



ORDINARY MEETING

AGENDA

26 OCTOBER 2026

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 26 October 2026 commencing at 9:00 AM for transaction of the enclosed business.

Thomas Upton
CHIEF EXECUTIVE OFFICER
21 October 2026

Next Meeting Date: 17 November 2026

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.

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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

Councillor Lance Warcon is scheduled to deliver an opening prayer.

2 ATTENDANCE

Members Present:

Deputy Mayor, Councillor Pat Eastwood
Councillor Glenda Mather
Councillor Rhodes Watson
Councillor Wade Rothery
Councillor Lance Warcon
Councillor Andrea Friend

Apologies

Mayor, Councillor Adam Belot

Officers in Attendance:

Thomas Upton – Chief Executive Officer
Michael Kriedemann – General Manager Infrastructure
Katrina Paterson – General Manager Communities and Environment
Andrea Ellis – General Manager Corporate Services
Kristy Mansfield - Chief People and Performance Officer
Graham Scott – Project Director Blueprint Livingstone

3 LEAVE OF ABSENCE / APOLOGIES

3.1 LEAVE OF ABSENCE FOR DEPUTY MAYOR, PAT EASTWOOD - 4 NOVEMBER TO 16 NOVEMBER 2026 INCLUSIVE

File No: GV14.4.1

Attachments: Nil

Responsible Officer: Tom Upton - Chief Executive Officer

SUMMARY

Deputy Mayor Pat Eastwood requested a leave of absence from 4 November to 16 November 2026 inclusive.

RECOMMENDATION

THAT Leave of Absence be granted to Deputy Mayor Pat Eastwood for the period 4 November to 16 November 2026 inclusive.

3.2 LEAVE OF ABSENCE FOR COUNCILLOR LANCE WARCON - 1 DECEMBER 2026 TO 14 JANUARY 2027 INCLUSIVE**File No:** fA2206**Attachments:** Nil**Responsible Officer:** Tom Upton - Chief Executive Officer

SUMMARY

Councillor Lance Warcon requested a leave of absence from 1 December 2026 to 14 January 2027 inclusive.

RECOMMENDATION

THAT Leave of Absence be granted to Councillor Lance Warcon for the period of 1 December 2026 to 14 January 2027 inclusive.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the Ordinary Meeting held 6 October 2026

5 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

6 DEPUTATIONS

Nil

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: fA2206

Attachments: 1. Business Outstanding Table - October 2026 [↓](#)

Responsible Officer: Tom Upton - 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 - October 2026

Meeting Date: 26 October 2026

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	17/06/2025	Permit to Occupy Application – Adjacent to 6 Flood Road Milman (Lot 4 RP848806)	That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending consideration of a DA to return to a Council Meeting at a later date.	13 October 2026 Flood Road Permit to Occupy will be lifted off the table at the Ordinary Meeting of Council in November.
2	16/09/2025	Road Reserve Acquisition - 118 Barmaryee Road Barmaryee	THAT Council resolve to delegate authority under s 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 from Lot 3 RP610365 (118 Barmaryee Road Barmaryee). In exercising this delegation, the Chief Executive Officer is to comply with Council's 'Acquiring Land and Easements for Infrastructure Services Procedure' And THAT funding for the design and construction of the road be confirmed through the budget review process in late 2025.	13 October 2026 Fully signed titles documents were delivered to LSC today. Survey plan and EMT docs lodged with Titles Qld. New road to be opened and drainage easement to be created in the next 10-14 days. Meeting with residents to be arranged.
3	09/10/2025	Tender responses to Capricorn Homemaker Stage 2 selective tender	That Council resolve to: approve the tenderer detailed in the section, Evaluation and overview of proposals, number (2) of this report to advance to preferred tender stage; and delegate to the CEO to enter contract negotiations with the preferred tenderer to advance the development of the Capricorn Coast Homemaker 2.	12 Oct 2026 Due diligence investigations are continuing.
4	27/10/2025	Notice of Motion - Cr Lance Warcon - Bell Park Master Plan	THAT Council resolves to request Officers to prepare a report outlining the options for the creation of a master plan for Bell Park at Emu Park, which outlines plans for creation of resources sought by the community, including the consideration of a half basketball court, all abilities toilet facilities at the Skate Park, resolution of car park drainage issues, completion of works to repair the Heritage listed tower on site and other facilities as may be identified through a community consultation program in the area.	13 October 2026 Draft scope of work under review with internal stakeholders then procurement will seek a request for quote. Consultant will be engaged by late November.

*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
5	Ordinary Council 17/02/2026	Proposed Acquisition of Land - Water Supply Reservoir	<p>THAT Council resolve to</p> <ol style="list-style-type: none"> 1. Receive and note the contents of this report; 2. Delegate authority under s 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 water supply purposes associated with L5 RP619660, Bondoola; and 3. In exercising this delegation, the Chief Executive Officer is to comply with Council's <i>'Acquiring Land and Easements for Infrastructure Services Procedure'</i>. 	<p>08 October 2026</p> <p>Officers briefed Council at the September 2026 Briefing Session and a report will be tabled at the Ordinary Meeting of Council 26th October 2026.</p>
6	Ordinary Council 17/03/2026	Community Housing Location Options	<p>THAT Council resolve to:</p> <ol style="list-style-type: none"> 1) Authorise the Chief Executive Office to negotiate the disposal terms of Council owned land with the proponent named in this report, for the purposes of developing a future community housing and support services hub; and 2) Apply the exception mentioned in 236(1)(b) of the <i>Local Government Regulation 2012</i> in its dealing with the proponent named in this report over the Council owned land detailed in this report; and 3) If disposal is successful and development proceeds, support the proponent submitting a development application via the Ministerial Infrastructure Designation (MID) process. 	<p>12 October 2026</p> <p>Options Analysis - Yeppoon Town Centre and Community Activation Proposal and Get Involved Page online. Community information session held on 11 September. A report will be tabled at the Ordinary Meeting of Council 17 November 2026.</p>

***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
7	Ordinary Council 17/03/2026	Yeppoon Town Centre and Community Activation Proposal	THAT Council authorises the CEO to initiate project feasibility investigations, as described in the milestone section of this report.	12 October 2026 Options Analysis - Yeppoon Town Centre and Community Activation Proposal and Get Involved Page online. Community information session held on 11 September. The project team will continue investigations, targetted stakeholder engagement and research to inform the findings and recommendations of the final report. A report will be tabled at the Ordinary Meeting of Council 17 November 2026
8	Ordinary Council 17/03/2026	Notice of Motion - Cr Andrea Friend - Installation of a potable Water Bubbler/Fountain	THAT Council install a water bubbler/fountain inclusive of a dog dish at the amenities side of Merv Anderson Park near Ross Creek. THAT Council undertake an audit of all parks in the Shire to identify the need for any further bubblers/fountains inclusive of dog dishes and a report be brought back to Council.	08 October 2026 An order has been place for the supply of water filling station and it is due to be received early to mid November. In the interim, work will commence on the slab and service provision so the unit can be fixed to site once it is received.
9	Ordinary Council 07/04/2026	Timbers Beach Access - Local Law Review	That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending the outcome of land acquisition to return to a future Council meeting.	13 October 2026 Negotiations with landowner ongoing.
10	Ordinary Council 19/05/2026	Notice of Motion - Mayor Adam Belot - Beach access at Muskies/Zilzie Beach	THAT in order to improve the recreational lifestyle of residents within and around the Zilzie south location, Council resolve to delegate to the CEO to undertake the formal process to acquire land on Lot 508 SP 166188 in order to allow public access to the beach adjacent to this lot which has been blocked off since at least June 2000 which resulted in no public beach access points.	13 October 2026 Negotiations with landowner ongoing.

***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
11	Ordinary Council 04/08/2026	Hidden Valley Road Study	THAT a Land Use, Traffic and Transport Assessment of Hidden Valley Road is to be completed ahead of any further intensification of development within the Hidden Valley Road corridor by the end of October 2026.	08 September 2026 On schedule for completion by end of October in line with Council resolution
12	Ordinary Council 04/08/2026	Concerns raised from Community Meeting - Proposed relocation of Yeppoon library and Community Centre	THAT Council resolves that the concerns of Community Voice in respect to the possible changes to the Yeppoon Community Centre and Library be "Received" and a response sent to Community Voice. Council to continue to actively engage the community in respect to the project.	08 September 2026 A response was provided to Yeppoon Community Voice on 14 August 2026. A report will be tabled at the Ordinary Meeting of Council 17 November 2026
13	Ordinary Council 17/08/2026	Notice of Motion - Cr Andrea Friend - Potholes Price & Emmerson Drive, Glenlee	THAT Council undertake immediate rectification of Price Drive and Emmerson Drive Glenlee, to a high standard.	25 September 2026 Crews have completed some pothole patching and larger pavement rehabilitation in the first week of September. Work has been inspected to ensure quality objectives have been met. Roads are currently being assessed for the reseal program and final list for 26/27 will be workshopped with Council prior to Christmas 2026.
14	Ordinary Council 17/08/2026	Notice of Motion - Mayor Adam Belot - Waste vouchers for mixed use properties	THAT the CEO prepare a report to Council on a process to extend waste vouchers to businesses which are also the primary residence of the operator.	13 October 2026 Report will be tabled at the Ordinary Meeting of Council 26th October 2026.

***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
15	Ordinary Council 17/08/2026	Divided Council Electoral Arrangement	<p>THAT Council resolve to:</p> <ol style="list-style-type: none"> 1. Investigate the feasibility of Livingstone Shire Council transitioning to a divided Council for electoral purposes to take effect from the 2032 local government elections. 2. A suitable community engagement strategy be developed to discuss any potential change with the community and test community support for any change. 	<p>08 September 2026</p> <p>The CEO is currently developing an engagement proposal to be costed. A report will be presented at a future Council meeting.</p>
16	Ordinary Council 17/08/2026	Potential Acquisition of Land at 9 Casey Drive, Yeppoon.	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. Approve the acquisition of a portion of land situated at 9 Casey Drive, Yeppoon, described as part of Lot 28 on RP860145, for environmental protection, stormwater management and public open space purposes. 2. Delegate authority to the Chief Executive Officer to negotiate the terms and conditions of a Contract of Sale for the acquisition of the land. 3. Approve the waiver of applicable Council fees associated with the proposed boundary realignment required to facilitate the acquisition. 	<p>13 October 2026</p> <p>A contract has been received, and Council is currently negotiating the conditions.</p>

***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
17	BluePrint Committee Meeting 1/09/2026	Request for Expression of Interest - Fill requirements Gateway Stage 4/5 and East West Connector Stage 1	<p>THAT Council resolve to:</p> <ol style="list-style-type: none"> 1. Invite Expressions of Interest for the supply of fill material (under Section 228 (3) of the Local Government Regulations 2012) and; 2. Notes it is in the public interest to invite expressions of interest before inviting written tenders for the following reasons: <ol style="list-style-type: none"> a. Undertaking early engagement with potential suppliers; b. Understanding the scope potential and what the market may be able to offer; c. Enabling the market to better understand potential compliance issues with the project and social and environmental controls; d. Enabling the market to better understand the logistics of delivering or supplying the required material to mutual benefit of avoiding costs, social and environmental impacts. e. Enable the market to better understand the opportunities to backfill materials (topsoil and mulch) surplus to Council requirements that may benefit fill suppliers. 3. Undertake an evaluation of the Expression of Interest responses and shortlist a minimum of three landowners and/or contractors to tender commercial terms for a proposed solution. 	<p>8 October 2026</p> <p>EOI advertised and closes 9 October 2026 with recommended shortlist to be reported at Blueprint Livingstone Committee meeting in November.</p>
18	BluePrint Committee Meeting 1/09/2026	Land Acquisition EWC Stage 2 - Lot 26 SP190985	That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending the outcomes of a briefing session and to return to a future Council Meeting.	<p>08 October 2026</p> <p>Funds for the purchase have been confirmed and the report will be re-presented at the Blueprint Livingstone Committee meeting in November.</p>

***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
19	BluePrint Committee Meeting 1/09/2026	Land Acquisition - EWC Roundabout and Connection Roads - Lot 1 SP358022	THAT Council delegates to the CEO to acquire the additional road reserve to accommodate the construction of a roundabout on Lot 1 SP358022 as part of the East West Connector Stage 1 project. The CEO provide a report to the Councillors before a final decision is made at the next available meeting.	08 October 2026 The survey plan for the land acquisition being prepared.
20	Ordinary Council 15/09/2026	Adelaide Street - Speed Reduction and Linemarking	THAT Council endorse the Adelaide Street speed reduction, signage and line-marking works for delivery through a maintenance works order in 2026/27.	08 October 2026 A works order was created on 22/09/26. C & M are targeting completion by the end of next week. The line marking is booked in for the first half of next week and the speed reduction will be done at the same time (weather dependent).
21	Ordinary Council 6/10/2026	Notice of Motion - Rural Roadworks	THAT due to the rapid deterioration of our rural roads, especially the extreme corrugation on Tanby Post Office Rd, Cobb&Co Rd, and Hoffmans Rd, the Infrastructure Department place priority on addressing these 3 roads in that order as a matter of urgency, including the employment of contractors to alleviate the distress currently caused to rural residents and their vehicles on these roads. Further, due to the prolonged waiting time to address rural road maintenance due to only 3 grader crews in operation, priority should focus on those roads with the greatest damage until such time improved weather conditions permit otherwise.	13 October 2026 Cobb&Co Road has been completed and maintenance grading of Tanby Post Office Road and Hoffmans Road will be completed with month (weather dependent).

8 PRESENTATION OF PETITIONS

Nil

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - CR LANCE WARCON - MARLBOROUGH POOL EXTENSION OF SATURDAY SUMMER OPERATING HOURS

File No: fA2220

Attachments: 1. NoM - Cr Lance Warcon - Marlborough Pool
extension of Saturday summer operating
hours [↓](#)

Responsible Officer: Tom Upton - Chief Executive Officer

SUMMARY

Councillor Lance Warcon has submitted a 'Notice of Motion' in relation to the Marlborough Pool and extension of Saturday summer operating hours

COUNCILLOR RECOMMENDATION

THAT Council:

1. Contact PCYC to discuss and request an extension of the operating hours available for the Marlborough Pool during the summer season;
2. Request that PCYC facilitate an additional three (3) hours of pool access on a Saturday during the summer season, to provide increased access and recreational opportunities for the community;
3. Note that the proposed additional Saturday hours are to be in addition to, and not replace, reduce or otherwise alter, the hours currently allocated to the Marlborough Pool; and
4. Request that Council officers report back to Council on the outcome of discussions with PCYC, including the feasibility, proposed timing and any costs associated with providing the additional Saturday hours.

COUNCILLOR BACKGROUND

The residents of the Marlborough community have been asking to access the Marlborough pool on Saturdays since I first visited Marlborough as a Councillor.

They were hoping that at the time of the new pool contract being awarded, that Saturday opening hours could be considered. This has unfortunately not happened for the community, and they are still without Saturday morning pool access.

At the latest Councillor Community Catch in Marlborough, 26th September 2026, they once again asked for Saturday pool access. The residents are grateful for the current timetable and relationship with PCYC, however, they have asked that their pool access hours to not be reduced in accommodating for the access but allow for 3 extra hours on a Saturday morning for those who are unable to use the pool due to work commitments during the week.

**9.1 - NOTICE OF MOTION - CR LANCE
WARCON - MARLBOROUGH POOL
EXTENSION OF SATURDAY SUMMER
OPERATING HOURS**

**NoM - Cr Lance Warcon - Marlborough
Pool extension of Saturday summer
operating hours**

Meeting Date: 26 October 2026

Attachment No: 1

Chief Executive Officer
Livingstone Shire Council
Yeppoon QLD 4703

Notice of Motion

Marlborough Pool — Extension of Saturday Summer Operating Hours

Dear Sir,

I wish to your Notice of my intention to move the following motion at the next Ordinary Meeting, with your approval:

THAT Council:

1. **Contact PCYC** to discuss and request an extension of the operating hours available for the Marlborough Pool during the summer season;
2. **Request that PCYC facilitate an additional three (3) hours of pool access on a Saturday** during the summer season, to provide increased access and recreational opportunities for the community;
3. **Note that the proposed additional Saturday hours are to be in addition to, and not replace, reduce or otherwise alter, the hours currently allocated to the Marlborough Pool;** and
4. **Request that Council officers report back to Council** on the outcome of discussions with PCYC, including the feasibility, proposed timing and any costs associated with providing the additional Saturday hours.


Councilor Lance Warcon

9.2 NOTICE OF MOTION - CR LANCE WARCON - THE RESTING PLACE TREE**File No:** qA86737**Attachments:** 1. NoM - Cr Lance Warcon - The Resting Place Tree [↓](#)**Responsible Officer:** Tom Upton - Chief Executive Officer

SUMMARY

Councillor Lance has submitted a 'Notice of Motion' in relation to The Resting Place Tree.

COUNCILLOR RECOMMENDATION

THAT

1. Council add The Resting Place tree to the Local Heritage Register
2. Council applies to the Queensland Department of Environment, Science and innovation to add The Resting Place tree to the Queensland Heritage Register

BACKGROUND

On 27 October 2025, Council resolved to formally acknowledge and support the historical and cultural significance of the Resting Place by commissioning a commemorative stone and plaque to be installed alongside appropriate signage. Since this time, officers have worked with members of the community and applied to TMR for signage approval (the tree is on a TMR road). TMR did not approve the application due to the lack of a safe 'pull off' and parking area in the vicinity.

In discussions with community and officers, it is suggested that alternative mechanisms for recognising The Resting Place be enacted to fulfil the original NOM's intent.

9.2 - NOTICE OF MOTION - CR LANCE WARCON - THE RESTING PLACE TREE

NoM - Cr Lance Warcon - The Resting Place Tree

Meeting Date: 26 October 2026

Attachment No: 1

Mr Tom Upton
Chief Executive Officer
Livingstone Shire Council
PO Box 2292
YEPPON QLD 4703

12 October 2026

**Notice of Motion
The Resting Place Tree**

Dear Mr Upton,

I wish to submit this Notice of Motion in relation to The Resting Place Tree.

May this be included in the 26 October Council Meeting agenda. I give notice of my intention to move the following:

Councillor Recommendation

THAT

1. Council add The Resting Place tree to the Local Heritage Register
2. Council applies to the Queensland Department of Environment, Science and innovation to add The Resting Place tree to the Queensland Heritage Register

Councillor Background

On 27 October 2025, Council resolved to formally acknowledge and support the historical and cultural significant of the Resting Place by commissioning a commemorative stone and plaque to be installed alongside appropriate signage. Since this time, officers have worked with members of the community and applied to TMR for signage approval (the tree is on a TMR road). TMR did not approve the application due to the lack of a safe 'pull off' and parking area in the vicinity.

In discussions with community and officers, it is suggested that alternative mechanisms for recognising The Resting Place be enacted to fulfil the original NOM's intent.

Regards

Councillor Lance Warcon

9.3 NOTICE OF MOTION - CR RHODES WATSON - MACKAY ROAD SAFETY IMPROVEMENTS**File No:** fA2220**Attachments:** 1. NoM - Mackay Road safety improvements [↓](#)**Responsible Officer:** Tom Upton - Chief Executive Officer

SUMMARY

Councillor Rhodes Watson has submitted a 'Notice of Motion' in relation to Mackay Road safety improvements.

COUNCILLOR RECOMMENDATION

THAT Council:

1. Undertake works at approximately chainage 1.5km on Mackays Road aimed at reducing the risk of collision from oncoming vehicles and/or vehicles entering or leaving the adjacent property
2. That options be considered including alterations to the vertical alignment, bitumen sealing, line marking and other elements.
3. That the works be funded via Council's capital works program to a maximum of \$300,000.
4. That the works be completed prior to 30 June 2027.

COUNCILLOR BACKGROUND

Please refer to attached NOM.

9.3 - NOTICE OF MOTION - CR RHODES WATSON - MACKAY ROAD SAFETY IMPROVEMENTS

NoM - Mackay Road safety improvements

Meeting Date: 26 October 2026

Attachment No: 1

Mr Tom Upton
Chief Executive Officer
Livingstone Shire Council
PO Box 2292
YEPPOON QLD 4703

23 September, 2026

**Notice of Motion
Mackay Road Safety Improvements**

Dear Mr Upton,

I wish to submit this Notice of Motion in relation to Mackays Road Safety Improvements.

May this be included in the agenda on October 6. I give notice of my intention to move the following:

That Council:

That Council

1. Undertake works at approximately chainage 1.5km on Mackays Road aimed at reducing the risk of collision from oncoming vehicles and/or vehicles entering or leaving the adjacent property
2. That options be considered including alterations to the vertical alignment, bitumen sealing, line marking and other elements.
3. That the works be funded via Council's capital works program to a maximum of \$300,000.
4. That the works be completed prior to 30 June 2027.

Mover's Supporting Information

The hill section of Mackays Road presents a significant road safety concern for residents, ratepayers and visitors using this route.

Due to the steep nature of the hill and restricted sight distance at the crest, motorists are unable to clearly observe oncoming traffic when approaching the summit from either direction. The existing unsealed surface has developed corrugations and deterioration that encourage vehicles to travel closer to the centre of the roadway in search of a smoother driving line.

This creates a heightened risk of head-on collisions, particularly at the crest of the hill where visibility is limited. There has already been one known front-on collision at this location, and numerous un-reported to police near-miss incidents have highlighted the ongoing danger to road users.

It is considered that sealing the approximately 400-metre hill section, together with appropriate centre line marking and other engineering treatments as determined by Council officers, would significantly improve driver behaviour, encourage vehicles to remain within their lane and reduce the risk of serious collisions.

Many thanks

Councillor Rhodes Watson

9.4 NOTICE OF MOTION - CR GLENDA MATHER - MILDURA RISE UPDATE**File No:** fA2220**Attachments:** 1. NoM - Mildura Rise Update - Cr Glenda Mather [↓](#)**Responsible Officer:** Tom Upton - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has submitted a 'Notice of Motion' in relation to a Mildura Rise update.

COUNCILLOR RECOMMENDATION

THAT given the variety of information provided to members of the community, with the suggestion of a "new plan," The Planning Department be asked to provide an update on the current position of the development, and the current plan provided to Council.

COUNCILLOR BACKGROUND

Please refer to attached NOM.

9.4 - NOTICE OF MOTION - CR GLENDAMATHER - MILDURA RISE UPDATE

NoM - Mildura Rise Update - Cr Glenda Mather

Meeting Date: 26 October 2026

Attachment No: 1

Po Box5186
Red Hill PO
Rockhampton Q 4701

Mr Tom Upton
Chief executive Officer
Livingstone Shire Council

Notice of Motion
Update Mildura Rise

Dear Sir,

I submit this Notice of Motion to be included in the Agenda of the next Ordinary Meeting of Council, if it meets with your approval:

“That given the variety of information provided to members of the community, with the suggestion of a “new plan,” The Planning Department be asked to provide an update on the current position of the development, and the current plan provided to Council.”

Background:

I'm fielding a number of enquires on a number of issues relating to the development.

It would appear that there is public confusion brought about by various interpretations of what people have been told.

Due to the long delay in getting the development off the ground, and what it consists of, they are naturally suspicious, given the number of smaller blocks. There is no certainty for parties interested in purchasing.

A map of the current plan provided to Council, would assist councillors.

Many thanks,
Glenda Mather

10 QUESTIONS ON NOTICE

10.1 QUESTIONS ON NOTICE - CR GLENDA MATHER - CLEARING ON HILLS TANBY ROAD

File No: qA81490

Attachments: 1. Questions on Notice - Cr Glenda Mather -
Clearing on hills Tanby Road [↓](#)

Responsible Officer: Tom Upton - Chief Executive Officer

Author: Renee Dwyer - Executive Assistant to the Mayor

SUMMARY

Councillor Glenda Mather has asked the following Question On Notice for the Council Meeting on Monday 26 October 2026, as follows:

THAT staff prepare a report for the October Ordinary Meeting on the circumstances surrounding the total indiscriminate clearing of the hills on the northern entrance to Tanby Road.

RECOMMENDATION

THAT staff prepare a report for the October Ordinary Meeting on the circumstances surrounding the total indiscriminate clearing of the hills on the northern entrance to Tanby Road.

OFFICER COMMENTARY

10.1 - QUESTIONS ON NOTICE - CR GLENDA MATHER - CLEARING ON HILLS TANBY ROAD

**Questions on Notice - Cr Glenda
Mather - Clearing on hills Tanby Road**

Meeting Date: 26 October 2026

Attachment No: 1

PO Box 5186
Red Hill PO
Rockhampton Q 4701
19 October 2026

Mt Tom Upton
Chief Executive Officer
Livingstone Shire Council

Question on Notice
Vegetation Clearing

Dear Sir,

I give Notice of my intention to move the following motion at the next Ordinary Meeting of Council, subject of your approval:

“That staff prepare a report for the October Ordinary Meeting on the circumstances surrounding the total indiscriminate clearing of the hills on the northern entrance to Tanby Rd. ”

Background:

Following the discovery of the clearing, I, and probably others, reported the denuding of all vegetation on the hills at the northern end of Tanby Road, rendering the slopes to substantial erosion and subsidence.

Information should include but not limited to, grounds of approval (if any), remedy to prevent erosion, slip, and any infringements issued, if applicable.

To date I have not received any update on the matter.

Many thanks Glenda Mather

11 COMMITTEE REPORTS

Nil

12 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS

12.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 15 SEPTEMBER 2026 VIA FLYING MINUTE

File No: fA52827

Attachments: 1. **Audit, Risk and Improvement Committee Unconfirmed Meeting Minutes - 15 September 2026 via Flying Minute**[↓](#)

Responsible Officer: **Andrea Ellis - General Manager Corporate Services**
Tom Upton - Chief Executive Officer

Author: **Nicole Carr - Executive Support Officer**

SUMMARY

The purpose of this report is for Council to receive the minutes from the Audit, Risk and Improvement Committee (ARaIC) meeting 15 September 2026 via Flying Minute, and note 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 Council receive the unconfirmed meeting minutes of the Audit, Risk and Improvement Committee held on 15 September 2026 via Flying Minute.

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 15 September 2026 via Flying Minute.

The purpose of this Flying Minute was to seek the Committee's endorsement of the following recommendation:

THAT the Audit, Risk and Improvement Committee receives the unaudited 2025-26 General Purpose Financial Statements, as presented by flying minute, and endorses that the statements be provided to the Auditor-General under section 212 of the *Local Government Regulation 2012*.

PREVIOUS DECISIONS

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

ENGAGEMENT AND CONSULTATION

There are no engagement and consultation implications associated with 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 AND LEGAL IMPLICATIONS

Pursuant to 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.

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

Transparent, Accountable & Progressive Leadership

Sustainably manage finances, assets and resources through strong governance

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.

**12.1 - AUDIT, RISK AND
IMPROVEMENT COMMITTEE MEETING
- 15 SEPTEMBER 2026 VIA FLYING
MINUTE**

**Audit, Risk and Improvement
Committee Unconfirmed Meeting
Minutes - 15 September 2026 via Flying
Minute**

Meeting Date: 26 October 2026

Attachment No: 1



AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

NOTES

**15 SEPTEMBER 2026 VIA FLYING
MINUTE**

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

15 SEPTEMBER 2026

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AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

15 SEPTEMBER 2026

MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD
TUESDAY, 15 SEPTEMBER 2026 VIA FLYING MINUTE**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."

2 PRESENT

Members Present:

Mr Jeff Stewart-Harris (Chairperson)
Ms Melissa Jacobs
Mr Peter Sheville
Councillor Andrea Friend
Councillor Rhodes Watson

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

15 SEPTEMBER 2026

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

NIL

UNCONFIRMED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

15 SEPTEMBER 2026

**4 DECLARATIONS OF INTEREST IN MATTERS ON THE
AGENDA**

NIL

UNCONFIRMED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

15 SEPTEMBER 2026

5 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

NIL

UNCONFIRMED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

15 SEPTEMBER 2026

6 STRATEGIC REPORTS

NIL

UNCONFIRMED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

15 SEPTEMBER 2026

7 REPORTS**7.1 2025-26 UNAUDITED GENERAL PURPOSE FINANCIAL STATEMENTS**

File No: fA52827

Attachments:

1. 2025-26 Unaudited General Purpose Financial Statements
2. 2025-26 Found and De-recognised Assets Memo

Responsible Officer: Andrea Ellis - General Manager Corporate Services

Author: Nicole Carr - Executive Support Officer
Andrea Ellis - General Manager Corporate Services

SUMMARY

It is a requirement of the external audit process that a draft set of the financial statements for Livingstone Shire Council (Council) be submitted to the Audit, Risk and Improvement Committee, prior to being presented to Council's external auditors.

COMMENTARY

COMMITTEE MEMBER: Chair Jeff Stewart-Harris
Endorsement
Endorsement received via email 18 September 2026 A2475302
COMMITTEE MEMBER: Peter Sheville
Endorsement
Endorsement received via email 17 September 2026 A2473090
COMMITTEE MEMBER: Mel Jacobs
Endorsement
Endorsement received via email 17 September 2026 A2472980
COMMITTEE MEMBER: Councillor Rhodes Watson
Endorsement
Endorsement received via email 17 September 2026 A2475082
COMMITTEE MEMBER: Councillor Andrea Friend
Endorsement
Endorsement received via email 15 September 2026 A2471636

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee receives the unaudited 2025-26 General Purpose Financial Statements, as presented by flying minute, and endorses that the statements be provided to the Auditor-General under section 212 of the *Local Government Regulation 2012*.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

15 SEPTEMBER 2026

8 GENERAL BUSINESS

NIL

UNCONFIRMED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

15 SEPTEMBER 2026

9 CLOSURE OF MEETING

There being no further business the meeting closed.

Jeff Stewart-Harris
CHAIRPERSON

18 September 2026
DATE

UNCONFIRMED

13 REPORTS

13.1 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2026

File No: FM12.14.1

Attachments:

1. **Monthly Financial Report - September 2026**[↓](#)
2. **Contract Award Summaries - September 2026**[↓](#)

Responsible Officer: **Jaye Robertson - Manager Financial Services**
Andrea Ellis - General Manager Corporate Services
Tom Upton - Chief Executive Officer

Author: **Adriana Mendez - Acting Coordinator Accounting Services**

SUMMARY

The purpose of this report is to seek the Council's adoption of the Livingstone Shire Council Monthly Financial Report for the Period Ending 30 September 2026.

OFFICER'S RECOMMENDATION

THAT Council receive the Livingstone Shire Council Monthly Financial Report for the period ending 30 September 2026 (Attachment 1).

BACKGROUND

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

1. Financial Position and Performance Snapshot
2. Financial Reports
3. Capital Expenditure
4. Capital Projects Detail Report
5. Glossary

The attached financial information presents the provisional year-to-date position of Council's financial performance to 30 September 2026. Commitments are excluded from the reported operating & capital expenditures. Further accounting adjustments are continuing to be processed during quarter one as part of Council's General Purpose Annual Financial Statements process, to capture a final position for 2025-26.

All variances are reported against the 2026-27 Adopted Budget, adopted by Council on 23 June 2026.

The financial report compares actual performance against the Council's 2026-27 Adopted Budget and identifies significant variances or areas of concern. It also provides information about additional areas of financial interest to the Council and reinforces sound financial management practices throughout the organisation.

The Council's 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 in the report when the monthly and/or year-to-date variance exceeds \$100,000 and 10% of the budget.

1. Financial Position and Performance Snapshot – summary of the main financial operating results, capital expenditure and capital revenue, cash holdings, borrowings

and a summary of financial performance indicators of 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 2025.

2. 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 from the previous month, compared against the 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.

3. Capital Expenditure – summary of the overall portfolio of capital expenditure, including capital grants & subsidies streams.

4. 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 at \$200,000 or more. These details are available on the Council's website (<https://www.livingstone.qld.gov.au/doing-business/business-and-regulations/contracts-and-tenders>) and on the public notice board at Yeppoon Town Hall.

In September 2026, five (5) contracts over the prescribed value (\$200,000) were established via purchase order.

Current Tenders

At the end of September 2026, there were two (2) open tenders, nil (0) selective tenders, three (3) tenders under evaluation, one (1) preferred tenderer status, and four (4) contracts awarded (Attachment 2). The table below summarises current tenders to promote oversight of progress by Councillors.

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

September 2026 - Open Tenders			
2026.900	Landfill Gas Extraction and Flaring		
2026.55	Supply and Delivery of Specialised Operational and Heavy Fleet Vehicles		
September 2026 - Selective Tenders			
Nil Selective Tenders for September 2026			
September 2026 - Tenders Evaluation			
2026.29	Construction of Rosslyn Street Sewage Pump Station (SPS42) Wet Well Renewal		
2026.31	Barmaryee Sports Precinct Master Plan		
2026.54	Fleet Renewal Program 26/27		
September 2026 - Preferred Tenderer Status			
2025.010	Homemaker Stage 2 - Land Sale		
September 2026 - Contracts Awarded		Successful Tenderer/s	Contract Value (exc GST)
2025.004	Great Keppel Island Arrivals Plaza Leasehold	Funtastic DWS Pty Ltd & Great Keppel Island Hideaway Pty Ltd	\$ 147,056.00
2026.13	Preferred Supplier Arrangement (PSA) - Supply & Delivery of Chemicals	1. Coogee QCA Pty Ltd 2. Activated Carbon Technologies Pty Ltd 3. Cap Coast Rural Pty Ltd 4. Hach Pacific 5. Ixom Operations 6. Morrison CQ Agencies 7. Omega Chemicals 8. Redox Pty Ltd 9. SNF Australia Pty Ltd	Preferred Supplier Arrangement (PSA) As per Schedule of Rates
2026.26	Taroomball Residential Precinct Detail Design & Approvals	GHD Pty Ltd	\$ 895,330.00
2026.25	Livingstone Shire Council New Depot Detailed Design	Complete Urban Pty Ltd	\$ 569,697.00

Status Legend:

Open Tender - The tender has been publicly advertised and is currently open to the market. Suppliers are preparing and submitting responses prior to the closing date. Officers and Councillors must maintain appropriate probity and direct all supplier enquiries to the Procurement Team while the tender remains open.

Selective Tender - The tender has been issued directly to a selected group of suppliers rather than publicly advertised. Invited suppliers are preparing and submitting responses. Officers and Councillors must maintain appropriate probity and direct all supplier enquiries to the Procurement Team.

Tender Evaluation - The tender has closed and is currently being assessed by the appointed Evaluation Panel against the approved evaluation criteria. Officers who are not members of the Evaluation Panel and Councillors must not participate in or influence the evaluation process.

Preferred Tenderer Status - The evaluation process has identified a preferred supplier, and Council is undertaking final clarifications, negotiations, reference checks, due diligence activities and/or obtaining internal approvals prior to contract award. No commitment has been made until the formal approval process is completed.

Contract Awarded - The tender evaluation and approval processes have been completed, and a supplier has been formally approved for award. A Letter of Acceptance has been issued, and the contract value has been confirmed.

Contract - The Letter of Acceptance has been issued, and the contract has been executed, and the supplier has been formally engaged to deliver the goods, services or works.

PREVIOUS DECISIONS

Council adopted the 2026-27 Budget on 23 June 2026.

ENGAGEMENT AND CONSULTATION

Information has been provided by the Council's Procurement and Revenue units for inclusion in this report.

BUDGET IMPLICATIONS

The Monthly Financial Report shows the Council's financial position in relation to the 2026-27 Adopted Budget.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

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.

There are no anticipated legal implications because of this report.

RISK ASSESSMENT

Council's financial position remains strong, with operating performance, liquidity and debt levels tracking within adopted budget parameters. External economic factors that may influence Council's ability to achieve its budgeted outcomes include inflationary pressures, construction market conditions, interest rate movements, grant funding timing, and severe weather events. These factors have the potential to impact both operating costs and delivery of the capital works program. Council continues to actively monitor these risks through monthly financial reporting, budget review processes and executive oversight. Based on current performance, available liquidity and access to a working capital facility, the residual risk remains within Council's risk appetite.

