



**RICHMOND SHIRE COUNCIL
LATE AGENDA
FOR**

**ORDINARY MEETING
TUESDAY 15 OCTOBER 2024
COMMENCING AT 8:00AM**

Item 2. Reports for Consideration – Office of the Chief Executive Officer

Item 2.9 Grid and Gate Policy

EXECUTIVE SUMMARY

The Transport Infrastructure Act 1994 and Transport Operations (Road Use Management) Act 1995 impose a statutory duty on Council to construct, maintain and operate public roads to promote the safe transport of persons and goods, while the Local Government Act 2009 grants Council control of all roads in our local government area.

This policy sets the legal framework for Council to control the existence of grids upon public roads under its control.

OFFICER'S RECOMMENDATION

That Council: adopt the Grid and Gate Policy as presented.

Budget & Resource Implications

N/A

Background

The Grid and Gate Policy has had changes made and the word Gate has been removed as Council no longer want to associate Gates with Council Roads.

Consultation (Internal/External)

Nil

Attachments

Attachment A – Policy

Report prepared by **Peter Bennett (Chief Executive Officer)**



RICHMOND SHIRE COUNCIL GRID POLICY

| | |
|-------------------------------|-----------------|
| POLICY NUMBER: | 082 |
| INFOXPRT REF: | 112313 |
| TIME PERIOD OF REVIEW: | 2 Year |
| DATE OF NEXT REVIEW: | May 2025 |

1. OBJECTIVE

The Transport Infrastructure Act 1994 and Transport Operations (Road Use Management) Act 1995 impose a statutory duty on Council to construct, maintain and operate public roads to promote the safe transport of persons and goods, while the Local Government Act 2009 grants Council control of all roads in our local government area.

This policy sets the legal framework for Council to control the existence of grids upon public roads under its control.

2. APPLICATION OF POLICY

This policy applies to all people who own or intend to install grids across public roads.

This policy provides a simple and consistent process for the management of grids on public roads to allow for the safe movement of stock on roads without causing adverse impact on road users. The policy sets out the specifications required of each grid as well as the process for installing, removing or replacing a grid to allow for the permit holder (owner) and Richmond Shire Council to ensure governance of this policy.

3. DEFINITIONS

In this policy:

1. "Grid" means a structure designed to permit the movement of vehicular traffic along a road but prevents the passage of livestock.
2. "Public Road" means a road for which the local government is responsible.
3. "Permit Holder (owner)" means the person responsible for a grid installed, or to be installed, across a public road who benefit from the grid that is or is to be installed.
4. "Frangible" means to be able to collapse or fall away easily and relatively safely under impact.

4. POLICY PROVISIONS

Responsibility:

A person must not install a stock grid on a public road unless the installation has been approved (permitted) by Council.

It is Council Policy that all stock grids and associated infrastructure are the responsibility of the owner, and installation is at the applicant's expense. The owner of the stock grid is responsible for maintenance of the grid structure, and for the associated fencing within the road reserve.

The permit holder shall accept all liability and must possess a public risk policy of insurance for an amount of at least \$10,000,000.00 (10 million dollars), specifically indicating coverage over the grid and nominating Richmond Shire Council as an interested party. This is required to indemnify owner and Council against all claims for personal injury and property damage resulting from the existence of the grid, including for the initial construction period. Boundary grids shall be indemnified by both parties and Council shall issue a permit for the grid to both parties.

Owners of unauthorised grids will be ordered to remove such structures or alternatively they will be removed by Council with costs recoverable from the property owner.

The permit holder has a duty of care to regularly monitor the condition of the grid to initiate action with respect to maintaining the grid in a safe operating condition for the travelling public.

General:

Council encourages owners to fence out roads to eliminate the need for grids wherever possible/practicable.

All grids located on a designated State controlled road will be referred by the applicant to the Department of Transport and Main Roads.

New Installation:

Applications to install a new grid must be submitted to Council.

Where a grid is installed, the applicants, at their own expense, shall also install a gate. This gate shall be installed in the fence line at a distance of no more than 50 metres from the grid and minimum 4m wide.

It is an offence to lock such a gate, and such gates shall be maintained in good working order to allow ease of access for any member of the travelling public wishing to use the gate.

Objections to an application:

Council will consider all submissions received in relation to an application for a grid but reserve the right to refuse an application based on any objection received.

Existing Grids:

All existing grids require a completed *Application for Grid Permit* and are maintained to the standard specified in this policy.

Where Council requires a grid to be upgraded to meet its current standard, Council will issue a "Notice" to the permit holder, and permit holder shall make all the necessary improvements as listed in the "Notice", at no cost to Council.

The permit holder may approach Council to carry out the works under a private works authorisation on a full cost-recovery basis. In such a case, Council will: -

- provide an estimate of the cost of the work;
- provide an expected date of commencement and completion, prior to the works authority agreement being signed; and
- carry out all works required, at such time as a suitable crew is in the area, so as to minimise travel/establishment costs.

Actual costs incurred will be charged to the permit holder.

Where a complete grid replacement or grid removal is necessary, Council will require the permit holder upgrading the grid to submit a written application to Council, carry out all prescribed works in accordance with Richmond Shire Council Standard Drawings and specifications and pay the replacement and/or removal fee as listing in Council's scheduled fees and charges.

