



ORDINARY COUNCIL MEETING

AGENDA

15 APRIL 2025

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 15 April 2025 commencing at 9:00 AM for transaction of the enclosed business.

Terry Dodds PSM
CHIEF EXECUTIVE OFFICER
11 April 2025

Next Meeting Date: 20 May 2025

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

CONFLICT OF INTEREST CHECKLIST

LOCAL GOVERNMENT MEETING AGENDA

[ATTACH TO THE FRONT OF ALL LOCAL GOVERNMENT MEETING AGENDAS (INCLUDING ADVISORY AND STANDING COMMITTEES)]

IMPORTANT NOTICE TO COUNCILLORS

As a local government councillor, it is your responsibility to always act in the public interest in ensuring the transparency, accountability, and integrity of council.

You can do this by managing your and your related person/ close associate conflicts of interest (your COIs). To do this you **MUST**:

BEFORE THE MEETING



READ this agenda and reports carefully (including late reports).



ASSESS whether you have any prescribed or declarable COIs on one or more proposed agenda items, or whether a fair-minded person in my community might think you do.

- Refer to Managing Conflicts of Interests in Meetings
- Refer to Decision Pathway 1 - Managing Conflicts of Interest – at Local Government Meetings



NOTIFY the Chief Executive Officer in writing of your COIs on the agenda. You may seek your own legal advice.

AT THE MEETING



DECLARE your COIs in open session before consideration of the relevant agenda item.



ACT to proactively manage your COIs by:

(a) if a prescribed COI –

- i. not influencing any decision-makers on the decision before or at the meeting; and
- ii. leaving the room and not voting on the decision at the meeting.

(b) if a declarable COI –

- i. not seeking to influence any decision-makers on the decision before or at the meeting; and
- ii. leaving the room and not voting on the decision at the meeting; or
- iii. asking eligible councillors (those who do not have a COI in the matter) to decide on whether you can participate in the meeting and/or vote on the matter.



ASSIST other councillors to proactively identify and manage their, and their related person/ close associate, COIs if known to you. You have a duty to report undisclosed councillor's COIs to the chairperson, if known to you.

PRACTICE TIP: “If in doubt, point it out!”

CAUTION:

A failure to comply can result in serious penalties including discipline for misconduct under section 150L of the *Local Government Act 2009*. This is also an integrity offence under section 201D of the *Local Government Act 2009*.

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1 OPENING

Acknowledgement of Country

"I would like to take this opportunity to respectfully acknowledge the Darumbal People. The traditional custodians and elders past, present and emerging of the land on which this meeting is taking place today."

Opening Prayer

Cr Pat Eastwood is scheduled to deliver an opening prayer.

2 ATTENDANCE

Members Present:

Mayor, Councillor Adam Belot (Chairperson)
Councillor Glenda Mather
Councillor Rhodes Watson
Councillor Wade Rothery
Councillor Lance Warcon
Councillor Andrea Friend
Councillor Pat Eastwood

Officers in Attendance:

Terry Dodds PSM - Chief Executive Officer
Katrina Paterson - General Manager Communities
Michael Kriedemann – General Manager Infrastructure
Andrea Ellis – Chief Financial Officer
Mike McGarvey – Interim Chief Technology Officer
Kristy Mansfield - Chief Human Resources Officer

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the Ordinary Meeting held 18 March 2025

5 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

6 DEPUTATIONS

6.1 9:00AM - DEPUTATION - YEPPOON RSL SUB BRANCH

File No: fA2214
Attachments: Nil
Responsible Officer: Terry Dodds PSM - Chief Executive Officer
Author: Lynda Bayliss - Executive Support Officer

SUMMARY

Cheryl O'Connor, President of the Yeppoon RSL Sub-branch, will present to Councillors seeking a renewal of the MOU in regard to Yeppoon ANZAC Day commemorations which commenced in 2022 and will conclude in April of 2025.

OFFICER'S RECOMMENDATION

THAT the deputation be received.

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV

Attachments: 1. Business Outstanding Table - April 2025

Responsible Officer: Terry Dodds PSM - Chief Executive Officer

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Ordinary Council Meeting is presented for Councillors' information.

OFFICER'S RECOMMENDATION

THAT the Business Outstanding table for the Ordinary Council Meeting be received.

7.1 - BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

Business Outstanding Table - April 2025

Meeting Date: 15 April 2025

Attachment No: 1

*Please note that the notes contained within the Business Outstanding Table are correct at the time of the Agenda being published.				
Item	Date	Report Title	Resolution	Comments
1	20/12/2022	The Station Eastern Precinct Site - Development Option	<p>THAT Council resolve to:</p> <ol style="list-style-type: none"> 1) Apply the exceptions mentioned in section 236(1)(a) and 236(1)(b) of the <i>Local Government Regulation 2012</i> in its dealing with Saint Vincent De Paul Society over proposed Lot 2 - The Station eastern precinct at 23 James Street, Yeppoon; and 2) Authorise the Chief Executive Officer to negotiate with Saint Vincent De Paul Society for the disposal of proposed Lot 2 for an amount at or above the current market value; and 3) Condition that the sale of proposed Lot 2 be subject to Saint Vincent De Paul Society obtaining the necessary development approvals and any associated public consultation. 	09 Apr 2025 SVDP grant application is being assessed by the State.
2	24/10/2023	Growing the Northern Corridor Project	THAT Council endorse the purpose and completion of the "Growing the Northern Corridor" project as described in this report.	09 Apr 2025 AECOM have been awarded the structure planning consultancy.
3	21/11/2023	Notice of Motion - Councillor Adam Belot - Housing Crisis - Residential Council Dwelling	THAT in order to assist with the housing crisis, Council delegate to the CEO authority to arrange the renovations for the residential Council dwelling adjacent to the Town Hall be considered within the 2024/2025 budget.	09 Apr 2025 Report is being finalised.
4	02/07/2024 (Committee)	Supreme Court Claim - EarthTec Pty Ltd (Statue Bay Project)	<p>THAT the committee recommends to Council that:</p> <ol style="list-style-type: none"> 1. Council notes that legal proceeding brought by EarthTec Pty Ltd in the Supreme Court over the Statue Bay Project from 2017/18 has been dismissed, with two costs orders awarded to Council. 2. The Chief Executive Officer be authorised to seek to recover costs from EarthTec Pty Ltd using the enforceable orders granted by the Supreme Court. 	8 Apr 2025 Claim for costs issued to EarthTec Lawyers on 24 February 2025. No response was received therefore an application has been submitted to the Courts to manage the claim
5	17/09/2024	Questions on Notice - Cr Mather - Sewer Connections Marine Parade	THAT Council communicates with residents on Marine Parade for potential to become a declared zone outlining advantages/disadvantages and costs.	8 Apr 2024 A report on this matter will be presented to the May Infrastructure Committee.
6	05/11/2024 (Committee)	Shoreline Erosion Management Plan - Muskies Beach	<p>THAT the committee recommends to Council the following operational plan outcome be considered for the 2025/2026 year along with an associated budget:</p> <ul style="list-style-type: none"> • Develop a Shoreline Erosion Management Plan specific to Musker's Beach, incorporating a beach profile monitoring program and a vegetation plan for the foreshore with extensive community consultation as part of the process. 	09 Apr 2025 Grant application has been submitted under the QCoast2100 funding. Awaiting notification on success of grant application.
7	19/11/2024	Management Plan - Cooe Bay Main Beach Access	THAT Council recommends the following operational plan outcome be considered for the 2025/2026 year along with an associated budget:	09 Apr 2025

*Please note that the notes contained within the Business Outstanding Table are correct at the time of the Agenda being published.				
			Develop a management plan for sustainable access to Cooee Bay Main Beach that accommodates increased population and use of the beach as the area is activated with walking tracks and to accommodate stormwater issues, in line with the outcomes proposed in the Shoreline Management plan adopted in 2022.	Grant applications has been submitted under the QCoast2100 funding. Awaiting notification on success of grant application.
8	17/12/2024	Closure of Coowonga Green Waste Pad	THAT Council defer its decision to close the Coowonga Green Waste Facility until genuine community consultation is undertaken with the Keppel Sands and Joskeleigh Community to explore other options.	4 Apr 2025 Moving consultation out to after the 2025/26 budget process. Timing for the decision will be in alignment with the new budget in July.
9	21/01/2025	Notice of Motion - Mayor Adam Belot - Honouring former Councillor Tom Wyatt	THAT in order to honour the late Tom Wyatt Council commits to delivering a significant public greenspace memorial to be named in honour of Tom Wyatt.	09 Apr 2025 Investigating options. Will be presented at a future workshop.
10	21/01/2025	CEO Key Performance Agreement	THAT the Performance Agreement for the CEO from 1 February 2025 to 1 February 2026 consists of Key Performance Indicators as follows: (i) Build and maintain a new Business Integration and Reporting System and manage monthly production stemming from the 5-Year Corporate Plan, and 1-Year Operational Plan requirements and other subsets. (ii) Lift the total average organisational culture score from 53.5% to 58.5%. (iii) Provide advice to the Council regards the workforce, our current and future assets, and the financial decisions that align with all macro-level plans. (iv) Negotiate a new Enterprise Bargaining Agreement. (v) Strategise with the Council on how to bring industries of the future and maintain a balance in the demographic spread (social and economic), ensuring communities are consulted as required.	09 Apr 2025 Progressing
11	04/02/2025 (Committee)	Shoreline Erosion Management Plan - Putney and Fisherman's Beach, Great Keppel Island	THAT the committee recommends to Council that representations be made to the Queensland Government to support the development of a Shoreline Erosion Management Plan (SEMP) for Putney and Fisherman's Beaches at Great Keppel Island.	09 Apr 2025 Grant application has been submitted under the QCoast2100 funding. Awaiting notification on success of grant application.

*Please note that the notes contained within the Business Outstanding Table are correct at the time of the Agenda being published.				
12	04/02/2025 (Committee)	Capricornia Access and Equity Group	<p>THAT the committee supports the deputations' objectives and:</p> <ol style="list-style-type: none"> 1) Acknowledge the importance of an inclusive shire where all residents can fully participate in their community. 2) Review Council operations (planning scheme, policies, procedures and projects) from a holistic perspective with the intention to improve access as a human rights priority and allocate adequate resources. 3) That Council investigate the impediments in the Building Code and report back to council to develop a project framework for advocating to our State and Federal members for changes in the Building Code. 	<p>09 Apr 2025</p> <p>Manager Communities has submitted a motion to NGA - to Review the Building Code of Australia to improve functionality for future builds in regards to wheelchair accessibility to address new wheelchair technology and increased dimensions; and Review the Australian Standards AS1428 Design for Access and Mobility to include wheelchair beach accessibility, technology and increased dimensions.</p>
13	04/02/2025 (Committee)	Potential Sale of Council Land in Zilzie to an adjoining owner.	<p>THAT the committee exercises its delegation under s257c of Local Government Act 2009 and resolves to:</p> <ol style="list-style-type: none"> 1. that the exception mentioned in section 236(1)(c)(iv) of the Local Government Regulation 2012 may apply in its dealing with the adjoining owner as detailed in this report; 2. pursuant to section 236(2) of the Local Government Regulation 2012 to apply section 236(1)(c)(iv) of the Local Government Regulation 2012 in its dealing with the adjoining owner as detailed in this report; 3. to dispose of the land in Zilzie as detailed in this report to the adjoining owner at market value and on the conditions contained in this report; 4. to delegate to the Chief Executive Officer, pursuant to section 257(1) of the Local Government Act 2009, to enter into a contract of sale for the disposal of the land to the adjoining owner as detailed in this report; and 5. that within 30 working days from the date of Council's correspondence, if the adjoining owner does not accept the terms and conditions for the disposal of the land detailed in this report, Council will dedicate the land as road reserve pursuant to section 54(1) of the Land Title Act 1994. 	<p>09 Apr 2025</p> <p>No response was received from the landowner by 26 March 2025. Pursuant to Council's resolution at the Development & Environment Standing Committee on 4 February 2025, Lot 7 RP614101 was dedicated as road reserve.</p> <p>Item is now completed and will be removed from Business Outstanding Table.</p>
14	04/02/2025 (Committee)	Living waterways project - Lex Semple Park.	<p>THAT the committee receives the report and its contents are noted and commend the Healthy Land and Water group for its initiative and commitment.</p>	<p>09 Apr 2025</p> <p>2 x community consultation sessions were held at the park, the group is working on the design and are now incorporating the feedback from the community into their design, plants are being purchased from Councils Community Nursery for the project and the group are in the process of engaging contractors for works.</p>

*Please note that the notes contained within the Business Outstanding Table are correct at the time of the Agenda being published.				
15	04/02/2025 (Committee)	Adopted Infrastructure Charges Resolution (7) – 2025	THAT the Committee recommends to Council that the Adopted Infrastructure Charges Resolution 7 be adopted and in force from Monday 24 February 2025.	09 Apr 2025 IA is in final draft form - charges to contribute to agreement being updated with latest PPI
16	18/02/2025	Notice of Motion - Mayor Adam Belot - Bondoola Rural Fire Brigade site	THAT in order to improve community resilience and preparedness, Council approves, subject to the requirements of an application, of the Bondoola Rural Fire Brigade having tenure over the balance of land (up to 2.5 acres) that is not in the Queensland Rural Fire Development lease application of approximately 2500m2. Noting land use agreement is to be compatible with current zoning ie. community purposes.	12 Mar 2025 Letter sent to Member for Keppel advising of Council's support and inviting further discussion on how to progress this matter. Currently awaiting a response.
17	04/03/2025 (Committee)	Petition to Livingstone Shire Council - Covid mRNA DNA contamination motion (Committee)	THAT the Committee recommends Council resolve to: 1. Receive the petition and note its contents; and 2. Receive the media release and note its contents. 3. Seek urgent answers from the Prime Minister and State Premier regarding concerns of contamination of COVID-19 vaccines as raised by the petition that was received.	09 Apr 2025 Item is now completed and will be removed from Business Outstanding Table.
18	18/03/2025	Great Keppel Island Revetment Wall at Hideaway Resort - Maintenance Request	THAT Council receive a further report regarding advocacy required and processes to assist, on behalf of the island businesses, regards the capacity to replenish the revetment wall area by using extracted sand from a beach.	09 Apr 2025 Further report to come back to a future Council meeting.
19	18/03/2025	Proposed Acquisition of Land - Mulambin Road Relocation	THAT Council resolves to: 1. Receive and note the contents of this report; 2. Delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to negotiate and finalise all matters relating to the acquisition of land for road purposes; and 3. In exercising this delegation, the Chief Executive Officer ensures compliance with Council's 'Acquiring Land and Easements for Infrastructure Services Procedure'.	08 Apr 2025 Officers met with the property owner and are progressing negotiations.

8 PRESENTATION OF PETITIONS

8.1 PETITION SEEKING THE NAMING OF THE NEW YEPPOON POOL AS THE BRIAN DOREY AQUATIC CENTRE

File No:	GV
Attachments:	1. Letter from Member for Keppel, Nigel Hutton 2. Signed Petition - (<i>Confidential</i>)
Responsible Officer:	Terry Dodds PSM - Chief Executive Officer

SUMMARY

Council has received a petition* from State Member of Keppel, Mr Nigel Hutton, seeking the naming of the new Yeppoon Pool at Cooee Bay as the Brian Dorey Aquatic Centre.

RECOMMENDATION

THAT Council notes the correspondence and the document forwarded by the Member for Keppel, suggesting naming of the new Yeppoon Pool as the Brian Dorey Aquatic Centre be received.

Background

*Council Meeting Standing Orders:

2.9 Petitions

2.9.1 Any petition presented to a Meeting must:

- (a) be in legible writing or typewritten and contain a minimum of ten (10) signatures;
- (b) include the name and contact details of the principal petitioner (id est, one person who is the organiser and who will act as the key contact for the issue);
- (c) include the postcode of all petitioners, and
- (d) have the details of the specific request/matter appear on each page of the petition.

2.9.2 Only valid petitions in accordance with the Petitions Guideline will generally be accepted by Council. Other petitions will be received at the discretion of Council, if deemed appropriate.

2.9.3 The only motions which will be moved in relation to a petition are that:

- (a) the petition be received and referred to a Council briefing; or
- (b) the petition be received and its contents noted.

The Queensland Government may have a different petition policy, by their use of change.org, online petition. The document forwarded by the State Member for Keppel technically does not comply with our guidelines, which is why the recommendation refers to a 'document', not a petition*.

However, it still represents the views of many people and is considered worthwhile to place in the public arena for future consideration, as those people responding to the change.org petition would not be aware that there will be a public consultation period to seek suggestions for the naming of the Aquatic Centre later in the year.

8.1 - PETITION SEEKING THE NAMING OF THE NEW YEPPOON POOL AS THE BRIAN DOREY AQUATIC CENTRE

**Letter from Member for Keppel, Nigel
Hutton**

Meeting Date: 15 April 2025

Attachment No: 1



5 April 2025

Dear *Andrea*

I write to formally provide you as a councillor of the Livingstone Shire Council, a full copy of the petition of our community seeking the naming of the new Yeppoon pool, as the Brian Dorey Aquatic Centre.

Brian Dorey OAM was pivotal to the fundraising, development and long-term management of the former Cooe Bay Progress and Sports Association; which raised the funds for the original Cooe Bay pool and associated facilities.

With the funding secured from the Honourable Michelle Landry MP for the refurbishment and upgrade of the pool complex in Cooe Bay and the pool works now taking shape, I felt now is the right time to provide this petition to you as decision makers.

As you would be aware I have provided this petition (available digitally) for a period of six months. In this time, it has received some media as well as social media attention. I and the petitioners ask that you recognise Brian's legacy and dedication by naming the refurbished facility the 'Brian Dorey Aquatic Centre'.

Kind Regards

Nigel Hutton
State member for Keppel

Yeppoon Central Shopping Centre, 42 Park Street, Yeppoon QLD 4703 (07) 4913 1500
keppel@parliament.qld.gov.au nigelhutton.com.au NigellHuttonMP

Authorised by Nigel Hutton MP, Yeppoon Central Shopping Centre, 42 Park St, Yeppoon QLD 4703.

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - NEVILLE STREET DEVELOPMENT

File No: GV
Attachments: 1. NOM - Neville Street Development
Responsible Officer: Greg Abbotts - Manager Development and Environment
Terry Dodds PSM - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has submitted a 'Notice of Motion' in relation to proposed development of D-235-2024.

COUNCILLOR RECOMMENDATION

THAT due to wide public concern over the proposed development of D-235-2024 and the impact which may be caused by major vegetation clearing of the site, Council require a Hydrology Study be undertaken in conjunction with the Application to determine the influence any clearing will have on the water table.

COUNCILLOR BACKGROUND

Refer to the attached Notice of Motion

OFFICER COMMENTARY

Officers are aware of the matters provided in submissions and have been actively working with the developer's representative. Officers have also undertaken a workshop with Councillors as requested after the deputation held on 4 February 2025.

As a result of these discussions (with the developer's representatives) there are some proposed changes and it is anticipated that the development will need to undergo a second public notification period (dependent on the changes). This will be for a period of 15 business days. Council has not yet received a formal submission of the proposed changes.

Where officers are able to provide reasonable and relevant conditions they should do so.

Further, it is inappropriate for Officers to comment on specific matters that may have been raised in a "without prejudice" setting.

**9.1 - NOTICE OF MOTION -
COUNCILLOR GLENDA MATHER -
NEVILLE STREET DEVELOPMENT**

NOM - Neville Street Development

Meeting Date: 15 April 2025

Attachment No: 1

**PO Box 5186
Red Hill PO
Rockhampton Q 4701
7 April 2025**

Chief Executive Officer
Livingstone Shire Council
Yeppoon Q 4703

**Notice of Motion
Request for a report**

Dear Sir,

I wish to give Notice of my wish to move the following motion at the next Ordinary Meeting of Council:

"That due to wide public concern over the proposed development of D-235-2024 and the impact which may be caused by major vegetation clearing of the site, Council require a Hydrology Study be undertaken in conjunction with the Application to determine the influence any clearing will have on the water table."

Background:

Vigorous monitoring of the water flows in the existing swales during the recent rain events has shown locals how long it takes for the water to subside – sometimes days to weeks.

Local photography will verify this.

Without any scientific proof that properties (both existing and proposed) will be granted immunity during rain events, is not a gamble anyone should be prepared to take.

In the absence of a Hydrology Study, proceeding without one would be a gamble most would not be prepared to take.

Many thanks
Glenda Mather Clr

9.2 NOTICE OF MOTION - MAYOR ADAM BELOT - ELECTRIC VEHICLE CHARGING STATION**File No:** GV**Attachments:**

1. Notice of Motion - Electric Vehicles
2. Tech AU Article

Responsible Officer: Terry Dodds PSM - Chief Executive Officer

SUMMARY

Mayor Adam Belot has submitted a 'Notice of Motion' in relation to electric vehicle charging station.

COUNCILLOR RECOMMENDATION

THAT Council suspend any further action on advancing Electric Vehicle Charging Station until further notice as a result of concerns identified in recent media.

COUNCILLOR BACKGROUND

Refer to the attached Notice of Motion

OFFICER COMMENTARY

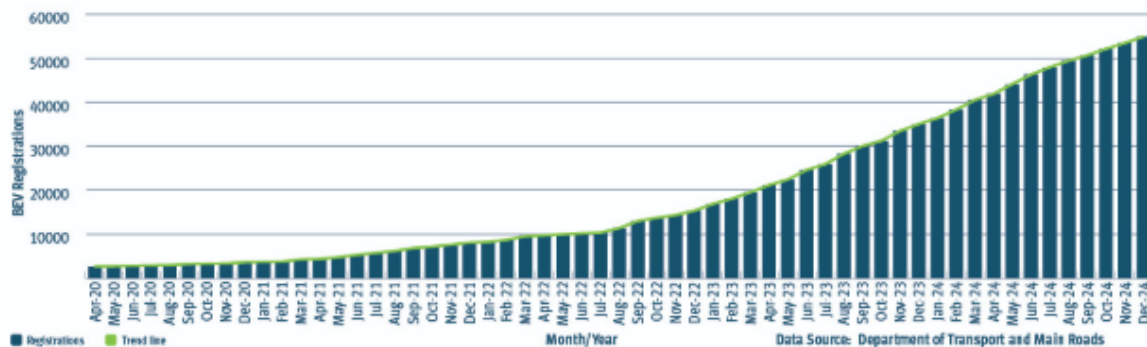
Council acknowledges that while Electric Vehicles (EV's) offer a path toward lower emissions, they are not without challenges. Global investigations have raised serious human rights and environmental concerns related to the mining of key battery materials like nickel, lithium, and cobalt – ranging from child labour and unsafe working conditions to environmental degradation. While these are legitimate concerns, and Council does not ignore them, it is important to acknowledge that not all claims made by the media are substantiated with direct evidence. For example, Channel 7's Spotlight program aired an investigation episode on Sunday evening which heavily implied industry-wide issues but failed to identify a single EV brand that sources nickel from the contested operations it mentioned (refer attachment). It is therefore important to approach such reports with a critical lens and rely on verified data when shaping local responses and making decisions.

Although Council is not directly involved in sourcing or manufacturing these materials, we do have a responsibility to make informed, ethical, and practical decisions when it comes to our own actions. It's also important to clarify that charging infrastructure and EV procurement (which Council is yet to do) are separate matters. Charging infrastructure helps support tourism, regional equity, and future transport needs. It can be delivered in partnership with companies that uphold strong environmental, social and governance standards, such as Kempower, which publishes annual sustainability reports and complies with international certifications. Kempower currently partners with Australia's largest fast charging network provider.

We also recognise that public concerns about EV's – such as cost, infrastructure access, and broader environmental impacts – need to be addressed openly. Council is not rushing headlong into the EV transition; rather, we have spent ample time carefully exploring our role in a way that is regionally approachable, community-minded, and ethically conscious. The potential installation of two chargers, offering four charging bays in total, is a modest response to an increased demand in recent years. The Queensland Government aims for 50% of new passenger vehicle sales to be zero-emission by 2023, progressing to 100% by 2036 ([Queensland Government+1Australian Energy Regulator \(AER\)+1](#)). Achieving these targets could result in approximately 640,000 EV's on Queensland roads by 2023 ([electricvehiclecouncil.com.au](#)). As of February 2024, there were 36,327 EV's registered in Queensland, marking a 117% increase over the previous 12 months. EV registrations for Queensland are sitting at just under 55,000 as of December 2024.

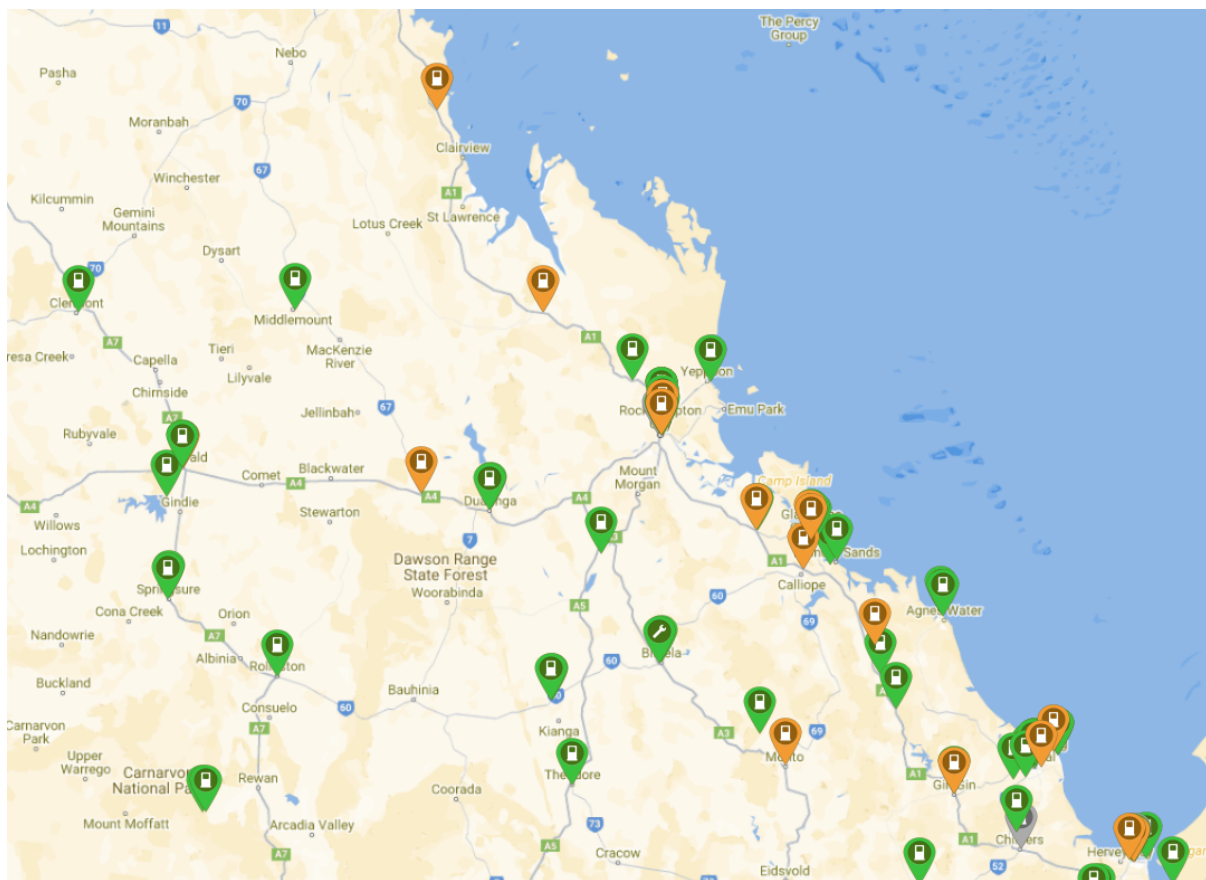
Battery electric vehicles registered in Queensland

As at 31 December 2024.



Data source: Department of Transport and Main Roads

Plugshare, the free mobile and web application designed for EV drivers to find charging stations, demonstrates that just one EV charger is located in Yeppoon. However, this is a privately owned wall charger located at Seaspray Waterfront Holiday Units, for guest use only. The closest public charger is located in Rockhampton. The only other Queensland coastal destinations without public chargers are Agnes Waters/1770 (they have two accommodation providers offering chargers to their guests, total population 2700) and Tin Can Bay (three chargers available through accommodation providers, population of 2300).



While it is well understood that the cost of purchasing and installing EV charging infrastructure is significant, the typical lifespan of a public charger is up to 15 years with

moderate use and proactive maintenance. In Livingstone however, these costs will not be incurred by Council but by the successful supplier. By pursuing this approach, we are ensuring we meet the needs of not just our EV owning residents, but also those of our EV driving tourists who currently have nowhere to recharge if they choose to visit the Capricorn Coast.