CORPORATE PLAN REFERENCE

Transparent, Accountable & Progressive Leadership

Sustainably manage finances, assets and resources through strong governance

13.1 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Monthly Financial Report - September 2026

Meeting Date: 26 October 2026

Attachment No: 1



1. Financial Position and Performance Snapshot Livingstone Shire Council For the period ended 30 September 2026

YTD Cash Balance (\$ million)

\$194.348

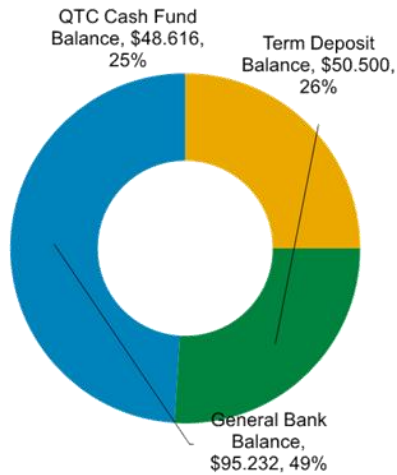
Restricted/unrestricted Cash balance (\$ million)

Restricted cash: \$62.999
Unrestricted cash: \$131.349

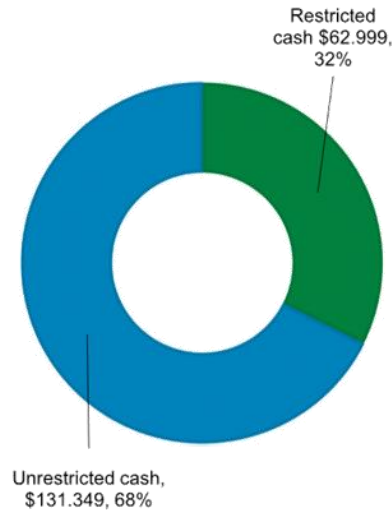
YTD Total Borrowings (\$ million)

\$34.187

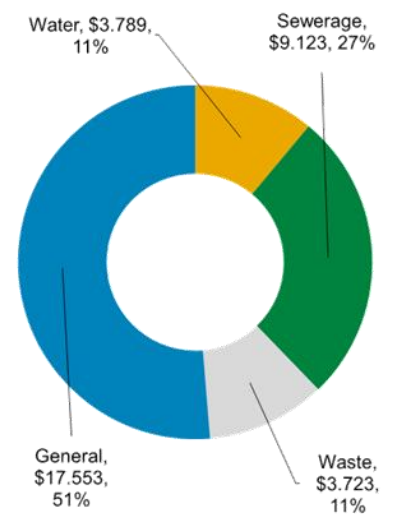
BREAKDOWN OF TOTAL CASH BALANCE



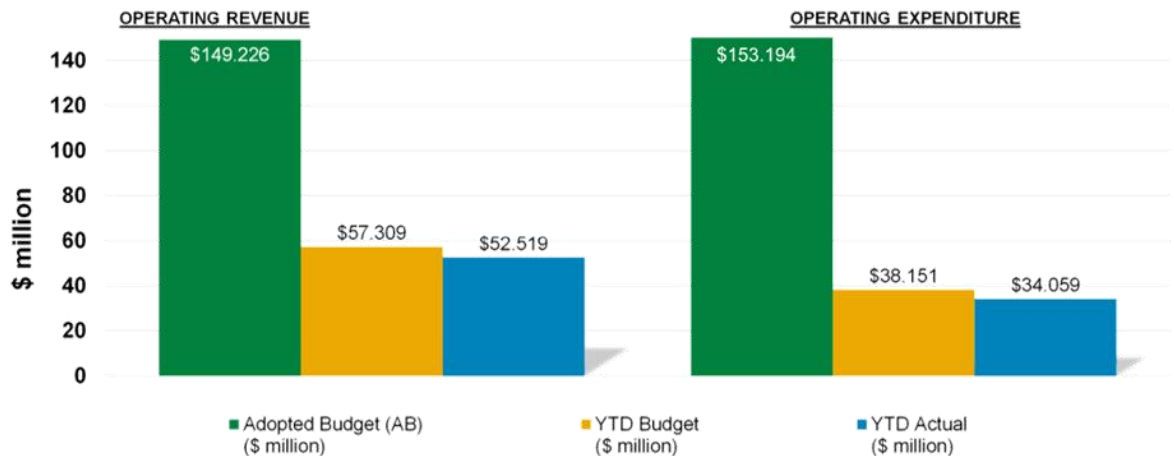
RESTRICTED VS UNRESTRICTED CASH



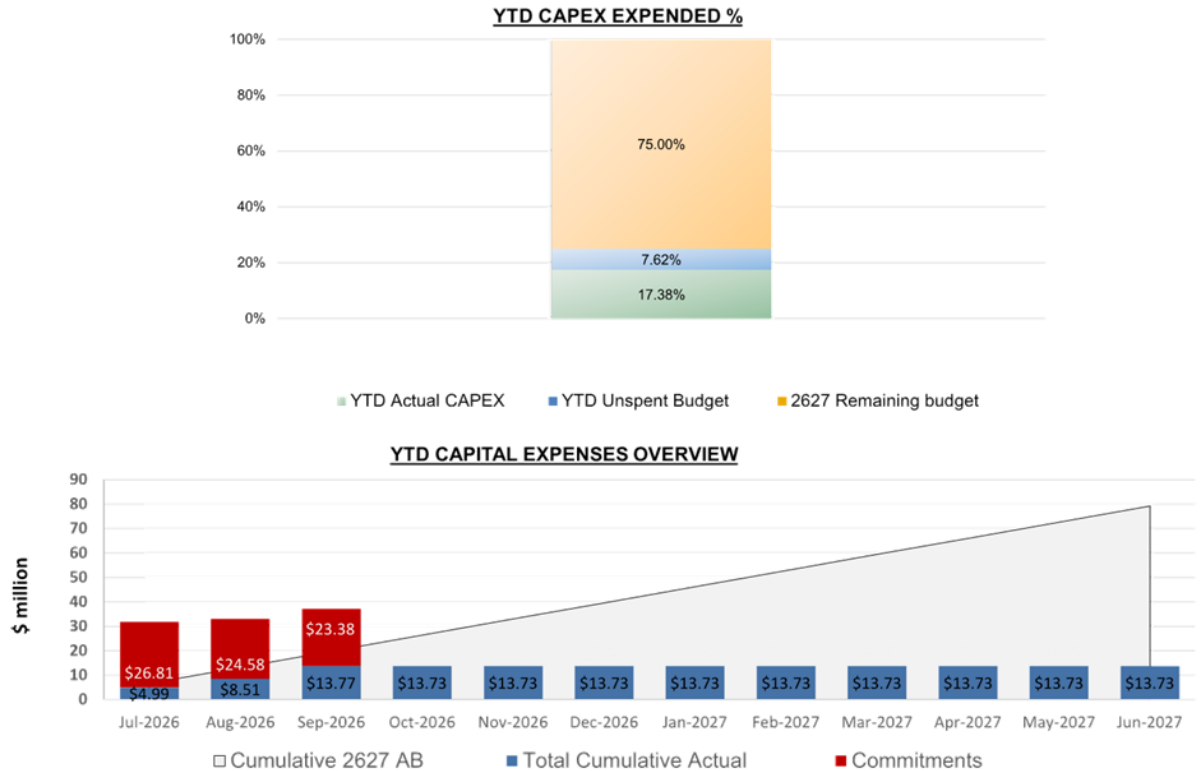
BREAKDOWN OF BORROWINGS



Operating results	Adopted Budget (AB) (\$ million)	YTD Budget (\$ million)	YTD Actual (\$ million)	YTD Var (\$ million)	YTD Var (%)
Operating Revenue	\$149.226	\$57.309	\$52.519	-\$4.790	-8.36%
Operating Expenditure	\$153.194	\$38.151	\$34.059	-\$4.093	-10.73%
Operating Surplus/(Deficit)	-\$3.968	\$19.158	\$18.460	-\$0.698	-3.64%



Capital results	AB (\$ million)	YTD Budget (\$ million)	YTD Actual (\$ million)	YTD Var (\$ million)	YTD Var (%)
Capital Revenue	\$31.883	\$7.971	\$5.719	-\$2.252	-28.25%
Capital Expenditure	\$79.249	\$19.812	\$13.771	-\$6.042	-30.49%



Ratio	YTD Actual	FY Budget	Target	Commentary to key points *
Council-Controlled Revenue Ratio (%) (Ratio reported but not audited)	✓ 92.59%	✓ 80.50%	Contextual	The majority of the Council's budgeted revenue is attributed to rates revenue. This ratio is favourable due to the levying of the 1st half-yearly General Rates & Utility Charges (including first-quarter water consumption) in August 2026.
Population Growth Ratio (%) (Ratio reported but not audited)	Data not available monthly	✓ 2.17%	Contextual	The population estimate for Livingstone Shire Council area as of the 30 June 2026 is 44,143. Since the previous year, the population has grown by 2.17%. Population growth in Regional QLD was 2.20%. (Source: Australian Bureau of Statistics, Regional Population Growth, Australia (3218.0)).
Operating Surplus Ratio (%) (Audited)	✓ 35.15%	✗ -2.80%	0% - 10%	The ratio being 35.15% indicates Council's YTD result is an operational surplus and this YTD surplus assists in meeting quarterly loan repayments.
Operating Cash Ratio (%) (Audited)	✓ 53.51%	✓ 24.20%	Greater than 0%	The ratio being 53.51% indicates that Council has the ability to self-fund capital expenditure from surplus funds from core operations.
Unrestricted Cash Expense Cover Ratio (months) (Audited)	✓ 17.39	✓ 11.00	> 4 months	Council has sufficient unrestricted cash to meet ongoing and emergent financial demands for 17.39 months. Council has access to a \$10m QTC working capital facility, which is equivalent to 1.23 months of cover.
Asset Sustainability Ratio (%) (Audited)	✓ 132.57%	⚠ 73.90%	>90%	This ratio indicates the extent to which Council's existing infrastructure assets are being replaced as they reach the end of their useful lives.
Asset Consumption Ratio (%) (Audited)	✓ 64.45%	✓ 74.10%	> 60%	Council's infrastructure assets have been consumed by 64.45% compared to what it would cost to build a new asset with the same benefit to the community.
Asset Renewal Funding Ratio (%) (Audited)	✗ 63.39%	✓ 157.40%	Contextual	This ratio measures the ability of Council to fund projected infrastructure asset renewal/replacements into the future. The ratio being 63.39% is below the budgeted position, with the phasing of capital project expenditures having an affect on the calculation of this ratio on a monthly basis.
Leverage Ratio (times cover) (Audited)	✓ 1.22	✓ 0.80	0 - 3 Times	The ratio being 1.22 indicates the Council has some capacity to manage unforeseen financial shocks & meet loan repayments.

2. Financial Reports

Operating Result for the period ending
30/09/2026

Month (\$ million)				YTD 25%				FY	
Actual	2627 AB	Variance ¹	>\$100K & 10%	Actual	2627 AB	Variance ¹	>\$100K & 10%	% of Actual YTD	2627 AB
(\$ million)	(\$ million)	(\$ million)		(\$ million)	(\$ million)	(\$ million)		%	(\$ million)
Operating revenue									
(3.015)	0.026	(3.041)	✖	46.628	48.962	(2.334)	⇌	43%	108.073
1.003	0.671	0.332	✓	2.001	2.142	(0.141)	⇌	14%	14.162
0.116	2.707	(2.592)	✖	0.590	3.162	(2.572)	✖	5%	12.577
0.327	0.201	0.126	✓	0.616	1.267	(0.651)	✖	8%	7.283
0.809	0.474	0.335	✓	2.371	1.423	0.948	✓	42%	5.693
0.118	0.132	(0.014)		0.314	0.354	(0.041)		22%	1.438
(0.643)	4.211	(4.855)	✖	52.519	57.309	(4.790)	⇌	35%	149.226
Operating expenses									
(4.030)	(3.909)	(0.121)	⇌	(12.334)	(11.765)	(0.569)	⇌	26%	(46.920)
(4.807)	(5.099)	0.292	⇌	(12.081)	(16.777)	4.697	✓	18%	(67.863)
(0.166)	(0.143)	(0.024)		(0.464)	(0.429)	(0.035)		27%	(1.713)
(3.057)	(3.057)	0.000		(9.180)	(9.180)	0.000		25%	(36.698)
(12.060)	(12.207)	0.147	⇌	(34.059)	(38.151)	4.093	✓	22%	(153.194)
(12.703)	(7.996)	(4.708)	✖	18.460	19.158	(0.698)	⇌		(3.968)

- ✓ Major positive variance, comment required
 ✖ Major negative variance, comment required
 ⇌ Within expectations, no comment required

Areas to note

At the time of reporting, reported amounts are subject to change due to the finalisation of the financial year statements for 2025-26. The statements and final results are subject to audit certification.	
Rates, levies and charges	The unfavourable monthly actual to budget variance is primarily attributable to a timing difference associated with the application of rate discounts. Rates were levied in August 2026 and payable September 2026.
Fees and charges	The favourable monthly variance is primarily attributable to standpipe (Qtr4 26) levied in September and payable October offset by end of year accruals and timing differences, revenue recognition will be reviewed as part of BR1.
Sales revenue	The unfavourable monthly and year-to-date (YTD) variance is primarily driven by quarterly budget allocation of the QRA funding for Rural ex-TC Koji - emergent works allocation which has no expenditure to date and is currently in planning stage. Adjustments to phasing or revenue will be reviewed as part of BR1.
Grants, subsidies and contributions	<p>The favourable monthly variance to budget is primarily attributable to differences in the recognition of the Financial Assistance Grant (FAG). The confirmed 2026-27 FAG funding schedule has been received, and the correct allocation and phasing of grant revenue will be incorporated as part of BR1.</p> <p>The unfavourable YTD variance against budget is primarily attributable to the timing of State and Commonwealth grant revenue recognition, including prior-year funding received in July, year-end accrual adjustments, and Communities Grant receipts. These timing differences will be reviewed as part of BR1.</p>
Interest received	The favourable monthly and YTD variance to budget is primarily attributable to the transfer of \$50 million from the General Fund to QTC to optimise investment returns. As at 31 August 2026, the portfolio was earning 4.96%, exceeding the budgeted interest rate. Current interest rate movements will be monitored, and any required budget adjustments will be considered as part of BR1.
Materials and services	<p>The favourable YTD variance to budget for Materials and Services expenditure is primarily driven by lower contractor expenditure, partially offset by higher-than-budgeted software and licensing costs.</p> <p>Finance is working with relevant managers to review these variances. Any required forecast adjustments will be incorporated into BR1 to better reflect expected expenditure across key operational cost categories.</p>



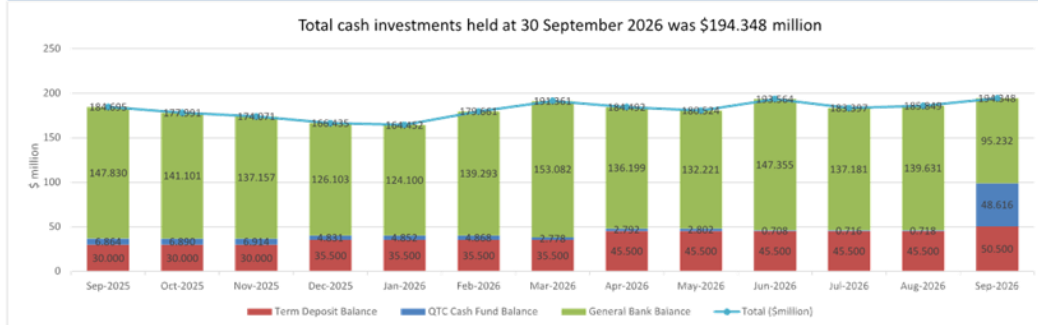
**Statement of Financial Position for the period ending
30/09/2026**

	Month-end Actual	Last month Actual	Movement	Full Year 2627 AB
	(\$ million)	(\$ million)	(\$ million)	(\$ million)
Cash and cash equivalents	194.348	184.090	10.258	130.873
Receivables	10.523	38.196	(27.672)	11.133
Inventories	1.504	1.502	0.002	1.046
Land held for development or sale	4.393	4.393	0.000	5.458
Contract assets	7.633	7.633	0.000	0.000
Other assets	1.975	3.234	(1.259)	5.199
Property, plant & equipment	1,288.450	1,291.498	(3.048)	1,506.612
Intangible assets	0.133	0.142	(0.009)	0.000
Capital works in progress	88.967	83.711	5.256	0.000
TOTAL ASSETS	1,597.927	1,614.399	(16.472)	1,660.321
Payables	8.913	11.041	(2.128)	6.936
Contract liabilities	29.356	29.356	0.000	14.200
Borrowings	34.187	36.155	(1.968)	29.378
Provisions	20.032	20.189	(0.157)	21.721
Other liabilities	5.229	5.281	(0.052)	0.000
TOTAL LIABILITIES	97.717	102.022	(4.305)	72.235
Asset revaluation surplus	322.242	322.242	0.000	406.441
Retained surplus	1,177.969	1,190.136	(12.167)	1,181.644
TOTAL COMMUNITY EQUITY	1,500.210	1,512.377	(12.167)	1,588.086

Areas to note

The current balances reflect the closing balances of the draft financial statements for year ending 30 June 2026. The statements, and final results, are subject to audit certification.

Cash and cash equivalents	\$62.999 million of the \$194.348 million of total cash and cash equivalents is externally restricted cash funds. Council has sufficient unrestricted cash to meet ongoing and emergent financial demands for approximately 17.39 months.
Receivables	The decrease in receivables is primarily attributable to the collection of the the first levy notices for rates and water charges issue for the 2026-27 financial year.
Contract Assets	Contract asset balances have increased during September 2026 as the Council has completed its obligations for funding and is awaiting payment.
Capital works in progress	The increase in capital works in progress from the previous month reflects capital expenditure in September 2026. Refer to the capital projects detail report for further information on year-to-date expenditure.
Payables	Payables have increased by \$10,300 million because the Council has received \$1.086 million more prepaid rates and processed \$2.384 million more payables invoices compared to last month.

Cash and Cash Equivalents


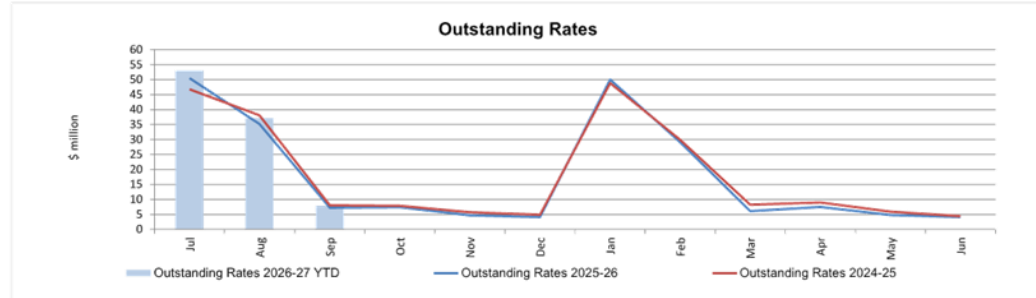
Council's cash investments are held in term deposits, Council's general banker, the Commonwealth Bank (CBA) and the Queensland Treasury Corporation (QTC) Capital Guaranteed Cash Fund. Council's interest-earning rate as at 30 September 2026 is 4.92% p.a. (net of 0.12% administration fees) with the QTC, and 5.10% p.a. with CBA. In September 2026, the weighted average interest rate was 4.98%, which is slightly below the target rate of 5.10% (the target rate is the RBA Cash Rate of 4.6% plus 0.50%). The weighted average interest rate includes the interest rates the Council earns on term deposits.

Term deposit rates are monitored regularly by Council officers to identify investment opportunities and ensure Council maximises its interest earnings, while balancing 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 the Council's monthly cash flow requirements and the rating cycle.

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

Receivables

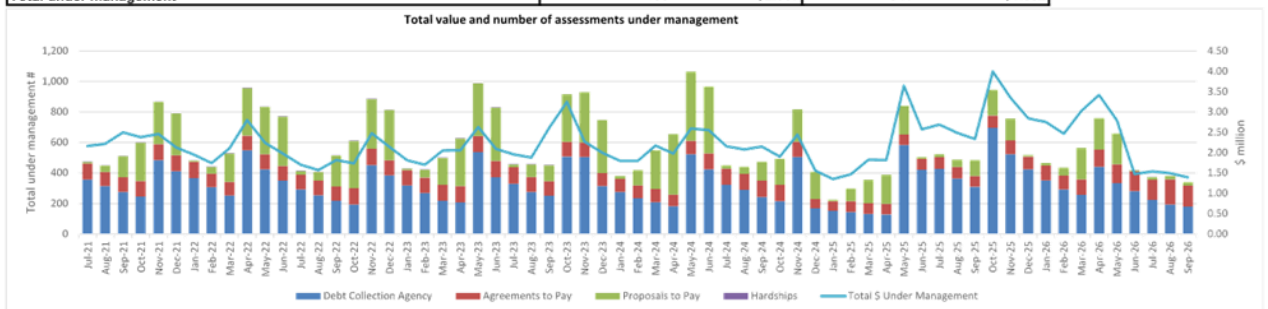


Ageing of Rates Receivable at Month End (\$ million)		
Total Rates Outstanding		\$7.893
Less: Current and Prepayment		-\$0.365
Total Eligible for Collection		\$7.528
Current		
	\$4.040	53.67%
1 years	\$1.945	25.84%
2 years	\$0.735	9.76%
3 years	\$0.426	5.66%
4 years	\$0.217	2.88%
5 years	\$0.165	2.19%
Total Eligible for Collection	\$7.528	100.00%

Total receivables under management as at 30 September 2026 are \$1.392 million, which is lower than the \$2.337 million as at 30 September 2025. Interest on overdue rates and utility charges is applied at 10% per annum for the 2026–27 financial year, calculated monthly on all overdue balances, including those subject to formal payment arrangements.

Of the 19,130 rateable assessments, 341 (1.78% of ratepayers) are currently under management.

Debt Recovery under management	as at 30 September 2025		as at 30 September 2026	
	#	\$ million	#	\$ million
Debt Collection Agency	310	1.647	179	0.635
Agreements to pay	71	0.485	138	0.724
Proposals to Pay	105	0.205	24	0.034
Council Hardship	0		0	
Total under management	486	\$2.337	341	\$1.392



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

Sale of Land Activity

Under the Local Government Regulation 2012, Council may initiate a land sale process to recover rates arrears where:

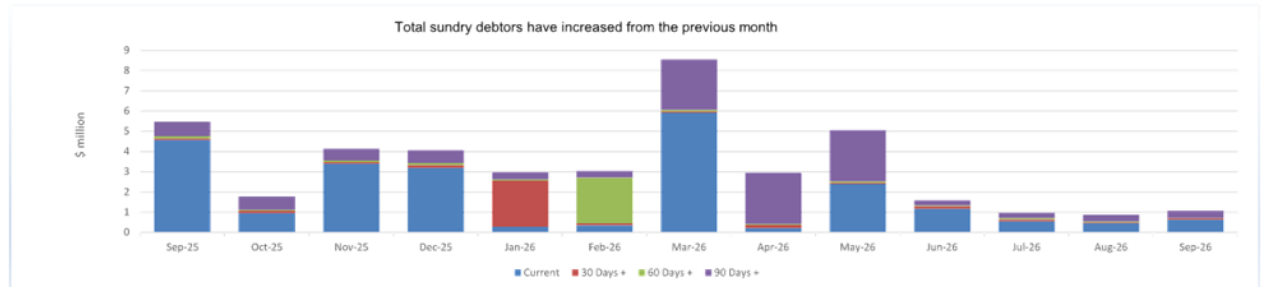
- Residential property rates remain overdue for three or more years, or
- Commercial and Vacant Land are overdue by more than one year.

The 2025 initiated the Sale of Land process

- Six (6) properties received a Notice of Intention to Sell in November 2025, with a further property notified in January 2026.
- The remaining property has received multiple offers to purchase, currently under consideration.

Outstanding Sundry Trade Debtors

Total Sundry Trade Debtors Outstanding at Month End (\$ m) \$1.066



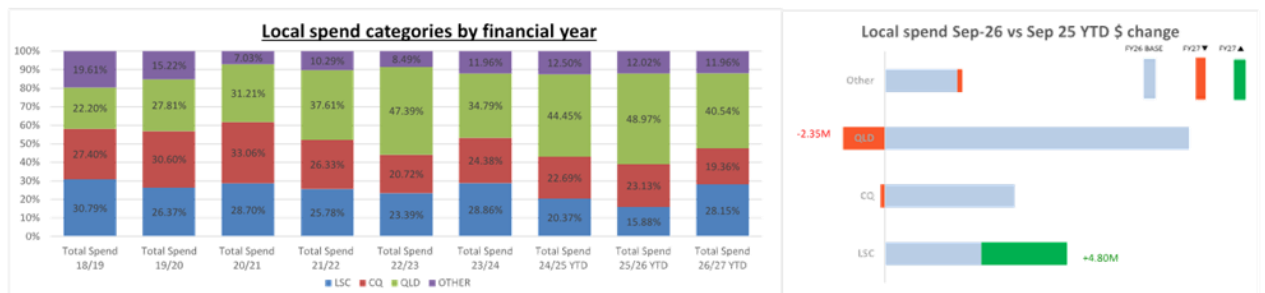
Payables - Procurement

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 to date, is 28.15% or \$10.196 million. Local investment within LSC has increased \$4.8m compared to the same period last year

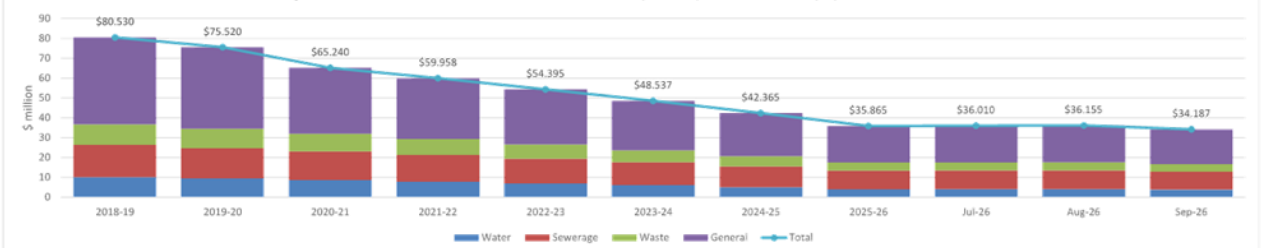
Local Spend	YTD Spend (\$ million)	YTD Spend (%)	YTD PY Spend (\$ million)	YTD PY Spend (%)	Change CY vs PY \$	Change CY vs PY
LSC - Business located within the shire boundaries.	10.196	28.15%	5.397	15.99%	+\$4.80	12.16%
CQ - Business completely set up and run outside of LSC boundaries but within the Central Queensland region.	7.012	19.36%	7.260	21.52%	-\$0.25	-2.16%
QLD - Business based outside of Central Queensland but within Queensland.	14.684	40.54%	17.032	50.47%	-\$2.35	-9.94%
OTHER - Business based outside of Queensland.	4.331	11.96%	4.055	12.02%	+\$0.28	-0.06%
	36.223	100.0%	33.745	100.0%	+\$2.48	0.00%

The bar graph below summarises the allocation by local spend categories for the previous seven (9) financial years. Since 1 January 2018 Council has procured, on average, 47.51% of materials & services from within the greater Central Queensland area, which includes Livingstone Shire Council.



Borrowings

Total Borrowings of \$34.187 million is on track to reduce with quarterly debt service repayments



Debt Position	YTD Actual (\$ million)	2627 AB (\$ million)
Total Debt held as at 1 July 2026	35.865	35.865
New borrowings drawn down in 2026-27	0.000	0.000
Interest & administrative charges	0.428	1.935
Total debt service payments	(2.105)	(8.422)
Total Debt held at reporting period	34.187	29.378

In line with Council's debt policy, a debt service payment of \$2.105 million (being approximately \$1.678 million repayment of principal and \$0.427 million interest and administrative charges) is to be paid quarterly during 2026-27. 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 2026-27 financial year.

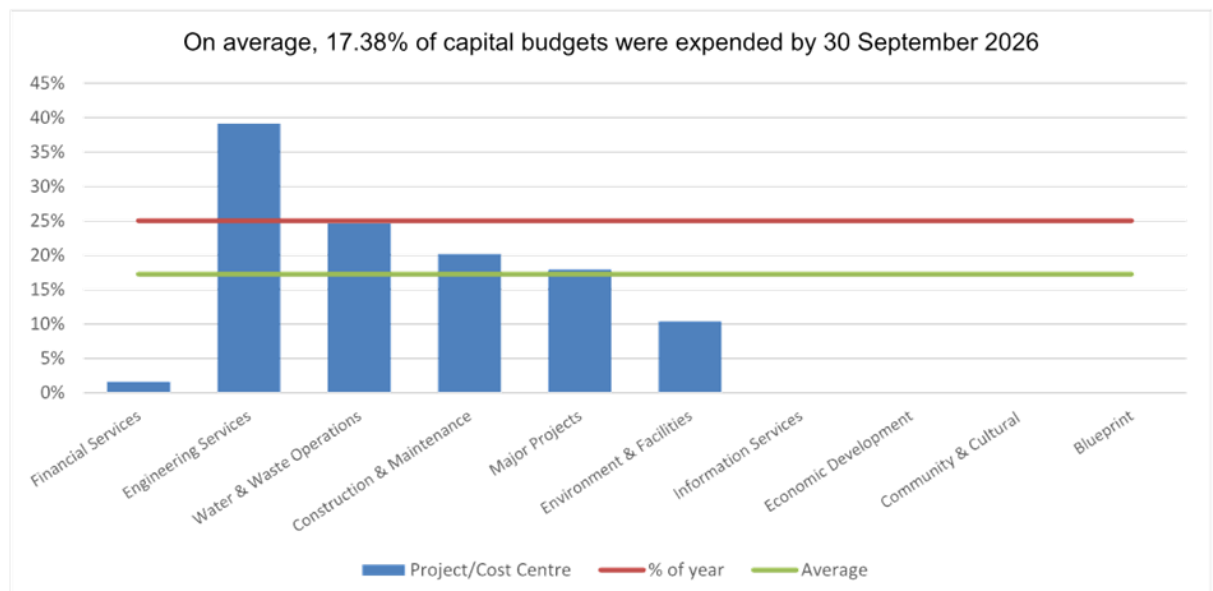
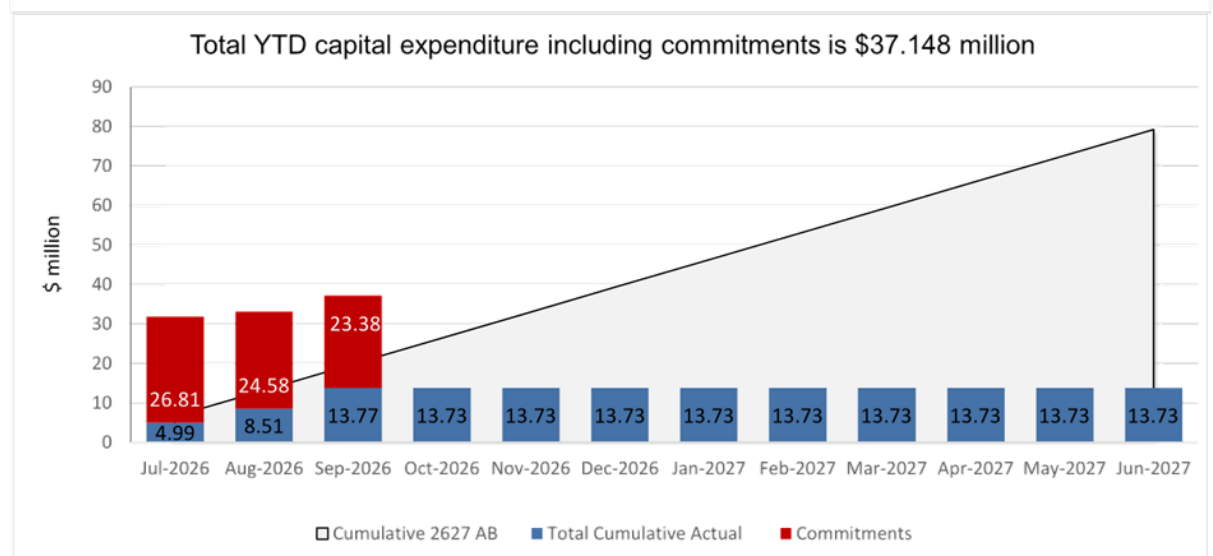
As of 30 September 2026, the weighted average interest rate of all Council debt is approximately 4.67%.

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.

3. Capital Expenditure

Capital revenue and expenditure report (all projects) for period ending 30/09/2026

Month (\$ million)			YTD 25%		Full year (\$ million)
Actual	2627 AB	Variance	Actual	% of Full year Budget	2627 AB
Capital expenditure					
4.894	6.286	(1.392)	12.779	17.08%	74.831
0.362	0.318	0.045	0.991	22.44%	4.418
5.256	6.604	(1.348)	13.771	17.38%	79.249
Capital Revenue					
0.496	2.158	(1.662)	5.221	20.2%	25.895
0.039	0.499	(0.460)	0.385	6.4%	5.988
0.000	0.000	0.000	0.113	0.0%	0.000
0.535	2.657	(2.122)	5.719	17.94%	31.883



4. Capital Projects Detail Report

	PROGRAM/ PROJECT COUNT	YEAR TO DATE ACTUAL EXPENDITURE \$'000	ANNUAL BUDGETED EXPENDITURE \$'000	Committals \$'000	YEAR TO DATE ACTUAL EXPENDITURE AS % OF ANNUAL BUDGET	YEAR TO DATE ACTUAL REVENUE \$'000	ANNUAL BUDGETED REVENUE \$'000
Communities & Environment	41	468	4,931	305	9.5%	0	0
Environment & Facilities	38	468	4,496	305	10.4%	0	0
Program	10	250	468	81	53.5%	0	0
Project	28	218	4,028	224	5.4%	0	0
Economic Development	2	0	410	0	0.0%	0	0
Program	1	0	90	0	0.0%	0	0
Community & Cultural	1	0	320	0	0.0%	0	0
Program	1	0	25	0	0.0%	0	0
Project	1	0	25	0	0.0%	0	0
Corporate Services	6	112	7,374	708	1.5%	113	4,107
Financial Services	4	112	6,849	708	1.6%	113	4,107
Program	1	508	3,274	702	15.5%	113	0
Project	3	(395)	3,575	6	-11.1%	0	4,107
Information Services	2	0	525	0	0.0%	0	0
Program	2	0	525	0	0.0%	0	0
Infrastructure	97	13,174	65,554	20,622	20.1%	5,221	21,788
Engineering Services	26	1,746	4,462	484	39.1%	119	1,349
Program	2	0	100	2	0.4%	119	0
Project	24	1,745	4,362	482	40.0%	0	1,349
Major Projects	28	7,940	44,252	14,494	17.9%	4,433	17,197
Program	3	1	475	474	0.2%	253	0
Project	25	7,940	43,777	14,019	18.1%	4,180	17,197
Water & Waste Operations	13	508	2,065	640	24.6%	0	0
Program	9	368	1,325	611	27.8%	0	0
Project	4	140	740	28	18.9%	0	0
Construction & Maintenance	30	2,980	14,775	5,005	20.2%	669	3,242
Program	12	1,187	6,117	678	19.4%	0	800
Project	18	1,794	8,658	4,327	20.7%	669	2,442
Office of the CEO	1	0	1,870	0	0.0%	0	0
Blueprint	1	0	1,870	0	0.0%	0	0
Project	1	0	1,870	0	0.0%	0	0
Grand Total	145	13,755	79,729	21,635	17.3%	5,334	25,895

Note: The annual budgeted revenue amount does not include infrastructure contributions or other capital income.