Supply of Grids and Signs:

Council will install grids and signage as per the Richmond Shire Council fees and charges.

Maintenance of Installation:

Maintenance of a stock grid is the responsibility of the permit holder, and due diligence must be exercised proactively in identifying maintenance required to ensure safety of the travelling public, and in initiating remedial action when required.

Should Council identify that works are required to correct any problems, Council will issue a "Notice" to the owner and the owner shall rectify the defects.

If the works are not carried out within the time stated on the "Notice", then Council may undertake the works or remove the grid and recover the costs of such work as a debt due and owing from the owner.

The owner must agree in writing as a condition, prior to installing/upgrading the grid, to pay Council for all maintenance work carried out on the installation, whenever Council is unable to contact the owner within a reasonable period, or if the repair work identified in a "Notice" is not completed within the time stipulated in the "Notice".

In the event of a safety hazard being identified at the grid, the owner is required to immediately correct the problem to a safe condition, which is satisfactory to Council and to full specification level within a period stated in the "Notice".

Permit holder is to include a traffic guidance scheme and traffic management plan. The Director of Works can be contacted for help in this matter.

Council will manage the road either side of the grid.

Other Terms and Conditions:

Subject to satisfactory installation of stock grids, as set out in this policy, the applicants may be issued a permit on the following terms and conditions:

The permit shall continue in force until cancelled by the Local Authority;

1. The permit holder shall maintain the grid in good condition, and shall also ensure the destruction of all noxious weeds for five metres on either side of the grid so that public traffic may not be impeded or obstructed;
2. The permit holder shall secure with a reputable insurer, insurance cover for each stock grid, with respect to public liability of an amount not less than ten (10) million dollars. This insurance cover shall indemnify and keep indemnified both the owner and the Local Authority from and against any claim, action or proceeding in respect to injury or damage to any person or property arising out of the existence of the grid, including for the duration of the construction period;
3. Such insurance shall be maintained current for the duration of the existence of the stock grid;
4. The owner shall within fourteen days of demand, deliver a copy of the insurance policy to the Local Authority as evidence of conformance with their obligations in regard to this condition;
5. If a grid permit is relinquished by the owner, or cancelled by Council, the owner shall be responsible for removing the grid from the road and reinstating the roadway to the standard of the road on either side of the grid. This shall include the removal of any mounding used, and reinstatement and compaction of the gravel surface, and be completed within three (3) months from the date the permit is relinquished /cancelled. If the removal is not completed by the required time, or to the satisfaction of Council, Council will undertake the work and recover the costs of such work as a debt due and owing from the owner.

Location and Alignment:

1. Location

A stock grid shall only be constructed on a public road at the location (specified road chainage) authorised by the Council.

2. Alignment

A stock grid shall be constructed at right angles to the centre line of the road. This may mean that in some circumstances, the alignment of the stock grid will be skewed in relation to the alignment of the fence line.

The centre of the stock grid shall be coincident with the centre of the pavement, whether or not it has been widened for curve requirements, or otherwise.

The grade of the grid shall conform to the longitudinal grade of the road unless directed otherwise by the Director of Works.

The levels of the grid surface (including crossfall) shall be in accordance with the directions of the Director of Works

Construction:

1. Grid Size

Where a grid is being installed or replaced, it must be a minimum of 4 metres x 2.4 metres and 0.5 metres deep, with the option of open ended on a case-by-case basis.

Grids that are existent upon adoption of this policy will be deemed compliant in regard to width. From the adoption date of this policy the minimum grid width for new installation and replacements will be four metres.

2. Ground Preparation

In poor soil conditions Council may require select fill be used beneath the abutment and floor at the cost of the landowner.

In special circumstances the Council may require drainage under the grid which requires a concrete erosion protection slab between the footings at the cost of the landowner.

3. Endwalls/Wingwalls

Endwalls/Wingwalls shall be constructed and installed along with a grid. Their purpose is to prevent earth from collapsing from the road embankment at each end.

4. End Structures/Frangible Zone

Council is concerned to ensure that if there is a collision between a travelling vehicle and posts or rails on the sides of a stock grid, the posts or rails shall provide minimal resistance (i.e. be frangible) and collapse or fall away easily and relatively safely under the impact.

The frangible zone is three metres either side of the grid structure.

Maximum post/rail size within the frangible zone shall be maximum 65mm outside diameter or diagonal with 2.3mm wall thickness steel pipe, or equivalent.

Note that all horizontal rails parallel to the direction of traffic, shall have fully welded connections, and be housed within an outer frame.

No unrestrained horizontal rails parallel to the direction of traffic, of any description, are permitted, as they constitute a potential "horizontal spear hazard" for motorists. If such currently exists, they shall be removed and replaced with an acceptable arrangement.

5. Grid Warning Signs and Width Markers

Reflectorised grid warning signs shall be provided at both approaches to the grid (in accordance with the Manual Uniform Traffic Control Devices (MUTCD). Unless on approach from an arterial road whereby insufficient distance makes insertion of a grid sign ineffectual.

