



ORDINARY COUNCIL MEETING

AGENDA

15 SEPTEMBER 2026

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 15 September 2026 commencing at 9:00 AM for transaction of the enclosed business.

Thomas Upton
CHIEF EXECUTIVE OFFICER
10 September 2026

Next Meeting Date: 6 October 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 Pat Eastwood is scheduled to deliver an opening prayer.

2 ATTENDANCE

Members Present:

Mayor, Councillor Adam Belot – via phone
Deputy Mayor, Councillor Pat Eastwood – via phone
Councillor Glenda Mather
Councillor Rhodes Watson
Councillor Wade Rothery
Councillor Lance Warcon
Councillor Andrea Friend

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

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the BluePrint Livingstone Committee Meeting held on 1 September 2026

5 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

Nil

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 - September 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 - September 2026

Meeting Date: 15 September 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.	08 September 2026 This matter was discussed at the Briefing Session on 2 December 2025 and Officers will wait for the development assessment appeal to be finalised until the current Permit to Occupy and the additional Road Closure application is progressed. This is expected to be finalised by the end of 2026.
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.	08 September 2026 Council has agreement of the landowner and are currently waiting on survey.
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.	08 September 2026 Met with the purchaser in August 2026. Due diligence investigations to confirm the site's suitability for development are continuing.

***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
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.	09 September 2026 A draft scope of work for preparing a master plan has been developed and has been sent out for internal review. It is expected to go out for tender by mid October.
5	Ordinary Council 17/02/2026	Proposed Acquisition of Land - Water Supply Reservoir	THAT Council resolve to 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>.	08 September 2026 Officers have completed a land survey, site inspections and geotechnical testing to verify site suitability. Officers will brief Council on the outcomes at a briefing session by the end of October.
6	Ordinary Council 3/03/2026	Acquisition of land - Portion Lot 28 RP 860145 (9 Casey Drive, Yeppoon)	THAT Council authorises the Chief Executive Officer to enter into an infrastructure agreement with the landowner of Lot 28 RP 860145 to acquire the portion of land as identified in the Local Government Infrastructure Plan as D-47; and THAT the CEO updates Council on the outcome of the negotiation.	08 September 2026 The matter was presented at the 17 August Ordinary Council meeting. A resolution was passed to continue with acquiring the land. This item will be removed from the Business Outstanding Table.

***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	Community Housing Location Options	THAT Council resolve to: 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.	08 September 2026 Options analysis and Get Involved Page completed. Direct community engagement with users of community centre and showgrounds August 2026. Community information day scheduled for Saturday 12 September. Options analysis to be updated once complete.
8	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.	08 September 2026 Concept design of Civic Centre and Library project completed. Options Analysis - Yeppoon Town Centre and Community Activation Proposal and Get Involved Page online. Direct community engagement with users of community centre and showgrounds undertaken August 2026. Community information day scheduled for Saturday 12 September. Options analysis to be updated with engagement outcomes.
9	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.	03 September 2026 Waiting on final LSC artwork design to provide to the supplier to finalise the order of the water filling station. This is proposed to be finalised by 11 September.

***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
10	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.	09 September 2026 The landowner has not accepted Council's offer to the purchase land. A report will be prepared, and the item will be lifted and presented at the October Council Meeting.
11	Ordinary Council 19/05/2026	Notice of Motion - Cr Rhodes Watson - Speed reduction on Adelaide Street, Yeppoon	THAT 1. Livingstone Shire Council write to the Queensland transport department asking for them to review the speed limit on Adelaide Street from 50 km/h to 40 km/h. 2. Livingstone Shire Council install signage and line marking for safety on Adelaide Street.	25 August 2026 Officers have completed traffic assessments and have briefed Council at the August 2026 Briefing Session. This matter will be discussed at the Ordinary Meeting in September 2026.
12	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.	08 September 2026 Letter sent to landowner's legal representative on 27 July 2026 who has responded that their client needs further time to consider Council's proposal.
13	Ordinary Council 19/05/2026	Response to NoM - Cr Glenda Mather - Traffic Movements	THAT Council resolves to install pavement bars at the T-intersections of Cottesloe Street (at Eucalyptus Avenue and Adventurer Drive) as a site-specific trial in accordance with Clause 5.10.3 of AS 1742.2:2022; and follow up with community through appropriate engagement/ site visit.	04 September 2026 The works are complete. This item will be removed from the Business Outstanding Table.
14	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

***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 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.
16	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.	8 September 2026 Crews have completed some pothole patching and larger pavement rehabilitation in the first week of September. Work is to be inspected to ensure quality objectives have been met.
17	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.	08 September 2026 This matter is progressing with CEO. Report to come to future meeting.
18	Ordinary Council 17/08/2026	Divided Council Electoral Arrangement	THAT Council resolve to: 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.	08 September 2026 The CEO is currently developing an engagement proposal to be costed. A report will be presented at a future Council meeting.

***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	Ordinary Council 17/08/2026	Potential Acquisition of Land at 9 Casey Drive, Yeppoon.	THAT Council: 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.	08 September 2026 A contract has been received, and Council is currently negotiating the conditions.

***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
20	BluePrint Committee Meeting 1/09/2026	Request for Expression of Interest - Fill requirements Gateway Stage 4/5 and East West Connector Stage 1	THAT Council resolve to: 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: 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.	08 September 2026 The EOI will be advertised on 18 September. We expect to move from EOI to tender by December.
21	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.	08 September 2026 A briefing report is being prepared for the October briefing session.

*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
22	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 September 2026 The survey plan for the land acquisition being prepared.

8 PRESENTATION OF PETITIONS

Nil

9 NOTICES OF MOTION

Nil

10 QUESTIONS ON NOTICE

Nil

11 COMMITTEE REPORTS

Nil

12 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS

12.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 3 AUGUST 2026

File No: fA52827

Attachments:

1. **Audit, Risk and Improvement Committee Unconfirmed Meeting Minutes - 3 August 2026** [↓](#)
2. **FY27 Annual Internal Annual Internal Audit Plan 2027FY** [↓](#)

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 held in-person on 3 August 2026, 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:

1. Council receive the unconfirmed meeting minutes of the Audit, Risk and Improvement Committee held on 3 August 2026; and
2. Council receive the Annual Internal Audit Plan 2027FY as approved by the Audit, Risk and Improvement Committee at the 11 May 2026 quarterly meeting.

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

Chair Meeting Report – Jeff Stewart-Harris PSM

As the agenda for this meeting of the Audit, Risk and Improvement Committee (ARaIC) included the annual self-assessment of the Committee, it is worth starting this summary report with a reflection of the ARaIC objectives, as follows:

To provide independent assurance and assistance to Council by fulfilling its oversight responsibilities to:

- Accounting
 - Reporting requirements
 - Auditing (External and Internal)
 - Control framework
 - Governance
 - Continuous improvement, and
 - Risk framework
-

The purpose of this summary report is to provide a brief narrative overview of the meeting to accompany the formal ARaIC minutes. This supplements the annual face-to-face briefing of the full Council which occurred on 4 August 2026.

It was pleasing to for the incoming Chief Executive Officer to brief the ARaIC on his early insights and perspectives, many of which resonated with the views and observations that the ARaIC currently held or had previously identified.

The ARaIC reviewed and noted the financial management update, which consistently reports at a high standard. It also reviewed two position papers which underpin effective financial management and reporting relating to *Asset Valuations and Infrastructure Charges Offsets and Refunds*.

ARaIC engaged with the Queensland Audit Office (QAO) representatives undertaking Council's external audit and noted the 2026 Interim Report. ARaIC also reviewed and noted the proactive report provided by management addressing QAO Report 13: Managing Third-Party Cybersecurity Risks.

Turing to the internal audit program, ARaIC noted the first internal audit report provided by Council's new internal audit provider, KPMG, on Records Management and noted the significant work undertaken by management to translate the report into a prioritised actionable plan to make meaningful improvements with available resources. The ARaIC also reviewed and noted the internal audit update and the status of the ongoing action plan.

The internal control frameworks for ICT and security controls and the update on the policy framework were considered and noted.

Within the compliance and risk management area, the ARaIC reviewed and noted the work being done to identify root causes of changes in safety incidents and was satisfied that the underlying cultural aspects were also included. The annual report on fraud risk management was also considered along with the information services governance update. In relation to the latter, the ARaIC noted the value of increased visibility of Information Communications and Technology (ICT) projects and clarified that its role was advisory and not as a decision-maker as otherwise contained in those documents. A productive discussion took place with management about when independent assurance was necessary for ICT projects, beyond that which might occur to or within the Change Advisory Board. Management will document this further along with clarity about what ARaIC should be briefed on, for further review at the next ARaIC meeting.

Also, in relation to large and complex projects, the ARaIC has requested a high-level integrated briefing of all the interrelated aspects of Livingstone Blueprint to its next meeting.

The overall corporate performance of Council and improvements being made to its performance reporting were noted and the annual reporting of ARaIC for inclusion in Council's 2025-26 Annual Report was considered and confirmed.

The final agenda item was the ARaIC's consideration of its own performance for the year. It noted that in some cases responses to the assessment survey were fewer than expected, and on balance adopted the following three recommendations to facilitate continuous improvement:

1. **Review Agenda Structure and Meeting Time Allocation** – to ensure sufficient discussion time is available for strategic, high-risk and complex matters
2. **Review the frequency of Recurring Reports** to ensure the agenda remains focused on matters of greatest risk, significance, and organisational value
3. **Expand Organisational Awareness of ARaIC and Referral Pathways** – supporting management to extend awareness initiatives regarding the role of ARaIC and the available referral pathway to a broader cross-section of Council employees.

This summary report and twice annual catchups between the Mayor and the writer are purposeful responses to the third recommendation, with others to follow as appropriate.

Meeting Minute Summary

1. Below is a summary of the Committee meeting held in person on 3 August 2026.
 - a. Minutes of the Audit, Risk and Improvement Committee Meeting held 11 May 2026 were approved.
 - b. Business Outstanding was reviewed and updated accordingly.
 - c. CEO Update received regarding organisational priorities, strategic risks and service delivery initiatives.
 - d. Financial Management Update received, including discussion regarding capital program delivery, financial forecasting and strategic financial risks.
 - e. Position Papers relating to Asset Valuation and Significant Accounting Estimates and Accounting for Infrastructure Charges Offsets and Refunds were reviewed and feedback provided.
 - f. Queensland Audit Office Update and Queensland Audit Office Report 13 (2025-26): Managing Third-party Cyber Security Risks were considered.
 - g. ICT Security and Controls Report and Information Services Governance Update received. Discussion included ICT governance arrangements, project assurance and emerging governance considerations.
 - h. Policy Framework Update received. The Committee noted progress in reducing overdue policy documents and ongoing policy review activities.
 - i. Safety Unit Update received.
 - j. Fraud Risk Management Annual Report received.
 - k. Internal Audit Update, Internal Audit Report: Records Management and Audit Response Action Plan received. The Committee considered audit findings, management responses and outstanding audit actions.
 - l. Corporate Planning and Performance Management Update received, including Quarter 3 Operational Plan Performance and reporting improvements.
 - m. The Committee reviewed the draft ARaIC Summary of Activities for inclusion in Council's 2025-26 Annual Report and considered the outcomes of the 2025-26 Annual Performance Assessment.

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
- 3 AUGUST 2026**

**Audit, Risk and Improvement
Committee Unconfirmed Meeting
Minutes - 3 August 2026**

Meeting Date: 15 September 2026

Attachment No: 1



AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

MINUTES

3 AUGUST 2026

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

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AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD
AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON MONDAY, 3 AUGUST
2026 COMMENCING AT 11:44 AM****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 – via Microsoft Teams
Mr Peter Sheville – via Microsoft Teams
Councillor Andrea Friend
Councillor Rhodes Watson

In Attendance:

Thomas Upton – Chief Executive Officer
Councillor Glenda Mather
Andrea Ellis, General Manager Corporate Services
Katrina Paterson, General Manager Communities and Environment
Stacey Hogarth, Manager Strategy, Governance and Planning
Jaye Robertson, Manager Financial Services
Grant Harris, Chief Digital and Information Officer
Aaron Nunn, Coordinator Information and Technology
Adriana Mendez, Coordinator Accounting Services
Matthew Wilson, Coordinator Strategic Asset Management
Andrew Greenwood, Coordinator Safety
Poala Santini, Coordinator Governance and Risk
Catherine Parfitt, Risk and Governance Officer
Ursula Sleeman, Governance Office
Nicole Carr, Executive Support Officer (Minute Taker)
Mandy Louda, Executive Support Officer
Tony Brett, Shave and Brett Pty Ltd – via Microsoft Teams
Deborah Arghyros, KPMG
Megan Manuel, Queensland Audit Office – via Microsoft Teams
Tina Mowatt, Queensland Audit Office – via Microsoft Teams

Apologies:

Kristy Mansfield, Chief People and Performance Officer

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RECOMMENDATION

THAT the minutes of the Audit, Risk and Improvement Committee held on 11 May 2026 be taken as read and adopted as a correct record.

MOTION CARRIED UNANIMOUSLY

UNCONFIRMED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

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

NIL

UNCONFIRMED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

5 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS**5.1 ARAIC BUSINESS OUTSTANDING****File No:** CM4.2.1**Attachments:** 1. 2026-27 ARAIC Action Register - As at 7 July 2026**Responsible Officer:** Andrea Ellis - General Manager Corporate Services
Tom Upton - Chief Executive Officer**Author:** Nicole Carr - Executive Support Officer**SUMMARY**

The ARAIC Action Register is used as a tool to monitor outstanding business resolved or discussed at previous Audit, Risk and Improvement Committee Meetings. The attached ARAIC Actions Register (as at 7 July 2026), is presented for the committee's information.

COMMENTARY

The Committee discussed Action Item 2025-32 and it was noted that while the associated report had been finalised, management responses had not yet been presented to Council. The General Manager Corporate Services advised that the revised report, incorporating management responses, together with the Interim Management Report, will be presented to a future Ordinary Council Meeting. The action item will remain open until that process is complete.

COMMITTEE RECOMMENDATION

THAT the ARAIC Action Register be received and noted by the Committee.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

6 STRATEGIC REPORTS**6.1 CEO UPDATE**

File No: TBC
Attachments: Nil
Responsible Officer: Tom Upton - Chief Executive Officer
Author: Catherine Parfitt - Risk & Governance Officer
Lucy Walker - Coordinator Executive Support

SUMMARY

This report serves as a placeholder for the Chief Executive Officer to deliver a verbal update to the Committee. As the Chief Executive Officer recently commenced with Council, no written update has been provided for this meeting.

COMMENTARY

The Committee received an update from the Chief Executive Officer on key organisational priorities for the next twelve months, including improving visibility of service costs, delivery of the capital program, internal communication, customer request management, workforce knowledge transfer and management of emerging risks. Discussion was also held regarding key strategic risks, including water security, waste management and the Northern Corridor Sewer project. The Committee noted the update and organisational priorities.

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee receive the verbal update provided by the Chief Executive Officer.

MOTION CARRIED UNANIMOUSLY

11:48am Councillor Rhodes Watson entered the meeting.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7 REPORTS**7.1 FINANCIAL MANAGEMENT UPDATE**

File No: FM12.14.1
Attachments: Nil
Responsible Officer: Andrea Ellis - General Manager Corporate Services
Author: Sean D'Souza - Interim Manager Financial Services

SUMMARY

The purpose of this report is to provide the Audit, Risk and Improvement Committee with an update on key financial reporting and management matters.

COMMENTARY

The Committee discussed capital program delivery and year-end expenditure forecasts. The General Manager Corporate Services advised that current carry-forward levels largely reflect the timing of major multi-year projects and are broadly consistent with previous years. Discussion was also held regarding emerging risks, Council's risk appetite, the forecast operating deficit and the impact of escalating construction costs on project delivery.

The Committee requested a future portfolio-level view of the capital program (*Action Item 2026-5*), including major projects within the Blueprint Livingstone program, to provide greater context regarding project sequencing, delivery priorities and key interdependencies. (*Action Item 2026-6*)

COMMITTEE RECOMMENDATION

THAT the Audit Risk and Improvement Committee receive the Financial Management Update.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.2 POSITION PAPER: ASSET VALUATION AND SIGNIFICANT ACCOUNTING ESTIMATES - 2025/26 FINANCIAL YEAR

File No: qA83322
Attachments: 1. Draft Position Paper - Compliance with AASB116 and AASB13
Responsible Officer: Andrea Ellis - General Manager Corporate Services
Author: Matthew Wilson - Co-ordinator

SUMMARY

The purpose of this report is to provide the Audit, Risk and Improvement Committee with an update on key asset management and asset financial reporting matters, including the draft asset revaluation position paper.

COMMENTARY

The Committee discussed the Draft Asset Valuation Position Paper and sought clarification regarding accumulated depreciation movements, duplicate water and sewer assets, land valuation adjustments and the application of indexation factors.

Council advised that Queensland Audit Office review activities are progressing and that a further update on roads and drainage asset valuations will be provided at a future meeting.
(Action Item 2026-7)

COMMITTEE RECOMMENDATION

THAT the Audit Risk and Improvement Committee

- a) receive this update
- b) provide feedback on the draft Asset Revaluation Position Paper – “Compliance with AASB 116 – Fixed Assets Revaluations and AASB13 Fair Value Measurement”.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

**7.3 POSITION PAPER: ACCOUNTING FOR INFRASTRUCTURE CHARGES
OFFSETS AND REFUNDS****File No:** FA93975**Attachments:** 1. Position Paper - Accounting for
Infrastructure Refunds and Offsets
(A2427278)**Responsible Officer:** Sean D'Souza - Interim Manager Financial Services
Andrea Ellis - General Manager Corporate Services**Author:** Adriana Mendez - Acting Coordinator Accounting
Services**SUMMARY**

This report provides the Audit, Risk and Improvement Committee with the opportunity to review and provide comment on Council's draft position paper: *Accounting for Infrastructure Charges Offsets and Refunds*.

COMMENTARY

The Committee sought clarification on the materiality and financial statement treatment of infrastructure charge offsets and refunds. The General Manager Corporate Services advised that the position paper had been developed to establish a consistent accounting approach for increasing levels of development activity. Queensland Audit Office representatives confirmed that while differing accounting classifications had been considered, the underlying financial impact remained unchanged and both parties supported recognition as a provision.

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee review and provide feedback on the draft position paper *Accounting for Infrastructure Charges Offsets and Refunds*.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.4 QUEENSLAND AUDIT OFFICE UPDATE**File No:** fA2318**Attachments:**

1. QAO Briefing Paper - August 2026
2. 2026 Interim Report

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

The Queensland Audit Office (QAO) will provide an update on matters they deem should be brought to the attention of the Committee.

COMMENTARY

The Committee received an update on the Queensland Audit Office interim audit findings, including control deficiencies relating to land valuation reconciliations, higher duties arrangements and dormant user accounts. The Committee sought clarification regarding the significance of the findings and management responses. Queensland Audit Office representatives advised that no significant variances had been identified and that management's proposed actions were considered appropriate.

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee:

1. receive the update provided by Queensland Audit Office, as outlined in the QAO Briefing Paper and supported by the verbal update; and
2. receive the 2026 Interim Report.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.5 QAO REPORT 13 (2025-26): MANAGING THIRD-PARTY CYBER SECURITY RISKS

File No:	TBC
Attachments:	1. QAO Report 13 2025-26: Managing Third-party Cyber Security Risks
Responsible Officer:	Andrea Ellis - General Manager Corporate Services
Author:	Catherine Parfitt - Risk & Governance Officer Grant Harris - Chief Digital and Information Officer

SUMMARY

This report presents the findings and recommendations from the Queensland Audit Office's (QAO) Performance Audit Report 13: 2025-26 Managing third-party cyber security risks and outlines its relevance for Livingstone Shire Council.

COMMENTARY

The Committee reviewed Council's response to the Queensland Audit Office performance audit on managing third-party cyber security risks. Members noted that a number of recommended actions may already be addressed through existing practices and suggested that review periods for proposed actions be brought forward to strengthen oversight. Discussion was also held regarding existing cyber security controls and opportunities to further strengthen Council's management of third-party cyber security risks.

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee note the *Queensland Audit Office Report 13: 2025-26 Managing Third-party Cyber Security Risks* and managements response to address the recommendations made for Councils.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.6 ICT SECURITY & CONTROLS

File No: fA52233**Attachments:** 1. ICT Security Controls Report (August 2026) -
(Confidential)**Responsible Officer:** Grant Harris - Chief Digital and Information Officer
Andrea Ellis - General Manager Corporate Services**Author:** Aaron Nunn - Coordinator Information and Technology**SUMMARY**

This report outlines the status of controls for identified known risks that have been implemented as part of the Security Continuous Improvement roadmap, the ICT risk register, an internal assessment report on the Essential Eight and provides a quarterly update of cyber security statistics.

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee receive the attached ICT Security and Controls Report.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.10 INFORMATION SERVICES GOVERNANCE UPDATE

File No: A2351707
Attachments: Nil
Responsible Officer: Andrea Ellis - General Manager Corporate Services
Author: Grant Harris - Chief Digital and Information Officer

SUMMARY

This report outlines the status of significant Information Services initiatives, Digital Transformation and Innovation program activities, governance outcomes and known project risks with associated mitigation strategies.

COMMENTARY

The Committee discussed the proposed ICT Governance Framework and sought clarification regarding governance responsibilities, the advisory role of the Audit, Risk and Improvement Committee and arrangements for independent assurance over significant ICT projects.

Members suggested amendments to better reflect governance responsibilities and supported the development of a risk-based approach to project assurance. The General Manager Corporate Services agreed to revise the framework and provide a further update at a future meeting. (*Action Item 2026-9*)

Discussion also occurred regarding governance controls surrounding the use of artificial intelligence and staff training.

COMMITTEE RECOMMENDATION

That Audit, Risk and Improvement Committee receive the Information Services Governance Update report.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.7 POLICY FRAMEWORK UPDATE

File No: fA2390
Attachments: Nil
Responsible Officer: Poala Santini - Coordinator Governance
Andrea Ellis - General Manager Corporate Services
Author: Ursula Sleeman - Governance Officer

SUMMARY

This report provides an update on the progress of the Policy Framework Review Project and the status of Council's existing policy documents.

COMMENTARY

The Committee discussed the status of the Policy Framework Review and noted a reduction in the number of overdue policy documents. Clarification was sought regarding outstanding Office of the Chief Executive Officer and Human Resources policies, with Council advising that delays were primarily due to resource constraints and consultation requirements. The Committee noted that statutory policies are current and ongoing support continues to be provided to policy owners.

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee receive the update on the Policy Framework Review Project.

MOTION CARRIED UNANIMOUSLY

Break 1:33pm
Resumed meeting at 1:45pm

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.8 SAFETY UNIT UPDATE - APRIL / MAY / JUNE 2026

File No: 01

Attachments: Nil

Responsible Officer: Kristy Mansfield - Chief People and Performance Officer

Author: Andrew Greenwood - Coordinator Safety

SUMMARY

This report is to provide an update in relation to Council's Safety business unit in relation to workplace health and safety.

COMMENTARY

The Committee discussed reported psychosocial hazard incidents and sought clarification regarding current trends and management responses. The Committee noted the update and ongoing monitoring of workplace health and safety risks.

COMMITTEE RECOMMENDATION

THAT the Audit Risk and Improvement Committee receive the Safety Coordinator's update.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.9 FRAUD RISK MANAGEMENT ANNUAL REPORT

File No: qA82928

Attachments:

1. Fraud and Corruption Prevention Control Plan Activity Update Report 2025-26
2. Fraud Risk Report - Report as at 30 June 2026

Responsible Officer: Andrea Ellis - General Manager Corporate Services

Author: Poala Santini - Coordinator Governance

SUMMARY

The purpose of this report is to provide the Audit, Risk and Improvement Committee with an update on Council's fraud risks and associated management processes.

COMMENTARY

The Committee discussed fraud risk ratings, policy review timeframes, reporting mechanisms and the effectiveness of current fraud controls. Clarification was sought regarding the rationale for selected risk ratings and the status of fraud and corruption prevention activities. The Committee suggested that an additional column be included in Attachment One incorporating a traffic light indicator against each activity to assist in identifying the level of risk or exposure associated with outstanding items. *(Action Item 2026-8)*

Discussion was also held regarding conflict of interest training, anonymous reporting mechanisms and opportunities to further strengthen fraud control arrangements.

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee receive this overview on Fraud Risk Management.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.11 INTERNAL AUDIT UPDATE

File No: qA24787

Attachments:

1. KPMG Internal Audit Status Report - July 2026
2. Annual Internal Audit Plan 2027FY

Responsible Officer: Tom Upton - Chief Executive Officer

Author: Catherine Parfitt - Risk & Governance Officer

SUMMARY

This report provides the Audit, Risk and Improvement Committee with an update on internal audit activities, including progress against the approved Internal Audit Plan 2025-26FY and 2026-27FY.

COMMENTARY

The Committee received an update on internal audit activities and discussed amendments previously proposed to the FY2027 Internal Audit Plan. The Committee requested that completion dates be included in the Financial Year Internal Audit Plan when presented to the Audit Committee to provide greater visibility of audit delivery timeframes and progress. (*Action Item 2026-10*)

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee:

1. Receive the Internal Audit Status Report provided by KPMG.
2. Note the amended Annual Internal Audit Plan FY27 incorporating the Committee's previously endorsed amendments.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.13 INTERNAL AUDIT REPORT - RECORDS MANAGEMENT (IA-2026-01)

File No:	TBC
Attachments:	1. Internal Audit Report - Records Management (IA-2026-01) 2. Management Responses and Agreed Actions (IA-2026-01 Records Management)
Responsible Officer:	Tom Upton - Chief Executive Officer
Author:	Catherine Parfitt - Risk & Governance Officer

SUMMARY

As per Council's Annual Internal Audit Plan FY26, KPMG have now finalised the internal audit project for Records Management.

COMMENTARY

The Committee discussed the findings and management responses contained within the Records Management Internal Audit Report. Clarification was sought regarding the significance of the findings, with General Manager Corporate Services advising that the results were broadly consistent with previous internal self-assessment activities.

Consideration was also given to governance responsibilities, resource constraints, implementation timeframes and Council's acceptance of the identified risks while a broader improvement program is developed.

The Committee supported a phased approach focused on addressing immediate high-risk issues and requested that a Records Management Action Plan be developed and presented to a future meeting. *(Action Item 2026-11)*

The Committee also requested that management responses be incorporated within future Final Internal Audit Reports to provide a single consolidated document for consideration. *(Action Item 2026-12)*

COMMITTEE RECOMMENDATION

THAT the Committee receive the Internal Audit Report – Records Management, as carried out by KPMG.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.12 AUDIT RESPONSE ACTION PLAN

File No: qA81306
Attachments: 1. Audit Response Action Plan (Q4 2025-26FY)
Responsible Officer: Tom Upton - Chief Executive Officer
Author: Catherine Parfitt - Risk & Governance Officer

SUMMARY

The purpose of this report is to provide the Audit, Risk and Improvement Committee with periodic updates on the status of any agreed audit actions. This report provides the latest update as of 8th July 2026, covering both internal and external audit actions.

COMMENTARY

The Committee reviewed progress against outstanding audit actions. The General Manager Corporate Services provided information in regard to the possibility of a change in strategic direction for project management information systems that would require a different response to the current outstanding audit actions from the Project Management audit. Discussion was also held regarding future internal audit scoping considerations, with KPMG noting the feedback provided by the Committee.

COMMITTEE RECOMMENDATION

THAT the Audit, Risk and Improvement Committee receive the status update against the Audit Response Action Plan.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.14 CORPORATE PLANNING & PERFORMANCE MANAGEMENT UPDATE

File No: CM4.6.2
Attachments: 1. Q3 2025-2026 Operational Plan
Responsible Officer: Poala Santini - Coordinator Governance
Andrea Ellis - General Manager Corporate Services
Author: Ursula Sleeman - Governance Officer

SUMMARY

The purpose of this report is to enable the Committee to consider Quarter 3 Operational Plan Performance and note recent strategic and system improvements that strengthen Council's planning, reporting, and performance monitoring framework.

COMMENTARY

The Committee discussed operational plan activities reported as off track and sought clarification regarding performance measures, resourcing impacts and alignment with strategic outcomes. Consideration was also given to the measurement of organisational responses to internal audit actions and the appropriateness of current performance indicators. Discussion was held regarding carbon emissions reporting and the baseline measures used to monitor progress. The Committee noted the update.

COMMITTEE RECOMMENDATION

THAT the Committee:

1. receives the Quarter 3 2025-2026 Operational Plan Performance Report as of 31 March 2026; and
2. notes the improvement initiative to transition to a modern corporate planning and reporting system.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.15 ARAIC SUMMARY OF ACTIVITIES FOR LSC 2025-26 ANNUAL REPORT

File No: fA73036
Attachments: 1. ARAIC Summary of Activities 2025-26
Responsible Officer: Andrea Ellis - General Manager Corporate Services
Tom Upton - Chief Executive Officer
Author: Catherine Parfitt - Risk & Governance Officer

SUMMARY

A summary of the Audit, Risk & Improvement Committee's activities for the 2025-26 reporting period has been provided for inclusion in Council's 2025-26 Annual Report. The draft summary is presented to the Committee for review and feedback on the Committee's focus areas and outcomes achieved during the period.

COMMENTARY

The Committee reviewed the draft ARAIC Summary of Activities for inclusion in Council's Annual Report. Members suggested that the attendance table be revised to reflect formal quarterly Committee meetings only. The Committee also considered the proposed focus areas for 2026-27 and recommended that strategic risk management be included as an ongoing area of focus. *(Action Item 2026-13)*

COMMITTEE RECOMMENDATION

THAT the Audit, Risk & Improvement Committee review and provide feedback on the draft Summary of Activities 2025-26, for inclusion in Council's 2025-26 Annual Report.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

7.16 ARAIC ANNUAL PERFORMANCE ASSESSMENT (JULY 2025 TO JUNE 2026)**File No:** tbc**Attachments:** 1. 25-26 ARAIC Annual Performance Assessment Report**Responsible Officer:** Andrea Ellis - General Manager Corporate Services
Tom Upton - Chief Executive Officer**Author:** Catherine Parfitt - Risk & Governance Officer**PURPOSE**

To undertake an annual assessment of the Committee's performance and achievements for the previous period, ensuring that objectives are being met efficiently and effectively and confirming that all responsibilities outlined in the Audit, Risk and Improvement Committee (ARAIC) Terms of Reference have been fulfilled.

COMMENTARY

The Committee discussed the outcomes of the 2025-26 Annual Performance Assessment and noted disappointment with the survey participation rate. Consideration was given to opportunities to increase the visibility of the Committee's work across the Council and to further contribute to strategic risk management activities. The Committee endorsed the recommendations contained within the Annual Performance Assessment.

COMMITTEE RECOMMENDATION

THAT the Committee receives this report, noting the outcomes from the annual self-assessment and the assessments undertaken by the Executive Leadership Team and reporting officers, and advises the Chief Executive Officer on the recommendations contained within the report.

MOTION CARRIED UNANIMOUSLY

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

8 GENERAL BUSINESS

Nil

UNCONFIRMED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

3 AUGUST 2026

9 CLOSURE OF MEETING

There being no further business the meeting closed at 3:03 pm.

Mr Jeff Stewart-Harris
CHAIRPERSON

3 August 2026

UNCONFIRMED

12.1 - AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 3 AUGUST 2026

FY27 Annual Internal Annual Internal Audit Plan 2027FY

Meeting Date: 15 September 2026

Attachment No: 2



Annual Internal Audit Plan for the 2027 financial year

Livingstone Shire Council (LSC)

May 2026

Version: Final



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1.1 Overview of the Internal Audit Function

The purpose of this document is to present Livingstone Shire Council's (LSC's) Annual Internal Audit Plan for the financial year ending 30 June 2027.



Our responsibilities

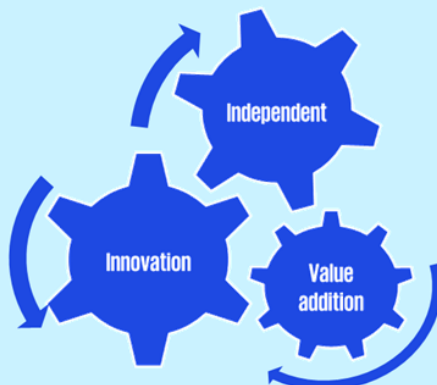
We will provide Internal Audit services:

- in accordance with LSC's Strategic Planning Framework; and
- that contribute to the achievement of LSC's goals and objectives.



Our mission

We are committed to providing a contemporary internal audit service which is fully integrated into the risk and governance framework.



Our strategy

Consider LSC's governance processes including ethics, culture and 'tone at the top'.

Align our work to LSC's risk profile through a risk-based Internal Audit Plan, taking into consideration LSC's Strategic Risk Register which is essential in ensuring areas of high risk are targeted (see pages 5 and 6).

Assist Management in **evaluating processes and controls** for identifying, assessing and managing the key operational, financial and compliance risks of LSC.

Use an agile approach in analysing and evaluating business processes and the effectiveness of the associated internal control systems, including compliance with internal policies.

Through **liaising with our KPMG interstate colleagues** and connections, we were able to leverage their experiences in regard to lessons learnt and evolving trends in the local government sector.

Review LSC's strategic priorities taking into consideration the Community Plan 2030, including the 4 strategic themes.

Be responsive to LSC's changing needs, striving for continuous improvement and monitoring integrity in the performance of its activities.

Keep up-to-date with new developments and emerging trends affecting LSC, **sharing our thought leadership** with Management.

Provide **independent perspective to the Audit, Risk and Improvement Committee (ARaIC)** to fulfil its obligations.



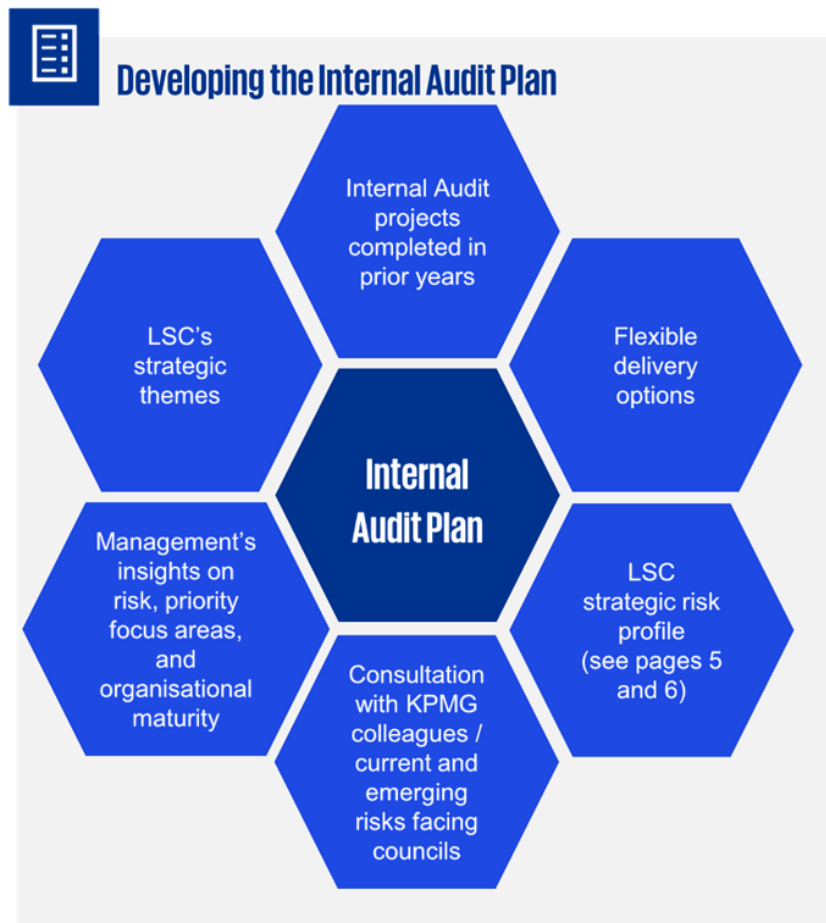
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1.2 Approach to development of this Internal Audit Plan

Detailed below are certain considerations we have factored into the development of this Internal Audit Plan for LSC.



Flexible internal audit delivery

-  **Full scope internal audits** – these provide stakeholders with a more detailed understanding of the control environment and improvement opportunities and include tests of design and operating effectiveness.
-  **Health check reviews** – provide targeted information regarding the control environment. Targeted review of design and operating effectiveness of key controls through limited detailed audit testing.
-  **Design reviews** – consider whether the controls within a process are designed effectively and therefore are useful in providing stakeholders with key insights into new and/or changing processes and systems.
-  **Project reviews** – this approach is used to provide high-level oversight and continual monitoring of projects or change programs where ongoing, real-time advice is required.
-  **Compliance** – these assignments are prescribed by the various regulators and are to be completed within mandated timeframes.
-  **Check and challenge** – this approach allows the internal auditor to support LSC while making decisions on change. Join in key progress meetings of key projects to land insights to ensure LSC are considering downstream risk and control impacts of any change.



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1.3 Current LSC Strategic Risk Profile

As noted on pages 3 and 4, LSC strategic risks were considered in developing this Plan. The table below provides an overview of LSC strategic risk profile.

#	Risk Name	Risk Description
1	Strategic Planning Misalignment	The risk of short-term decision-making to satisfy immediate community requests – characterised by: - misaligned Council aspirations and realities of financial and operational constraints - political bipartisanship - limited consideration of data - evidence and SME advice significantly impacts funding for initiatives - long-term strategic performance - Council resilience and community trust.
2	Integrated Planning	Misalignment of growth assumptions and a lack of integrated planning leading to fragmented decision-making, misaligned resource allocation, diminished organisational performance.
3	Infrastructure Constraints and Key Asset Deterioration	Existing infrastructure is insufficient to support current and projected community growth, leading to constraints in service delivery, reduced community satisfaction, and missed strategic opportunities. Deterioration of major assets due to inadequate maintenance funding and asset management practices results in service disruptions (e.g. water and sewer) increasing costs, and reduced community trust.
4	Financial Sustainability	Inability to effectively respond to unexpected or un-forecasted changes in financing arrangements due to the absence of a robust and sustainable financial strategy that creates capacity to adapt to external sector-wide factors e.g. reduced state and federal grants, changing interest rates.
5	Service Delivery Risk	Inability to meet overall service level expectations and strategic commitments due to inability to prioritise mandated budget cuts, rising operational costs, unrealistic community requirements.
6	Cybersecurity	Inadequate cybersecurity and data governance (protection) practices results in security breaches, loss of sensitive information and reputational harm.
7	Workforce Planning	Challenges in attracting and retaining skilled personnel results in staffing shortages, reduced capacity and capability to meet strategic goals, operational inefficiencies and reduced quality or continuity of service delivery outcomes.



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1.3 Current LSC Strategic Risk Profile (cont.)

#	Risk Name	Risk Description
8	Digital Transformation Delivery	Failure to establish and embed a clearly defined, fit-for-purpose governance and operating model to guide the digital transformation program results in fragmented delivery, unrealised benefits and efficiency, stakeholder disengagement and the inability to achieve the targeted strategic and operational outcomes.
9	Organisational Readiness for Change	Immature change management practices and organisational capability leads to challenges in effectively implementing and delivering initiatives designed to achieve sustainable transformation.
10	Project Delivery	Ineffective planning and project management approach leads to delays, significant cost overruns and fails to meet community expectations.
11	Local Economic Diversification	Inability to diversify the local economy puts over-reliance on mining sector performance and reduces ability to deliver long-term strategic goals.
12	Stakeholder Engagement	Failure to effectively and proactively engage with key stakeholders and community leads to reputational damage and a loss of trust from the community.
13	Natural Disaster Resilience	Increasing geographic and climate related events (flooding, bushfires, coastal erosion) results in increased recovery costs and reduced liveability across the region.
14	Artificial Intelligence Governance and Productivity	Lack of effective AI governance creates significant data and privacy challenges and a missed opportunity to enhance productivity in the Council.



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2. 2027 Internal Audit Plan

Below is the proposed Internal Audit Plan for year ending 30 June 2027.

Ref.	Internal audit project and indicative scope	Strategic risk alignment	Days effort (estimated)	Cost (estimated)	Planned Activity			
					Qtr 1	Qtr 2	Qtr 3	Qtr 4
1.	Planning and Coordination Preparation of internal audit plan (no cost), attendance at ARaC meetings, annual strategic planning workshop, meetings with external auditors and internal audit sponsor.	-	6	7,800	✓	✓	✓	✓
2.	Management of Infrastructure Agreements (IAs) This internal audit will assess the design of controls over the recording, management, and execution of IAs established to deliver public asset outcomes as part of private asset development activities. The audit will evaluate (i) the adequacy and robustness of record-keeping practices supporting IAs, (ii) the structure and governance of agreements in place, (iii) the identification, delivery, and monitoring of offset works associated with the IA process, and (iv) documentation supporting the end-to-end process and adherence to relevant policies and procedures relating to IAs. The scope includes determining whether controls ensure that agreed public asset outcomes are appropriately documented, tracked, and delivered in accordance with established requirements.	10	25	32,500	✓			
3.	Strategic Planning and Reporting This internal audit could consider the following key areas: Compliance with the Local Government Act 2009 and Local Government Regulation, governance structures in effect, the planning and reporting process, organisational performance culture and systems in effect to enable planning and reporting. The alignment between the Corporate Plan, Operational Plan and Quarterly Performance Reports could also be included as well as the quality of performance information (e.g. KPIs).	1	25	32,500		✓		
4.	Procurement The scope for this internal audit could include checking compliance with applicable legislation and LSC's policy. Further, internal audit can consider the tender management processes, risk management and training and capability.	Operational	23	29,900			✓	
5.	Data Analytics The scope for the Data Analytics project will be discussed and agreed as part of the FY2027 Internal Audit Plan preparation	Operational	TBC	TBC				✓
Total estimated fee			79	102,700				



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Appendix A

Previous Internal Audits

Internal Audit considered the history of LSC's internal audit program in developing this Plan. The table below provides an overview of internal audit activity completed between 2023 and 2025 as well as internal audits that are incorporated into the Internal Audit Plan for the year ending 30 June 2026.

