a Councillor Portfolio System. Such Councils include Bundaberg, Sunshine Coast, Moreton Bay, Charters Towers and Rockhampton to name a few. Some of the portfolios which can be considered for this Council are:

- Community, Arts and Culture;
- Active Transport (including roads, bridges and footpaths);
- Sport and Recreation;
- Tourism and Regional Events;
- Biodiversity and Agribusiness;
- Economic Development and Prosperity; and
- Parks, Gardens and Open Space.

As mentioned earlier, portfolios can be aligned to key corporate objectives or strategies.

Councillors could be assigned portfolios based on their particular skill, experience and knowledge base, although there are not usually any prerequisites. Having an interest in the subject matter for a particular portfolio may be sufficient reason to become the Portfolio Councillor, but ultimately, it is up to Councillors to decide.

The Policy will form the record of the particular portfolio and the assigned Councillor.

### **Budget / Financial Implications**

There are no anticipated financial or budget implications with portfolios.

### **Strategic Implications**

#### *Operational Plan*

Theme: 7. Healthy, Engaged and Resourceful Communities

Key Area of Focus: Strengthened community engagement and partnerships that improve shared expectation and commitment

#### *Legal / Statutory Implications*

There are no specific statutory requirements with regards to Councillor Portfolios, however, portfolios are a governance system to aid Councillors in discharging their obligations and are established in line with local government principles.

### **Risks**

#### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR51 Ineffective, inaccurate and/or inappropriate communication and relationship/stakeholder management impacting Council's ability to fulfil its strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership  Failure to adequately discharge the duties as a Councillor.	3 Moderate	Possible	Medium	Establish a portfolio system to enhance the discharge of Councillor responsibilities.	Low

**Consultation**

Preliminary consultation was held with the Chief Executive Officer and the General Manager Council Sustainability.

**Conclusion**

Councillor Portfolios enhance the ability of Councillors to discharge their duties in accordance with the LGA. Portfolios are created by policy adoption of Council and can cover a variety of strategic priorities. While portfolios have no specific legislative requirements, they are an effective tool that can enhance the overall performance of Council.

# POLICY



## Council Policy Councillor Portfolios

<b>Policy Reference Number</b>	CM03.35CP	<b>Adoption Date</b>	Xx/xx2023
<b>Portfolio</b>	Council Sustainability	<b>Next Review Date</b>	Xx/xx/2024
<b>Business Unit</b>	Governance and Corporate Assurance	<b>Document ID</b>	12084738

### Purpose / Objective

The purpose of this Policy is to provide a governance framework and associated protocols related to the appointment of Councillors to Portfolios that facilitate Councillors engagement with the community and to foster productive, professional and appropriate relationships within the organisation to advance the delivery of Council's strategic priorities and services.

### Scope

This Policy applies to Portfolio activities undertaken by Councillors and employees of Council.

### Policy Statement

Council has established a Portfolio system for nominated Councillors to be assigned specific responsibilities linked to the key strategic priorities of Council and the core responsibilities that it is required to discharge consistent with the local government principles contained in the *Local Government Act 2009* (the Act).

### Application

#### Role of Mayor and Councillors

The Mayor and Councillors must represent the current and future interests of the residents of the local government area and discharge their responsibilities under the Act. Such responsibilities include providing high quality leadership to Council and the Community. Councillors appointed to Portfolios have additional responsibilities outlined under this Policy.

#### Role of Portfolio Councillors

In addition to their responsibilities as a Councillor under the Act, Portfolio Councillors are required to:



- a) Familiarise themselves with the Corporate Plan and Operational Plan, in particular the objectives, strategies, issues and activities which are relevant to their Portfolio;
- b) Liaise with other Portfolio Councillors regarding matters that may affect their respective Portfolio areas;
- c) Liaise with the Mayor on all Portfolio matters to ensure that the Mayor is fully informed;
- d) Act as the official Council spokesperson or representative on Portfolio relevant matters in accordance with this Policy to ensure consistent communication and messaging;
- e) Liaise with and engage with industry and community groups and associations on Portfolio related matters; and
- f) Lead discussion and generally advocate for the advancement of Council's key priorities and decisions relevant to their Portfolio responsibilities.

### **Authority of Portfolio Councillors**

The role of Portfolio Councillors is subject to the following limitations:

- a) The framework established under this Policy do not provide for formal delegated authority to a Portfolio Councillor for policy determination and operational decision-making for matters relevant to their Portfolio;
- b) Portfolio Councillors do not hold any specific statutory or governance responsibilities related to their portfolio beyond those which they ordinarily hold as a Councillor;
- c) In discharging their responsibilities as Portfolio Councillors and consistent with their role under the Act and the local government principles as provided for under the Act, Councillors should maintain a focus on strategic issues relevant to their Portfolio, rather than day to day operational matters;
- d) A Portfolio Councillor does not assume any of the roles, powers and functions assigned to the Mayor under the Act unless delegated by the Mayor. This includes the Portfolio responsibilities exclusively assigned to the Mayor;
- e) This Policy does not set aside or amend the provisions contained in the following instruments:
  - i. The *Local Government Act 2009*;
  - ii. The *Local Government Regulation 2012*;
  - iii. The Code of Conduct for Councillors in Queensland; and/or
  - iv. The Acceptable Request Guidelines Policy.

Where there is any inconsistency between this Policy and a provision in any of the instruments detailed in this paragraph of this Policy the provision of the instrument shall prevail to the extent of any inconsistency.

### **Spokesperson/Media**

#### **Mayor**

The Mayor has portfolio responsibilities by virtue of the role pursuant to the Act. The Mayor is typically the spokesperson on regional issues, which include but are not necessarily limited to:

- a) Matters of emergency management, for example floods, fires, cyclones;
- b) Major reputation management;
- c) State and/or Federal Government matters, policies, plans, initiatives and relationships;
- d) Civic events;
- e) Initiatives and projects of major regional significance;
- f) Region wide planning matters;
- g) Major regional events and promotions;

- h) General commentary on the performance of the regional economy and Council finances which impact on or are relevant to the Region generally; and
- i) Matters of regional environmental significance.

If the Mayor is not available to comment on a regional issue and/or project as detailed above, the Deputy Mayor will be the Council spokesperson for the media.

#### Portfolio Councillor

The Portfolio Councillor should be the key Council spokesperson on a Portfolio related matter. The Mayor can also make comment on any Portfolio matters and be quoted in Council releases along with the Portfolio Councillor (including for media statements arising from decisions of Council).

If neither the Mayor nor Deputy Mayor is available to comment on a regional issue and/or project, a relevant Portfolio Councillor or the CEO may act as the spokesperson in that instance for the media.

All media will be undertaken in accordance with Council's Media Policy.

### **OPERATING PROTOCOLS**

#### Support

Portfolio Councillors must be appropriately supported by General Managers and Managers to enable them to:

- a) Be across the details of Portfolio relevant proposals coming before Council;
- b) Be well placed to present and advocate portfolio issues within the community;
- c) Remain informed of research and other developments relevant to their Portfolio; and
- d) Understand and communicate the implications of decisions by other levels of government on Portfolio matters.

#### Engagement with Executive Management Team

Portfolio Councillors should be engaged by the Executive Management Team at the earliest opportunity:

- a) On all matters where there is an intention to develop a report;
- b) Where it is proposed to conduct community engagement activities in accordance with Council's Community Consultation Policy; and/or
- c) On matters which are likely to generate media or strong community interest.

The General Managers should meet regularly with their Portfolio Councillor(s) to ensure they remain informed of current information, service issues and proposed response strategies.

#### Reports

Reports to a meeting which are relevant to a Portfolio should be introduced by the relevant General Manager. The Portfolio Councillor does not have to support the recommendations in a report but should be aware a report is proposed for a meeting and is fully briefed on the content, direction and proposals in the report.

The Chief Executive Officer, General Managers and Managers should ensure the Portfolio Councillor is provided with a detailed briefing note prior to the meeting for any reports that the Portfolio Councillor is presenting.

Dual Portfolio Matters - Where a matter spans the responsibilities of more than one Portfolio Councillor, the relevant General Manager(s) and Manager(s) or Chief Executive Officer will work collaboratively with the Portfolio Councillors to ensure their needs are addressed in line with the roles, obligations and protocols within this Policy.

Similarly, the relevant Portfolio Councillors shall engage with each other and the Mayor at the earliest opportunity on issues and matters which span their Portfolio responsibilities.

### PORTFOLIO APPOINTMENTS

The Portfolio appointments of Portfolio Councillors will be for a duration of 12 months and are as follows:

Portfolio	Portfolio Councillor	Operational Support
Community, Arts and Culture	Councillor Enright	Customer and Regional Prosperity
Active Transport - Roads, Bridges and Paths	Councillor West	Asset and Environmental Sustainability
Sport and Recreation	Councillor Chalk	Asset and Environmental Sustainability
Tourism and Regional Events	Councillor McConnell	Customer and Regional Prosperity
Biodiversity and Agribusiness	Councillor McInnes	Customer and Regional Prosperity
Economic Development and Prosperity	Councillor Christensen	Customer and Regional Prosperity
Parks, Gardens and Open Space	Councillor Hay	Asset and Environmental Sustainability

### Communication and Distribution

Council will publish the Councillor Portfolios Policy on Council's website.

## Consideration of Human Rights under Human Rights Act 2019

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the human rights determined that no human rights are limited or affected by this Policy.

## Compliance, Monitoring and Review

Councillor Portfolios should be formed to ensure quality information is provided to the community. Scheduled reviews are vital to ensure that a Councillor Portfolio is delivering value to the community.

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

1. The related legislation/documents are amended or replaced;
2. Other circumstances as determined from time to time by a resolution of Council; and
3. Periodic Review.

## Definitions

**Corporate Plan** means Council's 5 year outline of the strategic direction of the local government as required by the *Local Government Regulations 2012*.

**Executive Management Team** means the Chief Executive Officer, General Managers and Managers of Council.

**Portfolio** means a specified strategic priority, service and function of Council.

**Portfolio Councillor** means a Councillor who has been allocated the responsibility of a Portfolio.

## Related Legislation and Documents

- 1) *Local Government Act 2009*;
- 2) *Local Government Regulations 2012*;
- 3) Code of Conduct for Councillors in Queensland;
- 4) Code of Conduct for Employees;
- 5) Scenic Rim Regional Council Corporate Plan;
- 6) Scenic Rim Regional Council Operational Plan;
- 7) Acceptable Request Guidelines Policy CM03.17CP;
- 8) Advisory Committees Policy CM03.36CP;
- 9) Community Engagement Policy CM01.03CP; and
- 10) Media Policy CM01.01CP.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2026, in particular theme - Open and Responsive Government

## Approval and Review Details

Approval and Review	Details
Original Approval Authority and Date	Council Xx/xx/2023
Amendment Authority and Date	
Notes	New Policy

### Approved By:

SCENIC RIM REGIONAL COUNCIL

Adopted XX/YY/ZZ

### Version Information



Version No	Date	Key Changes
1	Xx/xx/2023	Ordinary Meeting Item No. xx; New Policy

## 10.9 Request for Legal Assistance

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Principal Specialist Governance and Assurance

**Attachments:**

1. Legal Assistance Policy [!\[\]\(9a53fe79a03d38d8322f7a2c5a875b36\_img.jpg\)](#) 
2. Legal Assistance Guideline [!\[\]\(e08cd99387e13601e6c12f535030ab90\_img.jpg\)](#) 
3. Application for Legal Assistance - C-23-00238 - Confidential

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### Executive Summary

The Chief Executive Officer (CEO) has received an application for Legal Assistance from a Councillor, which is submitted for consideration by Council in accordance with the Legal Assistance Policy and Guideline. The application is attached for ease of reference.

### Recommendation

That:

1. Council decide whether to grant legal assistance to the applicant Councillor; and
2. If granted, Council determine the amount to be provided along with any conditions that the assistance is subject to.

### Previous Council Considerations / Resolutions

Not applicable.

### Report / Background

The CEO has received a signed application for Legal Assistance from Mayor, Greg Christensen, for consideration by Council.

Mayor Christensen is requiring legal assistance in relation to an allegation of inappropriate conduct that was referred to Council from the Office of the Independent Assessor.

In accordance with the Legal Assistance Guideline, this application has been received:

- Prior to the Councillor incurring any legal costs to which the application relates to;
- The written application provides details regarding:
  - The details of the matter for which legal representation is sought;
  - How that matter relates to Council functions and duties of the Councillor;
  - Details of the lawyer (or law firm) who is to be asked to provide the legal representation;
  - The nature of legal representation to be sought;
  - An estimate of the cost of the relevant legal representation; and
  - Details around why Council should provide the relevant support and assistance;
- A signed declaration by the applicant Councillor.

The signed application has been received by the CEO and securely saved in Council's record system.

## Budget / Financial Implications

The applicant Councillor is seeking an amount capped at \$15,000 to pay for any legal expenses incurred in dealing with this matter. Should the Councillor be subsequently found to have engaged in inappropriate conduct, the Councillor will be required to pay back any legal costs incurred.

## Strategic Implications

### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

### *Legal / Statutory Implications*

The provision of legal assistance is governed by Council's Legal Assistance Policy and Guideline. The intent of the policy is to provide a level of legal support to Councillors who may be threatened with legal action or subject to criminal, civil or investigative proceedings. Applicants are required to sign a declaration that they have acted in good faith and not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the legal action relates. The applicant must also agree to repay Council for any legal costs in circumstances where it is found that the applicant did act in a way that was not in good faith, or unlawful or was improper conduct.

## Risks

### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

### Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Governance, Risk & Compliance  Reputation, damage due to a failure to follow Council policy.	3 Moderate	Possible	Medium	Decide the legal application in accordance with the relevant policy and guideline.	Low

## Consultation

Not applicable.

**Conclusion**

A decision of Council is now sought in relation to the application for Legal Assistance, which has been submitted by Mayor Christensen.

In accordance with the Legal Assistance Policy, Council may:

- a. Refuse;
- b. Grant; or
- c. Grant subject to conditions;

An application for the payment of legal representation costs is attached.

A copy of the Legal Assistance Policy and Guideline are attached to this report for ease of reference.





## **COUNCIL POLICY (CM02.08.CP) LEGAL ASSISTANCE**

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### **OBJECTIVES**

The objective of this Policy is to provide a framework for the provision of Council legal assistance for:

1. Defamation actions that are commenced by Councillors or employees, as a result of their Council functions and duties; and
2. Where Councillors or employees are threatened with legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner.

### **POLICY STATEMENT**

Council is committed to:

1. Recognising that Councillors and employees may at times, as a result of their functions and duties, be the subject of defamatory publication:
  - a. Acknowledging that depending on the nature of these defamatory publications, Councillors and employees may seek to take legal action;
  - b. In exceptional circumstances and where appropriate for Council to do so, providing financial assistance to meet the cost of Councillors or employees obtaining legal representation to institute defamation proceedings against third parties; and
  - c. Providing assistance in accordance with the Legal Assistance Guideline.
2. Recognising that Councillors and employees may at times, as a result of their functions and duties, be the subject of legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner:
  - a. Acknowledging that Council has a legislative duty of care to its employees to provide a safe working environment and as such, ensuring Councillors and employees have assurance that they are protected from threats and are not inhibited in undertaking their roles in a full, frank and impartial manner;

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**Policy Reference Number:** CM02.08.CP  
**Portfolio:** Customer and Regional Prosperity  
**Branch:** Governance

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**Adoption/Approval Date:** 29.1.2019  
**Review Date:** 29.1.2022  
**File References:** 13/04/003

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- b. In exceptional circumstances and where appropriate for Council to do so, providing financial assistance to meet the cost of Councillors or employees obtaining legal representation if any legal action is taken against them, as a result of undertaking their roles; and
- c. Providing assistance in accordance with the Legal Assistance Guideline.

## DEFINITIONS

**Councillor** means a current or former Councillor or non-elected member of a Council Committee of the Council.

**defamation** means where a person's reputation is harmed by the publication of defamatory matter.

**employee** means a current or former employee or contractor of the Council.

**legal proceedings** may be civil, criminal or investigative.

**legal representation** is the provision of legal services, to or on behalf of a Councillor or employee, by an approved lawyer that are in respect of:

1. a matter or matters arising from the performance of the functions of the Councillor or employee; and
2. legal proceedings involving the Councillor or employee that have been, or may be, commenced.

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

**legal proceedings** may be civil, criminal or investigative.

**legal services** include advice, representation or the preparation documentation that is provided by an approved lawyer.

## RELATED DOCUMENTS

1. *Local Government Act 2009*;
2. *Local Government Regulation 2012*;
3. *Defamation Act 2005*; and
4. Legal Assistance Guideline.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - Organisational Sustainability.

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**Approved By:**

**SCENIC RIM REGIONAL COUNCIL**  
**Adopted 29.1.2019**

**Version Information**

<b>Version No.</b>	<b>Date</b>	<b>Key Changes</b>
1	29.1.2019	New Corporate and Community Services 22.1.2019 Item No. 3.1

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**Policy Reference Number:** CM02.08.CP  
**Portfolio:** Customer and Regional Prosperity  
**Branch:** Governance

**Adoption/Approval Date:** 29.1.2019  
**Review Date:** 29.1.2022  
**File References:**13/04/003

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## LEGAL ASSISTANCE (CM02.08.01.GL)

### OBJECTIVES

The objective of this Guideline is to provide a framework for the provision of Council legal assistance for:

1. Defamation actions that are commenced by Councillors and employees, as a result of their Council functions and duties, including:
  - a. Identifying the exceptional circumstances in which Council may fund or partly fund the cost of providing relevant legal representation to Councillors and employees to commence a defamation action against third parties in relation to publications made about Councillors and employees in connection with their work with Council; and
  - b. Setting out the process that Council follows in dealing with any requests for legal assistance that are received from Councillors and employees.
2. Where Councillors or employees are threatened with legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner, including:
  - a. Identifying the exceptional circumstances in which Council may fund or partly fund the cost of providing relevant legal representation to Councillors and employees to meet the cost of any legal action taken against them, as a result of undertaking their roles; and
  - b. Setting out the process that Council follows in dealing with any requests for legal assistance that are received from Councillors and employees.

### SCOPE

This Guideline applies to Councillors and employees who at times, as a result of their functions and duties are:

1. Subject of defamatory publication; and then seek legal representation to institute defamation proceedings against third parties; and
2. Subject of legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner.

**Guideline Reference Number:** CM02.08.01.GL  
**Portfolio:** Customer & Regional Prosperity  
**Branch:** Governance

**Adoption/Approval Date:** 29.1.2019  
**Review Date:** 29.1.2024  
**File References:** 13/04/003

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## **GUIDELINE RESPONSIBILITIES**

### **Roles**

1. Council is to receive, assess and decide any requests for legal assistance from a Councillor or employee, in accordance with the Policy and Guideline.
2. The Chief Executive Officer (CEO) is then to make any other related decisions on behalf of Council under the Policy and Guideline.
3. An application is to be assessed in the first instance by the CEO. If the applicant is the CEO, the application is to be first assessed by the Mayor.

### **Exceptional Circumstances**

Under legislation, any expenditure of a local government's funds must be justified on the basis that the expenditure will provide for the good rule and local government of the local government area. Therefore, Council must take into account the need to satisfy itself that the expenditure can be justified as providing for that good government.

Council should not approve a funding decision, unless there are exceptional circumstances that justify the expenditure of public funds:

1. The exceptional circumstances relating to defamation actions that are commenced by Councillors and employees, as a result of their Council functions and duties are detailed in Attachment 1.
2. The exceptional circumstances relating to where Councillors or employees are threatened with legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner are detailed in Attachment 2.

### **Application for payment**

1. A Councillor or employee who seeks assistance for the payment of legal representation costs under the Policy is required to make an application(s) in writing to Council via the CEO, using the Application for Legal Assistance form. If the applicant is the CEO, the application is to be made via the Mayor.
2. As far as possible, the application is to be made before incurring any legal costs to which the application relates.
3. A written application under the Policy for the payment of legal representation costs is to provide the required details which include:
  - a. the details of the matter for which legal representation is sought;
  - b. how that matter relates to Council functions and duties of the Councillor or employee making the application;
  - c. in relation to defamation actions commenced by a Councillor or employee, the steps that the Councillor or employee have taken in respect of the publication (eg. whether a concerns notice has been served and/or whether an offer to make amends has been received);

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- d. the lawyer (or law firm) who is to be asked to provide the legal representation;
  - e. the nature of legal representation to be sought (such as legal advice, representation in court, preparation of legal proceedings etc.);
  - f. an estimate of the cost of the relevant legal representation; and
  - g. why Council should provide the relevant support and assistance.
4. The application includes a signed declaration by the applicant that they:
    - a. have acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates;
    - b. have read, and understands the terms of Council's Legal Assistance Policy and Guideline;
    - c. acknowledges that any approval of legal representation costs is conditional on the repayment provisions (see Repayment of Legal Representation Costs below) and any other conditions which are provided for in any approval given under the Policy; and
    - d. undertakes to repay Council any legal representation costs in accordance with the repayment provisions (see Repayment of Legal Representation Costs below).
  5. If the amount of the legal assistance is material, then an applicant will be required to sign a more formal document, which requires repayment of monies to Council in return for the provision of assistance under the terms of the Policy.

#### **Limitation of Legal Representation Costs**

1. In approving an application, Council is to set a limit on the legal costs that will be paid.
2. A Councillor or employee may make a further or subsequent application to Council under the Policy in respect of the same matter.

#### **Council's Powers**

1. Under the Legal Assistance Policy, Council may:
  - a. refuse;
  - b. grant; or
  - c. grant subject to conditions,
 an application for the payment of legal representation costs.
2. The conditions that may be imposed may include, but are not restricted to, setting a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment of the legal representation costs paid for by Council under the Policy.
3. In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under Council's insurance policies or other similar arrangements.

**Guideline Reference Number:** CM02.08.01.GL  
**Portfolio:** Customer & Regional Prosperity  
**Branch:** Governance

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**Review Date:** 29.1.2024  
**File References:** 13/04/003

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4. Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
5. On the basis of, and consistently with, the findings of a court, tribunal, inquiry, regulatory investigation or other similar independent body, Council may determine that a Councillor or employee whose application for legal representation costs has been approved, has, in respect of the matter for which legal representation costs were approved:
  - a. not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
  - b. provided false or misleading information in respect of their application for assistance under the Policy.
6. Where a determination is made as per clause 5 (above), the legal representation costs paid by Council are required to be repaid by the Councillor or employee, in accordance with the repayment provisions (see Repayment of Legal Representation Costs below).

#### **Repayment of Legal Representation Costs**

1. A Councillor or employee whose legal representation costs have been paid by Council is required to repay to Council:
  - a. all or part of those legal costs, as determined by Council - where a determination has been made that the Councillor or employee:
    - i. did not act in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
    - ii. provided false or misleading information in respect of their application for assistance under the Policy;
  - b. if the Councillor or employee receives monies from costs orders, damages, or any settlement, in respect of the matter for which Council has paid legal representation costs, then the Councillor or employee is to repay such sum to Council up to the amount of legal representation costs that have been paid by Council under the Policy.
2. Council reserves its rights to take action in a court of competent jurisdiction to recover any monies due and owing to it by a Councillor or employee under its Policy.

#### **Delegation to Chief Executive Officer**

1. In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of Council, any of the powers of the Council under Council's Powers (as detailed above), to a maximum of \$10,000 in respect of each application.
2. An application approved by the CEO under Repayment of Legal Representation Costs (as detailed above), is to be submitted to the next ordinary meeting of Council. Council may exercise any of its powers under this Policy, including its powers under Council's Powers (as detailed above).



## DEFINITIONS

**approved lawyer** is to be:

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

**Councillor** means a current or former Councillor or non-elected member of a Council Committee of the Council.

**defamation** means where a person's reputation is harmed by the publication of defamatory matter.

**employee** means a current or former employee or contractor of the Council.

**legal proceedings** may be civil, criminal or investigative.

**legal representation** is the provision of legal services, to or on behalf of a Councillor or employee, by an approved lawyer that are in respect of:

1. a matter or matters arising from the performance of the functions of the Councillor or employee; and
2. legal proceedings involving the Councillor or employee that have been, or may be, commenced.

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

**legal proceedings** may be civil, criminal or investigative.

**legal services** include advice, representation or the preparation of documentation that is provided by an approved lawyer.

**payment** by Council of the legal representation costs may be either by:

1. a direct payment to the approved lawyer; or
2. a reimbursement to Councillor or employee.

## RELATED DOCUMENTS

- (a) *Local Government Act 2009*;
- (b) *Local Government Regulation 2012*;
- (c) *Defamation Act 2005*; and
- (d) Legal Assistance Policy.

This Guideline supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - Organisational Sustainability.

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**Approved By:**

**Jon Gibbons**  
**Chief Executive Officer**  
**29 January 2019**

**Version Information**

<b>Version No.</b>	<b>Date</b>	<b>Key Changes</b>
1	29.1.2019	Corporate and Community Services Committee 22.1.2019 Item No. 3.1 New

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**Guideline Reference Number:** CM02.08.01.GL  
**Portfolio:** Customer & Regional Prosperity  
**Branch:** Governance

**Adoption/Approval Date:** 29.1.2019  
**Review Date:** 29.1.2024  
**File References:**13/04/003

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## Attachment 1

### Exceptional circumstances relating to defamation actions that are commenced by Councillors and employees, as a result of their Council functions and duties

#### Exceptional Circumstances

Councillors and employees will at times be the subject of personal public criticism they consider to be unfair. Depending on the circumstances and the veracity of the criticism, Councillors or employees may seek to redress the situation by taking legal action. Legal advice suggests that only in exceptional circumstances would a Council be able to justify, under the 'good government' provisions, funding the initiation of legal action by a Councillor or employee.

It is important to note that where public criticism is made about Council as a whole, funding should not be justified. Legal precedent dictates that it is fundamental to public scrutiny that governments be open to criticism by members of the community. The threat of civil action against any person who publicly criticises a Council will have an inhibiting effect on freedom of speech and inevitably lessen a Council's accountability to its community.

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

1. The legal representation costs must relate to a matter that arises from the performance, by the Councillor or employee, of his or her Council functions;
2. In performing his or her functions, to which the legal representation relates, the Councillor or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
3. The legal representation costs do not relate to a matter that is of a personal or private nature.
4. The publication:
  - a. is persistent; and
  - b. would lower or harm the Councillor's or employees' personal or professional reputation, hold the Councillor or employee up to ridicule, or lead others to shun and avoid the person; and
  - c. is causing, or is likely to cause, the Councillor or employee distress in the workplace;
5. A concerns notice under the *Defamation Act 2005* (Defamation Act) has been provided by the Councillor or employee to the publisher;
6. The Councillor or employee has not refused to accept a reasonable offer to make amends by the publisher under the Defamation Act;
7. The resources of Council have been, or are likely to be, unreasonably directed towards dealing with the publications; and
8. There is no other reasonable legal cause of action or course available to the person to prevent the ongoing publication.

**Types of legal representation costs that may be approved**

If the exceptional circumstances outlined above exist, Council may approve the payment of legal representation costs for a Councillor or employee to institute or consider the institution of a defamation action against a third party seeking damages, under Council's Legal Assistance Policy.

Council should not approve a funding decision, unless there are exceptional circumstances that justify the expenditure of public funds:

*Exceptional circumstances - Example*

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

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

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

*Not exceptional circumstances - Example*

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

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

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

## Attachment 2

**Exceptional circumstances relating to where Councillors or employees are threatened with legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner**

### Exceptional Circumstances

While the categories of exceptional circumstances are not closed, it will generally be the case that providing financial assistance to a Councillor or employee when they are threatened with legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner will be appropriate only if:

1. The legal representation costs relate only to a matter that arises from the performance, by the Councillor or employee, of his or her functions;
2. The legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
3. In performing his or her functions, to which the legal representation relates, the Councillor or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
4. The legal representation costs do not relate to a matter that is of a personal or private nature.

### Types of legal representation costs that may be approved

If the exceptional circumstances outlined above exist, Council may approve the payment of legal representation costs for a Councillor or employee when they are threatened with legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner, under Council's Legal Assistance Policy.

Council should not approve a funding decision, unless there are exceptional circumstances that justify the expenditure of public funds:

#### *Exceptional circumstances - Example*

1. where proceedings are brought against a Councillor or employee in connection with his or her Council functions -

for example, an action for defamation or negligence arising out of a decision made or action taken by the Councillor or employee; or

2. to enable proceedings to be commenced and/or maintained by a Councillor or employee to permit him or her to carry out his or her functions -


for example, where a Councillor or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the Councillor or employee.

**10.10 Rateable Land Annual Valuation Effective 30 June 2024**

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Team Leader Revenue

**Attachments:**

1. Correspondence from Valuer-General, Department of Resources re "Proposed inclusion in the revaluation program effective 30 June 2024" [↓](#) 

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**Executive Summary**

This report provides Council with advice received from the Valuer-General regarding the annual valuation effective 30 June 2024.

**Recommendation**

That Council provide correspondence to the Valuer-General, Department of Resources, endorsing the State Valuation Service proposal to undertake the annual valuation of rateable land for the Scenic Rim region effective 30 June 2024.

**Previous Council Considerations / Resolutions**

Not applicable.

**Report / Background**

Council received advice dated 6 June 2023 from the Valuer General seeking Council's endorsement of a proposal to undertake an annual valuation of rateable land (effective 30 June 2024).

The *Land Valuation Act 2010* (the Act) requires that the Valuer-General undertakes an annual valuation of rateable land, but allows that the Valuer-General may decide not to do so in a local government area after considering:

- a market survey report for the local government area that reviews the sales of land and the probable impact of those sales on the value of land since the last annual valuation; and
- the results of consultation with the local government for the area and appropriate local and industry groups.

The SVS is currently considering a range of factors, including the timing of the last valuation and market movements. SVS will continue to monitor the property market. Consistent with the Act, the SVS requires Council's support or otherwise for a revaluation in 2024.

The importance of having accurate and up-to-date land valuations is crucial in that they provide a guide to landowners on the unimproved or site valuation of their rateable properties as well as assisting local governments in calculating fair and equitable annual rates across the local government areas.

The last annual valuation was undertaken in 2023 which saw notable fluctuations in values throughout the region. These revised valuations will be utilised for the 2023-2024 Annual Budget process with the application of a two-year averaging on the valuations to allow the management of the fluctuation in values.

Council is required to respond to the Valuer-General's proposal by Friday, 13 July 2023 in undertaking the annual valuation or alternatively, as per section 74(2)(b) of the Act provide rationale in seeking an exception to the undertaking of annual valuations.

Given the known market trends that have continued to evolve since revaluations were last undertaken in October 2022 (effective 30 June 2023) within the Scenic Rim region, there would be a benefit in conducting a rateable land valuation for the Scenic Rim region (effective 30 June 2024).

Council will be in year one of two (of the two-year averaging for the 2023 revaluations) and having revaluations effective 30 June 2024 would allow for proper reflection of fluctuations in values.

Additionally, access to early data would assist Council in managing these potential fluctuations in preparation for the development of the 2024-2025 financial year budget.

### **Budget / Financial Implications**

An amount of \$198,735 has been allocated in the 2023-2024 budget. This budget includes provision for maintenance of the valuation roll including revaluations. Council is billed regardless of whether the full revaluations are undertaken or not.

### **Strategic Implications**

#### *Operational Plan*

Theme: 2. Sustainable and Prosperous Economy

Key Area of Focus: The current and future economic prosperity of the region

#### *Legal / Statutory Implications*

Not applicable.

### **Risks**

#### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR47 Inadequate or lack of an appropriate Financial Management Framework (including systems, policies, procedures and controls) in place to adequately minimise risk of fraudulent action and to maximise financial sustainability.



Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial/Economic  Failure of the annual valuation process resulting in adjustments to land valuations that produce volatile rating outcomes	4 Major	Likely	High	Valuer-General undertakes annual consultation with affected stakeholders.	Low

**Consultation**

Acting Executive Director State Valuation Service, Department of Resources

**Conclusion**

The SVS has proposed to undertake an annual valuation for the Scenic Rim (effective 30 June 2024).

There would be a benefit in conducting a rateable land valuation for the Scenic Rim region (effective 30 June 2024) to allow for proper reflection of fluctuations in values in preparation for the development of the 2024-2025 financial year budget.

Department of **Resources**

6 June 2023

Mr David Keenan  
Chief Executive Officer  
Scenic Rim Regional Council  
82 Brisbane Street  
Beaudesert QLD 4285

By email: [mail@scenicrim.qld.gov.au](mailto:mail@scenicrim.qld.gov.au)

Dear Mr Keenan

**Consideration for the annual valuation program effective 30 June 2024**

I would like to introduce myself; my name is Laura Dietrich, I am the Valuer-General, Department of Resources. I have more than 25 years valuation experience across the public and the private sector. I have lived and worked in regional Queensland including Mackay, Roma, Emerald, and Maryborough and South-East Queensland.

I am seeking your views in relation to the revaluation of your local government area as part of the 2024 revaluation program that will take effect on 30 June 2024.

The *Land Valuation Act 2010* requires that the Valuer-General undertakes an annual valuation of rateable land, but they may decide not to do so in a local government area after considering:

- a market survey report for the local government area that reviews the sales of land and the probable impact of those sales on the value of land since the last annual valuation
- the results of consultation with the local government for the area and appropriate local and industry groups.

The State Valuation Service (SVS) is currently considering a range of factors, including the timing of the last valuation and market movements. The SVS will continue to monitor the property market.

Consistent with the Act, please advise me of your support or otherwise for a revaluation in 2024. You may also wish to provide me with any additional information relevant for consideration. Please provide your response to me **by Friday, 13 July 2023** by email at [valuer-general@resources.qld.gov.au](mailto:valuer-general@resources.qld.gov.au). The results of this consultation will be used to inform my final decision about the 2024 revaluation program.

If you have any further enquiries regarding the revaluation program, please contact Denis Wall, Area Manager, State Valuation Service on telephone 0436 652 379 or email [Denis.Wall@resources.qld.gov.au](mailto:Denis.Wall@resources.qld.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read "Laura Dietrich", followed by a long horizontal line.

**Laura Dietrich**  
**Valuer-General**  
**Department of Resources**



1 William Street, Brisbane Qld 4000  
PO Box 15216, City East Qld 4002  
[www.resources.qld.gov.au](http://www.resources.qld.gov.au)  
ABN 59 020 847 551

**10.11 Review of Security Bonds and Bank Guarantees Policy**

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Coordinator Financial Management

**Attachments:**

1. Security Bonds and Bank Guarantees Policy as adopted 27 January 2016 [↓](#) 
2. Revised Security Bonds and Bank Guarantees Policy (with tracked changes) [↓](#) 
3. Revised Security Bonds and Bank Guarantees Policy [↓](#) 

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**Executive Summary**

Council's Security Bonds and Bank Guarantees Policy has been reviewed and is now provided for consideration to progress for adoption by Council.

**Recommendation**

That Council adopt the Security Bonds and Bank Guarantees Policy, which will replace the previous version adopted on 27 January 2016.

**Previous Council Considerations / Resolutions**

At the Ordinary Meeting held on 27 January 2016, the Chief Finance Officer's recommendation from the Finance Committee Meeting held on 19 January 2016 was adopted:

*That Council endorse the amendment of Council Policy Security Bonds and Bank Guarantees FI01.09 in accordance with Attachment 1 to this report.*

**Report / Background**

The Council Policy - Security Bonds and Bank Guarantees was overdue for review and has been reviewed in accordance with the Governance project to review all overdue Council policies.

Security Bonds and Bank Guarantees offer Council protection in its interests and allow a way to manage financial risks associated with construction projects, contracts, licensing, permits, and other transactions. These instruments provide a form of assurance and financial recourse if the obligated party fails to fulfill their obligations or breaches the terms of an agreement

The Policy has been updated to the new policy framework and has had minimal changes as provided for in the tracked changes version attached to this report (refer Attachment 2).

**Budget / Financial Implications**

Not applicable.

## Strategic Implications

### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

### *Legal / Statutory Implications*

Not applicable.

## Risks

### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR47 Inadequate or lack of an appropriate Financial Management Framework (including systems, policies, procedures and controls) in place to adequately minimise risk of fraudulent action and to maximise financial sustainability.

### Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial/Economic  Contractor failure (such as bankruptcy)  Not honouring maintenance obligations following construction.	2 Minor	Unlikely	Low	Retention of adequate security by way of Bank Guarantee or Security Bond to protect Council's financial interest.	Low

## Consultation

Financial Management Team, Revenue and Governance business units.

## Conclusion

The revised Security Bonds and Bank Guarantees Policy is now provided for consideration of adoption by Council.