Unless directed otherwise by the Director of Works, warning signs for the grid shall be erected as follows: -

- a) On the left-hand side of the road (facing the oncoming traffic), distant from the grid not less than 75 metres and not more than 200 metres.
- b) Positioned not less than two metres and not more than five metres from the edge of the carriageway unless directed otherwise by the Director of Works.
- c) Angled to the road as necessary to provide satisfactory visibility to approaching traffic.
- d) On galvanised steel pipe, outside diameter/diagonal. 65mm maximum, 2.3mm wall thickness.

All posts shall be erected vertically and shall be embedded a minimum of 600mm into solid ground.

Materials List for 'GRID' signage is as follows: -

| | | | |
|---|---|----------------------------|------------------------------|
| 2 | x | 'GRID' warning signs | (W5-16B) |
| 2 | x | 'ONE LANE' warning signs | (W8-16B) single grids only |
| 2 | x | Posts and sets of brackets | |
| 2 | x | Width marker – Left | (D4-3A(L)) single grids only |
| 2 | x | Width marker – Right | (D4-3A(R)) single grids only |

Following installation by the permit holder the ongoing maintenance of grid signage (including "one lane" sign) will be the responsibility of Council.

In all cases width markers shall be erected at each end of the grid to define the grid width to approaching traffic.

Double Grids:

Where the stock grid is so wide that it requires construction using two separate grid panels, the two grids shall be connected together. The distance between the two grids shall be a maximum of 40mm.

Traffic Control during Installation:

Richmond Shire Council, prior to commencement and during the entire period necessary for installation of the grids, shall take all necessary steps for the protection of the travelling public during excavation, concrete works, laying and setting of the grid and fencing, by: -

- a) erecting suitable barriers together with appropriate warning signs and devices, in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) warning of the work in progress;
- b) constructing a safe and adequate side-track to allow traffic to by-pass the construction site and as directed by Council's Director of Works; and
- c) repairing or causing to be repaired, any damage to the roadway caused through such excavation, concrete works, laying and setting of the grid and fencing, with repairs to be affected in such a manner so as to restore the roadway to a similar state and condition as existed prior to the commencement of the works.

5. POLICY REVIEW

The policy is to be reviewed whenever legislation changes, OR every two years if no changes have been required to be enacted, at the direction of the Chief Executive Officer.

Variations:

The Council reserves the right to vary, replace or terminate this policy from time to time.

Relevant Laws

- Local Government Act 2009
- Transport Infrastructure Act 1994
- Transport Operations (Road Use Management) Act 1995
- Local Law No.1 (Administration) 2011

6. ATTACHMENTS AND APPENDICES

The following is provided as an indicative guide, but the owner is responsible to fulfil their duty of care with respect to the travelling public and initiate their own actions as the need arises. The safety of the travelling public is of utmost importance and urgent action by the permit holder is required when appropriate.

| | |
|---------------------------|--|
| Broken Grid Rails: | 1 rail: to be replaced within 48 hours More than one rail – to be repaired immediately |
| Loose Grid Rails: | Broken welds are to be repaired within seven days |
| Fence Posts Construction: | Maximum post size within the frangible zone shall be maximum 65mm outside diameter/diagonal with 2.3mm wall thickness steel pipe, or equivalent. |
| Road Subsidence: | Where the roadway immediately adjacent the abutments suffers subsidence, the licensee shall take action to fill the depression with sound gravel material to bring the surface back to grade. |
| Visibility: | The owner shall ensure that the structure remains in a highly visible state at all times. Any vegetation growth in the vicinity of, or on the approaches to the structure, which obscures or partly obscures visibility of the grid, shall be removed. The owner shall ensure painted surfaces are maintained in a state of high visibility. |
| Horizontal Spear Hazards: | Any unrestrained horizontal railings aligned parallel to the direction of traffic, shall be immediately removed, as they present a particular hazard to traffic. Wire ties, small bolts or tack welding fixing the rails may not constitute satisfactory restraint in the event of impact by a vehicle. |
| Non-Frangible posts: | Posts of greater structural strength than a 65mm OD steel pipe shall be removed from the “frangible” zone. |

7. IMPLEMENTATION

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

8. APPROVAL

Date of Adoption: 18 January 2022
Policy Reviewed: General Council Meeting 15 May 2023
Resolution Number: 20230516.14

Policy Authorised: Peter Bennett
Chief Executive Officer

Item 2.10 Public Interest Disclosure Policy

EXECUTIVE SUMMARY

A Public Interest Disclosure (PID) is a disclosure in the public interest of information about wrongdoing in the public sector.

The policy will assist the Richmond Shire Council, Management and staff by clearly outlining Council's approach to addressing a Public Interest Disclosure (PID) and to provide direction to persons contemplating making a disclosure. This policy is also intended to support other Council reporting mechanisms in relation to any alleged occurrences of wrongdoing or fraud.

The policy provides Councillors and Officers protection in accordance with the *Public Interest Disclosure Act 2010*, by protecting persons who disclosure unlawful, negligent or improper Council conduct, or conduct which endangers public health or safety or the environment.

OFFICER'S RECOMMENDATION

That Council: adopt the Public Interest Disclosure Policy as presented.

Budget & Resource Implications

N/A

Background

Changes have been made to the Policy to align with current acts.