Additionally, Council has sought extensive legal advice to ensure the terms of a Licence Agreement are favourable, with an emphasis on Council's role providing access to utilise the land. Council will not be involved in the purchase, installation, and maintenance of the charging infrastructure.

Despite the complexity and global issues involved, Council can still act responsibly at the local level. By prioritising transparency, ethical procurement, community benefit, and environmental integrity, we can ensure that any decisions made reflect the values of our community – now and into the future.

9.2 - NOTICE OF MOTION - MAYOR ADAM BELOT - ELECTRIC VEHICLE CHARGING STATION

Notice of Motion - Electric Vehicles

Meeting Date: 15 April 2025

Attachment No: 1

Adam Belot
PO Box 1301
Yeppoon Qld 4703

Terry Dodds PSM
Chief Executive Officer
Livingstone Shire Council
Yeppoon Qld 4703

8 April 2025

**Notice of Motion
Electric Vehicle Charging Stations**

Dear Terry,

I wish to submit this Notice of Motion in relation to **Electric Vehicle Charging Stations**.

May this be included on the agenda of the 15 April 2025 Ordinary Council meeting. I give notice of my intention to move the following:

“THAT Council suspend any further action on advancing Electric Vehicle Charging Station until further notice as a result of concerns identified in recent media”.

Background:

A report was presented at the Development & Environment Committee Meeting on 1 April 2025 regarding Proposed Licence Agreement for Electric Vehicle Charging Infrastructure. The purpose of this report was to seek Council's endorsement to enter into a licence agreement with a qualified supplier to install, operate and maintain Electrical Vehicle (EV) chargers in Yeppoon.

Recent media investigations have raised serious concerns about environmental and human rights concerns alleged to be occurring in the mining of nickel.

Some of the other issues have been highlighted in the media include:

- Limited charging infrastructure and long wait times.
- High purchase and maintenance costs.
- Questions about the environmental impact of battery production and disposal.
- Concerns about government subsidies and the pressure to phase out internal combustion engines.

Council must consider if the EV push may be more about ideology and industry profit than practical benefits for everyday Australians.

Many thanks

Adam Belot
Mayor

9.2 - NOTICE OF MOTION - MAYOR ADAM BELOT - ELECTRIC VEHICLE CHARGING STATION

Tech AU Article

Meeting Date: 15 April 2025

Attachment No: 2



Last night, Channel 7 aired the latest episode of their Spotlight program. The focus was on Indonesian mining practices that reportedly result in emission between 9 and 11x higher than Australian operations.

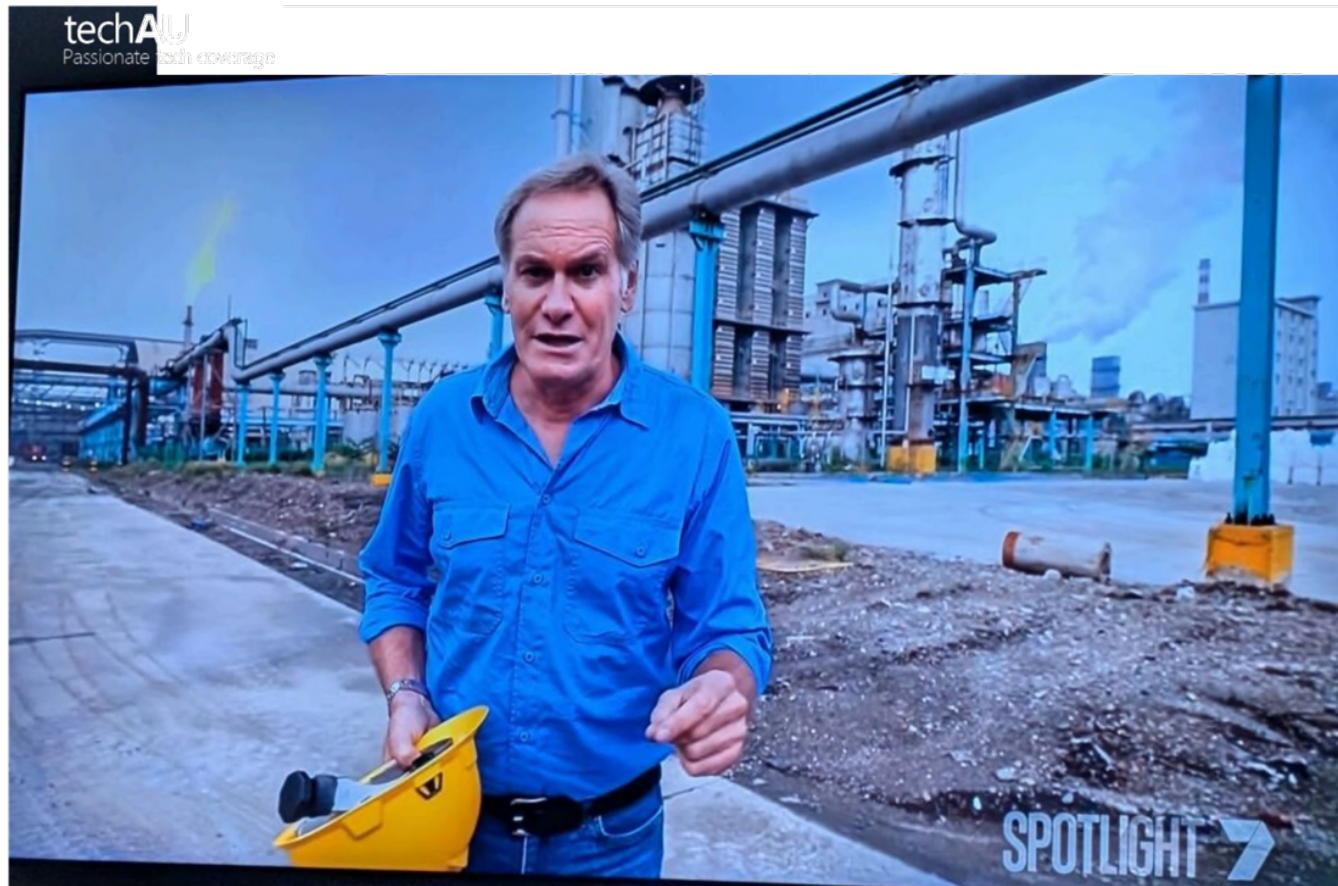
While it's clear that workplace health and safety practices in Indonesia are clearly lacking compared to our standards here, the main focus and headline of the story targeted [electric vehicles](#).

The show title was 'The [EV](#) con: Spotlight investigation into the deadly side of electric vehicles sold in Australia'.

During the episode, the presenter spent much of the time attempting to make EV owners feel guilty for their vehicle purchase, suggesting they are fueling issues in the supply chain.

The problem with this conclusion, is that it's not found in evidence.





Firstly, Nickel is used across many industries including Aerospace, Electronics, Chemical, Medical, Stainless Steel production and yes, Automotive.

Battery chemistry is also important to break down. The show failed to differentiate between battery types, of which different automakers use different types.



NMC (Nickel Manganese Cobalt)

This battery uses high-purity nickel, which has high energy density, which extends EV range.

NCA (Nickel Cobalt Aluminum)

Used in some high-performance EVs (e.g., Tesla models), also depends on Class I nickel for similar reasons.

LFP (Lithium Iron Phosphate)

Battery chemistry is a type of lithium-ion battery that uses lithium iron phosphate as the cathode material. Unlike high-nickel chemistries like NMC or NCA, LFP batteries do not contain nickel. Instead, they rely on iron and phosphate, offering a different set of advantages such as improved safety, thermal stability, and lower cost, though they have lower energy density compared to nickel-based batteries.

Now we understand battery chemistry a little better, we can now focus on another key point.,

The demand for Class I nickel has surged due to the EV boom, with companies like Tesla, CATL, and LG Chem driving the need for high-purity supplies. Major producers of Class I nickel, such as Canada (Vale, Glencore), Russia (Nornickel), and Australia (BHP), are key players in supplying this grade, often from sulfide ore deposits.

Meanwhile, efforts are underway to upgrade some Class II nickel (from laterite ores in places like Indonesia) into battery-grade material, but this requires costly and energy-intensive conversion processes.

In short, the Nickel coming out of a dirty mine in Indonesia is not likely to meet the standards battery manufacturers require.





Now here's the kicker.

At the end of the interview, the Channel 7 journalist claimed that 'with much of the nickel used in electric vehicles sold in Australia coming from Indonesia...'

This is simply not accurate.

Tesla and BYD dominate EV sales charts in Australia and both make their vehicles in China, Tesla in Shanghai and BYD in across Xi'an (Shaanxi), Shenzhen (Guangdong), Changsha (Hunan), Zhengzhou (Henan), Changzhou (Jiangsu), Jinan (Shandong), and Hefei



(Anhui Times)
Seal, Sealion 6, tech coverage





At the end of the program, we heard that EV makers were asked to comment on the supply chain and instead of including that detail, the audience were pointed to the show's website (which a small percentage will actually do).

Well, I did and you can too ([here](#)).

Honda, Volkswagen, Ford, Hyundai, Chery, BMW, and Deepal all made efforts to respond to Spotlight's questions regarding the use of nickel from Indonesia in their [EV batteries](#).

Spotlight also contacted GWM (Great Wall Motors, which owns Haval), GM, Zeekr, Tesla, MG, Volvo, and Audi, but these companies didn't respond.

All companies were asked if they source nickel from Indonesia directly or indirectly, through a third-party battery supplier.

The problem for Channel 7 and their story about 'The EV con'.. is that none of these statements confirm the use of nickel from Indonesia's 'dirty mines' which featured in the show.

It's really disappointing to see information being presented as fact when there's simply not the evidence to back it up. It's hard to know what the specific motivations were, but given it's election time, politics are an unfortunate likely source of motivation.

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10 QUESTIONS ON NOTICE

Nil

11 COMMITTEE REPORTS

11.1 DEVELOPMENT & ENVIRONMENT COMMITTEE MINUTES 1 APRIL 2025

File No: fA72738
Attachments: Nil
responsible Officer: Lucy Walker - Executive Support Officer
Terry Dodds PSM - Chief Executive Officer
Author: Renee Dwyer - Executive Assistant to the Mayor

SUMMARY

This report is of the Development and Environment Standing Committee Meeting held on 1 April 2025. The recommendations are presented for the determination by the Council.

OFFICER'S RECOMMENDATION

THAT Council receives the report of the Development & Environment Committee meeting held on 1 April 2025 and adopts the recommendations contained therein.

- D-325-2024 – Material Change of Use for a Dual Occupancy at 32 Mornington Street Taroomball
- D-261-2024 – Conditions – ROL 1 into 2 Lots
- Reef Guardian Project “Our Living Coast” Community Engagement
- Reef Guardian Project Oxford Road Water Quality and Habitat Project Community Engagement
- Infrastructure Charges – Request for Reduction

COMMENTARY

COMMITTEE RECOMMENDATIONS DETAILED BELOW FOR EASE OF REFERENCE

D-325-2024 - MATERIAL CHANGE OF USE FOR A DUAL OCCUPANCY AT 32 MORNINGTON STREET, TAROOMBALL

COMMITTEE RESOLUTION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for a Dual Occupancy, made by Stroud Homes Rockhampton, on Lot 198 on SP348686, and located at 32 Mornington Street, Taroomball, The Committee recommends Council resolve to approve the application given pursuant to Section 60(2)(b) of the *Planning Act 2016*, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

1. The subject site is identified as urban/new urban in accordance with Strategic Framework Mapping and is proposed for urban development.
2. The subject site can connect to reticulated infrastructure.
3. The development provides for an alternative housing option to meet the changing needs of the community and creates opportunities for living close to services and facilities within an existing urban locality.
4. The development is consistent with the built form and character of the Low Density Residential Zone Code.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for a Dual Occupancy, made by Stroud Homes Rockhampton, on Lot 198 on SP348686, and located at 32 Mornington Street, Taroomball, the Committee recommends Council resolve to approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.6.1 Plumbing and Drainage Works; and
 - 1.6.2 Building Works.
- 1.7 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.10 All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under *section 145* of the *Planning Act 2016*, unless otherwise stated.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Rev</u>	<u>Dated</u>
Site and Drainage Plan	24L198MO Sheet 1 of 10	4	9 December 2024
Ground floor plan	24L198MO Sheet 2 of 10	4	9 December 2024
Ground floor plan	24L198MO Sheet 3 of 10	4	9 December 2024

	Elevation 1 elevation 2, elevation 3, elevation 4	24L198MO Sheet 4 of 10	4	9 December 2024
2.2	Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.			
2.3	Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council.			
3.0	<u>ACCESS AND PARKING WORKS</u>			
3.1	<p>A compliant vehicle access must be designed and constructed to the proposed development in accordance with the <i>Capricorn Municipal Development Guidelines, standard drawing CMDG-R-041 revision D</i>, titled as “residential driveway slab and tracks”, and located minimum one (1) metre away from any sewer connections, access chambers, valves, fire hydrant, water meter boxes, and any other utility services.</p> <p>Any non-compliant vehicle access driveway will require a Development Permit for Operational Works (access works) prior to the commencement of any vehicle access works associated with that lot.</p>			
3.2	Parking and associated vehicle manoeuvring areas must be sealed.			
3.3	A minimum of two (2) car parking spaces are provided per dwelling with a minimum of one being covered.			
4.0	<u>PLUMBING AND DRAINAGE WORKS</u>			
4.1	All internal plumbing and sanitary drainage works for the dwelling house must be designed and constructed in accordance with the approved plans (refer condition 2.1), <i>Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act</i> , Council’s Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.			
4.2	The development must be connected to Council’s sewerage and water networks.			
4.3	The existing property points of connection must be retained and upgraded, if necessary, to service the development.			
4.4	Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.			
5.0	<u>BUILDING WORKS</u>			
5.1	All earthworks must be undertaken in accordance with <i>Australian Standard, AS3798 “Guidelines on Earthworks for Commercial and Residential Developments”</i> .			
5.2	Earthworks must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.			
5.3	All roof and allotment drainage must be discharged lawfully to the kerb and channel on Burlington Drive.			
6.0	<u>ELECTRICITY AND TELECOMMUNICATIONS</u>			
6.1	Electricity and telecommunication connections must be provided to the dual occupancy to the standards of the relevant authorities prior to the commencement of the use.			
7.0	<u>ASSET MANAGEMENT</u>			
7.1	Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with			

the development, must be at full cost to the Developer.

- 7.2 Any damage or alteration to existing council infrastructure including traffic signs and pavement marking and other public or private utility which occurs during any works carried out in association with the approved development must be repaired and/or replaced at the cost of the Developer.

8.0 ENVIRONMENTAL

- 8.1 An Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.

9.0 OPERATING PROCEDURES

- 9.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.
- 9.2 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 9.3 Where necessary, air conditioning units must be provided with acoustic screening to meet the standards set out in the *Environmental Protection Regulation 2008*.
- 9.4 Each dwelling must be provided with clearly identifiable unit numbering.
- 9.5 The development must be provided with a refuse container and container storage area that:
- 9.5.1 is screened from view of the street and adjoining public places by a solid screen fence, wall or dense vegetation having a minimum height of 1.5 metres;
 - 9.5.2 is large enough to accommodate at least one (1) standard issue sized rubbish bin.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships website www.dsdsatsip.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control*

Devices must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Water and Sewerage Services

In accordance with the Water Supply (Safety & Reliability) Act 2008, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water and sewerage services. Alterations to existing services consequential to necessary connections to existing sewerage and / or water infrastructure must be at the responsibility and cost of the Developer. Please contact Infrastructure for further information. Negotiation with other service authorities such as Telstra and Ergon may also be required to adequately affect these connections.

NOTE 5. Infrastructure Charges

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Material Change of Use for a Dual Occupancy, made by Stroud Homes Rockhampton, on Lot 198 on SP348686, and located at 32 Mornington Street, Taroomball, the Committee recommends Council resolve to issue an Infrastructure Charges Notice for the amount of \$31,080.00.

D-261-2024 - CONDITIONS - ROL 1 INTO 2 LOTS

COMMITTEE RESOLUTION

RECOMMENDATION A

THAT in relation to Development Application D-261-2024 for Development Permit for Reconfiguring a Lot (One Lot into Two Lots), made by R and A Mather C/- Capricorn Survey Group (CQ) Pty Ltd, located at 140 Howes Road Farnborough, Council resolves to Approve the application subject to the following conditions

PART A – RECONFIGURING A LOT

1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council, prior to the issue of the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further development permits must be obtained prior to the

commencement of any works associated with its purpose:

1.6.1 Plumbing and Drainage Works; and

1.6.2 Operational Works (access)

1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan Number</u>	<u>Rev</u>	<u>Dated</u>
Reconfiguration Plan 1 Lot into 2 Lots	9380-01-ROL	B	18 October 2024

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

3.0 ACCESS WORKS and RURAL ADDRESSING

3.1 Rural addressing must be provided in accordance with Council's Rural Addressing Policy and Procedure.

3.2 A compliant vehicle access from Howes Road to the proposed Lot 1 property boundary must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and must be in accordance with the standard drawing *CMDG-R-040 "Rural Road Access and Property Access Over Table Drains."*

3.3 An internal access way located within the proposed Lot 1 to the existing dwelling must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines*, to have:

3.3.1 Minimum four (4) metres wide all weather gravel pavement;

3.3.2 Minimum four (4) metres wide sealed pavement on a six (6) metres wide formation if the grade of the access way is steeper than ten (10) % at any point;

3.3.3 Minimum four (4) metres wide sealed pavement on a six (6) metres wide formation if within twenty (20) metres of an existing dwelling house on an adjacent allotment for a distance of at least twenty (20) metres past the extremities of the dwelling house projected perpendicular from the access way boundary;

3.3.4 Minimum cleared width of six (6) metres;

3.3.5 Minimum cleared height of 4.8 metres;

3.3.6 Have a max longitudinal gradient of 18% (where unsealed, if sealed maximum longitudinal gradient is 25% as above);

3.3.7 where the length of the access way is greater than 30m, an average

longitudinal gradient no greater than 14.4%;

3.3.8 Immune from inundation in an event with 10% AEP event flood.

3.4 Any new culvert structures associated with the internal access way must be designed and constructed to ensure safe trafficability during the Defined Flood Event.

3.5 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any internal access works on the site.

4.0 INFRASTRUCTURE

4.1 Infrastructure associated with any existing uses must remain within the respective property boundaries of the lot it serves.

4.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.

5.0 ASSET MANAGEMENT

5.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

5.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

6.0 ELECTRICITY AND TELECOMMUNICATIONS

6.1 Electricity and telecommunication connections must be provided to the proposed lots to the standards of the relevant authorities.

7.0 OPERATING PROCEDURES

7.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

8.0 STORMWATER WORKS

8.1 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land or damage land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause a nuisance or damage infrastructure.

9.0 ASSET MANAGEMENT

9.1 Any alteration necessary to electricity, telephone, water mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

9.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the

reinstatement of the existing traffic signs and pavement markings which may have been removed.

10.0 ENVIRONMENTAL

- 10.1 An Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.

11.0 OPERATING PROCEDURES

- 11.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in adjoining streets.
- 11.2 Fences must be constructed with gates that can be freely accessed for fire-fighting purposes and do not impede the safe movement of fauna.
- 11.3 Landscaping must:
- 11.3.1 Preserve the requirements of any building protection zone; and
 - 11.3.2 Not increase the exposure of a habitable building not located in a building protection zone to a bushfire hazard.

12.0 PLUMBING AND DRAINAGE WORKS

- 12.1 The proposed Lot 1 dwelling must be connected to an on-site water storage system within a minimum capacity of 50,000 litres for domestic purposes.
- 12.2.1 The proposed Lot 1 dwelling must have available a 25,000 litre minimum size water tank for fire fighting purposes and must be:
- 12.2.1 Constructed with fire-proof materials, or located underground with above-ground access points;
 - 12.2.2 Located no more than ten (10) metres from the use;
 - 12.2.3 Located more than nine (9) metres from any potential fire hazards (such as venting gas bottles and combustible structures);
 - 12.2.4 Located within six (6) metres of a hardstand area allowing access for a heavy rigid fire appliance;
 - 12.2.5 Fitted with fire brigade tank fittings consisting of:
 - (i) For above ground tanks, a fifty (50) millimetre ball valve and male camlock coupling and metal pipe fittings; or
 - (ii) For underground tanks, an access hole having a minimum diameter of 200 millimetres to allow access for suction lines; and
 - 12.2.6 Identified by directional signage clearly provided at the street access point (Howes Road access).
- 12.3 The proposed Lot 1 must be provided with an on-site sewerage treatment and disposal in accordance with the *Queensland Plumbing and Wastewater Code* and *Council's Plumbing and Drainage Policies*.
- 12.4 Structures or buildings at proposed Lot 1 must not be located within the on-site sewerage treatment and disposal area or conflict with separation distances as

detailed with the *Queensland Plumbing and Wastewater Code*.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the “cultural heritage duty of care”). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

RECOMMENDATION B

THAT in relation to Development Application D-261-2024 for Development Permit for Reconfiguring a Lot (One Lot into Two Lots), made by R and A Mather C/- Capricorn Survey Group (CQ) Pty Ltd, located at 140 Howes Road Farnborough, Council resolves to issue and Infrastructure Charges Notice for the amount of \$18,340.00

INFRASTRUCTURE CHARGES NOTICE

INFRASTRUCTURE CHARGES

Infrastructure charges are levied pursuant to the *Adopted Infrastructure Charges Resolution (No.6) LSC 2024*. The details and breakdown of the charges are outlined below:

Charge area:	The subject site is located outside the priority infrastructure area
Calculation:	<p>The charge is calculated in accordance with Table 4 - Minimum infrastru charge for Reconfiguring a Lot partly outside or entirely outside the P Infrastructure Area, as follows:</p> <ol style="list-style-type: none"> Two lots at \$18,340.00 per lot (\$36,680.00). less an offset of \$18,340.00 for the existing lot.
Credit:	<p>The above calculation takes into account a credit of \$18,340.00 for the ex allotment pursuant to Part 4.0 of Council's <i>Adopted infrastructure Ch Resolution (No.6) LSC 2024</i>. The credit is calculated as follows:</p> <ol style="list-style-type: none"> one existing lot at \$18,340.00 per lot.
Offset:	No offsets are applicable to the development.

Networks Covered:	Apportionment of charges over the following networks: Transport Parks & Community Facilities
A total contribution of \$18,340.00 is payable and will be reflected in an Infrastructure Charges Notice.	
REEF GUARDIAN PROJECT "OUR LIVING COAST" COMMUNITY ENGAGEMENT COMMITTEE RESOLUTION THAT the Report be received and its contents noted.	
REEF GUARDIAN PROJECT - OXFORD ROAD WATER QUALITY AND HABITAT PROJECT COMMUNITY ENGAGEMENT COMMITTEE RESOLUTION THAT the Report be received and its contents noted.	
INFRASTRUCTURE CHARGES - REQUEST FOR REDUCTION COMMITTEE RESOLUTION THAT the Committee recommends that Council resolve to not reduce the infrastructure charges for D-194-2024	

COMMITTEE RECOMMENDATIONS THAT WERE RESOLVED IN COMMITTEE ON 1 APRIL LISTED BELOW FOR EASE OF REFERENCE

D-141-2024 - MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING (14 DWELLING UNITS) AND ROL (4 LOTS INTO 14 LOTS & ACCESS EASEMENTS)

COMMITTEE RESOLUTION

RECOMMENDATION A

THAT the committee exercises its delegation under s257c of *Local Government Act 2009* and resolves to approve the application. In relation to the application for a Development Permit for Reconfiguring a Lot (four lot into fourteen lots and access easements), made by Azzura Developments SEQ Pty Ltd, on Lot 1 on RP602866, Lot 2 on RP602866, Lot 9 on LN2930 and Lot 1 on SP143235, and located at 4 Cathne Street, 6 Cathne Street, 118-120 Matthew Flinders Drive and Lot 1 Matthew Flinders Drive, Cooe Bay, Council resolves to approve the application

1.0 ADMINISTRATION

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

- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the commencement of use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works;
 - 1.6.2 Plumbing and Drainage Works; and
 - 1.6.3 Building Works
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards, Capricorn Municipal Development Guidelines, Queensland Urban Drainage Manual* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 1.10 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.

APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Proposed Subdivision Plan Prepared by Kris Kowalski Architects	1823/DA031 Revision B	18 April 2024
Traffic Impact Assessment Prepared by Bitzios Consulting	P6598.001R Version 001	22 August 2024
Preliminary Service Plan Prepared by OSKA Consulting Group	OSK6615-P012 Revision B	9 September 2024
Preliminary Earthworks Plan Prepared by OSKA Consulting Group	OSK6615-P010 Revision B	13 September 2024
Geotechnical Comments Prepared by CQ Soil Testing	CQ25813 Version A	30 July 2024
Preliminary Roadworks Plan Prepared by OSKA Consulting	OSK6615-P013 Revision A	19 December 2024

Group		
Conceptual Stormwater Management Plan Prepared by OSKA Consulting Group	OSK6615-0002-C Revision C	19 December 2024

PART A: RECONFIGURATION OF A LOT

2.0 ROAD WORKS

- 2.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 2.2 Matthew Flinders Drive, Brae Street and Cathne Street must be upgraded in accordance with the approved Preliminary Roadworks Plan prepared by OSKA Consulting Group (refer to Condition 2.1).
- 2.3 The extension of Davidson Street to the east of Brae Street must be designed and constructed in accordance with the recommendations under the approved Traffic Impact Assessment prepared by Bitzios Consulting.
- 2.4 A truncation must be dedicated as road reserve from southeast corner of proposed Lot 8. The new boundary must be in general an extension of the existing boundary of proposed Lot 11.
- 2.5 A concrete pathway must be constructed on the development side of Matthew Flinders Drive, Brae Street and Cathne Street for the full frontage of the site.
- 2.6 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.

3.0 ACCESS WORKS

- 3.1 All vehicular access to and from proposed Lots 1 to 4 (inclusive) must be via Cathne Street only.
- 3.2 All vehicular access to and from proposed Lots 5 to 11 (inclusive) and proposed Lot 14 must be via the proposed extension of Davidson Street to the east of Brae Street only. Direct vehicular accesses to Matthew Flinders Drive are prohibited.
- 3.3 All vehicular access to and from proposed Lots 12 and 13 must be via Matthew Flinders Drive only.
- 3.4 The proposed shared access among proposed Lots 5 to 10 must remain open for Council all the time, for the purpose of maintaining the water, sewerage and stormwater infrastructures, water meter reading and relevant works associated with water supply, sewerage services and stormwater management service.
- 3.5 Access and associated vehicle manoeuvring areas must be sealed.
- 3.6 Stormwater runoff from parking and vehicular manoeuvring areas must be collected on the site and drained to a lawful point of discharge in accordance with *Queensland Urban Drainage Manual*.

4.0 SEWERAGE WORKS

- 4.1 The development must be connected to Council's reticulated sewerage.
- 4.2 The existing sewerage connection points must be retained and upgraded, if necessary, to service the proposed lots, if they are available. New sewerage connection points must be provided to each of the proposed lot, if there is no existing sewerage

connection point.

- 4.3 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.4 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy-duty trafficable lid must be provided in the trafficable area.
- 4.5 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.

5.0 WATER WORKS

- 5.1 The development must be connected to Council's reticulated water.
- 5.2 The existing water connection points must be retained and upgraded, if necessary, to service the proposed lots, if they are available. New water connection points must be provided to each of the proposed lot, if there is no existing water connection point.
- 5.3 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.

6.0 STORMWATER WORKS

- 6.1 Each allotment must be designed so as to be self-draining and the detention system must be designed and located in accordance with the approved Conceptual Stormwater Management Plan Prepared by OSKA Consulting Group such that there is no increase in flood levels on adjoining land or properties.
- 6.2 The potential pollutants in stormwater runoff, discharged from the site must be managed in accordance with the approved Conceptual Stormwater Management Plan Prepared by OSKA Consulting Group, Urban Stormwater Quality Planning Guidelines and State Planning Policy.
- 6.3 Any application for Operational works (stormwater works) must include;
 - (a) Storage calculations, detailed designs for the inlet and outlet systems for the proposed detention systems;
 - (b) Ongoing maintenance and management actions required with regard to detention;
 - (c) Details to demonstrate vehicular, pedestrian amenity and safety criteria are met on Davidson Street, Matthew Flinders Drive and Cathne Street in accordance with Queensland Urban Drainage Manual;
 - (d) Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy;
 - (e) Drainage easement(s) must be dedicated over all major overland flow paths and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land; and
 - (f) Any drainage easements dedicated over the major overland flow paths or major drainage system must be able to contain all earthworks, batters and include freeboard and access and maintenance provisions consistent with the Queensland Urban Drainage Manual.