**FINANCE  
ADMINISTRATION**  
Policy Number: FI01.09CP



## **COUNCIL POLICY: SECURITY BONDS AND BANK GUARANTEES**

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Date Adopted:	15 December 2009
Committee Reference:	Corporate and Community Services Committee Meeting, 8 December 2009; Item Number 2.1.
Date Amended:	26 March 2013; 27 January 2016
Contact Officer:	Coordinator Financial Management
Next review date:	31 December 2018
File Reference:	12/13/002; 04/15/004
Related Policies/Local Laws/Legislation:	FI01.10CP; Investment Policy WI05.07CP; Bonding of Works Policy Statutory Bodies Financial Arrangements Act 1982
Related Documents:	Nil

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### **OBJECTIVES**

The objective of this policy is to establish the criteria for security bonds and bank guarantees that Council will accept.

#### **Corporate Plan:**

Priority Area	Organisational Sustainability Council strives to be a high performing and financially sustainable organisation with robust governance structures based on the principles of risk management and continuous improvement. We offer a safe, positive work environment, value and reward our staff and are committed to providing ongoing development and training.
Strategy	Implement effective risk management and maintain contemporary business processes.

### **POLICY STATEMENT**

Council will accept security bonds and bank guarantees in the following forms:

- (a) Cash
- (b) An unconditional guarantee from an Australian-owned Authorised Deposit-taking Institution (ADI) regulated by the Australian Prudential Regulation Authority (APRA) in accordance with the *Banking Act 1959*

All bank guarantees must exclude termination dates unless otherwise determined by the Chief Executive Officer.

All bank guarantees must be in Australian dollars.

Council may refuse to accept a bank guarantee if the credit rating of the financial institution is deemed an unacceptable risk.

Cash bonds held as security will be held in trust in a designated bank account until they are released. Council does not pay interest on any cash held as a bond.

Release of security bonds and bank guarantees will be at the discretion of Council once all conditions for release of the bond or guarantee are satisfied.

A centralised register of security bonds and a centralised register of bank guarantees will be maintained by Council.

## **SCOPE**

This policy applies to all circumstances where Council requires a security bond or bank guarantee.

## **DEFINITIONS**

### **Authorised Deposit-taking Institution**

Authorised Deposit-taking Institutions (ADIs) are corporations which are authorised under the *Banking Act 1959*. ADIs include;

- banks;
- building societies; and
- credit unions.

### **Bank Guarantee**

A bank guarantee is an irrevocable commitment by a bank or other lending institution to pay a specified sum of money in the event that the party requesting the guarantee fails to satisfy all conditions for release of the guarantee.

### **Credit Risk**

Credit risk is the risk that a counter party (i.e. a bank or other financial institution Council accepts a bank guarantee from) cannot pay when a bank guarantee is called up.

## **RESPONSIBILITIES**

Policy Author	Coordinator Financial Management
Policy Owner	Chief Finance Officer
Guidelines and procedures	Nil

### **Approved By:**

**SCENIC RIM REGIONAL COUNCIL**  
**27 January 2016**

# POLICY



## Council Policy

### Security Bonds and Bank Guarantees

<b>Policy Reference Number</b>	FI01.09CP	<b>Adoption Date</b>	Xx/xx/2023
<b>Portfolio</b>	Council Sustainability	<b>Next Review Date</b>	Xx/xx/2026
<b>Business Unit</b>	Financial Management	<b>Document ID</b>	11164724

#### Purpose / Objective

The objective of this Policy is to establish the criteria for ~~s~~Security ~~b~~Bonds and ~~b~~Bank ~~g~~Guarantees that Council will accept.

#### Scope

This Policy applies to all circumstances where Council requires a ~~s~~Security ~~b~~Bond or ~~b~~Bank ~~g~~Guarantee.

#### Policy Statement

Council will accept ~~s~~Security ~~b~~Bonds and ~~b~~Bank ~~g~~Guarantees in the following forms:

- (a) Cash; and
- (b) An unconditional guarantee from an Australian-owned Authorised Deposit-taking Institution (ADI) regulated by the Australian Prudential Regulation Authority (APRA) in accordance with the *Banking Act 1959*

All ~~b~~Bank ~~g~~Guarantees must exclude termination dates unless otherwise determined by the Chief Executive Officer.

All ~~b~~Bank ~~g~~Guarantees must be in Australian dollars.

Council may refuse to accept a ~~b~~Bank ~~g~~Guarantee if the credit rating of the financial institution is deemed an unacceptable risk.

Cash bonds held as security will be held in trust ~~in a designated bank account~~ until they are released. Council does not pay interest on any cash held as a bond.

Release of ~~s~~Security ~~b~~Bonds and ~~b~~Bank ~~g~~Guarantees will be at the discretion of Council once all conditions for release of the bond or guarantee are satisfied.

~~A centralised register of security bonds and a centralised register of bank guarantees will be maintained by Council.~~



## Consideration of Human Rights under Human Rights Act 2019

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy/ Administrative (delete if not applicable) Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the human rights determined that no human rights are limited or affected by this Policy.

## Compliance, Monitoring and Review

The Coordinator Financial Management is responsible for ensuring the Policy:

- Aligns with all relevant legislation and government Policy;
- Aligns with requirements, strategies and values;
- Is implemented and monitored; and
- Is reviewed to evaluate its continuing effectiveness.

## Reporting

Centralised registers shall be maintained for:

1. Security Deposits/Bonds - by the Assistant Accountant; and
- 4.2. Bank Guarantees - by the Property Systems and Insurance Officer.

## Definitions

**Authorised Deposit-taking Institution** (ADIs) are corporations which are authorised under the *Banking Act 1959*. ADIs include;

- ~~b~~Banks;
- ~~b~~B~~u~~ilding ~~s~~Societies; and
- ~~e~~Credit ~~u~~Unions.

**Bank Guarantee** is an irrevocable commitment by a bank or other lending institution to pay a specified sum of money in the event that the party requesting the guarantee fails to satisfy all conditions for release of the guarantee.

**Credit Risk** is the risk that a counter party (i.e. a bank or other financial institution Council accepts a bank guarantee from) cannot pay when a bank guarantee is called up.

**Security bond** is an amount of money paid by a contractor and held by Council for an agreed period of time after the completion of the contract and provides a guarantee that the contractor will fix any issues after the job / project has finished (even after full payment has been made).

## Related Legislation and Documents

- 1) Investment Policy FI01.10CP;
- 2) Bonding of Works Policy WI05.07CP; and
- 3) *Statutory Bodies Financial Arrangements Act 1982*.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2026, in particular theme - Open and Responsive Government

## Approval and Review Details

Approval and Review	Details
Original Approval Authority and Date	15/12/2009
Amendment Authority and Date	Xx/xx/2023
Notes	Reviewed; Updated to new Policy framework;

### Approved By:

SCENIC RIM REGIONAL COUNCIL

Adopted: XX/YY/ZZ

### Version Information

Version No	Date	Key Changes
1	15/12/2009	Corporate and Community Services Committee Meeting 08/12/2009; Item No. 2.1; Ordinary Meeting Item No. 5.
2	26/03/2013	Finance Committee Meeting 19/03/2013; Item No. 2.3; Ordinary Meeting Item No. 6.
3	27/01/2016	Finance Committee Meeting 19/01/2016; Item No. 2.2; Ordinary Meeting Item No. 6.
4	Xx/xx/2023	Ordinary Meeting Item No. xx; Updated to new Policy framework.

# POLICY



## Council Policy

### Security Bonds and Bank Guarantees

<b>Policy Reference Number</b>	FI01.09CP	<b>Adoption Date</b>	4/07/2023
<b>Portfolio</b>	Council Sustainability	<b>Next Review Date</b>	4/07/2026
<b>Business Unit</b>	Financial Management	<b>Document ID</b>	11164724

#### Purpose / Objective

The objective of this Policy is to establish the criteria for Security Bonds and Bank Guarantees that Council will accept.

#### Scope

This Policy applies to all circumstances where Council requires a Security Bond or Bank Guarantee.

#### Policy Statement

Council will accept Security Bonds and Bank Guarantees in the following forms:

- (a) Cash; and
- (b) An unconditional guarantee from an Australian-owned Authorised Deposit-taking Institution (ADI) regulated by the Australian Prudential Regulation Authority (APRA) in accordance with the *Banking Act 1959*

All Bank Guarantees must exclude termination dates unless otherwise determined by the Chief Executive Officer.

All Bank Guarantees must be in Australian dollars.

Council may refuse to accept a Bank Guarantee if the credit rating of the financial institution is deemed an unacceptable risk.

Cash bonds held as security will be held in trust until they are released. Council does not pay interest on any cash held as a bond.

Release of Security Bonds and Bank Guarantees will be at the discretion of Council once all conditions for release of the bond or guarantee are satisfied.

## Consideration of Human Rights under Human Rights Act 2019

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy/ Administrative (delete if not applicable) Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the human rights determined that no human rights are limited or affected by this Policy.

## Compliance, Monitoring and Review

The Coordinator Financial Management is responsible for ensuring the Policy:

- Aligns with all relevant legislation and government Policy;
- Aligns with requirements, strategies and values;
- Is implemented and monitored; and
- Is reviewed to evaluate its continuing effectiveness.

## Reporting

Centralised registers shall be maintained for:

1. Security Deposits/Bonds - by the Assistant Accountant; and
2. Bank Guarantees - by the Property Systems and Insurance Officer.

## Definitions

**Authorised Deposit-taking Institution** (ADIs) are corporations which are authorised under the *Banking Act 1959*. ADIs include:

- Banks;
- Building Societies; and
- Credit Unions.

**Bank Guarantee** is an irrevocable commitment by a bank or other lending institution to pay a specified sum of money in the event that the party requesting the guarantee fails to satisfy all conditions for release of the guarantee.

**Credit Risk** is the risk that a counter party (i.e. a bank or other financial institution Council accepts a bank guarantee from) cannot pay when a bank guarantee is called up.

**Security bond** is an amount of money paid by a contractor and held by Council for an agreed period of time after the completion of the contract and provides a guarantee that the contractor will fix any issues after the job / project has finished (even after full payment has been made).

## Related Legislation and Documents

- 1) Investment Policy FI01.10CP;
- 2) Bonding of Works Policy WI05.07CP; and
- 3) *Statutory Bodies Financial Arrangements Act 1982*.

This Policy supports the Scenic Rim Regional Council Corporate Plan 2026, in particular theme - Open and Responsive Government

## Approval and Review Details

Approval and Review	Details
Original Approval Authority and Date	Council 15/12/2009
Amendment Authority and Date	Council 04/07/2023
Notes	Reviewed; Updated to new Policy framework;

## Approved By:

SCENIC RIM REGIONAL COUNCIL

Adopted: 04/07/2023

## Version Information

Version No	Date	Key Changes
1	15/12/2009	Corporate and Community Services Committee Meeting 08/12/2009; Item No. 2.1; Ordinary Meeting Item No. 5.
2	26/03/2013	Finance Committee Meeting 19/03/2013; Item No. 2.3; Ordinary Meeting Item No. 6.
3	27/01/2016	Finance Committee Meeting 19/01/2016; Item No. 2.2; Ordinary Meeting Item No. 6.
4	04/07/2023	Ordinary Meeting Item No. xx; Updated to new Policy framework.

**10.12 Queensland Audit Office Publications Relevant to Council**

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Coordinator Financial Management

**Attachments:**

1. Local Government 2022 - Financial Audit Report [!\[\]\(444b1eae2189e5cd8d096594c07a0a6e\_img.jpg\) !\[\]\(b81fe50bc966474a9bf510149094d8e3\_img.jpg\)](#)
2. Queensland Audit Office Forward Work Plan 2023-2026 [!\[\]\(94faa64fb42ea7f60c43d916dda9de51\_img.jpg\) !\[\]\(83869583ee10f8aa2e9787431ee1ddc1\_img.jpg\)](#)

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**Executive Summary**

This report highlights to Council recent Queensland Audit Office (QAO) publications that are relevant to Council. The "Local Government 2022 Financial Audit Report" provides the collated results of the external audits on all Queensland local governments for the 2021-2022 financial year. The "Queensland Audit Office Forward Work Plan 2023-2026" lists all planned audits for the QAO in the coming years including several that will examine local government practices.

**Recommendation**

That:

1. Council receive the Local Government 2022 Report and note the recommendations contained in the report; and
2. Council receive the Queensland Audit Office Forward Work Plan 2023-2026.

**Previous Council Considerations / Resolutions**

Each QAO report is considered separately from any previous reports.

**Report / Background**Local Government 2022

This report collates the results of the external audits of all local government entities in 2021-2022. It also provides a number of themes and common recommendations arising from the audits.

Scenic Rim Regional Council is only referenced in the report in the lists containing results for all councils. These are the lists of:

- Audit opinions (page 55) - Scenic Rim Regional Council received an unmodified audit opinion;
- Financial sustainability metrics and risk assessments (page 69) - Scenic Rim Regional Council was rated in the Lower Risk category (indicated by a green traffic light) for Operating Surplus Ratio, Net Financial Liabilities Ratio and Asset Sustainability Ratio - culminating in an overall "Lower" Relative Risk Assessment.

- Results of the assessment of internal controls (page 79) - Scenic Rim Regional Council was scored as having Lower Risk (indicated by a green traffic light) across the control activities of Control environment; Risk Assessment; Control Activities and Information and Communication. A Moderate Risk (indicated by a yellow traffic light) rating was received for Monitoring Activities.
- Taking only 99 days (from 30 June 2022) to have the audit opinion certified.

There is one recommendation made for the consideration of all Councils, which is:

REC 1 *We recommend all councils assess the maturity of their procurement and contract management processes using our procure-to-pay maturity model.*

*Councils should identify their desired level of maturity and compare this to the maturity level that best represents their current practices. This assessment will help them identify and implement practical improvement opportunities for their procurement and contract management processes.*

Councils commit to performing this self-assessment and reporting back to Council on the results.

There are also 15 recommendations from prior year reports that are given the overall rating for all councils of "*Further action needs to be taken*" as follows and as grouped in the following categories. Internal Audit has reviewed these recommendations and confirm that each item has either been addressed or work is currently in progress. A report from Internal Audit shall be presented to the Audit and Risk Committee on these recommendations in due course.

1. Governance and internal control

- All councils to have an audit committee with an independent chair. Audit committee members should understand their roles and responsibilities, and the risks the committee needs to monitor.
- Assess their audit committees against the actions in our 2020-21 audit committee report.
- Improve their overall control environment.
- Improve risk management processes.
- All councils must establish and maintain an effective and efficient internal audit function.

2. Asset management and valuations

- Asset management plans to include councils' planned spending on capital projects.
- Review the asset consumption ratio in preparation for the new sustainability framework. Assess whether the actual usage of assets is in line with asset management plans.
- Improve valuation and asset management practices.

3. Financial reporting

- Reassess the maturity levels of financial statement preparation processes in line with recent experience to identify improvement opportunities that will help facilitate early certification of financial statements.
- Enhance liquidity management by reporting unrestricted cash expense ratio and unrestricted cash balance in monthly financial reports.
- Improve financial reporting by strengthening month-end and year-end financial reporting processes.



#### 4. Information Systems

- Conduct mandatory cyber security awareness training.
- Strengthen security of information systems.

#### 5. Procurement and contract management

- Secure employee and supplier information.
- Enhance procurement and contract management practices.

#### Queensland Audit Office Forward Work Plan 2023-2026

The main purpose of this publication is that it contains the planned performance audits that the QAO intends to undertake. These are the whole-of-government or whole-of-sector reviews that examine operational risks or key functions with the objective of identifying opportunities for improvement. The following performance audits of greater relevance to local government are included in the forward work plan:

- 2023-2024 - Effectiveness of local government audit committees
- 2023-2024 - Managing Queensland's regional water quality
- 2024-2025 - Managing risk transfer in infrastructure projects
- 2024-2025 - Sustainability of local governments
- 2024-2025 - Planning for Queensland's long-term infrastructure investment

The reports from these audits (when finalised) will be provided to Council for reference.

#### **Budget / Financial Implications**

There are no financial implications from these publications.

#### **Strategic Implications**

##### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

##### *Legal / Statutory Implications*

There are no legal or statutory implications from these publications.

#### **Risks**

##### Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

- SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

Risk Assessment

<b>Category</b>	<b>Consequence</b>	<b>Likelihood</b>	<b>Inherent Risk Rating</b>	<b>Treatment of risks</b>	<b>Residual Risk Rating</b>
Governance, Risk & Compliance  If Council does not consider the findings and recommendations from the QAO the organisation may face increased financial and operational risks.	3 Moderate	Unlikely	Low	Consistently review and take action in response to the QAO's reports and activities.	Low

**Consultation**

Financial Management.

**Conclusion**

Council should be aware of these publications from the QAO and note the relevance to Council. The recommendations contained in the Local Government 2022 Report should be acknowledged and, where applicable, incorporated for actioning.



FINANCIAL AUDIT REPORT

22 June 2023

## Local government 2022

### Report 15: 2022–23

As the independent auditor of the Queensland public sector, including local governments, the Queensland Audit Office:

- provides professional audit services, which include our audit opinions on the accuracy and reliability of the financial statements of public sector entities
- provides entities with insights on their financial performance, risk, and internal controls; and on the efficiency, effectiveness, and economy of public service delivery
- produces reports to parliament on the results of our audit work, our insights and advice, and recommendations for improvement
- supports our reports with graphics, tables, and other visualisations, which connect our insights to regions and communities
- conducts investigations into claims of financial waste and mismanagement raised by elected members, state and local government employees, and the public
- shares wider learnings and best practice from our work with state and local government entities, our professional networks, industry, and peers.

We conduct all our audits and reports to parliament under the *Auditor-General Act 2009* (the Act). Our work complies with the *Auditor-General Auditing Standards* and the Australian standards relevant to assurance engagements.

- Financial audit reports summarise the results of our audits of over 400 state and local government entities.
- Performance audit reports cover our evaluation of some, or all, of the entities' efficiency, effectiveness, and economy in providing public services.

Learn more about our publications on our website at [www.qao.qld.gov.au/reports-resources/fact-sheets](http://www.qao.qld.gov.au/reports-resources/fact-sheets).

Mr J Kelly MP  
Acting Speaker of the Legislative Assembly  
Parliament House  
BRISBANE QLD 4000

22 June 2023

This report is prepared under Part 3 Division 3 of the *Auditor-General Act 2009*.



Brendan Worrall  
Auditor-General



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ISSN 1834-1128

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## Acknowledgement

The Queensland Audit Office acknowledges the Traditional and Cultural Custodians of the lands, waters, and seas across Queensland. We pay our respects to Elders past, present, and emerging.

## Report on a page

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### Financial statements are reliable, but fewer councils prioritised and achieved timely financial reporting

---

Early financial reporting means current and relevant information is provided to decision-makers and members of the community. In 2021–22, only 32 councils (2020–21: 36 councils) *achieved* early financial reporting – meaning – having their financial statements certified at least 2 weeks before their 31 October legislative deadline.

In recent years, we have found fewer councils are planning for early completion of their financial statements. This year, only 48 councils *planned* to certify their financial statements early. In prior years, these numbers were substantially higher (62 councils in 2020–21 and 70 councils in 2019–20).

External factors such as staff shortages and natural disasters have negatively impacted on the sector's ability to achieve timely financial reporting. However, these issues would be better managed if councils improved the persistent issues we find in their month-end and year-end reporting processes, and their asset management practices.

In this report, we make several recommendations to the Department of State Development, Infrastructure, Local Government and Planning (the department) – as regulator of the sector – to help build capability in the local government sector that will improve timely financial reporting.

### Councils are taking too long to resolve high-risk issues

---

Significant deficiencies are those that have substantial financial or reputational risk for councils and need to be addressed immediately. Continued efforts by councils have reduced the number of unresolved significant deficiencies to 114 as at 30 June 2022 (2021: 127). However, 65 per cent (2021: 67 per cent) of these significant deficiencies remain unresolved more than 12 months after we identified them.

Many councils with significant deficiencies do not have an audit committee (16 councils) or an internal audit function (14 councils – these councils are in breach of the legislation). We have recommended the department make sure all councils establish an effective internal audit function, as required under the legislation.

Almost two thirds of councils still have significant deficiencies in their information systems, at a time when cyber attacks across the public sector keep rising. The department could collaborate with other state government agencies and develop a framework to help councils better manage their information systems security.

### Grant funding received in advance has masked the full extent of the sector's decline in financial sustainability

---

This year, 35 councils generated an operating surplus. Although this is consistent with last year, the sector's operating results were favourably impacted by receiving a large portion of one of its grants in advance. In the absence of this advance grant funding, only 28 councils would have generated an operating surplus in 2021–22. At 30 June 2022, 46 councils (2020–21: 45 councils) are still at either a moderate or a high risk of not being financially sustainable.

# Recommendations for councils and the department

## Recommendations for councils

This year, we make the following recommendation to councils.

### Assess the maturity of their procurement and contract management processes using our procure-to-pay maturity model, and implement identified opportunities to strengthen their practices

REC 1	<p>We recommend all councils assess the maturity of their procurement and contract management processes using our procure-to-pay maturity model.</p> <p>Councils should identify their desired level of maturity and compare this to the maturity level that best represents their current practices. This assessment will help them identify and implement practical improvement opportunities for their procurement and contract management processes.</p>
-------	--

## Prior year recommendations need further action by councils

Councils have made some progress to address the recommendations we made in our prior reports. However, further action is still required for 15 recommendations as summarised below.

Theme	Summary of recommendation	Local government report
Governance and internal control	All councils to have an audit committee with an independent chair. Audit committee members should understand their roles and responsibilities, and the risks the committee needs to monitor	Report 13: 2019–20
	Assess their audit committees against the actions in our 2020–21 audit committee report	Report 15: 2021–22
	Improve their overall control environment	Report 15: 2021–22
	Improve risk management processes	Report 17: 2020–21
	All councils must establish and maintain an effective and efficient internal audit function	Report 13: 2019–20
Asset management and valuations	Asset management plans to include councils' planned spending on capital projects	Report 15: 2021–22
	Review the asset consumption ratio in preparation for the new sustainability framework. Assess whether the actual usage of assets is in line with asset management plans	Report 15: 2021–22
	Improve valuation and asset management practices	Report 17: 2020–21
Financial reporting	Reassess the maturity levels of financial statement preparation processes in line with recent experience to identify improvement opportunities that will help facilitate early certification of financial statements	Report 15: 2021–22
	Enhance liquidity management by reporting unrestricted cash expense ratio and unrestricted cash balance in monthly financial reports	Report 15: 2021–22
	Improve financial reporting by strengthening month-end and year-end financial reporting processes	Report 17: 2020–21



Local government 2022 (Report 15: 2022–23)

Theme	Summary of recommendation	Local government report
Information systems	Conduct mandatory cyber security awareness training	Report 13: 2019–20
	Strengthen security of information systems	Report 17: 2020–21
Procurement and contract management	Secure employee and supplier information	Report 13: 2019–20
	Enhance procurement and contract management practices	Report 17: 2020–21

Implementing our recommendations will help councils strengthen their internal controls for financial reporting and improve their financial sustainability.

We have included a full list of prior year recommendations and their status in [Appendix D](#).

## Recommendations for the department

This year, we make the following 7 recommendations to the Department of State Development, Infrastructure, Local Government and Planning (the department).

Provide necessary guidance and tools to councils to help improve their month-end financial reports	
REC 2	<p>The department should provide guidance and tools such as monthly management reporting pack templates and checklists for the completion of month-end financial reports.</p> <p>These tools should set the minimum standard of information that councillors will need to be provided with to make informed financial decisions. This in turn would help them improve the quality of their month-end financial reports and their month-end processes.</p>
Provide a clear definition of 'extraordinary circumstances' for councils seeking ministerial extensions to their legislative time frame for financial reporting	
REC 3	<p>The department should clearly define what 'extraordinary circumstances' are in the context of extensions to councils' legislated deadlines for certifying financial statements.</p> <p>This will provide consistent criteria for assessing council applications for extensions.</p>
Measure the effectiveness of training programs provided to councils	
REC 4	<p>The department should measure the effectiveness of the training programs it provides to councils.</p> <p>This would help the department identify remedial actions when desired outcomes are not achieved.</p>
Provide training on financial reporting processes and support councils to meet their reporting deadlines in times of need	
REC 5	<p>The department should, for councils that do not consistently achieve early financial reporting:</p> <ul style="list-style-type: none"> <li>provide training to finance staff that covers matters such as <ul style="list-style-type: none"> <li>basic financial statement preparation</li> <li>analysing and interpreting financial statements</li> <li>preparing and delivering on a year-end time table</li> <li>accounting concepts and application of relevant accounting standards.</li> </ul> </li> </ul> <p>This should be in addition to the tropical financial reporting workshop provided by the department each year</p> <ul style="list-style-type: none"> <li>make available a panel of financial reporting specialists that councils can call upon in times of need to help with their financial reporting processes. For this to work effectively, the department should establish ground rules that put the onus on councils to plan for their financial reporting early. This support should only be made available to councils on an exception basis.</li> </ul>
Make sure all councils have an effective internal audit function	
REC 6	<p>The department should monitor whether all councils have an internal audit function and that appropriate internal audit activities are undertaken each year.</p> <p>To help councils meet their legislative requirements the department should:</p> <ul style="list-style-type: none"> <li>educate councillors and senior executives on the benefits of an internal audit function and how this adds value to council operations</li> <li>make internal audit guidelines available on the department's website and provide example templates (such as a model internal audit charter) to help councils understand and meet their obligations.</li> </ul>
Develop a strategy to uplift capability of the sector on cyber-related matters	
REC 7	<p>We recommend the department, in collaboration with the Queensland Government's Customer and Chief Digital Officer, develops a strategy to increase awareness and improve capability in the sector on cyber-related matters.</p> <p>This will help councils strengthen their information security controls.</p>
Publish a framework to assess the sustainability risk of councils by 1 July 2023	
REC 8	<p>The department should publish a framework to assess the financial sustainability risk of councils. This framework should be made available to the sector from 1 July 2023 to align with the effective date of the department's new financial sustainability guideline.</p>

Local government 2022 (Report 15: 2022–23)

### Prior year recommendations need further action by the department

The department has taken some corrective action to address the 4 recommendations from *Local government 2020* (Report 17: 2020–21).

- The department has published its new framework for financial sustainability.
- It continues to work on providing greater certainty for long-term funding to councils and providing more training for financial governance to councillors and senior leadership teams within councils.
- The proposal for the department to require all councils to establish an audit committee has not yet progressed. Parliament's State Development and Regional Industries Committee, in its report – *Report 32: Examination of Auditor-General Reports on the local government sector* – confirmed the importance of an audit committee to the sector and recommended to parliament that all local governments should establish an audit committee.

We have included a full list of prior year recommendations and their status in [Appendix D](#).

### Reference to comments

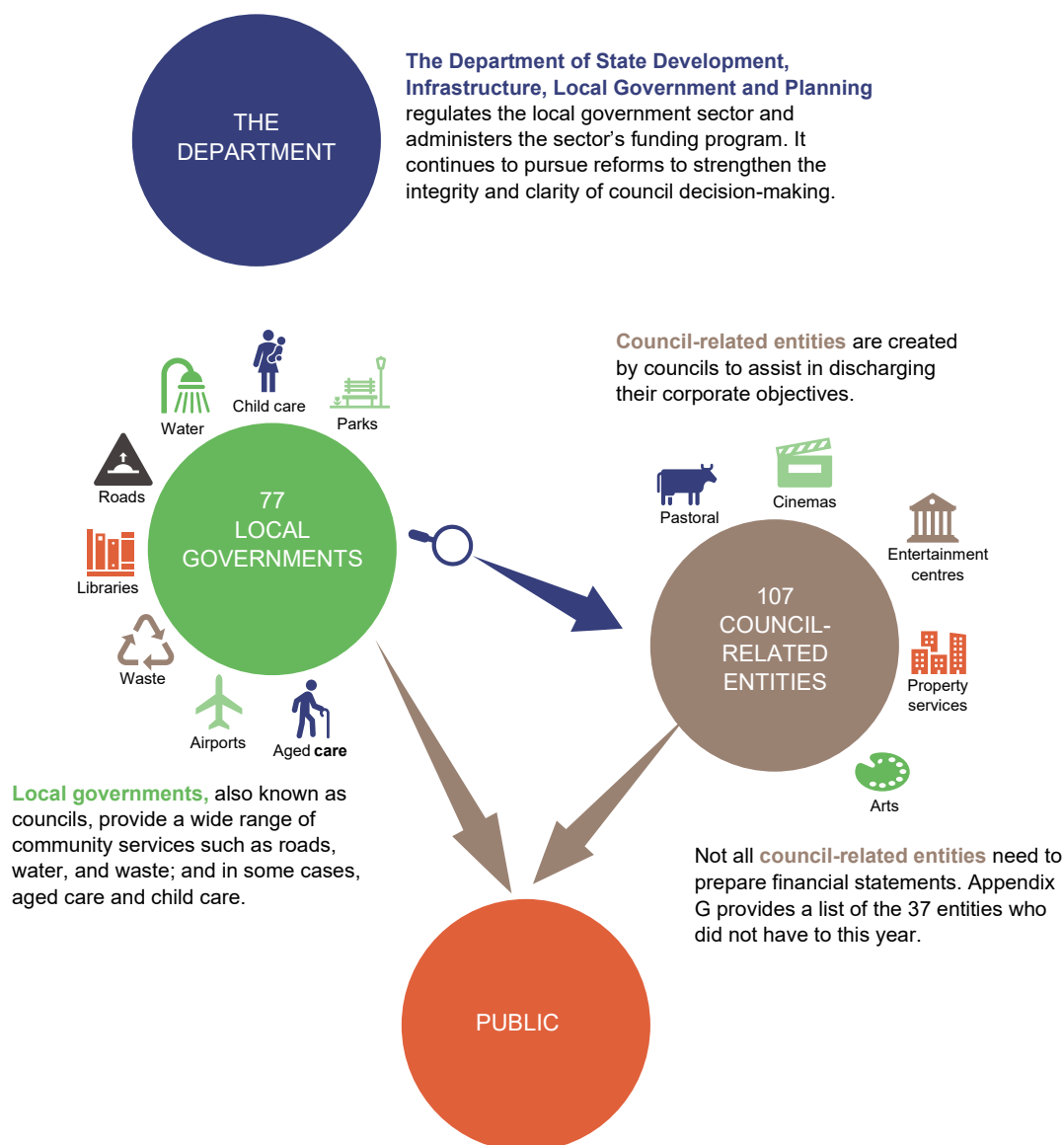
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In accordance with s.64 of the *Auditor-General Act 2009*, we provided a copy of this report to all councils and the department. In reaching our conclusions, we considered their views and represented them to the extent we deemed relevant and warranted.

Any formal responses from councils and the department are included at [Appendix A](#).

# 1. Overview of entities in this sector

**Figure 1A**  
**Entities in the local government sector**



Source: Queensland Audit Office.

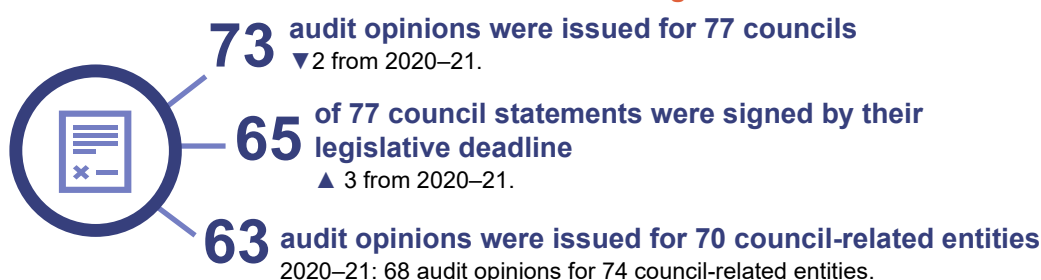
Local government 2022 (Report 15: 2022–23)

## 2. Results of our audits

This chapter provides an overview of our audit opinions for the local government sector.

### Chapter snapshot

**Only 48 councils prioritised timely financial reporting by planning to have their financial statements certified 2 weeks before the legislative deadline**



**3** prior year recommendations for councils that need further action.

[Appendix D](#) provides the full detail of all prior year recommendations.

#### 4 new recommendations to the department

- Provide necessary guidance and tools to councils to help improve their month-end financial reports.
- Provide a clear definition of 'extraordinary circumstances' for councils seeking ministerial extensions to their legislative time frame for financial reporting.
- Measure the effectiveness of training programs provided to councils.
- Provide training on financial reporting processes and support councils to meet their reporting deadlines in times of need.



#### DEFINITION

We express an **unmodified opinion** when financial statements are prepared in accordance with the relevant legislative requirements and Australian accounting standards.

We issue a **qualified opinion** when financial statements as a whole comply with relevant accounting standards and legislative requirements, with the exceptions noted in the opinion.

We include an **emphasis of matter** to highlight an issue of which the auditor believes the users of the financial statements need to be aware. The inclusion of an emphasis of matter paragraph does not change the audit opinion.

## Audit opinion results

### Audits of financial statements of councils

As at the date of this report, we have issued audit opinions for 73 councils (2020–21: 75 councils). Of these:

- 65 councils (2020–21: 62 councils) met their legislative deadline
- 2 councils (2020–21: 10 councils) met the extended time frame granted by the minister (the minister for local government may grant an extension to the legislative time frame where extraordinary circumstances exist)
- 4 councils (2020–21: 3 councils) that received ministerial extensions did not meet their extended time frame
- 2 councils (2020–21: nil) that had their financial statements certified past their legislative deadline did not seek an extension from the minister.

Over the years, some councils have not prioritised financial reporting and their financial statements have not been certified within their legislative deadline. Figure 2A shows councils that have not met their legislative deadline for at least 3 of the last 5 years.

**Figure 2A**  
**Councils who have not met their legislative time frame for at least 3 of the last 5 years**

Council	Number of years legislative time frame not met
Palm Island Aboriginal Shire Council	4 years
Richmond Shire Council	4 years
Etheridge Shire Council	3 years
North Burnett Regional Council	3 years

Source: Queensland Audit Office.

### Financial statements of councils and council-related entities are reliable

The financial statements of councils and council-related entities that we issued opinions for were reliable and complied with relevant laws and standards.

We included an emphasis of matter in our audit report for Richmond Shire Council to highlight that a material change was required to the previous financial statements certified 6 March 2023, and they were replaced by the version we certified 24 April 2023.

Consistent with the last 2 years, we included an emphasis of matter in our audit report for Wujal Wujal Aboriginal Shire Council. This was to highlight uncertainty about its ability to repay its debts as and when they arise.

One controlled entity, Local Buy Trading Trust (controlled by the Local Government Association of Queensland Ltd), received a qualified opinion. This was because it was unable to provide us with enough evidence that the revenue it recorded was complete. This entity received a qualified opinion for the previous financial year for the same reason.

#### Local government 2022 (Report 15: 2022–23)

An emphasis of matter was also included in the audit opinion for 11 controlled entities because:

- 6 had decided to wind up their operations
- 2 were reliant on financial support from their parent entities
- 2 had uncertainty about their ability to repay their debts as and when they arise
- one was not able to support a key account balance recorded in its financial statements.

Not all council-related entities need to have their audit performed by the Auditor-General. [Appendix F](#) provides a full list of these entities.

### Status of unfinished audits from previous years

When we tabled *Local government 2021* (Report 15: 2021–22) in May 2022, 2 councils (Richmond Shire Council and Palm Island Aboriginal Shire Council) and 6 council-related entities had not finalised their 2020–21 financial statements. In addition, one controlled entity had not finalised its financial statements for the 2019–20 financial year.

As at the date of this report:

- Richmond Shire Council and 5 council-related entities had their 2020–21 financial statements certified and all received unmodified opinions.
- The Western Queensland Local Government Association had its 2019–20 and 2020–21 financial statements certified. We included an emphasis of matter in our audit opinions for both financial years to highlight that the entity was winding up its operations.

Palm Island Aboriginal Shire Council is yet to have its financial statements certified for the 2020–21 financial year.

[Appendix H](#) provides a full list of these entities and the results of their audits.

### Fewer councils are achieving early certification of their financial statements

Community and other stakeholders rely on financial statements to understand the financial health of their council. Additionally, financial statements hold elected members accountable for how councils' money is spent each year.

Queensland councils have 4 months (to 31 October) after their financial year end to have their financial statements certified. Yet, each year, several councils do not meet this time frame, and many more have their financial statements certified close to their legislative deadline – meaning the information is not current and relevant when it is released to the public.

Common issues contributing to councils not achieving timely certification of their financial statements are explained further in this chapter.

For many years, we encouraged councils to have their financial statements certified soon after 30 June – and measured and reported their timeliness using a traffic light model. Under that model, councils that had their financial statements certified at least 2 weeks before their legislative deadline were considered to be timely.