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. 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.	$\frac{\text{Net rates, levies and charges} + \text{Total Fees \& charges}}{\text{Total operating revenue}}$
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. 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.	$\frac{\text{Operating result}}{\text{Total operating revenue}}$
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. 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.	$\frac{\text{Operating result add Depreciation and amortisation add finance costs}}{\text{Total operating revenue}}$
Liquidity	
Unrestricted Cash Expense Cover Ratio (months)[#]	
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. 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. 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.	$\frac{(\text{Total Cash and Equivalents add Current investments add available ongoing QTC working capital facility limit less Externally Restricted Cash})}{(\text{Total Operating Expenditure less Depreciation and amortisation less Finance Costs})}$

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 asset 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 councils 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 2026-27	https://www.livingstone.qld.gov.au/current-budget
Estimated Resident Population (ERP)	https://profile.id.com.au/livingstone/population-estimate

13.1 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Contract Award Summaries - September 2026

Meeting Date: 26 October 2026

Attachment No: 2

CONTRACT AWARD SUMMARIES SEPTEMBER 2026



Contract No: 2026.25

Contract Title: Livingstone Shire Council New Depot Detailed Design

Overview

Livingstone Shire Council has awarded a contract for the detailed design of Council's new depot to **Complete Urban Pty Ltd**.

The engagement will provide the multidisciplinary design and associated professional services required to progress the new depot through detailed design and documentation. The project requires consideration of the operational requirements of a contemporary local government depot, including functional layouts, staging, future expansion, servicing interfaces and integration with the broader Gateway Business and Industry Park development.

The project represents an important investment in Council's future operational infrastructure and is intended to provide a coordinated, fit-for-purpose design that supports Council's long-term service delivery requirements.

Procurement Process

Council undertook an open tender process for **2026.25 – Livingstone Shire Council New Depot Detailed Design**.

Procurement worked collaboratively with the Major Projects Team during procurement planning to establish the tender documentation, scope, weighted evaluation criteria and evaluation methodology. Following tender close, submissions were assessed against the approved criteria, with **Complete Urban Pty Ltd and Peddle Thorp & Harvey Pty Ltd** identified as the two highest-ranked tenderers to progress to further assessment.

The shortlisted tenderers were subject to additional due diligence, including tender clarifications, Subject Matter Expert review and reference checks prior to the Evaluation Panel completing its final comparative assessment.

The procurement process was conducted in accordance with:

- Local Government Act 2009 (Qld)
- Local Government Regulation 2012
- Council's Procurement Policy

The process was undertaken in a fair, transparent and compliant manner.

Evaluation

Submissions were evaluated using the pre-established weighted evaluation methodology, considering relevant experience, technical capability, proposed resources, methodology, programme, local content and price.

The initial evaluation identified Complete Urban and Peddle Thorp & Harvey as presenting the strongest overall offers. Both demonstrated directly relevant Council depot experience, capable multidisciplinary teams and methodologies aligned with Council's project requirements.

Following shortlisting, Council undertook further clarification and technical review to address outstanding scope, programme, pricing and technical matters. Reference checks were also undertaken to independently validate the experience and past performance demonstrated by each shortlisted tenderer.

Complete Urban submitted a final evaluated price of **\$569,697.00 excluding GST**, compared with **\$764,095.00 excluding GST** from Peddle Thorp & Harvey. The Panel considered whether the additional cost associated with the Peddle Thorp & Harvey submission was supported by a corresponding additional benefit to Council.

Outcome

Following completion of the evaluation, clarification, SME review and reference check process, the Evaluation Panel was **unanimous in recommending the award to:**

Complete Urban Pty Ltd

CONTRACT AWARD SUMMARIES SEPTEMBER 2026



The Panel determined that Complete Urban represented the **best overall value for money outcome for Council**. The submission demonstrated strong directly relevant local government depot experience, appropriate multidisciplinary technical capability, a sound understanding of Council's requirements and a competitive commercial offer.

The reference checks provided strong independent validation of the experience and capability presented within Complete Urban's tender submission. In the final comparison, the Panel did not identify sufficient additional benefit within the higher-priced alternative offer to justify the price differential.

Key strengths included:

- Strong directly relevant local government depot design experience;
- Capable multidisciplinary project team;
- Strong understanding of staging, future expansion and servicing requirements;
- Positive and independently verified past performance;
- Strong value management and commercial approach;
- Competitive pricing;
- Supporting financial capacity information; and
- Lower overall delivery and commercial risk following due diligence.

Contract Details

- **Contractor:** Complete Urban Pty Ltd
- **Contract Type:** Professional Consultancy / Detailed Design Services
- **Contract Term:** Project timeline
- **Commencement Date:** 14 September 2026
- **Extension Options:** Nil

Local Content

Local content formed part of Council's overall evaluation of the submissions. While Complete Urban is not based within Livingstone Shire, the Evaluation Panel considered local content alongside the broader qualitative, technical and commercial criteria.

The final recommendation was based on the offer providing the strongest overall value for money outcome rather than any individual criterion in isolation.

Governance

Council confirms that:

- All respondents were treated fairly and consistently throughout the procurement process;
- Procurement probity requirements were satisfied;
- Conflict of interest declarations were completed by all Evaluation Panel members;
- No declared conflicts of interest or probity concerns were identified;
- The procurement process complied with legislative and policy requirements;
- The outcome represents value for money in accordance with sound contracting principles.

Council Award

Following completion of the procurement and evaluation process, Council approved the award of **2026.25 – Livingstone Shire Council New Depot Detailed Design** to **Complete Urban Pty Ltd** for **\$569,697.00 excluding GST**.

The engagement provides Council with an experienced multidisciplinary consultant to progress the new depot through detailed design and supports the delivery of a functional, coordinated and fit-for-purpose facility that meets Council's future operational requirements.

CONTRACT AWARD SUMMARIES SEPTEMBER 2026



Contract Award Summary – 2026.26

Contract No: 2026.26

Contract Title: Taroomball Residential Precinct Detailed Design and Approvals

Overview

Livingstone Shire Council has awarded the contract for **2026.26 – Taroomball Residential Precinct Detailed Design and Approvals** to **GHD Pty Ltd**.

The engagement appoints GHD as Principal Consultant to deliver the detailed design and approvals documentation required for the Taroomball Residential Precinct.

The project comprises the design and approvals required for trunk road, water and sewer infrastructure to support development of up to approximately **1,800 residential lots** across the precinct. The consultancy will provide the multidisciplinary technical coordination necessary to progress the supporting infrastructure through the required design and approval stages.

Procurement Process

Council undertook an open Invitation to Tender process seeking suitably qualified and experienced consultants for appointment as Principal Consultant.

Five submissions were received from:

GHD Pty Ltd, Hartecs Group Pty Ltd, Harrison Infrastructure Group Pty Ltd, Projex Partners Pty Ltd and SYNQRON.

Submissions were assessed against Council's approved weighted evaluation criteria, incorporating corporate and financial capacity, demonstrated project experience, technical capability, methodology, proposed resources, programme, local content and price.

Following the initial evaluation, formal Tender Clarifications were issued on **26 August 2026** to GHD, Hartecs, Harrison Infrastructure Group and Projex Partners. All four tenderers responded by **28 August 2026** within the required timeframe. Clarification records were retained within Council's Objective Nexus procurement record.

The procurement process was conducted in accordance with:

- Local Government Act 2009 (Qld)
- Local Government Regulation 2012
- Council's Procurement Policy

Evaluation

The Evaluation Panel undertook a detailed comparative assessment of the submissions against the approved evaluation criteria.

GHD demonstrated strong corporate and financial capacity, supported by appropriate insurance and quality management systems. Its submission presented substantial multidisciplinary capability and a strong methodology for delivering the required design and approvals services.

The evaluation identified matters requiring clarification, including aspects of project experience, nominated resources, specialist consultant inputs, programme and exclusions. These matters were formally addressed through the tender clarification process and considered by the Evaluation Panel before its final assessment.

Harrison Infrastructure Group demonstrated particularly strong directly comparable experience, resourcing and programme development. Hartecs demonstrated good regional capability and technical understanding, while Projex Partners presented a capable and technically detailed submission. The

CONTRACT AWARD SUMMARIES SEPTEMBER 2026



Panel considered the relative strengths, risks and commercial positions of each submission as part of the final value for money assessment.

Outcome

Following completion of the evaluation and clarification process, the Evaluation Panel recommended the award of the contract to:

GHD Pty Ltd

GHD presented the strongest overall value for money outcome when the qualitative assessment, technical capability, project delivery approach, identified risks and commercial offer were considered collectively.

The submission demonstrated strong multidisciplinary capability, substantial organisational capacity and a detailed approach to delivery of the complex design and approval requirements associated with the Taroomball Residential Precinct. GHD also submitted the **lowest-priced commercial offer** of the tender submissions, strengthening its overall value proposition.

Key strengths included:

- Strong multidisciplinary engineering and professional services capability;
- Substantial corporate and financial capacity;
- Detailed project methodology;
- Capability to coordinate the required road, water, sewer and associated infrastructure design disciplines;
- Appropriate quality and corporate management systems;
- Clarification of key exclusions and commercial matters during the evaluation process;
- Regional presence through GHD's Gladstone operations; and
- Competitive commercial offer and overall value for money.

As part of the clarification and contract finalisation process, Council accepted GHD's proposed KPI clause and agreed to remove the Liquidated Damages provisions from the Contract.

Contract Details

Contractor: GHD Pty Ltd

Contract Type: Principal Consultant – Detailed Design and Approvals

Contract Value: \$895,330.00 excluding GST

Contract documentation was finalised and provided to GHD for execution on **9 September 2026**.

Local Content

Local content formed part of the weighted evaluation. GHD's nominated tender address was Townsville; however, its established **Gladstone regional presence** was also recognised during the evaluation.

The Evaluation Panel considered the regional delivery capability available to support the project alongside the broader technical, commercial and value for money considerations.

Governance

Council's procurement process incorporated independent evaluation against approved weighted criteria, conflict of interest declarations and management, formal tender clarifications, comparative price assessment and documented Evaluation Panel deliberations.

The identified potential conflict of interest associated with HIG was formally declared and appropriately managed, with the affected evaluator excluded from the assessment and scoring of that tenderer.

CONTRACT AWARD SUMMARIES SEPTEMBER 2026



The Evaluation Panel determined that the process provided an appropriate basis to identify the submission offering the best overall outcome to Council and that the recommended award represents value for money in accordance with sound contracting principles.

Council Award

Following completion of the tender evaluation and clarification process, Council approved the award of **2026.26 – Taroomball Residential Precinct Detailed Design and Approvals** to **GHD Pty Ltd** for **\$895,330.00** excluding GST.

CONTRACT AWARD SUMMARIES SEPTEMBER 2026



Contract No: 2025.004

Contract Title: Great Keppel Island Arrivals Plaza Cleaning and Maintenance Services

Overview

Livingstone Shire Council has awarded the Great Keppel Island Arrivals Plaza Cleaning and Maintenance Services Agreement to Great Keppel Island Hideaway Pty Ltd and Funtastic DWS Pty Ltd.

The agreement provides for the ongoing cleaning and maintenance of the Arrivals Plaza and associated public facilities following completion and handover of the facility.

The services agreement operates in conjunction with the associated Trustee Lease for the Arrivals Plaza. Under the agreed commercial arrangement, lease revenue payable to Council will be offset against the cleaning and maintenance service costs, with Council paying the resulting net amount each month.

The Trustee Lease is a separate agreement and will commence following completion and handover of the building and satisfaction of the relevant lease commencement requirements.

Procurement Process

Council undertook an open Request for Proposal process for 2025.004 – Great Keppel Island Arrivals Plaza Leasehold, seeking an operator for the Arrivals Plaza together with associated cleaning and maintenance services. The opportunity was advertised through VendorPanel, Council's website and supplementary market promotion.

Two conforming submissions were received from Great Keppel Island Hideaway Pty Ltd and Funtastic DWS Pty Ltd, representing a coordinated joint operating proposal. The submissions were assessed as a combined operating solution in accordance with the approved evaluation methodology.

Following evaluation, the respondents were appointed Preferred Tenderers and negotiations were undertaken to finalise the operational and commercial arrangements. This resulted in the arrangements being documented through a Trustee Lease and a separate, but commercially linked, Cleaning and Maintenance Services Agreement.

Evaluation

The proposal was evaluated against the published criteria covering operational capability and management, alignment with Council's tenancy objectives, commercial return, local benefits, and environmental and social factors.

The evaluation identified strong operational capability, established experience on Great Keppel Island and a sound understanding of the practical requirements associated with operating and maintaining facilities in an island environment. The respondents' existing workforce, logistics and supplier arrangements were also considered advantageous for ongoing service delivery.

Following evaluation and subsequent negotiations, Council officers were satisfied that the final Cleaning and Maintenance Services Agreement remained consistent with the original procurement objectives and represented an appropriate value-for-money outcome for Council.

Outcome

Council awarded the Cleaning and Maintenance Services Agreement to Great Keppel Island Hideaway Pty Ltd and Funtastic DWS Pty Ltd.

The agreement provides for the ongoing cleaning and maintenance of the Arrivals Plaza and associated public facilities. The service delivery model recognises the operational requirements of the facility and the efficiencies available through the contractors' established presence and operations on Great Keppel Island.

CONTRACT AWARD SUMMARIES SEPTEMBER 2026



The Cleaning and Maintenance Services Agreement operates in conjunction with the associated Trustee Lease. The lease revenue payable to Council will offset the cleaning and maintenance service costs, with Council paying the resulting net amount each month.

Contract Details

- **Contractors:** Great Keppel Island Hideaway Pty Ltd and Funtastic DWS Pty Ltd
- **Contract Type:** Cleaning and Maintenance Services Agreement
- **Cleaning and Maintenance Services:** approximately \$76,028 per annum, excluding GST
- **Associated Lease Revenue:** approximately \$56,925 per annum, excluding GST
- **Net Cost to Council:** approximately \$19,103 per annum, excluding GST, based on the first-year values
- **Payment Arrangement:** Lease revenue is offset against cleaning and maintenance service costs, with the net amount payable by Council each month.
- **Commencement:** Following completion and handover of the Arrivals Plaza in accordance with the contractual commencement arrangements.

Local Content

Local benefits formed part of the evaluation and were a strength of the successful proposal.

Both contractors have established operations on Great Keppel Island, with existing workforce, supplier networks and operational infrastructure. This provides practical efficiencies for delivery of the cleaning and maintenance services and reduces the mobilisation and logistical requirements associated with servicing an island location.

The arrangement also supports local employment and ongoing economic activity associated with the operation and activation of the Arrivals Plaza.

Governance

The procurement was undertaken in accordance with the Local Government Act 2009, Local Government Regulation 2012, Council's Procurement Policy and the approved Tender Evaluation and Probity Plan.

The process incorporated documented evaluation, moderation and clarification, together with probity oversight throughout the evaluation and negotiation phases. Conflict of interest declarations and related-party checks were completed, with no conflicts or probity concerns identified.

Council officers confirmed that the final negotiated arrangements remained consistent with the original procurement objectives and evaluation outcome and represented a value-for-money outcome for Council.

Council Award

Following completion of the procurement, evaluation and negotiation process, Council awarded the Great Keppel Island Arrivals Plaza Cleaning and Maintenance Services Agreement to Great Keppel Island Hideaway Pty Ltd and Funtastic DWS Pty Ltd.

The agreement provides an established island-based delivery model for the ongoing cleaning and maintenance of the Arrivals Plaza and associated public facilities.

The Cleaning and Maintenance Services Agreement forms part of the broader commercial arrangement for operation of the Arrivals Plaza, with revenue received by Council under the associated Trustee Lease offset against the cost of the cleaning and maintenance services.

13.2 FINANCIAL RESERVE FUND POLICY_REPEAL

File No: A1591310

Attachments: 1. Financial Reserve Fund Policy [↓](#)

Responsible Officer: Jaye Robertson - Manager Financial Services
Andrea Ellis - General Manager Corporate Services
Tom Upton - Chief Executive Officer

Author: Adriana Mendez - Acting Coordinator Accounting Services

SUMMARY

A review of the Financial Reserve Fund Policy has determined that the policy is no longer required, with its financial management objectives addressed through Council's existing budgeting, reporting and financial planning processes.

Repealing the policy will support a shift from managing individual reserve balances to a broader focus on cash availability, commitments and liquidity, while maintaining appropriate financial controls and oversight.

OFFICER'S RECOMMENDATION

THAT Council:

1. repeal the Financial Reserve Fund Policy; and
2. note that the management of Council's cash, including externally restricted cash, Council-designated internal cash allocations and unrestricted cash, will continue through Council's established budgeting, cash forecasting, financial reporting and long-term financial planning processes.

BACKGROUND

The Financial Reserve Fund Policy was established to guide the creation and management of financial reserves for future operating and capital expenditure.

Council currently maintains reserves across the General, Waste, Water and Sewerage Funds through the annual budget process. These equity reserves have historically been used to identify funds held for specific purposes.

Council is not required by legislation or Australian Accounting Standards to maintain internal reserves or a standalone Financial Reserve Fund Policy. Repeal of the policy does not alter Council's accounting, financial reporting or statutory obligations, which will continue to be addressed through Council's existing financial management framework.

Repealing the policy identifies an opportunity to simplify Council's financial governance and move from a traditional focus on individual reserve balances to a broader focus on cash availability, commitments and liquidity. Also, repealing the policy does not remove Council's ability to set aside funding for specific purposes or reduce financial oversight. Instead, these matters will be managed through Council's established budget, cash management, financial reporting and long-term financial planning processes.

Under this approach, Council's financial reporting will focus on:

- total cash and investments;
 - cash subject to external restrictions;
 - cash Council has formally allocated for specific internal purposes;
 - material operating and capital funding commitments;
 - forecast cash movements; and
 - cash available to support operations and future priorities.
-

This provides a clearer view of Council's financial position by distinguishing between cash that cannot be redirected because of an external requirement, cash that Council has chosen to allocate for a particular purpose, and cash that remains available for general use. These distinctions are consistent with the cash classification approach as defined under the Local Government Sustainability Framework – [Financial Management \(Sustainability\) Guideline](#)

Financial oversight will continue through the annual budget and budget review processes, long-term financial planning, cash and investment monitoring, cash flow forecasting, monitoring of grants and other specific-purpose funding, and regular financial reporting to Council.

The repeal therefore represents a change in financial management approach rather than a reduction in financial controls, with greater emphasis on Council's actual cash position, liquidity and capacity to meet current and future commitments.

PREVIOUS DECISIONS

No previous Council decisions have been made regarding the repeal of the Financial Reserve Fund Policy.

ENGAGEMENT AND CONSULTATION

Consultation has been undertaken with:

- General Manager Corporate Services
- Manager Financial Services
- Governance representatives

This consultation has informed and supports the recommendation to repeal the policy.

BUDGET IMPLICATIONS

There are no direct budget implications arising from the repeal of the Financial Reserve Fund Policy.

Repeal of the policy does not extinguish existing funding commitments, external restrictions or Council-approved internal allocations. These will continue to be recognised and managed through the relevant budget, financial planning and reporting processes.

The proposed approach strengthens the focus on the availability and planned use of Council's cash rather than relying on individual reserve balances as the primary financial management mechanism.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

Council is not required by legislation or Australian Accounting Standards to maintain equity reserves or a standalone Financial Reserve Fund Policy.

Repealing the policy will not alter Council's accounting, statutory financial reporting or financial sustainability obligations. These obligations will continue to be addressed through Council's existing financial management and reporting framework.

Relevant Australian Accounting Standards continue to apply to the preparation and presentation of Council's financial statements. AASB 101 addresses the presentation of general purpose financial statements, while AASB 107 addresses cash flow reporting and the components of cash and cash equivalents.

Council will also continue to identify and monitor cash subject to legislative, contractual, funding or other externally imposed requirements.

There are no identified legal implications associated with the repeal of the policy.

RISK ASSESSMENT

The repeal of the Financial Reserve Fund Policy is assessed as low risk, provided Council continues to maintain appropriate cash classification, forecasting, monitoring and reporting controls.

The principal risk is that amounts previously identified through reserve accounts could become less visible, or that cash associated with future commitments could be considered available for general use.

This risk will be managed through:

- clear identification and monitoring of externally restricted cash;
- documentation of material Council-approved internal cash allocations;
- regular reconciliation of cash and investment balances;
- monitoring of grants and other specific-purpose funding;
- cash flow and liquidity forecasting;
- integration with the annual budget, budget review and long-term financial planning processes; and
- regular financial reporting to management and Council.

These controls will maintain appropriate accountability while providing Council with a clearer understanding of its cash position, funding commitments and capacity to respond to current and future priorities.

On this basis, no material additional operational, financial or governance risks are expected to arise from the repeal.

CORPORATE PLAN REFERENCE

Transparent, Accountable & Progressive Leadership

Sustainably manage finances, assets and resources through strong governance

13.2 - FINANCIAL RESERVE FUND POLICY_REPEAL

Financial Reserve Fund Policy

Meeting Date: 26 October 2026

Attachment No: 1



FINANCIAL RESERVE FUNDS POLICY (COMMUNITY POLICY)

1. Scope

This Policy applies to the creation and maintenance of equity-based reserves, except for the Asset Revaluation Reserve.

2. Purpose

The purpose of this policy is to document the process for maintaining financial cash reserves for future operating and capital expenditure.

3. References (legislation/related documents)

Legislative reference

Local Government Act 2009

Related documents

AASB 15 Revenue from Contract with Customers

AASB 107 Cash Flow Statements

AASB 1058 Income of Not-for-Profit Entities

Debt Policy

Investment Policy

Financial Guiding Principles

Local Government Infrastructure Plan

4. Definitions

To assist in interpretation, the following definitions shall apply:

Non-profit or non-competitive activities	Services or activities delivered by Council that are not, or do not have the potential to be, delivered by a private sector firm for the purpose of earning profits in the absence of Council's involvement
Prescribed business activity	A business activity is prescribed for section 47(7) of the <i>Local Government Act 2009</i> for a financial year if the amount of current expenditure for the business activity exceeds the threshold as determined by the <i>Local Government Regulation 2012</i> .
Reserves	Funds that are accumulated within Council to meet specific anticipated future needs.

5. Policy Statement

Livingstone Shire Council considers the creation and maintenance of reserves for specific purposes as a sound and prudent financial management strategy. All reserves must be cash backed with the cash forming part of Council's investable funds in accordance with the Investment Policy.

Financial Reserve Fund Policy

Adopted/Approved: Adopted, 21 June 2022

Version: 1.0

Portfolio: Office of the CEO

Business Unit: Finance and Business Excellence

Page 1 of 4

Council maintains and operates reserves for each of the identified prescribed business activities that are adopted as part of the annual budget meeting. All other non-profit or non-competitive activities are combined and accounted for as the general fund.

Individual reserves are held in the following funds:

- General fund reserves (refer to section 6.1)
- Waste fund reserves (refer to section 6.2)
- Water fund reserves (refer to section 6.3)
- Sewerage fund reserves (refer to section 6.4)

The reserves held in the above funds are classified as either internally allocated or externally imposed reserves. Alternatively, these reserves can also be described as internally restricted or externally restricted.

Externally restricted (or externally imposed) reserves relate to cash received for a specific purpose and cannot be used for discretionary spending or for a purpose that it was not originally intended. There may also be legislative requirements restricting the use of the cash.

Internally restricted (or internally allocated) reserve represents cash that is under no external or legally imposed restrictions.

In principle, the surplus generated each year by the individual funds should be applied in the following order:

- 1) Transfer restricted cash to the relevant restricted reserve;
- 2) Payment of debt redemption;
- 3) Payment of tax equivalent to the general fund;
- 4) Reduction of debt if considered a sound financial decision and in accordance with the guidance provided in Council's Debt Policy; and
- 5) Transfer of remaining retained surplus/deficit to the appropriate reserve for future use.

Business units may pay a dividend (tax equivalent) to the general fund in accordance with Council's application of competition policy, and at the discretion of the Chief Financial Officer, depending on the requirements of Council in that year. In accordance with the application of competition policy, the water, sewerage and waste businesses are considered significant business activities.

Where a fund has made a deficit in the financial year, cash held in internally restricted reserves, should be used to offset this loss. If there is insufficient cash held in the internally restricted reserves, the retained deficit will need to be carried forward and recovered in future years.

In some instances, the Chief Financial Officer may make a decision to transfer from working capital to the general fund if there are insufficient reserves available to cover a retained deficit in the financial year.

Internal short-term loans of internally restricted funds only between the general fund and the business unit funds may be utilised when the following exception circumstances are met:

- It can be guaranteed that the funds would not be required in the short term for the original reserve purposes;
- Full whole of life costing has been completed for the identified project and cash flow model completed that identifies the funds will be repaid within the designated timeframes; and
- When all other applicable methods of financing had been proven to be less advantageous when viewed from a whole of council perspective.

6. Description of Individual Reserves by Fund

6.1 General Fund Reserves

6.1.1 Externally restricted (externally imposed) reserves

- **Constrained grants and subsidies reserve (capital and operating)** consists of two separate reserves are maintained for both capital and operating unspent grants, subsidies or donations received in a prior financial year that relate to a specific project and must be spent for the intended purpose. These reserves will account for entire unspent funding sources, regardless of which fund the underlying expenditure is associated with.
- **Roads and drainage contribution reserve** consists of unspent infrastructure charges contributions received for the development of road and stormwater trunk infrastructure and be used in accordance with Council's local government infrastructure plan (LGIP) schedule of works.
- **Parks and community facilities reserve** consists of unspent infrastructure charges contributions received for the development of park and community facilities and to be used in accordance with Council's local government infrastructure plan (LGIP) schedule of works.

6.2 Waste Fund Reserves

6.2.1 Internally restricted (internally allocated) reserves

- **Waste business unit reserve** consists of cash set aside from annual surpluses generated by the business after allowing for loan repayments and the transfer of restricted cash to the appropriate reserves. Tax equivalents may be paid to the general fund on an annual basis depending on the requirements of the Council in that year. The payment and quantum of the internal charge will be at the discretion of the Chief Financial Officer.
- **Waste management landfill rehabilitation** consist of cash set aside for future landfill rehabilitation obligations.
- **Unspent loan reserve** consists of the proceeds of loan borrowings unspent from a prior financial year for future capital works.

6.3 Water Fund Reserves

6.3.1 Internally restricted (internally allocated) reserves

- **Water business unit reserve** consists of cash set aside from annual surpluses generated by the business after allowing for loan repayments and the transfer of restricted cash to the appropriate reserves. Tax equivalents may be paid to the general fund on an annual basis depending on the requirements of the Council in that year. The payment and quantum of the internal charge will be at the discretion of the Chief Financial Officer.
- **Unspent loan reserve** consists of the proceeds of loan borrowings unspent from a prior financial year for future capital works.

6.3.2 Externally restricted (externally imposed) reserves

- **Water contribution reserve** consists of unspent infrastructure charges contributions received for the development of water infrastructure and to be used in accordance with council's local government infrastructure plan (LGIP) schedule of works.

6.4 Sewerage Fund Reserves

6.4.1 Internally restricted (internally allocated) reserves

- **Sewerage business unit reserve** consists of cash set aside from annual surpluses generated by the business after allowing for loan repayments and the transfer of restricted cash to the appropriate reserves. Tax equivalents may be paid to the general fund on an annual basis depending on the requirements of the Council in that year. The payment and quantum of the internal charge will be at the discretion of the Chief Financial Officer.
- **Unspent loan reserve** consists of the proceeds of loan borrowings unspent from a prior financial year for future capital works.

6.4.2 Externally restricted (externally imposed) reserves

- **Sewerage contribution reserve** consists of unspent infrastructure charges contributions received for the development of sewerage infrastructure and to be used in accordance with council's local government infrastructure plan (LGIP) schedule of works.

6. Changes to this Policy

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

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

7. Repeals/Amendments

Version	Date	Action
1.0	21/06/2022	New Policy – Adopted by Council

CALE DENDLE
CHIEF EXECUTIVE OFFICER

13.3 MANDATORY NOTIFICATION DATA BREACH POLICY

File No:	TBA
Attachments:	1. Mandatory Data Breach Notification Policy v1.0 <u>↓</u>
Responsible Officer:	Andrea Ellis - General Manager Corporate Services Tom Upton - Chief Executive Officer
Author:	Stacey Hogarth - Manager Strategy, Governance and Planning

SUMMARY

The Mandatory Notification of Data Breach (MNDB) Scheme commenced for Queensland local governments on 1 July 2026 under the Information Privacy Act 2009. The scheme requires Council to establish documented processes for identifying, assessing, managing and notifying eligible data breaches involving personal information.

The attached Mandatory Data Breach Notification Policy has been developed to meet these legislative requirements and provide a governance framework for responding to data breach incidents. Adoption of the Policy will support Council's compliance obligations and strengthen the protection of personal information held by Council.

OFFICER'S RECOMMENDATION

THAT Council adopt the Mandatory Data Breach Notification Policy attached to the report.

BACKGROUND

The *Information Privacy and Other Legislation Amendment Act 2023* introduced Queensland's Mandatory Notification of Data Breach (MNDB) Scheme under the *Information Privacy Act 2009*. The scheme commenced for Queensland local governments on 1 July 2026 and establishes a framework for responding to data breaches involving personal information.

Under the Scheme, local governments are required to take reasonable steps to identify, assess and manage suspected data breaches. Where an eligible data breach is confirmed, Council must notify affected individuals and the Office of the Information Commissioner Queensland in accordance with legislative requirements.

To support compliance with these obligations, Council has developed a Mandatory Data Breach Notification Policy and a supporting Mandatory Data Breach Notification Procedure, including a Data Response Plan. Together, these documents establish Council's framework for identifying, reporting, assessing, managing and, where required, notifying Eligible Data Breaches to the Office of the Information Commissioner and affected individuals.

The Policy outlines Council's commitment to protecting personal information and provides governance principles for responding to actual or suspected data breaches. The supporting Procedure provides operational guidance for staff and details the processes to be followed when a data breach occurs.

Adoption of the Policy will strengthen Council's privacy governance framework, ensure compliance with the *Information Privacy Act 2009*, and support consistent management of data breach incidents across the Council.

PREVIOUS DECISIONS

As this is a new policy document there are no previous decisions in relation to the adoption of the policy.

ENGAGEMENT AND CONSULTATION

Internal consultation was undertaken with relevant stakeholders across the organisation, including the Chief Digital and Information Officer, who assisted in the development of the Policy and supporting arrangements for managing data breaches.

Following adoption of the Policy, staff awareness and training activities will be undertaken to promote understanding of Council's obligations under the *Information Privacy Act 2009* and the procedures to be followed in the event of an actual or suspected data breach.

BUDGET IMPLICATIONS

There are no budget implications for the adoption of the Mandatory Notification Data Breach Policy.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

The Mandatory Notification of Data Breach Scheme is established under Chapter 3A of the *Information Privacy Act 2009* (Qld).

The scheme applies where personal information held by an agency is subject to unauthorised access, unauthorised disclosure, or loss that is likely to result in unauthorised access or disclosure, and the breach is likely to result in serious harm to an affected individual.

Under the legislation, Council is required to:

- Take reasonable steps to contain and minimise the impact of a data breach.
- Assess suspected breaches to determine whether they meet the threshold of an eligible data breach.
- Notify affected individuals and the Office of the Information Commissioner where an eligible data breach is identified.
- Maintain a confidential register of all suspected, assessed and eligible data breaches, including conducting a periodic review of the register to ensure there are clear arrangements to contain, mitigate, assess and respond to data breaches in a timely manner, and ultimately prevent reoccurrence.

Furthermore section 73 mandates that an agency must publish the approved policy on its website.

RISK ASSESSMENT

The policy in conjunction with the procedure fulfils one of the obligations as required under the *Information Privacy Act 2009* and reduces the risk of legislative non-compliance, privacy breaches and reputational damage. Without a clear framework for managing data breaches, Council may be exposed to regulatory scrutiny, delayed incident response and reduced public confidence in its ability to safeguard personal information.

Examples of an Eligible Data Breach may include actions created through human error, misdirected communications or misplacement of digital assets such as misplacing a laptop containing Council information at an airport, inadvertently emailing the wrong person and attaching personal sensitive information, or publishing personal information on the website without appropriate consent. Other examples involve more malicious activity such as a targeted cyber-attack or ransomware incident, phishing or social engineering attacks granting access to unauthorised material.

The adoption of the policy provides a structured approach to identifying, assessing, managing and notifying data breaches, strengthening Council's governance and risk management framework.

CORPORATE PLAN REFERENCE***Transparent, Accountable & Progressive Leadership***

Sustainably manage finances, assets and resources through strong governance

The Policy in conjunction with the procedure strengthens Council's governance framework by establishing clear responsibilities, reporting pathways and response mechanisms for managing data breaches and protecting personal information.

13.3 - MANDATORY NOTIFICATION DATA BREACH POLICY

Mandatory Data Breach Notification Policy v1.0

Meeting Date: 26 October 2026

Attachment No: 1



MANDATORY DATA BREACH NOTIFICATION POLICY

COMMUNITY POLICY

1. Scope

The Mandatory Data Breach Notification Policy (this Policy) applies to all Council employees, contractors, Councillors, volunteers, work experience students, and third-party service providers who access, use, hold or manage information on behalf of Council.

2. Purpose

Livingstone Shire Council is committed to protecting personal information in accordance with the *Information Privacy Act 2009*. This Policy explains how Council will respond to, assess, and manage actual, suspected, and eligible data breaches under the Mandatory Notification of Data Breaches (MNDB) scheme in Chapter 3A of the *Information Privacy Act 2009*.

3. References (legislation/related documents)

Legislative reference

[Information Privacy Act 2009](#)

[Information Privacy and Other Legislation Amendment Act 2023 \(IPOLA\)](#)

[Human Rights Act 2009](#)

[Public Records Act 2023](#)

[Right to Information Act 2009](#)

Related documents

Mandatory Data Notification Breach Procedure

Mandatory Data Breach Response Plan

Administrative Actions Complaint Management Policy

4. Definitions

To assist in interpretation, the following definitions shall apply:

Council	Livingstone Shire Council.
Affected Individual	An individual to whom personal information involved in an Eligible Data Breach relates and who is likely to suffer serious harm because of the breach.
Data Breach	Unauthorised access to, or unauthorised disclosure of, information held by Council, or the loss of information held by Council in circumstances where unauthorised access to, or unauthorised disclosure of, the information is likely to occur.
Eligible Data Breach	Occurs under section 47 of the <i>Information Privacy Act 2009</i> where: 1) there has been unauthorised access to, or unauthorised

Mandatory Data Breach Notification Policy

Adopted/Approved: Draft for approval

Version: 1.0

Portfolio: Corporate Services
Business Unit: Strategy, Governance & Planning

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	disclosure of personal information held by an agency, and the access or disclosure is likely to result in serious harm to any of the individuals to whom the information relates; or 2) there has been loss of personal information held by an agency that is likely to result in unauthorised access to, or unauthorised disclosure of the personal information, and the loss is likely to result in serious harm to any of the individuals to whom the information relates.
Information Commissioner	The Queensland Information Commissioner.
Personal Information	As defined in section 12 of the <i>Information Privacy Act 2009</i> : Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion— (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.
Serious Harm	Serious harm occurs where the harm caused by the data breach has resulted, or may result, in a real and substantial detrimental effect to an individual, it includes serious physical, psychological, emotional, financial, or reputational harm to an individual because of the access or disclosure. Other forms of harm can also meet the serious threshold.
Suspected Eligible Data Breach	A data breach where Council has reasonable grounds to suspect, but has not yet determined, that the breach may be an Eligible Data Breach.

5. Policy Statement

5.1 Council's Obligation

Council will:

- take reasonable steps to contain and mitigate any data breach as soon as practicable.
- promptly assess the nature, scope, and potential consequences of an actual or suspected data breach.
- Assess a Suspected Eligible Data Breach within 30 days after Council forms the reasonable suspicion unless an extension is permitted under the Information Privacy Act 2009.
- to determine whether there are reasonable grounds to believe that the breach is an Eligible Data Breach.
- Notify the Information Commissioner (OIC), affected individuals and other affected agencies where required.
- maintain a confidential register of all reported data breaches, assessed data breaches and Eligible Data Breaches.
- undertake post-breach review and remediation where appropriate to the nature and significance of the incident.
- undertake periodic reviews of the Data Breach Register to ensure there are clear arrangements to contain, mitigate, assess, and respond to data breaches in a timely way, and prevent reoccurrence; and
- maintain appropriate training, awareness, and response arrangements to support timely and effective breach management.