Internal Audit	2022	2023	2024	2025	2026
Large-scale Vendor Contract Compliance		-			
Phase 1 - Transformation project Assurance Health-check		8			
Records Management Practices		-			
Project Management Practices		10			
Grant Management Practices		4			
Data Analytics & Reporting			-		
Conflict of Interest & Related Party Disclosure Management Practices			-		
Software Acquisition & Licencing Management			-		
Water Management Practices, including SCADA Security implementation				3, 5	
Payroll Processes, Systems & Practices - Post-implementation validation				-	
Fleet Management Practices				-	
Workforce Management Planning Initiative– Implementation Status & Project Health-Check				7	
Records Management					-
IT Governance					8

The numbering references alignment between each internal audit completed by KPMG and LSC's Material Risk Profile (pages 5 and 6) to illustrate coverage of risks.



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Appendix B

2028 Internal Audit Plan

Below is the proposed Internal Audit Plan for year ending 30 June 2028 as presented to the ARaIC as part of the Three-Year Strategic Internal Audit Plan for the period then ending..

Ref.	Internal audit project and indicative scope	Strategic risk alignment	Days effort (estimated)	Cost (estimated)	Planned Activity			
					Qtr. 1	Qtr. 2	Qtr. 3	Qtr. 4
1.	Planning and Coordination Preparation of internal audit plan (no cost), attendance at ARaIC meetings, annual strategic planning workshop, meetings with external auditors and internal audit sponsor.	-	6	7,800	✓	✓	✓	✓
2.	Cybersecurity This internal audit could assess LSC's cyber security practices to evaluate the effectiveness of cyber security frameworks, processes, and the controls implemented to mitigate cyber security risks, and ensure compliance with relevant standards and regulations.	6	27	35,100	✓			
3.	Natural Hazards Management This internal audit could consider compliance with internal requirements and key controls relating to LSC's natural hazards management, including bushfires, floods and tropical cyclones.	13	26	33,800		✓		
4.	Public Safety (validation of prior assurance activity) Public safety management involves the coordination and administration of resources that provide for the safety and security of the community. There was an audit conducted on public safety by an external service provider in 2023 and this internal audit will determine whether the recommended actions included in the report have been actioned and closed.	Operational	10	13,000			✓	
5.	Data Analytics The scope for the Data Analytics project will be discussed and agreed as part of the FY2027 Internal Audit Plan preparation	Operational	TBC	TBC				✓
Total estimated fee			69	89,700				



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Appendix C

Watchlist

The following table reflects the high-level scopes associated with internal audits that warrant consideration for inclusion in LSC's Internal Audit Plan.

#	Internal Audit project	Internal Audit Project Objectives	Alignment with LSC's strategic risks
1	Asset Management	The internal audit will consider the design effectiveness of Asset Management throughout an asset's lifecycle at LSC, with a focus on preparedness, resilience and maintenance. The scope will include how risks are managed, how assets are maintained, and whether practices align with regulatory requirements and better practices. It will also consider the quality and use of asset data, asset registers, condition assessments and lifecycle planning tools.	3
2	Budgeting and Planning	The internal audit will consider LSC's budgeting and forecasting processes and practices. Specifically, we will assess the adequacy of processes and tools used for budget monitoring and reporting, including reporting of budgeting issues. High-level consideration will be on assessing LSC's budgeting process and its alignment to future capability needs and long-term objectives.	4
3	Treasury	This internal audit will include a risk and controls assessment over the current operating effectiveness of LSC's Treasury process. This engagement would consider current Treasury processes related to investing and cash management against better practice, while also providing insight into compliance with the relevant LSC policies.	4
4	Building Access Management	This internal audit will consider the operating effectiveness of key controls relating to LSC's building access management, including electronic card, physical key and third-party access provisions to identify improvement opportunities in the current processes.	Operational
5	Contract Management	The scope of this internal audit will include a review on LSC's framework for managing contracts, focusing on policies and procedures, as well as administration systems and processes for contract management. The internal audit will also consider the management of contract performance as well as relevant contract risks.	5
6	Data Governance	The objective of this internal audit is to consider the design of key controls associated with data management to ensure data availability, accuracy and security are maintained. This will include a review of data backup and recovery, data classification and protection, data retention and disposal.	8
7	Debtor Management	The internal audit will consider the design of key controls and processes to manage debtors in accordance with LSC's policies, including invoicing, monitoring, follow-up and reporting.	4



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Watchlist (cont.)

#	Internal Audit project	Internal Audit Project Objectives	Alignment with LSC's strategic risks
8	Development Applications	This internal audit will consider the design and operating effectiveness of governance, risk management, and internal controls supporting the end-to-end development application process. This will also consider compliance with legislative and regulatory requirements, consistency of decision-making, transparency of assessment practices, and the integrity of supporting documentation.	2
9	ESG Reporting	As the ESG regulatory framework continues to evolve, effective reporting is necessary to convey the ESG narrative to stakeholders and the public, to comply with relevant disclosures, and strengthen reputation and value. With reporting requirements comes the need to ensure measurement and data collection is appropriate and accurate to fairly report the associated impact.	Operational
10	Fees and Charges	This internal audit will consider the current procedures in place to set, collect and monitor fees and charges throughout LSC's practices. This will include the design and operating effectiveness of LSC's key processes in collecting and monitoring the appropriateness of fees and charges on the community. Benchmarking analysis with other local government authorities will also be undertaken as part of this review.	2
11	Financial Controls	This internal audit will consider the design and operating effectiveness of LSC's key financial processes, including revenue, purchases, expenses, debt management, cash flow management and reporting processes.	Operational
12	Fleet Management	The internal audit will consider the design and operating effectiveness of key controls relating to LSC's fleet management throughout the lifecycle including acquisition, utilisation, maintenance, and disposal.	10
13	General IT Controls	This internal audit would involve an assessment of LSC's IT functions and controls. This would include a gap analysis on LSC's maturity against recognised frameworks.	6
14	Governance	Review the governance structures in place to support strategy and governance uplift.	Operational
15	Grievance, Bullying, Harassment and Whistle-blowing	This internal audit will consider the implementation and effectiveness of LSC's grievance, bullying and harassment and whistle-blower policies (including workplace bullying and sexual harassment) and associated processes and controls. This will include consideration of how incidents are governed, escalated and reported to the responsible governance forums and the Council (where required). Sample testing could be performed to consider the design and operating effectiveness of key controls in effect that support this framework.	Operational



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Watchlist (cont.)

#	Internal Audit project	Internal Audit Project Objectives	Alignment with LSC's strategic risks
16	Identity Access Management	This internal audit will consider LSC's access control policies including consideration of Access and Identity Security controls. It will include a review of identity access management policies and procedures, with reference to security controls across job function changes and offboarding processes.	6
17	Incident and Breach Response	This internal audit will consider LSC's Incident and Breach Response plan, team readiness, capabilities and the communication protocols that operate throughout council. This will also consider the design and operating effectiveness of the Incident and Breach Response Framework with respect to IT and privacy incidents or breaches.	12
18	Infrastructure charges	Governance and assurance of financial sustainability of infrastructure charging and associated operational processes.	4
19	Patching and firmware upgrades of network devices	Review controls related to patching and firmware upgrades of network devices.	6
20	Privacy Maturity Assessment	The internal audit would involve a privacy maturity assessment to understand the current state and desired future state of LSC's privacy activities. A gap analysis against recognised frameworks would be conducted as part of this review.	6
21	Project Management	Evaluate the effectiveness, efficiency, and governance of project management practices within Council and ensure that the PMO is effectively supporting LSC's strategic objectives by providing oversight, standardisation, and guidance for project delivery.	10
22	Rates Management	Consider the design and operating effectiveness of rates management processes, including the procedures for setting, reviewing, and adjusting ratable categorisations within the system/s.	4
23	Regulatory Compliance Framework	This internal audit will consider the legislative compliance framework in place at LSC. It will consider Council's process for capturing compliance obligations and risks, supporting and managing compliance along with process to report, monitor and improve any non-compliance matters.	Operational
24	Sexual Harassment Risk Management Review	Review the key controls to manage risks to health and safety from sexual harassment at work in light of recent changes to regulatory requirements.	Operational



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Watchlist (cont.)

#	Internal Audit project	Internal Audit Project Objectives	Alignment with LSC's strategic risks
25	Staff Resilience and Wellbeing	This internal audit will include a review and assessment of the implementation and effectiveness of existing policies and governance frameworks to manage staff wellbeing (e.g. work/life balance, financial benefits, health, support and protection, and flexible and remote working arrangements).	7
26	Third-party ICT Vendor Management	Evaluate the effectiveness of governance, risk management, and control frameworks associated with third-party ICT providers. This includes assessing contractual and service continuity (e.g. supplier contracts include robust scenario and contingency plans), reviewing third-party cybersecurity risk management, including how organisational data is accessed, stored, and protected by vendors, assessing compliance with relevant regulations and the distribution of risks across suppliers, evaluating the monitoring mechanisms for vendor performance, including adherence to service level agreements (SLAs) and incident response capabilities, providing assurance over controls related to emerging technologies used by third-party vendors, such as cloud services and AI, to ensure ethical and secure deployment.	6
27	WHS	The internal audit will consider the design effectiveness of LSC's Work, Health and Safety (WHS) management system and framework, management's commitment, accountabilities for WHS, hazard identification and control, incident/ accident analysis and reporting, education and training.	7
28	Psychosocial risks	This internal audit will assess and address risks related to employee wellbeing and psychosocial hazards in the workplace. The audit aims to ensure that organisations are prepared to identify and manage these risks effectively, comply with relevant legislation, and foster a healthy and supportive workplace environment.	7
29	Workforce Planning	This internal audit will consider the design of the workforce planning process and assess if the investment in people aligns with strategic priorities and reflects current workload demands. This would include a review of the completeness of the current strategy, provide better practice insights and implementation considerations.	7 & 9
30	Venue Utilisation	This internal audit will review and assess LSC's guidance (i.e. policy and procedures), systems and processes are appropriate in managing the utilisation of LSC's various venue types, identifying gaps in LSC's approach and areas where improvements can be made.	4



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Watchlist (cont.)

#	Internal Audit project	Internal Audit Project Objectives	Alignment with LSC's strategic risks
31	Management of Surplus Land	This internal audit will include the review of LSC's governing artefacts (i.e. policy and procedures) in determining whether they are effective in identifying, managing its surplus land (including processes to acquire and dispose of land), identifying gaps in LSC's approach and areas where improvement can be made. Secondly, to provide relevant benchmarking against better practice and other relevant entities (where possible), to outline options to improve LSC's use of surplus land to support ongoing sustainability.	4
32	Stakeholder Management	The scope of this internal audit could include LSC's approach to stakeholder engagement processes in accordance with the Local Government Act 2009 and its associated regulations and guidelines. The scope could consider the controls, governance structures, policies and procedures, roles, responsibilities and accountabilities for stakeholder communications. Alignment with the Accountability AA1000 Stakeholder Engagement Standard 2018 (AA1000SES) guidelines and tools can also be considered from a better practice perspective.	12
33	Waste Management	Evaluate the effectiveness of LSC's policies, processes, and controls in place for the reduction, segregation, disposal, and recycling of waste. This includes ensuring compliance with environmental regulations, alignment with sustainability goals, and minimisation of environmental impact. This internal audit would also assess whether waste management practices are cost-effective, operationally efficient, and contribute to LSC's broader Environmental, Social, and Governance (ESG) commitments.	5
34	Penalty Infringement Notifications	Evaluate the effectiveness of governance, compliance, and control frameworks in managing and mitigating risks associated with such notifications. This includes determining compliance with laws, regulation and Council policies, assessing the accuracy and timeliness of recording, reporting, and resolving penalty notifications, LSC's process for reviewing processes for identifying and addressing the root causes of penalty infringements to prevent recurrence, evaluating the organisation's approach to managing risks associated with penalties, including financial, reputational, and operational risks, and ensuring clear accountability and effective monitoring mechanisms are in place for managing penalty notifications. These objectives aim to enhance organisational compliance, reduce exposure to penalties, and maintain trust with stakeholders.	Operational



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Watchlist (cont.)

#	Internal Audit project	Internal Audit Project Objectives	Alignment with LSC's strategic risks
35	Environmental Regulation	This internal audit will assess the effectiveness of governance, risk management, and control frameworks in ensuring adherence to relevant environmental laws and regulations and will consider: - Regulatory Compliance: Evaluating compliance with relevant environmental legislation, standards, and organisational policies. - Risk Identification and Mitigation: Assessing the identification, monitoring, and mitigation of environmental risks, including those related to climate change and resource usage. - ESG Commitments: Reviewing LSC's progress in achieving Environmental, Social, and Governance (ESG) targets and commitments. - Reporting Integrity: Ensuring the accuracy, transparency, and integrity of environmental reporting and disclosures. - Sustainability Practices: Evaluating the effectiveness of sustainability initiatives, such as waste management, energy efficiency, and carbon reduction strategies. These objectives aim to enhance compliance, promote sustainable practices, and safeguard LSC's reputation and operational resilience.	Operational
36	Business Continuity	The internal audit will evaluate the effectiveness of frameworks, processes, and controls designed to ensure operational resilience and preparedness for disruptions. This includes: - Threat Identification and Risk Assessment: Assessing LSC's ability to identify significant threats and evaluate their potential impact on critical operations. - Crisis Management and Response Plans: Reviewing the design, implementation, and effectiveness of crisis management, business continuity, and IT disaster recovery plans. - Emerging Risks: Ensuring LSC considers emerging risks and adapts its continuity strategy. - Stakeholder Assurance: Checking that LSC's plans enable the organisation to maintain trust and meet stakeholder expectations during and after disruptions (including the adequacy of trained staff to manage a prolonged event).	Operational
37	Volunteer Management	This internal audit will include evaluating LSC's approach to volunteer management to assess the effectiveness of frameworks, processes, and controls in place to attract, engage, and retain volunteers while ensuring alignment with the organisation's mission and values.	Operational



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Watchlist (cont.)

#	Internal Audit project	Internal Audit Project Objectives	Alignment with LSC's strategic risks
38	Data privacy	The internal audit will evaluate LSC's data privacy practices to assess the effectiveness of its frameworks, processes, and controls in safeguarding personal information and ensuring compliance with regulatory and ethical standards.	8
39	Fraud Maturity Assessment	The objective of conducting a fraud maturity assessment internal audit is to evaluate LSC's ability to prevent, detect, and respond to fraud effectively. The scope will assess the robustness of internal controls, governance frameworks, and anti-fraud measures to identify vulnerabilities and areas for improvement and check that the policies and procedures align with best practices and regulatory requirements for fraud prevention.	Operational
40	Complaints Handling	Evaluate the effectiveness and efficiency of LSC's complaints management processes, ensuring that complaints are handled in a manner that aligns with organisational policies, regulatory requirements, and best practices. It will also assess whether mechanisms are in place to encourage reporting, address complaints promptly, and resolve issues fairly and transparently.	Operational
41	Capital Works / PMO	Assess whether capital works are planned, executed, and managed in alignment with organisational goals, regulatory requirements, and budgetary constraints as well as ensuring that risks associated with project management, cost overruns, delays, and quality issues are identified and mitigated.	Operational
42	Artificial Intelligence Readiness	LSC should be prepared for adopting and integrating AI technologies responsibly, ensuring alignment with strategic goals, regulatory requirements, and ethical standards. The scope of this internal audit could consider LSC's AI governance structures, strategy, risk management, infrastructure, people and culture and ethical considerations.	14
43	Talent and Retention	The internal audit will evaluate the effectiveness of LSC's strategies, processes, and controls in place to address workforce challenges and ensure alignment with organisational goals. This includes strategic Workforce Planning, Employee Value Proposition (EVP), Psychosocial Risk Management (Assessing readiness for and management of psychosocial risks, including employee well-being, mental health), and compliance with relevant legislation and Impact of Workforce.	7
44	Safeguarding	Evaluate the effectiveness of governance, policies, and controls designed to safeguard individuals, particularly children and vulnerable groups, from harm, abuse, or exploitation. This includes assessing compliance with relevant standards, legislation, and safeguarding policies, as well as the organisation's incident and complaints management processes. Internal Audit will also review the culture of safeguarding and the adequacy of preventive, participatory, and detective measures in effect.	Operational



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13 REPORTS

13.1 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 AUGUST 2026

File No: FM12.14.1

Attachments:

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

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

Author: Jessica Crane - Financial Accountant
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 31 August 2026.

OFFICER'S RECOMMENDATION

THAT Council receive the Livingstone Shire Council Monthly Financial Report for the period ending 31 August 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 31 August 2026. Commitments are excluded from the reported operating & capital expenditures. Further accounting adjustments are continuing to be processed during July and August 2026 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 August 2026, four (4) contracts over the prescribed value (\$200,000) were established via purchase order.

Current Tenders

At the end of August 2026, there were two (2) open tenders, nil (0) selective tenders, three (3) tenders under evaluation, two (2) preferred tenderer status, and one (1) contract 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.

August 2026 - Open Tenders			
2026.29	Construction of Rosslyn Street Sewage Pump Station (SPS42) Wet Well Renewal		
2026.31	Barmaryee Sports Precinct Master Plan		
August 2026 - Selective Tenders			
Nil Selective Tenders for July 2026			
August 2026 - Tenders Evaluation			
2026.25	Livingstone Shire Council New Depot Detailed Design		
2026.26	Taroomball Residential Precinct Detail Design & Approvals		
2026.13	Preferred Supplier Arrangement (PSA) - Supply & Delivery of Chemicals		
August 2026 - Preferred Tenderer Status			
2025.010	Homemaker Stage 2 - Land Sale		
2025.004	Great Keppel Island Arrivals Plaza Leasehold		
August 2026 - Contracts Awarded		Successful Tenderer/s	Contract Value (exc GST)
2026.016	GKI Waste Management Services	Great Keppel Island Hideaway Pty Ltd	Per Schedule of Rates

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 31 AUGUST 2026

Monthly Financial Report - August 2026

Meeting Date: 15 September 2026

Attachment No: 1

1. Financial Position and Performance Snapshot
Livingstone Shire Council
For the period ended 31 August 2026

YTD Cash Balance
(\$ million)

\$185.849

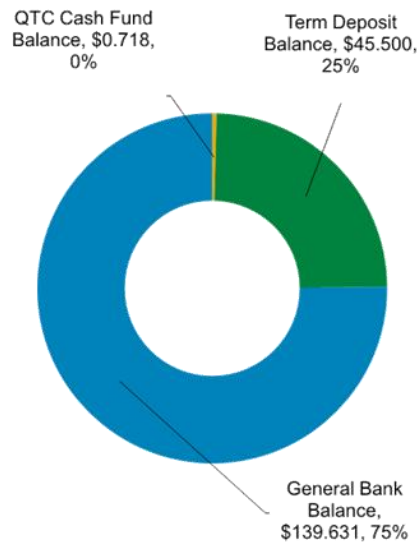
Restricted/unrestricted
Cash balance
(\$ million)

Restricted cash: \$63.617
 Unrestricted cash: \$122.232

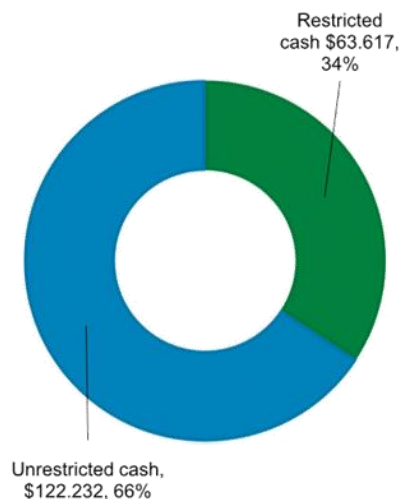
YTD Total Borrowings
(\$ million)

\$36.155

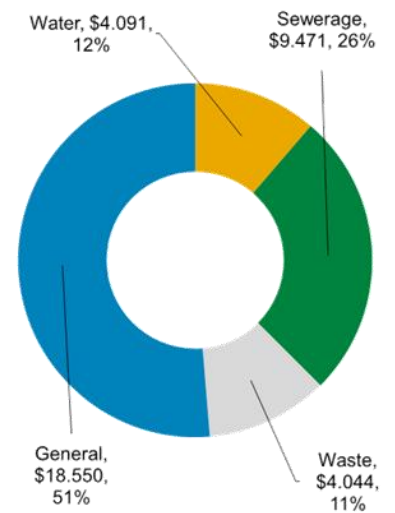
BREAKDOWN OF TOTAL CASH
BALANCE



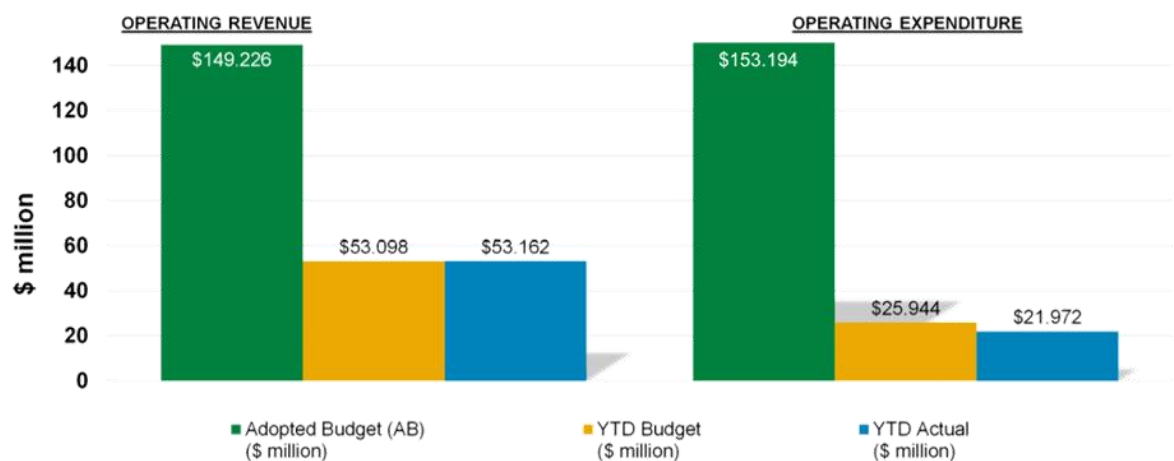
RESTRICTED VS UNRESTRICTED
CASH



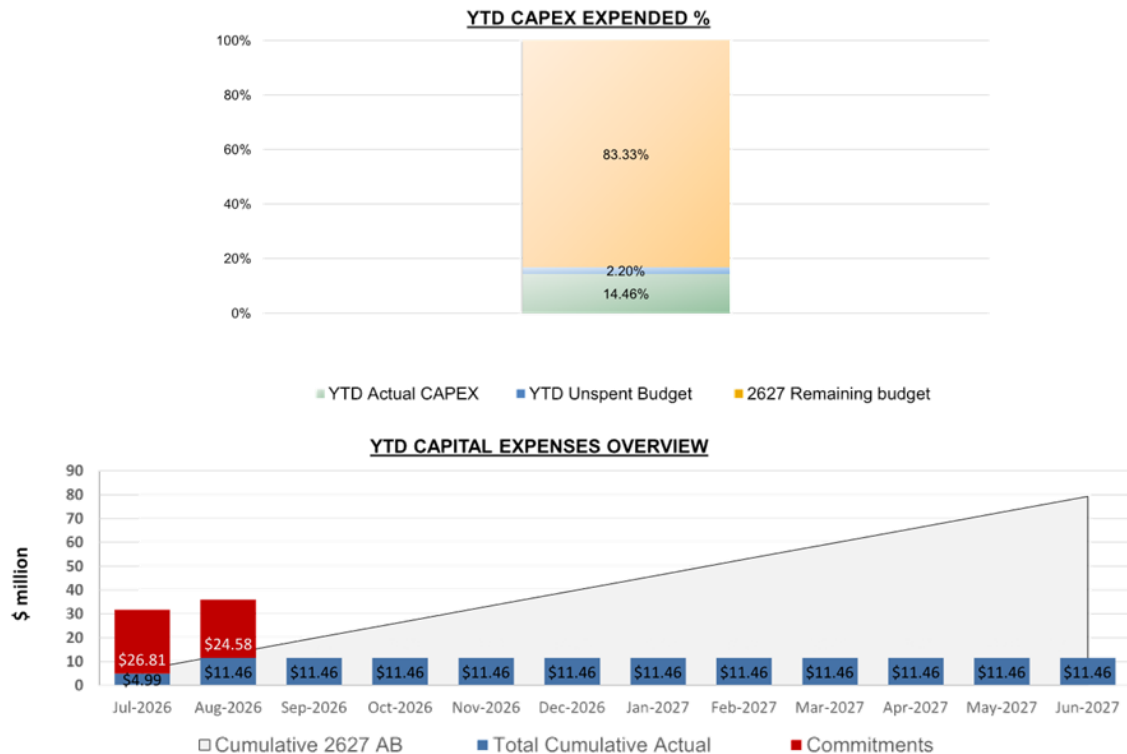
BREAKDOWN OF BORROWINGS



Operating results	Adopted Budget (AB) (\$ million)	YTD Budget (\$ million)	YTD Actual (\$ million)	YTD Var (\$ million)	YTD Var (%)
Operating Revenue	\$149.226	\$53.098	\$53.162	\$0.064	0.12%
Operating Expenditure	\$153.194	\$25.944	\$21.972	-\$3.972	-15.31%
Operating Surplus/(Deficit)	-\$3.968	\$27.153	\$31.190	\$4.037	14.87%



Capital results	AB (\$ million)	YTD Budget (\$ million)	YTD Actual (\$ million)	YTD Var (\$ million)	YTD Var (%)
Capital Revenue	\$31.883	\$5.314	\$1.837	-\$3.477	-65.43%
Capital Expenditure	\$79.249	\$13.208	\$11.463	-\$1.745	-13.21%



Ratio	YTD Actual	FY Budget	Tier 4 Target	Commentary to key points *
Council-Controlled Revenue Ratio (%) (Ratio reported but not audited)	✓ 95.26%	✓ 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)	✓ 58.67%	✗ -2.80%	0% - 10%	The ratio being 58.67% indicates Council's YTD result is an operational surplus and this YTD surplus assists in meeting quarterly loan repayments.
Operating Cash Ratio (%) (Audited)	✓ 70.75%	✓ 24.20%	Greater than 0%	The ratio being 70.75% indicates that Council has the ability to self-fund capital expenditure from surplus funds from core operations.
Unrestricted Cash Expense Cover Ratio (months) (Audited)	✓ 15.36	✓ 11.00	> 4 months	Council has sufficient unrestricted cash to meet ongoing and emergent financial demands for 15.36 months. Council has access to a \$10m QTC working capital facility, which is equivalent to 1.29 months of cover.
Asset Sustainability Ratio (%) (Audited)	✓ 96.62%	⚠ 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)	✓ 68.03%	✓ 74.10%	> 60%	Council's infrastructure assets have been consumed by 68.03% compared to what it would cost to build a new asset with the same benefit to the community.
Asset Renewal Funding Ratio (%) (Audited)	✗ 66.55%	✓ 157.40%	Contextual	This ratio measures the ability of Council to fund projected infrastructure asset renewal/replacements into the future. The ratio being 66.55% 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)	✓ 1.14	✓ 0.80	0 - 3 Times	The ratio being 1.14 indicates the Council has some capacity to manage unforeseen financial shocks & meet loan repayments.

2. Financial Reports

Operating Result for the period ending
31/08/2026

Month (\$ million)				YTD 16.7%				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									
(1.339)	0.028	(1.367)	✖	49.642	48.935	0.707	⇌	46%	108.073
1.033	0.735	0.298	✓	0.998	1.471	(0.473)	✖	7%	14.162
0.341	0.227	0.114	✓	0.474	0.454	0.020		4%	12.577
0.218	0.739	(0.521)	✖	0.289	1.066	(0.777)	✖	4%	7.283
0.763	0.474	0.288	✓	1.562	0.948	0.614	✓	27%	5.693
0.077	0.106	(0.029)		0.196	0.223	(0.027)		14%	1.438
1.093	2.310	(1.217)	✖	53.162	53.098	0.064		36%	149.226
Operating expenses									
(3.916)	(3.928)	0.011		(8.290)	(7.856)	(0.433)	⇌	18%	(46.920)
(5.867)	(5.557)	(0.309)	⇌	(7.262)	(11.679)	4.417	✓	11%	(67.863)
(0.151)	(0.143)	(0.008)		(0.297)	(0.286)	(0.011)		17%	(1.713)
(3.061)	(3.061)	0.000		(6.123)	(6.123)	0.000		17%	(36.698)
(12.996)	(12.689)	(0.306)	⇌	(21.972)	(25.944)	3.972	✓	14%	(153.194)
(11.903)	(10.380)	(1.523)	✖	31.190	27.153	4.037	✓		(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 variance is due to the timing of rate discounts. Rates were issued in August, however many ratepayers are expected to claim their discount when payments are received by the due date on 9 September 2026. As a result, the discount expense will be reflected in September, rather than August.
Fees and charges	The favourable August Fees and Charges variance is primarily attributable to development application fee and development compliance revenue exceeding budget expectations. The unfavorable YTD variance reflects the reversal of the FY2025-26 local laws revenue accrual in Period 1 for FY2026-27.
Sales revenue	The favourable monthly actual to budget variance in Sales Revenue is primarily due to higher than budgeted road maintenance cost recovery revenue recognised in August 2026 from Department of Transport Main Roads (Road Maintenance Performance Contract (RMPC)) claims.
Grants, subsidies and contributions	The unfavourable monthly and YTD variance to budget is primarily attributable to timing differences in the recognition of State Government and Commonwealth grant revenue. This includes grant funding received in July relating to the 2025-26 financial year and year-end accrual adjustments recorded to recognise State Government funding for 2025-26. The result has been further affected by the timing of Communities Grant receipts. The 2026/27 funding schedule for the Financial Assistance Grant has now been received. Budget Revision 1 will align the phasing of payments with the information providing by the Grants Commission.
Interest received	The favourable monthly and YTD variance to budget is primarily attributable to the accrual of interest income on term deposits with annual maturity dates that differ from budgeted phasing of interest recognition.
Materials and services	Year to date Materials and services expenditure is below budget across several functions, including Waste Services, Water Supply, Sewerage, and Governance. These variances are largely attributable to the timing of expenditure on contractual services, particularly waste collection and water supply activities, as well as year-end accrual adjustments relating to FY2025-26. Finance is currently investigating these variances in consultation with the relevant cost centre managers. Budget forecasts will be reviewed and updated as part of the 2026/27 Budget Review 1 (BR1) process to ensure projections more accurately reflect expected expenditure, particularly in the areas of contractors, building and construction, maintenance, and other operational services.



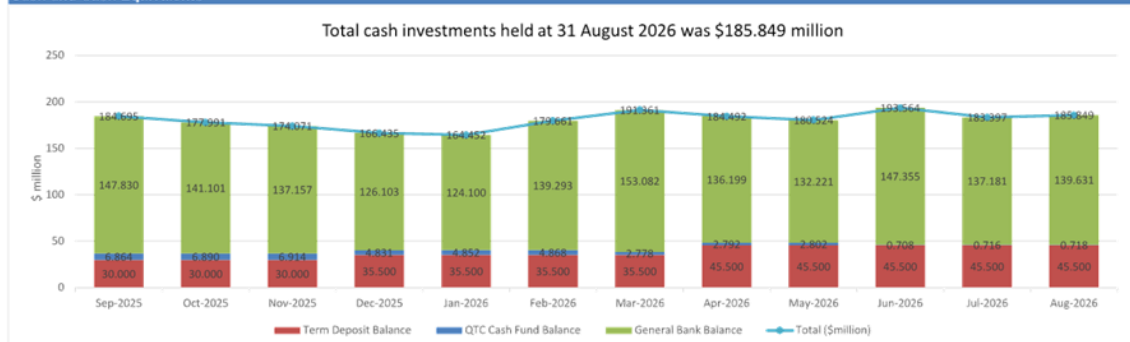
**Statement of Financial Position for the period ending
31/08/2026**

	Month-end Actual	Last month Actual	Movement	Full Year 26/27 AB
	(\$ million)	(\$ million)	(\$ million)	(\$ million)
Cash and cash equivalents	173.029	166.168	6.861	130.873
Receivables	36.116	50.189	(14.073)	11.133
Inventories	0.494	0.487	0.007	1.046
Land held for development or sale	2.958	2.958	0.000	5.458
Contract assets	5.348	3.735	1.613	0.000
Other assets	2.529	3.270	(0.741)	5.199
Property, plant & equipment	1,330.608	1,333.356	(2.747)	1,506.612
Intangible assets	0.055	0.060	(0.006)	0.000
Capital works in progress	47.561	42.908	4.653	0.000
TOTAL ASSETS	1,598.698	1,603.132	(4.434)	1,660.321
Payables	8.858	6.602	2.256	6.936
Contract liabilities	29.235	31.734	(2.500)	14.200
Borrowings	42.713	42.539	0.174	29.378
Provisions	20.505	20.520	(0.015)	21.721
Other liabilities	2.436	2.449	(0.013)	0.000
TOTAL LIABILITIES	103.746	103.845	(0.098)	72.235
Asset revaluation surplus	367.829	367.829	(0.000)	406.441
Retained surplus	1,127.123	1,131.458	(4.335)	1,181.644
TOTAL COMMUNITY EQUITY	1,494.952	1,499.287	(4.335)	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	\$63.617 million of the \$173.029 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 15.36 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 August 2026 as the Council has completed its obligations for funding and is awaiting payment.
Other assets	The decrease in other assets compared to the previous month is mostly due to the release of prepaid expenditure during August 2026.
Capital works in progress	The increase in capital works in progress from the previous month reflects capital expenditure in August 2026. Refer to the capital projects detail report for further information on year-to-date expenditure.
Payables	The increase in payables to July 2026 is mostly due to the higher value of prepaid General Rates & Utility Charges. And Accounts payables accruals for July and August recorded in August.

Cash and Cash Equivalents


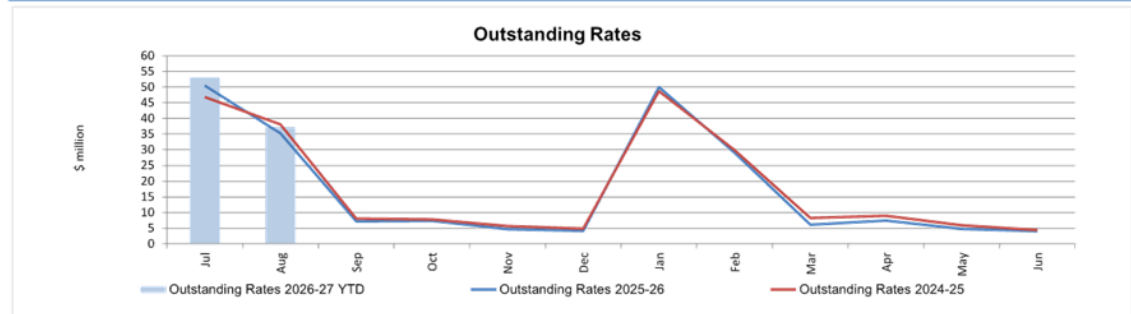
Council's cash investments are held in term deposits, Council's general banker, the Commonwealth Bank (CBA) and the Queensland Treasury Corporation (QTC) Capital Guaranteed Cash Fund. Council's interest-earning rate as at 31 August 2026 is 4.96% p.a. (net of 0.12% administration fees) with the QTC, and 4.85% p.a. with CBA. In August 2026, the weighted average interest rate was 4.82%, which is slightly below the target rate of 4.85% (the target rate is the RBA Cash Rate of 4.35% 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



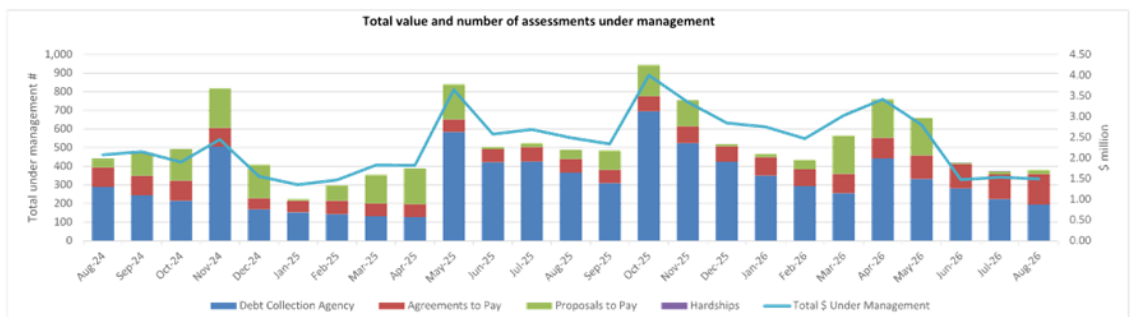
Ageing of Rates Receivable at Month End		(\$ million)	
Total Rates Outstanding		\$37,196	
Less: Current and Prepayment		-\$32,198	
Total Eligible for Collection		\$4,997	
Current		\$1,162	23.25%
1 years		\$2,263	45.29%
2 years		\$0,761	15.23%
3 years		\$0,431	8.63%
4 years		\$0,220	4.40%
5 years		\$0,160	3.20%
Total Eligible for Collection		\$4,997	100.00%

Total receivables under management as at 31 August 2026 are \$1,499 million, which is lower than the \$2,487 million as at 31 August 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, 381 (1.99% of ratepayers) are currently under management.

	as at 31 August 2025		as at 31 August 2026	
	#	\$ million	#	\$ million
Debt Collection Agency	365	1.867	194	0.694
Agreements to pay	74	0.515	164	0.759
Proposals to Pay	49	0.105	23	0.047
Council Hardship	0	-	0	-
Total under management	488	\$2.487	381	\$1.499



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:

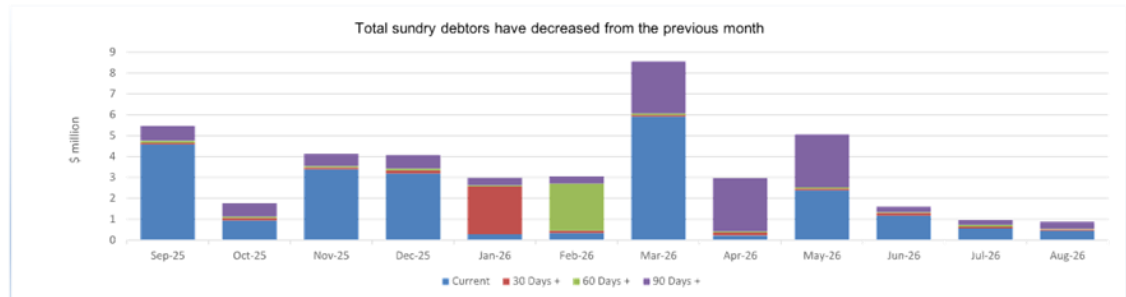
- Residential property rates remain overdue for three or more years, or
- Commercial and Vacant Land are overdue by more than one year.

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) \$0.872

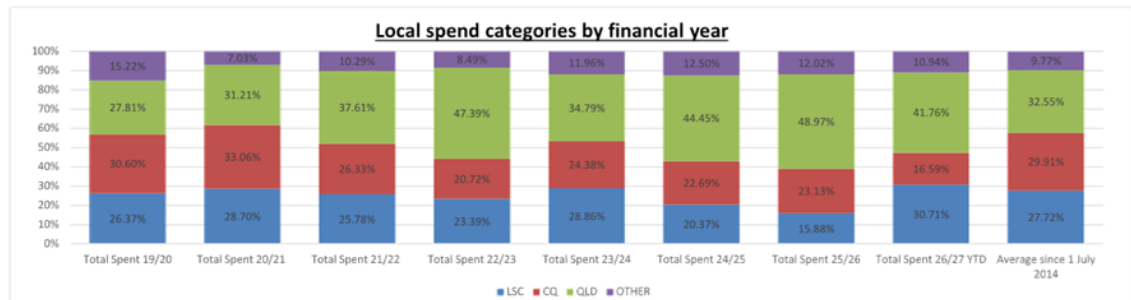
**Payables - Procurement**

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.