7.0 EARTHWORKS

- 7.1 Any application for a Development Permit for Operational Works (earthworks) must be accompanied by an earthworks' plan which clearly identifies the following:
 - (a) the location of cut and/or fill;
 - (b) the type of fill to be used and the manner in which it is to be compacted;

- (c) the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - (d) details of any proposed access routes to the site which are intended to be used to transport fill to or from the site;
 - (e) the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary; and
 - (f) methods of control and treatment if acid sulfate soils are encountered
- 7.2 Earthwork must only be undertaken in accordance with the approved Preliminary Earthworks Plan prepared by OSKA Consulting Group (refer to Condition 2.1), *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"* and in a manner complying with the recommendations of the approved Geotechnical Comments prepared by CQ Soil Testing (refer to Condition 2.1). Any alternative design of the earthwork must be designed by a Registered Professional Engineer of Queensland and be provided under the application of Development Permit for Operational Works (earthworks).
- 7.3 Earthwork and slope stability must be managed that site inspections must be undertaken by a Registered Professional Engineer of Queensland to confirm the design and full engineering certification must be undertaken by a Registered Professional Engineer of Queensland.
- 7.4 Earthworks must be constructed such that they do not, at any time, in any way, cause a nuisance or worsening to adjoining properties or infrastructure.
- 8.0 **ELECTRICITY AND TELECOMMUNICATIONS**
- 8.1 The development must be connected to electricity and telecommunications to the standards required by the service provider.

ADVISORY NOTES

NOTE 1. **Water and Sewerage Services**

In accordance with the *Water Supply (Safety & Reliability) Act 2008*, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water and sewerage services. Alterations to existing services consequential to necessary connections to existing sewerage and / or water infrastructure must be at the responsibility and cost of the Developer. Please contact Infrastructure for further information. Negotiation with other service authorities such as Telstra and Ergon may also be required to adequately affect these connections.

NOTE 2. **Private Works**

Council can provide cost estimates for any water and sewerage connection works as requested.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for Material Change of Use for Multiple Dwelling (fourteen dwellings), made by Azzura Developments SEQ Pty Ltd, on Lot 1 on RP602866, Lot 2 on RP602866, Lot 9 on LN2930 and Lot 1 on SP143235, and located at 4 Cathne Street, 6 Cathne Street, 118-120 Matthew Flinders Drive and Lot 1 Matthew Flinders Drive, Cooee Bay.

Council resolves to approve the application given pursuant to Section 60(2)(b) of the *Planning Act 2016*, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

- (a) The development is a consistent and preferred use for the Low-Density Residential Zone
- (b) The proposed lots have access to existing connections to urban infrastructure and services.
- (c) Works undertaken as part of this development will mitigate long term stormwater and overland flow issues in the immediate area.
- (d) Overlays affecting the site have been addressed as part of the proposal.

APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Perspective 01	DA010 1823 Rev C	17/10/2023
Perspective 02	DA011 1823 Rev C	18/10/2023
Perspective 03	DA012 1823 Rev A	25/10/2023
Perspective 04	DA013 1823 Rev A	25/10/2023
Birds Eye View 03	DA014 1823 Rev A	09/07/2023
Location Plan	DA0025 1823 Rev B	18/09/2023
Context Plan	DA06 1823 Rev C	18/09/2023
Site Plan	DA030 1823 Rev F	18/09/2023
Sun Study	DA040 1823 Rev A	25/10/2023
Admin Please continue		

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

8.2 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.

9.0 PLUMBING AND DRAINAGE WORKS

9.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.

9.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act and the provisions of a Development Permit for Plumbing and Drainage Works.

9.2 The development must be connected to Council's reticulated sewerage and water.

9.4 The existing sewerage and water connection point(s), which may be provided as per conditions of Part A: Reconfiguring a lot (4 lots into 14 lots), or may be the existing connection point(s) prior to the subdivision if available, must be retained, and upgraded if necessary, to service the development.

10.0 BUILDING WORKS

- 10.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 10.2 The locations of structures must comply with the Queensland Development Code (MP1.4: Building Over or near relevant infrastructure).
- 10.3 All site earthworks must be undertaken in accordance with Australian Standard, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments" and any recommendations under the approved Geotechnical Comments prepared by CQ Soil Testing (refer to Condition 2.1).
- 10.4 Any fencing provided between the road frontage lot boundary and the front building line, must be:
 - 10.4.1 a maximum height of 1.2 metres; or
 - 10.4.2 a maximum height of 1.8 metres if having a minimum transparency of fifty (50) per cent
- 10.5 All waste storage areas are screened from view of the street and adjoining public places by one or more of the following:
 - 10.5.1 a solid screen fence; or
 - 10.5.2 a wall; or
 - 10.5.3 dense vegetation.
- 10.6 Any building plant is screened from view of the street and adjoining public places by one or more of the following:
 - 10.6.1 a solid screen fence, or
 - 10.6.2 a roof design feature; or
 - 10.6.3 a wall; or
 - 10.6.4 dense vegetation.
- 10.7 The development is provided with refuse container and container storage area that:
 - 10.7.1 is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.5 metres;
 - 10.7.2 is large enough to accommodate at least one (1) standard issue sized rubbish bin per dwelling.
- 10.8 The proposed development must contain:
 - 10.8.1 appropriately designed and sited numbering which clearly identifies the street address and any individual tenancies or dwelling units at the premises; and
 - 10.8.2 appropriately designed and sited signage for way finding and premises identification.
- 10.9 The development must provide lighting that is designed and installed in any public places and community places in accordance with Australian Standard AS1158: Public Lighting Code and AS4282 — Control of the obtrusive effects of outdoor lighting
- 11.0 **ROOF AND ALLOTMENT DRAINAGE WORKS**
- 11.1 All roof and allotment runoff must drain demonstrating lawful discharge in accordance with the approved Conceptual Stormwater Management Plan Prepared by OSKA Consulting Group (refer to Condition 2.1) and the requirements of the Queensland Urban Drainage Manual and the Capricorn Municipal Development Guidelines.
- 11.2 All roof and allotment runoff water must not adversely affect the upstream or downstream land when compared to pre-development conditions or cause an actionable nuisance or damage infrastructure.
- 12.0 **ELECTRICITY AND TELECOMMUNICATIONS**
- 12.1 Each dwelling must be connected to electricity and telecommunications to the standards required by the service provider.

ADVISORY NOTES**NOTE 1. Water and Sewerage Services**

In accordance with the Water Supply (Safety & Reliability) Act 2008, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water and sewerage services. Alterations to existing services consequential to necessary connections to existing sewerage and / or water infrastructure must be at the responsibility and cost of the Developer. Please contact Infrastructure for further information. Negotiation with other service authorities such as Telstra and Ergon may also be required to adequately affect these connections.

NOTE 2. Private Works

Council can provide cost estimates for any water and sewerage connection works as requested.

RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Reconfiguring a Lot (4 Lots into 14 Lots & Access Easements) and Material Change of use for Multiple Dwellings made by Azzura Developments SEQ Pty Ltd on Lot 1 on RP602866, Lot 2 on RP602866, Lot 1 on SP143235 and Lot 9 on LN2930 and located at 4 Cathne Street, cooee Bay, 6 Cathne Street Cooee Bay, Lot 1 Matthew Flinders Drive Cooee Bay and 118-120 Matthew Flinders Dive Cooee Bay,

Council resolves to issue an Infrastructure Charges Notice for the amount of \$310,800.00 with details of the calculation provided.

PROPOSED LICENCE AGREEMENT FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE**COMMITTEE RESOLUTION**

THAT the committee exercises its delegation under s257c of the *Local Government Act 2009* and resolves to:

1. apply the exception mentioned in section 236(1)(a) of the *Local Government Regulation 2012*, may apply in its dealing with a qualified supplier for the installation, operation and maintenance of Electric Vehicle (EV) charging infrastructure in Yeppoon;
2. pursuant to section 236(2) of the *Local Government Regulation 2012* to apply section 236(1)(a) of the *Local Government Regulation 2012* in its dealing with a qualified supplier for the installation, operation and maintenance of Electric Vehicle (EV) charging infrastructure in Yeppoon;
3. to provide a licence agreement to a qualified supplier for the installation, operation and maintenance of Electric Vehicle (EV) charging infrastructure in Yeppoon; and
4. to delegate to the Chief Executive Officer, pursuant to section 257(1) of the *Local Government Act 2009*, to negotiate the terms and conditions of a licence agreement provided to a qualified supplier for the installation, operation and maintenance of Electric Vehicle (EV) charging infrastructure in Yeppoon.

11.2 RECREATION & CULTURE COMMITTEE MINUTES 1 APRIL 2025

File No: fA72738
Attachments: Nil
Responsible Officer: Lucy Walker - Executive Support Officer
Terry Dodds PSM - Chief Executive Officer
Author: Renee Dwyer - Executive Assistant to the Mayor

SUMMARY

This report is of the Recreation and Culture Standing Committee Meeting held on 1 April 2025. The recommendations are presented for the determination by the Council.

OFFICER'S RECOMMENDATION

THAT Council receives the report of the Recreation & Culture Committee meeting held on 4 March 2025 and adopts the recommendations contained therein.

- Monthly Progress Report – Capital Projects
- Regional Arts Development Fund Round Two 2024/2025
- Event Sponsorship Program Round One 25/26
- Livingstone Shire Council and Bendigo Community Bank Community Grants Scheme (Round 2 2024/2025) Outcome

COMMENTARY**COMMITTEE RECOMMENDATIONS DETAILED BELOW FOR EASE OF REFERENCE****MONTHLY PROGRESS REPORT - CAPITAL PROJECTS COMMITTEE RESOLUTION**

THAT the Committee recommends Council receive and note the progress of the capital works program delivered by the *Recreation and Culture* Portfolio to 28 February 2025.

REGIONAL ARTS DEVELOPMENT FUND ROUND TWO 2024/2025

THAT the committee recommends to Council that in accordance with the recommendation of the Livingstone Shire Regional Arts Development Fund Grants Scheme Assessment Panel, the following grant applications be funded:

Name	Purpose of Grant	Amount
Leanne Smith	Tony Backhouse Workshop	\$5,025.00
Kelly Harris	Talent Search Workshop Sunset Session	\$5,500.00
Daniel Rossiter	Development Workshops for Regional Choirs	\$2,280.00
Tegan Devine	Tiny Beautiful Things – Dance Production	\$4,870.00
Erin Fisher	CAPS Community Film Maker Workshop	\$5,000.00
TOTAL		\$22,675.00

EVENT SPONSORSHIP PROGRAM ROUND ONE 25/26

THAT the committee recommends to Council that in accordance with the recommendation of the Livingstone Shire Council Event Sponsorship assessors, the following event sponsorship applications be funded from the Livingstone Shire Council Event Sponsorship Program Round One 2025/2026.

Applicant	Event	Amount (ex GST)
Community Hall or Market (in-kind only)		
Marlborough Lions	Christmas Party in the Park 2025	\$430.00
Emu Park Lions	Bell Park Markets x 6	\$2,230.00
The Country Music Group	Town Hall Country Music x 6	\$1,114.00
Emu Park Lions	Oktoberfest 2025	\$1,150.00
Yeppoon Choral Society	Shrek the Musical at Town Hall	\$6,564.00
	TOTAL	\$11,488.00
Community Event (cash and in-kind) – up to \$5,000		
Yeppoon Choral Society	Shrek the Musical	\$2,500.00
Emu Park Lions	Superheroes Unite – Emu Park Community Fete	\$1,000.00
Emu Park Veterans Golf	2025 Tropic of Capricorn Golf Carnival Emu Park Veterans Open	\$500.00
Yeppoon Hack and Pony Club	Spring Series One Day Event	\$2,000.00
Yeppoon Hack and Pony Club	Official Showjumping Equitation Spring Series	\$1,000.00
Capricorn Conservation Council	Caring for Country – The Caves	\$1,500.00
Mt Chalmers Community History Centre	Car boot and market day	\$500.00
Yeppoon Scouts QLD	Celebrating 100 years of Scouting	\$2,000.00
Emu Park Surf Lifesaving Club	Beach Babes – How to build body positivity and keep it!	\$1,000.00
Emu Park Football Club	Discos at Emu Park Cultural Hall	\$1,000.00
	TOTAL	\$13,000.00
Regional Event (cash and in-kind) – up to \$15,000		
Capricorn Coast Netball Association	Capricorn Coast Junior Cup Carnival 2025	\$10,000.00
Yeppoon Show Society	Yeppoon and District Show 2025	\$10,000.00
Yeppoon Lions	Tropical Pinefest 2025	\$10,000.00
Capricorn Coast Community Events	JRT Carols by the Beach 2025	\$10,000.00
Keppel Bay Sailing Club	Zhik Youth Sail QLD 2025	\$10,000.00
Yeppoon Tennis Club	Yeppoon Pickleball Festival 2025	\$8,000.00
Frenchville Sports Club Ltd.	Fitzroy River Barra Bash	\$3,000.00
	TOTAL	\$61,000.00
Economic Event (cash and in-kind) – up to \$30,000		
The Capricorn Village Festival	The Capricorn Village Festival 2025	\$20,000.00

Great Keppel Island Hideaway	Sunset Sessions	\$20,000.00
Yeppoon Running Festival	Yeppoon Running Festival 2025	\$15,000.00
HSM Group Pty Ltd.	Beach 5's Summer of Footy	\$5,000.00
QLD Cricket	QLD Play Cricket Launch – Postcard Tour – Great Keppel Island	\$5,000.00
Weigh Auto Group	Great Barrier Reef Clean Up Day	\$5,000.00
	TOTAL	\$70,000.00
	GRAND TOTAL	\$155,488.00

LIVINGSTONE SHIRE COUNCIL AND BENDIGO COMMUNITY BANK COMMUNITY GRANTS SCHEME (ROUND 2 2024/2025) OUTCOME COMMITTEE RESOLUTION

THAT the Committee recommends Council approve the allocation of the Livingstone Shire Council and Bendigo Community Bank Community Grants Scheme funding, as determined by the assessment panel evaluation process, to the below successful applicants:

Successful applicant	Initiative	Amount
Allegra Studios Pty Ltd	Purchase of materials for Dance for Parkinson's Program	\$5,000
Yeppoon Australian Football Club Inc	Installation of secure gate system	\$5,000
Capricorn Coast Cricket Club Inc	Purchase of cricket pitch protection equipment	\$4,785
Yeppoon Little Theatre Group Inc	Replacement of audience seating	\$5,000
Byfield & District Historical Society Inc	Purchase of picnic tables and barbecues	\$5,000
Australian Volunteer Coast Guard Association Inc. - Keppel Sands QF20	Purchase of fuel storage shed	\$5,000
Marlborough and District Lion Club Inc	Purchase of Public Address system	\$5,000
Wildlife Rehabilitation HQ Inc	Construction of wheelchair accessible pathway	\$4,895
Yeppoon Bridge Club	Purchase of dealing machine	\$4,970
Emu Park Golf Club Inc	Replace existing Fire Door/Exit Door with an all-access Swing Door	\$3,406
UCA Capricorn Coast Congregation	Purchase of defibrillator	\$1,670
Joskeleigh Community Association Inc	Upgrades to power box due to asbestos	\$3,124
Lions Club of Emu Park Inc	Purchase of barbecues, eskies, chairs, and fridge	\$3,225
Capricorn Coast Darts Association Inc.	Purchase of scoreboards and stands	\$2,000
Capricornia Catchments Inc	Purchase of marquee and communications equipment	\$4,616
Capricorn Coast Outrigger Canoe Club	Purchase of first aid kit and defibrillator	\$4,907
Capricorn Conservation Council	Purchase of branded materials	\$1,960 (partial)
TOTAL		\$69,558

11.3 INFRASTRUCTURE COMMITTEE MINUTES 1 APRIL 2025

File No: fA72738
Attachments: Nil
Responsible Officer: Lucy Walker - Executive Support Officer
Terry Dodds PSM - Chief Executive Officer
Author: Renee Dwyer - Executive Assistant to the Mayor

SUMMARY

This report is of the Infrastructure Standing Committee Meeting held on 1 April 2025. The recommendations are presented for the determination by the Council.

COMMITTEE RECOMMENDATION

THAT Council receives the report of the Infrastructure Committee meeting held on 4 March 2025 and adopts the recommendations contained therein.

- Road Closure Application - Adjacent to 74 Amalfi Drive Zilzie (Lot 223 SP166169)
- Regional Waste and Resource Recovery Management Plan Central Queensland – Implementation Plan
- Lammermoor Beach South Master Plan – Progress Update
- Monthly Progress Report – Capital Projects

COMMENTARY**COMMITTEE RECOMMENDATIONS DETAILED BELOW FOR EASE OF REFERENCE****ROADS CLOSURE APPLICATION – ADJACENT TO 74 AMALFI DRIVE ZILZIE (LOT 223 SP166169)**

THAT the Committee recommends that Council resolve:

1. To authorise the Chief Executive Officer to sign a 'Statement in relation to an application under the *Land Act 1994* over State land (Part C)' stating that Council, as road manager, supports the proposed permanent closure of road reserve (path) between 72 and 74 Amalfi Drive Zilzie
2. That the applicant be advised of Council's decision and provided with the completed Part C.

REGIONAL WASTE AND RESOURCE RECOVERY MANAGEMENT PLAN CENTRAL QUEENSLAND - IMPLEMENTATION PLAN COMMITTEE RESOLUTION

THAT the Committee recommends that Council endorse the actions to be undertaken by Livingstone Shire Council under the Regional Waste and Resource Recovery Management Plan - Central Queensland Implementation Plan.

LAMMERMOOR BEACH SOUTH MASTER PLAN - PROGRESS UPDATE

THAT the committee recommends that Council resolve to

1. Receive this report;
2. Notes the scope of works within the Master Planning Project and respective timeframes;
3. Officers provide a report to a future Council Meeting detailing the outcomes of the

Master Planning Project, including budget implications of each proposed work package.

MONTHLY PROGRESS REPORT - CAPITAL PROJECTS

THAT the Committee recommends Council receive and note the progress of the capital works program delivered by the Infrastructure Portfolio to 28 February 2025.

12 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS

Nil

13 REPORTS

13.1 SUPPORT FOR YEPPOON RSL SUB-BRANCH ANNUAL ANZAC DAY MEMORIAL PARADE AND SERVICE

File No: qA24330
Attachments: Nil
Responsible Officer: Katrina Paterson - General Manager Communities
Terry Dodds PSM - Chief Executive Officer
Author: Molly Saunders - Manager Community and Cultural Services

SUMMARY

This report outlines the request for ongoing support for Yeppoon RSL Sub-branch's ANZAC Day commemorative events.

OFFICER'S RECOMMENDATION

THAT Livingstone Shire Council resolves to provide an annual cash sponsorship of \$5,000.00, in-kind venue hire (Beaman Park) and in-kind labour (supply and installation of carpark closure signage) to the Yeppoon RSL Sub-branch for Yeppoon ANZAC Day commemorative events. This sponsorship will continue unless Council resolves otherwise.

BACKGROUND

In early 2022 Livingstone Shire Council entered into an MOU with Yeppoon RSL Sub-branch in which Council committed to providing \$5,000.00 cash, in-kind venue hire (Beaman Park) and in-kind labour (supply and installation of carpark closure signage) for the Yeppoon ANZAC Day dawn service; the memorial parade and Beaman Park service in 2022, 2023, 2024 and 2025.

COMMENTARY

Yeppoon RSL Sub-branch have approached Council seeking an extension of Council's support for their ANZAC Day commemorative events beyond 2025.

PREVIOUS DECISIONS

There have been no previous decisions in relation to this matter.

ENGAGEMENT AND CONSULTATION

There has been internal engagement with CEO, Mayor, Councillors and staff regarding this matter. The Yeppoon RSL Sub-branch presented a deputation at the 15 April Ordinary meeting.

HUMAN RIGHTS IMPLICATIONS

There are no identified Human Rights implications in considering this matter.

BUDGET IMPLICATIONS

The \$5,000.00 cash component and the in-kind venue hire will be allocated from the Events Sponsorship budget if approved.

The in-kind labour will be provided by Council's Infrastructure team.

LEGISLATIVE CONTEXT

There is no identified legislative context in considering this matter.

LEGAL IMPLICATIONS

There are no identified legal implications in considering this matter.

STAFFING IMPLICATIONS

Actions arising from this report can be accommodate within existing staff capacity.

RISK ASSESSMENT

Reputation – If Council did not support this allocation, the community may perceive that Council does not support Yeppoon ANZAC Day commemorative events or the Yeppoon RSL Sub-branch.

If Council does support this allocation, the community may perceive that Council is supporting one group over others who are required to access sponsorship via the highly competitive Events Sponsorship application process. There is a risk that other groups will approach Council for a similar decision outside of the Events Sponsorship process.

Safety – if Council does support the allocation, the event will have impact on the broader community (e.g. road closure). All event proponents must fulfil Council's Temporary Event criteria and provide associated materials for the event to be approved (e.g. Risk Assessment, Waste Management Plan, Special Event Permit).

CORPORATE PLAN REFERENCE***Thriving Livingstone***

Community Plan Goal 2.4 - Arts and cultural activities and facilities that strengthen social connections

2.4.1 Deliver events, activities, and performances which bring economic and social benefits to the Community.

CONCLUSION

Yeppoon RSL Sub-branch are seeking support from Council to assist in delivering Yeppoon ANZAC Day commemorative events.

13.2 CONFIRMATION OF APPOINTMENT - CHIEF EXECUTIVE OFFICER

File No: GV
Attachments: Nil
Responsible Officer: Adam Belot - Mayor
Author: Kristy Mansfield - Chief Human Resources Officer

SUMMARY

Mayor recommending confirmation of appointment of Chief Executive Officer following completion of satisfactory six month probationary period.

OFFICER'S RECOMMENDATION

THAT Council notes the completion of satisfactory six month probationary review and confirms appointment of Terry Dodds PSM to the position of Chief Executive Officer.

BACKGROUND

The incumbent Chief Executive Officer (CEO) commenced duties on 18 November 2024 and permanent appointment remains subject to a probation period of six months.

A Performance Plan for the CEO was adopted by Council on 21 January 2025.

COMMENTARY

The Mayor and all Councillors (aided by the Chief Human Resources Officer) attended a workshop on 18 March 2025 to review the CEO's performance during the probationary period. The review took the following form:

1. A discussion around the current organisational climatic conditions as observed by the CEO, including strategic priorities, opportunities and challenges confronting Livingstone Shire, the broader region and the council organisation.
2. The CEO's performance agreement, including key performance indicators set for the coming period.
3. The CEO's performance in relation to Council's expectations.

The Mayor and Councillors are appreciative of the efforts and diligence displayed by the Chief Executive Officer since commencing with Council.

PREVIOUS DECISIONS

The incumbent Chief Executive Officer was appointed by resolution at the Ordinary Meeting of 1 October 2024. A CEO Performance Plan was adopted by Council on 21 January 2025.

ACCESS AND INCLUSION

Nil

ENGAGEMENT AND CONSULTATION

The Mayor and all Councillors were involved in the Probation Review, with assistance from the Chief Human Resources Officer

HUMAN RIGHTS IMPLICATIONS

Nil

BUDGET IMPLICATIONS

There are no budgetary implications as the Probationary Review involves no change to employment conditions.

LEGISLATIVE CONTEXT

Section 12 of the *Local Government Act 2009* prescribes the performance management process for the CEO by the Mayor. Section 194 of the same Act outlines employment requirements for the position.

LEGAL IMPLICATIONS

As required by s. 194.3 of the *Local Government Act 2009*, a written contract of employment with the Chief Executive Officer has been executed, with the following key clauses highlighted:

1. The employment contract is the entire agreement and awards and other employment instruments do not apply (Clause 3)
2. The incumbent's employment is subject to a six month probation period (Clause 4.2)
3. Responsibilities of the position of CEO are spelt out in Clause 6 (alongside those duties specified at law and in the Position Description)
4. Clause 7 obliges the CEO to participate in the Council's Performance Review & Development Process.

Council reserves a series of contract termination options as detailed in Clause 18.

STAFFING IMPLICATIONS

This report outlines the employment conditions of the Chief Executive Officer.

RISK ASSESSMENT

The use of written employment contracts with performance management provisions is intended to limit risk by ensuring a sound foundation on which to manage the most important employment relationship in the organisation.

CORPORATE PLAN REFERENCE***Leading Livingstone***

Community Plan Goal 4.3 - Engagement with the community as advisors and partners

4.3.2 Commit to open and accountable governance to ensure community confidence and trust in Council and its democratic values.

CONCLUSION

Performance management of the organisation hinges on establishment of clear expectations of the Chief Executive Officer.

13.3 AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE

File No:	CM4.2.1
Attachments:	1. ARAIC Terms of Reference - CLEAN VERSION 2. ARAIC Terms of Reference - MARKED UP VERSION
Responsible Officer:	Andrea Ellis - Chief Financial Officer Terry Dodds PSM - Chief Executive Officer
Author:	Catherine Parfitt - Risk & Governance Officer
Previous Items:	11.15 - Audit, Risk and Improvement Committee Terms of Reference - Ordinary Council - 20 Sep 2022 9.00am

SUMMARY

The Audit, Risk and Improvement Committee (ARaIC) Terms of Reference has been revised and is being presented to Council for adoption.

It is anticipated that external membership appointments will be amended to align with the appointment terms as outlined within the revised ARaIC Terms of Reference.

RECOMMENDATION

That Council:

1. Adopt the revised Audit, Risk & Improvement Committee Terms of Reference.
2. Extend Peter Sheville's appointment as Chairperson to the Audit, Risk and Improvement Committee to 28 February 2026, to align with the duration of his external membership appointment.

BACKGROUND

The Audit, Risk, and Improvement Committee Terms of Reference sets out how the Audit, Risk and Improvement Committee will operate, including how it will fulfil the legislative obligations and meet standards relating to Audit Committees.

COMMENTARY

A review of external members appointments identified administrative errors in the application of the Terms of Reference. To ensure alignment with governance requirements, the Terms of Reference have been updated to clarify the appointment terms for external members under Section 4.4.3.

The revisions to Section 4.4.3 modify the terms of external member appointments to a term of up to three years, with the option for the Chairperson to approve an extension of up to a further three years. The initial appointment will continue to require Council resolution, while extension may be granted by the Chairperson without the need for a new expression of interest process.

These amendments will provide clearer guidance for managing external member appointments and ensure compliance with the Terms of Reference.

Additionally, the current Audit Committee Chairperson's two-year tenure is due to conclude on the 21 June 2025. At the recent ARaIC Quarterly Meeting held on the 14 March 2025, the Committee discussed and recommended extending the current Chairperson's appointment for a further period, concluding on 21 June 2026. This extension will assist the Committee with continuity and provide stability in leadership as the Committee continues to fulfil its oversight responsibilities.

Adoption of the proposed changes to the ARaIC Terms of Reference will also guide changes to the appointment term of External Member Mel Jacobs. Mel's initial appointment term was 21 June 2021 – 21 June 2024, with two (1 year) extensions being granted thereafter. It is anticipated that Mrs. Jacobs tenure will be amended for an additional year, to align with the revised external membership term of 3 years, concluding on 21 June 2027. As per the revised ARaIC Terms of Reference, this extension will be authorised by the ARaIC Chairperson, and therefore no recommendation for formal resolution is made within this report on this matter.

PREVIOUS DECISIONS

The Audit, Risk and Improvement Committee Terms of Reference were adopted by Council on the 14th July 2015, with further revision and adoption on the 5th December 2017, 21st September 2021 and 20th September 2022.

ACCESS AND INCLUSION

The revised Terms of Reference ensures that Council's functions as a planner, legislator and regulator demonstrates commitment to equitable outcomes.

ENGAGEMENT AND CONSULTATION

Engagement was undertaken with the Audit, Risk and Improvement Committee.

HUMAN RIGHTS IMPLICATIONS

There are no human rights implications in regard to the updates within the revised Audit, Risk and Improvement Committee Terms of Reference.

BUDGET IMPLICATIONS

There are no budgetary impacts associated with the consideration of this matter.

LEGISLATIVE CONTEXT

The Audit, Risk and Improvement Committee Policy and Audit, Risk and Improvement Committee Terms of Reference continue to be consistent with the minimum requirements for an Audit Committee as per section 210 and 211 of the *Local Government Regulations 2012*.

LEGAL IMPLICATIONS

There are no legal implications.

STAFFING IMPLICATIONS

There are no staffing implications.

RISK ASSESSMENT

The draft changes ensure that these documents remain relevant and effective in guiding the Audit Committee in performing its functions and contributing to the management of risk by Council.

CORPORATE PLAN REFERENCE

Leading Livingstone

Community Plan Goal 4.1 - Innovative and accountable leadership to achieve a shared future

4.1.3 A continuous improvement focus underpins the organisation, creating a supportive environment for ideas and positive, well-managed change which enhances internal and external outcomes.

CONCLUSION

Revisions to the Audit, Risk and Improvement Committee Terms of Reference, specifically updates to Section 4.4.3 regarding external member appointment terms, are presented to

Council for adoption. These changes will guide realignment of appointment processes, with new Letters of Appointment to be issued following Council resolution.