5.2 Responding to a Data Breach

Council's Mandatory Data Breach Notification Procedure outlines the operational requirements, responsibilities, assessment processes, notification requirements and remediation activities undertaken in response to actual and suspected data breaches.

5.3 Notification

Where an Eligible Data Breach is identified, Council will notify:

- The Queensland Information Commissioner; and
- Affected individuals unless an exception under the *Information Privacy Act 2009* applies.

Where direct notification to affected individuals is not practicable or achievable, Council will publish a notification on its website and take any other steps required under the Information Privacy Act 2009. The notification will remain publicly available for at least 12 months. Council is not required to notify affected individuals or the Information Commissioner where an exemption under Chapter 3A of the Information Privacy Act 2009 applies, including where remedial action has been taken and the data breach is no longer likely to result in serious harm.

5.4 Prevention and Training

Regular training will be provided to employees regarding data protection and breach response procedures.

5.5 Complaints

If an individual is not satisfied with the way council has managed an actual or suspected data breach involving their personal information, including council's assessment of the breach, notification decision, response actions or communication with affected individuals, they may lodge a formal complaint under council's Administrative Action Complaints Policy.

6. Changes to this Policy

This policy will be reviewed every two years, or earlier if required by legislative change or following a significant Eligible Data Breach.

7. Repeals/Amendments

Version	Date	Action
1.0	Initial Policy	Initial Policy relating to Mandatory Data Breach Notification Scheme effective from 1 July 2026.

THOMAS UPTON
CHIEF EXECUTIVE OFFICER

13.4 AMENDMENT TO SOLE SUPPLIER EXCEPTION REGISTER FY2026/2027

File No: A2493266

Attachments: 1. Attachment 1 - Sole Supplier Register - Master FY2627 [↓](#)

Responsible Officer: Jaye Robertson - Manager Financial Services
Andrea Ellis - General Manager Corporate Services
Tom Upton - Chief Executive Officer

Author: Amanda Lingard - Principal Procurement and Contracts Officer
Chris Hocking - Manager Water and Waste Operations

SUMMARY

The purpose of this report is for the inclusion of an additional supplier 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 provided **MRF Automation Pty Ltd** in accordance with the *Local Government Regulation 2012* Section 235 (b) 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

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 one 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; 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 has identified a single purchasing exception requiring Council resolution for inclusion in the Sole Supply Exception Register, as detailed item 1 and updated in Attachment 1.

1. MRF Automation Pty Ltd

MRF Automation Pty Ltd has provided specialist SCADA, automation, control systems integration and technical support services for Council's water and wastewater operational technology environment over an extended period and has developed detailed knowledge of Council's Honeywell SCADA platform, communications infrastructure, telemetry systems, control systems, and site-specific operational requirements.

MRF Automation has undertaken the design assessment, network review and equipment recommendations associated with the *SCADA Network Segmentation and Upgrade Project* and possesses specialised knowledge of the proposed solution architecture and implementation requirements.

MRF Automation has successfully delivered numerous automation and integration projects for Council and is recognised as the primary local provider of specialist Honeywell and industrial control system integration services within the region. The supplier provides responsive local support, fault diagnosis, system troubleshooting and emergency call-out services critical to maintaining the reliable operation of Council's water and wastewater infrastructure.

Council's existing SCADA and control systems has been configured, integrated and modified by MRF Automation, resulting in extensive familiarity with system architecture, historical design decisions and operational dependencies.

Engaging an alternative supplier for implementation of the *SCADA Network Segmentation and Upgrade Project* is not recommended because of the specialised and confidential nature of the services that are sought, it would be disadvantageous for the local government to invite quotes or tenders.

While individual components of these works may be available from other providers outside of the Central Queensland area, officers have been unable to identify an alternative company to complete integration required. MRF Automation is based in the Rockhampton region.

Accordingly, the services are considered specialised services available from a restricted market for the purposes of section **235(b)** of the *Local Government Regulation 2012*.

PREVIOUS DECISIONS

Previous Sole Supplier Exception Report 2026-27 resolved at the Ordinary Council Meeting 15 September 2026.

ENGAGEMENT AND CONSULTATION

Engagement and consultation occurred with the following stakeholders: Procurement Services and Water and Waste Operations

BUDGET IMPLICATIONS

Provision has been made for the purchase of the goods and services in this report as part of the adopted 2026-27 budget CP763 1147772 SCADA System Upgrade and Replacement.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

Local Government Regulation 2012 (s235). If the exception under *Local Government Regulation (s235)* is not applied to these purchases, without first inviting written quotations or tenders, Council will be deemed to be outside of its legislative requirements in terms of contracting with these suppliers as per Part 3 of the Default Contracting Procedures which govern how the organisation procures.

RISK ASSESSMENT

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

CORPORATE PLAN REFERENCE

Natural Environment

Provide reliable and sustainable water services, ensuring high quality water supply and effective wastewater treatment

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)*.

**13.4 - AMENDMENT TO SOLE
SUPPLIER EXCEPTION REGISTER
FY2026/2027**

**Attachment 1 - Sole Supplier Register -
Master FY2627**

Meeting Date: 26 October 2026

Attachment No: 1

Company Name	Exception Description	Exception Code
A.S Dog Trapping	A.S. Dog Trapping is the only known professional shooter within the Livingstone Shire with the specialised licences, equipment, experience and trained personnel required to safely undertake feral animal management activities on public beaches and other public areas. The service requires a minimum of two qualified personnel, including a dedicated spotter to ensure public safety and compliance with legislative requirements. Due to the specialised nature of the service and public safety considerations, it is considered impractical and disadvantageous to invite quotations.	s235(b)
Abb Australia Pty Ltd	ABB Australia Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of automation, electrical control equipment, instrumentation and associated proprietary spare parts utilised across Council's water and wastewater infrastructure. Use of OEM equipment and spare parts is required to maintain system compatibility, operational reliability, asset performance and manufacturer warranty obligations.	s235(a)
Aerzen	Aerzen is the Original Equipment Manufacturer (OEM) and authorised supplier of blowers, compressors and associated proprietary spare parts utilised within Council's water and wastewater treatment facilities. Use of OEM equipment, spare parts and technical support is required to maintain system compatibility, operational reliability, process performance and manufacturer warranty obligations.	s235(a)
Aimsun Pty Ltd	Aimsun Pty Ltd is the owner, developer and authorised supplier of the Aimsun traffic modelling and transport planning software platform utilised by Council. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Aimsun Pty Ltd. Continued use ensures system compatibility, data integrity and continuity of Council's transport modelling capabilities.	s235(a)
Akvotek Pty Ltd	Akvotek Pty Ltd is the authorised supplier of membrane cartridges utilised at the Yeppoon Sewerage Treatment Plant. The membrane cartridges are specifically designed for compatibility with the existing membrane treatment system and are critical to maintaining treatment performance, water quality outcomes and operational reliability. Use of approved membrane cartridges is required to ensure system compatibility, manufacturer compliance and continued efficient operation of the treatment process. Accordingly, Akvotek Pty Ltd is the only supplier reasonably available to provide the required membrane cartridges and associated technical support.	s235(a)
Amiad Water Systems Ltd	Amiad Water Systems Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of ESB and AF filtration systems, associated equipment and proprietary spare parts utilised at the Emu Park Sewerage Treatment Plant. Use of OEM equipment and spare parts is required to maintain system compatibility, operational reliability, filtration performance and manufacturer warranty obligations.	s235(a)
Andritz	Andritz Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of centrifuge systems and associated proprietary spare parts utilised at the Woodbury Water Treatment Plant and Emu Park Sewerage Treatment Plant. Use of OEM equipment, spare parts and technical support is required to maintain system compatibility, operational reliability, dewatering performance and manufacturer warranty obligations.	s235(a)

Company Name	Exception Description	Exception Code
Arris Pty Ltd	Arris Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of the equipment and proprietary spare parts Rhizopod system for no-release Wastewater Treatment and Dispersal System at Keppel Sands Caravan Park. Use of OEM components is required to maintain system compatibility, operational reliability and manufacturer warranty obligations.	s235(a)
Aurion Corporation Pty Ltd	Aurion Corporation Pty Ltd is the owner, developer and authorised supplier of the Aurion Human Resource and Payroll software platform utilised by Council. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Aurion Corporation Pty Ltd. Continued use ensures system compatibility, data integrity, payroll continuity and compliance with employment and payroll requirements.	s235(a)
Australia Post	Australia Post is the sole provider of the Post Billpay payment service, enabling customers to make payments through Australia Post's national payment network. Ongoing access to the Post Billpay platform, payment processing services and associated support can only be obtained through Australia Post.	s235(a)
Axon Public Safety Pty Ltd	Axon Public Safety Australia is the authorised supplier of Council's body worn camera solution, including camera hardware, secure cloud-based evidence storage, digital evidence management and associated support services. The platform provides continuity of evidence management, chain-of-custody controls and secure storage of recorded footage. Due to the specialised nature of the system and integration with existing operational processes, it is considered impractical and disadvantageous to engage an alternative provider.	s235(b)
Barlows Earthmoving Pty Ltd	<p>Barlows Earthmoving Pty Ltd manufactures the proprietary Keppel Block and Kinka Block retaining wall systems locally within Livingstone Shire. These large-format engineered retaining wall blocks provide significant construction efficiencies compared to conventional retaining wall products and are specifically suited to Council's operational requirements. Local manufacture avoids substantial freight and mobilisation costs associated with alternative suppliers located outside the region. Accordingly, Barlows is considered the only supplier reasonably available to provide these retaining wall products.</p> <p>Keppel and Kinka Blocks are a much larger 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.</p> <p>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.</p>	s235(a)
Barrys Weed Spraying	Barry's Weed Spraying provides specialised weed identification, treatment and biosecurity management services, including roadside spraying, invasive species control, environmental weed management, GPS mapping and reporting. The business possesses the specialised licences, equipment, qualifications and demonstrated experience required to undertake weed management activities across environmentally sensitive areas, transport corridors and Council-managed land. Due to the specialised nature of the services and operational requirements, it is considered impractical and disadvantageous to invite quotations.	s235(b)

Company Name	Exception Description	Exception Code
Before You Dig Australia Ltd	Before You Dig Australia is the only national referral service for locating underground infrastructure assets, including water, sewer, telecommunications, electricity and gas services. The service provides a centralised point of access to utility asset information and is the recognised industry standard for underground asset location enquiries. Accordingly, it is the only supplier reasonably available to provide this service.	s235(a)
Bellridge Pty Ltd	Bellridge Pty Ltd is the authorised supplier and reseller of the ManageEngine suite of applications utilised by Council for IT service management, network monitoring, endpoint management, cybersecurity, identity management and systems administration functions. Ongoing software licensing, subscription renewals, support, maintenance, upgrades and vendor services for the ManageEngine environment are provided through Bellridge Pty Ltd. Continued use ensures system compatibility, operational continuity, access to vendor support and the ongoing management of Council's ICT infrastructure. Accordingly, Bellridge Pty Ltd is the only supplier reasonably available to provide the required ManageEngine licensing and support services.	s235(a)
Big Colour Works	Livingstone Shire Council utilises a fleet of Konica Minolta multifunction devices across its operations. Konica Minolta appoints authorised regional service providers to maintain and support its equipment, and Big Colour Works is the designated authorised service provider for the Capricorn Coast region. As the only locally available authorised provider with access to genuine parts, technical support and manufacturer accreditation, Big Colour Works is the only supplier reasonably available to service and maintain Council's existing printer fleet.	s235(a)
Bolinda Digital	Bolinda Digital Pty Ltd is the owner and authorised supplier of Australia's largest digital library platform and holds exclusive rights to a substantial catalogue of Australian digital publications. The platform provides access to digital content, licensing and lending services that cannot be replicated through alternative Australian providers. Accordingly, Bolinda Digital Pty Ltd is the only supplier reasonably available to provide the required digital library services.	s235(a)
Brightly	Brightly Software Pty Ltd is the owner, developer and authorised supplier of Council's asset management software platform. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Brightly Software Pty Ltd. Continued use ensures system compatibility, data integrity and continuity of Council's asset management functions.	s235(a)
Cardno QLD P/L (For CMDG Only)	Cardno (now Stantec) was appointed by the Capricorn Municipal Development Guidelines (CMDG) member councils to develop, maintain and administer the CMDG framework and associated engineering standards. As the appointed custodian of the CMDG documentation and governance framework, Cardno is the only supplier reasonably available to provide ongoing CMDG review, update and facilitation services.	s235(a)
CentriTech	CentriTech is the authorised specialist service provider for GEA, Andritz and Flottweg centrifuge systems utilised within Council's water and wastewater treatment facilities. The supplier has the manufacturer authorisation, technical expertise, specialised tooling and access to proprietary components required to undertake servicing, maintenance, repairs and performance optimisation of these critical assets. Use of an authorised service provider is necessary to maintain equipment reliability, operational performance and manufacturer support requirements. Accordingly, CentriTech is the only supplier reasonably available to provide the required centrifuge servicing and technical support services.	s235(a)

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Company Name	Exception Description	Exception Code
Civica	Civica Pty Ltd is the owner, developer and authorised supplier of the Reflect software platform utilised by Council. The system supports organisational planning, performance management, reporting and strategic management functions. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Civica Pty Ltd. Continued use ensures system compatibility, data integrity, operational continuity and ongoing access to Council's historical planning and performance data. Accordingly, Civica Pty Ltd is the only supplier reasonably available to provide the required software and associated support services.	s235(a)
Civil Survey Solutions	Civil Survey Solutions Pty Ltd is the authorised supplier of specialised civil surveying software products and associated modules bundled with Autodesk solutions utilised by Council. The supplier provides software licensing, technical support, maintenance, upgrades and integration services specific to Council's surveying and engineering operations. Continued use ensures compatibility with existing Autodesk environments, survey workflows and historical project data. Accordingly, Civil Survey Solutions Pty Ltd is the only supplier reasonably available to provide the required software and support services.	s235(a)
Conquest Solutions Pty Ltd	Conquest Solutions Pty Ltd is the owner, developer and authorised supplier of the Conquest software platform utilised by Council for fleet, plant and asset maintenance management functions. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Conquest Solutions Pty Ltd. Continued use ensures system compatibility, data integrity, operational continuity and ongoing access to Council's fleet and asset management information within the existing software environment. Accordingly, Conquest Solutions Pty Ltd is the only supplier reasonably available to provide the required software and associated support services.	s235(a)
Coral Coast Composites	Coral Coast Composites is the only Queensland manufacturer of fibre-reinforced vinyl ester sewer manhole base liners that comply with the Capricorn Municipal Development Guidelines (CMDG) Standard Drawing CMDG-S-024. The product has a proven performance history in corrosive sewer environments and is specifically designed to meet Council's infrastructure standards. Previous market testing identified no suitable alternative products capable of meeting the CMDG requirements. In addition to supplying compliant base liners, Coral Coast Composites provides specialised vinyl ester lining services for concrete manhole chambers. Accordingly, Coral Coast Composites is considered the only supplier reasonably available to provide the required products and services.	s235(a)
Darumbal Enterprises Pty Ltd	Darumbal Enterprises Pty Ltd is the recognised entity representing the Darumbal People within the Darumbal Native Title area and provides cultural heritage, native title and traditional owner engagement services on behalf of the Traditional Owner group. Engagement with Darumbal Enterprises is required for matters relating to cultural heritage assessments, native title considerations, land access, heritage management and other activities requiring consultation with the recognised Traditional Owners. Accordingly, Darumbal Enterprises Pty Ltd is the only supplier reasonably available to provide these services within the Darumbal Native Title area.	s235(a)
Dell Computer Pty Ltd	Dell Computer Pty Ltd is the OEM and authorised direct supplier of Dell hardware, including laptops, keyboards, mice and accessories. Direct procurement provides Council with manufacturer pricing, warranty, technical support, configuration services and lifecycle management while ensuring standardisation across Council's ICT fleet. Purchasing directly from Dell eliminates reseller margins, delivers cost savings and maintains compatibility with Council's existing ICT environment.	s235(b)

Company Name	Exception Description	Exception Code
DocuSign	DocuSign is the only electronic signature platform that provides a fully supported native integration with Council's Unimarket Powered by VendorPanel procurement and contract management platform. The integration supports automated contract execution, workflow management, audit trails, document security and governance requirements. Alternative electronic signature solutions would require manual processing, custom development or third-party integrations, resulting in increased implementation costs, administrative burden and support risks. Accordingly, DocuSign is considered the only supplier reasonably available to meet Council's integrated electronic signature requirements.	s235(a)
DWF Enterprises Pty Ltd	DWF Enterprises Pty Ltd is the only known supplier within Central Queensland capable of providing machine-formed extruded kerb and channel construction services. The supplier's local presence within Livingstone Shire eliminates mobilisation, accommodation and travel costs while providing a specialised construction methodology that delivers a durable and consistent product compared to traditional fixed-form kerb construction. Due to the specialised nature of the equipment, local availability and operational efficiencies achieved through this service, it is considered impractical and disadvantageous to invite quotations for each engagement.	s235(b)
Ecosystem Management And Biosecurity Solutions	Ecosystem Management and Biosecurity Solutions possesses specialised expertise in the cultivation, management and distribution of approved biological control agents for the treatment of Pandanus Dieback, an ongoing environmental issue within the Livingstone Shire. The supplier has established knowledge of the disease, treatment methodologies and biological control programs, and is considered the only supplier reasonably available to provide the required biocontrol agents and associated specialist advice.	s235(a)
Edward Appleton T/As Yeppoon Towning And Transport ABN: 40 688 067 012	Edward Appleton is the only locally available supplier with the specialised livestock handling facilities, transport capability, impoundment infrastructure and 24-hour response capacity required to deliver Council's stock impounding and animal control services. The supplier provides the full range of services necessary to capture, transport, impound, manage and dispose of livestock and animals in accordance with legislative and animal welfare requirements. Due to the limited availability of alternative providers capable of delivering the complete service within the region, Edward Appleton is considered the only supplier reasonably available to provide these services.	s235(a)
Eftsure	EFTSure is the owner, developer and authorised supplier of Council's vendor verification and payment protection platform. The system provides continuous monitoring of supplier banking details, independent verification processes and fraud prevention controls designed to reduce the risk of payment fraud, cybercrime and erroneous transactions. Ongoing software licensing, support, maintenance, monitoring services and platform enhancements can only be obtained through EFTSure. Continued use ensures continuity of Council's financial control environment, data integrity and cyber security protections.	s235(b)
Emerson	Emerson is the Original Equipment Manufacturer (OEM) and authorised supplier of process actuated valves, control equipment and associated proprietary spare parts utilised at Council's Water Treatment Plant and Yeppoon West Valve Facility. These assets form a critical component of Council's water treatment and distribution infrastructure. Use of OEM equipment, spare parts and technical support is required to maintain system compatibility, operational reliability, process control performance and manufacturer warranty obligations. Accordingly, Emerson is the only supplier reasonably available to provide the required equipment, spare parts and support services.	s235(a)

Company Name	Exception Description	Exception Code
Endress And Hauser	Endress+Hauser is the Original Equipment Manufacturer (OEM) and authorised supplier of level instrumentation, flow instrumentation, chemical analysers and associated proprietary spare parts utilised across Council's water and wastewater infrastructure. Use of OEM equipment, consumables and spare parts is required to maintain system compatibility, monitoring accuracy, operational reliability, regulatory compliance and manufacturer warranty obligations. Accordingly, Endress+Hauser is the only supplier reasonably available to provide the required equipment, spare parts and technical support services.	s235(a)
Environcom	Envirocom is a specialist provider of domestic kerbside waste audit services, including waste characterisation, data collection, analysis, reporting and benchmarking against industry and regulatory requirements. The supplier utilises established methodologies and reporting frameworks that support Council's waste management planning, resource recovery initiatives and compliance obligations. Envirocom is considered the only supplier reasonably available to provide the required waste audit services and associated reporting outcomes.	s235(a)
Ergon Energy	Ergon Energy is the regulated electricity distribution network service provider for Central Queensland and is responsible for the ownership, operation and maintenance of the region's electricity distribution infrastructure. Connection, modification and maintenance works associated with the electricity network can only be undertaken by Ergon Energy within its designated service area. Accordingly, Ergon Energy is the only supplier reasonably available to provide the required electricity infrastructure services	s235(a)
Esri Australia Pty Ltd	ESRI Australia Pty Ltd is the authorised Australian distributor and supplier of the ESRI ArcGIS suite of geographic information system (GIS) software utilised by Council for spatial data management, mapping, asset management, planning, engineering and operational activities. Ongoing software licensing, support, maintenance, upgrades, cloud services and vendor support can only be obtained through ESRI Australia. Continued use ensures system compatibility, data integrity, operational continuity and ongoing access to Council's spatial datasets, mapping applications and GIS infrastructure. Accordingly, ESRI Australia Pty Ltd is the only supplier reasonably available to provide the required software and associated support services.	s235(a)
Evie Networks	Evie Networks is the only supplier identified as both willing and capable of funding, supplying, installing, operating and maintaining public electric vehicle charging infrastructure within the Livingstone Shire. The supplier provides an end-to-end solution, including charging equipment, software management, customer payment systems, ongoing maintenance and network operation. Given the limited availability of providers prepared to deliver and operate this infrastructure under Council's required commercial model, Evie Networks is considered the only supplier reasonably available to provide the required services.	s235(a)

Company Name	Exception Description	Exception Code
Evoqua Water Technologies	<p>Evoqua Water Technologies is the Original Equipment Manufacturer (OEM) for the instrumentation, chemical dosing equipment and associated spare parts installed across Livingstone Shire Council's water and sewer treatment facilities. This includes chlorine dosing pumps, chlorine gas systems, chlorine monitoring instruments and pH measurement equipment. Engagement of the OEM is necessary to maintain manufacturer warranties, ensure compatibility with existing assets, and preserve operational integrity and compliance of critical water and wastewater infrastructure.</p> <p>Evoqua Water Technologies is the authorised supplier of OSEC saline vacuum salt tablets specified for use within the Evoqua Chlorine Membrane Electrolysis System and associated salt dissolving tank installed at the Yeppoon Lagoon. Manufacturer operating instructions require the use of Evoqua OSEC saline salt tablets to ensure system performance, chlorine production efficiency, operational reliability and compliance with manufacturer warranty requirements. As the specified consumable for the existing equipment, Evoqua Water Technologies is the only supplier reasonably available to provide the required salt tablets and associated technical support.</p>	s235(a)
Fleet Industries	Fleet Industries is the proprietor and manufacturer of the bus shelter design currently adopted by Council and owns the associated intellectual property and design specifications. The supplier is the only authorised manufacturer able to produce and supply the approved shelter design, ensuring consistency with Council's existing infrastructure standards, asset appearance and maintenance requirements. Procuring an alternative design would require redesign, engineering assessment and modification of established standards, resulting in additional cost and operational inefficiencies. Accordingly, Fleet Industries is considered the only supplier reasonably available to provide the required bus shelters.	s235(a)
Flottweg	Flottweg is the Original Equipment Manufacturer (OEM) and authorised supplier of the centrifuge system and associated proprietary spare parts utilised at the Yeppoon Sewerage Treatment Plant. The centrifuge is a critical component of the sludge dewatering process, and the use of OEM equipment, spare parts and technical support is required to maintain system compatibility, operational reliability, dewatering performance and manufacturer warranty obligations. Accordingly, Flottweg is the only supplier reasonably available to provide the required equipment, spare parts and support services.	s235(a)
Flowtech	Flowtech is the authorised supplier, maintainer and repairer of Council's digital standpipe network and associated metering infrastructure. The supplier provides specialised equipment, proprietary components, software configuration, calibration and technical support required to ensure the ongoing operation, accuracy and security of Council's standpipe systems. Due to the specialised nature of the equipment and Flowtech's role in supplying and maintaining the existing infrastructure, Flowtech is the only supplier reasonably available to provide the required servicing, repairs, replacement components and technical support.	s235(a)
Focus HQ	Focus HQ is the owner, developer and authorised supplier of Council's Capital Works software platform, which is utilised for the planning, delivery, monitoring and reporting of capital projects and infrastructure programs. The system supports project governance, financial tracking, scheduling, resource management and performance reporting. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Focus HQ. Continued use ensures system compatibility, data integrity, operational continuity and ongoing access to Council's capital works project information and reporting framework.	s235(a)

Company Name	Exception Description	Exception Code
Galapagos Pty Limited T/A IPLATINUM	Galapagos Pty Ltd trading as iPLATINUM is the owner, developer and authorised supplier of the iFerret software platform utilised by Council for information discovery, records searching and data retrieval across corporate systems. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through iPLATINUM. Continued use ensures system compatibility, data integrity, operational continuity and ongoing access to Council's indexed records, documents and enterprise search functionality within the existing information management environment.	s235(a)
Gea Westfalia	GEA Westfalia is the Original Equipment Manufacturer (OEM) and authorised supplier of the centrifuge system and associated proprietary spare parts utilised at the Yeppoon Sewerage Treatment Plant. The centrifuge is a critical component of the sludge dewatering process, and the use of OEM equipment, spare parts and technical support is required to maintain system compatibility, operational reliability, dewatering performance and manufacturer warranty obligations. Accordingly, GEA Westfalia is the only supplier reasonably available to provide the required equipment, spare parts and support services.	s235(a)
Genelite	Genelite is the Original Equipment Manufacturer (OEM) and authorised supplier of generators, control systems and proprietary spare parts utilised across Council's water and wastewater treatment facilities, pump stations and critical operational infrastructure. Use of OEM equipment, spare parts and technical support is required to maintain system compatibility, operational reliability, emergency power capability and manufacturer warranty obligations. Accordingly, Genelite is the only supplier reasonably available to provide the required equipment, spare parts and support services.	s235(a)
Geografia Pty Ltd Aka Spendmapp	Geografia Pty Ltd (trading as Spendmapp) is the owner, developer and authorised supplier of the Spendmapp procurement analytics platform utilised by Council for spend analysis, supplier intelligence, procurement reporting and strategic sourcing activities. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Geografia Pty Ltd. Continued use ensures system compatibility, data integrity, continuity of historical spend data and ongoing access to procurement analytics and reporting capabilities within Council's existing procurement environment.	s235(a)
GlobalPOS	GlobalPOS is the authorised supplier of Council's GPS surveying equipment, survey accessories and permanent GNSS base station infrastructure. GlobalPOS supplied and commissioned the permanent base station located at Council's Depot and provides ongoing servicing, calibration, technical support and maintenance for the base station, GPS receivers and associated survey equipment. Continued engagement ensures system compatibility, data accuracy, equipment reliability and access to specialist technical support for Council's surveying and construction operations. Due to its role as the original supplier and maintainer of the equipment, GlobalPOS is the only supplier reasonably available to provide the required support, servicing and replacement components.	s235(a)
Grace Records Management	Grace Records Management provides specialised records management services including the secure registration, storage, retrieval, transportation, digitisation and destruction of Council records, as well as the management and exchange of confidential document destruction bins. The supplier has established custody, indexing structures and operational processes for Council's archived records, ensuring continuity, security and compliance with recordkeeping obligations. Transitioning to an alternative provider would require the relocation and re-indexing of large volumes of records, resulting in significant cost, operational disruption and potential risks to record integrity. Accordingly, it is considered impractical and disadvantageous to invite quotations for these services.	s235(b)

Company Name	Exception Description	Exception Code
Grundfos Pumps Pty Ltd	Grundfos Pumps Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of water pumps, sewer pumps, chemical dosing pumps and associated proprietary spare parts utilised across Council's sewer pump stations, water pump stations and other critical water and wastewater infrastructure assets. Use of OEM equipment, spare parts and technical support is required to maintain system compatibility, operational reliability, asset performance and manufacturer warranty obligations, while ensuring the continued safe and efficient operation of Council's water and sewer networks.	s235(a)
GWI Digital	GWI Digital was originally engaged through a competitive procurement process to provide ICT advisory and program management services in support of Council's ICT Strategy. Through this engagement, GWI has developed detailed knowledge of Council's ICT environment, strategic objectives, project requirements and the specialist design blueprints underpinning the approved program of works. As Council transitions from planning into implementation, continuity of service is critical to minimise project risk, maintain delivery timeframes and preserve the integrity of the established solution design. Engaging an alternative provider at this stage would require significant knowledge transfer, introduce duplication of effort, increase project costs and create a substantial risk of delays and disruption to delivery. Accordingly, due to the specialised knowledge, continuity requirements and project-specific intellectual property developed during the design phase, it is considered impractical and disadvantageous to invite quotations for these services.	s235(a)
Hach Pacific Pty Ltd	HACH Pacific Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of process instrumentation, laboratory instruments, water quality analysers, chemical monitoring equipment and associated proprietary spare parts utilised across Council's water and wastewater treatment facilities. Use of OEM equipment, reagents and spare parts is required to maintain system compatibility, monitoring accuracy, operational reliability, regulatory compliance and manufacturer warranty obligations. Accordingly, HACH Pacific Pty Ltd is the only supplier reasonably available to provide the required equipment, consumables, spare parts and technical support services.	s235(a)
Hastings Deering	Hastings Deering is the exclusive authorised distributor of Caterpillar machinery, genuine Caterpillar parts and associated technical support services within the region. Council operates a fleet of Caterpillar equipment that requires genuine OEM components to maintain asset performance, system compatibility, operational reliability and manufacturer warranty obligations. As the authorised Caterpillar dealer, Hastings Deering is the only supplier reasonably available to provide genuine parts, technical support and warranty services for Council's Caterpillar fleet.	s235(a)
Honeywell Ltd	Honeywell Ltd is the owner, developer and authorised support provider of Council's Honeywell SCADA system, which is utilised to monitor and control critical water, wastewater and operational infrastructure. The SCADA environment includes proprietary software, communications architecture, control logic and system configurations developed specifically for Council's operational requirements. Ongoing maintenance, technical support, software updates, cybersecurity patches and system enhancements require specialist knowledge of the Honeywell platform and can only be effectively provided by the authorised vendor. Accordingly, Honeywell Ltd is the only supplier reasonably available to provide the required SCADA maintenance and support services.	s235(a)

Company Name	Exception Description	Exception Code
Hydroflux	Hydroflux is the authorised supplier of Longopac bagging systems and replacement Longopac bags utilised at Council's sewerage treatment plants for the containment and disposal of screenings from inlet screening equipment. The Longopac bags are specifically designed for compatibility with the existing screening systems and are required to ensure safe, efficient and hygienic handling of waste material. Due to the proprietary nature of the product and its compatibility requirements, Hydroflux is the only supplier reasonably available to provide the required consumables and associated support services.	s235(a)
Ibis Information Systems Queensland Pty Ltd	IBIS Information Systems Queensland Pty Ltd is the owner, developer and authorised supplier of the IBIS software platform utilised by Council for regulatory, compliance and operational management functions. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through the supplier. The platform contains confidential regulatory and operational data and is integrated into Council's existing business processes and workflows. Due to the specialised nature of the software, the sensitivity of the information managed within the system, and the costs and operational risks associated with transitioning to an alternative provider, it is considered impractical and disadvantageous to invite quotations for these services.	s235(b)
Impact Apps Pty Ltd	Impact Apps Pty Ltd is the owner, developer and authorised supplier of the Livingstone Waste Wise App utilised by Council to provide waste management information and digital customer services. The supplier is responsible for the ongoing development, maintenance and enhancement of the application, including the proposed implementation of electronic waste vouchers within the existing platform. As the developer and custodian of the application architecture, Impact Apps Pty Ltd is the only supplier reasonably available to provide software modifications, support, maintenance, upgrades and integration services required to maintain continuity and functionality of the Waste Wise App.	s235(a)
Infocouncil	InfoCouncil is the owner, developer and authorised supplier of the InfoCouncil governance platform utilised by Council for agenda management, meeting administration, minute preparation, resolution tracking and statutory governance processes. The system supports Council, committee and executive meeting workflows and integrates with Council's broader governance and records management environment. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through InfoCouncil. Continued use ensures system compatibility, governance compliance, data integrity and uninterrupted access to Council's meeting records and decision-making processes.	s235(a)
Infor Global Solutions	Infor Global Solutions is the owner, developer and authorised supplier of the Pathway and Pathway UX software platforms utilised by Council for development assessment, planning, compliance, licensing and regulatory management functions. The systems support statutory workflows, records management, customer interactions and integration with Council's corporate systems. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Infor Global Solutions. Continued use ensures system compatibility, data integrity, regulatory compliance and uninterrupted delivery of Council's regulatory and development services.	s235(a)
Infotrust	Infotrust is the authorised supplier of Council's Software-as-a-Service (SaaS) Application Whitelisting solution, which provides application control, cyber security monitoring and protection against unauthorised software execution across Council's ICT environment. Ongoing software licensing, support, maintenance, threat intelligence updates and platform services can only be obtained through the supplier. Continued use ensures system compatibility, cyber security compliance, operational continuity and the ongoing protection of Council's information systems and digital assets.	s235(a)

Company Name	Exception Description	Exception Code
Innovative Filtration Solution Pty Ltd (IFS)	Innovative Filtration Solutions Pty Ltd (IFS) is the Original Equipment Manufacturer (OEM) and authorised supplier of the screw press sludge dewatering systems and associated proprietary spare parts utilised at the Emu Park Sewerage Treatment Plant and Great Keppel Island Sewerage Treatment Plant. Use of OEM equipment, spare parts and technical support is required to maintain system compatibility, dewatering performance, operational reliability and manufacturer warranty obligations. Accordingly, IFS is the only supplier reasonably available to provide the required equipment, spare parts and support services.	s235(a)
Itron Australasia Pty Ltd	Itron Australasia Pty Ltd is the owner, developer and authorised supplier of the Temetra software platform utilised by Council for meter data management, meter reading and mobile data collection activities. The system supports the collection, validation, management and integration of water consumption data with Council's billing and operational systems. Ongoing software licensing, support, maintenance, upgrades and technical services can only be obtained through Itron Australasia Pty Ltd, ensuring system compatibility, data integrity and continuity of Council's metering operations.	s235(a)
Iwaki Pumps Australia	Iwaki Pumps Australia is the Original Equipment Manufacturer (OEM) and authorised supplier of chemical dosing pumps and proprietary spare parts utilised at Council's Water Treatment Plant. Council has recently invested in four new Iwaki dosing pumps, and the use of OEM equipment, spare parts and technical support is required to maintain system compatibility, dosing accuracy, operational reliability and manufacturer warranty obligations. Accordingly, Iwaki Pumps Australia is the only supplier reasonably available to provide the required equipment, spare parts and support services.	s235(a)
iWeigh Solutions Pty Ltd	iWeigh Solutions Pty Ltd is the owner, developer and authorised supplier of Council's weighbridge management software platform. The system supports weighbridge operations, transaction processing, reporting, integration with waste management systems and regulatory data collection. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through iWeigh Solutions Pty Ltd. Continued use ensures system compatibility, data integrity, operational continuity and ongoing support of Council's waste and resource recovery operations.	s235(a)
IXOM Australia	Ixom Australia is the sole Australian manufacturer and supplier of liquefied chlorine gas utilised for water and wastewater treatment processes. The product is critical to Council's disinfection and treatment operations, and no alternative Australian manufacturer is available to supply an equivalent product. Accordingly, Ixom Australia is considered the only supplier reasonably available to provide the required liquefied chlorine gas and associated technical support services.	s235(a)
Kone Elevators Pty Ltd	Kone Elevators Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised service provider for the Kone elevators installed within Council facilities. The supplier provides specialised servicing, reactive maintenance, technical support, software updates and proprietary replacement components required to maintain the safe and reliable operation of the lifts. Use of authorised Kone service technicians and genuine OEM parts is required to maintain system integrity, compliance with statutory maintenance requirements, operational reliability and manufacturer warranty obligations, making Kone Elevators Pty Ltd the only supplier reasonably available to provide these services.	s235(a)