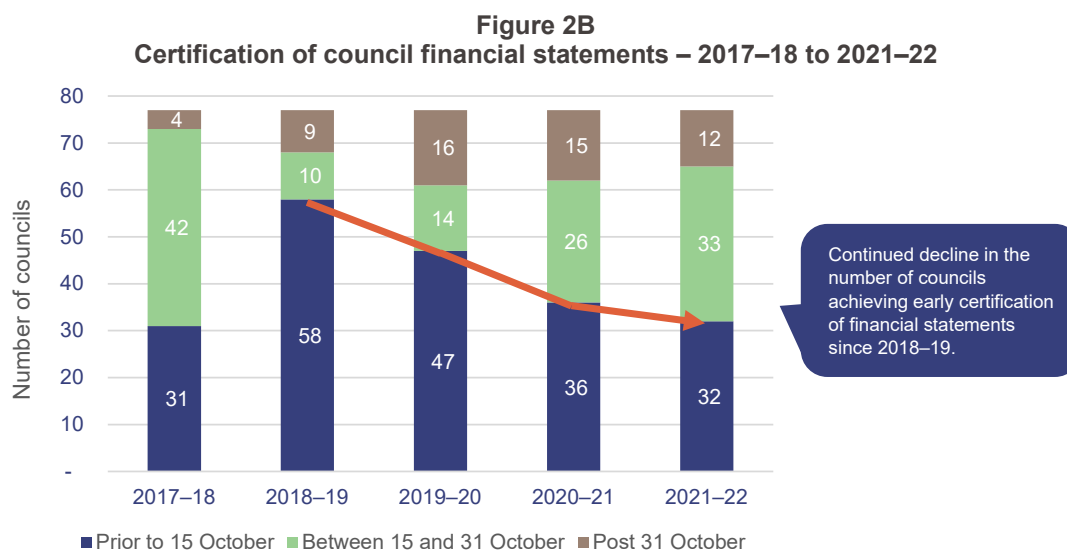
Between the 2017–18 and 2018–19 financial years, councils improved the timeliness of their financial reporting. Although fewer councils achieved early certification in 2019–20, we saw this as a one-off decline in timeliness due to the COVID-19 pandemic.

In recognition of the sector's progress to improve the timeliness of financial reporting, we stopped measuring timeliness using the traffic light model in 2020–21. We moved to a financial statement maturity model where we asked councils to self-assess their financial reporting maturity levels. It is available on our website at: [www.qao.qld.gov.au/reports-resources/better-practice](http://www.qao.qld.gov.au/reports-resources/better-practice).



However, the change from the traffic light basis of measurement, together with other challenges that councils have faced in recent years, has resulted in a substantial decline in the timeliness of financial statement certification.

This year, only 32 councils (2020–21: 36 councils), which is 40 per cent of the sector (2020–21: 47 per cent), had their financial statements certified 2 weeks before the legislative deadline. Figure 2B shows the time frames for certification of council financial statements over the last 5 years.



Note: 2021–22 (Post 31 October) includes 4 councils that are yet to have their financial statements certified. 2020–21 (Post 31 October) includes one council yet to have its financial statements certified.

Source: Queensland Audit Office.

Early certification of financial statements is always important, but leading into the next local government elections in March 2024 it is even more critical. Elected members will have one last opportunity to demonstrate their council's financial health to their community when the certified financial statements for the 2022–23 financial year are made publicly available. Acknowledging the importance of this information, going forward, we will compile our local government report as at the statutory reporting date. This will ensure our analysis of the sector's performance is available to the community early in the subsequent calendar year.

## Common issues preventing timely certification of financial statements continue to exist year after year

### Ineffective month-end and year-end processes (financial reporting processes)

**Section snapshot**

**55 councils** have at least one **deficiency** in their month-end processes (2020–21: 60 councils).

**84 new deficiencies** arose for month-end processes this year.

**73 deficiencies** for **month-end** processes from **prior years** were still unresolved as at 30 June 2022.

Ineffective financial reporting processes significantly contribute to councils not having their financial statements certified in a timely manner.

## Local government 2022 (Report 15: 2022–23)

Financial reporting begins with month-end processes that provide elected members and council executives with regular information about the financial performance of council. It finishes with year-end processes that produce the annual financial statements, which are certified and provided to the community and other stakeholders. These processes complement each other.

Councils with good month-end processes generally produce higher quality annual financial statements in less time. This is because they resolve any discrepancies and errors each month.

In the 2020–21 financial year, we asked councils to assess their financial statement preparation processes using our financial statement maturity model, which is available on our website at:

[www.qao.qld.gov.au/reports-resources/better-practice](http://www.qao.qld.gov.au/reports-resources/better-practice). As a part of this process, 46 councils self-assessed that their *monthly* financial reports were not prepared using accrual accounting processes – recognising revenue and expenses as they are earned or incurred, regardless of when cash has been received or paid.

To understand if these self-assessments were accurate, we reviewed the 30 June 2022 monthly reporting for roughly a third of the sector. Specifically, we compared the operating results (difference between revenue generated and expenditure incurred in the day-to-day operations) reported by these councils in their internal management reports to the results that were reported in their certified year-end financial statements.

If councils adopt an accrual basis of accounting, they would report minimal differences between the annual operating results in their monthly reports and the result in their financial statements. Instead, we found:

- 14 councils (61 per cent of those we reviewed) reported an operating result in their year-end financial statements that was significantly lower than the operating result reported in their monthly financial reports
- for 6 of these 14 councils, they reported an operating surplus (operating revenue higher than operating expenses) in their monthly financial reports at 30 June 2022. But they reported an operating deficit (operating expenses higher than operating revenue) in their certified year-end financial statements.

This means financial reporting processes at these councils are ineffective. Management and councillors at these councils were not provided complete information each month to make informed decisions. They also did not have reliable financial information to help prepare the next year's budget.

This year, we provided councils with guidance about accrual accounting and how this should be reported in monthly financial reports. This included items reported in the financial reports such as depreciation (allocating the value of an asset over its life) and grant revenue (timing of recognition).

As part of our 2022–23 financial year audits, we are reviewing whether councils implemented our guidance for accrual accounting. We will report on these outcomes in our *Local government 2023* report.

In addition to adopting accrual accounting for monthly reporting, we continue to recommend councils improve their month-end and year-end processes as detailed in [Appendix D](#).

The department can play a key role in helping councils improve their month-end processes, and in turn, their year-end processes, to achieve early financial reporting. This can come in the form of guidance and templates such as monthly financial reports and checklists for completing month-end processes.





#### Recommendation for the department

Provide necessary guidance and tools to councils to help improve their month-end financial reports (REC 2)

The department should provide guidance and tools such as monthly management reporting pack templates and checklists for the completion of month-end financial reports.

These tools should set the minimum standard of information that councillors will need to be provided with to make informed financial decisions. This in turn would help them improve the quality of their month-end financial reports and their month-end processes.

## Asset management (including maintenance of asset data) and asset valuations continue to challenge the sector

<b>Section snapshot</b>  <b>54 councils</b> have at least one deficiency in their asset management practices (2020–21: 60 councils).	 <b>17 councils</b> reported a prior period error for fixed assets in this year's financial statements (2020–21: 9 councils). The <b>total value of these errors</b> resulted in movements totalling <b>\$241 mil.</b> (2020–21: 11 councils, \$410 mil.)
 <b>8 councils</b> have either out-of-date or incomplete <b>asset management plans</b> (2020–21: 11 councils).	 <b>12 councils</b> identified ' <b>found</b> ' <b>assets</b> that they had not previously recorded in their financial statements. The <b>total value</b> of these assets was \$180 mil. (2020–21: \$108 mil.)

Queensland councils combined manage approximately \$114 billion of infrastructure assets. The large and diverse asset base means that maintaining good asset data, accounting for assets, and determining asset values often presents challenges. We discuss below the common issues we find at councils.

**Asset management and asset data** – Some councils do not have up-to-date asset management plans or good asset data to help them maintain and optimise the performance of their assets. This is because they have poor systems for managing assets, lack of resources or expertise, or have outdated/incorrect information.

When councils have accurate asset data, it is a good starting point to build a good asset management plan. For this, councils should regularly inspect their assets and make sure information in their financial systems and geographical information systems – which are used to capture, store, and manage detailed components of assets, including their geographical location – agree to each other.

When councils do not have good asset data, the information presented in their financial statements may be incorrect. This year, 12 councils reported values for assets for the first time in their financial statements, although these councils always owned these assets. This is known as 'prior period errors'. This is not the first time councils have reported prior period errors in their financial statements. These errors arise because some councils do not have good processes to account for assets as and when they acquire them.

**Asset valuations processes** – Determining the fair value of council assets is complex and highly subjective. Councils often rely on the expertise of external valuers to help value their assets. The common issues we find with councils' valuation processes are:

- councils not engaging early enough with external valuers, causing valuations to not be undertaken in a timely manner
- lack of or inadequate review of the valuer's work that results in errors being identified during our audits – councils are the owners of these assets and know their assets well. They need to make sure the assumptions and judgements the valuer uses are reasonable and appropriate to their circumstances.

Councils should also consider the timing of their programs to value assets. Some councils complete comprehensive valuations (which need condition assessments, physical inspections, and a review of unit costs) on all types of assets in the same financial year. This is an extensive amount of work. These councils may benefit from a rolling program where a single type of asset is valued each year (for example roads, buildings, and water and sewerage assets could be comprehensively revalued in separate years). This helps spread the work required across multiple years and makes engaging an external valuer easier in times when limited valuers are available.

These issues also impact the completion and certification of financial statements, and often these delays result in councils not meeting their legislative deadline. Councils still need to take further action to address our prior year recommendation to improve their asset management and valuation practices as detailed in [Appendix D](#).

Asset management is also critical to the long-term sustainability of councils, as discussed in [Chapter 4](#).







## Local government 2022 (Report 15: 2022–23)

We are finalising our performance audit on improving asset management in local government. This report will include recommendations for how councils can effectively manage their assets while minimising the total cost of owning them. We encourage councils and the department to review this report when it is tabled (expected in mid-2023) and implement any recommendations relevant to them.

## Other factors that have impacted timely reporting

Ineffective month-end and year-end processes and asset management issues have long been the reasons councils do not achieve timely certification of their financial statements. If councils had these practices imbedded and operating effectively, they would be better equipped to manage external disruptions. However, because they do not, external factors (as summarised in Figure 2C) have also contributed to untimely financial reporting in recent years.

**Figure 2C**  
**Factors impacting timely reporting**

2019–20	2020–21	2021–22
 COVID-19 pandemic  Local government elections  New accounting standards	 COVID-19 pandemic  Staff turnover and vacancies  Significant natural disasters	 Staff turnover and vacancies  Significant natural disasters

Source: Compiled by Queensland Audit Office.

In *Local government 2020* we explained the challenges councils faced being impacted by and responding to COVID-19, local government elections, and new accounting standards, and how these delayed the certification of their financial statements. In this section, we explore the other factors that contributed to a decline in the timeliness of financial reporting by councils in subsequent financial years.

### Staff turnover and vacancies

Since 2021, Australia (and the rest of the world) has been impacted by what has been called the ‘great resignation’, where workers left organisations at scale and pace. The local government sector was not immune to this phenomenon.

For councils outside of South East Queensland, attracting and retaining experienced staff has historically been a challenge, and this has become even harder in the last 2 years. Many councils face the choice between filling vacant roles with less experienced and qualified staff or engaging external consultants at a significantly higher cost.

The loss of knowledge when staff leave an organisation, and the disruption from frequent turnover of staff, prevents councils from maturing their financial and business systems, processes, and strategy.

Individual councils are unlikely to overcome these challenges alone. Some councils come together as a group through platforms such as ‘alliances’ or ‘regional organisations of councils’ – groups of councils from similar geographic locations form an association to achieve common goals. These councils can benefit from sharing resources and expertise, as well as through combined purchasing power.

We have seen councils successfully work together during the COVID-19 pandemic to implement directives from government, such as border closures and cleaning public amenities. Councils need to leverage such collaboration and work together to create more depth and resilience in back-office functions such as financial management, human resource management, and information management and security. Their ability to do this is aided by the fact that currently 90 per cent of councils use one of 4 accounting systems.

## Natural disasters

Natural disasters cause significant disruption to councils – diverting attention from their usual operations to focus on disaster response. Accounting for natural disasters (for example the change in the value of a council's assets because of damage caused by a flood) is also complex and time-consuming. This adds further pressure to councils' finance teams – especially in small and regional councils that are already experiencing staff shortages.

When a natural disaster strikes, it generally impacts more than one council in a region. We have seen disaster management groups at impacted councils come together and serve their communities in such difficult times to help with recovery processes.

Councils could again use this experience of working together to develop comprehensive documentation of the assumptions and judgements they use to determine the fair value of their assets (which is the amount for which the assets could be sold in a fair transaction).

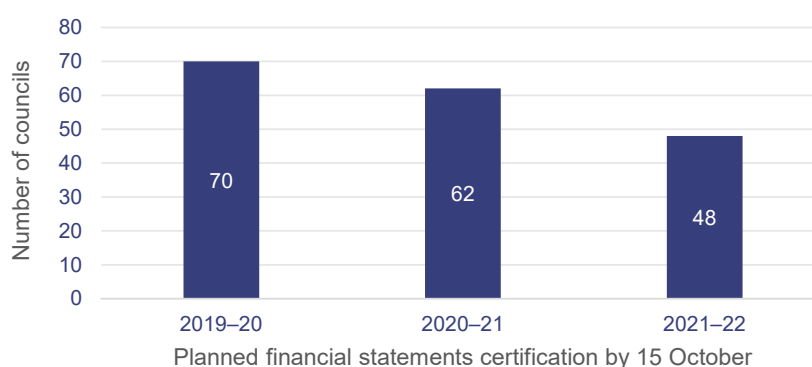
## Planning for the financial reporting process is weak

### Councils are not aiming for early certification of their financial statements

At the start of each years' audit process, councils provide us dates they plan to have their financial statements certified. Since we moved away from measuring their timeliness using a traffic light system (explained earlier in this chapter), fewer councils are striving for early certification.

Figure 2D shows, for the last 3 years, how many councils planned to have their financial statements certified early – that is, 2 weeks before their legislative deadline of 31 October.

**Figure 2D**  
**Planned certification of council financial statements by 2 weeks before the legislative time frame (2019–20 to 2021–22)**



Source: Queensland Audit Office.

In the 2019–20 financial year, 91 per cent of the sector planned to have their financial statements certified 2 weeks before the legislative time frame. This declined to 80 per cent in 2020–21 and declined even more in 2021–22 to only 62 per cent of the sector.

If councils do not *plan* to have their financial statements certified early, they are unlikely to improve the timeliness of their financial reporting.

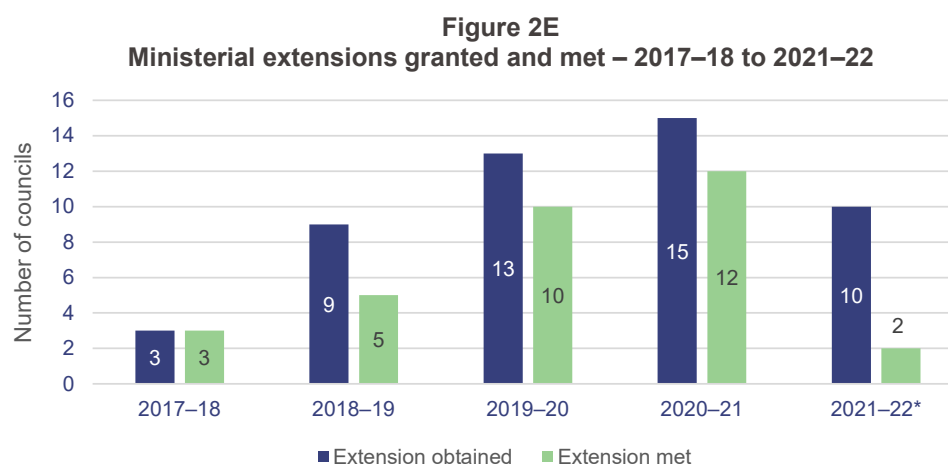
Local government 2022 (Report 15: 2022–23)

## Ministerial extensions are sought very late

When a council does not expect to have its financial statements certified within the legislated deadline, it can seek an extension of time from the minister for local government.

Under the legislation, the minister may grant an extension when 'extraordinary circumstances' prevent the council from having its financial statements certified within the legislative deadline.

However, when councils, and many times the same councils, keep seeking an extension from the minister year after year, it cannot be deemed 'extraordinary circumstances'. In Figure 2E, we show the number of councils that applied for an extension and the number of councils that met their extended time frames over the last 5 years.



Note: \* For 2021–22, 4 councils that applied for extension are yet to finalise their statements.

Source: Queensland Audit Office.

Of the 10 councils that received an extension of time to have their financial statements certified for the 2021–22 financial year:

- 7 did not apply for an extension until late in October 2022
- 6 applied for more than one extension this year
- 6 also applied for an extension last year.

This confirms that some councils do not have good processes to have their financial statements certified in a timely manner.

In *Results of audits: Local government entities 2011–12* (Report 10: 2012–13), we recommended the department determine and publish criteria for granting ministerial extensions to reporting deadlines in 'extraordinary circumstances'. At the time, the department acknowledged the merit of our recommendation; but it has not yet taken any action to provide clarity on what extraordinary circumstances are.

### Recommendation for the department

Provide a clear definition of 'extraordinary circumstances' for councils seeking ministerial extensions to their legislative time frame for financial reporting (REC 3)

The department should clearly define what 'extraordinary circumstances' are in the context of extensions to councils' legislated deadlines for certifying financial statements.

This will provide consistent criteria for assessing council applications for extensions.

## Department's role to address skills shortages and improve timely financial reporting

Although staff shortages have contributed to untimely financial reporting, this issue has existed in the sector for several years, especially in regional and remote councils. The fundamental reason councils in regional and remote areas struggle to achieve timely financial reporting is the lack of appropriately qualified and skilled staff.

In 2020 we collected information from more than half the sector to understand the extent of qualified and skilled staff in their engineering and finance teams. At the time we gathered this information, we noted that:

- 16 per cent of these councils did not have appropriately qualified engineers that were responsible for managing their infrastructure assets
- 27 per cent of these councils did not have an accountant with a post-tertiary qualification that was responsible for managing their finances.

We plan to survey the sector for our next local government report to understand if this situation has worsened, given the recent impact of the great resignation explained earlier in this chapter.

Councils who regularly fail to meet the legislative deadline for financial reporting generally do not have the necessary skills to improve their financial reporting. These councils would benefit from greater support by the department to help develop strategies to improve their financial reporting processes.

In *Local government 2020*, we recommended the department provide training to councillors and senior leadership teams for councils that have limitations raising revenue due to remoteness and small populations (that is, councils that are highly reliant on grant funding). Our recommendation aimed to improve councillors' and senior leaders' understanding of governance and accountability to allow them to drive change within their councils.

Some of these councils were already prioritising financial reporting and had established good governance processes, such as an effective audit committee and internal audit function. However, most were not.

This year, 25 per cent of the councils (7 councils) we recommended receive additional training did not meet their legislative deadline. At 30 June 2022, these councils also had 31 unresolved significant deficiencies (breakdowns in internal control that we identified with substantial financial or reputational risk for councils that need to be addressed immediately). This is 27 per cent of the unresolved significant deficiencies for the sector. In addition, 5 of these councils do not have an audit committee or an internal audit function.

This indicates that the training provided by the department may not be achieving the desired outcomes.

### Recommendation for the department

#### Measure the effectiveness of training programs provided to councils (REC 4)

The department should measure the effectiveness of the training programs it provides to councils.  
This would help the department identify remedial actions when desired outcomes are not achieved.

The department, as the regulator of the local government sector, also has a responsibility to make sure councils comply with the financial reporting obligations required under the *Local Government Act 2009* and the *Local Government Regulation 2012*.

In addition to continuing to deliver and improve the training for councillors and senior executives, the department should develop targeted training for finance staff. This should be aimed at councils that consistently fail to have their financial statements signed in a timely manner and do not have adequate skills around financial accounting and reporting processes. The department currently provides example financial statements and conducts certain workshops for councils. However, the untimely financial reporting by councils confirms these are not addressing the skills shortage for financial reporting in the sector.



## Local government 2022 (Report 15: 2022–23)

One option would be for the department to establish a group of qualified, experienced professionals who could help councils in need from time to time. This approach would be similar to that now used by the Public Sector Commission to help state government departments dealing with significant government restructures. Should the department adopt such a model, it would need to be clear about when councils could use this service.

**Recommendation for the department**

Provide training on financial reporting processes and support councils to meet their reporting deadlines in times of need (REC 5)

The department should, for councils that do not consistently achieve early financial reporting:

- provide training to finance staff that covers matters such as
  - basic financial statement preparation
  - analysing and interpreting financial statements
  - preparing and delivering on a year-end time table
  - accounting concepts and application of relevant accounting standards.

This should be in addition to the tropical financial reporting workshop provided by the department each year

- make available a panel of financial reporting specialists that councils can call upon in times of need to help with their financial reporting processes. For this to work effectively, the department should establish ground rules that put the onus on councils to plan for their financial reporting early. This support should only be made available to councils on an exception basis.

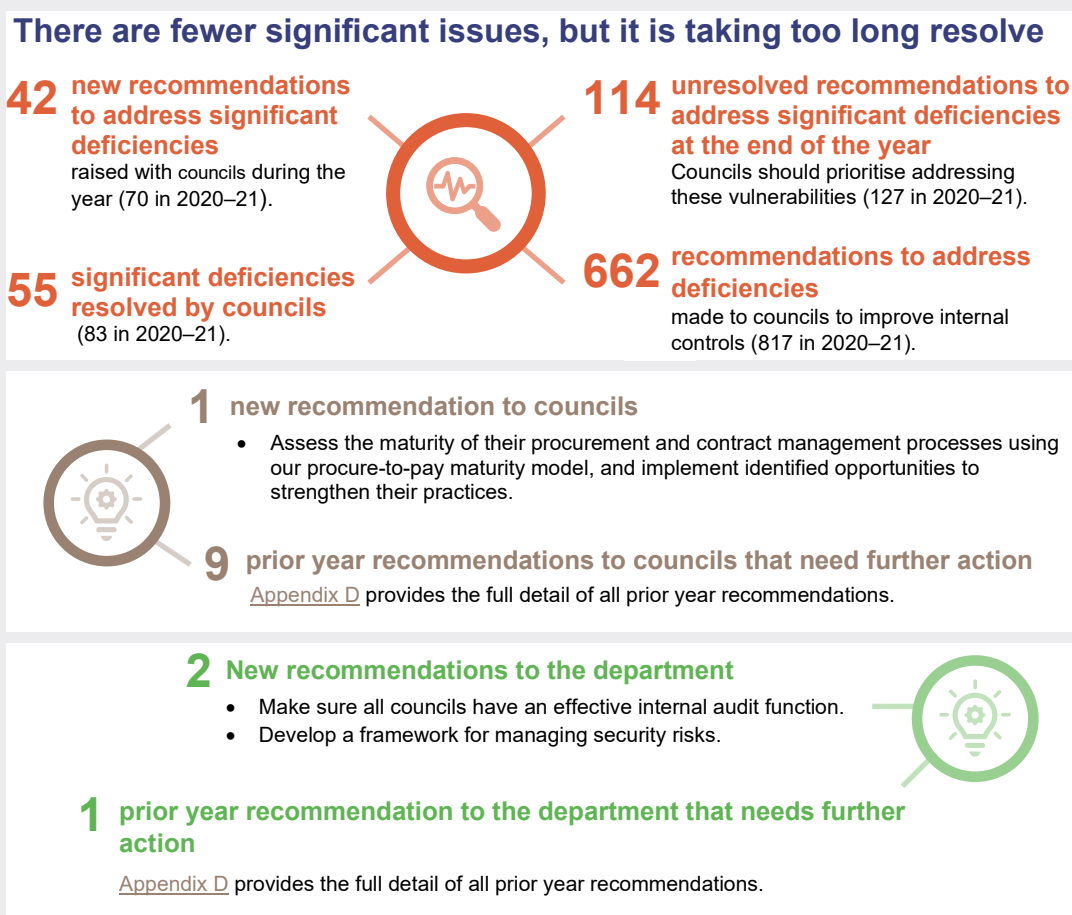
### 3. Internal controls

Internal controls are the people, systems, and processes that ensure an entity can achieve its objectives, prepare reliable financial reports, and comply with applicable laws. Features of an effective internal control framework include:

- strong governance that promotes accountability and supports strategic and operational objectives
- secure information systems that maintain data integrity
- robust policies and procedures, including appropriate financial delegations
- regular monitoring and internal audit reviews.

This chapter reports on the effectiveness of councils' internal controls and provides areas of focus for them to improve. When we identify weaknesses in the controls, we categorise them as either 'deficiencies', which need to be addressed over time, or 'significant deficiencies', which are high risk and need to be addressed immediately.

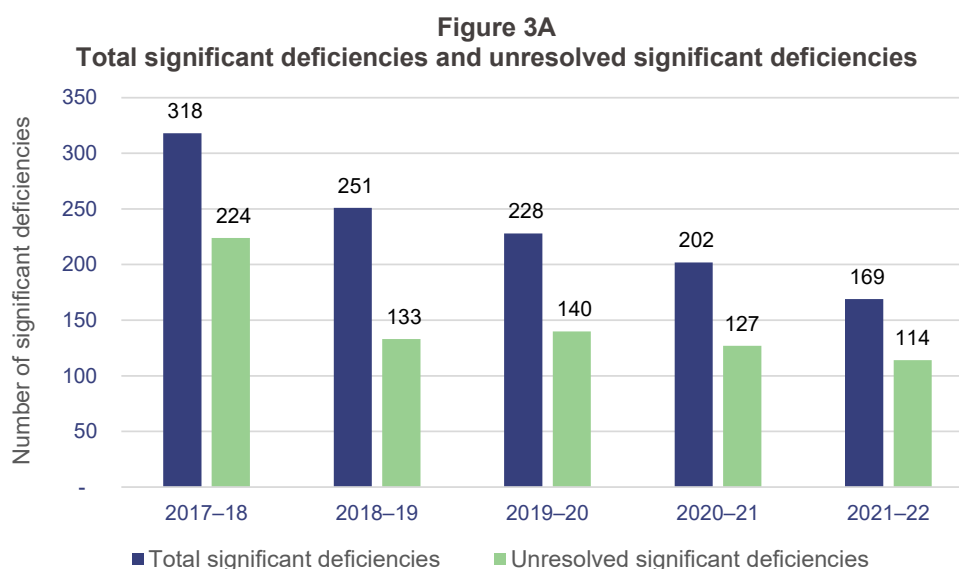
#### Chapter snapshot



Local government 2022 (Report 15: 2022–23)

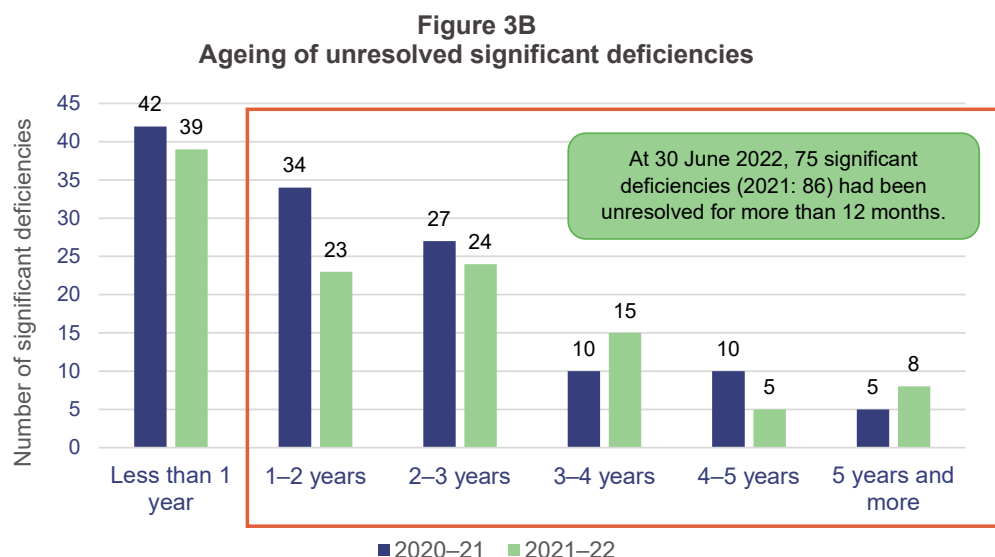
## Internal controls are improving, but more than half the sector still has unresolved significant deficiencies

Councils have continued to reduce the number of unresolved significant deficiencies in their internal controls. But, as at 30 June 2022, 42 councils (2021: 47 councils) have at least one significant deficiency they need to address. Figure 3A shows the total number of significant deficiencies we have identified in the sector over the last 5 years, along with those that remained unresolved at 30 June each year.



Source: Queensland Audit Office.

Although councils have reduced the number of significant deficiencies, many are still unresolved for more than 12 months as shown in Figure 3B.



Source: Queensland Audit Office.

Significant deficiencies are those that may result in substantial financial or reputational loss to councils – which in turn may impact their financial sustainability. When these significant deficiencies are unresolved for a long time, the risk of financial and reputational loss to councils increases.

In [Appendix J](#), for each council, we list the number of significant deficiencies that remain unresolved for more than 12 months. As at 30 June 2022, 35 councils (2021: 35 councils) had one or more significant deficiencies that remained unresolved more than 12 months after we identified them.

Entities that do not resolve significant deficiencies in a timely manner generally do not have good governance and monitoring processes in place. When an entity strengthens its internal controls and implements good governance structures – such as by establishing an effective audit committee and internal audit function – it can also improve its financial performance.

## Audit committees and internal audit functions

### Section snapshot



**As at 30 June 2022, 16 councils (2021: 20 councils) did not have an audit committee function.**

- **15 councils** did not have an audit committee at all.
- **One council** had an audit committee that did not meet in the 2021–22 year.



**As at 30 June 2022, 14 councils (2021: 14 councils) did not have an internal audit function.**

- **7 councils** did not have an internal audit function.
- **7 councils** did not undertake any internal audit activity.

**These councils** combined had **55** unresolved significant deficiencies (**68 per cent** of all significant deficiencies) and **12** of these councils are at high risk of not being financially sustainable.

**These councils** combined had **61** unresolved significant deficiencies (**75 per cent** of all significant deficiencies) and **9** of these councils are at high risk of not being financially sustainable.

**11 councils do not have** either an **audit committee** or an **internal audit function**. These councils combined have **50 unresolved significant deficiencies** at 30 June 2022.

### Audit committees

Audit committees play a key role in providing management with an independent and objective source of advice on various matters. This includes financial reporting, internal controls, risk management, and internal and external audit functions.

While management retains ultimate accountability for councils' internal controls, audit committees help improve councils' internal controls by overseeing proactive and timely resolution of outstanding issues.

After several years of recommending to councils that they should establish an audit committee function, in *Local government 2020* we recommended the department should mandate all councils to establish an audit committee. The State Development and Regional Industries Committee (a committee of parliament) in its report – *Report 32: Examination of Auditor-General Reports on the local government sector* – recommended to the parliament that all councils should establish an audit and risk committee.

In the 2023–24 financial year, we plan to undertake an audit on the effectiveness of local government audit committees. This report will follow on from *Effectiveness of audit committees in state government entities* (Report 2: 2020–21) and provide insights into the effectiveness of audit committees at councils.

## Local government 2022 (Report 15: 2022–23)

## Internal audit

An internal audit function is a key building block for good financial reporting and governance practices. It provides an independent view on whether a council's internal control framework is effective and helps promote a strong risk management and compliance culture.

Every council in Queensland is required under the *Local Government Act 2009* to establish an effective internal audit function. An effective internal audit function is one where a council must, in each year, have an internal audit plan (a list of audits that it plans to undertake) and deliver on that plan.

Figure 3C shows councils that did not have an internal audit function established as at 30 June 2022 and those that had established a function but did not undertake any internal audit activity.

**Figure 3C**  
**Councils that did not have an effective internal audit function at 30 June 2022**

Councils with no internal audit function	Councils that had no internal audit activity
Cherbourg Aboriginal Shire Council*	Bulloo Shire Council
North Burnett Regional Council	Carpentaria Shire Council
Palm Island Aboriginal Shire Council	Croydon Shire Council
Paroo Shire Council	Etheridge Shire Council
Richmond Shire Council*	McKinlay Shire Council
Woorabinda Aboriginal Shire Council*	Mornington Shire Council
Wujal Wujal Aboriginal Shire Council*	Northern Peninsula Area Regional Council

Note: \* These councils have not had an internal audit function for 3 or more years as at 30 June 2022.

Source: Queensland Audit Office.

Nearly 60 per cent of the councils in Figure 3C failed to meet the legislative deadline in 2021–22:

- Four of these councils are yet to have their financial statements certified.
- Four of these councils missed the deadline but subsequently had their audit opinions issued. Of these, 2 councils have not met their legislative deadline for 3 or more years in a row.

The department, as the regulator for the local government sector, needs to make sure that councils comply with their legislative requirements to establish an effective internal audit function. The department also has a role to educate councils on the benefits of an internal audit function and make sure appropriate resources – such as guidelines and templates – are available to councils.

#### Recommendation for the department

##### Make sure all councils have an effective internal audit function (REC 6)

The department should monitor whether all councils have an internal audit function and that appropriate internal audit activities are undertaken each year.

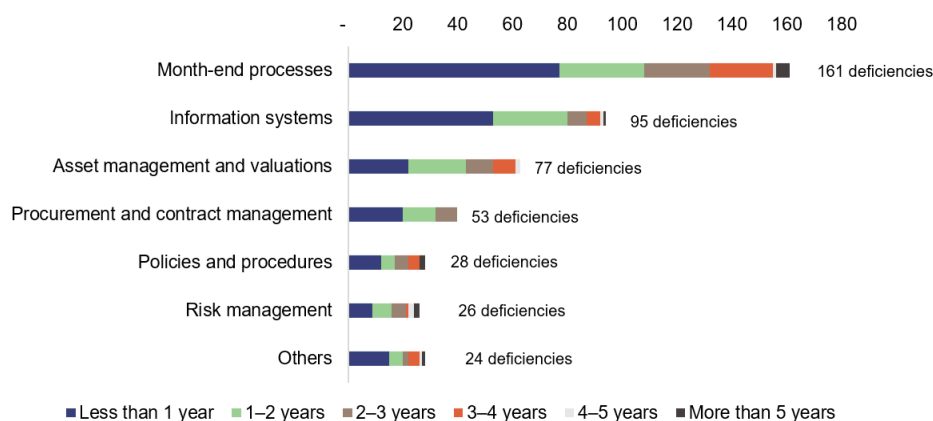
To help councils meet their legislative requirements the department should:

- educate councillors and senior executives on the benefits of an internal audit function and how this adds value to council operations
- make internal audit guidelines available on the department's website and provide example templates (such as a model internal audit charter) to help councils understand and meet their obligations.

## Common internal control weaknesses in the sector

The common internal control weaknesses we discuss in this chapter are those that have persisted for several years. Figure 3D summarises these weaknesses by the number of years they have been unresolved, as at 30 June 2022.

**Figure 3D**  
**Common internal control weaknesses unresolved as at 30 June 2022**



Source: Queensland Audit Office.

## The number of weaknesses in information system controls continues to rise in the sector

### Section snapshot

**48 councils** have at least one deficiency in their **information technology systems** (2020–21: 45 councils).

**63 new deficiencies** have been identified in 2021–22 in addition to **37 deficiencies** unresolved from previous years.

**9 councils** have one or more **significant deficiencies** in their information systems that have not been resolved for over a year.

Councils hold large volumes of financial, operational, and personal data about their suppliers, customers, and employees in their information technology systems.

Recent cyber attacks on the information systems of Australian and international entities, including some high-profile Queensland public sector entities, have disrupted their operations and caused loss of sensitive data.

As recently as April 2023, one regional council in central Queensland became a victim of a cyber attack. The council is assessing the impact of this attack and has involved cyber security experts to help it manage the recovery process. This is on the back of other councils in Victoria and New South Wales that were also impacted by cyber attacks within the last 18 months.

The frequency and number of attacks in the last 2 years highlights that it is no longer if, but when a successful attack will occur.

## Local government 2022 (Report 15: 2022–23)

It is critical that councils implement strong security controls to protect their data from cyber attacks, undetected errors, and potential financial loss, including through fraud. Our *Forward work plan 2023–26* includes an audit topic on *Responding to and recovering from cyber attacks* that will provide insights and lessons learned on entities' preparedness.