Furthermore, the recommended extension to the current Audit Committee Chairperson's appointment until 28 February 2026 will assist in ensuring stability and continuity within the Committee's leadership.

13.3 - AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE

ARaIC Terms of Reference - CLEAN VERSION

Meeting Date: 15 April 2025

Attachment No: 1



AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE

1. Introduction

Livingstone Shire Council is required by the *Local Government Act 2009* to establish an Audit Committee. The Audit, Risk and Improvement Committee Terms of Reference sets out how the Audit, Risk and Improvement Committee (the Committee) will operate, including how it will fulfil the legislative obligations and meet standards relating to Audit Committees.

2. References (legislation/related documents)

Legislation

Local Government Act 2009

Local Government Regulation

Related documents

Audit, Risk and Improvement Committee Policy

International Professional Practices Framework – The Institute of Internal Auditors

3. Definitions

To assist in interpretation, the following definitions shall apply:

Internal Audit	<p>Internal Audit is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes. (Institute of Internal Auditors)</p> <p>Internal auditing is the work of Internal Audit.</p>
Risk Management	<p>Risk management for Council refers to the culture, processes, and structures developed to effectively manage potential opportunities and adverse effects for any activity, function, or process undertaken by the Council.</p> <p>Managing risk is achieved through the systematic application of policies, procedures, and practices to identify, analyse, evaluate, treat, monitor, and communicate risk.</p>

4. Terms of Reference Statement

4.1 Purpose

The primary objective of the Committee is to provide independent assurance and assistance to Livingstone Shire Council by fulfilling its oversight responsibilities relating to accounting, auditing, governance, and reporting requirements imposed under Section 105 the *Local Government Act 2009* and other relevant legislation.

4.2 Authority

The Committee is an advisory committee to Council and therefore it has no decision-making powers. The Committee can make recommendations to Council for consideration. Where the Chief Executive Officer has approval authority for an item under discussion, the Committee can make recommendations directly to the Chief Executive Officer for their consideration.

The Council authorises the Committee, within the scope of its role and responsibilities to:

- (1) require any information it needs from any employee or external party (subject to legal obligations to protect information);
- (2) discuss any matters with the external auditor or other external parties (subject to confidentiality considerations);
- (3) request the attendance of any employee or councillor at Committee meetings;
- (4) obtain external legal or other professional advice considered necessary to meet its responsibilities.

4.3 Independence and Access

The Committee will need to liaise closely with management and internal and external auditors to carry out its responsibilities. Whilst the primary responsibility for financial and other reporting, internal control and compliance with laws, regulations, and ethics within Council rests with management, the Committee shall exercise a monitoring and review role.

The Committee will have unrestricted access to all information, including documents and personnel and have adequate resources in order to fulfil its oversight responsibilities. To help ensure a complete, effective, and efficient response, requests for access to staff and information should be directed to the Chief Executive Officer who will make appropriate arrangements.

4.4 Membership

The Committee must consist of at least three (3) and no more than five (5) members and include at least one (1) but no more than two (2), Councillors; and at least one (1) member must have significant experience and skills in financial matters. One (1) external independent member will be appointed by Council as the Committee Chairperson.

When considering membership and the duration of appointments, Council will consider the rotation of representatives, which is accepted as the best practice model for ensuring ongoing independence and objectivity, whilst retaining a degree of continuity via a core of experience.

Members are required to declare any interests which could constitute a real, potential, or apparent conflict of interest with respect to participation on the Committee. The declaration must be on appointment to the Committee and at the commencement of each meeting

New Committee members will be provided with induction material to allow them to familiarise themselves with the environment and to facilitate their understanding of Council's principal operations and activities, corporate practices, and culture.

4.4.1 Attendance at meetings

The Chief Executive Officer and Chief Audit Executive cannot be a member of the Committee, however they can attend its meetings. The External Auditor, Advisors, and Ex Officio members are non-voting observers. Other than Committee members only meeting sessions (closed session), the Chief Executive Officer, Chief Audit Executive and the Chief Financial Officer should attend all meetings, however they are not members and have no voting rights.

Where appropriate, and as required by the Committee, other Council officers may be required to attend Committee meetings.

Other than Committee members only meeting sessions (closed session), External Auditors are invited to attend any or all meetings as they consider appropriate.

4.4.2 Councillor Appointments

Councillor appointments will be on a voluntary rotational basis, with a minimum appointment period of eighteen (18) months. The maximum continuous term is six (6) years. A Councillor proxy may be appointed and will assume full authorisation to act on behalf of the respective committee member. Appointment of a Councillor Proxy should coincide with appointment of Councillor Committee Members.

4.4.3 External Independent Member Appointments

Council will appoint external members to the Committee following completion of an expression of interest process. To help ensure the requirements of Council are met, Councillors will be given the opportunity to provide input at the commencement of the process.

The Chairperson and the Chief Executive Officer will review a shortlist of candidates, prepared by Council staff and interview the preferred candidate/s. The Chief Executive Officer will present the mutually agreed recommendation to Council. The appointment will be approved through formal Council resolution.

Members are appointed on the basis of personal qualities and skills and proxies are not permitted if the member is unable to attend meetings.

External appointments will be for a term of up to three (3) years. Upon completion of the initial term, the Chairperson may approve an extension of up to a further three (3) years without the need for a new expression of interest process, considering the balance between continuity and rotation of members.

If an initial appointment is for less than three (3) years, it may be extended by the Chairperson up to the maximum three (3) year term.

Member terms and conditions are to be detailed in the Letter of Appointment.

The Chairperson can recommend the dismissal of a member. This will be discussed in a Confidential session of Council and require formal resolution to be given effect.

Upon resignation or dismissal of a member, the position will be declared vacant and an expression of interest process conducted.

Remuneration of external members for provision of duties and responsibilities as outlined within these Terms of Reference will be in accordance with the 'ARaIC Remuneration Schedule' annexed as 'Appendix 1'.

4.4.4 Chairperson

The Chairperson will be external to Council and possess sound communication and strong leadership skills.

The Committee will discuss and recommend one member to be the Chairperson of the Committee. The appointment will be for a period of two years, after which it is expected

that the role will rotate to another member. The appointment of the Chairperson will be approved through formal Council resolution.

4.4.5 Secretariat

The Chief Executive Officer (or Chief Financial Officer) will provide secretariat support to the Committee. The Secretariat will facilitate the committee's meetings and reporting duties to meet the committee work programme.

The Chief Executive Officer (or Chief Financial Officer) will also make appropriate administrative arrangements to provide secretarial functions to the meetings and prepare minutes of each meeting, which will be provided to the Committee members, permanent attendees, and external auditors along with the agenda.

4.5 Duties and Responsibilities

Members of the Committee will at all times in the discharge of their duties and responsibilities, exercise honesty, objectivity, and probity and not engage knowingly in acts or activities which have the potential to bring discredit to Council or be considered a conflict of interest.

Members also must refrain from entering into any activity which may prejudice their ability to carry out their duties and responsibilities objectively and must at all times act in a proper and prudent manner in the use of information acquired in the course of their duties.

Members must not use information obtained through their position on the Committee for any personal gain for themselves or their immediate family or in any manner which would be contrary to law or detrimental to the welfare and goodwill of Council.

Members must not publicly comment on matters relative to activities of the Committee, other than as authorised by Council in advance.

The Committee's responsibilities do not extend to managing the day-to-day activities of any functional area of Council. This is the responsibility of the Chief Executive Officer.

Members of the committee are expected to:

- (1) understand the relevant legislative and regulatory requirements appropriate to Livingstone Shire Council;
- (2) contribute the time needed to understand the papers provided;
- (3) apply good analytical skills, objectivity and good judgement;
- (4) express opinions frankly, ask questions that go to the fundamental core of issues and pursue independent lines of enquiry.

In addition to the responsibilities applicable to all members, the Committee Chairperson has the following responsibilities:

- (1) presiding over the meeting, in accordance with the published agenda. The Chairperson may amend recommendations if required and determine when to initiate a vote on each item;
- (2) collaborating with the Chief Executive Officer to make a recommendation to Council on changes to external committee members as per section 4.4.2;
- (3) meeting with Council at least annually to present a report summarising the Committee's activities and ensuring effective two-way communication between Council and the Committee;
- (4) presenting the draft Annual Report content to the Committee for collective review and endorsement;
- (5) serving as a point of contact outside of meetings for other members to discuss or raise issues; and

- (6) attending other meetings with council staff or the Queensland Audit Office to discuss issues, review the agenda or minutes, maintain an understanding of the Committee's functions, and ensure the ongoing efficient and effective operation of the Committee.

The specific responsibilities of the Committee are:

4.5.1 Financial Statements

- (a) Review the appropriateness of accounting policies adopted by Council and ensure the accounting policies adopted are relevant to Council and its specific circumstances;
- (b) Review the appropriateness of significant assumptions and critical judgements made by management, particularly around estimations which impact on reported amounts of assets, liabilities, income and expenses in the financial statements;
- (c) Review the financial statements for compliance with or any proposed departures from prescribed accounting and other requirements;
- (d) Review with management and external auditors, the results of the external audit and any significant issues identified;
- (e) Exercise scepticism by questioning and seeking full and adequate explanations for any unusual transactions and their presentation in the financial statements;
- (f) Analyse the financial performance and financial position and seek explanation for significant trends or variations from budgets or forecasts; and
- (g) Ensure assurance with respect to the accuracy and completeness of the financial statements is given by management.

4.5.2 Control Framework

- (a) Review whether management has an adequate internal control structure and systems that are operating efficiently, effectively and economically, including financial internal controls and information technology security and control;
- (b) Review whether management has adequate internal controls in place including over external parties such as contractors and advisor;
- (c) Review whether management has in place relevant policies and procedures and these are periodically reviewed and updated
- (d) Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;
- (e) Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and
- (f) Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

4.5.3 Internal Audit

- (a) Consider the adequacy of internal audit resources to carry out its responsibilities, including the approved Internal Audit Plan.
- (b) Review and approve the internal audit plan, its scope and progress and any significant changes to it, including any difficulties or restrictions on scope of activities, or significant disagreements with management;
- (c) Review the internal audit (strategic and/or annual Plan) to ensure they cover key risks and that there is appropriate co-ordination with the external auditor;
- (d) Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices;

- (e) Monitor the implementation of internal audit recommendations accepted by management;
- (f) Monitor the extent of reliance on internal audit work by the external auditors to facilitate completeness of coverage and the effective use of audit resources.
- (g) Periodically review the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place; and
- (h) Periodically review the performance of Internal Audit.

4.5.4 External Audit

- (a) Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the external audit services provided;
- (b) Review all external plans and reports in respect of planned or completed external audits and monitor the implementation of audit recommendations by management; and
- (c) Consider significant issues raised in relevant audit reports and better practice guides and ensure appropriate action is taken.

4.5.5 Risk Management

- (a) Review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of business and financial risks, including fraud;
- (b) Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- (c) Review the impact of the risk management framework on its control environment and insurance arrangements;
- (d) Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements including whether plans have been tested periodically;
- (e) Assess and contribute to the audit planning processes relating to the risks and threats to Council; and
- (f) Consider significant issues raised in risk management reports and better practice guides and ensure appropriate action is taken.

4.5.6 Legal and Legislative Compliance

- (a) Determine whether management has considered legal and compliance risks as part of Council's risk assessment and management arrangements;
- (b) Review the effectiveness of the system for monitoring compliance with relevant laws, legislation, regulations and associated government policies; and
- (c) Review the findings of any examinations by regulatory agencies, and any other auditor observations.

4.5.7 Performance Management

- (a) Review Council's compliance with the performance management and reporting requirements of the *Local Government Act 2009*, and the *Local Government Regulation 2012*;
- (b) Satisfy itself there is a performance management framework linked to organisational objectives and outcomes;
- (c) Identify that the performance reporting and information uses appropriate benchmarks, targets and trend analysis;

- (d) Review the findings and recommendations of service reviews and the response to them by management;
- (e) Review the implementation of service review recommendations accepted by management; and
- (f) Provide information to the Council for the purpose of improving the Council's performance of its functions.

4.6 Meetings

4.6.1 Meetings and Attendance

The Committee will meet four (4) times per financial year, with one of these meetings to include the referral of the draft annual financial statements to the auditor. Such meetings will be facilitated by a combination of virtual and in-person meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Terms of Reference.

The Chief Executive Officer will set the date, time, and place for the meetings with reference to the forward meeting plan. The Chief Executive Officer must, if practicable, consult with the Committee Chairperson should the need arise to change the date, time, or place for the planned meeting. In addition, the Chief Executive Officer will call a meeting if requested to do so by any Committee member or the internal or external auditors.

A quorum for a Committee meeting is to be one (1) Councillor and two (2) external members.

4.6.2 Meeting Agenda

The Committee should determine its own agenda, ensuring appropriate consultation to include emerging issues and emphasis on the most significant risks and threats. The Committee Work Program will be determined by the Committee will identify the expected items for each meeting.

The Chief Executive Officer will make administrative arrangements to ensure that an agenda, supported by necessary explanatory documentation, is circulated to all Committee members, any other Council officer requested to attend, and the external auditors at least five (5) business days before the day of the meeting, if practicable.

The external auditors will be given notice of all meetings and sent an agenda. The external auditors will have the right to attend and speak at any meeting.

Members are required to declare any interests that could constitute a real, potential or apparent conflict of interest in relation to specific agenda items at the outset of each committee meeting.

4.6.3 Committee Meeting Minutes

The minutes of the Committee meetings will be provided to Council outlining relevant matters which have been considered by it as well as the committee's opinions and recommendations and upon adoption by Council, extracts distributed to relevant officers for information and action.

4.7 Relationships

Any Committee member may meet with the internal and/or external auditors, outside the scheduled Committee meeting, without management being involved or request that closed agenda items be added to the agenda where discussions will only be held with the required persons. Any person not required must leave the meeting for the duration of the closed agenda item.

The Chairperson and an independent member of the Committee will hold review sessions with the officers responsible for the delivery of the internal audit functions twice per year, if required.

The Chairperson and an independent member of the Committee will hold review sessions with the external audit twice per year, if required.

The Committee will be invited to meet with Council's elected members twice per year.

4.7.1 Internal Audit

The Committee will act as a forum for internal audit and oversee its planning, monitoring and reporting processes. This process will form part of the governance processes that ensures Council's internal audit function operates effectively, efficiently and economically.

The internal audit function will have a standing invitation to attend committee meetings.

4.7.2 External Audit

The Committee has no power of direction over external audit or the manner in which the external audit is planned or undertaken but will act as forum for the consideration of external audit findings and ensure that they are balanced with the views of management.

The external auditor will have a standing invitation to attend committee meetings.

4.8 Evaluation of Committee Activities

The Committee will undertake an annual self-assessment of its performance and achievements for the previous period and ensure that it is meeting its objectives efficiently and effectively and confirm that all responsibilities outlined in this Terms of Reference have been performed. The Committee will be provided with a report of the annual review outcomes and where the evaluation highlights a need for enhancements to the role, operational processes, or membership, the Chairperson shall take action to ensure such enhancements are implemented.

At least once every three (3) years the committee will arrange for an external peer review of its operations and activities. The results of this review are to be provided directly to the Chief Executive Officer.

The Chair will provide each individual member with feedback on that person's contribution to the Committee's activities at least during each member's term of office. This assessment will include a review of any training needs of the member.

Upon receipt of the Auditor-Generals certification of Council's financial statements each year, the Chairperson will attend Council and present a written annual report to Council on the operation and activities of the committee, including such matters as:

- A summary of work the committee performed in the discharge of its responsibilities during the previous year.
- A summary of Council's progress in addressing the findings and recommendations made in internal and external audit and Auditor-General reports to parliament.
- The outcomes of the external auditor's report on the financial statements of the Council and the subsequent inclusion in the Council's annual report.
- An assessment of Council's risk, control and compliance framework, including any details of significant emerging risks and issues or legislative changes affecting Council.
- Details of meetings, including the number of meetings held during the relevant period, and the number of meetings each member attended.

5. Changes to the Terms of Reference

The Terms of Reference will be reviewed every two years by the Committee to ensure it remains consistent with its authority, objectives, and responsibilities.

The Terms of Reference will remain in force until 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 – to be reviewed biennially.

6. Repeals

This Terms of Reference repeals the Livingstone Shire Council Terms of Reference titled 'Audit, Risk and Business Committee Terms of Reference (v5.0)'.

Version	Date	Action
1.0	14/07/2015	Adopted
2.0	18/04/2017	Amended Terms of Reference Adopted - definitions updated, section 4.1, 4.2, 4.4.2 and 4.5.2 updated
3.0	05/12/2017	Amended Terms of Reference Adopted - related document updated, section 4.3, 4.4.2 and 4.5 updated
4.0	21/09/2021	Amended Terms of Reference Adopted.
5.0	20/09/2022	Amended Terms of Reference Adopted – inclusion of Councillor Proxy and External Member Remuneration Schedule.
6.0	DRAFT	Terms of Reference revised to amend term of appointment for external members (Section 4.4.3). This will ensure alignment with current member appointments. A full biennial review (including the appended Remuneration Schedule) is scheduled to be workshopped with the Committee in June 2025.

TERRY DODDS PSM
CHIEF EXECUTIVE OFFICER

APPENDIX 1: ARaIC Remuneration Schedule

EFFECTIVE 20 SEPTEMBER 2022

This remuneration schedule is applicable to 'external members' of Council's Audit, Risk & Improvement Committee (ARaIC) for provision of duties and responsibilities as outlined within the ARaIC Terms of Reference.

MEETING FEE			
Member	Rate	Per	Conditions
External Member	\$1,250	Meeting	Standard four (4) hour meeting, including preparation time for review of agenda and associated documentation, attendance and travel time.
Chair	\$1,500	Meeting	

FLYING MINUTES FEE			
Member	Rate	Per	Conditions
External Member	\$320	Flying Minute	Flying Minutes (VOCMs) cover for the review of financial statements (Draft Financial Statements + Final Adopted Audited Financial Statements). *Rate is formulated @ 25% of 'Meeting Fee'.
Chair	\$375	Flying Minute	

TRAVEL & ACCOMMODATION FEE			
Member	Rate	Per	Conditions
External Member	\$1,150 (CAP)	Meeting	Fee is applicable for 'in-person' meeting attendance. Fee includes costs associated with travel, accommodation and meals. Fee cap applicable, with actuals to be billed. Costs in excess of the cap are payable only on prior approval by Council.
Chair	\$1,150 (CAP)	Meeting	

PLANNING WORKSHOP FEE			
Member	Rate	Per	Conditions
External Member	\$1,570	Workshop	Fee is all inclusive. Annual workshops will coincide with an 'In-person' Committee Meeting. Travel & Accommodation Fee is therefore not applicable. Fee is formulated as follows: 1x Meeting Fee + \$250 Accommodation + \$70 Meals – excluding lunch which will be provided by Council.
Chair	\$1,820	Workshop	

MEETING ATTENDANCE (OTHER)			
Member	Rate	Per	Conditions
External Member	\$320	Meeting	Fee is applicable for other meeting attendance as requested by Council (e.g. Council Briefing Sessions, Information Sessions etc). Alternatively an hourly rate may be charged where the rate has been agreed to by Council prior to the meeting.
Chair	\$375	Meeting	

*All fees are exclusive of GST.

*Payment of fees will be made on receipt of invoice.

Audit, Risk and Improvement Committee Terms of Reference

Adopted/Approved: Draft
Version: 6.0

Portfolio: Office of the CEO
Business Unit: Finance and Governance

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13.3 - AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE

ARaIC Terms of Reference - MARKED UP VERSION

Meeting Date: 15 April 2025

Attachment No: 2



AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE

1. Introduction

Livingstone Shire Council is required by the *Local Government Act 2009* to establish an Audit Committee. The Audit, Risk and Improvement Committee Terms of Reference sets out how the Audit, Risk and Improvement Committee (the Committee) will operate, including how it will fulfil the legislative obligations and meet standards relating to Audit Committees.

2. References (legislation/related documents)

Legislation

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Related documents

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[International Professional Practices Framework – The Institute of Internal Auditors](#)

3. Definitions

To assist in interpretation, the following definitions shall apply:

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Risk Management	<p>Risk management for Council refers to the culture, processes, and structures developed to effectively manage potential opportunities and adverse effects for any activity, function, or process undertaken by the Council.</p> <p>Managing risk is achieved through the systematic application of policies, procedures, and practices to identify, analyse, evaluate, treat, monitor, and communicate risk.</p>

Deleted: Internal audit is a dynamic profession involved in helping organisations achieve their objectives. It is concerned with evaluating and improving the effectiveness of risk management, control and governance processes in an organisation. ...

Deleted: (Last Adopted, 20 September 2022)

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Deleted: Business Excellence

Audit, Risk and Improvement Committee Terms of Reference

Adopted/Approved: ~~Draft~~

Version: ~~6.0~~

Portfolio: Office of the CEO
Business Unit: Finance and ~~Governance~~

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4. Terms of Reference Statement

4.1 Purpose

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4.2 Authority

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The Council authorises the Committee, within the scope of its role and responsibilities to:

- (1) require any information it needs from any employee or external party (subject to legal obligations to protect information);
- (2) discuss any matters with the external auditor or other external parties (subject to confidentiality considerations);
- (3) request the attendance of any employee or councillor at Committee meetings;
- (4) obtain external legal or other professional advice considered necessary to meet its responsibilities.

4.3 Independence and Access

The Committee will need to liaise closely with management and internal and external auditors to carry out its responsibilities. Whilst the primary responsibility for financial and other reporting, internal control and compliance with laws, regulations, and ethics within Council rests with management, the Committee shall exercise a monitoring and review role.

The Committee will have unrestricted access to all information, including documents and personnel and have adequate resources in order to fulfil its oversight responsibilities. To help ensure a complete, effective, and efficient response, requests for access to staff and information should be directed to the Chief Executive Officer who will make appropriate arrangements.

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When considering membership and the duration of appointments, Council will consider the rotation of representatives, which is accepted as the best practice model for ensuring ongoing independence and objectivity, whilst retaining a degree of continuity via a core of experience.

Members are required to declare any interests which could constitute a real, potential, or apparent conflict of interest with respect to participation on the Committee. The declaration must be on appointment to the Committee and at the commencement of each meeting

New Committee members will be provided with induction material to allow them to familiarise themselves with the environment and to facilitate their understanding of Council's principal operations and activities, corporate practices, and culture.

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4.4.1 Attendance at meetings

The Chief Executive Officer and Chief Audit Executive cannot be a member of the Committee, however they can attend its meetings. The External Auditor, Advisors, and Ex Officio members are non-voting observers. Other than Committee members only meeting sessions (closed session), the Chief Executive Officer, Chief Audit Executive and the Chief Financial Officer should attend all meetings, however they are not members and have no voting rights.

Where appropriate, and as required by the Committee, other Council officers may be required to attend Committee meetings.

Other than Committee members only meeting sessions (closed session), External Auditors are invited to attend any or all meetings as they consider appropriate.

4.4.2 Councillor Appointments

Councillor appointments will be on a voluntary rotational basis, with a minimum appointment period of eighteen (18) months. The maximum continuous term is six (6) years. A Councillor proxy may be appointed and will assume full authorisation to act on behalf of the respective committee member. Appointment of a Councillor Proxy should coincide with appointment of Councillor Committee Members.

4.4.3 External Independent Member Appointments

Council will appoint external members to the Committee following completion of an expression of interest process. To help ensure the requirements of Council are met, Councillors will be given the opportunity to provide input at the commencement of the process.

The Chairperson and the Chief Executive Officer will review a shortlist of candidates, prepared by Council staff and interview the preferred candidate/s. The Chief Executive Officer will present the mutually agreed recommendation to Council. The appointment will be approved through formal Council resolution.

Members are appointed on the basis of personal qualities and skills and proxies are not permitted if the member is unable to attend meetings.

External appointments will be for a term of up to three (3) years. Upon completion of the initial term, the Chairperson may approve an extension of up to a further three (3) years without the need for a new expression of interest process, considering the balance between continuity and rotation of members.

If an initial appointment is for less than three (3) years, it may be extended by the Chairperson up to the maximum three (3) year term.

Member terms and conditions are to be detailed in the Letter of Appointment.

The Chairperson can recommend the dismissal of a member. This will be discussed in a Confidential session of Council and require formal resolution to be given effect.

Upon resignation or dismissal of a member, the position will be declared vacant and an expression of interest process conducted.

Remuneration of external members for provision of duties and responsibilities as outlined within these Terms of Reference will be in accordance with the 'ARaIC Remuneration Schedule' annexed as 'Appendix 1'.

4.4.4 Chairperson

The Chairperson will be external to Council and possess sound communication and strong leadership skills.

The Committee will discuss and recommend one member to be the Chairperson of the Committee. The appointment will be for a period of two years, after which it is expected

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that the role will rotate to another member. The appointment of the Chairperson will be approved through formal Council resolution.

4.4.5 Secretariat

The Chief Executive Officer (or Chief Financial Officer) will provide secretariat support to the Committee. The Secretariat will facilitate the committee's meetings and reporting duties to meet the committee work programme.

The Chief Executive Officer (or Chief Financial Officer) will also make appropriate administrative arrangements to provide secretarial functions to the meetings and prepare minutes of each meeting, which will be provided to the Committee members, permanent attendees, and external auditors along with the agenda.

4.5 Duties and Responsibilities

Members of the Committee will at all times in the discharge of their duties and responsibilities, exercise honesty, objectivity, and probity and not engage knowingly in acts or activities which have the potential to bring discredit to Council or be considered a conflict of interest.

Members also must refrain from entering into any activity which may prejudice their ability to carry out their duties and responsibilities objectively and must at all times act in a proper and prudent manner in the use of information acquired in the course of their duties.

Members must not use information obtained through their position on the Committee for any personal gain for themselves or their immediate family or in any manner which would be contrary to law or detrimental to the welfare and goodwill of Council.

Members must not publicly comment on matters relative to activities of the Committee, other than as authorised by Council in advance.

The Committee's responsibilities do not extend to managing the day-to-day activities of any functional area of Council. This is the responsibility of the Chief Executive Officer.

Members of the committee are expected to:

- (1) understand the relevant legislative and regulatory requirements appropriate to Livingstone Shire Council;
- (2) contribute the time needed to understand the papers provided;
- (3) apply good analytical skills, objectivity and good judgement;
- (4) express opinions frankly, ask questions that go to the fundamental core of issues and pursue independent lines of enquiry.

In addition to the responsibilities applicable to all members, the Committee Chairperson has the following responsibilities:

- (1) presiding over the meeting, in accordance with the published agenda. The Chairperson may amend recommendations if required and determine when to initiate a vote on each item;
- (2) collaborating with the Chief Executive Officer to make a recommendation to Council on changes to external committee members as per section 4.4.2;
- (3) meeting with Council at least annually to present a report summarising the Committee's activities and ensuring effective two-way communication between Council and the Committee;
- (4) presenting the draft Annual Report content to the Committee for collective review and endorsement;
- (5) serving as a point of contact outside of meetings for other members to discuss or raise issues; and

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- (6) attending other meetings with council staff or the Queensland Audit Office to discuss issues, review the agenda or minutes, maintain an understanding of the Committee's functions, and ensure the ongoing efficient and effective operation of the Committee.

The specific responsibilities of the Committee are:

4.5.1 Financial Statements

- (a) Review the appropriateness of accounting policies adopted by Council and ensure the accounting policies adopted are relevant to Council and its specific circumstances;
- (b) Review the appropriateness of significant assumptions and critical judgements made by management, particularly around estimations which impact on reported amounts of assets, liabilities, income and expenses in the financial statements;
- (c) Review the financial statements for compliance with or any proposed departures from prescribed accounting and other requirements;
- (d) Review with management and external auditors, the results of the external audit and any significant issues identified;
- (e) Exercise scepticism by questioning and seeking full and adequate explanations for any unusual transactions and their presentation in the financial statements;
- (f) Analyse the financial performance and financial position and seek explanation for significant trends or variations from budgets or forecasts; and
- (g) Ensure assurance with respect to the accuracy and completeness of the financial statements is given by management.

4.5.2 Control Framework

- (a) Review whether management has an adequate internal control structure and systems that are operating efficiently, effectively and economically, including financial internal controls and information technology security and control;
- (b) Review whether management has adequate internal controls in place including over external parties such as contractors and advisor;
- (c) Review whether management has in place relevant policies and procedures and these are periodically reviewed and updated
- (d) Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;
- (e) Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and
- (f) Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

4.5.3 Internal Audit

- (a) Consider the adequacy of internal audit resources to carry out its responsibilities, including the approved Internal Audit Plan.
- (b) Review and approve the internal audit plan, its scope and progress and any significant changes to it, including any difficulties or restrictions on scope of activities, or significant disagreements with management;
- (c) Review the internal audit (strategic and/or annual Plan) to ensure they cover key risks and that there is appropriate co-ordination with the external auditor;
- (d) Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices;

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- (e) Monitor the implementation of internal audit recommendations accepted by management;
- (f) Monitor the extent of reliance on internal audit work by the external auditors to facilitate completeness of coverage and the effective use of audit resources.
- (g) Periodically review the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place; and
- (h) Periodically review the performance of Internal Audit.