7. What support and protection is available to me if someone makes a public interest disclosure against me? Has been completely reworded.

11. The confidentiality section has also been changed

Consultation (Internal/External)

Nil

Attachments

Attachment B – Policy

Report prepared by **Peter Bennett (Chief Executive Officer)**



RICHMOND SHIRE COUNCIL PUBLIC INTEREST DISCLOSURE POLICY

| | |
|-------------------------------|-----------------------|
| POLICY NUMBER: | 047 |
| INFOXPRT REF: | 72087 |
| TIME PERIOD OF REVIEW: | 1 Year |
| DATE OF NEXT REVIEW: | September 2025 |

1. OBJECTIVE

A Public Interest Disclosure (PID) is a disclosure in the public interest, of information about wrongdoing in the public sector.

The policy will assist the Richmond Shire Council, Management and staff by clearly outlining Council's approach to addressing a Public Interest Disclosure (PID) and to provide direction to persons contemplating making a disclosure. This policy is also intended to support other Council reporting mechanisms in relation to any alleged occurrences of wrongdoing or fraud.

The policy provides Councillors and Officers protection in accordance with the *Public Interest Disclosure Act 2010*, by protecting persons who disclosure unlawful, negligent or improper Council conduct, or conduct which endangers public health or safety or the environment.

2. SCOPE

As a public sector entity, the Richmond Shire Council is subject to the requirements of the *Public Interest Disclosure Act 2010* and all Council Employees and Elected Members are public officers for the purposes of the legislation (*Section 7 (1) Public Interest Disclosure Act 2010*).

Council has obligations under this Act in relation to the receiving of public interest disclosures and ensuring that persons making such disclosures are protected from reprisals.

In addition, the policy is intended to ensure all elected members and Council employees are aware of their responsibilities by reporting serious misconduct and other important matters adversely affecting the public interest or Council operations.

3. ROLES AND RESPONSIBILITIES

Council as an organisation is responsible for ensuring that appropriate measures are in place to support persons who disclose unlawful, negligent or improper public sector conduct or danger to public health or safety or the environment.

The CEO and Directors are responsible for the implementation and support for this policy and associated procedures.

Employees are responsible for the detection and reporting of fraud or wrongdoing both within their areas of responsibility or where they witness or observe activity, they reasonably consider would constitute reportable behaviour under this policy.

4. TYPES OF REPORTABLE CONDUCT

Under the PID Act, any person can make a disclosure about a-

- Substantial and specific danger to the health or safety of a person with a disability
- Substantial and specific danger to the environment
- Reprisal because of a belief that a person had made, or intends to make a disclosure

In addition, Council officers and Councillors can make a disclosure about the following public interest matters-

- corrupt conduct
- maladministration
- negligent or improper management of public funds
- an act which endangers public health or safety or the environment.

The disclosure may concern the conduct of any Councillor, staff member or anyone contracting to supply goods or services to council.

5. DISCLOSURE PROCESS

If you wish to make a PID, the Councils preferred approach is that you contact the CEO immediately. Alternately, you can make your disclosure to a Director or your supervisor, the Crime and Corruption Commission if it concerns misconduct, the Ombudsman if it concerns maladministration or a waste of public funds. If somebody makes a PID to you (as a public officer of Council), the preferred approach is to contact your Director immediately. If it is in regard to a Councillor, contact the Mayor or CEO.

You should disclose anything you think may be a PID. You do not need proof, as long as you have reasonable grounds to believe that it has occurred.

Where possible, be prepared to give information on:

- a) the name, job title and workplace address of the person the subject of your disclosure
- b) details of relevant events, dates and places
- c) the names of people who may be able to back up what you say
- d) any other evidence that supports your view.

Your disclosure can be made in writing or orally and anonymously if you desire. Where an employee receives an oral PID they should request the discloser to put the details in writing. If they are unable or unwilling to do so the employee receiving the PID should document it and ask the discloser to confirm the contents before signing it.

If circumstances (e.g. telephone caller who remains anonymous) prevent this occurring, the officer receiving the PID should record the date, time and circumstances of the PID. It should then be forwarded to the CEO.

If you wish to make a disclosure to Council please use the following details:

By email: ceo@richmond.qld.gov.au

By letter: The Chief Executive Officer
 Richmond Shire Council
 PO Box 18
 RICHMOND QLD 4670

By phone: (07) 4719 3377

If you wish to make a complaint in person, please phone first for an appointment. If the PID concerns the CEO it should be made to the Mayor.

6. WHAT SUPPORT AND PROTECTION IS AVAILABLE TO ME IF I MAKE A PUBLIC INTEREST DISCLOSURE?

Council will treat all PID's appropriately, take your concerns seriously and ensure your privacy and confidentiality (as far as possible) throughout the appropriate process. You can also be confident of protection against reprisal and bullying and that you will be provided with assistance in contacting the OnBundock Service if you wish to do so.

For more information on how to make a public interest disclosure read "Thinking About Blowing the Whistle: a guide for individuals working in the public sector", which is available from the CCC, QLD Ombudsman and Public Service Commission websites.