This year, because of changes to the Australian auditing standards, we undertook in-depth reviews of information system controls across all public sector entities in Queensland. From these, we identified additional deficiencies in councils' information systems.

The changes to Australian auditing standards require auditors to assess the effectiveness of information systems controls that are critical to generate financial information. It is important to note that these changes do not focus on controls that protect systems against cyber attacks and do not provide assurance that council's cyber security measures are strong enough. However, the findings from our audits inform councils of the vulnerabilities in their systems and provide them opportunities to strengthen their internal controls.

The most common internal control deficiencies identified include:

- inappropriate access levels being assigned to council staff. This means staff can process transactions when they are not authorised to do so. This may expose councils to financial loss, unauthorised access to their data, and the risk of loss of data
- lack of good controls to implement and monitor strong passwords. Weak passwords are easier to guess, and they expose information technology systems to potential cyber attacks
- lack of good policies to govern the security of information systems. These policies should define obligations that staff need to comply with when using councils' information technology systems.

Implementing effective controls to mitigate the risk of cyber attacks should be performed on a cost–benefit basis. Accordingly, in *Managing cyber security risks* (Report 3: 2019–20) we recommended all entities in the Queensland public sector firstly assess whether they:

- have a framework for managing cyber security risks
- know what information assets they have
- know to what extent those information assets are exposed to cyber security risks.

Based on the results of these activities, entities should implement cyber security risk mitigation strategies.

Since October 2018, the Queensland Government's Customer and Chief Digital Officer (QGCCDO) has required state departments to implement an information security management system (ISMS) – a systematic approach to identify and manage information security risks – in accordance with the ISO 27001 *Information Security Standard*. Currently, no such standards are mandated for the local government sector.

There is an opportunity for the department to collaborate with the QGCCDO to improve the information technology security practices of the sector, using the principles of an ISMS. This would provide the department information about councils that have weaker information security controls.

#### Recommendation to the department

##### Develop a strategy to uplift capability of the sector on cyber-related matters (REC 7)

We recommend the department, in collaboration with the Queensland Government's Customer and Chief Digital Officer, develops a strategy to increase awareness and improve capability in the sector on cyber-related matters. This will help councils strengthen their information security controls.

[Appendix D](#) provides our full recommendation from previous years, which still requires further action by councils.



## Procurement and contract management practices are not fit-for-purpose

<p><b>Section snapshot</b></p> <p><b>34 councils</b> have at least one deficiency in their procurement and contract management practices (2020–21: 29 councils).</p> 	<p><b>23 new deficiencies</b> have been identified this year in addition to 24 deficiencies unresolved from previous years.</p> <p><b>8 councils</b> have one or more <b>significant deficiencies</b> in their procurement and contract management processes that have not been resolved for over a year.</p>  
--	---

Councils collectively spend approximately \$8 billion each year to obtain goods and services from varied suppliers. When such large amounts of monies are spent – which are funded by tax payers in the form of grants or other sources such as rates and fees – there is a need for strong controls and processes. This is important so councils can uphold their communities' confidence that their monies are spent wisely.


Despite this, we identify more weaknesses each year in councils' procurement and contract management processes and practices.

To gain a comprehensive understanding of the extent of the efficiency and effectiveness of councils' procurement and contract management processes, we implemented our procure-to-pay maturity model at 5 councils this year.

We selected a range of councils from large councils in South East Queensland to a small remote Indigenous council to assess the maturity of their procurement and contract management processes.

Figure 3E summarises the scope of the maturity model, together with the strengths and improvement opportunities we identified.

**Figure 3E**  
**Scope of the maturity model and our observations**

<p><b>What did we assess?</b></p>	<div> <p>Do councils have the appropriate <b>framework and policies</b>?</p> <p>How effective are councils' <b>information systems</b>?</p> <p>How effective are councils' <b>procurement and contract management processes</b>?</p> <p>What sort of <b>reporting</b> is provided to management and councillors?</p> </div> 
<p><b>Overall maturity</b></p>	<ul style="list-style-type: none"> <li>The maturity of the sector varied – larger councils demonstrated a higher maturity compared to the smaller councils, which have limited resources.</li> </ul>
<p><b>Strengths</b></p>	<ul style="list-style-type: none"> <li>Most councils had a documented process, including adequate policies and procedures for their procurement and contract management, that comply with the legislation.</li> <li>Larger councils had good information technology systems in place to manage the procurement process and had set financial delegations within their systems to authorise invoices.</li> <li>Probity factors were considered by most councils in their procurement process.</li> </ul>
<p><b>Improvement opportunities</b></p>	<ul style="list-style-type: none"> <li>Councils did not have any reporting mechanisms to their elected members for what they procured, what contracts had been entered, and whether their vendors delivered on their contractual obligations.</li> </ul>

Source: compiled by Queensland Audit Office.

Local government 2022 (Report 15: 2022–23)

**Recommendation for all councils**

Assess the maturity of their procurement and contract management processes using our procure-to-pay maturity model, and implement identified opportunities to strengthen their practices (REC 1)

We recommend all councils assess the maturity of their procurement and contract management processes using our procure-to-pay maturity model.

Councils should identify their desired level of maturity and compare this to the maturity level that best represents their current practices. This assessment will help them identify and implement practical improvement opportunities for their procurement and contract management processes.

We also identified as a part of our audits common internal control weaknesses in councils' procurement and contract management processes and practices – that we have reported for several years. These are:

- **value for money** – Councils have not maintained good documentation on the appropriate number of tenders/quotes obtained for the purchase of goods and services. This means they were not able to demonstrate they were getting the best price for the goods and services they procured
- **risk of procuring incorrect goods or goods at incorrect prices** – Councils have procured goods and services before entering an agreement with suppliers. This means they exposed themselves to risks of disagreement with suppliers over the terms of purchases (such as quantity and price of goods procured)
- **poor contract management practices** – We find councils either do not maintain contract registers or their registers lack key information such as start and end dates and values of contracts. When contract registers are well maintained, they help councils better plan their financial commitments, track their obligations, and reduce the risk of paying more than they agreed with suppliers.

In *Contract management for new infrastructure* (Report 16: 2021–22), we made recommendations for how entities can improve their frameworks for managing contracts. Councils may benefit from implementing the recommendations made in this report to improve their contract management processes.

[Appendix D](#) provides our full recommendations from previous years, which still require further action by councils.

## Stronger risk management is needed in uncertain times

### Section snapshot



**25 councils** have at least one deficiency in their risk management practices (2020–21: 22 councils).



**10 councils** have one or more **significant deficiencies** in their risk management practices that have not been resolved for over a year.



**10 new deficiencies** have been identified this year in addition to 27 deficiencies unresolved from previous years.



**14 councils** that were impacted by 2021–22 natural disasters did not have well-documented or up-to-date business continuity and disaster recovery plans.

Queensland councils faced considerable risks in recent years, including the challenges of the COVID-19 pandemic, natural disasters, rising cyber crime and fraud, and an uncertain economic outlook.

These risks have reinforced the need for good risk management practices to make sure councils deliver desired outcomes to their communities.

Common areas councils can improve their risk management practices include having:

- a well-documented and up-to-date business continuity and disaster recovery plan that is tested periodically. This will help councils continue to deliver services and infrastructure to the community and minimise the impacts of any disruptions in the event of a disaster
- an up-to-date and complete risk management framework and risk register. This will help councils identify and address the risks facing their business, and in doing so, increase the likelihood of successfully achieving their objectives.

[Appendix D](#) provides our full recommendations from previous years, which still require further action by councils.

## Councils need to establish good policies and procedures

Over the last few years, we have noticed an increase in the number of councils that do not have good policies and procedures. Policies and procedures provide guidance, ensure consistency, assign accountability, and establish clarity to council staff and elected members on how the council operates.

At 30 June 2022, 13 councils either did not have policies and procedures in place for some of their day-to-day operations, or these policies and procedures were outdated. These councils may have increased financial and reputational risks, because council staff and elected members may not manage the operations in line with the council's expectations.

Good policies and procedures are critical for those that are new to the organisation – whether it be council staff or an elected member.

Over the years, councils in Queensland have experienced significant change in their elected members as a part of local government elections (which occur every 4 years). Following these elections, we also see changes in the staff who hold key positions across councils.

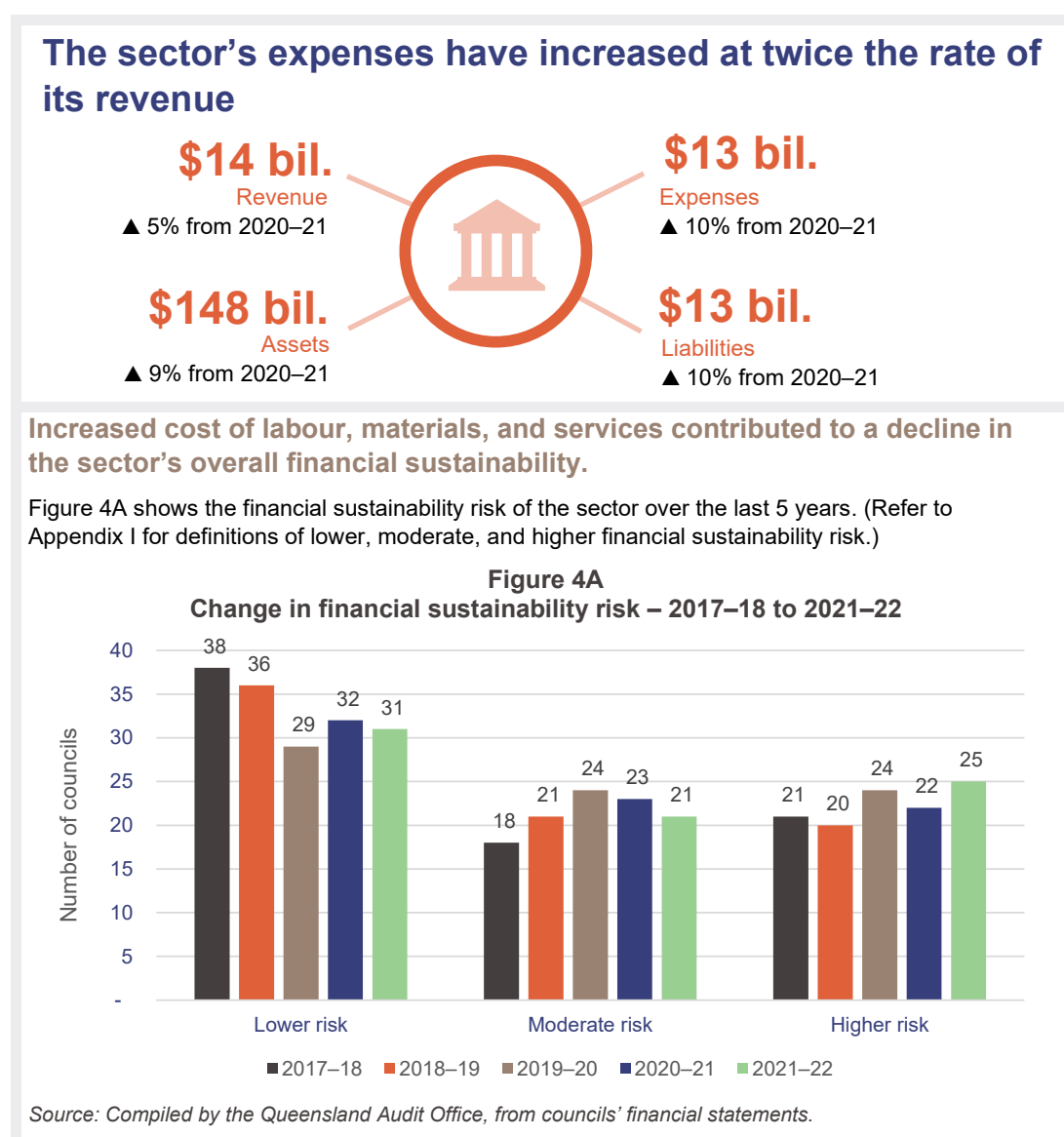
With the next local government elections being held in March 2024, councils should make sure they establish good policies and procedures to help smoothly transition any newly elected members and new executive staff.


Local government 2022 (Report 15: 2022–23)

## 4. Financial performance

In this chapter, we analyse the financial performance of councils, with emphasis on their financial sustainability that is measured under the Financial Management (Sustainability) Guideline 2013, issued by the department.

### Chapter snapshot





**3 prior year recommendations to councils that need further action**


[Appendix D](#) provides the full detail of all prior year recommendations.

**1 new recommendation to the department**

Publish a framework to assess the sustainability risk of councils by 1 July 2023.

**2 prior year recommendations to the department need further action**

The department has implemented one prior year recommendation. [Appendix D](#) provides the full detail of all prior year recommendations.



## Financial sustainability measures are changing for the sector, but a framework to measure the associated risk is needed

In *Local government 2020* and *Local government 2021*, we explained the challenges councils face to demonstrate their ability to achieve financial sustainability, particularly those in remote areas. These include:

- lower population and fewer employment opportunities, resulting in lower revenue-generating ability
- higher costs of maintaining a large asset base spread over a large geographic area
- the current financial sustainability guideline, which expects all councils to achieve the same financial benchmarks (refer to [Appendix I](#) for details of the financial measures and benchmarks).

The department recognised these challenges and has developed a new financial sustainability guideline. Under this new guideline, councils are grouped into similar categories (known as tiers) to better reflect the varied drivers and challenges across the sector.

The new guideline introduces additional ratios and benchmarks (that vary across the tiers) that councils will report against in their financial statements from 2023–24 onwards.

The department is currently developing a framework (risk framework) to measure sustainability risk under the new guideline. Given the new guideline will be implemented from 1 July 2023 (for the 2023–24 financial year), it is important that the risk framework is also made available to the sector from this date.

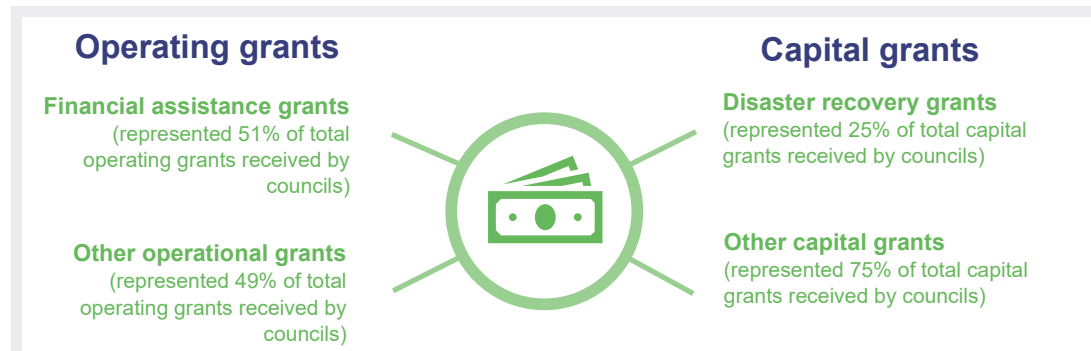
### Recommendation for the department

Publish a framework to assess the sustainability risk of councils by 1 July 2023 (REC 8)

The department should publish a framework to assess the financial sustainability risk of councils. This framework should be made available to the sector from 1 July 2023 to align with the effective date of the department's new financial sustainability guideline.

## Role of grant funding in local government

### Snapshot of grants received by councils (based on a 5-year average)



Queensland councils receive grants from the Australian and Queensland governments for their day-to-day operations (operating grants) and to construct and maintain their assets (capital grants). Without these grants, some councils in Queensland would not be able to provide services to their communities and maintain their assets.

#### Financial assistance grants

One operating grant received by every council in Australia is the 'Financial Assistance Grant' (FA grant) from the Australian Government. The FA grants play an important role in supplementing the operating revenues of councils – so much so that they represent approximately 51 per cent of operating grants for the sector in Queensland.

The FA grants are made up of 2 components – a general purpose grant and an identified road grant. Both components are untied, meaning they can be used for any purpose. These grants are provided by the Australian Government and are distributed through the department with the assistance of the Queensland Local Government Grants Commission (the Commission) – an independent body appointed by the governor in council (which is the Governor acting on advice of the Executive Council to approve the decisions of Cabinet. All Cabinet ministers are members of the Executive Council, with at least 2 ministers and the Governor needed for a meeting).

The Commission allocates these grants based on the requirements of a Commonwealth Act (the *Local Government (Financial Assistance) Act 1995*) and the national principles established by the Australian Government. The FA grants are distributed using the following principles:

- The identified road grant is allocated based on the expected cost for councils to maintain roads in their local government area.
- The general purpose grant is allocated
  - 30 per cent based on the population of the council. This component is entirely at the discretion of the Australian Government and all councils in Australia receive this component of the general purpose grant
  - 70 per cent based on the council's relative need (amount of grants required by a council to provide effective and efficient services to its community). This portion also considers a council's ability to generate revenue and the expenditure it incurs on services. This component is determined by the Commission and is not distributed to councils that have a population of 80,000 or more.

In 2020–21, the Commission changed its grant allocation methodology, recognising that remote councils with small populations have limited means to raise sufficient revenue to meet the cost of providing services to their community.

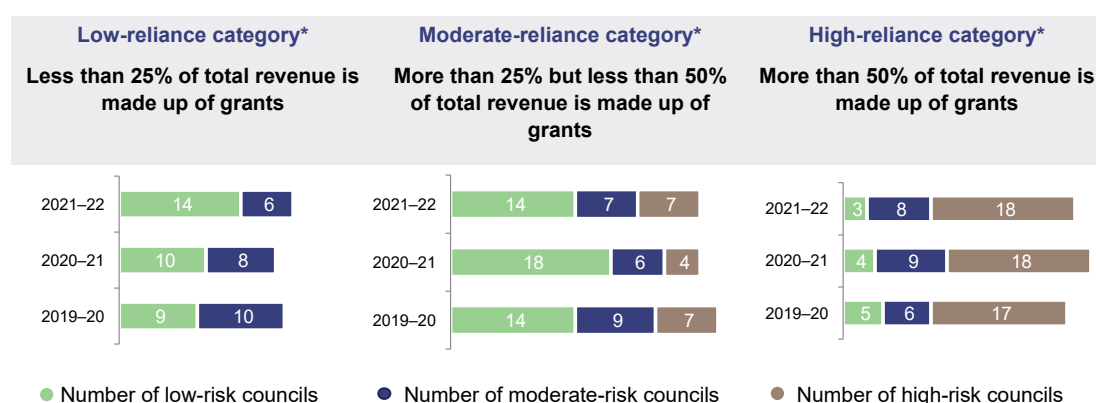
As a part of this change in methodology, the Commission also decreased the threshold for the relative need grant from 80,000 to 50,000 residents, to align with other jurisdictions in Australia. This means that 5 fewer Queensland councils will receive the 70 per cent component of the FA grant in 2022–23.

These changes will result in 54 councils receiving more funding in 2022–23 than in previous years.

## Impact of grants on the sustainability of councils

Given the importance grant funding plays in the sector, we analysed the financial sustainability of councils based on their reliance on grants (including both operating and capital grants), as shown in Figure 4B.

**Figure 4B**  
**Councils' financial sustainability risk categorised by reliance on grant revenue – 2019–20 to 2021–22**



Note: \* Grant reliance is calculated using 5-year average of grant funding as a percentage of total revenue.

Source: Compiled by the Queensland Audit Office, from councils' financial statements.

In the 2019–20 and 2020–21 financial years, the local government sector received higher than usual grant funding to help it recover from the financial impacts experienced during the COVID–19 pandemic response.

In 2021–22, grant funding to councils declined, as economies started to recover from the financial impacts of the pandemic response. With the decline in grant funding, the reliance on grants has also reduced. Accordingly, more councils this year (14 councils) have a lower financial sustainability risk in the low reliance category than last year (10 councils).

Generally, as a council's reliance on grants increases, its risk of not being financially sustainable also increases. However, at 30 June 2022, 3 councils that had a high reliance on grants had a low risk of being financially unsustainable.

These 3 councils are in one of the most remote locations in Queensland and have significant limitations on generating their own revenue. Yet, with strong governance structures and internal controls, and sound budget monitoring processes, they have managed their spending and consistently generated operating surpluses.

## Early receipt of grant funding has masked the operating deficits some councils would have otherwise incurred

This year, 35 councils generated operating surpluses. This is consistent with last year (2020–21: 35 councils) and the results before the pandemic. However, this year, the sector as a whole received a large portion of its FA grants in advance.



## Local government 2022 (Report 15: 2022–23)

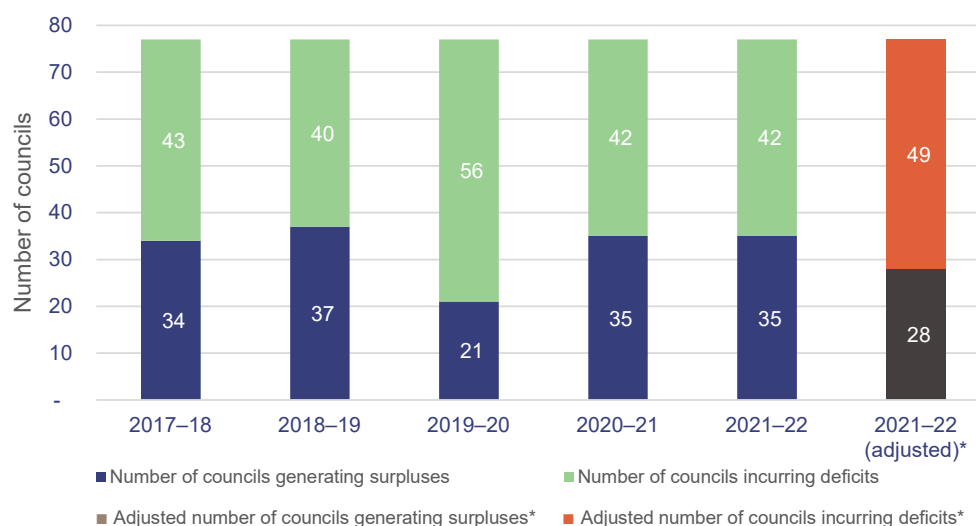
Usually, in June each year, councils receive approximately half of the next year's FA grant in advance. This year, the Australian Government decided to pay approximately 75 per cent of the 2022–23 financial year FA grant in advance. This advance payment was based on the new 'relative need' funding model discussed earlier in the report.

Because these grants are untied and councils do not have any specific obligations to meet, under accounting principles, councils reported these amounts as revenue in 2021–22. This meant that some councils that would have reported an operating deficit this year, instead reported an operating surplus.

Receiving a large portion of the FA grant in advance may seem advantageous for some councils. However, these funds need to be set aside to fund operations throughout 2022–23.

In Figure 4C, we show the number of councils that generated operating surpluses for 2017–18 to 2021–22. We also show what the sector's operating performance would have been for 2021–22 if councils had not received this advance funding.

**Figure 4C**  
**Number of councils generating operating surpluses and incurring deficits – 2017–18 to 2021–22**



Note: \* '2021–22 (adjusted)' indicates operational results if councils received the same proportion of FA grants as in the previous year.

Where councils have not certified their financial statements, the results used are those from the last certified financial statements.

Source: Compiled by the Queensland Audit Office, from councils' financial statements.

Any entity may occasionally incur an operating deficit. But when operating deficits are a regular occurrence, it is a sign the entity has weak budgeting and monitoring processes, and in some instances a habit of overspending or undercharging their community for services provided. This year, 42 councils incurred operating deficits. Of these, 27 have incurred operating deficits each year for the last 5 years.

Australia (as with the rest of the world) is facing significant increases in costs to employ staff and procure goods and services. In 2021–22, councils in Queensland experienced an increase in employee costs and material and services costs of 5 per cent and 10 per cent respectively.

Increased costs and rising interest rates can significantly impact fiscal policy (government's use of taxation and spending to influence the economy). This may mean tighter budgets and possible reductions to funding for councils in future years. But councils still need to provide essential services (roads, water, waste, and sewerage) to their communities, regardless of the level of grant funding they receive.

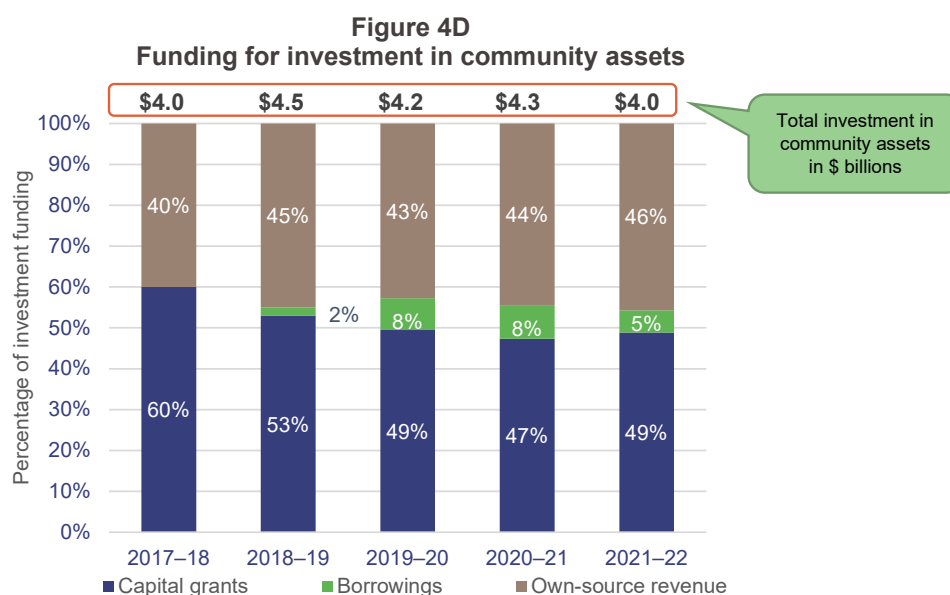
This is an ideal time for councils to revisit their costs and assess whether, at a minimum, the costs of providing these services are recovered through the fees they charge to their community. This includes reconsidering the need for some non-essential services they provide. Some of these non-essential services cost councils more than the fees they can charge, and in some instances, they do not generate any revenue from these non-essential services.

In *Managing the sustainability of local government services* (Report 2: 2019–20), we undertook an in-depth review of processes at 5 councils for planning and delivery of services to support long-term sustainability. As a part of this report, we also published a service prioritisation tool to help councils prioritise how money is distributed for spending on their non-essential services. The tool is available on our website at: [www.qao.qld.gov.au/reports-resources/better-practice](http://www.qao.qld.gov.au/reports-resources/better-practice).

Based on the findings at the 5 councils, we made recommendations to all councils. We strongly encourage all councils to review the progress they have made implementing these recommendations.

## Investment in assets is not enough to meet community needs

The total investment in community assets in 2021–22 was \$4.0 billion (2020–21: \$4.3 billion). As in prior years, funding for this investment came from capital grants, borrowings, and own-source revenue (revenue earned by councils from their day-to-day business), as shown in Figure 4D.



Source: Compiled by the Queensland Audit Office, from councils' financial statements.

Councils' reliance on borrowings to build and maintain community assets has remained low. The total debt of the sector at 30 June 2022 was \$6.4 billion (2021: \$6.2 billion). This is only 4.3 per cent of the value of community assets (2021: 5 per cent).

While it is encouraging to see councils continuing to invest in their assets, this level of investment is not enough to meet the needs of their communities. This is because it is not keeping up with what it would cost to replace the assets.

In *Local government 2021*, we highlighted the importance of the asset consumption ratio. This ratio measures the current value of a council's assets relative to what it would cost to build new assets with the same benefit to the community. In our 2021 report, we recommended councils review their asset consumption ratio and act to make sure their assets continue to meet the needs of their community.

[Local government 2022 \(Report 15: 2022–23\)](#)

The department has introduced this ratio in its new sustainability guideline (effective from 1 July 2023) and set a benchmark of greater than 60 per cent for all councils.

We calculated the asset consumption ratio for all councils as at 30 June 2022 and identified that:

- 7 councils (2021: 6 councils) risk the possibility of their assets not being maintained to a standard to meet community expectations (these councils do not meet the benchmark for the ratio of 60 per cent)
- 9 councils (2021: 10 councils) risk their assets not being maintained to a standard that meets community expectations in the next few years (these councils have an asset consumption ratio that is between 61 per cent and 65 per cent).

When compared to the prior year, we found that only 7 councils improved their asset consumption ratio this year, while 44 councils show a declining ratio.

We continue to recommend councils review their asset consumption ratio and take the necessary steps to improve it. This is so their assets are maintained at a level that meets the future needs of their community.

[Appendix D](#) provides our full prior year recommendation, which still requires further action by councils to address these issues.

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Local government 2022 (Report 15: 2022–23)

## A. Full responses from entities

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As mandated in s.64 of the *Auditor-General Act 2009*, the Queensland Audit Office gave a copy of this report with a request for comments to the Director-General, Department of State Development, Infrastructure, Local Government and Planning. We also provided a copy to all 77 councils and gave them the option of providing a response.

This appendix contains the detailed responses we received.

The heads of these entities are responsible for the accuracy, fairness, and balance of their comments.

## Comments received from Director-General, Department of State Development, Infrastructure, Local Government and Planning

Our ref: MC23/2807

16 JUN 2023

Mr Brendan Worrall  
Auditor-General  
Queensland Audit Office  
QAO.Mail@qao.qld.gov.au



Department of  
State Development, Infrastructure,  
Local Government and Planning

Dear Mr Worrall

Thank you for your email of 24 May 2023 regarding the Draft Report to Parliament titled *Local Government 2022* (the draft report). I note you also emailed the Honourable Steven Miles MP, Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure. Thank you for providing the Department of State Development, Infrastructure, Local Government and Planning (the department) with an opportunity to review the draft report.

I was pleased to note your comments that the financial statement of councils and council related entities for the 2021-22 financial year are reliable and complied with relevant laws and standards. It is also encouraging that 84 per cent of councils had their financials signed by their legislative deadline which was an increase from the previous year.

Councils' improvement in the reduction of new significant deficiencies in their financial statements is also reassuring despite the conditions councils face with staff turnover and natural disasters. Despite this, I note that the timeliness of producing financial statements remains a challenge for the sector and that some councils continue to need to resolve their outstanding audit deficiencies from prior years with the Queensland Audit Office (QAO).

I note that you made one recommendation to councils this year:

**Recommendation 1:** *Assess the maturity of their procurement and contract management processes using the QAO's 'Procure-to-pay' maturity model and implement identified opportunities to strengthen their practices.*

The department supports this recommendation and I intend to write to each council to emphasise the importance of implementing this recommendation. In addition, I will also remind councils of the importance of taking action to address outstanding deficiencies, as identified by the QAO.

With regards to your seven recommendations for the department, I provide the following comments:

**Recommendation 2:** *Provide necessary guidance and tools to councils to help improve their month-end financial reports.*

The department supports this recommendation. However, I note that there are other stakeholders such as the Local Government Finance Professionals (LGFP) that may be better placed, or already provide, guidance to the sector on these issues. The department will engage with the LGFP and other stakeholders to investigate opportunities to further support this recommendation.

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Website [www.statedevelopment.qld.gov.au](http://www.statedevelopment.qld.gov.au)  
ABN 29 230 178 530

## Local government 2022 (Report 15: 2022–23)

**Recommendation 3:** Provide a clear definition of 'extraordinary circumstances' for councils seeking ministerial extensions to their legislative time frame for financial reporting.

The department supports this recommendation and will investigate criteria that relates to what 'extraordinary circumstances' are in the context of extensions to councils' legislated deadlines for certifying financial statements, however the Minister will always retain discretion to ascertain what 'extraordinary circumstances' are and approve these requests.

Additionally, the department will write to the two councils that did not request an extension of time and remind them of this requirement under the *Local Government Act 2009*.

**Recommendation 4:** Measure the effectiveness of training programs provided to councils.

The department supports this recommendation in principle, noting that it is difficult to assess the effectiveness of individual training programs. As the local government sustainability framework is implemented, the effectiveness of the department's responses (including training) will be monitored and adjusted whilst continuing to evaluate individual training programs.

**Recommendation 5:** Provide training on financial reporting processes and support councils to meet their reporting deadlines in times of need.

The department supports this recommendation in principle noting that the LGFP provide regular webinars, with this included as a sector specific topic. This training, as well as assistance to engage financial reporting specialists, will be considered as part of a targeted responses implemented under the sustainability framework.

**Recommendation 6:** Make sure all councils have an effective internal audit function.

The department supports this recommendation and will write to each of the 14 councils identified in the report as not having an internal audit function to remind them of the requirements under the *Local Government Act 2009*.

**Recommendation 7:** Develop a strategy to uplift capability of the sector on cyber-related.

The department supports this recommendation and will work closely with the Queensland Government's Customer and Chief Digital Officer as the subject matter expert to deliver greater council awareness.

**Recommendation 8:** Publish a framework to assess the sustainability risk of councils by 1 July 2023.

The department supports this recommendation and is finalising the development of a proposed risk framework, which is proposed to be published in July 2023.

If you require any further information, please contact me or

who will be pleased to assist.

Yours sincerely



Mike Kaiser  
Director-General

Page 2 of 2



## Comments received from Mayor, Moreton Bay Regional Council



**Office of the Mayor**  
Cr Peter Flannery

T (07) 3480 6250  
E [mayor@moretonbay.qld.gov.au](mailto:mayor@moretonbay.qld.gov.au)



13 June 2023

Mr Brendan Worrall  
Auditor-General  
Queensland Audit Office  
PO Box 15396  
CITY EAST QLD 4002

Via e-mail: [gao@gao.qld.gov.au](mailto:gao@gao.qld.gov.au)

Dear Auditor-General

**DRAFT REPORT TO QUEENSLAND PARLIAMENT - LOCAL GOVERNMENT 2022**

Thank you for providing your draft report and for the opportunity to respond.

A major driver for the Queensland Government to establish regional councils through amalgamation was in response to a growing concern about the financial sustainability of local government.

Over a decade after amalgamation the financial sustainability of the local government sector is still a concern.

While I am pleased that Moreton Bay Regional Council (Council) continues to be in a sound financial position, it is becoming increasingly difficult to respond to the needs of our communities and keep rates affordable. As noted in the draft report, increases in the cost of labour, materials and services have challenged all councils, including Moreton Bay.

To help address some of the challenges, I would like to see consideration be given to the following:

- Increasing grant funding opportunities which take into account:
  - The need to recognise the impacts of high growth in the Moreton Bay region and the infrastructure needs that this generates;
  - A recent report commissioned by Council which found that on a per capita basis Moreton Bay is consistently amongst the lowest funded LGAs compared to similar regions within SEQ;
  - The need to provide cashflow certainty for grants as opposed to a year-on-year process, specifically through allocative programs like Works for Queensland (State) or the Local Roads and Community Infrastructure (Federal) Programs;

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## Local government 2022 (Report 15: 2022–23)

- 2 -

- The decrease in its allocation of Financial Assistance Grants which Council had at a crucial time during the COVID response (one of 20 councils that received a reduced allocation as a result of the 2021 methodology review);
  - Three decades of decline in the value of Financial Assistance Grants as a proportion of total Commonwealth taxation revenue (from 1% to 0.5%); and
  - The delivery times for infrastructure grants which are becoming increasingly difficult to meet in the current market – often have cost increases that must be met by Council.
- The impact of the decreasing waste levy – was supposed to be cost neutral to residents but with rising construction, contract and labour costs, this is highly unlikely.

While I acknowledge the work being done to amend the financial sustainability framework, changing the approach to measuring financial sustainability does not effectively address the root cause of the risks around financial sustainability. Until councils are provided with a sustainable funding stream that keeps pace with total taxation revenue (80% collected by the Federal Government and 17% collected by the State Government), there will continue to be issues with the financial sustainability of the sector.