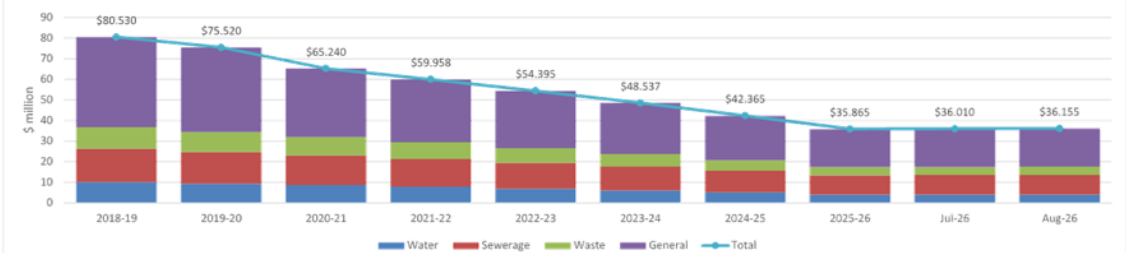
Total expenditure with businesses located within the Shire boundaries, in the current financial year to date, is 30.71% or \$7.816 million

	YTD Spend (\$ million)	YTD Spend (%)
LSC - Business located within the shire boundaries.	7.816	30.71%
CQ - Business completely set up and run outside of LSC boundaries but within the Central Queensland region.	4.222	16.59%
QLD - Business based outside of Central Queensland but within Queensland.	10.630	41.76%
OTHER - Business based outside of Queensland.	2.785	10.94%
	25.453	100.0%

The bar graph below summarises the allocation by local spend categories for the previous seven (7) financial years. Since 1 January 2014 Council has procured, on average, 57.63% of materials & services from within the greater Central Queensland area, which includes Livingstone Shire Council.

**Borrowings**

Total Borrowings of \$36.155 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	0.290	1.935
Total debt service payments	0.000	(8.422)
Total Debt held at reporting period	36.155	29.378

In line with Council's debt policy, a debt service payment of \$2.105 million (being approximately \$1.953 million repayment of principal and \$0.152 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.

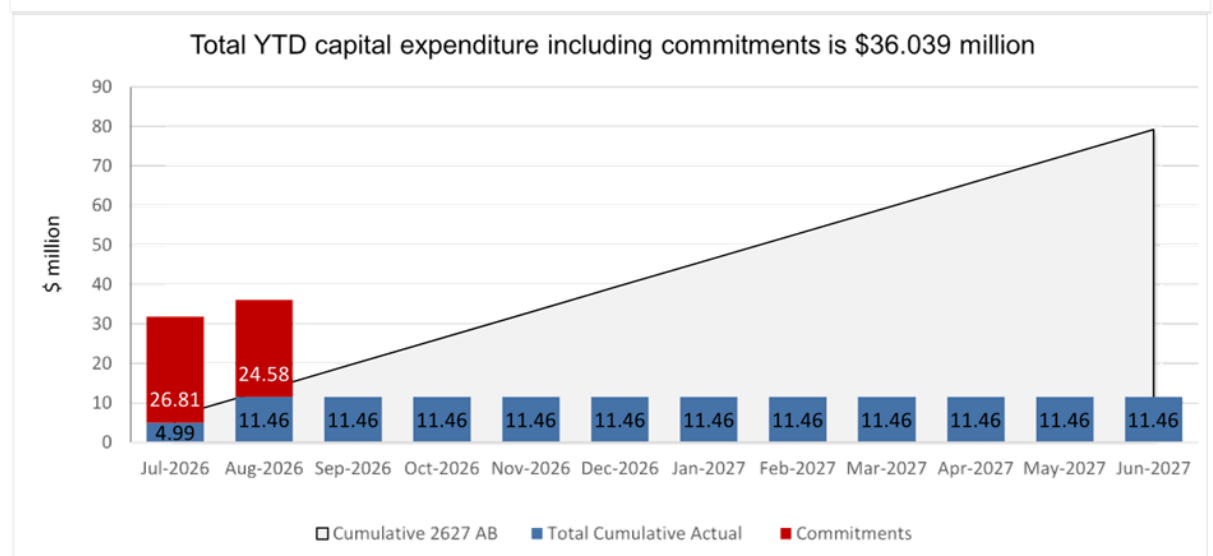
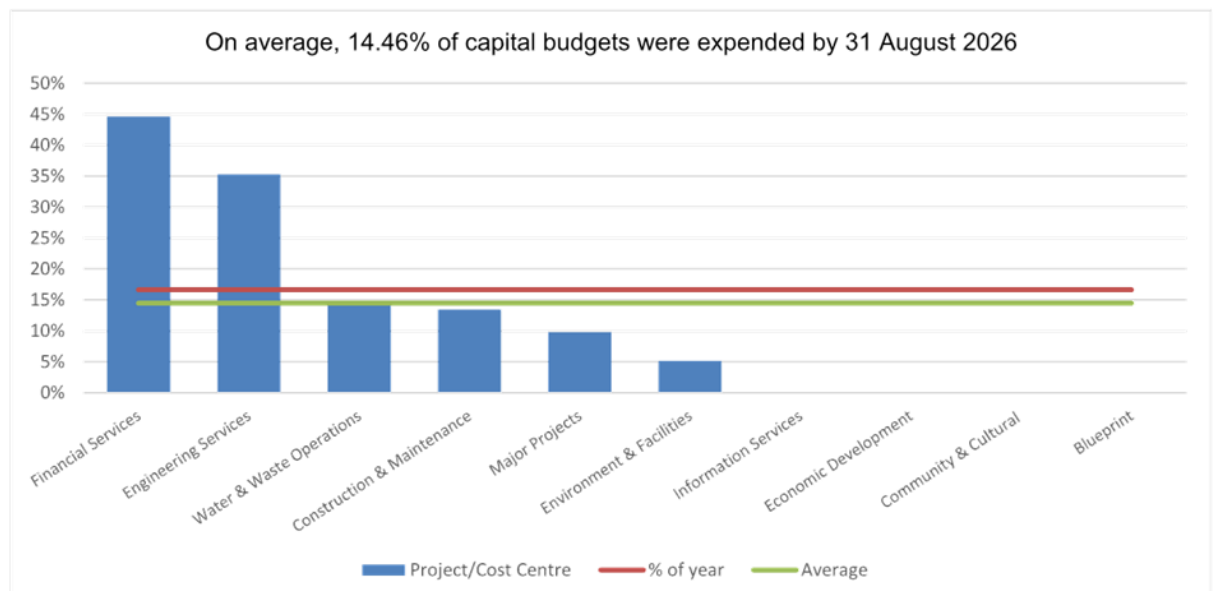
As of 31 August 2026, the weighted average interest rate of all Council debt is approximately 4.70%.

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 31/08/2026

Month (\$ million)			YTD 16.7%		Full year (\$ million)
Actual	2627 AB	Variance	Actual	% of Full year Budget	2627 AB
Capital expenditure					
6.286	6.170	0.116	10.834	14.48%	74.831
0.188	0.434	(0.246)	0.629	14.23%	4.418
6.474	6.604	(0.130)	11.463	14.46%	79.249
Capital Revenue					
0.000	2.158	(2.158)	1.378	5.3%	25.895
0.256	0.499	(0.243)	0.346	5.8%	5.988
0.054	0.000	0.054	0.113	0.0%	0.000
0.309	2.657	(2.348)	1.837	5.76%	31.883



4. Capital Projects Detail Report

	PROGRAM/ PROJECT COUNT	YEAR TO DATE ACTUAL EXPENDITURE \$'000	ANNUAL BUDGETED EXPENDITURE \$'000	COMMITALS \$'000	YEAR TO DATE ACTUAL EXPENDITURE AS % OF ANNUAL BUDGET	YEAR TO DATE ACTUAL REVENUE \$'000	ANNUAL BUDGETED REVENUE \$'000
Communities & Environment	40	232	4,931	434	4.7%	0	0
Environment & Facilities	37	232	4,496	434	5.2%	0	0
Program	10	122	468	190	26.1%	0	0
Project	27	110	4,028	244	2.7%	0	0
Economic Development	1	0	25	0	0.0%	0	0
Program	1	0	25	0	0.0%	0	0
Community & Cultural	2	0	410	0	0.0%	0	0
Program	1	0	90	0	0.0%	0	0
Project	1	0	320	0	0.0%	0	0
Corporate Services	6	3,055	7,374	404	41.4%	113	4,107
Financial Services	4	3,055	6,849	404	44.6%	113	4,107
Program	1	501	3,274	398	15.3%	113	0
Project	3	2,554	3,575	6	71.4%	0	4,107
Information Services	2	0	525	0	0.0%	0	0
Program	2	0	525	0	0.0%	0	0
Infrastructure	95	8,163	64,954	21,769	12.6%	1,286	21,788
Engineering Services	27	1,585	4,493	509	35.3%	0	1,349
Program	2	4	100	6	4.3%	0	0
Project	25	1,580	4,393	502	36.0%	0	1,349
Major Projects	27	4,282	43,577	15,713	9.8%	1,220	17,197
Program	2	1	400	474	0.1%	0	0
Project	25	4,281	43,177	15,239	9.9%	1,220	17,197
Water & Waste Operations	13	299	2,065	729	14.5%	0	0
Program	9	286	1,325	571	21.6%	0	0
Project	4	13	740	157	1.8%	0	0
Construction & Maintenance	28	1,998	14,820	4,819	13.5%	66	3,242
Program	13	767	6,192	890	12.4%	(6)	800
Project	15	1,231	8,627	3,929	14.3%	72	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	142	11,450	79,129	22,607	14.5%	1,399	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.	$\frac{\text{Net rates, levies and charges} + \text{Total Fees \& charges}}{\text{Total operating revenue}}$
A lower council-controlled revenue ratio indicates that a council has limited capacity to influence its operating revenue and that it is more reliant on external (and usually less reliable) sources of income such as operating grant funding, sales and recoverable works contracts, and rental income.	
Population Growth Ratio (%)[#]	
Population growth is a key driver of a council's operating income, service needs and infrastructure requirements into the future.	
A growing council population indicates a greater capacity to generate its own source revenue through rates as well as statutory charges. Population growth also puts additional pressure on councils to invest in new community infrastructure to support service needs.	$\frac{\text{Prior year estimated population}}{\text{Previous year estimated population}} - 1$
Operating Performance	
Operating Surplus Ratio (%)[#]	
This is an indicator of the extent to which operating generated cover operational expenses. Any operating surplus would be available for capital funding or other purposes.	
An operating surplus ratio above 0% is an indication that council is managing its finances within its existing funding envelope and generating surplus funds for capital funding or other purposes.	$\frac{\text{Operating result}}{\text{Total operating revenue}}$
An operating surplus ratio below 0% is an indication that a council's operating expenses exceed its revenue. An operating deficit in any one year is not a cause for concern, if over the long term, a council achieves a balanced operating result or small surplus. Operating deficits over the long term affect a council's ability to internally fund its capital requirements and other initiatives as and when they fall due, potentially requiring external funding support.	
Operating Cash Ratio (%)[#]	
The operating cash ratio is a measure of councils ability to cover its core operational expenses and generate a cash surplus excluding depreciation, amortisation and finance costs.	
A positive operating cash ratio indicates that a council is generating surplus cash from its core operations, which suggests that council has the ability to self-fund its capital expenditure requirements.	$\frac{\text{Operating result add Depreciation and amortisation add finance costs}}{\text{Total operating revenue}}$
A negative operating cash ratio is a significant indicator of financial sustainability challenges and potential future liquidity issues, as all other things being equal, a negative result means that a council's cash position is declining and revenues are not offsetting the cost of core operational requirements.	
Liquidity	
Unrestricted Cash Expense Cover Ratio (months)[#]	
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.	$\frac{(\text{Total Cash and Equivalents add Current investments add available ongoing QTC working capital facility limit less Externally Restricted Cash})}{(\text{Total Operating Expenditure less Depreciation and amortisation less Finance Costs})}$
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.	

Net Financial Liability Ratio (%)*	
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. This ratio is no longer reported against under the new financial management sustainability guideline.	$\frac{\text{Total Liabilities} - \text{Current Assets}}{\text{Total operating revenue}}$
Asset Management	
Asset Sustainability Ratio (%)**	
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. 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.	$\frac{\text{Capital expenditure on replacement of Infrastructure Assets (Renewals)}}{\text{Depreciation expenditure on Infrastructure Assets}}$
Asset Consumption Ratio (%)#	
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. The minimum target of 60% indicates that a council's assets are being broadly consumed in line with their estimated useful lives. 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.	$\frac{\text{Written down replacement cost of depreciable infrastructure assets}}{\text{Current replacement cost of depreciable infrastructure assets}}$
Asset Renewal Funding Ratio (%)#	
The asset renewal funding ratio measures the ability of a council to fund its projected infrastructure asset renewal/replacements in the future. 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. 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.	$\frac{\text{Total of Planned Capital Expenditure on Infrastructure Asset Renewals over 10 years}}{\text{Total of Required Capital Expenditure on Infrastructure Asset Renewals over 10 years}}$
Debt Servicing Capacity	
Leverage Ratio (times cover)*	
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. 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. 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.	$\frac{\text{Book Value of Debt}}{\text{Total Operating Revenue less Total Operating Expenditure add Depreciation and Amortisation add finance costs}}$
*Financial Management (Sustainability) 2013 legislated ratios **Financial Management (Sustainability) 2023 legislated ratios	
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 31 AUGUST 2026

Contract Award Summaries - August 2026

Meeting Date: 15 September 2026

Attachment No: 2

CONTRACT AWARD SUMMARIES AUGUST 2026



Contract No: RFQ

Contract Title: Great Keppel Island Waste Management and Associated Services

Overview

Livingstone Shire Council has awarded a contract for the provision of Waste Management and Associated Services on Great Keppel Island.

The contract provides an integrated service solution for the collection, transport and disposal of waste and recyclables, removal and disposal of sewage treatment plant grit and screenings, and the supply and delivery of diesel fuel and wastewater treatment chemicals to Council's Great Keppel Island Sewage Treatment Plant.

The arrangement supports Council's ongoing operational and environmental management obligations on Great Keppel Island and provides a locally based service model with established island capability and logistics infrastructure.

Procurement Process

The procurement was undertaken through a targeted Request for Quotation (RFQ) process issued on 8 June 2026 to suppliers identified as having capacity to provide the required island-based services. The RFQ was initially released for a three-week period and subsequently extended by one week, closing on 30 June 2026.

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

Two submissions were received and evaluated against pre-established weighted criteria including:

- Service Delivery Methodology
- Capability and Experience
- Resources and Logistics
- Risk Management and Compliance
- Price and Value for Money

All submissions were evaluated using a combined qualitative and pricing assessment methodology. Evaluation Panel members completed conflict of interest declarations, and no declared conflicts of interest or probity concerns were identified.

Additional consideration was given to supplier capability, operational capacity, marine transport arrangements, service continuity, mobilisation risk and the ability to deliver integrated services within the operational constraints of Great Keppel Island.

Outcome

Following completion of the evaluation process, Council approved the award of the contract to:

Great Keppel Island Hideaway Pty Ltd

The recommended supplier achieved the highest overall value for money outcome following assessment of both qualitative and pricing criteria. The supplier demonstrated a sound understanding of the operational requirements and proposed a service model aligned with its existing Great Keppel Island operations. The evaluation determined that the supplier's established island presence, existing infrastructure and marine logistics capability provided a practical, lower-mobilisation service model capable of supporting reliable and efficient service delivery across the contract term.

CONTRACT AWARD SUMMARIES AUGUST 2026



Key strengths included:

- Established operational presence on Great Keppel Island;
- Existing infrastructure and marine logistics capability;
- Demonstrated experience operating in remote island environments;
- Low mobilisation risk;
- Integrated service delivery model;
- Competitive pricing and overall value for money.

Contract Details

- **Contractor:** Great Keppel Island Hideaway Pty Ltd
- **Contract Type:** Goods and Services Contract
- **Contract Term:** 2 years
- **Commencement Date:** 1 September 2026
- **Extension Options:** Nil

Local Content

The successful supplier is an established Great Keppel Island business with a permanent operational presence on the island. The proposed service model utilises existing local personnel, infrastructure, marine logistics capability and operational resources to deliver the required services.

The contract is expected to support the following local content outcomes:

- Continued employment of local and regional personnel;
- Use of local infrastructure and service capability;
- Reduced mobilisation requirements;
- Ongoing economic activity within the Livingstone Shire and broader Capricorn Coast region.

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 Resolution

Following completion of the RFQ process, Council approved the award of the Great Keppel Island Waste Management and Associated Services Contract to Great Keppel Island Hideaway Pty Ltd for a two-year term commencing 1 September 2026.

The contract provides Council with an integrated solution for waste management, wastewater treatment support services and associated logistics on Great Keppel Island, supporting the reliable delivery of essential public infrastructure services throughout the contract term.

13.2 AMENDMENT TO 2026-2027 SOLE SUPPLIER EXCEPTION REGISTER

File No: A2174812

Attachments: 1. Sole Supplier Register - Master FY2026/27 [↓](#)

Responsible Officer: Richard Mills - Acting Coordinator Procurement Services
Jaye Robertson - Manager Financial Services
Andrea Ellis - General Manager Corporate Services
Tom Upton - Chief Executive Officer

Author: Amanda Lingard - Principal Procurement and Contracts Officer

SUMMARY

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

OFFICER'S RECOMMENDATION

THAT Council resolves to apply the exception to the services and suppliers listed in Attachment One (1) in accordance with the *Local Government Regulation 2012* Section 235 (a) or (b) where a local government may enter into a medium-sized contractual arrangement, or a large-sized contractual arrangement without first inviting written quotes or tenders.

- (a) the local government resolves it is satisfied that there is only 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

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

The Procurement team have identified an organisational need for purchasing exceptions to be resolved by Council for the attached list (Attachment 1) of annual purchases and multi-year contract requirements.

There are four (4) items listed below for consideration.

1. IMPOUNDING OF STOCK AND ANIMAL CONTROL SERVICES

Council's current contract for Impounding of Stock and Animal Control Services was established through a public tender process in November 2021 and is approaching expiry. The services are specialised in nature and are provided within a restricted market.

Council officers have assessed the market and determined that undertaking a further procurement process is unlikely to generate meaningful competition or deliver a superior value-for-money outcome.

Council currently engages Edward Sean Appleton trading as Yeppoon Towing and Transport under Contract 2021.017 — Impounding of Stock and Animal Control Services. The contract commenced on 8 November 2021 following a public tender process and included an initial term of two years, with extension options. As the contract is approaching expiry, Council is required to establish a replacement arrangement to ensure continuity of service delivery.

The contractor provides a range of operational services, including:

- Collection and impounding of wandering livestock;
- Collection and handling of wandering and dangerous animals;
- Removal and disposal of deceased animals;
- Animal transport services;
- Temporary agistment and care of impounded animals;
- Trapping and management of invasive animals; and
- 24-hour response capability across the Livingstone Shire local government area.

These services support Council's statutory obligations relating to animal management, community safety and animal welfare.

The contractor has consistently met Council's operational requirements throughout the current contract term, and no significant performance issues have been identified.

Officers have identified that the service requires a specialised combination of livestock handling expertise, impoundment and agistment facilities, specialist transport equipment, local knowledge and 24-hour response capability. Market assessment and Council's previous procurement experience demonstrate a consistently restricted supplier market, with the 2021 public tender attracting only two submissions and the former incumbent provider Mr Jim Besley having since retired.

While individual components may be available from other providers, officers have been unable to identify a competitive market capable of delivering the complete service requirement. 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*.

Contract documentation will be reviewed prior to execution to ensure appropriate insurance, legislative compliance, performance and reporting requirements are maintained.

Subject to Council resolution, the engagement will be for a contract term of three (3) years with two (2) options to extend for a further period of one (1) year each, exercisable at Council's sole discretion with Edward Appelton t/as Yeppoon Towing and Transport.

2. SUPPLY AND DELIVERY OF OFFICE SUPPLIES

A review of the proposed procurement approach for the Office Supplies Contract has been undertaken, taking into consideration the anticipated contract expenditure, market availability, and Council's operational service delivery requirements. As a result of this review, it was identified that the proposed engagement may meet the criteria for an exemption under section 235(b) of the Local Government Regulation 2012, requiring consideration by Council resolution.

The estimated annual expenditure for the Office Supplies Services Contract is approximately \$40,000 per annum, or \$140,000 - \$200,000 over the proposed contract term including extension options, which are all below Council's public tender threshold. Given the relatively low value, the procurement approach should be proportionate to the expenditure and associated procurement risk.

A market assessment was undertaken to determine the availability of suppliers capable of meeting Council's operational requirements. The assessment identified that while office supply products are generally available from a number of regional and national suppliers, McLelland Investments is the only supplier currently operating within the Livingstone Shire region (seven (7) distinct office supply businesses). They are the sole business with the capability and established service model necessary to deliver the full scope of services required under the specification.

The market assessment included a review of local, regional and national suppliers capable of supplying office products and associated inventory management services, which confirmed that no alternative supplier was able to satisfy Council's operational requirements within the required service delivery model from within the Livingstone Shire Council boundaries.

The contract requirements extend beyond the supply and delivery of office products and include ongoing inventory management and onsite service delivery across multiple Council locations. Specifically, the supplier is required to:

- Inspect and review stock holdings at each nominated location;
- Verify stock levels against site manifests;
- Identify replenishment requirements and prepare orders;
- Coordinate stock transfers between sites to minimise waste and optimise inventory utilisation; and
- Provide ongoing support across all contract locations.

These requirements necessitate a supplier with an established local operational presence, the capacity to regularly attend Council facilities and resources necessary to undertake inventory monitoring and stock management activities on Council's behalf. Market analysis indicates that McLelland Investments is the only supplier capable of delivering these services within the required response timeframes and service levels.

It is therefore considered unlikely that a Request for Quotation process would generate additional conforming submissions capable of meeting Council's operational requirements. Consequently, the administrative cost and effort associated with undertaking a competitive procurement process is not expected to deliver any additional value, commercial benefit, or service outcome for Council.

Having regard to the contract value, the outcome of the market assessment, the specialised onsite service requirements, and Council's need to maintain efficient inventory management across multiple facilities, a sole supplier appointment with McLelland Investments is considered the most practical, efficient and cost-effective procurement approach. This approach will ensure continuity of service, minimise procurement administration costs, and support the achievement of value for money.

As the proposed procurement approach relies upon an exception to the default competitive procurement process under **section 235(b)** of the *Local Government Regulation 2012*, a Council resolution will be sought to authorise the engagement on the basis that market analysis has identified only one supplier capable of meeting Council's operational requirements.

Subject to Council resolution, the engagement will be for a contract term of three (3) years with two (2) options to extend for a further period of one (1) year each, exercisable at Council's sole discretion with The Trustee for McClelland Family Trust t/as Nextra Keppel Bay.

3. ADDITIONAL IDENTIFIED SOLE SUPPLIERS

As part of Council's ongoing review of procurement requirements, the following suppliers have been identified for inclusion on Council's Sole Supplier Exception Register. The proposed exceptions recognise circumstances where the required goods or services are considered to be available from only one supplier reasonably available to Council.

Company Name	Exception Description	Exception Code
Pixelcase Group Pty Ltd t/as Aero Ranger	Council's Ranger Services has been trialing 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)
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(a)

4. ADMINISTRATIVE SUPPLIER AMENDMENTS

The following amendments are administrative in nature and do not alter the scope, pricing, category of appointment or substantive terms of the existing arrangement. The amendments are required to reflect changes to the suppliers' corporate or trading details following internal business restructures

Previous Company Name	Updated Company Name	Reason for Amendment
Insight Informatics Pty Ltd	Libero Systems Pty Ltd	Corporate restructure / change in entity details
Aqseptence Group Pty Ltd	Passavant-Geiger Pty Ltd	Corporate restructure / change in entity details

PREVIOUS DECISIONS

Previous Sole Supplier Exception Report 2026-27 resolved at the Ordinary Council Meeting 16 June 2026.

ENGAGEMENT AND CONSULTATION

Engagement and consultation occurred with the following stakeholders: Water and Waste, ICT Services, Corporate Services, Local Laws.

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.

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

Transparent, Accountable & Progressive Leadership

Sustainably manage finances, assets and resources through strong governance

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).

13.2 - AMENDMENT TO 2026-2027 SOLE SUPPLIER EXCEPTION REGISTER

Sole Supplier Register - Master FY2026/27

Meeting Date: 15 September 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)
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)

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Company Name	Exception Description	Exception Code
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	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. 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. 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.	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)
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)

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Company Name	Exception Description	Exception Code
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)
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	s235(a)

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Company Name	Exception Description	Exception Code
	historical planning and performance data. Accordingly, Civica Pty Ltd is the only supplier reasonably available to provide the required software and associated support services.	
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)

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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(b)
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)

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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)

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Company Name	Exception Description	Exception Code
Evoqua Water Technologies	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. 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.	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)

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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)

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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)

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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)

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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)

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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)

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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)
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)
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)

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Company Name	Exception Description	Exception Code
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)
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)

Company Name	Exception Description	Exception Code
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)
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)

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Company Name	Exception Description	Exception Code
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)
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)

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Company Name	Exception Description	Exception Code
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)
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)

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 Document Number A2398084

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Company Name	Exception Description	Exception Code
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)
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)

Sole Supplier Register – 2026/2027

Resolved:

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Document Number

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Company Name	Exception Description	Exception Code
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)

13.3 ADELAIDE STREET - SPEED REDUCTION AND LINEMARKING**File No:** 26-070

Attachments:

1. Design Plans - Adelaide Street Linemarking [↓](#)
2. Road safety audit report [↓](#)

Responsible Officer: Sean Fallis - Manager Engineering Services
 Michael Kriedemann - General Manager Infrastructure
 Tom Upton - Chief Executive Officer

Author: Baral Prashant - Infrastructure Planning Engineer
 Jake Taylor - Principal Transport Engineer

SUMMARY

This report presents the completed design for speed reduction signage and line marking on Adelaide Street, Yeppoon, in response to the Notice of Motion carried by Council on 19 May 2026.

The design provides new 40 km/h speed-limit signage, lane-narrowing line marking, and supporting traffic controls around Spring Head Lookout. The works will be delivered through a works order within the 2026/27 maintenance program.

OFFICER'S RECOMMENDATION

THAT Council endorse the Adelaide Street speed reduction, signage and line-marking works for delivery through a maintenance works order in 2026/27.

BACKGROUND

Adelaide Street is an approximately 400 m long urban street providing access to Spring Head Lookout. The road has a steep longitudinal grade and currently operates under the default urban speed limit of 50 km/h.

Traffic surveys data:

Date	Location	AADT (vpd)	85% Speed (km/hr)	Mean Speed (km/hr)	15km/hr Pace (km/hr)	% in pace
21 May - 10 June 2026	14 Adelaide Street	640	45.9	35.9	29-44	56.51

The Speed Limit Review supported a reduction to 40 km/h, which was subsequently endorsed by Fitzroy Speed Management Committee at Department of Transport and Main Roads.

Road Safety Audit also supported the proposed speed reduction and associated improvements.

PREVIOUS DECISIONS

At the Ordinary Meeting held on 19 May 2026, Council carried a Notice of Motion requesting that Council write to the Queensland Department of Transport and Main Roads seeking a review of the speed limit on Adelaide Street from 50 km/h to 40 km/h and install appropriate signage and line marking to improve safety on Adelaide Street.

ENGAGEMENT AND CONSULTATION

- The proposal was developed in response to community concerns about speeding and hooning on Adelaide Street.
- The proposed works were reviewed internally by Infrastructure Planning, Design and Construction and Maintenance.

- The proposed 40 km/h speed limit was presented to the Fitzroy Speed Management Committee, which included consultation with TMR and Queensland Police Service representatives.

BUDGET IMPLICATIONS

- Estimated Cost: \$14,496
- Program: Construction and Maintenance 2026/27 Maintenance Budget

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

- 40 km/h speed limit endorsed by the Fitzroy Speed Management committee as per Queensland Road Safety Technical User Volumes (QRSTUV): Guide to Speed Management.
- Signage and line marking comply with the Queensland MUTCD.

RISK ASSESSMENT

The Road Safety Audit included risk assessment and supported the proposed speed reduction and line-marking improvements. Temporary traffic disruption may occur during installation and will be managed through appropriate traffic control.

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

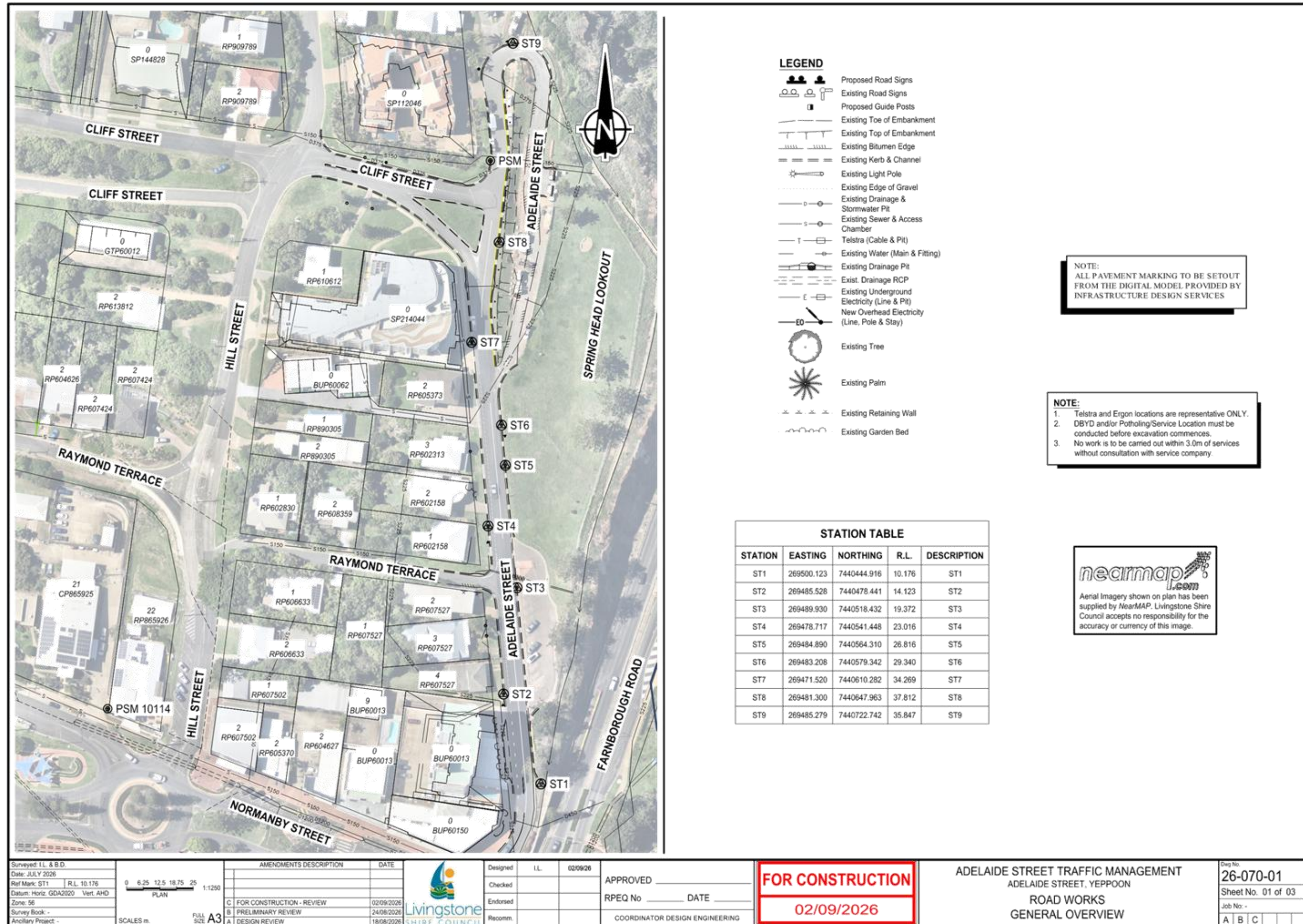
Deliver well planned, efficient, safe and sustainable transport network

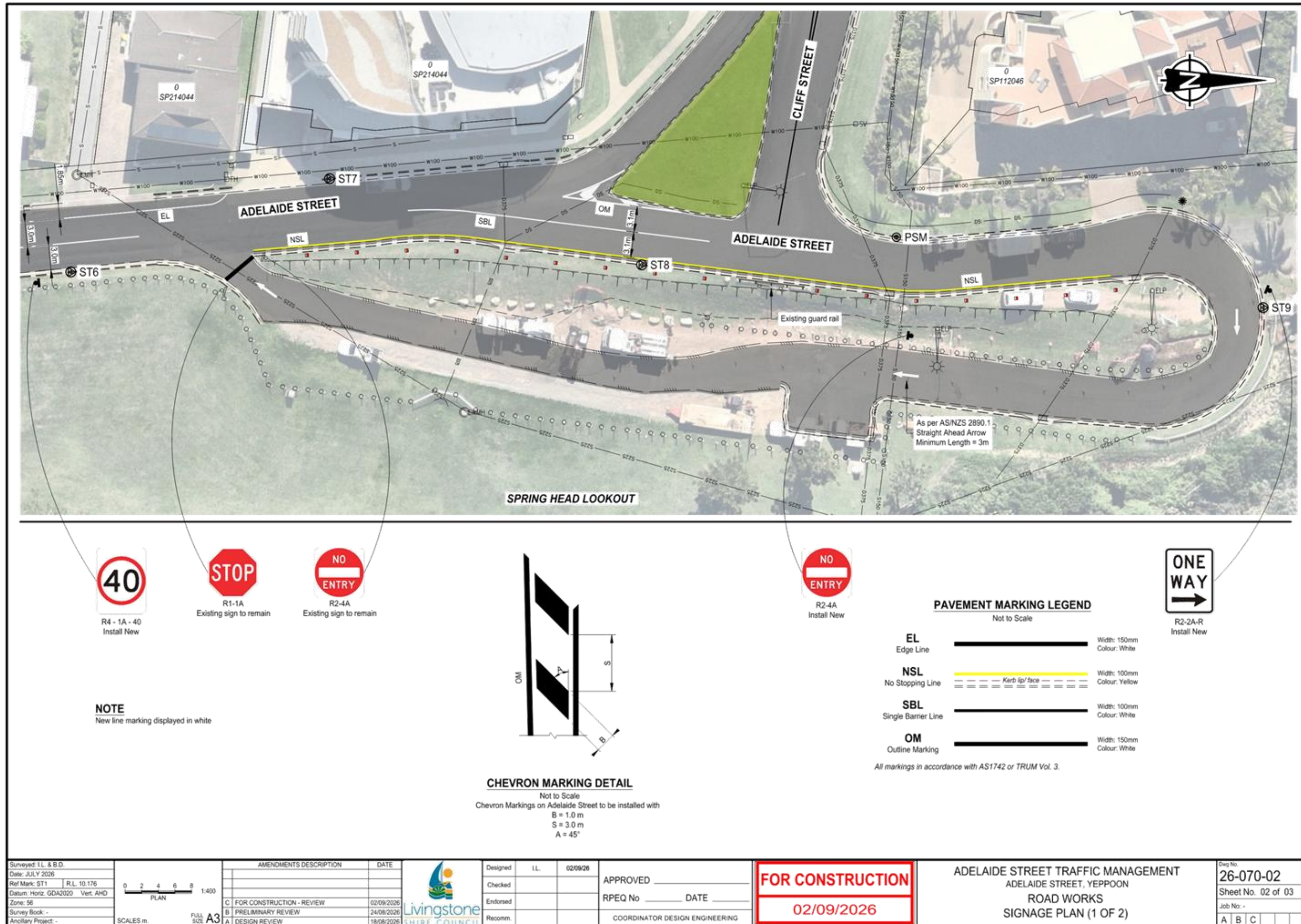
13.3 - ADELAIDE STREET - SPEED REDUCTION AND LINEMARKING

Design Plans - Adelaide Street Linemarking

Meeting Date: 15 September 2026

Attachment No: 1







13.3 - ADELAIDE STREET - SPEED REDUCTION AND LINEMARKING

Road safety audit report

Meeting Date: 15 September 2026

Attachment No: 2



ROAD SAFETY AUDIT REPORT

CONCEPT DESIGN STAGE ROAD SAFETY AUDIT

ADELAIDE STREET SPEED ZONE AND CARPARK UPGRADE
YEEPOON, QUEENSLAND

27/07/2026



CLIENT: Livingstone Shire Council

PROJECT REPRESENTATIVE: Jake Taylor – Principal Transport Engineer
RPEQ 37286

AUDITOR: Boyd Williams – Senior Road Safety Auditor

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1. INTRODUCTION

1.1 Auditor and Audit Process

This report presents the results of a Concept Design Road Safety Audit of the proposed 40 km/h speed reduction, pedestrian improvements and car parking improvements on Adelaide Street, Yeppoon. The project is managed by Livingstone Shire Council.

The audit has been undertaken from a road user safety perspective and focused on identifying features of the proposed concept design that may influence the safety of motorists, pedestrians, cyclists, school children and other vulnerable road users.

The audit has been carried out following the procedures set out in the Austroads Guide to Road Safety Part 6 – Road Safety Audits together with the Queensland road safety guidance documents applicable to concept design road safety audits.

The audit covers the physical features of the project that may affect road user safety and has sought to identify potential safety hazards associated with the proposed concept designs. However, no guarantee is made that every deficiency has been identified. Further, if all the recommendations contained within this report were to be adopted, this would not guarantee that the concept is "safe"; rather, implementation of the recommendations should improve the overall level of road safety.

The audit does not constitute engineering design advice and responsibility for the design remains with the Project Manager and the responsible Registered Professional Engineer of Queensland (RPEQ).

This audit was carried out by:

- **Boyd Williams** (Senior Road Safety Auditor)

This audit was requested by:

- **Jake Taylor** (Principal Transport Engineer) RPEQ 37286

1.2 Description of the Project

Adelaide Street is a local urban street located within Yeppoon and forms a connection between Norman Street and Hill Street. The road is approximately 260 metres in length and comprises a dual lane single carriageway with a sealed pavement width of approximately 7.7 metres.

A defining characteristic of Adelaide Street is its steep descending longitudinal grade from Hill Street towards Norman Street, which influences vehicle operation, pedestrian movements and access to adjoining properties and parking areas. The road operates within a built-up urban environment and serves apartment buildings on the western side together with public parking areas located near both the northern and southern ends of the street. The northern parking area provides access to approximately 10–15 parking spaces and circulates back onto Adelaide Street, while a similar-sized parking area is located adjacent to the southern end of the street. Raymond Terrace intersects Adelaide Street approximately midway along its western side.

Traffic volumes are relatively low, with an Average Annual Daily Traffic (AADT) of approximately 700 vehicles per day. MetroCount data collected between 5 February 2025 and 24 February 2025 indicates a 15 km/h pace speed of between 31 km/h and 46 km/h, suggesting that existing operating speeds are generally consistent with a lower-speed urban environment.

At the southern end of Adelaide Street, vehicle movements are controlled by a GIVE WAY intersection with Norman Street. A splitter island prevents right-turn movements and provides a left-in/left-out arrangement. At the northern end of the street, a splitter island directs traffic either towards Hill Street or into the northern public parking area.



The street provides access to residential accommodation, public parking and pedestrian destinations associated with the adjoining commercial precinct.

The proposed project has been developed in two stages.

Stage 1 proposes implementation of the endorsed 40 km/h speed limit on Adelaide Street. The proposal includes the installation of 40 km/h regulatory speed limit signage and revised pavement line marking to provide lane delineation with 3.0 metre traffic lanes. The endorsed speed limit reflects the existing operating speeds identified through the Speed Limit Review and is intended to reinforce the lower-speed environment while maintaining consistency with the adjoining Norman Street road environment.

Stage 2 proposes construction of a new pedestrian footpath along the western side of Adelaide Street together with formalisation of the existing northern parking area. The proposal includes sealing of existing unsealed areas and formal parking arrangements intended to improve pedestrian access and parking operation. The existing parking area currently operates with a STOP control and NO ENTRY sign at the lower access onto Adelaide Street.

Collectively, the proposed treatments seek to improve pedestrian accessibility, formalise vehicle parking, reinforce the endorsed lower-speed environment and maintain the local access function of the street.

1.3 Documentation

The following documents have been supplied:

- Adelaide Street General Overall Layout Plan – Stage 1 and Stage 2 Concept Design.
- Adelaide Street Speed Limit Review Technical Tool, including the endorsed 40 km/h speed limit assessment.
- MetroCount Traffic Speed Survey undertaken between Wednesday 5 February 2025 and Monday 24 February 2025.
- Queensland Road Safety Technical User Volumes (QRSTUV) – Guide to Speed Management (2025)
- Site observations and measurements obtained during the audit process.

1.4 Consultation

Prior to the site inspection, the auditor met with **Jake Taylor**, Principal Transport Engineer, and **Shah Fahad**, Planning Engineer, of Livingstone Shire Council to discuss the project scope and objectives.

Discussions included the proposed implementation of a 40 km/h speed limit on Adelaide Street, the associated concept design works, and the proposed formalisation of the existing northern parking area.

Following the site inspection, the Adelaide Street Speed Limit Review Technical Tool and the endorsed 40 km/h speed limit assessment were provided to the auditor. The outcomes of the Speed Limit Review were considered during preparation of this Road Safety Audit to ensure the audit findings were consistent with the endorsed speed management proposal.



1.5 Site Inspection

A site inspection was undertaken during night-time conditions on Friday, 19 June, 2026 commencing at 8:00 pm, and again during daylight conditions on Saturday, 20 June, 2026 commencing at 2:00 pm.