Company Name	Exception Description	Exception Code
KSB Australia Pty Ltd	KSB Australia Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of water pumps, sewer pumps and associated proprietary spare parts utilised across Council's sewer pump stations, water pump stations and other critical water and wastewater infrastructure assets. Use of OEM equipment and spare parts is required to maintain system compatibility, operational reliability, asset performance and manufacturer warranty obligations, while ensuring the continued safe and efficient operation of Council's water and sewer networks.	s235(a)
Lg Software Solutions Pty Ltd	LG Software Solutions Pty Ltd is the owner, developer and authorised supplier of the Pulse software platform utilised by Council for governance, compliance, risk management, delegations, policy management and corporate reporting functions. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through LG Software Solutions Pty Ltd. Continued use ensures system compatibility, data integrity, regulatory compliance and ongoing access to Council's governance and corporate records within the existing Pulse environment.	s235(a)
Libero Systems Pty Ltd (previously t/as Insight Informatics Pty Ltd)	Libero Systems Pty Ltd is the owner, developer and authorised supplier of the Libero Library Management System utilised by Council's library services. The platform supports catalogue management, circulation, membership management, resource discovery, reporting and integration with digital library services. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Insight Informatics Pty Ltd. Continued use ensures system compatibility, data integrity, service continuity and ongoing access to Council's library collections, member records and historical library data.	s235(a)
Magiq Software Ltd	Magiq Software Ltd is the owner, developer and authorised supplier of the Chameleon software platform utilised by Council for customer request management, service delivery and operational workflow processes. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Magiq Software Ltd. Continued use ensures system compatibility, data integrity, business continuity and ongoing access to historical records and operational data within Council's existing software environment.	s235(a)
Mak Water	MAK Water is the Original Equipment Manufacturer (OEM) and authorised supplier of the membrane treatment systems, associated equipment and proprietary spare parts utilised at the Great Keppel Island Sewerage Treatment Plant. Use of OEM equipment and spare parts is required to maintain system compatibility, operational reliability, treatment performance and manufacturer warranty obligations. In addition, MAK Water is the only identified supplier capable of providing 30% Aluminium Chlorohydrate, Citric Acid, Caustic Soda (Sodium Hydroxide) and Sucrose in 20-litre manual handling containers suitable for transport and operational use on Great Keppel Island. Accordingly, MAK Water is considered the only supplier reasonably available to provide the required equipment, consumables and associated support services.	s235(a)
Marsh Valuation Services	Marsh Valuation Services provides specialised asset valuation services for Council's infrastructure, property and operational assets in accordance with local government financial reporting and accounting requirements. The supplier has developed detailed knowledge of Council's asset portfolio, valuation methodologies, asset hierarchies and historical valuation assumptions. Engaging an alternative valuer may result in significant variations in valuation methodology, reduced comparability of historical asset data, additional audit scrutiny and substantial costs associated with reconciling valuation movements. Due to the specialised nature of the services and the need for continuity and consistency in asset valuation outcomes, it is considered impractical and disadvantageous to invite quotations.	s235(b)

Company Name	Exception Description	Exception Code
Miri Engineering Pty Ltd	Miri Engineering Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of telemetry radios, communications equipment and proprietary spare parts utilised throughout Council's SCADA network supporting critical water and sewer infrastructure. The supplier possesses specialised technical knowledge of the existing communications architecture and provides direct access to OEM equipment, support and replacement components. While alternative wholesalers may be able to supply some equipment, Miri Engineering is typically the most cost-effective source and provides specialised technical support for the existing network. Due to the specialised nature of the SCADA communications system, the need to maintain compatibility and operational reliability, and the limited benefit of seeking alternative quotations, it is considered impractical and disadvantageous to invite quotes for these purchases.	s235(b)
MRF Automation Pty Ltd	MRF Automation Pty Ltd provides specialised SCADA, automation and control system integration services, with extensive knowledge of Council's Honeywell SCADA platform, telemetry infrastructure and operational technology environment. Having undertaken the design assessment and technical recommendations for the SCADA Network Segmentation and Upgrade Project, MRF Automation possesses critical knowledge of the existing system architecture and proposed implementation. As Council's established local specialist provider, MRF Automation delivers essential technical support and emergency response services. Given the specialised and confidential nature of the services, system dependencies and continuity requirements, inviting quotations or tenders is considered disadvantageous to Council.	s235(b)
Nearmap Australia	Nearmap Australia Pty Ltd is the owner and authorised supplier of the Nearmap aerial imagery platform, providing high-resolution, frequently updated aerial photography and geospatial data utilised by Council for planning, asset management, engineering, compliance and operational activities. Ongoing access to imagery, historical datasets, software licensing, support and platform services can only be obtained through Nearmap. The proprietary nature of the imagery and associated platform services makes Nearmap the only supplier reasonably available to provide the required aerial imagery solution.	s235(a)
NHP Electrical	NHP Electrical Engineering Products Pty Ltd is the exclusive Australian distributor of Allen-Bradley SCADA, automation and control system components utilised across Council's operational infrastructure. As the authorised distributor, NHP provides genuine equipment, technical support, warranty services and proprietary replacement components. Use of authorised Allen-Bradley products is required to maintain system compatibility, operational reliability, cybersecurity compliance and manufacturer warranty obligations, making NHP the only supplier reasonably available to provide the required goods and services.	s235(a)
Nintex Pty Ltd	Nintex Pty Ltd is the owner, developer and authorised supplier of the Promapp business process management software utilised by Council for documenting, managing and improving organisational processes and workflows. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Nintex. Continued use ensures system compatibility, process integrity, user adoption and access to historical process documentation within Council's existing business improvement framework.	s235(a)
Objective	Objective Corporation is the owner, developer and authorised supplier of the Trapeze software platform utilised by Council for records and information management. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Objective. Continued use ensures system compatibility, data integrity, regulatory compliance and seamless integration with Council's existing information management environment.	s235(a)

Company Name	Exception Description	Exception Code
Passavant-Geiger Pty Ltd (Previously t/as Aqseptence Group Pty Ltd)	Aqseptence Group Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of inlet screening equipment and associated proprietary spare parts utilised at the Emu Park Sewerage Treatment Plant, including screen brushes, baskets and wear bars. Use of OEM equipment and spare parts is required to maintain system compatibility, operational reliability and manufacturer warranty obligations.	s235(a)
Paytech Solutions Pty Ltd	Paytech Solutions Pty Ltd is the authorised supplier and service provider for the Nayax-operated wash bay and vacuum terminal payment systems located within Council's car park facilities. The supplier provides specialised maintenance, technical support, software configuration and system integration services required to ensure the ongoing operation of the five (5) Nayax payment terminals. Due to the proprietary nature of the equipment and system architecture, Paytech Solutions Pty Ltd is the only supplier reasonably available to provide the required servicing and maintenance services.	s235(a)
Peter Pal	Peter Pal is the only Queensland-based supplier identified as providing a comprehensive shelf-ready records service, including document preparation, covering, processing, cataloguing and digitisation directly into Council's existing records management database. The integrated nature of the service ensures consistency in record preparation, metadata standards and digitisation processes, making Peter Pal the only supplier reasonably available to provide the required specialised records management services.	s235(a)
Pixelcase Group Pty Ltd T/As Aero Ranger	Council's Ranger Services has been trialling the Aero Ranger AI parking enforcement platform for approximately ten (10) months to assess its suitability for operational implementation. Continuing the trial will enable Council to complete its evaluation of the technology's functionality, accuracy and fitness for purpose before making any long-term procurement decision. The monthly subscription of \$2,310.00 (ex GST) (\$27,720.00 per annum) will maintain continuity of the trial, with any future ongoing engagement to be considered in accordance with Council's Procurement Policy and legislative requirements.	s235(a)
QIT Plus Pty Ltd	QIT Plus Pty Ltd is the owner, developer and authorised supplier of the Guardian platform, which is utilised by local governments and disaster management agencies to support disaster preparedness, response, recovery and coordination activities under the Queensland Disaster Management Arrangements. Ongoing software licensing, support, maintenance, upgrades and hosting services can only be obtained through the supplier. Continued use ensures system compatibility, operational continuity and compliance with established disaster management processes and reporting requirements.	s235(a)
Qualtrics LLC	Qualtrics LLC provides Council's employee engagement survey platform and has been utilised since 2020 to collect, analyse and benchmark workforce engagement data. Continued use of the platform ensures retention of historical survey data, consistency in reporting methodologies and the ability to undertake meaningful year-on-year trend analysis. Transitioning to an alternative provider would result in data migration challenges, reduced comparability of historical results and additional implementation costs. Accordingly, it is considered impractical and disadvantageous to engage an alternative supplier for these services.	s235(b)

Company Name	Exception Description	Exception Code
Quest Software International	Quest Software International is the owner and authorised supplier of Archive Manager, the software platform utilised by Council for email and records archiving. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through the supplier. Continued use ensures system compatibility, data integrity, regulatory compliance and ongoing access to archived records within Council's existing information management environment.	s235(a)
Resource Hub Consulting Pty Ltd	Resource Hub Consulting Pty Ltd has provided Council's waste levy administration, reporting, advisory, remote weighbridge monitoring and data management services for the past five years. The supplier has developed specialised knowledge of Council's waste operations, reporting methodologies, levy obligations and historical data sets. Continued engagement ensures consistency in reporting, data integrity and year-on-year performance analysis, enabling Council to maintain accurate comparisons and regulatory compliance. In accordance with Council Resolution dated 27 October 2025, it is considered impractical and disadvantageous to engage an alternative provider due to the transition risks, loss of continuity and potential impacts on reporting accuracy.	s235(b)
Rockwood Constructions Pty Ltd	Rockwood Constructions Pty Ltd provides specialised shade sail design, manufacture and installation services within the Livingstone Shire region. The supplier possesses the specialised fabrication capabilities, engineering expertise, installation equipment and qualified personnel required to deliver complete shade sail solutions, including design certification, manufacture, installation and ongoing maintenance. Based on market assessment, Rockwood Constructions Pty Ltd is the only known supplier within the region capable of providing the full end-to-end service. Due to the specialised nature of the works, local availability and the efficiencies achieved through engaging a single supplier for both manufacture and installation, it is considered impractical and disadvantageous to invite quotations.	s235(b)
Rotork	Rotork is the Original Equipment Manufacturer (OEM) and authorised supplier of electric actuators, control systems and proprietary spare parts utilised on reservoir inlet valves and treatment plant actuated valves across Council's water infrastructure network. Use of OEM equipment and spare parts is required to maintain system compatibility, operational reliability, asset performance and manufacturer warranty obligations, while ensuring the continued safe operation of critical water infrastructure assets.	s235(a)
Royce Water Technologies Pty Ltd	Royce Water Technologies Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of dissolved oxygen sensors, mixed liquor sensors, CHEMSCAN analysers, associated instrumentation, chemicals and proprietary spare parts utilised at the Yeppoon Sewerage Treatment Plant. Use of OEM equipment, consumables and spare parts is required to maintain system compatibility, monitoring accuracy, operational reliability, regulatory compliance and manufacturer warranty obligations.	s235(a)
Seek Australia	SEEK Australia operates Australia's largest online employment marketplace and provides access to a broad pool of active and passive job seekers across local government, professional, technical and trade disciplines. The platform offers specialised recruitment advertising, candidate attraction and application management services that support Council's workforce recruitment requirements. Due to SEEK's market reach, established user base and position as the leading employment advertising platform in Australia, it is impractical and disadvantageous to seek alternative providers for equivalent recruitment advertising outcomes.	s235(b)

Company Name	Exception Description	Exception Code
Shave And Brett Pty Ltd	Shave and Brett Pty Ltd has provided Council's annual financial statement preparation and audit coordination services for the past four years and has developed specialised knowledge of Council's financial systems, reporting framework, asset valuation methodologies and statutory reporting obligations. Given Council's concurrent transition of its corporate finance system to a cloud environment, continuity of service is critical to minimise reporting risk, support audit efficiency and ensure compliance with legislative reporting timeframes. Due to the specialised knowledge and established understanding of Council's financial operations, it is impractical and disadvantageous to seek alternative quotations for these services.	s235(b)
Siemens	Siemens is the exclusive supplier of Siemens Magflo flow meters utilised throughout Council's water and wastewater treatment facilities for critical process monitoring and control. Standardisation on a single flow meter platform provides operational consistency, staff familiarity, streamlined training, common spare parts holdings and simplified maintenance practices. Continued use of Siemens Magflo meters ensures system compatibility, operational reliability, manufacturer support and warranty compliance, while avoiding the inefficiencies and increased costs associated with maintaining multiple flow meter brands across Council's treatment assets.	s235(a)
Simplex Elevators Pty Ltd	Simplex Elevators Pty Ltd is the authorised service provider for the lift installed within Council's Education Centre and provides specialised servicing, reactive maintenance, technical support and replacement components required to maintain the safe and reliable operation of the asset. The supplier possesses detailed knowledge of the lift configuration, maintenance history and compliance requirements, ensuring continuity of service and adherence to statutory inspection and maintenance obligations. Accordingly, Simplex Elevators Pty Ltd is the only supplier reasonably available to provide the required lift servicing, maintenance and support services.	s235(a)
Sitech Construction Systems Pty Ltd	SITECH Construction Systems is the authorised Trimble dealer for Central Queensland and provides specialised positioning, machine control, survey and construction technology solutions for the civil construction industry. Council operates Trimble machine control systems across its Caterpillar earthmoving fleet and maintains a Trimble GNSS base station at the Cordingley Street Depot. As the authorised regional supplier, SITECH provides equipment sales, equipment hire, software licensing, technical support, calibration, maintenance and specialist training services required to support Council's existing Trimble environment. Continued engagement ensures system compatibility, operational reliability and access to authorised technical support. Accordingly, SITECH Construction Systems is the only supplier reasonably available to provide the required Trimble equipment, software and support services.	s235(a)
Skytrust Intelligence System	Skytrust Intelligence System is the owner, developer and authorised supplier of Council's safety management and injury management software platform. The system supports incident reporting, risk management, compliance monitoring, corrective actions and injury management processes. Ongoing software licensing, support, maintenance, upgrades and hosting services can only be obtained through the supplier to ensure system integrity, security, continuity of records and ongoing vendor support.	s235(a)

Company Name	Exception Description	Exception Code
Our Community Pty Ltd (SmartyGrants)	Our Community Pty Ltd is the owner, developer and authorised supplier of the SmartyGrants platform utilised by Council for grant program administration, application management, assessment, reporting and acquittal processes. The platform supports end-to-end grant management workflows, applicant communications, evaluation activities and compliance reporting. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Our Community Pty Ltd. Continued use ensures system compatibility, data integrity, operational continuity and ongoing access to Council's grant application and program management records. Accordingly, Our Community Pty Ltd is the only supplier reasonably available to provide the required SmartyGrants software and associated support services.	s235(a)
Snap Send Solve	Snap Send Solve Pty Ltd is the owner, developer and authorised supplier of the Snap Send Solve platform utilised by Council to receive, manage and respond to customer service requests, asset defects and community reports. The platform provides integrated mobile application, customer engagement and workflow management functionality that supports Council's customer service operations. Ongoing software licensing, support, maintenance, upgrades and vendor services can only be obtained through Snap Send Solve Pty Ltd. Continued use ensures system compatibility, data integrity, operational continuity and ongoing access to historical customer request data and reporting. Accordingly, Snap Send Solve Pty Ltd is the only supplier reasonably available to provide the required software and associated support services.	s235(a)
Social Pinpoint Pty Ltd	Social Pinpoint Pty Ltd provides Council's established online community engagement platform and has been utilised to support community consultation, stakeholder engagement and public participation activities over multiple years. The platform contains historical consultation data, stakeholder information, engagement records and established workflows that support Council's ongoing engagement programs. Continued use ensures continuity of community consultation activities, retention of historical data, consistency in reporting and analysis, and avoids the cost, disruption and data migration risks associated with transitioning to an alternative platform. Accordingly, it is considered impractical and disadvantageous to engage an alternative supplier for these services.	s235(b)
Solus	Solus UK Ltd is the owner, developer and authorised supplier of the Solus Library App platform utilised by public libraries across Australia. The application provides mobile access to library catalogues, membership services, digital resources, notifications and customer self-service functions. Solus is the only supplier authorised to provide licensing, support, maintenance, upgrades and ongoing development of the platform. Accordingly, Solus UK Ltd is the only supplier reasonably available to provide the required library application services and associated support.	s235(a)
Standards Australia	Standards Australia is the recognised publisher and custodian of Australian Standards, technical specifications and associated publications referenced within legislation, engineering standards, infrastructure design requirements and regulatory compliance frameworks. Access to official Australian Standards, updates, subscriptions and licensed publications can only be obtained through authorised Standards Australia distribution channels. As the official source of these documents, Standards Australia is the only supplier reasonably available to provide the required standards and publications for Council's legislative, engineering and compliance requirements.	s235(a)

Company Name	Exception Description	Exception Code
Surf Life Saving Queensland Inc	Surf Life Saving Queensland Inc. is the recognised peak organisation responsible for the delivery of volunteer surf lifesaving and beach patrol services throughout Queensland. The organisation provides qualified lifesavers, patrol equipment, emergency response capability and established operational procedures to support public safety at patrolled beaches. Surf Life Saving Queensland is the only organisation authorised and capable of coordinating and delivering volunteer beach patrol services at Yeppoon Main Beach and Emu Park Main Beach during school holiday periods and is therefore the only supplier reasonably available to provide these services.	s235(a)
Technology One Pty Ltd	TechnologyOne Pty Ltd is the owner, developer and sole authorised supplier of the TechnologyOne enterprise software platform utilised by Council for core business functions including finance, procurement, assets, property and regulatory services. Ongoing software licensing, support, maintenance, upgrades and cloud services can only be obtained directly through TechnologyOne to ensure system integrity, security, compatibility and continued vendor support.	s235(a)
Telstra	Telstra Corporation Limited is the owner and operator of telecommunications infrastructure utilised by Council and is responsible for the provision, maintenance, support and management of associated telecommunications services. Many of Council's telecommunications assets, circuits, network connections and service arrangements are subject to existing contractual agreements and operate within Telstra's proprietary network environment. Maintenance, fault rectification, service modifications and support for these services can only be performed by Telstra. Accordingly, Telstra Corporation Limited is the only supplier reasonably available to provide the required telecommunications infrastructure maintenance and contractual support services.	s235(a)
The Trustee For McClelland Family Trust t/as Nextra Keppel Bay	McClelland Family Trust is the only supplier reasonably available within the Livingstone Shire capable of providing the required office supplies, stationery and related goods through an established local retail presence. Engaging a local supplier enables timely supply, collection of urgent items, reduced freight costs, and responsive customer service, delivering the best value for money for Council's operational requirements. The local availability of stock and ability to provide immediate support are essential to maintaining efficient day-to-day operations. Accordingly, Council is satisfied that there is only one supplier reasonably available to meet these requirements.	s235(a)
Trility Solutions Australia Pty Ltd	Trility Solutions Australia Pty Ltd is the designer and supplier of purpose-built plinths and lifting beams used to safely raise and handle 920kg chlorine gas cylinders at Council's Wastewater Treatment Plant. The supplier owns the proprietary design specifications for the plinths and lifting equipment and is the only supplier reasonably available to provide compatible equipment, replacement components and technical support required to maintain safe operation and compliance with health, safety and operational requirements.	s235(a)
Unimarket Powered by VendorPanel	Unimarket Powered by VendorPanel provides Council's existing source-to-contract procurement platform under the Local Buy Technology Program, including supplier management, sourcing, evaluation and contract management functions. Council is undertaking a phased modernisation of its procurement environment and requires additional VendorPanel modules that integrate directly with the existing platform and supplier data already utilised by Council. Procuring alternative standalone solutions would result in duplication of systems, increased implementation costs, integration risks, additional training requirements and disruption to established procurement processes. Due to the need for system continuity, seamless integration and efficient delivery of Council's procurement transformation program, it is considered impractical and disadvantageous to invite quotations for these additional platform modules.	s235(b)

Company Name	Exception Description	Exception Code
Vega Australia Pty Ltd	Vega Australia Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of level instrumentation, flow instrumentation and associated proprietary spare parts utilised across Council's water and sewer infrastructure. Use of OEM equipment and spare parts is required to maintain system compatibility, operational reliability, measurement accuracy and manufacturer warranty obligations.	s235(a)
Vor Environmental Australia Pty Ltd	VOR Environmental Australia Pty Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of the clarifier sludge rake system and associated proprietary spare parts utilised at Council's Wastewater Treatment Plant. Use of OEM equipment and spare parts is required to maintain system compatibility, operational reliability, equipment performance and manufacturer warranty obligations.	s235(a)
Waterform Technologies	Waterform Technologies is the Original Equipment Manufacturer (OEM) and authorised supplier of the ultraviolet (UV) disinfection system and associated proprietary spare parts utilised at the Emu Park Sewerage Treatment Plant. Use of OEM equipment and spare parts is required to maintain system compatibility, disinfection performance, operational reliability and manufacturer warranty obligations.	s235(a)
Woopaburra Tumra Committee	The Woopaburra Traditional Use of Marine Resources Agreement (TUMRA) Committee is the recognised Traditional Owner body responsible for managing and representing traditional use interests within the marine areas surrounding the Keppel Islands. Engagement with the TUMRA Committee is required for marine and ocean-based activities involving cultural heritage, traditional use rights, marine resource management and consultation with the recognised Traditional Owners. As the recognised representative body for these matters, the Woopaburra TUMRA Committee is the only organisation reasonably available to provide the required consultation and engagement services.	s235(a)
Woppaburra Saltwater Aboriginal	Woppaburra Saltwater Aboriginal Corporation is the recognised representative organisation for the Woppaburra People and is responsible for matters relating to cultural heritage, traditional owner consultation and land-based activities on the Keppel Islands. Engagement with the Corporation is required where activities involve land access, cultural heritage considerations, traditional owner consultation and other matters requiring engagement with the recognised Traditional Owners. Accordingly, Woppaburra Saltwater Aboriginal Corporation is the only organisation reasonably available to provide the required consultation and engagement services.	s235(a)
Xylem Water Solutions Australia Ltd	Xylem Water Solutions Australia Ltd is the Original Equipment Manufacturer (OEM) and authorised supplier of sewer pumps, pump components and proprietary spare parts utilised across Council's sewer pump station network. These assets are critical to the operation of Council's wastewater collection infrastructure. Use of OEM equipment, spare parts and technical support is required to maintain system compatibility, operational reliability, asset performance and manufacturer warranty obligations. Accordingly, Xylem Water Solutions Australia Ltd is the only supplier reasonably available to provide the required equipment, spare parts and support services.	s235(a)

13.5 NATIVE TITLE PROCEEDINGS - DARUMBAL PEOPLE #3

File No:	fA59486
Attachments:	1. Darumbal People #3 (QUD105/2024) Final Draft section 87A Agreement and consent determination <u>↓</u>
Responsible Officer:	Katrina Paterson - General Manager Communities and Environment Tom Upton - Chief Executive Officer
Author:	Molly Saunders - Manager Community and Cultural Services Christine Macdonald - Principal Property Officer
Previous Items:	11.2 - Native Title Proceedings - Darumbal People # 3 - Standing Committee - Recreation & Culture - 04 Feb 2025 16.1 - Native Title Proceedings - Darumbal People #3 - Ordinary Council - 17 Jun 2025 9:00 AM

SUMMARY

This report discusses the status of Darumbal Native Title Claim #3 and seeks Council's consideration of a consent determination.

OFFICER'S RECOMMENDATION

THAT Council:

1. Endorse the proposed consent determination and agreement under section 87 of the *Native Title Act 1993 (Cth)* in Federal Court proceeding QUD105 of 2024, Tanya Mitchell and others on behalf of the Darumbal People #3; and
2. Authorise the Chief Executive Officer to execute all documents and take all necessary administrative actions required to give effect to Council's participation in the consent determination proceedings.

BACKGROUND

On 13 November 2024 Council has received correspondence from the National Native Title Tribunal accompanied by a copy of the public notification in relation to a Native Title Claim on behalf of the Darumbal People filed in the Federal Court of Australia (the Court) on 23 February 2024.

The Darumbal People Native Title claim #3 area is located within the Livingstone Shire Council local government area, comprising an area of approximately 1.8 hectares located approximately 4.5km south-west of Marlborough.

COMMENTARY

On 1 September 2026, Council received correspondence from legal representatives (Hopgood Ganim) providing the final draft of the section 87A agreement (including the proposed consent determination) for Council's review.

The section 87A agreement (see Attachment One) confirms that:

- Native title exists over the determination area.
- Native title is held by the Darumbal People
- The determination area consists of:
 - Lot 72 on Plan LI219
 - Lot 73 on Plan LI220

The Darumbal People would hold:

- Exclusive possession, occupation, use and enjoyment of the land, to the exclusion of others.
- The right to take and use water for personal, domestic and non-commercial communal purposes.

These rights must be exercised in accordance with:

- Commonwealth and Queensland laws.
- Darumbal traditional laws and customs.

The determination expressly states there are no native title rights to minerals or petroleum resources.

The determination preserves:

- Livingstone Shire Council's statutory powers and responsibilities under local government legislation, including activities such as weed control, feral animal management, erosion control, waste management and fire management.
- Rights and interests of the State of Queensland under legislation, including the *Land Act 1994 (Qld)*.
- Any lawful State and Commonwealth interests.

The determination proposes that the Darumbal People Aboriginal Corporation RNTBC (ICN 8405) will hold the native title in trust and act as the prescribed body corporate responsible for managing the native title rights and interests.

For Council, the draft determination:

- Recognises native title over two parcels of land within the shire.
- Preserves Council's local government powers and operational activities.
- Allows Council officers, agents and contractors to enter the land to perform lawful Council functions.
- Confirms Council's interests prevail where inconsistent with native title rights.
- Does not create any obligation for Council to pay costs, with each party bearing its own costs.

PREVIOUS DECISIONS

In February 2025 Council resolved to join as a respondent party to the QUD105/2024 Darumbal People Native Title Claim #3 proceedings.

In June 2025 Council resolved to participate in the Darumbal People Native Title Claim #3 (QUD105/2024) mediation with a view to negotiating a resolution by way of agreement with parties to the proceedings.

ENGAGEMENT AND CONSULTATION

Consultation has occurred between the applicant, the State of Queensland, legal representatives and respondent parties throughout the conduct of the proceeding. Council officers have liaised with Council's legal representatives regarding the implications of the proposed consent determination and Council's ongoing interests in the determination area.

BUDGET IMPLICATIONS

The cost of legal representation in the matter is approximately \$25,000.00. There are no further direct budget implications associated with Council endorsing the proposed consent determination.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

The matter is being progressed pursuant to the Native Title Act 1993 (Cth). Section 87 of the Act enables the Federal Court to make a determination by consent where the parties have reached agreement.

The proposed determination recognises that native title exists within the determination area while preserving the effect of existing legal interests. The draft determination specifically provides that other interests continue to have effect and may be exercised notwithstanding the existence of native title rights and interests. To the extent of any inconsistency, the existing interests prevail.

The determination also expressly recognises Council's rights and interests arising from its local government functions, including the ability to undertake operational activities and exercise its statutory powers.

Officers are satisfied that the proposed determination appropriately protects Council's legal interests while supporting the resolution of the proceedings.

RISK ASSESSMENT

Strategic Risk

Failure to support the negotiated consent determination may result in prolonged litigation, increased costs and uncertainty for all parties. Supporting the consent determination provides an opportunity to resolve the proceedings efficiently and maintain constructive relationships with Traditional Owners and government stakeholders.

Legal Risk

The proposed determination preserves Council's existing interests and statutory responsibilities. Consequently, the legal risk to Council arising from the determination is considered low.

Reputational Risk

Supporting the consent determination demonstrates Council's commitment to working collaboratively with Traditional Owners and respecting established native title processes while protecting Council's interests.

Opportunity

The determination provides certainty regarding land tenure arrangements and clarifies the relationship between native title rights and existing interests within the determination area.

Future Land Management Considerations

Recognition of native title may require Council to consider native title rights and interests in future dealings affecting the determination area once existing interests expire or where new interests are proposed. This may result in additional procedural requirements and consultation obligations under the Native Title Act 1993 (Cth). However, these obligations arise from the existence of native title itself rather than Council's consent to the determination.

Perceived Impact on Existing Users

Existing leaseholders, occupiers or community users may have concerns regarding the implications of native title recognition. While the proposed determination expressly preserves existing lawful interests and provides that those interests continue to have effect, there remains a reputational risk if stakeholders misunderstand the effect of the determination. Appropriate communication can mitigate this risk.

CORPORATE PLAN REFERENCE

Vibrant Culture & Healthy Community

Deliver strategic land use, infrastructure planning and urban design activities that support growth, liveability, and sustainability

Supporting the proposed consent determination contributes to effective land governance, recognition of Traditional Owner interests, and the orderly administration of land within the Livingstone Shire.

13.5 - NATIVE TITLE PROCEEDINGS - DARUMBAL PEOPLE #3

**Darumbal People #3 (QUD105/2024)
Final Draft section 87A Agreement and
consent determination**

Meeting Date: 26 October 2026

Attachment No: 1

CONFIDENTIAL AND WITHOUT PREJUDICE
FINAL DRAFT: 27 August 2026**AGREEMENT UNDER S 87 OF THE NATIVE TITLE ACT 1993 (CTH)**

No. QUD105 of 2024

Federal Court of Australia
Queensland District Registry
General Division

Tanya Mitchell and others named in the Schedule on behalf of the Darumbal People #3

Applicant

State Minister for the State of Queensland and another named in the Schedule
Respondents

Each party appearing below consents to the making of an order in terms of the draft Order annexed hereto and marked 'A'.

Ricardo Martinez, Deputy Principal Lawyer for Queensland South Native Title Services Limited on behalf of the Applicant
Date:

for CE Christensen, Crown Solicitor
on behalf of the First Respondent, State Minister for the State of Queensland
Date:

Filed on behalf of	State Minister for the State of Queensland, First Respondent
Prepared by	Rosalba Rigamoto (NTS127/695/RIR)
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Page 1 of 12

Document Number: 19966159

Damian Roe, HopgoodGanim Lawyers
on behalf of the Respondent, Livingstone Shire Council
Date:

DRAFT

Schedule

No. QUD105 of 2024

Federal Court of Australia
Queensland District Registry
General Division

Applicants

Second Applicant:	Berylanne Bauman-Sadowski
Third Applicant:	Gloria Malone
Fourth Applicant:	Noelene Renz
Fifth Applicant:	Trent White
Sixth Applicant:	Vernon Corporal
Seventh Applicant:	Lester Adams
Eighth Applicant:	Kathleen Hatfield

Respondents

Second Respondent:	Livingstone Shire Council
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'A'

DRAFT CONSENT DETERMINATION

No. QUD105 of 2024

Federal Court of Australia
Queensland District Registry
General Division

Tanya Mitchell and others named in the Schedule on behalf of the Darumbal People #3

Applicant

State Minister for the State of Queensland and another named in the Schedule
Respondents

Judge:

Date of Order:

Where made:

BEING SATISFIED that an order in the terms set out below is within the power of the Court, and it appearing appropriate to the Court to do so, pursuant to s 87 of the *Native Title Act 1993* (Cth)

BY CONSENT THE COURT ORDERS THAT:

1. There be a determination of native title in the terms set out below (the **Determination**).
2. Each party to the proceedings is to bear its own costs.

BY CONSENT THE COURT DETERMINES THAT:

3. The determination area is the land described in Schedule 3 and depicted in the map in Schedule 5, to the extent those areas are not otherwise excluded by the terms of Schedule 4 (the **Determination Area**). To the extent of any inconsistency between the written description and the map, the written description prevails.
4. Native title exists in the Determination Area.

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5. The native title is held by the Darumbal People described in Schedule 1 (the **Native Title Holders**).
6. Subject to orders 7, 8, and 9 below the nature and extent of the native title rights and interests in relation to the Determination Area are:
 - (a) other than in relation to Water, the right to possession, occupation, use and enjoyment of the area to the exclusion of all others; and
 - (b) the right to take the Water of the area for personal, domestic and non-commercial communal purposes.
7. The native title rights and interests are subject to and exercisable in accordance with:
 - (a) the Laws of the State and the Commonwealth; and
 - (b) the traditional laws acknowledged and traditional customs observed by the Native Title Holders.
8. There are no native title rights in or in relation to minerals as defined by the *Mineral Resources Act 1989* (Qld) and petroleum as defined by the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
9. The nature and extent of any other interests in relation to the Determination Area (or respective parts thereof) are set out in Schedule 2.
10. The relationship between the native title rights and interests described in order 6 and all of the other interests described in Schedule 2 (the Other Interests) is that:
 - (a) the Other Interests continue to have effect, and the rights conferred by or held under the Other Interests may be exercised notwithstanding the existence of the native title rights and interests;
 - (b) to the extent the Other Interests are inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests in relation to the Determination Area, the native title continues to exist in its entirety but the native title rights and interests have no effect in relation to the Other Interests to the extent of the inconsistency for so long as the Other Interests exist; and
 - (c) the Other Interests and any activity that is required or permitted by or under, and done in accordance with, the Other Interests, or any activity that is associated with or incidental to such an activity, prevail over the native title rights and interests and any exercise of the native title rights and interests.

DEFINITIONS AND INTERPRETATION

11. In this Determination, unless the contrary intention appears:

"land" and "waters" have the same meaning as in the *Native Title Act 1993* (Cth);

"Laws of the State and the Commonwealth" means the common law and the laws of the State of Queensland and the Commonwealth of Australia, and includes legislation, regulations, statutory instruments, local planning instruments and local laws;

"Local Government" has the meaning given in the *Local Government Act 2009* (Qld);

"Local Government Act" has the meaning given in the *Local Government Act 2009* (Qld);

"Local Government Area" has the meaning given in the *Local Government Act 2009* (Qld);

"Water" means:

- (a) water which flows, whether permanently or intermittently, within a river, creek or stream; and
- (b) any natural collection of water, whether permanent or intermittent;

Other words and expressions used in this Determination have the same meanings as they have in Part 15 of the *Native Title Act 1993* (Cth).

THE COURT DETERMINES THAT:

12. The native title is held in trust.

13. The Darumbal People Aboriginal Corporation RNTBC (ICN 8405), incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth), is to:

- (a) be the prescribed body corporate for the purpose of ss 56(2)(b) and 56(3) of the *Native Title Act 1993* (Cth); and
- (b) perform the functions mentioned in s 57(1) of the *Native Title Act 1993* (Cth) after becoming a registered native title body corporate.

Commented [RR1]: Drafting note: Applicant advised on 09.04.2026. Subject to Applicant authorisation.

LIST OF SCHEDULES

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DRAFT

Schedule 1 – Native Title Holders

The Native Title Holders are the Darumbal People. The Darumbal People are those people who:

- (a) are descendants of the following deceased persons:
 - i. John McPherson;
 - ii. Harry Bauman;
 - iii. Kate Reid and James Hector;
 - iv. Clara McKenzie;
 - v. Jack Naylor (Jnr);
 - vi. Maria McKenzie;
 - vii. Clara Wallace;
 - viii. Mundabel;
 - ix. Mary Jones;
 - x. Maggie (Mitchell);
 - xi. Yorky; or
 - xii. Kitty Mulway and Pompey of Stanage; and
- (b) are recognised by the living Darumbal People according to their traditional laws and customs as Darumbal People.

Schedule 2 – Other Interests in the Determination Area

The nature and extent of the other interests in relation to the Determination Area are the following as they exist as at the date of the Determination:

1. The rights and interests of Livingstone Shire Council:
 - (a) under its local government jurisdiction and functions under the *Local Government Act 2009* (Qld) and under any other legislation, for that part of the Determination Area within the area declared to be its local government area under the *Local Government Regulation 2012* (Qld); and
 - (b) to enter the land for the purposes described in paragraph (a) above by its employees, agents or contractors to:
 - (i) exercise any of the rights and interests referred to in paragraph (a); and
 - (ii) undertake operational activities in its capacity as a local government such as feral animal control, weed control, erosion control, waste management and fire management.
2. The rights and interests of the State of Queensland or any other person existing by reason of the force and operation of the laws of the State of Queensland, including those existing by reason of the following legislation or any regulation, statutory instrument, declaration, plan, authority, permit, lease or licence made, granted, issued or entered into under that legislation:
 - (a) the *Land Act 1994* (Qld).
3. Any other rights and interests:
 - (a) held by the State of Queensland or Commonwealth of Australia; or
 - (b) existing by reason of the force and operation of the Laws of the State and the Commonwealth.