Yours sincerely



**PETER FLANNERY**  
Mayor

Our ref: 67158243

cc: Scott Waters, Chief Executive Officer

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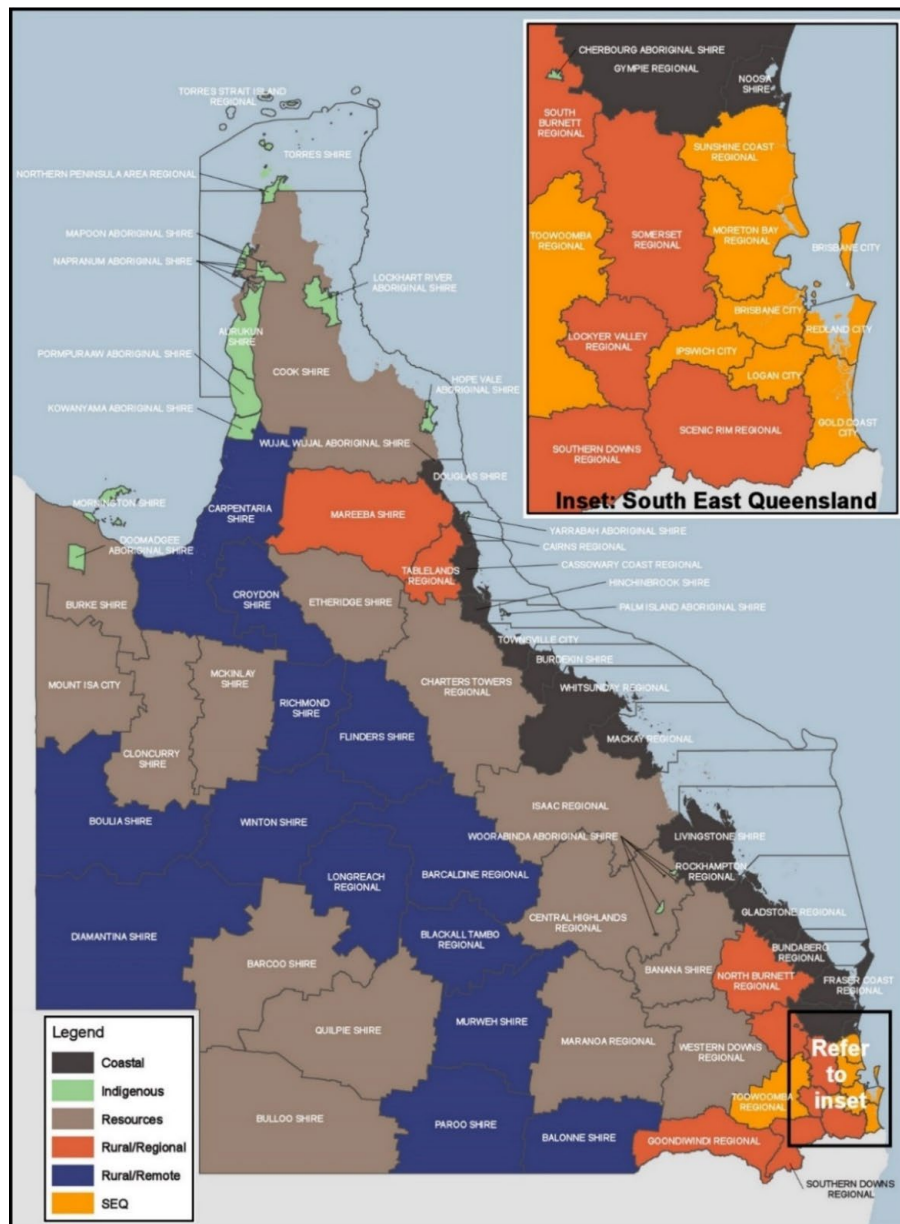
## Comments received from Acting Chief Executive Officer, Balonne Shire Council



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## B. Local governments by segment

**Figure B1**  
**Geographical location – by local government segments**



Note: SEQ – South East Queensland.

Source: Spatial Services, Department of State Development, Infrastructure, Local Government and Planning.

## C. Legislative context

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### Frameworks

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Under the *Constitution of Queensland 2001*, there must be a system of local government in Queensland that is made up of councils. Local governments (councils) are elected bodies that have the power to make local laws suitable to the needs and resources of the area they represent.

The councils' legislative framework is the *Local Government Act 2009* (the Act) and the Local Government Regulation 2012 (the regulation).

The purpose of the Act is to specify the nature and extent of local governments' responsibilities and powers. It requires the system of local government to be accountable, effective, efficient, and sustainable.

The regulation requires each council to prepare, by 31 October:

- general purpose financial statements
- a current year financial sustainability statement
- a long-term financial sustainability statement.

Only the general purpose financial statements and the current year financial sustainability statement are subject to audit.

Brisbane City Council has the *City of Brisbane Act 2010* and City of Brisbane Regulation 2012. This regulation imposes the same financial reporting time frames and financial reporting requirements on Brisbane City Council as other councils have.

Each council must release its annual report within one month of the audit opinion date. The minister for local government may grant an extension to the deadline where extraordinary circumstances exist.

The current year financial sustainability statement includes the following 3 measures of financial sustainability:

- the *operating surplus ratio*, which indicates the extent to which operating revenues cover operating expenses
- the *net financial liabilities ratio*, which indicates the extent to which a council's operating revenues can service its net liabilities while maintaining its assets and service levels
- the *asset sustainability ratio*, which approximates the extent to which a council is replacing its assets as they reach the end of their useful lives.

### Accountability requirements

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The Act requires councils to establish financial management systems to identify and manage financial risks, including risks to reliable and timely reporting. The performance of financial management systems requires regular review.

### Queensland local government financial statements

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These financial statements are used by a broad range of parties including parliamentarians, taxpayers, employees, and users of government services. For the statements to be useful, the information reported must be relevant and accurate.

The Auditor-General's audit opinion on these financial statements assures users they are accurate and in accordance with relevant legislative requirements.

## Local government 2022 (Report 15: 2022–23)

We express an *unmodified opinion* when the financial statements are prepared in accordance with the relevant legislative requirements and Australian accounting standards. We *modify* our audit opinion when financial statements do not comply with the relevant legislative requirements and Australian accounting standards and are not accurate and reliable.

There are 3 types of modified opinions:

- qualified opinion – the financial statements as a whole comply with relevant accounting standards and legislative requirements, with the exceptions noted in the opinion
- adverse opinion – the financial statements as a whole do not comply with relevant accounting standards and legislative requirements
- disclaimer of opinion – the auditor is unable to express an opinion as to whether the financial statements comply with relevant accounting standards and legislative requirements.

Sometimes we include an *emphasis of matter* in our audit reports to highlight an issue that will help users better understand the financial statements. It does not change the audit opinion.

## D. Status of recommendations from prior reports

The following tables provide the current status of the recommendations raised in our prior reports.

**Figure D1**  
**Status of recommendations for councils from *Local government 2021* (Report 15: 2021–22)**

Reassess the maturity levels of their financial statement preparation processes in line with recent experience to identify improvement opportunities that will help facilitate early certification of financial statements		Further action needs to be taken*
REC 1	<p>All councils should reassess their initial self-assessment against the financial statement maturity model and compare this to their recent financial statement preparation experiences.</p> <p>Councils should also reflect on their processes from the 2018–19 financial year that enabled them to have their financial statements certified earlier. Together, these reflections will identify improvement opportunities to assist elected members and their executives to improve the timeliness of certification of financial statements.</p>	<p>Most councils self-assessed their financial statement maturity level in the 2020–21 financial year, and this was reflective of their ability to generate timely financial statements. However, we found 22 councils self-assessed their maturity as high, but had their financial statements certified later. This suggested their self-assessment did not reflect actual practices.</p> <p>In the 2021–22 financial year, we focused on these 22 councils and found:</p> <ul style="list-style-type: none"> <li>• 11 did not complete the recommended reassessment of their maturity</li> <li>• 7 revised their maturity downwards after reassessing their maturity</li> <li>• 4 reassessed no change to their maturity level.</li> </ul> <p>We continue to encourage all councils to reassess the maturity of their financial statement processes.</p> <p>We are reviewing the maturity of councils' financial statement processes as part of our 2022–23 financial year audits to make sure they reflect their actual practices. We will report on the outcome in our <i>Local government 2023</i> report.</p>
Assess their audit committees against the actions in our 2020–21 audit committee report		Further action needs to be taken*
REC 2	<p>Those councils who have an audit committee function, and those that are looking to establish one, should consider implementing the actions we have identified in our report <i>Effectiveness of audit committees in state government entities</i> (Report 2: 2020–21). This would improve the effectiveness of their audit committees, with flow-on benefits to council governance and performance.</p>	<p>We are aware of some councils that have assessed their audit committee against the actions we identified. Those councils that have not had an opportunity to do so should complete their assessment in the 2023–24 financial year.</p>



Local government 2022 (Report 15: 2022–23)

Improve their overall control environment		Further action needs to be taken*
REC 3	All councils should use the annual internal control assessment tool available on our website to perform an initial self-assessment of the strengths and improvement opportunities of their internal controls. Where their results do not meet their performance expectations, they should develop and implement a plan to strengthen their internal controls over a specific period.	We are aware of some councils that have assessed their control environment against the internal control assessment tool. Those councils that have not had an opportunity to do so should complete their assessment in the 2023–24 financial year.
Asset management plans to include councils' planned spending on capital projects		Further action needs to be taken*
REC 4	All councils should review their asset management plans to confirm that these plans include the proposed timing and cost of their capital projects, including the cost of maintaining these assets over their whole lives. This would help councils identify their future funding needs and provide better information to the department on the timing of capital funding sought by councils.	Some councils who have good asset data have incorporated their planned spending on capital projects into their asset management plans. We recommend councils who have not yet had an opportunity to review their asset management plan, do so in the 2023–24 financial year.
Review the asset consumption ratio in preparation for the new sustainability framework. Assess whether the actual usage of assets is in line with the asset management plan		Further action needs to be taken*
REC 5	All councils should review their asset consumption ratio in preparation for the new sustainability framework to assess whether they are in line with the proposed benchmark. This ratio would inform councils whether their assets have been used in line with their asset management plans. Any variance between the expected and actual usage may either result in additional maintenance to improve the service levels of their assets or to reassess their expectation about asset usage.	Seven councils have improved their asset consumption ratio. However, there are 44 councils that have experienced a decline in this ratio. Of these 44 councils, 9 either do not meet the proposed benchmark (60 per cent) or are very close to not meeting the proposed benchmark in the next few years if they do not maintain their assets appropriately. We continue to recommend that councils monitor their asset consumption ratio and take steps to improve it. This will make sure their assets are maintained at an appropriate level to meet the future needs of their communities.

Local government 2022 (Report 15: 2022–23)

Enhance their liquidity management by reporting their unrestricted cash expense ratio and their unrestricted cash balance in monthly financial reports		Further action needs to be taken*
REC 6	All councils should enhance their liquidity management by reporting their unrestricted cash expense ratio and their unrestricted cash balance in the monthly financial reports they table in council meetings.	We are aware of some of councils that are reporting their unrestricted cash expense ratio and their unrestricted cash balance in the monthly financial reports they table in council meetings. Those councils that do not report their unrestricted cash expense ratio and their unrestricted cash balance in their monthly financial reports tabled in council meetings should start to do so.

Note: \*Refer to recommendation status definitions later in this appendix.

Source: Queensland Audit Office.

**Figure D2**  
**Status of recommendations for councils from *Local government 2020* (Report 17: 2020–21)**

Improve financial reporting by strengthening month-end and year-end financial reporting processes		Further action needs to be taken*
REC 1	Councils should strengthen their month-end and year-end processes to assist with timely and accurate monthly internal financial reporting and their annual financial statements. We recommend all councils use their recent financial statement preparation experiences to perform an initial self-assessment against the maturity model available on our website.	We continue to find that month-end processes at councils are ineffective. This year, we identified 84 new deficiencies where improvements were required to ensure timely and reliable month-end and year-end reporting. In addition, 54 councils had at least one deficiency in their month-end and year-end reporting processes. We continue to recommend that councils improve their month-end processes.
Improve valuation and asset management practices		Further action needs to be taken*
REC 2	<ul style="list-style-type: none"> <li>Councils need to engage with asset valuers early to complete the valuation of assets well before year end.</li> <li>Councils need to use accurate information in their long-term asset management strategies and budget decisions.</li> <li>Councils need to regularly match the asset data in their financial records to the asset data in their engineering/geographic information systems to ensure it is complete and reliable.</li> </ul>	We continue to identify issues with the asset management policies and practices of councils. Councils also still need to improve processes for asset valuations. We observed several councils that did not meet their legislative deadlines because of errors and delays in asset valuations. In line with these findings, we continue to recommend that councils strengthen their asset management policies and practices.

Local government 2022 (Report 15: 2022–23)

Strengthen security of information systems	Further action needs to be taken*
<p>REC 3 We recommend all councils strengthen the security of their information systems. Councils rely heavily on technology, and increasingly, they need to be prepared for cyber attacks. Any unauthorised access could result in fraud or error, and significant reputational damage.</p> <p>Councils' workplace culture, through their people and processes, must emphasise strong security practices to provide a foundation for the security of information systems.</p> <p>All entities across the local government sector should:</p> <ul style="list-style-type: none"> <li>• provide security training for employees so they understand the importance of maintaining strong information systems, and their roles in keeping them secure</li> <li>• assign employees only the minimum access required to perform their job, and ensure important stages of each process are not performed by the same person</li> <li>• regularly review user access to ensure it remains appropriate</li> <li>• monitor activities performed by employees with privileged access (allowing them to access sensitive data and create and configure within the system) to ensure they are appropriately approved</li> <li>• implement strong password practices and multifactor authentication (for example, a username and password, plus a code sent to a mobile), particularly for systems that record sensitive information</li> <li>• encrypt sensitive information to protect it</li> <li>• patch vulnerabilities in systems in a timely manner, as upgrades and solutions are made available by software providers to address known security weaknesses that could be exploited by external parties.</li> </ul> <p>Councils should also self-assess against all of the recommendations in our report – <i>Managing cyber security risks</i> (Report 3: 2019–20) – to ensure their systems are appropriately secured.</p>	<p>We continue to identify weaknesses in information systems controls, particularly regarding user access permissions.</p> <p>This year, we identified 63 new internal control issues in information systems.</p> <p>There are 48 councils who still have at least one unresolved deficiency in their information systems.</p> <p>The recommendation to strengthen the security of information systems remains.</p>

Local government 2022 (Report 15: 2022–23)

Improve risk management processes		Further action needs to be taken*
REC 4	<p>Councils should have a complete and up to date risk management framework including:</p> <ul style="list-style-type: none"> <li>comprehensive risk registers that identify risks (including the risk of fraud) and appropriate risk mitigation strategies</li> <li>current and relevant business continuity and disaster recovery plans. These plans should be tested periodically.</li> </ul>	<p>This year, 25 councils did not have adequate risk management processes in place. This is up from 22 councils in 2020–21 and is almost a third of the sector. This recommendation remains.</p>
Enhance procurement and contract management practices		Further action needs to be taken*
REC 5	<ul style="list-style-type: none"> <li>Councils need to ensure they obtain value for money for the goods and services they procure and that they have the appropriate approvals to procure the goods and services.</li> <li>To effectively manage their contractual obligations, councils should ensure their contract registers are complete and contain up to date information.</li> </ul>	<p>We have identified issues relating to procurement and contract management practices at 34 councils this year. This is more than the 29 councils with these issues in 2020–21.</p> <p>Councils have not actioned this recommendation and still need to do so.</p> <p>To help councils improve their procurement and contract management practices, in this report we have made a further recommendation. This is for councils to assess the maturity of their procurement and contract management processes using our procure-to-pay maturity model.</p> <p>This will assist councils in identifying opportunities to strengthen their procurement and contract management practices.</p>

Note: \*Refer to recommendation status definitions later in this appendix.

Source: Queensland Audit Office.

Local government 2022 (Report 15: 2022–23)

**Figure D3**  
**Status of recommendations for councils from**  
**Local government entities: 2018–19 results of financial audits (Report 13: 2019–20)**

Audit committees	Further action needs to be taken*
<ul style="list-style-type: none"> <li>All councils should have an audit committee with an independent chair.</li> <li>All audit committee members must understand their roles and responsibilities and the risks the committee needs to monitor.</li> <li>Audit committees must hold management accountable for ensuring timely remedial actions are taken on audit issues. All extensions of agreed time frames for remedial action require consideration by the audit committee, including management's risk mitigation strategies, until remedial action is completed.</li> </ul>	<p>As at 30 June 2022, there were still 15 councils (30 June 2021: 15 councils) that did not have an audit committee.</p> <p>Councils without an effective audit committee have 55 significant deficiencies that have been unresolved for more than 12 months (68 per cent of the sector).</p> <p>We continue to recommend these councils establish an independent audit committee with appropriately qualified committee members.</p>
Internal audit	Further action needs to be taken*
<ul style="list-style-type: none"> <li>All councils must establish and maintain an effective and efficient internal audit function, as required by the <i>Local Government Act 2009</i>.</li> </ul>	<p>As at 30 June 2022, there were 7 councils (30 June 2021: 6 councils) that still did not have an internal audit function. In addition, 7 councils (30 June 2021: 6 councils) that had an internal audit function established at 30 June 2022 did not have any audit activity during the 2021–22 financial year.</p> <p>We continue to recommend these councils establish an effective internal audit function as required by the <i>Local Government Act 2009</i>. This year we have also recommended the department educate councils about the legislated requirement and the benefit of an effective internal audit function, and regularly monitor their compliance.</p>
Secure employee and supplier information	Further action needs to be taken*
<ul style="list-style-type: none"> <li>Councils must verify changes to employee and supplier bank account details through sources independent of the change request.</li> <li>Councils need to ensure information systems are secure to prevent unauthorised access that may result in fraud or error. Security measures could include encryption of information, restriction of user access, regular monitoring by management, and appropriate segregation of duties.</li> </ul>	<p>We continue to find deficiencies at councils with regards to securing employee and supplier information. Similarly, we continue to find weaknesses with information systems security.</p> <p>In line with these findings, we continue to recommend councils secure their employee and supplier information.</p>

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Conduct mandatory cyber security awareness training	Further action needs to be taken*
<p>Councils need to develop and implement mandatory cyber security awareness training for all staff, to be completed during induction and at regular periods during employment. This should include:</p> <ul style="list-style-type: none"><li>• delivering targeted training to higher-risk user groups, such as senior management, staff who have access to sensitive data, software developers, system administrators, and third-party providers</li><li>• recording and monitoring whether all staff have completed their required cyber security awareness training</li><li>• conducting campaigns to test the adequacy of staff vigilance to risks, such as phishing (fraudulent emails) and tailgating (following a person into an office), so entities can assess and improve their awareness programs.</li></ul>	<p>As at 30 June 2021, 20 councils had not provided cyber security awareness training to their employees.</p> <p>We understand there has been minimal progress by councils in 2022 to upskill their staff and equip them with the necessary training and continuous education about cyber security.</p> <p>We continue to recommend that all councils provide cyber security awareness training to their new and current employees.</p>

Note: \*Refer to recommendation status definitions later in this appendix.

Source: Queensland Audit Office.

Local government 2022 (Report 15: 2022–23)

**Figure D4**  
**Status of recommendations for the department from *Local government 2020* (Report 17: 2020–21)**

<b>Require all councils to establish audit committees</b>		<b>Not implemented – Recommendation accepted*</b>
<b>REC 6</b>	We continue to recommend that the department requires all councils to establish an audit committee and ensures that each chairperson of the committee is independent of council and management. In light of the difficulties some councils have faced with internal control weaknesses, fraud, ransomware, and achieving financial sustainability, this is more important now than ever.	The proposal continues to be considered by the department but has not yet been progressed.
<b>Make changes to sustainability ratios</b>		<b>Implemented*</b>
<b>REC 7</b>	We recommend the department develops new financial sustainability ratios for Queensland councils. In developing these ratios and associated targets, we recommend the department considers the different sizes, services, and circumstances of the various councils. We also recommend that new financial sustainability ratios be established in time for the year ending 30 June 2022.	The department has developed a new framework that is expected to be implemented for the 2023–24 financial year.
<b>Provide greater certainty over long-term funding</b>		<b>Partially implemented*</b>
<b>REC 8</b>	We recommend the department reviews its current funding model to identify opportunities to provide funding certainty to councils beyond one financial year. A 3-year to 5-year funding model would assist councils, especially those heavily reliant on grants, to develop and implement more sustainable medium- to long-term plans.	The department has partially implemented this, and some grants in the 2020–21 year were multi-year grants. The department is looking at extending long-term funding options for other grant programs in the coming years.
<b>Provide training to councillors and senior leadership teams around financial governance</b>		<b>Partially implemented*</b>
<b>REC 9</b>	We recommend the department provides periodic training to councillors and senior leadership teams for councils that are highly reliant on grants. The training should focus on helping these councils: <ul style="list-style-type: none"> <li>• establish strong leadership and governance</li> <li>• enhance internal controls and oversight</li> <li>• improve financial sustainability in the long term.</li> </ul>	The department has made online training available to councillors and council employees. This training includes modules about accountability, decision-making, and other responsibilities.  The department also delivered a series of financial management workshops for elected local government members covering financial governance and management concepts.

Note: \*Refer to recommendation status definitions later in this appendix.

Source: *Queensland Audit Office*.



## Recommendation status definitions

If a recommendation is specific to an entity, we have reported on the action that entity has taken and whether the issue is *fully implemented*, *partially implemented*, *not implemented*, or *no longer applicable*.

Status	Definition	
<b>Fully implemented</b>	Recommendation has been implemented, or alternative action has been taken that addresses the underlying issues and no further action is required. Any further actions are business as usual.	
<b>Partially implemented</b>	Significant progress has been made in implementing the recommendation or taking alternative action, but further work is required before it can be considered business as usual. This also includes where the action taken was less extensive than recommended, as it only addressed some of the underlying issues that led to the recommendation.	
<b>Not implemented</b>	<b>Recommendation accepted</b>	No or minimal actions have been taken to implement the recommendation, or the action taken does not address the underlying issues that led to the recommendation.
	<b>Recommendation not accepted</b>	The entity did not accept the recommendation.
<b>No longer applicable</b>	Circumstances have fundamentally changed, making the recommendation no longer applicable. For example, a change in government policy or program has meant the recommendation is no longer relevant.	

If a general recommendation was made for all entities to consider, we have assessed action on issues reported to specific entities in the prior year, as well as any further issues identified in the current year. On this basis, we have determined whether *appropriate action has been taken* across the sector, or if *further action needs to be taken* to address the risk identified.

Status	Definition
<b>Appropriate action has been taken</b>	Recommendations made to individual entities have been implemented, or alternative action has been taken that addresses the underlying issues, and no further action is required. No new issues have been identified across the sector that indicate an ongoing underlying risk to the sector that requires reporting to parliament.
<b>Further action needs to be taken</b>	Recommendations made to individual entities have not been fully implemented, and/or new recommendations have been made to individual entities, indicating further action is required by entities in the sector to address the underlying risk.

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## E. Audit opinions for entities preparing financial reports

The following figures detail the types of audit opinions we issued, in accordance with Australian auditing standards, for the 2021–22 financial year.

**Figure E1**  
**Our audit opinions for local government sector financial reports for 2021–22**

Entity	Date opinion issued	Financial statement opinion	Current year sustainability statement opinion <sup>1</sup>	Ministerial extension issued to date <sup>2</sup>
<b>Opinion key:</b>				
<b>U = unmodified; Q = qualified; E = emphasis of matter. (Refer to <a href="#">Appendix C</a> for definitions of these terms.)</b>				
<b>Councils and their controlled entities</b>				
Aurukun Shire Council	12.10.2022	U	E*	-
Balonne Shire Council	28.10.2022	U	E*	-
Banana Shire Council	31.10.2022	U	E*	-
Barcaldine Regional Council	31.10.2022	U	E*	-
Barcoo Shire Council	19.10.2022	U	E*	-
Blackall-Tambo Regional Council	31.10.2022	U	E*	-
Boulia Shire Council	12.12.2022	U	E*	31.12.2022
Brisbane City Council	15.08.2022	U	E*	-
• Allara SPV Trust	29.07.2022	E*	-	-
• Brisbane City Council Appeal for the Lord Mayor's Charitable Trust	20.09.2022	E*	-	-
• Brisbane Economic Development Agency Pty Ltd	27.09.2022	U	-	-
• Brisbane Powerhouse Foundation	05.10.2022	U	-	-
• Brisbane Powerhouse Pty Ltd	05.10.2022	U	-	-
• Brisbane Sustainability Agency Pty Ltd	28.10.2022	U	-	-
• City of Brisbane Investment Corporation Pty Ltd	01.08.2022	U	-	-
• City Parklands Services Pty Ltd	27.09.2022	U	-	-
• Museum of Brisbane Pty Ltd	25.10.2022	U	-	-
• Museum of Brisbane Trust	25.10.2022	E*	-	-
• Oxley Creek Transformation Pty Ltd	28.10.2022	E <sup>3</sup>	-	-
• TradeCoast Land Pty Ltd	17.11.2022	E <sup>3</sup>	-	-
Bulloo Shire Council	31.10.2022	U	E*	-
Bundaberg Regional Council	07.10.2022	U	E*	-
Burdekin Shire Council	08.09.2022	U	E*	-
Burke Shire Council	31.10.2022	U	E*	-

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Entity	Date opinion issued	Financial statement opinion	Current year sustainability statement opinion <sup>1</sup>	Ministerial extension issued to date <sup>2</sup>
<b>Opinion key:</b>				
U = unmodified; Q = qualified; E = emphasis of matter. (Refer to <a href="#">Appendix C</a> for definitions of these terms.)				
<b>Councils and their controlled entities</b>				
Cairns Regional Council	16.09.2022	U	E*	-
• Cairns Art Gallery Limited	14.11.2022	U	-	-
Carpentaria Shire Council	31.10.2022	U	E*	-
Cassowary Coast Regional Council	14.10.2022	U	E*	-
Central Highlands Regional Council	31.10.2022	U	E*	-
• Central Highlands (Qld) Housing Company Limited	Not Complete	-	-	-
• Central Highlands Development Corporation Ltd	31.10.2022	U	-	-
Charters Towers Regional Council	31.10.2022	U	E*	-
Cherbourg Aboriginal Shire Council	21.10.2022	U	E*	-
Cloncurry Shire Council	25.01.2023	U	E*	-
Cook Shire Council	13.10.2022	U	E*	-
Council of the City of Gold Coast	29.09.2022	U	E*	-
• HOTA Gold Coast Pty Ltd	06.10.2022	U	-	-
• Major Events Gold Coast Pty Ltd	20.09.2022	U	-	-
Croydon Shire Council	17.11.2022	U	E*	-
Diamantina Shire Council	31.10.2022	U	E*	-
Doomadgee Aboriginal Shire Council	31.10.2022	U	E*	-
Douglas Shire Council	12.10.2022	U	E*	-
Etheridge Shire Council	14.12.2022	U	E*	30.11.2022
Flinders Shire Council	27.10.2022	U	E*	-
Fraser Coast Regional Council	29.09.2022	U	E*	-
• Fraser Coast Tourism & Events Ltd	15.12.2022	E*	-	-
Gladstone Regional Council	28.10.2022	U	E*	-
• Gladstone Airport Corporation	11.10.2022	U	-	-
Goondiwindi Regional Council	21.09.2022	U	E*	-
Gympie Regional Council	06.03.2023	U	E*	28.02.2023
• Rattler Railway Company Ltd	16.12.2022	E <sup>4</sup>	-	-
Hinchinbrook Shire Council	31.10.2022	U	E*	-
Hope Vale Aboriginal Shire Council	29.07.2022	U	E*	-
Ipswich City Council	28.10.2022	U	E*	-
• Cherish the Environment Foundation Ltd	Not Complete	-	-	-
• Ipswich Arts Foundation Trust	28.11.2022	U	-	-
• Ipswich City Enterprises Investments Pty Ltd	08.11.2022	E <sup>5</sup>	-	-
• Ipswich City Enterprises Pty Ltd	08.11.2022	E <sup>5</sup>	-	-
Isaac Regional Council	28.10.2022	U	E*	-
• Isaac Affordable Housing Fund Pty Ltd	15.12.2022	E*	-	-

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Entity	Date opinion issued	Financial statement opinion	Current year sustainability statement opinion <sup>1</sup>	Ministerial extension issued to date <sup>2</sup>
<b>Opinion key:</b>				
U = unmodified; Q = qualified; E = emphasis of matter. (Refer to <a href="#">Appendix C</a> for definitions of these terms.)				
<b>Councils and their controlled entities</b>				
• Isaac Affordable Housing Trust	15.12.2022	E*	-	-
• Moranbah Early Learning Centre Pty Ltd	14.12.2022	E*	-	-
Kowanyama Aboriginal Shire Council	11.10.2022	U	E*	-
Livingstone Shire Council	31.10.2022	U	E*	-
Lockhart River Aboriginal Shire Council	31.10.2022	U	E*	-
• Lockhart River Aerodrome Company Pty Ltd	31.10.2022	U	-	-
Lockyer Valley Regional Council	16.12.2022	U	E*	31.12.2022
Logan City Council	14.09.2022	U	E*	-
• Invest Logan Pty Ltd	30.08.2022	U	-	-
Longreach Regional Council	27.10.2022	U	E*	-
Mackay Regional Council	10.10.2022	U	E*	-
• Mackay Region Enterprises Pty Ltd	Not Complete	-	-	-
Mapoon Aboriginal Shire Council	31.10.2022	U	E*	-
Maranoa Regional Council	18.10.2022	U	E*	-
Mareeba Shire Council	05.10.2022	U	E*	-
McKinlay Shire Council	13.10.2022	U	E*	-
Moreton Bay Regional Council	12.10.2022	U	E*	-
• Millova Pty Ltd	28.10.2022	U	-	-
Mornington Shire Council	Not Complete	-	-	30.06.2023
Mount Isa City Council	24.10.2022	U	E*	-
• Mount Isa City Council Owned Enterprises Pty Ltd	19.10.2022	U	-	-
Murweh Shire Council	24.10.2022	U	E*	-
Napranum Aboriginal Shire Council	25.10.2022	U	E*	-
Noosa Shire Council	26.10.2022	U	E*	-
North Burnett Regional Council	16.03.2023	U	E*	30.11.2022
Northern Peninsula Area Regional Council	Not Complete	-	-	28.02.2023
Palm Island Aboriginal Shire Council	Not Complete	-	-	30.05.2023
Paroo Shire Council	28.10.2022	U	E*	-
Pormpuraaw Aboriginal Shire Council	08.09.2022	U	E*	-
Quilpie Shire Council	31.10.2022	U	E*	-
Redland City Council	19.09.2022	U	E*	-
• Redland Investment Corporation Pty Ltd	27.09.2022	U	-	-
Richmond Shire Council	24.04.2023	E <sup>6</sup>	E*	16.12.2022
• The Kronosaurus Korner Board Inc	27.09.2022	E*	-	-
Rockhampton Regional Council	13.10.2022	U	E*	-
Scenic Rim Regional Council	07.10.2022	U	E*	-

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Entity	Date opinion issued	Financial statement opinion	Current year sustainability statement opinion <sup>1</sup>	Ministerial extension issued to date <sup>2</sup>
<b>Opinion key:</b>				
U = unmodified; Q = qualified; E = emphasis of matter. (Refer to <a href="#">Appendix C</a> for definitions of these terms.)				
<b>Councils and their controlled entities</b>				
Somerset Regional Council	11.10.2022	U	E*	-
South Burnett Regional Council	13.10.2022	U	E*	-
• South Burnett Community Hospital Foundation Limited	21.04.2023	U	-	-
Southern Downs Regional Council	18.10.2022	U	E*	-
Sunshine Coast Regional Council	10.10.2022	U	E*	-
• SunCentral Maroochydore Pty Ltd	21.09.2022	U	-	-
• Sunshine Coast Arts Foundation Ltd	20.09.2022	U	-	-
Tablelands Regional Council	31.10.2022	U	E*	-
Toowoomba Regional Council	30.09.2022	U	E*	-
• Empire Theatre Projects Pty Ltd	29.09.2022	E <sup>7</sup>	-	-
• Empire Theatres Foundation	29.09.2022	U	-	-
• Empire Theatres Pty Ltd	29.09.2022	U	-	-
• Jondaryan Woolshed Pty Ltd	29.09.2022	E <sup>7</sup>	-	-
• Toowoomba and Surat Basin Enterprise Pty Ltd	19.09.2022	U	-	-
Torres Shire Council	31.10.2022	U	E*	-
Torres Strait Island Regional Council	19.09.2022	U	E*	-
Townsville City Council	05.10.2022	U	E*	-
Western Downs Regional Council	14.10.2022	U	E*	-
Whitsunday Regional Council	17.08.2022	U	E*	-
Winton Shire Council	14.10.2022	U	E*	-
• Waltzing Matilda Centre Ltd	18.10.2022	U	-	-
Woorabinda Aboriginal Shire Council	Not Complete	-	-	31.03.2023
• Woorabinda Pastoral Company Pty Ltd	Not Complete	-	-	-
Wujal Wujal Aboriginal Shire Council	26.10.2022	E <sup>8</sup>	E*	-
Yarrabah Aboriginal Shire Council	13.10.2022	U	E*	-

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Entity	Date opinion issued	Financial statement opinion	Current year sustainability statement opinion <sup>1</sup>	Ministerial extension issued to date <sup>2</sup>
<b>Opinion key:</b>				
U = unmodified; Q = qualified; E = emphasis of matter. (Refer to <a href="#">Appendix C</a> for definitions of these terms.)				
<b>Councils and their controlled entities</b>				
<b>By-arrangements audits<sup>9</sup></b>				
City of Logan Mayor's Charity Trust	16.06.2023	E*	-	-
The Josephine Ulrick and Win Schubert Foundation for the Arts	21.10.2022	E*	-	-

## Notes:

\* An emphasis of matter was issued to alert users of the statements to the fact that special purpose financial statements had been prepared.

<sup>1</sup> Only councils prepare sustainability statements (not local government-related entities).

<sup>2</sup> Ministerial extensions may only be obtained for councils (not local government-related entities).

<sup>3</sup> We included an emphasis of matter in our audit reports for Oxley Creek Transformation Pty Ltd and TradeCoast Land Pty Ltd to alert users of the statements that these entities had ceased trading and would be wound up in future.

<sup>4</sup> We included an emphasis of matter in our audit report for Rattler Railway Company Ltd to alert users of the statements that the company's liabilities are higher than its assets. The company also plans to stop being a controlled entity of Gympie Regional Council.

<sup>5</sup> We included an emphasis of matter in our audit reports for Ipswich City Enterprises Investments Pty Ltd and Ipswich City Enterprises Pty Ltd to alert users that the director for each entity intends to deregister the companies and transfer operations to their parent entity, Ipswich City Council.

<sup>6</sup> We included an emphasis of matter in our audit report for Richmond Shire Council to highlight that a material change was required to the previous financial statements certified 6 March 2023, and they have been replaced by the version certified 24 April 2023.

<sup>7</sup> We included an emphasis of matter in our audit reports for Empire Theatres Projects Pty Ltd and Jondaryan Woolshed Pty Ltd because the operations of these entities have been transferred to their parent entities (Empire Theatres Pty Ltd and Toowoomba Regional Council) and they will be wound up.

<sup>8</sup> We included an emphasis of matter in our audit report for Wujal Wujal Aboriginal Shire Council to highlight uncertainty over its ability to repay its debts as and when they arise.

<sup>9</sup> Where asked by a minister or public sector entity, and where the Auditor-General considers there is public interest, a financial audit of non-public sector entities may be performed 'by arrangement'.

Source: Queensland Audit Office.

The following figure details the types of audit opinions issued in accordance with Australian auditing standards for the 2021–22 financial year, for jointly controlled entities (entities controlled by multiple councils and other public sector entities).

**Figure E2**  
**Our audit opinions for jointly controlled entities' financial reports for 2021–22**

Entity	Date audit opinion issued	Type of audit opinion issued
<b>Opinion key:</b> U = unmodified; Q = qualified; E = emphasis of matter. (Refer to <a href="#">Appendix C</a> for definitions of these terms.)		
Central Western Queensland Remote Area Planning and Development Board (RAPAD)	12.12.2022	E*
Council of Mayors (SEQ) Pty Ltd	16.12.2022	U
Local Government Association of Queensland Ltd	04.10.2022	U
• Local Buy Trading Trust	04.10.2022	Q <sup>1</sup>
• Peak Services Legal Pty Ltd	04.10.2022	U
• Peak Services Holdings Pty Ltd	04.10.2022	E <sup>2</sup>
• Peak Services Pty Ltd	04.10.2022	E <sup>2</sup>
Major Brisbane Festivals Pty Ltd <sup>3</sup>	28.04.2023	E*
Queensland Local Government Mutual Liability Pool (LGM Queensland)	29.11.2022	U
Queensland Local Government Workers Compensation Self-Insurance Scheme (trading as Local Government Workcare)	30.11.2022	U
SEQ Regional Recreational Facilities Pty Ltd	16.12.2022	U
South West Queensland Regional Organisation of Councils Inc	15.12.2022	E*
Townsville Breakwater Entertainment Centre Joint Venture	02.05.2023	E <sup>4</sup>
Western Queensland Local Government Association	Not Complete	-

Notes:

\* An emphasis of matter was issued to alert users of the statements to the fact that special purpose financial statements had been prepared.

<sup>1</sup> We qualified our audit opinion for Local Buy Trading Trust because it was unable to provide us with enough evidence to confirm its revenue was complete. We also qualified our 2020–21 audit opinion for the same reason.