During the inspections, Adelaide Street was traversed several times by vehicle in both directions to observe traffic operation and driver behaviour. The auditor also undertook a pedestrian inspection on foot, walking from the northern public parking area downhill to Norman Street to assess pedestrian movements, accessibility, roadside conditions and the interaction between pedestrians and vehicles.

Weather conditions during both inspections were fine, with good visibility.

1.6 Classification of Concerns.

In the Table of Findings and Recommendations, at Appendix 2 in this report, the safety concerns identified and the recommended actions from the audit are graded into five classes:

- Negligible no action required
- Low should be corrected or the risk reduced if the treatment cost is low
- Medium should be corrected or the risk significantly reduced, if the treatment cost is moderate, but not high
- High should be corrected or the risk significantly reduced, even if the treatment cost is high
- Extreme must be corrected regardless of cost.

The five categories are included in the risk matrix (below)

Figure 10.2: Austroads RSA risk matrix

			Severity*				
			Insignificant	Minor	Moderate	Serious	Fatal
			Property damage	Minor first aid	Major first aid and/or presents to hospital (not admitted)	Admitted to hospital	Death within 30 days of the crash
Likelihood (includes exposure)	Almost Certain	One per quarter	Medium	High	High	Extreme (FSI)	Extreme (FSI)
	Likely	Quarter to 1-year	Medium	Medium	High	Extreme (FSI)	Extreme (FSI)
	Possible	1 to 3 Years	Low	Medium	High	High (FSI)	Extreme (FSI)
	Unlikely	3 to 7 Years	Negligible	Low	Medium	High (FSI)	Extreme (FSI)
	Rare	7 years +	Negligible	Negligible	Low	Medium (FSI)	High (FSI)

*see Severity Guidance Sheet

Safe System crash outcome threshold



Definitions of Risk Matrix

The two risk parameters and their categories to be considered are likelihood and severity as follows :

- Likelihood

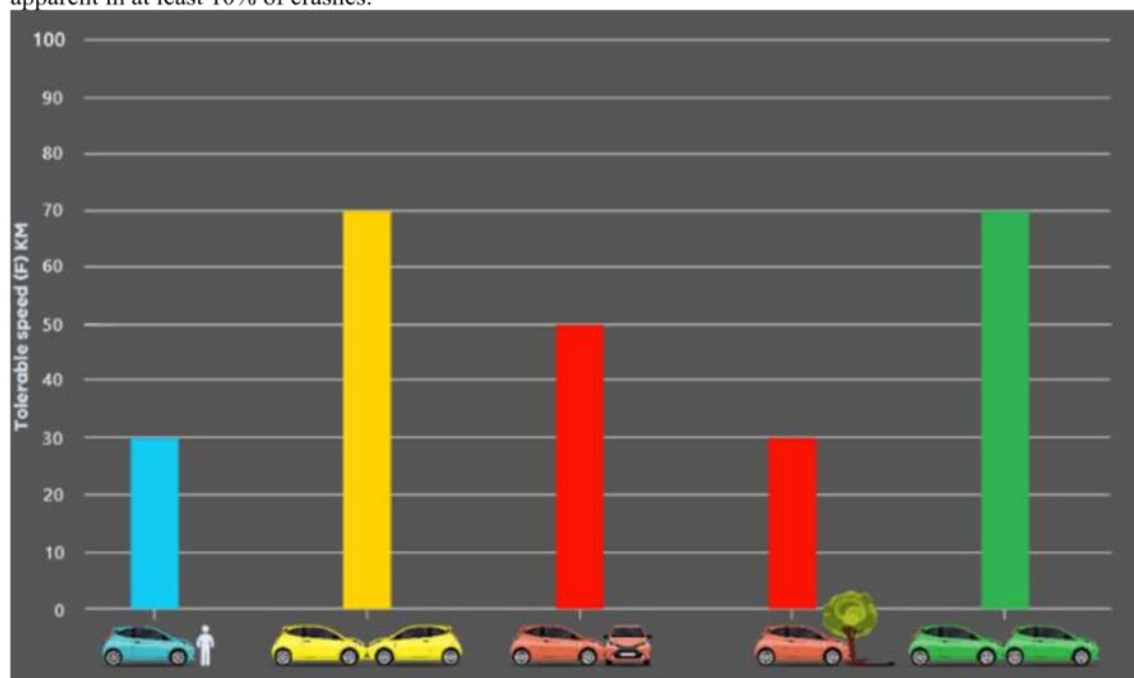
Almost certain – occurrence once per quarter
 Likely – occurrence once per quarter to once per year
 Possible – occurrence once per year to once every three years
 Unlikely – occurrence once every three years to once every seven years
 Rare – occurrence less than once every seven years.

- Severity

Insignificant – property damage
 Minor – minor first aid
 Moderate – major first aid and/or presents to hospital (not admitted)
 Serious – admitted to hospital
 Fatal – at scene or within 30 days of the crash.

1.7 Safe System Impact Speeds and Angles – Energy rating

The table below illustrates the speed at which the impact from a particular crash will have an intolerable effect on the occupant of a vehicle or pedestrian. An intolerable effect being a fatality with the likelihood being apparent in at least 10% of crashes.



Austrroads, Safe System for Road Safety Auditors e-Learning Modules, May 2021

Interpretation Note: The figure above illustrates the relationship between impact speed, crash type and human injury tolerance under Safe System principles. It is provided as background information to assist in understanding crash severity and does not represent guidance for determining statutory speed limits. Speed limits on Queensland roads are established by the relevant road authority in accordance with the Transport Operations (Road Use Management) Act 1995, the Manual of Uniform Traffic Control Devices (MUTCD) Part 4 – Speed Controls and the Queensland Guide to Speed Management



1.8 Responding to the Audit Report

As set out in the road safety audit guidelines, responsibility for the project always rests with the project manager, and not with the auditor. A project manager is under no obligation to accept the audit recommendations. Also, it is not the role of the auditor to agree to or approve of the project manager's response to the audit. Rather, the audit provides the opportunity to highlight potential problems and have them formally considered by the project manager, in conjunction with all other project considerations.

2. RECOMMENDATIONS FROM PREVIOUS STAGE AUDITS

The auditor is not aware of any previous audits at this location.

3. SAFETY AUDIT FINDINGS

3.1 Positive Safety Observation – Implementation of the Endorsed 40 km/h Speed Limit

The proposed implementation of the endorsed 40 km/h speed limit on Adelaide Street is considered to provide a positive road safety outcome.

The Adelaide Street Speed Limit Review concluded that the existing operating speeds are consistent with a 40 km/h speed environment. MetroCount data recorded a 15 km/h pace speed of between 31 km/h and 46 km/h, indicating that motorists are already travelling at speeds generally consistent with the endorsed speed limit. Implementing a speed limit that reflects existing driver behaviour is expected to improve speed limit credibility and encourage ongoing driver compliance.

A defining characteristic of Adelaide Street is its steep descending longitudinal grade, which influences driver behaviour, vehicle operating speeds and stopping performance. The endorsed 40 km/h speed limit complements the road's steep vertical alignment by providing drivers with increased time to perceive and respond to pedestrians, vehicles entering and leaving parking areas, and other roadside activity. The lower operating speed also reduces impact energy where conflicts occur, consistent with Safe System principles.

Adelaide Street provides access to residential apartments, public parking areas and the adjoining Yeppoon commercial precinct. Under Stage 2 of the proposal, a continuous pedestrian footpath will also be provided along the western side of the carriageway. Collectively, these characteristics contribute to increased interaction between vehicles, pedestrians and other vulnerable road users, supporting the benefits of a lower-speed operating environment.

The endorsed 40 km/h speed limit also provides consistency with the adjoining Norman Street road environment, reinforcing driver expectancy for motorists travelling between the commercial precinct and surrounding residential area.

Accordingly, the endorsed 40 km/h speed limit, together with the associated regulatory signage, pavement marking and future pedestrian improvements, is considered to provide a positive road safety outcome.

3.2 Roadside Hazard Associated with the Northern Embankment and Informal Parking

The northern section of Adelaide Street contains a steep embankment exceeding 2 metres in height, separating the carriageway from the lower public parking area. During the site inspection, several vehicles were observed parked on the unsealed verge adjacent to the roadway at the hinge point of the embankment. The parked vehicles appeared to be associated with adjacent residential properties and visitors using informal on-street parking rather than the public parking area below.



This parking behaviour places vehicles immediately adjacent to the break of slope, leaving little opportunity for driver recovery should a vehicle inadvertently leave the verge during parking or when re-entering the traffic lane. Given the steep longitudinal grade of Adelaide Street and the height of the embankment, a vehicle departing the verge could descend the batter and collide with vehicles or pedestrians within the lower public parking area.

The roadside environment also presents a hazard for pedestrians. Vehicle occupants exiting parked vehicles, particularly during hours of darkness, may have difficulty identifying the break of slope due to reduced lighting, the absence of physical delineation and the proximity of parked vehicles to the embankment edge. A misstep could result in a pedestrian falling more than 2 metres down the embankment, with the potential for serious injury.

The Stage 2 concept proposes formalisation of the public parking area, which is expected to improve parking organisation and encourage greater use of the designated parking spaces. However, the concept drawings do not demonstrate whether the residual roadside risk associated with the embankment has been assessed.

From a road safety perspective, the roadside environment should be assessed using the Austroads roadside hazard assessment process together with the Queensland Network Roadside Risk Intervention Threshold (NRRIT) methodology to determine whether the roadside hazard associated with the embankment warrants treatment.

The assessment should also consider the observed informal parking behaviour adjacent to the hinge point of the embankment and whether measures to discourage parking at this location are warranted to reduce the risk of vehicles departing the verge and pedestrians falling down the embankment.

3.3 Street Lighting at the Norman Street Intersection

During the night-time site inspection, a street light at the intersection of Adelaide Street and Norman Street was observed to be inoperative.

The defective luminaire reduces illumination of the intersection and surrounding pedestrian environment during hours of darkness. While this issue is unrelated to the proposed concept design, maintaining operational street lighting is important to ensure appropriate visibility for all road users.

The inoperative street light should be referred to the responsible asset authority for repair as a routine maintenance matter.

3.4 Vehicle Circulation – Northern Parking Area

The proposed concept formalises the existing northern parking area and indicates a ONE WAY sign to establish a circulating parking arrangement. However, the concept does not indicate corresponding NO EXIT signage or other traffic control measures at the northern access to discourage drivers from exiting the parking area onto Adelaide Street via the tight-radius curve.

In the absence of clear directional control, some drivers may reasonably interpret the northern access as both an entry and exit point. This creates the potential for opposing vehicle movements where vehicles entering the parking area encounter vehicles attempting to exit via the northern access.

Should the formalised parking area attract increased use by larger vehicles, including vehicles towing trailers or caravans, these vehicles may require the full width of the access and adjacent carriageway to negotiate the tight horizontal curve. Simultaneous entering and exiting vehicle movements may therefore result in head-on or sideswipe conflicts due to limited manoeuvring space and restricted opportunity for drivers to avoid each



other.

The concept drawings do not demonstrate whether the proposed vehicle circulation has been assessed for the design vehicle expected to use the facility or whether the proposed signing adequately communicates the intended direction of travel.

From a road safety perspective, the proposed vehicle circulation should be reviewed to confirm that the intended movements within the parking area are clearly communicated, minimise the potential for conflicts between entering and exiting vehicles, and safely accommodate the design vehicle likely to use the facility.

4. CONCLUDING STATEMENT

The proposed concept design is considered to provide an overall positive road safety outcome.

Adelaide Street is characterised by a steep longitudinal grade, direct connectivity to the Yeppoon commercial precinct, residential frontage, public parking and existing and proposed pedestrian activity. Collectively, these characteristics support the implementation of the endorsed 40 km/h speed limit. The lower speed environment complements the road's steep vertical alignment by providing a more appropriate operating environment for motorists negotiating the grade, while reducing potential crash severity and improving safety for pedestrians and other vulnerable road users. The endorsed speed limit also provides consistency with the adjoining Norman Street road environment, reinforcing driver expectancy between the commercial precinct and surrounding residential area.

The proposed formalisation of the existing northern parking area and construction of the western footpath are also considered to provide positive road safety benefits by encouraging more orderly parking behaviour, improving pedestrian accessibility and reinforcing the function of Adelaide Street as a lower-speed local street.

The auditor identified three matters requiring further consideration during design development. Informal parking adjacent to the hinge point of the greater than 2 metre embankment presents a potential roadside hazard to both vehicle occupants and pedestrians. The roadside environment should therefore be reviewed to determine whether the residual risk associated with the embankment warrants additional treatment. In addition, the proposed vehicle circulation within the formalised northern parking area should be reviewed to confirm the intended one-way circulation is clearly communicated and to minimise the potential for conflicts between entering and exiting vehicles, particularly where larger vehicles may require the full width of the northern access to negotiate the adjacent tight curve. Finally, the faulty street light at the Adelaide Street and Norman Street intersection should be repaired to maintain adequate night-time visibility for all road users.

Subject to consideration of the matters identified in this report, the concept design is considered to provide a sound basis for progression to the next stage of design.

A handwritten signature in black ink that reads 'B. A. Williams'.

Boyd Williams
Senior Road Safety Auditor



APPENDIX 1

Documents Used During the Audit

- 1 Austroads *Guide to Road Safety Part 6: Road Safety Audits*.
- 2 Austroads *Guide to Road Design Part 3: Geometric Design*.
- 3 Austroads *Guide to Road Design Part 4: Intersections and Crossings – General*.
- 4 Austroads *Guide to Road Design Part 4A: Unsignalised and Signalised Intersections*.
- 5 Austroads *Guide to Road Design Part 4B: Roundabouts*.
- 6 Austroads *Guide to Road Design Part 6: Roadside Design, Safety and Barriers*.
- 7 Austroads *Guide to Road Design Part 6A: Paths for Walking and Cycling*.
- 8 Queensland Department of Transport and Main Roads, *Road Planning and Design Manual (RPDM) – Supplement to Austroads Guide to Road Design Part 3: Geometric Design*.
- 9 Queensland Department of Transport and Main Roads, *Road Planning and Design Manual (RPDM) – Supplement to Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections*.
- 10 Queensland Department of Transport and Main Roads, *Manual of Uniform Traffic Control Devices (MUTCD) – Part 2: Traffic Control Devices*.
- 11 Queensland Department of Transport and Main Roads, *Manual of Uniform Traffic Control Devices (MUTCD) – Part 4: Speed Controls*.
- 12 Queensland Department of Transport and Main Roads, *Manual of Uniform Traffic Control Devices (MUTCD) – Part 9: Bicycle Facilities*.
- 13 Queensland Department of Transport and Main Roads, *Manual of Uniform Traffic Control Devices (MUTCD) – Part 13: Local Area Traffic Management*.
- 14 Queensland Department of Transport and Main Roads, *Planning for Safe Transport Infrastructure at Schools*.
- 15 Transport Operations (Road Use Management) Act 1995; Queensland Guide to Speed Management.
- 16 Austroads Safe System for Road Safety Auditors e-Learning Modules, May 2021
- 17 Queensland Guide to Road Safety (QGRS).
- 18 Institute of Public Works Engineering Australasia Queensland (IPWEAQ), *Street Design Manual: Walkable Neighbourhoods*, 2020.
- 19 Capricorn Municipal Development Guidelines (CMDG), current edition.
- 20 Queensland Road Safety Technical User Volumes (QRSTUV) – Guide to Speed Management (2025).



APPENDIX 2

Table of Findings and Recommendations

Audit Finding Ref.	Audit finding (Risk/Hazard, extent, crash type)	Risk Level	Recommendation/s	Client Response Accept/Reject
3.2	A steep embankment exceeding 2 metres in height is located immediately adjacent to the carriageway at the northern end of Adelaide Street. Informal parking was observed on the unsealed verge at the hinge point of the embankment, exposing vehicle occupants and pedestrians to the roadside hazard. While the proposed formalisation of the lower public parking area is expected to reduce informal parking, the concept drawings do not demonstrate whether the residual roadside risk associated with the embankment has been assessed. Potential crash type: Run-off-road, Vehicle Rollover, Vehicle versus Pedestrian, Pedestrian Fall	Likelihood – Possible Severity – Serious Risk Rating – High	Review the roadside environment using the Austroads roadside hazard assessment process and Queensland Network Roadside Risk Intervention Threshold (NRRIT) methodology. Consider whether the residual roadside risk associated with the embankment warrants treatment and whether measures to discourage informal parking adjacent to the hinge point of the embankment are warranted.	
3.3	A street light at the Adelaide Street and Norman Street intersection was observed to be inoperative during the night-time site inspection. Reduced illumination may reduce the visibility of the intersection during hours of darkness. Potential crash type: Pedestrian versus Vehicle, Failure to Give Way.	Likelihood – Unlikely Severity – Moderate Risk Rating – Low	Refer the defective street light to the responsible asset authority for repair as a maintenance item.	
3.4	The proposed concept indicates a ONE WAY sign to establish a circulating parking arrangement within the formalised northern parking area. However, the concept does not indicate corresponding NO EXIT signage or other traffic control measures at the northern access, which may result in drivers attempting to both enter and exit the parking area at this location. Larger vehicles, including vehicles towing trailers or caravans, may require the full width of the access and adjacent carriageway to negotiate the tight horizontal curve,	Likelihood – Possible Severity – Moderate Risk Rating – Medium	Review the proposed vehicle circulation and access arrangements for the northern parking area to confirm that the intended direction of travel is clearly communicated, the design vehicle expected to use the facility can be safely accommodated, and the potential for conflicts between entering and exiting vehicles at the northern access	



Audit Finding Ref.	Audit finding (Risk/Hazard, extent, crash type)	Risk Level	Recommendation/s	Client Response Accept/Reject
	increasing the potential for head-on or sideswipe vehicle conflicts. Potential crash type: Head-on, Side Swipe, Vehicle versus Vehicle.		is minimised.	

Commentary on Ratings

Finding 3.2 – High

Because informal parking occurs adjacent to a steep embankment, creating a risk of vehicles leaving the verge and pedestrians falling down the slope. The residual roadside hazard warrants further assessment.

Finding 3.3 – Low

Because the inoperative street light reduces night-time visibility at the Adelaide Street and Norman Street intersection. Repair of the light is expected to remove the identified risk.

Finding 3.4 – Medium

Because the proposed vehicle circulation at the northern access is not clearly defined, creating the potential for conflicts between entering and exiting vehicles, particularly where larger vehicles require the full width of the tight-radius access.



APPENDIX 3

Concept Drawings







Figure 1 Pedestrians Walking Between Norman Street And The Southern Car Park On Adelaide Street



Figure 2 Vehicle Parked at Hinge of Embankment

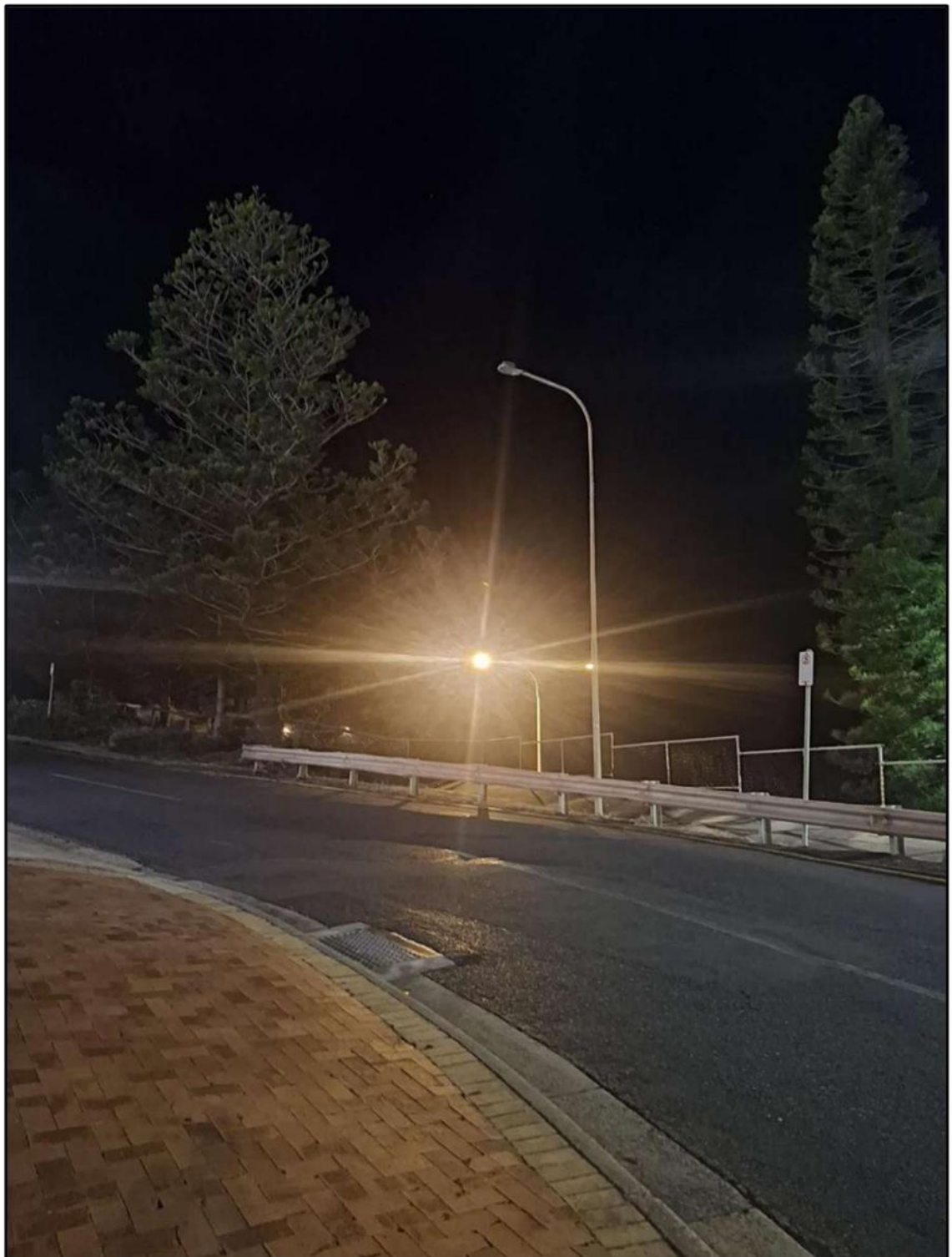


Figure 3 Public Light at Norman Street Intersection – Faulty



Figure 4 Tight Radius Bend on Northern Entrance to Carpark

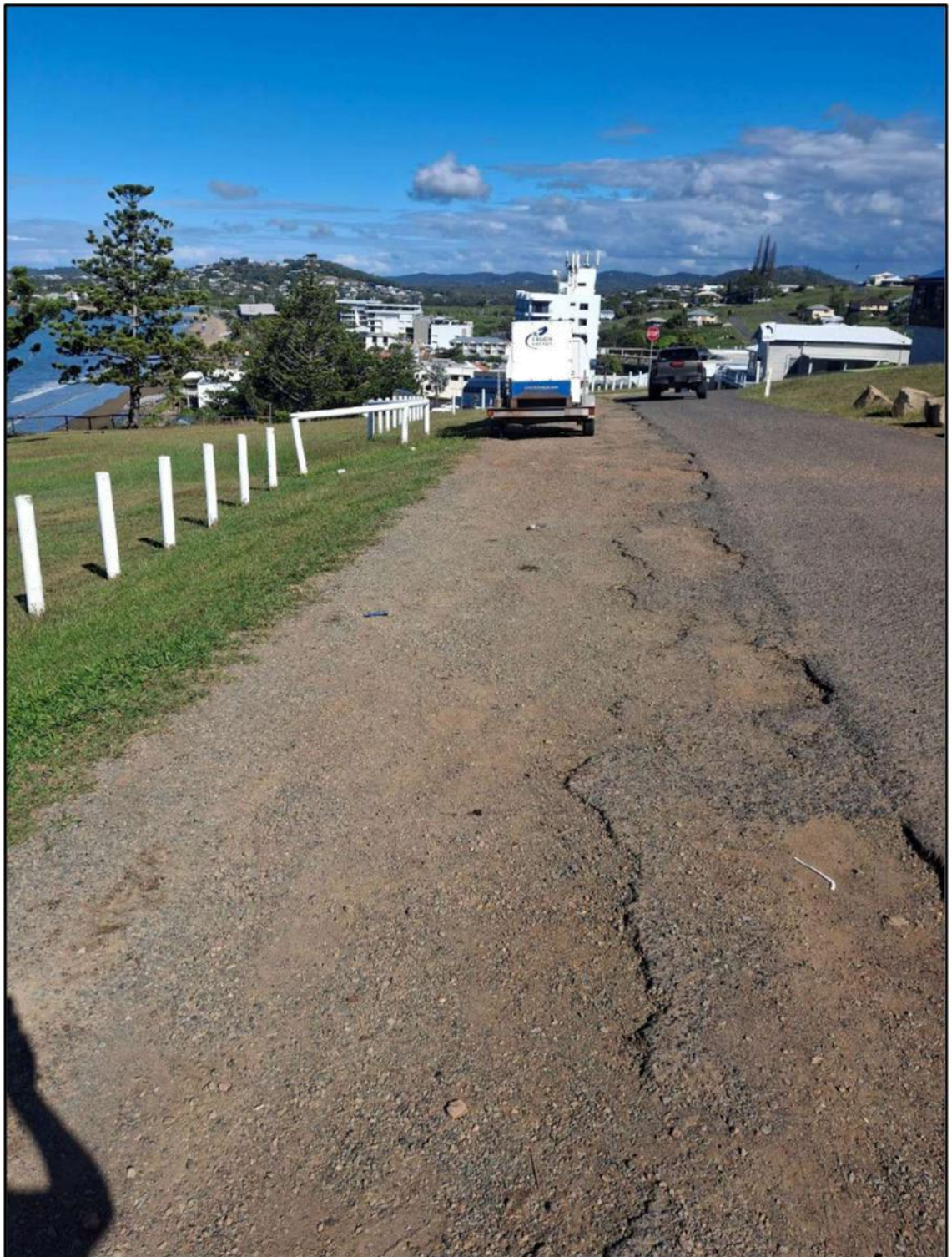


Figure 5 Exiting Carpark – View Towards Proposed Exit



Figure 6 Existing Carpark - Informal Parking Arrangement



Figure 7 Adelaide Street - View South Location of Proposed Footpath

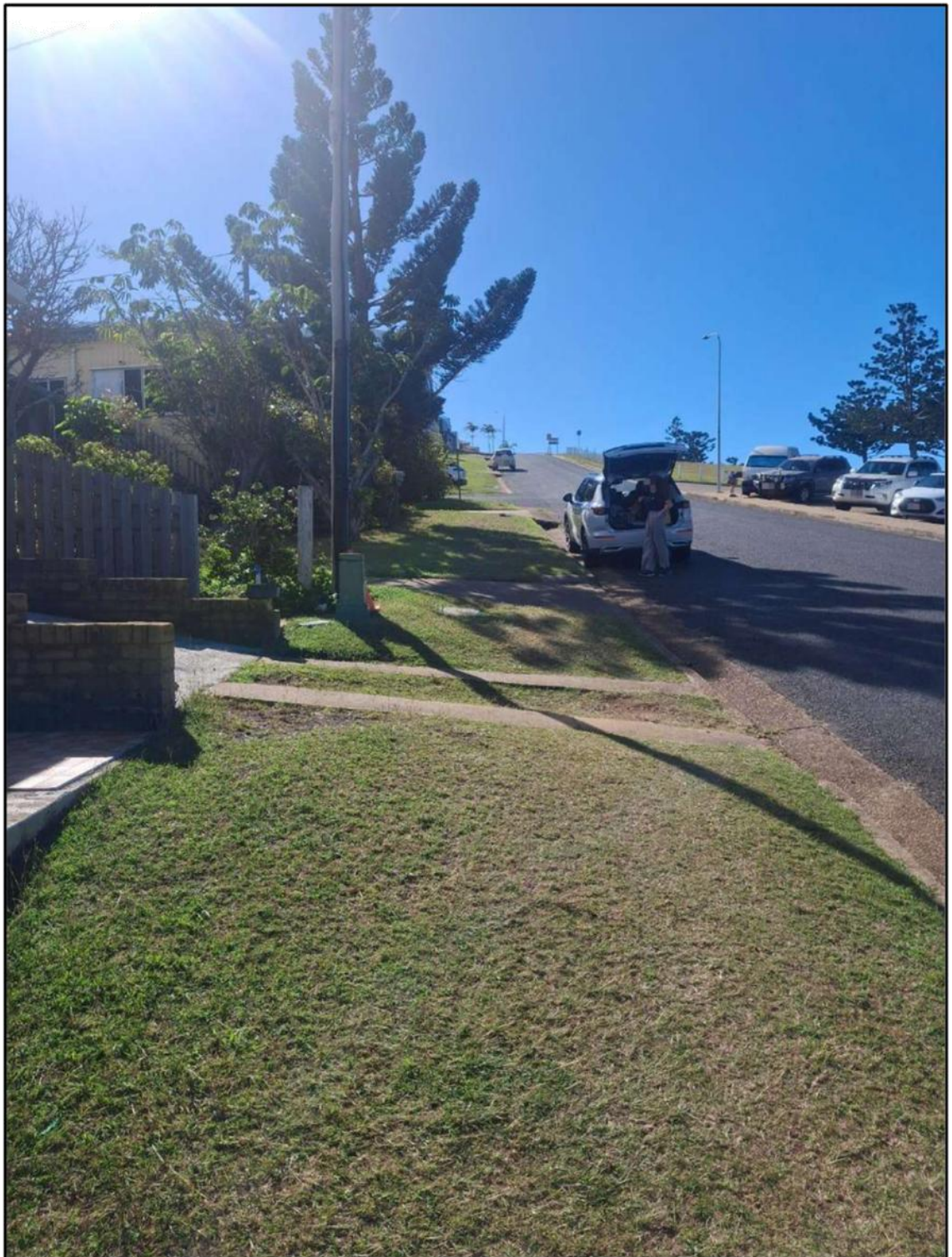


Figure 8 Adelaide Street - View North Location of Proposed Footpath

**Disclaimer:****SCOPE OF AUDIT & QLD REGULATORY COMPLIANCE**

This report has been prepared exclusively for the purpose of a Road Safety Audit (RSA). In accordance with the Professional Engineers Act 2002 (Qld), the findings, observations, and suggested mitigations contained herein constitute road safety risk identifications from a road user perspective. This report does not constitute, nor is it intended to substitute for, professional engineering services or formal engineering design advice. All suggested mitigations must be formally reviewed, assessed, and certified by a Registered Professional Engineer of Queensland (RPEQ) responsible for the project design before implementation.

SITE CONDITIONS & CURRENCY OF DATA

The findings and recommendations in this report are strictly based on a visual examination of the site and a review of the design documentation provided to the audit team. Observations are reflective only of the specific environmental, traffic, and physical conditions visible at the exact dates and times of the site inspection(s). The audit team accepts no liability for changes in site conditions, local typography, or design modifications that have occurred since the time of inspection or report production.

ACCURACY & EXHAUSTIVENESS

While this report has been prepared with due care and in alignment with Austroads Guides and Queensland Department of Transport and Main Roads (TMR) provisions, the audit team does not warrant, guarantee, or represent that the information is exhaustive or entirely free from minor omissions. Features, standards, and safety risks may become inaccurate or obsolete without notice due to subsequent amendments to national or state design guidelines. Users must independently evaluate the accuracy, completeness, and relevance of the data for their project parameters.

LIMITATION OF LIABILITY

To the maximum extent permitted by law, the audit team, its members, and associated entities exclude all liability to any party for any direct, indirect, or consequential losses, expenses, damages, liabilities, or claims whatsoever—whether arising under contract, tort (including negligence), statute, or otherwise—resulting from or referable to the use of or reliance upon this report.

13.4 POLICY REVIEW – MANAGEMENT OF WASTE AND RECYCLING SERVICES POLICY**File No:** qA78427**Attachments:**

1. Management of Waste and Recycling Services Policy (v2)[↓](#)
2. Designated Waste Collection Areas Procedure (v6)[↓](#)
3. Kerbside Recycling Contamination Management Procedure (v1)[↓](#)
4. Waste and Recycling Collection Procedure (v9)[↓](#)

Responsible Officer: Chris Hocking - Manager Water and Waste Operations
Michael Kriedemann - General Manager Infrastructure
Tom Upton - Chief Executive Officer**Author:** Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Council's adoption of Version 2.0 of the Management of Waste and Recycling Services Policy and endorsement of three associated procedures.

OFFICER'S RECOMMENDATION

1. THAT Council resolves as follows:

- a) Pursuant to s 5 of Local Law No. 8 (Waste Management) 2018, Council resolves that:
 - i) the designated areas (Designated Waste Collection Areas) in which it may/will conduct general waste collections are identified as Collection Areas, Service Routes and On Request as described in Item 5.1 of the Designated Waste Collection Areas Procedure; and
 - ii) the frequency of general waste collections in the Designated Waste Collection Areas will be in accordance with the Waste Management Schedule (Appendix 1 of the Designated Waste Collection Areas Procedure).
- b) That for the purposes of the definition of recyclable waste in Local Law No. 8 (Waste Management) 2018, Council declares the following as recyclable waste:
 - i. Glass - bottles and jars only;
 - ii. Paper and cardboard - for example newspapers, magazines, phone books, pizza boxes (no food or oil);
 - iii. Cans - steel and aluminium cans including aerosols;
 - iv. Aluminium foil - including food trays and disposable pie dishes; and
 - v. Plastics - all plastics defined in the plastic identification code 1, 2, 4 and 5.

2. That Council:

- a) Adopt the Management of Waste and Recycling Services Policy (v2); and
- b) Endorse the approval of the following procedures by the General Manager Infrastructure:
 - i) Designated Waste Collection Areas Procedure (v6);

- ii) Kerbside Recycling Contamination Management Procedure (v1); and
- iii) Waste and Recycling Collection Procedure (v9).

BACKGROUND

The Management of Waste and Recycling Services Policy and its associated procedures apply to the provision of waste management services in Council's local government area.

Management of Waste and Recycling Services Policy (v2) – refer to Attachment 1

The Management of Waste and Recycling Services Policy (v2) is the overarching document supported by several procedures, three of which are presented to Council for consideration and endorsement before the General Manager Infrastructure approves them.

There are minor amendments to the Policy including inclusion of the new Kerbside Recycling Contamination Management Procedure which is canvassed below.

Designated Waste Collection Areas Procedure (v6) – refer to Attachment 2

At the 27 July 2026 Briefing Session, a proposal to expand the designated waste collection areas by providing an 'On Request' service was discussed.

In accordance with s 5 of Local Law No. 8 (Waste Management) 2018, a resolution of Council is required to:

1. designate areas within its local government area in which it may conduct general waste collection; and
2. decide on the frequency of the collections in the designated areas.

The Designated Waste Collection Areas Procedure (v6) has been updated to expand collection services outside of Collection Areas and Service Routes and now makes provision at Item 5.1 for 'On Request' collection services to be provided.

Kerbside Recycling Contamination Management Procedure (v1) – refer to Attachment 3

On 1 July 2026 the 'Integrated Waste Services Contract' (*'the Contract'*) with JJ Richards commenced. This contract incorporates aspects such as bulk haulage of bins at transfer stations, kerbside collection, customer service and education which will be managed under the contract by JJ Richards.

To facilitate certain aspects of this contract, a Kerbside Recycling Contamination Management Procedure has been drafted. This Procedure, which was considered by Council at the 27 July 2026 Briefing Session addresses contamination of recyclable waste (domestic).

The earlier draft of this Procedure proposed:

- cancelling the collection service when an occupier persistently contaminated their MGB; and
- continuing to levy waste utility charges.

The version now presented to Council for endorsement no longer proposes the above consequences for persistent contamination. Instead, the intention is to empty and dispose of the contaminated recyclable waste in the domestic waste stream. There will be no disruption to the occupier's waste collections.

Waste and Recycling Collection Procedure (v9) – refer to Attachment 4

Local Law No. 8 (Waste Management) 2018 requires Council to declare the materials it determines to be recyclable waste. A declaration was previously made at Council's 19 April 2022 meeting, however this needs to be updated to align with the materials accepted at the Lakes Creek Road Transfer Station located in Rockhampton and owned by the Rockhampton Regional Council, which is where Council's recyclable waste is now placed with Rockhampton Regional Council's recyclables before transportation to the Sunshine Coast.

Council's recyclable waste declaration is recorded in the Waste and Recycling Collection Procedure at Item 5.9.

Summary

In summary, Version 2 of the Management of Waste and Recycling Services Policy is presented to Council for adoption. The General Manager Infrastructure seeks Council endorsement of the following Procedure before he authorises them:

- Designated Waste Collection Areas Procedure (v6)
- Kerbside Recycling Contamination Management Procedure (v1)
- Waste and Recycling Collection Procedure (v9)

In addition, a new declaration of recyclable waste is required.

PREVIOUS DECISIONS

At its 19 April 2022 Meeting, Council resolved as follows:

'1. That Council:

- a. Adopt the Management of Waste and Recycling Services Policy (v1); and*
- b. Endorse the Executive Director Infrastructure's approval of the:*
 - i. Waste and Recycling Collection Procedure (v7);*
 - ii. Designated Waste Collection Areas Procedure (v2);*
 - iii. Waste and Recycling Community Service Obligation Procedure (v1); and*
 - iv. Waste Voucher Procedure (v1).*
- 2. That pursuant to s 5 of Local Law No. 8 (Waste Management) 2018, Council adopt the Designated Waste Collection Area Map No 4 (ver 2).*
- 3. That Council adopt the Waste Management Schedule (ver2).*
- 4. That for the purposes of the definition of recyclable waste in Local Law No. 8 (Waste Management) 2018, Council declares the following as recyclable waste:*
 - a. Glass – bottles and jars only.*
 - b. Paper and cardboard – for example newspapers, magazines, phone books, pizza boxes (no food or oil).*
 - c. Cans – steel and aluminium cans including aerosols.*
 - d. Aluminium foil – including food trays and disposable pie dishes.*
 - e. Cartons – for example milk, juice Pndcartons, poppers.*
 - f. Plastics – all plastics defined in the plastic coding system as Groups ® 1, 2, 4 and 5, HDPE plastic containers, PET plastic containers.'*

ENGAGEMENT AND CONSULTATION

Consultation has taken place with internal stakeholders.

BUDGET IMPLICATIONS

Budget implications associated with the Designated Waste Collection Areas in which Council may conduct general waste collection (On Request) include potential impacts on the service fees associated with *the Contract* but there will also be increased revenue from the Waste Utility Charge – 'Combined Waste and Recycling Collection (On Request)'.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

The relevant legislation is identified in Item 3 of the Policy and Procedure.

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

The overall risk associated with adopting the revised Policy and endorsing the associated procedures is considered low to moderate. Key risks include customer confusion regarding service areas and on-request collection arrangements, recycling contamination resulting in reduced resource recovery outcomes.

CORPORATE PLAN REFERENCE

Natural Environment

Improve resource recovery through innovative solutions for circular economy

13.4 - POLICY REVIEW – MANAGEMENT OF WASTE AND RECYCLING SERVICES POLICY

Management of Waste and Recycling Services Policy (v2)

Meeting Date: 15 September 2026

Attachment No: 1



MANAGEMENT OF WASTE AND RECYCLING SERVICES POLICY (COMMUNITY POLICY)

1. Scope

The Management of Waste and Recycling Services Policy ('this Policy') applies to the provision of waste management services in Council's local government area.

2. Purpose

This Policy identifies principles to inform and guide the development of Procedures relating to Council's waste management practices.

3. References (legislation/related documents)

Legislative reference

Local Government Act 2009 ss [8](#), [9](#), 262

Related documents

[A New Dimension: A Strategy for the Management of Resource Recovery and Waste in Livingstone Shire to 2030](#)

Designated Waste Collection Areas Procedure

[Kerbside Recycling Contamination Management Procedure](#)

Local Law No. 8 (Waste Management) 2018

Waste and Recycling Collection Procedure

Waste and Recycling Community Service Obligation Procedure

Waste Voucher Procedure

4. Definitions

To assist in interpretation, the following definitions shall apply:

Council	Livingstone Shire Council
General Waste	As defined in Local Law No. 8 (Waste Management) 2018.
Local Government Area	As defined in the <i>Local Government Act 2009</i> .

5. Policy Statement

Council is committed to providing general waste collection that is cost effective, meets the needs of the community and incorporates strategic and environmentally responsible waste management practices.

Management of Waste and Recycling Services Policy

Adopted/Approved: Adopted, [DRAFT 19 April 2022](#)

Version: [4.02.0](#)

Portfolio: Infrastructure
Business Unit: Water & Waste Operations

Page 1 of 2

5.1 Procedure Development Framework

To exercise its functions as a service provider and to facilitate the good rule and governance of its local government area, Council will develop waste management procedures that:

- a) support Council's Vision identified in 'A New Dimension: A Strategy for the Management of Resource Recovery and Waste in Livingstone Shire to 2030' by achieving behaviour change through awareness, education, support and engagement;
- b) facilitate the provision of economical and efficient waste management services that includes collection, disposal, recycling and minimisation of waste;
- a)c) support Local Law No. 8 (Waste Management) 2018;
- b)d) facilitate Council achieving cost effective and environmentally responsible waste management practices;
- e)e) provide the principles for the operation of Council's waste and recycling collection;
- d)f) ensure the provision of waste management services that meet ratepayers and Council's expectations;
- e)g) reflect its desire to treat ratepayers equitably in the allocation of funding for waste management services against competing interests and within budget constraints;
- f)h) are instructive, provide a consistent approach and clear direction in the exercising of its functions and obligations; and
- g)i) provide criteria that guide responsive and informed decision making which meets community expectations.