Schedule 3 – Description of the Determination Area

The determination area comprises the land described by lots on plan described in the first column of the table immediately below and depicted in the map in Schedule 5 and not otherwise excluded by the terms of Schedule 4.

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 72 on Plan LI219	1	~
Lot 73 on Plan LI220	1	~

~ denotes areas to which s 47B of the *Native Title Act 1993* (Cth) apply.

Schedule 4 – Areas Not Forming Part of the Determination Area

The following areas of land and waters are excluded from the Determination Area:

1. Those land and waters which at the time the native title determination application was made were, or had been, the subject of one or more Previous Exclusive Possession Acts, within the meaning of s 23B of the *Native Title Act 1993* (Cth) as they could not be claimed in accordance with s 61A of the *Native Title Act 1993* (Cth).
2. Specifically, and to avoid any doubt, the land and waters described in (1) above includes:
 - (a) the Previous Exclusive Possession Acts described in ss 23B(2) and 23B(3) of the *Native Title Act 1993* (Cth) to which s 20 of the *Native Title (Queensland) Act 1993* (Qld) applies, and to which none of ss 47, 47A or 47B of the *Native Title Act 1993* (Cth) applied; and
 - (b) the land and waters on which any public work, as defined in s 253 of the *Native Title Act 1993* (Cth), is or was constructed, established or situated, and to which ss 23B(7) and 23C(2) of the *Native Title Act 1993* (Cth) and to which s 21 of the *Native Title (Queensland) Act 1993* (Qld), applies, together with any adjacent land or waters in accordance with s 251D of the *Native Title Act 1993* (Cth).

Schedule 5 – Map of Determination Area



13.6 LIVINGSTONE SHIRE COUNCIL AND BENDIGO COMMUNITY BANK COMMUNITY PROJECT GRANT (ROUND ONE 26/27) SUCCESSFUL APPLICANTS

File No: A837800

Attachments: Nil

Responsible Officer: Edwina Roberts - Engagement & Events Officer
Molly Saunders - Manager Community and Cultural Services
Katrina Paterson - General Manager Communities and Environment
Tom Upton - Chief Executive Officer

Author: Sarah Owen - Community Development Officer

SUMMARY

This report details the outcome of assessments, completed by the assessment panel, for applications to the Livingstone Shire Council and Bendigo Community Bank Community Project Grants (Round One 2026/2027).

OFFICER'S RECOMMENDATION

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

Successful Applicant	Purchase	Reason	Grant amount
Guides Queensland	Purchase and install of stove and rangehood	This project will replace an 18-year-old commercial stove and rangehood that have reached the end of their useful life at the Kooyalee camp site.	\$3,048.00
The Capricorn Coast Bicycle Users Group Inc	Safety & information signs	Design, purchase and install safety and information signage on a new 4.2km long section of the Capricorn Coast Pineapple Rail Trail due to open in 2027.	\$4,842.41
Emu Park Junior Rugby League Club Inc.	Purchase of sport equipment	Purchase of 12 junior rugby league goal posts for our Mini League teams (Under 6–8), along with 27 match quality footballs and 9 hit shields for use across the entire junior club.	\$4,564.68
Emu Park State School P&C association	BBQ purchase	Purchase of a commercial-grade stainless steel BBQ to replace the current ageing unit	\$3,190.00
Yeppoon Junior Rugby League Football Club Incorporated	IT Equipment	Enhance game day operations and member services through the purchase of two Square Registers, two iPads, a Starlink Mini internet system, a Square EFTPOS device and associated equipment	\$4,908.00
Bat Care Capricornia	Immunisations and bat rescue equipment	Immunisations and clinical consultations for two new members and bat rescue equipment	\$1,699.00

Konomie Island Environmental Education Centre P&C Association	Stinger suits & floatation devices	Upgrade the range of wetsuits, stinger suits and personal flotation devices (PFDs) to provide a safer, more comfortable and inclusive experience for the diverse students who attend the Centre	\$5,000.00
The Caves Pony Club	Purchase of mower	The purchase a ride-on mower to support our growing club and improve the safety and presentation of our community facility.	\$5,000.00
Capricorn Coast Football Club	Fence mesh, wire and posts	Fence repairs for old and damaged fence	\$5,000.00
Barmoya Sports and Recreation Association	Chairs, tables & sign	Equipment to assist with the committee's planned gatherings, such as monthly social tennis gatherings, the annual Barmoya Bash Tennis Tournament, and a community Christmas Tree event for local children and families	\$4,350.00
Capricornia Catchments Inc	Mulcher, ramps and tools	Equipment to support Capricornia Catchments trainees through the skilling Queenslanders for work program to undertake on ground projects across the Shire.	\$4,095.00
Keppel Sands Community Advancement League Inc.	Notice board, A frame, whiteboard, A3 stands, platform trolley & freight	A range of durable and reusable internal and external signage to promote community events in the Keppel Sands area to engage residents, visitors and tourists.	\$4,586.00
Yeppoon Australian Football Club Inc	Purchase and install of CCTV security system	Yeppoon Swans AFL Club is seeking funding to improve security at our new club facility at Swan Park	\$5,000.00
Wildlife Rehabilitation HQ Inc	Accessible concrete pathway	Pathway connection from the Koalas to the Sugar Glider enclosure.	\$4,946.15
Yeppoon Little Theatre	Laptop	Yeppoon Little Theatre is in need of a new Apple Mac Pro computer to run the QLAB program which operates the sound for our productions.	\$3,199.00
Emu Park Football Club (Partial funding)	Laptop, mobile phone and tablet	New technology will strengthen Emu Park Football Club's administration, communication and day-to-day operations.	\$1,571.76
TOTAL			\$65,000.00

BACKGROUND

Livingstone Shire Council has partnered with Bendigo Community Bank to present the Livingstone Shire Council and Bendigo Community Bank Community Project Grants in the 2026-2027 financial year.

The grants provide an opportunity for eligible not-for-profit community organisations to support and enhance community wellbeing and liveability, by building the capacity and resilience of these organisations across the Shire.

Livingstone Shire Council has committed \$100,000 and Bendigo Community Bank has committed \$30,000 to this financial year. The total amount of funding available in the 2026-2027 financial year is \$130,000, with \$65,000 distributed to successful applicants in this current round (round one of the 2026-2027 grant program).

During this round Council received a total of 22 applications, 3 of which were in-eligible and 6 of which were first time applicants.

PREVIOUS DECISIONS

No previous decisions have been made relating to the assessment of applications received in round one of the 2026-2027 Livingstone Shire Council and Bendigo Community Bank Community Project Grants.

ENGAGEMENT AND CONSULTATION

Livingstone Shire Council and Bendigo Community Bank promoted round one of the 2026-2027 Community Project Grants through social media as well as email networks. A face-to-face information evening was provided the week the round opened. Information on the round was also made available on Council's website with contact details for applicants to use should they require any assistance or support with their application.

Council's Community Development team assisted groups with their applications where requested.

BUDGET IMPLICATIONS

The provision of funds in line with the completed evaluation of applications is accommodated within the existing Livingstone Community Project Grants budget allocation.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

Section 194 (a) and (b) of the *Local Government Regulation (2012)*, states that:

"A local government may give a grant to a community organization only –

(a) if the local government is satisfied –

- (i) the grant will be used for a purpose that is in the public interest, and*
- (ii) the community organization meets the criteria stated in the local government's community grants policy; and*

(b) in a way that is consistent with the local government's community grants policy."

There are no identified legal implications relating to the consideration of this matter.

RISK ASSESSMENT

The following risks associated with not supporting the completed evaluation have been identified:

Governance - Council may potentially risk operating outside an approved policy; and/or procedure should it not follow the requisite processes; and

Reputation – Council may risk reputational damage if it does not act with consistency throughout the delivery of the grant.

CORPORATE PLAN REFERENCE

Vibrant Culture & Healthy Community

Strategic investments and development to create sustainable revenue streams that support quality community services

13.7 TENURE RENEWAL - OGMORE COMMUNITY AND RECREATION COMMITTEE INC.

File No: LEA/406

Attachments: 1. Attachment One - Internal Consultation [↓](#)

Responsible Officer: Edwina Roberts - Engagement & Events Officer
Molly Saunders - Manager Community and Cultural Services
Katrina Paterson - General Manager Communities and Environment
Tom Upton - Chief Executive Officer

Author: Sarah Owen - Community Development Officer

SUMMARY

This report seeks Council's approval to renew the trustee lease for Ogmores Community and Recreation Committee Incorporated over a portion of 87 Dempsey Street Ogmores (Ogmores Bicentennial Park), which is due to expire on 31 October 2026. The organisation has requested a further 10-year term under existing conditions.

OFFICER'S RECOMMENDATION

THAT Council resolves:

- 1) that the exception mentioned in section 236(1)(b)(ii) of the Local Government Regulation 2012 may apply in its dealing with Ogmores Community and Recreation Committee Incorporated over Lease A on SP286145 in Lot 8 on CP07508, located at 87 Dempsey Street, Ogmores;
- 2) pursuant to section 236(2) of Local Government Regulation 2012 to apply section 236(1)(b)(ii) of the Local Government Regulation 2012 in its dealing with Ogmores Community and Recreation Committee Incorporated over Lease A on SP286145 in Lot 8 on CP07508, located at 87 Dempsey Street, Ogmores; and
- 3) to renew the trustee lease between Council and Ogmores Community and Recreation Committee Incorporated over Lease A on SP286145 in Lot 8 on CP07508, located at 87 Dempsey Street, Ogmores, for a further term of ten (10) years under the existing terms and conditions.

BACKGROUND

Council manages tenure arrangements with not-for-profit organisations to facilitate access to Council-controlled land and infrastructure for community purposes. As leases approach expiry, a review and renewal process is undertaken to ensure continued alignment with community needs and Council policy.

The Ogmores Community and Recreation Committee Incorporated is a local community organisation representing the small rural village of Ogmores and first entered into a tenure agreement with Livingstone Shire Council in 2019.

In February 2021, the Ogmores Community and Recreation Committee Incorporated received funding from the Community Benefit Fund for the purpose of building a community shed on the leased area, owned and maintained by them.

The current lease is due to expire on 31 October 2026. The organisation has submitted a request for renewal for a further 10-year term, with no proposed changes to the existing tenure conditions or use of the site.

PREVIOUS DECISIONS

At ordinary council meeting on 21 September 2021, Council resolved:

- 1) that the exception mentioned in section 236(1)(b)(ii) of the *Local Government Regulation 2012* may apply in its dealing with the Ogmores Community and Recreation Committee Incorporated over Lot 2 on SP286145, 87 Dempsey Street, Ogmores;
- 2) pursuant to section 236(2) of *Local Government Regulation 2012* to apply section 236(1)(b)(ii) of the *Local Government Regulation 2012* in its dealing with the Ogmores Community and Recreation Committee Incorporated over Lot 2 on SP286145, 87 Dempsey Street, Ogmores; and
- 3) to provide tenure for a five year period to the Ogmores Community and Recreation Committee Incorporated over Lot 2 on SP286145, 87 Dempsey Street, Ogmores.

ENGAGEMENT AND CONSULTATION

The Community Development and Events Team has liaised with the Ogmores Community and Recreation Committee Incorporated to discuss their tenure requirements and preferences.

Internal consultation was undertaken in October 2026 with relevant departments, including Property, Rates, Facilities, Development Assessment, Development Administration, Public Environment, Natural Resource Management, and Rates with no objections (See attachment one)

No external consultation was required as the renewal does not propose any changes to tenure, land use, or operational arrangements.

BUDGET IMPLICATIONS

The lease is subject to a nominal annual rent of \$1 plus GST (if applicable), in accordance with Council's Fees and Charges. Rates are applied in accordance with the Rates, Rebates and Remissions Policy (Category 9).

There are no significant budget implications arising from the proposed renewal. The organisation remains responsible for all operational costs, including utilities, maintenance, insurance and asset management.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

Under section 236(1)(b)(ii) of the *Local Government Regulation 2012*, a local government may dispose of a valuable non current asset other than by tender or auction if the disposal is to a not for profit organisation

Pursuant to section 236(2), this exception applies only if Council has resolved that the exception may apply prior to disposing of the asset.

The proposed tenure renewal meets these requirements, enabling Council to renew the lease with the existing not for profit tenant without undertaking a tender process.

RISK ASSESSMENT

The primary risks associated with this matter include:

- Operational Risk: Failure to renew the lease could disrupt the organisation's activities and impact community services.
- Compliance Risk: Ensuring the lease is renewed in accordance with legislative requirements mitigates potential legal exposure.
- Reputational Risk: Non-renewal without justification could negatively impact Council's relationship with community organisations.
- Opportunity: Renewal supports continued delivery of social, recreational, and wellbeing outcomes, contributing positively to the local community.
- Financial Risk: *May* exist regarding maintenance of the relevant assets should a not for profit community organisation dissolve, Council as Trustee/owner of the land, may assume responsibility for the asset.

Overall, the risks associated with renewal are considered low and manageable.

CORPORATE PLAN REFERENCE

Vibrant Culture & Healthy Community

Create vibrant community spaces to encourage community activation

13.7 - TENURE RENEWAL - OGMORE COMMUNITY AND RECREATION COMMITTEE INC.

Attachment One - Internal Consultation

Meeting Date: 26 October 2026

Attachment No: 1

ATTACHMENT ONE – COUNCIL ORDINARY MEETING 26 OCTOBER 2026
OGMORE COMMUNITY AND RECREATION COMMITTEE INCORPORATED TENURE RENEWAL –
INTERNAL CONSULTATION

Ogmore Community and Recreation Committee Incorporated

Tenure renewal application over lease A (LEA/406) on SP286145 in Lot 8 on CP07508,
located at 87 Dempsey Street, Ogmore

Ogmore Bicentennial Park



Consultation Details

Internal consultation was initiated on **15 July 2026** with the following Council departments:

- Property
- Facilities
- Development Assessment / Development Administration
- Public Environment
- Natural Resource Management (NRM)
- Rates (General)
- Community Development

The consultation related to the tenure renewal application received from the Ogmore Community and Recreation Committee Incorporated for a 10-year trustee lease over part of 87 Dempsey Street, Ogmore.

Summary of Feedback

Property

Lot 8 on O7508, described as 87 Dempsey Street, Ogmore, is a Reserve for Recreation for which Council is Trustee.

**ATTACHMENT ONE – COUNCIL ORDINARY MEETING 26 OCTOBER 2026
OGMORE COMMUNITY AND RECREATION COMMITTEE INCORPORATED TENURE RENEWAL –
INTERNAL CONSULTATION**

Please note that Preston Law is currently developing a new lease template for Property for this type of tenure arrangement. If Council resolves to enter into a new Trustee Lease, it will be prepared using the new template.

I have also completed a Native Title assessment for Lot 8 on O7508. The lot is subject to the Darumbal People, Livingstone Shire and Rockhampton Regional Council Local Government ILUA. Following completion of the assessment, it was determined that the proposed dealing can proceed under Modules AB-AD of the Native Title Work Procedure.

Natural Resource Management

NRM have no objections to renewal of community tenure for this site.

Building and Plumbing

Building and Plumbing have no objection to the renewal.

Rates

Rates levied to Lsc as Tte for 20mm water connection and Emergency Levy, 26-27 annual levies are \$629.00

Compliance

No comment from community compliance perspective

13.8 REGIONAL ARTS DEVELOPMENT FUND ROUND ONE 2026/2027

File No: fA4760

Attachments: Nil

Responsible Officer: Molly Saunders - Manager Community and Cultural Services
Katrina Paterson - General Manager Communities and Environment
Tom Upton - Chief Executive Officer

Author: Carlyn Hepburn - Community Development and Engagement Officer
Edwina Roberts - Engagement & Events Officer

SUMMARY

This report details the Regional Arts Development Fund Grant Assessment Panel's recommended recipients for funding from Round One of the Arts Development Fund Grants Scheme.

OFFICER'S RECOMMENDATION

THAT Council endorse the following grant applications in accordance with the recommendation of the Livingstone Shire Regional Arts Development Fund Grants Assessment Panel:

Name	Purpose of Grant	Amount
Linda Weedon	Individual Professional Development – Artist in residence at Dingo Discovery Sanctuary and Research Centre	\$1,500
James Manning	2027 Capricorn Coast Writers Festival – Stories By The Sea	\$6,948
Jordy Sosnowski	Wear Your Story – Art Workshops for children with art works created by children being printed on t-shirts	\$4,200
Harrison Spencer	Stories of Livingstone – Community Creator Pilot – 4 digital artworks being presented through a community screening	\$7,138
TOTAL		\$19,786

BACKGROUND

The Regional Arts Development Fund is a partnership between state and local governments which invests in quality arts and cultural experiences across Queensland based on locally determined priorities.

The Regional Arts Development Fund promotes the significance and value of arts, culture, and heritage as the key to:

1. Supporting diversity and inclusivity.
2. Growing stronger regions; and
3. Providing training, education, and employment opportunities for Queensland artists and local communities.

Nine applications were received for Round Two 2025/2026 of the Regional Arts Development Fund Grants scheme. Applications were open from 2-27 March 2026.

PREVIOUS DECISIONS

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

ENGAGEMENT AND CONSULTATION

Members of the Regional Arts Development Fund Grants Scheme Assessment Panel promote, engage, and consult with the community to encourage and support applications.

The Assessment Panel is made up of two councillors and two community members (community members are selected via an expression of interest process every two years).

BUDGET IMPLICATIONS

Annually, Livingstone Shire Council applies to Arts Queensland for Regional Arts Development Funding which requires a co-contribution. The application requires Council to specify how it will meet Regional Arts Development Funding guidelines. In 2025/26 Council received \$36,225.00 from Arts Queensland and contributed \$30,000.00 for a total budget of \$66,225.00.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

There are no identified legal or legislative implications associated with this matter.

RISK ASSESSMENT

The principal risk associated with the administration of Regional Arts Development Funding is the misappropriation of funds. Strict acquittal processes are established to ensure grant funding is spent in accordance with its designated purpose.

CORPORATE PLAN REFERENCE

Vibrant Culture & Healthy Community

Create vibrant community spaces to encourage community activation

13.9 2027 AUSTRALIA DAY AWARDS ADVISORY COMMITTEE TERMS OF REFERENCE

File No: fA2464
Attachments: 1. Terms of Reference - Australia Day Awards Advisory Committee 2027 [↓](#)
Responsible Officer: Tom Upton - Chief Executive Officer
Author: Lynda Bayliss - Executive Support Officer

SUMMARY

This report presents the proposed Terms of Reference, nominations for Chair and membership of the Livingstone Australia Day Awards Advisory Committee 2027, and continuing the incorporation of the Australia Day Awards and Citizenship Ceremony back into the Great Australia Day Beach Party

OFFICER'S RECOMMENDATION

THAT the Committee recommends Council:

1. Adopts the Terms of Reference for the Livingstone Australia Day Awards Advisory Committee 2027;
2. Adopt the recommended model for the delivery of the Livingstone Australia Day Awards 2027;
 - i. Promote the Australia Day Awards nomination process to the community encouraging nominations.
 - ii. All nominees are invited to the awards ceremony at the Great Australia Day Beach Party.
 - iii. The Mayor nominates a person for the Mayoral Award.
3. Adopt the following eligibility requirements:
 - i. Nominations must be submitted via Smarty Grants and all information required must be completed.
 - ii. Nominations must be received by midnight Friday 11 December 2026. Late entries will not be accepted.
 - iii. Individual nominees must be a resident of Livingstone Shire at the time of the nomination.
 - iv. Group nominees must contain at least 50% members who reside in Livingstone Shire.
 - v. Nominations will not be accepted if the individual or group has won an award the previous year.
 - vi. All nominations must be received via the official nomination process.
 - vii. All nominations must meet the age requirement as specified in the individual award category.
 - viii. Nominee consent is required before applications can progress to assessment by the panel (nominees may choose to withdraw from consideration).
 - ix. Nominees can be nominated for more than one category.
 - x. Council will verify all information provided in the nomination with the nominee.

- xii. Council reserves the right to nominate a worthy community member for any category that does not receive any nomination from the public nomination process.
 - xiii. Livingstone Shire Council employees and their families are eligible to apply for the awards.
 - xiii. The decision of the Australia Day Awards Committee is final and no correspondence will be entered into in regards to that decision.
- 4. Appoints Cr Lance Warcon as the chair of the Livingstone Australia Day Awards 2027 Advisory Committee; and
 - 5. Appoints Cr Andrea Friend as a member of the Livingstone Australia Day Awards 2027 Advisory Committee.

BACKGROUND

Australia Day Awards are a well-known community event which acknowledges the achievements and positive contributions that citizens and community groups make to the community at large.

The Australia Day Awards event in January 2026 garnered nineteen nominations across twelve different award categories.

PREVIOUS DECISIONS

At the Ordinary Council Meeting on 27 October 2025, Council resolved to:

- 1. Adopt the Terms of Reference for the Livingstone Australia Day Awards Advisory Committee 2026; and
- 2. Incorporate the Australia Day Awards and the January Citizenship Ceremony back into the Great Australia Day Beach Party.

ENGAGEMENT AND CONSULTATION

Recommendations provided are based on feedback received from previous members of the Livingstone Shire Australia Day Awards Advisory Committee, internal stakeholders, past nominees and past nomination numbers.

BUDGET IMPLICATIONS

Actions arising from this report can be accommodated within the existing budget capacity. In 2026, the Australia Day Awards and Citizenship Ceremony were incorporated back into the Great Australia Day Beach Party Council.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

There are no identified legislative context or legal implications in considering this matter.

RISK ASSESSMENT

The Terms of Reference outlines expectations and scope of the group which members commit to following. This assists in ensuring that nominees and/or award recipients are considered fairly and equitably.

CORPORATE PLAN REFERENCE

Vibrant Culture & Healthy Community

Provide diverse and inclusive cultural, sporting and recreation opportunities to encourage community participation and that contribute to wellbeing.

13.9 - 2027 AUSTRALIA DAY AWARDS ADVISORY COMMITTEE TERMS OF REFERENCE

Terms of Reference - Australia Day Awards Advisory Committee 2027

Meeting Date: 26 October 2026

Attachment No: 1

Australia Day Awards Committee Terms of Reference

1. PURPOSE

The Australia Day Awards Advisory Committee is a formal committee of Livingstone Shire Council that provides community advice and input into Council's Australia Day Awards program.

2. SCOPE AND LIMITATIONS

The principal functions of the Australia Day Awards Advisory Committee are to:

- ensure that award categories are appropriate to Livingstone Shire and aligned to the Australia Day National Awards;
- advocate, promote and advise regarding the Australia Day Awards programme in a positive and participatory manner and to the highest standard;
- ensure the criteria are applicable to the categories, clear to answer and decisive;
- ensure the awards are held in high regard by the community and seen as prestigious;
- provide an awards ceremony which best suits the occasion in conjunction with the Citizenship Ceremony; and
- to remain impartial, transparent, fair and independently judge the nominations received.
- The Australia Day Awards Advisory Committee has no delegated decision-making authority and invitation to participate comes from Council.

3. RESPONSIBILITIES

The following is a list of requirements for the Australia Day Awards Advisory Committee members:

- attend all meetings;
- assist with the planning of award categories and criteria;
- encourage nominations from the community;
- promote the awards in a positive way at all times; and
- act as an official judge for nominations (winners are determined by highest score).

4. MEMBERSHIP

The Australia Day Awards Advisory Committee will comprise of a minimum of (4) and maximum of eight (8) representatives, including:

- Two (2) Councillors;
- Executive Officer (i.e. Executive Support & Civic Events Officer); and
- the Citizen of the Year winner from the previous year (or another other award winner from the previous year)

The Chairperson of the Australia Day Awards Committee will be appointed by a resolution of Council.

All winners from the previous year will be invited to be part of the Australia Day Awards Advisory Committee.

5. ROLE OF THE CHAIR

The Chairperson shall assume overall responsibility for governance and order at all meetings. The Chairperson, in consultation with the Executive Officer, is responsible for approving items for inclusion within the meeting agenda.

Australia Day Awards Committee Terms of Reference

6. AWARD CATEGORIES

The committee assesses nominations and recommends the recipient for each of the following award categories:

Citizen of the Year

This award recognises an individual who has made an outstanding contribution to the Livingstone Shire community over the past year. The recipient will have demonstrated leadership, dedication, and a commitment to making a positive difference within the local area. Contributions being completed on a voluntary basis or exceeding the normal requirements of the person's paid work.

Young Citizen of the Year

This award honours a young person (aged 18 years or under on 26 January 2027) who has shown exceptional achievement, leadership, or service to the Livingstone Shire community. The nominee should be a role model for other young people and have made a significant impact through their actions or initiatives. Contributions being completed on a voluntary basis or exceeding the normal requirements of the person's paid work.

Senior Sports/Recreation Award

This award celebrates individuals, teams, or organisations that have made notable contributions to sporting or recreational activities in the Livingstone Shire. Recipients will have demonstrated excellence, sportsmanship, or dedication to promoting and enhancing participation in their chosen field.

Junior Sports/Recreation Award

This award celebrates individuals, teams, or organisations that have made notable contributions to sporting or recreational activities in the Livingstone Shire. Recipients will have demonstrated excellence, sportsmanship, or dedication to promoting and enhancing participation in their chosen field.

Arts & Culture Award

This award recognises outstanding achievement or contribution in the arts or cultural sector within Livingstone Shire. It may be awarded to those who have enriched the community through creative endeavours, cultural events, or the preservation and promotion of local heritage.

Environmental Achievement Award

This award recognises significant contributions to environmental initiatives and projects across the Livingstone Shire.

Business/Innovation/Corporate Social Responsibility

This award is presented to a business, individual, or organisation that has shown significant innovation, leadership, or commitment to corporate social responsibility. The recipient will have positively impacted the local economy, introduced innovative practices, or contributed to the wellbeing of the community through ethical and sustainable initiatives.

Community

This award honours an individual, group, or organisation that has made a substantial and positive difference to the Livingstone Shire community. Nominees will have demonstrated commitment, compassion, and initiative in supporting community welfare, fostering inclusion, or leading meaningful projects that benefit others.

Australia Day Awards Committee
Terms of Reference

7. QUORUM

A quorum of the Australia Day Awards Advisory Committee is one half of the committee.

8. FREQUENCY

The Australia Day Awards Advisory Committee will meet a minimum of one (1) time between the close of awards nominations and Australia Day. A schedule of meetings will be forwarded to members prior to the first meeting, detailing dates and times for these meetings.

9. EXECUTIVE SUPPORT

The Executive Officer for this Australia Day Awards Committee will be from Council's Executive Support team.

10. AGENDA DISTRIBUTION TIME

The agenda for this Australia Day Awards Advisory Committee will be distributed at least forty-eight (48) hours prior to the meeting.

13.10 ROAD CLOSURE APPLICATIONS - ADJACENT TO 22&28 MULGOODOO ROAD AND 819 EMU PARK ROAD NANKIN (LOT 1 SP197896, LOT 2 SP101810 AND LOT 4 SP177789)

File No: qA89091 and qA89093

Attachments:

1. Plan [↓](#)
2. Road Closure Application – Lot 1 SP197896 and Lot 2 SP101810 [↓](#)
3. Road Closure Application – Lot 4 SP177789 [↓](#)

Responsible Officer: Dev Krishnasamy - Acting Manager Engineering Services
Michael Kriedemann - General Manager Infrastructure
Tom Upton - Chief Executive Officer

Author: Carrie Burnett - Policy & Planning Officer

SUMMARY

This report pertains to an application to permanently close an area of road reserve adjacent to 22 & 28 Mulgoodoo Road and 819 Emu Park Road Nankin (Lot 1 SP197896, Lot 2 SP101810 and Lot 4 SP177789).

OFFICER'S RECOMMENDATION

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 objects to the proposed permanent road closure of the unnamed road adjacent to 28 Mulgoodoo Road Nankin (Lot 4 SP177789), 819 Emu Park Road Nankin (Lot 2 SP101810) and 22 Mulgoodoo Road Nankin (Lot 1 SP197896) because:
 - the road reserve is mapped as Biodiversity Overlay' and is located 'partly within the Landslide Hazard Overlay';
 - the State Vegetation mapping indicates there is remnant vegetation and habitat for protected plants, in particular the locally endemic Marlborough Blue Cycad (*Cycas ophiolitica*) and Serpentine Zamia (*Macrozamia serpentina*);
 - the area is mapped with Biodiversity Habitat and Vegetation;
 - the site is mapped with category B vegetation which is remnant vegetation and cattle grazing within this is not generally permitted; and
 - a covenant for vegetation protects the rear portion of these lots.
2. That the applicants be advised of Council's decision and provided with the completed Part C.

BACKGROUND

In August 2026 Council received a request from the owners of 22 & 28 Mulgoodoo Road and 819 Emu Park Road Nankin (Lot 1 SP197896, Lot 2 SP101810 and Lot 4 SP177789) to consider a proposal to permanently close an area of road reserve adjacent to their properties as shown on Attachment 1. Referring to their application forms at Attachments 2&3, the owners of 22 Mulgoodoo Road and 819 Emu Park Road indicate the '*road has never been used*' and they wish to '*use for grazing*' and '*management of weeds and fire control*'. The owners of 28 Mulgoodoo Road have not provided details of their proposed use if their application is successful.

Council is custodian of roads (excluding main roads) however they are owned by the State, represented by the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (*'the Department'*), therefore Council is unable to approve their permanent closure and sale to landowners. Under the *Land Act 1994* a property owner may apply to have an area of road permanently closed. *The Department* Guideline - Roads under the *Land Act 1994* states:

'When a road is closed permanently the land becomes USL. Depending on the size and location of the parcel of land it could be disposed of as a stand-alone parcel of land or may be included in adjoining land.'

According to their website, *the Department* will assess a road closure application against legislative requirements, seek views of other stakeholders and inspect the land if required. To assess local community opinion about a proposed closure, *the Department* will also require the applicant to undertake public notifications such as advertising and erection of signage on the land. If an application is successful, a written offer setting out various conditions will be sent to the applicant.

In accordance with Council's resolution of 20 June 2019, all applications for permanent road closure made under the *Land Act 1994* (where Council is to provide advice as the road manager), are presented to Council for resolution. After a resolution is made, a 'Statement in relation to an application under the *Land Act 1994* over State land (Part C)' is completed by Council as road manager.

If the applicant lodged the road closure application forms:

- a. direct to Council
 - the completed Part C will be returned to the applicant to submit with the application forms to *the Department*.
- b. electronically on *the Department's* website (refer to note)
 - the completed Part C will be uploaded to *the Department's* website and a copy emailed to the applicant.

Note - *the Department* forwards the electronic applications to Council for assessment.

The purpose of this report is to establish Council's stance with regards to the permanent road closure proposal so that the Part C can be completed.

Advice obtained from Council stakeholders is included below:

Planning and Infrastructure Officer - Communities

Lot 1 SP197896 and Lot 2 SP101810

'This is not supported by the duty planner given the area is mapped with Biodiversity Habitat and Vegetation. The site is also mapped with category B vegetation which is remnant vegetation and cattle grazing within this is not generally permitted. Further to rear portion of this lot is protected by a covenant for vegetation.'

Lot 4 SP177789

'This is not supported by the duty planner given the area is mapped with Biodiversity Habitat and Vegetation. The site is also mapped with category B vegetation which is remnant vegetation and cattle grazing within this is not generally permitted. Further to rear portion of this lot is protected by a covenant for vegetation and no buildings or structures can be constructed within.'

Acting Coordinator Community Development & Events

'No objections from CD&E'

Acting Coordinator Development Engineering - Communities

'No comments. Existing access from existing Leaholme Road to 126NPW651 is maintained.'

Coordinator Disaster Management & Community Resilience

No comments provided

Coordinator Natural Resource Management

'NRM does not support the road closure application as it will impact the mapped environmental values of the road reserve parcel. The road reserve is mapped as Biodiversity Overlay and partly within the Landslide Hazard Overlay. State Vegetation mapping indicates it is remnant vegetation and habitat for protected plants, in particular the locally endemic Marlborough Blue Cycad (Cycas ophiolitica) and Serpentine Zamia (Macrozamia serpentina).'

Principal Transport Engineer

No comments provided

Principal Property Officer

Lot 1 SP197896 and Lot 2 SP101810

'Property offers no objection to the road closure application, provided the closure does not adversely affect access to neighbouring properties or result in any surrounding land being landlocked.'

Lot 4 SP177789

'From a Property perspective, this matter falls outside the expertise of the Property team. The road closure does not adjoin or impact Council-owned or controlled land. Accordingly, Property has no further comment to provide regarding this application.'

Coordinator Water and Sewerage Operations

'The water and sewer department has no assets in this area. We have no objections to the road closure.'

Coordinator Corridor Management

'There is no council infrastructure and access to neighbouring properties is maintained, no objection from C&M.'

Principal Economic Development Officer

Lot 1 SP197896 and Lot 2 SP101810

'Agree with Property comments.'

Lot 4 SP177789

'No comments from an Economic Development perspective.'

The Coordinator Natural Resource Management does not support the proposed road closure applications because they impact mapped environmental values. The Coordinator additionally identifies the *'road reserve is mapped as Biodiversity Overlay'* and is located *'partly within the Landslide Hazard Overlay'*. She further states that *'State Vegetation mapping indicates it is remnant vegetation and habitat for protected plants, in particular the locally endemic Marlborough Blue Cycad (Cycas ophiolitica) and Serpentine Zamia (Macrozamia serpentina).'*

In addition, the proposal is not supported by the Planning & Infrastructure Officer who identifies *'the area is mapped with Biodiversity Habitat and Vegetation'* and that the *'site is also mapped with category B vegetation which is remnant vegetation and cattle grazing within this is not generally permitted.'* Further *'a covenant for vegetation'* protects the rear portion of these lots.

Given the important environmental values detailed by the Coordinator Natural Resource Management and the Planning & Infrastructure Officer, Council should object to the road closure applications.

PREVIOUS DECISIONS

At its 20 June 2019 and 18 February 2020 meeting, Council resolved that all future applications to close roads under the *Land Act 1994*, where Council is to provide advice as the road manager, are to be presented to Council for consideration. Council clarified the intent of these earlier resolutions at its 15 August 2023 Meeting.

ENGAGEMENT AND CONSULTATION

To assess local community opinion about a proposed road closure, *the Department* will require the applicants to undertake public notification (advertisement in a local or digital newspaper and signage erected on the land). In addition, a listing of current road closure applications is provided by local government area on *the Department's* website.

BUDGET IMPLICATIONS

There are no foreseeable budget implications associated with this matter.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

Section 93 of the *Land Act 1994* provides for the meaning of road as follows:

- '(1) *A road means an area of land, whether surveyed or unsurveyed-*
 - (a) dedicated, notified or declared to be a road for public use; or*
 - (b) taken under an Act, for the purpose of a road for public use.*
- (2) *The term includes-*
 - (a) a street, esplanade, reserve for esplanade, highway, pathway, thoroughfare, track or stock route; and*
 - (b) a bridge, causeway, culvert or other works in, on, over or under a road; and*
 - (c) any part of a road.'*

Pursuant to s 99 of the *Land Act 1994* an owner of land that adjoins road may apply for the permanent closure of the road. Notice must be given to Council under s 68 of the *Local Government Act 2009* which also states that the Land Act Minister must have regard to any objections made by Council.

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 adverse human rights implications associated with this report.

RISK ASSESSMENT

If Council does not object to these permanent road closure applications it could result in activities such as grazing and other detrimental activities being undertaken in environmentally sensitive areas.