<sup>2</sup> We included an emphasis of matter in our audit opinions for Peak Services Holdings Pty Ltd and Peak Services Pty Ltd to alert users of the financial statements of the entities' financial dependence on their ultimate parent, the Local Government Association of Queensland Ltd.

<sup>3</sup> The financial year of Major Brisbane Festivals Pty Ltd was 1 January 2022 to 31 December 2022. The 2022 audit opinion has therefore not yet been issued.

<sup>4</sup> We included an emphasis of matter in our audit report for Townsville Breakwater Entertainment Centre Joint Venture to highlight the net loss made by the entity.

Source: Queensland Audit Office.



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## F. Entities exempt from audit by the Auditor-General

We will not issue opinions on several entities because they are exempt from audit by the Auditor-General. The following table lists the entities, grouped by the reasons for the exemptions.

**Figure F1**  
**Entities exempt from audit by the Auditor-General**

Entity	Audit firm who performs the audit	Date opinion issued	Opinion
<b>Opinion key:</b> U = unmodified; Q = qualified; E = emphasis of matter. (Refer to <a href="#">Appendix C</a> for definitions of these terms.)			
<b>Exempt local government entities – small in size and of low risk</b> <i>(s.30A of the Auditor-General Act 2009)</i>			
Drive Inland Promotions Association Inc	Whitehouse Audit	14.10.2022	E*
Far North Queensland Regional Organisation of Councils	Halpin Partners Accountants	18.10.2022	E*
Gulf Savannah Development Inc	Rekenen Pty Ltd	04.11.2022	E*, E <sup>1</sup>
North West Queensland Regional Organisation of Councils	Rekenen Pty Ltd	30.09.2022	E*
Regional Queensland Council of Mayors Inc <sup>2</sup>	SBB Partners	17.10.2022	E*
South West Regional Economic Development Association	FTA Accountants	Not complete	-
Torres Cape Indigenous Council Alliance (TCICA) Inc	Grant Thornton Audit Pty Ltd	15.11.2022	E*
Whitsunday ROC Limited	SBB Partners	Not complete	-
Wide Bay Burnett Regional Organisation of Councils Inc	All Income Tax	14.03.2023	E*
<b>Exempt local government entities – foreign-based controlled entities</b> <i>(s.32 of the Auditor-General Act 2009)</i>			
Gold Coast City Council Insurance Company Limited	PricewaterhouseCoopers CI LLP	25.08.2022	U

Notes:

\* An emphasis of matter was issued to alert users of the financial statements to the fact that special purpose financial statements had been prepared.

<sup>1</sup> The auditor included an emphasis of matter in their audit report because Gulf Savannah Development Inc was not able to support a key account balance recorded in its financial statements.

<sup>2</sup> Northern Alliance of Councils Inc changed its name to Regional Queensland Council of Mayors Inc. The financial statements of the Regional Queensland Council of Mayors Inc were for the period 1 April 2021 to 31 March 2022.

Source: Queensland Audit Office.

## G. Local government entities for which we will not issue opinions

The Auditor-General will not issue audit opinions for the following public sector entities for the 2021–22 financial year, because they have not produced a financial report.

**Figure G1**  
**Entities for which no opinions are issued**

Entity	Parent entity	Reason
<b>Controlled entities</b>		
Brisbane Tolling Pty Ltd	Brisbane City Council	Dormant
BrisDev Trust	Brisbane City Council	Wound up
CBIC Allara Pty Ltd	Brisbane City Council	Dormant
City Super Pty Ltd	Brisbane City Council	Wound up
OC Invest Pty Ltd	Brisbane City Council	Dormant
Riverfestival Brisbane Pty Ltd	Brisbane City Council	Dormant
CBIC Investment Pty Ltd	City of Brisbane Investment Corporation Pty Ltd	Dormant
CBIC Valley Heart Pty Ltd	City of Brisbane Investment Corporation Pty Ltd	Dormant
Cairns Art Gallery Foundation Limited	Cairns Regional Council	No longer a public sector entity <sup>1</sup>
Cairns Regional Art Gallery Trust	Cairns Regional Council	No longer a public sector entity <sup>1</sup>
HOTA Services Gold Coast Pty Ltd	HOTA Gold Coast Pty Ltd	Non-reporting <sup>2</sup>
IA Foundation Ltd	Ipswich City Council	Dormant
YSB Pty Ltd	Invest Logan Pty Ltd	Wound up
Artspace Mackay Foundation	Mackay Regional Council	Wound up
Artspace Mackay Foundation Ltd	Mackay Regional Council	Wound up
Mundalbe Enterprises Ltd	Morington Shire Council	Wound up
Outback @ Isa Pty Ltd	Mount Isa City Council	Dormant
Palm Island Community Company Limited	Palm Island Aboriginal Shire Council	No longer a public sector entity <sup>3</sup>
Palm Island Economic Development Corporation Pty Ltd	Palm Island Aboriginal Shire Council	Dormant
Redheart Pty Ltd	Redland City Council	Dormant
Cleveland Plaza Pty Ltd	Redland Investment Corporation Pty Ltd	Non-reporting <sup>4</sup>
Redland Developments Pty Ltd	Redland Investment Corporation Pty Ltd	Non-reporting <sup>4</sup>
RIC Toondah Pty Ltd	Redland Investment Corporation Pty Ltd	Non-reporting <sup>4</sup>
Sunshine Coast Events Centre Pty Ltd	Sunshine Coast Regional Council	Non-reporting <sup>5</sup>
Toowoomba and Surat Basin Enterprise Development Fund Limited	Toowoomba and Surat Basin Enterprise Pty Ltd	Dormant
Empire Theatres Foundation Ltd	Toowoomba Regional Council	Dormant
NQ Spark Pty Ltd	Townsville City Council	Non-reporting <sup>6</sup>

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Entity	Parent entity	Reason
Whitsunday Coast Airport and Infrastructure Pty Ltd	Whitsunday Regional Council	Dormant
Winton Community Association Inc	Winton Shire Council	Dormant
Jointly controlled entities		
Brisbane Festival Limited	Major Brisbane Festivals Pty Ltd	Dormant
QPG Shared Services Support Centres Joint Venture	Local Government Association of Queensland Ltd	Dormant <sup>7</sup>
LG Cloud Pty Ltd	Local Government Association of Queensland Ltd	Wound up
LG Disaster Recovery Services Pty Ltd	Local Government Association of Queensland Ltd	Wound up
Local Buy Pty Ltd	Local Government Association of Queensland Ltd	Dormant
Prevwood Pty Ltd	Local Government Association of Queensland Ltd	Dormant <sup>7</sup>
Queensland Partnerships Group (LG Shared Services) Pty Ltd	Local Government Association of Queensland Ltd	Dormant <sup>7</sup>
South West Queensland Local Government Association	Multiple entities	Dormant <sup>8</sup>

## Notes:

- <sup>1</sup> Cairns Art Gallery Foundation Limited and Cairns Regional Art Gallery Trust ceased being controlled entities of Cairns Regional Council.
- <sup>2</sup> The transactions of HOTA Services Gold Coast Pty Ltd have been consolidated in the financial statements of HOTA Gold Coast Pty Ltd.
- <sup>3</sup> Palm Island Community Company Limited ceased being a controlled entity of Palm Island Aboriginal Council.
- <sup>4</sup> The transactions of Cleveland Plaza Pty Ltd, Redland Developments Pty Ltd, and RIC Toondah Pty Ltd have been consolidated in the financial statements of Redland Investment Corporation Pty Ltd.
- <sup>5</sup> The transactions of Sunshine Coast Events Centre Pty Ltd have been consolidated into the financial statements of Sunshine Coast Regional Council.
- <sup>6</sup> NQ Spark Pty Ltd was established in May 2022. The company will prepare its financial statements for the period 1 May 2022 to 30 June 2023. Its transactions for the 2021–22 financial year were consolidated into Townsville City Council.
- <sup>7</sup> QPG Shared Services Support Centres Joint Venture has been deregistered on 23 February 2023. Prevwood Pty Ltd and Queensland Partnerships Group (LG Shared Services) Pty Ltd are in the process of being deregistered.
- <sup>8</sup> Following the creation of South West Queensland Regional Organisation of Councils, South West Queensland Local Government Association is no longer operating and is in the process of being wound up.

Source: Queensland Audit Office.

## H. Audit opinions issued for prior financial years

The following table contains the audit opinions issued for prior financial years that were not finalised when we issued *Local government 2021* (Report 15: 2021–22).

**Figure H1**  
**Audit opinions issued for prior financial years**

Entity	Date opinion issued	Opinion
<b>Opinion key:</b> U = unmodified; Q = qualified; E = emphasis of matter. (Refer to <a href="#">Appendix C</a> for the definitions of these terms.)		
<b>Financial statements from 2020–21 financial year – Councils</b>		
Palm Island Aboriginal Shire Council	Not complete	-
Richmond Shire Council	5.09.2022	U
<b>Financial sustainability statements from 2020–21 financial year – Councils</b>		
Palm Island Aboriginal Shire Council	Not complete	-
Richmond Shire Council	5.09.2022	U
<b>Financial statements from 2020–21 financial year – Controlled entities</b>		
Cherish the Environment Foundation Ltd (controlled entity of Ipswich City Council)	18.10.2022	U
The Kronosaurus Korner Board Inc	5.09.2022	E*
<b>Financial statements from 2020–21 financial year – Jointly controlled entities</b>		
Central Western Queensland Remote Area Planning and Development Board (RAPAD)	9.08.2022	E*
Western Queensland Local Government Association	26.08.2022	E*, E <sup>1</sup>
<b>Financial statements from 2019–20 financial year – Jointly controlled entities</b>		
Western Queensland Local Government Association	26.08.2022	E*, E <sup>1</sup>
<b>Financial statements from 2020–21 financial year – Entities exempt from audit by the Auditor-General</b>		
Whitsunday ROC Limited (opinion issued by SBB Partners)	26.05.2022	E*
Wide Bay Burnett Regional Organisation of Councils Inc (opinion issued by All Income Tax)	21.04.2022	E*

**Notes:**

\* An emphasis of matter was issued to alert users of these statements that they have been prepared using a special purpose basis.

<sup>1</sup> We included an emphasis of matter in our audit opinions for Western Queensland Local Government Association for the 2019–20 and 2020–21 financial years to alert users of the statements that the entity will be wound up in the 2022–23 financial year.

Source: *Queensland Audit Office*.

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# I. Financial sustainability measures

Figure I1 details the ratios (measures) indicating short-term and long-term financial sustainability. The guidelines quoted in the target range were issued by the Department of State Development, Infrastructure, Local Government and Planning (the department).

**Figure I1**  
**Financial sustainability measures for councils**

Measure	Formula	Description	Target range
<b>Operating surplus ratio</b>	<i>Net operating result divided by total operating revenue (excludes capital items)</i> Expressed as a percentage	Indicates the extent to which operational revenues raised cover operational expenses	Between <b>zero and 10 per cent</b> – per department-issued guidelines
<p>A negative result indicates an operating deficit, and the larger the negative percentage, the worse the result. Operating deficits cannot be sustained in the long term. A positive percentage indicates that surplus revenue is available to support the funding of capital expenses, or to hold in reserve to offset past or future operating deficits.</p> <p>We consider councils as financially sustainable when they consistently achieve an operating surplus and expect that they can do so in the future, having regard to asset management and community service level needs.</p>			
<b>Net financial liabilities ratio</b>	<i>Total liabilities less current assets divided by total operating revenue</i> Expressed as a percentage	Indicates the extent to which a council's operating revenues (including grants and subsidies) can cover its net financial liabilities (usually loans and leases)	<b>Not greater than 60 per cent</b> – per department-issued guidelines
<p>If net financial liabilities are greater than 60 per cent of operating revenue, the council has limited capacity to increase loan borrowings and may experience stress in servicing current debt.</p>			
<b>Asset sustainability ratio</b>	<i>Capital expenses on replacement of assets (renewals) divided by depreciation expenses</i> Expressed as a percentage	Indicates the extent to which assets are being replaced as they reach the end of their useful lives	<b>Greater than 90 per cent</b> – per department-issued guidelines
<p>If the asset sustainability ratio is greater than 90 per cent, the council is likely to be sufficiently maintaining, replacing, and/or renewing its assets as they reach the end of their useful lives. While a low percentage may indicate that the asset base is relatively new (which may result from rectifying extensive natural disaster damage) and does not require replacement, the lower the percentage, the more likely it is that a council has inadequate asset management plans and practices.</p>			

Source: Queensland Audit Office.

Figure I2 details our risk assessment criteria for financial sustainability measures.

**Figure I2**  
**Risk assessment criteria for financial sustainability measures**




Relative risk rating measure	Operating surplus ratio	Net financial liabilities ratio	Asset sustainability ratio
<b>Higher</b>	Less than negative 10% (i.e. losses) ●	More than 80% ●	Less than 50% ●
	Insufficient revenue being generated to fund operations and asset renewal	Potential long-term concern over ability to repay debt levels from operating revenue	Insufficient spending on asset replacement or renewal, resulting in reduced service levels and increased burden on future ratepayers
<b>Moderate</b>	Negative 10% to zero (i.e. losses) ●	60% to 80% ●	50% to 90% ●
	A risk of long-term reduction in cash reserves, and inability to fund asset renewals	Some concern over the ability to repay debt from operating revenue	Irregular spending, or insufficient asset management practices, creating a backlog of maintenance/renewal work
<b>Lower</b>	More than zero (i.e. surpluses) ●	Less than 60% ●	More than 90% ●
	Generating surpluses consistently	No concern over the ability to repay debt from operating revenue	Likely to be sufficiently replacing or renewing assets as they reach the end of their useful lives

Source: Queensland Audit Office.

We calculate our overall risk assessment of financial sustainability using the ratings determined for each measure, as shown in Figure I1, and the assignment of the risk assessment criteria, as shown in Figure I2.

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**Figure I3**  
**Explanations of our relative risk assessments**

Risk level	Risk criteria
<b>Higher risk</b> 	There is a higher risk of sustainability issues arising in the short to medium term if current operating income and expenses policies continue, as indicated by average operating deficits (losses) of more than 10 per cent of operating revenue.
<b>Moderate risk</b> 	There is a moderate risk of sustainability issues over the longer term if current debt financing and capital investment policies continue, as indicated by: <ul style="list-style-type: none"> <li>• a current net financial liabilities ratio of more than 80 per cent of operating revenue, or</li> <li>• an average asset sustainability ratio of less than 50 per cent, or</li> <li>• average operating deficits (losses) of between 2 per cent and 10 per cent of operating revenue, or</li> <li>• having 2 or more of the ratios assessed as moderate risk (see Figure I2).</li> </ul>
<b>Lower risk</b> 	There is a lower risk of concerns about financial sustainability based on current income, expenses, asset investment, and debt financing policies.

Source: Queensland Audit Office.

We use a 5-year average when assessing the operating surplus and asset sustainability ratios. This is because these are long-term indicators. Viewing the annual ratios in isolation does not provide insights into councils' long-term financial sustainability.

The net financial liabilities ratio, however, is more effective as a point-in-time ratio. The more recent the point in time, the more useful this ratio is in assessing councils' flexibility to increase debt.

Our assessment of financial sustainability risk factors does not consider councils' long-term forecasts or credit assessments undertaken by the Queensland Treasury Corporation.



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**Figure I4**  
**Financial sustainability risk assessment by council category: Results at the end of 2021–22**

Coastal councils	Avg. grant funding percentage <sup>1</sup>	Current operating surplus ratio %	Avg. operating surplus ratio %		Avg operating surplus ratio trend <sup>2</sup>	Net financial liabilities ratio %		Net financial liabilities ratio trend	Current asset sustainability ratio %	Avg. asset sustainability ratio %	Avg. asset sustainability ratio trend <sup>2</sup>	Relative risk assessment	
Coastal councils													
Bundaberg Regional Council	20%	6.00%	4.83%	●	–	-16.00%	●	↑	47.00%	48.40%	●	↓	Moderate
Burdekin Shire Council	22%	5.17%	4.52%	●	↓	-77.40%	●	↑	88.56%	95.49%	●	↑	Lower
Cairns Regional Council	18%	2.00%	-0.11%	●	–	57.00%	●	↑	71.00%	95.20%	●	↓	Lower
Cassowary Coast Regional Council	25%	0.00%	-2.33%	●	–	-34.00%	●	↑	68.00%	91.80%	●	↑	Moderate
Douglas Shire Council	26%	-1.00%	-2.39%	●	–	-28.00%	●	↓	74.00%	105.80%	●	↑	Moderate
Fraser Coast Regional Council	22%	-0.09%	1.30%	●	↓	-27.05%	●	↑	80.58%	93.51%	●	↑	Lower
Gladstone Regional Council	14%	-2.66%	-2.24%	●	↓	33.74%	●	↓	88.66%	61.34%	●	↑	Moderate
Gympie Regional Council	26%	-0.68%	-4.43%	●	–	-13.55%	●	↑	33.28%	98.98%	●	↓	Moderate
Hinchinbrook Shire Council	34%	-10.00%	-12.09%	●	↓	-18.70%	●	–	90.80%	74.52%	●	↑	Higher
Livingstone Shire Council	28%	1.91%	3.12%	●	–	-3.01%	●	↑	45.04%	51.96%	●	–	Lower
Mackay Regional Council	19%	0.20%	0.37%	●	–	4.30%	●	↑	65.50%	65.76%	●	↑	Lower
Noosa Shire Council	15%	4.29%	8.69%	●	–	-15.93%	●	↓	121.13%	117.88%	●	↑	Lower
Rockhampton Regional Council	26%	-0.10%	2.06%	●	–	40.80%	●	↑	63.20%	92.26%	●	↓	Lower
Townsville City Council	26%	1.00%	0.81%	●	↑	72.00%	●	↑	91.00%	73.60%	●	–	Moderate
Whitsunday Regional Council	37%	5.18%	4.14%	●	–	9.83%	●	↑	97.98%	151.23%	●	↑	Lower
Coastal councils average	24%	0.75%	0.42%			-1.06%			75.05%	87.85%			
Coastal councils – combined risk assessment		Lower			Lower			Moderate			Lower		

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Indigenous councils	Avg. grant funding percentage <sup>1</sup>	Current operating surplus ratio %	Avg. operating surplus ratio %		Avg operating surplus ratio trend <sup>2</sup>	Net financial liabilities ratio %		Net financial liabilities ratio trend	Current asset sustainability ratio %	Avg. asset sustainability ratio %		Avg. asset sustainability ratio trend <sup>2</sup>	Relative risk assessment
Indigenous councils													
Aurukun Shire Council	62%	-7.00%	-14.83%	🔴	⬆️	-76.00%	🟢	⬇️	4.00%	19.00%	🔴	–	Higher
Cherbourg Aboriginal Shire Council	58%	-18.33%	-1.75%	🟡	⬇️	23.69%	🟢	⬇️	37.05%	114.01%	🟢	⬇️	Lower
Doomadgee Aboriginal Shire Council	55%	-31.00%	-23.80%	🟢	⬆️	4.00%	🟢	⬆️	40.00%	57.20%	🟡	⬇️	Higher
Hope Vale Aboriginal Shire Council	49%	1.00%	7.21%	🟢	⬇️	-193.00%	🟢	⬆️	91.00%	90.00%	🟢	⬇️	Lower
Kowanyama Aboriginal Shire Council	70%	0.00%	-37.46%	🔴	⬆️	-19.00%	🟢	⬆️	142.00%	103.42%	🟢	⬆️	Higher
Lockhart River Aboriginal Shire Council	73%	-8.00%	-3.36%	🟡	⬆️	-54.00%	🟢	⬆️	136.00%	90.60%	🟢	⬇️	Moderate
Mapoon Aboriginal Shire Council	69%	-41.00%	-27.76%	🔴	⬇️	-55.00%	🟢	⬇️	67.00%	62.80%	🟡	⬆️	Higher
Mornington Shire Council*	47%	-10.70%	-26.59%	🔴	⬆️	-16.00%	🟢	⬆️	92.60%	194.54%	🟢	⬆️	Higher
Napranum Aboriginal Shire Council	66%	-24.00%	-18.80%	🔴	⬇️	-41.00%	🟢	⬆️	0.00%	25.60%	🔴	⬇️	Higher
Northern Peninsula Area Regional Council*	53%	-28.00%	-15.00%	🔴	⬇️	-10.00%	🟢	⬇️	57.00%	64.44%	🟡	⬇️	Higher
Palm Island Aboriginal Shire Council**	60%	-23.80%	-17.09%	🔴	⬇️	-2.93%	🟢	–	0.00%	129.60%	🟢	⬇️	Higher
Pormpuraaw Aboriginal Shire Council	62%	0.00%	8.19%	🟢	⬇️	-257.00%	🟢	⬆️	13.00%	60.80%	🟢	⬇️	Lower
Torres Shire Council	50%	-19.07%	-18.80%	🔴	⬇️	-66.27%	🟢	⬆️	113.79%	85.44%	🟡	⬆️	Higher
Torres Strait Island Regional Council	60%	-79.00%	-74.40%	🔴	⬇️	-29.00%	🟢	⬇️	19.00%	28.60%	🔴	⬇️	Higher
Woorabinda Aboriginal Shire Council*	31%	-0.90%	-15.41%	🔴	–	-41.90%	🟢	⬆️	104.40%	34.25%	🔴	⬆️	Higher
Wujal Wujal Aboriginal Shire Council	67%	-30.00%	-29.29%	🔴	–	54.00%	🟢	⬇️	41.00%	80.00%	🟡	⬆️	Higher
Yarrabah Aboriginal Shire Council	51%	-51.00%	-33.42%	🔴	⬇️	-27.00%	🟢	⬇️	25.00%	39.60%	🔴	⬇️	Higher
Indigenous councils average	58%	-21.81%	-20.14%			-47.44%			57.81%	75.29%			
Indigenous councils – combined risk assessment		Higher				Lower			Moderate				Higher

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Resources councils	Avg. grant funding percentage <sup>1</sup>	Current operating surplus ratio %	Avg. operating surplus ratio %	Avg operating surplus ratio trend <sup>2</sup>	Net financial liabilities ratio %	Net financial liabilities ratio trend	Current asset sustainability ratio %	Avg. asset sustainability ratio %	Avg. asset sustainability ratio trend <sup>2</sup>	Relative risk assessment			
Resources councils													
Banana Shire Council	31%	6.08%	-4.92%	🟡	–	-22.39%	🟢	⬆️	80.43%	94.27%	🟢	–	Moderate
Bulloo Shire Council	62%	-5.30%	-3.09%	🟡	⬇️	-69.20%	🟢	⬇️	42.60%	104.01%	🟢	⬇️	Moderate
Burke Shire Council	76%	-21.20%	-40.23%	🔴	⬇️	-38.60%	🟢	⬇️	82.30%	85.38%	🟡	⬇️	Higher
Central Highlands Regional Council	22%	1.71%	-1.85%	🟡	–	-7.71%	🟢	⬇️	76.87%	104.00%	🟢	⬇️	Lower
Charters Towers Regional Council	46%	5.00%	0.61%	🟢	–	-71.00%	🟢	⬆️	68.00%	139.60%	🟢	⬇️	Lower
Cloncurry Shire Council	55%	-15.62%	-8.90%	🟡	⬇️	-23.24%	🟢	⬆️	87.55%	172.71%	🟢	⬇️	Moderate
Cook Shire Council	82%	2.00%	-22.58%	🔴	⬆️	-7.00%	🟢	⬆️	8.00%	67.75%	🟡	⬇️	Higher
Etheridge Shire Council	54%	1.85%	-2.71%	🟡	⬆️	-32.68%	🟢	⬇️	0.00%	8.97%	🔴	⬇️	Moderate
Isaac Regional Council	25%	3.75%	2.30%	🟢	–	-19.55%	🟢	⬆️	62.90%	175.46%	🟢	⬇️	Lower
Maranoa Regional Council	43%	2.84%	2.04%	🟢	–	-55.10%	🟢	⬆️	120.74%	138.72%	🟢	⬆️	Lower
McKinlay Shire Council	72%	5.20%	-7.51%	🟡	⬇️	-130.20%	🟢	⬆️	137.10%	328.78%	🟢	⬇️	Moderate
Mount Isa City Council	24%	-1.80%	0.16%	🟢	⬇️	-45.00%	🟢	⬇️	55.70%	56.99%	🟡	⬆️	Lower
Quilpie Shire Council	64%	6.00%	-5.37%	🟡	⬇️	-99.00%	🟢	⬆️	40.00%	41.00%	🔴	⬇️	Moderate
Western Downs Regional Council	25%	2.57%	7.16%	🟢	⬇️	-122.12%	🟢	⬆️	82.11%	77.08%	🟡	⬇️	Lower
Resources councils average	49%	-0.49%	-6.06%			-53.06%			67.45%	113.91%			
Resources councils – combined risk assessment		Moderate			Lower			Lower			Moderate		

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Rural/Regional councils	Avg. grant funding percentage <sup>1</sup>	Current operating surplus ratio %	Avg. operating surplus ratio %	Avg operating surplus ratio trend <sup>2</sup>	Net financial liabilities ratio %	Net financial liabilities ratio trend	Current asset sustainability ratio %	Avg. asset sustainability ratio %	Avg. asset sustainability ratio trend <sup>2</sup>	Relative risk assessment
Rural/Regional councils										
Goondiwindi Regional Council	33%	-1.71%	1.60%	↓	-74.50%	↓	148.47%	115.29%	↑	Lower
Locker Valley Regional Council	24%	5.22%	5.76%	↓	41.12%	↓	74.26%	91.43%	↓	Lower
Mareeba Shire Council	39%	14.63%	13.65%	↓	-101.77%	↑	176.04%	167.41%	↓	Lower
North Burnett Regional Council	49%	-11.83%	-19.19%	↓	-29.45%	↑	102.65%	98.16%	↓	Higher
Scenic Rim Regional Council	31%	0.00%	0.31%	↓	15.00%	↓	98.00%	161.80%	↓	Lower
Somerset Regional Council	26%	-9.00%	-0.25%	↓	-74.00%	↓	87.00%	97.00%	↓	Lower
South Burnett Regional Council	25%	6.00%	0.48%	↓	-10.80%	↑	78.70%	86.34%	↓	Lower
Southern Downs Regional Council	29%	-4.55%	2.01%	↓	-26.89%	↑	119.00%	123.68%	↑	Lower
Tablelands Regional Council	29%	5.24%	0.32%	↓	-52.98%	↑	77.44%	94.16%	↓	Lower
Rural/Regional councils average	32%	0.44%	0.52%		-34.92%		106.84%	115.03%		
Rural/Regional councils – combined risk assessment		Lower			Lower		Lower			Lower

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Rural/Remote councils	Avg. grant funding percentage <sup>1</sup>	Current operating surplus ratio %	Avg. operating surplus ratio %	Avg operating surplus ratio trend <sup>2</sup>	Net financial liabilities ratio %	Net financial liabilities ratio trend	Current asset sustainability ratio %	Avg. asset sustainability ratio %	Avg. asset sustainability ratio trend <sup>2</sup>	Relative risk assessment
Rural/Remote councils										
Balonne Shire Council	62%	-5.30%	-8.69%	●	–	↓	53.80%	49.81%	●	Moderate
Barcaldine Regional Council	48%	6.83%	-16.04%	●	↑	↑	224.72%	144.05%	●	Higher
Barcoo Shire Council	46%	-3.63%	-21.93%	●	↑	↑	83.91%	77.90%	●	Higher
Blackall-Tambo Regional Council	45%	11.00%	-7.98%	●	↑	↑	68.00%	81.20%	●	Moderate
Boulia Shire Council	65%	-20.75%	-29.99%	●	↓	↓	120.70%	62.50%	●	Higher
Carpentaria Shire Council	69%	-13.36%	-17.81%	●	↓	↑	61.23%	48.98%	●	Higher
Croydon Shire Council	76%	9.30%	4.74%	●	–	↓	63.50%	124.00%	●	Lower
Diamantina Shire Council	43%	-19.90%	-9.58%	●	–	↑	8.20%	45.98%	●	Moderate
Flinders Shire Council	41%	14.00%	11.00%	●	↓	↑	25.20%	64.16%	●	Lower
Longreach Regional Council	53%	-2.30%	-10.41%	●	↓	↑	51.40%	100.86%	●	Higher
Murweh Shire Council	58%	-14.00%	-12.18%	●	↓	↑	85.00%	92.44%	●	Higher
Paroo Shire Council	72%	4.00%	-20.83%	●	↑	↑	46.00%	60.68%	●	Higher
Richmond Shire Council	57%	-9.68%	-30.14%	●	–	↑	56.76%	156.18%	●	Higher
Winton Shire Council	66%	-3.80%	-7.78%	●	↓	↑	246.79%	265.48%	●	Moderate
Rural/Remote councils average	57%	-3.40%	-12.69%		-46.20%		85.37%	98.16%		
Rural/Remote councils – combined risk assessment		Higher			Lower		Lower			Higher

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South East Queensland councils	Avg. grant funding percentage <sup>1</sup>	Current operating surplus ratio %	Avg. operating surplus ratio %	Avg operating surplus ratio trend <sup>2</sup>	Net financial liabilities ratio %	Net financial liabilities ratio trend	Current asset sustainability ratio %	Avg. asset sustainability ratio %	Avg. asset sustainability ratio trend <sup>2</sup>	Relative risk assessment
South East Queensland councils										
Brisbane City Council	13%	-3.00%	3.09%	↓	125.00%	↑	55.00%	75.20%	↓	Moderate
Council of the City of Gold Coast	19%	-1.10%	-1.33%	–	-16.10%	↑	63.00%	59.82%	↑	Moderate
Ipswich City Council	30%	2.74%	4.21%	↓	67.13%	↑	70.69%	64.35%	–	Moderate
Logan City Council	27%	5.28%	2.61%	–	-9.76%	↓	63.12%	74.81%	↓	Lower
Moreton Bay Regional Council	25%	10.70%	17.83%	↓	19.50%	↓	70.10%	62.98%	↑	Lower
Redland City Council	11%	1.63%	-3.01%	↑	-45.94%	↑	66.31%	50.97%	↑	Moderate
Sunshine Coast Regional Council	25%	9.30%	6.68%	–	58.80%	↓	71.20%	72.04%	↓	Lower
Toowoomba Regional Council	21%	-1.10%	1.41%	–	49.76%	↑	73.84%	66.16%	↑	Lower
<b>SEQ councils average</b>	<b>21%</b>	<b>3.06%</b>	<b>3.94%</b>		<b>31.05%</b>		<b>66.66%</b>	<b>65.79%</b>		
<b>SEQ councils – combined risk assessment</b>	<b>Lower</b>				<b>Lower</b>		<b>Moderate</b>			<b>Lower</b>

Notes:

<sup>1</sup> Average grant funding percentage shows the 5-year average level of grant funding as a percentage of total revenue per council. This does not form a part of the financial sustainability ratios but has been included for contextual purposes. Refer also to further commentary in Chapter 4, which analyses the financial sustainability by grant funding levels.

<sup>2</sup> Average ratio trend compares the average ratio from 2021–22 with the average ratio from 2020–21. Trends should be considered in conjunction with the Department of State Development, Infrastructure, Local Government and Planning's set benchmarks, and the analysis performed and explained in Chapter 4.

\* The 2021–22 audit for this council is unfinished. The sustainability measures reported are based on the audited 2020–21 financial statements.

\*\* The 2020–21 and 2021–22 audits for this council are unfinished. The sustainability measures reported are based on the audited 2019–20 financial statements.

Refer also to **Figures I1, I2 and I3**, which explain the financial sustainability measures and associated benchmarks.

Legend: ↑ An improving trend; – No substantial change; ↓ A deteriorating trend.

Source: *Queensland Audit Office*.

## J. Our assessment of councils' financial governance

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### Auditing internal controls

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Entities design, implement, and maintain internal controls (people, systems, and processes) to deliver reliable financial reporting, effective and efficient operations, and compliance with applicable laws and regulations.

In undertaking our audit, we are required under the Australian auditing standards to obtain an understanding of an entity's internal controls relevant to the preparation of the financial report.

We assess internal controls to ensure they are suitably designed to:

- prevent, or detect and correct, material misstatements in the financial report (which could influence a user's decision-making)
- achieve compliance with legislative requirements and make appropriate use of public resources.

Our assessment determines the nature, timing, and extent of the testing we perform to address the risk of significant mistakes in the financial statements.

If we believe the design and implementation of controls is effective, we select the controls we intend to test further. We do this by considering a balance of factors including:

- the significance of the related risks
- the characteristics of balances, transactions, or disclosures (volume, value, and complexity)
- the nature and complexity of the entity's information systems
- whether the design of the controls addresses the risk of material misstatement and facilitates an efficient audit.

If we identify deficiencies in internal controls, we determine the impact on our audit approach, considering whether additional audit procedures are necessary.

We design our audit procedures to address the risk of material misstatement so we can express an opinion on the financial report. We do not express an opinion on the effectiveness of internal controls.

### Internal controls framework

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We categorise internal controls using the Committee of Sponsoring Organizations of the Treadway Commission (COSO) internal controls framework, which is widely recognised as a benchmark for designing and evaluating internal controls.

The framework identifies 5 components for a successful internal control framework. These are explained in the following paragraphs.



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## Control environment



- Cultures and values
- Governance
- Organisational structure
- Policies
- Qualified and skilled people
- Management's integrity and operating style

The control environment is defined as the structures, policies, attitudes, and values that influence day-to-day operations. As the control environment is closely linked to an entity's overarching governance and culture, it is important that the control environment provides a strong foundation for the other components of internal control.

In assessing the design and implementation of the control environment, we consider whether:

- those charged with governance are independent, appropriately qualified, experienced, and active in challenging management
- policies and procedures are established and communicated so people with the right qualifications and experiences are recruited; they understand their role in the organisation; and they also understand management's expectations regarding internal controls, financial reporting, and misconduct, including fraud.

## Risk assessment



- Strategic risk assessment
- Financial risk assessment
- Operational risk assessment

Risk assessment relates to management's processes for considering risks that may prevent an entity from achieving its objectives; and how management agrees risks should be identified, assessed, and managed.

To appropriately manage business risks, management can either accept the risk if it is minor or mitigate the risk to an acceptable level by implementing appropriately designed controls. Management can also eliminate risks entirely by choosing to exit from a risky business venture.

## Control activities



- General information technology controls
- Automated controls
- Manual controls

Control activities are the actions taken to implement policies and procedures in accordance with management directives, and to ensure identified risks are addressed. These activities operate at all levels and in all functions. They can be designed to prevent or detect errors entering financial systems.

The mix of control activities can be categorised into general information technology controls, automated controls, and manual controls.

### General information technology controls

General information technology controls form the basis of the automated systems control environment. They include controls over information systems security, user access, and system changes. These controls address the risk of unauthorised access and of changes to systems and data.

### Automated control activities

Automated controls are embedded within information technology systems. These controls can improve timeliness, availability, and accuracy of information by consistently applying predefined business rules. They enable entities to perform complex calculations when processing large volumes of transactions. They also improve the effectiveness of financial delegations and the segregation of duties.

## Manual control activities

Manual controls contain a human element, which can provide the opportunity to assess the reasonableness and appropriateness of transactions. However, these controls may be less reliable than automated elements, as they can be more easily bypassed or overridden. They include activities such as approvals, authorisations, verifications, reconciliations, reviews of operating performance, and segregation of incompatible duties. Manual controls may be performed with the assistance of information technology systems.

## Information and communication



- Non-financial systems
- Financial systems
- Reporting systems

Information and communication controls are the systems used to provide information to employees, and the ways in which responsibilities are communicated.

This aspect of internal control also considers how management generates financial reports, and how these reports are communicated to internal and external parties to support the functioning of internal controls.

## Monitoring activities



- Management supervision
- Self-assessment
- Internal audit

Monitoring activities are the methods management uses to oversee and assess whether internal controls are present and operating effectively. This may be achieved through ongoing supervision, periodic self-assessments, and separate evaluations. Monitoring activities also concern the evaluation and communication of control deficiencies in a timely manner to effect corrective action.

Typically, the internal audit function and an independent audit and risk committee are responsible for assessing and overseeing management's implementation of controls and their resolution of control deficiencies. These 2 functions work together to ensure that internal control deficiencies are identified and then resolved in a timely manner.

## Assessment of internal controls

Our assessment of internal control effectiveness is based on the number of deficiencies and significant deficiencies we identified during our audit. We assess each of the 5 components of a successful internal control framework separately.

Assessment of internal controls	
Rating scale	Assessment criteria
● Effective	No significant (high-risk) deficiencies
● Partially effective	One significant deficiency
● Ineffective	More than one significant deficiency

The deficiencies detailed in this report were identified during our audit and may have been subsequently resolved by the entity.