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 Council.

7. Repeals/Amendments

This Policy repeals Livingstone Shire Council ~~Policy~~~~Policies~~ titled: 'Management of Waste and Recycling Services Policy (v1.0)'.

- a) ~~'Waste and Recycling Collection Policy (v5)';~~
- b) ~~'Waste and Recycling Community Service Obligation Policy (v3)'; and~~
- e) ~~'Waste Voucher Policy (v1)'~~.

Version	Date	Action
1.0	19/04/2022	New policy — Adopted
<u>2.0</u>	<u>DRAFT</u>	

TOM UPTONCALE DENDLE
CHIEF EXECUTIVE OFFICER

Management of Waste and Recycling Services Policy

Adopted/Approved: Adopted, DRAFT19 April 2022

Version: 4.02.0

Portfolio: Infrastructure
Business Unit: Water & Waste Operations

13.4 - POLICY REVIEW – MANAGEMENT OF WASTE AND RECYCLING SERVICES POLICY

Designated Waste Collection Areas Procedure (v6)

Meeting Date: 15 September 2026

Attachment No: 2



DESIGNATED WASTE COLLECTION AREAS PROCEDURE

1. Scope

The Designated Waste Collection Areas Procedure (this 'Procedure') applies to:

- a) the provision of waste management services; and
- b) all proposals to expand the Designated Waste Collection Areas.

2. Purpose

This Procedure:

- a) supports Local Law No. 8 (Waste Management) 2018;
- b) identifies the Designated Waste Collection Areas; and
- c) provides a consistent approach to assessing the viability of including new areas into the Designated Waste Collection Areas.

3. Related Documents

Primary

Management of Waste and Recycling Services Policy

Legislative reference

Local Government Act 2009 ss 8, 9, 262

Related documents

Council's Revenue Statement
Designated Waste Collection Areas – Map Nos 1-8
Local Law No. 8 (Waste Management) 2018
Waste and Recycling Collection Procedure

4. Definitions

To assist in interpretation, the following definitions shall apply:

Collection Location	As defined in Local Law No. 8 (Waste Management) 2018.
Collection Service	Identified in the Waste Management Schedule.
Designated Waste Collection Areas	Areas within Council's local government area in which it will/may conduct general waste collection.
General Waste	As defined in Local Law No. 8 (Waste Management) 2018.
Land Record	Refer to s 154(2) of the <i>Local Government Regulation 2012</i> .
Local Government Area	As defined in the <i>Local Government Act 2009</i> .

Designated Waste Collection Areas Procedure

Adopted/Approved: Approved DRAFT, 26-May-2026

Version: 5-06-0

Portfolio: Infrastructure
Business Unit: Water and Waste Operations

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New Development	A development approved by Council pursuant to the <i>Planning Act 2016</i> .
Notification of Property Amendment	A notification from Revenue Services providing details of the creation of new lots in the Land Record occurring as a result of the registration of a new survey plan.
Owner	As defined in Local Law No. 8 (Waste Management) 2018.
Premises	As defined in Local Law No. 8 (Waste Management) 2018.
Revenue Statement	Council's annual Revenue Statement.
Waste Management Schedule	Refer to Appendix 1.
Waste Utility Charges	Refer to the <i>Local Government Act 2009</i> s 92(4).

5. Procedure

5.1 Designated Waste Collection Areas

- a) For the purposes of s 5 of Local Law No. 8 (Waste Management) 2018, at its ~~18-June 2024~~[insert new meeting date] Meeting, Council endorsed the update of this Procedure which ~~makes provision for~~identifies the following:
- ~~i) the at Appendix 1~~ Waste Management Schedule (ver 3) at Appendix 1;
 - ~~i)~~
 - ii) -the Designated Waste Collection Areas in which Council:
 - will conduct general waste collection (Collection Areas);
 - ~~may~~ may conduct general waste collection (Service Routes);
 - ~~may conduct general waste collection (On Request); and~~
 - ~~i) the frequency of general waste collection.~~
 - b) The Areas are identified on the Designated Waste Collection Areas Maps and are divided into ~~threetwo~~ categories being:
 - i) Collection Areas (green); ~~and~~
 - ~~ii)~~ ii) Service Routes (red); and
 - ~~ii)iii)~~ iii) On Request (blue).
 - c) Collection Areas
Properties in the Collection Areas will be supplied with the Minimum MGB per Property identified in the Waste Management Schedule.
 - d) Service Routes
Upon request from the owner of a property on a road that intersects with, is accessible to, or has frontage to a Service Route, the Manager Water and Waste Operations may approve the collection service subject to safety considerations.
 - e) On Request
Subject to safety considerations, the Manager Water and Waste Operations may approve a collection service for properties not located on a Service Route or within the Collection Areas, upon written request from the property owner.
 - fe) Designated Waste Collection Areas - Maps
The Designated Waste Collection Areas Maps are to be reviewed and updated on Council's website in March each year.

Designated Waste Collection Areas Procedure

Adopted/Approved: Approved DRAFT, 26-May-2026

Version: 5-06.0

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5.2 Expansion of Designated Waste Collection Areas

From time to time, it may be necessary to expand the Designated Waste Collection Areas to cater for new development or contribute to community health and safety. In addition, Council may consider expanding these areas upon request for a collection service to be provided (hereon referred to as a 'Collection Service Request').

1) New Development

Upon Notification of Property Amendment from Revenue Services, the Waste Services Team is to determine whether the new development is located in the Designated Waste Collection Areas.

If the new development is not located in the Designated Waste Collection Areas, the Manager Water and Waste Operations is to apply Items 5.2 3) and 5.2 4) mutatis mutandis.

2) Assessment Criteria

A proposal to expand the Designated Waste Collection Areas that is not related to new development, requires an evaluation of the following assessment criteria.

2.1 Criteria 1 - Roads and Safety

Heavy waste collection vehicles undertake collection services and may not be suitable in some areas due to safety and accessibility issues.

To ensure waste collection vehicles can safely service areas proposed to be included in the Designated Waste Collection Areas, roads to be traversed and serviced must be assessed for suitability.

The assessment is to include, but is not limited to the following:

- a) Turnaround Areas
 - waste collection vehicles must have adequate room to turn around safely.
- b) Accessibility
 - roadside vegetation;
 - steepness of terrain;
 - gravel coverage on unsealed roads; and
 - flooding (including impact on service due to extended periods of flooding).
- c) Safety of Collection Location
 - speed limit;
 - visibility of traffic in both directions; and
 - steepness of terrain.

If the assessment of Criteria 1 determines that roads to be traversed and serviced are suitable for waste collection vehicles, Criteria 2 is to be addressed.

2.2 Criteria 2 - Waste Collection Contractor's Capacity and Charges

Expansion of the Designated Waste Collection Areas must take into account additional costs imposed by Council's waste collection contractor and their capacity to service an expanded area.

If the waste collection contractor has the capacity to service the expanded area, Criteria 3 is to be addressed.

2.3 Criteria 3 – Burden on Ratepayers to Provide Additional Collection Services

Council levies a uniform charge to provide collection services to properties within the Designated Waste Collection Areas.

However, the actual cost to provide the service can vary significantly depending on the location.

For example: Council's waste collection contractor will charge more to provide a service to rural areas than urban areas due to remoteness of location. Therefore, urban ratepayers may need to absorb costs for a service provided to rural ratepayers.

Additional charges imposed by Council's waste collection contractor are to be considered in terms of:

- a) Subsidisation – i.e. will subsidisation by urban ratepayers be necessary?
- b) Economies of Scale – i.e. will increasing the number of properties to be included in the Designated Waste Collection Areas reduce the cost per property?

2.4 Assessment of Criteria 1-3

The Manager Water and Waste Operations must consider the assessment of Criteria 1-3 and decide whether the expansion proposal is viable or not.

a) Not Viable

If, after considering the assessment of Criteria 1-3, the Manager Water and Waste Operations forms an opinion that the expansion proposal is not viable, a summary of the assessment of Criteria 1-3 is to be presented to a meeting of Council.

b) Viable

If, after considering the assessment of Criteria 1-3, the Manager Water and Waste Operations forms an opinion that the expansion proposal is viable, a report which includes a summary of the assessment of Criteria 1-3 is to be presented to a meeting of Council to consider expanding the Designated Waste Collection Areas.

However, if the expansion proposal is being considered because of a Collection Service Request and does not relate to a property on a service route, Criteria 4 – Service Demand must be undertaken before the proposal is presented to Council.

2.5 Criteria 4 - Service Demand

- a) To determine whether there is adequate demand for a collection service, Council will undertake a Service Demand Survey of the owners of all properties in the area proposed to be included in the Designated Waste Collection Areas.
- b) Council will not undertake more than one Service Demand Survey in any three year period.
- c) The Service Demand Survey is to:
 - provide information on the expansion proposal and associated waste utility charges;
 - provide an opportunity for affected owners to support or not support the proposal;
 - state that if Council proceeds with the expansion proposal, all premises in the proposed expansion area will be provided with a collection service and charged the associated waste utility charges regardless of whether the owner supports or does not support the proposal; and
 - state that a failure to respond will not be counted as either for or against the proposal when assessing whether the 80% supportive response rate has been achieved.

3) Meeting of Council

Pursuant to s 5 of Local Law No. 8 (Waste Management) 2018 a resolution of Council is required to designate areas in which general waste collection may be conducted.

If the Manager Water and Waste Operations forms an opinion that a proposal to expand the Designated Waste Collection Areas is viable and there is an 80% supportive response rate to the Service Demand Survey, the report to Council addressing the assessment criteria must seek a resolution to:

- a) adopt:
 - i) the expanded Designated Waste Collection Areas; and
 - ii) an updated Waste Management Schedule (if necessary); and
- b) update the Designated Waste Collection Areas Maps at the following annual review.

4) Adoption of Expanded Designated Waste Collection Areas

While Council is not required to provide general waste collection services outside the Designated Waste Collection Areas, after considering a report on the assessment criteria outlined in Item 5.2 2), it may resolve to expand the Designated Waste Collection Areas.

A resolution to expand the Designated Waste Collection Areas requires the following matters to be addressed:

4.1 Collection of Waste Utility Charges

Pursuant to Item 5.1 a) ii) of the Waste and Recycling Collection Procedure, all new premises included within the Designated Waste Collection Areas will be subject to the applicable charges outlined in the Schedule of Waste Collection and Recycling Charges in the Revenue Statement. These charges will commence in accordance with the provisions of the Revenue Statement.

4.2 Designated Waste Collection Areas - Maps

The expansion area must be included in the Designated Waste Collection Areas Maps at the following annual review – refer to Item 5.1 e).

6. Changes to this Procedure

This Procedure is to remain in force until otherwise amended/replaced or other circumstances.

7. Repeals

This Procedure repeals Livingstone Shire Council Procedure titled 'Designated Waste Collection Areas Procedure (v~~4.05.0~~)'.

Version	Date	Action
1.0	21/09/2021	Procedure Endorsed by Council
2.0	19/04/2022	Revised Procedure & Change of Title – Endorsed by Council and Approved
3.0	19/06/2024	Amended Procedure Approved – full review undertaken, 5.1 and Appendix 1 updated
4.0	22/07/2025	Amended Procedure Approved – scope, sections 5.1 and 5.2 updated
5.0	26/05/2026	Amended Procedure Approved – related documents, definitions, section 5 and appendix 1 updated
<u>6.0</u>	<u>DRAFT</u>	

Designated Waste Collection Areas Procedure

Adopted/Approved: Approved DRAFT, 26-May-2026

Version: 5-06.0

Portfolio: Infrastructure
Business Unit: Water and Waste Operations

**MICHAEL KRIEDEMANN
GENERAL MANAGER INFRASTRUCTURE**

Designated Waste Collection Areas Procedure

Adopted/Approved: Approved DRAFT, 26-May-2026

Version: 5-06_0

Portfolio: Infrastructure
Business Unit: Water and Waste Operations

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APPENDIX 1

Livingstone Shire Council
Waste Management Schedule (ver 3)

		COLLECTION SERVICE			
Designated Waste Collection Areas	Map Nos	Type of General Waste Collection	Minimum MGB per Property	Standard General Waste Container	Frequency of Collection
Area 1	1 (ver 2) adopted 18 June 2024 2 (ver 2) adopted 18 June 2024 3 (ver 2) adopted 18 June 2024 4 (ver 3) adopted 18 June 2024 5 (ver 1) adopted 18 Sep 2018 6 (ver 2) adopted 18 June 2024	Domestic Waste	1	240 litre MGB	Weekly
		Commercial Waste	1		Weekly*
		Recyclable Waste (Domestic)	1		Fortnightly
		Recyclable Waste (Commercial)	1		Fortnightly
Area 2 (Ogmore)	7 (ver 2) adopted 18 June 2024	Domestic Waste	1	240 litre MGB	Fortnightly
		Commercial Waste	1		
Area 3 (Great Keppel Island)	8 (ver 1) adopted 18 Sep 2018	Domestic Waste	1	140 litre MGB	Weekly
		Commercial Waste	1		
		Recyclable Waste (Domestic)	1		Fortnightly
		Recyclable Waste (Commercial)	1		
* Subject to the approval of the Manager Water and Waste Operations, collections can be provided more frequently if requested by the owner of commercial premises – applies to Capricorn Coast only as identified on Map Nos 1&2. MGB means mobile garbage bin.					

Designated Waste Collection Areas Procedure

Adopted/Approved: Approved, DRAFT26-May-2026Version: 5-06_0

Portfolio: Infrastructure
 Business Unit: Water and Waste Operations

13.4 - POLICY REVIEW – MANAGEMENT OF WASTE AND RECYCLING SERVICES POLICY

Kerbside Recycling Contamination Management Procedure (v1)

Meeting Date: 15 September 2026

Attachment No: 3



KERBSIDE RECYCLING CONTAMINATION MANAGEMENT PROCEDURE

1. Scope

The Kerbside Recycling Contamination Management Procedure (this 'Procedure') applies to domestic premises that receive a kerbside recyclable waste (domestic) collection service from Council.

2. Purpose

The purpose of this Procedure is to:

- Support Council's Vision identified in '*A New Dimension: A Strategy for the Management of Resource Recovery and Waste in Livingstone Shire to 2030*' by achieving behaviour change through awareness, education, support and engagement;
- Detail the monitoring process and interventions to be implemented to address kerbside MGB contamination; and
- Articulate Council's commitment to undertake community waste and recycling education.

3. Related Documents

Primary

[Management of Waste and Recycling Services Policy](#)

Legislative reference

[Body Corporate and Community Management Act 1997](#) sch 6

[Local Government Act 2009](#) ss 8, 9, 262

Related documents

[A New Dimension: A Strategy for the Management of Resource Recovery and Waste in Livingstone Shire to 2030](#)

[Livingstone Shire Council's Privacy Policy Item 5.4](#)

[Local Law No. 8 \(Waste Management\) 2018](#)

[Waste and Recycling Collection Procedure](#)

4. Definitions

To assist in interpretation, the following definitions shall apply:

Body Corporate	As defined in the <i>Body Corporate and Community Management Act 1997</i> and also includes a Body Corporate Manager.
Body Corporate Manager	Refer to the <i>Body Corporate and Community Management Act 1997</i> s 14.
Collection Service	Identified in the Waste Management Schedule

Kerbside Recycling Contamination Management Procedure

Adopted/Approved: Draft

Version: 1.0

Page 1 of 4

Portfolio: Infrastructure
Business Unit: Water & Waste Operations

Domestic Premises	As defined in Local Law No. 8 (Waste Management) 2018 and also includes multi-unit residential dwellings.
Domestic Waste	As defined in Local Law No. 8 (Waste Management) 2018.
General Waste	As defined in Local Law No. 8 (Waste Management) 2018.
MGB	A mobile garbage bin (wheelie bin) is the standard general waste container identified in the Waste Management Schedule.
Multi-Unit Residential Dwellings	A residential development with shared waste and recycling infrastructure.
Occupier	As defined in Local Law No. 8 (Waste Management) 2018.
Owner	As defined in Local Law No. 8 (Waste Management) 2018.
Recyclable Waste	Refer to the Waste and Recycling Collection Procedure – Item 5.9.
Stickered	A notification process undertaken by Council's waste collection contractor involving placing a sticker on a contaminated MGB indicating: - details of the contamination; and/or - why it has not been collected and what action needs to be taken before it will be emptied.
Waste Management Plan	A site-specific plan prepared by a body corporate that documents waste storage, bin allocation, signage, education measures and contamination management arrangements to the satisfaction of Council.
Waste Management Schedule	Refer to Appendix 1 – Designated Waste Collection Areas Procedure

5. Procedure

Waste collection services provide essential environmental, public health and economic benefits to communities.

Contamination of kerbside recycling MGBs can result in entire loads of recyclable waste being diverted to the landfill resulting in Council incurring additional operating expenses and also presents environmental and workplace hazards. Contamination can have a major impact on the quality and acceptability of a recycled product. This procedure will be implemented to reduce the incidence of contamination.

5.1 Contamination

A kerbside recycling MGB will be classed as contaminated if it contains items that have been disposed of contrary to the disposable recycling options identified in the Livingstone Waste Wise App or on Council's website. For example, contamination includes any item that is not recyclable including food waste, green waste and dirty or soiled items - contamination also includes dirty and soiled recyclable items.

5.2 Contamination Monitoring

Subject to safety considerations, if contamination is:

- a) observed prior to collection, the kerbside recycling MGB will not be emptied and will be stickered;

- b) identified during collection via an in-truck camera, the kerbside recycling MGB will be stickered; or
- c) identified after collection through review of in-truck camera footage, a contamination event may be analysed and the occupier notified in accordance with Item 5.3.

5.3 Contamination Events

5.3.1 First Event

The waste collection contractor will provide a written notice to the occupier advising:

- i) that a contamination event has occurred, specifying details of the offending materials, and if available, photographic evidence will be included;
- ii) the correct methods of sorting waste; and
- iii) that they may contact the waste collection contractor for further information.

5.3.2 Second Event (within six months of first event)

- a) The waste collection contractor will provide a written notice to the occupier advising:
 - i) that a second contamination event has occurred, specifying details of the offending materials, and if available, photographic evidence will be included along with details of the first contamination event.
 - ii) the correct methods of sorting waste;
 - iii) that they may contact the waste collection contractor for further information;
 - iv) that, subject to safety considerations, the waste collection contractor will be inspecting the kerbside recycling MGB prior to emptying for a six-week period; and
 - v) that another contamination event within six months of the date of the written notice, may result in the recyclable waste MGB being emptied and disposed of in the domestic waste stream.
- b) If the occupier is not the owner, the waste collection contractor will provide written notice to the owner informing them of the actions being undertaken and the reasons why.

5.3.3 Third Event (within six months of second event)

- a) Where contamination events persist the recyclable waste MGB will be emptied and disposed of in the domestic waste stream – while the recycling service remains available, contamination prevents the recyclable materials from being accepted into the recyclable waste stream.
- b) The waste collection contractor will provide a written notice to the occupier advising that:
 - i) due to persistent contamination events, their recyclable waste MGB will now be emptied and disposed of in the domestic waste stream; and
 - ii) they may seek a review of Council's decision within 14 days of the notice.
- c) The Manager Water and Waste (or delegate), will assess review requests and provide a written decision within 28 days.
- d) If the occupier is not the owner, the waste collection contractor will provide written notice to the owner informing them of the actions being undertaken and the reasons why.

5.4 Reset Conditions

This procedure will recommence from the first contamination event where any of the following circumstances apply:

- i) a period of six-months has elapsed between contamination events;
- ii) the occupier responsible for the contamination has changed; or
- iii) at the discretion of the Manager Water and Waste.

5.5 Multi-Unit Residential Dwellings

- a) The following additional measures may be required when contamination events occur at multi-unit residential dwellings:
 - i) to assist with identifying the source of contamination and to enable targeted education, the waste collection contractor may require the body corporate to number their MGBs;
 - ii) the waste collection contractor may require the body corporate to develop a Waste Management Plan
- b) The notices detailed in Item 5.3 may be directed to the body corporate.

6. Changes to this Procedure

This Procedure is to remain in force until otherwise amended/replaced or other circumstances.

7. Repeals/Amendments

Version	Date	Action
1.0	DRAFT	

MICHAEL KRIEDEMANN
GENERAL MANAGER INFRASTRUCTURE

13.4 - POLICY REVIEW – MANAGEMENT OF WASTE AND RECYCLING SERVICES POLICY

Waste and Recycling Collection Procedure (v9)

Meeting Date: 15 September 2026

Attachment No: 4



WASTE AND RECYCLING COLLECTION PROCEDURE

1. Scope

The Waste and Recycling Collection Procedure (this 'Procedure') applies to properties located in the Designated Waste Collection Areas that receive a general waste collection service from Council.

2. Purpose

The purpose of this Procedure is to:

- support Local Law No. 8 (Waste Management) 2018;
- detail the responsibilities of Council, property owners and occupiers; and
- facilitate the provision of economical and efficient waste management services that includes collection, disposal, recycling and minimisation of waste.

3. Related Documents

Primary

Management of Waste and Recycling Services Policy

Legislative reference

Body Corporate and Community Management Act 1997 sch 6

[Local Government Act 2009 ss 8, 9, 262](#)

Related documents

[A New Dimension: A Strategy for the Management of Resource Recovery and Waste in Livingstone Shire to 2030](#)

[Application for Temporary MGB – End-of-Life Care](#)

Assisted Service Request – Waste and Recycling Collection application form

Cancellation of General Waste Collections for Multi-Unit Residential Dwellings

Council's Fees and Charges Schedule

Council's Revenue Statement

Designated Waste Collection Areas – Map Nos 1-8

Designated Waste Collection Areas Procedure

[Kerbside Recycling Contamination Management Procedure](#)

Local Law No. 8 (Waste Management) 2018

Private Property MGB Collection Terms and Conditions

Application for Temporary MGB – End-of-Life Care

4. Definitions

To assist in interpretation, the following definitions shall apply:

Additional Collection (Annual Charge)	Refer to the Revenue Statement - Schedule of Waste Collection and Recycling Charges.
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Waste and Recycling Collection Procedure

Adopted/Approved: [Approved, 14 June 2022 DRAFT](#)

Version: [9.08.0](#)

Portfolio: Infrastructure
Business Unit: Water and Waste Operations

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Body Corporate	As defined in the <i>Body Corporate and Community Management Act 1997</i> and includes owners of multi-unit residential dwelling under a single title.
<u>Body Corporate Manager</u>	<u>Refer to the <i>Body Corporate and Community Management Act 1997</i> s 14.</u>
Collection Location	As defined in Local Law No. 8 (Waste Management) 2018.
Collection Service	Identified in the Waste Management Schedule.
Commercial Premises	As defined in Local Law No. 8 (Waste Management) 2018.
<u>Contamination</u>	<u>Refer to Item 5.1 of Council's Kerbside Recycling Contamination Management Procedure.</u>
Council	Livingstone Shire Council.
Designated Waste Collection Areas	Areas within Council's local government area in which it will/may conduct general waste collection. Refer to Item 5.1 – Designated Waste Collection Areas Procedure.
Domestic Premises	As defined in Local Law No. 8 (Waste Management) 2018.
Eligible residents	Residents receiving end-of-life care in a residential premises within the Designated Waste Collection Areas.
End-of-life care	Care and services given to people and their families who are facing the end of their life.
General Waste	As defined in Local Law No. 8 (Waste Management) 2018.
<u>Licensed Waste Disposal Contractor</u>	<u>An entity authorised under the Environmental Protection Act 1994 and/or the Waste Reduction and Recycling Act 2011 to legally collect, transport, treat or dispose of waste materials.</u>
Local Government Area	As defined in the <i>Local Government Act 2009</i> .
MGB	A mobile garbage bin (wheelie bin) is the standard general waste container identified in the Waste Management Schedule.
Multi-Unit Residential Dwellings	<u>A residential development with shared waste and recycling infrastructure. A building or complex consisting of six or more individual attached or semi-attached premises or units, or any similar dwelling approved by the Manager Water and Waste Operations.</u>
Occupier	As defined in Local Law No. 8 (Waste Management) 2018.
Owner	As defined in Local Law No. 8 (Waste Management) 2018.
Premises	As defined in Local Law No. 8 (Waste Management) 2018.
<u>Property</u>	<u>As defined in the <i>Local Government Act 2009</i></u>
Recyclable Waste	<u>Refer to the Waste and Recycling Collection Procedure – Item 5.9. As defined in Local Law No. 8 (Waste Management) 2018 and declared by Council at its 19 April 2022 Meeting.</u>
Revenue Statement	Council's annual Revenue Statement.
Waste Management Schedule	Refer to Appendix 1 – Designated Waste Collection Areas Procedure

Waste Utility ChargesRefer to the Local Government Act 2009 s 92(4).**5. Procedure****5.1 Waste ~~Management~~ Utility Charges**

- a) Waste Collection and Recycling Charges are:
 - i) are determined through the annual budget; and
 - ii) published in, and applied in accordance with, Council's annual Revenue Statement; and
 - ii) will be applied to premises within the Designated Waste Collection Areas which have a structure that has the potential to generate general waste.
- b) If it is identified that relevant charges are not being levied on a property premises receiving a collection service, appropriate charges will be levied forthwith.

5.2 Entry onto Private Property

- a) Generally, Council does not operate waste collection vehicles on private property because due to, but not limited to the following factors:
 - i) private roads are not specifically designed for heavy waste collection vehicles, resulting in a higher potential for damage to vehicles, roads or private property.
 - ii) the safety of waste collection workers staff and the public may be compromised by travelling on private roads; and
 - iii) resorts, holiday villages, caravan parks and private estates may be regarded as unsuitable because of narrow roads, poor visibility and lack of turn around space, parked vehicles and the number of pedestrians in the vicinity.
- b) If there is no option but to drive on private property, the following applies:
 - i) the owner must lodge a completed Private Property MGB Collection Terms and Conditions; and
 - ii) Council will undertake an inspection of the property access to assess its suitability for a waste collection vehicle and advise the owner in writing of its decision relating to the application with respect to:-
 - road width;
 - turning area;
 - pavement condition;
 - sight distance;
 - overhead clearances;
 - gradient; and
 - indemnity requirements.

5.3 Missed Collection Service

- a) Council's waste collection contractor ~~If Council is~~ to be notified when an MGB has not been emptied on the scheduled collection day. Subject to the Kerbside Recycling Contamination Management Procedure, every effort will be made to arrange a missed collection as soon as possible.

- b) If a missed collection is required because an occupier has not complied with Items 5.11 or 5.12, the occupier must pay a Missed Collection (returned to service) charge before the missed collection will be provided.

5.4 Additional Collection Services

- a) The Waste Management Schedule identifies the Minimum MGB per ~~Property~~Premises to be provided by Council to ~~properties~~premises in the Designated Waste Collection Areas.

b) Commercial

- i) If the quantity of ~~general commercial waste or recyclable~~ waste generated at a commercial premises exceeds the capacity of the Minimum MGB per ~~Property~~Premises:

— pursuant to s 6 of Local Law No. 8 (Waste Management) 2018, the Manager Water and Waste Operations will determine the appropriate number of additional MGBs he reasonably considers is required to cater for the quantity of commercial waste or general-recyclable waste generated;

—

— subject to Item 5.8(~~de~~), Council will supply the commercial premises with additional MGBs; and

—

- an Additional Collection (Annual Charge) will be levied for each additional MGB supplied.

c) Domestic

Upon request from an owner, ~~an Additional Annual collection – Waste or an Additional Collection – Recycling s~~ can be provided, for a minimum of 12 months, –to ~~properties~~premises already receiving a collection service. An Additional Collection (Annual Charge) will be levied for each additional ~~annual~~ collection.

5.5 Assisted Collection Service

- a) Council provides an assisted service for occupiers unable to place their MGB at the collection location because of a medical condition or disability, ~~and they who~~ have no person residing at the property that is reasonably capable of presenting the MGB for collection ~~able-bodied person residing at the premises~~.
- b) The service includes retrieval and return of the MGB from a location within the property boundaries not exceeding a distance of 50 metres from the collection location.
- c) If an occupier requires an assisted service, they must:
- i) lodge a completed Assisted Service Request – Waste and Recycling Collection application form ~~or submit electronically through Online Services on Council's website~~; and
 - ii) supply a current medical certificate/letter from a medical professional stating that they are unable to place their MGB at the collection location for emptying.
- d) If approved, the assisted service will commence within 10 working days of approval.

- e) If an updated medical certificate/letter is not provided every two years, the service will be discontinued.

5.6 Temporary MGB – End-of-Life Care

- a) Council will provide an eligible resident with an additional A MGB ~~for a period of eight weeks~~ at no charge, subject to:
- i) the lodgement of:
 - a completed Application for Temporary MGB – End-of-Life Care; and/or
 - a letter from a registered medical practitioner stating that the eligible resident is receiving end-of-life care; and
 - ii) the eligible resident receiving end-of-life care at a domestic premises located in the designated waste collection area that is currently paying waste ~~management~~ utility charges.
- b) The temporary MGB:
- i) must not be used for the disposal of medical waste; and
 - ii) will be for an initial eight week period, which may be extended subject to provision of further evidence from a registered medical practitioner removed at the end of the eight week period.

5.7 Repairs, Replacement and Maintenance of MGB

- a) If a MGB is stolen, damaged or vandalised, Council's waste collection contractor ~~Council~~ will repair or replace it.
- b) The owner or occupier must pay a New Wheelie Bin fee if their MGB needs to be replaced because of deliberate misuse which includes:
- fire damage
 - vehicle impact
 - modification of bin
 - use of prohibited materials

b)c) The occupier is to keep the MGB clean, in good repair and secure.

5.8 Cancellation of Collection Services

- a) The Manager Water and Waste Operations may vary, refuse to provide, suspend or cancel a collection service when service delivery becomes impractical, unsafe, non-viable, or where waste collection and recycling charges remain unpaid.
- b) If a collection service is refused, suspended or cancelled or a structure no longer suitable for human occupation is demolished, the owner will be refunded waste utility charges paid to Council, from the date the collection service ceased or back to the effective date of the current rates notice (whichever is more recent).

a)c) Domestic Premises

- i) A minimum of 10 working days' notice must be provided to cancel a collection service.
- ii) A collection service may~~will~~ only be cancelled if:
 - ~~the premises~~ has been demolished or isare determined to be uninhabitable by the Manager Water and Waste Operations;

- ~~the property is on a service route, and the ownership is changing; or~~
- ~~the structure that had the potential to generate general waste has been demolished;~~
- ~~the land is unoccupied; or~~
- the owner demonstrates to the satisfaction of the Manager Water and Waste Operations that the collection service is no longer required.

b) ~~If a structure is demolished, the owner will be refunded waste management utility charges paid to Council from the date the collection service ceased or back to the effective date of the current rates notice (whichever is more recent).~~

e)d) Multi-Unit Residential Dwellings

i) ~~Upon request from a body corporate, the~~The Manager Water and Waste Operations may approve cancellation of collection services subject to lodgement of a :

i) completed Cancellation of General Waste Collections for Multi-Unit Residential Dwellings application form ~~or submit electronically through Online Services on Council's website and the following~~; and

- ~~evidence of the applicant's authority to act (e.g. minutes of body corporate's annual general meeting or a body corporate management contract);~~
- a site plan showing the proposed MGB storage and road frontages; and
- copy of contract for waste removal services, between the body corporate and a licensed waste ~~disposal contractor~~removal entity.

ii) Safety, adequate space and accessibility for waste collection vehicles can affect Council's ability to provide a collection service to some multi-unit residential dwellings.

If the Manager Water and Waste Operations determines that it is impractical to provide a collection service to a multi-unit residential dwelling, the body corporate will be notified in writing ~~that~~:

- ~~that~~ a collection service will not be provided from a specified date and the reasons why;
- ~~that~~ they are required to engage a licenced waste ~~removal entity~~disposal contractor for waste removal services and provide a copy of the contract to Council; and
- of the service requirements including details of the waste container and frequency of collections.

d)e) Commercial Premises

If requested in writing by the owner, the Manager Water and Waste Operations may approve cancellation of collection services subject to the provision of a copy of a contract for waste removal services between the owner and a licensed waste ~~removal entity~~disposal contractor.

e)f) Evidence of Continued Waste Removal Service

The body corporate of a multi-unit residential dwelling or the owner of a commercial premises must provide evidence demonstrating ongoing waste removal services are being provided by a licensed waste ~~removal entity~~disposal contractor if requested by the Manager Water and Waste Operations.

g) Collection Charges

If collections recommence, the appropriate charges from the Schedule of Waste Collection and Recycling Charges in the Revenue Statement will be levied.

5.9 Recyclable Waste

- a) For the purposes of the definition of recyclable waste in Local Law No. 8 (Waste Management) 2018, Council declared at its ~~[insert date]~~19 April 2022 Meeting, the following items as recyclable waste and will accept these materials in the recycling MGB:
 - i) Glass - bottles and jars only;
 - ii) Paper and cardboard - for example newspapers, magazines, phone books, pizza boxes (no food or oil);
 - iii) Cans - steel and aluminium cans including aerosols;
 - ~~iv) Aluminium foil - including food trays and disposable pie dishes; and~~
 - ~~v) Cartons - for example milk, juice cartons, poppers; and~~
 - ~~vi) Plastics - all plastics defined in the plastic identification code seeding system as Groups @ 1, 2, 4 and 5, HDPE plastic containers, PET plastic containers.~~
- b) Items placed in the recycling MGB must not be bundled.

5.10 Circumstances when MGB will not be collected

- a) ~~An~~ MGB will not be collected if it:
 - i) is overfull and the lid does not fully close;
 - ii) is not supplied by Council;
 - iii) is not correctly oriented in a position to facilitate collection;
 - iv) exceeds a total weight of 85 kilograms which is too heavy to be lifted;
 - v) ~~contains contamination~~is a recycling MGB contaminated with non-recyclable waste; or
 - vi) has not been presented at the collection location ~~by~~before 6am on the scheduled collection day.
- b) If a MGB has not been collected, the occupier will be informed of the reason why and that it will be emptied in the following weeks collection, providing the problem has been rectified.

5.11 MGB Placement Guidelines

- a) Unless alternative arrangements have been made, the MGB must be presented at the collection location before 6am on the scheduled collection day and returned inside the property boundary within 24 hours after the scheduled collection day.
- b) MGBs must be placed 1m apart and be positioned clear of any obstructions such as cars, power poles and trees.

- c) If a missed collection has been authorised under Item 5.3.(a), the MGB is to remain at the collection location until emptied.

5.12 MGB Filling Guidelines

- a) The occupier is responsible for the placement of material in the MGB in such a manner that does not prevent its complete emptying without manual intervention.
- b) The MGB weight must not exceed 85kg.
- c) The MGB lid must be completely closed and all material contained within the closed MGB.
- d) No material is to be left adjacent to the MGB.
- e) Dusty materials must be contained within bags.
- f) No hazardous or building materials are to be placed in the MGB.
- g) The MGB must not contain contamination.

6. Changes to this Procedure

This Procedure is to remain in force until otherwise amended/replaced by the Executive Director Infrastructure.

7. Repeals/Amendments

This Procedure repeals Livingstone Shire Council Procedure titled 'Waste and Recycling Collection Procedure (v78.0)'.

Version	Date	Action
1.0	10/06/2014	Procedure Endorsed by Council
2.0	25/11/2014	Amended Procedure Endorsed by Council
3.0	06/02/2018	Amended Procedure Endorsed by Council
4.0	18/09/2018	Amended Procedure Endorsed by Council
5.0	16/04/2019	Amended Procedure Endorsed by Council
6.0	21/09/2021	Amended Procedure Endorsed by Council - definitions updated, terminology throughout policy updated
7.0	19/04/2022	Amended Procedure – Endorsed by Council and Approved
8.0	14/06/2022	Amended Procedure – Inclusion of temporary MGB for end-of-life-care
<u>9.0</u>	<u>DRAFT</u>	

MICHAEL KRIEDEMANN

GENERAL MANAGEREXECUTIVE DIRECTOR INFRASTRUCTURE

Waste and Recycling Collection Procedure

Adopted/Approved: Approved, 14 June 2022DRAFT

Version: 9.08-0

Portfolio: Infrastructure
Business Unit: Water and Waste Operations

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13.5 ACTING MAYOR - 4 TO 16 NOVEMBER 2026

File No: qA86735
Attachments: Nil
Responsible Officer: Tom Upton - Chief Executive Officer
Author: Renee Dwyer - Executive Assistant to the Mayor

SUMMARY

During the period of 4 to 16 November 2026 both Mayor and Deputy Mayor will be on leave.

OFFICER'S RECOMMENDATION

THAT pursuant to Section 165 (2) (b) of the Local Government Act 2009, whereas both the Mayor and Deputy Mayor are prevented by absence from performing the role, Council resolves to appoint Councillor [Insert name] as acting Mayor for the period commencing 4 November 2026 and concluding on 16 November 2026.

13.6 MINOR AMENDMENT - MEETING PROCEDURES POLICY**File No:** fA2386**Attachments:**

1. **Meeting Procedures Policy - Version 10 (current)**[↓](#)
2. **Meeting Procedures - Track changes version**[↓](#)

Responsible Officer: Tom Upton - Chief Executive Officer**Author:** Tom Upton - Chief Executive Officer

SUMMARY

This report presents proposed amendments to Council's Meeting Procedures Policy to align the policy with changes to the Local Government Act 2009 that commenced on 1 July 2026.

The key changes relate to the removal of conduct breaches from the councillor conduct framework, changes to the definition of misconduct including unsuitable meeting conduct, and revisions to conflict of interest obligations. These changes require updates to Council's existing meeting procedures to ensure legislative compliance and continued alignment with good governance principles.

OFFICER'S RECOMMENDATION

THAT Council adopt the amended Meeting Procedures Policy, as contained in attachment 2.

BACKGROUND

The current policy, Version 10, was adopted by Council on 20 May 2024. A review of the Meeting Procedures Policy has identified areas requiring amendment to ensure alignment, particularly within Part 3 – Councillor Conduct and conflict of interest provisions.

The proposed amendments are minor in nature but necessary to maintain legislative compliance and ensure Council procedures remain current and enforceable.

PREVIOUS DECISIONS

Council adopted the current policy on 20 May 2024.

ENGAGEMENT AND CONSULTATION

Consultation has been undertaken through sector updates provided by the Office of the Independent Assessor and LGAQ.

BUDGET IMPLICATIONS

There are no direct budget implications associated with the proposed amendments.

LEGISLATIVE CONTEXT AND LEGAL IMPLICATIONS

The amendments respond to changes to the *Local Government Act 2009* that commenced on 1 July 2026. Relevant matters include meeting procedures, unsuitable meeting conduct, misconduct and complaints, material personal interests, conflicts of interest, minute and register requirements, and transitional arrangements.

The amended policy must remain consistent with the *Local Government Act 2009* and associated legislative requirements.

CORPORATE PLAN REFERENCE

Transparent, Accountable & Progressive Leadership

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

13.6 - MINOR AMENDMENT - MEETING PROCEDURES POLICY

Meeting Procedures Policy - Version 10 (current)

Meeting Date: 15 September 2026

Attachment No: 1



MEETING PROCEDURES POLICY (STATUTORY POLICY)

1. Scope

The Meeting Procedures Policy (this 'Policy') applies to meetings of Livingstone Shire Council and meetings of committees of Livingstone Shire Council.

2. Purpose

The purpose of this Policy is to establish standard processes for the conduct of Meetings and to provide for the orderly and proper conduct of Meetings.

3. References (legislation/related documents)

Legislative reference

Human Rights Act 2019

Local Government Act 2009

Local Government Regulation 2012

Related documents

Councillor Acceptable Requests Guidelines Policy

Councillor Contact with Lobbyists, Developers and Submitters Policy

Councillor Complaints Investigation Policy

Code of Conduct for Councillors in Queensland

Petition Guideline

In the event of any inconsistency between the Policy and the *Local Government Act 2009* or the *Local Government Regulation 2012*, legislation (as the case may be) will prevail to the extent of the inconsistency.

4. Definitions

To assist in interpretation, the following definitions shall apply to this Policy:

Audio link	Has the meaning given in the <i>Local Government Act 2009</i> , section 254K.
Audio visual link	Has the meaning given in the <i>Local Government Act 2009</i> , section 254K.
Business day	A day other than a Saturday or Sunday, or a public holiday, upon which banks are open for business in the Livingstone Shire local government area.

Meeting Procedures Policy

Adopted/Approved: Adopted, 20 May 2024

Version: 10.0

Portfolio: Office of the CEO
Business Unit: Executive Support

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Chairperson	The person who is presiding as the chairperson of a Meeting.
Committee	A committee of Council appointed under section 264 of the <i>Local Government Regulation 2012</i> . ¹
Committee Meeting	A meeting of a Committee. ¹
Council	Livingstone Shire Council.
Council Meeting	A meeting of Council.
Deputation	A presentation from up to three (3) members of the public (on behalf of an organisation or individual/s) on a particular matter.
Inappropriate conduct	Has the meaning given in the <i>Local Government Act 2009</i> .
Independent Assessor	The Independent Assessor appointed under the <i>Local Government Act 2009</i> .
Meeting	A Council Meeting or a Committee Meeting, as applicable.
Misconduct	Has the meaning given in the <i>Local Government Act 2009</i> .
Post-election Meeting	A Council Meeting referred to in section 175(1) of the <i>Local Government Act 2009</i> .
Special Meeting	A Meeting at which the only business that may be conducted is the business stated in the notice of the meeting.
Unsuitable meeting conduct	Has the meaning given in the <i>Local Government Act 2009</i> .