4.5.4 External Audit

- (a) Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the external audit services provided;
- (b) Review all external plans and reports in respect of planned or completed external audits and monitor the implementation of audit recommendations by management; and
- (c) Consider significant issues raised in relevant audit reports and better practice guides and ensure appropriate action is taken.

4.5.5 Risk Management

- (a) Review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of business and financial risks, including fraud;
- (b) Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- (c) Review the impact of the risk management framework on its control environment and insurance arrangements;
- (d) Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements including whether plans have been tested periodically;
- (e) Assess and contribute to the audit planning processes relating to the risks and threats to Council; and
- (f) Consider significant issues raised in risk management reports and better practice guides and ensure appropriate action is taken.

4.5.6 Legal and Legislative Compliance

- (a) Determine whether management has considered legal and compliance risks as part of Council's risk assessment and management arrangements;
- (b) Review the effectiveness of the system for monitoring compliance with relevant laws, legislation, regulations and associated government policies; and
- (c) Review the findings of any examinations by regulatory agencies, and any other auditor observations.

4.5.7 Performance Management

- (a) Review Council's compliance with the performance management and reporting requirements of the *Local Government Act 2009*, and the *Local Government Regulation 2012*;
- (b) Satisfy itself there is a performance management framework linked to organisational objectives and outcomes;
- (c) Identify that the performance reporting and information uses appropriate benchmarks, targets and trend analysis;

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- (d) Review the findings and recommendations of service reviews and the response to them by management;
- (e) Review the implementation of service review recommendations accepted by management; and
- (f) Provide information to the Council for the purpose of improving the Council's performance of its functions.

4.6 Meetings

4.6.1 Meetings and Attendance

The Committee will meet four (4) times per financial year, with one of these meetings to include the referral of the draft annual financial statements to the auditor. Such meetings will be facilitated by a combination of virtual and in-person meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Terms of Reference.

The Chief Executive Officer will set the date, time, and place for the meetings with reference to the forward meeting plan. The Chief Executive Officer must, if practicable, consult with the Committee Chairperson should the need arise to change the date, time, or place for the planned meeting. In addition, the Chief Executive Officer will call a meeting if requested to do so by any Committee member or the internal or external auditors.

A quorum for a Committee meeting is to be one (1) Councillor and two (2) external members.

4.6.2 Meeting Agenda

The Committee should determine its own agenda, ensuring appropriate consultation to include emerging issues and emphasis on the most significant risks and threats. The Committee Work Program will be determined by the Committee will identify the expected items for each meeting.

The Chief Executive Officer will make administrative arrangements to ensure that an agenda, supported by necessary explanatory documentation, is circulated to all Committee members, any other Council officer requested to attend, and the external auditors at least five (5) business days before the day of the meeting, if practicable.

The external auditors will be given notice of all meetings and sent an agenda. The external auditors will have the right to attend and speak at any meeting.

Members are required to declare any interests that could constitute a real, potential or apparent conflict of interest in relation to specific agenda items at the outset of each committee meeting.

4.6.3 Committee Meeting Minutes

The minutes of the Committee meetings will be provided to Council outlining relevant matters which have been considered by it as well as the committee's opinions and recommendations and upon adoption by Council, extracts distributed to relevant officers for information and action.

4.7 Relationships

Any Committee member may meet with the internal and/or external auditors, outside the scheduled Committee meeting, without management being involved or request that closed agenda items be added to the agenda where discussions will only be held with the required persons. Any person not required must leave the meeting for the duration of the closed agenda item.

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The Chairperson and an independent member of the Committee will hold review sessions with the officers responsible for the delivery of the internal audit functions twice per year, if required.

The Chairperson and an independent member of the Committee will hold review sessions with the external audit twice per year, if required.

The Committee will be invited to meet with Council's elected members **twice per year**.

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4.7.1 Internal Audit

The Committee will act as a forum for internal audit and oversee its planning, monitoring and reporting processes. This process will form part of the governance processes that ensures Council's internal audit function operates effectively, efficiently and economically.

The internal audit function will have a standing invitation to attend committee meetings.

4.7.2 External Audit

The Committee has no power of direction over external audit or the manner in which the external audit is planned or **undertaken but** will act as forum for the consideration of external audit findings and ensure that they are balanced with the views of management.

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The external auditor will have a standing invitation to attend committee meetings.

4.8 Evaluation of Committee Activities

The Committee will undertake an annual self-assessment of its performance and achievements for the previous period and ensure that it is meeting its objectives efficiently and effectively and confirm that all responsibilities outlined in this Terms of Reference have been performed. The Committee will be provided with a report of the annual review outcomes and where the evaluation highlights a need for enhancements to the role, operational processes, or membership, the Chairperson shall take action to ensure such enhancements are implemented.

At least once every three (3) years the committee will arrange for an external peer review of its operations and activities. The results of this review are to **be** provided directly to the Chief Executive Officer.

The Chair will provide each individual member with feedback on that person's contribution to the Committee's activities at least during each member's term of office. This assessment will include a review of any training needs of the member.

Upon receipt of the Auditor-Generals certification of Council's financial statements each year, the Chairperson will attend Council and present a written annual report to Council on the operation and activities of the committee, including such matters as:

- A summary of work the committee performed in the discharge of its responsibilities during the previous year.
- A summary of Council's progress in addressing the findings and recommendations made in internal and external audit and Auditor-General reports to parliament.
- The outcomes of the external auditor's report on the financial statements of the Council and the subsequent inclusion in the Council's annual report.
- An assessment of Council's risk, control and compliance framework, including any details of significant emerging risks and issues or legislative changes affecting Council.
- Details of meetings, including the number of meetings held during the relevant period, and the number of meetings each member attended.

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5. Changes to the Terms of Reference

The Terms of Reference will be reviewed every two years by the Committee to ensure it remains consistent with its authority, objectives, and responsibilities.

The Terms of Reference will remain in force until 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 – to be reviewed biennially.

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6. Repeals

This Terms of Reference repeals the Livingstone Shire Council Terms of Reference titled 'Audit, Risk and Business Committee Terms of Reference (v5.0)'.

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Version	Date	Action
<u>1.0</u>	14/07/2015	Adopted
<u>2.0</u>	18/04/2017	Amended Terms of Reference Adopted - definitions updated, section 4.1, 4.2, 4.4.2 and 4.5.2 updated
<u>3.0</u>	05/12/2017	Amended Terms of Reference Adopted - related document updated, section 4.3, 4.4.2 and 4.5 updated
<u>4.0</u>	21/09/2021	Amended Terms of Reference Adopted.
<u>5.0</u>	20/09/2022	Amended Terms of Reference Adopted – inclusion of Councillor Proxy and External Member Remuneration Schedule.
<u>6.0</u>	<u>DRAFT</u>	Terms of Reference revised to amend term of appointment for external members (Section 4.4.3). This will ensure alignment with current member appointments. A full biennial review (including the appended Remuneration Schedule) is scheduled to be workshopped with the Committee in June 2025.

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TERRY DODDS PSM
CHIEF EXECUTIVE OFFICER

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APPENDIX 1: ARaIC Remuneration Schedule**EFFECTIVE 20 SEPTEMBER 2022**

This remuneration schedule is applicable to 'external members' of Council's Audit, Risk & Improvement Committee (ARaIC) for provision of duties and responsibilities as outlined within the ARaIC Terms of Reference.

MEETING FEE			
Member	Rate	Per	Conditions
External Member	\$1,250	Meeting	Standard four (4) hour meeting, including preparation time for review of agenda and associated documentation, attendance and travel time.
Chair	\$1,500	Meeting	

FLYING MINUTES FEE			
Member	Rate	Per	Conditions
External Member	\$320	Flying Minute	Flying Minutes (VOCMs) cover for the review of financial statements (Draft Financial Statements + Final Adopted Audited Financial Statements). *Rate is formulated @ 25% of 'Meeting Fee'.
Chair	\$375	Flying Minute	

TRAVEL & ACCOMMODATION FEE			
Member	Rate	Per	Conditions
External Member	\$1,150 (CAP)	Meeting	Fee is applicable for 'in-person' meeting attendance. Fee includes costs associated with travel, accommodation and meals. Fee cap applicable, with actuals to be billed. Costs in excess of the cap are payable only on prior approval by Council.
Chair	\$1,150 (CAP)	Meeting	

PLANNING WORKSHOP FEE			
Member	Rate	Per	Conditions
External Member	\$1,570	Workshop	Fee is all inclusive. Annual workshops will coincide with an 'In-person' Committee Meeting. Travel & Accommodation Fee is therefore not applicable. Fee is formulated as follows: 1x Meeting Fee + \$250 Accommodation + \$70 Meals – excluding lunch which will be provided by Council.
Chair	\$1,820	Workshop	

MEETING ATTENDANCE (OTHER)			
Member	Rate	Per	Conditions
External Member	\$320	Meeting	Fee is applicable for other meeting attendance as requested by Council (e.g. Council Briefing Sessions, Information Sessions etc). Alternatively an hourly rate may be charged where the rate has been agreed to by Council prior to the meeting.
Chair	\$375	Meeting	

*All fees are exclusive of GST.

*Payment of fees will be made on receipt of invoice.

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13.4 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING 14 MARCH 2025**File No:** A176309**Attachments:** 1. Audit, Risk and Improvement Committee Meeting Unconfirmed Minutes - (*Confidential*)**Responsible Officer:** Andrea Ellis - Chief Financial Officer
Terry Dodds PSM - Chief Executive Officer**Author:** Nicole Carr - Support Services Officer
Mandy Louda - Support Services Officer

SUMMARY

The Audit, Risk and Improvement Committee (ARaIC) Virtual meeting on 14 March 2025 and this report provides the recommendations from the Committee for consideration and adoption by Council. The reports from this meeting are available for viewing by Councillors on the Audit, Risk and Improvement Committee and Councillor portals.

OFFICER'S RECOMMENDATION

THAT the unconfirmed meeting minutes of the Audit, Risk and Improvement Committee held on 14 March 2025 be received.

BACKGROUND

The Audit, Risk and Improvement Committee operates in accordance with the Audit, Risk and Improvement Committee Policy and Audit, Risk and Improvement Committee Terms of Reference.

COMMENTARY

Below is a summary of the Committee meeting held on 14 March 2025.

1. Apologies recorded for Councillor Pat Eastwood, Mike McGarvey, Donna Ward and Mayor Adam Belot. There were no Conflicts of Interest to be declared.
2. Minutes of the Audit, Risk and Improvement Committee Meeting held 2 December 2024 were approved.
3. Business Outstanding was reviewed and updated accordingly.
4. The following papers were presented to the Committee:
 - a) CEO Update on emerging issues –
 - Customer Service Requests, Regional Growth, Corporate/Operational Plan, Workforce Planning, Work Health & Safety, Technology/Project Merlin and Complaints Handling.
 - b) CFO Update on key accounting, financial management and reporting matters.
 - c) Queensland Audit Office Update
 - d) Infrastructure Quality Management System Update
 - e) External Audit – Maintenance - Human Services Quality Framework – Strengthening Family Connections 2024
 - f) Policy Framework Update
 - g) Entertainment and Hospitality Policy Review Update
 - h) Internal Audit Update Received. The Committee recommended that an Internal Audit Progress Report be provided at each Audit, Risk and Improvement Committee meeting.

- i) Audit Response Action Plan -The report provided the results of the latest update as of 19 February 2025.
- j) Internal Audit Quality Assessment 2024 External review by O'Connor Marsden & Associates (OCM) currently being finalised. The Committee recommended the Council provide the audit committee, internal auditors and management an opportunity to respond to the report once finalised.
- k) ICT Security & Controls
- l) Strategic ICT Partnership - The Committee requested a Special Meeting, which has since been scheduled for Monday 28 April, to discuss the following in greater depth:
 - a. ICT governance – encompassing roles and responsibilities, project management, project assurance, partnership arrangements with Gartner and GWI including scopes of works and related risks
 - b. The response and action plan to the lessons learnt from Project Merlin compiled by the Acting CEO
 - c. The findings and recommendations of the Internal Audit Quality assurance, and the response from the ARaIC to the draft report
- m) Safety Unit Update – October / November / December 2024
 - The report provided an update in relation to Council's Safety unit in regarding workplace health and safety.
- n) Performance Management: Q2 Operational Plan Performance Report
 - The 2024 - 2025 Operational Plan was adopted by Council on 23 July 2024 and this report was the progress report for Quarter 2 as at 31 December 2024.
- o) ARaIC External Member Appointments –
 - A recent review of Council's Audit, Risk & Improvement Committee (ARaIC) external membership appointments against the ARaIC Terms of Reference had identified administrative inconsistencies that required attention to ensure alignment with governance requirements.
 - Specifically, variations were noted in the appointment terms of the Chairperson and an external member. Addressing these would maintain consistency and best practice in Committee governance.
 - This report outlined these matters and provided a basis for Committee and Management discussions on adjustments to membership arrangements and upcoming external member recruitment process.

PREVIOUS DECISIONS

Each report on a Committee meeting is considered separately from previous reports.

ACCESS AND INCLUSION

There are no foreseen access and inclusion implications associated with this report.

ENGAGEMENT AND CONSULTATION

There are no engagement and consultation implications associated with this report.

HUMAN RIGHTS IMPLICATIONS

Section 4(b) of the *Human Rights Act 2019* require public entities such as Council 'to act and make decisions in a way compatible with human rights'.

There are no foreseen human rights implications associated with the content of this report.

BUDGET IMPLICATIONS

There are no budget implications as a result of the Committee meeting. ARaIC members are remunerated for services in accordance with the prescribed Remuneration Schedule as appended to the Audit, Risk & Improvement Committee Terms of Reference.

LEGISLATIVE CONTEXT

Section 105 of the *Local Government Act 2009* requires Council to establish an Audit Committee. Section 211 of the *Local Government Regulations 2012* requires this report to be presented to Council following each meeting of the Committee.

Section 211(1)(c) the audit committee must, as soon as practicable after a meeting, give a written report about the matters reviewed at the meeting and the committee's recommendations about the matters.

LEGAL IMPLICATIONS

There are no legal implications arising from the operation of the Committee.

STAFFING IMPLICATIONS

There are no staffing implications as a result of the Committee meeting.

RISK ASSESSMENT

The Audit, Risk and Improvement Committee is a key part of the governance structures established by Council that help ensure there is effective ongoing risk management.

CORPORATE PLAN REFERENCE***Leading Livingstone***

Community Plan Goal 4.3 - Engagement with the community as advisors and partners

4.3.2 Commit to open and accountable governance to ensure community confidence and trust in Council and its democratic values.

Council is committed to an open and accountable system of governance, such as Council resolved to adopt a Policy to establish the audit committee in accordance with section 105 of the *Local Government Act 2009* and section 209-211 of the *Local Government Regulation 2012*.

CONCLUSION

Council is demonstrating strong governance responsibilities by enabling independent oversight of the management of risk; compliance with legislation and standard; internal audit function and external audit and reporting requirements.

13.5 SOLE SUPPLIER EXCEPTION REGISTER - REPORT FOR 2025-2026

File No: fA16323
Attachments: Nil
Responsible Officer: Andrea Ellis - Chief Financial Officer
Terry Dodds PSM - Chief Executive Officer
Author: Denis Glacken - Coordinator Procurement

SUMMARY

The main purpose of this report is to provide a list of suppliers for whom Livingstone Shire council is seeking resolution for annual purchases as an exception to the Local Government Regulation 2012 (s235).

OFFICER'S RECOMMENDATION

THAT Council resolves to apply the exception to the services and suppliers listed in the report in accordance with the *Local Government Regulation 2012* Section 235 (a) or (b) where a local government may enter into a medium-sized contractual arrangement, or a large-sized contractual arrangement without first inviting written quotes or tenders.

- (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or
- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.

BACKGROUND

The *Local Government Regulation 2012* (s235) provides for an exception to the requirements to obtain quotes or tenders where the local government resolves that there is only one (1) supplier reasonably available to it, or that because of the specialized or confidential nature of the services, it would be impractical or disadvantageous to invite quotes or tenders.

COMMENTARY

Section 235 of the *Local Government Regulation 2012* allows a local government to enter medium-sized or large sized contractual arrangements without first inviting written quotes or tenders if-

- a) the local government **resolves** it is satisfied that there is only 1 supplier who is reasonably available; or
- b) the local government **resolves** that, because of the specialized or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or
- c) a genuine emergency exists; or
- d) the contract is for the purchase of goods and is made by auction; or
- e) the contract is for the purchase of second-hand goods; or
- f) the contract is made with, or under an arrangement with, a government agency.

The Procurement team have identified an organisational need for purchasing exceptions to be resolved by Council for the following annual purchases:

SOLE SUPPLIER EXCEPTION REGISTER

ABB Australia Pty Ltd	Original Equipment Manufacturer (OEM) for instrumentation and spares across LSC water and sewer sites - Level instruments, flow instruments, chemical instruments - necessary to maintain warranty.	s235 (a)
Accuris	Provider of web-based platform of Australian (and international) standards along with other documents such as ISO and IEC materials.	s235 (a)
Aqseptence Group Pty Ltd	Original Equipment Manufacturer (OEM) for inlet screens and spares for Emu Park STP - Brushes for screen, baskets for screen, wear bars for screens - necessary to maintain warranty.	s235 (a)
Aerzen	Original Equipment Manufacturer (OEM) for Membrane blowers at YSTP - spares - necessary to maintain warranty.	s235 (a)
Akvotek Pty Ltd	Supplier of membrane cartridges at YSTP.	s235 (a)
Andritz	Original Equipment Manufacturer (OEM) for centrifuge and spares at Woodbury Water Treatment Plant (WTP) and Emu Park STP - unique spares for Centrifuge operations - necessary to maintain warranty.	s235 (a)
Arris Pty Ltd	Original Equipment Manufacturer (OEM) Supplier of Rhizopod system for no-release Wastewater Treatment and Dispersal System at Keppel Sands Caravan Park.	s235 (a)
Aurion Corporation Pty Ltd	Sole supplier of Aurion software.	s235 (a)
Australia Post	Receival of Post BillPay payments.	s235 (a)
Axon Public Safety Pty Ltd	Supplier of Local Laws Body Worn Cameras (BWC's) with storage of footage within a secured cloud location accessible by Council.	s235 (b)
Barlows Earthmoving Pty Ltd	Barlows are manufacturers of precision moulded concrete retaining wall blocks (Keppel Blocks, and Kinka Blocks), located on Tanby Rd, Tanby. Transportation costs are a major factor when building retaining walls with interlocking concrete blocks. The blocks enable us to quickly build engineered retaining walls and other permanent retaining structures to standard drawings, reducing construction and design costs.	s235 (a)
	Keppel and Kinka Blocks are a much large sized block size than other retaining blocks available locally. They have a front face area of 0.7 and 0.6 square meters respectively. This compares to a front face area of 0.08 square meters for other commonly available standard blocks. Thus 8 to 9 commonly available standard blocks are required for the same face area as 1 Keppel/Kinka block. Lay the smaller block is labour intensive, whilst the Keppel/Kinka blocks are installed with the aide of machinery.	
	For mass block retaining walls that are manufactured locally this avoids the high freight costs associated with any other possible supplier outside of our region.	
Before You Dig Australia Ltd	Only national, single point of contact referral service for information on the location of underground infrastructure pipes and cables. Previously known as "Dial Before you Dig".	s235 (a)
Bellridge Pty Ltd	Supplier of ManageEngine Suite of applications.	s235 (a)
Brightly	Sole supplier of Council's Asset Management Software System – for prediction modelling and decision support for long-term planning of infrastructure assets.	s235 (a)
Big Colour Works	All of our Printers are Konica Minolta and there is only one (1) printer management service provider locally, that can service our printers.	s235 (a)
	Each printer manufacturer works with only one service provider in different regions and Big Colour Works is Capricorn Coasts allocated provider.	
Bolinda Digital	They are the only Australian based digital library with exclusive copyright over Australian publications (\$25,000 used for digital content).	s235 (a)
Cardno QLD P/L (for CMDG only)	Sole supply as the Capricorn Municipal Development Guidelines (CMDG) Group elected Cardno to draft and facilitate the CMDG for the collective councils ongoing.	s235 (a)
Civica	Sole Supplier of Reflect software.	s235 (a)
Civil Survey Solutions	Sole supplier of Civil Survey products, bundled with Autodesk.	s235 (a)
Conquest Solutions Pty Ltd	Sole supplier of Conquest software.	s235 (a)

Coral Coast Composites	Coral Coast Composites have been manufacturing suitable base liners for over 25 years and they are the only Queensland manufacturer of these fibre reinforced vinyl-ester lined sewer manhole base liners that complies with the Capricorn Municipal Development Guidelines standard drawing CMDG-S-024. The product is proven to resist the corrosive environment found in sewers.	s235 (a)
	A product/supplier search conducted in April 2020 for CMDG-S-024 compliant base liners for the Arthur Street Sewer Project provided only alternative products to which none were suitable.	
	The service provided by Coral Coast Composites is also extends to the lining of concrete manhole chambers with vinyl-ester.	
Darumbal Enterprises Pty Ltd	For when there is a need to deal with the Darumbal People as traditional owners of the land e.g.: for the purpose of Cultural Heritage searches and Native Title, within the Darumbal Title area.	s235 (a)
DWF Enterprises Pty Ltd	DWF are the only local supplier of machine formed extruded kerb and channel within Central Queensland. They are based in Yeppoon, and we incur no mobilisation or accommodation costs. Extruded kerb provides a superior and very durable product compared to kerb constructed in stationary formwork.	s235 (b)
Ecosystem Management and Biosecurity Solutions	Joel Fostin has specialised biocontrol agents and the distribution of those agents in regard to Pandanus dieback which continues to be a problem in the shire.	s235 (a)
EFTSure	Sole supplier of EFTSure software to ensure continuous control & monitoring of payments, incorporating multi-factor verification to protect against cybercrime, fraud and error.	s235 (b)
Emerson	OEM for process actuated valves at Water treatment plant and Yeppoon West valve facility	s235 (a)
Endress and Hauser	OEM for instrumentation and spares across LSC water and sewer sites - Level instruments, flow instruments, chemical instruments - necessary to maintain warranty.	s235 (a)
Ergon Energy	Sole electricity infrastructure supplier in Central Queensland.	s235 (a)
ESRI Australia Pty Ltd	Sole supplier of ESRI mapping software.	s235 (a)
Evoqua Water Technologies	Original Equipment Manufacturer (OEM) for instrumentation / chemical pumps and spares across LSC water and sewer sites - chlorine dosing pumps, chlorine gas equipment, chlorine measuring instruments, pH measuring instruments - necessary to maintain warranty.	s235 (a)
	Salt, Vacuum Tablets - to supply for Chlorine Membrane Electrolysis system installed at Yeppoon Lagoon - as well as Evoqua salt dissolving tank. Manufacturer Instructions specify Evoqua OSEC Saline salt tablet.	
Evie Networks	Supplier reasonably available and willing to provide, install, operate and maintain Electric Vehicle charging infrastructure.	s235 (a)
Fleet Industries	Bus Shelters as they are the only local supplier who can supply them as they own the design	s235 (a)
Focus HQ	Sole Supplier of Capital Works Software Program.	s235 (a)
Flottweg	Original Equipment Manufacturer (OEM) for Centrifuge and spares at Yeppoon Sewage Treatment Plant (STP) - unique spares for Centrifuge operations - necessary to maintain warranty.	s235 (a)
Flowtech	Supplier and repairer of LSC digital standpipes	s235 (a)
GEA Westfalia	Original Equipment Manufacturer (OEM) for Centrifuge and spares at Yeppoon STP - unique spares for Centrifuge operations - necessary to maintain warranty.	s235 (a)
GEOGRAFIA PTY LTD AKA SPENDMAPP	Sole supplier of Spendmapp Subscription for LSC.	s235 (a)
Genelite	Original Equipment Manufacturer (OEM) for generators across LSC water and sewer sites - necessary to maintain warranty.	s235 (a)
GlobalPOS	Exclusive supplier of GPS and survey gear purchased by Council. GlobalPOS installed the permanent base station located at the Depot and undertake routine servicing on the base station, GPS's and other survey gear supplied by them.	s235 (a)

Grace Records Management	Registering, storing, retrieving and digitisation of our records as well as exchange our shredder bins.	s235 (b)
Grundfos Pumps Pty Ltd	Original Equipment Manufacturer (OEM) for pumps and spares across LSC sewer pump stations, water pump stations, and various other sites - water pumps and spares, sewer pumps and spares, chemical dosing pumps and spares - necessary to maintain warranty.	s235 (a)
HACH Pacific Pty Ltd	Original Equipment Manufacturer (OEM) for instrumentation and spares across water and sewer sites. –process instruments, desktop instruments, chemical instruments. Necessary to maintain warranty.	s235 (a)
Hastings Deering	Exclusive distributor of Caterpillar Machinery parts.	s235 (a)
Honeywell Ltd	SCADA Vendor - ongoing maintenance to the SCADA system.	s235 (a)
Hydroflux	Sole supplier of longopac bags at both STP's - specific bags required for inlet screen disposal.	s235 (a)
Impact Apps Pty Ltd	Sole supplier/developer of App for Livingstone Waste Wise App. now to be utilised to develop electronic Waste Vouchers to be utilised via the App.	s235 (a)
InfoCouncil	Sole Supplier of Info Council.	s235 (a)
Infor Global Solutions	Sole Supplier of Pathway & Pathway UX.	s235 (a)
Iwaki Pumps Australia	Original Equipment Manufacturer (OEM) for chemical dosing pumps and spares for the Water Treatment Plant. 4 x new pumps only just purchased recently – necessary to maintain warranty.	s235 (a)
Insight Informatics Pty Ltd	Provider of Libero Library Software.	s235 (a)
GALAPAGOS PTY LIMITED T/A IPLATINUM	Sole supplier of iFerret software.	s235 (a)
iWeigh Solutions Pty Ltd	Weighbridge Software Vendor - ongoing system maintenance.	s235 (a)
KSB Australia Pty Ltd	Original Equipment Manufacturer (OEM) for pumps and spares across LSC sewer pump stations, water pump stations, and various other sites - water pumps and spares, sewer pumps and spares - necessary to maintain warranty.	s235 (a)
LG Software Solutions Pty Ltd	Sole supplier of Pulse software.	s235 (a)
Marsh Valuation Services	Due to the specialised nature of valuing LSC assets, and the huge costs incurred in both time and money to explain large changes in valuation as a result of different valuers' methodologies and approaches, it is impractical or disadvantageous to invite quotes.	s235 (b)
Magiq Software Ltd	Sole supplier of Chameleon software.	s235 (a)
Mike Trace Engineering Sales & Services	Exclusive distributor of City Ray and Holder Street sweeper parts.	s235 (a)
Miri Engineering Pty Ltd	Miri Technologies is the Original Equipment Manufacturer (OEM) for telemetry radios and spares across the Scada Network which is the Council system that runs the water and sewer assets. While quotes can be sought from wholesalers, 9 times out of 10 Miri Technologies are cheaper than the wholesaler, therefore it is impractical or disadvantageous to obtain additional quotes.	s235 (a)
Nearmap Australia	Sole supplier of high-resolution aerial imagery.	s235 (a)
NHP Electrical	Exclusive distributor of Allan Bradley SCADA components.	s235 (a)
Nintex Pty Ltd	Sole supplier of Pro Map software.	s235 (a)
Objective	Sole Supplier of Trapeze software.	s235 (a)
Peter Pal	Only supplier based in Queensland, with a comprehensive shelf ready service, covering, processing and digitisation into our database.	s235 (a)
QIT Plus Pty Ltd	Sole supplier of Guardian - IT used by Local Government managing disaster events under the Queensland Disaster Management Arrangements.	s235 (a)

Quest Software International	Supplier for Archive Manager.	s235 (a)
Rotork	OEM for electric actuators at Reservoirs inlet valves, treatment plant actuated valves	s235 (a)
Royce Water Technologies Pty Ltd	OEM for instrumentation, chemicals and spares for Yeppoon STP - dissolved oxygen sensors and head units, mixed liquor sensors and head units, CHEMSCAN unit - necessary to maintain warranty.	s235 (a)
Seek Australia	Online platform for employment advertising opportunities.	S235 (b)
Siemens	Exclusive supplier of Siemens Magflo meters which are used throughout Council treatment plants for reliable and consistent process control and monitoring with significant advantages for staff familiarity and training, single spares holding and warranty etc. Council cannot afford to have multiple different brands of flowmeters.	s235 (a)
SITECH Construction Systems Pty Ltd	SITECH is the global Trimble dealership who distribute site wide technology solutions to the Civil Construction industry, and they have a branch located in Rockhampton.	s235 (b)
	Council has Trimble site positioning equipment installed to its' new Caterpillar Earthmoving machines and a Trimble base station installed on the roof of the Cordingley Street Depot.	
	SITECH will be required on an ongoing basis for the hire and sales of equipment, as well as the ongoing technical support for software and training.	
SmartyGrant – Our Community Pty Ltd	Sole Supplier of SmartyGrants software.	s235 (a)
Snap Send Solve	Sole Supplier of Snap Send Solve software.	s235 (a)
Solus	Only supplier who can supply library app in Australia	s235 (a)
Surf Life Saving Queensland Inc	Supply beach patrols at Yeppoon Main beach & Emu Park Main Beach during school holiday periods.	s235 (a)
Technology One Pty Ltd	Sole Supplier of TechOne software.	s235 (a)
Telstra	Sole supplier for maintenance to telecommunication infrastructure or Contractual obligations.	s235 (a)
Itron Australasia Pty Ltd	Sole supplier for Temetra Software - current Meter Data Management & Mobile Data Collection Software. No other reseller exists for this software.	s235 (a)
Terrequeipe Pty Ltd	Exclusive distributor of JCB machinery parts.	s235 (a)
Vega Australia Pty Ltd	Original Equipment Manufacturer (OEM) for instrumentation and spares across LSC water and sewer sites - Level instruments, flow instruments - necessary to maintain warranty.	s235 (a)
Waterform Technologies	Original Equipment Manufacturer (OEM) for UV Systems and spares for Emu Park STP - unique spares for disinfectant unit - necessary to maintain warranty.	s235 (a)
Woopaburra TUMRA Committee	Legislated Contacts for all marine/ocean related activity around the Keppels.	s235 (a)
Woppaburra Saltwater Aboriginal	Legislated Contacts for all activity on the islands (land) themselves.	s235 (a)
Xylem Water Solutions Australia Ltd	Original Equipment Manufacturer (OEM) for pumps and spares across LSC sewer pump stations - sewer pumps and spares - necessary to maintain warranty.	s235 (a)

PREVIOUS DECISIONS

Previous Sole Supplier Exception Report 2024-25 resolved at the Ordinary Council Meeting 18 June 2024 & Standing Committee Meeting 01 October 2024.