For those making a PID, Section 36 of the *Public Interest Disclosure Act 2010* states that a person is not liable civilly, criminally or under an administrative process for making a PID or because of a belief that an employee has made or may make a PID in accordance with the *Public Interest Disclosure Act 2010*.

If you make a disclosure, you are reminded that the matters surrounding the investigation will be confidential and you are requested to maintain the integrity of the process by not discussing it with your work colleagues or others unconnected with this matter. All statements and correspondence in regard to the matter should be regarded as strictly confidential. Please note that the confidentiality provision will not preclude you from sharing this information with your industrial union representative/support person.

Council has the responsibility to adequately support any person making a disclosure, witness to a PID and the subject officer.

7. WHAT SUPPORT AND PROTECTION IS AVAILABLE TO ME IF SOMEONE MAKES A PUBLIC INTEREST DISCLOSURE AGAINST ME?

Council Officers who have had a PID made against them are assumed to be innocent of any adverse allegation until there is evidence to the required standard of proof to show otherwise. The rules of natural justice apply to any subject officer under investigation in respect of an allegation made against them. In such instances, the subject officer has the right to-

- Know the substance of the allegations if a decision is going to be made about their conduct
- Have a reasonable opportunity to put their case forward (whether in writing, at a hearing or otherwise)
- Have a decision maker act fairly and without bias.

Providing natural justice does not mean that the subject officer should be advised of the allegation as soon as it is received. The subject officer needs not to be told about an allegation if it is-

- Misleading
- Has no substance
- Not intended to act on the allegation

Persons against whom an allegation has been made should be reassured that the PID will be assessed impartially, objectively and reasonably and that it is only an allegation until any evidence collected shows otherwise. They will be provided with information about their rights, and the progress and outcomes of any investigation undertake.

Subject officers may seek assistance from their industrial union or engage their own legal representative at their own expense, during the process of an investigation of any allegations raised against them. Employees may also utilise the services of the OnBundock for advice and counselling. This service is a confidential counselling and support to staff through stressful

8. INVESTIGATION PROCESS

To ensure the integrity of the investigation process for public interest disclosures, the Council will at all times during the investigation of public interest disclosures:

- preserve confidentiality;
- follow approved processes to manage public interest disclosures and to protect staff from reprisals;
- deal decisively with reprisal and possible reprisal;
- record disclosures;
- verify disclosures;
- provide training to staff in the management of public interest disclosures; and
- provide reasonable information to the discloser on the results of the investigation.

All disclosures made under the Act will be investigated by the Public Interest Disclosures Investigation Officer. Council may engage the services of a specialist investigator and provide some practical guidance on undertaking an investigation of this type.

If as a result of investigation, the information about wrongdoing provided in the PID is substantiated, appropriate action will be taken.

Where the investigation does not substantiate wrongdoing, Council will review systems, policies and procedures to identify whether there are improvements that can be made and consider if staff training is required.

Council may refer a disclosure onto the CCC, police, ATO or another public sector entity, where considered appropriate.

9. REPORT TO THE DISCLOSER

The Council is committed to making the practice of corporate compliance and ethical conduct an integral part of its culture. To further encourage this, the Council will provide the Discloser with feedback on the outcome of the investigation and action taken.

10. PROTECTION OF THE DISCLOSER

A Discloser is not protected under the Act if the disclosure involves any wrongdoing on the part of the Discloser.

The Council recognises that the Discloser may not wish to be identified during the course of an investigation. In such circumstances, the Council will do everything possible to protect their identity and will not disclose it without their consent except as required by law. If it proves impossible to resolve the matter without revealing the identity of the Discloser, the Public Interest Disclosures Investigations Officer will discuss with them whether and how Council will

proceed with the matter, which may include relocating them to another position within Council or a leave of absence during the investigation.

The Chief Executive Officer may intervene directly to protect the Discloser and take immediate action to deal with suspected reprisal.

11. CONFIDENTIALITY

Strict confidentiality is to be maintained at all times in relation to reporting and investigation of PIDs.

Council has a duty under the *Public Records Act 2002 (Qld)* to make, keep, manage and dispose of public records, Crime and Corruption Commission and Queensland State Archives 2009 or the Queensland Ombudsman can provide further advice. If the PID was made orally, Council must ensure that the written version of the PID is accepted as accurate by the discloser.

All records of public interest disclosures and their investigation will be kept in the official, central records system and will be kept strictly confidential. Responsibility for creating records and for fulfilling Council's reporting obligations rests with the PID Coordinator.

12. REPRISAL

If a person making a PID has concerns about reprisal being taken against them because of the disclosure, under the *Public Interest Disclosure Act 2010*, the person can be given special protection to prevent this occurring.

If you feel as though you have been disadvantaged or subjected to a reprisal for making a disclosure, you should raise the issue with the CEO. Section 40 of the *Public Interest Disclosure Act 2010* makes it an offence for an employee to take reprisal because of a belief that another person has made or intends to make a Public Interest Disclosure.

13. DEFINITIONS

Discloser is a person who makes a public interest disclosure in accordance with the Act. A discloser may or may not wish to remain anonymous.

Public interest disclosure is disclosure of public interest information covering unlawful, negligent or improper conduct, or substantial misuse of public resources, or information about a substantial or specific danger to public health or safety or the environment.