5. Policy Statement

Livingstone Shire Council is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity, and transparency, which are all key components of good governance.

This Policy is in accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

5.1 Guiding Principles

The following principles are applied with respect to the procedures to be observed at a meeting:

- procedures should be fair and contribute to open, transparent, and informed decision-making;
- procedure should encourage appropriate community participation in the affairs of Council;
- procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at a meeting;
- procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting;

¹ id est, a standing committee, special committee or advisory committee (but excluding an audit committee).

- e) transparent and effective processes, and decision-making in the public interest;
- f) democratic representation, social inclusion and meaningful community engagement;
- g) good governance of, and by, local government; and
- h) ethical and legal behaviour of Councillors and local government employees.

6. Changes to this Policy

This Policy is to be reviewed if 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

This Policy repeals the Livingstone Shire Council Policy titled 'Meeting Procedures Policy (v9.0)'.

Version	Date	Action
1.0	03/01/2014	Adopted
2.0	03/03/2015	Amended Policy Adopted
3.0	31/03/2016	Amended Policy Adopted
4.0	30/11/2018	Amended Policy Adopted
5.0	20/08/2019	Amended Policy Adopted – section 2.9.1 updated for Urgent Business to be dealt with prior to Confidential Reports
6.0	22/10/2019	Amended Policy Adopted – section 2.9.2 Notices of Motions and Questions on Notices updated
7.0	17/11/2020	Amended Policy Adopted - policy amended to reflect legislative updates
8.0	20/07/2021	Amended Policy Adopted – amendment to section 2.16.6
9.0	19/04/2022	Amended Policy adopted – changes to Deputations, Prayer, Acknowledgement of Country, Notice of Motions, Recordings and COVID Legislation.
10.0	20/05/2024	Amended Policy Adopted – full review undertaken

CALE DENDLE
CHIEF EXECUTIVE OFFICER

Meeting Procedures Policy

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Part 1 – Roles and Responsibilities

1.1 Councillors

- 1.1.1 All Councillors are required to participate in Council Meetings, Committee Meetings for Committees of which they are members, policy development, and decision making for the benefit of the Livingstone Shire Council area.
- 1.1.2 Councillors must be prepared and attend Meetings on time.
- 1.1.3 Councillors will be taken to have read the agenda prior to commencement of the Meeting.
- 1.1.4 Meeting discussions and decisions should relate to high level, strategic issues, rather than operational issues, to serve the overall public interest.

1.2 Chairperson

The Chairperson is responsible for leading and managing Meetings at which they are the Chairperson, including:

- (a) managing the agenda;
- (b) preserving order;
- (c) managing debate;
- (d) conducting votes and declaring results;
- (e) supervising the preparation of minutes; and
- (f) managing the time of the meetings.

Part 2 – Council Meetings

2.1 Time and Place of Meetings

Council Meetings

- 2.1.1 The days and times of Council Meetings will be as resolved by Council at the Post-election Meeting and from time to time thereafter.
- 2.1.2 If there is no resolution fixing the date and time for an ordinary Council Meeting, the Chief Executive Officer must fix the date and time for the meeting.
- 2.1.3 Before the Chief Executive Officer fixes the date and time for an ordinary Council Meeting, the Chief Executive Officer must, if practicable, consult with the Mayor about the proposed date and time for the meeting.
- 2.1.4 Council must meet at least once in each month.
- 2.1.5 All Council Meetings will be held at its Council Chambers located at 4 Lagoon Place, Yeppoon, unless otherwise resolved at a Council Meeting.

Committee Meetings

- 2.1.6 A Committee may, by resolution, fix dates, times and places for its meetings.
- 2.1.7 If there is no resolution fixing the date, time and place for a Committee Meeting, the Chief Executive Officer may fix the date, time, and place for the meeting.
- 2.1.8 Before the Chief Executive Officer fixes the date, time, and place for a Committee Meeting, the Chief Executive Officer must, if practicable, consult with the Chairperson of the Committee.

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2.2 Particular Meetings

Post-election Meeting

- 2.2.1 Council must hold a Post-election Meeting within fourteen (14) days after:
- (a) the conclusion of each quadrennial election; and
 - (b) the conclusion of a fresh election of its Councillors.
- 2.2.2 Council must, by resolution, appoint a Deputy Mayor from its Councillors at the Post-election Meeting and at the first Meeting after the office of the Councillor who is the Deputy Mayor becomes vacant.
- 2.2.3 Matters which Council must consider at a Post-election Meeting include the day and time for holding other meetings and determination of standing committees or portfolios.

Special Meetings

- 2.2.4 The Chief Executive Officer must call a Special Meeting if:
- (a) the Special Meeting is required by a resolution of Council; or
 - (b) for a Special Meeting of Council, the Chief Executive Officer receives a written request for a Special Meeting which is signed by the Mayor or Three (3) or more Councillors, specifies the purpose of the Special Meeting, and proposes a day and time for the holding of the Special Meeting; or
 - (c) the Chief Executive Officer determines it is in the interests of Council that a Special Meeting be held.
- 2.2.5 Special Meetings:
- (a) of Council are to be conducted in accordance with the requirements and processes of a Council Meeting; and
 - (b) of a Committee are to be conducted in accordance with the requirements and processes of a Committee Meeting,
- as specified in this policy, with the exception that the only business which may be conducted at a Special Meeting is the business specified in the notice of meeting.

Closed Meetings

- 2.2.6 In accordance with section 242J(3) of the *Local Government Regulation 2012*:
- (a) Council may resolve that all or part of a Council Meeting be closed to the public; and
 - (b) a Committee may resolve that all or part of a Committee Meeting be closed to the public,
- if its Councillors or members consider it necessary to close the Meeting to discuss one or more of the following matters:
- (c) the appointment, dismissal or discipline of the Chief Executive Officer;
 - (d) industrial matters affecting employees;
 - (e) Council's budget;
 - (f) rating concessions;
 - (g) legal advice obtained by Council or legal proceedings involving Council, including for example, legal proceedings which may be taken by or against Council;

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- (h) matters which may directly affect the health and safety of an individual or a group of individuals;
 - (i) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of Council;
 - (j) negotiations relating to the taking of land by Council under the *Acquisition of Land Act 1967*;
 - (k) a matter Council is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State;
 - (l) a matter relating to the consideration of an investigation report for an investigation of a conduct breach given to the local government under the LGA chapter 5A, part 3, division 5.
- 2.2.7 However, Council or a Committee must not resolve that part of a Meeting at which a decision mentioned in section 150ER(2), 150ES(3) or 150EU(2) of the *Local Government Act 2009* will be considered, discussed, voted on, or made be closed.
- 2.2.8 Furthermore, the Meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the Meeting and Council must:
- (a) delegate the matter;
 - (b) decide by resolution to defer to a later Council Meeting; or
 - (c) decide by resolution to take no further action on the matter unless the LGA or another Act provides that the local government must decide the matter.
- 2.2.9 If the Chief Executive Officer recommends to Council or a Committee that a matter be considered in a closed meeting:
- (a) Council or the Committee will consider the recommendation in open session unless to do so would result in the public release of confidential information concerning the matter; and
 - (b) If there is doubt as to whether the matter should be regarded as confidential, Council shall determine by resolution whether the matter is confidential.
- 2.2.10 Upon moving that an issue be dealt with in a closed Meeting, the mover must clearly state the reason for the motion.
- 2.2.11 A resolution must be passed by Council or the Committee to move into a closed session and to exit out of closed session.
- 2.2.12 A resolution that a Meeting be closed must state the matter to be discussed, an overview of what is to be discussed and why the Meeting should be closed while the matter is considered.
- 2.2.13 When a Meeting is closed, the Chairperson will direct all persons, other than members of Council or the Committee to leave the Meeting and every person must immediately comply with the direction.
- 2.2.14 Despite section 2.2.13 of this Policy, the Chairperson may allow the relevant officers of Council or Council's legal and technical advisers, to remain in the Meeting if they are required to be in attendance for the matter under discussion.
- 2.2.15 Discussions within closed sessions are confidential in nature and when moving into a closed session, the Chairperson should remind Council or the Committee and any permitted attendees that what is discussed in a closed session must stay confidential.

- 2.2.16 Council or a Committee must not make a resolution (other than a procedural resolution) in a closed Meeting.
- 2.2.17 The minutes of the Meeting must state the matter discussed and reasoning for discussing the matter in closed session.

2.3 Notice of Meetings

Notice to Councillors or Committee members

- 2.3.1 The Chief Executive Officer must give notice of each Meeting or the recommencement of an adjourned Meeting to each Councillor or Committee member at least two (2) days before the day of the Meeting unless it is impracticable to give the notice before that time.
- 2.3.2 The notice must:
 - (a) state the day, time and place of the Meeting;
 - (b) for a Special Meeting: state the business to be conducted at the Meeting; and
 - (c) include the agenda for the Meeting.
- 2.3.3 The notice may be given to a Councillor by sending the notice to the Councillor electronically.
- 2.3.4 Meetings must not start before the time provided in the notice.

Public notice of Meetings

- 2.3.5 Council will, at least once in each year, publish a notice of the days and times when its ordinary Council Meetings and the ordinary Meetings of its standing Committees will be held.
- 2.3.6 The notice must be published on Council's website and in other ways Council considers appropriate.
- 2.3.7 Council must display in a conspicuous place in its public office a notice of the days and times when Council Meetings and Committee Meetings will be held.
- 2.3.8 Council must, as soon as practicable, notify any change to the days and times mentioned in sections 2.3.5 or 2.3.7 of this Policy in the same way as the days and times were previously notified.
- 2.3.9 The full agenda for a Meeting and Special Meeting, excluding confidential items, will be placed on Council's website and be open to inspection by 5pm on the next business day after notice of the meeting is given in accordance with section 2.3.1. The related reports for the Meeting must also be included and available to the public, excluding confidential reports.
- 2.3.10 Matters on the agenda which will require the Meeting to be in a closed session will be clearly identified, including the reasons why the session will be closed.

2.4 Commencement of Meetings and Quorums

- 2.4.1 Business may be conducted at a Meeting only if a quorum is present.
- 2.4.2 A quorum of:
 - (a) a Council Meeting is a majority of its Councillors. However, if the number of Councillors is an even number, one-half of the number is a quorum; and

- (b) a Committee Meeting is a majority of the Committee's members. However, if the number of members is an even number, one-half of the number is a quorum.

2.4.3 All Meetings will commence as soon as practicable after the time specified in the notice of meeting once a quorum is present.

2.5 Adjournment of Council Meetings

2.5.1 The majority of Councillors present at a Council Meeting or the majority of Committee members present at a Committee Meeting, may adjourn the Meeting to a later hour of the same day or to a later day.

2.5.2 If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a Meeting, the Chief Executive Officer may adjourn the Meeting to a specified day and time.

2.5.3 If, after fifteen (15) minutes past the commencement time, a quorum is not present, the Meeting may be adjourned to a later hour or another day within fourteen (14) days after the day of adjournment, by:

- (a) a majority of the Councillors or Committee members present; or
- (b) if only one (1) Councillor or Committee member is present - the Councillor or Committee member; or
- (c) if no Councillors or Committee members are present - the Chief Executive Officer.

2.5.4 If a Meeting is adjourned for want of a quorum, the Chief Executive Officer will record in the minutes the reason for the adjournment, the names of any Councillors or Committee members present, and the date and time to which the Meeting is adjourned.

2.5.5 If a Meeting is adjourned to another day, the Chief Executive Officer must:

- (a) give notice of the adjourned Meeting to each Councillor or Committee member setting out the date, time, and place of the Meeting; and
- (b) give notice of the adjourned Meeting to the public by causing a notice setting out the date, time, and place of the Meeting to be published or displayed in the same way as the date and time of the Meeting was previously notified.

2.6 Chairperson

Council Meeting

2.6.1 The Mayor will preside as Chairperson at a Council Meeting.

2.6.2 If the Mayor is absent or unavailable to preside as Chairperson, the Deputy Mayor will preside.

2.6.3 If both the Mayor and the Deputy Mayor are absent or unavailable to preside as Chairperson, a Councillor chosen by the Councillors present at the meeting will preside as Chairperson at the Council Meeting.

Committee Meeting

2.6.4 Council will choose the Chairperson for a Committee Meeting. This Chairperson will normally preside over meetings of the Committee.

2.6.5 If the Chairperson of a Committee is absent or unavailable to preside, a Committee member chosen by the Committee members present at the meeting will preside over the Committee Meeting

2.7 Order of Business

- 2.7.1 The order of business of Meetings shall be determined by resolution of Council. The order of business may be altered for a particular Meeting where the Councillors at that meeting pass a procedural motion to that effect.
- 2.7.2 A motion to alter the order of business may be moved without notice.
- 2.7.3 Unless otherwise altered, the order of business for an ordinary Meeting shall be as follows:
- (a) Opening of meeting – Acknowledgement of Country and Opening Prayer;
 - (b) Present;
 - (c) Apologies and granting of leaves of absence;
 - (d) Confirmation of Minutes of previous meeting(s);
 - (e) Declarations of interest in matters on the agenda;
 - (f) Business arising or outstanding from previous meetings;
 - (g) Presentation of petitions;
 - (h) Councillor/Delegate Reports;
 - (i) Committee Reports;
 - (j) Officers Reports;
 - (k) Closed Session;
 - (l) Confidential Reports;
 - (m) Urgent Business; and
 - (n) Closure of meeting.
- 2.7.4 Public forums/Deputations at an ordinary Meeting will be heard at a time determined by the Chairperson.
- 2.7.5 The unconfirmed minutes of a preceding Meeting, whether an ordinary Meeting or a Special Meeting, shall be taken into consideration and confirmed, at the next available ordinary Meeting. Any discussion regarding the confirmation of minutes of a previous Meeting(s) must be limited to their accuracy as a record of the proceedings.
- 2.7.6 Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed, the minutes can be amended. All Councillors present at the Meeting can vote to confirm the minutes including those who were absent at the previous Meeting and those who had a conflict of interest at the previous Meeting.
- 2.7.7 Opening Prayer at an ordinary meeting will be scheduled on a rotated basis of a diverse religious groups based on individual availability. The opening prayer will be removed from the Agenda should the instance arise where no religious group are available to attend or the meeting be 'Special' in nature and notice is limited.

2.8 Agendas**Items on the Agenda**

- 2.8.1 Business not on the agenda or not fairly arising from the agenda shall not be considered at any Meeting unless permission for that purpose is given by Council at a Council Meeting or a Committee at a Committee Meeting.

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- 2.8.2 Business considered at a Committee Meeting must be in accordance with the adopted Terms of Reference for each Committee.

Request by a Councillor to Place an Item on the Agenda

2.8.3 Notice of Motions

The Chief Executive Officer, in preparing the agenda for a Meeting, must include notices of motions requested in writing by a Councillor which are received by the Chief Executive Officer seven (7) calendar days before the meeting at which the proposal is to be made.

Where a Councillor who has given notice of a motion is absent from the Meeting at which the motion is to be considered, the motion may be:

- (a) moved by another Councillor at the meeting; or
- (b) deferred to the next appropriate Committee Meeting or ordinary Council Meeting.

A notice of motion should:

- (a) be framed as succinctly as possible;
- (b) be relevant to the good order of the business of the Council.

2.8.4 Questions on Notice

The questions on notice from a Councillor will be published in the agenda of the appropriate Meeting, providing such questions are received by the Chief Executive Officer seven (7) calendar days before the meeting at which the questions are to be raised.

Questions on Notice should:

- (a) be framed as succinctly as possible;
- (b) not include argument or discussion or excessive background material;
- (c) be relevant to the good order of the business of the Council.

Councillors can ask questions without notice where a genuine urgency exists and the matter is not included in the agenda.

Recommendation for closed meeting

- 2.8.5 If the Chief Executive Officer recommends that Council or a Committee should consider a matter in a closed Meeting, the Chief Executive Officer will:

- (a) clearly indicate such recommendation on the Meeting agenda;
- (b) make a declaration that all information contained within the documentation and associated material is information confidential to Council;
- (c) ensure that the documentation and material is clearly marked as confidential; and
- (d) set out the reason for the recommendation in the material.

2.9 Petitions

- 2.9.1 Any petition presented to a Meeting must:

- (a) be in legible writing or typewritten and contain a minimum of ten (10) signatures;
- (b) include the name and contact details of the principal petitioner (id est, one person who is the organiser and who will act as the key contact for the issue);

- (c) include the postcode of all petitioners, and
 - (d) have the details of the specific request/matter appear on each page of the petition.
- 2.9.2 Only valid petitions in accordance with the Petitions Guideline will generally be accepted by Council. Other petitions will be received at the discretion of Council, if deemed appropriate.
- 2.9.3 The only motions which will be moved in relation to a petition are that:
 - (a) the petition be received and referred to a Council briefing; or
 - (b) the petition be received and its contents noted.

2.10 Deputations

- 2.10.1 A person or persons wishing to address a Meeting as a deputation on any matter must apply to the Chief Executive Officer in writing at least seven (7) calendar days before the day of the Meeting.
- 2.10.2 The Chief Executive Officer, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The Chief Executive Officer shall inform the prospective deputation of the Chairperson's determination in writing. Where it has been determined the deputation will be heard, the Chief Executive Officer will advise deputation members in writing of the meeting details in which their deputation will be presented and provide a copy of the Deputation Guideline.
- 2.10.3 For deputations comprising three or more persons, only three persons shall be allowed to address Council unless the Councillors at the meeting determine otherwise by resolution.
- 2.10.4 Each deputation will be given the opportunity to address Council for up to a maximum of twenty (20) minutes at the discretion of the Chairperson. This will include fifteen (15) minutes of presentation by the depute(s). Councillors will then have the opportunity to ask questions following the deputation with a five (5) minute limit.
- 2.10.5 Each deputation will be heard and questioned without debate. No questions will be asked of officers during the deputation, except where clarification may be requested through the Chairperson.
- 2.10.6 The Chairperson may terminate a deputation at any time where:
 - (a) the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting;
 - (b) the time period allowed for a deputation has expired;
 - (c) the person uses insulting or offensive language or is derogatory towards Councillors or staff members; or
 - (d) a person other than the appointed speaker interjects during the deputation without approval.
- 2.10.7 The Chief Executive Officer is responsible for the deputation, including where applicable, notifying the appointed speaker(s) of any actions arising from the deputation.

2.11 Motions to be Moved

- 2.11.1 With the exception of procedural motions, a Councillor is required to move a motion at a Meeting and then another Councillor is required to second the motion.

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- 2.11.2 When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.
- 2.11.3 Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- 2.11.4 A motion brought before a Council Meeting in accordance with the *Local Government Act 2009* or the Meeting Procedures Policy, shall be received and put to the meeting by the Chairperson. The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- 2.11.5 The Chairperson may refuse to accept a motion if it is not within the Meeting's jurisdiction and rule a motion out of order if necessary. Any motion which is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious, or is unnecessary, may be ruled out of order.
- 2.11.6 The Chairperson may call the notices of motion in the order in which they appear on the agenda and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.

2.12 Absence of a Mover of Motion

- 2.12.1 In the absence of a mover of a motion, the meeting shall move to the next item of business.

2.13 Motion to be Seconded

- 2.13.1 A motion or an amendment to a motion must not be debated at a Meeting unless and until the motion or the amendment is seconded, with the exception of procedural motions.
- 2.13.2 A motion or an amendment to a motion (other than a procedural motion) which is not seconded, lapses for want of a seconder.
- 2.13.3 Notwithstanding section 2.13.1 of this Policy, a Councillor who moves a motion or an amendment to a motion may, with the permission of the Chairperson, speak in support of the motion or amendment before it is seconded.

2.14 Amendment of Motion

- 2.14.1 An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict or negative the motion.
- 2.14.2 Not more than one motion or one proposed amendment to a motion may be put before a Meeting at any one time.
- 2.14.3 Where an amendment to a motion is before a Meeting, no other amendment to the motion shall be considered until after the first amendment has been put.
- 2.14.4 Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend the new motion.

2.15 Speaking to Motions and Amendments

- 2.15.1 Before a recommendation in a Council officer's report is moved, Councillors may ask questions of the relevant officers to clarify or obtain further information in relation to the recommendation.
- 2.15.2 The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any Councillor who wishes to speak against the motion and then alternately for and against the motion as available, until all Councillors who wish to speak have had the opportunity.

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- 2.15.3 A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.
- 2.15.4 A motion or amendment may be withdrawn by the mover with the consent of Council, which shall be signified without debate and a Councillor shall not speak upon such motion or amendment after the mover has been granted permission by Council for its withdrawal.
- 2.15.5 The mover of a motion or amendment shall have the right to reply. Each Councillor shall speak no more than once to the same motion or same amendment except as a right of reply.
- 2.15.6 Each speaker shall be restricted to a maximum of five (5) minutes, unless the Chairperson rules otherwise.
- 2.15.7 Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.
- 2.15.8 If section 254H of the *Local Government Regulation 2012* applies to a decision made at a Meeting which is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

2.16 Method of Taking Vote

- 2.16.1 The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection.
- 2.16.2 Councillors must vote by a show of hands or as otherwise directed by the Chairperson.
- 2.16.3 A question is decided by a majority of the votes of the Councillors or Committee members present.
- 2.16.4 Subject to Chapter 5B of the *Local Government Act 2009*, each Councillor or Committee member present has a vote on each question to be decided and if the votes are equal, the person presiding at the Meeting has a casting vote.
- 2.16.5 If a Councillor or Committee member present and entitled to vote fails to vote, the Councillor or member is taken to have voted in the negative.
- 2.16.6 The minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative on all votes.
- 2.16.7 The Chairperson shall declare the result of a vote or a division as soon as it has been determined.
- 2.16.8 Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.
- 2.16.9 If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation. If a decision by the Meeting is contra to a recommendation in a report, the minutes must give the reasons for the decision.

2.17 Repealing or Amending Resolutions

- 2.17.1 A resolution of Council may not be amended or repealed unless notice to amend or repeal is given in accordance with the requirements of the *Local Government Act 2009* or the *Local Government Regulation 2012*.

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- 2.17.2 Where a motion (a relevant motion) to repeal or amend a resolution is defeated, a motion to the same or like effect must not be moved until at least three (3) months after the date on which the relevant motion was defeated.
- 2.17.3 At a meeting at which a motion to repeal or amend a resolution is put, Council may defer consideration of that motion. Such deferral shall not exceed three (3) months.
- 2.17.4 Where a resolution (a **later resolution**) of Council relates to a matter the subject of a previous resolution (a **previous resolution**) passed more than three (3) months previously, the previous resolution is amended or repealed to the extent that it is inconsistent with the later resolution.

2.18 Procedural Motions

- 2.18.1 A procedural motion may be moved without the need for a seconder for one of the following motions at any time or during the debate of a matter:
 - (a) that the motion under consideration be put to a vote;
 - (b) that the debate on the motion and/or amendment be adjourned;
 - (c) that the meeting proceed to the next item of business;
 - (d) that the report/document/issue lay on/be raised from the table;
 - (e) a Point of Order;
 - (f) a motion of dissent against the Chairperson's ruling;
 - (g) that this report/document be received/not received;
 - (h) to suspend the rule requiring that (insert requirement); and
 - (i) that the meeting stand adjourned/resumed.

Motion be put

- 2.18.2 Any procedural motion must be immediately put to a vote, without debate.
- 2.18.3 A procedural motion, that the motion under consideration be put to a vote, may be moved when a Councillor believes that there has been sufficient debate about the matter at the meeting. Where such a procedural motion is carried, the Chairperson shall immediately put the motion under consideration. Where such a procedural motion is lost, debate on the motion under consideration shall continue.

Motion or amendment be adjourned

- 2.18.4 A procedural motion, that the motion or amendment now before the meeting be adjourned, may be moved when a Councillor believes that there has been sufficient debate about the matter at the meeting.
- 2.18.5 The procedural motion that the motion or amendment now before the meeting be adjourned may specify a time or date to which the debate shall be adjourned.
- 2.18.6 Where no date or time is specified:
 - (a) a further motion may be moved to specify such a time or date, or
 - (b) the matter about which the debate is to be adjourned, shall be included in the agenda for a future meeting.
- 2.18.7 A motion under section 2.18.4 of this Policy must not adjourn debate on a matter the subject of a motion for more than two (2) months after the date of the procedural motion.

Meeting proceeds to the next item of business

- 2.18.8 A procedural motion, that the meeting proceed to the next item, may be moved when a Councillor believes that there has been sufficient debate about the matter at the meeting.
- 2.18.9 Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter which is the subject of the motion shall cease.
- 2.18.10 However, debate on the matter the subject of the motion may be considered again on the giving of notice in accordance with this Policy.

Matter lay on the table

- 2.18.11 A procedural motion that a motion lie on the table shall only be moved where the Chairperson or a Councillor believes that there has been sufficient debate about the matter at the meeting and requires additional information on the matter under consideration (or the result of some other action of Council or a person is required) before the matter may be concluded at the meeting.
- 2.18.12 Where such a procedural motion is passed, the Council shall proceed with the next matter on the agenda.
- 2.18.13 Where a motion under section 2.18.11 of this Policy is passed, another procedural motion that the matter be taken from the table may be moved at the meeting at which the first procedural motion was carried or at a later meeting.

Point of Order

- 2.18.14 A Councillor may ask the Chairperson to decide on or the Chairperson may raise and decide on, a point of order where it is believed that:
- (a) another Councillor has failed to comply with proper meeting procedures; or
 - (b) a matter before Council is in contravention of the *Local Government Act 2009* or Regulation or any other relevant state or federal legislation; or
 - (c) a resolution before Council is beyond Council's jurisdiction and therefore ultra vires.
- 2.18.15 Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking.
- 2.18.16 Where a point of order is raised, consideration of the matter to which the motion was moved will be suspended.
- 2.18.17 The Chairperson will determine whether the point of order is upheld or not. The Chairperson may seek the advice of the Chief Executive Officer or another officer in attendance before making such determination.
- 2.18.18 Upon a point of order arising during the process of a debate, the Councillor against whom the point of order is raised shall immediately cease speaking and the Councillor raising the point of order may speak to the point of order.
- 2.18.19 Despite anything to the contrary in this Policy, a point of order arising at any time must, until decided, suspend the consideration of every other motion or matter.

Motion of Dissent

- 2.18.20 A Councillor may move a motion of dissent in relation to a ruling of the Chairperson on a Point of Order.
- 2.18.21 Where a motion of dissent is moved, further consideration of any matter must be suspended until after a ruling is made on the motion of dissent.

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2.18.22 Where a motion of dissent is carried:

- (a) the matter to which the ruling of the Chairperson was made will proceed as though that ruling had not been made; and
- (b) where, as a result of a ruling of the Chairperson on a point of order, a matter was discharged as out of order, the matter must be restored to the meeting agenda and be dealt with in the normal course of business.

2.18.23 Where a motion of dissent is not carried, the ruling of the Chairperson will stand.

2.18.24 Sections 2.18.20 to 2.18.23 of this Policy apply to the Chairperson's decision on a procedural motion only and does not apply to decisions on inappropriate and/or disruptive conduct.

Motion that a report be received

2.18.25 A motion that a report or document be received may be used by a Councillor to introduce a report or other document to a meeting only if the report or document is not otherwise protected under confidentiality or information privacy laws.

2.18.26 On tabling the report or document, it ceases to be a confidential document and is available for public scrutiny.

Motion to suspend rule

2.18.27 A procedural motion 'to suspend the rule requiring that...' may be made by any Councillor in order to permit some action which otherwise would be prevented by the Meeting Procedures Policy.

2.18.28 A motion to suspend the Meeting Procedures Policy shall specify the duration of such a suspension.

Adjournment/Resumption of Meetings

2.18.29 A procedural motion that the meeting stands adjourned may be moved by a Councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a Councillor's time for speaking to the matter and must be put without debate.

2.18.30 Such a procedural motion will specify a time for the resumption of the meeting.

2.18.31 On resumption of the meeting, the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

2.19 Minutes

2.19.1 Minutes must be kept of all Meetings and all resolutions recorded.

2.19.2 At each Meeting, the minutes of the previous Meeting must be confirmed by the Councillors or Committee members present.

2.19.3 No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

2.19.4 A copy of the minutes of each Meeting must be made publically available by 5pm on the tenth day after the meeting is held, unless the minutes are sooner confirmed.

2.19.5 When the minutes of a Meeting have been confirmed, a copy of the confirmed minutes must be made publically available, including for purchase at Council's public office, as soon as practicable after the Meeting at which the minutes are confirmed.

2.19.6 The minutes of a Meeting must include:

- (a) the names of the Councillors or Committee members present at the Meeting;

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- (b) in relation to each Councillor or Committee member present:
 - (i) the time at which the person entered or left the Meeting; and
 - (ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the Meeting;
- (c) each motion or amendment and the names of the mover and seconder;
- (d) any variation, alteration, or withdrawal of a motion or amendment;
- (e) whether a motion or amendment is carried or lost;
- (f) any disclosure of a prescribed conflict of interest pursuant to sections 150EG, 150EH, or 150EI of the *Local Government Act 2009* or a declarable conflict of interest pursuant to sections 150EH and 150EI of the *Local Government Act 2009*, in particular the matters specified in section 3.7 of this Policy;
- (g) an account of any personal explanation given by a Councillor;
- (h) details of the making of an order to close a Meeting under section 254J of the *Local Government Regulation 2012*;
- (i) details of any adjournment of business;
- (j) a record of any request for documents to be tabled at the Meeting;
- (k) each report or other document directly relevant to a matter considered or voted on at the meeting or presented at the meeting for the consideration or information of the Council or the Committee (a **relevant report**), other than to the extent that the relevant report contains information which is confidential to Council or if the relevant report has been made publically available under section 254D of the *Local Government Regulation 2012*;
- (l) a description of any verbal briefing given to the Meeting on a matter of Council business;
- (m) if a division is called on a question, the names of all persons voting on the question and how they voted; and
- (n) any other matter required to be included in the minutes by or under the *Local Government Act 2009* or any legislation.

2.19.7 The Chief Executive Officer must ensure the minutes of Meetings include a statement of the reasons for not adopting the recommendation or advice given to Council under section 254H of the *Local Government Regulation 2012* in the following circumstances:

- (a) the decision is about entering into a contract, the total value of which is more than the greater of:
 - (i) \$200,000 exclusive of goods and services tax; or
 - (ii) one (1) per cent of Council's net rate and utility charges, as stated in Council's audited financial statements included in Council's most recently adopted annual report; and/or
- (b) the decision is inconsistent with a policy of Council, or the approach ordinarily followed by Council for the type of decision the type of decision.

2.20 Conduct during Meetings

2.20.1 Councillors will conduct themselves in accordance with the principles of the *Local Government Act 2009* and the standards of behaviour set out in the Councillor Interaction

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with the Organisation Policy. The Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct.

2.20.2 After a Meeting has been formally constituted and the business commenced:

- (a) a Councillor shall not leave from such meeting without first notifying the Chairperson; and
- (b) the Chairperson shall not leave such meeting without notifying the Deputy Mayor or in the absence of the Deputy Mayor, the Councillors.

2.20.3 A Councillor must address the Chairperson while:

- (a) moving any motion or amendment;
- (b) seconding any motion or amendment;
- (c) taking part in any discussion;
- (d) placing or replying to any question; or
- (e) addressing Council for any other purpose.

2.20.4 Councillors will, during a Meeting, address:

- (a) other Councillors by their respective titles, 'Mayor' or 'Councillor'; and
- (b) officers by designating them by their respective official title.

2.20.5 Officers and people attending the Meeting will address Councillors by their respective titles, 'Mayor' or 'Councillor'.

2.20.6 Councillors and officers will confine their remarks to the matter under consideration.

2.20.7 Councillors must remain seated and silent while a vote is being taken except when calling for a division.

2.20.8 No Councillor who is speaking shall be interrupted except upon a Point of Order being raised either by the Chairperson or by a Councillor.

2.20.9 When the Chairperson speaks during the process of a debate, the Councillor then speaking or offering to speak shall immediately cease speaking and each Councillor present shall preserve strict silence so that the Chairperson may be heard without interruption.

2.20.10 Talking on a mobile phone in the meeting place by Councillors and Council officers is not permitted. After a Meeting has been formally constituted and the business commenced, all Councillors and Council officers must ensure that their electronic devices are turned to silent whilst in the meeting room.

2.21 Seeking Council's Leave

2.21.1 Councillors must seek a leave of absence from Council where a Councillor cannot attend a Meeting due to private or business reasons. Leave is granted at the discretion of Council.

2.21.2 A leave of absence may be granted by Council prior to a Meeting (id est, at a prior Meeting or at the Meeting itself). An application does not need to be made in person and as a result, Council may grant such leave while a Councillor is absent.

2.21.3 Where a Councillor needs to seek leave from more than one (1) Meeting, an application is to be made in writing to the Chief Executive Officer specifying the dates of the Meetings and the reason(s) leave is sought.

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- 2.21.4 Where a Councillor intends to attend a Meeting when leave has been granted by Council, written notice is to be provided to the Chief Executive Officer prior to the meeting commencing. This notice nullifies any leave previously approved.
- 2.21.5 If a Councillor attends a Meeting for which leave has been granted, any future absence requires additional leave to be granted, regardless if the original leave covered any future Meetings.
- 2.21.6 If a Councillor fails to attend two (2) or more consecutive ordinary Council Meetings over a period of at least two (2) months, the Councillor's office becomes vacant under section 162(1)(e) of the *Local Government Act 2009*, unless the Councillor is absent:
 - (a) in compliance with an order made by the conduct tribunal, Council, or the Chairperson of a Council Meeting or a Committee Meeting; or
 - (b) with Council's leave; or
 - (c) while the Councillor is suspended under section 122, 123, or 175K of the *Local Government Act 2009*.

2.22 Remote Attendance via Audio Link or Audio Visual Link

- 2.22.1 Councillors may seek Council approval to remotely participate in a Council Meeting by audio link or audio visual link.
- 2.22.2 Councillors may seek a Committee's approval to remotely participate in a relevant Committee Meeting by audio link or audio visual link.
- 2.22.3 Where a Councillor needs to seek approval for remote attendance via audio link or audio visual link, an application is to be made in writing to the Chief Executive Officer five (5) business days prior to the Meeting to which remote access is sought or as soon as practicable once the Councillor becomes aware of their intended absence.
- 2.22.4 The Chief Executive Officer, upon receiving an application for remote attendance via audio link or audio visual link, will notify the Chairperson of the Meeting who will, at least two (2) business days before the date of the Council Meeting for which remote access is sought, determine if approval will be granted. The Chief Executive Officer, or their delegate, will inform the requesting Councillor of the determination.
- 2.22.5 In considering a request for attendance of a Meeting by audio link or audio visual link, the Chairperson must take into account confidentiality and privacy matters, as attendance via audio link or audio visual link may pose a risk to Council due to the nature of the discussions.
- 2.22.6 A Councillor attending a closed session by audio link or audio visual link must maintain confidentiality by ensuring no other person can hear their conversation whilst in the closed Meeting.
- 2.22.7 It is the responsibility of the Councillor attending by audio link or audio visual link to ensure they are linked to the Meeting when the Meeting commences. Requests to link to the Meeting after the Meeting has commenced may only be accepted at the Chairperson's discretion.
- 2.22.8 A Councillor taking part in a Meeting by audio link or audio visual link must identify all persons present in the location from which the Councillor is participating.
- 2.22.9 A Councillor taking part in a Meeting by remote attendance via audio link or audio visual link is taken to have attended the Meeting if:
 - (a) the attendance by audio link or audio visual link was approved under this Policy; and

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- (b) during the meeting, the Councillor was simultaneously in audio contact with each other person at the Meeting.

2.22.10 A register of a Councillor's attendance by audio link or audio visual link will be recorded in the minutes of the Meeting.

2.22.11 If the Chairperson refuses to allow a Councillor remote attendance via audio link or audio visual link, the Chairperson must report the decision at the Council Meeting.

2.23 Questions

2.23.1 A Councillor may, at a Meeting, ask a question for reply by another Councillor or a Council officer regarding any matter under consideration at the meeting.

2.23.2 A question shall be asked categorically and without argument and no discussion shall be permitted at the Meeting in relation to a reply or a refusal to reply to the question.

2.23.3 A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for a future Meeting.

2.23.4 A Councillor who asks a question at a Meeting or responds to a question at a Meeting, shall be deemed not to have spoken to the debate of the motion to which the question relates.

2.23.5 The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order. In such instances, a Councillor may move a motion that the Chairperson's ruling be disagreed with and if such motion is carried the Chairperson shall allow the question.

2.24 Disorder

2.24.1 The Chairperson may adjourn the Meeting, where disorder, other than disorder arising as a result of unsuitable meeting conduct or inappropriate conduct by a Councillor, arises at the meeting.

2.24.2 On resumption of the meeting, the Chairperson shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed.

2.24.3 Where such a motion under section 2.24.2 of this Policy is lost, the Chairperson shall declare the meeting closed and any outstanding matters referred to a future meeting.

2.25 Attendance of Public and the Media at Meetings

2.25.1 An area shall be made available at the place where any Meeting is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.

2.25.2 When the Council or Committee is sitting in closed session, the public and representatives of the media shall be excluded as specified in section 2.2.13 of this Policy.

2.25.3 After a Meeting has commenced, members of the public and media representatives must switch all electronic devices to silent while they are in the meeting room.

2.25.4 If a person fails to comply with section 2.25.3 of this Policy, the Mayor or Chairperson may direct that person to immediately leave the meeting room.

2.25.5 Failure to comply with a direction under section 2.25.4 may be considered an act of disorder.

2.26 Public Participation at Meetings

- 2.26.1 A member of the public may take part in the proceeding of a Meeting only when invited to do so by the Chairperson.
- 2.26.2 During debate on a motion, the Chairperson may invite submissions, comments or questions from members of the public.
- 2.26.3 In each ordinary Council Meeting, Council may allocate time to permit members of the public to address the Council on matters of public interest related to local government. The time allotted shall not exceed fifteen minutes and no more than three speakers shall be permitted to speak at any one meeting. The right of any individual to address the Council during this period shall be at the absolute discretion of Council.
- 2.26.4 If any address or comment by a member of the public is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the address or comment.
- 2.26.5 For any matter arising from such an address, Council may take the following actions:
 - (a) refer the matter to a Committee;
 - (b) deal with the matter immediately;
 - (c) place the matter on notice for discussion at a future meeting; or
 - (d) note the matter and take no further action.
- 2.26.6 Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.
- 2.26.7 Any person who is considered by the Council, the Chairperson, or the Mayor to be unsuitably dressed may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

2.27 Public Questions of Council

- 2.27.1 In each ordinary Council Meeting, fifteen (15) minutes will be allocated to permit members of the public to ask questions of Councillors. At the direction of the Chairperson, a member of the public may rise, provide their name, and ask their question. A question shall be less than ninety (90) seconds in duration, be asked categorically and without argument and no discussion shall be permitted at the Meeting in relation to a reply or a refusal to reply to the question. The Councillor to whom a question is asked without notice may request that the question be taken on notice with a written answer provided in the minutes of a future Meeting.
- 2.27.2 The minutes of the Meeting shall record the name of the questioner, the question asked, and the answer.
- 2.27.3 The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order. In such instances, a record of the questioner, their question, and the Chairperson's ruling shall be kept.
- 2.27.4 For any matter arising from such a question, Council may take the following actions:
 - (a) refer the matter to a Committee;
 - (b) deal with the matter immediately;
 - (c) place the matter on notice for discussion at a future meeting; or
 - (d) note the question and answer, and take no further action.

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- 2.27.5 Any person asking a question of Council shall stand and act and speak with decorum and frame questions in respectful and courteous language.

2.28 Procedure not provided for

- 2.28.1 If an appropriate or adequate method of dealing with a matter is not provided for within this Policy, the method of dealing with the matter may be determined by a resolution of Council upon a motion, which may be put without notice in conformity with this Policy.

Part 3 – Councillor Conduct

Unsuitable Meeting Conduct

Unsuitable meeting conduct may include:

- (a) a Councillor behaves in a Meeting, in a way which intimidates, bullies, or harasses a member of the community, another Councillor, or a Council employee;
- (b) a Councillor continually interrupts or disrupts a speaker at a Meeting; or
- (c) a Councillor behaves in an offensive or disorderly way in a Meeting.

Inappropriate Conduct

Inappropriate conduct in relation to Meetings may include:

- (a) a Councillor fails to comply with an order made by the Chairperson to leave and stay away from the place at which the Meeting is being held; or
- (b) a Councillor has been reprimanded three (3) times in twelve (12) months for interrupting other Councillors during Meetings.

Misconduct

Misconduct in relation to Meetings may include:

- (a) a Councillor knowingly provides false or misleading information during a Meeting in order to affect a decision;
- (b) a Councillor provides confidential information to the media which came from a closed Meeting; or
- (c) a Councillor who has a reasonable belief or suspicion that another Councillor with a prescribed conflict of interest or declarable conflict of interest is participating in a decision in contravention of the *Local Government Act 2009* did not disclose it to the presiding officer when the other Councillor failed to disclose it.

