



# **ATTACHMENTS TO MINUTES ORDINARY COUNCIL MEETING**

**17 JANUARY 2024**



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## Advertising Expenditure Policy

Policy Number:	PL-GV012
Department:	Executive Services
Section:	Communications & Marketing
Responsible Manager:	Media and Consultation Officer
Date Adopted:	25 June 2008
Date to be Reviewed:	10 January 2026
Date Reviewed:	10 January 2024
Approved by CEO:	

### REVISION RECORD

Date	Version	Revision description
19/09/12	2	Revision
29/04/14	3	Revision
26/10/16	4	Reviewed and Updated.
17/06/20	5	Revision

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## **1 Purpose**

In accordance with s197 (1) of the Local Government Regulation 2012 Council must prepare and adopt a policy about its spending on advertising. Relevantly s.197 (3) defines “Advertising” as “promoting, for the payment of a fee, an idea, goods or services”.

In accordance with s.197 (2) of the Local Government Regulation 2012 a local government may spend money on advertising only-

- a) if-
  - i. the advertising is to provide information or education to the public; and
  - ii. the information or education is provided in the public interest.

Advertising expenditure must only occur where these requirements are met. It should not be used to promote the particular achievements or plans of a particular Councillor or groups of Councillors.

Advertising must not constitute ‘election material’ (as defined by the Section 90D(2) *Local Government Act 2009*) during the ‘caretaker period’ including for example a fact sheet, direct mail out or newsletter that raises the profile of a Councillor.

## **2 Scope**

This policy applies to any paid advertisement or notice in any media, to promote goods or services (including facilities) provided by Council. This policy applies to all Council officers including procurement officers who advertise tenders and recruitment officers who advertise job vacancies for Council. This policy applies to all Councillors, Council employees and contractors.

## **3 Legislative Context**

- Local Government Act 2009
- Local Government Regulation 2012, s 197 (3)
- Local Government Electoral Act 2011

## **4 Related Documents**

- SDRC Procurement Policy PL-FA010
- Adopted Budget
- Community Engagement Policy
- Procurement Policy
- Caretaker Policy

## **5 Policy Details**

Council may incur expenditure for advertising only if the advertising is for providing information or education to the public, and the information or education is provided in the public interest. Advertising should not be used to promote the particular achievements or plans of individual Councillors or groups of Councillors. Advertising that is paid for by the Council should not be used to influence the voters in an election.

### 5.1 Acceptable Advertising Expenditure

Section 197 of the *Local Government Regulation 2012* states that Council may spend money on advertising only if:

- i. the advertising is to provide information or education to the public; and
- ii. the information or education is provided in the public interest; and
- iii. in a way that is consistent with the local government's advertising spending policy.

### 5.2 Advertising Expenditure Approval

No Council advertising is to be undertaken unless the necessary expenditure has been approved by the Chief Executive Officer, a Senior Manager, or an officer to whom authority has been delegated by the Chief Executive Officer.

All officers incurring and authorising advertising expenditure shall do so in accordance with relevant financial delegations and Council's Procurement Policy, and must ensure that:

- a) the appropriate branding and current corporate style guide has been followed
- b) the expenditure is in accordance with this policy and related SDRC policies have been consulted (e.g. Procurement, IT, Media and Social Media policies)
- c) the expense is reasonable in comparison to the audience reached
- d) falls generally within the type of advertising listed in this policy and is seen as appropriate to Council's business purposes
- e) properly documented and available for internal and external scrutiny, including the provision of detailed tax invoices and receipts
- f) it appears appropriate and reasonable and can withstand the 'public defensibility test'
- g) it is for official Council purposes only and incurred in providing a service in the public interest
- h) it is approved for in a work program / budget and be authorised in accordance with Council's normal accounting financial management procedures.

### 5.3 Acceptable Advertising Expenditure

Advertising expenditure may include:

- Advising the public about new or existing services, programs, facilities and venues
- Advising the public about changes to existing services, programs, facilities and venues
- To increase the use of a service, program, facility or venue
- To achieve Council's plans, goals and objectives
- Advising the public of Council meetings, outcomes, legislation and proposed policies
- Requesting public feedback or comment on Council's business
- To recruit staff, acquire or dispose of property, plant and equipment, promote tenders and expressions of interest
- Promoting tenders for work required by Council to advance projects and programs
- Promote the economic development and sustainability of the region
- To effectively engage with the Community as part of Council's Community Engagement Policy

- To promote the Southern Downs Council region; and
- To comply with applicable legislation
- Promotional materials that feature official customer contact phone numbers, website and email addresses (i.e. fridge magnets, notepads, promotional items etc).