CORPORATE PLAN REFERENCE

Transparent, Accountable & Progressive Leadership

Advocate and collaborate with state and federal governments in the best interest of the community

**13.10 - ROAD CLOSURE
APPLICATIONS - ADJACENT TO 22&28
MULGOODOO ROAD AND 819 EMU
PARK ROAD NANKIN (LOT 1
SP197896, LOT 2 SP101810 AND LOT 4
SP177789)**

Plan

Meeting Date: 26 October 2026

Attachment No: 1

Locality Plan



Proposed permanent road closure - Approx 1900m²

Part of unnamed road adjoining Lot 4 on SP177789

23°22'45"S 150°36'53"E

23°22'45"S 150°37'25"E



23°23'14"S 150°36'53"E

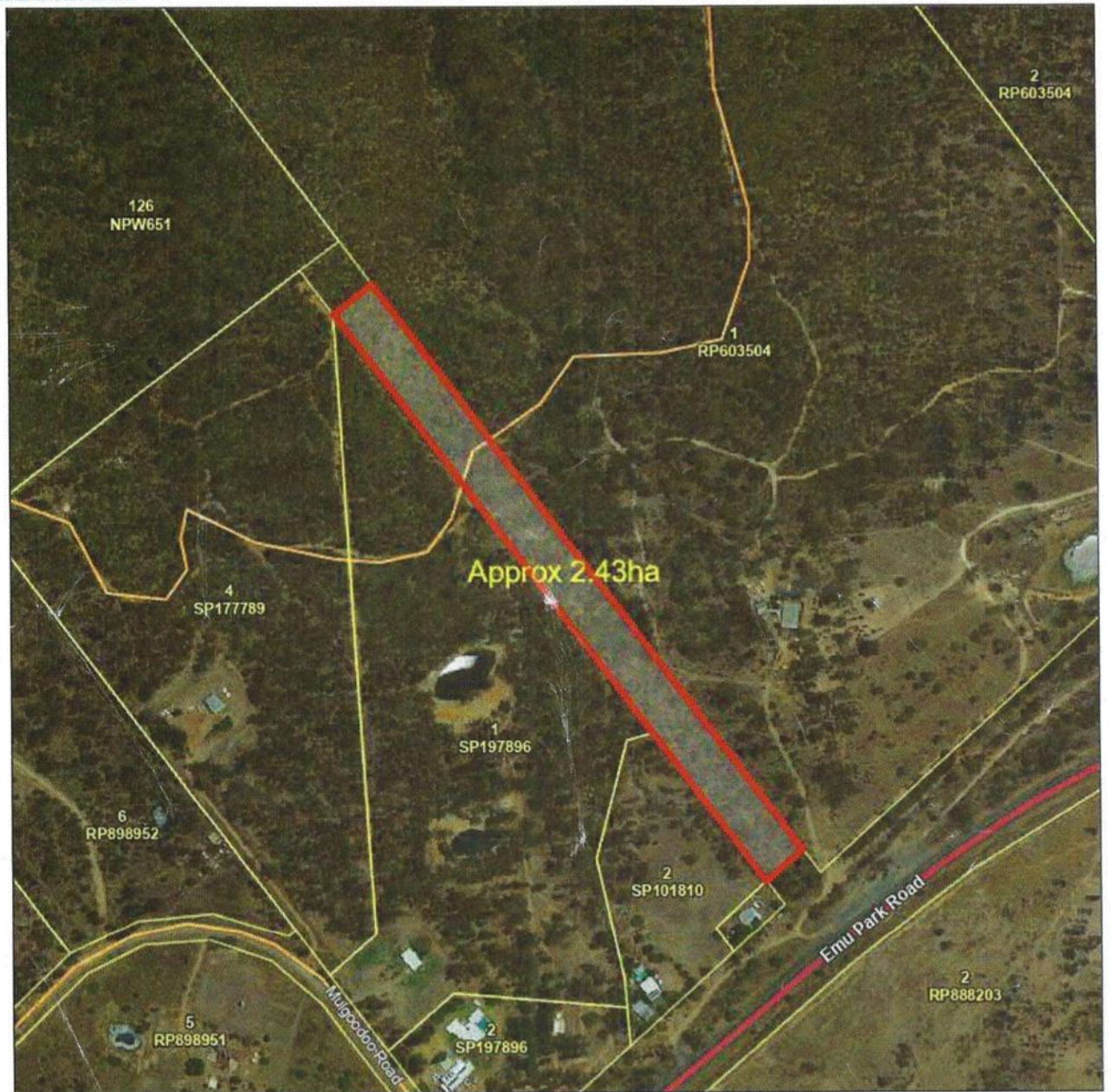
23°23'14"S 150°37'25"E

Proposed permanent road closure - approx 2.43ha

Unnamed road adjoining Lot 1 on SP197896 and Lot 2 on SP101810

23°22'45"S 150°36'53"E

23°22'45"S 150°37'25"E



23°23'14"S 150°36'53"E

23°23'14"S 150°37'25"E

**13.10 - ROAD CLOSURE
APPLICATIONS - ADJACENT TO 22&28
MULGOODOO ROAD AND 819 EMU
PARK ROAD NANKIN (LOT 1
SP197896, LOT 2 SP101810 AND LOT 4
SP177789)**

**Road Closure Application – Lot 1
SP197896 and Lot 2 SP101810**

Meeting Date: 26 October 2026

Attachment No: 2



Queensland
Government

Department of Natural Resources and Mines,
Manufacturing and Regional and Rural
Development

You can now apply for all *Land Act 1994* applications [online](#).

Part A – Form LA00

Contact and Land Details

Land Act 1994

Requirements

1. **Part A:** Contact and land details is required when the applicant is wanting to submit a **Part B form** (application specific form). Part A – [Contact and land details](#) – you can apply online or via Part A – [Contact and land details \(PDF\)](#).
2. Payment of the prescribed [Application fee](#) for relevant Part B forms is per title reference. A refund of application fees will not be given. Details of fees are available on the [Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development website](#) at < <https://www.qld.gov.au/environment/land/state/application/forms/state-land-application-forms-and-fees> > or by contacting your nearest [business centre](#) or call 13 QGOV 13 74 68.
3. The appropriate application form Part B must be signed by the applicant or a legal practitioner on behalf of the applicant.
4. For your application to be processed, all parts of this application form must be completed and accurately, otherwise your application may be returned to you to complete or refused.

Important information

5. For detailed information and to ensure you complete the correct application form, we encourage you to arrange a pre-lodgement meeting and refer to the [Land Act 1994](#). Contact your nearest [business centre](#) to arrange a meeting..
6. All applications will be processed having regard to the requirements of the [Land Act 1994](#) <<https://www.legislation.qld.gov.au/>> and related legislation, approved policies and procedures and the requirements of all other agencies with an interest in the land.
7. You can lodge your state land application online by completing the Part A online guide, or through the Part A – Contact and land details PDF and relevant Part B application form PDF. If you complete the PDF forms, you can submit the application via:
8. **Email:** SLAMlodgement@nrmmrrd.qld.gov.au

9. **Post:**

Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development
PO Box 5318
Townsville QLD 4810

Information and Data collection

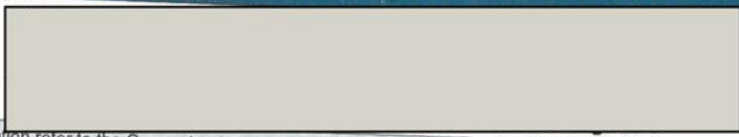
10. In terms of the [Right to Information Act 2009](#), interested parties may seek access to the department's records and view relevant documents.
11. Information on this form, and any attachments, is being collected to process and assess your application under the [Land Act 1994](#). If required, we may need to consult with third parties such as relevant local or state agencies and adjoining property owners. Details provided to third parties will generally be limited to type of application, area applied for and intended use. Your personal information will not otherwise be disclosed unless authorised or required by law.
12. Please note that we may wish to contact you to seek your views on our service, to advise you of any legislative changes that might affect you or to seek your participation in surveys or programs relevant to your application type. Any participation will be voluntary and you may email stateland@nrmmrrd.qld.gov.au if you do not wish for the department to contact you.

13. The department may also compile or analyse statistics and conduct research. Any publication of findings will not involve the publication of identifying personal information.
14. For further privacy information click [Privacy](#) or go to <<https://www.nrmrdd.qld.gov.au/legal/privacy>>.

Contact Details		
Lodger Details and Mailing Address		
A lodger is only required when a legal practitioner, or consultant lodges the application on behalf of the applicant.		
Full Names		
Title	First Name	Surname
<div>[Redacted]</div>		
<div>[Redacted]</div>	<div>[Redacted]</div>	<div>[Redacted]</div>
<div>[Redacted]</div>	<div>[Redacted]</div>	<div>[Redacted]</div>
Company Name(s)		
<div>[Redacted]</div>		
If a corporation then record:-		
☐ ACN	☐ ARBN	☐ ABN <div>[Redacted]</div>
Contact Details		
Postal Address:		
<div>[Redacted]</div>		
Phone Number:		
<div>[Redacted]</div>	Mobile Number:	
<div>[Redacted]</div>	<div>[Redacted]</div>	
Email:		
<div>[Redacted]</div>		

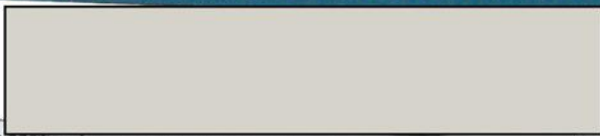
Applicant(s) Details and Mailing Address		
<p>If the Applicant is a Corporation, either the Australian Company number, Australian Registered Body number or the Australian Business number must be shown.</p>		
Full Names		
Title	First Name	Surname
<div style="background-color: #cccccc; height: 20px;"></div>	<div style="background-color: #cccccc; height: 20px;"></div>	<div style="background-color: #cccccc; height: 20px;"></div>
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Company Name(s)		
<p>If a corporation then record:-</p> <div style="display: flex; align-items: center;"> ☐ ACN ☐ ARBN ☐ ABN <div style="border: 1px solid black; width: 150px; height: 20px; margin-left: 10px;"></div> </div>		
<p>Note: If the applicant is a Corporation, a requirement of the application is providing evidence (as at the date of application), that the Corporation is registered with the Australian Securities and Investments Commission (ASIC) at https://asic.gov.au/online-services/search-asic-s-registers/ (company summary printout) and if applicable, also registered with the Australian Business Register (ABR) at https://www.abr.business.gov.au (ABN lookup record extract).</p>		
Contact Details		
<p>Postal Address:</p> <div style="background-color: #cccccc; height: 30px; width: 100%;"></div>		
<div style="display: flex; justify-content: space-between;"> <div> <p>Phone Number:</p> <div style="background-color: #cccccc; height: 20px; width: 100%;"></div> </div> <div> <p>Mobile Number:</p> <div style="background-color: #cccccc; height: 20px; width: 100%;"></div> </div> </div>		
<p>Email:</p> <div style="background-color: #cccccc; height: 20px; width: 100%;"></div>		
<p>Future correspondence should be sent to:</p> <div style="display: flex; justify-content: center; gap: 20px;"> ☐ Lodger ☒ Applicant </div>		

1. Are the applicant/s a foreign acquirer as defined by the Additional Foreign Acquirer Duty (AFAD)?



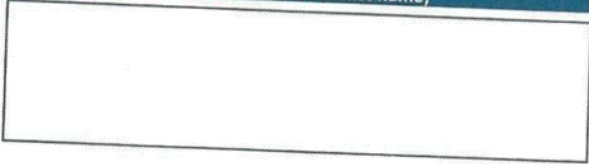
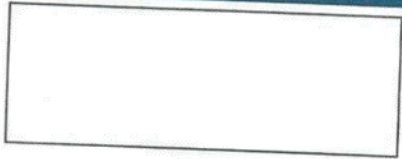
Note: For further information refer to the Queensland Government website to determine if the applicant/s are a foreign person (acquirer) for AFAD at <https://qro.qld.gov.au/duties/investors/afad/>.

2. Is the application related to the purchase of land, for example a permanent road closure, or conversion of a lease where the land is or will be used solely or primarily for residential purposes as defined for the Additional Foreign Acquirer Duty (AFAD) under the Duties Act 2001? This includes current and future use of the land.



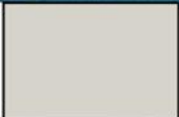
Note: Under the Duties Act 2001 an additional amount of duty applies where the land is residential land and the applicant is a foreign person (acquirer) for AFAD at <https://qro.qld.gov.au/duties/investors/afad/>.

3. Enter full name/s of the foreign acquirer/s
(If there is insufficient space, please lodge as an attachment)

Full Names (If a Company, also provide a contact name)	Share Held
	

go to 4

4. Are the Applicant/s registered for GST and acquiring the land for a creditable purpose?



go to 5

Note: Under the Tax Administrator Act (Cth) 1953 certain purchasers of new residential premises or potential residential land are required to withhold the Goods and Services Tax (GST) amount from the price of the supply (purchase price) for payment directly to the Australian Taxation Office (ATO) as outlined on the ATO's website. The department is unable to provide further advice on the ATO's requirements. For further information contact the ATO on 13 28 65 or visit the ATO website <<https://www.ato.gov.au/business/gst/in-detail/your-industry/property/gst-property-settlement-online-forms-and-instructions/>> or seek advice from a financial or legal expert.

Details of land for which the application is being lodged

5. Select the type of land for which the application is being lodged:

- ☐ Permit
☐ Licence
☐ Lease
☐ Unallocated State Land (USL)
☒ Road
☐ Trust Land Reserve/ Deed of Grant in Trust (DOGIT)
☐ Dealing Number (refer to current title information item 6)
☐ Other

go to 6

6. Enter the description of the land for which the application is being lodged. If this application concerns a road, enter the description of the land adjoining the road.

Schedule 1

You must enter either the Lot on Plan or Title Reference of the land for which the application is being lodged

Lot	Plan	Title Reference
L1	SP197896	

go to 7

The details of the land can be found on a current title. To check this you can purchase a title search by calling (07) 3497 3479, visiting the Titles Queensland website <https://www.titlesqld.com.au/> (and select 'Searches') Lot on Plan details are located on your rates notice or downloading the Queensland Globe <https://www.business.qld.gov.au/business/support-tools-grants/services/mapping-data-imagery/> to help access current Lot on Plan details. If insufficient space, please add additional description as an attachment.

7. Enter additional details of the land

Dealing number: (if relevant)

Tenure Type: Tenure Number:

Local Government:

Other details of land location (optional)

go to 8

8. Provide details of any timeframe limitations you have (e.g. a settlement date). go to 9

9. If this application relates to a project, provide an overview and how your application relates to the project. go to 10

10. Have you participated in a pre-lodgement meeting with the department (strongly encouraged)? go to 11

☐ Yes

☐ No

Please provide name of officer you spoke with and this department's associated reference.

Department Contact Officer

Pre-lodgement ID (eLVAS CI Ref)

11. Provide details of pre-lodgement meeting.
(If there is insufficient space, please lodge as an attachment)

Note: Departmental Officers contact details and any reference number should be included if known.

THIS FORM MUST BE ACCOMPANIED BY THE RELEVANT PART B APPLICATION FORM

CLEAR FORM



Queensland
Government

Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development

You can now apply for all *Land Act 1994* applications [online](#).

Part B – Form LA18 Road Closure Application *Land Act 1994*

Requirements

1. Use this application form to apply for a road closure.
2. Please read the respective [Applying for a road closure guide](#), which includes application restrictions. The content on this page may help you decide if this application form applies to you and your needs. It will also help guide you through the application process.
3. Payment of the prescribed Application fee (per title reference). A refund of application fees will not be given. Details of fees are available on the [Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development](#) website or contact your nearest [business centre](#) or call 13 QGOV (13 74 68).
4. Part A online form: [Contact and land details](#) or Part A – [Contact and land details \(PDF\)](#) must be completed and submitted with your application.
5. **Part C – Form 30:** [Statement in relation to an application under the Land Act](#) must be completed and submitted with your application.
6. You must **attach a drawing** showing the required information which is detailed in the [guide](#) under the heading "How to apply".
7. Any additional information to support the application.
8. For your application to be processed, all parts of this application form must be completed and accurately, otherwise your application may be returned to you to complete or refused.

Important information

1. For detailed information and to ensure you complete the correct application form, we encourage you to arrange a prelodgement meeting and refer to the *Land Act 1994*. Contact your nearest [business centre](#) to arrange a meeting.
2. A road is any area of land that has been set aside by legislation for the use of the travelling public. Not all roads are currently formed or being used by vehicles or pedestrians, and some may never be used for that purpose.
3. An adjoining landholder who is the registered owner of the property that shares common boundary with the road can apply for:
 - permanent or temporary road closure
 - temporary road closure for:
 - pipes for irrigation purposes that cross the road beneath its surface
 - water channels for irrigation purposes that cross the road.
4. You can apply to close the area of road that immediately adjoins the property boundary, but not any part of the road that continues in either direction beyond the property boundary. You can't apply for an entire road closure if you only have limited frontage to the road. You're not considered an adjoining owner if the road is a 'dead end', and the property boundary only adjoins on the end and doesn't extend along the road. A public utility provider as defined under the [Land Act 1994](#) <<https://www.legislation.qld.gov.au/>> may also apply for a permanent road closure.

5. A road may be closed "in strata" to provide for works such as:
 - connecting overhead viaduct, or underground tunnel for commercial purposes between two buildings.
 - structure which will overhang a road.
 - car park or building under or over a road.
 6. You may be required to pay a purchase price for the permanent closure of a road. If a temporary road closure is approved, a road licence can issue which is subject to payment of annual rental.
 7. When a road is closed permanently, its status changes from 'road' to 'unallocated state land'. Depending on how the land is to be allocated, the area of road to be permanently closed may be:
 - incorporated into the applicant's adjoining freehold or leasehold land.
 - included in an existing reserve or set apart as a new reserve.
 - dealt with by the issue of a term lease.
 8. A road may be permanently closed under the Land Act 1994 if the Minister is satisfied the road is not:
 - the only dedicated access to a person's land;
 - used regularly by the public as a road or stock route; or
 - providing continuity to a road network.

An application must be refused if the road is still needed in accordance with section 101(3) of the Land Act 1994.
 9. Although the state owns the land in a dedicated road, a local government (section 60 of the Local Government Act 2009) is responsible for the day to day management of dedicated roads in its area including their construction and maintenance. The Department of Transport and Main Roads <<https://www.tmr.qld.gov.au/>> is responsible for management of state controlled roads such as a freeway, highway or 'major road connecting cities' under the Transport Infrastructure Act 1994.
 10. If the local government can authorise the proposed use on a local road under a specific local law for administering the use of local roads, an application for road closure is not required by this department. Contact the relevant local government for authorisation of the proposed use.
 11. If the State government department administering state-controlled roads can authorise the proposed use on a state controlled road under the Transport Infrastructure Act 1994, an application for road closure is not required by this department. Contact Department of Transport and Main Roads for authorisation of the proposed use.
- Information and Data collection**
12. Information on this form, and any attachments, is being collected to process and assess your application under section 99 of the Land Act 1994. If required, we may need to consult with third parties such as relevant local or state agencies and adjoining property owners. Details provided to third parties will generally be limited to type of application, area applied for and intended use. Your personal information will not otherwise be disclosed unless authorised or required by law.
 13. Please note that we may wish to contact you to seek your views on our service, to advise you of any legislative changes that might affect you or to seek your participation in surveys or programs relevant to your application type. Any participation will be voluntary and you may email stateland@nrm.mrd.qld.gov.au if you do not wish for the department to contact you.
 14. The department may also compile or analyse statistics and conduct research. Any publication of findings will not involve the publication of identifying personal information.
 15. For further privacy information click Privacy or go to <<https://www.nrm.mrd.qld.gov.au/legal/privacy>>.

Office Use Only	Road Closure	 9 311662 185211
	Temporary Road Closure	 9 311662 185228

1. The application is for:	
☒ Permanent road closure	go to 2
☐ Temporary road closure	go to 2

2. If you are not the manager of the road as defined below, have you consulted with the road manager to determine if the road is still required?	
☐ Yes	go to 3
☐ No	go to 3

Before submitting your application to the department, you should discuss your proposal for closure with the road manager (responsible for the control and management of the road).

If the proposed use can be authorised by the road manager an application for road closure is not required. It will also provide you with an opportunity to address in your application any issues identified through discussion with the road manager.

The road manager is:

- For a road that is under the control of a local government—the local government;
- For a state-controlled road, the chief executive administering the [Transport Infrastructure Act 1994](#) (Department of Transport and Main Roads).

Note: A road manager has the powers to authorise various uses on roads, however they cannot permanently close the dedicated road and allocate the land for another use.

A signed '[Part C Form LA30 – Statement in relation to an application under the Land Act 1994](#) over State land' from the road manager must accompany this application.

3. Are you a public utility provider or the registered owner, lessee or trustee of the land adjoining the area of road subject to this road closure application?	
☒ Yes	go to 4
☐ No	Application cannot be considered unless temporary closure is for the two types of structural improvements listed in Question 4

Section 99(1) of the [Land Act 1994](#) states that only a public utility provider or the registered owner, lessee or trustee of the land adjoining a road may apply for a permanent closure of the road.

4. Is the temporary closure to make structural improvements for:	
☐ Pipes for irrigation purposes that cross the road beneath its surface	go to 5
☐ Water channels for irrigation purposes that cross the road	go to 5
☒ Not Applicable	go to 5

Section 99(3) of the [Land Act 1994](#) limits who can apply for temporary closure of a road to only the registered owner, lessee or trustee of the land adjoining a road or another person for:

- Pipes for irrigation purposes that cross the road beneath its surface; or
- Water channels for irrigation purposes that cross the road.

5. Provide details in Schedule 1 below, of any land you lease from the State or are the registered owner that adjoins or is in the vicinity of the land applied for:

Schedule 1
You must enter either the Lot on Plan or Title Reference of the land for which the application is being lodged
(If insufficient space, please add additional description as an attachment)

Lot	Plan	Title Reference
41	SP197896	

go to 6

The description of the land can be found on a current title search or on your rates notice. To check this you can purchase a title search by calling (07) 3497 3479, visiting the Titles Queensland website <https://www.titlesqld.com.au/> (and select 'Searches').

6. Have you made a previous application for closure of this area of road?

☐ Yes go to 7

☒ No go to 10

7. Was this application refused?

☐ Yes go to 8

☐ No go to 10

8. Have there been any change in circumstances from the previous application, which may lead to this application being accepted for further consideration?

☐ Yes go to 9

☐ No go to 10

If no, the application maybe rejected without further consideration.

9. Provide details of the change in circumstances from the previous application.
(If there is insufficient space, please lodge as an attachment)

go to 10

10. Is any use currently being made of the road area?

☐ Yes

☒ No

go to 11

go to 12

11. Provide details of the current use of road e.g. grazing, encroachment of building or structure.
(If there is insufficient space, please lodge as an attachment)

go to 12

12. Provide details of the proposed use of the road area and any additional information to support the application. go to 13
(If there is insufficient space, please lodge as an attachment)

ROAD HAS NEVER BEEN USED
TO USE FOR GRAZING
MANAGEMENT OF WEEDS + FIRE CONTROL.

13. If you have lodged an application to dedicate state land as road, please provide the case reference number or the lot on
plan description of the land in which you have applied to open the road. go to 14

Attachments

The following will need to be lodged with your application for it to be processed. If all this information is not submitted, your application will be returned or refused.

14. Tick the box to confirm the attachments form part of the application:

- ☐ Application Fee
- ☐ Part A online form – Contact and Land details or Part A – Contact and land details PDF
- ☐ Part C – Form LA30 – Statement in relation to an application under the Land Act 1994
- ☐ A copy of a [Dial before you dig](#) enquiry detail page for the road area applied for
- ☐ A drawing showing the information listed in the 'How to Apply' in the [guide](#)
- ☐ Evidence of pre-lodgement discussions with the department, if applicable.
- ☐ Additional information in support of your application such as correspondence from the road manager or current users of the road, if applicable.

It is recommended that any attached drawings be A4 or A3 size. Your application will not be considered as having been properly made, unless all parts of this application form are completed accurately. In this instance your application may be returned to you for completion.

Declaration

I certify that I have read the information, which forms part of this application and the information I have provided is true and accurate.

Signature of applicant (or their legal practitioner)



Date: 19/08/2026

If applicant, section 142 of the [Land Act 1994](#) states a person is eligible to apply for, buy or hold land under the *Land Act 1994* if the person is an adult, that is, 18 years of age or over. If the legal practitioner of the applicant is signing as the applicant then the legal practitioner's full name must be printed immediately below the signature.

**13.10 - ROAD CLOSURE
APPLICATIONS - ADJACENT TO 22&28
MULGOODOO ROAD AND 819 EMU
PARK ROAD NANKIN (LOT 1
SP197896, LOT 2 SP101810 AND LOT 4
SP177789)**

**Road Closure Application – Lot 4
SP177789**

Meeting Date: 26 October 2026

Attachment No: 3



**Queensland
Government**

**Department of Natural Resources and Mines,
Manufacturing and Regional and Rural
Development**

You can now apply for all *Land Act 1994* applications [online](#).

Part A – Form LA00

Contact and Land Details

Land Act 1994

Requirements

1. **Part A:** Contact and land details is required when the applicant is wanting to submit a **Part B form** (application specific form) . Part A – [Contact and land details](#) – you can apply online or via Part A – [Contact and land details \(PDF\)](#).
2. Payment of the prescribed [Application fee](#) for relevant Part B forms is per title reference. A refund of application fees will not be given. Details of fees are available on the [Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development website](#) at < <https://www.qld.gov.au/environment/land/state/application/forms/state-land-application-forms-and-fees>> or by contacting your nearest [business centre](#) or call 13 QGOV 13 74 68.
3. The appropriate application form Part B must be signed by the applicant or a legal practitioner on behalf of the applicant.
4. For your application to be processed, all parts of this application form must be completed and accurately, otherwise your application may be returned to you to complete or refused.

Important information

5. For detailed information and to ensure you complete the correct application form, we encourage you to arrange a pre-lodgement meeting and refer to the [Land Act 1994](#). Contact your nearest [business centre](#) to arrange a meeting..
6. All applications will be processed having regard to the requirements of the [Land Act 1994](#) <<https://www.legislation.qld.gov.au/>> and related legislation, approved policies and procedures and the requirements of all other agencies with an interest in the land.
7. You can lodge your state land application online by completing the Part A online guide, or through the Part A – Contact and land details PDF and relevant Part B application form PDF. If you complete the PDF forms, you can submit the application via:
8. **Email:** SLAMlodgement@nrmmrd.qld.gov.au
9. **Post:**
Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development
PO Box 5318
Townsville QLD 4810
Information and Data collection
10. In terms of the [Right to Information Act 2009](#), interested parties may seek access to the department's records and view relevant documents.
11. Information on this form, and any attachments, is being collected to process and assess your application under the [Land Act 1994](#). If required, we may need to consult with third parties such as relevant local or state agencies and adjoining property owners. Details provided to third parties will generally be limited to type of application, area applied for and intended use. Your personal information will not otherwise be disclosed unless authorised or required by law.
12. Please note that we may wish to contact you to seek your views on our service, to advise you of any legislative changes that might affect you or to seek your participation in surveys or programs relevant to your application type. Any participation will be voluntary and you may email stateland@nrmmrd.qld.gov.au if you do not wish for the department to contact you.

13. The department may also compile or analyse statistics and conduct research. Any publication of findings will not involve the publication of identifying personal information.
14. For further privacy information click [Privacy](#) or go to <<https://www.nrmrld.qld.gov.au/legal/privacy>>.

Contact Details**Lodger Details and Mailing Address**

A lodger is only required when a legal practitioner, or consultant lodges the application on behalf of the applicant.

Full Names

Title	First Name	Surname

Company Name(s)

If a corporation then record:-

☐

ACN

☐

ARBN

☐

ABN

Contact Details**Postal Address:****Phone Number:****Mobile Number:****Email:**

Applicant(s) Details and Mailing Address

If the Applicant is a Corporation, either the Australian Company number, Australian Registered Body number or the Australian Business number must be shown.

Full Names**Title****First Name****Surname**

Company Name(s)

--

If a corporation then record:-

☐

ACN

☐

ARBN

☐

ABN

--

Note: if the applicant is a Corporation, a requirement of the application is providing evidence (as at the date of application), that the Corporation is registered with the Australian Securities and Investments Commission (ASIC) at <https://asic.gov.au/online-services/search-asic-s-registers/> (company summary printout) and if applicable, also registered with the Australian Business Register (ABR) at <https://www.abr.business.gov.au> (ABN lookup record extract).

Contact Details**Postal Address:**

--	--

Phone Number:**Mobile Number:**

--	--

Email:

--

Future correspondence should be sent to:

☐

Lodger

☒

Applicant

1. Are the applicant/s a foreign acquirer as defined by the Additional Foreign Acquirer Duty (AFAD)?

--	--	--

Note: For further information refer to the Queensland Government website to determine if the applicant/s are a foreign person (acquirer) for AFAD at <https://qro.qld.gov.au/duties/investors/afad/>.

2. Is the application related to the purchase of land, for example a permanent road closure, or conversion of a lease where the land is or will be used solely or primarily for residential purposes as defined for the Additional Foreign Acquirer Duty (AFAD) under the Duties Act 2001? This includes current and future use of the land.

--	--	--

Note: Under the Duties Act 2001 an additional amount of duty applies where the land is residential land and the applicant is a foreign person (acquirer) for AFAD at <https://qro.qld.gov.au/duties/investors/afad/>.

3. Enter full name/s of the foreign acquirer/s
(If there is insufficient space, please lodge as an attachment)

Full Names
(If a Company, also provide a contact name)

Share Held

--

--

go to 4

4. Are the Applicant/s registered for GST and acquiring the land for a creditable purpose?

--	--	--

go to 5

Note: Under the Tax Administrator Act (Cth) 1953 certain purchasers of new residential premises or potential residential land are required to withhold the Goods and Services Tax (GST) amount from the price of the supply (purchase price) for payment directly to the Australian Taxation Office (ATO) as outlined on the ATO's website. The department is unable to provide further advice on the ATO's requirements. For further information contact the ATO on 13 28 65 or visit the ATO website <<https://www.ato.gov.au/business/gst/in-detail/your-industry/property/gst-property-settlement-online-forms-and-instructions/>> or seek advice from a financial or legal expert.

Details of land for which the application is being lodged

5. Select the type of land for which the application is being lodged:

- ☐ Permit
☐ Licence
☐ Lease
☐ Unallocated State Land (USL)
☒ Road
☐ Trust Land Reserve/ Deed of Grant in Trust (DOGIT)
☐ Dealing Number (refer to current title information item 6)
☐ Other

go to 6

6. Enter the description of the land for which the application is being lodged. If this application concerns a road, enter the description of the land adjoining the road.

Schedule 1

You must enter either the Lot on Plan or Title Reference of the land for which the application is being lodged

Lot	Plan	Title Reference
4	SP177789	

go to 7

The details of the land can be found on a current title. To check this you can purchase a title search by calling (07) 3497 3479, visiting the Titles Queensland website <https://www.titlesqld.com.au/> (and select 'Searches') Lot on Plan details are located on your rates notice or downloading the Queensland Globe <https://www.business.qld.gov.au/business/support-tools-grants/services/mapping-data-imagery/> to help access current Lot on Plan details. If insufficient space, please add additional description as an attachment.

7. Enter additional details of the land

Dealing number: (if relevant)

Tenure Type: Tenure Number:

Local Government:

Other details of land location (optional)

go to 8

8. Provide details of any timeframe limitations you have (e.g. a settlement date).

go to 9

9. If this application relates to a project, provide an overview and how your application relates to the project.

go to 10

10. Have you participated in a pre-lodgement meeting with the department (strongly encouraged)?

☐ Yes

go to 11

☐ No

Please provide name of officer you spoke with and this department's associated reference.

Department Contact
Officer

Pre-lodgement ID
(eLVAS CI Ref)

11. Provide details of pre-lodgement meeting.

(If there is insufficient space, please lodge as an attachment)

Note: Departmental Officers contact details and any reference number should be included if known.

THIS FORM MUST BE ACCOMPANIED BY THE RELEVANT PART B APPLICATION FORM

CLEAR FORM



Queensland
Government

Department of Natural Resources and
Mines, Manufacturing and Regional and
Rural Development

You can now apply for all *Land Act 1994* applications [online](#).

Part B – Form LA18

Road Closure Application

Land Act 1994

Requirements

1. Use this application form to apply for a road closure.
2. Please read the respective [Applying for a road closure guide](#), which includes application restrictions. The content on this page may help you decide if this application form applies to you and your needs. It will also help guide you through the application process.
3. Payment of the prescribed Application fee (per title reference). A refund of application fees will not be given. Details of fees are available on the [Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development](#) website or contact your nearest [business centre](#) or call 13 QGOV (13 74 68).
4. Part A online form: [Contact and land details](#) or Part A – [Contact and land details \(PDF\)](#) must be completed and submitted with your application.
5. **Part C – Form 30: [Statement in relation to an application under the Land Act](#)** must be completed and submitted with your application.
6. You must **attach a drawing** showing the required information which is detailed in the [guide](#) under the heading "How to apply".
7. Any additional information to support the application.
8. For your application to be processed, all parts of this application form must be completed and accurately, otherwise your application may be returned to you to complete or refused.

Important information

1. For detailed information and to ensure you complete the correct application form, we encourage you to arrange a prelodgement meeting and refer to the *Land Act 1994*. Contact your nearest [business centre](#) to arrange a meeting.
2. A road is any area of land that has been set aside by legislation for the use of the travelling public. Not all roads are currently formed or being used by vehicles or pedestrians, and some may never be used for that purpose.
3. An adjoining landholder who is the registered owner of the property that shares common boundary with the road can apply for:
 - permanent or temporary road closure
 - temporary road closure for:
 - pipes for irrigation purposes that cross the road beneath its surface
 - water channels for irrigation purposes that cross the road.
4. You can apply to close the area of road that immediately adjoins the property boundary, but not any part of the road that continues in either direction beyond the property boundary. You can't apply for an entire road closure if you only have limited frontage to the road. Despite this limitation, if you are an adjoining owner at the end of a 'dead end' road and your property boundary only adjoins on the end and does not extend along the road then an application can be made for the closure of a portion of the road that continues beyond the property boundary. A public utility provider as defined under the [Land Act 1994](#) <https://www.legislation.qld.gov.au/> may also apply for a permanent road closure.

5. A road may be closed "in strata" to provide for works such as:
 - connecting overhead viaduct, or underground tunnel for commercial purposes between two buildings.
 - structure which will overhang a road.
 - car park or building under or over a road.
6. You may be required to pay a purchase price for the permanent closure of a road. If a temporary road closure is approved, a road licence can issue which is subject to payment of annual rental.
7. When a road is closed permanently, its status changes from 'road' to 'unallocated state land'. Depending on how the land is to be allocated, the area of road to be permanently closed may be:
 - incorporated into the applicant's adjoining freehold or leasehold land.
 - included in an existing reserve or set apart as a new reserve.
 - dealt with by the issue of a term lease.
8. A road may be permanently closed under the Land Act 1994 if the Minister is satisfied the road is not:
 - the only dedicated access to a person's land;
 - used regularly by the public as a road or stock route; or
 - providing continuity to a road network.

An application must be refused if the road is still needed in accordance with section 101(3) of the Land Act 1994.
9. Although the state owns the land in a dedicated road, a local government (section 60 of the Local Government Act 2009) is responsible for the day to day management of dedicated roads in its area including their construction and maintenance. The Department of Transport and Main Roads <<https://www.tmr.qld.gov.au/>> is responsible for management of state controlled roads such as a freeway, highway or 'major road connecting cities' under the Transport Infrastructure Act 1994.
10. If the local government can authorise the proposed use on a local road under a specific local law for administering the use of local roads, an application for road closure is not required by this department. Contact the relevant local government for authorisation of the proposed use.
11. If the State government department administering state-controlled roads can authorise the proposed use on a state controlled road under the Transport Infrastructure Act 1994, an application for road closure is not required by this department. Contact Department of Transport and Main Roads for authorisation of the proposed use.