Corrupt Conduct

Corrupt conduct in relation to Meetings may include a Councillor with a prescribed conflict of interest failing to leave the place at which the Meeting is being held, including any area set aside for the public and staying away while the matter is discussed and voted on.

3.1 Process for dealing with unsuitable meeting conduct by a Councillor in a Meeting

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a local government meeting and contravenes a behavioural standard of the Code of Conduct for Councillors. When dealing with an instance of unsuitable meeting conduct by a Councillor in a Meeting, the following procedures must be followed.

- 3.1.1 The Chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a Meeting.

- 3.1.2 If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature or another warning is warranted, proceed to section 3.1.7 of this Policy.
- 3.1.3 If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
- (a) ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
 - (b) apologising for their conduct; or
 - (c) withdrawing their comments.
- 3.1.4 If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- 3.1.5 If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- 3.1.6 If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- 3.1.7 If the Councillor still continues to fail to comply with the Chairperson's request for remedial action or the Chairperson decided a warning was not appropriate under section 3.1.3 of this Policy, the Chairperson may make one or more of the orders below:
- (a) an order reprimanding the Councillor for the conduct; or
 - (b) an order requiring the Councillor to leave the Meeting, including any area set aside for the public and stay out for the duration of the Meeting.
- 3.1.8 If the Councillor fails to comply with an order to leave and stay away from the Meeting, the Chairperson can issue an order that the Councillor be removed from the Meeting.
- 3.1.9 Following the completion of the Meeting, the Chairperson must ensure the minutes record the information about unsuitable meeting conduct (see note):
- 3.1.10 Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for sections 3.1.1, 3.1.7 and 3.1.8 of this Policy.

Note: Details of any order issued is recorded in the minutes of the meeting. If it is the third or more order made within a 12-month period against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next local government meeting as a suspected conduct breach. The local government's chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's Councillor Conduct Register.

3.2 Process for Dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting

- 3.2.1 If a Councillor at the meeting reasonably believes that the conduct of the chairperson during the meeting is unsuitable meeting conduct, the Councillor will raise the matter in the meeting by point of order.
- 3.2.2 The chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the Councillor may move a motion that the Councillor has engaged in unsuitable meeting conduct (a seconder for the motion is required).

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Councillors present, excluding the chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.

- 3.2.3 The chairperson has a declarable conflict of interest in the matter and must leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the chairperson wishes to remain in the meeting, the eligible Councillors must make a decision and follow the procedures set out in *part 5* below.
- 3.2.4 For the debate and vote on the motion, a Councillor other than the Councillor that moved the motion, is to act as the chairperson.
- 3.2.5 If the original chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible Councillors, they can put forward their reasoning about their conduct, and respond to questions through the chairperson from the eligible Councillors.
- 3.2.6 The acting chairperson of the meeting will preside over the meeting while the Councillors present at the meeting vote on whether the chairperson has engaged in unsuitable meeting conduct (the acting chairperson will have a casting vote on the resolution if required).
- 3.2.7 If it is decided that the chairperson has engaged in unsuitable meeting conduct the Councillors can make an order reprimanding the chairperson for the conduct.
- 3.2.8 Once the Councillors make a decision, the chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting chairperson.
- 3.2.9 The chairperson then resumes the role of chairperson, and the meeting continues.

Note: Details of any reprimand order is recorded in the minutes of the meeting. The local governments chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's Councillor Conduct Register.

For conduct of a chairperson, at local government meetings that is part of a course of conduct leading to a reprimand order for unsuitable meeting conduct being made against the chairperson, on three occasions within a period of 12 months, the conduct that led to the orders being made, taken together, becomes a conduct breach.

If the conduct of a Councillor, including a chairperson, at the meeting becomes a conduct breach; in accordance with section 150J of the LGA, and is a conduct breach under section 150K(2)(b) and (3) of the LGA, the local government is not required to notify the assessor about the conduct; and may deal with the conduct under section 150AG as if an investigation had been conducted. It may be dealt with at the next local government meeting.

3.3 Meeting process for dealing with a suspected Conduct Breach which has been referred to Council by the Independent Assessor

Under chapter 5A, part 3, division 3A of the LGA, the IA must make a preliminary assessment and consider dismissing a complaint, notice or information before taking other action if satisfied that particular circumstances apply. If the IA assesses that a matter is a suspected conduct breach it must refer the matter to the local government. The assessor refers the Councillor's suspected conduct breach to the local government by giving a referral notice.

Note: Conduct breach is conduct that contravenes a behavioural standard of the code of conduct for Councillors, or a policy, procedure or resolution of the local government; or the conduct contravenes an order of the chairperson of a local government meeting for the Councillor to leave and stay away from the place at which the meeting is being held; or an instance of a suspected

conduct breach that may arise from circumstances described in Note at the end of clause 3.1.10. Process for Dealing with Unsuitable Meeting Conduct by a Councillor in a Meeting, in this document.

In relation to matters referred by the IA to the local government, the local government may decide not to start or discontinue an investigation if the complainant withdraws the complaint, or consents to the investigation not starting or discontinuing, or the complainant does not provide extra information when requested, or there is insufficient information to investigate the complaint, or the Councillor vacates or has vacated their office as a Councillor.

Note: *The local government investigation must be conducted in a way that is consistent with the local government's investigation policy. An investigation report must be prepared to assist the Councillors in making a decision on the outcome under section 150AG of the LGA. Before debating a matter relating to making a decision, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the LGA on or before the day and time prescribed by regulation. However, this section does not apply in relation to a decision by the Establishment and Coordination Committee under the City of Brisbane Act 2010 (COBA).*

- 3.3.1 The local government must decide in a local government meeting, whether the Councillor has engaged in a conduct breach. Unless in accordance with section 150AG of the LGA, it has delegated responsibility for this decision to the mayor under section 257(2)(a), or to a standing committee section 257(2)(b) of the LGA or section 238(2)(a), (b) or (c) of the COBA.
- 3.3.2 When dealing with an instance of a suspected conduct breach which has been referred to a local government by the IA:
 - 3.3.2.1 The local government must be consistent with the local government principle of transparent and accountable decision making in the public interest by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of the local government. However, where the matter requires debate a local government may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report under the City of Brisbane Regulation (CBR) section 242J, or the Local Government Regulation (LGR) section 254J.
 - 3.3.2.2 No resolution for a decision can be made in the closed session. The matter must be decided in an open session of the meeting or at a later meeting.
 - 3.3.2.3 Where a local government makes a decision about a conduct breach matter at a local government meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting under CBR section 242H and the LGR section 254H.
 - 3.3.2.4 The subject Councillor has a declarable conflict of interest in the matter but may remain in the closed meeting (unless the local government decides otherwise), during the debate about the investigation report and answer questions put to the subject Councillor through the chairperson in relation to the evidence or written submission provided by the Councillor to the local government.
 - 3.3.2.5 The subject Councillor who has a declarable conflict must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in a conduct breach and what,

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if any, penalty to impose if the Councillor is found to have engaged in a conduct breach.

- 3.3.2.6 If the complainant is a Councillor, that Councillor has a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 4. If the complainant Councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other eligible Councillors (do not have a COI in the matter) must decide how to deal with the conflict of interest under section 4. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote, or the decision on any disciplinary action to be applied.
- 3.3.2.7 After making a decision under section 150AG of the LGA, the local government must make the full investigation report, publicly available within 10 business days after the decision is made, with redactions of the name of the complainant and any witnesses but including the name of a Councillor or the CEO of the local government if they were complainants, or any Councillor who declared a COI in the matter.
- 3.3.3 If the local government has lost quorum due to the number of conflicted Councillors or another reason, the local government must do one of the following:
 - 3.3.3.1 Delegate deciding the matter under section 257 of the LGA to the mayor or a standing committee, or under section 238 of the COBA, to the mayor or the Establishment and Coordination Committee, or a standing committee, whichever is the most appropriate in the circumstances or
 - 3.3.3.2 Decide, by resolution, to defer the matter to a later meeting or
 - 3.3.3.3 Decide, by resolution, not to decide the matter and take no further action in relation to the matter unless this Act or another Act provides that the local government must decide the matter.

Note: Local government cannot decide to take no further action on a decision about a conduct matter because it is required under the LGA. In order to reach a decision when a loss of quorum has occurred, the matter can be deferred to a later meeting when a quorum can be maintained, or the conflicted Councillors may apply to the Minister for permission to participate in the decision.

- 3.3.4 If a decision is reached that the subject Councillor has engaged in a conduct breach, then the Councillors must decide what penalty or penalties from the orders detailed in 2.6, if any, to impose on the Councillor. In deciding what penalty to impose the local government may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the local government is reasonably satisfied is true.
- 3.3.5 The local government may order that no action be taken against the Councillor or make one or more of the following:
 - 3.3.5.1 An order that the Councillor make a public apology, in the way decided by the local government,
 - 3.3.5.2 An order reprimanding the Councillor for the conduct breach
 - 3.3.5.3 An order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
 - 3.3.5.4 An order that the Councillor be excluded from a stated local government meeting

- 3.3.5.5 An order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, (for example that the Councillor is ordered to resign from an appointment representing the local government on a state board or committee)
- 3.3.5.6 An order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
- 3.3.5.7 An order that the Councillor reimburse the local government for all or some of the costs arising from the Councillor's conduct breach.
- 3.3.5.8 A local government may not make an order in relation to a person who has vacated their office as a Councillor.
- 3.3.6 The subject Councillor, and where relevant, the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the decision made by the local government and if relevant any orders made by resolution.
- 3.3.7 The minutes of the meeting must reflect the decision and any orders made. A notice must be given to the IA as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.

3.4 Prescribed Conflict of Interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a local government, standing or advisory Committee Meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures.

- 3.4.1 A Councillor who has notified the Chief Executive Officer of a prescribed conflict of interest in a matter to be discussed in a local government Meeting must also give notice during the Meeting.
- 3.4.2 A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a local government Meeting must immediately inform the Meeting of the conflict of interest.
- 3.4.3 When notifying the Meeting of a prescribed conflict of interest, the following details must, at a minimum, be provided:
 - (a) if it arises because of a gift, loan, or contract, the value of the gift, loan, or contract;
 - (b) if it arises because of an application or submission, the subject of the application or submission.
 - (c) the name of any entity, other than the Councillor, which has an interest in the matter;
 - (d) the nature of the Councillor's relationship with the entity which has an interest in a matter; and
 - (e) details of the Councillor's and any other entity's interest in the matter.
- 3.4.4 The Councillor must then leave the place of the Meeting, including any area set aside for the public and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister administering the *Local Government Act 2009* to participate in the matter.
- 3.4.5 Once the Councillor has left the area where the local government Meeting is being conducted, Council can continue discussing and deciding on the matter at hand.

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3.5 Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at local government meetings, standing, or advisory Committee Meetings which might lead to a decision which is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the Meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillors may disclose their suspicion and the processes under section 150EW of the *Local Government Act 2009* applies.

When dealing with a declarable conflict of interest, Councillors must abide by the following procedures.

- 3.5.1 A Councillor who has notified the Chief Executive Officer of a declarable conflict of interest in a matter to be discussed at a local government Meeting must also give notice during the Meeting.
- 3.5.2 A Councillor who first becomes aware of a declarable conflict of interest in a matter during a local government Meeting must inform the Meeting of the conflict of interest.
- 3.5.3 When notifying the Meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. As a minimum, the following details must be provided:
 - (a) the nature of the declarable conflict of interest;
 - (b) if it arises because of the Councillor's relationship with a related party:
 - (i) the name of the related party to the Councillor;
 - (ii) the nature of the relationship of the related party to the Councillor; and
 - (iii) the nature of the related party's interest in the matter; and
 - (c) if it arises because of a gift or loan from another person to the Councillor or a related party:
 - (i) the name of the other person;
 - (ii) the nature of the relationship of the other person to the Councillor or related party;
 - (iii) the nature of the other person's interest in the matter; and
 - (iv) the value of the gift or loan and the date the gift or loan was made.
- 3.5.4 After a Councillor has declared a conflict of interest, the Councillor should consider leaving the Meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- 3.5.5 If the Councillor chooses not to leave the Meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
- 3.5.6 The other Councillors at the Meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter or whether they should not participate in the decision and leave the place of the Meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the Meeting (for example, may stay for the debate but must leave for

the vote). The Councillor must comply with any decision or condition imposed by the non-conflicted Councillors. The Councillor must not participate in the decision unless authorised in compliance with section 150ES of the LGA or under an approval by the minister for local government under section 150EV of the LGA.

- 3.5.7 In deciding on whether a Councillor may participate in a decision about a matter in which the Councillor has a declarable conflict of interest, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the Meeting consistent with section 150ET of the *Local Government Act 2009* and section 177Q of the *COBA*..
- 3.5.8 The Councillor who is the subject of the decision may remain in the Meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the Meeting while the vote on the matter takes place and the decision is declared by the Chairperson, on whether the Councillor may remain in the Meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- 3.5.9 When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the circumstances of the matter including, but not limited to:
- (a) how does the inclusion of the Councillor in the deliberation affect the public trust;
 - (b) how close or remote is the Councillor's relationship to the related party;
 - (c) if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received;
 - (d) will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have a major or minor impact on them;
 - (f) how does the benefit or detriment the subject Councillor stands to receive compare to others in the community; how does this compare with similar matters that the local government has decided and have other Councillors with the same or similar interests decided to leave the Meeting; and
 - (g) whether the subject Councillor has unique skills, knowledge, or expertise which might help make the best decision in the public interest.
- 3.5.10 If the non-conflicted Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the Meeting while the non-conflicted Councillors discuss and vote on the matter.
- 3.5.11 A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the Councillor for participating in the decision and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the Meeting and be involved in processes occurring outside of a local government Meeting about the same matter (for example, briefing sessions or workshops).

- 3.5.12 In making the decision under sections 3.5.6 and 3.5.9 of this Policy, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 3.5.13 A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister administering the *Local Government Act 2009*.

3.6 Reporting a Suspected Conflict of Interest

- 3.6.1 If a Councillor at a Meeting reasonably believes or suspects that another Councillor has a personal interest in a matter which may be a prescribed or declarable conflict of interest and that Councillor is participating in a decision on that matter, the Councillor must immediately inform the Chairperson of the Meeting of their belief or suspicion and the facts and circumstances which led to their belief or suspicion.
- 3.6.2 The Chairperson should ask the relevant Councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the Councillor must follow the relevant procedures in section 3.4 or 3.5 of this Policy.
- 3.6.3 If the Councillor believes they do not have a conflict of interest, they must inform the Meeting of that belief and their reasons for that belief.
- 3.6.4 The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest, or that the Councillor does not have a prescribed or declarable conflict of interest in the matter. If the Meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures in section 3.4 or 3.5 of this Policy.
- 3.6.5 If the Councillors cannot reach a majority decision, then they are taken to have determined that the Councillor has a declarable conflict of interest.
- 3.6.6 If the belief or suspicion of a COI relates to more than one Councillor. The parts of 3.5.1 to 3.5.8 of these procedures must be complied with in relation to each Councillor separately.

3.7 Loss of Quorum

- 3.7.1 In the event where one or more Councillors leave a Meeting due to a prescribed or declarable conflict of interest in a matter which results in a loss of a quorum for deciding the matter, Council must resolve to:
- (a) delegate the consideration and decision on the matter, pursuant to section 257 of the *Local Government Act 2009*;
 - (b) defer the matter to a later Meeting; or
 - (c) not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.
- All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.
- 3.7.2 The local government must not delegate a decision to an entity if the entity or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 3.7.3 If the matter cannot be delegated under the *Local Government Act 2009*, Council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.

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3.8 Recording Prescribed and Declarable Conflicts of Interest

When a Councillor informs a Meeting that they or another Councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the Meeting must record all of the relevant details of how the conflict of interest was dealt with, being:

- (a) the name of any Councillor and any other Councillor who may have a prescribed or declarable conflict of interest;
- (b) the particulars of the prescribed or declarable conflict of interest provided by the Councillor;
- (c) the actions taken by a Councillor after informing the Meeting that they have, or they reasonably suspect another Councillor has a prescribed or declarable conflict of interest;
- (d) any decision then made by the eligible Councillors;
- (e) whether the Councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval;
- (f) The local government's decision on what actions the Councillor with a declarable conflict of interest must take and the reasons for the decision;
- (g) the name of each Councillor who voted on the matter and how each voted;
- (h) if the Councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the Meeting when the Meeting is informed of a Councillor's personal interest by someone other than the Councillor:
 - (i) the name of each Councillor who voted in relation to whether the Councillor has a declarable conflict of interest; and
 - (ii) how each of the Councillors voted;
- (i) and where a decision has been made under section 3.5.6 of this Policy—the minutes must:
 - (i) include the decision and reasons for the decision;
 - (ii) and the name of each eligible Councillor who voted and how each eligible Councillor voted.

13.6 - MINOR AMENDMENT - MEETING PROCEDURES POLICY

Meeting Procedures - Track changes version

Meeting Date: 15 September 2026

Attachment No: 2



MEETING PROCEDURES POLICY (STATUTORY POLICY)

1. Scope

The Meeting Procedures Policy (this 'Policy') applies to meetings of Livingstone Shire Council and meetings of committees of Livingstone Shire Council.

2. Purpose

The purpose of this Policy is to establish standard processes for the conduct of Meetings and to provide for the orderly and proper conduct of Meetings.

3. References (legislation/related documents)

Legislative reference

Human Rights Act 2019

Local Government Act 2009

Local Government Regulation 2012

Related documents

Councillor Acceptable Requests Guidelines Policy

Councillor Contact with Lobbyists, Developers and Submitters Policy

Councillor Complaints Investigation Policy

Code of Conduct for Councillors in Queensland

Petition Guideline

In the event of any inconsistency between the Policy and the *Local Government Act 2009* or the *Local Government Regulation 2012*, legislation (as the case may be) will prevail to the extent of the inconsistency.

4. Definitions

To assist in interpretation, the following definitions shall apply to this Policy:

Audio link	Has the meaning given in the <i>Local Government Act 2009</i> , section 254K.
Audio visual link	Has the meaning given in the <i>Local Government Act 2009</i> , section 254K.
Business day	A day other than a Saturday or Sunday, or a public holiday, upon which banks are open for business in the Livingstone Shire local government area.

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Chairperson	The person who is presiding as the chairperson of a Meeting.
Committee	A committee of Council appointed under section 264 of the <i>Local Government Regulation 2012</i> . ¹
Committee Meeting	A meeting of a Committee. ¹
Council	Livingstone Shire Council.
Council Meeting	A meeting of Council.
Deputation	A presentation from up to three (3) members of the public (on behalf of an organisation or individual/s) on a particular matter.
Inappropriate conduct	Has the meaning given in the <i>Local Government Act 2009</i>.
Independent Assessor	The Independent Assessor appointed under the <i>Local Government Act 2009</i> .
Meeting	A Council Meeting or a Committee Meeting, as applicable.
Misconduct	Has the meaning given in the <i>Local Government Act 2009</i> .
Post-election Meeting	A Council Meeting referred to in section 175(1) of the <i>Local Government Act 2009</i> .
Special Meeting	A Meeting at which the only business that may be conducted is the business stated in the notice of the meeting.
Unsuitable meeting conduct	Has the meaning given in the <i>Local Government Act 2009</i> .

5. Policy Statement

Livingstone Shire Council is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity, and transparency, which are all key components of good governance.

This Policy is in accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

5.1 Guiding Principles

The following principles are applied with respect to the procedures to be observed at a meeting:

- procedures should be fair and contribute to open, transparent, and informed decision-making;
- procedure should encourage appropriate community participation in the affairs of Council;
- procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at a meeting;
- procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting;

¹ id est, a standing committee, special committee or advisory committee (but excluding an audit committee).

- e) transparent and effective processes, and decision-making in the public interest;
- f) democratic representation, social inclusion and meaningful community engagement;
- g) good governance of, and by, local government; and
- h) ethical and legal behaviour of Councillors and local government employees.

6. Changes to this Policy

This Policy is to be reviewed if 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

This Policy repeals the Livingstone Shire Council Policy titled 'Meeting Procedures Policy (v9.0)'.

Version	Date	Action
1.0	03/01/2014	Adopted
2.0	03/03/2015	Amended Policy Adopted
3.0	31/03/2016	Amended Policy Adopted
4.0	30/11/2018	Amended Policy Adopted
5.0	20/08/2019	Amended Policy Adopted – section 2.9.1 updated for Urgent Business to be dealt with prior to Confidential Reports
6.0	22/10/2019	Amended Policy Adopted – section 2.9.2 Notices of Motions and Questions on Notices updated
7.0	17/11/2020	Amended Policy Adopted - policy amended to reflect legislative updates
8.0	20/07/2021	Amended Policy Adopted – amendment to section 2.16.6
9.0	19/04/2022	Amended Policy adopted – changes to Deputations, Prayer, Acknowledgement of Country, Notice of Motions, Recordings and COVID Legislation.
10.0	20/05/2024	Amended Policy Adopted – full review undertaken
		<u>Amended policy adopted to address legislative changes on conflict of interest</u>

THOMAS UPTON CALE DENDLE
CHIEF EXECUTIVE OFFICER

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Part 1 – Roles and Responsibilities

1.1 Councillors

- 1.1.1 All Councillors are required to participate in Council Meetings, Committee Meetings for Committees of which they are members, policy development, and decision making for the benefit of the Livingstone Shire Council area.
- 1.1.2 Councillors must be prepared and attend Meetings on time.
- 1.1.3 Councillors will be taken to have read the agenda prior to commencement of the Meeting.
- 1.1.4 Meeting discussions and decisions should relate to high level, strategic issues, rather than operational issues, to serve the overall public interest.

1.2 Chairperson

The Chairperson is responsible for leading and managing Meetings at which they are the Chairperson, including:

- (a) managing the agenda;
- (b) preserving order;
- (c) managing debate;
- (d) conducting votes and declaring results;
- (e) supervising the preparation of minutes; and
- (f) managing the time of the meetings.

Part 2 – Council Meetings

2.1 Time and Place of Meetings

Council Meetings

- 2.1.1 The days and times of Council Meetings will be as resolved by Council at the Post-election Meeting and from time to time thereafter.
- 2.1.2 If there is no resolution fixing the date and time for an ordinary Council Meeting, the Chief Executive Officer must fix the date and time for the meeting.
- 2.1.3 Before the Chief Executive Officer fixes the date and time for an ordinary Council Meeting, the Chief Executive Officer must, if practicable, consult with the Mayor about the proposed date and time for the meeting.
- 2.1.4 Council must meet at least once in each month.
- 2.1.5 All Council Meetings will be held at its Council Chambers located at 4 Lagoon Place, Yeppoon, unless otherwise resolved at a Council Meeting.

Committee Meetings

- 2.1.6 A Committee may, by resolution, fix dates, times and places for its meetings.
- 2.1.7 If there is no resolution fixing the date, time and place for a Committee Meeting, the Chief Executive Officer may fix the date, time, and place for the meeting.
- 2.1.8 Before the Chief Executive Officer fixes the date, time, and place for a Committee Meeting, the Chief Executive Officer must, if practicable, consult with the Chairperson of the Committee.

2.2 Particular Meetings

Post-election Meeting

- 2.2.1 Council must hold a Post-election Meeting within fourteen (14) days after:
- (a) the conclusion of each quadrennial election; and
 - (b) the conclusion of a fresh election of its Councillors.
- 2.2.2 Council must, by resolution, appoint a Deputy Mayor from its Councillors at the Post-election Meeting and at the first Meeting after the office of the Councillor who is the Deputy Mayor becomes vacant.
- 2.2.3 Matters which Council must consider at a Post-election Meeting include the day and time for holding other meetings and determination of standing committees or portfolios.

Special Meetings

- 2.2.4 The Chief Executive Officer must call a Special Meeting if:
- (a) the Special Meeting is required by a resolution of Council; or
 - (b) for a Special Meeting of Council, the Chief Executive Officer receives a written request for a Special Meeting which is signed by the Mayor or Three (3) or more Councillors, specifies the purpose of the Special Meeting, and proposes a day and time for the holding of the Special Meeting; or
 - (c) the Chief Executive Officer determines it is in the interests of Council that a Special Meeting be held.
- 2.2.5 Special Meetings:
- (a) of Council are to be conducted in accordance with the requirements and processes of a Council Meeting; and
 - (b) of a Committee are to be conducted in accordance with the requirements and processes of a Committee Meeting,
- as specified in this policy, with the exception that the only business which may be conducted at a Special Meeting is the business specified in the notice of meeting.

Closed Meetings

- 2.2.6 In accordance with section 24~~54J2J~~(3) of the *Local Government Regulation 2012*:
- (a) Council may resolve that all or part of a Council Meeting be closed to the public; and
 - (b) a Committee may resolve that all or part of a Committee Meeting be closed to the public,
- if its Councillors or members consider it necessary to close the Meeting to discuss one or more of the following matters:
- (c) the appointment, dismissal or discipline of the Chief Executive Officer;
 - (d) industrial matters affecting employees;
 - (e) Council's budget;
 - (f) rating concessions;
 - (g) legal advice obtained by Council or legal proceedings involving Council, including for example, legal proceedings which may be taken by or against Council;

- (h) matters which may directly affect the health and safety of an individual or a group of individuals;
- (i) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of Council;
- (j) negotiations relating to the taking of land by Council under the *Acquisition of Land Act 1967*;
- (k) a matter Council is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State;

~~(l) a matter relating to the consideration of an investigation report for an investigation of a conduct breach given to the local government under the LGA chapter 5A, part 3, division 5.~~

- 2.2.7 However, Council or a Committee must not resolve that part of a Meeting at which a decision mentioned in section 150ER(2), 150ES(3) or 150EU(2) of the *Local Government Act 2009* will be considered, discussed, voted on, or made be closed.
- 2.2.8 Furthermore, the Meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the Meeting and Council must:
- (a) delegate the matter;
 - (b) decide by resolution to defer to a later Council Meeting; or
 - (c) decide by resolution to take no further action on the matter unless the LGA or another Act provides that the local government must decide the matter.
- 2.2.9 If the Chief Executive Officer recommends to Council or a Committee that a matter be considered in a closed meeting:
- (a) Council or the Committee will consider the recommendation in open session unless to do so would result in the public release of confidential information concerning the matter; and
 - (b) If there is doubt as to whether the matter should be regarded as confidential, Council shall determine by resolution whether the matter is confidential.
- 2.2.10 Upon moving that an issue be dealt with in a closed Meeting, the mover must clearly state the reason for the motion.
- 2.2.11 A resolution must be passed by Council or the Committee to move into a closed session and to exit out of closed session.
- 2.2.12 A resolution that a Meeting be closed must state the matter to be discussed, an overview of what is to be discussed and why the Meeting should be closed while the matter is considered.
- 2.2.13 When a Meeting is closed, the Chairperson will direct all persons, other than members of Council or the Committee to leave the Meeting and every person must immediately comply with the direction.
- 2.2.14 Despite section 2.2.13 of this Policy, the Chairperson may allow the relevant officers of Council or Council's legal and technical advisers, to remain in the Meeting if they are required to be in attendance for the matter under discussion.
- 2.2.15 Discussions within closed sessions are confidential in nature and when moving into a closed session, the Chairperson should remind Council or the Committee and any permitted attendees that what is discussed in a closed session must stay confidential.

- 2.2.16 Council or a Committee must not make a resolution (other than a procedural resolution) in a closed Meeting.
- 2.2.17 The minutes of the Meeting must state the matter discussed and reasoning for discussing the matter in closed session.

2.3 Notice of Meetings

Notice to Councillors or Committee members

- 2.3.1 The Chief Executive Officer must give notice of each Meeting or the recommencement of an adjourned Meeting to each Councillor or Committee member at least two (2) days before the day of the Meeting unless it is impracticable to give the notice before that time.
- 2.3.2 The notice must:
 - (a) state the day, time and place of the Meeting;
 - (b) for a Special Meeting: state the business to be conducted at the Meeting; and
 - (c) include the agenda for the Meeting.
- 2.3.3 The notice may be given to a Councillor by sending the notice to the Councillor electronically.
- 2.3.4 Meetings must not start before the time provided in the notice.

Public notice of Meetings

- 2.3.5 Council will, at least once in each year, publish a notice of the days and times when its ordinary Council Meetings and the ordinary Meetings of its standing Committees will be held.
- 2.3.6 The notice must be published on Council's website and in other ways Council considers appropriate.
- 2.3.7 Council must display in a conspicuous place in its public office a notice of the days and times when Council Meetings and Committee Meetings will be held.
- 2.3.8 Council must, as soon as practicable, notify any change to the days and times mentioned in sections 2.3.5 or 2.3.7 of this Policy in the same way as the days and times were previously notified.
- 2.3.9 The full agenda for a Meeting and Special Meeting, excluding confidential items, will be placed on Council's website and be open to inspection by 5pm on the next business day after notice of the meeting is given in accordance with section 2.3.1. The related reports for the Meeting must also be included and available to the public, excluding confidential reports.
- 2.3.10 Matters on the agenda which will require the Meeting to be in a closed session will be clearly identified, including the reasons why the session will be closed.

2.4 Commencement of Meetings and Quorums

- 2.4.1 Business may be conducted at a Meeting only if a quorum is present.
- 2.4.2 A quorum of:
 - (a) a Council Meeting is a majority of its Councillors. However, if the number of Councillors is an even number, one-half of the number is a quorum; and

- (b) a Committee Meeting is a majority of the Committee's members. However, if the number of members is an even number, one-half of the number is a quorum.

2.4.3 All Meetings will commence as soon as practicable after the time specified in the notice of meeting once a quorum is present.

2.5 Adjournment of Council Meetings

2.5.1 The majority of Councillors present at a Council Meeting or the majority of Committee members present at a Committee Meeting, may adjourn the Meeting to a later hour of the same day or to a later day.

2.5.2 If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a Meeting, the Chief Executive Officer may adjourn the Meeting to a specified day and time.

2.5.3 If, after fifteen (15) minutes past the commencement time, a quorum is not present, the Meeting may be adjourned to a later hour or another day within fourteen (14) days after the day of adjournment, by:

- (a) a majority of the Councillors or Committee members present; or
- (b) if only one (1) Councillor or Committee member is present - the Councillor or Committee member; or
- (c) if no Councillors or Committee members are present - the Chief Executive Officer.

2.5.4 If a Meeting is adjourned for want of a quorum, the Chief Executive Officer will record in the minutes the reason for the adjournment, the names of any Councillors or Committee members present, and the date and time to which the Meeting is adjourned.

2.5.5 If a Meeting is adjourned to another day, the Chief Executive Officer must:

- (a) give notice of the adjourned Meeting to each Councillor or Committee member setting out the date, time, and place of the Meeting; and
- (b) give notice of the adjourned Meeting to the public by causing a notice setting out the date, time, and place of the Meeting to be published or displayed in the same way as the date and time of the Meeting was previously notified.

2.6 Chairperson

Council Meeting

2.6.1 The Mayor will preside as Chairperson at a Council Meeting.

2.6.2 If the Mayor is absent or unavailable to preside as Chairperson, the Deputy Mayor will preside.

2.6.3 If both the Mayor and the Deputy Mayor are absent or unavailable to preside as Chairperson, a Councillor chosen by the Councillors present at the meeting will preside as Chairperson at the Council Meeting.

Committee Meeting

2.6.4 Council will choose the Chairperson for a Committee Meeting. This Chairperson will normally preside over meetings of the Committee.

2.6.5 If the Chairperson of a Committee is absent or unavailable to preside, a Committee member chosen by the Committee members present at the meeting will preside over the Committee Meeting

2.7 Order of Business

- 2.7.1 The order of business of Meetings shall be determined by resolution of Council. The order of business may be altered for a particular Meeting where the Councillors at that meeting pass a procedural motion to that effect.
- 2.7.2 A motion to alter the order of business may be moved without notice.
- 2.7.3 Unless otherwise altered, the order of business for an ordinary Meeting shall be as follows:
- (a) Opening of meeting – Acknowledgement of Country and Opening Prayer;
 - (b) Present;
 - (c) Apologies and granting of leaves of absence;
 - (d) Confirmation of Minutes of previous meeting(s);
 - (e) Declarations of interest in matters on the agenda;
 - (f) Business arising or outstanding from previous meetings;
 - (g) Presentation of petitions;
 - (h) Councillor/Delegate Reports;
 - (i) Committee Reports;
 - (j) Officers Reports;
 - (k) Closed Session;
 - (l) Confidential Reports;
 - (m) Urgent Business; and
 - (n) Closure of meeting.
- 2.7.4 Public forums/Deputations at an ordinary Meeting will be heard at a time determined by the Chairperson.
- 2.7.5 The unconfirmed minutes of a preceding Meeting, whether an ordinary Meeting or a Special Meeting, shall be taken into consideration and confirmed, at the next available ordinary Meeting. Any discussion regarding the confirmation of minutes of a previous Meeting(s) must be limited to their accuracy as a record of the proceedings.
- 2.7.6 Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed, the minutes can be amended. All Councillors present at the Meeting can vote to confirm the minutes including those who were absent at the previous Meeting and those who had a conflict of interest at the previous Meeting.
- 2.7.7 Opening Prayer at an ordinary meeting will be scheduled on a rotated basis of a diverse religious groups based on individual availability. The opening prayer will be removed from the Agenda should the instance arise where no religious group are available to attend or the meeting be 'Special' in nature and notice is limited.

2.8 Agendas

Items on the Agenda

- 2.8.1 Business not on the agenda or not fairly arising from the agenda shall not be considered at any Meeting unless permission for that purpose is given by Council at a Council Meeting or a Committee at a Committee Meeting.

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- 2.8.2 Business considered at a Committee Meeting must be in accordance with the adopted Terms of Reference for each Committee.

Request by a Councillor to Place an Item on the Agenda

2.8.3 Notice of Motions

The Chief Executive Officer, in preparing the agenda for a Meeting, must include notices of motions requested in writing by a Councillor which are received by the Chief Executive Officer seven (7) calendar days before the meeting at which the proposal is to be made.

Where a Councillor who has given notice of a motion is absent from the Meeting at which the motion is to be considered, the motion may be:

- (a) moved by another Councillor at the meeting; or
- (b) deferred to the next appropriate Committee Meeting or ordinary Council Meeting.

A notice of motion should:

- (a) be framed as succinctly as possible;
- (b) be relevant to the good order of the business of the Council.

2.8.4 Questions on Notice

The questions on notice from a Councillor will be published in the agenda of the appropriate Meeting, providing such questions are received by the Chief Executive Officer seven (7) calendar days before the meeting at which the questions are to be raised.

Questions on Notice should:

- (a) be framed as succinctly as possible;
- (b) not include argument or discussion or excessive background material;
- (c) be relevant to the good order of the business of the Council.

Councillors can ask questions without notice where a genuine urgency exists and the matter is not included in the agenda.

Recommendation for closed meeting

- 2.8.5 If the Chief Executive Officer recommends that Council or a Committee should consider a matter in a closed Meeting, the Chief Executive Officer will:

- (a) clearly indicate such recommendation on the Meeting agenda;
- (b) make a declaration that all information contained within the documentation and associated material is information confidential to Council;
- (c) ensure that the documentation and material is clearly marked as confidential; and
- (d) set out the reason for the recommendation in the material.

2.9 Petitions

- 2.9.1 Any petition presented to a Meeting must:

- (a) be in legible writing or typewritten and contain a minimum of ten (10) signatures;
- (b) include the name and contact details of the principal petitioner (id est, one person who is the organiser and who will act as the key contact for the issue);

- (c) include the postcode of all petitioners, and
 - (d) have the details of the specific request/matter appear on each page of the petition.
- 2.9.2 Only valid petitions in accordance with the Petitions Guideline will generally be accepted by Council. Other petitions will be received at the discretion of Council, if deemed appropriate.
- 2.9.3 The only motions which will be moved in relation to a petition are that:
- (a) the petition be received and referred to a Council briefing; or
 - (b) the petition be received and its contents noted.

2.10 Deputations

- 2.10.1 A person or persons wishing to address a Meeting as a deputation on any matter must apply to the Chief Executive Officer in writing at least seven (7) calendar days before the day of the Meeting.
- 2.10.2 The Chief Executive Officer, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The Chief Executive Officer shall inform the prospective deputation of the Chairperson's determination in writing. Where it has been determined the deputation will be heard, the Chief Executive Officer will advise deputation members in writing of the meeting details in which their deputation will be presented and provide a copy of the Deputation Guideline.
- 2.10.3 For deputations comprising three or more persons, only three persons shall be allowed to address Council unless the Councillors at the meeting determine otherwise by resolution.
- 2.10.4 Each deputation will be given the opportunity to address Council for up to a maximum of twenty (20) minutes at the discretion of the Chairperson. This will include fifteen (15) minutes of presentation by the depute(s). Councillors will then have the opportunity to ask questions following the deputation with a five (5) minute limit.
- 2.10.5 Each deputation will be heard and questioned without debate. No questions will be asked of officers during the deputation, except where clarification may be requested through the Chairperson.
- 2.10.6 The Chairperson may terminate a deputation at any time where:
- (a) the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting;
 - (b) the time period allowed for a deputation has expired;
 - (c) the person uses insulting or offensive language or is derogatory towards Councillors or staff members; or
 - (d) a person other than the appointed speaker interjects during the deputation without approval.
- 2.10.7 The Chief Executive Officer is responsible for the deputation, including where applicable, notifying the appointed speaker(s) of any actions arising from the deputation.

2.11 Motions to be Moved

- 2.11.1 With the exception of procedural motions, a Councillor is required to move a motion at a Meeting and then another Councillor is required to second the motion.

- 2.11.2 When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.
- 2.11.3 Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- 2.11.4 A motion brought before a Council Meeting in accordance with the *Local Government Act 2009* or the Meeting Procedures Policy, shall be received and put to the meeting by the Chairperson. The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- 2.11.5 The Chairperson may refuse to accept a motion if it is not within the Meeting's jurisdiction and rule a motion out of order if necessary. Any motion which is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious, or is unnecessary, may be ruled out of order.
- 2.11.6 The Chairperson may call the notices of motion in the order in which they appear on the agenda and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.

2.12 Absence of a Mover of Motion

- 2.12.1 In the absence of a mover of a motion, the meeting shall move to the next item of business.

2.13 Motion to be Seconded

- 2.13.1 A motion or an amendment to a motion must not be debated at a Meeting unless and until the motion or the amendment is seconded, with the exception of procedural motions.
- 2.13.2 A motion or an amendment to a motion (other than a procedural motion) which is not seconded, lapses for want of a seconder.
- 2.13.3 Notwithstanding section 2.13.1 of this Policy, a Councillor who moves a motion or an amendment to a motion may, with the permission of the Chairperson, speak in support of the motion or amendment before it is seconded.

2.14 Amendment of Motion

- 2.14.1 An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict or negative the motion.
- 2.14.2 Not more than one motion or one proposed amendment to a motion may be put before a Meeting at any one time.
- 2.14.3 Where an amendment to a motion is before a Meeting, no other amendment to the motion shall be considered until after the first amendment has been put.
- 2.14.4 Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend the new motion.

2.15 Speaking to Motions and Amendments

- 2.15.1 Before a recommendation in a Council officer's report is moved, Councillors may ask questions of the relevant officers to clarify or obtain further information in relation to the recommendation.
- 2.15.2 The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any Councillor who wishes to speak against the motion and then alternately for and against the motion as available, until all Councillors who wish to speak have had the opportunity.

- 2.15.3 A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.
- 2.15.4 A motion or amendment may be withdrawn by the mover with the consent of Council, which shall be signified without debate and a Councillor shall not speak upon such motion or amendment after the mover has been granted permission by Council for its withdrawal.
- 2.15.5 The mover of a motion or amendment shall have the right to reply. Each Councillor shall speak no more than once to the same motion or same amendment except as a right of reply.
- 2.15.6 Each speaker shall be restricted to a maximum of five (5) minutes, unless the Chairperson rules otherwise.
- 2.15.7 Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.
- 2.15.8 If section 254H of the *Local Government Regulation 2012* applies to a decision made at a Meeting which is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

2.16 Method of Taking Vote

- 2.16.1 The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection.
- 2.16.2 Councillors must vote by a show of hands or as otherwise directed by the Chairperson.
- 2.16.3 A question is decided by a majority of the votes of the Councillors or Committee members present.
- 2.16.4 Subject to Chapter 5B of the *Local Government Act 2009*, each Councillor or Committee member present has a vote on each question to be decided and if the votes are equal, the person presiding at the Meeting has a casting vote.
- 2.16.5 If a Councillor or Committee member present and entitled to vote fails to vote, the Councillor or member is taken to have voted in the negative.
- 2.16.6 The minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative on all votes.
- 2.16.7 The Chairperson shall declare the result of a vote or a division as soon as it has been determined.
- 2.16.8 Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.
- 2.16.9 If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation. If a decision by the Meeting is contra to a recommendation in a report, the minutes must give the reasons for the decision.

2.17 Repealing or Amending Resolutions

- 2.17.1 A resolution of Council may not be amended or repealed unless notice to amend or repeal is given in accordance with the requirements of the *Local Government Act 2009* or the *Local Government Regulation 2012*.