ACCESS AND INCLUSION

There are no access and inclusion requirements.

ENGAGEMENT AND CONSULTATION

Engagement and consultation with key internal stakeholders/buyers.

HUMAN RIGHTS IMPLICATIONS

There are no human rights implications.

BUDGET IMPLICATIONS

Provision has been made for the purchase of the goods and services in this report as part of the adopted 2025-26 budget.

LEGISLATIVE CONTEXT

Local Government Regulation 2012 (s235).

LEGAL IMPLICATIONS

If the exception under *Local Government Regulation (s235)* is not applied to these purchases Council will be deemed to be outside of its legislative requirements in regard to contracting with these suppliers as per Part 3 of the Default Contracting Procedures which govern how the organisation does procurement.

STAFFING IMPLICATIONS

There are no staffing implications.

RISK ASSESSMENT

Risks associated with exception purchases are managed by legislation and internal Council policy.

CORPORATE PLAN REFERENCE***Leading Livingstone***

Community Plan Goal 4.1 - Innovative and accountable leadership to achieve a shared future.

4.1.1 Implementation of the Community Plan and Corporate Plan is well co-ordinated across Council and through a delivery mechanism which provides clear line of sight, accountability, and performance measurement for all employees.

CONCLUSION

This report provides a list of suppliers for whom Livingstone Shire Council is seeking resolution for annual purchases as an exception to the *Local Government Regulation 2012 (s235)*.

13.6 ASSET CAPITALISATION POLICY**File No:** FM12.9**Attachments:**

1. Asset Capitalisation Policy with mark-ups
2. Asset Capitalisation Policy clean copy

Responsible Officer: Andrea Ellis - Chief Financial Officer
Terry Dodds PSM - Chief Executive Officer**Author:** Christine Roberts - Asset Accountant

SUMMARY

Council's Asset Capitalisation Policy has been reviewed and is now presented to Council for adoption in accordance with Section 206 of the Local Government Regulation 2012.

OFFICER'S RECOMMENDATION

THAT Council adopt the Livingstone Shire Council Asset Capitalisation Policy as contained in Attachment One.

BACKGROUND

The Asset Capitalisation Policy outlines Council's non-current asset classes and their associated capitalisation thresholds. Council's Accounting and Asset Management functions, in collaboration with Council's Chief Financial Officer, have undertaken a review of the contemporary asset capitalisation and accounting policies of a number of other Queensland local governments whilst also reviewing the content of the Queensland Treasury's Non-Current Asset Policy (NCAP1) which was issued in June 2022.

COMMENTARY

A marked-up copy of this policy, outlining all the changes made by Council officers, and a clean copy of the new policy are provided to Council as attachments to this report.

5.6.2 – Treatment of Scoping and Feasibility Studies – Scoping, feasibility, pre-planning and research costs should be expensed as the degree of certainty that economic benefits will flow to the entity beyond the current accounting period is insufficient to warrant the recognition of this expense as an asset.

5.6.3 – Date asset is available for use – A non-current asset's useful life starts when the asset is available for use by Council and is the date the depreciation of the asset begins.

5.6.4 – Recognition of cloud-based IT solutions - Council delivers many of its IT functions via cloud-based IT solutions.

The application of the requirements of AASB 138 Intangibles, is based on Council's control of the associated hardware and/or software. The degree to which Council controls the associated hardware and/or software is governed by the type of arrangement in place and can include:

- Infrastructure as a Service (IaaS)
- Platform as a Service (PaaS)
- Software as a Service (SaaS)
- Bureau (Backend) as a Service (BaaS)

PREVIOUS DECISIONS

Council's Asset Capitalisation Policy was last adopted by Council on 19 June 2018.

ACCESS AND INCLUSION

This report once adopted by Council will be made publicly available on Council's website.

ENGAGEMENT AND CONSULTATION

Internal consultation between Asset Accountant, Coordinator Strategic Asset Management, Coordinator Accounting Services and Chief Financial Officer and review of similar policies available on other council's websites was undertaken in review and update of this policy.

HUMAN RIGHTS IMPLICATIONS

There are no foreseen human rights implications associated with the adoption of this policy.

BUDGET IMPLICATIONS

The adoption of this Policy by Council is not foreseen to have any impact upon Council's operating or capital budget positions. The asset capitalisation thresholds in this Policy have been kept at the same monetary thresholds as when this Policy was last adopted on 19 June 2018.

LEGISLATIVE CONTEXT

Adoption of this Policy is required in accordance with Section 206 of the *Local Government Regulation 2012*.

LEGAL IMPLICATIONS

There are no anticipated legal implications foreseen as a result of this report.

STAFFING IMPLICATIONS

There are no staffing implications foreseen as a result of this report.

RISK ASSESSMENT

Regular robust reporting of Council's financial policies assists in creating a framework of financial responsibility within the Council and providing sound long term financial management of Council's operations.

CORPORATE PLAN REFERENCE***Leading Livingstone***

Community Plan Goal 4.3 - Engagement with the community as advisors and partners

4.3.2 Commit to open and accountable governance to ensure community confidence and trust in Council and its democratic values.

CONCLUSION

Council staff has undertaken a review of Council's Asset Capitalisation Policy. The main changes to this policy are:

Treatment of Scoping and Feasibility Studies – explains why pre-planning expenditure is expensed as certainty of benefit to Council beyond the current accounting period is insufficient.

Date asset is available for use – provides when the assets useful life and depreciation commences.

Recognition of cloud-based IT solutions - provides application of the accounting treatment for various IT solutions.

Whilst these changes are mostly administrative changes, a Council resolution is required in accordance with Section 206 of the *Local Government Regulation 2012*.

13.6 - ASSET CAPITALISATION POLICY

Asset Capitalisation Policy with mark- ups

Meeting Date: 15 April 2025

Attachment No: 1



ASSET CAPITALISATION POLICY (COMMUNITY POLICY)

1. Scope

The Asset Capitalisation Policy (this 'Policy') applies to the asset management activities of Livingstone Shire Council.

2. Purpose

To determine asset classes and set a monetary threshold value by asset class for the capitalisation of non-current assets for Council in accordance with the *Local Government Regulation 2012*.

Council is committed to:

- providing accurate capture and recording of non-current asset information for timely and accurate reporting to management, Councillors and the community; and
- meeting all statutory requirements.

3. References (legislation/related documents)

Legislative reference

Local Government Act 2009

Local Government Regulation 2012

Related documents

AASB116 – Property, Plant and Equipment Accounting Standard

AASB13 – Fair Value Measurement Accounting Standard

AASB Framework for the Preparation and Presentation of Financial Statements

[Asset Disposal Directive](#)

[Asset Management Policy](#)

4. Definitions

To assist in interpretation, the following definitions shall apply:

<u>AASB</u>	<u>Australian Accounting Standards Board.</u>
<u>Asset Class</u>	<u>A grouping of assets of a similar nature and use in its operations.</u>
<u>Asset Measurement</u>	<u>The measurement of the value of an asset is its cost.</u> <u>As defined in paragraph 15 of the AASB116 – Property, Plant and Equipment Accounting Standard:</u> <u>(a) An item of property, plant and equipment that qualifies for recognition as an asset shall be measured at its cost.</u> <u>(b) Notwithstanding the above, in respect of not-for-profit</u>

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	entities, where an asset is acquired at no cost, or for a nominal cost, the cost is its fair value as at the date of acquisition/recognition.
Capital Expenditure	Expenditure used to procure, upgrade the capability, extend the life or restore the (non-current) asset.
Capitalisation Threshold	The amount below which the value of a non-current asset must be treated as an expense.
Council	Livingstone Shire Council.
Fair Value	AASB116 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.
GST	Goods and Services Tax.
Maintenance Expenditure	Is the expenditure to maintain the condition of a non-current asset to ensure that it continues to operate at the current level of service until the end of its useful life to Council.
Networked Assets	A chain of interconnected but dissimilar assets connected for the provision of the one simultaneous service.
AASB	Australian Accounting Standards Board.
Asset Class	A grouping of assets of a similar nature and use in its operations.
Asset Measurement	<p>The measurement of the value of an asset is its cost. As defined in paragraph 15 of the AASB116 — Property, Plant and Equipment Accounting Standard:</p> <ul style="list-style-type: none"> — An item of property, plant and equipment that qualifies for recognition as an asset shall be measured at its cost. — Notwithstanding the above, in respect of not-for-profit entities, where an asset is acquired at no cost, or for a nominal cost, the cost is its fair value as at the date of acquisition/recognition.
Capital Expenditure	Expenditure used to procure, upgrade the capability, extend the life or restore the (non-current) asset.
Capitalisation Threshold	The amount below which the value of a non-current asset must be treated as an expense.
Council	Livingstone Shire Council.
Fair Value	AASB116 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.
GST	Goods and Services Tax.
Maintenance Expenditure	Is the expenditure to maintain the condition of a non-current asset to ensure that it continues to operate at the current level of service until the end of its useful life to Council.
Networked Assets	Are multiple non-current assets grouped as performing a whole service. A chain of interconnected but dissimilar assets connected for the provision of the one simultaneous service.

Commented [DC1]: Mat are these definitions coming from you? I imagine consistent with other documentation assets have?

Commented [MW2R1]: Yes definitions are consistent with wording used by other councils to explain the difference between a networked and a grouped asset.

Commented [DC3]: Mat are these definitions coming from you? I imagine consistent with other documentation assets have?

Commented [MW4R3]: Yes definitions are consistent with wording used by other councils to explain the difference between a networked and a grouped asset.

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<u>Grouped Assets</u>	<u>Are multiple non-current assets grouped as performing similar function or in a common area, location or locality. Grouping similar or like-natured assets performing similar community service or function</u>
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5. Policy Statement

5.1 Definition of an Asset

The Framework for the Preparation and Presentation of Financial Statements — section 49 (a) defines an asset as:

- A resource controlled by the entity as a result of past events and from which future economic benefits are expected to flow to the entity.

The key features of an asset are:

- The entity must have control over the future economic benefits of the asset;
- There was a past transaction or event which gave rise to the control of the future economic benefits; and
- There must be future economic benefits expected to flow to the entity.

A non-current asset refers to an asset that is expected to be used during more than one financial year period.

5.2 Recognition of an Asset

The criteria for recognising an asset as outlined in Paragraph 7 of Accounting accounting standard AASB116 – Property, Plant and Equipment is stated below:

- The cost of an item of property, plant and equipment shall be recognised as an asset if, and only if:
 - (a) it is probable that future economic benefits associated with the item will flow to the entity; and
 - (b) the cost of the item can be measured reliably.

The key elements of recognition are detailed below:

- Probable future economic benefits – if the entity considers that it is more likely than not that future benefits will be realised; and
- Reliably measured – generally the value of goods and services can be measured reliably by the price charged by the supplier, while constructed assets can be measured from labour and other costing systems. If the cost cannot be measured reliably, an asset should not be recognised.

The circumstances resulting in a non-current asset being acquired and recognised as a non-current asset by Council include:

- Acquisition involving consideration – such as purchased, or constructed /or internally developed assets.
- Acquisition at no cost or for nominal consideration – such as contributed or donated assets
- Assets not previously recognised (EANPR) or assets held at a nil carrying amount but subsequently identified for revaluation, data cleanses or other processes. These assets may have been originally purchased, constructed, contributed or donated.

5.3 Measurement of Recognition Asset Measurement

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The measurement of the value of an asset is its cost. Accounting standard AASB116 – Property, Plant and Equipment outlines this in Paragraph 15:

- An item of property, plant and equipment that qualifies for recognition as an asset shall be measured at its cost; and
- Aus 15.1 Notwithstanding paragraph 15, in respect of not-for-profit entities, where an asset is acquired at no cost, or for a nominal cost, the cost is its fair value as at the date of acquisition.

AASB116 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

Council records intangible assets and plant and equipment assets at cost with all other asset classes in the table below recorded at fair value.

5.4 Classification of Assets

Accounting standard AASB116, paragraph 37 states that a class of property, plant and equipment is a grouping of assets of a similar nature and use in an entity's operations. Council adopts the following asset classes:

Asset Classes
Land
Buildings
Plant and Equipment (including Information Technology Equipment)
Road and Drainage Assets
Bridge Assets
Water Infrastructure
Sewerage Infrastructure
Site Improvements (including Heritage and Cultural assets)
Intangible Assets

Commented [AE5]: Is reference to this relevant?

5.5 Capitalisation Thresholds

Section 206(2) of the Local Government Regulation 2012 requires a Local Government to set an amount for each different type of non-current non-current non-current physical asset below which the value of an asset of the same type must be treated as an expense. Council adopts the following thresholds:

Asset Class	Capitalisation Threshold (excluding GST)
Land	\$1
Buildings	\$10,000
Plant and Equipment (including Information Technology Equipment)	\$5,000
Road and Drainage Assets	\$10,000
Bridge Assets	\$10,000
Water Infrastructure	\$10,000
Sewerage Infrastructure	\$10,000

Commented [MW6]: Is this correct still? RRC refer to section 224(8) of the regulation.

Commented [CR7R6]: 206 Valuation of non-current physical assets
(2) The local government must, by resolution, set an amount for each different type of non-current physical asset below which the value of an asset of the same type must be treated as an expense.

Commented [CR8R6]: RRC s224 (8) incorrect

Commented [DC9R6]: Section 206 (2) is correct

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Site Improvements (including Heritage and Cultural assets)	\$10,000
Intangible Assets	\$10,000

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5.6 Capital Expenditure

Where the expenditure is above the capitalisation threshold and is used to procure a new asset, upgrade the capability of the asset, extend the life of the asset or restore the asset, the expenditure shall be capital expenditure. The corresponding budget is held in the capital works budget.

Examples of general capital expenditure include, but are not limited to:

- purchase / construction of infrastructure;
- purchase / replacement of plant and equipment;
- purchase / resumption of land;
- addition of building extensions or partitions;
- replacement of roof or bathroom facilities in a building; and
- upgrade of air conditioning system to increase its capacity or extend its life; and
- Direct project management expenses as part of the cost of the asset, particularly where Council is constructing or facilitating the construction of its own assets.

5.6.17 Expenditure on Networked Assets

Multiple non-current assets, when taken to perform a whole service are classified as networked assets. Expenditure on networked assets for the purposes of procuring a new asset, upgrading the capability of the asset, extending the life or restoring the asset is classified as capital expenditure. If the total capital expenditure per project exceeds the asset class capitalisation threshold as stated in the table above, the project is capitalised irrespective of whether or not whether the individual asset components exceed the capitalisation threshold group.

Networked Assets can be classified as follows:

- Roads and associated assets including kerb and channel, footpaths, cycleways and reseals or asphalt overlay of roads;
- Drainage – including lined channels, underground culverts and pipe components;
- Water and wastewater – underground pipe components, telemetry equipment, water meters and re-lining of pipes; and
- Site improvements that are interconnected assets that are within the confines of a parcel of land including waterway facilities, playgrounds, waste infrastructure, etc.
- Communication equipment – including Council's Private Automatic Branch Exchange (Internal telephone network) and trunked radios.

and

5.6.2 Treatment of Scoping and Feasibility Studies

Scoping, feasibility, pre-planning and research costs should be expensed as the degree of certainty that economic benefits will flow to the entity beyond the current accounting period is insufficient to warrant the recognition of this expense as an asset.

Projects budgeted within the medium term in Councils Forward Works Program must also consider the scoping and feasibility costs as capital expenditure. Should the

~~project not proceed this cost would be re-classified as an operational expense. Capital expenditure does not include a scoping feasibility study on its own.~~

5.6.3 Date asset is available for use

Recognition of costs in the carrying amount of an item of property, plant and equipment ceases when the item is in the location and condition necessary for it to be capable of operating in the manner intended by management. Therefore, costs incurred in using or redeploying an item are not included in the carrying amount of that item. For example, the following costs are not included in the carrying amount of an item of property, plant and equipment:

- (a) costs incurred while an item capable of operating in the manner intended by management has yet to be brought into use or is operated at less than full capacity;
- (b) initial operating losses, such as those incurred while demand for the item's output builds up; and
- (c) costs of relocating or reorganising part or all of an entity's operations.

A non-current asset's useful life starts when the asset is available for use by Council and Council and is the date the depreciation of the asset begins.

Assets shall be recorded as available for use and depreciated from the following dates as long as Council has been provided all the correct information to allow for the accurate and truthful once provision of complete and accurate asset information is received to allow recognition of the assets (i.e., Practical Completion certificates, Operational Manuals, As Constructed Drawings etcetc.). ~~C~~

Asset Type	Available for Use
Individual Assets	Invoice or Delivery Date
Networked or Grouped Assets	Completion Date provided in Monthly Capital Expenditure Report
Contributed or Donated Asset	On Defect Date as per Councils issued On Defects Letter

5.6.4 Recognition of cloud-based IT solutions

Council delivers many of its IT functions via cloud-based IT solutions.

The application of the requirements of AASB 138 Intangibles, is based on Councils control of the associated hardware and/or software. The degree to which Council controls the associated hardware and/or software is governed by the type of arrangement in place and can include:

- Infrastructure as a Service (IaaS)
- Platform as a Service (PaaS)
- Software as a Service (SaaS)
- Bureau (Backend) as a Service (BaaS)

Non-current assets are recognised for all hardware and infrastructure above the accounting Asset Class recognition threshold in paragraph 5.5 above, where the asset that is available for use and controlled by Council.

Commented [MW10]: This might come in handy. Audit might one day ask this question and it would be good to be able to point to a specific policy.

Commented [DC11R10]: To make this read a little better, I propose we use the wording from Para 20 of AASB116:

20 Recognition of costs in the carrying amount of property, plant and equipment ceases when the item is in the location and condition necessary for it to be capable of operating in the manner intended by management. Therefore, costs incurred in using or redeploying an item are not included in the carrying amount of that item. For example, the following costs are not included in the carrying amount of an item of property, plant and equipment:

Commented [CR12R10]: AAS 4.5.3 The depreciable amount must be allocated from the time when a depreciable asset is first put into use or held ready for use. Where an asset is a complex structure made up of interdependent sub-structures which require installation in successive stages, it must be considered as being held ready for use only after installation has been completed to a stage where service or saleable product can be obtained.

Commented [MW13]: Maybe to address the question we had for Tony last year about software recognition?

5.78 Maintenance Expenditure

Where the expenditure is to ensure that an asset continues to operate at normal capacity until the end of its useful life, it is regarded as maintenance / operational expenditure and the corresponding budget is held in the operating budget. This type of expenditure is typically recurrent in nature and includes regular preventative maintenance as well as unscheduled emergency response repairs. Consideration as to whether or not expenditure is classified as maintenance / operational will include:

- Whether the expenditure has improved the fair value of the asset;
- The useful life of the improvement expenditure compared to the component—/—asset useful life — where improvements have substantially shorter useful lives to that of the assets, this is usually an indicator of maintenance expenditure.

5.89 Asset Disposal

Where physical non-current assets are disposed of during the financial period, the profit or loss on disposal of the asset will be taken into account~~considered~~ in the general purpose ~~financial~~ statements.

Partial derecognition of an infrastructure assets is~~are~~ to occur whenever:

- A significant component or section of an infrastructure asset is destroyed, abandoned or decommissioned with no future benefit expected to be generated from its use; or
- Major renewal works have been undertaken resulting in a significant component or section of an infrastructure asset being replaced.

Council adoption of Capital Budgets—/—Projects indicates approval to dispose or partly dispose of assets subsequent to construction Council assumes that the approval to dispose of an asset is granted as part of the approval of a project business case and is done as part of the budget adoption process. Disposal of assets outside an approved project, for example disposal of assets as part of an asset management data cleanse, shall align with the Council officer /ELT member with the appropriate level of financial delegation.

5.409 Write Off of Physical Non-Current Assets

Where an asset ceases to provide future economic benefits to Council, due to loss, theft, damage, obsolescence or other factors, the value of the asset will be written down to a nil value and if appropriate, disposed in the period that the write off ~~occurs~~.

Commented [MW14]: Do we want to include this? I think it might address the question we get from audit on who has authority to approve disposals? Not sure how we would handle this in practice though?

Commented [CR15R14]: Council Adoption of the capital budget projects indicates approval to dispose or part dispose of assets subsequent to construction

Commented [DC16R14]: Agree with you both

6. Changes to this Policy

This Policy is to remain in force until any of the following occur:

1. The related legislation/documents is amended/replaced; or
2. Other circumstances as determined from time to time by the CEO.

7. Repeals/Amendments

This Policy repeals the ~~former~~—Livingstone Shire Council Directive titled 'Asset Capitalisation Directive (v2.01)'.

<u>Version</u>	<u>Date</u>	<u>Action</u>
<u>1.0</u>	<u>16/12/2014</u>	<u>Adopted</u>
<u>2.0</u>	<u>19/06/2018</u>	<u>Amended Policy Adopted</u>

Asset Capitalisation Policy

Adopted/Approved: ~~Adopted, 19 June 2018~~DRAFT
Version: ~~2.2~~1

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Portfolio: Office of the CEO
Business Unit: Finance and Governance

<u>2.1</u>	<u>16/06/2024</u>	<u>Policy Document Reviewed – no changes required</u>
<u>2.2</u>	<u>DRAFT</u>	<u>Full Review Undertaken</u>

Version	Date	Action
1.0	16/12/2014	Adopted
2.0	19/06/2018	Amended Policy Adopted
<u>2.1</u>	<u>13/06/2024</u>	<u>Policy Document Reviewed – no changes required</u>

CHRIS MURDOCH
TERRY DODDS PSM
CHIEF EXECUTIVE OFFICER

Commented [DC17]: As this document contains the asset class recognition thresholds, Section 206 of Qld LG Reg requires these thresholds to be approved via resolution. These are a policy. Once reviewed needs a cover report into a Council Meeting agenda.

Asset Capitalisation Policy

Adopted/Approved: Adopted, 19 June 2018DRAFT
Version: 2.21

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Portfolio: Office of the CEO
Business Unit: Finance and Governance

13.6 - ASSET CAPITALISATION POLICY

Asset Capitalisation Policy clean copy

Meeting Date: 15 April 2025

Attachment No: 2



ASSET CAPITALISATION POLICY (COMMUNITY POLICY)

1. Scope

The Asset Capitalisation Policy (this 'Policy') applies to the asset management activities of Livingstone Shire Council.

2. Purpose

To determine asset classes and set a monetary threshold value by asset class for the capitalisation of non-current assets for Council in accordance with the *Local Government Regulation 2012*.

Council is committed to:

- providing accurate capture and recording of non-current asset information for timely and accurate reporting to management, Councillors and the community; and
- meeting all statutory requirements.

3. References (legislation/related documents)

Legislative reference

Local Government Act 2009

Local Government Regulation 2012

Related documents

AASB116 – Property, Plant and Equipment Accounting Standard

AASB13 – Fair Value Measurement Accounting Standard

AASB Framework for the Preparation and Presentation of Financial Statements

Asset Disposal Directive

Asset Management Policy

4. Definitions

To assist in interpretation, the following definitions shall apply:

AASB	Australian Accounting Standards Board.
Asset Class	A grouping of assets of a similar nature and use in its operations.
Asset Measurement	<p>The measurement of the value of an asset is its cost.</p> <p>As defined in paragraph 15 of the AASB116 – Property, Plant and Equipment Accounting Standard:</p> <p>(a) An item of property, plant and equipment that qualifies for recognition as an asset shall be measured at its cost.</p> <p>(b) Notwithstanding the above, in respect of not-for-profit</p>

Asset Capitalisation Policy

Adopted/Approved: DRAFT

Version: 2.2

Portfolio: Office of the CEO
Business Unit: Finance and Governance

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	entities, where an asset is acquired at no cost, or for a nominal cost, the cost is its fair value as at the date of acquisition/recognition.
Capital Expenditure	Expenditure used to procure, upgrade the capability, extend the life or restore the (non-current) asset.
Capitalisation Threshold	The amount below which the value of a non-current asset must be treated as an expense.
Council	Livingstone Shire Council.
Fair Value	AASB116 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.
GST	Goods and Services Tax.
Maintenance Expenditure	Is the expenditure to maintain the condition of a non-current asset to ensure that it continues to operate at the current level of service until the end of its useful life to Council.
Networked Assets	A chain of interconnected but dissimilar assets connected for the provision of the one simultaneous service.

5. Policy Statement

5.1 Definition of an Asset

The Framework for the Preparation and Presentation of Financial Statements section 49 (a) defines an asset as:

- A resource controlled by the entity as a result of past events and from which future economic benefits are expected to flow to the entity.

The key features of an asset are:

- The entity must have control over the future economic benefits of the asset;
- There was a past transaction or event which gave rise to the control of the future economic benefits; and
- There must be future economic benefits expected to flow to the entity.

A non-current asset refers to an asset that is expected to be used during more than one financial year period.

5.2 Recognition of an Asset

The criteria for recognising an asset as outlined in Paragraph 7 of accounting standard AASB116 – Property, Plant and Equipment is stated below:

- The cost of an item of property, plant and equipment shall be recognised as an asset if, and only if:
 - (a) it is probable that future economic benefits associated with the item will flow to the entity; and
 - (b) the cost of the item can be measured reliably.

The key elements of recognition are detailed below:

- Probable future economic benefits – if the entity considers that it is more likely than not that future benefits will be realised; and

- Reliably measured – generally the value of goods and services can be measured reliably by the price charged by the supplier, while constructed assets can be measured from labour and other costing systems. If the cost cannot be measured reliably, an asset should not be recognised.

The circumstances resulting in a non-current asset being acquired and recognised as a non-current asset by Council include:

- Acquisition involving consideration – such as purchased, constructed or internally developed assets.
- Acquisition at no cost or for nominal consideration – such as contributed or donated assets
- Assets not previously recognised (EANPR) or assets held at a nil carrying amount but subsequently identified for valuation, data cleanses or other processes. These assets may have been originally purchased, constructed, contributed or donated.

5.3 Asset Measurement

Council records intangible assets and plant and equipment assets at cost with all other asset classes in the table below recorded at fair value.