They are reported here because they impacted on the overall system of control during 2021–22.

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## Financial statements preparation process

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Until the 2019–20 financial year, we assessed the effectiveness of the financial statement preparation processes across 3 components:

- Year-end close processes – was based on early completion of 5 key elements of financial statements
- Timeliness of financial statements – compared the date the financial statements were certified against the legislative deadline of 31 October
- Quality of financial statements – was assessed based on the number of changes that are made between the draft of the financial statements submitted to audit and the final audited financial statements.

Each component was assigned a traffic light (red/amber/green), and this was reported to each council and in our annual reports to parliament.

In the 2020–21 financial year, we changed the way we assessed the financial statement preparation process to a maturity model (which is available on our website at [www.qao.qld.gov.au/reports-resources/better-practice](http://www.qao.qld.gov.au/reports-resources/better-practice)). The model is entity-driven and is scalable to each entity's size and complexity. It aims to bring flexibility in responding to the qualitative factors that influence entities' practices, which the previous assessment criteria did not take into account.

The model facilitates sharing of better practices across the public sector. It also brings focus to entities' areas of development to allow them to reach their targeted positioning.

For the 2020–21 financial year, we asked councils to self-assess their financial statement preparation processes using this model. In the 2022–23 financial year, we will work with councils to ensure that their self-assessed maturity levels reflect the reality of their strengths and weaknesses of their processes. We will report on the outcome of this assessment in our *Local government 2023* report.

## Financial sustainability relative risk assessment

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The detailed criteria for assessing a council's financial sustainability are explained in Appendix I – Figures I1 and I2. The overall assessment criteria are shown in Figure I3. Colours used for the overall risk levels are lower risk (green), moderate risk (amber), and higher risk (red).

## Results summary

The following tables summarise the results of our assessment of the 77 councils' internal controls, by council segment.

**Figure J1**  
**Our assessment of the financial governance of councils by segment**

Council	Internal controls					Financial sustainability	Days to complete from year end	
Key: CE = Control environment; RA = Risk assessment; CA = Control activities; IC = Information and communication; MA = Monitoring activities. OS = Number of significant deficiencies outstanding longer than 12 months at 30 June 2022 FS = Financial sustainability — relative risk assessment (refer Figure I4). D = Number of days to have audit opinion certified from 30 June 2022 (number of days between 30 June and 31 October is 123)								
Coastal councils	CE	RA	CA	IC	MA	OS	FS	D
Bundaberg Regional Council	●	●	●	●	●	-	●	99
Burdekin Shire Council	●	●	●	●	●	-	●	70
Cairns Regional Council	●	●	●	●	●	-	●	78
Cassowary Coast Regional Council	●	●	●	●	●	-	●	106
Douglas Shire Council	●	●	●	●	●	-	●	104
Fraser Coast Regional Council	●	●	●	●	●	1	●	91
Gladstone Regional Council	●	●	●	●	●	-	●	120
Gympie Regional Council	●	●	●	●	●	2	●	249
Hinchinbrook Shire Council	●	●	●	●	●	-	●	123
Livingstone Shire Council	●	●	●	●	●	1	●	123
Mackay Regional Council	●	●	●	●	●	-	●	102
Noosa Shire Council	●	●	●	●	●	1	●	118
Rockhampton Regional Council	●	●	●	●	●	-	●	105
Townsville City Council	●	●	●	●	●	1	●	97
Whitsunday Regional Council	●	●	●	●	●	-	●	48

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Council	Internal controls					Financial sustainability	Days to complete from year end	
Key: CE = Control environment; RA = Risk assessment; CA = Control activities; IC = Information and communication; MA = Monitoring activities. OS = Number of significant deficiencies outstanding longer than 12 months at 30 June 2022 FS = Financial sustainability — relative risk assessment (refer Figure I4). D = Number of days to have audit opinion certified from 30 June 2022 (number of days between 30 June and 31 October is 123)								
Indigenous	CE	RA	CA	IC	MA	OS	FS	D
Aurukun Shire Council	●	●	●	●	●	-	●	104
Cherbourg Aboriginal Shire Council	●	●	●	●	●	1	●	113
Doomadgee Aboriginal Shire Council	●	●	●	●	●	-	●	123
Hope Vale Aboriginal Shire Council	●	●	●	●	●	-	●	29
Kowanyama Aboriginal Shire Council	●	●	●	●	●	-	●	103
Lockhart River Aboriginal Shire Council	●	●	●	●	●	-	●	123
Mapoon Aboriginal Shire Council	●	●	●	●	●	1	●	123
Mornington Shire Council*	●	●	●	●	●	4	●	Not Complete
Napranum Aboriginal Shire Council	●	●	●	●	●	2	●	117
Northern Peninsula Area Regional Council*	●	●	●	●	●	1	●	Not Complete
Palm Island Aboriginal Shire Council*	●	●	●	●	●	11	●	Not Complete
Pormpuraaw Aboriginal Shire Council	●	●	●	●	●	-	●	70
Torres Shire Council	●	●	●	●	●	-	●	123
Torres Strait Island Regional Council	●	●	●	●	●	-	●	81
Woorabinda Aboriginal Shire Council*	●	●	●	●	●	8	●	Not Complete
Wujal Wujal Aboriginal Shire Council	●	●	●	●	●	3	●	118
Yarrabah Aboriginal Shire Council	●	●	●	●	●	1	●	105

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Council	Internal controls					Financial sustainability	Days to complete from year end	
Key: CE = Control environment; RA = Risk assessment; CA = Control activities; IC = Information and communication; MA = Monitoring activities. OS = Number of significant deficiencies outstanding longer than 12 months at 30 June 2022 FS = Financial sustainability — relative risk assessment (refer Figure I4). D = Number of days to have audit opinion certified from 30 June 2022 (number of days between 30 June and 31 October is 123)								
Resources councils	CE	RA	CA	IC	MA	OS	FS	D
Banana Shire Council	●	●	●	●	●	-	●	123
Bulloo Shire Council	●	●	●	●	●	1	●	123
Burke Shire Council	●	●	●	●	●	-	●	123
Central Highlands Regional Council	●	●	●	●	●	3	●	123
Charters Towers Regional Council	●	●	●	●	●	1	●	123
Cloncurry Shire Council	●	●	●	●	●	1	●	209
Cook Shire Council	●	●	●	●	●	2	●	105
Etheridge Shire Council	●	●	●	●	●	2	●	167
Isaac Regional Council	●	●	●	●	●	-	●	120
Maranoa Regional Council	●	●	●	●	●	-	●	110
McKinlay Shire Council	●	●	●	●	●	1	●	105
Mount Isa City Council	●	●	●	●	●	3	●	116
Quilpie Shire Council	●	●	●	●	●	-	●	123
Western Downs Regional Council	●	●	●	●	●	-	●	106

Local government 2022 (Report 15: 2022–23)

Council	Internal controls					Financial sustainability	Days to complete from year end	
Key: CE = Control environment; RA = Risk assessment; CA = Control activities; IC = Information and communication; MA = Monitoring activities. OS = Number of significant deficiencies outstanding longer than 12 months at 30 June 2022 FS = Financial sustainability — relative risk assessment (refer Figure I4). D = Number of days to have audit opinion certified from 30 June 2022 (number of days between 30 June and 31 October is 123)								
Rural/Regional councils	CE	RA	CA	IC	MA	OS	FS	D
Goondiwindi Regional Council	●	●	●	●	●	-	●	83
Lockyer Valley Regional Council	●	●	●	●	●	-	●	169
Mareeba Shire Council	●	●	●	●	●	-	●	97
North Burnett Regional Council	●	●	●	●	●	1	●	259
Scenic Rim Regional Council	●	●	●	●	●	-	●	99
Somerset Regional Council	●	●	●	●	●	-	●	103
South Burnett Regional Council	●	●	●	●	●	-	●	105
Southern Downs Regional Council	●	●	●	●	●	-	●	110
Tablelands Regional Council	●	●	●	●	●	1	●	123



Local government 2022 (Report 15: 2022–23)

Council	Internal controls					Financial sustainability	Days to complete from year end	
Key: CE = Control environment; RA = Risk assessment; CA = Control activities; IC = Information and communication; MA = Monitoring activities. OS = Number of significant deficiencies outstanding longer than 12 months at 30 June 2022 FS = Financial sustainability — relative risk assessment (refer Figure I4). D = Number of days to have audit opinion certified from 30 June 2022 (number of days between 30 June and 31 October is 123)								
Rural/Remote councils	CE	RA	CA	IC	MA	OS	FS	D
Balonne Shire Council	●	●	●	●	●	-	●	120
Barcaldine Regional Council	●	●	●	●	●	1	●	123
Barcoo Shire Council	●	●	●	●	●	2	●	111
Blackall-Tambo Regional Council	●	●	●	●	●	-	●	123
Boulia Shire Council	●	●	●	●	●	1	●	165
Carpentaria Shire Council	●	●	●	●	●	6	●	123
Croydon Shire Council	●	●	●	●	●	2	●	140
Diamantina Shire Council	●	●	●	●	●	-	●	123
Flinders Shire Council	●	●	●	●	●	-	●	119
Longreach Regional Council	●	●	●	●	●	-	●	119
Murweh Shire Council	●	●	●	●	●	-	●	116
Paroo Shire Council	●	●	●	●	●	1	●	120
Richmond Shire Council	●	●	●	●	●	2	●	249
Winton Shire Council	●	●	●	●	●	-	●	106

Local government 2022 (Report 15: 2022–23)

Council	Internal controls					Financial sustainability	Days to complete from year end	
Key: CE = Control environment; RA = Risk assessment; CA = Control activities; IC = Information and communication; MA = Monitoring activities. OS = Number of significant deficiencies outstanding longer than 12 months at 30 June 2022 FS = Financial sustainability — relative risk assessment (refer Figure I4). D = Number of days to have audit opinion certified from 30 June 2022 (number of days between 30 June and 31 October is 123)								
South East Queensland councils	CE	RA	CA	IC	MA	OS	FS	D
Brisbane City Council	●	●	●	●	●	-	●	46
Council of the City of Gold Coast	●	●	●	●	●	3	●	91
Ipswich City Council	●	●	●	●	●	-	●	120
Logan City Council	●	●	●	●	●	1	●	76
Moreton Bay Regional Council	●	●	●	●	●	1	●	104
Redland City Council	●	●	●	●	●	-	●	81
Sunshine Coast Regional Council	●	●	●	●	●	-	●	102
Toowoomba Regional Council	●	●	●	●	●	1	●	92

Notes:

- \* The internal controls assessments are based on the previous year's results because the 2021–22 financial year audit has not yet been completed.

Source: Queensland Audit Office.



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## Queensland Audit Office

### Forward work plan 2023–26

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Forward work plan 2023–26 – June 2023

## Auditor-General's foreword

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The Queensland Audit Office (QAO) is an essential part of Queensland's integrity system, here to serve Queenslanders.

Last year, Professor Coaldrake raised several concerns about the culture of the public sector in his report *Let the sunshine in*. He noted that the government is not meeting the public's rising expectations that it is accountable, transparent, and acts with integrity.

Our independent assurance helps parliament, the community, and other stakeholders understand whether public sector entities and local governments are delivering their services effectively, efficiently, economically, and in accordance with legislative requirements. It helps parliament hold public sector entities and local governments to account for the use of public resources. The insights, advice, and recommendations we give our clients help them improve their financial management and service delivery, as well as learn from other entities.

Our governing legislation, the *Auditor-General Act 2009*, requires us to publish a 3-year plan of the performance audits that we intend to carry out. In developing our plan, we have considered a range of risks and challenges to the public sector and local governments, including the impact of recent domestic and global events. Our plan captures those risks and our expected audit response. We include both performance and financial audits, as they work together to provide a full picture of state and local government performance and accountability.

The Brisbane 2032 Olympic and Paralympic Games provides an incredible opportunity to promote Brisbane and Queensland to the rest of the world. It will also bring with it some significant challenges in ensuring the Games are successfully delivered. In 2023–24 we will conduct our first in a series of audits examining the planning, delivery, and benefits of the Games. While this is currently the only audit included in our 3-year plan on this topic, we will reassess this annually as we consider key decisions and developments as Queensland progresses towards the Games.

As the auditor for the whole of Queensland, we recognise that government services are delivered and received across a large and diverse state. Accordingly, we will continue our focus on Queensland's regions. This will include assessing how effectively the state and local governments work together to ensure communities are sustainable.

In each of the coming 3 years, we will supplement this plan with any new or updated audits that respond to changes in the Queensland public sector and the emergence of new risks that entities must manage. We only need to consider matters such as the increases in cyber security incidents to know that we must be agile in responding to these changes.

It is important that we consult on our work with our clients and stakeholders, and I appreciate their ongoing input and feedback. We circulated this plan to parliamentary committees, ministers, departments, local governments, universities, and relevant statutory bodies and government owned corporations before it was finalised.

In prioritising our work, we consider where there have been particular challenges and where we think there is the most to learn, I am confident we are focusing on what matters most. I commit to delivering you high-quality audit work and independent, valued assurance services and insights. Together we can strive for better public services for Queenslanders.



**Brendan Worrall**  
**Auditor-General**  
**5 June 2023**

Forward work plan 2023–26 – June 2023

# Three-year plan on a page

## Planned reports by parliamentary committee and tabling year

Tabling in 2023–24	Tabling in 2024–25	Tabling in 2025–26	Yearly reports
<b>Community Support and Services Committee</b>			
* Refer to notes below table			
<b>Economics and Governance Committee</b>			
<ul style="list-style-type: none"> <li>Preparing for the Brisbane Games</li> <li>Examining the state budget framework</li> </ul>	<ul style="list-style-type: none"> <li>Attracting industries and events</li> <li>Lobbying in the Queensland Government</li> </ul>	<ul style="list-style-type: none"> <li>Improving public sector culture</li> <li>Managing consultants and contractors</li> </ul>	<ul style="list-style-type: none"> <li>Status of Auditor-General's recommendations</li> <li>State entities</li> <li>Managing Queensland's debt and investments</li> <li>Major projects</li> </ul>
<b>Education, Employment and Training Committee</b>			
<ul style="list-style-type: none"> <li>Diverting young offenders from crime</li> <li>Protecting students when online</li> </ul>	<ul style="list-style-type: none"> <li>Managing the supply of teachers</li> </ul>	<ul style="list-style-type: none"> <li>Managing labour and skill shortages</li> <li>Providing digital education</li> </ul>	<ul style="list-style-type: none"> <li>Education</li> </ul>
<b>Health and Environment Committee</b>			
<ul style="list-style-type: none"> <li>Minimising potentially preventable hospitalisations</li> </ul>	<ul style="list-style-type: none"> <li>Delivering mental health services</li> <li>Managing waste</li> </ul>	<ul style="list-style-type: none"> <li>Managing the quality and safety of health services</li> <li>Managing Queensland's greenhouse gas emissions</li> </ul>	<ul style="list-style-type: none"> <li>Health</li> </ul>
<b>Legal Affairs and Safety Committee</b>			
<ul style="list-style-type: none"> <li>Minimising gambling harm</li> <li>Follow-on audit: Delivering forensic services</li> </ul>		<ul style="list-style-type: none"> <li>Managing volunteer services</li> <li>Preparing for natural disasters</li> <li>Preventing prisoners from reoffending</li> </ul>	
<b>State Development and Regional Industries Committee</b>			
<ul style="list-style-type: none"> <li>Effectiveness of local government audit committees</li> <li>Managing Queensland's regional water quality</li> </ul>	<ul style="list-style-type: none"> <li>Managing risk transfer in infrastructure projects</li> <li>Sustainability of local governments</li> <li>Planning for Queensland's long-term infrastructure investment</li> </ul>		<ul style="list-style-type: none"> <li>Local government</li> <li>Queensland's regions</li> </ul>
<b>Transport and Resources Committee</b>			
<ul style="list-style-type: none"> <li>Responding to and recovering from cyber attacks</li> </ul>	<ul style="list-style-type: none"> <li>Ensuring information is protected</li> <li>Disability access to transport</li> </ul>	<ul style="list-style-type: none"> <li>Managing third party cyber security risks</li> <li>Managing road safety</li> </ul>	<ul style="list-style-type: none"> <li>Energy</li> </ul>

\* The following audits were initially identified as being allocated to the Community Support and Services Committee but were reallocated following amendments to committee responsibilities announced on 23 May 2023:

- Diverting young offenders from crime
- Responding to and recovering from cyber attacks
- Ensuring information is protected
- Managing third party cyber security risks.



Forward work plan 2023–26 – June 2023

# Challenges facing the public sector and local government

Queensland public sector entities and local governments are facing a range of risks and challenges – some emerging and some long standing. They include increasing cyber attacks, use of emerging technology, climate change, capacity of the health system, rising interest rates and inflation, and heightened focus on integrity and transparency.

New technologies are fundamentally changing how people interact with each other, businesses, and governments. New information technology systems can help entities deliver their services more efficiently. Many entities are now considering how they can leverage artificial intelligence. With these technological advancements come opportunities and risks.

Cyber security is the biggest threat to public sector entities and local governments. Protecting information assets with secure systems is critical to Queensland's economic and security interests. It is also important in ensuring the public retains its trust in government entities.



## Cyber security threats

In 2021–22, the Australian Cyber Security Centre reported that:

- 76,000 cyber crime reports were lodged
- a cyber crime report is made approximately every 7 minutes
- cyber crime reported in Queensland is disproportionately higher relative to its population.

The Brisbane 2032 Olympic and Paralympic Games also presents significant opportunities and challenges. The economic benefit is estimated to be \$8.1 billion for Queensland, and \$17.6 billion for Australia. Delivering major events effectively requires careful planning and strong governance. Some host countries have experienced spiralling costs and redundant infrastructure.

While Queensland is emerging from the significant impacts of COVID-19, the flow-on effects are still being felt. This is reflected through stress on the health system and shortages in skilled labour following international border closures during the pandemic.

Queensland's growing and ageing population continues to place increased demand on public services. According to Australian Government forecasts, the Queensland population is expected to increase by 88,000 between 1 July 2022 and 30 June 2026, through the net migration of people to Queensland from other states. In 2021, 17 per cent (875,603) of the population was aged 65 years and older, and it is expected to increase to over 1.3 million by 2036 (a 49 per cent increase).

Issues related to the justice system, particularly youth justice, continue to be an area of focus for the government and the public. For several years, our forward work plan has included a proposed audit on *Diverting young offenders from crime*. This is an area where we have received several recent requests for audit. This audit will be conducted in 2023–24.

The type of information the public and businesses want from governments is also changing. While annual financial reports remain relevant, the demand for non-financial information is increasing. In coming years this will see increased reporting on environmental, social, and governance (ESG) matters, which are important in assessing sustainability and how governments are delivering their services.

Queensland public sector entities and local governments need to stay agile as they respond to these challenges. They must respond to these challenges effectively while remaining financially sustainable in the current economic environment. Our audit work will continue to examine whether entities are delivering on the intended outcomes for these objectives efficiently, effectively, economically, and in accordance with relevant legislation.

# Where we will focus our work

## Introduction

Each year, we develop a 3-year forward work plan that considers the strategic risks facing public sector entities and local governments. We identify the strategic risks by:

- scanning the environment that public sector entities and local governments operate in
- understanding the challenges in public sector administration
- consulting widely with stakeholders to identify and understand their concerns
- examining entities' operations and performance
- analysing the results of our annual financial audits
- analysing the requests for audits we receive from members of the public, elected representatives, public sector employees, and other integrity offices.

Through our plan, we provide transparency to parliament on the work we intend to perform and why we consider it important.







Our plan also gives our clients as much advance notice as possible of the areas we plan to examine. This allows them time to prepare for the audit, including identifying and compiling key supporting information that we may require. Delays in accessing the information required to address our audit objectives can delay the finalisation of our audits and cause undue disruption to entities and their staff.

We also invite the public and all our stakeholders to contribute to our work by making a submission to audits that are in progress at [www.qao.qld.gov.au/contact-us](http://www.qao.qld.gov.au/contact-us).

## Focusing our audits on the right areas at the right time

Our 3-year plan ensures we are auditing the right areas at the right time. We use the intelligence that we gather to decide the audit areas we will focus on in the coming year. These 'focus areas' guide our work in financial audits, performance audits, and other assurance activities.

For 2023–26 we have identified the following 6 focus areas:

 Technology risk and opportunities	 Healthy and safe Queenslanders
 Sustainable communities and environment	 Infrastructure investment
 Governance of government	 Economic risk and recovery

We expect our audit focus areas will remain generally consistent over the life of this plan. However, we acknowledge that during any year government priorities may change through the introduction of new legislation or new initiatives, or the emergence of new risks. This may require us to revise our audit focus areas. If this happens, we will update this plan and tell our clients of our changed focus. As a minimum, we will reassess our audit focus areas annually and, where appropriate, revise them and share the updated focus areas in our revised forward work plans.

## Forward work plan 2023–26 – June 2023

We also prioritise our audit activity to where we believe our insights can most effectively support public sector entities and local governments and the Queensland Parliament. This process ensures we can respond to the most important risks at the right time.

Auditing the right areas at the right time may also require us to audit government programs earlier in their life cycles. By doing this we can provide more timely insights into how the program is performing. Entities can then consider our insights and recommendations and incorporate these into the program in a way that allows them to meet their objectives economically, efficiently, and effectively.

## Responding to Let the Sunshine In

In 2022, the Queensland Government commissioned Professor Coaldrake to conduct a review of culture and accountability in the Queensland public sector.

In his final report, *Let the sunshine in*, Professor Coaldrake highlighted a reluctance within the Queensland Government to be open and transparent. Transparency is vital if a government is to maintain the public's trust.

Professor Coaldrake also identified a loss of capacity in the Queensland public service accelerated by what is now an overreliance on external contractors and consultants.

In his report, Professor Coaldrake made several recommendations that aspire to influence a cultural shift that encourages openness from the top and rebuild the nobility of the public service. The report also included the following recommendations for consideration by the Auditor-General:

- departments more robustly account for the benefits derived from engaging consultants and contractors, with regular monitoring by the Auditor-General, and
- the Auditor-General to carry out performance audits of the lobbying register, ministerial diaries, and public records to ensure record keeping obligations are being complied with.

We have considered Professor Coaldrake's recommendations in developing this plan and proposed to address them through the following audits:

- Lobbying in the Queensland Government (2024–25)
- Improving public sector culture (2025–26)
- Managing consultants and contractors (2025–26).

In addition, we will also commence reporting on the extent to which government departments are using contractors and consultants in our annual state entities report.

Professor Coaldrake also recommended that the Auditor-General be given the discretion to conduct performance audits on government owned corporations (GOCs). This enhanced mandate has now been provided for in section 37A of the *Auditor-General Act 2009* and will enable us to include relevant GOCs in the scope of performance audits identified in this plan, where we consider it appropriate.

Our state entities report will provide a status update on the government's implementation of Professor Coaldrake's recommendations.

## Focus areas for our audits

### Technology risk and opportunities

Emerging technologies are advancing rapidly. They can help deliver better outcomes at lower costs. Equally, they can present unforeseen risks. Public sector entities and local governments must keep abreast of these technology developments and effectively manage the risk and opportunities they present.

Cyber security risks now represent one of the most significant organisational threats, with attacks increasing in intensity and frequency. While entities have an increased focus on cyber risk, every year we continue to find weaknesses in the security of many entities' information systems.

It is important that public sector entities and local governments not only strengthen their controls to reduce the risk of cyber attack, but also take steps to plan for and facilitate recovery in the event of a successful attack.

The Auditing and Assurance Standards Board has also recently updated Australian Auditing Standard ASA 315 *Identifying and Assessing the Risks of Material Misstatement through Understanding the Entity and its Environment*, providing additional guidance to auditors when evaluating risks arising from the use of information technology.

We will focus on:

- assessing the design and implementation of general information technology controls as part of our annual financial audits
- systems and practices to respond to and recover from cyber attacks, including managing third party cyber security threats, and protecting information and students when online
- information technology developments, including monitoring emerging technologies, innovative working solutions, and digital learning environments.

This table outlines the alignment of our audits against the technology risk and opportunities focus area.

Tabling 2023–24	Tabling 2024–25	Tabling 2025–26
<b>Audits that directly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>• Protecting students when online</li> <li>• Responding to and recovering from cyber attacks</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring information is protected</li> </ul>	<ul style="list-style-type: none"> <li>• Providing digital education</li> <li>• Managing third party cyber security risks</li> </ul>
<b>Audits that indirectly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>• State entities 2023</li> <li>• Local government 2023</li> </ul>	<ul style="list-style-type: none"> <li>• State entities 2024</li> <li>• Local government 2024</li> </ul>	<ul style="list-style-type: none"> <li>• State entities 2025</li> <li>• Local government 2025</li> </ul>

## Sustainable communities and environment

A sustainable community manages its human, natural, and financial resources to meet its current needs, without compromising the needs of future generations. To achieve this, all levels of government must work together cooperatively in planning and delivering public services to optimise community outcomes. This also requires Queensland public sector entities and local governments to continually adapt to their changing environments, adopting new ways of managing risks in delivering public services.

The Queensland Government has a range of strategies and plans to create sustainable outcomes for Queenslanders and the environment. *The Queensland Plan* is the state's 30-year vision for how Queensland will become home to vibrant and prosperous communities. It outlines how the Queensland Government intends to manage Queensland's natural resources effectively, protect the environment, invest in renewable solutions, and manage urban sprawl. The *Queensland Sustainability Report* highlights the Queensland Government's approach to managing sustainability risks and opportunities, including climate change.

We will focus on:

- strategies to promote sustainable communities, including managing the supply of teachers, addressing labour and skill shortages, and ensuring regional communities have access to safe, secure, and reliable water
- programs and services to protect the environment, including, managing Queensland's greenhouse gas emissions, and reusing and recycling waste.

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This table outlines the alignment of our audits against the sustainable communities and environment focus area.

Tabling 2023–24	Tabling 2024–25	Tabling 2025–26
<b>Audits that directly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>Managing Queensland's regional water quality</li> <li>Local government 2023</li> <li>Queensland's regions 2023</li> </ul>	<ul style="list-style-type: none"> <li>Managing the supply of teachers</li> <li>Managing waste</li> <li>Sustainability of local governments</li> <li>Local government 2024</li> <li>Queensland's regions 2024</li> </ul>	<ul style="list-style-type: none"> <li>Managing labour and skill shortages</li> <li>Managing Queensland's greenhouse gas emissions</li> <li>Managing volunteer services</li> <li>Preparing for natural disasters</li> <li>Local government 2025</li> <li>Queensland's regions 2025</li> </ul>
<b>Audits that indirectly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>Preparing for the Brisbane Games</li> <li>Major projects 2023</li> <li>Education 2023</li> <li>Energy 2023</li> </ul>	<ul style="list-style-type: none"> <li>Major projects 2024</li> <li>Education 2024</li> <li>Energy 2024</li> </ul>	<ul style="list-style-type: none"> <li>Major projects 2025</li> <li>Education 2025</li> <li>Energy 2025</li> </ul>

## Governance of government

The public expects governments at all levels to uphold high standards of public administration and governance. To achieve these high standards, good governance must not be seen as an exercise in mere compliance. Good governance promotes accountability, integrity, and transparency, and can help entities continuously improve.

Professor Coaldrake noted in his report, *Let the sunshine in*, that the government is not meeting the public's rising expectations that it is accountable, transparent, and acts with integrity. We will focus on:

- assessing the quality and effectiveness of internal controls annually
- examining entities' governance and board structures and their culture and risk management practices
- assessing the transparency and defensibility of decision making in key areas, such as procurement and government grants, and ensuring compliance with legislation and policy
- examining entities' financial reporting, including the reporting of new or emerging risks such as those due to climate change.

We have a tool to assess internal controls, which will help us better communicate with our clients on the strength of their controls and areas they need to improve. The annual internal control assessment tool is [available on our website](#) for entities to use.

Our annual assessment includes 10 key elements of effective internal control:

• Asset management	• Information systems
• Change management	• Monitoring
• Culture	• Procure-to-pay
• Governance	• Records management
• Grants management	• Risk management

Each year we will rotate the internal control elements we examine across entities. Over the next 5 years, we will report results and include insights in relevant reports to parliament.

#### DEFINITION

**Internal controls** are the people, systems, and processes that ensure an entity can achieve its objectives, prepare reliable financial reports, and comply with applicable laws.

This table outlines the alignment of our audits against the governance of government focus area.

Tabling 2023–24	Tabling 2024–25	Tabling 2025–26
<b>Audits that directly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>Preparing for the Brisbane Games</li> <li>Effectiveness of local government audit committees</li> <li>Responding to and recovering from cyber attacks</li> <li>2023 status of Auditor-General's recommendations</li> <li>State entities 2023</li> <li>Local government 2023</li> </ul>	<ul style="list-style-type: none"> <li>Lobbying in the Queensland Government</li> <li>Ensuring information is protected</li> <li>2024 status of Auditor-General's recommendations</li> <li>State entities 2024</li> <li>Local government 2024</li> </ul>	<ul style="list-style-type: none"> <li>Improving public sector culture</li> <li>Managing consultants and contractors</li> <li>Managing third party cyber security risks</li> <li>2025 status of Auditor-General's recommendations</li> <li>State entities 2025</li> <li>Local government 2025</li> </ul>
<b>Audits that indirectly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>Many of our financial and performance audits examine elements of governance. As such, we have not listed individual audits here.</li> </ul>		

## Healthy and safe Queenslanders

Communities thrive when people's safety, health, and wellbeing are prioritised, protected, and maintained. This can be achieved where state and local governments, hospitals, police and emergency services, and other key service providers work together.

First Nations peoples, including children, face considerable disadvantages in health and wellbeing compared to non-First Nations peoples. Under the *Hospital and Health Boards Act 2011*, hospital and health services are required to develop and publish strategies to achieve health equity for First Nations peoples.

We will focus on the Queensland Government's:

- strategies to help Queensland's health system manage increasing pressure and improve the health outcomes of all Queenslanders
- programs and services supporting vulnerable Queenslanders, including ensuring equitable access for First nations peoples
- strategies and methods to ensure communities are safe and appropriately supported by police, emergency services, and other community specialists.

This table outlines the alignment of our audits against the healthy and safe Queenslanders focus area.

Tabling 2023–24	Tabling 2024–25	Tabling 2025–26
<b>Audits that directly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>Diverting young offenders from crime</li> <li>Protecting students when online</li> <li>Minimising potentially preventable hospitalisations</li> <li>Minimising gambling harm</li> </ul>	<ul style="list-style-type: none"> <li>Delivering mental health services</li> <li>Disability access to transport</li> <li>Health 2024</li> </ul>	<ul style="list-style-type: none"> <li>Managing the quality and safety of health services</li> <li>Managing volunteer services</li> <li>Preparing for natural disasters</li> <li>Preventing prisoners from reoffending</li> </ul>

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Tabling 2023–24	Tabling 2024–25	Tabling 2025–26
<b>Audits that directly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>Follow-on audit: Delivering forensic services</li> <li>Health 2023</li> </ul>		<ul style="list-style-type: none"> <li>Managing road safety</li> <li>Health 2025</li> </ul>
<b>Audits that indirectly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>Queensland's regions 2023</li> </ul>	<ul style="list-style-type: none"> <li>Managing waste</li> <li>Queensland's regions 2024</li> </ul>	<ul style="list-style-type: none"> <li>Managing Queensland's greenhouse gas emissions</li> <li>Queensland's regions 2025</li> </ul>

## Infrastructure investment

The Queensland Budget 2022–23 includes a significant infrastructure investment program. Effective and well-maintained infrastructure is important for the health of our economy and Queensland's national and international competitiveness. It can be critical for building industry confidence, creating new jobs, and improving liveability.

Appropriate investment in infrastructure by the state and local governments will also be a key element in Queensland hosting a successful 2032 Olympic and Paralympic Games.

The Queensland Budget 2022–23 includes a \$59 billion capital program over 4 years to 2025–26.

We will focus on:

- the delivery of capital programs led by the private sector by considering whether adequate oversight is maintained and how risk is allocated to the most appropriate entity
- providing updates on the delivery of significant infrastructure projects, including Cross River Rail, Gold Coast Light Rail Stages 3 and 4, Brisbane Metro, upgrades to the Bruce Highway, Queensland pumped hydro, and projects associated with delivering the 2032 Brisbane Olympic and Paralympic Games
- assessing the propriety and probity of procurement decisions and contract and asset management
- planning for capital programs and assessing overall progress against planned expenditure.

This table outlines the alignment of our audits against the infrastructure investment focus area.

Tabling 2023–24	Tabling 2024–25	Tabling 2025–26
<b>Audits that directly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>Preparing for the Brisbane Games</li> <li>Major projects 2023</li> </ul>	<ul style="list-style-type: none"> <li>Managing risk transfer in infrastructure projects</li> <li>Planning for Queensland's long-term infrastructure investment</li> <li>Disability access to transport</li> <li>Major projects 2024</li> </ul>	<ul style="list-style-type: none"> <li>Managing road safety</li> <li>Major projects 2025</li> </ul>
<b>Audits that indirectly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>Education 2023</li> <li>Local government 2023</li> <li>Queensland's regions 2023</li> <li>Energy 2023</li> </ul>	<ul style="list-style-type: none"> <li>Education 2024</li> <li>Sustainability of local governments</li> <li>Local government 2024</li> <li>Queensland's regions 2024</li> <li>Energy 2024</li> </ul>	<ul style="list-style-type: none"> <li>Education 2025</li> <li>Local government 2025</li> <li>Queensland's regions 2025</li> <li>Energy 2025</li> </ul>



## Economic risk and recovery

The Queensland economy is recovering from the impacts of COVID-19. Despite the improved economic conditions being experienced, the economy still faces several challenges from volatility in international trade, geopolitical risks, and rising inflation and interest rates in Australia and globally.

The Queensland Government identified 3 priorities in the 2022–23 state budget, through which it is looking to drive recovery and grow the economy. These are: more jobs in more industries; delivering better services; and protecting the Queensland lifestyle.

Queensland Government borrowings are forecast to be \$129 billion by 30 June 2026. To help manage the increasing debt, the government has invested \$7.7 billion in the Debt Retirement Fund (DRF) to be used for the sole purpose of debt reduction.

In addition, the Queensland Government also holds investments of over \$32 billion to meet its future superannuation obligations and other long-term liabilities. These investments also support other long-term government priorities and programs.

In recent years, favourable economic conditions have led to significant growth in revenue, including royalties. This has resulted in:

- forecast borrowings being revised down
- the investment of windfall gains in royalty revenue to support future capital initiatives.

The anticipated unwinding of exceptionally high coal prices may increase the volatility of the state's revenue in future years.

The Queensland Government also borrows money on behalf of local governments through Queensland Treasury Corporation (QTC). The money borrowed by QTC is on-lent to local governments. The value of local government borrowings with QTC at 30 June 2022 was \$6.2 billion. Should a local government fail to repay its loan to QTC, the state government will be responsible for repaying the debt to the original lenders.

To mitigate the state's financial risk and promote good governance, each local government is required to prepare annual financial sustainability statements that identify key measures of financial sustainability. Our recent audits have identified that over half of Queensland's local governments are at either a moderate or a high risk of not being financially sustainable. This can particularly be a challenge for local governments in remote areas with small populations.

The Department of State Development, Local Government, Infrastructure and Planning has recently developed a new financial sustainability guideline where local governments are grouped into similar categories (known as tiers) to better reflect the varied drivers and challenges across the sector. The new guideline introduces additional ratios and benchmarks (that vary across the tiers) that local governments will report against in their financial statements from 2023–24 onwards.

We will focus on:

- the framework for preparing the state budget and how it supports the government's identified fiscal principles and the objectives and measures identified in key economic plans, such as the *Savings and Debt Plan* and the *Queensland Energy and Jobs Plan*
- assessing the level of government debt and how it is being managed
- providing insights on how the government is investing its surplus funds, how the investments are being managed and the performance of the investments, and how local governments are managing risks of financial sustainability.

This table outlines the alignment of our audits against the economic risk and recovery focus area.