- 2.17.2 Where a motion (a relevant motion) to repeal or amend a resolution is defeated, a motion to the same or like effect must not be moved until at least three (3) months after the date on which the relevant motion was defeated.
- 2.17.3 At a meeting at which a motion to repeal or amend a resolution is put, Council may defer consideration of that motion. Such deferral shall not exceed three (3) months.
- 2.17.4 Where a resolution (a **later resolution**) of Council relates to a matter the subject of a previous resolution (a **previous resolution**) passed more than three (3) months previously, the previous resolution is amended or repealed to the extent that it is inconsistent with the later resolution.

2.18 Procedural Motions

- 2.18.1 A procedural motion may be moved without the need for a seconder for one of the following motions at any time or during the debate of a matter:
- (a) that the motion under consideration be put to a vote;
 - (b) that the debate on the motion and/or amendment be adjourned;
 - (c) that the meeting proceed to the next item of business;
 - (d) that the report/document/issue lay on/be raised from the table;
 - (e) a Point of Order;
 - (f) a motion of dissent against the Chairperson's ruling;
 - (g) that this report/document be received/not received;
 - (h) to suspend the rule requiring that (insert requirement); and
 - (i) that the meeting stand adjourned/resumed.

Motion be put

- 2.18.2 Any procedural motion must be immediately put to a vote, without debate.
- 2.18.3 A procedural motion, that the motion under consideration be put to a vote, may be moved when a Councillor believes that there has been sufficient debate about the matter at the meeting. Where such a procedural motion is carried, the Chairperson shall immediately put the motion under consideration. Where such a procedural motion is lost, debate on the motion under consideration shall continue.

Motion or amendment be adjourned

- 2.18.4 A procedural motion, that the motion or amendment now before the meeting be adjourned, may be moved when a Councillor believes that there has been sufficient debate about the matter at the meeting.
- 2.18.5 The procedural motion that the motion or amendment now before the meeting be adjourned may specify a time or date to which the debate shall be adjourned.
- 2.18.6 Where no date or time is specified:
- (a) a further motion may be moved to specify such a time or date, or
 - (b) the matter about which the debate is to be adjourned, shall be included in the agenda for a future meeting.
- 2.18.7 A motion under section 2.18.4 of this Policy must not adjourn debate on a matter the subject of a motion for more than two (2) months after the date of the procedural motion.

Meeting proceeds to the next item of business

- 2.18.8 A procedural motion, that the meeting proceed to the next item, may be moved when a Councillor believes that there has been sufficient debate about the matter at the meeting.
- 2.18.9 Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter which is the subject of the motion shall cease.
- 2.18.10 However, debate on the matter the subject of the motion may be considered again on the giving of notice in accordance with this Policy.

Matter lay on the table

- 2.18.11 A procedural motion that a motion lie on the table shall only be moved where the Chairperson or a Councillor believes that there has been sufficient debate about the matter at the meeting and requires additional information on the matter under consideration (or the result of some other action of Council or a person is required) before the matter may be concluded at the meeting.
- 2.18.12 Where such a procedural motion is passed, the Council shall proceed with the next matter on the agenda.
- 2.18.13 Where a motion under section 2.18.11 of this Policy is passed, another procedural motion that the matter be taken from the table may be moved at the meeting at which the first procedural motion was carried or at a later meeting.

Point of Order

- 2.18.14 A Councillor may ask the Chairperson to decide on or the Chairperson may raise and decide on, a point of order where it is believed that:
- (a) another Councillor has failed to comply with proper meeting procedures; or
 - (b) a matter before Council is in contravention of the *Local Government Act 2009* or Regulation or any other relevant state or federal legislation; or
 - (c) a resolution before Council is beyond Council's jurisdiction and therefore ultra vires.
- 2.18.15 Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking.
- 2.18.16 Where a point of order is raised, consideration of the matter to which the motion was moved will be suspended.
- 2.18.17 The Chairperson will determine whether the point of order is upheld or not. The Chairperson may seek the advice of the Chief Executive Officer or another officer in attendance before making such determination.
- 2.18.18 Upon a point of order arising during the process of a debate, the Councillor against whom the point of order is raised shall immediately cease speaking and the Councillor raising the point of order may speak to the point of order.
- 2.18.19 Despite anything to the contrary in this Policy, a point of order arising at any time must, until decided, suspend the consideration of every other motion or matter.

Motion of Dissent

- 2.18.20 A Councillor may move a motion of dissent in relation to a ruling of the Chairperson on a Point of Order.
- 2.18.21 Where a motion of dissent is moved, further consideration of any matter must be suspended until after a ruling is made on the motion of dissent.

2.18.22 Where a motion of dissent is carried:

- (a) the matter to which the ruling of the Chairperson was made will proceed as though that ruling had not been made; and
- (b) where, as a result of a ruling of the Chairperson on a point of order, a matter was discharged as out of order, the matter must be restored to the meeting agenda and be dealt with in the normal course of business.

2.18.23 Where a motion of dissent is not carried, the ruling of the Chairperson will stand.

2.18.24 Sections 2.18.20 to 2.18.23 of this Policy apply to the Chairperson's decision on a procedural motion only and does not apply to decisions on inappropriate and/or disruptive conduct.

Motion that a report be received

2.18.25 A motion that a report or document be received may be used by a Councillor to introduce a report or other document to a meeting only if the report or document is not otherwise protected under confidentiality or information privacy laws.

2.18.26 On tabling the report or document, it ceases to be a confidential document and is available for public scrutiny.

Motion to suspend rule

2.18.27 A procedural motion 'to suspend the rule requiring that...' may be made by any Councillor in order to permit some action which otherwise would be prevented by the Meeting Procedures Policy.

2.18.28 A motion to suspend the Meeting Procedures Policy shall specify the duration of such a suspension.

Adjournment/Resumption of Meetings

2.18.29 A procedural motion that the meeting stands adjourned may be moved by a Councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a Councillor's time for speaking to the matter and must be put without debate.

2.18.30 Such a procedural motion will specify a time for the resumption of the meeting.

2.18.31 On resumption of the meeting, the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

2.19 Minutes

2.19.1 Minutes must be kept of all Meetings and all resolutions recorded.

2.19.2 At each Meeting, the minutes of the previous Meeting must be confirmed by the Councillors or Committee members present.

2.19.3 No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

2.19.4 A copy of the minutes of each Meeting must be made publically available by 5pm on the tenth day after the meeting is held, unless the minutes are sooner confirmed.

2.19.5 When the minutes of a Meeting have been confirmed, a copy of the confirmed minutes must be made publically available, including for purchase at Council's public office, as soon as practicable after the Meeting at which the minutes are confirmed.

2.19.6 The minutes of a Meeting must include:

- (a) the names of the Councillors or Committee members present at the Meeting;

- (b) in relation to each Councillor or Committee member present:
 - (i) the time at which the person entered or left the Meeting; and
 - (ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the Meeting;
 - (c) each motion or amendment and the names of the mover and seconder;
 - (d) any variation, alteration, or withdrawal of a motion or amendment;
 - (e) whether a motion or amendment is carried or lost;
 - (f) any disclosure of a ~~material personal prescribed conflict of~~ interest pursuant to sections ~~150EG, 150EH, or 150EI~~ and 150EJ of the *Local Government Act 2009* or a ~~declarable~~ conflict of interest pursuant to sections 150EJH and ~~150EI~~ of the *Local Government Act 2009*, in particular the matters specified in section 3.87 of this Policy;
 - (g) an account of any personal explanation given by a Councillor;
 - (h) details of the making of an order to close a Meeting under section 254J of the *Local Government Regulation 2012*;
 - (i) details of any adjournment of business;
 - (j) a record of any request for documents to be tabled at the Meeting;
 - (k) each report or other document directly relevant to a matter considered or voted on at the meeting or presented at the meeting for the consideration or information of the Council or the Committee (a **relevant report**), other than to the extent that the relevant report contains information which is confidential to Council or if the relevant report has been made publically available under section 254D of the *Local Government Regulation 2012*;
 - (l) a description of any verbal briefing given to the Meeting on a matter of Council business;
 - (m) if a division is called on a question, the names of all persons voting on the question and how they voted; and
 - (n) any other matter required to be included in the minutes by or under the *Local Government Act 2009* or any legislation.
- 2.19.7 The Chief Executive Officer must ensure the minutes of Meetings include a statement of the reasons for not adopting the recommendation or advice given to Council under section 254H of the *Local Government Regulation 2012* in the following circumstances:
- (a) the decision is about entering into a contract, the total value of which is more than the greater of:
 - (i) \$200,000 exclusive of goods and services tax; or
 - (ii) one (1) per cent of Council's net rate and utility charges, as stated in Council's audited financial statements included in Council's most recently adopted annual report; and/or
 - (b) the decision is inconsistent with a policy of Council, or the approach ordinarily followed by Council for the type of decision. ~~the type of decision.~~

2.20 Conduct during Meetings

- 2.20.1 Councillors will conduct themselves in accordance with the principles of the *Local Government Act 2009* and the standards of behaviour set out in the Councillor Interaction with the Organisation Policy. The Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct.
- 2.20.2 After a Meeting has been formally constituted and the business commenced:
- (a) a Councillor shall not leave from such meeting without first notifying the Chairperson; and
 - (b) the Chairperson shall not leave such meeting without notifying the Deputy Mayor or in the absence of the Deputy Mayor, the Councillors.
- 2.20.3 A Councillor must address the Chairperson while:
- (a) moving any motion or amendment;
 - (b) seconding any motion or amendment;
 - (c) taking part in any discussion;
 - (d) placing or replying to any question; or
 - (e) addressing Council for any other purpose.
- 2.20.4 Councillors will, during a Meeting, address:
- (a) other Councillors by their respective titles, 'Mayor' or 'Councillor'; and
 - (b) officers by designating them by their respective official title.
- 2.20.5 Officers and people attending the Meeting will address Councillors by their respective titles, 'Mayor' or 'Councillor'.
- 2.20.6 Councillors and officers will confine their remarks to the matter under consideration.
- 2.20.7 Councillors must remain seated and silent while a vote is being taken except when calling for a division.
- 2.20.8 No Councillor who is speaking shall be interrupted except upon a Point of Order being raised either by the Chairperson or by a Councillor.
- 2.20.9 When the Chairperson speaks during the process of a debate, the Councillor then speaking or offering to speak shall immediately cease speaking and each Councillor present shall preserve strict silence so that the Chairperson may be heard without interruption.
- 2.20.10 Talking on a mobile phone in the meeting place by Councillors and Council officers is not permitted. After a Meeting has been formally constituted and the business commenced, all Councillors and Council officers must ensure that their electronic devices are turned to silent whilst in the meeting room.

2.21 Seeking Council's Leave

- 2.21.1 Councillors must seek a leave of absence from Council where a Councillor cannot attend a Meeting due to private or business reasons. Leave is granted at the discretion of Council.
- 2.21.2 A leave of absence may be granted by Council prior to a Meeting (id est, at a prior Meeting or at the Meeting itself). An application does not need to be made in person and as a result, Council may grant such leave while a Councillor is absent.

- 2.21.3 Where a Councillor needs to seek leave from more than one (1) Meeting, an application is to be made in writing to the Chief Executive Officer specifying the dates of the Meetings and the reason(s) leave is sought.
- 2.21.4 Where a Councillor intends to attend a Meeting when leave has been granted by Council, written notice is to be provided to the Chief Executive Officer prior to the meeting commencing. This notice nullifies any leave previously approved.
- 2.21.5 If a Councillor attends a Meeting for which leave has been granted, any future absence requires additional leave to be granted, regardless if the original leave covered any future Meetings.
- 2.21.6 If a Councillor fails to attend two (2) or more consecutive ordinary Council Meetings over a period of at least two (2) months, the Councillor's office becomes vacant under section 162(1)(e) of the *Local Government Act 2009*, unless the Councillor is absent:
 - (a) in compliance with an order made by the conduct tribunal, Council, or the Chairperson of a Council Meeting or a Committee Meeting; or
 - (b) with Council's leave; or
 - (c) while the Councillor is suspended under section 122, 123, or 175K of the *Local Government Act 2009*.

2.22 Remote Attendance via Audio Link or Audio Visual Link

- 2.22.1 Councillors may seek Council approval to remotely participate in a Council Meeting by audio link or audio visual link.
- 2.22.2 Councillors may seek a Committee's approval to remotely participate in a relevant Committee Meeting by audio link or audio visual link.
- 2.22.3 Where a Councillor needs to seek approval for remote attendance via audio link or audio visual link, an application is to be made in writing to the Chief Executive Officer five (5) business days prior to the Meeting to which remote access is sought or as soon as practicable once the Councillor becomes aware of their intended absence.
- 2.22.4 The Chief Executive Officer, upon receiving an application for remote attendance via audio link or audio visual link, will notify the Chairperson of the Meeting who will, at least two (2) business days before the date of the Council Meeting for which remote access is sought, determine if approval will be granted. The Chief Executive Officer, or their delegate, will inform the requesting Councillor of the determination.
- 2.22.5 In considering a request for attendance of a Meeting by audio link or audio visual link, the Chairperson must take into account confidentiality and privacy matters, as attendance via audio link or audio visual link may pose a risk to Council due to the nature of the discussions.
- 2.22.6 A Councillor attending a closed session by audio link or audio visual link must maintain confidentiality by ensuring no other person can hear their conversation whilst in the closed Meeting.
- 2.22.7 It is the responsibility of the Councillor attending by audio link or audio visual link to ensure they are linked to the Meeting when the Meeting commences. Requests to link to the Meeting after the Meeting has commenced may only be accepted at the Chairperson's discretion.
- 2.22.8 A Councillor taking part in a Meeting by audio link or audio visual link must identify all persons present in the location from which the Councillor is participating.

- 2.22.9 A Councillor taking part in a Meeting by remote attendance via audio link or audio visual link is taken to have attended the Meeting if:
- (a) the attendance by audio link or audio visual link was approved under this Policy; and
 - (b) during the meeting, the Councillor was simultaneously in audio contact with each other person at the Meeting.
- 2.22.10 A register of a Councillor's attendance by audio link or audio visual link will be recorded in the minutes of the Meeting.
- 2.22.11 If the Chairperson refuses to allow a Councillor remote attendance via audio link or audio visual link, the Chairperson must report the decision at the Council Meeting.

2.23 Questions

- 2.23.1 A Councillor may, at a Meeting, ask a question for reply by another Councillor or a Council officer regarding any matter under consideration at the meeting.
- 2.23.2 A question shall be asked categorically and without argument and no discussion shall be permitted at the Meeting in relation to a reply or a refusal to reply to the question.
- 2.23.3 A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for a future Meeting.
- 2.23.4 A Councillor who asks a question at a Meeting or responds to a question at a Meeting, shall be deemed not to have spoken to the debate of the motion to which the question relates.
- 2.23.5 The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order. In such instances, a Councillor may move a motion that the Chairperson's ruling be disagreed with and if such motion is carried the Chairperson shall allow the question.

2.24 Disorder

- 2.24.1 The Chairperson may adjourn the Meeting, where disorder, other than disorder arising as a result of unsuitable meeting conduct or inappropriate conduct by a Councillor, arises at the meeting.
- 2.24.2 On resumption of the meeting, the Chairperson shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed.
- 2.24.3 Where such a motion under section 2.24.2 of this Policy is lost, the Chairperson shall declare the meeting closed and any outstanding matters referred to a future meeting.

2.25 Attendance of Public and the Media at Meetings

- 2.25.1 An area shall be made available at the place where any Meeting is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
- 2.25.2 When the Council or Committee is sitting in closed session, the public and representatives of the media shall be excluded as specified in section 2.2.13 of this Policy.
- 2.25.3 After a Meeting has commenced, members of the public and media representatives must switch all electronic devices to silent while they are in the meeting room.

- 2.25.4 If a person fails to comply with section 2.25.3 of this Policy, the Mayor or Chairperson may direct that person to immediately leave the meeting room.
- 2.25.5 Failure to comply with a direction under section 2.25.4 may be considered an act of disorder.

2.26 Public Participation at Meetings

- 2.26.1 A member of the public may take part in the proceeding of a Meeting only when invited to do so by the Chairperson.
- 2.26.2 During debate on a motion, the Chairperson may invite submissions, comments or questions from members of the public.
- 2.26.3 In each ordinary Council Meeting, Council may allocate time to permit members of the public to address the Council on matters of public interest related to local government. The time allotted shall not exceed fifteen minutes and no more than three speakers shall be permitted to speak at any one meeting. The right of any individual to address the Council during this period shall be at the absolute discretion of Council.
- 2.26.4 If any address or comment by a member of the public is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the address or comment.
- 2.26.5 For any matter arising from such an address, Council may take the following actions:
 - (a) refer the matter to a Committee;
 - (b) deal with the matter immediately;
 - (c) place the matter on notice for discussion at a future meeting; or
 - (d) note the matter and take no further action.
- 2.26.6 Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.
- 2.26.7 Any person who is considered by the Council, the Chairperson, or the Mayor to be unsuitably dressed may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

2.27 Public Questions of Council

- 2.27.1 In each ordinary Council Meeting, fifteen (15) minutes will be allocated to permit members of the public to ask questions of Councillors. At the direction of the Chairperson, a member of the public may rise, provide their name, and ask their question. A question shall be less than ninety (90) seconds in duration, be asked categorically and without argument and no discussion shall be permitted at the Meeting in relation to a reply or a refusal to reply to the question. The Councillor to whom a question is asked without notice may request that the question be taken on notice with a written answer provided in the minutes of a future Meeting.
- 2.27.2 The minutes of the Meeting shall record the name of the questioner, the question asked, and the answer.
- 2.27.3 The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order. In such instances, a record of the questioner, their question, and the Chairperson's ruling shall be kept.
- 2.27.4 For any matter arising from such a question, Council may take the following actions:
 - (a) refer the matter to a Committee;

- (b) deal with the matter immediately;
- (c) place the matter on notice for discussion at a future meeting; or
- (d) note the question and answer, and take no further action.

2.27.5 Any person asking a question of Council shall stand and act and speak with decorum and frame questions in respectful and courteous language.

2.28 Procedure not provided for

2.28.1 If an appropriate or adequate method of dealing with a matter is not provided for within this Policy, the method of dealing with the matter may be determined by a resolution of Council upon a motion, which may be put without notice in conformity with this Policy.

Part 3 – Councillor Conduct

Unsuitable Meeting Conduct

Unsuitable meeting conduct may include:

- (a) a Councillor behaves in a Meeting, in a way which intimidates, bullies, or harasses a member of the community, another Councillor, or a Council employee;
- (b) a Councillor continually interrupts or disrupts a speaker at a Meeting; or
- (c) a Councillor behaves in an offensive or disorderly way in a Meeting.

Inappropriate Conduct

~~Inappropriate conduct in relation to Meetings may include:~~

- (d) a Councillor fails to comply with an order made by the Chairperson to leave and stay away from the place at which the Meeting is being held; or
- (e) a Councillor has been reprimanded three (3) times in twelve (12) months for interrupting other Councillors during Meetings.

Misconduct

Misconduct in relation to Meetings may include:

- (a) a Councillor knowingly provides false or misleading information during a Meeting in order to affect a decision;
- (b) a Councillor provides confidential information to the media which came from a closed Meeting; or
- ~~(c) a Councillor who has a reasonable belief or suspicion that another Councillor with a prescribed conflict of interest or declarable conflict of interest is participating in a decision in contravention of the Local Government Act 2009 did not disclose it to the presiding officer when the other Councillor failed to disclose it.~~

Corrupt Conduct

Corrupt conduct in relation to Meetings may include a Councillor with a ~~prescribed conflict of material~~ personal interest failing to leave the place at which the Meeting is being held, including any area set aside for the public and staying away while the matter is discussed and voted on.

3.1 Process for dealing with unsuitable meeting conduct by a Councillor in a Meeting

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a local government meeting and contravenes a behavioural standard of the Code of Conduct for

Councillors. When dealing with an instance of unsuitable meeting conduct by a Councillor in a Meeting, the following procedures must be followed.

- 3.1.1 The Chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a Meeting.
- 3.1.2 If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature or another warning is warranted, proceed to section 3.1.7 of this Policy.
- 3.1.3 If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
 - (a) ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
 - (b) apologising for their conduct; or
 - (c) withdrawing their comments.
- 3.1.4 If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- 3.1.5 If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- 3.1.6 If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- 3.1.7 If the Councillor still continues to fail to comply with the Chairperson's request for remedial action or the Chairperson decided a warning was not appropriate under section 3.1.3 of this Policy, the Chairperson may make one or more of the orders below:
 - (a) an order reprimanding the Councillor for the conduct; or
 - (b) an order requiring the Councillor to leave the Meeting, including any area set aside for the public and stay out for the duration of the Meeting.
- 3.1.8 If the Councillor fails to comply with an order to leave and stay away from the Meeting, the Chairperson can issue an order that the Councillor be removed from the Meeting.
- 3.1.9 Following the completion of the Meeting, the Chairperson must ensure the minutes record the information about unsuitable meeting conduct (see note):
- 3.1.10 Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for sections 3.1.1, 3.1.7 and 3.1.8 of this Policy.

~~**Note:** Details of any order issued is recorded in the minutes of the meeting. If it is the third or more order made within a 12-month period against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next local government meeting as a suspected conduct breach. The local government's chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's Councillor Conduct Register.~~

3.2 Process for Dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting

- 3.2.1 If a Councillor at the meeting reasonably believes that the conduct of the chairperson during the meeting is unsuitable meeting conduct, the Councillor will raise the matter in the meeting by point of order.
- 3.2.2 The chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the Councillor may move a motion that the Councillor has engaged in unsuitable meeting conduct (a seconder for the motion is required). Councillors present, excluding the chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.
- 3.2.3 The chairperson has a **declarable** conflict of interest in the matter and must leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the chairperson wishes to remain in the meeting, the eligible Councillors must make a decision and follow the procedures set out in *part 5* below.
- 3.2.4 For the debate and vote on the motion, a Councillor other than the Councillor that moved the motion, is to act as the chairperson.
- 3.2.5 If the original chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible Councillors, they can put forward their reasoning about their conduct, and respond to questions through the chairperson from the eligible Councillors.
- 3.2.6 The acting chairperson of the meeting will preside over the meeting while the Councillors present at the meeting vote on whether the chairperson has engaged in unsuitable meeting conduct (the acting chairperson will have a casting vote on the resolution if required).
- 3.2.7 If it is decided that the chairperson has engaged in unsuitable meeting conduct the Councillors can make an order reprimanding the chairperson for the conduct.
- 3.2.8 Once the Councillors make a decision, the chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting chairperson.
- 3.2.9 The chairperson then resumes the role of chairperson, and the meeting continues.

Note: Details of any reprimand order is recorded in the minutes of the meeting. The local governments chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's Councillor Conduct Register.

~~For conduct of a chairperson, at local government meetings that is part of a course of conduct leading to a reprimand order for unsuitable meeting conduct being made against the chairperson, on three occasions within a period of 12 months, the conduct that led to the orders being made, taken together, becomes a conduct breach.~~

~~If the conduct of a Councillor, including a chairperson, at the meeting becomes a conduct breach; in accordance with section 150J of the LGA, and is a conduct breach under section 150K(2)(b) and (3) of the LGA, the local government is not required to notify the assessor about the conduct; and may deal with the conduct under section 150AG as if an investigation had been conducted. It may be dealt with at the next local government meeting.~~

3.3 **Misconduct and referral to meeting process for dealing with a suspected Conduct Breach which has been referred to Council by the Independent Assessor**

~~Under chapter 5A, part 3, division 3A of the LGA, the IA must make a preliminary assessment and consider dismissing a complaint, notice or information before taking other action if satisfied that particular circumstances apply. If the IA assesses that a matter is a suspected conduct breach it must refer the matter to the local government. The assessor refers the Councillor's suspected conduct breach to the local government by giving a referral notice.~~

~~**Note:** Conduct breach is conduct that contravenes a behavioural standard of the code of conduct for Councillors, or a policy, procedure or resolution of the local government; or the conduct contravenes an order of the chairperson of a local government meeting for the Councillor to leave and stay away from the place at which the meeting is being held; or an instance of a suspected conduct breach that may arise from circumstances described in Note at the end of clause 3.1.10. Process for Dealing with Unsuitable Meeting Conduct by a Councillor in a Meeting, in this document.~~

~~In relation to matters referred by the IA to the local government, the local government may decide not to start or discontinue an investigation if the complainant withdraws the complaint, or consents to the investigation not starting or discontinuing, or the complainant does not provide extra information when requested, or there is insufficient information to investigate the complaint, or the Councillor vacates or has vacated their office as a Councillor.~~

~~**Note:** The local government investigation must be conducted in a way that is consistent with the local government's investigation policy. An investigation report must be prepared to assist the Councillors in making a decision on the outcome under section 150AG of the LGA. Before debating a matter relating to making a decision, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the LGA on or before the day and time prescribed by regulation. However, this section does not apply in relation to a decision by the Establishment and Coordination Committee under the City of Brisbane Act 2010 (COBA).~~

3.3.1 ~~The former local government process for investigating and deciding a suspected conduct breach does not apply to new matters under the Local Government Act 2009 current as 1 July 2026. The local government must decide in a local government meeting, whether the Councillor has engaged in a conduct breach. Unless in accordance with section 150AG of the LGA, it has delegated responsibility for this decision to the mayor under section 257(2)(a), or to a standing committee section 257(2)(b) of the LGA or section 238(2)(a), (b) or (c) of the COBA.~~

3.3.2 ~~A complaint about the conduct of a Councillor must be referred to the Independent Assessor in accordance with section 150P of the Local Government Act 2009. When dealing with an instance of a suspected conduct breach which has been referred to a local government by the IA:~~

3.3.2.1 ~~The local government must be consistent with the local government principle of transparent and accountable decision making in the public interest by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of the local government. However, where the matter requires debate a local government may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report under the City of Brisbane Regulation (CBR) section 242J, or the Local Government Regulation (LGR) section 254J.~~

3.3.2.2 ~~No resolution for a decision can be made in the closed session. The matter must be decided in an open session of the meeting or at a later meeting.~~

- ~~3.3.2.3—Where a local government makes a decision about a conduct breach matter at a local government meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting under GBR section 242H and the LGR section 254H.~~
- ~~3.3.2.4—The subject Councillor has a declarable conflict of interest in the matter but may remain in the closed meeting (unless the local government decides otherwise), during the debate about the investigation report and answer questions put to the subject Councillor through the chairperson in relation to the evidence or written submission provided by the Councillor to the local government.~~
- ~~3.3.2.5—The subject Councillor who has a declarable conflict must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in a conduct breach and what, if any, penalty to impose if the Councillor is found to have engaged in a conduct breach.~~
- ~~3.3.2.6—If the complainant is a Councillor, that Councillor has a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 4. If the complainant Councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other eligible Councillors (do not have a COI in the matter) must decide how to deal with the conflict of interest under section 4. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote, or the decision on any disciplinary action to be applied.~~
- ~~3.3.2.7—After making a decision under section 150AG of the LGA, the local government must make the full investigation report, publicly available within 10 business days after the decision is made, with redactions of the name of the complainant and any witnesses but including the name of a Councillor or the CEO of the local government if they were complainants, or any Councillor who declared a COI in the matter.~~
- 3.3.3 If the local government official becomes aware of information indicating that a Councillor may have engaged in misconduct, the official must give the Independent Assessor a notice about the conduct in accordance with section 150R of the Local Government Act 2009, unless the information is known through a complaint to which section 150P applies, has lost quorum due to the number of conflicted Councillors or another reason, the local government must do one of the following:
- ~~3.3.3.1—Delegate deciding the matter under section 257 of the LGA to the mayor or a standing committee, or under section 238 of the COBA, to the mayor or the Establishment and Coordination Committee, or a standing committee, whichever is the most appropriate in the circumstances or~~
- ~~3.3.3.2—Decide, by resolution, to defer the matter to a later meeting or~~
- ~~Decide, by resolution, not to decide the matter and take no further action in relation to the matter unless this Act or another Act provides that the local government must decide the matter.~~

~~**Note:** Local government cannot decide to take no further action on a decision about a conduct matter because it is required under the LGA. In order to reach a decision when a loss of quorum~~

~~has occurred, the matter can be deferred to a later meeting when a quorum can be maintained, or the conflicted Councillors may apply to the Minister for permission to participate in the decision.~~

3.3.4 ~~Misconduct includes a Councillor failing to comply with an order made under section 150L requiring the Councillor to leave and stay away from a local government meeting, and the other conduct described in section 150L of the Local Government Act 2009. If a decision is reached that the subject Councillor has engaged in a conduct breach, then the Councillors must decide what penalty or penalties from the orders detailed in 2.6, if any, to impose on the Councillor. In deciding what penalty to impose the local government may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the local government is reasonably satisfied is true.~~

3.3.5 ~~A matter that began before commencement of the relevant amendments must be dealt with in accordance with the applicable transitional provisions in Chapter 9, Part 20 of the Local Government Act 2009. The local government may order that no action be taken against the Councillor or make one or more of the following:~~

~~An order that the Councillor make a public apology, in the way decided by the local government,~~

~~An order reprimanding the Councillor for the conduct breach~~

~~An order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense~~

~~An order that the Councillor be excluded from a stated local government meeting~~

~~An order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, (for example that the Councillor is ordered to resign from an appointment representing the local government on a state board or committee)~~

3.3.5.1 ~~An order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct~~

3.3.5.2 ~~An order that the Councillor reimburse the local government for all or some of the costs arising from the Councillor's conduct breach.~~

3.3.5.3 ~~A local government may not make an order in relation to a person who has vacated their office as a Councillor.~~

3.3.6 ~~The subject Councillor, and where relevant, the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the decision made by the local government and if relevant any orders made by resolution.~~

3.3.7 ~~The minutes of the meeting must reflect the decision and any orders made. A notice must be given to the IA as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.~~

3.4 **Prescribed Material Personal Conflict of Interest**

Councillors are ultimately responsible for informing of any ~~prescribed material personal conflict of interest~~ on matters to be discussed at a local government, standing or advisory Committee Meeting (other than ordinary business matters). When dealing with a ~~prescribed material personal conflict of interest~~, Councillors must abide by the following procedures.

- 3.4.1 A Councillor who has notified the Chief Executive Officer of a ~~prescribed-material personal conflict of~~ interest in a matter to be discussed in a local government Meeting must also give notice during the Meeting.
- 3.4.2 A Councillor who first becomes aware of a ~~prescribed-material personal conflict of~~ interest in a matter during a local government Meeting must immediately inform the Meeting of the conflict of interest.
- 3.4.3 When notifying the Meeting of a ~~prescribed-conflict~~material personal of interest, the following details must, at a minimum, be provided:
- (a) if it arises because of a gift, loan, or contract, the value of the gift, loan, or contract;
 - (b) if it arises because of an application or submission, the subject of the application or submission.
 - (c) the name of any entity, other than the Councillor, which has an interest in the matter;
 - (d) the nature of the Councillor's relationship with the entity which has an interest in a matter; and
 - (e) details of the Councillor's and any other entity's interest in the matter.
- 3.4.4 The Councillor must then leave the place of the Meeting, including any area set aside for the public and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister administering the *Local Government Act 2009* to participate in the matter.
- 3.4.5 Once the Councillor has left the area where the local government Meeting is being conducted, Council can continue discussing and deciding on the matter at hand.

3.5 ~~Declarable~~ Conflict of Interest

Councillors are ultimately responsible for informing of any ~~declarable~~ conflict of interest on matters to be discussed at local government meetings, standing, or advisory Committee Meetings which might lead to a decision which is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the Meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillors may disclose their suspicion and the processes under section 150E ~~JW~~ of the *Local Government Act 2009* applies.

When dealing with a ~~declarable~~ conflict of interest, Councillors must abide by the following procedures.

- 3.5.1 A Councillor who has notified the Chief Executive Officer of a ~~declarable~~ conflict of interest in a matter to be discussed at a local government Meeting must also give notice during the Meeting.
- 3.5.2 A Councillor who first becomes aware of a ~~declarable~~ conflict of interest in a matter during a local government Meeting must inform the Meeting of the conflict of interest.
- 3.5.3 When notifying the Meeting of a ~~declarable~~ conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the ~~declarable~~ conflict of interest in the public interest. As a minimum, the following details must be provided:
- (a) the nature of the ~~declarable~~ conflict of interest;
 - (b) if it arises because of the Councillor's relationship with a related party:

- (i) the name of the related party to the Councillor;
 - (ii) the nature of the relationship of the related party to the Councillor; and
 - (iii) the nature of the related party's interest in the matter; and
 - (c) if it arises because of a gift or loan from another person to the Councillor or a related party:
 - (i) the name of the other person;
 - (ii) the nature of the relationship of the other person to the Councillor or related party;
 - (iii) the nature of the other person's interest in the matter; and
 - (iv) the value of the gift or loan and the date the gift or loan was made.
- 3.5.4 After a Councillor has declared a conflict of interest, the Councillor should consider leaving the Meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- 3.5.5 If the Councillor chooses not to leave the Meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
- 3.5.6 The other Councillors at the Meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter or whether they should not participate in the decision and leave the place of the Meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the Meeting (for example, may stay for the debate but must leave for the vote). The Councillor must comply with any decision or condition imposed by the non-conflicted Councillors. The Councillor must not participate in the decision unless authorised in compliance with section 150EJS of the LGA or under an approval by the minister for local government under section 150EV of the LGA.
- 3.5.7 In deciding on whether a Councillor may participate in a decision about a matter in which the Councillor has a ~~declarable~~ conflict of interest, only Councillors who do not themselves have a ~~prescribed or declarable~~ material personal interest or conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the Meeting consistent with section 150EJT of the *Local Government Act 2009* and section 177Q of the *COBA*.
- 3.5.8 The Councillor who is the subject of the decision may remain in the Meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the Meeting while the vote on the matter takes place and the decision is declared by the Chairperson, on whether the Councillor may remain in the Meeting and participate in deciding the matter in which the Councillor has a ~~declarable~~ conflict of interest.
- 3.5.9 When deciding whether a Councillor may participate in the decision making on a matter in which they have a ~~declarable~~ conflict of interest, the other Councillors should consider the circumstances of the matter including, but not limited to:
- (a) how does the inclusion of the Councillor in the deliberation affect the public trust;
 - (b) how close or remote is the Councillor's relationship to the related party;

- (c) if the ~~declarable~~ conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received;
 - (d) will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have a major or minor impact on them;
 - (f) how does the benefit or detriment the subject Councillor stands to receive compare to others in the community; how does this compare with similar matters that the local government has decided and have other Councillors with the same or similar interests decided to leave the Meeting; and
 - (g) whether the subject Councillor has unique skills, knowledge, or expertise which might help make the best decision in the public interest.
- 3.5.10 If the non-conflicted Councillors cannot decide about the ~~declarable~~ conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the Meeting while the non-conflicted Councillors discuss and vote on the matter.
- 3.5.11 A decision about a Councillor who has a ~~declarable~~ conflict of interest in a matter applies in relation to the Councillor for participating in the decision and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the Meeting and be involved in processes occurring outside of a local government Meeting about the same matter (for example, briefing sessions or workshops).
- 3.5.12 In making the decision under sections 3.5.6 and 3.5.9 of this Policy, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 3.5.13 A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister administering the *Local Government Act 2009*.
- 3.6 Reporting a Suspected Conflict of Interest**
- 3.6.1 If a Councillor at a Meeting reasonably believes or suspects that another Councillor has a personal interest in a matter which may be a ~~prescribed-material personal interest~~ or ~~declarable~~ conflict of interest and that Councillor is participating in a decision on that matter, the Councillor ~~must-should~~ immediately inform the Chairperson of the Meeting of their belief or suspicion and the facts and circumstances which led to their belief or suspicion.
- 3.6.2 The Chairperson should ask the relevant Councillor with the suspected personal interest whether they have any ~~prescribed-material personal interest~~ or ~~declarable~~ conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the Councillor must follow the relevant procedures in section 3.4 or 3.5 of this Policy.
- 3.6.3 If the Councillor believes they do not have a conflict of interest, they must inform the Meeting of that belief and their reasons for that belief.
- 3.6.4 The non-conflicted Councillors must then decide whether the Councillor has a ~~prescribed-material personal conflict of~~ interest, a ~~declarable~~ conflict of interest, or that the Councillor does not have a ~~prescribed-material personal interest~~ or ~~declarable~~ conflict of interest in the matter. If the Meeting decides the Councillor has a conflict of

interest, the Councillor must follow the relevant procedures in section 3.4 or 3.5 of this Policy.

- 3.6.5 If the Councillors cannot reach a majority decision, then they are taken to have determined that the Councillor has a ~~declarable~~-conflict of interest.
- 3.6.6 If the belief or suspicion of a COI relates to more than one Councillor. The parts of 3.5.1 to 3.5.8 of these procedures must be complied with in relation to each Councillor separately.

3.7 Loss of Quorum

- 3.7.1 In the event where one or more Councillors leave a Meeting due to a ~~prescribed-material personal or declarable-conflict-of~~ interest or conflict of interest in a matter which results in a loss of a quorum for deciding the matter, Council must resolve to:
 - (a) delegate the consideration and decision on the matter, pursuant to section 257 of the *Local Government Act 2009*;
 - (b) defer the matter to a later Meeting; or
 - (c) not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.

All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.
- 3.7.2 The local government must not delegate a decision to an entity if the entity or a majority being at least half of its members, has a ~~prescribed-material personal interest~~ or ~~declarable~~ conflict of interest in the matter.
- 3.7.3 If the matter cannot be delegated under the *Local Government Act 2009*, Council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.

3.8 Recording ~~Prescribed-Material Personal Interest~~ and ~~Declarable Conflicts~~ of Interest

When a Councillor informs a Meeting that they or another Councillor have a ~~prescribed-material personal interest~~ or ~~declarable~~-conflict of interest in a matter, the minutes of the Meeting must record all of the relevant details of how the conflict of interest was dealt with, being:

- (a) the name of any Councillor and any other Councillor who may have a ~~prescribed-material personal interest~~ or ~~declarable~~ conflict of interest;
- (b) the particulars of the ~~prescribed-material personal interest~~ or ~~declarable~~-conflict of interest provided by the Councillor;
- (c) the actions taken by a Councillor after informing the Meeting that they have, or they reasonably suspect another Councillor has a ~~prescribed-material personal interest~~ or ~~declarable~~-conflict of interest;
- (d) any decision then made by the eligible Councillors;
- (e) whether the Councillor with a ~~prescribed-material personal interest~~ or ~~declarable~~-conflict of interest participated in or was present for the decision under ministerial approval;
- (f) The local government's decision on what actions the Councillor with a ~~declarable~~-conflict of interest must take and the reasons for the decision;
- (g) the name of each Councillor who voted on the matter and how each voted;

- | (h) if the Councillor has a ~~declarable~~ conflict of interest the following additional information must be recorded in the minutes of the Meeting when the Meeting is informed of a Councillor's personal interest by someone other than the Councillor:
 - | (i) the name of each Councillor who voted in relation to whether the Councillor has a ~~declarable~~ conflict of interest; and
 - (ii) how each of the Councillors voted;
- (i) and where a decision has been made under section 3.5.6 of this Policy—the minutes must:
 - (i) include the decision and reasons for the decision;
 - (ii) and the name of each eligible Councillor who voted and how each eligible Councillor voted.

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 Request for Renewal of Freehold Lease to Indara Infrastructure Pty Ltd over part of Lot 75 on RP601977

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.

16.2 East West Connector (EWC) Stage 1- 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 CONFIDENTIAL REPORTS

16.1 REQUEST FOR RENEWAL OF FREEHOLD LEASE TO INDARA INFRASTRUCTURE PTY LTD OVER PART OF LOT 75 ON RP601977

File No: qA81103

Attachments:

1. Aerial Image
2. Market Valuation

Responsible Officer: Sharon Sommerville - Manager Parks and Facilities
Katrina Paterson - General Manager Communities and Environment
Tom Upton - Chief Executive Officer

Author: Christine Macdonald - Principal Property Officer
Alison Morris - Property Officer
Monica Heaslip - Property Officer

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 seeks Council's approval to renew a telecommunications lease to Indara Infrastructure Pty Ltd over part of Lot 75 on RP601977, comprising approximately 145m² of Council-owned land located at Lot 75 Mount Street, Yeppoon.

16.2 EAST WEST CONNECTOR (EWC) STAGE 1- CURRENT STATUS AND BUDGET UPDATE

File No: 25-032
Attachments: Nil
Responsible Officer: Michael Kriedemann - General Manager Infrastructure
Tom Upton - Chief Executive Officer
Author: Arvind Singh - Manager Infrastructure Projects
Previous Items: 12.2 - Residential Activation Fund Grant Application - Ordinary Council - 22 May 2025 2:00 PM (Special)
5.3 - East West Connector (EWC) Stage 1- Current Status and Budget Update - Briefing Session - 25 Aug 2026

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 the current status of the East West Connector (EWC) Stage 1 project and an updated construction cost position following completion of the 80% design. The report seeks Council's endorsement to provisionally allocate the required construction funding from within the approved \$38.8M project budget, to release the construction tender to market, and to note that officers will report back to Council following tender evaluation before any contract is awarded.

The revised road and intersection construction estimate is above the road funding currently available. Officers have identified that this increase, based on the information available at this time, can be accommodated within the existing \$38.8M budget envelope through efficiencies and staging in the trunk water and sewer scope, with no additional funding required.

17 CLOSURE OF MEETING