5.4 Classification of Assets

Accounting standard AASB116, paragraph 37 states that a class of property, plant and equipment is a grouping of assets of a similar nature and use in an entity's operations. Council adopts the following asset classes:

Asset Classes
Land
Buildings
Plant and Equipment (including Information Technology Equipment)
Road and Drainage Assets
Bridge Assets
Water Infrastructure
Sewerage Infrastructure
Site Improvements
Intangible Assets

5.5 Capitalisation Thresholds

Section 206(2) of the *Local Government Regulation 2012* requires a Local Government to set an amount for each different type of non-current physical asset below which the value of an asset of the same type must be treated as an expense. Council adopts the following thresholds:

Asset Class	Capitalisation Threshold (excluding GST)
Land	\$1
Buildings	\$10,000
Plant and Equipment (including Information Technology Equipment)	\$5,000
Road and Drainage Assets	\$10,000

Bridge Assets	\$10,000
Water Infrastructure	\$10,000
Sewerage Infrastructure	\$10,000
Site Improvements (including Heritage and Cultural assets)	\$10,000
Intangible Assets	\$10,000

5.6 Capital Expenditure

Where the expenditure is above the capitalisation threshold and is used to procure a new asset, upgrade the capability of the asset, extend the life of the asset or restore the asset, the expenditure shall be capital expenditure. The corresponding budget is held in the capital works budget.

Examples of general capital expenditure include, but are not limited to:

- purchase/construction of infrastructure;
- purchase/replacement of plant and equipment;
- purchase/resumption of land;
- addition of building extensions or partitions;
- replacement of roof or bathroom facilities in a building;
- upgrade of air conditioning system to increase its capacity or extend its life; and
- direct project management expenses as part of the cost of the asset, particularly where Council is constructing or facilitating the construction of its own assets.

5.6.1 Expenditure on Networked Assets

Multiple non-current assets, when taken to perform a whole service are classified as networked assets. Expenditure on networked assets for the purposes of procuring a new asset, upgrading the capability of the asset, extending the life or restoring the asset is classified as capital expenditure. If the total capital expenditure per project exceeds the asset class capitalisation threshold as stated in the table above, the project is capitalised irrespective of whether the individual asset components exceed the capitalisation threshold.

Networked Assets can be classified as follows:

- Roads and associated assets including kerb and channel, footpaths, cycleways and reseals or asphalt overlay of roads;
- Drainage – including lined channels, underground culverts and pipe components;
- Water and wastewater – underground pipe components, telemetry equipment, water meters and re-lining of pipes; and
- Site improvements that are interconnected assets within the confines of a parcel of land including waterway facilities, playgrounds, waste infrastructure, etc.

5.6.2 Treatment of Scoping and Feasibility Studies

Scoping, feasibility, pre-planning and research costs should be expensed as the degree of certainty that economic benefits will flow to the entity beyond the current accounting period is insufficient to warrant the recognition of this expense as an asset.

5.6.3 Date asset is available for use

Recognition of costs in the carrying amount of an item of property, plant and equipment ceases when the item is in the location and condition necessary for it to be capable of operating in the manner intended by management. Therefore, costs incurred in using or redeploying an item are not included in the carrying amount of that item. For example,

the following costs are not included in the carrying amount of an item of property, plant and equipment:

- (a) costs incurred while an item capable of operating in the manner intended by management has yet to be brought into use or is operated at less than full capacity;
- (b) initial operating losses, such as those incurred while demand for the item's output builds up; and
- (c) costs of relocating or reorganising part or all of an entity's operations.

A non-current asset's useful life starts when the asset is available for use by Council and is the date the depreciation of the asset begins.

Assets shall be recorded as available for use and depreciated from the following dates once provision of complete and accurate asset information is received to allow recognition of the assets (i.e. Practical Completion certificates, Operational Manuals, As Constructed Drawings etc.).

Asset Type	Available for Use
Individual Assets	Invoice or Delivery Date
Networked Assets	Completion Date provided in Monthly Capital Expenditure Report
Contributed or Donated Asset	On Defect Date as per Councils issued On Defects Letter

5.6.4 Recognition of cloud-based IT solutions

Council delivers many of its IT functions via cloud-based IT solutions.

The application of the requirements of AASB 138 Intangibles, is based on Councils control of the associated hardware and/or software. The degree to which Council controls the associated hardware and/or software is governed by the type of arrangement in place and can include:

- Infrastructure as a Service (IaaS)
- Platform as a Service (PaaS)
- Software as a Service (SaaS)
- Bureau (Backend) as a Service (BaaS)

Non-current assets are recognised for all hardware and infrastructure above the Asset Class recognition threshold in paragraph 5.5 above, where the asset is available for use and controlled by Council.

5.7 Maintenance Expenditure

Where the expenditure is to ensure that an asset continues to operate at normal capacity until the end of its useful life, it is regarded as maintenance / operational expenditure and the corresponding budget is held in the operating budget. This type of expenditure is typically recurrent in nature and includes regular preventative maintenance as well as unscheduled emergency response repairs. Consideration as to whether or not expenditure is classified as maintenance / operational will include:

- Whether the expenditure has improved the fair value of the asset;
- The useful life of the improvement expenditure compared to the component/asset useful life – where improvements have substantially shorter useful lives to that of the assets, this is usually an indicator of maintenance expenditure.

5.8 Asset Disposal

Where physical non-current assets are disposed of during the financial period, the profit or loss on disposal of the asset will be considered in the general purpose financial statements.

Partial derecognition of an infrastructure assets are to occur whenever:

- A significant component or section of an infrastructure asset is destroyed, abandoned or decommissioned with no future benefit expected to be generated from its use; or
- Major renewal works have been undertaken resulting in a significant component or section of an infrastructure asset being replaced.

Council adoption of Capital Budgets/Projects indicates approval to dispose or partly dispose of assets subsequent to construction. Disposal of assets outside an approved project, for example disposal of assets as part of an asset management data cleanse, shall align with the Council officer with the appropriate level of financial delegation.

5.9 Write Off of Physical Non-Current Assets

Where an asset ceases to provide future economic benefits to Council, due to loss, theft, damage, obsolescence or other factors, the value of the asset will be written down to a nil value and if appropriate, disposed in the period that the write off occurs.

6. Changes to this Policy

This Policy is to remain in force until any of the following occur:

1. The related legislation/documents is amended/replaced; or
2. Other circumstances as determined from time to time by the CEO.

7. Repeals/Amendments

This Policy repeals the Livingstone Shire Council Directive titled 'Asset Capitalisation Directive (v2.1)'.

Version	Date	Action
1.0	16/12/2014	Adopted
2.0	19/06/2018	Amended Policy Adopted
2.1	16/06/2024	Policy Document Reviewed – no changes required
2.2	DRAFT	Full Review Undertaken

TERRY DODDS PSM
CHIEF EXECUTIVE OFFICER

13.7 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 MARCH 2025**File No:** FM12.14.1**Attachments:**

1. Monthly Financial Report 31 March 2025
2. Contract Award Summaries

Responsible Officer: Andrea Ellis - Chief Financial Officer
Terry Dodds PSM - Chief Executive Officer**Author:** Aqeel Ahmad - Financial Accountant

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the Period Ending 31 March 2025 by the Chief Financial Officer.

OFFICER'S RECOMMENDATION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 31 March 2025 be received (Attachment 1).

BACKGROUND

The attached Financial Report is collated financial data within Council's Finance One and Pathway systems. The report presented includes:

1. Executive Summary
2. Financial Performance Indicators
3. Financial Reports
4. Capital Expenditure
5. Glossary

The attached financial information presents the year-to-date position of Council's financial performance to the 31 March 2025. Commitments are excluded from the reported operating & capital expenditures.

All variances are reported against the 25 BR1 adopted by Council on 17 December 2024.

COMMENTARY

The financial report compares actual performance against Council's Budget Review 1 (25BR1) and identifies significant variances or areas of concern. It also provides information about additional areas of financial interest to Council and reinforces sound financial management practices throughout the organisation.

The Council monthly report (attachment 1) contains the commentary and analysis and for the sake of brevity, will not be repeated in this cover report.

Additional commentary is disclosed within the report where either the month or year to date variance exceed \$100,000 or 10% of the budget.

1. Executive Summary – summary of the main financial operating results, capital, cash, and borrowings.
2. Financial Performance Indicators - a summary of financial performance indicator year-to-date results. Indicators are based on achieving benchmark results. These have been aligned to the sustainability measures in the Financial Management (Sustainability) Guideline 2024.
3. Financial Reports –

- a. Month and year to date results for operating activities. Supplemented by commentary where either a major positive or negative variance exists and supporting graphical summaries or results, or previous information requests.
 - b. Balance sheet items with movement on previous month, compared against full year budget. Supplemented by commentary where either a major positive or negative variance exists and supporting graphical summaries of results, or where details were previously provided.
4. Capital expenditure – summary of overall portfolio of program including capital revenue streams.
 5. Glossary – updated to reflect the current financial performance indicators.

Procurement

Current Contracts >\$200,000 (GST exclusive)

In accordance with section 237 of the *Local Government Regulation 2012*, Council publishes the details of all contracts valued \$200,000 or more. These details are displayed on Council's website (<https://www.livingstone.qld.gov.au/doing-business/business-and-regulations/contracts-and-tenders>), and on the public notice board located at the Yeppoon town hall. In March 2025, five (5) contracts over the prescribed value were established via purchase order.

Current Tenders

At the end of March there were three (3) open tenders, no (0) selective tenders, three (3) tenders evaluated, and one (1) contract awarded. The below table is a summary of current tenders to promote oversight of the progress by Councillors.

Once all contract award documentation is completed, the contract details will be added to the published contract listing.

March 2025 - Open Tenders			
2025.004	Great Keppel Island Arrivals Plaza Leasehold		
2025.005	Preferred Supplier Arrangement (PSA) Plant and Equipment Hire (Dry)		
2025.006	Register of Pre-Qualified Suppliers (RPOS) Plant and Equipment Hire (Wet)		
March 2025 - Selective Tenders			
Nil selective tenderers released to market			
March 2025 - Tenders Evaluated			
2024.020	Sewer Relining & CCTV Program 2024-2025		
2025.002	Provide Commercial Cleaning Services		
2025.003	Public Electric Vehicle (EV) Charging Infrastructure		
March 2025 - Contracts Awarded		Successful Tenderer/s	Contract Value (exc GST)
2025.001	Emu Park Waste Transfer Station Upgrade	1One Group Pty Ltd	\$503,774.00

Status Legend:

Open – tender has been publicly advertised and suppliers are preparing and submitting tender responses. Officers and Councillors are to apply probity by directing all enquiries to the procurement team while the tender is open.

Evaluation – the tender is under evaluation by the tender evaluation panel. Officers outside of the evaluation panel and Councillors are restricted from this process.

Contract Award – the evaluation process is completed and approval process to award contract is underway.

Non-Award – a decision is made not to award the contract, as the submission/s received are deemed unsuitable.

Contract – contract issued by letter of award.

PREVIOUS DECISIONS

The 2024-25 budget was adopted on 23 July 2024.

The 2024-25 Budget Review 1 (25BR1) was adopted on 17 December 2024.

ACCESS AND INCLUSION

This report once adopted by Council will be made publicly available on Council's website.

ENGAGEMENT AND CONSULTATION

Information has been provided by the procurement and revenue functions for this report.

HUMAN RIGHTS IMPLICATIONS

Section 4(b) of the *Human Rights Act 2019* requires public entities such as Council 'to act and make decisions in a way compatible with human rights.'

There are no foreseen human rights implications associated with the adoption of this monthly report.

BUDGET IMPLICATIONS

The Monthly Financial Report shows Council's financial position in relation to the Budget Review 1 (25BR1).

LEGISLATIVE CONTEXT

In accordance with Section 204 of the *Local Government Regulation 2012*, a financial report is to be presented to Council on at least a monthly basis.

Section 170 of the *Local Government Regulation 2012*, states that council may by resolution amend the budget for a financial year at any time, so long as it complies with all the requirements under section 169, which are essentially all the same material as an annual budget except for decision regarding rates and utility charges which can only be adopted as part of the annual budget process.

LEGAL IMPLICATIONS

There are no anticipated legal implications because of this report.

STAFFING IMPLICATIONS

There are no staffing implications because of this report.

RISK ASSESSMENT

Regular robust reporting of Council's financial results assists in creating a framework of financial responsibility within the Council and providing sound long-term financial management of Council's operations.

Council continues to have a working capital facility of \$10 million which is a tool available to manage operating liquidity requirements if required.

CORPORATE PLAN REFERENCE***Leading Livingstone***

Community Plan Goal 4.3 - Engagement with the community as advisors and partners

4.3.2 Commit to open and accountable governance to ensure community confidence and trust in Council and its democratic values.

CONCLUSION

The financial report provides information about Council's financial performance and position for the period ending 31 March 2025.

13.7 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 MARCH 2025

Monthly Financial Report 31 March 2025

Meeting Date: 15 April 2025

Attachment No: 1

1. Executive Summary

This monthly financial report illustrates the financial performance and position of Livingstone Shire Council compared to Council's 2024-25 Revised Budget 1 (25BR1) at an organisational level for the period ended 31 March 2025.

Key Financial Highlights and Overview	Month ('\$000s)			YTD 75%			FY ('\$000s)
Key Financial Results (\$000's)	Actual	24-25 BR1	Variance	Actual	24-25 BR1	% of YTD Budget	24-25 BR1
Operating Surplus/(Deficit)	(9,220)	(8,470)	(750)	24,966	17,230	144.90%	(1,074)
Operating Revenue	527	2,178	(1,651)	109,574	109,967	99.64%	122,402
Operating Expenditure	(9,747)	(10,648)	901	(84,609)	(92,737)	91.23%	(123,476)
Capital Works Expenditure	(3,035)	(2,972)	(62)	(19,678)	(18,349)	107.24%	(38,676)
Closing Cash & Cash Equivalents	166,426						121,675
Total Borrowings	43,944						42,363

Commentary

The year-to-date actual operational surplus is \$7.73m favourable to budget.

The year-to-date operating revenue is \$393k unfavourable to budget.

Year-to-date operating expenditure is \$8.13m favourable to budget, with materials & services \$5.8m under budget expectations.

Monthly results show an operating deficit for the month of March.

The March year-to-date capital expenditure is \$19.68m which is 7% ahead of YTD budget expectations.

As at 31 March 2025 Council had \$166.43m in cash and total borrowings of \$43.94m.

2. Financial Management (Sustainability) Performance Indicators

The financial performance indicators have been aligned to the financial sustainability measures that will be calculated and published as part of the annual statutory financial reporting process for 30 June 2025. These are reported as single year-to-date results compared against the budgeted single-year result.

	YTD Actual	FY Budget	Tier 4 Target	Comment
Financial Capacity				
Council-Controlled Revenue Ratio (%) [#]	✓ 85.7%	✓ 83.7%	Contextual	The majority of Council's revenue is attributed to rates income.
Population Growth Ratio (%) [#]	Data not available	✓ 2.2%	Contextual	The population estimate for Livingstone Shire Council area as of the 30th June 2023 is 41,906. Since the previous year, the population has grown by 2.16%. Population growth in Regional QLD was 2.2%. (Source: Australian Bureau of Statistics, Regional Population Growth, Australia (3218.0). Compiled and presented in profile.id by .id (informed decisions).
Operating Performance				
Operating Surplus Ratio (%) ^{##}	✓ 22.8%	✗ -0.9%	Between 0% and 10%	The positive surplus ratio of 22.8% indicates operational expenses are coverable and remaining surplus can support capital expenditure and meet loan repayments.
Operating Cash Ratio (%) [#]	✓ 48.7%	✓ 29.9%	Greater than 0%	The positive operating cash ratio of 48.7% indicates that Council has the ability to self-fund capital expenditure from surplus funds from core operations.
Liquidity				
Unrestricted Cash Expense Cover Ratio (months) [#]	✓ 22.5	✓ 14.0	Greater than 4 months	Council has sufficient unconstrained cash to meet ongoing and emergent financial demands for 22.5 months. Council has access to a \$10m QTC working capital facility which is equivalent to 1.6 months of cover.
Asset Management				
Asset Sustainability Ratio (%) ^{##}	✗ 42%	✗ 59%	Greater than 90%	The extent to which Council's existing infrastructure assets are being replaced as they reach the end of their useful lives is 42%.
Asset Consumption Ratio (%) [#]	✓ 67%	⚠ 58%	Greater than 60%	Council's infrastructure assets have been consumed by 67% compared to what it would cost to build a new asset with the same benefit to the community.
Asset Renewal Funding Ratio (%) [#]	Commencing 2025-26	✓ 83%	Contextual	This ratio measures the ability of Council to fund projected infrastructure asset renewal/replacements into the future.
Debt Servicing				
Leverage Ratio (times cover) [#]	✓ 0.8	✓ 1.6	0 - 3 times	Adequate capacity to manage unforeseen financial shocks & meet loan repayments.

[#]Financial Management (Sustainability) 2013 legislated ratios

^{##}Financial Management (Sustainability) 2024 legislated ratios

3. Financial Reports

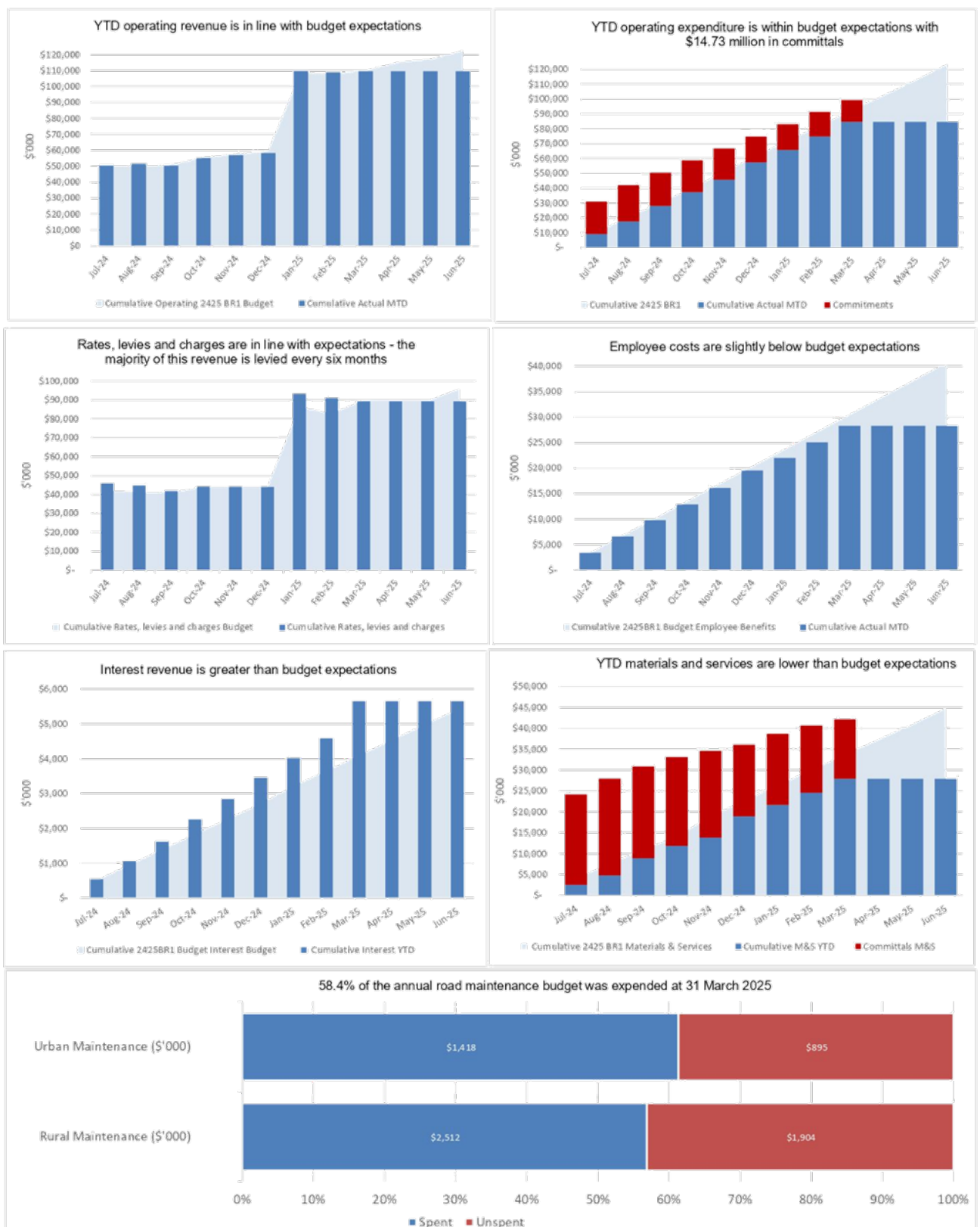
Operating Result for the period ending
31/03/2025

Month ('\$000s)				YTD 75%				FY	
Actual	24-25 BR1	Variance ¹	>\$100K & 10%	Actual	24-25 BR1	Variance ¹	>\$100K & 10%	% of Full YTD	24-25 BR1
(\$'000)	(\$'000)	(\$'000)		(\$'000)	(\$'000)	(\$'000)		%	(\$'000)
				Operating revenue					
(1,782)	0	(1,782)	✖	Rates, levies and charges	89,291	89,404	(113)	⇔	93% 95,954
506	544	(38)		Fees and charges	4,639	4,903	(264)	⇔	71% 6,537
464	773	(309)	✖	Sales revenue	2,851	3,750	(900)	✖	53% 5,396
137	280	(143)	✖	Operating grants and subsidies	5,800	6,533	(733)	✖	78% 7,408
1,070	437	632	✓	Interest received	5,653	4,084	1,569	✓	105% 5,408
132	144	(11)		Other income	1,340	1,292	48		79% 1,699
527	2,178	(1,651)	✖	Total operating revenue	109,574	109,967	(393)	⇔	90% 122,402
				Operating expenses					
(3,218)	(3,392)	174	⇔	Employee benefits	(28,289)	(30,520)	2,231	⇔	69% (40,713)
(3,373)	(3,728)	355	⇔	Materials & services	(27,930)	(33,733)	5,803	✓	62% (44,807)
(207)	(580)	373	✓	Finance costs	(1,850)	(1,955)	105	⇔	72% (2,570)
(2,949)	(2,948)	(1)		Depreciation & amortisation	(26,540)	(26,529)	(11)		75% (35,386)
(9,747)	(10,648)	901	⇔	Total operating expenses	(84,609)	(92,737)	8,128	⇔	69% (123,476)
(9,220)	(8,470)	(750)	⇔	Net operating result	24,966	17,230	7,736	✓	-2324% (1,074)

- ¹ Positive numbers represent under expenditure or additional revenue
 ✓ Major positive variance, comment required
 ✖ Major negative variance, comment required
 ⇔ Within expectations, no comment required

Areas to note

Rates, levies and charges	Year-to-date Rates, levies and charges are within budget expectations. The variance in the March actual and budget results are due to the timing difference of discounts. The discount values for the early payments of rates were factored into the net value of the rates budget, therefore the timing of the budget is consistent with the timing of rates being issued and generated.
Sales revenue	Year-to-date sales revenue is behind the year-to-date budget. The unfavourable variance is due to private works invoices being under budget.
Operating grants and subsidies	Due to the timing of grant funding being received and most funding being phased as equal monthly instalments, the March and YTD monthly results are behind budget expectations.
Interest received	Interest received year-to-date is favourable to budget, mostly due to Council's cash balances being higher than year-to-date budget expectations. See Cash and Cash equivalents for more information on rates.
Materials & services	Materials and services expenditure during March was lower than budget expectations. Year-to-date expenditure is still below budget expectations and notable variances for the year to date materials and services underspends are: Contractors & consultants (-\$2.9m), of the Contractors & Consultants variance major underspends exist in Contractors other (-\$997K), Consultancies Information Technology (-\$947k), consultancies Professional technical (-\$340k) & consultancies management (\$320k). Other variances in the Materials & Services space are made up of; Construction & maintenance materials (-\$690k), electricity (-\$421k), external plant & equipment hire (-\$484k), Insurance premiums (-\$225k) & bulk water (-\$145k).
Finance Costs	Finance Costs for interest on loans have been budgeted for quarterly, however actuals are accounted for monthly which explains the monthly variance for March and why the Year-to-date figures are within budget expectations.



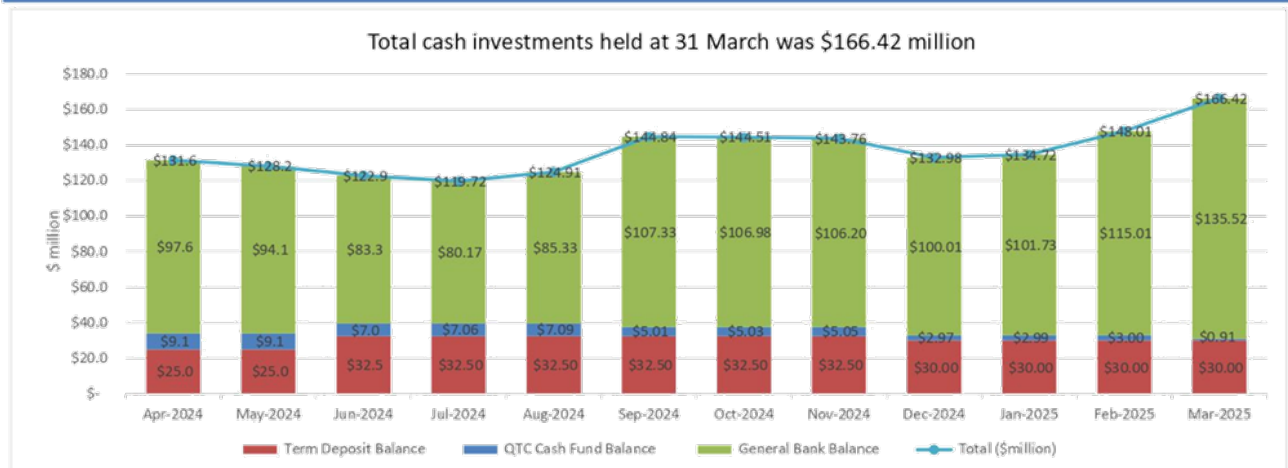
**Statement of Financial Position for the period ending
31/03/2025**

	Month-end Actual	Last month Actual	Movement	Full Year 24-25 BR1
	(\$'000)	(\$'000)	(\$'000)	(\$'000)
Cash and cash equivalents	166,426	148,011	18,415	121,675
Receivables	10,632	34,216	(23,584)	9,614
Inventories	1,166	1,192	(27)	4,939
Land held for development or sale	2,764	2,764	0	-
Contract assets	5,586	5,769	(183)	-
Other assets	604	579	25	3,620
Property, plant & equipment	1,221,401	1,222,771	(1,370)	1,299,729
Intangibles	93	103	(10)	66
Capital works in progress	44,454	43,283	1,171	-
TOTAL ASSETS	1,453,126	1,458,688	(5,563)	1,439,643
Payables	9,499	6,882	2,617	5,926
Contract liabilities	8,852	6,402	2,450	-
Borrowings	43,944	45,864	(1,920)	42,363
Provisions	19,396	19,360	36	19,978
Other liabilities	2,674	2,731	(57)	2,637
TOTAL LIABILITIES	84,365	81,239	3,126	70,904
Asset revaluation surplus	271,503	271,503	-	294,788
Retained surplus/(deficiency)	1,097,257	1,105,946	(8,689)	1,073,950
TOTAL COMMUNITY EQUITY	1,368,761	1,377,449	(8,689)	1,368,738

Areas to note

Cash and cash equivalents	Cash balances have increased by \$18.42m compared to the previous month due to payments of water utilities and general rates being received. Of the \$166.43m cash balance held by Council, \$35.91m of funds are externally restricted. The breakup of externally restricted funds are \$6.64m of grant funding yet to be allocated, \$2.6m of Waste levy and \$26.66m of Infrastructure charges.
Receivables	\$23.58 million decrease of receivables relates to the payment of water billing and rates notices being received. These notices were due for payment by the 5th of March 2025.
Contract Assets	Contract assets are raised when Council has completed it's obligations for funding and is awaiting payment. Contract asset balance has decreased due to grant funding being recognised throughout March 2025.
Property, plant and equipment	Decrease relates to the monthly depreciation allocation and associated increase in accumulated depreciation. The depreciation expense value is shown in the monthly operating result.
Capital works in progress	\$1.17m increase due to capital expenditure incurred during March. Refer to the capital expenditure reports for further detail on the capital works program for 2024-25.
Payables	Payables increased at 31st March compared to 28th Feb due to the timing of payment runs as well as a large component of this increase is being attributed to prepaid rates payments being received by Council, from ratepayers that pay instalments ahead of the next rating period.
Contract Liabilities	The increase in Contract Liabilities in March relates to capital grants that have received funding in advance of the associated work completed. Capital grants are held as a Contract Liability and as works are completed, the equivalent portion of the grant will be released and recognised as capital revenue.
Borrowings	Borrowings have decreased compared to the previous month, as the scheduled quarterly repayment of \$2.11m occurred and the monthly interest and administration charges accruals were applied. This resulted in a net decrease of \$1.9m.

Cash and Cash Equivalents



Investments are held with Council's general banker and in the Queensland Treasury Corporation (QTC) Capital Guaranteed Cash Fund. Council's interest earning rate as at 31 March 2025 is 4.59% p.a. (net of 0.12% administration fees) with the QTC and 4.60% p.a. with CBA. In March, the weighted average interest rate was 4.68%, marginally above the target rate of 4.60% (0.5%+ RBA Cash Rate (4.10%)). The weighted average interest rate includes the interest rates on term deposits.