#### **5.4 Unacceptable Advertising Expenditure – Caretaker period**

Section 90D (1) of the Local Government Act 2009 states that *A local government or a controlled entity of a local government must not, during a caretaker period for the local government, publish or distribute election material.*

- Election material as defined by 90(D)(2) of the Local Government Act 2009, is anything able to, or intended to-
  - influence an elector about voting at an election; or
  - affect the result of an election.
- The adoption of tight controls over advertising, in the period in question is viewed as a matter of good governance in the lead up to an election so as to bring about levels of fairness and provide a level 'playing field' for all persons seeking office in local government.

Accordingly, Council must not in the caretaker period:

- a) place advertisements relating to future plans unless, unless those plans have been formally adopted by Council or approved by Council or the Chief Executive Officer for public consultation prior to Council consideration of such plans.
  - b) advertise or promote the activities of a Councillor.
  - c) publish or promote divisional news in a monthly local newsletter or publication at the Council's expense either directly or indirectly or through any arrangement that offers editorial space for advertising paid for by the Council.
  - d) place advertisements (including on digital communication platforms) which seek to influence support for a particular Councillor, groups of Councillors or potential candidates in a local government election.
- Note: A by-election does not in itself result in the application of the above restrictions on advertising.
  - The above provisions do not preclude Councillors appearing in unpaid publicity or other publicity.

#### **6 Next Review**

This Policy is to be reviewed annually as part of Budget process



## 7 Definitions

Term	Meaning
Advertising	Defined by the Local Government Regulation 2012, section 197, as promoting, for the payment of a fee, an idea, goods or services to the public
Caretaker period –	<p>Section 90A of the Local Government Act 2009 defines the caretaker period as:</p> <p>(1) The ‘caretaker period’ for a local government is the period during an election for a local government that -</p> <ul style="list-style-type: none"> <li>(a) starts on the day when public notice of the holding of the election is given under the Local Government Electoral Act 2011, section 25(1); and</li> <li>(b) ends at the conclusion of the election.</li> </ul> <p>(2) There is no caretaker period during a by-election or fresh election</p> <p>(3) The exact dates of a caretaker period are determined by the Electoral Commission of Queensland (ECQ)</p>
Election material	<p>– Section 90D(2) of the Local Government Act 2009 defines election material as anything able to, or intended to:</p> <ul style="list-style-type: none"> <li>(a) influence an elector about voting at an election; or</li> <li>(b) affect the result of an election.</li> </ul> <p>Example a fact sheet, direct mail out or newsletter that raises the profile of a councillor</p>



## Rural Water Connection Policy

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<b>Policy Number:</b>	PL-131
<b>Policy Type:</b>	Operational
<b>Department:</b>	Infrastructure Services
<b>Section:</b>	Water
<b>Responsible Manager:</b>	Manager - Water
<b>Date Adopted:</b>	17 January 2024
<b>CEO Signature:</b>	
<b>Date to be Reviewed:</b>	17 January 2026
<b>Date Reviewed:</b>	
<b>Date Rescinded:</b>	

### REVISION RECORD

Date	Version	Revision description
17/12/2024	1	Policy adopted

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## **1 Policy Background**

There are a number of small water mains (less than 100mm diameter) servicing properties within Rural Water Service Areas. These mains do not have significant spare capacity and have high maintenance needs. This policy has been established to address the requests for connection to these small water mains within the Rural Water Service Areas.

## **2 Purpose**

This policy is to apply to “Rural Water Service Areas” within Council’s local government area and to prescribe the terms and conditions applicable to Rural Water Service connections within the declared Rural Water Service Areas.

## **3 Scope**

This policy is to apply to applications for connection to, alteration/modification of, or disconnection from, a rural water service.

## **4 Legislative Context**

- Water Supply (Safety and Reliability) Act 2008.
- Local Government Act 2009, ss 9 and 12(3)(c).
- Local Government Regulation 2012

## **5 Rural Water Service Connections**

### **5.1 Eligibility**

All premises within a Rural Water Service Area where a principal place of residence or other registered dwelling place exists, are eligible for connection to a Rural Water Service. Note, if the property is not within the Rural Water Service Area, then Council approval must first be obtained for Council to amend the service area to include the subject premises, before the connection application can be considered.

### **5.2 Costs**

All costs associated with the supply and installation of the property service infrastructure and water meter required to provide the connection are to be borne by the applicant. The connection will be carried out subject to approval of a private works estimate.