Public Interest Disclosures Investigation Officer is the council officer designated by the Chief Executive Officer who is responsible for the management and conduct of investigations into public interest disclosures.

Reportable conduct is conduct by a person or persons connected with council which is:

- dishonest
- fraudulent
- corrupt
- illegal (including theft, drug sale/use, violence or threatened violence and criminal damage against property)
- a breach of legislation or local laws
- unethical (either a breach of council's Code of Conduct for Staff or generally)
- serious improper conduct
- unsafe work practices

- conduct which may cause financial or non-financial loss to the council or be otherwise detrimental to the interests of the council
- gross mismanagement
- serious or substantial waste or
- repeated instance of breach of administrative procedures.

Reprisal occurs when a person attempts to cause or causes detriment to anybody because of a belief that a person intends to or has made a public interest disclosure.

Staff includes Councillors, employees, volunteers and all others who perform work on behalf of council.

Subject officer is the person about whom the public interest disclosure is made.

14. LEGISLATION

- *Local Government Act 2009*
- *Public Interest Disclosure Act 2010*
- *Crime and Corruption Act 2001*
- *Ombudsman Act 2001*
- *Public Sector Ethics Act 1994*
- *Public Records Act 2022*
- *Information Privacy Act 2009*

15. IMPLEMENTATION

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

16. APPROVAL

Date of Adoption: 19 May 2015
 Policy Reviewed: General Council Meeting 15 October 2024
 Resolution Number:

Policy Authorised: Peter Bennett
 Chief Executive Officer

Item 2.11 Quality Part Time Work or Flexible Arrangements Policy

EXECUTIVE SUMMARY

To offer quality part time work or flexible arrangements to employees in accordance with the National Employment Standards.

OFFICER'S RECOMMENDATION

That Council: adopt the Quality Part Time Work or Flexible Arrangements Policy as presented.

Budget & Resource Implications

N/A

Background

Changes have been made to the Policy to align with current acts and procedures.

Consultation (Internal/External)

Nil

Attachments

Attachment C – Policy

Report prepared by **Peter Bennett (Chief Executive Officer)**



RICHMOND SHIRE COUNCIL FLEXIBLE ARRANGEMENTS AND QUALITY PART TIME WORK POLICY

POLICY NUMBER: 020
INFOXPRT REF: 65929
TIME PERIOD OF REVIEW: 2 Year
DATE OF NEXT REVIEW: September 2026

1. OBJECTIVE

To offer quality part time work or flexible arrangements to employees in accordance with the National Employment Standards.

2. SCOPE

The policy applies to the employees of the Richmond Shire Council with particular emphasis on:

- an employee who is a parent or carer, or has responsibility for the care of a child under school age;
- an employee who has the care of a child who is under 18 and/or has a disability;
- an employee who is over the retirement age of 65;

3. DEFINITION

Flexible working arrangements may include but not limited to changes in hours of work, changes in patterns of work and changes in location of work.

4. PURPOSE

The purpose of this policy is to support employees who wish to request flexible working or part time working arrangements. It recognises the value placed on the contribution made by staff and the need to retain quality staff but also the need to monitor and review such arrangements for any impacts to Council operations.

This policy should be read in conjunction with Richmond Shire Council Certified Agreement.

5. POLICY STATEMENT

Council is an equal opportunity employer and already offers a range of flexible working arrangements such as 9-day fortnight, 19-day month and accrual of TOIL. Council will endeavour to be flexible in allowing staff to attend school events or other appointments as arranged with their direct supervisor by altering ordinary work hours.

Council acknowledges that different employees may work under different arrangements from the standard working hours depending on individual circumstances, however it is a preference that the majority of employees work standard ordinary hours to achieve and maintain productivity.

6. POLICY

Council is committed to providing work life balance in two key areas:

1. by considering flexible work arrangements within the scope of this policy;
2. by providing information to employees about how to achieve work life balance

Council will consider flexible working or part time working arrangements for employees within the scope of this policy.

Where it is not possible to meet a request for part time or change of location - flexible work options will be considered to assist employees to balance work and family responsibilities. e.g. staggering start and finish times.

Council will make every effort to ensure that part time staff can attend training or staff meetings on the days that they work.

Council acknowledges that a request for part time work does not mean having a part time worker doing a full time job.

Employees who work part time in Council have the same protections as the full time workforce, including job protection and predictability of hours.

Employees who work part time will receive pro-rata wages and access to benefits.

Employees who work part time in Council are encouraged to participate in training and can apply for promotion.

Any arrangement that an employee has with the Council is confidential however, co-workers and members of the public may need to be aware of the agreed work hours for contact purposes.

Council will undertake a review of any arrangement and retains the right to refuse or withdraw an arrangement at any time based on reasonable business grounds or when eligibility no longer applies e.g. child reaches school age.

If there are doubts about whether an arrangement will work, Council may agree to a trial period.

7. PROCEDURE

An employee will make the request in writing and develop a formal proposal. The proposal should include the following information:

- What type of arrangement are you seeking?
- What period of time do you request the arrangement for?
- What year will your child commence school (if applicable)?
- Provide details on how your duties will be affected and a proposed plan of how it can be managed?
- How will Council be able to maintain customer services standards and/or operational standards?