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Tabling 2023–24	Tabling 2024–25	Tabling 2025–26
<b>Audits that directly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>• Preparing for the Brisbane Games</li> <li>• Examining the state budget framework</li> <li>• State entities 2023</li> <li>• Managing Queensland's debt and investments 2023</li> </ul>	<ul style="list-style-type: none"> <li>• Attracting industries and events</li> <li>• Managing risk transfer in infrastructure projects</li> <li>• Sustainability of local governments</li> <li>• State entities 2024</li> <li>• Managing Queensland's debt and investments 2024</li> </ul>	<ul style="list-style-type: none"> <li>• State entities 2025</li> <li>• Managing Queensland's debt and investments 2025</li> </ul>
<b>Audits that indirectly relate to this focus area</b>		
<ul style="list-style-type: none"> <li>• Education 2023</li> <li>• Local government 2023</li> <li>• Queensland's regions 2023</li> <li>• Energy 2023</li> </ul>	<ul style="list-style-type: none"> <li>• Education 2024</li> <li>• Local government 2024</li> <li>• Queensland's regions 2024</li> <li>• Energy 2024</li> </ul>	<ul style="list-style-type: none"> <li>• Education 2025</li> <li>• Local government 2025</li> <li>• Queensland's regions 2025</li> <li>• Energy 2025</li> </ul>

# Appendix A – Planned reports to parliament for 2023–26

This appendix summarises the reports that we plan to table in parliament between 2023–26.

## Reports we will table each year of this plan

Every year, we audit the financial statements, financial sustainability, and risks of Queensland government departments, statutory bodies (including public universities), government owned corporations, and local governments. We target our work on areas with a higher risk of fraud or error in financial statements. We have found that risk increases when there is a higher degree of complexity, or subjectivity (in terms of judgements, assumptions, and estimates), or when there are significant changes or developments.

Our financial audits and reports also respond to risks specific to the public sector, including:

- the probity of matters associated with the stewardship of public sector entities
- the propriety of administrative decisions taken within an audited entity and the associated audit reporting processes
- acts or omissions that have given rise to a waste of public resources
- compliance with relevant acts, regulations, and government policies.

Each year, we assess the quality and effectiveness of internal controls. Our financial audit reports will include our assessments, and areas requiring significant attention by entities. Weaknesses in information systems remains the most common control issue we report on, and cyber security threats are increasing. Accordingly, the security of information systems will continue to be an area of focus for our audits.

Over this forward plan, our reports will include the results of our rotational focus on internal controls. Our assessments utilise tools QAO has developed, which take internal control assessments beyond an effective or ineffective result, to identify where an entity has opportunities to improve the efficiency and/or effectiveness of its controls. We use information from these assessments to share learnings and better practice across the public sector.

We use audit analytics to support our analysis of the performance and sustainability of entities. Where suitable, we have developed dashboards that accompany our reports to parliament. These dashboards are an interactive tool allowing users to explore financial and performance data, and to view summarised information by sector, topic, or theme.

We plan to table the following yearly audit reports in parliament:

### Status of Auditor-General's recommendations



Entities report to us on their progress in implementing recommendations from our performance audit reports. Each report will highlight common themes across recommendations and provide insights into the progress reported by entities.

Our annual reports will include the status of recommendations we made to entities in:

- reports tabled in 2020–21 and 2021–22 (2023–24)
- reports tabled in 2022–23 (2024–25)
- reports tabled in 2023–24 (2025–26).

Each year our reports will also provide a further update on outstanding recommendations (recommendations not implemented or partially implemented) identified in our previous reports.

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## State entities



Most public sector entities prepare annual financial statements and table these in parliament. Our reports summarise the results of audits of Queensland state government entities, including government departments. These reports will also analyse the Queensland Government's financial performance and position and highlight the main transactions for the year.

In response to Professor Coaldrake's recommendation that QAO regularly monitors the use of consultants and contractors by government entities, we will commence reporting on the extent to which consultants and contractors are used by government departments in this report. We will also provide a status update on the government's implementation of Professor Coaldrake's recommendations.

This report will also include commentary on our annual assessment of the quality and effectiveness of internal controls of key entities. This will include our assessment of general information technology controls.

## Managing Queensland's debt and investments



The government holds significant investments that may be used to meet the state's long-term liabilities or to fund future government initiatives. An example is the Debt Retirement Fund that was established to offset state debt.

The state borrows money to fund its longer-term commitments, including investment in major infrastructure projects. The government also has several long-term liabilities such as superannuation and leave entitlements and obligations under various insurance schemes.

These reports will examine how the Queensland Government is managing its debt and investments and will include insights into what the government has invested in and how the investments are managed.

They will examine the main transactions (including significant investments made or changes to investments) and the performance of these investments including cash flows to general government.

## Major projects



These reports will provide insights into the status of major infrastructure projects of the state and local governments across Queensland's regions. We will also provide data and analysis of the planning, coordination, and delivery of the state's capital program.

Major projects likely to be included in the reports include Cross River Rail, Gold Coast Light Rail Stages 3 and 4, Brisbane Metro, upgrades to the Bruce Highway, Queensland pumped hydro, and projects associated with delivering the 2032 Brisbane Olympic and Paralympic Games.

Each year our reports will build on any focus areas from our previous major projects reports.

## Education



Entities within Queensland's education sector help individuals transition through all stages of schooling, providing knowledge and skills to prepare them for future education, training, or the workforce.

These reports analyse the education entities' financial performance and position. They will provide insights into education entities' recovery from COVID-19 and in meeting the educational requirements and needs of population growth in Queensland's regions.

Each year our reports will build on any focus areas from our previous education reports.

## Health



The entities in Queensland's health sector work together to provide a range of healthcare services to Queenslanders and support the wellbeing of Queensland communities.

These reports analyse the health entities' financial performance and position and include assessments of their financial statement preparation processes, internal controls, and financial sustainability.

They will provide insights into how the health system is recovering from the demands of COVID-19, an increasing and ageing population, and changing health needs.

This report will also include commentary on our annual assessment of the quality and effectiveness of internal controls of key health entities. This will include our assessment of general information technology controls. Each year our reports will build on any focus areas from previous health reports.

## Local government



Queensland's local governments – councils – are the first line of connection to communities, providing Queenslanders with a wide range of services such as roads, water and waste, libraries, and parks. These reports summarise the audit results of Queensland's 77 councils and the entities they control.

These reports will also include the results of our assessment of councils' financial statement preparation processes, internal controls, and financial sustainability.

Our financial sustainability assessments will consider the ratios published by the Department of State Development, Infrastructure, Local Government and Planning, as well as what makes a sustainable community in Queensland's regions. Each year our report will build on focus areas from our previous local government reports.

This report will also include commentary on our annual assessment of the quality and effectiveness of internal controls of local governments. This will include our assessment of general information technology controls.

## Queensland's regions



Regional areas within Queensland account for 1.7 million square kilometres across the state. They are home to a network of regional economies and have strengths in industries including agriculture, resources, and tourism.

Given the importance of ports and water supply in Queensland's regions, these reports will include an analysis of the port and water entities' financial performance and position.

These reports will analyse data on state and local government service delivery and support for Queensland's regions, and consider other regional growth and sustainability measures, including employment and economic activity.

In 2023–24, this report will include an assessment of governance at key regional entities. Each year our reports will build on focus areas from our previous reports on Queensland's regions.

## Energy



In Queensland, 5 government owned corporations generate, transmit, and distribute most of the state's electricity needs. They aim to ensure an affordable and reliable energy supply to households and businesses.

These reports analyse the energy entities' financial performance and position and provide insights into the transition to renewable energy and the impact on energy entities' profit and security of energy supply.

Each year our report will build on any focus areas from our previous energy reports.

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## Reports on performance audits

Our performance audits help parliament to hold public sector entities, including local governments, to account for the use of public resources. We also aim to identify ways to improve government service delivery. Increasingly, this requires us to examine government programs earlier in their life cycles and report to parliament with quicker and more targeted performance reviews. This means that significant components of our work will be carried out in response to events and emerging risks.

### Performance audit reports in 2023–24

We plan to table the following performance audit reports in parliament in 2023–24:

#### Preparing for the Brisbane Games



Brisbane will host the 2032 Olympic and Paralympic Games (the Games) in 9 years. The economic benefit is estimated to be \$8.1 billion for Queensland, and \$17.6 billion for Australia.

The initial proposal to host the Games estimated a total cost of \$4.9 billion, with an additional estimate of \$1 billion for the Gabba redevelopment. In February 2023, the government announced that the revised cost estimate to redevelop The Gabba was \$2.7 billion. At the same time, a joint funding agreement between the Queensland and Australian governments was announced supporting \$7 billion in Games-related infrastructure projects.

Key challenges associated with delivering major events that the government and stakeholders need to consider are:

- delivering the Games to an immovable deadline
- ensuring strong governance and delivery structures given the number of stakeholders involved in the Games
- ensuring the budget is clearly determined and effectively managed
- applying effective procurement practices
- planning for long-term legacy benefits
- developing an effective framework for monitoring progress and managing risk
- delivering a climate positive Games.

We intend to deliver a series of audits examining the planning, delivery, and benefits of the Games. The audits will focus on governance, project management, allocation of funds, and the longer-term legacy the Games is expected to bring to Brisbane and Queensland. This will be our first report on the initial preparation and planning for delivering the Games.

#### Who we might audit:

- Brisbane Organising Committee for the 2032 Olympic and Paralympic Games
- Department of the Premier and Cabinet
- Department of State Development, Infrastructure, Local Government and Planning
- selected public sector entities
- relevant local governments.

## Examining the state budget framework



Each year the government prepares a state budget identifying estimated revenues and expenses over the next 4 years. The budget also outlines how the government's fiscal objectives and strategies will support key initiatives and longer-term objectives identified in key documents such as the *Savings and Debt Plan* and the \$62 billion *Queensland Energy and Jobs Plan*.

This audit will examine how the framework for preparing the state budget supports the government's identified fiscal principles and the objectives and measures identified in key economic plans. It may also consider how Queensland Treasury develops key forecasts included in the budget.

**Who we might audit:**

- Queensland Treasury
- selected departments.

## Diverting young offenders from crime



Offending by young people has been an increasing community concern over recent years. Youth offending can stem from a range of complex social problems such as family dysfunction, poor educational outcomes, unemployment, and substance abuse.

In 2022–23, the Queensland Government committed \$78.8 million over 4 years to continue youth justice reforms. This includes strategies to reduce youth offending and keeping the community safe.

The objective of this audit is to assess whether youth justice strategies and programs are effective in reducing crime by serious repeat offenders and improving community safety.

**Who we might audit:**

- Department of Youth Justice, Employment, Small Business and Training
- Queensland Police Service
- Department of Justice and Attorney-General.

## Protecting students when online



Cyber safety is important for protecting students from online bullying and online predators. In February 2021, the Australian Government's e-Safety Commissioner reported that 44 per cent of teenagers had a negative online experience in the 6 months to September 2020. This included being contacted by a stranger, receiving inappropriate content, and receiving online threats or abuse.

In February 2018, the Queensland Anti-Cyberbullying Taskforce made 29 recommendations to address cyber bullying. Subsequently (November 2020), the Department of Education released its *Online safety in Queensland state schools* document and online courses for students in years 3 to 12.

This audit will examine whether the Department of Education is effectively supporting schools to help protect students in their online activities.

**Who we might audit:**

- Department of Education
- selected public schools.



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## Minimising potentially preventable hospitalisations



Queensland hospitals are under increased pressure, with high occupancy rates often cited as causing an increase in emergency department wait times and patient stretcher times. To reduce the rate of potentially preventable hospitalisations, Queensland Health is developing several preventative strategies as part of its *My health, Queensland's future: Advancing health 2026* strategy. These include:

- early disease management
- provision of appropriate and individualised preventative health interventions.

By minimising hospitalisations, the social and economic pressures are reduced on the health system. The Australian Medical Association reported that \$21 billion could be saved over 4 years (2021–22 to 2024–25) by reducing unnecessary hospitalisations and emergency department presentations.

This audit will assess how effectively Queensland Health minimises unnecessary hospitalisations.

**Who we might audit:**

- Department of Health
- selected hospital and health services.

## Minimising gambling harm



Gambling problems can have severe personal consequences, including financial hardship, emotional difficulties, social impacts, employment difficulties, and legal problems. We analysed Queensland gambling data and found that gambling expenditure by Queenslanders has increased by 42 per cent from \$3.2 billion in 2009–10 to \$4.6 billion in 2021–22. The *Gambling harm minimisation plan for Queensland 2021–25* aims to address and minimise gambling-related harm and its impact on the wider community.

This audit will assess the effectiveness of Queensland's strategies to prevent and minimise gambling-related harm.

**Who we might audit:**

- Department of Justice and Attorney-General.

## Follow-on audit: Delivering forensic services



Forensic services play a critical role in criminal investigations. Police, prosecutors, and the courts rely on forensic services to help them identify, exonerate, prosecute, and convict people suspected of committing crimes.

In our audit *Delivering forensic services* (Report 21: 2018–19), we assessed whether agencies deliver forensic services efficiently and effectively to support criminal investigations and prosecutions.

In the Women's Safety and Justice Taskforce's report *Hear her voice*, the taskforce recommended that the Queensland Audit Office follow up the recommendations from our original report.

This audit will assess whether the entities have effectively implemented the recommendations relating to forensic medical examination services and the effectiveness of those services in meeting the needs of victims and the forensic system. Given the recent Commission of Inquiry into Forensic DNA Testing in Queensland, we will not examine the delivery of DNA services, as undertaken by Forensic Services Queensland, and any associated recommendations from our original report.

**Who we might audit:**

- Department of Justice and Attorney-General
- Queensland Police
- Queensland Health.

## Effectiveness of local government audit committees



Audit committees are an important part of governance frameworks. Effective audit committees can catalyse better governance in entities. They help entities become more efficient, effective, and economical, and promote accountability, integrity, and transparency.

Our annual local government reports have repeatedly recommended the importance of local governments having audit committees. The State Development and Regional Industries Committee has also recently recommended that all local governments be required to establish an independent audit and risk management committee.

Following our report *Effectiveness of audit committees in state government entities* (Report 2: 2020–21), this audit will provide insights into the effectiveness of audit committees at local governments.

### Who we might audit:

- Department of State Development, Infrastructure, Local Government and Planning
- selected local governments.

## Managing Queensland's regional water quality



Having safe, secure, and reliable water supplies are critical for the wellbeing of Queensland's regional communities.

Extreme weather events such as bushfires or flooding, farm runoff, industrial waste or ageing infrastructure can contaminate drinking water sources in our regions.

The Department of Regional Development, Manufacturing and Water and Queensland Health work together to regulate water quality. In regional Queensland, local governments are mostly responsible for providing this access. This audit will assess how effectively state and local government entities ensure communities can access safe water.

### Who we might audit:

- Department of Regional Development, Manufacturing and Water
- Queensland Health
- selected local governments
- selected water entities.

## Responding to and recovering from cyber attacks



Cyber attacks result in significant cost and disruption to the delivery of critical public services.

In 2021–22, the Australian Cyber Security Centre reported over 76,000 reports of cyber crime across the country. Queensland had the highest percentage of these reports. In recent years, some Queensland public sector entities have been the subject of successful attacks.

This audit will provide insights and lessons learned on entities' preparedness to respond to and recover from cyber attacks.

### Who we might audit:

- Department of Transport and Main Roads (as the department responsible for Digital Services)
- selected public sector entities.

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## Performance audit reports in 2024–25

We plan to table the following performance audit reports in parliament in 2024–25:

### Attracting industries and events



The Queensland Government has established the \$3.34 billion Queensland Jobs Fund to capture future opportunities in traditional and emerging industries. Each program in the Queensland Jobs Fund has a targeted set of objectives.

In recent years the government has invested significant funds in the Queensland film industry through incentives offered by Screen Queensland. In 2020–21, Screen Queensland predicted that its film and gaming projects would generate \$43 million and support approximately 1,400 jobs for Queenslanders.

Major events such as sporting events and music festivals can also inject millions of dollars into local businesses and support jobs.

This audit will examine whether incentives the Queensland Government offers to attract industries and events to Queensland are delivering value for money and whether the government is effectively managing probity risks.

#### Who we might audit:

- Department of the Premier and Cabinet
- Queensland Treasury
- Department of State Development, Infrastructure, Local Government and Planning
- Department of Tourism, Innovation and Sport
- Screen Queensland
- Tourism and Events Queensland.

### Lobbying in the Queensland Government



Professor Coaldrake's report, *Let the sunshine in*, highlighted several issues with lobbying in Queensland. The impacts of inappropriate lobbying are not easily quantified but can reduce the public's confidence in government decision-making. Lobbying can have significant economic impacts and profound effects on the outcome of public policies.

Professor Coaldrake recommended that the Auditor-General carry out performance audits of the lobbying register, ministerial diaries, and public records to ensure record keeping obligations are being complied with.

The Crime and Corruption Commission reported a substantial increase in recorded lobbying activities in recent years.

This audit will examine whether lobbying practices in Queensland are transparent and comply with legislation.

#### Who we might audit:

- Department of the Premier and Cabinet
- ministerial offices
- selected public sector entities.

## Managing the supply of teachers



Queensland's education environment has been impacted by the rapid increase in population from interstate migration, the impact of vaccine mandates, and fewer students choosing to study teaching at university. These factors may lead to a shortage of teachers in schools in the coming years.

This audit will examine how public sector entities attract and support teachers during their own education pathways, and how the Department of Education supports teachers throughout their careers to improve retention.

**Who we might audit:**

- Department of Education
- Queensland College of Teachers
- selected public universities.

## Delivering mental health services



Each year, 1 in 5 adults experiences a mental disorder, and approximately half experience a mental disorder at some point in their lives.

In June 2022, the Mental Health Select Committee finalised its inquiry into the opportunities to improve mental health outcomes for Queenslanders. It made 57 recommendations. In response to the inquiry, the government developed the *Better Care Together* plan. In the 2022–23 state budget, it committed \$1.6 billion over 5 years to deliver better mental health, alcohol, and other drug services.

This audit will assess how well Queensland's state-funded mental health services are meeting the care needs of Queenslanders. In conducting our audit, we will consider recommendations made by the Mental Health Select Committee and the government's progress in implementing them.

**Who we might audit:**

- Department of Health
- Queensland Mental Health Commission
- selected hospital and health services.

## Managing waste



The government has developed the Queensland Waste Management and Resource Recovery Strategy. Together with the waste management levy, this strategy sets out a framework for Queensland to become a zero-waste society. The framework's objective is to reuse and recycle as much waste as possible and is applicable to industry and state and local governments.

The government's strategy has established the following targets for 2050:

- 25 per cent reduction in household waste
- 90 per cent of waste is recovered and does not go to landfill
- 75 per cent recycling rates across all waste types.

Of the 77 local governments across the state, 74 operate landfill sites and recycling centres. Local governments face a range of financial and operational pressures to manage their waste, including diminishing landfill capacity, increased regulatory requirements (including environmental factors), and waste management levies.

This audit will assess the effectiveness of state government strategies. This will include its effectiveness in assisting councils to manage waste to achieve relevant targets.

**Who we might audit:**

- Department of Environment and Science
- Department of State Development, Infrastructure, Local Government and Planning
- selected local governments.

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## Managing risk transfer in infrastructure projects



The Queensland Budget 2022–23 includes a \$59 billion investment in infrastructure over 4 years to 2025–26. The government plans to use the private sector to manage and deliver some of these projects. It is therefore crucial that entities manage risks through the life cycle of these projects to ensure successful delivery.

This can be achieved through the appropriate transfer of risk to another party to manage.

This audit will examine how effectively public sector entities are identifying, managing, and transferring risks to infrastructure projects.

### Who we might audit:

- Department of State Development, Infrastructure, Local Government and Planning
- Department of Transport and Main Roads
- selected public sector entities.

## Sustainability of local governments



Local governments play a critical role in the viability and vibrancy of local communities. Therefore, it is important for state and local governments to work together to address the sustainability challenges councils face.

This audit will be the fifth in a series of local government sustainability audits that we have undertaken. It will examine the sector's progress in meeting its sustainability challenges.

This audit will consider how effectively the sector has acted to address previous Queensland Audit Office findings and recommendations.

### Who we might audit:

- Department of State Development, Infrastructure, Local Government and Planning
- selected local governments.

## Planning for Queensland's long-term infrastructure investment



The government can help shape the future of the state and the community. Efficient and effective cross state and local government coordination and planning can ensure the right infrastructure investments are made where needed and at the right time. This includes ensuring that economic, social, and environmental factors are appropriately considered.

This audit will assess how efficiently and effectively the government undertakes planning to inform infrastructure investments.

### Who we might audit:

- Department of State Development, Infrastructure, Local Government and Planning
- selected public sector entities
- selected local governments.

## Ensuring information is protected



The ramifications of not protecting information can be significant. Poor practice can lead to sensitive information being exposed. It can jeopardise a person's safety, have reputational risks, and result in significant revenue loss.

The Office of the Australian Information Commissioner reported 396 data breaches between January and June 2022.

This audit will examine how effectively public sector entities maintain confidentiality, integrity, and availability of their information, including their data. We will assess how entities classify, store, report, and retain information.

### Who we might audit:

- Department of Transport and Main Roads (as the department responsible for Digital Services)
- selected public sector entities.

## Disability access to transport



Access to public transport makes it possible for people with a disability to participate in all aspects of community life. In Australia almost one in 5 people is reported as living with some form of a disability. People with a disability experience significant disadvantages due to public transport inaccessibility.

To ensure the needs of people with a disability are considered, the Disability Standard for Accessible Public Transport establishes minimum accessibility standards and time frames for compliance for public transport, infrastructure, and premises. The standard issued by the Australian Government provides guidance to public transport operators and providers to meet their obligations under the *Disability Discrimination Act 1992*. The Act seeks to eliminate discrimination, as far as possible, against people with disability.

This audit will assess whether access to public transport has improved for people with a disability. It will also assess how entities comply with the minimum accessibility standards.

### Who we might audit:

- Department of Child Safety, Seniors and Disability Services
- Department of Transport and Main Roads
- Queensland Rail
- Brisbane City Council.

## Performance audit reports in 2025–26

We plan to table the following performance audit reports in parliament in 2025–26:

## Improving public sector culture



Culture is an integral part of any entity. A good culture can drive success. A poor culture can lead to failure. The Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry highlighted that poor organisational culture can allow, and even drive, misconduct.

Professor Coaldrake's report, *Let the sunshine in*, highlighted several issues about the culture of Queensland's public sector. This included a culture tolerant of bullying and a lack of transparency about government decisions and performance.

This audit will assess the culture of selected public sector entities. It will examine how entities establish their culture, including how they set expectations and promote desired values and behaviours. It will look at how entities understand and assess their culture, and what they are doing to improve it. This audit will also assess the government's progress in implementing recommendations and addressing findings from Professor Coaldrake's review.

### Who we might audit:

- Public Sector Commission
- selected public sector entities.

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## Managing consultants and contractors



Consultants and contractors can provide expert advice, knowledge, and ideas about government policy and specific challenges. They can also help deliver key programs that government could otherwise not deliver. However, an overreliance on contractors can be costly and may have detrimental impacts, such as a loss of capacity and capability across the public sector.

In his report *Let the sunshine in*, Professor Coaldrake recommended that departments should more robustly account for the benefits derived from engaging consultants and contractors, with regular monitoring by the Auditor-General.

This audit will examine how effectively public entities are using consultants and contractors. It will assess how much the government is spending on them, the benefits and value it gets from them, and how effectively it manages them. We will also look at how entities use the expertise and knowledge of contractors and consultants to build their own capability.

### Who we might audit:

- Department of Energy and Public Works
- selected public sector entities.

## Managing labour and skill shortages



A shortage of skills and labour is placing significant pressure on public sector entities and private organisations across the state, nationally, and internationally. The impact of the COVID-19 pandemic and international border closures have contributed to the problem.

Skills and labour shortages also have social and economic impacts. The flow-on effects of COVID-19, along with the changing economic landscape have created challenges in many occupations, including those related to health and teaching, and there are continuing shortages in technician and trade occupations.

This audit will examine how effectively the Queensland Government is identifying and managing the risks associated with labour and skill shortages.

### Who we might audit:

- Department of Youth Justice, Employment, Small Business and Training
- Department of Education
- selected public sector entities.

## Providing digital education



Enabling schools with digital technology and teachers with digital skills means expanding the learning environment. It entails using new and innovative ways to provide teaching services through a mix of physical and digital learning environments.

It is important that the Department of Education (the department) has strategies in place to ensure digital literacy is embedded in the way schools operate.

In our audit *Enabling digital learning (Report 1: 2021–22)*, we presented key facts about the department's technology infrastructure and the connecting parts at the school end.

In this new audit, we will build on this information and present key facts about the use of emerging educational technology in schools, and teacher capacity and capability.

### Who we might audit:

- Department of Education
- selected state schools.



## Managing the quality and safety of health services



Hospital and health services' (HHSs') boards oversee the quality and safety of hospital and health services. There are 16 HHS boards in Queensland.

Mackay Hospital and Health Board was stood down in September 2022 following an investigation that found multiple examples of substandard clinical care and poor management of safety and quality. The Queensland Government is now implementing recommendations as a matter of urgency to strengthen safety and quality processes.

This audit will examine whether HHS boards are effectively managing the quality and safety of patient care and identifying and responding to key risks.

### Who we might audit:

- Department of Health
- Selected hospital and health services.

## Managing Queensland's greenhouse gas emissions



Greenhouse gases have environmental, social, and health impacts.

Since 1970, CO<sub>2</sub> emissions have increased by approximately 90 per cent. The Queensland Government has committed to achieving net zero emissions by 2050 under the *Queensland Climate Action Plan*.

The Queensland Government reports on its environmental, social and governance (ESG) commitments in its *Queensland Sustainability Report*.

This audit will assess how effectively and efficiently Queensland public sector entities are managing their greenhouse gas emissions. It will examine how much greenhouse gas emissions state and local government entities are emitting and their strategies for reducing emissions. It will also consider key targets in the *Queensland Sustainability Report*.

### Who we might audit:

- Department of Environment and Science
- selected public sector entities
- selected local governments.

## Managing volunteer services



Many public sector entities rely on the dedication of tens of thousands of volunteers. Volunteers connect people and provide critical services. In recent years, volunteers have also been pivotal with the Care Army assisting during the COVID-19 pandemic, and the volunteer rural fire brigades assisting during the 2019 bush fires.

The Queensland Plan's community target is to have the highest rates of volunteering and community participation in Australia.

In October 2022, the Queensland Government announced changes to the way emergency services are delivered in Queensland. This will include the transfer of State Emergency Service to the Queensland Police Service.

This audit will assess whether the government is effectively managing its volunteer workforce (for example, the State Emergency Service). The audit may consider issues such as workforce planning, recruitment, training, risk management, and resource allocation.

### Who we might audit:

- Queensland Fire and Emergency Services
- Queensland Police Service
- selected local governments
- selected public sector entities.

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## Preparing for natural disasters



Natural disasters can have devastating impacts. They can cause psychological distress, physical injury, and loss of life. They can also have significant impacts on our economy, infrastructure, and the environment.

Queensland has suffered more economic damage from natural disasters than any other state or territory. In November 2022, the Climate Council reported that disasters had cost Queensland approximately \$30 billion since 1970.

Entities need to work together, with the community, to prepare for natural disasters. They need to plan effectively and build capability and capacity to respond to disasters. They also need to develop appropriate strategies to minimise the impact of natural disasters when they occur.

This audit will assess how effectively state and local government entities prepare for natural disasters.

### Who we might audit:

- Department of State Development, Infrastructure, Local Government and Planning
- Office of the Inspector-General Emergency Management
- Queensland Fire and Emergency Services
- Queensland Police Service
- Queensland Reconstruction Authority
- selected local governments.

## Preventing prisoners from reoffending



In 2021–22, the Queensland Corrective Services reported that 52 per cent of prisoners released from prison returned to prison or a correctional facility within 2 years. It estimates that it costs \$88,000 annually to keep an adult in a corrective service facility.

This audit will examine how effectively Queensland Corrective Services is managing the reintegration and rehabilitation of prisoners back into the community to reduce the risk of reoffending.

### Who we might audit:

- Queensland Corrective Services
- Department of Justice and Attorney-General
- selected public sector entities.

## Managing third party cyber security risks



Cyber security risk is one of the top 3 threats to businesses. The cost of cyber security breaches can be significant, in addition to loss of trust and reputation.

The Australian Cyber Security Centre reported that ransomware attack is the most significant threat facing Australian businesses and governments. They cost the Australian economy up to \$2.59 billion annually.

This audit will examine how effectively the Queensland Government:

- identifies third parties who have access to the Queensland Government's data and network
- assesses the security vulnerabilities the government is exposed to through third parties
- establishes relevant controls to manage third party cyber security risks
- minimises the impact of third party security breaches.

### Who we might audit:

- Department of Transport and Main Roads (as the department responsible for Digital Services)
- selected public sector entities.

## Managing road safety



Road crashes cost Queenslanders an estimated \$6 billion in 2020. They also have significant impacts on our health system, where road trauma accounts for almost 15 per cent of annual hospital admissions.

The Queensland Government has committed \$1.7 billion to deliver its Road Safety Program over the next 4 years.

This audit will assess whether state entities are effectively managing road safety in Queensland. It will examine road planning, design and improvement, and road infrastructure, including in regional communities.

**Who we might audit:**

- Department of Transport and Main Roads
- Department of State Development, Infrastructure, Local Government and Planning
- selected local governments.

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## Appendix B – Acquittal of our prior published plan – June 2023

As part of our annual planning process, we review our 3-year plan to ensure our current audit work reflects and focuses on strategic risks to the public sector. This appendix identifies the changes between our *Forward work plan 2022–25*, published in May 2022, and our current plan. The table below identifies the proposed audit topics in our *Forward work plan 2023–26* and shows:

- where we have changed the timing of some audits from the 2022–25 plan
- the new audits included in our *Forward work plan 2023–26*
- the audits we have removed from our *Forward work plan 2023–26*.

### Changes between the previously published *Forward work plan 2022–25* and our *Forward work plan 2023–26*

2023–24 Audits	2024–25 Audits	2025–26 Audits
<b>Existing topics (no change)</b>	<b>Existing topics (no change)</b>	<b>Existing topics (with timing change)</b>
Examining the state budget framework*	Delivering mental health services*	Providing digital education
Diverting young offenders from crime	Managing waste	Managing volunteer services
Protecting students when online*	Managing risk transfer in infrastructure projects	Preventing prisoners from reoffending
Minimising gambling harm*	Sustainability of local governments	<b>New topics (not previously on plan)</b>
Effectiveness of local government audit committees	Ensuring information is protected*	Improving public sector culture
Managing Queensland's regional water quality*	Disability access to transport	Managing consultants and contractors
<b>Existing topics (with timing change)</b>	<b>Existing topics (with timing change)</b>	Managing labour and skill shortages
Preparing for the Brisbane Games*	Managing the supply of teachers	Managing the quality and safety of health services
Minimising potentially preventable hospitalisations	Planning for Queensland's long-term infrastructure investment	Managing Queensland's greenhouse gas emissions
Responding to and recovering from cyber attacks	<b>New topics (not previously on plan)</b>	Preparing for natural disasters
<b>New topics (not previously on plan)</b>	Attracting industries and events	Managing third party cyber security risks
Follow-on audit: Delivering forensic services	Lobbying in the Queensland Government	Managing road safety

#### Notes:

\* We have changed the names of the following audits:

- 'Ensuring information is protected' was previously titled 'Maturity of data governance frameworks'
- 'Examining the state budget framework' was previously titled 'Financial forecasting by the state government'
- 'Delivering mental health services' was previously titled 'Effective delivery of mental health services'
- 'Protecting students when online' was previously titled 'Effectiveness of cyber safety in state schools'
- 'Minimising gambling harm' was previously titled 'Responsible gambling'
- 'Managing Queensland's regional water quality' was previously titled 'Managing Queensland's regional water supply'
- 'Preparing for the Brisbane Games' was previously titled 'Preparing for the Brisbane Olympics'.

\*\* We removed 'Preventing childhood obesity' from our draft *Forward work plan 2023–26*. This audit will remain on our topic register as a potential future audit.



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In accordance with our *Forward work plan 2022–25*, the following audits are expected to have their reports tabled in 2022–23. While the audits are in progress, and the final reports are expected to be tabled by 30 June 2023, they have not been tabled at the date of this plan and are not included in the table above:

- Health outcomes for First Nations peoples
- Managing invasive species
- Improving asset management in local government
- Deploying police resources.

The following tables provide further background around the changed timing of proposed audits, the inclusion of new audits in our *Forward work plan 2023–26*, and the removal of audits from our prior published *Forward work plan 2022–25* (published May 2022).

Audit topics with timing change		
Audit(s) topic	What's changed	Explanation
• Preparing for the Brisbane Games	Brought forward from 2024–25 to 2023–24	• We intend undertaking a series of audits that examine the planning, delivery, and benefits of the Games. The first of these will focus on governance, project management, allocation of funds, and the longer-term legacy the Games is expected to bring to Brisbane and Queensland. Given the importance of this topic we have moved this forward to ensure any learnings and improvement opportunities can be applied early in the planning phase.
• Minimising potentially preventable hospitalisations	Brought forward from 2024–25 to 2023–24	• As part of our annual planning process, we reassessed our 3-year work plan to ensure we have a balance of audits across parliamentary committees and sectors, including the health sector.
• Responding to and recovering from cyber attacks	Deferred from 2022–23 to 2023–24	• This audit is underway but is expected to table in 2023–24.
• Managing the supply of teachers	Deferred from 2023–24 to 2024–25	• We have pushed back this audit to 2024–25 to give time for the Department of Education to implement actions from the <i>National Teacher Workforce Action Plan</i> (December 2022) and other relevant strategies.
• Planning for Queensland's long-term infrastructure investment	Deferred from 2022–23 to 2024–25	• This audit was initially planned for 2022–23 but was deferred while we complete other infrastructure audits on our program. This move will also allow for consideration of how the Brisbane 2032 Olympic and Paralympic Games will impact infrastructure investment.
• Providing digital education	Deferred from 2024–25 to 2025–26	• As part of our annual planning process, we reassessed our 3-year work plan to ensure we have a balance of audits across parliamentary committees and sectors, including the education sector. Providing digital education remains an important audit for our office but will now be conducted in 2025–26.
• Managing volunteer services	Deferred from 2023–24 to 2025–26	• In October 2022, the Queensland Government announced reforms to Queensland's frontline responders, including the State Emergency Service. We have pushed back this audit to 2025–26 to give time for the reforms to occur.
• Preventing prisoners from reoffending	Deferred from 2024–25 to 2025–26	• As part of our annual planning process, we reassessed our 3-year work plan to ensure we have a balance of audits across parliamentary committees and sectors, including the justice sector.



Forward work plan 2023–26 – June 2023

Audit topics removed	
Audit(s) topic	Explanation
<ul style="list-style-type: none"><li>Preventing childhood obesity</li></ul>	<ul style="list-style-type: none"><li>As part of our annual planning process, we consider whether the work we plan to perform will add value and does not duplicate existing reviews underway. Given the complexity of this area, we have reassessed whether this topic can be best addressed through a performance audit. As such, we have removed this proposed audit from our plan. It will remain on our topic register, and we will reassess its value and priority as part of our annual planning process.</li></ul>



## Appendix C – What we do

We are committed to our purpose of independent valued assurance and insights, and our vision of better public services.

### Our role

The Auditor-General, supported by the Queensland Audit Office (QAO), is parliament's independent auditor of Queensland's state public sector and local government entities, as established under the *Auditor-General Act 2009*.

The Auditor-General is independent and appointed for a fixed 7-year term. The parliamentary Economics and Governance Committee provides oversight of the Auditor-General and QAO.

### Our work

Our vision is for better public services. To achieve this, we:

- provide professional audit services, which include our audit opinions on the reliability of the financial statements of public sector entities, including local governments
- provide entities with insights on their financial performance, risk, and internal controls; and on the efficiency, effectiveness, and economy of public service delivery
- produce reports to parliament on the results of our audit work, our insights and advice, and recommendations for improvement
- support our reports with graphics, tables, and other visualisations, which connect our insights to regions and communities
- conduct investigations into claims of financial waste and mismanagement raised by elected members, state and local government employees, and the public
- share wider learnings and best practice from our work with state and local government entities, our professional networks, industry, and peers.

### Outcomes from our work

The outcomes from our work include:

- improved public sector and local government financial management and reporting
- maintaining confidence in financial accountability, transparency, and reporting
- supporting Queenslanders by providing recommendations to our clients on how they can improve their delivery of public services
- giving parliament independent assurance over the performance of the public sector and local governments.







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 **Queensland  
Audit Office**  
*Better public services*

## 11 Confidential Matters

- 11.1 Update - Recovery of Costs of Appeal - MCU20/050 SDA Property Nominees Pty Ltd v Scenic Rim Regional Council and Ors - Planning and Environment Court Appeal No.BD2001 of 2021, 1 - 11 Eagles Retreat Place, Tamborine Mountain [Closed s.254J(3)(e)]

**Executive Officer:** General Manager Customer and Regional Prosperity

**Item Author:** Manager Regional Development, Health and Biodiversity

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This report is **CONFIDENTIAL** in accordance with Section 254J(3)(e) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following:

- (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.