### **5.3 Connection Conditions**

Council will advise the applicant of the following conditions that apply to all premises to be connected to a Rural Water Service:

- a) A Council approved meter must be installed at the Point of Connection.
- b) The on-premises water supply pipe connects to the Point of Connection at the outlet flange of the meter.
- c) The supply, operation and maintenance of the on-premises water supply pipe and on-premises storage tank is the responsibility of the applicant/property owner.
- d) Supply and pressure from Council's water main will not be guaranteed to be continuous or consistent.
- e) Council may temporarily disrupt supply for the purpose of repair or maintenance, but shall not be held responsible for damages arising from any interruption.
- f) On-premises water storage with a minimum capacity of 20 Kilolitres must be provided if there is a dwelling on the premises. The storage tank will require an elevated location to provide gravity pressure to the premises supply side of the storage tank, or a pressure pump system may need to be installed on the premises supply side of a storage tank. The on-premises water supply system must not use a pump causing negative pressure on the Council's rural water main.
- g) The premises must have an additional on-premises water storage of 45 Kilolitres of water, using a storage tank, located within a radius of 50 meters from a dwelling, for firefighting purposes.
- h) The on-premises water supply pipe must be directly connected from the Point of Connection to an on-premises water storage tank. No intermediate connections are allowed. The water level in the storage tank is to be controlled automatically by a ball float valve. A minimum air gap of 100mm must be maintained between the tank filling inlet and tank overflow.
- i) All on-premises water supply installations, from the outlet flange of the meter at the Point of Connection, must be carried out by a suitably qualified and licensed person. The requirements of the Plumbing and Drainage Act 2018 and appropriate trade standards must be met.
- j) Rural water service supply will only be available for domestic potable purposes, except for existing raw water connections.
- k) The cost of connecting the Rural Water Service includes the provision of a 20mm ID (internal diameter) metered property service and a backflow prevention device. The property service, the meter and the backflow prevention device remain the property of Council. The cost of providing the connection to the Rural Water Service is payable in advance.
- l) At the Council's discretion, a plumber or contractor may be engaged by the applicant to construct the connection works quoted. This work will only be commissioned when proved to be of satisfactory standard. Supervision and testing will be at the cost of the applicant. A security deposit will be required from the applicant for work to be carried out by a contractor engaged by Council. This deposit will be equal to the estimated cost of the work.
- m) The applicant must ensure that Council has unencumbered ready access to its meter, backflow prevention device and property service at all reasonable times.
- n) Only one water service connection is permitted to each individual premises.
- o) The connection for a Rural Water Service must be a Rural Water Standard Connection.
- p) The property owner is responsible for the maintenance and operation of the on-premises water supply pipes and water storage from the Point of Connection. Council will not accept any

- responsibility for the loss of water or resultant cost from and after the Point of Connection.
- q) In addition to the above conditions, contained in clauses 1 to 16, Council reserves the right to alter or amend any of the conditions of supply in line with changes in legislation, codes, standards and Council policies. Failure to abide by any of these conditions in the future may lead to Council restricting the supply to the premises further.

## 6 Definitions

Term	Meaning
<b>Council</b>	Southern Downs Regional Council
<b>Person</b>	Includes an individual and a corporation.
<b>Point of Connection</b>	The point where the on-premises water supply pipe connects to the property service.
<b>Premises</b>	a) A lot as defined under the <i>Planning Act 2016</i> , schedule 2; or b) For a lot under the <i>Body Corporate and Community Management Act 1997</i> or the <i>Building Units and Group Titles Act 1980</i> —the common property for the lot.
<b>Property service</b>	The pipes and fittings installed for connecting premises or a premises group from Council's reticulation water main to the on-premises water supply pipe.
<b>Rural Water Service</b>	A reticulated drinking water service to residential premises in a Rural Water Service Area, for use for domestic purposes only.
<b>Rural Water Service Area</b>	Area within Council's local government area declared by Council to be areas within which a Rural Water Service is provided by Council or a Council entity. (Refer WSSR Act, section 161.).
<b>Rural Water Standard Connection</b>	A DN20 (20mm ID) metered property service and a backflow prevention device.
<b>Urban Water Service Area</b>	Areas within Council's local government area declared by Council to be service areas within which an Urban Water Service is provided by Council or a Council entity. (Refer WSSR Act, section 161.).
<b>Urban Water Service</b>	The reticulated drinking water service provided by Council or a Council entity within an Urban Water Service Area.

## 7 Related Documents

- Water Infrastructure Policy
- *Plumbing and Drainage Act 2018*

- Queensland Plumbing and Wastewater Code
- Plumbing Code of Australia
- *Water Supply (Safety and Reliability) Act 2008*
- WSAA Water Supply Code WSA 03.
- *Local Government Regulation 2012*