Council will provide a written response within 21 days and consider each request objectively and sensitively based on the following criteria:

- The employee's family responsibilities in accordance with the National Employment Standards;
- The employee is of retirement age;
- The nature of the role;
- That quality work can be provided;
- That customer service standards can be maintained;
- The impact on team or business requirements;
- The cost to Council;
- There are adequate replacement staff;
- There will be no loss of productivity

- Any other reasonable business grounds

8. LEGISLATION

- *Fair Work Act 2009*
National Employment Standards – Division 4 Requests for flexible working arrangements
- *Industrial Relations Act 2016*
Division 4 Flexible working arrangements

9. IMPLEMENTATION

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

10. APPROVAL

Date of Adoption: 15 February 2011
Policy Reviewed: General Council Meeting 15 October 2024
Resolution Number:

Policy Authorised: Peter Bennett
Chief Executive Officer

TIPS FOR EMPLOYEES ON WORK LIFE BALANCE

Every employee has a responsibility to contribute to their own work life balance. Here are some tips to help you achieve that:

Look after your health

Your health should always be your number one priority.

Take time out for yourself

As much as your work and family takes priority in your life, it's important that you schedule "me time".

Manage your time

Learn how to use your time more effectively — both at work and home

- create to-do lists and prioritise tasks,
- avoid time wasters like surfing the Web and e-mail,
- share the load (both at work and home wherever you can),
- set yourself time limits and boundaries.

Learn to say "no"

Taking on too many tasks can be to your detriment. Learn to say no to things when there's too much on your plate. This applies to both work and personal events/tasks. Rather than feeling guilty, you'll learn that saying "no" can be really empowering.

Separate work and family life

Australia may be a laid-back nation but as workers, we are working longer and longer hours. And many of us are "addicted to work" and failing to separate our working life from our family life.

Use up your annual leave

Most of us are allowed four weeks or more annual leave a year, but rarely take it. Remember, it's there for a reason — to provide you with some much-needed R&R.

Take a career break

If work's getting too much and your health's really suffering, taking time out to think about your career and what really matters in your life could be the perfect solution.

Item 3 Reports for Consideration – Corporate Services

Item 3.2 Operational Plan

EXECUTIVE SUMMARY

As required by Section 174(3) of the *Local Government Regulation 2012*, a progress report on the implementation of Council's 2024/2025 Operational Plan at the end of the September quarter is tabled for Council's consideration.

OFFICER'S RECOMMENDATION

That Council: receive and note the Quarter 1 progress report of RSC 2024/2025 Operational Plan for the September 2024 reporting period.

Budget & Resource Implications

N/A

Background

The purpose of this report is to provide a monthly update on Council's overall financial position.

Consultation (Internal/External)

Internal: Peta Mitchell – Director of Corporate Services

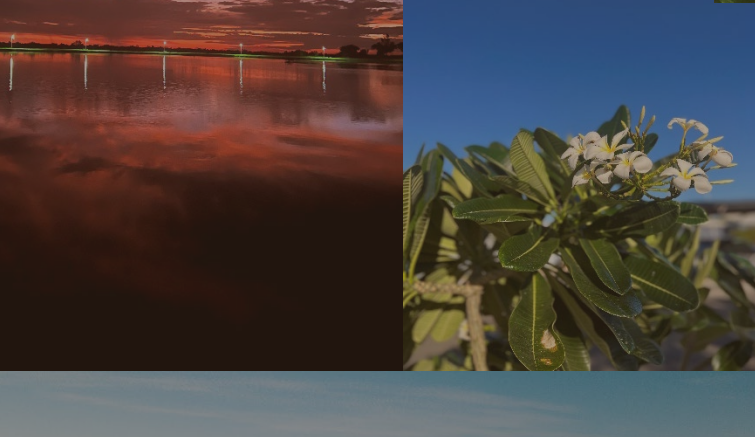
Attachments

Attachment D – Operational Plan

Report prepared by **Peta Mitchell (Director of Corporate Services)**

OPERATIONAL PLAN

2024 - 2025



**RICHMOND SHIRE COUNCIL
INTRODUCTION**

ABOUT THE OPERATIONAL PLAN

The Richmond Shire Council 2024-2025 Annual Operational Plan is required to be developed in accordance with the *Local Government Regulation 2012* and focuses on the actions that Council staff are expected to take through the 12 month period in order to implement the longer term goals detailed in the Richmond Shire Council Corporate Plan 2023-2028.

In accordance with the provisions of *Section 175* of the *Local Government Regulation 2012*, an annual operational plan must:

- (a) be consistent with the annual budget; and
- (b) state how the Local Government will -
 - (i) progress the implementation of the 5 year corporate plan during the period of the annual operational plan; and
 - (ii) manage operational risks; and
- (c) include an annual performance plan for each commercial business of the local government.

Richmond Shire Council does not operate any commercial business units.

All day to day core business activities and services are not necessarily listed in the the Plan; instead the Plan focuses on initiatives and services that will be required in the current financial year to achieve the Council's long term corporate objectives.