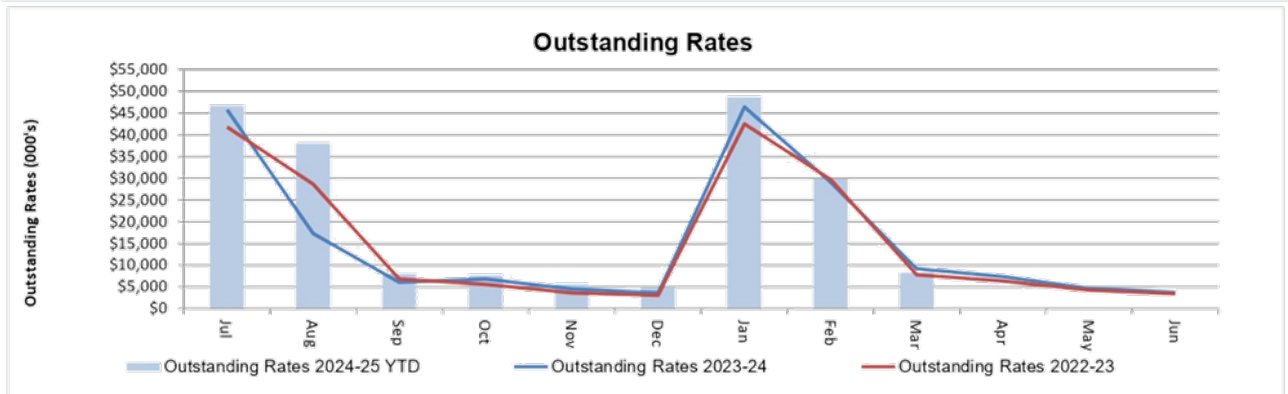
Term deposit rates are monitored regularly by Council officers to identify investment opportunities to ensure Council maximises its interest earnings balanced against the need to invest cash for a fixed term.

The amount of interest earned from month-to-month is indicative of both the interest rate and the surplus cash balances held, the latter of which is affected by Council's cash flow requirements on a monthly basis as well as the rating cycle.

In March Council's term deposit with Great Southern Bank matured and was rolled over into another term deposit of \$7.5m for 8 months at an interest rate of 4.67%, which will result in interest earning of \$235K.

Cash needed for day-to-day requirements is deposited with the QTC or Council's general banker. Interest rates from both facilities are monitored regularly by Council's finance officers to maximise interest earnings.

Receivables



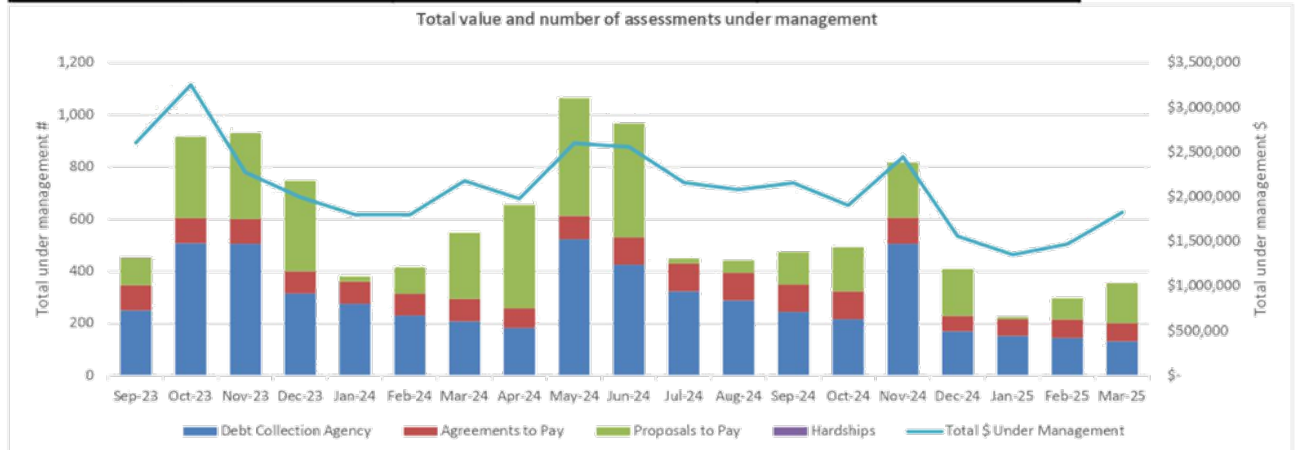
Ageing of Rates Receivable at Month End		
Total Rates Outstanding	\$8,244,971	
Less Current Levy	-\$313,490	
Total Eligible for Collection	\$7,931,481	
Current	\$6,215,084	78.36%
1 years	\$970,293	12.23%
2 years	\$412,302	5.20%
3 years	\$113,342	1.43%
4 years	\$48,052	0.61%
5 years	\$172,408	2.17%
Total Eligible for Collection	\$7,931,481	100.0%

Total rates receivables eligible for collection of \$7.93m as at 31 March 2025 is higher in comparison to the position as of 31 March 2024 of \$7.04m.

Ratepayers have the option to enter into formal payment arrangements, preventing legal action being progressed by Council's debt collection agency. Council resolved to charge 7% per annum on overdue rates and utility charges in 2024-25, applied monthly, on all overdue balances, including those under a formal payment agreement. This percentage rate has remained the same since the 2018-19 Financial Year and Council have ensured that this has remained unaffected by recent large increases in CPI.

Of the 18,696 rateable assessments, 355 (1.9% of ratepayers) are currently under management.

	As at March 2024		As at March 2025	
	#	\$	#	\$
Debt Collection Agency	208	\$ 1,278,704	131	\$ 1,124,556
Agreements to pay	86	\$ 509,626	70	\$ 386,593
Proposals to Pay	255	\$ 387,518	154	\$ 315,557
Council Hardship	0	\$ -	0	\$ -
Total under management	549	\$2,175,848.00	355	\$1,826,705.68

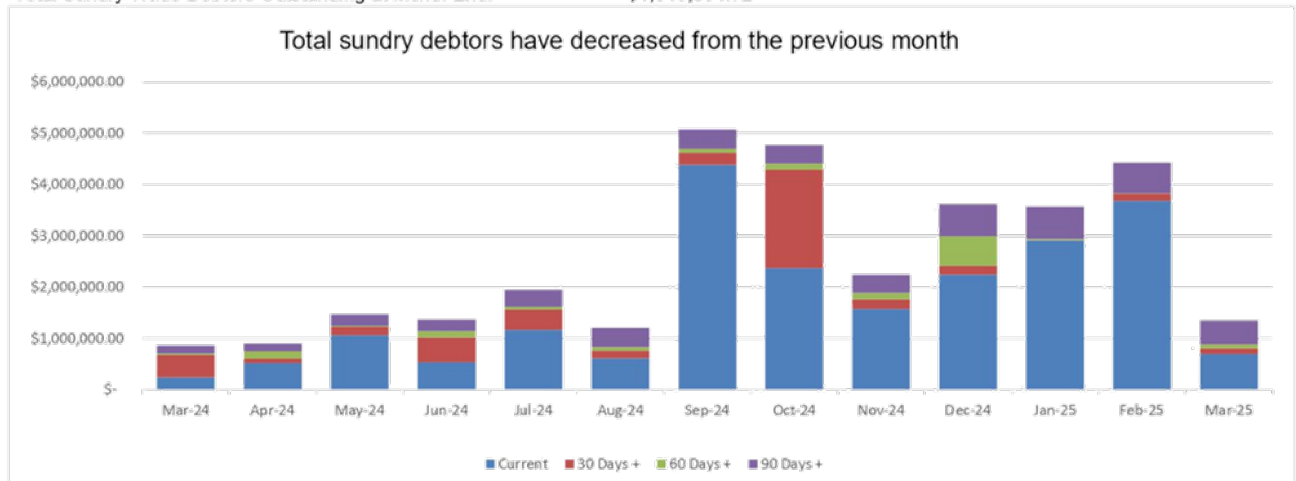


Council officers are committed to working with any ratepayer who is experiencing difficulty in paying their rates & charges and strongly encourages anyone in this position to make early contact with Council.

Under the provisions of the Local Government Regulation 2012 Council has the authority to recover outstanding rates and charges via a land sale process where the amounts have been overdue for three or more years. Commercial and Vacant Land are eligible after one year of arrears.

Outstanding Sundry Trade Debtors

Total Sundry Trade Debtors Outstanding at Month End: \$1,349,094.72



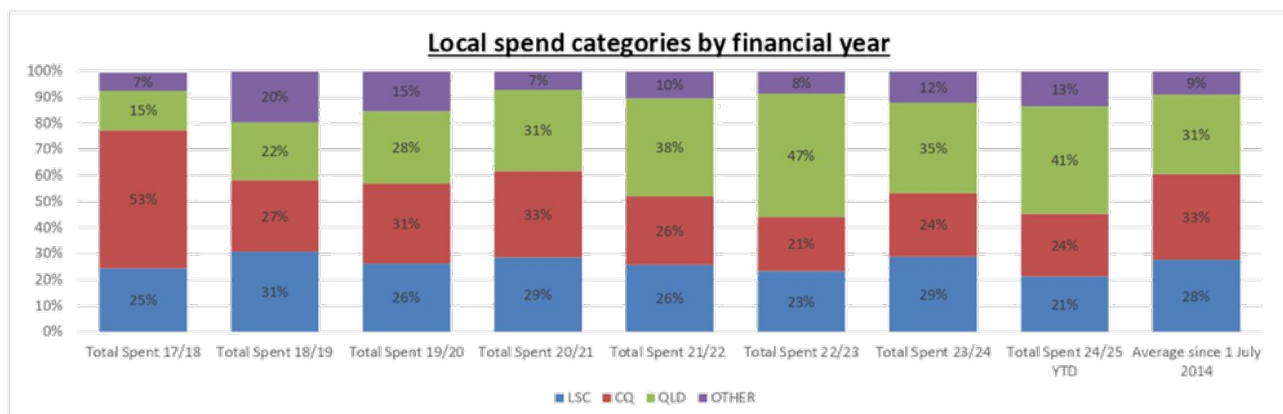
Payables Procurement

Council strongly supports locally owned and operated businesses, including those with an office or branch in our region. Council is able to report on direct local spend for both operational and capital expenditure in addition to employee salaries & wages.

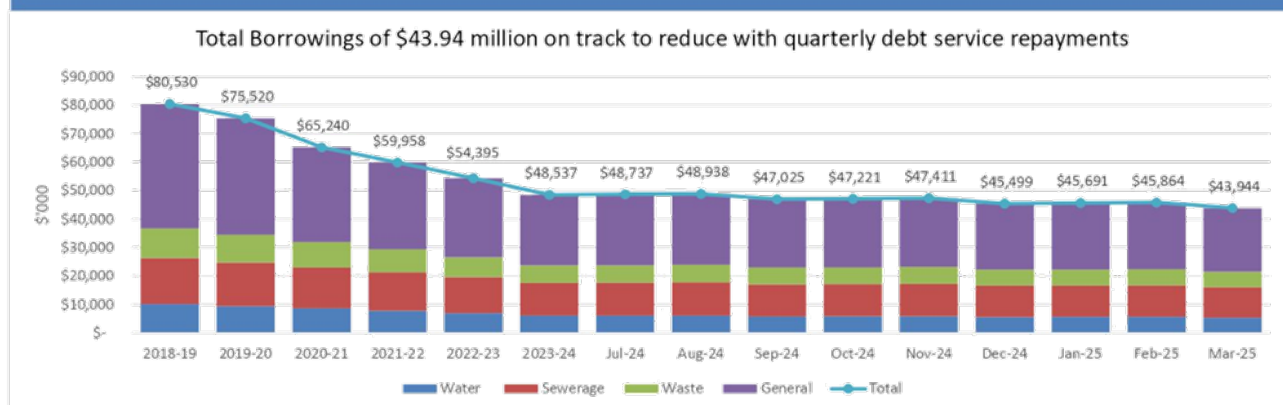
Total expenditure with businesses located within the Shire boundaries, in the current financial year, is 21.4% or \$12.03 million.

	YTD Spend (\$million)	%
LSC - Business located within the shire boundaries.	\$12.03	21.4%
CQ - Business completely set up and run outside of LSC boundaries but within the Central Queensland region.	\$13.52	24.0%
QLD - Business based outside of Central Queensland but within Queensland.	\$23.24	41.3%
OTHER - Business based outside of Queensland.	\$7.53	13.4%
	\$56.32	100.0%

The bar graph below summarises the allocation by local spend categories for the previous seven (7) financial years. Since 1 January 2014 Council has procured, on average, 61% of materials & services from within the greater Central Queensland area, which includes Livingstone Shire Council.



Borrowings



Debt Position	YTD Actual (\$'000)	BR1
Total Debt held as at 1 July 2024	\$48,537	\$48,537
New borrowings drawn down in 2024-25	-	-
Interest & administrative charges	\$1,724	\$2,250
Total debt service payments	(\$6,316)	(\$8,422)
Total Debt held at reporting period	\$43,944	\$42,364

In-line with Council's debt policy, a debt service payment of \$2,105,500 (being approximately \$1,919,500 repayment of principal and \$186,000 interest and administrative charges) is to be paid quarterly during 2024-25. Interest accrues monthly, calculated on a daily basis, until the next debt service payment. No new borrowings are budgeted to be drawn down throughout the 2024-25 financial year.

As at 31 March 2025 the weighted average interest rate of all Council debt is approximately 4.77%.

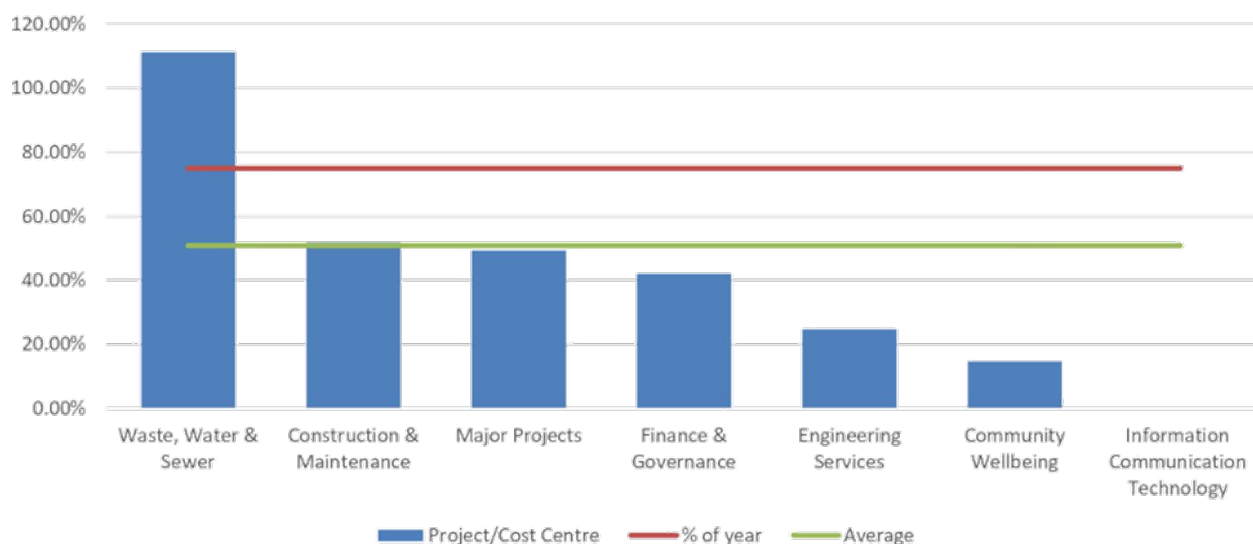
The Department of Local Government, Water & Volunteers has approved a working capital facility of \$10 million on a permanent basis subject to an annual review by the Queensland Treasury Corporation in consultation with the department. Council has not accessed the available funds in the working capital facility.

4. Capital Expenditure

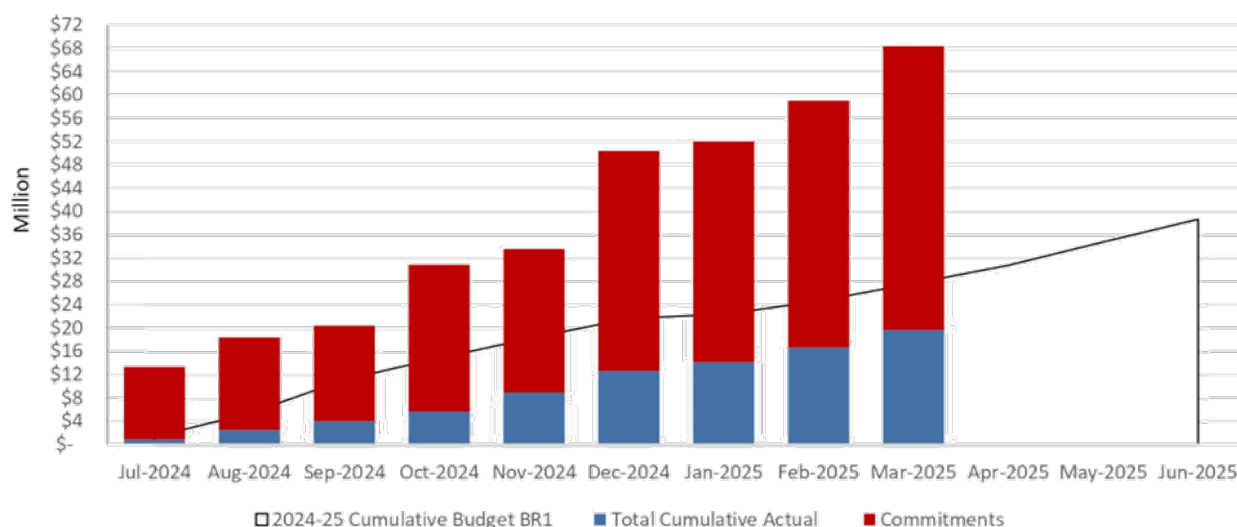
Capital revenue and expenditure report (all projects) for period ending 31/03/2025

Month ('\$000s)				YTD 75%		Full year (\$'000's)
Actual	Budget	Variance		Actual	% of Full year Budget	24-25 BR1
			Capital expenditure			
2,641	2,581	60	Materials & services	16,762	47.9%	35,003
393	391	2	Internal employee costs	2,916	79.4%	3,672
3,035	2,972	62		19,678	50.9%	38,676
			Capital Revenue			
868	1,249	(380)	Capital grants & subsidies	14,905	99.4%	14,989
389	339	51	Infrastructure contributions	3,318	81.7%	4,062
60	32	28	Other capital income	230	60.6%	380
1,317	1,619	(301)		18,454	95.0%	19,431

On average, 50.09% of capital budgets were expended by 31 March 2025



Total funds committed to capital is \$48.68 million as at 31 March 2025



5. Glossary

Key Terms	
Operating Result	Total operating revenue less total operating expenses
Total Operating Expenditure	All council expenses minus capital items such as: - losses on disposal of assets, and - impairment losses - depreciation on right of use assets - interest on finance leases associated with right of use assets - other capital expenditure items as identified by Council
Total Operating Revenue	All council income minus capital items such as; - capital grants, subsidies, contributions and donations - gains on disposal of assets - other capital revenue items as identified by Council
Definition of Ratios	
Financial Capacity	
Council-Controlled Revenue Ratio (%)[¶]	
Council-controlled revenue is an indicator of a council's financial flexibility, ability to influence its operating income, and capacity to respond to unexpected financial shocks.	
A higher council-controlled revenue indicates a stronger ability to generate operating revenue without relying on external sources. Councils with a high ratio generally have a healthy rate base and are better able to respond to unexpected financial obligations such as natural disaster recovery.	$\frac{\text{Net rates, levies and charges} + \text{Total Fees \& charges}}{\text{Total operating revenue}}$
A lower council-controlled revenue ratio indicates that a council has limited capacity to influence its operating revenue and that it is more reliant on external (and usually less reliable) sources of income such as operating grant funding, sales and recoverable works contracts, and rental income.	
Population Growth Ratio (%)[¶]	
Population growth is a key driver of a council's operating income, service needs and infrastructure requirements into the future.	
A growing council population indicates a greater capacity to generate its own source revenue through rates as well as statutory charges. Population growth also puts additional pressure on councils to invest in new community infrastructure to support service needs.	$\frac{\text{Prior year estimated population}}{\text{Previous year estimated population}} - 1$
Operating Performance	
Operating Surplus Ratio (%)[¶]	
This is an indicator of the extent to which operating generated cover operational expenses. Any operating surplus would be available for capital funding or other purposes.	
An operating surplus ratio above 0% is an indication that council is managing its finances within its existing funding envelope and generating surplus funds for capital funding or other purposes.	$\frac{\text{Operating result}}{\text{Total operating revenue}}$
An operating surplus ratio below 0% is an indication that a council's operating expenses exceed its revenue. An operating deficit in any one year is not a cause for concern, if over the long term, a council achieves a balanced operating result or small surplus. Operating deficits over the long term affect a council's ability to internally fund its capital requirements and other initiatives as and when they fall due, potentially requiring external funding support.	
Operating Cash Ratio (%)[¶]	
The operating cash ratio is a measure of councils ability to cover its core operational expenses and generate a cash surplus excluding depreciation, amortisation and finance costs.	
A positive operating cash ratio indicates that a council is generating surplus cash from its core operations, which suggests that council has the ability to self-fund its capital expenditure requirements.	$\frac{\text{Operating result add Depreciation and amortisation add finance costs}}{\text{Total operating revenue}}$
A negative operating cash ratio is a significant indicator of financial sustainability challenges and potential future liquidity issues, as all other things being equal, a negative result means that a council's cash position is declining and revenues are not offsetting the cost of core operational requirements.	

Liquidity	
Unrestricted Cash Expense Cover Ratio (months)*	
<p>The unrestricted cash expense cover ratio is an indicator of the unconstrained liquidity available to a council to meet ongoing and emergent financial demands, which is a key component to solvency. It represents the number of months a council can continue operating based on current monthly expenses.</p> <p>A higher unrestricted cash expense cover ratio indicates that a council has sufficient free cash available to contribute to the cost of future planned and unplanned expenditures such as infrastructure investment or disaster recovery. An excessively high ratio may be indicative of cash hoarding, poor cash management, or large upcoming capital investment requirements.</p> <p>A low ratio suggests limited unconstrained liquidity available to council to use for capital investment or in an emergency. For councils with efficient cash management practices and strong borrowing capacity, this is not a concern. Where a council also has a negative operating cash ratio, a very low or negative unrestricted cash expense cover ratio is an indicator of potential solvency concerns.</p>	$\frac{\text{(Total Cash and Equivalents add Current investments add available ongoing QTC working capital facility limit less Externally Restricted Cash)}}{\text{(Total Operating Expenditure less Depreciation and amortisation less Finance Costs)}}$
Net Financial Liability Ratio (%)*	
<p>This is an indicator of the extent to which the net financial liabilities of Council can be serviced by operating revenues. A ratio greater than zero (0) implies liabilities exceed current assets.</p> <p>This ratio is no longer reported against under the new financial management sustainability guideline.</p>	$\frac{\text{Total Liabilities} - \text{Current Assets}}{\text{Total operating revenue}}$
Asset Management	
Asset Sustainability Ratio (%)**	
<p>The asset sustainability ratio approximates the extent to which the infrastructure assets managed by a council are being replaced as they reach the end of their useful lives.</p> <p>An asset sustainability ratio close to 100% suggests that a council is spending enough on the renewal of its assets to compensate for the deterioration in its asset base as loosely proxied by its reported depreciation, with outcomes too far below this level being potentially indicative of underspending against capital replacement requirements.</p>	$\frac{\text{Capital expenditure on replacement of Infrastructure Assets (Renewals)}}{\text{Depreciation expenditure on Infrastructure Assets}}$
Asset Consumption Ratio (%)*	
<p>The asset consumption ratio approximates the extent to which council's infrastructure assets have been consumed compared to what it would cost to build a new asset with the same benefit to the community.</p> <p>The minimum target of 60% indicates that a council's assets are being broadly consumed in line with their estimated useful lives.</p> <p>Councils with lower than target ratio will need to invest more in those assets (in terms of replacement or maintenance) to ensure they are maintained at a standard that will meet the needs of their communities. On the other hand, if the ratio is much higher than the target ratio, councils may need to revisit their asset management plans to assess their current service levels or whether their estimates of the assets useful lives are appropriate.</p>	$\frac{\text{Written down replacement cost of depreciable infrastructure assets}}{\text{Current replacement cost of depreciable infrastructure assets}}$
Asset Renewal Funding Ratio (%)*	
<p>The asset renewal funding ratio measures the ability of a council to fund its projected infrastructure asset renewal/replacements in the future.</p> <p>Ideally, the asset renewal funding ratio should be as close to 100% as possible, as this indicates that a council is appropriately funding and delivering the entirety of its required capital program as outlined by its asset management plans.</p> <p>A ratio that is too far in excess of 100% indicates capital spending above and beyond what is proposed by a council's asset management plans. A ratio that is too far below 100% may indicate an underfunded capital program and therefore a potentially increasing infrastructure backlog and asset failures. Either scenario suggests a mismatch between a council's capital requirements and forecast capital program, whether due to poor planning and/or limited resources or skills to deliver the assets required by the community.</p>	$\frac{\text{Total of Planned Capital Expenditure on Infrastructure Asset Renewals over 10 years}}{\text{Total of Required Capital Expenditure on Infrastructure Asset Renewals over 10 years}}$
Debt Servicing Capacity	
Leverage Ratio (times cover)*	
<p>The leverage ratio is an indicator of a council's ability to repay its existing debt. It measures the relative size of the council's debt to its operating performance.</p> <p>A higher leverage ratio indicates an increasingly limited capacity to support additional borrowings due to already high debt levels and/or decreasing operational performance, while a lower ratio indicates the opposite.</p> <p>A lower leverage ratio is not itself a guarantee that further debt will be approved for a council, while councils with higher leverage ratios are not necessarily precluded from having additional borrowings approved due to other mitigating circumstances.</p>	$\frac{\text{Book Value of Debt}}{\text{Total Operating Revenue less Total Operating Expenditure add Depreciation and Amortisation add finance costs}}$
<p>*Financial Management (Sustainability) 2013 legislated ratios</p> <p>**Financial Management (Sustainability) 2023 legislated ratios</p>	
6. Reference Material	
Local government sustainability framework	https://www.statedevelopment.qld.gov.au/local-government/for-councils/finance/local-government-sustainability-framework Sustainability Framework Financial Management (Sustainability) Guideline Risk Framework Frequently Asked Questions
Budget 2024-25	https://www.livingstone.qld.gov.au/current-budget
Estimated Resident Population (ERP)	https://profile.id.com.au/livingstone/population-estimate

13.7 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 MARCH 2025

Contract Award Summaries

Meeting Date: 15 April 2025

Attachment No: 2



MARCH 2025 – CONTRACT AWARD SUMMARIES

2025.001 – Emu Park Waste Transfer Station Upgrade

The Emu Park Waste Transfer Station Upgrade project seeks to deliver a comprehensive scope of activities aimed at enhancing the Emu Park Waste Transfer Stations functionality and infrastructure. The project aims to enhance handling capacity and service delivery to the community by undertaking site preparation, temporarily relocating the gatehouse, and constructing new facilities including recycling bin areas, a bulk item recycling shed, and a modernised gatehouse. It also involves relocating and installing essential utilities, including water, telecommunication, and electrical services, as well as installing signage, guardrails, line markings, and rehabilitating disturbed areas.

The tender was advertised on 06 February 2025. It was posted on VendorPanel Public Tenders, the Livingstone Shire Council website, Council's Facebook page and Council's LinkedIn page. The tender closed at 2:00PM on 17 February 2025. The tender request was open for a total of 21 days.

Council received two (2) conforming tender responses from local contractors with a strong demonstration of local benefit outlined within each submission. Tender offers were assessed against the following tender criteria 1) Project Understanding, Methodology & Programs, 2) Corporate Capacity, Previous Experience & Key Personnel, 3) Local Benefit – 5% for Geographical Location and 15% for locally sourced resources and products & 4) Price.

In comparing the two (2) submissions, the panel concluded that whilst both companies would deliver to project specification and are equal on many criterion, one submission's committed timeline with consideration to the site hours ensuring public access is uninterrupted and the utilisation of innovative technologies, in addition to the significant price difference was most advantageous to Council and the community and was accepted as demonstrating best value for money to Council. The panel agreed to recommend awarding 1One Group Pty Ltd the contract for a sum of \$503,774.00 (ex GST).

14 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and cannot be delayed until the next scheduled Council or Committee Meeting.

15 CLOSURE OF MEETING