Information and Data collection

12. Information on this form, and any attachments, is being collected to process and assess your application under section 99 of the Land Act 1994. If required, we may need to consult with third parties such as relevant local or state agencies and adjoining property owners. Details provided to third parties will generally be limited to type of application, area applied for and intended use. Your personal information will not otherwise be disclosed unless authorised or required by law.
13. Please note that we may wish to contact you to seek your views on our service, to advise you of any legislative changes that might affect you or to seek your participation in surveys or programs relevant to your application type. Any participation will be voluntary and you may email stateland@nrmrrd.qld.gov.au if you do not wish for the department to contact you.
14. The department may also compile or analyse statistics and conduct research. Any publication of findings will not involve the publication of identifying personal information.
15. For further privacy information click Privacy or go to <<https://www.nrmrrd.qld.gov.au/legal/privacy>>.

Office Use Only	Road Closure	 9 311662 185211
	Temporary Road Closure	 9 311662 185228

1. The application is for:	
☒ Permanent road closure	go to 2
☐ Temporary road closure	go to 2

2. If you are not the manager of the road as defined below, have you consulted with the road manager to determine if the road is still required?	
☐ Yes	go to 3
☐ No	go to 3

Before submitting your application to the department, you should discuss your proposal for closure with the road manager (responsible for the control and management of the road).

If the proposed use can be authorised by the road manager an application for road closure is not required. It will also provide you with an opportunity to address in your application any issues identified through discussion with the road manager.

The **road manager** is:

- For a road that is under the control of a local government—the local government;
- For a state-controlled road, the chief executive administering the [Transport Infrastructure Act 1994](#) (Department of Transport and Main Roads).

Note: A road manager has the powers to authorise various uses on roads, however they cannot permanently close the dedicated road and allocate the land for another use.

A signed 'Part C Form LA30 – Statement in relation to an application under the [Land Act 1994](#) over State land' from the road manager must accompany this application.

3. Are you a public utility provider or the registered owner, lessee or trustee of the land adjoining the area of road subject to this road closure application?	
☒ Yes	go to 4
☐ No	Application cannot be considered unless temporary closure is for the two types of structural improvements listed in Question 4

Section 99(1) of the [Land Act 1994](#) states that only a public utility provider or the registered owner, lessee or trustee of the land adjoining a road may apply for a permanent closure of the road.

4. Is the temporary closure to make structural improvements for:	
☐ Pipes for irrigation purposes that cross the road beneath its surface	go to 5
☐ Water channels for irrigation purposes that cross the road	go to 5
☒ Not Applicable	go to 5

Section 99(3) of the [Land Act 1994](#) limits who can apply for temporary closure of a road to only the registered owner, lessee or trustee of the land adjoining a road or another person for:

- Pipes for irrigation purposes that cross the road beneath its surface; or
- Water channels for irrigation purposes that cross the road.

5. Provide details in Schedule 1 below, of any land you lease from the State or are the registered owner that adjoins or is in the vicinity of the land applied for:

Schedule 1

You must enter either the Lot on Plan or Title Reference of the land for which the application is being lodged
(If insufficient space, please add additional description as an attachment)

Lot	Plan	Title Reference
4	SP177789	50575396

go to 6

The description of the land can be found on a current title search or on your rates notice. To check this you can purchase a title search by calling (07) 3497 3479, visiting the Titles Queensland website <https://www.titlesqld.com.au/> (and select 'Searches').

6. Have you made a previous application for closure of this area of road?

☐ Yes

go to 7

☒ No

go to 10

7. Was this application refused?

☐ Yes

go to 8

☐ No

go to 10

8. Have there been any change in circumstances from the previous application, which may lead to this application being accepted for further consideration?

☐ Yes

go to 9

☐ No

go to 10

If no, the application maybe rejected without further consideration.

9. Provide details of the change in circumstances from the previous application.

go to 10

(If there is insufficient space, please lodge as an attachment)

10. Is any use currently being made of the road area?

☐ Yes

go to 11

☒ No

go to 12

11. Provide details of the current use of road e.g. grazing, encroachment of building or structure.

go to 12

(If there is insufficient space, please lodge as an attachment)

12. Provide details of the proposed use of the road area and any additional information to support the application. go to 13

(If there is insufficient space, please lodge as an attachment)

13. If you have lodged an application to dedicate state land as road, please provide the case reference number or the lot or plan description of the land in which you have applied to open the road.

go to 14

Attachments

The following will need to be lodged with your application for it to be processed. If all this information is not submitted, your application will be returned or refused.

14. Tick the box to confirm the attachments form part of the application:

- ☐ Application Fee
- ☐ Part A online form – Contact and Land details or Part A – Contact and land details PDF
- ☐ Part C – Form LA30 – Statement in relation to an application under the Land Act 1994
- ☐ A copy of a [Dial before you dig](#) enquiry detail page for the road area applied for
- ☐ A drawing showing the information listed in the 'How to Apply' in the [guide](#)
- ☐ Evidence of pre-lodgement discussions with the department, if applicable.
- ☐ Additional information in support of your application such as correspondence from the road manager or current users of the road, if applicable.

It is recommended that any attached drawings be A4 or A3 size. Your application will not be considered as having been properly made, unless all parts of this application form are completed accurately. In this instance your application may be returned to you for completion.

Declaration

I certify that I have read the information, which forms part of this application and the information I have provided is true and accurate.

Signature of applicant (or their legal practitioner)

Date: 23 10 2026

If applicant, section 142 of the [Land Act 1994](#) states a person is eligible to apply for, buy or hold land under the [Land Act 1994](#) if the person is an adult, that is, 18 years of age or over. If the legal practitioner of the applicant is signing as the applicant then the legal practitioner's full name must be printed immediately below the signature.

13.11 ROAD CLOSURE APPLICATION (PATHWAY) - ADJACENT TO 9 GREER STREET MEIKLEVILLE HILL (LOT 2 RP610898)

File No: qA89479

Attachments: 1. [Plan](#)
2. [Road Closure Application](#)

Responsible Officer: Dev Krishnasamy - Acting Manager Engineering Services
Michael Kriedemann - General Manager Infrastructure
Tom Upton - Chief Executive Officer

Author: Carrie Burnett - Policy & Planning Officer

SUMMARY

This report pertains to an application to permanently close an area of road reserve (pathway) adjacent to 9 Greer Street Meikleville Hill (Lot 2 RP610898).

OFFICER'S RECOMMENDATION

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 objects to the proposed permanent closure of road reserve (pathway) adjacent to 9 Greer Street Meikleville Hill (Lot 2 RP610898) because:
 - a) the land in question contains a gravity sewer main which forms part of Council's wastewater network and requires ongoing access for operation, maintenance, repair and future renewal; and
 - b) under its current tenure (road reserve – pathway), Council has complete and unfettered access to its asset.
2. That the applicant be advised of Council's decision and provided with the completed Part C.

BACKGROUND

In September 2026 Council received a request from the owners of 9 Greer Street Meikleville Hill (Lot 2 RP610898) to consider a proposal to permanently close an area of road reserve (pathway) adjacent to their property as shown on Attachment 1. Referring to the application form at Attachment 2, the owners indicate it is intended to use the road reserve (pathway) to:

'legally and practically secure our yard and provide a safe outdoor area for our young children'

Council is custodian of roads (excluding main roads) however they are owned by the State, represented by the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (*'the Department'*), therefore Council is unable to approve their permanent closure and sale to landowners. Under the *Land Act 1994* a property owner may apply to have an area of road permanently closed. *The Department* Guideline - Roads under the *Land Act 1994* states:

'When a road is closed permanently the land becomes USL. Depending on the size and location of the parcel of land it could be disposed of as a stand-alone parcel of land or may be included in adjoining land.'

According to their website, *the Department* will assess a road closure application against legislative requirements, seek views of other stakeholders and inspect the land if required. To assess local community opinion about a proposed closure, *the Department* will also require the applicant to undertake public notifications such as advertising and erection of

signage on the land. If an application is successful, a written offer setting out various conditions will be sent to the applicant.

In accordance with Council's resolution of 20 June 2019, all applications for permanent road closure made under the *Land Act 1994* (where Council is to provide advice as the road manager), are presented to Council for resolution. After a resolution is made, a 'Statement in relation to an application under the *Land Act 1994* over State land (Part C)' is completed by Council as road manager.

If the applicant lodged the road closure application forms:

- a. direct to Council
 - the completed Part C will be returned to the applicant to submit with the application forms to *the Department*.
- b. electronically on *the Department's* website (refer to note)
 - the completed Part C will be uploaded to *the Department's* website and a copy emailed to the applicant.

Note - *the Department* forwards the electronic applications to Council for assessment.

The purpose of this report is to establish Council's stance with regards to the permanent road closure proposal so that the Part C can be completed.

Advice obtained from Council stakeholders is included below:

Assistant Planning Officer - Communities

'Planning does not object to the proposed road closure between 7 and 9 Greer Street Meikleville Hill. However, Council's sewer main is located within the portion of road reserve proposed to be closed. Should the road closure and subsequent purchase be approved, it is recommended that an easement be retained over the sewer infrastructure to ensure ongoing access for maintenance and operational purposes.'

It should also be noted that any future construction or structures proposed within the easement area would require assessment and approval through a Build Over or Near Relevant Infrastructure (BONRI) application. As such, development within this portion of the land may be constrained by the presence of the sewer main and associated easement requirements.'

Acting Coordinator Community Development & Events

'Community Development and Events has no comments regarding this application.'

Development Engineer - Communities

'No objection'

Coordinator Disaster Management & Community Resilience

'No objection from Disaster Management & Community Resilience.'

Coordinator Natural Resource Management

No comments provided

Principal Transport Engineer

No comments provided

Acting Principal Property Officer

'...noting others comments regarding the need for an easement, no objection from a Property perspective.'

Manager Water & Waste Operations

'Water and Waste does not support the proposed road closure as this would lead to the sale or disposal of this land as part of the application process. A Council gravity

sewer main is located within the area proposed for closure. The sewer forms part of Council's wastewater network and requires ongoing access for operation, maintenance, repair and future renewal.

Should Council ultimately support the road closure, any change in tenure would need to ensure Council's long-term rights of access and protection of the sewer asset are maintained. At a minimum, this would likely require an easement in favour of Council and appropriate controls over any future development within the sewer corridor.'

Coordinator Corridor Management

'No objection from Corridor Management, an easement would need to be established over the portion of land.'

Principal Economic Development Officer

'No comment from an Economic Development perspective.'

Technical Officer (Environment & Approvals)

'...no comments or input from me.'

Council should not support the proposed road closure (pathway). The land in question contains a gravity sewer main which is a component of Council's wastewater network and requires ongoing access for operation, maintenance, repair and future renewal. Under its current tenure (road reserve – pathway), Council has complete and unfettered access to its asset. While it is possible to support the closure subject to the dedication of a public utility easement over the infrastructure, this brings with it limitations and obligations that do not exist under the current tenure.

If Council resolves to support the road closure, it should require the dedication of a public utility easement for sewer purposes, in favour of Council (referencing Council's standard easement terms – Dealing No 718630483).

PREVIOUS DECISIONS

At its 20 June 2019 and 18 February 2020 meeting, Council resolved that all future applications to close roads under the *Land Act 1994*, where Council is to provide advice as the road manager, are to be presented to Council for consideration. Council clarified the intent of these earlier resolutions at its 15 August 2023 Meeting.

ENGAGEMENT AND CONSULTATION

To assess local community opinion about a proposed road closure, *the Department* will require the applicants to undertake public notification (advertisement in a local or digital newspaper and signage erected on the land). In addition, a listing of current road closure applications is provided by local government area on *the Department's* website.

BUDGET IMPLICATIONS

There are no foreseeable budget implications associated with this matter.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

Section 93 of the *Land Act 1994* provides for the meaning of road as follows:

- '(1) A road means an area of land, whether surveyed or unsurveyed-
 - (a) dedicated, notified or declared to be a road for public use; or
 - (b) taken under an Act, for the purpose of a road for public use.
- (2) The term includes-
 - (a) a street, esplanade, reserve for esplanade, highway, pathway, thoroughfare, track or stock route; and
 - (b) a bridge, causeway, culvert or other works in, on, over or under a road; and
 - (c) any part of a road.'

Pursuant to s 99 of the *Land Act 1994* an owner of land that adjoins road may apply for the permanent closure of the road. Notice must be given to Council under s 68 of the *Local Government Act 2009* which also states that the Land Act Minister must have regard to any objections made by Council.

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 adverse human rights implications associated with this report.

RISK ASSESSMENT

Council currently has unconstrained access to its infrastructure while it is located in road reserve. A road closure will result in the asset being located in a public utility easement in private property with limitations on land use and access subject to Council's standard easement terms.

CORPORATE PLAN REFERENCE

Transparent, Accountable & Progressive Leadership

Advocate and collaborate with state and federal governments in the best interest of the community

**13.11 - ROAD CLOSURE APPLICATION
(PATHWAY) - ADJACENT TO 9 GREER
STREET MEIKLEVILLE HILL (LOT 2
RP610898)**

Plan

Meeting Date: 26 October 2026

Attachment No: 1



13.11 - ROAD CLOSURE APPLICATION (PATHWAY) - ADJACENT TO 9 GREER STREET MEIKLEVILLE HILL (LOT 2 RP610898)

Road Closure Application

Meeting Date: 26 October 2026

Attachment No: 2



Queensland
Government

LA18e - Road closure (requires LA30e) online application

Before you apply

Before you can complete this application

Required fields are marked with an asterisk (*).

The relevant road manager must complete an LA30 – *Statement in relation to an application under the Land Act 1994 over State Land (LA30 statement)* before we can assess your application. We'll send them the appropriate form automatically as part of this application process.

Contact the road manager to discuss your application before you complete this form. Make sure they provide an email address so the department can send them the LA30 statement.

The road manager is:

- the Department of Transport and Main Roads for a state-controlled road
- the relevant local authority for a local road.

I acknowledge:

The relevant road manager must complete an LA30 – *Statement in relation to an application under the Land Act 1994 over State Land (LA30 statement)* before we can assess your application. We'll send them the appropriate form automatically as part of this application process.

Contact the road manager to discuss your application before you complete this form. Make sure they provide an email address so the department can send them the LA30 statement.

The road manager is:

- the Department of Transport and Main Roads for a state-controlled road
- the relevant local authority for a local road.

I acknowledge:

- ☒ Once completed, this application and all its contents and attachments will be sent to the road manager's email I provide in this application form. *
- ☒ Once the road manager has submitted the LA30 statement, my application and all attachments will be sent to the department for verifying and payment of application fee. *
- ☒ I will need to pay the application fee to complete this application. *

Provide the road manager's email address *

carrie.burnett@livingstone.qld.gov.au

Start your application

Are you lodging this on behalf of the applicant?

Required fields are marked with an asterisk (*).



Queensland
Government

LA18e - Road closure (requires LA30e) online application

Are you the applicant or lodger *

- ☐ Lodger – a legal practitioner lodging this application on behalf of the applicant.
☒ Applicant – the person, company or organisation requiring the state land service.

Enter your email *

Enter email above and then you can select the 'save and exit' button at any time and we will email you a link to access and complete your saved application.

Pre-lodgement information

Pre-lodgement information

Have you contacted us to discuss this application (strongly encouraged)? *

- ☐ Yes
☒ No

For detailed information and to ensure you complete the correct application form, we encourage you to arrange a pre-lodgement meeting and refer to the [Land Act 1994](#). You can contact your nearest [business centre](#) to arrange a meeting.

Provide details of any timeframes limitations you have (e.g. a settlement date)

I have contacted the Livingstone Shire Council prior to this application

If this application relates to a project, provide an overview and how your application relates to the project

You can select the 'save and exit' button at any time and we will email you a link to access and complete your saved application.

Road closure

Road closure

This application is for a *

- ☒ Permanent road closure
☐ Temporary road closure

To be eligible, you must be *

- ☒ The registered owner, lessee or trustee of the land adjoining the proposed road closure
☐ A utility provider, eligible under the Land Act 1994 to make this application

Foreign acquirer and GST



Queensland
Government

LA18e - Road closure (requires LA30e) online application

Foreign acquirer and GST

Are any of the applicants a foreign acquirer as defined by the Additional Foreign Acquirer Duty (AFAD)? [Find out if an applicant is a foreign acquirer for AFAD.](#) *

Are the applicants registered for GST and acquiring the land for a creditable purpose as defined in the Tax Administrator Act 1953 (Cwth). *

Under the [Tax Administrator Act 1953 \(Cwth\)](#) certain purchasers of new residential premises or potential residential land are required to withhold GST from the purchase price for payment directly to the Australian Taxation Office (ATO). For more information contact the ATO on 13 28 65, visit the [ATO website](#) or seek advice from a financial or legal expert.

Use details

Use details

Is the road area currently being used? *

- ☐ Yes
☒ No

Provide details of the proposed use of the road area *

We propose to use this unused piece of road area to legally and practically secure our yard and provide a safe outdoor area for our young children. Further details are included in the accompanying supporting information

Additional details

Additional details

Upload a copy of a Dial before you dig enquiry detail page for the road area you're applying for ⓘ *

File Name
Size

[BYDA Responses - Enquiry 54194608.pdf](#)
4.77 MB

Does this application relate to an application you are lodging to dedicate state land as road? *

- ☐ Yes
☒ No



Queensland
Government

LA18e - Road closure (requires LA30e) online application

Upload any additional documents to support your application. ?

File Name	Size
Supporting Letter.pdf	16.66 kB
Upstream Sewer Retic.png	396.26 kB
Land Area to Close.png	538.68 kB
Corrected Sewer.png	430.31 kB

Applicant's details

Applicant's details

The applicant is the person or corporation wishing to apply for a state land service.

Is there more than one applicant *

- ☐ Yes
☒ No

Is this applicant a company or organisation? *

- ☐ Yes
☒ No

Title

Mr

First name *

Last name *

Contact number *

Alternative contact number



Queensland
Government

LA18e - Road closure (requires LA30e) online application

Postal address * ⓘ

☐ Enter address / PO Box manually

Land details

Land details

Enter the land details of any land you lease from the State or are the registered owner that adjoins the land being applied for.

Address search

Address search

9 GREER ST, MEIKLEVILLE HILL QLD 4703 (lot/plan: 2/RP610898)

Lot and plan search

Lot search

2

Plan search

RP1

Coordinates search

Latitude

-27.51455633

Use decimal degrees format e.g. Latitude: -27.8025 (instead of 27°48'09"S)

Longitude

153.21985191

Use decimal degrees format e.g. Longitude: 153.4344 (instead of 153°26'04"E)

Land details list *

Address item *

9 GREER ST, MEIKLEVILLE HILL QLD 4703, 2/RP610898, -23.11196534, 150.74553186

*



Queensland
Government

LA18e - Road closure (requires LA30e) online application

Local government *

Livingstone Shire Council

Other details of land location

Upload a drawing of the proposed road closure ? *

File Name

Size

[Land Area to Close.png](#)

380.72 kB

The drawing (minimum size A4) must include:

- general location including your land
- area of road to be closed
- lot on plan information
- a north point
- scale
- dimensions.

The drawing (minimum size A4) must include:

- general location including your land
- area of road to be closed
- lot on plan information
- a north point
- scale
- dimensions.

Declaration

Signature of applicant (or their legal practitioner) *

☐ Before you apply

☐ Start your application

☐ Pre-lodgement information

☐ Road closure



Queensland
Government

LA18e - Road closure (requires LA30e) online application

☐ Foreign acquirer and GST

☐ Use details

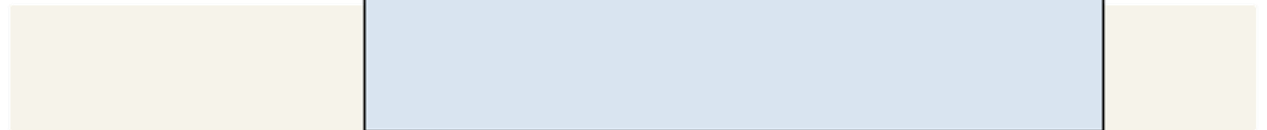
☐ Additional details

☐ Applicant's details

☐ Land details

Declaration

☒ I have read the information that forms part of this application, and the information I have provided is true and accurate. I am aware my application will not be considered unless all parts of this application form are completed accurately. In this instance, my application may be returned to me to complete. *



Full name of signee *

To whom it may concern.

I am applying to close and purchase a small slither (approx. 95.76m²) of road reserve adjacent to our property at 9 Greer Street, Meiklevile Hill Yeppoon – Lot 2 RP610898.

The land in question is approximately 3.6m wide and 26.6m long. It currently serves no obvious purpose other than providing maintenance access to an existing 150mm gravity sewer main.

The sewer main has an upstream access chamber located in the adjacent property 5 Island View Crescent (Lot 3 SP164800) which provides maintenance access for Livingstone Shire Council. The downstream access chamber is currently located and would remain located in the existing Greer Street road reserve.

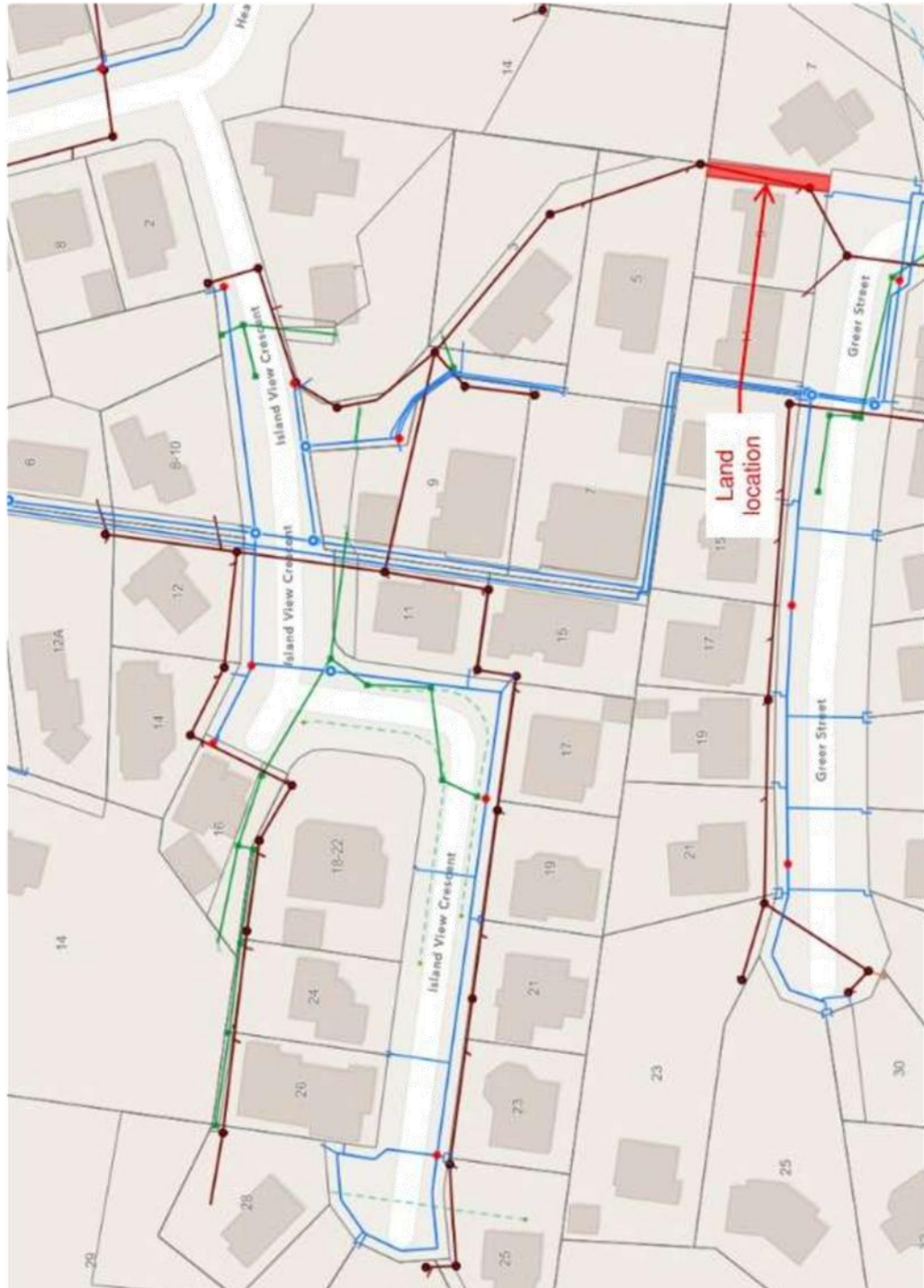
Three sides of the land in question are currently unfenced, with the Northern boundary being situated at the top of a dangerously steep gully with dense vegetation. We are proposing to purchase this land so we can legally fence the Northern and Southern extents to improve the safety of our young children, while also removing the maintenance burden from council that provides no public benefit.

I acknowledge we could legally fence the Western boundary, but this would create a 3.6m wide strip of road reserve that would become impractical for Livingstone Shire Council to maintain while creating an unsafe, narrow blind alley that would provide no benefit to the public or Livingstone Shire Council and would become a further burden on Livingstone Shire Council to maintain.

An easement in Livingstone Shire Council's interests could be included over the sewer if required. Note that the upstream reticulation main doesn't appear to have any existing easements and the proposal would be subject to any infrastructure build over application process.

Regards,







13.12 NAMING OF AREA - MIKE PRIOR PLACE

File No: A2399438

Attachments: 1. CR 818187 - Recognition of former Councillor Michael Walter Prior [↓](#)

Responsible Officer: Michael Kriedemann - General Manager Infrastructure
Tom Upton - Chief Executive Officer

Author: Sean Fallis - Manager Engineering Services

SUMMARY

This report is in response to a request from the Prior family for Council to provide tangible recognition of the significant contribution of Michael Walter Prior to the community of Livingstone Shire over a period exceeding 60 years.

OFFICER'S RECOMMENDATION

THAT the area at the northern end of Wattle Grove adjacent to the mouth of Ross Creek, be named Mike Prior Place.

BACKGROUND

Please see attached request from Mike Prior (Jnr), for Council to provide tangible recognition of the significant contribution of Michael Walter Prior to Livingstone Shire Council.

The contribution includes:

- Councillor on Livingstone Shire Council for 20 years from 1988 to 2008
- Chair of Counter Disaster Committee
- Founding member of Yeppoon Coastguard
- Member of Yeppoon Ambulance Committee
- Volunteer Fire Fighter, Yeppoon Fire Brigade Auxilliary
- Founding Member of University of Third Age
- Chair of local Fisheries Advisory Committee
- Long association with local Fishing Industry
- Skipper of various fishing and charter boats

The request suggests that the small unnamed picnic area/turnaround/parking area at the northern end of Wattle Grove be a suitable area to be named after him (see map below). The request also provides other options for names.

Given his association with Ross Creek and the fishing industry and the Council Offices, it would be fitting that the area at the end of Wattle Grove be named after him.

The family have confirmed the preferred name is "Mike Prior" Place (Mike Prior Snr was known as Mike where Mike Prior Jnr is known as Michael)

PREVIOUS DECISIONS

Nil

ENGAGEMENT AND CONSULTATION

It is not necessary to consult the public on this matter

BUDGET IMPLICATIONS

The proposed naming will involve the cost of a sign, approximately \$300.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

Legislative Reference:

Local Government Act 2009 s 60

Planning Act 2016

RISK ASSESSMENT

There are no known risks associated with the proposal

CORPORATE PLAN REFERENCE***Vibrant Culture & Healthy Community***

Deliver strategic land use, infrastructure planning and urban design activities that support growth, liveability, and sustainability



13.12 - NAMING OF AREA - MIKE PRIOR PLACE

CR 818187 - Recognition of former Councillor Michael Walter Prior

Meeting Date: 26 October 2026

Attachment No: 1

Dianne, Ned and Michael Prior

PO Box 92

Yeppoon 4703

6 June 2026



Chief Executive Officer
Livingstone Shire Council
PO Box 600
Yeppoon 4703
Dear Sir

Re: recognition of former councillor Michael Walter Prior

We write again, 3 years after first writing requesting the Livingstone Shire Council to provide tangible recognition of the significant contribution of **Michael Walter Prior** to the community of Livingstone Shire over a period exceeding 60 years. Mike Prior died on 15 December 2021, aged 88.

Mike Prior served as a Councillor on Livingstone Shire Council for **20 years**, from 1988 to 2008. He then served on the Transition Committee as the enforced amalgamation process took place. He served on various committees within Council, and was Chair of the Counter Disaster Committee until replaced by former Mayor Ludwig.

Our Dad is the recipient of the prestigious Queensland Emergency Service Meritorious Service Medal in recognition of his outstanding years of service to the SES.

Mike Prior was a founding member of the Yeppoon Coast Guard, and was its inaugural Flotilla Commander.

He served on the Ambulance Committee for many years back when these services were funded and run by local community committees.

He also served as a volunteer firefighter on the Yeppoon Fire Brigade auxiliary for many years and we can recall the large black wall phone at our home at 20 Ben Street that would ring 3 times to summon volunteers to the James Street centre to go fight a fire.

Mike was a founding member of the local chapter of University of Third Age. Dad also served as Chair of the local fisheries advisory committee for some years.

He served his country, completing 2 years National Service in Townsville in the early 1950's.

Back when there was talk of getting our water supply from Rocky, Mike Prior pushed to have desalination properly considered. He was convinced of the science on climate change and feared for the planet's future if we didn't change our ways.

If Mike set his mind on something, nothing would stop him from completing whatever it was – prime example was the automatic weather station on Anzac Parade. Mike was convinced that the Capricorn Coast was missing out on tourist traffic because we were linked to the Rockhampton weather/temperature forecasts and everyone knows how much hotter Rocky is. He badgered every

politician available and unavailable until he achieved his goal. Rainwater tanks was another he championed – from being banned to now they are subsidised by Council.

Mike Prior explored, fished and charted the hitherto largely unmapped Swains Reefs with Captain Wally Muller in the mid-50's. This initial foray into the life of a fisherman ultimately led to a life on the sea for the next 5 decades. After work on Muller's Riversong, Mike skippered charter boats throughout the Great Barrier Reef region for many years.

He was recognized for his intimate knowledge of the Swains Reefs region by being contracted in 1972 to host the US National Geographic team on his boat, resulting in a major article on the Great Barrier Reef in the National Geographic magazine of June 1973.

Dad skippered the 48' Sechoma for Clutha Development Co., running fishing charters up to and beyond the Whitsundays for 4 years in the early 1970's.

Next came the 50' Dolphin and a partnership with businessman Rod Jenman, with Dad skipper for the many fishing charters over the next 3 years. Then there was a stint with National Parks from May 1975 to October 1977 servicing the marine parks of the Capricorn area (solo) with the small boat, Shearwater, a first for National Parks in this region.

From there, Dad took a major role with Keppel Island Cruises, managing and skippering for the tourist business that serviced the Keppel group of islands, Great Keppel in particular.

Up until recently Dad owned a jetty in Fig Tree Creek, a structure he built in the early 1960's. His name, along with others, is synonymous with Yeppoon Inlet, having operated boats from that anchorage for many years.

We submit that our Dad, **Michael Walter Prior**, served his community with distinction for nigh on 60 years in various capacities, and further contributed to the well-being of the region through his endeavours and advocacy. He did not have, or seek, the public profile of some who have been honoured with Council recognition, but is surely deserving of recognition nonetheless.

We, the children of **Michael Walter Prior**, request Council to honour our Dad for his decades of community service with the naming of a place in Yeppoon after him. A suitable place may be the small presently un-named picnic area/turnaround/parking area at the very northern end of Wattle Grove, at the head of the rock wall that protects the mouth of Ross Creek. Mike Prior would have sailed past this point many, many times during his sea career, and it is within sight of both the Council Administration Centre, in which he served for 2 decades, and also opposite the automatic weather station that only exists because of his vision and persistence. Perhaps Mike Prior Park or Mike Prior Landing or similar would be appropriate?

Another place that may be suitable to honour Mike Prior would be one of the five presently un-named roads that service Merv Anderson Park. The most suitable in this regard would be the road which winds around the park area to the Tourist Information Centre. Our Dad's former jetty is about half-way along this road (site 32) and he promoted tourism for the region with his many business marine-related ventures. We have enclosed a copy of an aerial map of the area, along with suggestions for the five un-named roads. It is understood that there is provision in the relevant Australian Standard (AS/NZS 4819) for the naming of 'private' roads and roads that serve a function other than the usual property access provision.

It is understood Merv Anderson Park, the paved but un-named roads within it, and the Tourist Information Centre, and the Rhys Yore bridge are all within the original Recreation Reserve R.570

and may by now be part of an Indigenous Land Use Agreement (ILUA) which complicates naming of any features within that area. The very short time-frame for re-naming of the former Fig Tree Creek bridge would suggest that such obstacles are easily overcome.

Any recognition of our Dad quietly extends to his life partner of 66 years of marriage, his wife Margaret.

Regrettably, our dear Mum, now aged 94, has advanced dementia but we hope it would surely give her a lift to learn of community recognition of her beloved husband.

We thank Council for consideration of our request,

A handwritten signature in blue ink, appearing to be 'Dianne', written over a faint circular stamp.

For the children of Michael Walter Prior

Dianne, Ned and Michael Prior





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 CLOSED SESSION

In accordance with the provisions of section 254J of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

RECOMMENDATION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J of the *Local Government Regulation 2012*, for the reasons indicated.

16.1 Acquisition of Land - Yeppoon West Reservoir

This report is considered confidential in accordance with section 254J(3)(h), of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to the taking of land by the local government under Acquisition of Land Act 1967.

16.2 Rosslyn Street Sewage Pump Station - Current Status and Budget Update

This report is considered confidential in accordance with section 254J(3)(g), of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interest of the local government.

16.3 Properties eligible for sale of land for rate arrears

This report is considered confidential in accordance with section 254J(3)(e), of the *Local Government Regulation 2012*, as it contains information relating to legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

16 CONFIDENTIAL REPORTS

16.1 ACQUISITION OF LAND - YEPPOON WEST RESERVOIR

File No: fA91261

Attachments: Nil

Responsible Officer: Michael Kriedemann - General Manager Infrastructure
Tom Upton - Chief Executive Officer

Author: Sean Fallis - Manager Engineering Services

Previous Items: 16.2 - Proposed Acquisition of Land - Water Supply
Reservoir - Ordinary Council - 17 Feb 2026 9:00 AM

This report is considered confidential in accordance with section 254J(3)(h), of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to the taking of land by the local government under Acquisition of Land Act 1967.

SUMMARY

This report provides an update on the Acquisition of Land for the Yeppoon West Reservoir (Sawmill Reservoir) including changes to the property details.

16.2 ROSSLYN STREET SEWAGE PUMP STATION - CURRENT STATUS AND BUDGET UPDATE**File No:** 25-030**Attachments:** Nil**Responsible Officer:** Michael Kriedemann - General Manager Infrastructure
Tom Upton - Chief Executive Officer**Author:** Arvind Singh - Manager Infrastructure Projects

This report is considered confidential in accordance with section 254J(3)(g), of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interest of the local government.

SUMMARY

This report provides Council with an update on the status of the Rosslyn Street Sewer Pump Station project and the revised project cost position following completion of the tender process. Council endorsement is sought to allocate the additional construction funding required from savings identified within the Taroomball Sewer Infrastructure Upgrade and Yeppoon Aquatic Centre (YAC) projects, and to award the construction contract to the preferred tenderer.

16.3 PROPERTIES ELIGIBLE FOR SALE OF LAND FOR RATE ARREARS**File No:** RV25.01.01**Attachments:** 1. Landsale List**Responsible Officer:** Jaye Robertson - Manager Financial Services
Andrea Ellis - General Manager Corporate Services
Tom Upton - Chief Executive Officer**Author:** Kylie Hoffmann - Revenue and Recovery Officer

This report is considered confidential in accordance with section 254J(3)(e), of the *Local Government Regulation 2012*, as it contains information relating to legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

SUMMARY

Under the provisions of the Local Government Regulation 2012 Council has the authority to recover outstanding rates and charges through a land sale process where the amounts have been overdue for three or more years

17 CLOSURE OF MEETING