The Corporate Plan 2023-2028 provides a blueprint for the future of our community and establishes priorities and outlines strategies which best reflect the needs of our community for today and into the future. In accordance with *Section 174 (3)* of the *Local Government Regulation 2012* Council's Chief Executive Officer is responsible for preparing quarterly reports to the Council on the progress of the implementation of the Plan. These reports ensure that Council's elected members and staff are accountable for the progress made in meetings Council's annual operational plan goals.

1. OUR COMMUNITY

To facilitate and foster a wide range of quality services, projects and opportunities that promote activity, health and prosperity in the community.

| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
|--|-----------------------|---|--------------------------------|
| 1.1 Recognise and promote heritage and cultural life | Councillors, CEO | Develop Stage 3 of Kronosaurus Korner and prepare designs. | Waiting on funding |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 1.2 Raise the profile of Richmond as a great place to live, work and visit | Councillors, CEO | Continue to provide support community clubs and organisations | Ongoing |
| | Councillors, CEO | Heating of swimming pool to allow for year round access. | Waiting on Ergon power upgrade |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 1.3 Promote a new hospital to be built for Richmond | Councillors, CEO | Continue to work with the State Government for the development and construction of the new Richmond Hospital. | Ongoing |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 1.4 Promote a Queensland Ambulance Service standalone service for Richmond | Councillors, CEO | Continue to work with the State Government and emergency services to advocate for Ambulance Service. | Ongoing |

2. OUR ENVIRONMENT

To maintain and enhance a healthy living environment

| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
|--|------------------|--|--|
| 2.1 To investigate and promote solar and renewable energy sources | Councillors, CEO | Installing solar panels on Council infrastructure. | Planning stages |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 2.2 Mitigate the impact of natural disasters through best practice disaster management. | Councillors, CEO | Provide a bulk kerbside waste collection annually before storm season | Planned for November |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 2.3 Maintain and improve infrastructure that promotes an active lifestyle like the football oval, walking tracks, gym, lake and racecourse | Councillors, CEO | Upgrade of lighting at Charlie Wehlow Football oval to improve night time playing conditions | Lights have been installed at Charlie Wehlow |

3. OUR ECONOMY

To facilitate and foster economic development, industries, innovative projects, while continually upgrading and maintaining public infrastructure, to meet the growth of the Shire

| ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
|---|-----------------------|--|----------------------------------|
| 3.1 Work with mining groups, Copper String and emerging industries to grow Richmond | Councillors, CEO | Continue to work with Copper String and other mining groups to allow for development in the Shire. | Copper String construction began |
| ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 3.2 Attract and retain skilled workers and residents | CEO | Complete Enterprise Baragaining Agreement | Draft EBA ready |
| ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 3.3 Investigate future locations for residential and industrial land | CEO | Work with the State Government to purchase land for future development. | Surveying of land starting |

4.OUR LEADERSHIP

To pursue excellence as an organisation through transparent and accountable Local Government that provides professional, strategic and operational management and leadership

| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
|--|------------------|--|--------------------------------|
| 4.1 Establish scholarships and mentoring programs to foster young leaders. | Councillors, CEO | Continued availability of university sholarships for Richmond residents. | Ongoing |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 4.2 Councillors are regularly available for community members to raise issues of concerns. | Councillors, CEO | Councillor contact information is available on the Council's website and up to date. Regular information is released through Council Newsletter, Council Communication emails and Facebook page. | Newsletter produced each month |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 4.3 Participate in regional collaboration | Councillors, CEO | Continued membership in groups such as Regional Roads and Transport Group and North West Queensland Regional Organisation of Councils. | Continued membership |

5. OUR SERVICES

To plan for future infrastructure requirements to meet the growth of the Richmond Shire while continually upgrading and maintaining Council's road network, assets and facilities

| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
|--|------------------|---|--------------------------------------|
| 5.1 Continuous upgrades to the Council's water, sewerage and stormwater. | Councillors, CEO | Sewerage CCTV Inspection and Water Reservoir and Pipe Clean | Planning stages |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 5.2 Increase resident satisfaction with Council's local road network | Councillors, CEO | Maintenance grading, pothole patching and sealing as required. | Ongoing |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 5.3 To seek funding for further development of Council's building infrastructure | Councillors, CEO | Seek funding to upgrade and lengthen the Richmond Airstrip | Approval received for planning stage |
| CORPORATE PLAN ACTION | RESPONSIBILITY | PERFORMANCE MEASUREMENT | UPDATE |
| 5.4 Implement Shire roads improvement program | Councillors, CEO | Upgrade plant and equipment in accordance with Council's replacement program to maintain a quality fleet. | Ongoing - New stabilizer arrived |

Item 4. Reports for Consideration – Community Services

Item 4.11 Lions Christmas Party

EXECUTIVE SUMMARY

Annually Council provides the fireworks for the Lions Christmas Party. Cost of the display is approximately \$3,300.00

OFFICER'S RECOMMENDATION

That Council: The Council continue to support the Lions Christmas Party Fireworks Display to the value of \$3,300.00

Budget & Resource Implications

\$3,300.00

Background

Richmond Shire Council annually supports the Lions Christmas Party by providing the fireworks display.

Consultation (Internal/External)

Nil

Attachments

Nil

Report prepared by Angela Henry (**Director of Community Services and Development**)